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- Department of Corrective Services, Western Australia,
- Department for Families and Communities, South Australia
- Department of Health and Human Services, Tasmania
- Department of Disability, Housing and Community Services, Australian Capital Territory.

Abbreviations

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

Symbols

–	rounded to zero
0	zero
..	not applicable
n.a.	not available
n.p.	not publishable because of small numbers, confidentiality or other concerns about the quality of the data

Notes

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

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

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

Main findings

In Australia, the state and territory governments are responsible for dealing with young people who are involved in crime. One major aspect of the juvenile justice system is the supervision of children and young people who have committed or are alleged to have committed an offence. This report presents information on the young people under juvenile justice supervision, both in detention and under community-based supervision, and the characteristics of their supervision.

Most young people are under community-based supervision

There were around 7,250 young people under juvenile justice supervision on an average day during 2009–10, and most (86%) were under community-based supervision. Western Australia and the Northern Territory did not provide standard data for 2009–10 and where possible, national totals were calculated using available data (see Chapter 3 for details). Young people aged 10–17 years were almost 6 times as likely to be under community-based supervision as in detention on an average day, although Indigenous young people were only 4 times as likely to be under community-based supervision.

However, the propensity to be under community-based supervision rather than in detention varied among the states and territories (excluding Western Australia and the Northern Territory), and ranged from 4 times as likely in New South Wales to 11 times in Victoria. This variation reflects differences in legislation, policy and practice, including the range of supervised orders and options for diversion that are available in each of the states and territories.

Overall, however, few young people are under juvenile justice supervision. Just 0.3% of young Australians were under supervision on any given day in 2009–10.

Young people spend half the year under juvenile justice supervision

The average length of time spent under supervision during 2009–10 was 6 months, and young people spent 3 times as long under community-based supervision as in detention (almost 6 months under community-based supervision compared with 2 months in detention). Among the states and territories (excluding Western Australia and the Northern Territory), the average length of time spent under supervision ranged from 5 months in the Australian Capital Territory to 7 months in Tasmania.

Indigenous young people spent more time under supervision than non-Indigenous young people, especially in detention. Indigenous young people spent 2.5 more weeks in detention during the year than non-Indigenous young people, but just 4 more days, on average, under community-based supervision.

Almost half of those under supervision have never been in detention

A sizeable proportion of those under supervision have only ever had community-based supervision – 44% of those under supervision during 2009–10 have never been in detention. However, this was less likely for Indigenous young people: only 32% of Indigenous young men and 42% of Indigenous young women had never been detained, compared with 46% of non-Indigenous young men and 49% of non-Indigenous women.

1 Overview

1.1 Young people under supervision

In Australia, juvenile justice is the responsibility of the state and territory governments. These state and territory juvenile justice systems share a number of characteristics, including the general process through which children and young people move through the system and the types of legal orders that are available to the courts.

In all states and territories, children who are aged 10 years or older can be charged with a criminal offence. The age limit for treatment as a young person is 17 years in all states and territories except Queensland, where the age limit is 16 years. However, it is possible for people aged 18 years or older to be in the juvenile justice system (see Chapter 2 for more information on the juvenile justice system in Australia).

Young people in the juvenile justice system may be on unsupervised community-based orders (such as unsupervised bail), supervised community-based orders (such as supervised bail or probation) and detention orders (including remand and sentenced detention). This report focuses on young people who are supervised by the government departments responsible for juvenile justice both in the community and in detention (see Chapter 3 for more information on the data used in this report). Young people who are on unsupervised community-based orders are not included in this report.

Nationally, there were around 7,250 young people under juvenile justice supervision on an average day in 2009–10 (including estimates for Western Australia and the Northern Territory, for which standard data were not provided) (Figure 1.1). This is only a small proportion of young Australians – in 2009–10, the average daily supervision rate was 2.6 young people aged 10–17 years per 1,000, which means just 0.3% of young Australians were under supervision on any given day (Table 4.3).

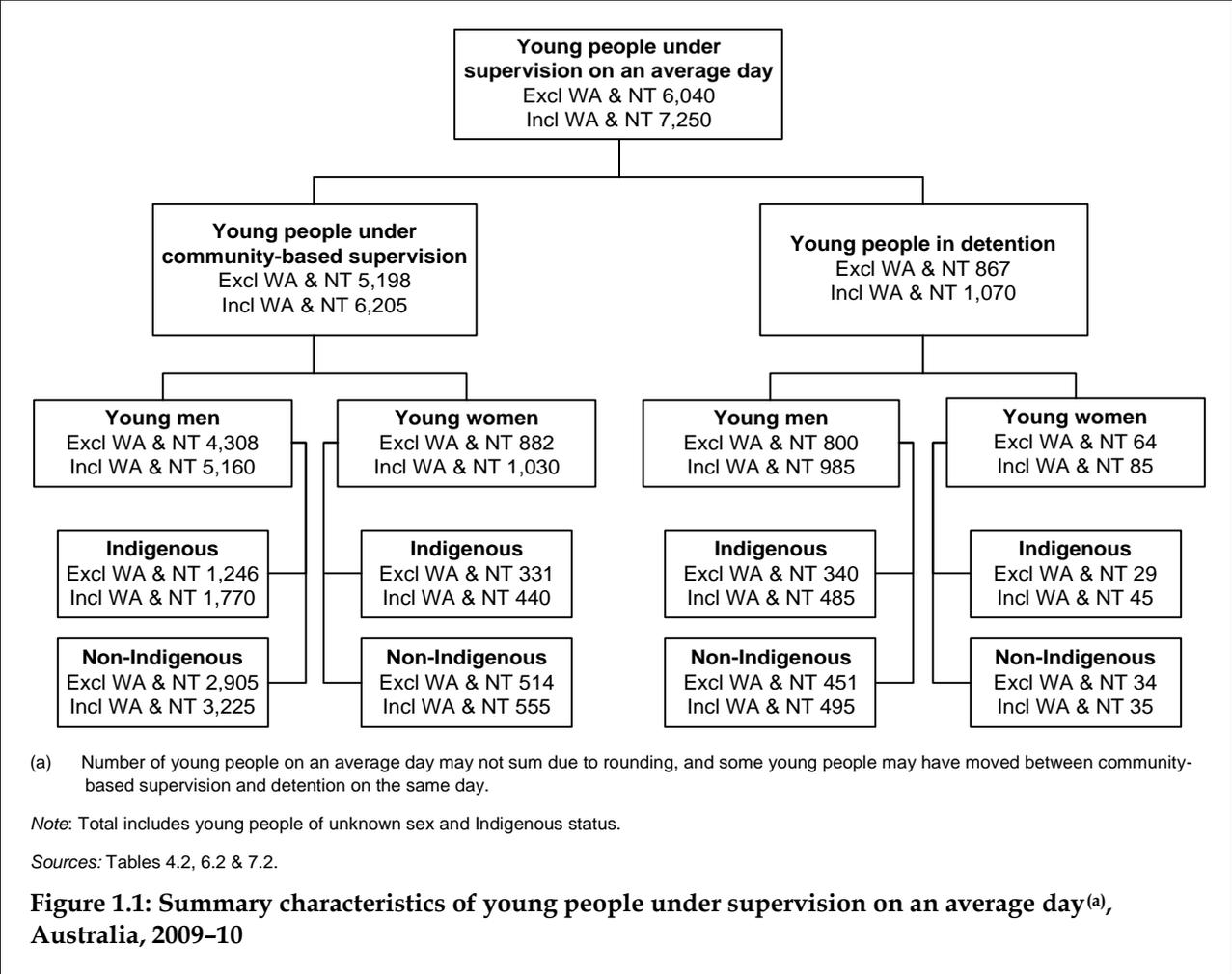
Around 6,200 young people, or 86% of those under supervision, were supervised in the community on an average day, while almost 1,100 (15%) were in detention – an average of 1% of young people under supervision moved between community-based supervision and detention on the same day, while 28% of those under supervision during the year were both under community-based supervision and in detention at some time during 2009–10 (Figure 1.1, tables 4.1, 6.1 and 7.1). Young people aged 10–17 years were almost 6 times as likely to be under community-based supervision as in detention on an average day, with rates of 2.2 per 1,000 for community-based supervision and 0.4 for detention (tables 6.3 and 7.3).

Young men were much more likely to be under supervision than young women. On an average day, 83% of those under community-based supervision and 92% of those in detention were young men (Figure 1.1). For those aged 10–17 years, young men were 4 times as likely as young women to be under community-based supervision and 9 times as likely to be in detention on an average day (tables 6.3 and 7.3).

Although only around 5% of young Australians are Indigenous, over one-third (38%) of those under supervision on an average day were Aboriginal and Torres Strait Islander (Table 4.2). A higher proportion of those in detention were Indigenous compared with those under community-based supervision: on an average day in 2009–10, 49% of those in

detention were Indigenous, compared with 36% of those under community-based supervision (tables 6.2 and 7.2).

On an average day, more than three-quarters (78%) of those under supervision were aged 14–17 years, and a further 16% were aged 18 years and over (excluding Western Australia and the Northern Territory, for which data on individual age years were not available) (Table 4.1). Fewer than 30 young people aged 10 or 11 years were under supervision on an average day.

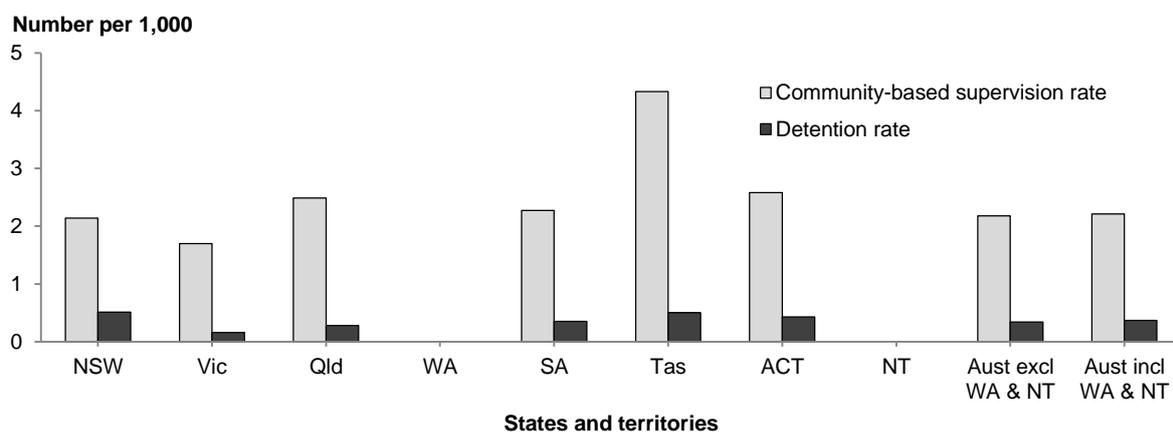


1.2 States and territories

Young people were more likely to be under community-based supervision than in detention in every state and territory; however, there was some variation in the rates. Rates of community-based supervision on an average day for young people aged 10–17 years ranged from 1.7 per 1,000 in Victoria to 4.3 in Tasmania, while detention rates for an average day ranged from 0.2 in Victoria to 0.5 in New South Wales and Tasmania (excluding Western Australia and the Northern Territory, for which standard data were not provided) (Figure 1.2).

There was little relationship between rates of community-based supervision and detention – some states and territories with low rates of community-based supervision had relatively high rates of detention, and vice versa. For example, Queensland had one of the lower rates of detention for an average day at 0.3 per 1,000, but one of the higher rates of community-based supervision, at 2.5 per 1,000. In contrast, New South Wales had the highest detention rate at 0.5 per 1,000 but the second lowest rate of community-based supervision at 2.1.

Consequently, the propensity to be under community-based supervision rather than in detention also varied. A young person aged 10–17 years in New South Wales was only 4 times as likely to be under community-based supervision as in detention on an average day, while a young person of this age was 6 times as likely to be under community-based supervision in South Australia and the Australian Capital Territory, 9 times as likely in Queensland and Tasmania, and 11 times in Victoria. This variation in the relative use of detention and community-based supervision reflects differences in legislation, policy and practice, including the range of supervised orders and options for diversion that are available in each of the states and territories (see Appendix A for more details on the juvenile justice systems in Australia).



Note: Western Australia and the Northern Territory did not supply JJ NMDS data for 2009–10.

Source: Tables 6.3 and 7.3.

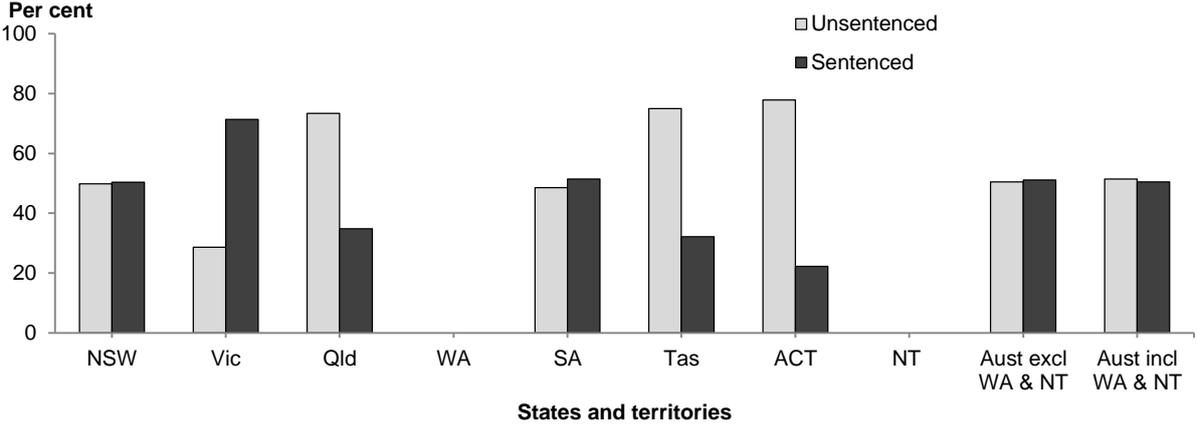
Figure 1.2: Young people under community-based supervision and in detention on an average day, Australia, 2009–10 (rate)

1.3 Use of detention

In general, the juvenile justice system is based on the principle that children and young people who break the law can and should be rehabilitated. An associated principle is that detention should be an option of last resort. This is a requirement of the United Nations *Convention on the rights of the child* (Office of the United Nations High Commissioner for Human Rights 1989), which states that children should be deprived of liberty only as a last resort and for the shortest appropriate period of time (article 37 (b)). Similar statements are found in state and territory legislation relating to the sentencing of children and young people.

Alternatives to detention are available to courts for children and young people who are awaiting trial or sentencing or who are sentenced, and states and territories have a number of unsupervised and supervised community-based orders available. These include placing young people on supervised or conditional bail while awaiting trial or sentencing, and sentencing young people to good behaviour bonds, community service, probation or suspended detention. Consistent with this principle, the use of community-based supervision is much more common than detention – a young person aged 10–17 years is around 6 times as likely to be under community-based supervision as in detention on an average day.

On any given day in 2009–10, almost 1,100 young people were detained throughout Australia and around half of these were unsentenced (Figure 1.3). In most states and territories with available data, at least half of those detained on an average day were unsentenced. Only in Victoria were most of those in detention sentenced – this is likely due in part to the ‘dual track’ sentencing system that operates in Victoria, where young people aged 18–20 years can be sentenced to detention in a juvenile justice detention centre (over one-third of those in detention in Victoria during the year were aged 18 years and older – see Table 7.1).



Note: Young people may be both sentenced and unsentenced on the same day.
 Source: Tables 7.2 and D20.

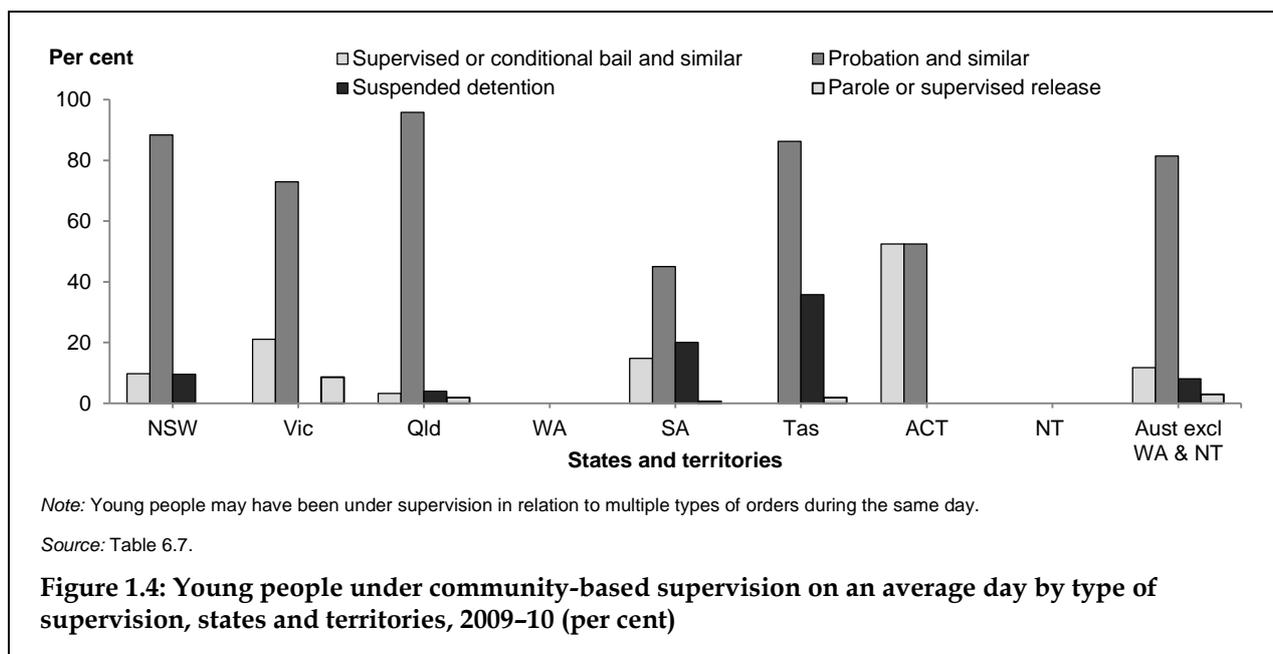
Figure 1.3: Young people in detention on an average day by legal status, states and territories, 2009–10 (per cent)

During 2009–10, young people spent a total of 2 months, on average, in detention (while individual periods of detention had a median length of just under 1 week (Figure 7.17 and Figure 7.18).

Over half (55%) of those under supervision during 2009–10 had been in detention at some time during their supervision history (tables 4.1 and B12). However, this was not true for all states and territories: over half of those in Victoria (65%), Queensland (53%) and Tasmania (52%) had never been in detention.

1.4 Community-based supervision

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 orders, suspended detention, and parole or supervised release). The most common type of community-based supervision was probation or similar: on an average day in 2009–10, 81% of young people under community-based supervision (excluding Western Australia and the Northern Territory, for which standard data were not provided) were on probation or similar (Figure 1.4). This type of community-based supervision was the most common in all states and territories with available data; proportions ranged from 96% of young people in Queensland to 53% in the Australian Capital Territory. Nationally (excluding Western Australia and the Northern Territory), the next most common type of supervision was supervised or conditional bail and similar, with 12% of young people under community-based supervision on an average day – proportions ranged from 3% in Queensland to 53% in the Australian Capital Territory. Suspended detention was also relatively common in Tasmania (36%) and South Australia (20%), and Victoria had the highest proportion on parole or supervised release (10%).

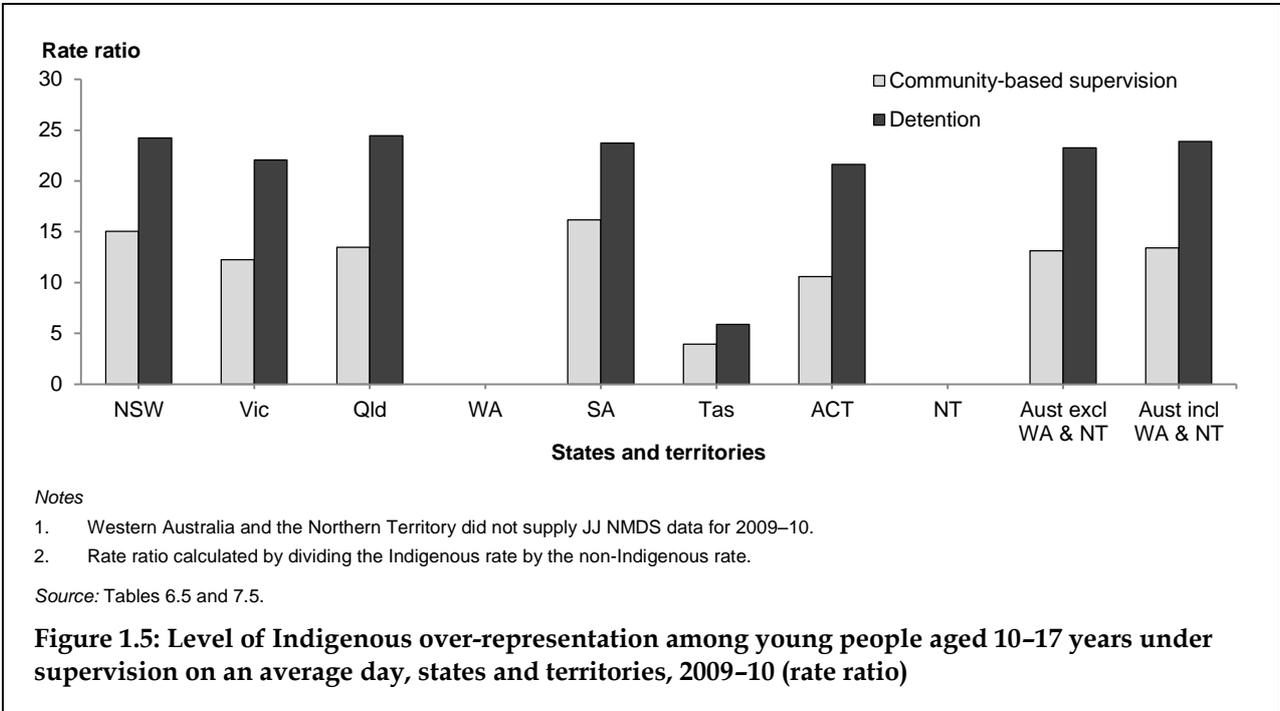


1.5 Aboriginal and Torres Strait Islander young people

In 2009–10, there was an average of 23 Indigenous young people aged 10–17 years under juvenile justice supervision for every 1,000 in the population on any given day, compared with just 1.5 per 1,000 non-Indigenous young people (Table 4.5). This means that an Indigenous person aged 10–17 years was almost 15 times as likely to be under supervision on an average day as a non-Indigenous young person aged 10–17 years. This pattern of Indigenous over-representation was found in all states and territories with available data, although the level of over-representation varied. In Tasmania, an Indigenous young person

aged 10–17 years was 4 times as likely to be under supervision on an average day as a non-Indigenous young person aged 10–17 years; in Victoria, Queensland, and the Australian Capital Territory, an Indigenous young person was 12–14 times as likely to be under supervision, while in New South Wales and South Australia, an Indigenous young person was 17 times as likely as a non-Indigenous young person to be under supervision.

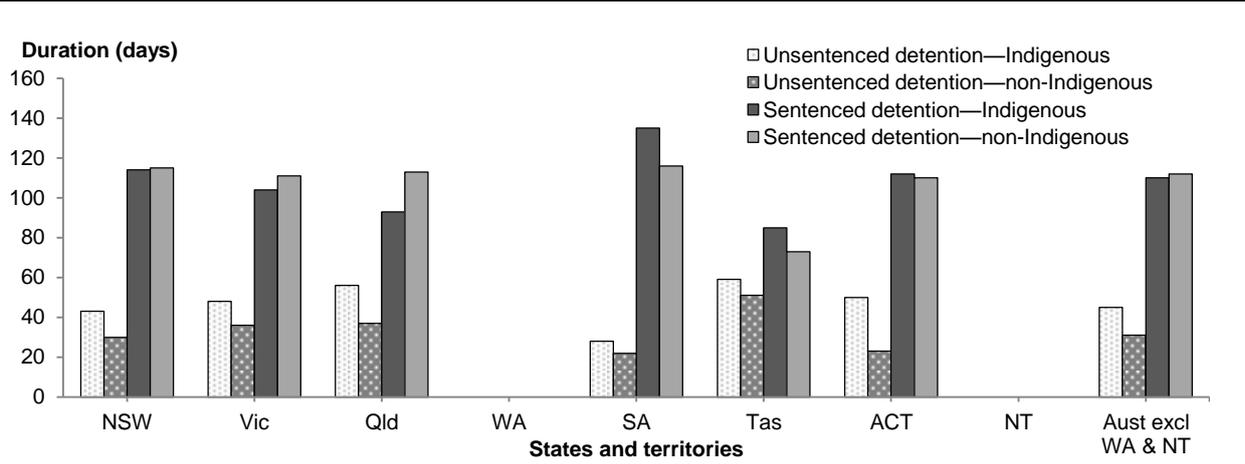
In all states and territories with available data, the level of Indigenous over-representation was higher for detention than for community-based supervision. Nationally (including estimates for Western Australia and the Northern Territory), an Indigenous young person aged 10–17 years was 13 times as likely to be under community-based supervision on an average day as a non-Indigenous young person aged 10–17 years, but 24 times as likely to be in detention (Figure 1.5). Levels of Indigenous over-representation for community-based supervision ranged from 4 times in Tasmania to 16 times in South Australia, while for detention, levels of over-representation ranged from 6 times in Tasmania to 24 in Queensland (excluding Western Australia and the Northern Territory).



As well as being over-represented under supervision, Indigenous young people under supervision also tended to be younger than non-Indigenous young people. An Indigenous young person aged 17 years was 11 times as likely to be under supervision on an average day as a non-Indigenous young person of the same age, but 21 times as likely if aged 14 years, and 46 times as likely if aged 12 years (excluding Western Australia and the Northern Territory, for which standard data were not provided) (Table 4.4).

Indigenous young people were also more likely to have been detained at some time during their supervision history than non-Indigenous young people: 67% of Indigenous young men and 57% of Indigenous young women had been in detention, compared with 53% of non-Indigenous young men and 50% of non-Indigenous young women (tables A1 and B12).

In all states and territories, the time spent in sentenced detention during the year was, on average, longer than the time spent in unsentenced detention, and this was true for both Indigenous and non-Indigenous young people (Figure 1.6). However, Indigenous young people spent more time in unsentenced detention than non-Indigenous young people – from 6 more days in South Australia to 27 more in the Australian Capital Territory. But this pattern did not occur for sentenced detention in all states and territories. In New South Wales, Victoria and Queensland, Indigenous young people spent less time in sentenced detention throughout the year than non-Indigenous young people, while in South Australia, Tasmania and the Australian Capital Territory, they spent more time in sentenced detention.



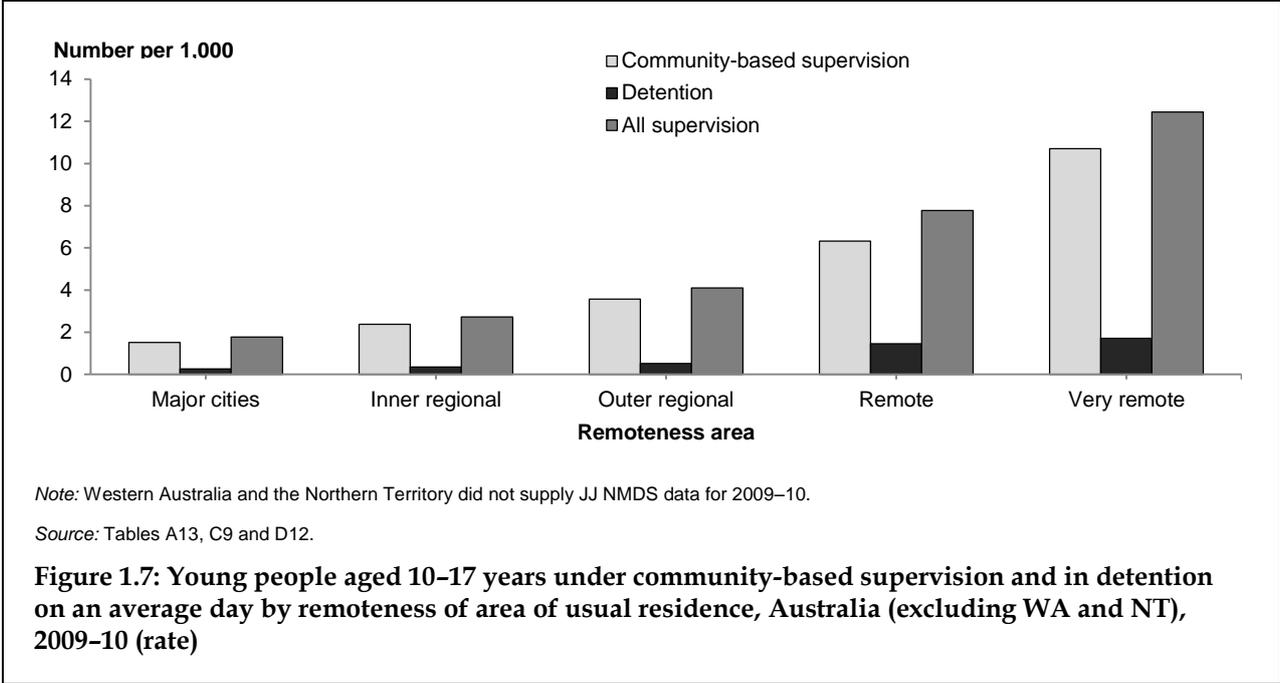
Note: Western Australia and the Northern Territory did not supply JJ NMDS data for 2009–10.

Source: Tables D27 and D35.

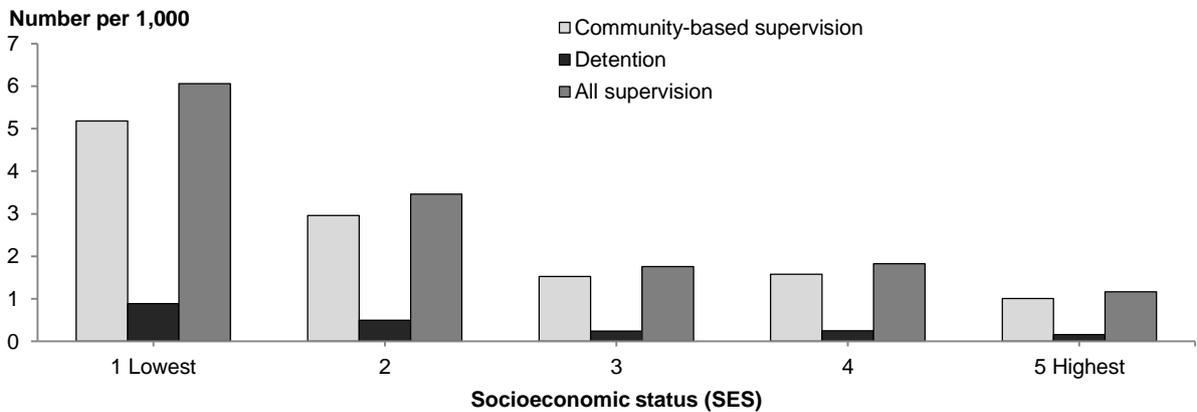
Figure 1.6: Average length of time spent in unsentenced and sentenced detention by Indigenous status, states and territories, 2009–10

1.6 Remoteness and socioeconomic status of usual residence

Young people from geographically remote areas were more likely to be under supervision than those from less remote areas (Figure 1.7). On an average day in 2009–10, young people from *Remote* areas were 4 times as likely as those from *Major cities* to be under supervision, and those from *Very remote* areas were 7 times as likely.



Young people from areas of lower socioeconomic status were more likely to be under supervision than those from areas of higher socioeconomic status, and there was an inverse relationship between socioeconomic status and rate of supervision (Figure 1.8). Young people from areas of lowest socioeconomic status were around 5 times as likely to be under supervision on an average day as those from areas of highest socioeconomic status.



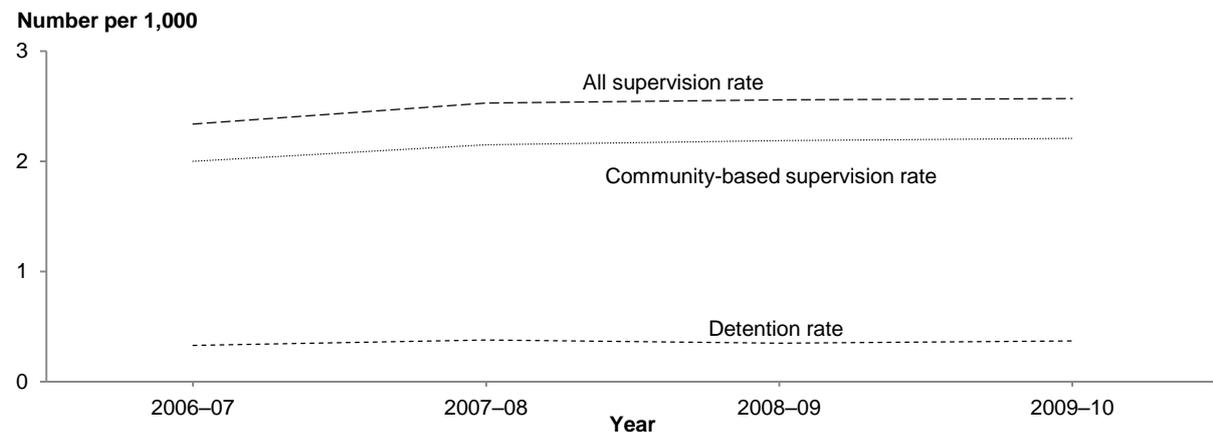
Note: Western Australia and the Northern Territory did not supply JJ NMDS data for 2009–10.

Source: Figure 4.17, Figure 6.10, Figure 7.14.

Figure 1.8: Young people aged 10–17 years under community-based supervision and in detention on an average day by socioeconomic status of area of usual residence, Australia (excluding WA and NT), 2009–10 (rate)

1.7 Supervision trends

Between 2006–07 and 2009–10, the average daily supervision rate for young people aged 10–17 years increased from 2.3 per 1,000 to 2.6 (Figure 1.9). The equivalent community-based supervision rate increased from 2.0 per 1,000 to 2.2 per 1,000, while the detention rate increased slightly from 0.33 to 0.37 per 1,000.



Source: Tables 4.5, 6.5 and 7.5.

Figure 1.9: Young people aged 10–17 years under community-based supervision and in detention on an average day, Australia (including WA and NT), 2006–07 to 2009–10 (rate)

1.8 Comparison with adults

Community-based supervision and community-based corrections

Adults were around 1.5 times as likely as young people to be supervised in the community, with a community-based corrections rate of 3.3 per 1,000 adult population for the June quarter in 2010 (ABS 2010a), compared with the average daily community-based supervision rate of 2.2 per 1,000 young people aged 10–17 years for 2009–10 (Table 6.3). A similar proportion of adults in community-based corrections and young people under community-based supervision were male (82% and 83%, respectively) (ABS 2010a and Figure 6.1).

Juvenile detention and adult prison

Adults were around 4 times as likely as young people to be imprisoned on an average day – nationally, there were 1.7 prisoners per 1,000 adult population on an average day during the June quarter in 2010 (ABS 2010a), compared with the juvenile detention rate of 0.4 per 1,000 for those aged 10–17 years (Table 7.3). For both adult prison and juvenile detention, most (92–93%) were male; however, those in juvenile detention were more likely to be Indigenous than those in adult prison – just over one-quarter (26%) of adult prisoners were Indigenous, compared with half (50%) of those in juvenile detention (ABS 2010a and Table 7.2). Those in juvenile detention were also more likely to be unsentenced – 50% of those in juvenile detention on an average day were unsentenced, compared with 23% of those in adult prison (ABS 2010a and tables 7.1 and D20).

1.9 Report structure

There are eight chapters and two appendixes in this report:

- Chapter 1 (this chapter) provides an overview of the report.
- Chapter 2 provides background information to the juvenile justice supervision system and the young people who are under juvenile justice supervision.
- Chapter 3 details the data and methods used in the report.
- Chapters 4 and 5 examine the characteristics of the young people under juvenile justice supervision and the supervision they experience.
- Chapter 6 contains further information on community-based supervision, while Chapter 7 focuses on detention.
- Chapter 8 summarises key information for each state and territory.
- Appendix A contains further information on the juvenile justice systems in each of the Australian states and territories.
- Appendix B contains the population data used to calculate rates.

Appendix tables referred to in this report are available for download from <http://www.aihw.gov.au/publications/>. Past reports in this series are also available for download.

2 The juvenile justice system in Australia

The juvenile justice system is the set of processes and practices for dealing with children and young people who are alleged to have committed an offence or who have been proven guilty of committing an offence.

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

The children and young people who are involved in the juvenile justice system also share a number of characteristics – they typically come from disadvantaged backgrounds with low levels of educational achievement, histories of drug and alcohol use and involvement in the child protection system and they often have poor physical and mental health (Indig et al. 2011; Kenny & Nelson 2008).

2.1 Definition of a young person

In all states and territories, a child is deemed to have criminal responsibility if they are 10 years or older. Children under the age of 10 cannot be charged with a criminal offence in any state or territory in Australia. The age limit for treatment as a young person is 17 years in all states and territories except Queensland, where the age limit is 16 years. This age limit refers to the age at which the offence was committed (or allegedly committed), which means that people who are aged 18 years or older (17 years or older in Queensland) when they (allegedly) commit an offence will be dealt with under the criminal legislation relating to adults.

Although the age limit for treatment as a young person is 17 years (16 years in Queensland), it is possible for people who are 18 years or older to be under juvenile justice supervision. First, young people may have been apprehended for an offence that was (allegedly) committed when they were aged 17 years or younger. Second, if young people entered supervision when aged 17 years or younger, the juvenile justice system may continue to supervise them once they turn 18 years old; alternatively, they may be transferred to the adult correctional system. Third, in some states and territories, juvenile justice agencies may supervise young people aged 18 years and older, due to their vulnerability or immaturity. Additionally, young people in Victoria aged 18–20 years may be sentenced to detention in a juvenile detention centre (rather than an adult prison) where the court deems appropriate (the ‘dual track’ sentencing system).

2.2 Government departments and agencies involved in the juvenile justice system

The juvenile justice system involves a number of government departments and agencies that are involved in various stages and processes (Figure 2.1).

Police

The first contact that most young people have with the juvenile justice system is when the police apprehend them for allegedly committing an offence (Figure 2.1). An important feature of the juvenile justice system in Australia is diversion, and police may divert young people from further involvement with the juvenile justice system through a range of non-court actions. These include warnings, which typically only apply for trivial offences and can be delivered on the spot, and cautions, which usually apply to more serious offences and often involve the young person explaining and considering the impact of their actions. Police may also refer the young person to a group conference (also known as a youth justice conference or community conference – the availability of police-referred group conferencing varies by state and territory). The aim of a group conference is for the young person to take responsibility for their actions and meet with the victims of the offence.

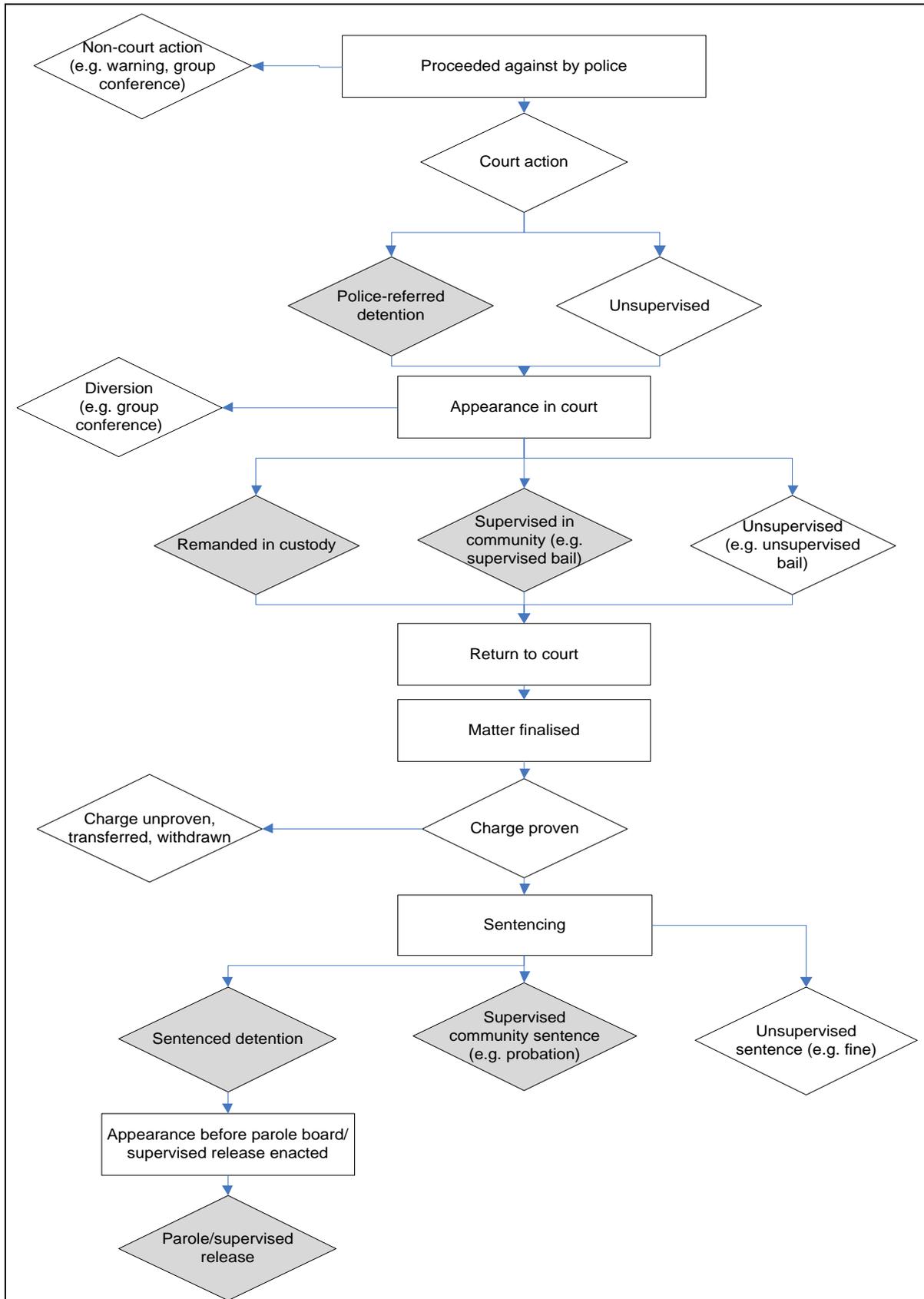
If the police do not divert a young person through a non-court action, then the matter proceeds to court. In some situations, the young person may be detained in a juvenile justice centre before their initial court appearance (referred to as ‘police-referred detention’ in this report).

Courts

At the initial court appearance, the court may decide to dismiss the charge or divert the young person through the use of a caution or a referral to a group conference (the availability of diversionary options varies by state and territory). If the trial proceeds, the court will decide to either remand the young person in custody until the next court appearance or release the young person on supervised (also known as conditional) or unsupervised bail. If the charge is proven, the court can hand down a number of orders or refer the young person to a group conference. Such orders can include fines, reprimands, good behaviour bonds, community service orders, community work orders, probation, suspended sentences, home detention and detention.

Parole boards

In most states and territories, young people serving sentenced detention orders may be eligible for release on parole (also known as supervised release), usually after a set period of the sentence has been served in detention. Parole allows regular support and supervision to be provided to a young person while they are living in the community. If parole is granted or the period of supervised release enacted, the young person is released into the community and is required to meet a number of conditions, such as not committing any offences and regularly reporting to their parole officer. If any of these conditions are broken, the parole board may cancel the parole and the young person will return to detention for the remainder of their sentence.



Note: Shaded objects indicate juvenile justice agency involvement. These areas of the juvenile justice system are the focus of this report.

Figure 2.1: An overview of the juvenile justice system in Australia

Agencies responsible for juvenile justice supervision

Juvenile justice agencies are responsible for supervising young people on orders. Supervised orders include unsentenced orders, such as supervised bail or remand, and sentenced orders such as probation, sentenced detention and parole.

Courts may also hand down orders that do not require the young person to be supervised (for example, unsupervised bail), and juvenile justice agencies are not responsible for these orders. This report focuses on young people serving supervised orders, both unsentenced and sentenced.

Nationally, the objectives of juvenile justice agencies are 'to contribute to a reduction in the frequency or severity of youth offending, recognise the rights of victims and promote community safety' (SCRGSP 2011). To achieve these objectives, agencies aim to assist young people to address and take responsibility for their behaviour, enable victims to be heard, divert young people to alternative services, recognise the importance of the young person's family and community, and promote rehabilitation and reintegration.

Services provided to young people on supervised orders include education and training programs, rehabilitation programs and assistance in finding accommodation and employment or returning to school. For example, all young people of compulsory school age in detention, and almost all of those who were not of compulsory school age, attended education or training in 2009–10 (SCRGSP 2011).

Juvenile justice agencies also provide advice to courts in the form of pre-sentence reports. These reports are prepared when requested by a court after a young person has pleaded or been found guilty, and generally provide information on the factors that contributed to a young person's offending behaviour along with identifying appropriate programs and services. In 2009–10, juvenile justice agencies (excluding South Australia and the Northern Territory) completed more than 6,500 written pre-sentence reports (SCRGSP 2011).

In many states and territories, juvenile justice agencies are also responsible for running the police-referred and court-referred group conferencing programs. Group conferences typically involve both the victim and the young person, along with representatives from government and non-government organisations. Eligibility criteria and processes for group conferences vary by state and territory. In 2009–10, more than 12,200 group conferences were concluded by juvenile justice agencies in Australia (excluding the Northern Territory), and around 70% of concluded group conferences resulted in an agreement (SCRGSP 2011). Work to include information on these services in the JJ NMDS is underway.

2.3 Young people involved in the juvenile justice system

It is generally accepted that involvement in crime tends to peak in adolescence or early adulthood and diminishes with age (Fagan & Western 2005; Farrington 1986). In Australia, offending rates peak in the 15–19-years age group and steadily decrease in each consecutive age group (ABS 2011b). Developmental criminologists suggest that a variety of social and cognitive factors can explain the high rate of adolescent offending, such as the lack of strong bonds to societal institutions such as work, marriage and family, and the multiple stressors and life changes that occur during adolescence. Desistance from crime in adulthood accompanies increased access to legitimate sources of resources through work and credit and

increased ties to societal institutions (Steffensmeier & Allan 1995). Additionally, improvements in cognitive and analytical skills mean that adults are better able to reason and process information and use this information to evaluate risks and consequences (Scott & Steinburg 2008). Despite this, some young people will continue to offend for a significant portion of their life, and a number of criminologists (such as Moffitt 1993) have theorised that there are a number of different criminal trajectories. For example, a study of a Queensland birth cohort with finalised children's court appearances (Livingston et al. 2008) found that there were three distinct groups of offenders: early peaking-moderate offenders (21% of the cohort), late onset-moderate offenders (68%) and chronic offenders (11%).

However, it is important to remember that overall, few young Australians are involved in the juvenile justice system and fewer still end up under juvenile justice supervision. Each year, around 3% of the Australian population aged 10–17 years will be proceeded against by police, close to 2% will have a case finalised in a children's court, a juvenile justice agency will supervise 0.5% in the community, and 0.3% will be detained (ABS 2011a, 2011b) (tables 6.3 and 7.3).

Young people in contact with police

Young people first enter the juvenile justice system when they are investigated by police for allegedly committing a crime. Following the investigation, a decision will be made as to whether the young person is proceeded against by police. Police may also use their discretion to divert young people away from the criminal justice system where appropriate.

Police divert a substantial number of young people: in 2009–10 the proportion of all young people formally dealt with by police who were diverted ranged from 39% in Victoria to 58% in Tasmania (SCRGSP 2011). Formal diversionary mechanisms include community conferences, diversionary conferences, formal cautioning by police, family conferences, and other programs such as drug or alcohol treatment.

In addition to formal diversion, police informally divert many young people. Information about the numbers of children and young people who are informally diverted is not available.

Information about people whom the police proceeded against is available from the Australian Bureau of Statistics (ABS) *Recorded crime – offenders* publication (ABS 2011b). In 2009–10, police proceeded against around 72,000 young people aged 10–17 years (ABS 2011b), which is around 3% of all young Australians. Half (49%) were aged 16 or 17 years, and only around 3% were 10 or 11 years old. The most common principal offences of young people aged 10–17 years were theft and related offences (31% of young people), acts intended to cause injury (16%) and public order offences (14%).

Defendants finalised in children's courts

If the police decide to proceed against the young person via a court action, the matter will usually be heard in a children's court. Children's courts have jurisdiction over most offences that young people aged 10–17 years (10–16 years at the time of the offence in Queensland) commit, although more serious offences (such as car theft and break and enter) are usually heard in a higher court (ABS 2011a; Cunneen & White 2007). Some matters may also be heard by specialist courts such as drug courts and Indigenous courts. For example, drug courts available to young people include the Youth Drug and Alcohol Court in New South Wales and the Children's Drug Court in Western Australia. Indigenous courts include the

Murri court in Queensland, the Children's Koori court in Victoria and the Aboriginal Sentencing Court of Kalgoorlie in Western Australia.

Information about finalised defendants in children's courts is available from the ABS *Criminal courts* publication. In this collection, a young person is considered a finalised defendant when the court has formally completed all charges (ABS 2011a). In these data, a person will be counted multiple times if they are a defendant in a number of cases that are finalised separately during the counting period, and the number of distinct people may therefore be fewer than the number of finalised defendants.

In 2009–10, there were almost 41,300 defendants finalised in the children's courts; four in five (79%) were male, while half (49%) were aged 16 or 17 years at the time of the offence. In each of the three jurisdictions for which data were available, high proportions of defendants finalised in children's courts were Indigenous: 80% of defendants finalised in the Northern Territory, 34% of those in Queensland and 26% in New South Wales were Aboriginal or Torres Strait Islander.

Most (78%) finalised defendants in the children's courts were proven guilty (either pleaded guilty or found guilty). The most common principal offences were theft and related offences (20% of those proven guilty), acts intended to cause injury (19%), unlawful entry with intent (13%), traffic offences (11%) and public order offences (10%).

Consistent with the diversionary practices of the juvenile justice system and the principle of detention as a last resort, only a small proportion (9%) of defendants proven guilty received a custodial sentence—5% were sentenced to detention, 2% to custody in the community (home detention) and 3% received a fully suspended sentence. For most (90%) of those proven guilty, the principal sentence was a non-custodial order, such as a community supervision or work order (27%) or monetary order (18%). Males who were proven guilty were more likely than females to receive a custodial order and in each of the three states and territories for which data were available, Indigenous young people were more likely than non-Indigenous young people to receive a custodial order.

Of those sentenced to detention, 31% had a principal offence of acts intended to cause injury, 26% had a principal offence of unlawful entry with intent and 15% had a principal offence of robbery, extortion and related offences. For those sentenced to community supervision or work orders, 25% had a principal offence of acts intended to cause injury, 22% a principal offence of unlawful entry with intent and 17% a principal offence of theft and related offences.

One-third (34%) of defendants proven guilty of robbery and extortion as a principal offence were sentenced to a custodial order, as were one-fifth (22%) of those proven guilty of sexual assault. By contrast, nearly all (96–99%) defendants proven guilty of traffic and vehicle regulatory offences, public order offences and offences against justice procedures and government security and operations received a non-custodial order.

2.4 Juvenile justice supervision in the states and territories

Overall, the outcomes available for young people in the juvenile justice system are similar in each state and territory (Table 2.1). These outcomes can be categorised into those that divert the young person from further involvement with the juvenile justice system (such as cautions and conferencing), those that do not require the young person to be supervised (such as fines), and those that require the young person to be supervised in the community

or detained. This report focuses on the outcomes that require a juvenile justice agency to supervise the young person, either in the community or in detention (these outcomes are shaded in the table below). The state and territory agencies responsible for juvenile justice supervision provide a range of services for young people under supervision, including case management, offence-specific and therapeutic programs, Indigenous and cultural programs, supported accommodation and bail programs and pre- and post-release programs. For details on these and on the broader juvenile justice system in each state and territory, see Appendix A.

Table 2.1: Juvenile justice services and outcomes, states and territories, July 2011

Juvenile justice services and outcomes	NSW	Vic	Qld	WA	SA	Tas	ACT	NT
Diversionary outcomes								
Informal caution/warning	✓	✓	✓	✓	✓	✓	✓	✓
Formal caution	✓	✓	✓	✓	✓	✓	✓	✓
Conferencing	✓	✓	✓	✓	✓	✓	✓	✓
Does not require supervision								
Discharge	✓	✓	✓	✓	✓	✓	✓	✓
Fine	✓	✓	✓	✓	✓	✓	✓	✓
Obligation without supervision	✓	✓	✓	✓	✓	✓	✓	✓
Requires supervision								
<i>Unsentenced</i>								
Supervised or conditional bail or similar	✓	✓	✓	✓	✓	—	✓	✓
Police-referred detention before first court appearance	✓	—	✓	✓	✓	—	✓	✓
Remand	✓	✓	✓	✓	✓	✓	✓	✓
<i>Sentenced</i>								
Good behaviour bond	✓	✓	—	✓	—	✓	✓	✓
Probation or similar	✓	✓	✓	✓	✓	✓	✓	✓
Community service	✓	✓	✓	✓	✓	✓	✓	✓
Suspended detention	✓	—	✓	✓	✓	✓	✓	✓
Home detention	—	—	—	—	✓	—	—	✓
Detention	✓	✓	✓	✓	✓	✓	✓	✓
Parole or supervised release from detention	✓	✓	✓	✓	✓	✓	—	(a) ✓

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

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

3 Data and methods

Most of the data in this report are extracted from the Juvenile Justice National Minimum Data Set (JJ NMDS), which contains information on all children and young people in Australia whom juvenile justice agencies supervise, both in the community and in detention. The JJ NMDS does not contain information on children and young people in the juvenile justice system who are not supervised (for example, young people on unsupervised bail), nor does it contain information on children and young people supervised by agencies other than juvenile justice agencies, such as police.

The data for the JJ NMDS are extracted from the administrative systems of the state and territory departments responsible for juvenile justice in Australia, according to definitions and counting rules agreed to by the departments and the Australian Institute of Health and Welfare. The relevant departments are:

- Department of Human Services, New South Wales
- Department of Human Services, Victoria
- Department of Communities, Queensland
- Department of Corrective Services, Western Australia
- Department for Families and Communities, South Australia
- Department of Health and Human Services, Tasmania
- Department of Disability, Housing and Community Services, Australian Capital Territory
- Department of Justice, Northern Territory.

3.1 Redevelopment of the Juvenile Justice NMDS

The JJ NMDS was initially developed between 2002 and 2004 and the first report containing data from the JJ NMDS was published in 2006. This first version of the JJ NMDS (referred to as JJ NMDS 2007 on METeOR, the AIHW's Metadata Online Registry), contained information on only the most serious supervised legal arrangement or order for each young person under juvenile justice supervision (see AIHW 2009 for more information).

In 2009, the JJ NMDS was redeveloped to capture all supervised legal arrangements and orders for young people under juvenile justice supervision, not just the most serious one. This version of the JJ NMDS (known as JJ NMDS 2009) allows for a more complete analysis of the numbers and types of supervised orders that juvenile justice agencies administer. *Juvenile justice in Australia 2008–09* (AIHW 2011) was the first report to contain data from the redeveloped JJ NMDS.

In 2010, participating states and territories provided data in the new format from 2000–01 to 2009–10, where possible. Exceptions are discussed in Section 3.4 'Data quality and coverage'. Some analyses of trends for types of community-based supervision exclude those states and territories with incomplete data in the new format because of comparability issues.

3.2 Data on children and young people under juvenile justice supervision

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

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

Consequently, there may be people in the JJ NMDS who are aged 18 years or older:

- young people who committed or allegedly committed an offence while aged 17 years or younger may be supervised in relation to that offence when they are aged 18 years or older
- some people who were aged 18 years or older at the time of the offence may be supervised by the juvenile justice system rather than the adult correctional system because of their vulnerability or immaturity.

In Queensland, the relevant juvenile justice legislation applies to children and young people aged 10–16 years when the offence was (allegedly) committed. In all other states and territories, the relevant legislation applies to young people aged 10–17 years. See Chapter 2 for further information.

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

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

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

3.3 Data on types of supervision

The JJ NMDS contains information on all supervised legal arrangements and orders that juvenile justice agencies administer and all periods of detention in juvenile justice detention centres. Supervised legal arrangements and orders include police-referred detention before the first court appearance, court-referred remand and supervised bail, and sentenced orders such as community service orders, probation, suspended detention, sentenced detention and parole or supervised release (Table 3.1). Periods of detention include police-referred detention (before the young person's initial court appearance); remand (court-referred detention following a court appearance); and sentenced detention.

For each period of supervision, data are collected on:

- order or detention type

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

Table 3.1: National classification of supervised legal arrangements and orders

Legal status	Supervision type	Order type	Includes
Unsentenced	Detention	Police-referred detention	
	Community-based supervision	Police-referred—other	
	Detention	Remand (court-referred)	
	Community-based supervision	Supervised bail	Conditional bail, Griffith remand
		Home detention bail	
		Other court-referred arrangements	Deferral of sentence
Sentenced	Detention	Sentenced detention	Control order, revocation of parole, youth residential order
	Community-based supervision	Probation or similar with additional mandated requirements	Community service order, good behaviour order with supervision, good behaviour bond
		Probation or similar without additional mandated requirements	intensive supervision order, youth attendance order, youth supervision order
		Home detention	
		Suspended detention	Suspended sentence, conditional release order
	Parole	Supervised release order, fixed release order	
Other	Community-based supervision	Not elsewhere classified	Mental health order

3.4 Data coverage

Overall, the coverage of data in the JJ NMDS is good. Around 7% of all young people since 2000–01 have an unknown Indigenous status, and around 5% of records in each of the order and detention files have unknown or missing information for the postcode and suburb of the young person’s usual residence. For all other variables, the proportion of missing data is less than 0.1%.

There are a number of additional issues specific to particular states and territories. First, not all states and territories provided JJ NMDS data for 2009–10. Second, not all states and territories were able to provide JJ NMDS data in the new format (see Section 3.1) for all years of the JJ NMDS (2000–01 to 2009–10).

New South Wales

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

Queensland

End reasons for orders are not available for Queensland data.

Western Australia

Western Australia did not provide JJ NMDS data for 2008–09 or 2009–10 and provided only limited data in non-standard format for these years. These data include the number under community-based supervision and in detention at the end of each month, and additional data on community-based orders and detention receptions, placements and releases. These data contribute to the national totals (see Section 3.5 for details). Data for 2000–01 to 2007–08 are only available in JJ NMDS 2007 format (see Section 3.1 for details). Some trend analyses therefore exclude Western Australia. These data were extracted from separate detention and community-based supervision databases and linked using a statistical linkage key. While this linkage is sufficiently accurate for statistical purposes, it is not accurate for administrative purposes such as case management.

Tasmania

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

Australian Capital Territory

For the Australian Capital Territory, data for 2000–01 to 2002–03 are unavailable and data for 2003–04 to 2007–08 are only available in JJ NMDS 2007 format (see Section 3.1 for details). Some trend analyses therefore exclude the Australian Capital Territory.

Northern Territory

The Northern Territory did not provide JJ NMDS data for 2008–09 or 2009–10. Data for 2000–01 to 2007–08 are only available in JJ NMDS 2007 format (see Section 3.1 for details). Some trend analyses therefore exclude the Northern Territory. Data for 2007–08, which are the most recently available data for the Northern Territory, are used in the national totals (see Section 3.5 for details).

3.5 Methods

Age

Age is calculated as at the start of the first relevant period of supervision unless that period of supervision began before the financial year, in which case age is calculated as at the start of the financial year. A young person's age can therefore vary across tables as age is calculated in respect to the type of supervision being analysed. For example, a young person enters supervised bail aged 17 years on 1 August and leaves 30 August. They turn 18 years old on 15 September, enter sentenced detention on 1 December and are released on 1 January on parole, which ends on 30 January. They have no other periods of community-based supervision during the financial year.

- In the supervised bail analysis, they will appear as a 17 year old.
- In the parole analysis, they will appear as an 18 year old.
- In the sentenced detention analysis, they will appear as an 18 year old.

This means that for a particular age group, the total number of young people under supervision may not be the sum of the number of young people under particular types of supervision.

Community-based supervision

The JJ NMDS contains information on the start and end of supervised orders that juvenile justice agencies administer and on the start and end of detention periods. As the start and end dates in the JJ NMDS do not include time stamps, a young person is counted as being under community-based supervision for any day that is covered by a community-based supervised order and is not covered by a detention period. In some circumstances, the young person is considered to have moved between community-based supervision and detention on the same day and is counted as having both types of supervision:

- When a detention period starts on a particular day (and the previous detention period ended before that day) and a community-based supervision order starts on or before that day and ends on or after that day, the young person is counted as having both community-based supervision and detention on that day.
- When a detention period ends on a particular day (and the next detention period starts after that day) and a community-based supervision order starts on or before that day and ends on or after that day, the young person is counted as having both community-based supervision and detention on that day.
- When a detention period ends on a particular day and another detention period starts on the same day and a community-based supervision order starts on or before that day and ends on or after that day, the young person is counted as having only detention on that day.
- Where any detention periods either end before a particular day or start after that particular day and a community-based supervision order starts on or before that day and ends on or after that day, the young person is counted as having only community-based supervision on that day.

Duration

Duration is calculated in whole days. For example, if a young person entered supervision on 1 January and left on 5 January, this is counted as 5 days under supervision, while if a young person entered and left supervision on the same day, this is counted as 1 day under supervision.

First supervision and supervision history

The JJ NMDS contains the date on which the juvenile justice agency first supervised or case managed each young person under supervision. This date is used in analyses of age at first supervision.

In contrast to the age at first supervision, analyses of the first type of supervision and supervision history are restricted to those young people for whom information on this first supervision is available in the JJ NMDS. For all states and territories except Tasmania and the Australian Capital Territory, information on the first type of supervision is available for all young people whose first supervision was on or after 1 July 2000; for Tasmania, this is 1 January 2006 (as complete data on detention are only available from this date); for the Australian Capital Territory, this is 1 July 2003.

The first supervision type is determined for each young person with available data by selecting the records with the earliest start date. Because it is possible for young people to be under more than one type of supervision at the same time, young people may have multiple first supervision types.

A young person's supervision history comprises all available information in the JJ NMDS, up until the current reporting year. Only young people with information from their first supervision are included in this analysis.

National totals

Western Australia and the Northern Territory did not provide JJ NMDS data for 2008–09 or 2009–10. Western Australia provided limited aggregate data in non-standard format. Therefore, tables in this report contain two totals:

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

Number under supervision

This report contains information on both the number of young people under supervision on an average day and the number of young people under supervision during the year. Comparing the two measures provides information on the average length of supervision during the year.

The number of young people under supervision on an average day is calculated by summing the number of days each young person spends under supervision during the year and dividing this total by the number of days in the financial year.

The number of young people under supervision during the year is calculated by counting each distinct young person under supervision during the financial year. Each young person is counted only once, even if they entered and exited supervision multiple times during the year.

Components in the tables may not sum to the total number under supervision for both the number of young people under supervision on an average day and the number of young people during the year.

For the number on an average day, components may not sum to the total because:

- young people can experience different types of supervision on the same day
- age is calculated specific to the type of supervision being analysed
- the number on an average day is rounded to the nearest whole person.

For example, if there are 3.4 young women on an average day and 3.4 young men on an average day, the total is 6.8 young people. When these numbers are rounded, the corresponding table would show 3 young women, 3 young men and a total of 7 young people.

For the number during the year, components may not sum to the total because:

- young people can experience different types of supervision during the year
- age is calculated specific to the type of supervision being analysed.

For example, if there were 100 young people under supervision in a particular year, each of these 100 young people could have both been detained and been under community-based supervision at different times during the year so that there were 100 young people in detention, 100 young people under community-based supervision and a total of 100 young people under supervision. Similarly, a young person may be 15 years at the start of their first period of detention during the year but 16 years at the start of their first period of community-based supervision. This young person would appear as a 15 year old in detention tables but as a 16 year old in community-based supervision tables, and as a 15 year old in tables for the total number under supervision.

Population rates

While the number under supervision varies by state and territory, so does the total number of young people who live in that state or territory. To compare the number under supervision while taking into account differences in population sizes, this report presents population rates. Population rates are calculated by dividing the number of young people under supervision by the number of young people who are eligible to be supervised. Those who are eligible must relate to those under supervision (that is, if the rate is calculated for males under supervision, then those who are eligible can only be males).

Population rates are calculated for both the number under supervision during the year and the number under supervision on an average day. Because there are differences between the states and territories in the extent to which juvenile justice agencies can supervise young people aged 18 years and older, all rates are calculated for those aged 10–17 years. For this report, this number is then multiplied by 1,000 (although any multiplier could be used). The

rate can then be expressed as the number per 1,000 young people. For example, if there were 10,000 young people aged 10–17 years under supervision during the year and there were 2,000,000 young people aged 10–17 years in Australia, then there were 5 young people under supervision for every 1,000 young people aged 10–17 years in Australia (or 0.5% of the population aged 10–17 years). Similarly, if there were 5,000 Indigenous young people aged 10–17 years under supervision in Australia and there were 100,000 Indigenous young people of this age in Australia, then there were 50 Indigenous young people under supervision for every 1,000 Indigenous young people aged 10–17 years in Australia (or 5% of the Indigenous population aged 10–17 years).

The calculation of rates for Indigenous and non-Indigenous young people excludes young people with unknown Indigenous status. Rates are not calculated where there are fewer than five young people due to a lack of reliability.

The number of young people on an average day is rounded to the nearest whole person. The rate for an average day is calculated using the number on an average day before rounding.

The populations used to calculate rates are available in Appendix B.

Rate ratio

Rates can be compared using a rate ratio, which is the ratio of two rates. Rate ratios should be interpreted with caution where there are small denominators, rare events and rates that converge while declining. In this report, rate ratios are mainly used to compare Indigenous and non-Indigenous rates and to provide a measure of the level of Indigenous over-representation. Crude rates are also presented to guide interpretation. Rate ratios are not calculated where one or both the rates has fewer than 5 young people in the numerator.

Receptions

A reception occurs when a detention period starts and the young person:

- was not in detention immediately before the start of the current detention period, or
- did not escape from detention or abscond from leave in the immediately preceding detention period.

To account for young people transported to court and returning to detention on remand or sentenced detention following a court hearing and for young people transferred between detention centres, the start of a detention period is only considered a reception when the detention period starts at least 2 full days after the end of the previous detention period.

Releases

A release from detention occurs where a detention period ends and the young person:

- was not detained immediately following the end of the current detention period, or
- did not escape from detention or abscond from leave in the current detention period.

To account for young people transported to court and returning to detention on remand or sentenced detention following a court hearing and for young people transferred between detention centres, the end of a detention period is only considered a release when the detention periods ends at least 2 full days before the start of the next detention period.

Remand periods followed by a period of sentenced supervision

All periods of sentenced supervision that start within one day of the end of a remand period are included except where there is a further remand period that starts on the same day as the period of sentenced supervision.

Remoteness

This report uses the Australian Standard Geographical Classification (ASGC) Remoteness Structure that the ABS has developed (ABS 2009a) to analyse the remoteness of usual residence of the town or suburb of young people under supervision. This structure allows areas that share common characteristics of remoteness to be classified into broad geographical regions of Australia. These areas are:

- *Major cities*
- *Inner regional*
- *Outer regional*
- *Remote*
- *Very remote.*

In this classification, remoteness is determined based on the minimum road distance to different sized urban centres, where the population size of the urban centre is assumed to determine the availability of goods and services (AIHW 2004).

Examples of places that are considered *Major cities* in the ASGC RA classification include Canberra and Newcastle. Hobart and Bendigo are *Inner regional* areas and Mackay and Darwin are *Outer regional* areas. Alice Springs and Mount Isa are *Remote* areas and Tennant Creek and Meekatharra are *Very remote*.

For this report, the remoteness of the young person's usual residence was determined using the most recent postcode of their last known address. Young people with invalid, missing or unknown postcodes of last known home address were excluded from the analysis.

The number of young people under supervision in each remoteness area was estimated based on each young person's most recent postcode. Some postcode areas were split between two or more remoteness areas. Where this was the case, the data were weighted according to the proportion of the population of the postcode area in each remoteness area. Some young people may appear in remoteness areas for which there is no population within that state or territory. This is due to young people whose last known home address is in a different state or territory to the one in which they are under supervision.

Socioeconomic status

This report uses the Socio-Economic Indexes for Areas (SEIFA) that the ABS has developed to analyse the socioeconomic status (SES) of the usual residence of young people under supervision.

The SEIFA comprises four indexes that are constructed using information from the five-yearly Census of Population and Housing (ABS 2006). These four indexes are the Index of Relative Socio-Economic Disadvantage, the Index of Relative Socio-Economic Advantage and Disadvantage, the Index of Economic Resources and the Index of Education and Occupation.

In this report, the Index of Relative Socio-Economic Advantage and Disadvantage is used to compare the average level of socioeconomic advantage and disadvantage in the areas of usual residence of those under supervision. The Index of Relative Socio-Economic Advantage and Disadvantage is derived from census variables related to both advantage and disadvantage, including low levels of income and education, as well as high levels of education and income. This index can be used to measure both disadvantage and advantage. A high score indicates a relatively high level of advantage and a relatively low level of disadvantage. An area containing some relatively disadvantaged people and some relatively advantaged people may have a low score on the Index of Relative Socio-economic Disadvantage, due to the levels of disadvantage, but a relatively high score on the Index of Relative Socio-economic Advantage and Disadvantage, due to the existence of both advantage and disadvantage. Population-based quintiles are used in this report.

The socioeconomic status of the area of the young person's usual residence was determined by allocating a SEIFA score to the most recent postcode of last known home address. Young people with invalid, missing or unknown postcodes of last known home address were excluded from the analysis.

The number of young people under supervision in each area was estimated based on each young person's most recent postcode. Some postcode areas were split between two or more areas with different SEIFA scores. Where this was the case, the data were weighted according to the proportion of the population of the postcode area in each SEIFA area.

The SEIFA represents the average of all people living in the area, and not the socioeconomic status of a particular individual living in the area. Therefore, socioeconomic analyses in this report indicate the level of socioeconomic advantage and disadvantage in the area of usual residence of the young person, not the level of socioeconomic advantage and disadvantage of the young person or their family. Some young people may appear in socioeconomic areas for which there is no population within that state or territory. This is due to young people whose last known home address is in a different state or territory to the one in which they are under supervision.

Supervision types

The JJ NMDS contains information on the type of supervision using the national classification of supervised legal arrangements and orders (Table 3.1). In this report, several of these order types are routinely combined.

Other orders not elsewhere classified

In this report, other orders not elsewhere classified are classified as 'other' in tables disaggregated by legal status.

Probation and similar

In this report, 'probation or similar' comprises these order types with additional mandated requirements and those without additional mandated requirements. Young people who are supervised under both types of orders on the same day or during the same year are counted only once for this category.

Supervised or conditional bail and other unsentenced

This category includes young people on supervised or conditional bail, home detention bail and other unsentenced community-based supervised orders. Young people who are supervised under more than one of these types of orders on the same day or during the same year are counted only once for this category.

Unsentenced detention

This category includes young people in police-referred detention and on court-referred remand. Young people who are detained for both these types of detention on the same day or during the same year are counted only once for this category.

3.6 Appendix tables

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

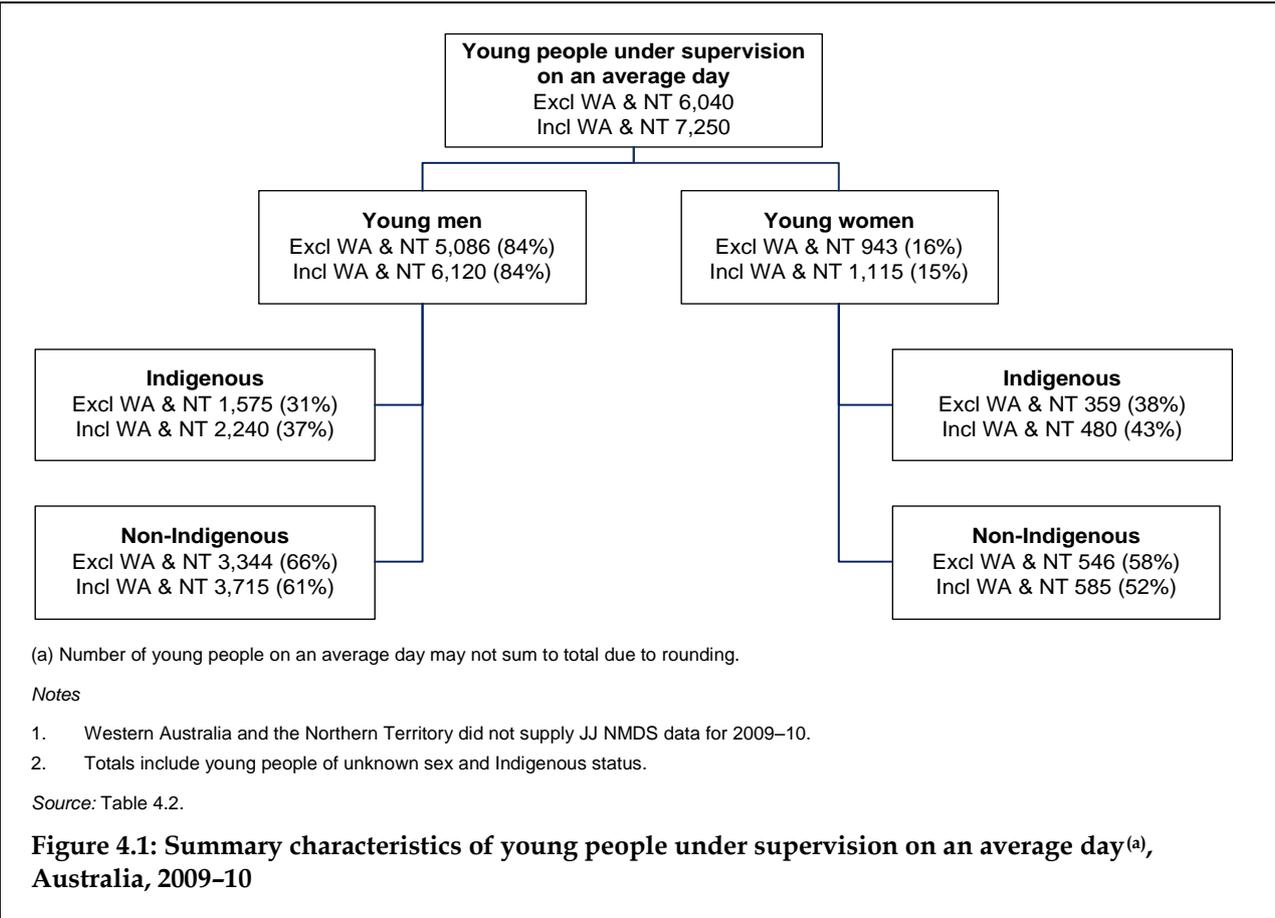
4 Characteristics of young people under supervision

Young people under juvenile justice supervision may be supervised either in the community or in detention. This chapter focuses on the characteristics of all young people who were under juvenile justice supervision, whether they were under community-based supervision or in detention, during 2009–10.

Western Australia and the Northern Territory did not provide data in standard format for 2009–10. Approximate national totals are provided where additional data were available (see Chapter 3 ‘Data and methods’ for more details).

4.1 Summary

There were around 7,250 young people under juvenile justice supervision in Australia on an average day in 2009–10 (Figure 4.1). Most (84%) young people under juvenile justice supervision on an average day were young men, who were less likely to be Indigenous than the young women under supervision (37% compared with 43%).



More than three-quarters (78%) of young people under supervision on an average day (excluding Western Australia and the Northern Territory) were aged 14–17 years, 16% were aged 18 years and over and just 6% were aged 10–13 years (Table 4.1).

In 2009–10, there were 2.6 young people per 1,000 aged 10–17 years under supervision on an average day (including Western Australia and the Northern Territory) (Table 4.3). Over the 4 years to 2009–10, the rate of young people under supervision on an average day increased from 2.3 to 2.6 per 1,000 (Table 4.5).

The rate of juvenile justice supervision for Indigenous young people was substantially higher than the rate for non-Indigenous young people; on an average day in 2009–10, an Indigenous young person aged 10–17 years was 15 times as likely to be under supervision as a non-Indigenous young person aged 10–17 years, with rates of 22.6 per 1,000 and 1.5 per 1,000, respectively (including Western Australia and the Northern Territory) (Table 4.5).

Almost two-thirds (64%) of those under supervision during 2009–10 (excluding Western Australia and the Northern Territory) were under supervision in a previous year; just over one-third (36%) were new to supervision in 2009–10 (Table A8). Nearly three-quarters (73%) were aged 14–17 years when they first entered supervision (Figure 4.11). The most common types of first supervision were probation and similar (47%) and remand (25%), although this differed by age at first supervision (Figure 4.13).

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

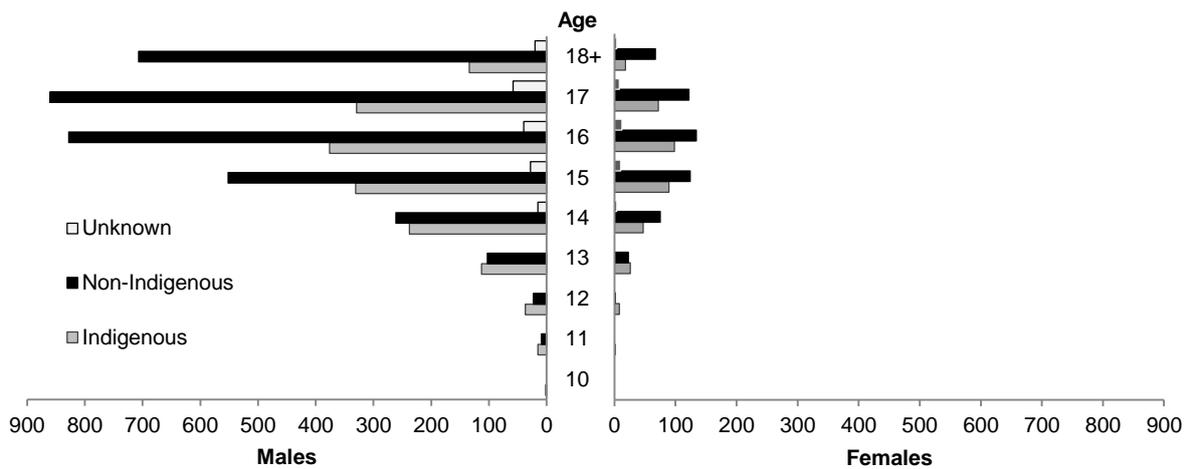
4.2 Age, sex and Indigenous status

Number under supervision

Nationally, there were around 7,250 young people under juvenile justice supervision in Australia on an average day in 2009–10 (including estimates for Western Australia and the Northern Territory) (Table 4.1). On an average day, most (84%) young people under supervision were young men and 38% of those under supervision were Indigenous (Table 4.2). The proportion that was male was similar when estimates for Western Australia and the Northern Territory were not included, while the proportion that was Indigenous decreases to 32% when these estimates are not included.

On an average day in 2009–10, more than three-quarters (78%) of young people under supervision were aged 14–17 years, and a further 16% were aged 18 years and over (excluding Western Australia and the Northern Territory, for which data on individual age years was not available) (Table 4.1). There were few young people under supervision in the younger age groups – 98 young people were aged 12 years or younger, which is less than 2% of all young people under supervision. Young women under supervision were less likely than young men to be aged 18 years and over (9% compared with 17%) (Figure 4.2).

On average, Indigenous young people under supervision were younger than non-Indigenous young people: 10% of Indigenous young people under supervision on an average day were aged 10–13 years, compared with just 4% of non-Indigenous young people (excluding Western Australia and the Northern Territory), and there were more Indigenous young people in each age group up to 13 years than non-Indigenous for both boys and girls. In contrast, those aged 18 years and over were much less likely to be Indigenous than non-Indigenous: just 16% of young men and 20% of young women aged 18 years and older under supervision on an average day were Indigenous.



Notes

1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2009–10.
2. In most states and territories, the maximum age of treatment as a young person for criminal responsibility is 17 years; however, it is possible for young people over the age of 17 to be supervised by a juvenile justice agency.

Source: Table A1.

Figure 4.2: Young people under supervision on an average day by age, sex and Indigenous status, Australia (excluding WA and NT), 2009–10

As expected, most of those under supervision were from the larger states, although age distributions differed. Almost one-third (29%) of those under supervision on an average day (including estimates for Western Australia and the Northern Territory) were in New South Wales, while one-fifth (21%) were in Victoria and a further fifth (20%) in Queensland (Table 4.1). While most of those under supervision on an average day were aged 14–17 years, proportions ranged from 64% in Victoria to 88% in New South Wales (Table 4.1). Few were aged 10–13 years, with proportions ranging from 3% in Victoria and the Australian Capital Territory to 10% in Queensland. In contrast, one-third (33%) of those in Victoria and one-quarter (26%) of those in Tasmania were aged 18 years and older, compared with just 6% and 7% in New South Wales and Queensland, respectively.

These variations are in part due to differing legislation between the states and territories. In Victoria, legislation allows some young people aged 18–20 years to be sentenced to detention in a juvenile facility (known as the ‘dual track’ system), which results in an older population, on average, under juvenile justice supervision. In Queensland, young people aged 17 years and over when they allegedly commit an offence are processed in the adult criminal justice system (18 years and older in other jurisdictions). However, 26% of those under supervision on an average day in Queensland were aged 17 years and older.

In all states and territories, most of those under supervision on an average day were young men; proportions ranged from 80% in South Australia to 88% in Victoria (excluding Western Australia and the Northern Territory) (Table 4.2).

On an average day in 2009–10, the proportion of young people under supervision that was Indigenous ranged from 12% in Victoria to 47% in Queensland (excluding Western Australia and the Northern Territory). In all states and territories, young women under supervision were more likely to be Indigenous than young men, except in Tasmania, where they were equally likely to be Indigenous.

Table 4.1: Young people under supervision by age, states and territories, 2009–10

Age	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust excl WA & NT	Aust incl WA & NT ^(a)
Number of young people—average day^(b)										
10	1	—	1	n.a.	1	0	0	n.a.	2	n.a.
11	8	4	7	n.a.	5	1	—	n.a.	26	n.a.
12	20	12	28	n.a.	6	4	—	n.a.	70	n.a.
13	90	36	103	n.a.	28	13	3	n.a.	274	n.a.
14	247	105	196	n.a.	53	24	15	n.a.	639	n.a.
15	436	226	317	n.a.	83	56	17	n.a.	1,136	n.a.
16	562	287	409	n.a.	123	72	38	n.a.	1,490	n.a.
17	572	354	267	n.a.	131	95	31	n.a.	1,451	n.a.
10–17	1,935	1,024	1,328	n.a.	431	263	105	n.a.	5,087	5,870
18+	132	502	104	n.a.	112	91	11	n.a.	952	1,370
Total	2,067	1,527	1,432	n.a.	543	354	117	n.a.	6,040	7,250
Number of young people—during the year										
10	5	1	2	n.a.	3	0	0	n.a.	11	n.a.
11	18	8	20	n.a.	17	4	1	n.a.	68	n.a.
12	56	28	60	n.a.	22	7	3	n.a.	176	n.a.
13	206	81	196	n.a.	78	24	17	n.a.	602	n.a.
14	520	199	378	n.a.	120	49	33	n.a.	1,299	n.a.
15	841	426	615	n.a.	211	90	38	n.a.	2,221	n.a.
16	1,139	584	753	n.a.	284	114	78	n.a.	2,952	n.a.
17	1,255	701	506	n.a.	299	146	77	n.a.	2,984	n.a.
10–17	4,040	2,028	2,530	n.a.	1,034	434	247	n.a.	10,313	12,885
18+	407	1,094	209	n.a.	255	160	34	n.a.	2,159	2,200
Total	4,447	3,122	2,739	n.a.	1,290	594	281	n.a.	12,473	15,090

(a) Totals for 2009–10 include aggregate data supplied by Western Australia and 2007–08 data for the Northern Territory, where available. Numbers were rounded to the nearest five young people and therefore may not sum to total.

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

Notes

1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2009–10.
2. Total includes young people of unknown age.
3. Age calculated as at start of financial year if first period of supervision in the relevant year began before the start of the financial year, otherwise age calculated as at start of first period of supervision in the relevant year.

Table 4.2: Young people under supervision by sex and Indigenous status, states and territories, 2009–10

Indigenous status	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust excl WA & NT	Aust incl WA & NT ^(a)
Number of young people—average day^(b)										
Male										
Indigenous	661	159	533	n.a.	141	60	21	n.a.	1,575	2,240
Non-Indigenous	960	1,172	634	n.a.	273	227	79	n.a.	3,344	3,715
Unknown	123	15	2	n.a.	22	4	0	n.a.	167	165
Total	1,745	1,347	1,168	n.a.	437	290	99	n.a.	5,086	6,120
Female										
Indigenous	135	28	139	n.a.	38	13	6	n.a.	359	480
Non-Indigenous	155	151	125	n.a.	56	46	12	n.a.	546	585
Unknown	29	1	0	n.a.	3	4	—	n.a.	38	40
Total	320	180	264	n.a.	97	64	18	n.a.	943	1,115
All young people										
Indigenous	797	187	672	n.a.	179	73	26	n.a.	1,934	2,725
Non-Indigenous	1,118	1,323	759	n.a.	331	273	91	n.a.	3,894	4,305
Unknown	152	16	2	n.a.	33	9	—	n.a.	212	210
Total	2,067	1,527	1,432	n.a.	543	354	117	n.a.	6,040	7,250
Number of young people—during the year										
Male										
Indigenous	1,239	321	952	n.a.	284	88	43	n.a.	2,927	4,160
Non-Indigenous	2,160	2,357	1,246	n.a.	649	374	177	n.a.	6,963	7,840
Unknown	293	35	10	n.a.	63	12	0	n.a.	413	440
Total	3,692	2,713	2,208	n.a.	996	474	220	n.a.	10,303	12,445
Female										
Indigenous	293	66	265	n.a.	94	20	12	n.a.	750	1,070
Non-Indigenous	378	340	266	n.a.	165	91	48	n.a.	1,288	1,435
Unknown	81	2	0	n.a.	11	9	1	n.a.	104	110
Total	752	408	531	n.a.	270	120	61	n.a.	2,142	2,605
All young people										
Indigenous	1,532	387	1,217	n.a.	378	108	55	n.a.	3,677	5,235
Non-Indigenous	2,541	2,698	1,512	n.a.	818	465	225	n.a.	8,259	9,280
Unknown	374	37	10	n.a.	94	21	1	n.a.	537	570
Total	4,447	3,122	2,739	n.a.	1,290	594	281	n.a.	12,473	15,090

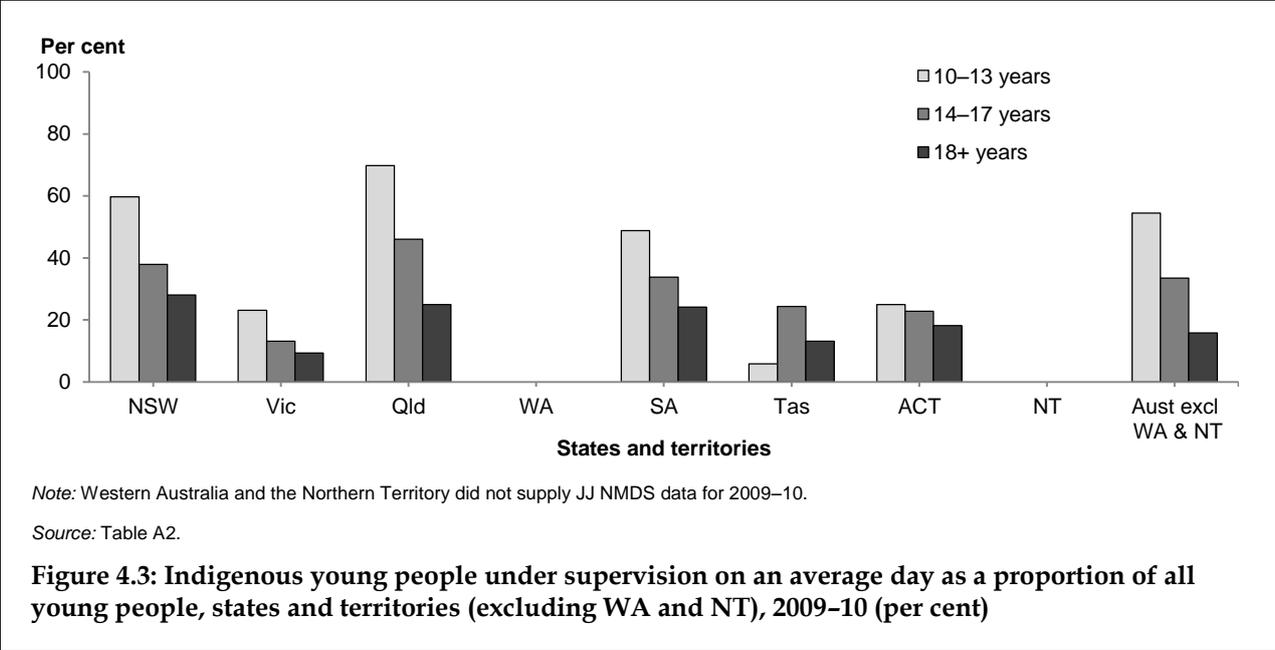
(a) Totals for 2009–10 include aggregate data supplied by Western Australia and 2007–08 data for the Northern Territory, where available. Numbers were rounded to the nearest 5 young people.

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

Notes

1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2009–10.
2. Total includes young people of unknown sex and Indigenous status.

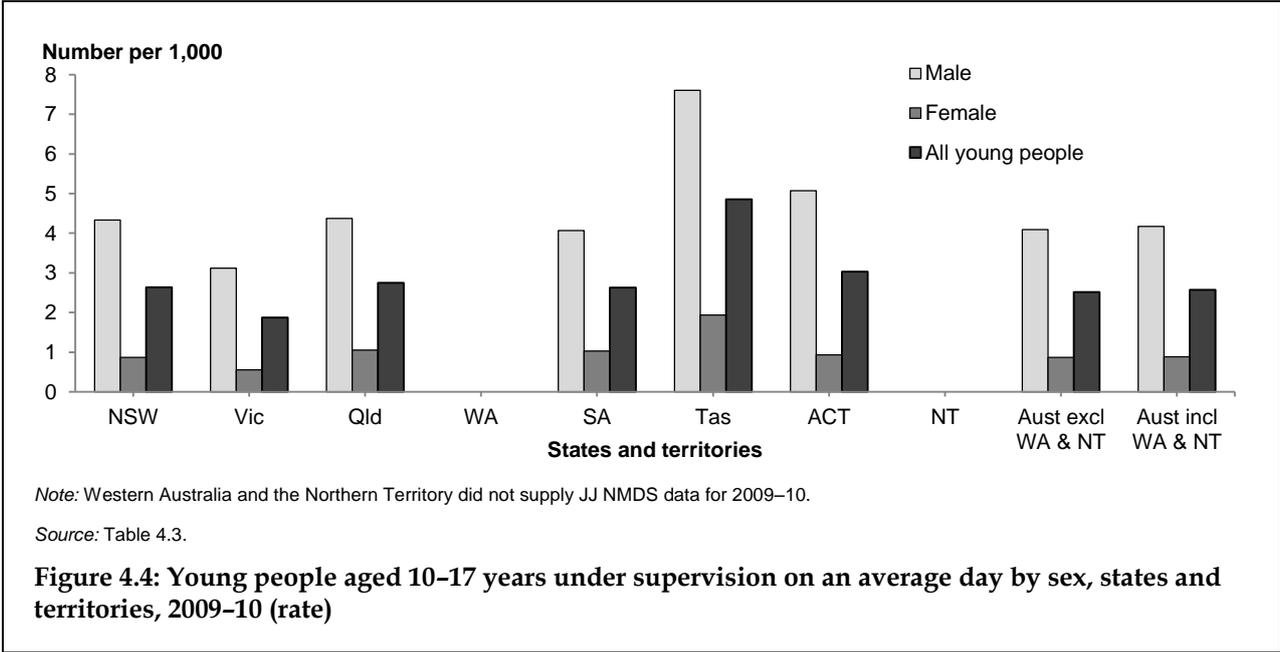
Overall, Indigenous young people under supervision were more likely to be younger than non-Indigenous young people under supervision, with 54% of young people aged 10–13 years were Indigenous, compared with 16% of those aged 18 years and older (Figure 4.3). This pattern was found in all states and territories except Tasmania (excluding Western Australia and the Northern Territory). Young people aged 10–13 years were at least twice as likely to be Indigenous as those aged 18 years or older in New South Wales, Victoria, Queensland and South Australia.



Rates of supervision

Overall, juvenile justice agencies supervise relatively few young people in Australia. On an average day in 2009–10, around 0.3% of young people in Australia were under juvenile justice supervision, with a rate of 2.6 young people per 1,000 aged 10–17 years (including estimates for Western Australia and the Northern Territory) (Figure 4.4). For the states and territories with available data, rates ranged from 1.9 per 1,000 under supervision on an average day in Victoria to 4.9 per 1,000 in Tasmania.

Supervision rates were much higher for young men than for young women, with rates of 4.2 and 0.9 per 1,000, respectively (including Western Australia and the Northern Territory) (Figure 4.4). This pattern occurred in all states and territories with available data, with rates for young men that were 4–6 times as high as those for young women.



Although the total rate of young people under supervision in Australia was relatively low, the rate for Indigenous young people was substantially higher. Nationally, the rate of Indigenous young people aged 10–17 years under supervision was 15 times the rate of non-Indigenous in the same age group, with 23 and 1.5 per 1000 respectively (including Western Australia and the Northern Territory; rates were similar when estimates for Western Australia and the Northern Territory were excluded) (Figure 4.5).

Indigenous young people were over-represented in all states and territories, although the level of over-representation varied. Indigenous young people aged 10–17 years were 4 times as likely to be under supervision on an average day as non-Indigenous young people in Tasmania, 12–14 times as likely in Queensland, Victoria and the Australian Capital Territory, and 17 times as likely in New South Wales and South Australia (Figure 4.5).

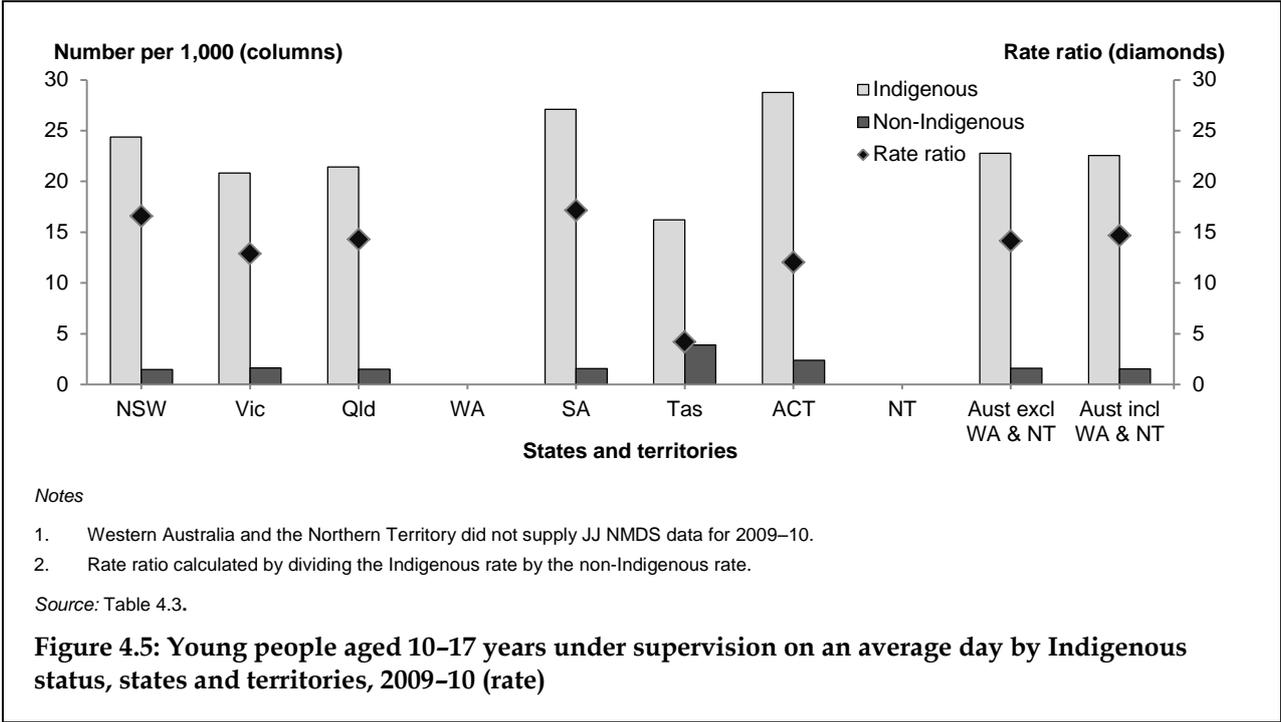


Table 4.3: Young people aged 10–17 years under supervision by sex and Indigenous status, states and territories, 2009–10 (rate)

Indigenous status	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust excl WA & NT	Aust incl WA & NT ^(a)
Supervision rate—average day										
Male										
Indigenous	39.23	34.22	33.19	n.a.	41.21	26.18	42.73	n.a.	36.00	35.79
Non-Indigenous	2.45	2.71	2.43	n.a.	2.53	6.19	4.09	n.a.	2.65	2.54
Total	4.33	3.12	4.37	n.a.	4.07	7.61	5.07	n.a.	4.09	4.17
Female										
Indigenous	8.78	7.29	8.99	n.a.	12.62	6.13	12.93	n.a.	8.92	8.33
Non-Indigenous	0.44	0.46	0.53	n.a.	0.58	1.44	0.65	n.a.	0.51	0.48
Total	0.87	0.55	1.05	n.a.	1.03	1.94	0.93	n.a.	0.87	0.88
All young people										
Indigenous	24.36	20.84	21.43	n.a.	27.09	16.23	28.78	n.a.	22.77	22.56
Non-Indigenous	1.47	1.62	1.50	n.a.	1.58	3.89	2.39	n.a.	1.61	1.54
Total	2.64	1.87	2.75	n.a.	2.63	4.86	3.03	n.a.	2.52	2.57
Supervision rate—during the year										
Male										
Indigenous	70.43	65.42	58.50	n.a.	81.49	35.51	87.40	n.a.	64.66	71.56
Non-Indigenous	5.37	5.25	4.79	n.a.	6.11	10.11	8.86	n.a.	5.44	5.61
Total	8.85	6.06	8.19	n.a.	9.32	12.08	10.85	n.a.	8.09	8.92
Female										
Indigenous	18.38	16.48	17.49	n.a.	29.53	9.15	25.47	n.a.	18.30	20.03
Non-Indigenous	1.06	1.00	1.12	n.a.	1.83	2.94	2.69	n.a.	1.20	1.20
Total	2.00	1.20	2.14	n.a.	2.91	3.68	3.27	n.a.	1.96	2.15
All young people										
Indigenous	45.01	41.10	38.57	n.a.	55.83	22.43	58.42	n.a.	42.01	46.50
Non-Indigenous	3.27	3.18	3.00	n.a.	4.03	6.63	5.81	n.a.	3.38	3.46
Total	5.51	3.69	5.24	n.a.	6.31	8.00	7.11	n.a.	5.11	5.64

(a) Totals for 2009–10 include aggregate data supplied by Western Australia and 2007–08 data for the Northern Territory, where available.

Notes

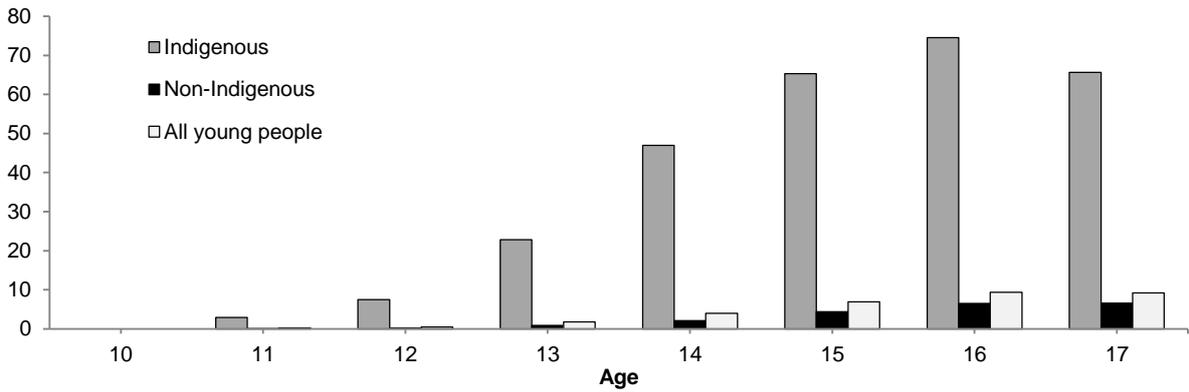
1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2008–09 and 2009–10.
2. Age calculated as at start of financial year if first period of supervision in the relevant year began before the start of the financial year, otherwise age calculated as at start of first period of supervision in the relevant year.
3. Total includes young people of unknown Indigenous status.
4. Rates are number of young people per 1,000 relevant population.
5. Rates are not published where there were fewer than five young people.

Source: Table A3.

Rates of supervision on an average day for young people aged 10–17 years increased with each successive year of age up to 16 years, where they peaked at 6 young people per 1,000 (excluding Western Australia and the Northern Territory, for which data on individual age years were not available) (Table 4.4). A young person aged 16 years was twice as likely as a 14 year old and 5 times as likely as a 13 year old to be under supervision on an average day, but 21 times as likely as a 12 year old.

Indigenous young people were particularly over-represented in the younger age groups, and this occurred for both young men and young women (Figure 4.6 and Figure 4.7). On an average day, an Indigenous young person aged 17 years was 11 times as likely to be under juvenile justice supervision as a non-Indigenous young person of the same age, but 21 times as likely if aged 14 years, and 46 times as likely if aged 12 years (excluding Western Australia and the Northern Territory) (Table 4.4).

Number per 1,000

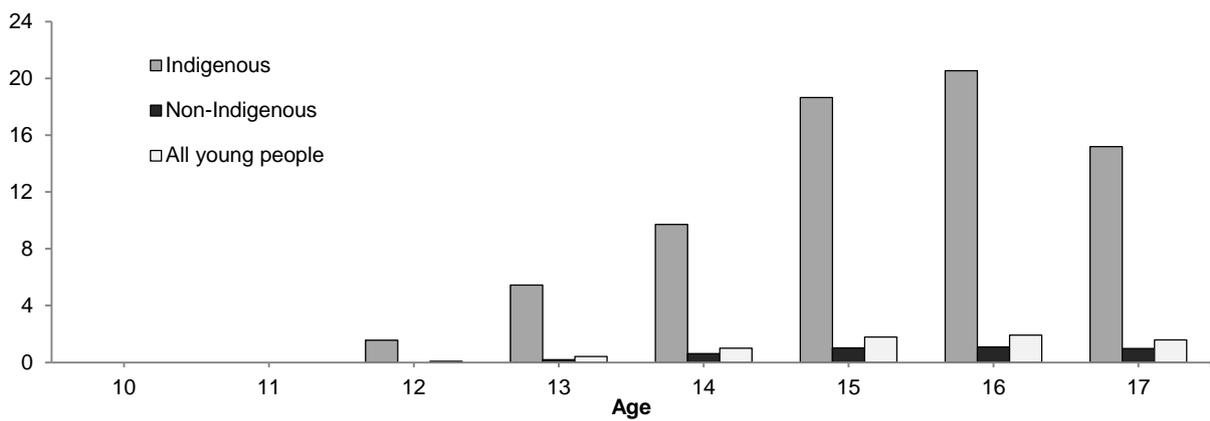


Note: Western Australia and the Northern Territory did not supply JJ NMDS data for 2009-10.

Source: Table 4.4.

Figure 4.6: Young men aged 10-17 years under supervision on an average day by age and Indigenous status, Australia (excluding WA and NT), 2009-10 (rate)

Number per 1,000



Note: Western Australia and the Northern Territory did not supply JJ NMDS data for 2009-10.

Source: Table 4.4.

Figure 4.7: Young women aged 10-17 years under supervision on an average day by age and Indigenous status, Australia (excluding WA and NT), 2009-10 (rate)

Table 4.4: Young people aged 10–17 years under supervision by age, sex and Indigenous status, Australia (excluding WA and NT), 2009–10 (rate)

Indigenous status	10	11	12	13	14	15	16	17
Supervision rate—average day								
Male								
Indigenous	n.p.	2.95	7.50	22.79	46.95	65.32	74.57	65.66
Non-Indigenous	n.p.	0.08	0.19	0.84	2.09	4.36	6.48	6.61
Total	n.p.	0.19	0.48	1.74	3.96	6.92	9.38	9.23
Female								
Indigenous	n.p.	n.p.	1.57	5.44	9.71	18.66	20.53	15.20
Non-Indigenous	n.p.	n.p.	n.p.	0.20	0.63	1.03	1.10	0.99
Total	n.p.	n.p.	0.07	0.41	1.01	1.79	1.93	1.58
All young people								
Indigenous	n.p.	1.65	4.58	14.24	28.83	42.62	48.31	41.18
Non-Indigenous	n.p.	0.04	0.10	0.53	1.38	2.74	3.86	3.88
Total	n.p.	0.10	0.28	1.10	2.53	4.43	5.76	5.51
Supervision rate—during the year								
Male								
Indigenous	1.41	7.86	16.11	42.92	79.13	113.02	130.74	122.81
Non-Indigenous	n.p.	0.19	0.52	1.92	4.49	8.66	12.89	13.73
Total	0.08	0.50	1.15	3.64	7.68	13.16	18.21	18.79
Female								
Indigenous	n.p.	n.p.	4.58	13.05	21.61	34.82	41.71	29.63
Non-Indigenous	n.p.	n.p.	0.08	0.60	1.54	2.44	2.46	2.25
Total	n.p.	0.04	0.26	1.11	2.45	3.85	4.20	3.45
All young people								
Indigenous	0.82	4.43	10.45	28.19	51.15	74.97	87.48	77.61
Non-Indigenous	n.p.	0.10	0.30	1.28	3.06	5.64	7.81	8.15
Total	0.04	0.28	0.71	2.42	5.13	8.65	11.41	11.34

(a) Totals for 2009–10 include aggregate data supplied by Western Australia and 2007–08 data for the Northern Territory, where available.

Notes

1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2009–10.
2. Age calculated as at start of financial year if first period of supervision in the relevant year began before the start of the financial year, otherwise age calculated as at start of first period of supervision in the relevant year.
3. Total includes young people of unknown Indigenous status.
4. Rates are number of young people per 1,000 relevant population.
5. Rates are not published where there were fewer than five young people.

Source: Tables A1 and A3.

Trends

Over the 4 years to 2009–10, the rate of young people aged 10–17 years under supervision on an average day increased from 2.3 to 2.6 per 1,000, which is an additional 23 young people

per 100,000 under supervision on any given day (including Western Australia and the Northern Territory) (Table 4.5).

There were few clear patterns in the trends for states and territories. Over the 4 years from 2006–07 to 2009–10, rates increased in New South Wales, Victoria and Tasmania, but these increases did not occur in each year for all states (Table 4.5). Rates decreased in Queensland and the Australian Capital Territory, but again, not in each year. There was no clear pattern for South Australia.

Table 4.5: Young people aged 10–17 years under supervision on an average day by Indigenous status, states and territories, 2006–07 to 2009–10 (rate)

Indigenous status	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust excl WA & NT	Aust incl WA & NT ^(a)
2006–07										
Indigenous	19.37	15.22	24.71	37.34	24.20	13.56	29.33	10.86	21.18	22.16
Non-Indigenous	1.18	1.20	1.58	1.13	1.62	2.78	2.76	0.67	1.38	1.35
Rate ratio	16.42	12.68	15.64	33.04	14.94	4.88	10.63	16.21	15.35	16.41
Total	2.07	1.39	3.01	3.21	2.47	3.68	3.36	5.01	2.20	2.34
2007–08										
Indigenous	22.69	17.28	24.74	39.27	29.75	15.69	46.89	8.17	23.39	23.80
Non-Indigenous	1.32	1.36	1.64	1.12	1.71	2.56	3.13	0.96	1.50	1.46
Rate ratio	17.19	12.71	15.09	35.06	17.40	6.13	14.98	8.51	15.59	16.30
Total	2.37	1.56	3.08	3.33	2.77	3.65	4.20	4.02	2.41	2.53
2008–09										
Indigenous	23.78	18.77	21.92	n.a.	31.71	14.20	29.62	n.a.	22.78	22.45
Non-Indigenous	1.50	1.47	1.54	n.a.	1.82	3.76	2.45	n.a.	1.60	1.51
Rate ratio	15.85	12.77	14.23	n.a.	17.42	3.78	12.09	n.a.	14.24	14.87
Total	2.62	1.69	2.81	n.a.	2.94	4.70	3.09	n.a.	2.50	2.56
2009–10										
Indigenous	24.36	20.84	21.43	n.a.	27.09	16.23	28.78	n.a.	22.77	22.56
Non-Indigenous	1.47	1.62	1.50	n.a.	1.58	3.89	2.39	n.a.	1.61	1.54
Rate ratio	16.57	12.86	14.29	n.a.	17.15	4.17	12.04	n.a.	14.14	14.65
Total	2.64	1.87	2.75	n.a.	2.63	4.86	3.03	n.a.	2.52	2.57

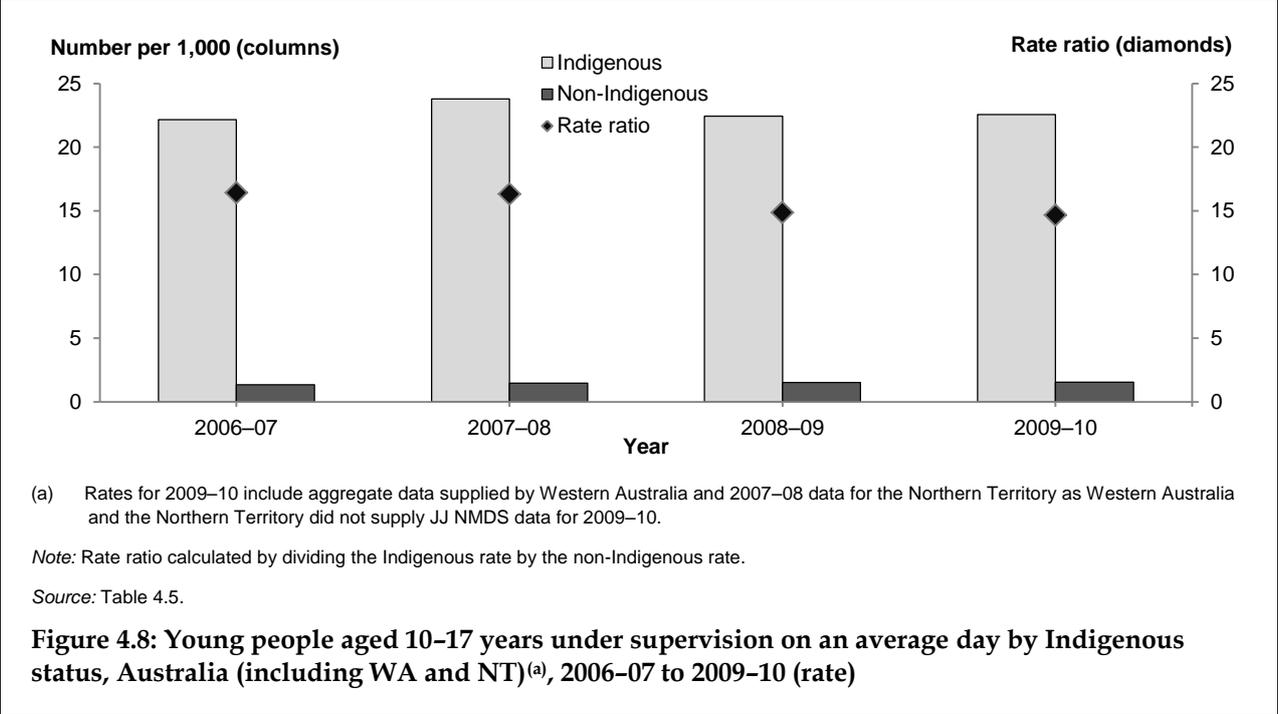
(a) Totals for 2009–10 include aggregate data supplied by Western Australia and 2007–08 data for the Northern Territory, where available.

Notes

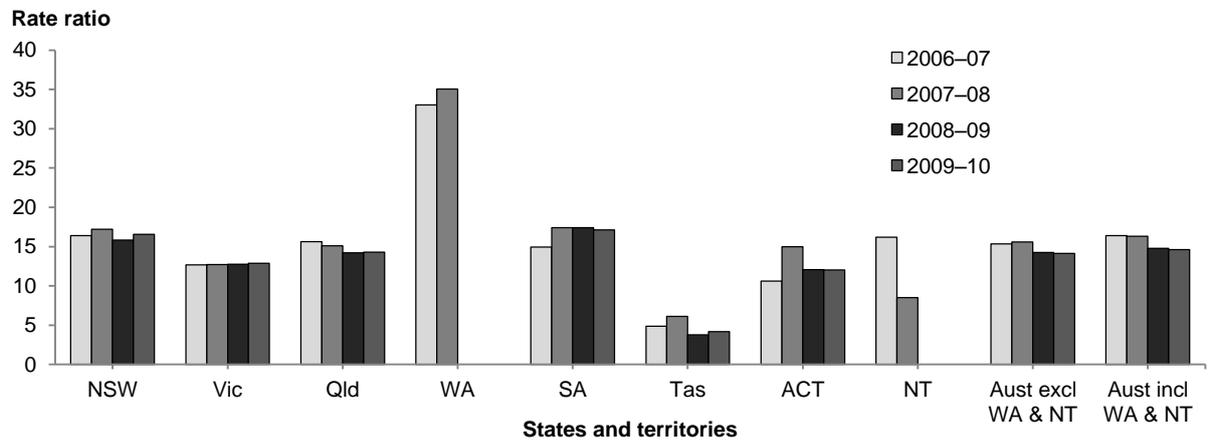
1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2008–09 and 2009–10.
2. Age calculated as at start of financial year if first period of supervision in the relevant year began before the start of the financial year, otherwise age calculated as at start of first period of supervision in the relevant year.
3. Total includes young people of unknown Indigenous status.
4. Rates are number of young people per 1,000 relevant population.
5. Rates are not published where there were fewer than five young people.
6. Rate ratio calculated by dividing the Indigenous rate by the non-Indigenous rate.

Source: Table A4.

Nationally (including Western Australia and the Northern Territory), the rate of supervision on an average day for non-Indigenous young people aged 10–17 years increased from 1.4 per 1,000 in 2006–07 to 1.5 in 2009–10, while the equivalent Indigenous rate fluctuated slightly. Over the 4 years, the level of Indigenous over-representation (as shown by the rate ratio) decreased slightly from 16 to 15 (Figure 4.8).



While nationally the level of Indigenous over-representation fell slightly over the 4 years from 2006–07, this did not occur in every state and territory, and for most (excluding Western Australia and the Northern Territory), rate ratios fluctuated (Figure 4.9). The level of over-representation remained relatively stable in Victoria over the 4 years, while it fell in Queensland. There was an overall increase in South Australia, and no clear patterns for New South Wales, Tasmania or the Australian Capital Territory.



Notes

1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2008–09 to 2009–10.
2. Totals for 2008–09 and 2009–10 include aggregate data supplied by Western Australia and 2007–08 data for the Northern Territory, where available.
3. Rate ratios calculated by dividing the Indigenous rate by the non-Indigenous rate.

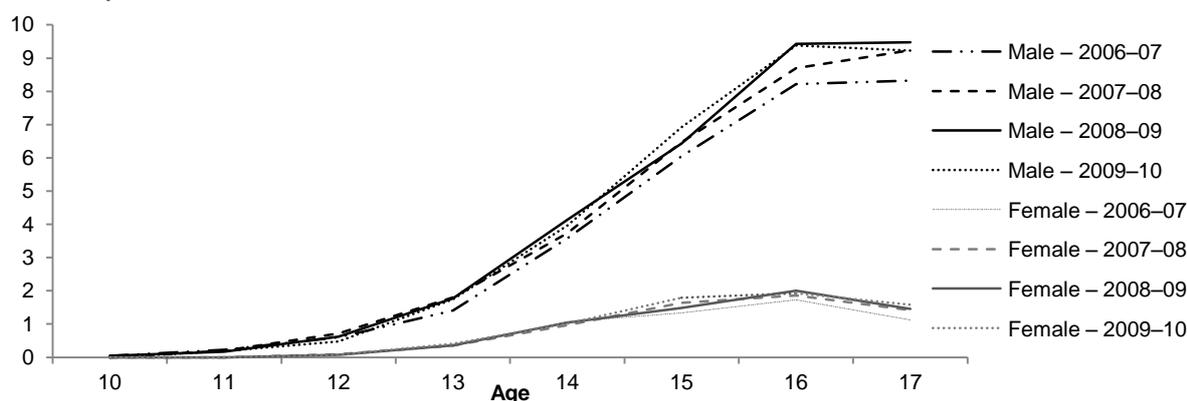
Source: Table 4.5.

Figure 4.9: Level of Indigenous over-representation among young people aged 10–17 years under supervision on an average day, states and territories, 2006–07 to 2009–10 (rate ratios)

There was little change in the pattern of rates of supervision for each year of age over the 4 years from 2006–07. Those in older age groups were consistently more likely to be under supervision than those in younger age groups in each of the 4 years, and each year between 2006–07 and 2009–10, the highest rates of supervision were among those aged 16 or 17 years (excluding Western Australia and the Northern Territory) (Table 4.6). Over the 4-year period, rates of supervision on an average day for young people aged 10–12 years remained relatively steady (or decreased slightly), while rates for those aged 13 years and older increased.

The patterns of rates of supervision on an average day remained similar for both young men and young women over the 4-year period (Figure 4.10). For young women, rates of supervision were highest each year among those aged 16 years, while for young men, the highest rates of supervision were for those aged 17 years – except in 2009–10, when rates for young men aged 16 years were the highest. Rates of supervision increased over the 4 years in the older age groups for both young men and young women.

Number per 1,000



Note: Western Australia and the Northern Territory did not supply JJ NMDS data for 2008–09 to 2009–10.

Source: Table 4.6.

Figure 4.10: Young people under supervision on an average day by sex and age, Australia (excluding WA & NT), 2006–07 to 2009–10 (rates)

Table 4.6: Young people aged 10–17 years under supervision on an average day^(a) by age and sex, Australia (excluding WA and NT), 2006–07 to 2009–10 (rate)

Year	10	11	12	13	14	15	16	17	10–17
Male									
2006–07	0.04	0.23	0.60	1.41	3.58	6.05	8.22	8.32	3.60
2007–08	n.p.	0.20	0.72	1.80	3.73	6.47	8.70	9.24	3.94
2008–09	0.04	0.17	0.62	1.77	4.14	6.43	9.43	9.48	4.10
2009–10	n.p.	0.19	0.48	1.74	3.96	6.92	9.38	9.23	4.09
Female									
2006–07	n.p.	n.p.	0.09	0.33	1.07	1.34	1.73	1.12	0.72
2007–08	n.p.	n.p.	0.09	0.35	0.97	1.64	1.86	1.42	0.81
2008–09	n.p.	n.p.	0.07	0.36	1.04	1.48	2.00	1.46	0.82
2009–10	n.p.	n.p.	0.07	0.41	1.01	1.79	1.93	1.58	0.87
All young people									
2006–07	0.02	0.12	0.35	0.88	2.36	3.76	5.07	4.83	2.20
2007–08	n.p.	0.11	0.41	1.09	2.39	4.12	5.37	5.45	2.41
2008–09	0.02	0.09	0.35	1.08	2.64	4.02	5.81	5.58	2.50
2009–10	n.p.	0.10	0.28	1.10	2.53	4.43	5.76	5.51	2.52

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

Notes

1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2008–09 to 2009–10.
2. Total includes young people of unknown age.
3. Age calculated as at start of financial year if first period of supervision in the relevant year began before the start of the financial year, otherwise age calculated as at start of first period of supervision in the relevant year.
4. Rates are number of young people per 1,000 relevant population.
5. Rates are not published where there were fewer than five young people.

Source: Table A6.

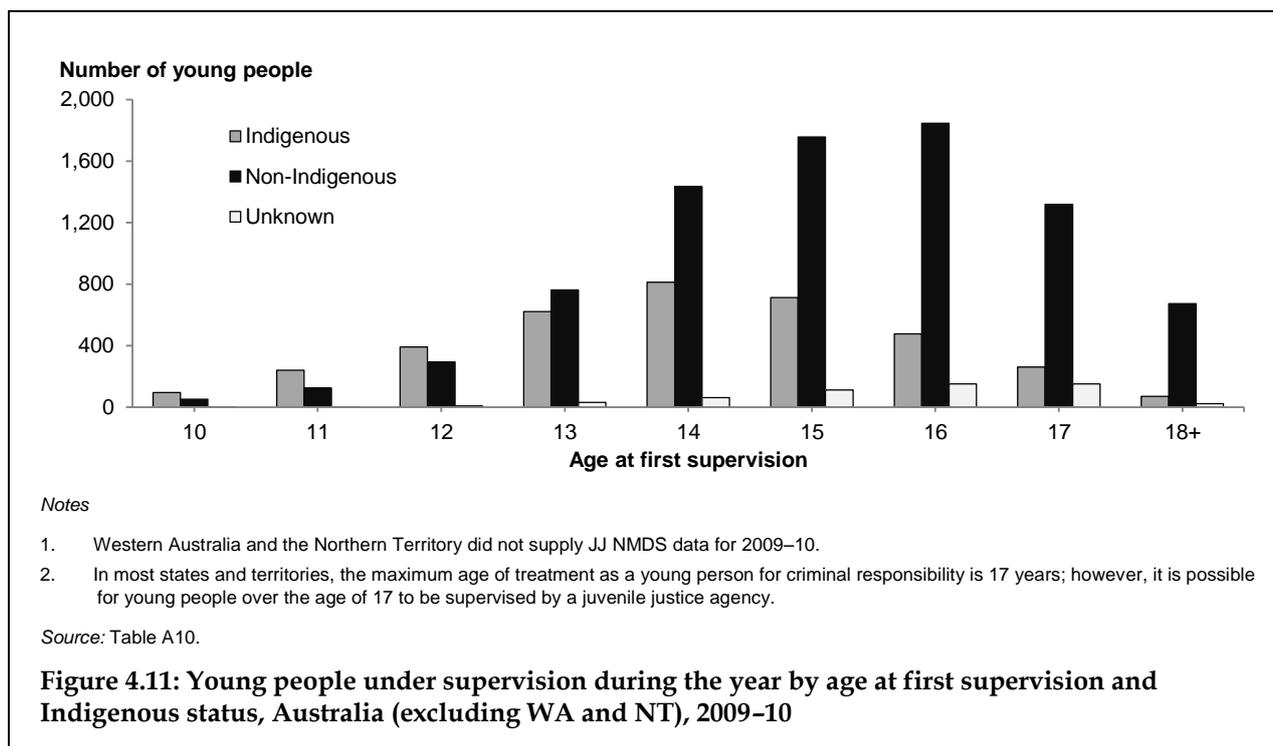
4.3 First supervision

Western Australia and the Northern Territory did not supply JJ NMDS data for 2009–10 and are not included in this section.

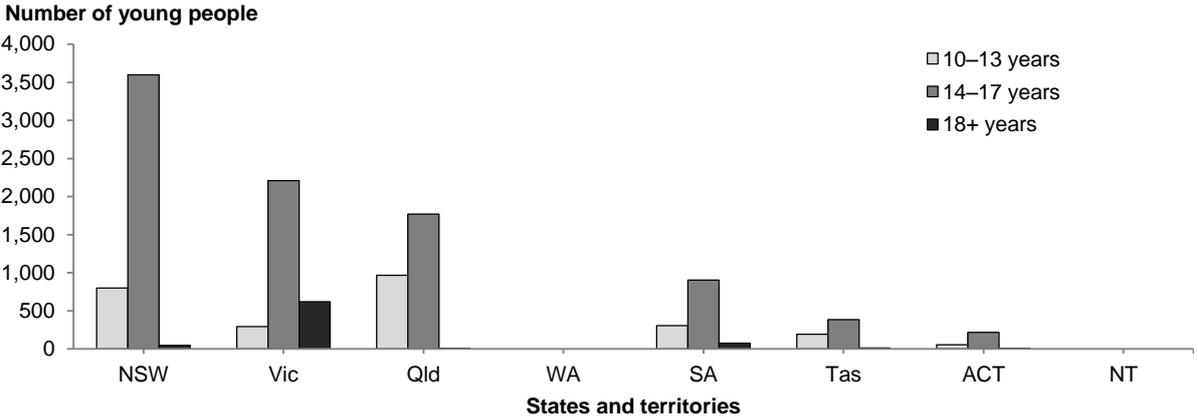
Just over one-third (36%) of those under supervision in 2009–10 were new to supervision in that year (the remainder first entered supervision in a previous year) (Table A8). Indigenous young people under supervision were more likely than non-Indigenous young people to have been under supervision in a previous year (72% compared with 63%), and these proportions remained stable over the 4 years to 2009–10 (Table A9).

Among the states and territories for which data were available, Tasmania had the smallest proportion of new entrants to supervision (14%) during the year, while Victoria and the Australian Capital Territory (44% and 45%, respectively) had the largest (Table A8). There was little change in the proportion of new entrants since 2006–07 among any of the states and territories.

Nearly three-quarters (73%) of those under supervision in 2009–10 had first entered supervision when they were aged 14–17 years (Figure 4.11). However, Indigenous young people under supervision tended to enter supervision at younger ages; the median age of first entry to supervision for Indigenous young people was 14 years, compared with 15 years for non-Indigenous young people. More than one-third (37%) of Indigenous young people had first entered supervision when they were aged 10–13 years, compared with 15% of non-Indigenous young people.



In all states and territories, most young people under juvenile justice supervision during 2009–10 had first entered supervision when they were aged 14–17 years (Figure 4.12). Proportions ranged from 65% in Queensland and Tasmania to 81% in New South Wales. Small proportions (6% or less) of young people had first entered supervision when they were aged 18 years and over in all states and territories except Victoria (20%). The larger number and proportion in Victoria is most likely due in part to the ‘dual track’ sentencing system, in which a young person aged 18–20 years can be sentenced to detention in a juvenile centre rather than an adult prison.



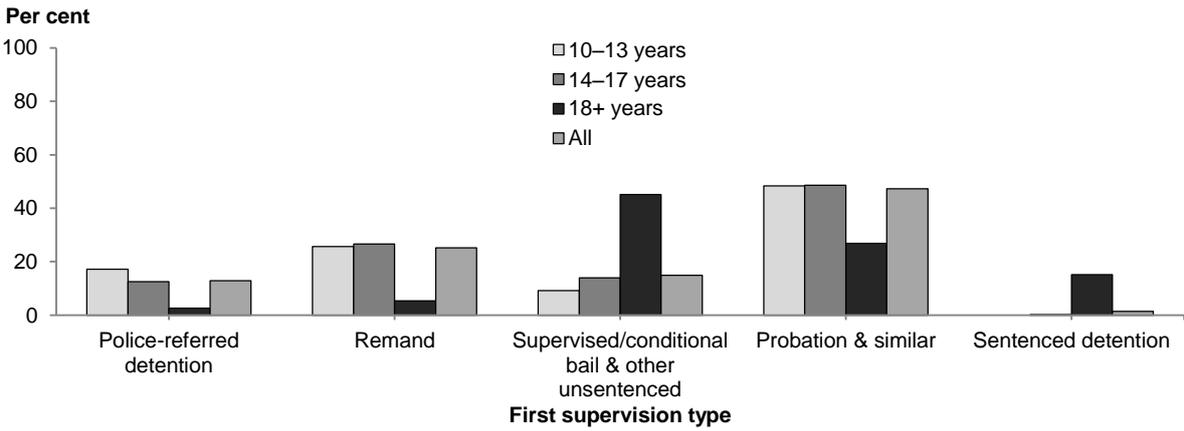
Note: Western Australia and the Northern Territory did not supply JJ NMDS data for 2009–10.

Source: Table A11.

Figure 4.12: Young people under supervision during the year by age at first supervision, states and territories, 2009–10

For those under supervision during 2009–10, the most common types of first supervision were probation and similar (47%), remand (25%) and supervised or conditional bail and similar (15%) (Figure 4.13). However, the type of first supervision differed by the age of the young person at this first supervision. While probation and similar was equally likely in the first supervision for those aged 10–13 years and 14–17 years at their first supervision (48% and 49%, respectively), only 27% of those aged 18 years and older were on probation or similar types of supervision. Similarly, around one-quarter of those aged 10–13 years and 14–17 years at their first supervision (26% and 27%, respectively) were on remand in their first supervision, compared with just 5% of those aged 18 years and older. For those aged 18 years and older at their first supervision, supervised or conditional bail and similar was the most common type of first supervision (45%), but was relatively uncommon for those aged 10–13 years (9%) and 14–17 years (14%).

Sentenced detention was relatively uncommon as the first supervision, occurring for just 1% of those under supervision during 2009–10. However, most (87%) of those who experienced sentenced detention in their first supervision were aged 18 years or older. This is likely because of the ‘dual track’ system in Victoria that allows young people aged 18–20 years to be sentenced to a juvenile detention centre instead of an adult prison – 89% of those aged 18 years and older who experienced sentenced detention as their first juvenile supervision were in Victoria (Table A12).



Note: Western Australia and the Northern Territory did not supply JJ NMS data for 2009–10.

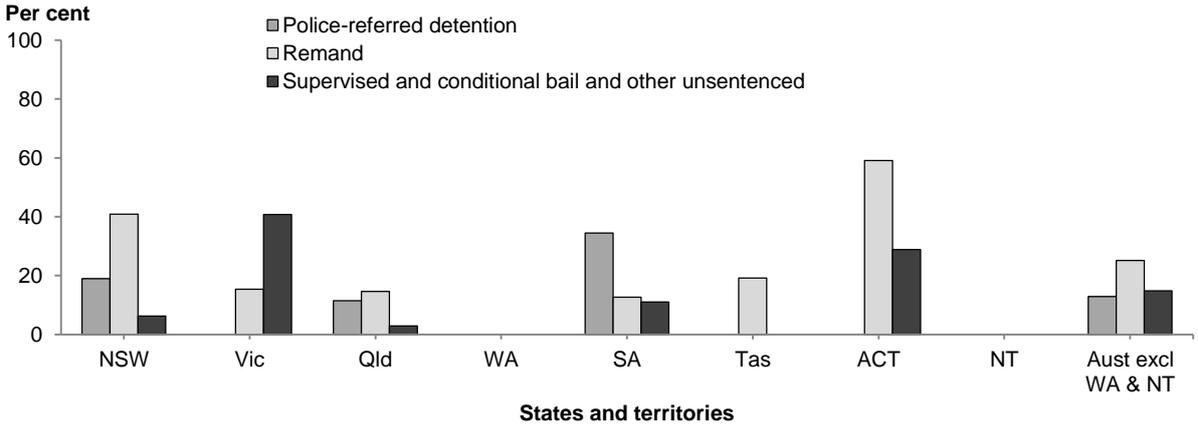
Source: Tables A11 and A12.

Figure 4.13: Young people under supervision during the year by type of first supervision and age of first supervision, Australia (excluding WA and NT), 2009–10 (per cent)

While unsentenced supervision as a young person’s first supervision was relatively common in most states and territories, the type of unsentenced supervision differed (Figure 4.14). The use of supervised or conditional bail and similar was most common in Victoria, where 41% of those under supervision during 2009–10 experienced this as their first supervision, compared with 29% in the Australian Capital Territory, 11% in South Australia and just 6% and 3% in New South Wales and Queensland, respectively (supervised or conditional bail is not available in Tasmania).

Unsentenced detention was relatively common in New South Wales, the Australian Capital Territory and South Australia, although there were differences in the type of unsentenced

detention. Remand as the first supervision type was most common in the Australian Capital Territory (59% of young people under supervision during 2009–10), followed by New South Wales (41%). Police-referred detention as the first supervision type was most common in South Australia (34%), followed by New South Wales (19%) and Queensland (11%). Unsented detention as the first supervision type was relatively uncommon in Victoria and Tasmania: remand was the first supervision type for 15% of those under supervision during the year in Victoria and 19% in Tasmania (police-referred detention is not available in Victoria or Tasmania).



Notes:

1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2009–10.
2. Not all types of unsentenced supervision are available in all states and territories. See Table 2.1 for details.

Source: Tables A11 and A12.

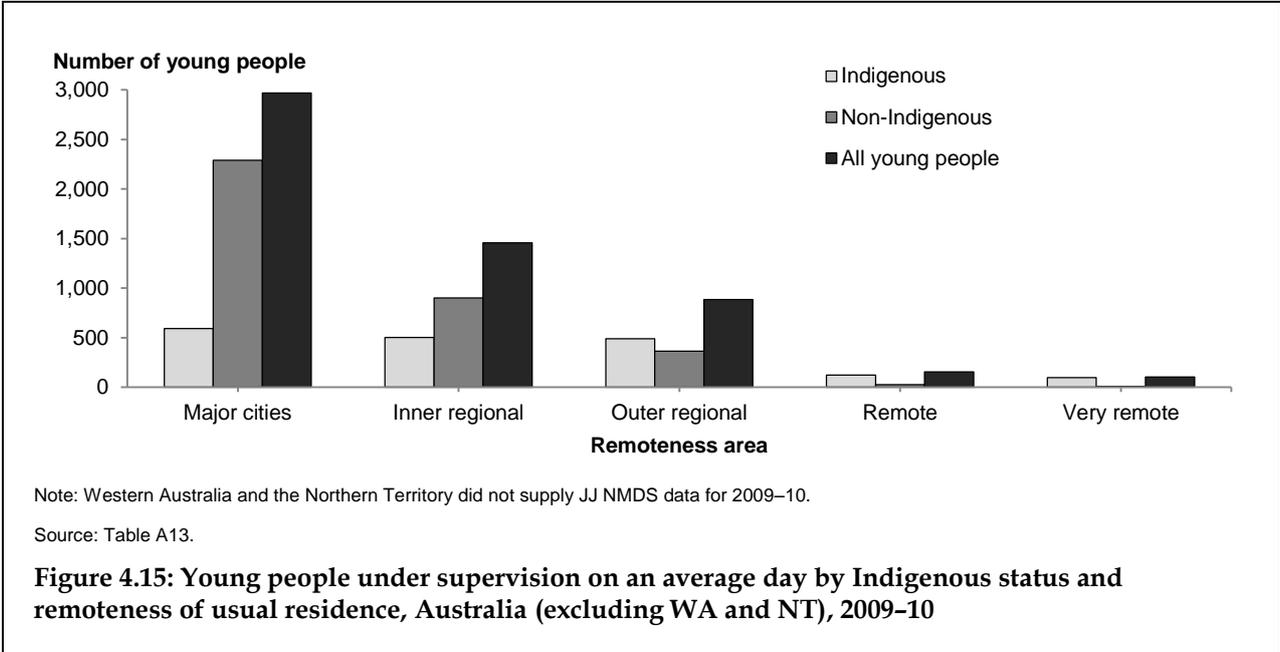
Figure 4.14: Young people under supervision during the year by selected type of first supervision, states and territories, 2009–10 (per cent)

4.4 Remoteness of usual residence

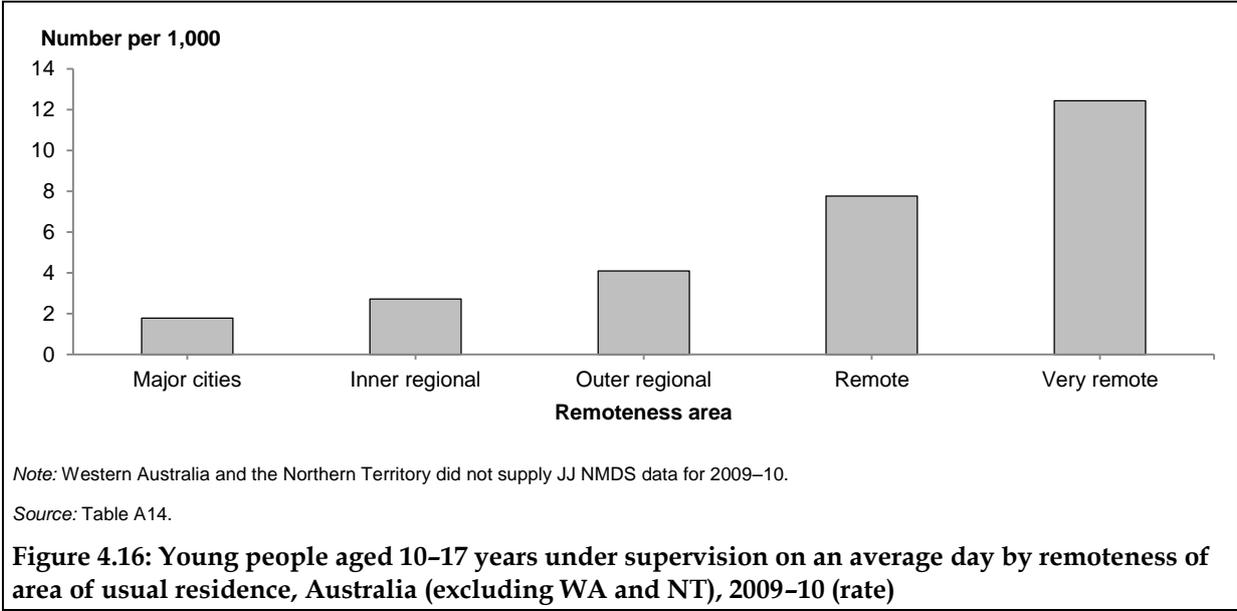
Western Australia and the Northern Territory did not supply JJ NMDS data for 2009–10 and are not included in this section.

In 2009–10, most young people under supervision on an average day were from cities and regional areas. Around half (49%) of young people under supervision on an average day were from *Major Cities* and a further 39% were from *Inner regional* and *Outer regional* areas (excluding Western Australia and the Northern Territory) (Figure 4.15). Just 4% of young people were from *Remote* or *Very remote* areas (information about remoteness area of usual residence was not available for 8% of young people). Proportions were similar for all young people under supervision during the year.

Indigenous young people under supervision were more likely than non-Indigenous young people to be from regional or remote areas. On an average day, around half (51%) of Indigenous young people were from regional areas, and a further 11% were from *Remote* or *Very remote* areas, compared with 32% of non-Indigenous young people from regional areas, and less than 1% from *Remote* or *Very remote* areas.



Although most young people under supervision were from cities and regional areas, young people from *Remote* or *Very remote* areas in Australia were the most likely to be under supervision (Figure 4.16). On an average day in 2009–10, there were 1.8 young people aged 10–17 years under supervision for every 1,000 in the population in *Major cities*, compared with 7.8 per 1,000 in *Remote* areas, and 12.4 per 1,000 in *Very remote*. Young people aged 10–17 years from *Remote* areas were therefore 4 times as likely as those from *Major cities* to be under supervision on an average day, and those from *Very remote* areas were 7 times as likely.

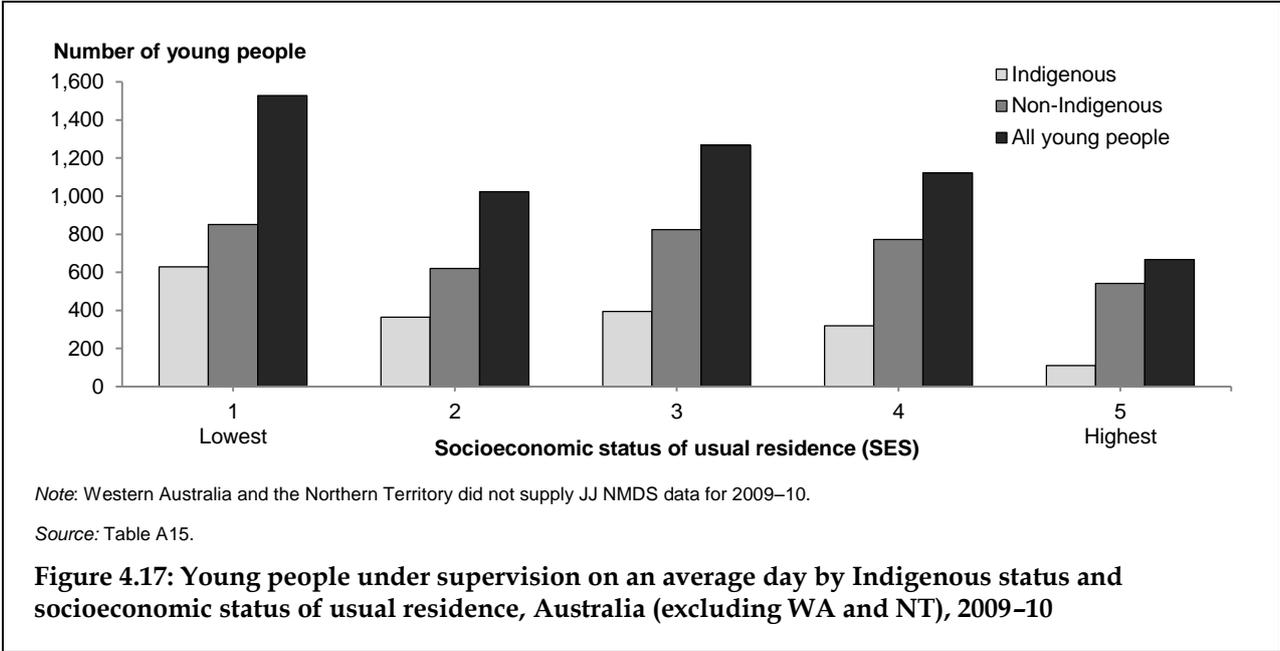


4.5 Socioeconomic status of usual residence

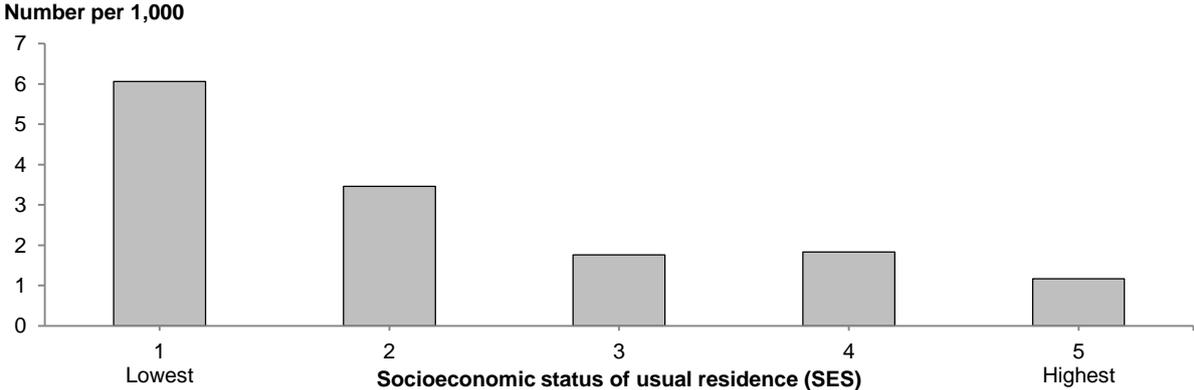
Western Australia and the Northern Territory did not supply JJ NMDS data for 2009–10 and are not included in this section.

Young people under juvenile justice supervision were more likely to have lived in areas of lower socioeconomic status than areas of higher socioeconomic status prior to entering supervision. In 2009–10, one-quarter (25%) of young people under supervision on an average day were from the areas of lowest socioeconomic status, and 11% were from the areas of highest socioeconomic status (Figure 4.17). This pattern was similar when all young people under supervision during the year are considered.

Both Indigenous and non-Indigenous young people were more likely to come from an area of low socioeconomic status than from an area of high socioeconomic status; however, the differences were greater for Indigenous young people. On an average day, almost one-third (32%) of Indigenous young people under supervision were from one of the areas of lowest socioeconomic status, compared with 22% of non-Indigenous young people. Just 6% of Indigenous young people under supervision were from one of the areas of highest socioeconomic status, compared with 14% of non-Indigenous young people.



In the general population, young people from areas of lower socioeconomic status were more likely to be under juvenile justice supervision than those from areas of higher socioeconomic status, and there was an inverse relationship between socioeconomic status and the rate of supervision. On an average day in 2009–10, there were 6.1 young people aged 10–17 years under supervision for every 1,000 in the population from the areas of lowest socioeconomic status, compared with 1.2 young people per 1,000 from the areas of highest socioeconomic status (Figure 4.18). This means that young people from the areas of lowest socioeconomic status were around 5 times as likely to be under supervision on an average day as those from the areas of highest socioeconomic status.

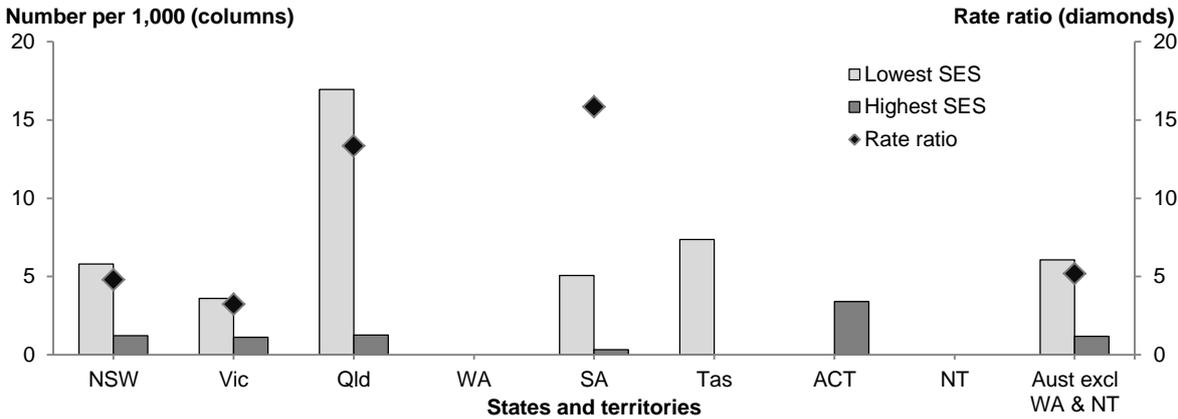


Note: Western Australia and the Northern Territory did not supply JJ NMDS data for 2009–10.

Source: Table A16.

Figure 4.18: Young people aged 10–17 years under supervision on an average day by socioeconomic status of area of usual residence, Australia (excluding WA and NT), 2009–10 (rate)

Among the states and territories for which data were available, the rate of supervision was higher for those from the areas of lowest socioeconomic status than for those from the areas of highest socioeconomic status, although the rate ratios varied (Figure 4.19). In Victoria, young people aged 10–17 years from the areas of lowest socioeconomic status were 3 times as likely to be under supervision on an average day as those from the areas of highest socioeconomic status, and in New South Wales they were almost 5 times as likely. These rate ratios were higher in Queensland and South Australia (13 and 16 times respectively).



Notes

1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2009–10.
2. Rate ratios were not calculated for states and territories without young people in both the highest and the lowest areas of SES.

Source: Table A16.

Figure 4.19: Young people aged 10–17 years under supervision on an average day by socioeconomic status of area of usual residence (highest and lowest), states and territories, 2009–10 (rate)

5 Characteristics of supervision and orders

This chapter provides information on both the supervised orders that juvenile justice agencies administer and the characteristics of supervision during 2009–10. All orders under which young people are supervised are included in these analyses.

Differences between states and territories in the number and types of legal orders may reflect differences in legislation and legal and administrative practices. Information on the types of orders available in each state and territory is provided in Table 2.1.

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

Box 5.1: Examples of supervised orders

Example 1:

A young person was given a 12-month sentence of probation. After serving 6 months of the sentence, they were then remanded in detention for 1 month on an unrelated matter before being released to serve the remainder of the probation sentence.

Therefore, the young person spent:

- 6 continuous months on probation
- followed by 1 month in detention
- and a further 5 continuous months on probation (for a total of 11 months on probation).

Example 2:

A young person was sentenced to 12 months of sentenced detention. After serving 6 months, they were released early on parole but breached the parole after 1 month and were returned to serve the remainder of the detention sentence.

The total time under supervision was 12 months:

- 6 continuous months in sentenced detention
- followed by 1 month on parole
- and a further 5 continuous months in sentenced detention (for a total of 11 months in sentenced detention).

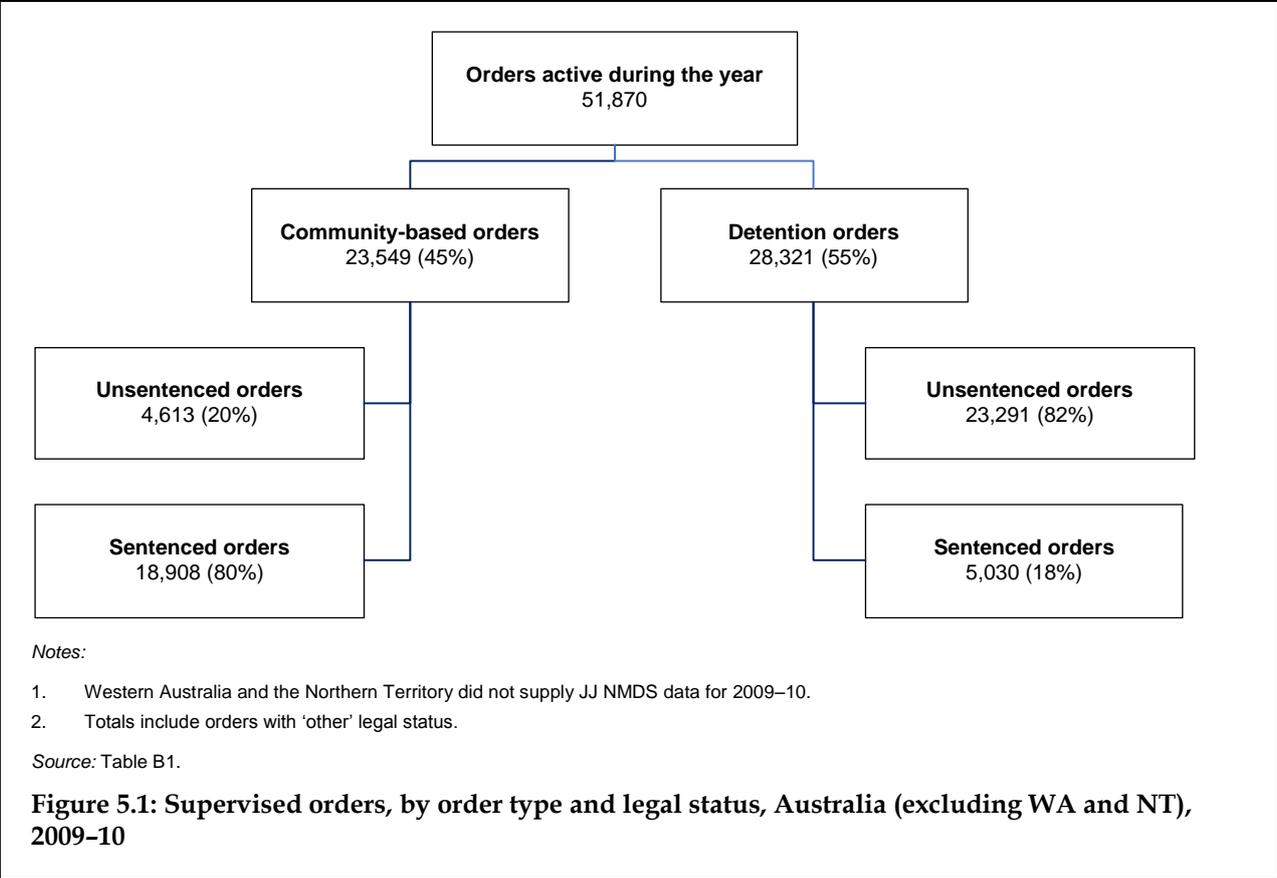
Western Australia and the Northern Territory did not provide JJ NMDS data for 2008–09 or 2009–10 (see Chapter 3 'Data and methods' for more details) and are not included in this chapter. For some analyses, the availability of data relating to trends over time is limited.

5.1 Summary

Western Australia and the Northern Territory did not supply JJ NMDS data for 2009–10 and are not included in this section.

The 12,473 young people who were under juvenile justice supervision during the year were supervised under 51,870 supervised orders, an average of 4 orders per young person (Table 4.1 and Figure 5.1). More than half (55%) of all supervised orders were detention orders and the remainder were community-based orders (Figure 5.1), although New South Wales was the only state or territory where most of the supervised orders were detention (Figure 5.9).

Although less than half (46%) of orders supervised during 2009–10 were sentenced, most (82%) of the young people under supervision during the year served a supervised sentence at some time (Figure 5.1 and Figure 5.12). Community-based orders were more likely to be sentenced (80%) than detention orders (18%) (Figure 5.1).



On average, young people under supervision spent half the year under supervision, ranging from 5 months in the Australian Capital Territory to 7 months in Tasmania (Figure 5.5). The median length of individual periods of supervision was just under 10 weeks (Figure 5.4), although this was shorter in states and territories where the young people completed more periods of supervision, on average, and longer in states and territories where young people completed fewer periods. Indigenous young people spent more time under supervision during the year than non-Indigenous young people in all states and territories except Victoria, and tended to have shorter individual periods of supervision but more of them (Figure 5.5 and Table B7).

Over half (55%) of those under supervision during 2009–10 had been in detention at some time during their supervision history (tables 4.1 and B12). However, this was not true for all states and territories: over half of those in Victoria (65%), Queensland (53%) and Tasmania (52%) had never been in detention (Figure 5.15).

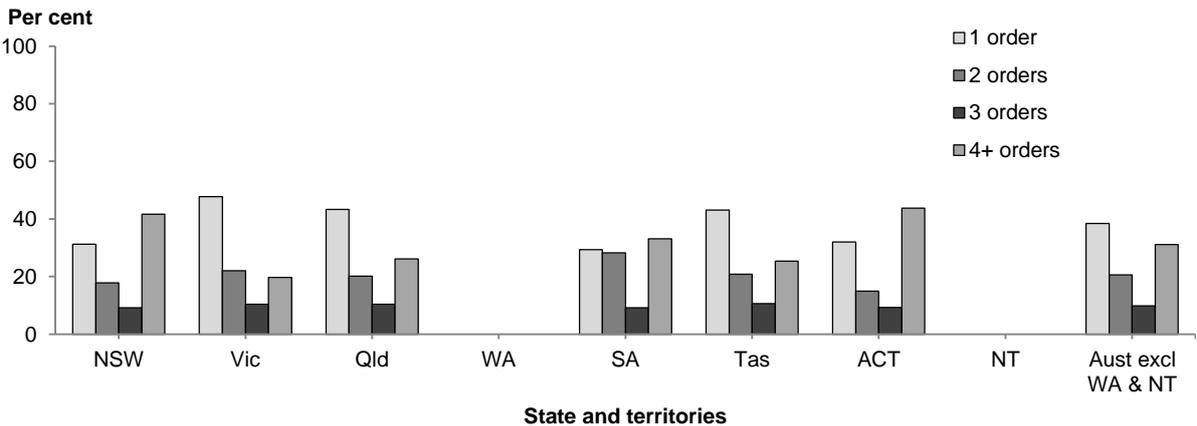
5.2 Number of orders and supervision periods

Western Australia and the Northern Territory did not supply JJ NMDS data for 2009–10 and are not included in this section.

The 12,473 young people who were under supervision during 2009–10 (including 3 young people with missing order data) were supervised under 51,870 orders, an average of 4 orders per young person (tables 4.1 and B1). New South Wales had the most orders supervised during 2009–10 while the Australian Capital Territory had the least, but both these jurisdictions had the highest rate of supervised orders per young person under supervision, with an average of 6 supervised orders per young person under supervision in New South Wales and 5 per person in the Australian Capital Territory. The average number of supervised orders per young person under supervision was between 3 and 4 in the remaining states.

Over one-third (38%) of those under supervision during the year were supervised under just one order, but almost one-third (31%) were supervised under four or more orders (Figure 5.2). Non-Indigenous young people were more likely to be supervised under only one order than Indigenous young people (40% and 31%, respectively) (Table B2).

Young people under supervision in Victoria were most likely to be supervised under only 1 order (48%), and were least likely to be supervised under 4 or more orders (20%) (Figure 5.2). In contrast, less than one-third (29%) of those under supervision in South Australia were supervised under only 1 order in 2009–10, while close to half (44%) of those under supervision in the Australian Capital Territory were supervised under 4 or more orders.

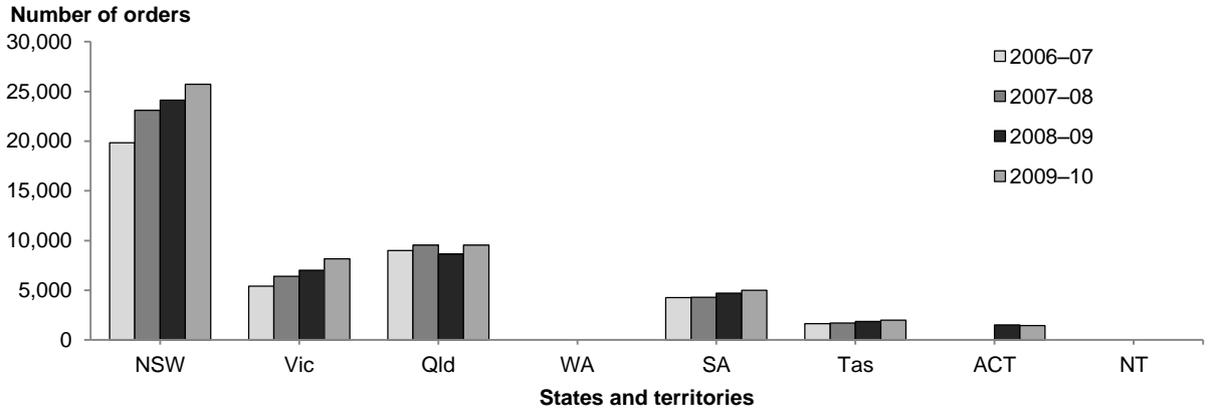


Note: Western Australia and the Northern Territory did not supply JJ NMDS data for 2009–10.

Source: Table B2.

Figure 5.2: Young people under supervision during the year by number of orders, states and territories, 2009–10 (per cent)

The number of supervised orders that juvenile justice agencies administer increased between 2006–07 and 2009–10 in all states and territories for which trend data were available (Figure 5.3). The largest proportional increases were in Victoria (up 51%) and New South Wales (30%), while the smallest increase was in Queensland (6%).



Notes

1. Western Australia and the Northern Territory did not supply data on orders for 2006–07 to 2009–10.
2. The Australian Capital Territory did not supply data on orders for 2006–07 to 2007–08.

Source: Table B1.

Figure 5.3: Orders, states and territories, 2006–07 to 2009–10

The 12,473 young people under supervision during 2009–10 experienced an average of 1.3 periods of supervision during the year (tables 4.1 and B3). Not all periods of supervision started during 2009–10 and not all were completed by the end of 2009–10; however, two-thirds (66%) of those under supervision during the year completed at least one period of supervision during the year (Table B4). The remainder did not complete a supervision period; that is, they had not left supervision for at least one full day by the end of 2009–10.

Of those who completed at least one supervision period during 2009–10, most (84%) completed only one period; this proportion ranged from 75% in the Australian Capital Territory to 93% in Victoria and Tasmania (Table B4). The proportion that completed 4 or more supervision periods ranged from 0% in the Australian Capital Territory to 5% in South Australia.

Over the 4 years from 2006–07, there was a slight increase in the proportion of young people with at least one completed supervision period who completed just one supervision period from 82% to 84%, with a corresponding decrease in the proportion that completed 4 or more, from 3% to 2% (Table B5). However, these patterns were not seen in all jurisdictions.

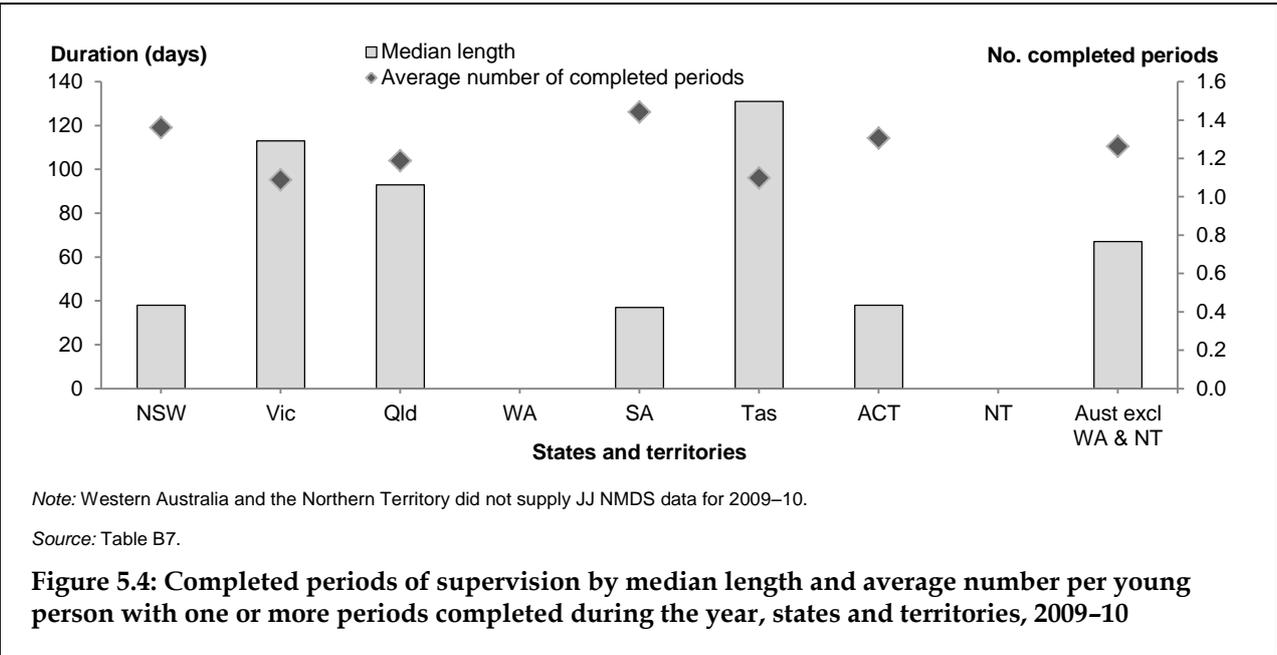
Similar proportions of young women (69%) and young men (66%) under supervision during 2009–10 completed at least one supervision period during the year (tables 4.2 and B4), and of these, similar proportions completed multiple supervision periods (18% and 16% respectively) (Table B4). The completion rate was also similar for Indigenous and non-Indigenous young people, although Indigenous young people were more likely than non-Indigenous young people to have completed multiple periods (21% compared with 15%) (Table B6).

5.3 Time under supervision

Western Australia and the Northern Territory did not supply JJ NMDS data for 2009–10 and are not included in this section.

Overall, the median length of periods of supervision completed during 2009–10 was 67 days, or just under 10 weeks, while young people with one or more completed supervision periods completed, on average, 1.3 periods (Figure 5.4).

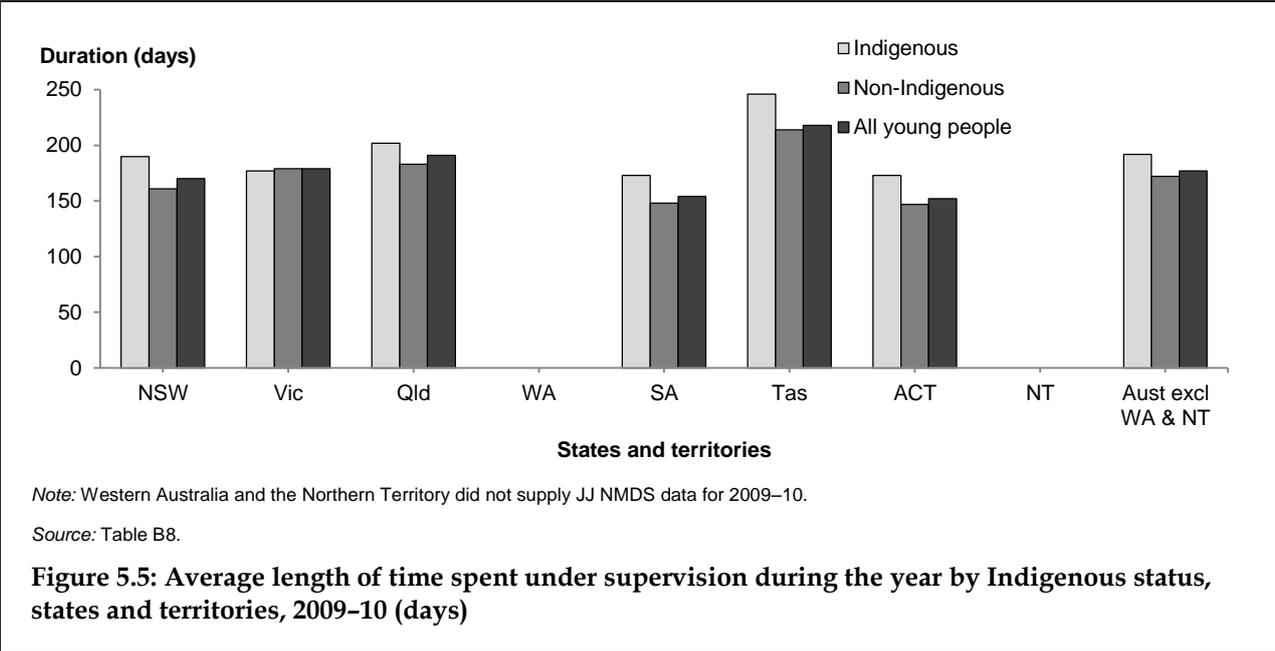
There was an inverse relationship between the median length of completed periods of supervision and the average number of these periods completed by young people with one or more periods completed during 2009–10 (Figure 5.4). In the states and territories where completed supervision periods tended to be shorter, the average number of these completed tended to be higher, and vice versa. Among the states and territories, the median length of completed supervision periods differed by up to 13 weeks. The median length was shortest in South Australia (37 days or 5 weeks), New South Wales (38 days) and the Australian Capital Territory (38 days), where the average number of completed supervision periods was between 1.3 and 1.4. Median length was longest in Queensland (93 days or 13 weeks), Victoria (113 days or 16 weeks) and Tasmania (131 days or 19 weeks), with an average of 1.1–1.2 supervision periods completed.



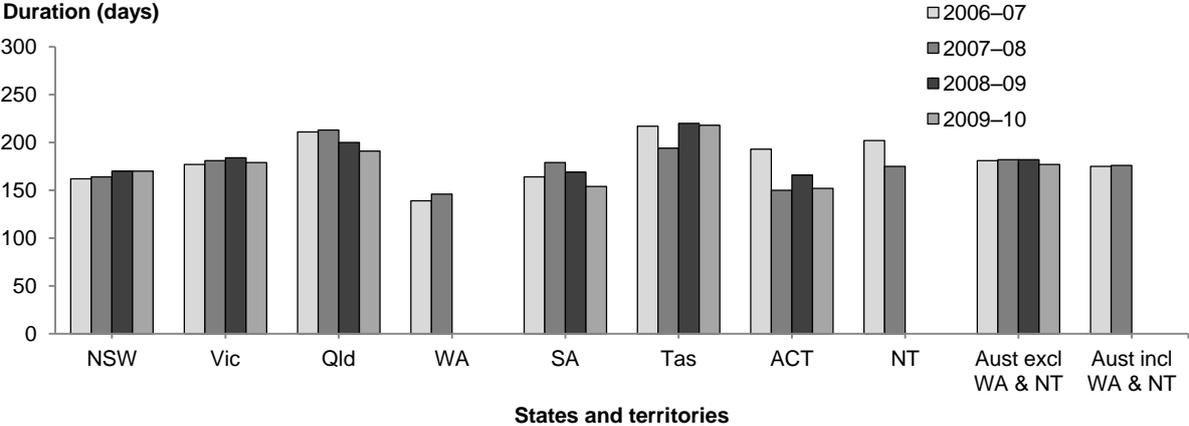
Overall, Indigenous young people tended to have shorter supervision periods than non-Indigenous young people but completed more of them – the median length of supervision periods that Indigenous young people completed was 9 days shorter than those that non-Indigenous young people completed, but on average, Indigenous young people completed 0.1 more periods (Table B7). However, while an inverse relationship between the length of completed periods and the average number of periods completed was found at a state and territory level, this was not the case when comparing Indigenous and non-Indigenous young people. In all states and territories with available data, Indigenous young people completed more supervision periods, on average, than non-Indigenous young people.

Of those young people with at least one supervision period completed during 2009–10, Indigenous young people completed slightly more supervision periods, on average, in each state and territory – from 0.02 additional periods in Tasmania to 0.16 in South Australia. Yet periods of supervision that Indigenous young people completed tended to be shorter than those that non-Indigenous young people completed in Tasmania (difference in the median length of 49 days) and Victoria (shorter by 14 days) but longer in South Australia (longer by 1 day), the Australian Capital Territory (4 days), Queensland (5 days) and New South Wales (14 days).

Although the median length of completed periods of supervision was shorter for Indigenous young people than for non-Indigenous young people in both Victoria and Tasmania, when the total time under supervision during the year is considered, Indigenous young people spent, on average, more time under supervision in all states and territories except Victoria (Figure 5.5). Nationally, Indigenous young people spent, on average, over half the year under supervision, which was 20 days more than the non-Indigenous average (192 days compared with 172 days). The greatest difference was in Tasmania, where Indigenous young people spent, on average, 32 more days under supervision than non-Indigenous young people. In Victoria, Indigenous young people spent an average of 2 fewer days under supervision. The average length of time spent under supervision for all young people ranged from 5 months (152 days) in the Australian Capital Territory to 7 months (218 days) in Tasmania, with a national average of 6 months (177 days).



Overall, there was little change in the average length of time spent under supervision from 2006–07 to 2009–10 (Figure 5.6). However, this trend did not occur in all states and territories. Over the 4 years, the average length of time spent under supervision increased by 8 days in New South Wales but decreased in the Australian Capital Territory by 41 days, Queensland by 20 days and South Australia by 10, although these changes did not occur in each year.

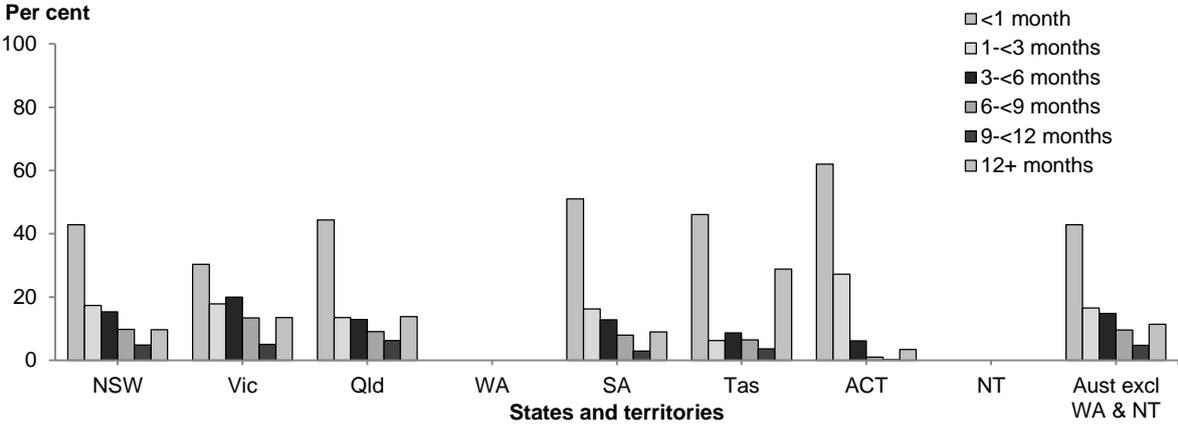


Note: Western Australia and the Northern Territory did not supply JJ NMDS data for 2008–09 to 2009–10.

Source: Table B8.

Figure 5.6: Average length of time spent under supervision during the year, states and territories, 2006–07 to 2009–10 (days)

Most of the orders that ended during 2009–10 were relatively short: 43% ended within 1 month and a further 17% ended within 3 months, while 11% were 12 months or more (Figure 5.7). More than half of all orders that ended in South Australia (51%) and the Australian Capital Territory (62%) lasted less than one month, compared with just 30% in Victoria. Almost one-third (29%) of orders that ended in Tasmania lasted more than 1 year, compared with just 3% in the Australian Capital Territory.



Note: Western Australia and Northern Territory did not supply JJ NMDS data for 2009–10.

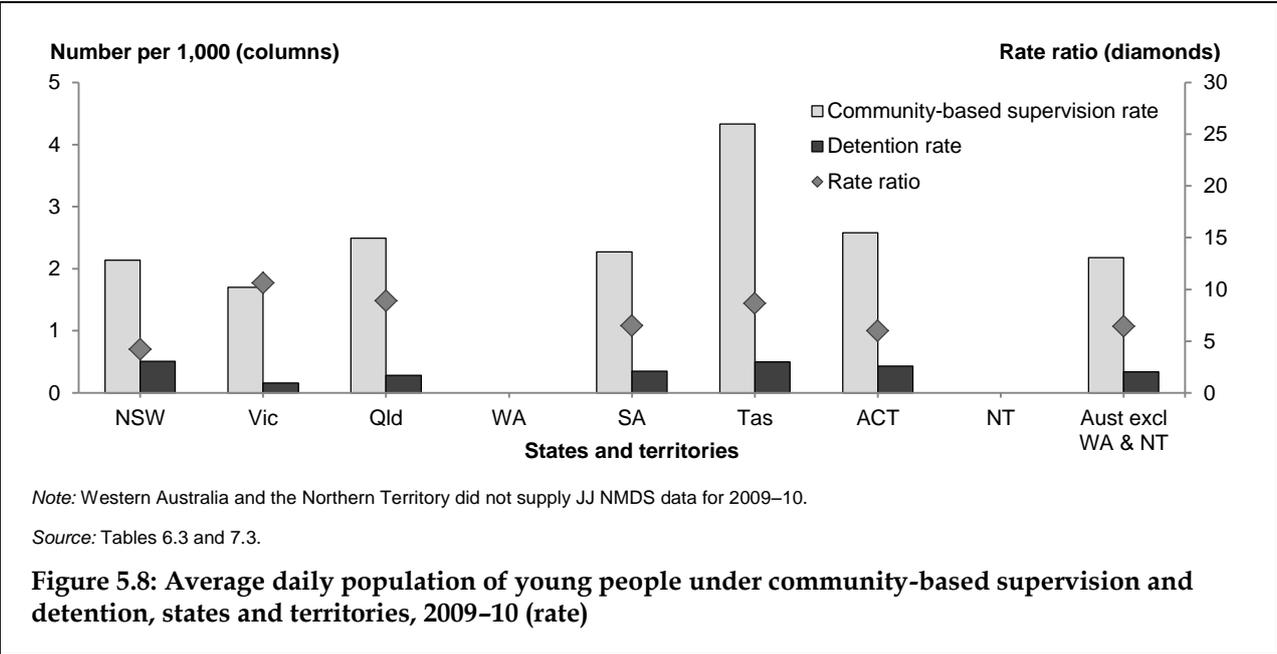
Source: Table B9.

Figure 5.7: Orders ended during the year by length, states and territories, 2009–10 (per cent)

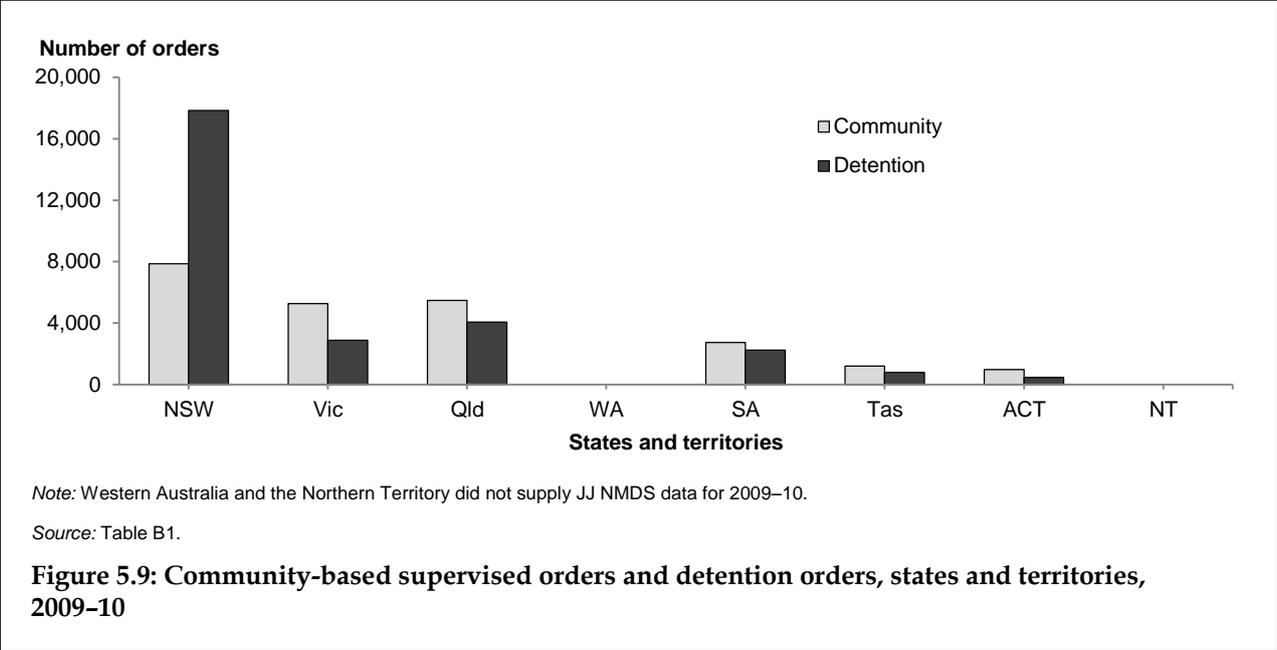
5.4 Types of supervision

Community-based supervision and detention

Community-based supervision is more common than detention – in 2009–10, young people aged 10–17 years in Australia were 6 times as likely to be under community-based supervision as in detention on an average day (Figure 5.8). This pattern occurred in all states and territories, although the likelihood of being under community-based supervision or in detention differed. On an average day, young people aged 10–17 years in Victoria were almost 11 times as likely to be under community-based supervision as in detention on an average day, but only 4 times as likely in New South Wales, where the use of both community-based supervision and detention is more common.



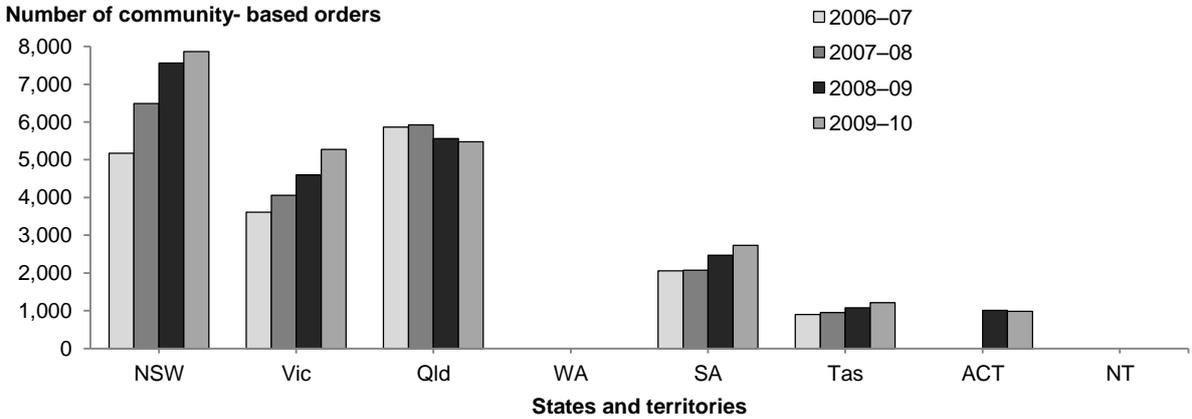
More than half of all orders supervised during the year were community-based orders in all states and territories except New South Wales (excluding Western Australia and the Northern Territory) (Figure 5.9). In New South Wales, less than one-third (31%) of orders were community-based, while proportions in the other states and territories ranged from 55% in South Australia to 68% in the Australian Capital Territory. However, the large number of detention orders in New South Wales meant that more than half (55%) of all orders nationally were detention orders.



As well as having the highest number and proportion of detention orders, New South Wales also had the highest number of detention orders per young person in detention in 2009–10 (excluding Western Australia and the Northern Territory). A young person in detention during the year in New South Wales had an average of 7.0 detention orders, compared with 5.4 in Tasmania, 5.1 in Queensland, 4.0 in South Australia, 3.8 in Victoria and 2.6 in the Australian Capital Territory (tables 7.1 and B1).

There was less variation in the average number of community-based orders per young person, which ranged from 1.8 orders on average per young person under community-supervision during the year in Victoria to 2.6 per young person in South Australia and 4.1 in the Australian Capital Territory (tables 6.1 and B1).

Between 2006–07 and 2009–10, the number of supervised community-based orders increased each year in all states and territories for which full trend data were available except Queensland (Figure 5.10). Over the 4-year period, the largest proportional increases were in New South Wales (up 52%) and Victoria (up 46%). In Queensland, the number of community-based orders increased slightly in 2007–08, before dropping below 2006–07 numbers in 2008–09 and 2009–10, with an overall proportional decrease of 7%.



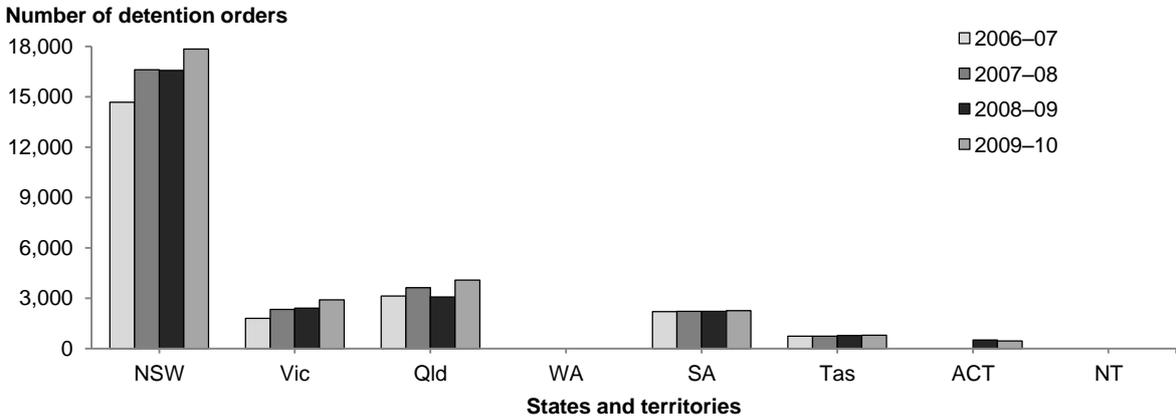
Notes

1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2008-09 to 2009–10.
2. Trend data not available for Western Australia, the Australian Capital Territory and the Northern Territory.

Source: Table B1.

Figure 5.10: Community-based supervised orders, states and territories, 2006–07 to 2009–10

Over the 4 years to 2009-10, the number of supervised detention orders increased among all states and territories with available data (Figure 5.11). Victoria had the largest proportional increase over the period (61%) and was the only jurisdiction in which the number of detention orders increased each year. This was followed by Queensland (30%) and New South Wales (22%). The smallest proportional increases over the period were in South Australia (2%) and Tasmania (6%).



Notes

1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2008-09 to 2009-10.
2. Trend data not available for Western Australia, the Australian Capital Territory and the Northern Territory.

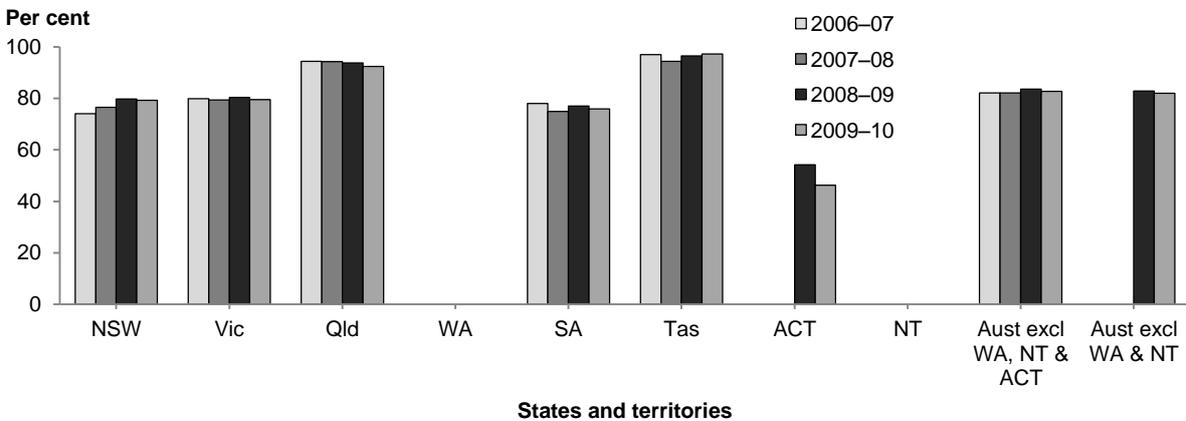
Source: Table B1.

Figure 5.11: Detention orders, states and territories, 2006-07 to 2009-10

Legal status

Western Australia and the Northern Territory did not supply JJ NMDS data for 2009-10 and are not included in this section.

Most (82%) of the young people who were under supervision during 2009-10 served a supervised sentence at some time during the year, and this was true in all states and territories except the Australian Capital Territory (Figure 5.12). In South Australia, 76% of those under supervision were serving a sentenced order at some time during the year, along with 79% in New South Wales and Victoria, 92% in Queensland and 97% in Tasmania. In contrast, only 46% of those under supervision in the Australian Capital Territory were sentenced during the year. There was little change in the proportion of young people who were sentenced during the year between 2006-07 and 2009-10 among the states and territories for which complete trend data were available.



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

Source: Table B10.

Figure 5.12: Young people under supervision during the year with a sentenced supervised order during the year, 2006-07 to 2009-10 (per cent)

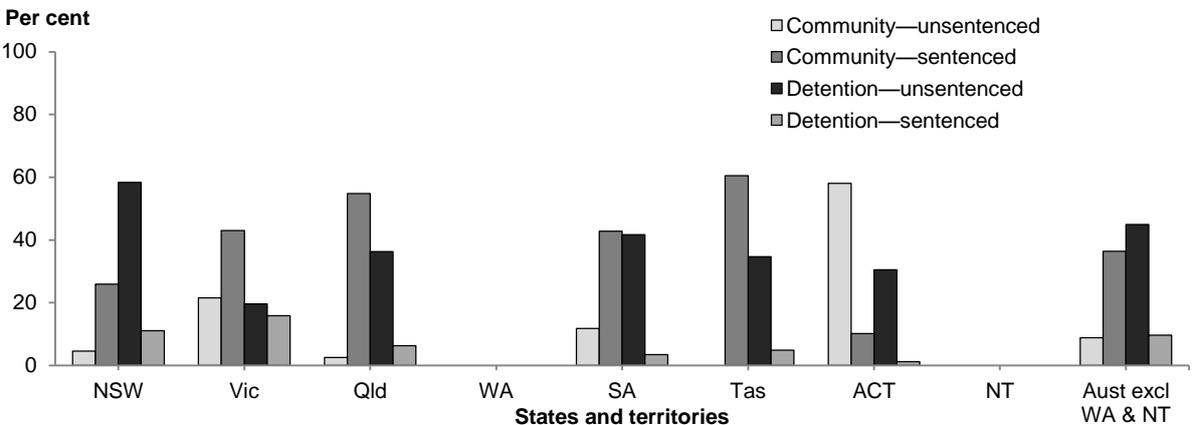
In 2009–10, young men (83%) were slightly more likely than young women (78%) to be under sentenced supervision at some time during the year, and this pattern was present in all states and territories (Table B10). There was little change in these proportions over the 4 years from 2006–07. Among the states and territories, there was a small increase in the proportion of young men who were sentenced during the year in New South Wales over the period (from 74% to 80%), and a small decrease in the proportion of young women who were sentenced in Victoria (from 78% to 73%), but few other consistent trends.

Indigenous young people (86%) were more likely than non-Indigenous young people (80%) to be under sentenced supervision during the year, although this pattern only occurred in New South Wales and Queensland (Table B11). For the remaining states and territories, Indigenous and non-Indigenous young people were equally likely to be under sentenced supervision during the year.

Over the 4 years to 2009–10, there was little change in the national proportions of Indigenous and non-Indigenous young people under supervision who were sentenced at some time during the year (Table B11).

In 2009–10, the most common type of order was an unsentenced detention order (45% of all supervised orders), followed by a sentenced community-based order (36%) (Figure 5.13). There were similar proportions of unsentenced community-based orders (9%) and sentenced detention orders (10%).

However, use of these orders differed by state and territory. Over half of all orders supervised in New South Wales were unsentenced detention orders (58%), compared with only 20% in Victoria. Sentenced community-based orders were the most common type of supervised order in Tasmania (60%), Queensland (55%), Victoria (43%) and South Australia (43%). Unsented community-based supervision was the most common type of supervised order in the Australian Capital Territory (58%), but relatively uncommon in most other states apart from Victoria (22%), while the proportion of supervised orders that were sentenced detention orders ranged from just 1% in the Australian Capital Territory to 16% in Victoria.



- Notes
1. Western Australia and Northern Territory did not supply JJ NMDS data for 2009–10.
 2. Unsented community-based supervision is not available in Tasmania.

Source: Table B1.

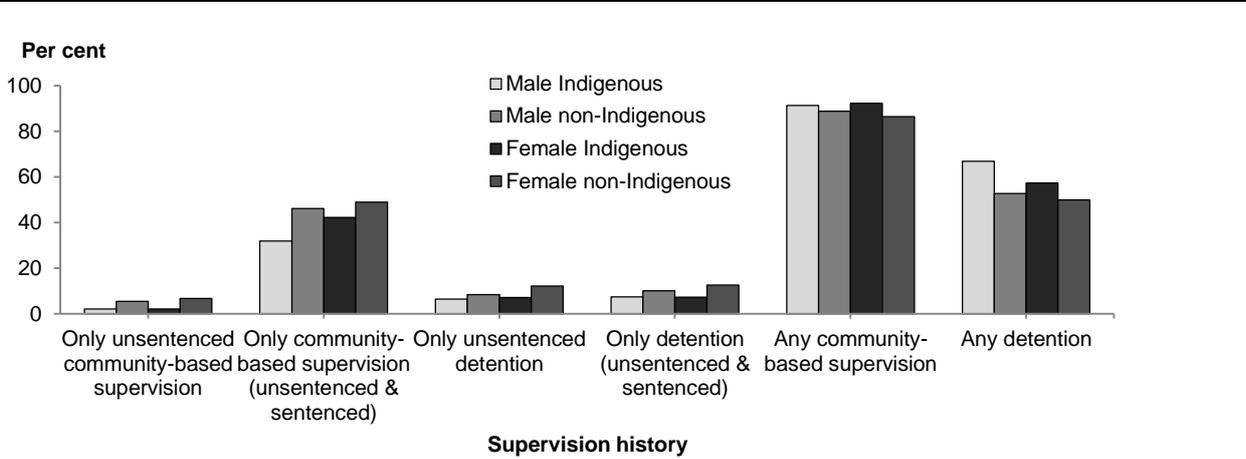
Figure 5.13: Community-based orders and detention orders by legal status, states and territories, 2009–10

5.5 Supervision history

Western Australia and the Northern Territory did not supply JJ NMDS data for 2009–10 and are not included in this section.

While most of those under supervision during 2009–10 were under community-based supervision, over half (55%) had been in detention at some time during their supervision history (tables 4.1 and B12). Indigenous young people under supervision were more likely to have been in detention at some time: 67% of Indigenous young men and 57% of Indigenous young women had been in detention, compared with 53% of non-Indigenous young men and 50% of non-Indigenous young women (Figure 5.14).

However, a sizeable proportion of those under supervision had a supervision history that comprised only community-based supervision – 44% of those under supervision during 2009–10 had never been in detention (tables 4.1 and B12). This proportion was highest for non-Indigenous young women, at 49%, and lowest for Indigenous young men at 32% (Figure 5.14).



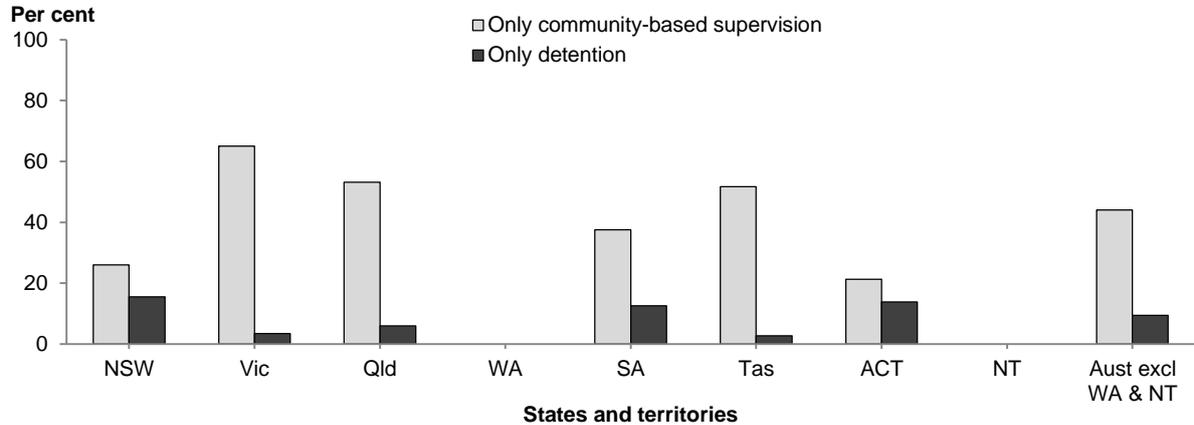
Note: Western Australia and the Northern Territory did not supply JJ NMDS data for 2009–10.

Source: Tables A1 and B12.

Figure 5.14: Young people under supervision during the year by supervision history, sex and Indigenous status, Australia (excluding Western Australia and the Northern Territory), 2009–10 (per cent)

While overall young people under supervision during 2009–10 were more likely to have a supervision history comprising some detention, this was not the case in all states and territories, which demonstrates the different uses of supervised orders throughout Australia. Over half of those under supervision in Victoria (65%), Queensland (53%) and Tasmania (52%) had only had community-based supervision, which means 35% of those in Victoria, 47% in Queensland and 28% in Tasmania had been in detention at some time in their supervision history (information on supervision history is not available for 20% of young people under supervision in Tasmania) (Figure 5.15). In contrast, the majority of those under supervision in the Australian Capital Territory (79%), New South Wales (74%), and South Australia (62%) had been in detention at some time.

Relatively few of those under supervision during 2009–10 had only been in detention, and therefore never been under community-based supervision, although again proportions differed by state and territory. In Victoria and Tasmania, just 3% of those under supervision in 2009–10 had only been in detention, while New South Wales had the highest proportion at 16% (Figure 5.15).



- Notes
1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2009–10.
 2. Supervision history not available for all young people under supervision. See Chapter 3 for more details.

Source: Tables 4.1 and B12.

Figure 5.15: Young people under supervision during the year by supervision history, states and territories, 2009–10 (per cent)

6 Community-based supervision

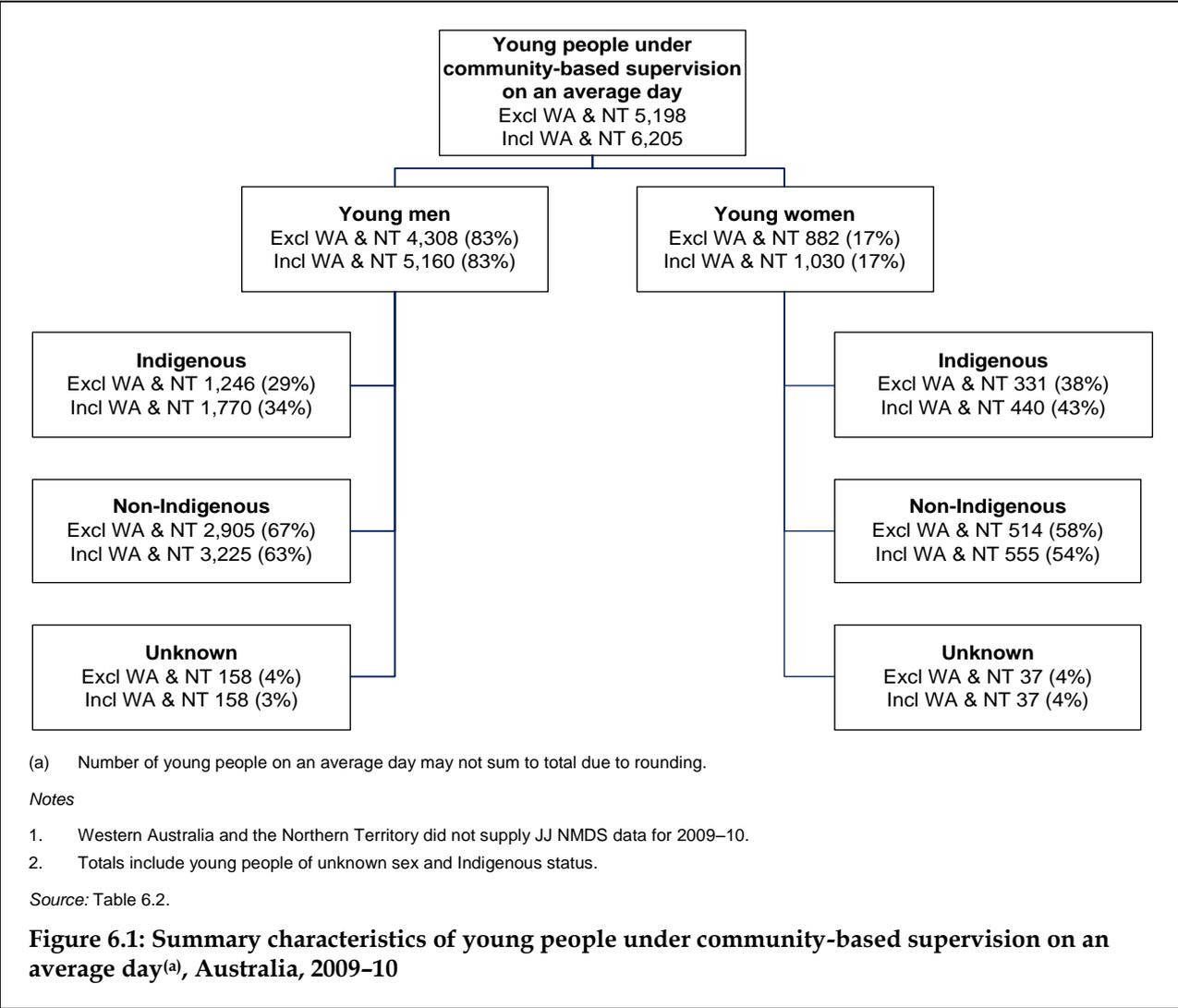
Young people under juvenile justice supervision are supervised either in the community or in detention. This chapter provides information on the both the demographics of young people under community-based supervision and the types of community-based orders under which they were supervised.

Young people may be under juvenile justice supervision in the community while unsentenced or while serving a sentence following a court case. Types of unsentenced community-based supervision include supervised bail and conditional bail, while types of sentenced community-based supervision include probation, community service orders, suspended or home detention, and parole or supervised release. Not all types of community-based supervision are available in all states and territories; see Table 2.1 for more details. Information on unsupervised orders, such as for young people who are unsupervised in the community while awaiting court appearances or serving sentences, is not included in this report.

Western Australia and the Northern Territory did not provide data in standard format for 2009–10. Approximate national totals are provided where additional data were available (see Chapter 3 ‘Data and methods’ for more details) and these are noted in the text and accompanying tables and figures as ‘including Western Australia and the Northern Territory’. Totals presented in the sections on remoteness of usual residence, socioeconomic status of usual residence and types of supervision do not include Western Australia and the Northern Territory.

6.1 Summary

On any given day in 2009–10, there was an average of around 6,200 young people under community-based supervision (including estimates for Western Australia and the Northern Territory) (Figure 6.1). Most (83%) of these young people were young men, who were less likely to be Indigenous than young women under community-based supervision (34% compared with 43%). Overall, over one-third (36%) of those under community-based supervision were Indigenous (Table 6.2).



Half (50%) of those under community-based supervision (excluding Western Australia and the Northern Territory) on an average day were aged 16 or 17 years, with a median age of 16 years (Figure 6.2). Fifteen per cent were aged 18 years and older and just 6% were aged 13 years or younger.

In 2009–10, there were 2.2 young people aged 10–17 years under community-based supervision on an average day for every 1,000 in the Australian population (including Western Australia and the Northern Territory) (Table 6.5). Over the 4 years to 2009–10, the rate of young people aged 10–17 years under community-based supervision on an average day increased from 2.0 to 2.2 per 1,000.

Young people aged 10–17 years were most likely to be under community-based supervision in Tasmania, where 4.3 young people per 1,000 were under community-based supervision on an average day (Table 6.3). They were least likely to be under community-based supervision in Victoria, which had a rate of 1.7 young people per 1,000.

Nationally (including Western Australia and the Northern Territory) Indigenous young people aged 10–17 years were 13 times as likely to be under community-based supervision on an average day in 2009–10 as non-Indigenous young people aged 10–17 years (Table 6.5). There was a small decrease in the level of Indigenous over-representation over the 4 years from 2006–07. Indigenous young people were over-represented in all states and territories. The level of over-representation was highest in South Australia, where they were 16 times as likely to be under community-based supervision on an average day, and lowest in Tasmania, where they were 4 times as likely.

Young people from remote and disadvantaged areas were more likely to be under community-based supervision than those from less remote and less disadvantaged areas. Young people aged 10–17 years from *Remote* areas were 4 times as likely to be under community-based supervision as those from *Major cities*, while young people from *Very remote* areas were 7 times as likely (excluding Western Australia and the Northern Territory) (Figure 6.9). Similarly, young people aged 10–17 years from areas of the lowest socioeconomic status were 5 times as likely as those from areas of the highest socioeconomic status to be under community-based supervision on an average day (Figure 6.11).

On average, young people under community-based supervision spent almost half the year under community-based supervision (Figure 6.15). The average length of time spent under community-based supervision was shortest in the Australian Capital Territory (5 months) and longest in Tasmania (almost 7 months). The median length of individual periods of community-based supervision was almost 3 months (Figure 6.14). In states and territories where completed periods were shorter, young people tended to complete more periods, on average, than in states and territories with longer completed periods of community-based supervision.

Most (91%) young people under community-based supervision on an average day in 2009–10 (excluding Western Australia and the Northern Territory) were serving a sentence (Table 6.6). On an average day, 81% of young people under community-based supervision were serving probation and similar sentenced community-based orders; 8% were serving suspended detention orders and 3% were on parole or supervised release (young people may be counted more than once if they changed supervision type during the day) (Table 6.7). Twelve per cent were on supervised or conditional bail and other unsentenced orders.

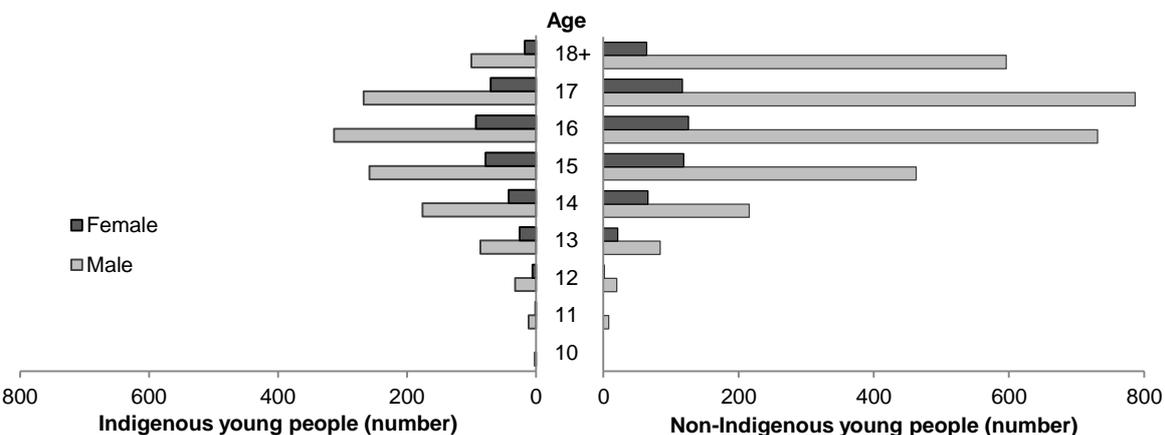
6.2 Number and rate of young people under community-based supervision

Number under community-based supervision

Including estimates for Western Australia and the Northern Territory, there were around 6,200 young people under community-based supervision in Australia on an average day in 2009–10 and around 13,000 during the year (Table 6.1). Most (83%) young people under community-based supervision on an average day were boys or young men and more than one-third (36%) were Indigenous (Table 6.2). Although the proportion that was male was similar when estimates for Western Australia and the Northern Territory are not included, the proportion that was Indigenous decreases slightly to 30%.

Of those under community-based supervision on an average day, half (50%) were aged 16 or 17 years and the median age was 16 years (excluding Western Australia and the Northern Territory, for which data on individual age years was not available) (Figure 6.2). Fifteen per cent were aged 18 years and older, while only 6% were aged 13 years or younger.

Those who were younger were more likely to be Indigenous – 53% of those aged 10–13 years on an average day were Indigenous, compared with 32% of those aged 14–17 years and 15% of those aged 18 years and older. Young women under community-based supervision were more likely to be Indigenous than young men, and this pattern was found in each of these age groups. For those aged 10–13 years, 58% of girls were Indigenous compared with 52% of boys, while the respective proportions were 38% and 30% for those aged 14–17 years and 20% and 14% for those aged 18 years and older. Young women were slightly younger than young men, with 42% of females aged 15 years or younger, compared with 33% of males. Only 10% of females were aged 18 years and older, compared with 17% of males.



Notes
 1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2009–10.
 2. In most states and territories, the maximum age for treatment as a young person is 17 years; however, it is possible for young people over the age of 17 to be under juvenile justice supervision.

Source: Table C1.

Figure 6.2: Young people under community-based supervision on an average day by age, sex and Indigenous status, Australia (excluding WA and NT), 2009–10

Nationally (including Western Australia and the Northern Territory), around one-quarter (26%) of young people under community-based supervision on an average day in 2009–10 were in New South Wales, while 22% were in Victoria and 21% were in Queensland (Table 6.1). In all states and territories (excluding Western Australia and the Northern Territory), most of those under community-based supervision on an average day were aged 14–17 years: this ranged from 65% in Victoria to 90% in New South Wales. Few were aged 10–13 years on an average day in all states and territories: 2% in the Australian Capital Territory, 3% in Victoria, 5% in Tasmania, 6% in New South Wales, 7% in South Australia and 9% in Queensland. In contrast, while those aged 18 years and older were relatively common in South Australia (21%), Tasmania (28%) and Victoria (31%), this was not the case in New South Wales (4%), Queensland (8%) and the Australian Capital Territory (11%). For Queensland, this is likely because of legislation that treats those aged 17 years and older as adults for the purpose of criminal responsibility, although 29% of those under community-based supervision in Queensland were aged 17 years and older.

In all states and territories (excluding Western Australia and the Northern Territory), most young people under community-based supervision were young men; on an average day, the proportion of those under community-based supervision who were young men ranged from 79% in South Australia to 87% in Victoria (Table 6.2).

The proportion of young people under community-based supervision on an average day who were Indigenous ranged from 12% in Victoria to 46% in Queensland. In all states and territories (excluding Western Australia and the Northern Territory) except Tasmania, young women under community-based supervision were more likely to be Indigenous than young men. In Tasmania, young men and women were equally likely to be Indigenous.

Table 6.1: Young people under community-based supervision by age, states and territories, 2009–10

Age	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust excl WA & NT	Aust incl WA & NT ^(a)
Number of young people—average day^(b)										
10	—	—	1	n.a.	1	0	0	n.a.	2	n.a.
11	7	4	5	n.a.	4	1	—	n.a.	21	n.a.
12	16	10	24	n.a.	5	3	—	n.a.	58	n.a.
13	73	33	83	n.a.	22	11	2	n.a.	224	n.a.
14	182	89	169	n.a.	45	19	12	n.a.	518	n.a.
15	352	201	271	n.a.	72	46	14	n.a.	956	n.a.
16	462	272	378	n.a.	106	62	33	n.a.	1,312	n.a.
17	474	325	270	n.a.	117	92	28	n.a.	1,307	n.a.
10–17	1,567	934	1,201	n.a.	372	235	90	n.a.	4,398	5,045
18+	68	425	103	n.a.	101	92	11	n.a.	800	1,160
Total	1,635	1,359	1,304	n.a.	473	327	101	n.a.	5,198	6,205
Number of young people—during the year										
10	3	1	2	n.a.	2	0	0	n.a.	8	n.a.
11	14	7	16	n.a.	13	3	1	n.a.	54	n.a.
12	42	25	52	n.a.	17	7	3	n.a.	146	n.a.
13	158	79	175	n.a.	56	23	9	n.a.	500	n.a.
14	410	195	334	n.a.	97	40	29	n.a.	1,105	n.a.
15	721	405	549	n.a.	174	88	34	n.a.	1,971	n.a.
16	946	570	707	n.a.	237	113	65	n.a.	2,638	n.a.
17	1,006	668	506	n.a.	257	138	70	n.a.	2,645	n.a.
10–17	3,300	1,950	2,341	n.a.	853	412	211	n.a.	9,067	11,135
18+	215	1,020	205	n.a.	215	162	29	n.a.	1,846	1,905
Total	3,515	2,970	2,546	n.a.	1,069	574	240	n.a.	10,914	13,040

(a) Totals for 2009–10 include aggregate data supplied by Western Australia and 2007–08 data for the Northern Territory, where available. Numbers were rounded to the nearest five young people and therefore may not sum to total.

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

Notes

1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2009–10.
2. Total includes young people of unknown age.
3. Age calculated as at start of financial year if first period of community-based supervision began before the start of the financial year, otherwise age calculated as at start of first period of community-based supervision.

Table 6.2: Young people under community-based supervision by sex and Indigenous status, states and territories, 2009–10

Indigenous status	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust excl WA & NT	Aust incl WA & NT ^(a)
Number of young people—average day^(b)										
Male										
Indigenous	470	135	462	n.a.	111	53	15	n.a.	1,246	1,770
Non-Indigenous	758	1,039	589	n.a.	240	208	70	n.a.	2,905	3,225
Unknown	117	15	—	n.a.	22	4	0	n.a.	158	160
Total	1,345	1,189	1,050	n.a.	373	265	85	n.a.	4,308	5,160
Female										
Indigenous	120	26	133	n.a.	36	12	4	n.a.	331	440
Non-Indigenous	141	143	121	n.a.	52	46	11	n.a.	514	555
Unknown	29	1	0	n.a.	3	4	0	n.a.	37	35
Total	290	170	253	n.a.	92	62	15	n.a.	882	1,030
All young people										
Indigenous	590	161	594	n.a.	147	65	19	n.a.	1,577	2,205
Non-Indigenous	899	1,182	709	n.a.	293	254	81	n.a.	3,419	3,780
Unknown	145	16	—	n.a.	33	9	0	n.a.	202	200
Total	1,635	1,359	1,304	n.a.	473	327	101	n.a.	5,198	6,205
Number of young people—during the year										
Male										
Indigenous	1,008	297	903	n.a.	236	84	37	n.a.	2,565	3,585
Non-Indigenous	1,630	2,245	1,153	n.a.	537	363	156	n.a.	6,084	6,800
Unknown	268	35	1	n.a.	59	12	0	n.a.	375	405
Total	2,906	2,577	2,057	n.a.	832	459	193	n.a.	9,024	10,790
Female										
Indigenous	255	64	252	n.a.	72	19	10	n.a.	672	910
Non-Indigenous	284	328	237	n.a.	132	87	37	n.a.	1,105	1,210
Unknown	70	1	0	n.a.	11	9	0	n.a.	91	95
Total	609	393	489	n.a.	215	115	47	n.a.	1,868	2,225
All young people										
Indigenous	1,263	361	1,155	n.a.	308	103	47	n.a.	3,237	4,500
Non-Indigenous	1,914	2,573	1,390	n.a.	671	450	193	n.a.	7,191	8,015
Unknown	338	36	1	n.a.	90	21	0	n.a.	486	520
Total	3,515	2,970	2,546	n.a.	1,069	574	240	n.a.	10,914	13,040

(a) Totals for 2009–10 include aggregate data supplied by Western Australia and 2007–08 data for the Northern Territory, where available. Numbers were rounded to the nearest five young people and therefore may not sum to total.

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

Notes

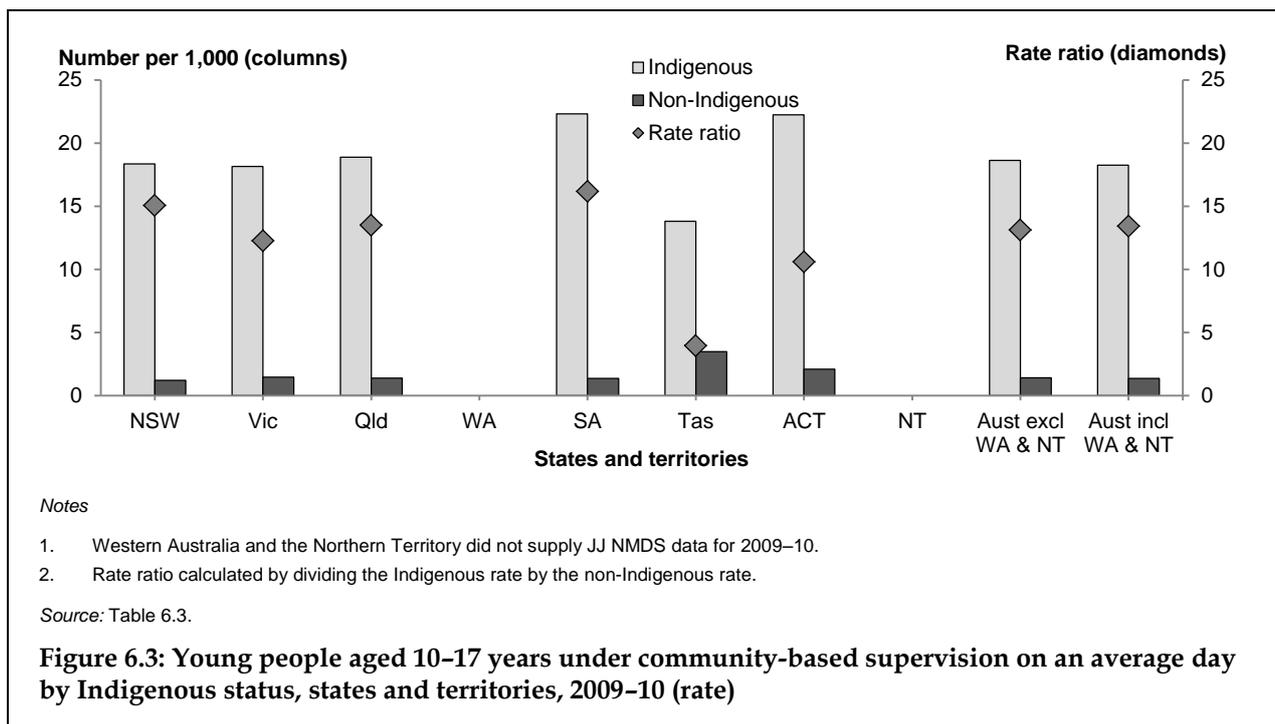
1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2009–10.
2. Total includes young people of unknown sex and Indigenous status.

Rates of community-based supervision

On an average day in 2009–10, there were 2.2 young people aged 10–17 years under community-based supervision for every 1,000 in the population, or 0.2% of young Australians (rates are similar when estimates for Western Australia and the Northern Territory are included) (Table 6.3).

There was some variation in the rate of community-based supervision on an average day among the states and territories, which ranged from 1.7 per 1,000 in Victoria to 4.3 per 1,000 in Tasmania (excluding Western Australia and the Northern Territory) (Table 6.3). Young men were 4–5 times as likely as young women to be under community-based supervision in all states and territories; rates for young men ranged from 2.8 per 1,000 in Victoria to 6.7 per 1,000 in Tasmania, while rates for young women ranged from 0.5 per 1,000 in Victoria to 1.9 per 1,000 in Tasmania.

While the overall rate of young people under community-based supervision was low, the rate for Indigenous young people was relatively high at 18.3 young people per 1,000 aged 10–17 years (including Western Australia and the Northern Territory), which was around 13 times as high as the equivalent non-Indigenous rate of 1.4 per 1,000 (Figure 4.5). Indigenous young people were over-represented in all states and territories. The level of over-representation (as shown by the rate ratio in Figure 6.3) ranged from 4 times in Tasmania to 16 times in South Australia.



Although young men were more likely to be under community-based supervision on an average day than young women, the level of Indigenous over-representation was higher for young women. An Indigenous young woman aged 10–17 years was 17 times as likely to be under community-based supervision on an average day as a non-Indigenous young woman aged 10–17 years, compared with a rate ratio of 13 for young men (including Western Australia and the Northern Territory) (Table 6.3).

Table 6.3: Young people aged 10–17 years under community-based supervision by sex and Indigenous status, states and territories, 2009–10 (rate)

Indigenous status	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust excl WA & NT	Aust incl WA & NT ^(a)
Community-based supervision rate—average day										
Male										
Indigenous	28.45	29.20	28.65	n.a	32.35	22.15	33.54	n.a	28.60	28.25
Non-Indigenous	2.00	2.48	2.24	n.a	2.18	5.46	3.56	n.a	2.32	2.21
Total	3.42	2.82	3.90	n.a	3.43	6.66	4.32	n.a	3.48	3.53
Female										
Indigenous	7.80	6.96	8.55	n.a	12.01	5.35	n.p.	n.a	8.22	7.73
Non-Indigenous	0.40	0.43	0.51	n.a	0.53	1.42	0.60	n.a	0.48	0.45
Total	0.79	0.52	1.01	n.a	0.96	1.86	0.80	n.a	0.81	0.81
All young people										
Indigenous	18.36	18.14	18.88	n.a	22.31	13.81	22.25	n.a	18.64	18.26
Non-Indigenous	1.22	1.48	1.40	n.a	1.38	3.50	2.10	n.a	1.42	1.36
Total	2.14	1.70	2.49	n.a	2.27	4.33	2.58	n.a	2.18	2.21
Community-based supervision rate—during the year										
Male										
Indigenous	59.59	62.76	55.4	n.a	67.44	33.39	78.44	n.a	57.71	n.a
Non-Indigenous	4.20	5.05	4.40	n.a	5.01	9.61	7.69	n.a	4.75	n.a
Total	7.23	5.83	7.59	n.a	7.74	11.47	9.49	n.a	7.13	7.74
Female										
Indigenous	16.35	15.88	16.6	n.a	23.41	8.61	22.92	n.a	16.6	n.a
Non-Indigenous	0.81	0.96	0.99	n.a	1.42	2.78	2.09	n.a	1.02	n.a
Total	1.64	1.15	1.96	n.a	2.31	3.49	2.57	n.a	1.71	1.83
All young people										
Indigenous	38.47	39.46	36.54	n.a	45.7	21.09	52.46	n.a	37.63	n.a
Non-Indigenous	2.54	3.06	2.74	n.a	3.27	6.30	4.93	n.a	2.93	n.a
Total	4.50	3.55	4.85	n.a	5.21	7.60	6.07	n.a	4.49	4.87

(a) Totals for 2009–10 include aggregate data supplied by Western Australia and 2007–08 data for the Northern Territory, where available. Numbers were rounded to the nearest five young people and therefore may not sum to total.

Notes

1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2009–10.
2. Age calculated as at start of financial year if first period of community-based supervision began before the start of the financial year, otherwise age calculated as at start of first period of community-based supervision.
3. Total includes young people of unknown Indigenous status.
4. Rates are number of young people per 1,000 relevant population.
5. Rates are not published where there were fewer than five young people.

Source: Table C2.

Young people aged 16 years (excluding Western Australia and the Northern Territory) were the most likely to be under community-based supervision on an average day, with a rate of 5.1 per 1,000 (Figure 6.4). They were slightly more likely to be under community-based supervision than 17 year olds (at 5.0 per 1,000), twice as likely as 14 year olds and almost 6 times as likely as 13 year olds.

The level of Indigenous over-representation was greatest among the younger age groups. For example, on an average day (excluding Western Australia and the Northern Territory, as data for individual age years was not available), an Indigenous young person aged 12 years was 42 times as likely as a non-Indigenous young person to be under community-based supervision, but only 19 times as likely if aged 14 years, and 10 times as likely if aged 17 years (Figure 6.4).

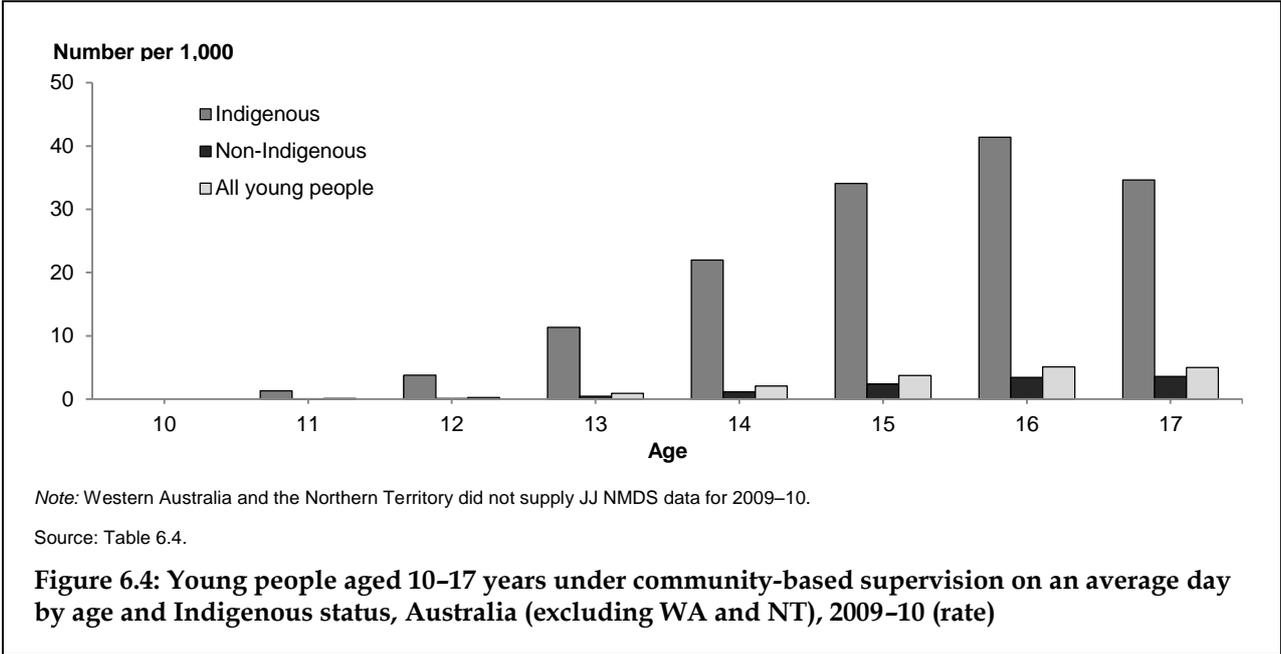


Table 6.4: Young people aged 10–17 years under community-based supervision by age, sex and Indigenous status, Australia (excluding WA and NT), 2009–10 (rate)

Indigenous status	10	11	12	13	14	15	16	17	10–17
Community-based supervision rate—average day									
Male									
Indigenous	n.p.	2.29	6.41	17.39	34.61	50.97	62.01	53.29	28.60
Non-Indigenous	n.p.	0.07	0.16	0.69	1.74	3.66	5.72	6.05	2.32
Total	n.p.	0.16	0.41	1.38	3.13	5.68	8.14	8.22	3.48
Female									
Indigenous	n.p.	n.p.	1.08	5.15	8.63	16.22	19.54	14.88	8.22
Non-Indigenous	n.p.	n.p.	n.p.	0.18	0.56	0.99	1.04	0.95	0.48
Total	n.p.	n.p.	0.05	0.38	0.90	1.66	1.83	1.52	0.81
All young people									
Indigenous	n.p.	1.31	3.79	11.36	21.97	34.06	41.37	34.66	18.64
Non-Indigenous	n.p.	0.03	0.09	0.44	1.16	2.36	3.44	3.57	1.42
Total	n.p.	0.09	0.24	0.90	2.05	3.73	5.07	4.97	2.18
Community-based supervision rate—during the year									
Male									
Indigenous	1.21	6.05	14.3	38.08	68.9	100.57	118.66	111.04	57.71
Non-Indigenous	n.p.	0.16	0.43	1.56	3.79	7.58	11.47	12.03	4.75
Total	0.06	0.40	0.99	3.06	6.59	11.62	16.28	16.66	7.13
Female									
Indigenous	n.p.	n.p.	3.13	10.98	18.91	33.78	37.73	27.51	16.6
Non-Indigenous	n.p.	n.p.	0.05	0.44	1.25	2.12	2.16	1.94	1.02
Total	n.p.	n.p.	0.17	0.87	2.02	3.48	3.73	3.06	1.71
All young people									
Indigenous	0.72	3.40	8.81	24.72	44.58	68.07	79.34	70.53	37.63
Non-Indigenous	n.p.	0.08	0.24	1.01	2.55	4.92	6.94	7.12	2.93
Total	0.03	0.22	0.59	2.01	4.37	7.68	10.19	10.05	4.49

Notes

1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2009–10.
2. Age calculated as at start of financial year if first period of supervision began before the start of the financial year, otherwise age calculated as at start of first period of supervision.
3. Total includes young people of unknown Indigenous status.
4. Rates are number of young people per 1,000 relevant population.
5. Rates are not published where there were fewer than five young people.

Source: Table C1.

Trends

Over the 4 years from 2006–07 to 2009–10, the rate of community-based supervision on an average day increased from 2.0 per 1,000 to 2.2 per 1,000 (including estimates for Western Australia and the Northern Territory) (Table 6.5). This pattern occurred in New South Wales, Victoria, South Australia and Tasmania, which all experienced increases in the average daily community-based supervision rate over the 4-year period.

Table 6.5: Young people aged 10–17 years under community-based supervision on an average day by Indigenous status, states and territories, 2006–07 to 2009–10 (rate)

Indigenous status	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust excl WA & NT	Aust incl WA & NT ^(a)
2006–07										
Indigenous	14.48	13.32	22.00	29.22	20.75	10.53	22.59	7.36	17.55	18.00
Non-Indigenous	0.99	1.11	1.46	0.94	1.45	2.32	2.46	0.52	1.23	1.20
Rate ratio	14.63	12.00	15.07	31.09	14.31	4.54	9.18	14.15	14.27	15.00
Total	1.68	1.28	2.73	2.57	2.19	3.04	2.91	3.43	1.92	2.00
2007–08										
Indigenous	16.78	15.15	21.99	29.92	25.00	11.71	37.28	5.30	19.16	19.10
Non-Indigenous	1.10	1.25	1.51	0.91	1.51	2.26	2.84	0.78	1.33	1.29
Rate ratio	15.25	12.12	14.56	32.88	16.56	5.18	13.13	6.79	14.41	14.81
Total	1.90	1.42	2.79	2.60	2.42	3.09	3.70	2.74	2.09	2.15
2008–09										
Indigenous	17.55	16.54	19.59	n.a.	27.16	11.38	21.46	n.a.	18.66	18.28
Non-Indigenous	1.25	1.35	1.45	n.a.	1.60	3.41	2.21	n.a.	1.43	1.35
Rate ratio	14.04	12.25	13.51	n.a.	16.98	3.34	9.71	n.a.	13.05	13.54
Total	2.10	1.54	2.58	n.a.	2.58	4.18	2.67	n.a.	2.17	2.19
2009–10										
Indigenous	18.36	18.14	18.88	n.a.	22.31	13.81	22.25	n.a.	18.64	18.26
Non-Indigenous	1.22	1.48	1.40	n.a.	1.38	3.50	2.10	n.a.	1.42	1.36
Rate ratio	15.05	12.26	13.49	n.a.	16.17	3.95	10.60	n.a.	13.13	13.43
Total	2.14	1.70	2.49	n.a.	2.27	4.33	2.58	n.a.	2.18	2.21

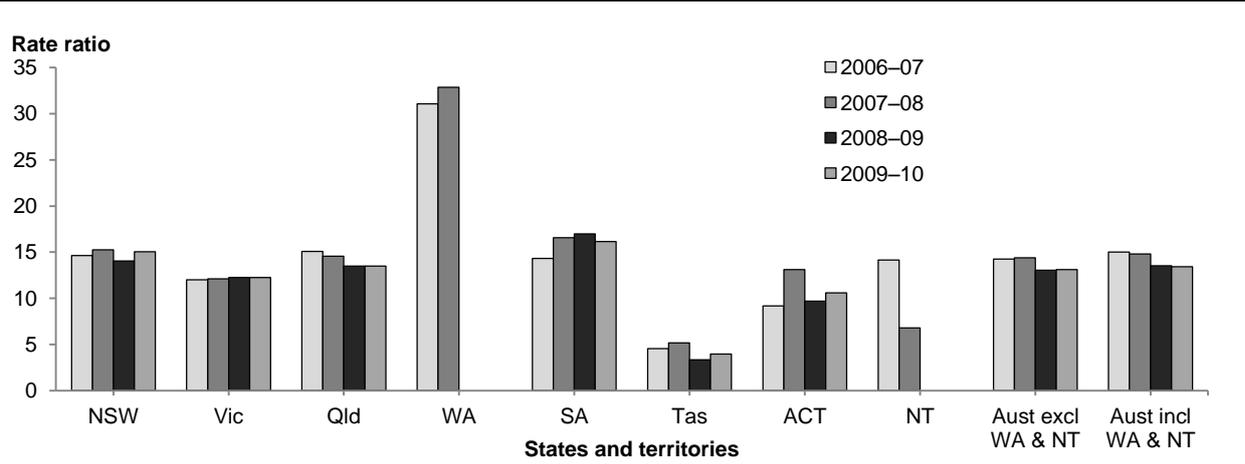
(a) Totals for 2008–09 and 2009–10 include aggregate data supplied by Western Australia and 2007–08 data for the Northern Territory, where available.

Notes

1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2008–09 or 2009–10.
2. Age calculated as at start of financial year if first period of community-based supervision began before the start of the financial year, otherwise age calculated as at start of first period of community-based supervision.
3. Total includes young people of unknown Indigenous status.
4. Rates are number of young people per 1,000 relevant population.
5. Rates are not published where there were fewer than five young people.
6. Rate ratio calculated by dividing the Indigenous rate by the non-Indigenous rate.

Source: Table C3.

Overall, there was a slight decline in the level of Indigenous over-representation under community-based supervision. In 2006-07, Indigenous young people aged 10-17 years were 15 times as likely to be under community-based supervision on an average day as non-Indigenous young people of the same age (including estimates for Western Australia and the Northern Territory), but by 2009-10, this had dropped to 13 times (Figure 6.5). This trend, however, did not occur in most of the states and territories. While the level of over-representation decreased over the 4-year period in Queensland, it increased slightly in Victoria and fluctuated from year to year in New South Wales, South Australia, Tasmania and the Australian Capital Territory.



Notes

1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2008-09 to 2009-10.
2. Rate ratio calculated by dividing the Indigenous rate by the non-Indigenous rate.

Source: Table 6.5.

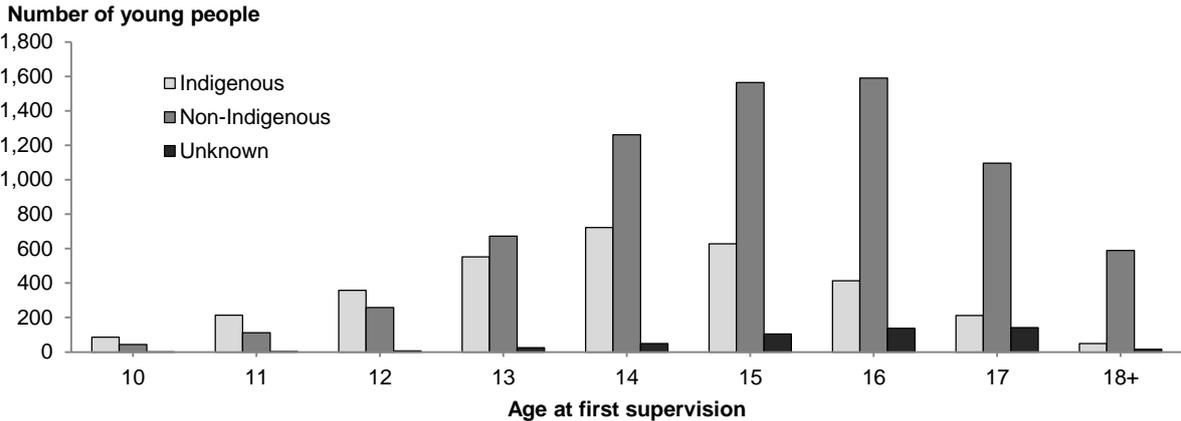
Figure 6.5: Level of Indigenous over-representation among young people aged 10-17 years under community-based supervision on an average day, states and territories, 2006-07 to 2009-10 (rate ratio)

6.3 First supervision

Western Australia and the Northern Territory did not supply JJ NMDS data for 2009–10 and are not included in this section.

Only one-third (32%) of those under community-based supervision in 2009–10 were new to supervision in that year (the remainder first entered supervision in a previous year) (Table C5). Victoria had the largest proportion of new entrants (43%), while Tasmania had the smallest (12%) (Table C5). Indigenous young people under community-based supervision were less likely than non-Indigenous young people to have been new to supervision in 2009–10 (26% compared with 34%) (Table C6).

Almost three-quarters (73%) of young people under community-based supervision during the year first entered supervision when they were aged 14–17 years, but Indigenous young people tended to be younger at the first supervision (Figure 6.6). The median age at first supervision for Indigenous young people under community-based supervision was 14 years, compared with 15 years for non-Indigenous young people (Table C7). More than half (60%) of Indigenous young people under community-based supervision first entered supervision when they were aged 10–14 years, compared with one-third (33%) of non-Indigenous young people (Figure 6.6).



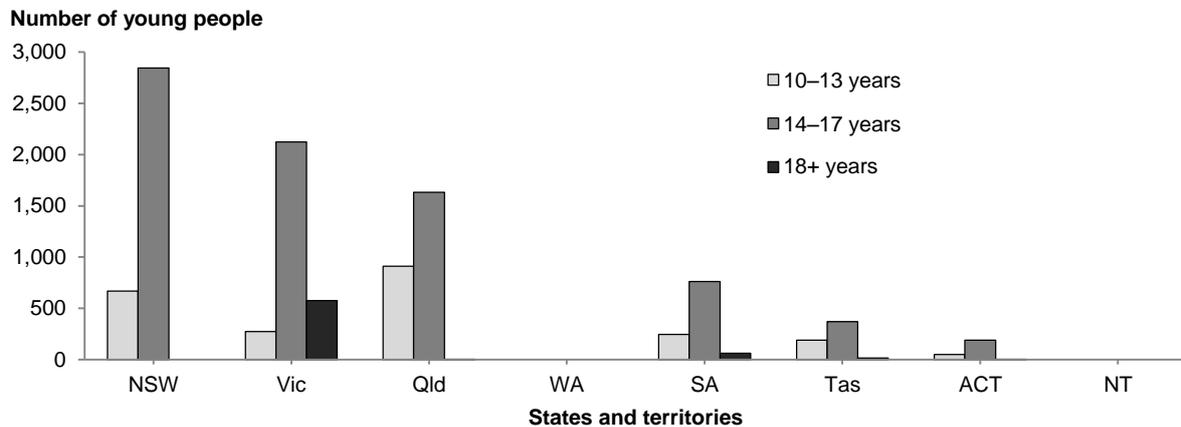
Notes

1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2009–10.
2. In most states and territories, the maximum age for treatment as a young person is 17 years; however, it is possible for young people over the age of 17 to be under juvenile justice supervision.

Source: Table C7.

Figure 6.6: Young people under community-based supervision during the year by age at first supervision and Indigenous status, Australia (excluding WA and NT), 2009–10

Similar to the national picture, most of those under community-based supervision in the states and territories in 2009–10 first entered supervision when they were aged 14–17 years; proportions ranged from 64% in Queensland to 81% in New South Wales (Figure 6.7). Queensland had the highest proportion (36%) of young people under community-based supervision that first entered supervision aged 10–13 years, while Victoria had the highest proportion that first entered supervision aged 18 years and over (19%).



Note: Western Australia and the Northern Territory did not supply JJ NMDS data for 2009–10.

Source: Table C8.

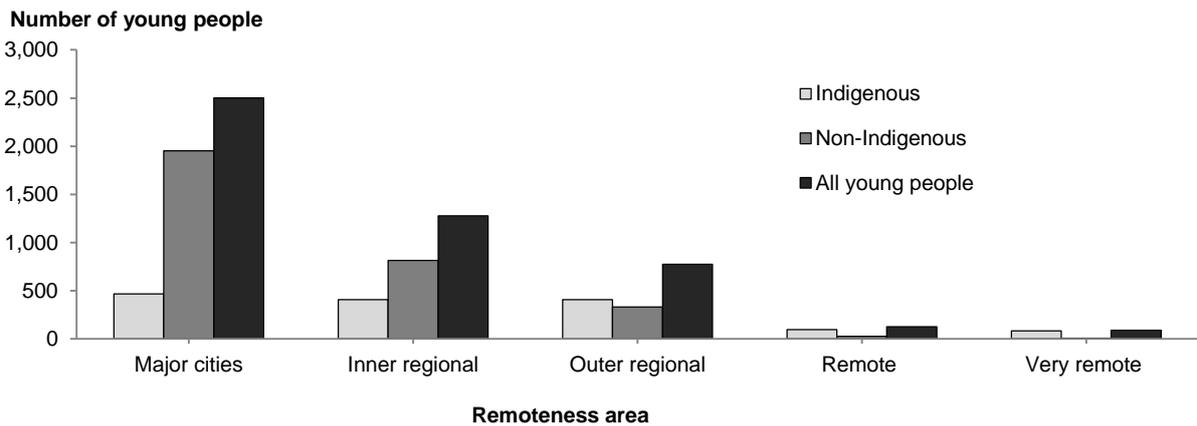
Figure 6.7: Young people under supervision during the year by age at first supervision, states and territories, 2009–10

6.4 Remoteness of usual residence

Western Australia and the Northern Territory did not supply JJ NMDS data for 2009–10 and are not included in this section.

Most young people under community-based supervision in 2009–10 lived in cities and regional areas. On an average day, almost half (48%) of young people under community-based supervision were from *Major cities* and a further 39% were from regional areas; just 4% were from *Remote* and *Very remote* areas (information on remoteness of usual residence was not available for 8% of young people) (Figure 6.8, tables C9 and 6.1).

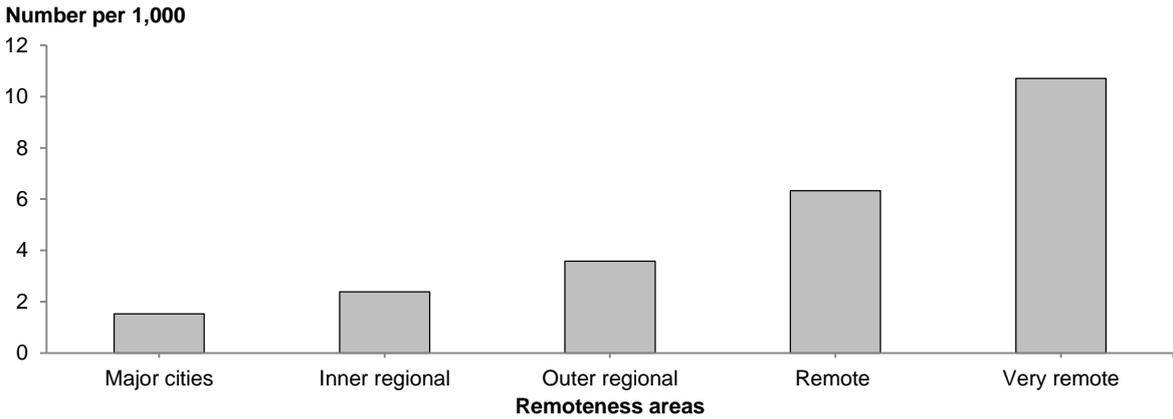
Indigenous young people under community-based supervision were more likely than non-Indigenous young people to reside in regional or remote areas. On an average day in 2009–10, more than half (57%) of non-Indigenous young people under community-based supervision lived in *Major cities*, 34% in regional areas and less than 1% in *Remote* and *Very remote* areas. In comparison, only 30% of Indigenous young people lived in *Major cities*, 52% in regional areas and 11% in *Remote* and *Very remote* areas. Most (83%) young people in *Remote* and *Very remote* areas who were under community-based supervision on an average day were Indigenous.



Note: Western Australia and the Northern Territory did not supply JJ NMDS data for 2009–10.
 Source: Table C9.

Figure 6.8: Young people under community-based supervision on an average day by Indigenous status and remoteness of usual residence, Australia (excluding WA and NT), 2009–10

Although most young people under community-based supervision lived in cities and regional areas, young people who lived in remote areas were more likely than those in urban areas to be under community-based supervision. On an average day, there were 1.5 young people per 1,000 aged 10–17 years under community-based supervision in *Major cities* and 2.4 per 1,000 in *Inner regional* areas, compared with 6.3 per 1,000 in *Remote* areas and 10.7 per 1,000 in *Very remote* areas (Figure 6.9). Young people aged 10–17 years in *Remote* areas were 4 times as likely to be under community-based supervision on an average day as those in *Major cities*, while those in *Very remote* areas were 7 times as likely.



Note: Western Australia and the Northern Territory did not supply JJ NMDS data for 2009–10.

Source: Table C10.

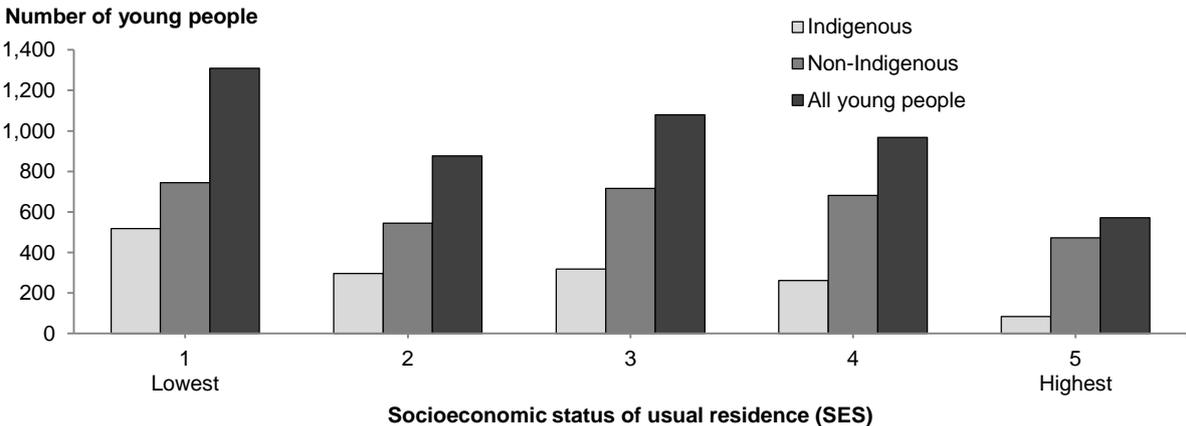
Figure 6.9: Young people aged 10–17 years under supervision on an average day by remoteness of usual residence, Australia (excluding WA and NT), 2009–10 (rate)

6.5 Socioeconomic status of usual residence

Western Australia and the Northern Territory did not supply JJ NMDS data for 2009–10 and are not included in this section.

Young people under community-based juvenile justice supervision were more likely to be from areas of lower socioeconomic status than from areas of higher socioeconomic status. On an average day in 2009–10, 25% of young people under community-based supervision were from the areas of lowest socioeconomic status, compared with 11% from the areas of highest socioeconomic status (data on socioeconomic status were not available for 8% of young people) (Figure 6.10).

Indigenous young people were more likely than non-Indigenous young people to be from lower socioeconomic status areas. One-third (33%) of Indigenous young people under community-based supervision on an average day were from areas of the lowest socioeconomic status, and just 5% were from areas of the highest socioeconomic status (Figure 6.10). In comparison, 22% of non-Indigenous young people under community-based supervision on an average day were from areas of the lowest socioeconomic status and 14% were from areas of the highest socioeconomic status.

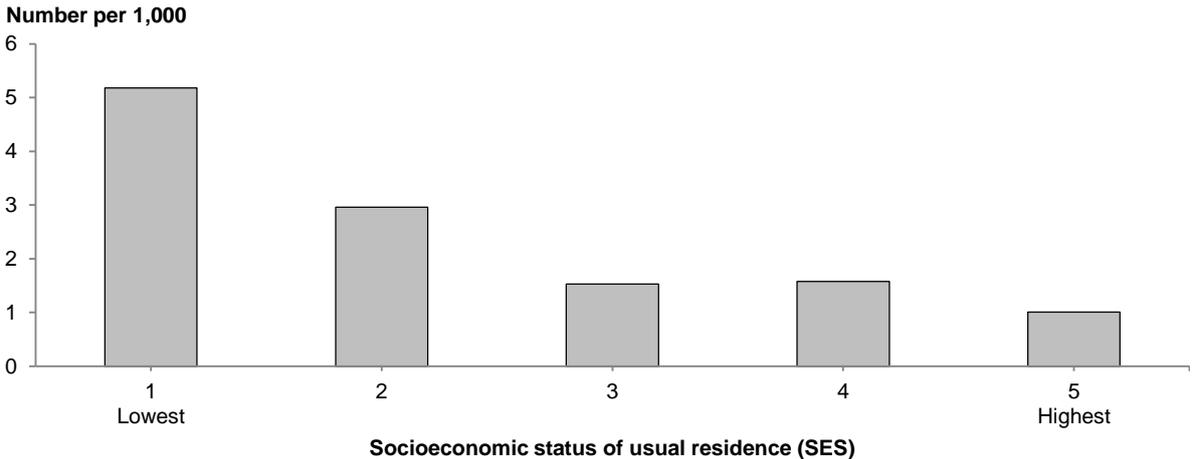


Note: Western Australia and the Northern Territory did not supply JJ NMDS data for 2009–10.

Source: Table C11.

Figure 6.10: Young people under community-based supervision on an average day by indigenous status and socioeconomic status of usual residence, states and territories (excluding WA and NT), 2009–10

There was an inverse relationship between socioeconomic status and the rate of community-based supervision, with young people who lived in areas of lower socioeconomic status being more likely to be under community-based supervision than those from areas of higher socioeconomic status. On an average day in 2009–10, there were 5 young people per 1,000 aged 10–17 years from the areas of lowest socioeconomic status under community-based supervision, compared with 1 per 1,000 from the areas of highest socioeconomic status (Figure 6.11). Young people aged 10–17 years from the areas of lowest socioeconomic status were therefore 5 times as likely as those from the areas of highest socioeconomic status to be under community-based supervision on an average day.

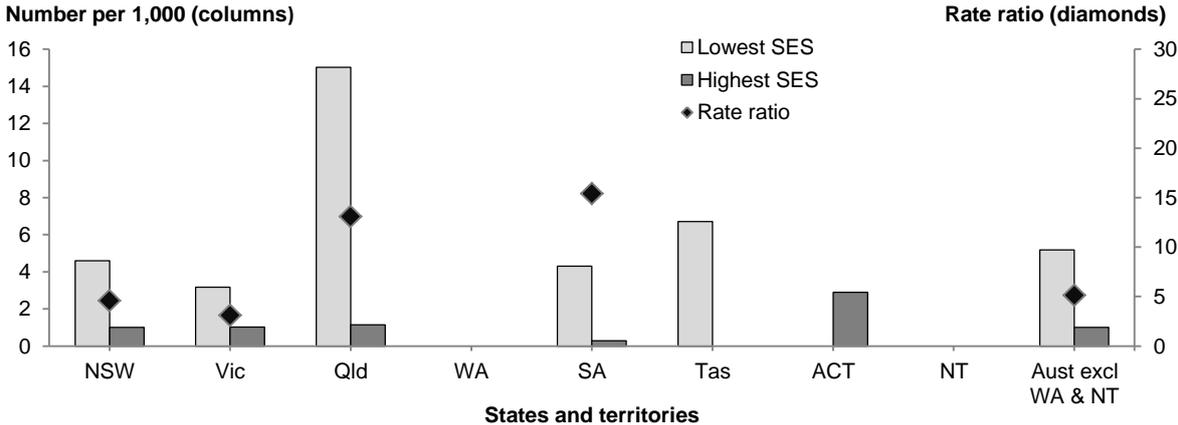


Note: Western Australia and the Northern Territory did not supply JJ NMDS data for 2009–10.

Source: Table C12.

Figure 6.11: Young people aged 10–17 years under community-based supervision on an average day by socioeconomic status of usual residence, states and territories (excluding WA and NT), 2009–10 (rate)

Young people from areas of low socioeconomic status were more likely to be under community-based supervision than those from areas of high socioeconomic status in all states and territories. On an average day in 2009–10, young people aged 10–17 years from the lowest socioeconomic areas in Victoria and New South Wales were 3 and 5 times as likely to be under community-based supervision as those from the highest socioeconomic areas (Figure 6.12). The differences in the supervision rate were greater in Queensland, where young people from the lowest areas of socioeconomic status were 13 times as likely to be under community-based supervision as those from the highest socioeconomic areas, and in South Australia, where they were 15 times as likely.



Notes

1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2009–10.
2. Rate ratios were not calculated for states and territories without young people in both the highest and the lowest areas of SES.

Source: Table C12.

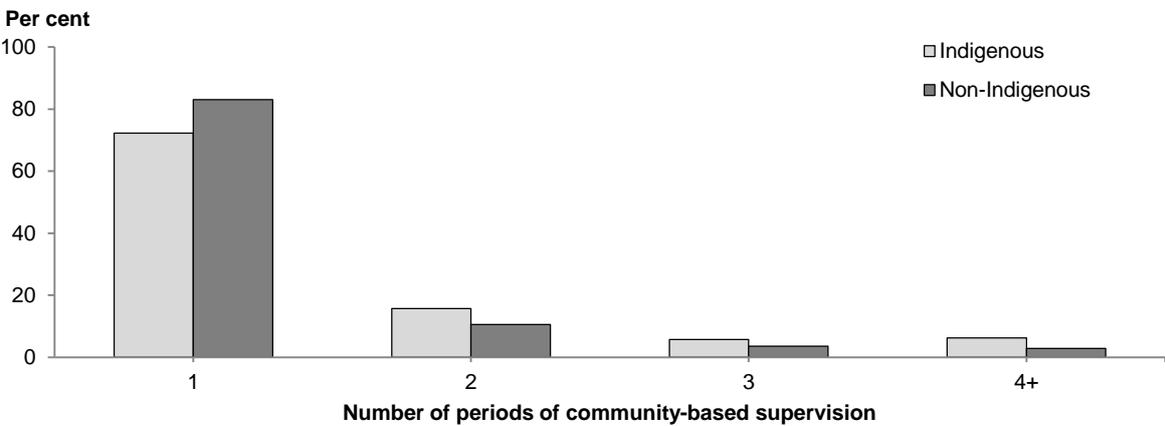
Figure 6.12: Young people aged 10–17 years under community-based supervision on an average day by socioeconomic status of usual residence, states and territories (excluding WA and NT), 2009–10 (rate)

6.6 Time under community-based supervision

Western Australia and the Northern Territory did not supply JJ NMDS data for 2009–10 and are not included in this section.

Around two-thirds (68%) of all young people under community-based supervision during 2009–10 had completed at least one period of community-based supervision by the end of the financial year (tables 6.1 and C13).

Most (80%) of those who completed at least one period completed only one, while just 4% completed four or more periods of community-based supervision during 2009–10 (Figure 6.13). Indigenous young people were more likely than non-Indigenous young people to have completed multiple periods of community-based supervision during the year (28% compared with 17%).



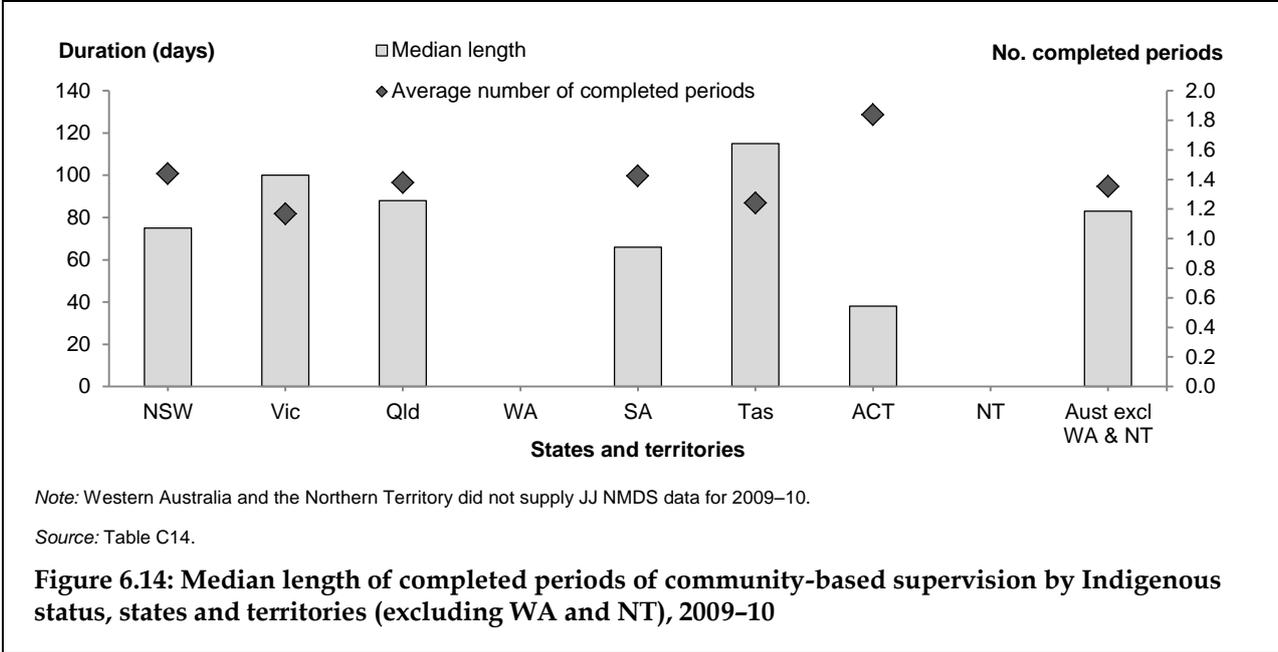
Note: Western Australia and the Northern Territory did not supply JJ NMDS data for 2009–10.

Source: Table C13.

Figure 6.13: Young people who completed a period of community-based supervision during the year by number of periods completed and Indigenous status, Australia (excluding WA and NT), 2009–10 (per cent)

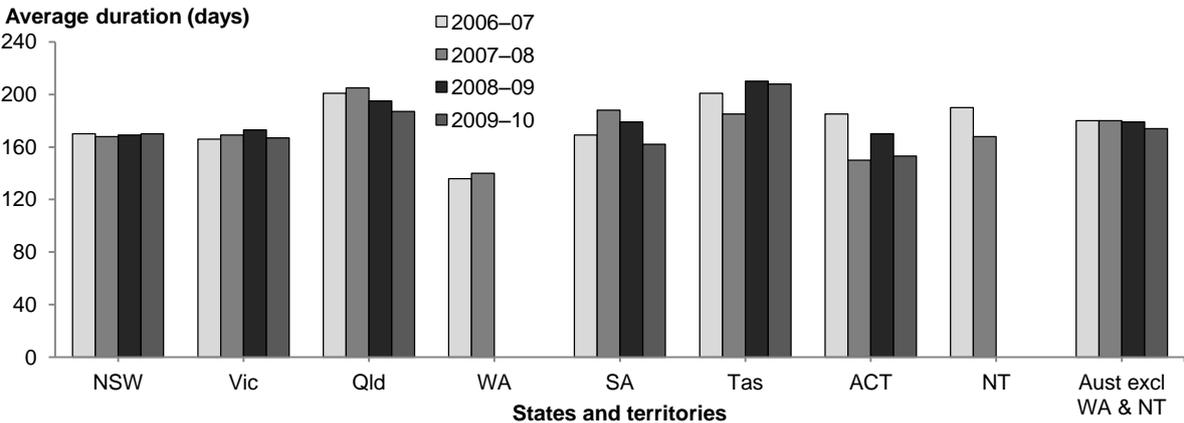
Overall, the median length of completed periods of community-based supervision was almost 3 months (83 days), with an average of 1.4 periods completed by those under community-based supervision who had completed at least one period during the year (Figure 6.14).

In states and territories where completed periods were shorter, young people tended to complete more periods, on average, than in states and territories with longer completed periods of community-based supervision (Figure 6.14). The median length of completed periods of community-based supervision was shortest in the Australian Capital Territory (just over 1 month, or 38 days), South Australia (2 months, or 66 days) and New South Wales (2.5 months, or 75 days), and the average number of completed periods was 1.4 in South Australia and New South Wales and 1.8 in the Australian Capital Territory. The median length was longest in Queensland (almost 3 months, or 88 days), Victoria (3 months, or 100 days) and Tasmania (almost 4 months, or 115 days). In these states, the average number of completed periods was lower, and ranged from 1.2 in Victoria to 1.4 in Queensland.



Indigenous young people had shorter periods of community-based supervision in all states and territories with available data, but completed more periods, on average, than non-Indigenous young people (Table C14). Overall, the median duration of periods of community-based supervision that Indigenous young people completed was 3 weeks shorter than those completed by non-Indigenous young people, but Indigenous young people completed 0.2 more periods, on average, than non-Indigenous young people. When all time spent under community-based supervision during 2009–10 is considered (whether periods were completed or not), Indigenous young people spent 4 more days, on average, under community-based supervision than non-Indigenous young people (Table C15).

During 2009–10, young people under community-based supervision spent, on average, almost 6 months of the year under community-based supervision (174 days), which is 6 fewer days than 4 years before in 2006–07 (Figure 6.15). The average length of time spent under community-based supervision during the year ranged from 5 months (153 days) in the Australian Capital Territory to almost 7 months (208 days) in Tasmania. Over the 4 years, there were net decreases in South Australia (7 days), Queensland (14 days) and the Australian Capital Territory (32 days), a net increase in Tasmania (7 days) and little change in New South Wales and Victoria.



Note: Western Australia and the Northern Territory did not supply JJ NMDS data for 2008–09 to 2009–10.

Source: Table C15.

Figure 6.15: Average (mean) length of time young people spent under community-based supervision during the year, states and territories (excluding WA and NT), 2006–07 to 2009–10

6.7 Legal status

Western Australia and the Northern Territory did not supply JJ NMDS data and are not included in this section.

Community-based juvenile justice supervision in Australia includes unsentenced orders such as supervised or conditional bail and home detention bail, and sentenced orders such as probation and similar, home detention, suspended detention and parole or supervised release. The types of community-based orders that are available vary across the states and territories (see also tables 2.1 and 3.1).

Most (91%) young people under community-based supervision on an average day in 2009–10 were serving a sentence (Table 6.6). Twelve per cent were unsentenced, and 2% were under both sentenced and unsentenced community-based supervision.

The proportion of young people under community-based supervision who were unsentenced on an average day varied among the states and territories, from 3% in Queensland to around half (52%) in the Australian Capital Territory. This was in part due to the range of unsentenced community-based orders that exist in each state and territory. Unsentenced community-based supervision was not available in Tasmania.

Indigenous young people under community-based supervision on an average day were slightly more likely to be serving a sentence (94%) than non-Indigenous young people (89%). Within each state and territory, similar proportions of Indigenous and non-Indigenous young people under community-based supervision were serving a sentence; these ranged from 47% of Indigenous and 54% of non-Indigenous young people in the Australian Capital Territory to 99% of Indigenous and 98% of non-Indigenous young people in Queensland.

Table 6.6: Young people under community-based supervision on an average day^(a) by legal status and Indigenous status, states and territories, 2009–10

Indigenous status	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust excl WA & NT ¹
Unsentenced									
Indigenous	66	31	18	n.a	25	..	11	n.a	152
Non-Indigenous	86	250	25	n.a	42	..	42	n.a	445
Unknown	7	4	0	n.a	3	..	0	n.a	14
Total	159	286	43	n.a	70	..	53	n.a	611
Sentenced									
Indigenous	549	134	589	n.a	130	65	9	n.a	1,476
Non-Indigenous	838	953	692	n.a	263	254	44	n.a	3,045
Unknown	139	12	—	n.a	30	9	0	n.a	190
Total	1,526	1,099	1,282	n.a	423	327	53	n.a	4,710
All young people^(b)									
Indigenous	590	161	594	n.a	147	65	19	n.a	1,577
Non-Indigenous	899	1182	709	n.a	293	254	81	n.a	3,419
Unknown	145	16	—	n.a	33	9	0	n.a	202
Total	1,635	1,359	1,304	n.a	473	327	101	n.a	5,198

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

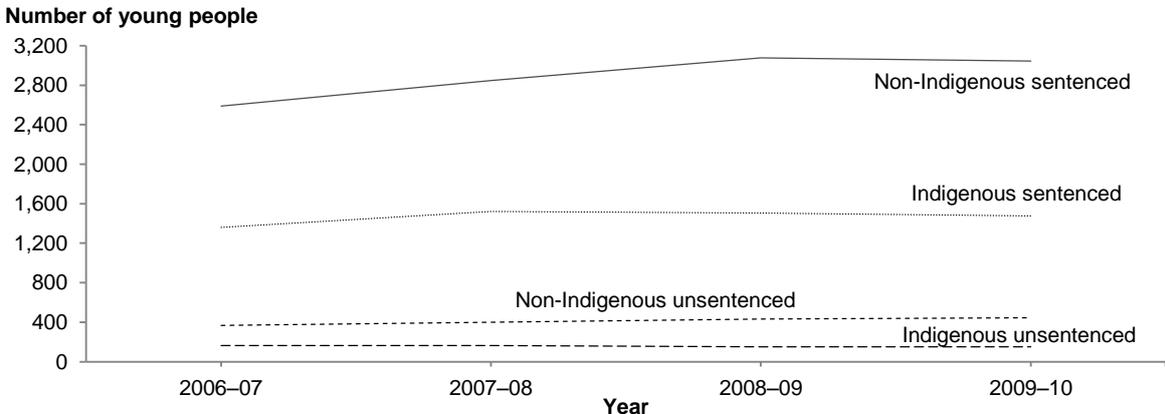
(b) 'All young people' includes young people with an order type of 'other'.

Notes

1. Number of unsentenced and sentenced young people may not sum to total number of young people as the legal status of some young people may have changed during the same day.
2. Unsentenced community-based supervision is not available in Tasmania.
3. Western Australia and the Northern Territory did not supply JJ NMDS data for 2009–10.

Nationally, the numbers of non-Indigenous young people under both sentenced and unsentenced community-based supervision increased (18% and 21%, respectively) between 2006–07 and 2009–10 (Figure 6.16). There was a smaller increase in the number of Indigenous young people under sentenced community-based supervision (up 9%) and a small decrease in the number of Indigenous unsentenced young people (down 7%).

However, there were differences among the states and territories. Victoria had the largest net increase in the number of young people under unsentenced community-based supervision on an average day over the 4-year period (up 65%), while there were decreases in South Australia (down 26%) and Queensland (down 48%) (Table C16). Victoria, Tasmania and New South Wales had the largest increases in the number of young people under sentenced community-based supervision (up 36%, 35% and 32%), while the Australian Capital Territory had the largest decrease (down 38%).



Note: Western Australia and the Northern Territory did not supply JJ NMDS data for 2009–10.

Source: Table C16.

Figure 6.16: Young people under community-based supervision on an average day by Indigenous status and legal status, Australia (excluding WA and NT), 2005–06 to 2009–10

6.8 Types of supervision

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 orders, suspended detention, and parole or supervised release). This section provides information on the number and types of orders that juvenile justice agencies supervised during 2009–10 and the number of young people that were supervised under each order type. Young people may be supervised under multiple orders of different types at the same time, and community-based supervised orders may be interrupted by periods of detention.

Western Australia and the Northern Territory did not supply JJ NMDS data for 2009–10 and are not included in this section. Queensland is excluded from analyses of completed and breached orders because information on order end reason was not available.

Overall, the 10,914 young people who were under community-based supervision in Australia during 2009–10 were supervised under 23,549 community-based orders, which equates to 2.2 orders, on average, per young person; this ranged from 1.8 orders per young person in Victoria to 4.1 in the Australian Capital Territory (Table 6.7). One-quarter (25%) of young people experienced more than one type of order during the year, and among the states and territories, this proportion ranged from 18% of young people in Queensland to 35% in South Australia.

The most common types of community-based orders were probation and similar orders; in 2009–10, over two-thirds (68%) of community-based orders supervised were probation and similar. The next most common types of orders were supervised or conditional bail and similar unsentenced orders (20%), followed by suspended detention (7%).

Table 6.7: Community-based supervised orders, states and territories, 2009–10

Order type	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust excl WA & NT
Orders^(a)									
Supervised or conditional bail and other unsentenced	1,180	1,759	244	n.a.	589	..	841	n.a.	4,613
Probation and similar	6,115	3,146	4,706	n.a.	882	902	148	n.a.	15,899
Suspended detention	556	..	389	n.a.	352	279	..	n.a.	1,576
Parole or supervised release	0	366	136	n.a.	6	32	..	n.a.	540
Home detention	..	..	..	..	7	..	..	..	7
Other sentenced orders ^(b)	0	0	0	n.a.	886	0	0	n.a.	886
Other orders n.e.c. ^(c)	18	0	0	n.a.	10	0	0	n.a.	28
Total	7,869	5,271	5,475	n.a.	2,732	1,213	989	n.a.	23,549
Young people on an average day^{(d)(e)}									
Supervised or conditional bail and other unsentenced	159	286	43	n.a.	70	..	53	n.a.	611
Probation and similar	1,444	991	1,249	n.a.	213	282	53	n.a.	4,232
Suspended detention	156	..	52	n.a.	95	117	..	n.a.	421
Home detention	..	..	..	..	1	..	..	..	1
Parole or supervised release	0	117	25	n.a.	3	6	..	n.a.	150
Other sentenced orders ^(b)	0	0	0	n.a.	153	0	0	n.a.	153
Other orders n.e.c. ^(c)	6	0	0	n.a.	—	0	0	n.a.	6
<i>Multiple order types</i>	<i>130</i>	<i>35</i>	<i>65</i>	<i>n.a.</i>	<i>62</i>	<i>78</i>	<i>5</i>	<i>n.a.</i>	<i>376</i>
Total	1,635	1,359	1,304	n.a.	473	327	101	n.a.	5,198
Young people during the year^(d)									
Supervised or conditional bail and other unsentenced	821	1,246	207	n.a.	302	..	188	n.a.	2,764
Probation and similar	3,157	2,144	2,442	n.a.	501	522	124	n.a.	8,890
Suspended detention	408	..	241	n.a.	189	204	..	n.a.	1,042
Parole or supervised release	0	323	103	n.a.	6	26	..	n.a.	458
Home detention	..	..	..	..	6	..	..	..	6
Other sentenced orders ^(b)	0	0	0	n.a.	426	0	0	n.a.	426
Other orders n.e.c. ^(c)	16	0	0	n.a.	10	0	0	n.a.	26
<i>Multiple order types</i>	<i>887</i>	<i>743</i>	<i>447</i>	<i>n.a.</i>	<i>371</i>	<i>178</i>	<i>72</i>	<i>n.a.</i>	<i>2,698</i>
Total	3,515	2,970	2,546	n.a.	1,069	574	240	n.a.	10,914

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

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

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

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

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

Notes

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

2. Western Australia and the Northern Territory did not supply JJ NMDS data for 2009–10.

Supervised or conditional bail and other unsentenced supervised orders

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

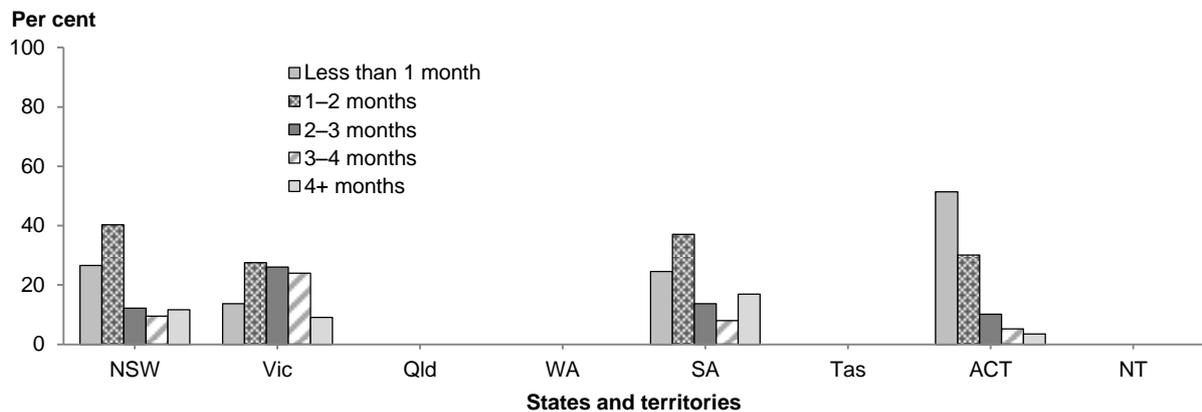
On an average day in 2009–10, 12% of all young people under community-based supervision were under unsentenced community-based supervised orders (Table 6.7). Among the states and territories, this ranged from just 3% in Queensland to 52% in the Australian Capital Territory. One-quarter (25%) of young people under community-based supervision during 2009–10 were under unsentenced community-based supervised orders at some time during the year; the difference between the average day and during the year measures reflects the typically short duration of these types of orders. Among the states and territories, proportions ranged from 8% in Queensland to 78% in the Australian Capital Territory, which may reflect the use of unsupervised bail (data on which is not available in this report).

The 2,764 young people under unsentenced community-based supervision during 2009–10 were supervised under 4,613 orders, an average of 1.7 orders per young person. Most (68%) of these orders were supervised or conditional bail, 31% were other unclassified court-referred pre-sentence arrangements and 1% were home detention bail. All of the home detention bail orders were in South Australia and the unclassified orders were in Victoria (93%) and New South Wales (7%).

Unsentenced community-based orders formed 20% of all supervised community-based orders that juvenile justice agencies administered during 2009–10. However, this proportion varied among the states and territories, from just 4% of all community-based orders in Queensland to 85% in the Australian Capital Territory (excluding Tasmania, where these orders are not available).

Most unsentenced community-based orders that ended during 2009–10 were successfully completed; among the states and territories with available data, proportions ranged from 80% in South Australia to 100% in the Australian Capital Territory (Table C17).

Most of the unsentenced community-based orders that were successfully completed were of relatively short duration (Figure 6.17). In Victoria, 41% of successfully completed unsentenced community-based orders lasted 2 months or less, along with 62% in South Australia, 67% in New South Wales and 81% in the Australian Capital Territory. The Australian Capital Territory had the largest proportion of successfully completed unsentenced community-based orders that lasted 1 month or less (51%), while South Australia had the largest proportion that lasted 4 months or longer (17%).



Notes

1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2009-10.
2. Information on order end reason not available for Queensland.
3. Some types of supervision are not available in some states and territories. See Section 2.3 for details.

Source: Table C17.

Figure 6.17: Successfully completed supervised or conditional bail and similar orders by length of order, states and territories (excluding Qld, WA and NT), 2009-10 (per cent)

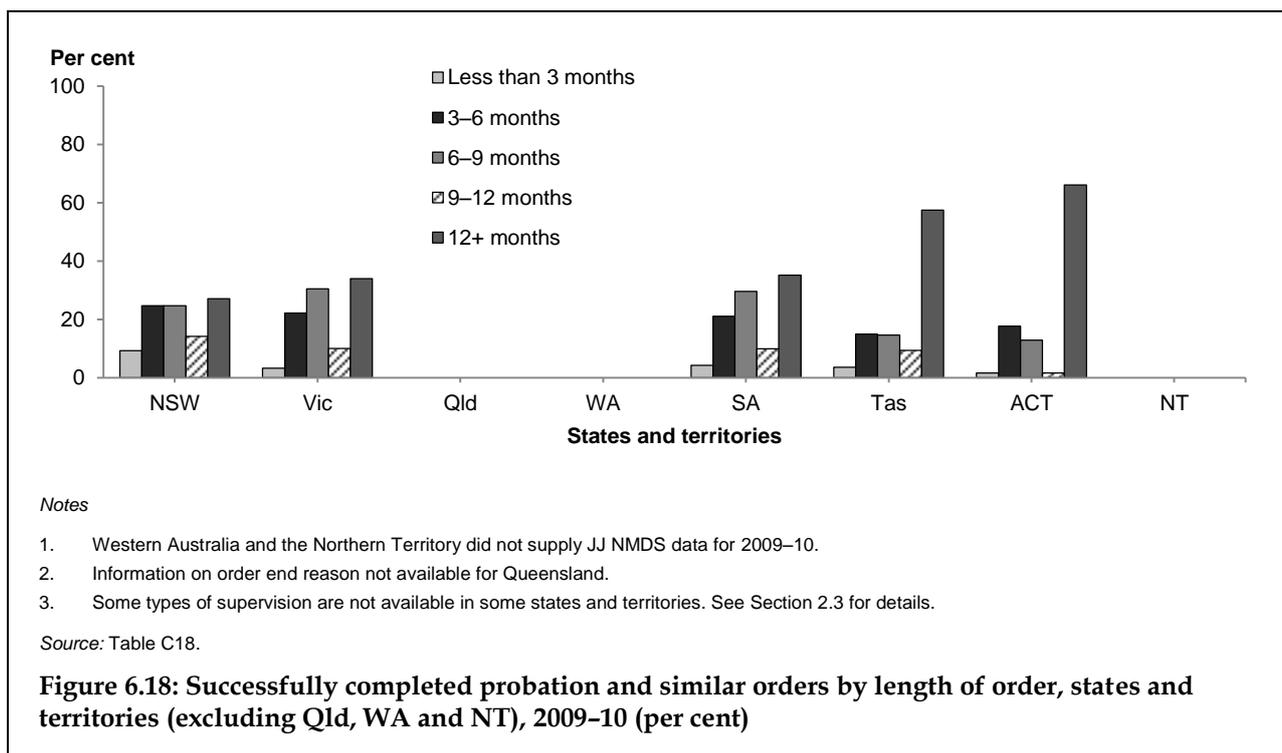
Probation and similar orders

The most common type of sentenced community-based orders was probation and similar orders. On an average day in 2009–10, most (81%) young people under community-based supervision were on probation and similar orders (Table 6.7). Among the states and territories, proportions ranged from 45% in South Australia to 96% in Queensland.

The 8,890 young people who were on probation and similar during 2009–10 were supervised under 15,899 orders, which equates to an average of 1.8 orders per young person. Just over two-thirds (68%) of all community-based orders supervised in 2009–10 were probation and similar; this proportion varied among the states and territories, ranging from 15% in the Australian Capital Territory to 86% in Queensland.

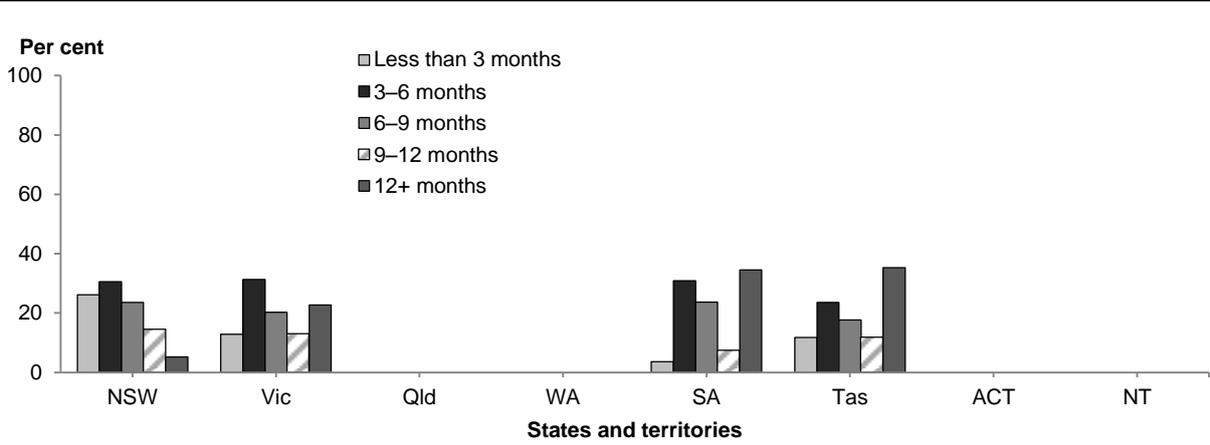
In all states and territories for which data were available, most probation and similar orders that ended during 2009–10 were successfully completed; proportions ranged from 79% in New South Wales to 100% in the Australian Capital Territory (Table C18).

The proportion of successfully completed probation and similar orders that lasted for 9 months or less ranged from 32% in the Australian Capital Territory to 59% in New South Wales (Figure 6.18). A relatively high proportion of successfully completed probation and similar orders lasted for 12 months or longer; among the states and territories, proportions ranged from 27% in New South Wales to 66% in the Australian Capital Territory.



Among the states and territories for which data were available (New South Wales, Victoria, South Australia, Tasmania and the Australian Capital Territory), a relatively small proportion of probation and similar orders ended because the order was breached (Table C19). The proportion of probation and similar orders that ended during 2009–10 due to breach ranged from zero in the Australian Capital Territory and 4% in Tasmania to 20% in New South Wales.

For most probation and similar orders that ended due to breach, the order ended within 9 months; proportions ranged from 53% in Tasmania to 80% in New South Wales (Figure 6.19). More than one-third of orders that ended with a breach in Tasmania and South Australia (35% each) ended one year or more after the order began.



Notes

1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2009–10.
2. Information on order end reason not available for Queensland.
3. Some types of supervision are not available in some states and territories. See Section 2.3 for details.

Source: Table C19.

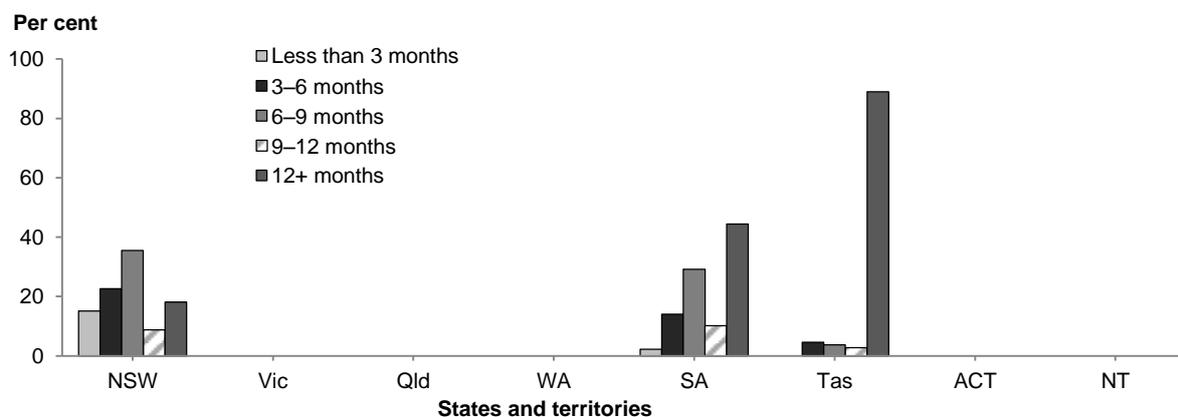
Figure 6.19: Probation and similar orders ended due to breach by length of order, states and territories (excluding Qld, WA and NT), 2009–10 (per cent)

Suspended detention

On an average day in 2009–10, 8% young people under community-based supervision were supervised under a suspended detention order (Table 6.7). Among the states and territories that provided JJ NMDS data, the proportion of young people under community-based supervision who were under a suspended detention order ranged from 4% in Queensland to 36% in Tasmania on an average day (suspended detention was not available in Victoria or the Australian Capital Territory). Similarly, almost 10% of young people under community-based supervision during the year were under a suspended detention order at some time.

In 2009–10, the 1,042 young people on suspended detention during the year were supervised under a total of 1,576 suspended detention orders, an average of 1.5 orders per young person. Almost 7% of all orders supervised during 2009–10 were suspended detention orders, and this proportion was lowest in New South Wales and Queensland (7% each) and highest in Tasmania (23%).

The proportion of suspended detention orders that were successfully completed in 2009–10 ranged from 74% in New South Wales to 90% in Tasmania (Table C20). In Tasmania, most (89%) of the suspended detention orders that were successfully completed had lasted for more than one year, compared with 44% of those in South Australia and 18% in New South Wales (Figure 6.20). Most (73%) successfully completed suspended detention orders in New South Wales had lasted for 9 months or less, compared with 46% of those in South Australia and 8% in Tasmania.



Notes

1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2009–10.
2. Information on order end reason not available for Queensland.
3. Some types of supervision are not available in some states and territories. See Section 2.3 for details.

Source: Table C20.

Figure 6.20: Successfully completed suspended detention orders by length of order, states and territories (excluding Qld, WA and NT), 2009–10 (per cent)

Parole or supervised release

Only a small proportion of young people under community-based supervision were on parole (known as supervised release in some states and territories) – just 3% of young people under community-based supervision on an average day in 2009–10, and 4% during the year (Table 6.7). On an average day, the proportion of young people under community-based supervision who were on parole was smallest in South Australia (less than 1%) and largest in Victoria (9%). Most (78%) young people on parole or supervised release on an average day were in Victoria. Parole or supervised release is not available in the Australian Capital Territory.

The 458 young people who experienced parole or supervised release during 2009–10 were supervised under a total of 540 suspended detention orders, which equates to 1.2 orders per young person, on average. The 540 parole orders accounted for just 2% of all orders that juvenile justice agencies administered during the year; Victoria had the highest proportion of parole orders among the states and territories (7%).

7 Detention

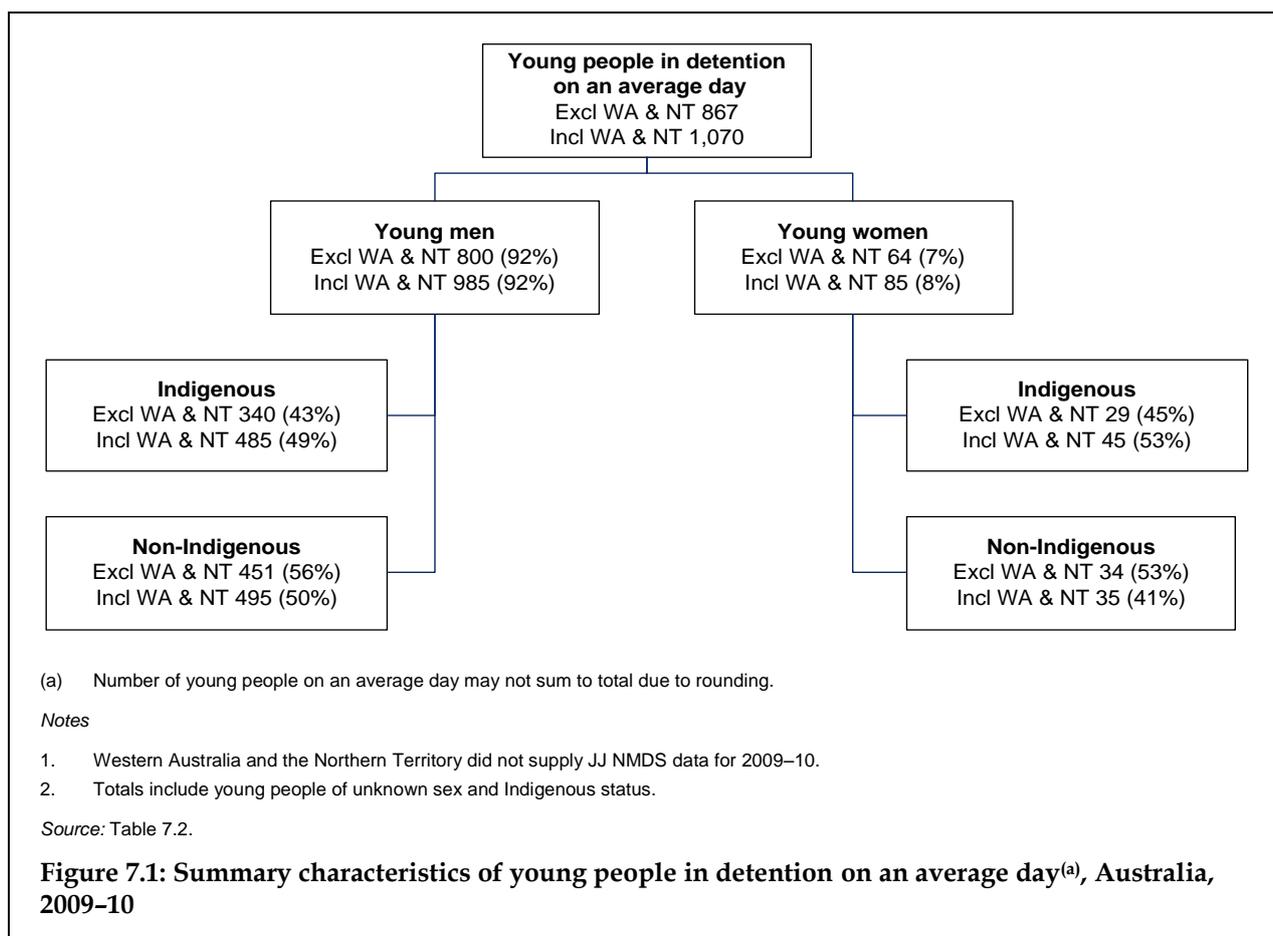
While most young people under juvenile justice supervision are under community-based supervision, some are held in detention. This chapter contains information on these young people and the different types of detention.

As with community-based supervision, young people in detention can be either unsentenced or sentenced. Usually, young people in detention who are unsentenced have been remanded in custody by a court until their next court appearance. However, it is possible in some states and territories for the police to place young people in juvenile detention until their first appearance in court. In this chapter, 'unsentenced' refers to both those young people who are remanded in detention by a court and those awaiting their initial court appearance (in contrast, unsentenced young people supervised by a juvenile justice agency in the community have usually already had their initial court appearance). Where analyses exclude young people who are in police-referred detention and only include those remanded by a court, the term 'remand' is used.

Western Australia and the Northern Territory did not provide data in standard format for 2009–10. Approximate national totals are provided where additional data were available (see Chapter 3 'Data and methods' for more details) and these are noted in the text and accompanying tables and figures as 'including Western Australia and the Northern Territory'. Totals presented in the sections on first supervision, remoteness of usual residence, socioeconomic status of usual residence, legal status and length of detention do not include Western Australia and the Northern Territory.

7.1 Summary

On an average day in 2009–10, almost 1,100 young people were detained throughout Australia (including estimates for Western Australia and the Northern Territory) (Figure 7.1). Nearly all (92%) of these were young men. A slightly higher proportion of young women in detention (53%) than young men (49%) were Indigenous; these proportions drop to 45% of young women and 43% of young men, and 43% overall, when Western Australia and the Northern Territory are excluded. Overall, almost half (49%) were Indigenous (Table 7.2).



Almost two-thirds (65%) of young people in detention on an average day were aged 15–17 years and a further 21% were aged 18 years and older (excluding Western Australia and the Northern Territory) (Figure 7.2). Indigenous young people in detention were younger, on average, than non-Indigenous young people, and young women in detention were also younger, on average, than young men.

In 2009–10, there were almost 0.4 young people aged 10–17 years in detention on an average day for every 1,000 in the population (including Western Australia and the Northern Territory) (Table 7.5). The rate of young people in detention increased slightly over the 4 years to 2009–10, from 0.3 to almost 0.4 per 1,000 on an average day.

Young people aged 10–17 years were most likely to be detained in New South Wales and Tasmania, where the rate of detention was 0.5 per 1,000, and least likely to be detained in Victoria, which had a rate of 0.2 per 1,000 (Table 7.3).

Nationally (including Western Australia and the Northern Territory), the rate of detention for Indigenous young people aged 10–17 years was considerably higher than the rate for non-Indigenous young people. On an average day, there were four Indigenous young people aged 10–17 years in detention per 1,000, which is 24 times as high as the equivalent non-Indigenous rate (Table 7.3). There was a small decrease in the level of Indigenous over-representation over the 4 years from 2006–07 (Table 7.5).

Young people from remote and disadvantaged areas were the most likely to be in detention. Although most (90%) young people in detention on an average day were from cities and regional areas, young people aged 10–17 years from *Remote* areas were almost 6 times as likely to be in detention as young people from *Major cities*, while young people from *Very Remote* areas were almost 7 times as likely (excluding Western Australia and the Northern Territory) (Figure 7.11 and Figure 7.12). Young people from areas of low socioeconomic status were almost 6 times as likely to be in detention on an average day as those from the highest socioeconomic areas (Figure 7.14).

Half (50%) of those in detention (including Western Australia and the Northern Territory) on an average day were unsentenced, while 17% of those in detention during the year were in unsentenced and sentenced detention at some time in 2009–10 (83% had only unsentenced or sentenced detention) (tables 7.1, 7.8 and D20).

The median length of sentenced detention periods completed during 2009–10 was 60 days, while the median length of unsentenced detention periods was just 4 days. The average young person who was in sentenced detention during 2009–10 spent a total of 111 days, or almost 16 weeks, in sentenced detention during the year, compared with 36 days, or more than 5 weeks, for those in unsentenced detention.

On average, young people who were in detention during 2009–10 spent a total of 2 months in detention during the year (Figure 7.18). Young people who were in unsentenced detention spent around 5 weeks of the year, on average, in unsentenced detention, while those in sentenced detention spent almost 4 months, on average, in sentenced detention.

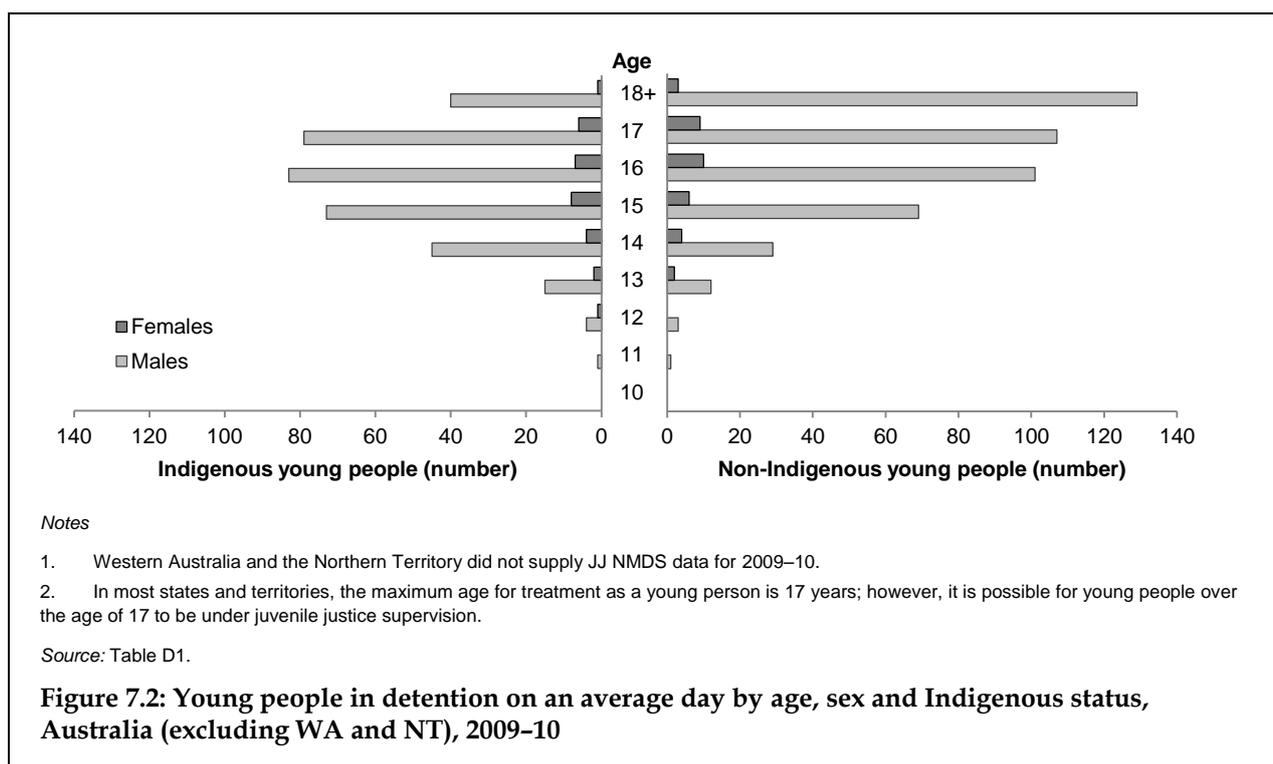
7.2 Number and rate of young people in detention

Number in detention

There were around 1,100 young people in detention in Australia on an average day and 6,300 during the year, including Western Australia and the Northern Territory; most (92%) of those in detention on an average day were male and almost half (49%) were Indigenous (Figure 7.1 and Table 7.2).

Almost two-thirds (65%) of young people in detention on an average day were aged 15–17 years (excluding Western Australia and the Northern Territory, for which data on individual age years were not available) (Figure 7.2). A further 21% were aged 18 years and older. There were few young people in detention in the youngest age groups – less than 5% of young people in detention on an average day were aged 10–13 years.

Indigenous young people were particularly over-represented in the younger age groups, and outnumbered non-Indigenous young people for each individual year of age from 12 to 15 (there were equal numbers for those aged 10 and 11 years). For those aged 12 years, 5 out of the 8 were Indigenous (63%), while 55% of those aged 13, 60% of those aged 14 and 51% of 15 year olds were Indigenous. In contrast, only 23% of those aged 18 years and older were Indigenous.



Nationally (including Western Australia and the Northern Territory), two-fifths (41%) of those in detention on an average day were in New South Wales, while less than one-fifth were in Victoria (16%) and Queensland (13%), respectively (Table 7.1). Overall, most (78%) of those in detention were aged 10–17 years, and this was true for all states and territories except Victoria, with proportions ranging from 81% in South Australia to 99% in Queensland. In Queensland, those aged 17 years and older at the time of the offence are treated as adults for the purpose of criminal responsibility; 8% of those in detention on an average day were aged 17 years or older. In contrast, half (50%) of those in detention in Victoria on an average day were aged 18 years and older. This is likely due to the ‘dual track’ sentencing system that operates in Victoria, whereby young people aged 18–20 years may be sentenced to a juvenile detention centre.

The proportion of young people in detention on an average day who were Indigenous ranged from 16% in Victoria to 61% in Queensland (Table 7.2). While those in detention were much more likely to be male (proportions ranged from 83% in the Australian Capital Territory to 94% in Victoria), young women in detention were more likely to be Indigenous than their male counterparts in all states and territories except South Australia.

Table 7.1: Young people in detention by age, states and territories, 2009–10

Age	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust excl WA & NT	Aust incl WA & NT ^(a)
Number of young people—average day^(b)										
10	—	—	—	n.a.	—	0	0	n.a.	—	n.a.
11	—	—	1	n.a.	1	—	—	n.a.	2	n.a.
12	3	1	2	n.a.	1	—	—	n.a.	8	n.a.
13	13	2	8	n.a.	5	2	1	n.a.	31	n.a.
14	42	8	24	n.a.	6	2	2	n.a.	82	n.a.
15	78	17	42	n.a.	9	7	4	n.a.	158	n.a.
16	104	24	46	n.a.	19	7	5	n.a.	204	n.a.
17	131	34	9	n.a.	18	9	4	n.a.	204	n.a.
10–17	371	86	133	n.a.	58	27	15	n.a.	689	835
18+	72	86	2	n.a.	14	1	2	n.a.	178	240
Total	443	171	135	n.a.	72	28	18	n.a.	867	1,070
Number of young people—during the year										
10	4	1	1	n.a.	3	0	0	n.a.	9	n.a.
11	11	3	9	n.a.	10	1	1	n.a.	35	n.a.
12	41	7	26	n.a.	13	4	2	n.a.	93	n.a.
13	127	25	79	n.a.	51	9	17	n.a.	308	n.a.
14	311	50	147	n.a.	64	14	25	n.a.	611	n.a.
15	489	105	245	n.a.	102	29	22	n.a.	992	n.a.
16	669	132	252	n.a.	121	34	47	n.a.	1,255	n.a.
17	690	164	37	n.a.	131	49	52	n.a.	1,123	n.a.
10–17	2,342	487	796	n.a.	495	140	166	n.a.	4,426	5,735
18+	226	274	7	n.a.	70	6	8	n.a.	591	590
Total	2,568	761	803	n.a.	565	146	174	n.a.	5,017	6,325

(a) Totals for 2009–10 include aggregate data supplied by Western Australia and 2007–08 data for the Northern Territory, where available. Numbers were rounded to the nearest five young people.

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

Notes

1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2009–10.
2. Total includes young people of unknown age.
3. Age calculated as at start of financial year if first period of supervision began before the start of the financial year, otherwise age calculated as at start of first period of supervision.

Table 7.2: Young people in detention by sex and Indigenous status, states and territories, 2009–10

Indigenous status	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust excl WA & NT	Aust incl WA & NT ^(a)
Number of young people—average day^(b)										
Male										
Indigenous	196	25	75	n.a.	31	7	6	n.a.	340	485
Non-Indigenous	206	135	47	n.a.	34	19	9	n.a.	451	495
Unknown	7	—	2	n.a.	—	0	0	n.a.	9	10
Total	409	161	124	n.a.	66	26	15	n.a.	800	985
Female										
Indigenous	16	2	7	n.a.	2	1	2	n.a.	29	45
Non-Indigenous	15	8	5	n.a.	4	1	1	n.a.	34	35
Unknown	1	—	0	n.a.	0	0	—	n.a.	1	0
Total	32	10	11	n.a.	6	2	3	n.a.	64	85
All young people										
Indigenous	212	27	82	n.a.	33	8	7	n.a.	369	525
Non-Indigenous	224	144	51	n.a.	39	20	10	n.a.	488	535
Unknown	7	—	2	n.a.	—	0	—	n.a.	10	10
Total	443	171	135	n.a.	72	28	18	n.a.	867	1,070
Number of young people—during the year										
Male										
Indigenous	824	97	352	n.a.	164	35	31	n.a.	1,503	2,190
Non-Indigenous	1,285	580	312	n.a.	273	89	104	n.a.	2,643	3,045
Unknown	65	2	9	n.a.	5	0	0	n.a.	81	80
Total	2,174	679	673	n.a.	442	124	135	n.a.	4,227	5,300
Female										
Indigenous	154	14	57	n.a.	44	6	9	n.a.	284	450
Non-Indigenous	214	66	73	n.a.	77	16	29	n.a.	475	540
Unknown	23	1	0	n.a.	0	0	1	n.a.	25	25
Total	391	81	130	n.a.	121	22	39	n.a.	784	1,010
All young people										
Indigenous	978	111	409	n.a.	208	41	40	n.a.	1,787	2,630
Non-Indigenous	1,502	647	385	n.a.	352	105	133	n.a.	3,124	3,590
Unknown	88	3	9	n.a.	5	0	1	n.a.	106	105
Total	2,568	761	803	n.a.	565	146	174	n.a.	5,017	6,325

(a) Totals for 2009–10 include aggregate data supplied by Western Australia and 2007–08 data for the Northern Territory, where available. Numbers were rounded to the nearest 5 young people and therefore may not sum to total.

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

Notes

1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2009–10.
2. Total includes young people of unknown sex and Indigenous status.

Rates of detention

Very few young people are detained in Australia. On an average day in 2009–10, only 0.4 young people aged 10–17 years were detained for every 1,000 (including Western Australia and the Northern Territory), which means that on any given day, only 0.04% of young Australians are in detention (Table 7.3). Young men aged 10–17 years were 9 times as likely to be detained on an average day as young women aged 10–17 years.

Young people in Tasmania and New South Wales were most likely to be detained, with rates of 0.5 per 1,000 young people aged 10–17 years for an average day, while those in Victoria were the least, with a rate of 0.2 per 1,000.

While the overall rate of young people in detention was low, the rate for Indigenous young people was relatively high. Indigenous young people aged 10–17 years were 24 times as likely as non-Indigenous young people aged 10–17 years to be in detention on an average day in 2009–10 (Figure 7.3). Indigenous young people were over-represented in all states and territories, with levels of over-representation (as shown by the rate ratio) ranging from 6 times in Tasmania to 24 times in New South Wales, Queensland and South Australia.

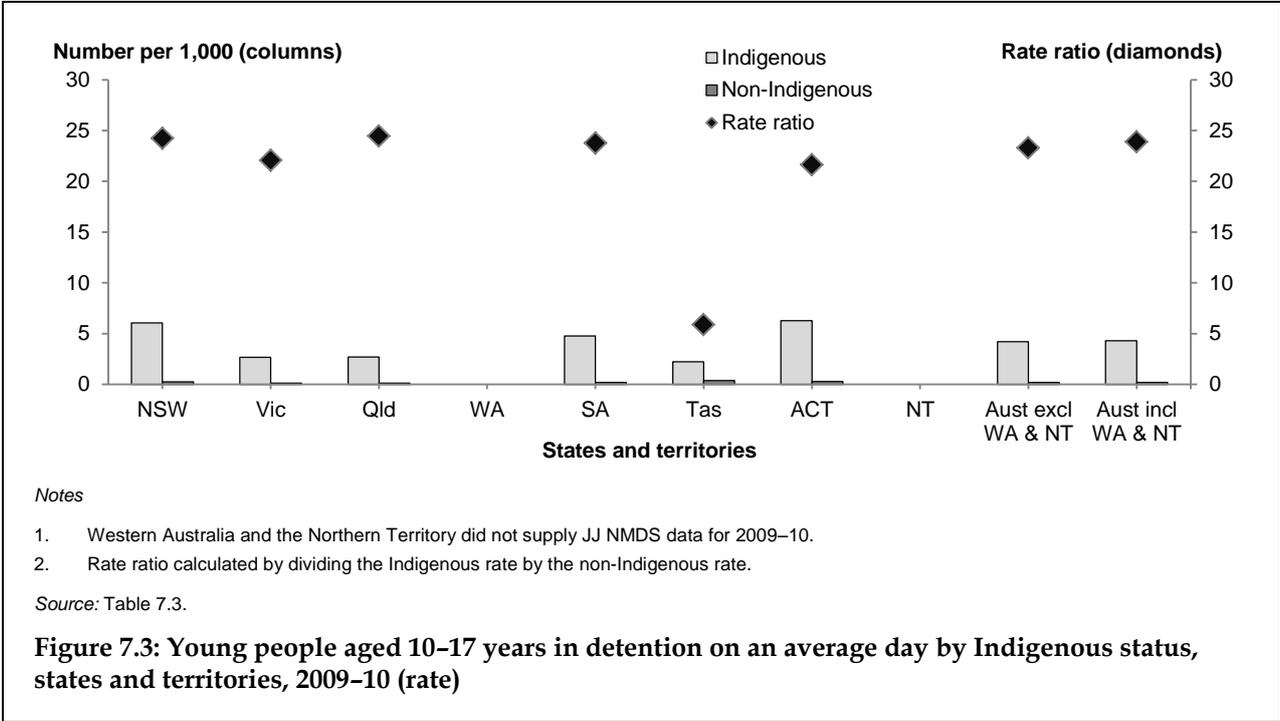


Table 7.3: Young people aged 10–17 years in detention by sex and Indigenous status, states and territories, 2009–10 (rate)

Indigenous status	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust excl WA & NT	Aust incl WA & NT ^(a)
Detention rate—average day										
Male										
Indigenous	10.85	4.92	4.80	n.a.	8.84	3.63	n.p.	n.a.	7.49	7.63
Non-Indigenous	0.45	0.22	0.19	n.a.	0.34	0.70	0.51	n.a.	0.32	0.31
Total	0.91	0.28	0.49	n.a.	0.63	0.90	0.72	n.a.	0.61	0.65
Female										
Indigenous	1.03	n.p.	0.46	n.a.	n.p.	n.p.	n.p.	n.a.	0.73	0.89
Non-Indigenous	0.04	0.02	0.02	n.a.	n.p.	n.p.	n.p.	n.a.	0.03	0.03
Total	0.09	0.03	0.05	n.a.	0.07	n.p.	n.p.	n.a.	0.06	0.07
All young people										
Indigenous	6.06	2.65	2.69	n.a.	4.75	2.23	6.27	n.a.	4.19	4.30
Non-Indigenous	0.25	0.12	0.11	n.a.	0.20	0.38	0.29	n.a.	0.18	0.18
Rate ratio	24.24	22.08	24.45	n.a.	23.75	5.87	21.62	n.a.	23.28	23.78
Total	0.51	0.16	0.28	n.a.	0.35	0.50	0.43	n.a.	0.34	0.37
Detention rate—during the year										
Male										
Indigenous	47.50	19.54	22.60	n.a.	51.28	18.02	64.99	n.a.	34.54	38.99
Non-Indigenous	3.20	1.25	1.32	n.a.	2.90	3.23	5.83	n.a.	2.24	2.34
Total	5.24	1.47	2.69	n.a.	4.59	4.23	7.33	n.a.	3.56	4.05
Female										
Indigenous	9.58	3.89	3.89	n.a.	13.68	3.23	20.38	n.a.	7.01	8.62
Non-Indigenous	0.60	0.22	0.33	n.a.	0.92	0.65	1.67	n.a.	0.48	0.48
Total	1.05	0.27	0.55	n.a.	1.36	0.84	2.16	n.a.	0.76	0.87
All young people										
Indigenous	28.98	11.76	13.51	n.a.	32.72	10.68	44.11	n.a.	21.09	24.10
Non-Indigenous	1.93	0.75	0.84	n.a.	1.94	1.98	3.78	n.a.	1.38	1.44
Rate ratio	15.02	15.68	16.08	n.a.	16.87	5.39	11.67	n.a.	15.28	16.74
Total	3.19	0.89	1.65	n.a.	3.02	2.58	4.78	n.a.	2.19	2.51

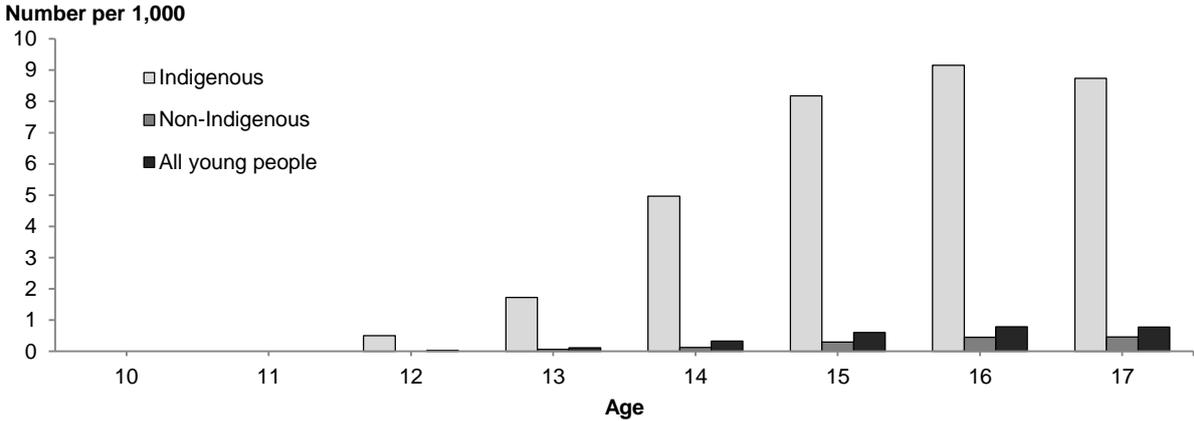
(a) Totals for 2009–10 include aggregate data supplied by Western Australia and 2007–08 data for the Northern Territory, where available. Numbers were rounded to the nearest five young people and therefore may not sum to total.

Notes

1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2009–10.
2. Age calculated as at start of financial year if first period of detention began before the start of the financial year, otherwise age calculated as at start of first period of detention.
3. Total includes young people of unknown Indigenous status.
4. Rates are number of young people per 1,000 relevant population.
5. Rates are not published where there were fewer than five young people.

Source: Table D2.

Detention rates were higher for each successive year of age and peaked at 16 years at 0.79 young people per 1,000 (excluding Western Australia and the Northern Territory, for which data on individual age years was not available) (Figure 7.4). A young person aged 16 years was 7 times as likely as a 13 year old and twice as likely as a 14 year old to be in detention on an average day in 2009–10. The rates for Indigenous and non-Indigenous young people showed similar patterns, although the Indigenous rate was substantially higher than the non-Indigenous rate for all ages.



Note: Western Australia and the Northern Territory did not supply JJ NMDS data for 2009–10.

Source: Table 7.4.

Figure 7.4: Young people aged 10–17 years in detention on an average day by age and Indigenous status, Australia (excluding WA and NT), 2009–10 (rate)

Table 7.4: Young people aged 10–17 years in detention by age, sex and Indigenous status, Australia (excluding Western Australia and the Northern Territory), 2009–10 (rate)

Indigenous status	10	11	12	13	14	15	16	17
Detention rate—average day								
Male								
Indigenous	n.p.	n.p.	n.p.	3.11	8.80	14.35	16.36	15.82
Non-Indigenous	n.p.	n.p.	n.p.	0.10	0.23	0.55	0.79	0.83
Total	n.p.	n.p.	0.05	0.21	0.57	1.09	1.41	1.40
Female								
Indigenous	n.p.	n.p.	n.p.	n.p.	n.p.	1.68	1.55	1.22
Non-Indigenous	n.p.	n.p.	n.p.	n.p.	n.p.	0.05	0.08	0.07
Total	n.p.	n.p.	n.p.	n.p.	0.07	0.11	0.14	0.12
All young people								
Indigenous	n.p.	n.p.	0.50	1.73	4.97	8.18	9.16	8.74
Non-Indigenous	n.p.	n.p.	n.p.	0.06	0.13	0.30	0.45	0.46
Total	n.p.	n.p.	0.03	0.12	0.33	0.61	0.79	0.78
Detention rate—during the year								
Male								
Indigenous	1.21	4.44	8.05	21.16	47.64	62.24	71.91	57.81
Non-Indigenous	n.p.	0.08	0.28	0.97	1.89	3.77	5.35	5.10
Total	0.07	0.25	0.59	1.81	3.72	6.11	8.05	7.24
Female								
Indigenous	n.p.	n.p.	2.50	5.59	10.39	14.18	13.00	9.95
Non-Indigenous	n.p.	n.p.	0.06	0.42	0.62	0.94	0.95	0.76
Total	n.p.	n.p.	0.16	0.63	1.05	1.49	1.48	1.13
All young people								
Indigenous	0.62	2.47	5.33	13.48	29.52	38.86	43.28	34.60
Non-Indigenous	n.p.	0.05	0.17	0.70	1.27	2.39	3.20	3.00
Total	0.04	0.14	0.38	1.24	2.41	3.86	4.85	4.27

Notes

1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2009–10.
2. Age calculated as at start of financial year if first period of supervision began before the start of the financial year, otherwise age calculated as at start of first period of supervision.
3. Total includes young people of unknown Indigenous status.
4. Rates are number of young people per 1,000 relevant population.
5. Rates are not published where there were fewer than five young people.

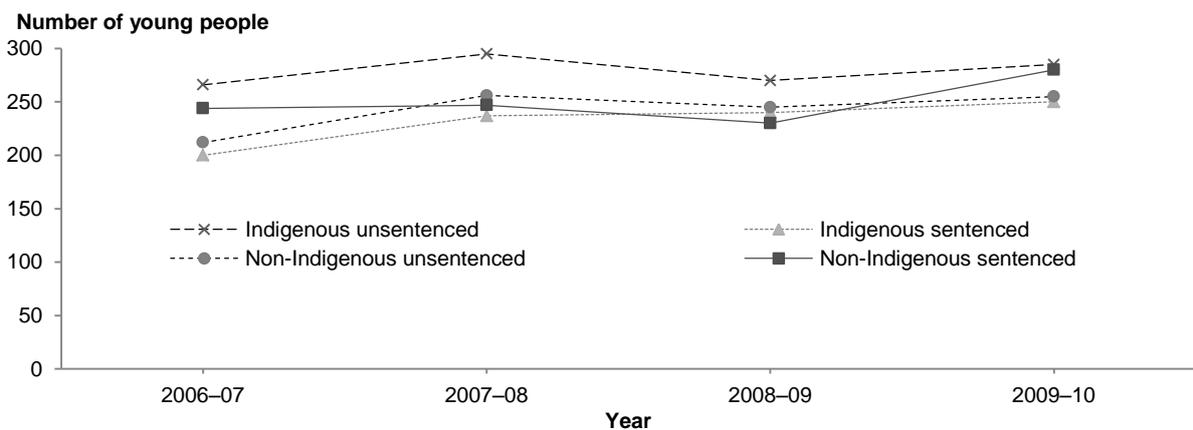
Source: Table D1.

Trends

Between 2006–07 and 2009–10, the number of young people in detention on an average day increased by 17%, from 914 to around 1,070 (including Western Australia and the Northern Territory) (Table D5). Over the period, the net increase was similar for Indigenous and non-Indigenous young people (15% compared with 19%), although for both groups, increases did not occur each year, with slight declines in 2008–09 before increases in 2009–10.

Over the 4-year period to 2009–10, the largest increase in the number of young people in detention on an average day was among Indigenous young people in sentenced detention (up 25%) (Figure 7.5). This was followed by non-Indigenous unsentenced young people (20%), non-Indigenous sentenced young people (15%) and Indigenous unsentenced young people (7%). Indigenous young people in sentenced detention were the only group that increased steadily each year; numbers in the other groups decreased in 2008–09 before increasing in 2009–10.

There were few clear patterns in trends among the states and territories (excluding Western Australia and the Northern Territory). New South Wales was the only state or territory in which average daily detention numbers increased in each of the 4 years (up 30% overall) (Table D5). There were also net increases over the period in South Australia (26%), Victoria (23%) and the Australian Capital Territory (6%), and small decreases in Queensland (down 2%) and Tasmania (down 7%). See Chapter 8 ‘State and territory summary’ for further information.



Note: Western Australia and the Northern Territory did not supply JJ NMDS data for 2008–09 to 2009–10. Totals for 2008–09 and 2009–10 include aggregate data supplied by Western Australia and 2007–08 data for the Northern Territory.

Source: Table D5.

Figure 7.5: Young people in detention on an average day by legal status and Indigenous status, Australia (including WA and NT), 2006–07 to 2009–10

Over the 4 years to 2009–10, the rate of young people aged 10–17 years in detention on an average day increased slightly from 0.33 to 0.37 per 1,000 (including Western Australia and the Northern Territory), which is an additional 4 young people in detention per 100,000 on an average day (Table 7.5). There were few clear trends in the detention rates for the states and territories. In Victoria, the detention rate increased in each of the 4 years from 0.10 per 1,000 in 2006–07 to 0.16 in 2009–10, and there were overall increases in New South Wales (0.39 to 0.51) and South Australia (0.30 to 0.35).

Table 7.5: Young people aged 10–17 years in detention on an average day by Indigenous status, states and territories, 2006–07 to 2009–10 (rate)

Indigenous status	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust excl WA & NT	Aust incl WA & NT ^(a)
2006–07										
Indigenous	4.91	1.68	2.83	7.64	3.68	2.91	6.01	3.61	3.67	4.18
Non-Indigenous	0.19	0.08	0.12	0.17	0.18	0.36	0.30	n.p.	0.15	0.15
Rate ratio	25.84	21.00	23.58	44.94	20.44	8.08	20.03	n.p.	24.47	27.87
Total	0.39	0.10	0.29	0.60	0.30	0.53	0.43	1.63	0.28	0.33
2007–08										
Indigenous	5.95	2.18	2.90	8.88	4.83	3.61	9.62	2.86	4.30	4.75
Non-Indigenous	0.22	0.10	0.13	0.19	0.21	0.29	0.29	n.p.	0.17	0.17
Rate ratio	27.05	21.80	22.31	46.74	23.00	12.45	33.17	n.p.	25.29	27.94
Total	0.47	0.12	0.30	0.69	0.36	0.52	0.51	1.31	0.33	0.38
2008–09										
Indigenous	6.22	1.97	2.43	n.a.	4.36	2.97	7.60	n.a.	4.13	4.12
Non-Indigenous	0.25	0.11	0.09	n.a.	0.20	0.33	0.22	n.a.	0.17	0.16
Rate ratio	24.88	17.91	27.00	n.a.	21.80	9.00	34.55	n.a.	24.29	25.75
Total	0.52	0.13	0.23	n.a.	0.34	0.52	0.40	n.a.	0.33	0.35
2009–10										
Indigenous	6.06	2.65	2.69	n.a.	4.75	2.23	6.27	n.a.	4.19	4.30
Non-Indigenous	0.25	0.12	0.11	n.a.	0.20	0.38	0.29	n.a.	0.18	0.18
Rate ratio	24.24	22.08	24.45	n.a.	23.75	5.87	21.62	n.a.	23.28	23.89
Total	0.51	0.16	0.28	n.a.	0.35	0.50	0.43	n.a.	0.34	0.37

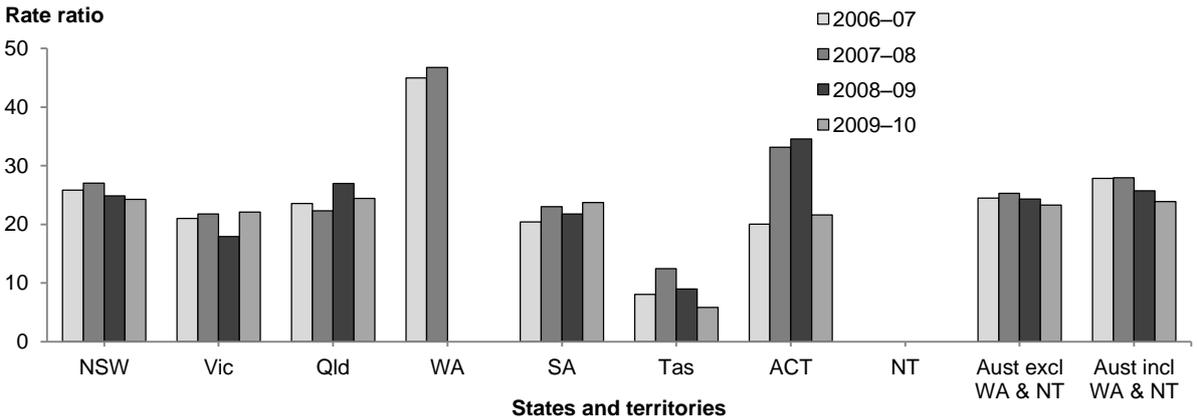
(a) Totals for 2008–09 and 2009–10 include aggregate data supplied by Western Australia and 2007–08 data for the Northern Territory, where available.

Notes

1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2008–09 or 2009–10.
2. Age calculated as at start of financial year if first period of detention began before the start of the financial year, otherwise age calculated as at start of first period of detention.
3. Total includes young people of unknown Indigenous status.
4. Rates are number of young people per 1,000 relevant population.
5. Rates are not published where there were fewer than five young people.
6. Rate ratio calculated by dividing the Indigenous rate by the non-Indigenous rate.

Source: Table D3.

Although Indigenous young people remained highly over-represented in each of the 4 years from 2006–07, there was an overall decline in the level of over-representation. In 2006–07, Indigenous young people aged 10–17 years were 28 times as likely to be in detention on an average day as non-Indigenous young people aged 10–17 years, while by 2009–10, this had decreased to 24 times (including Western Australia and the Northern Territory) (Figure 7.6). There was, however, little overall change in the level of Indigenous over-representation among the states and territories that supplied JJ NMDS data, which is reflected in the relative consistency of the level of over-representation when Western Australia and the Northern Territory are excluded from the total.



Notes

1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2008–09 or 2009–10.
2. Rate ratio calculated by dividing the Indigenous rate by the non-Indigenous rate.
3. Rates are not published where there were fewer than five young people.

Source: Table 7.5.

Figure 7.6: Levels of Indigenous over-representation among young people aged 10–17 years in detention on an average day, states and territories, 2006–07 to 2009–10 (rate ratio)

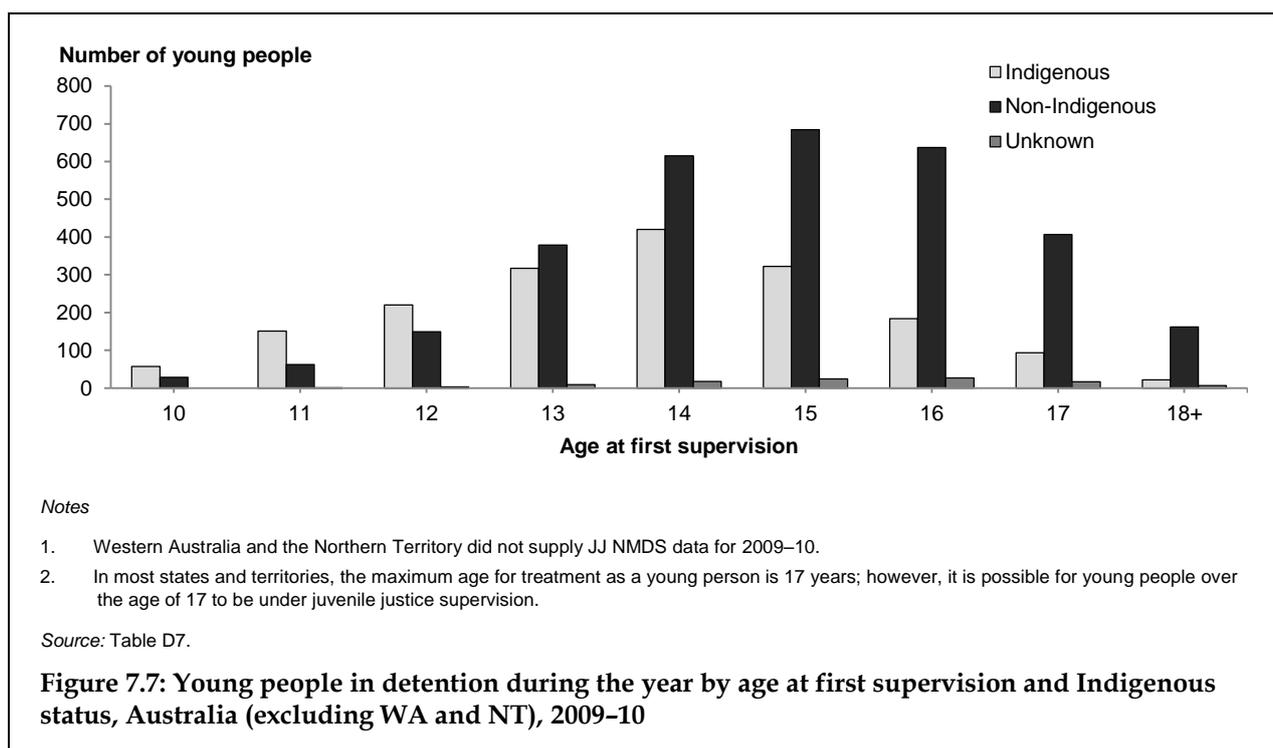
7.3 First supervision and first detention

Western Australia and the Northern Territory did not supply JJ NMDS data for 2009–10 and are not included in this section.

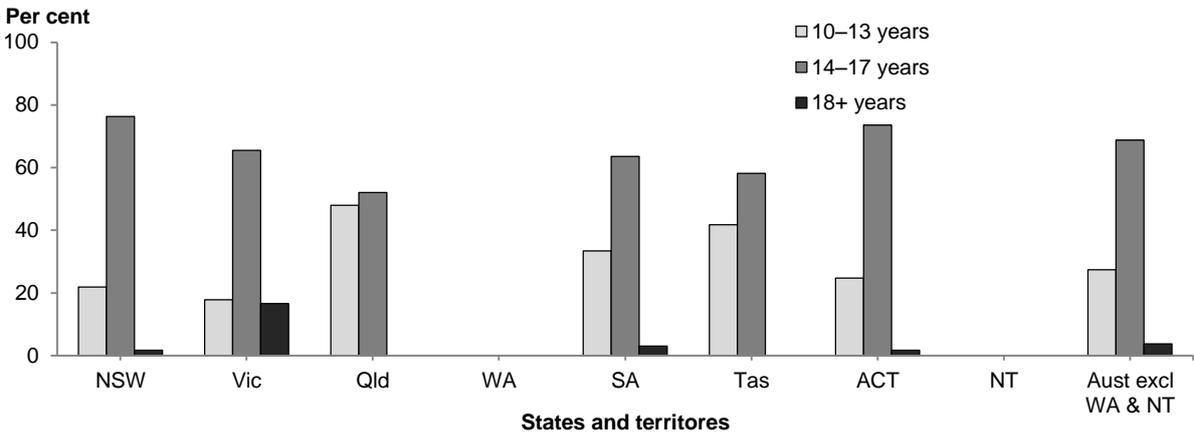
First supervision

Three-fifths (61%) of all young people in detention in 2009–10 had been under supervision during a previous year, and the remainder (39%) were new entrants to supervision (Table D6). Among the states and territories that supplied data for the JJ NMDS, Tasmania had the smallest proportion of young people in detention who were new entrants to supervision (14%), while the Australian Capital Territory had the largest (58%).

Almost three-quarters (72%) of young people in detention during 2009–10 had first entered supervision (either community-based or detention) when they were aged 13–16 years (Table D7 and Figure 7.7). However, Indigenous young people tended to enter their first supervision at a younger age, on average. The median age of first supervision for Indigenous young people in detention in 2009–10 was 14 years, compared with 15 years for non-Indigenous young people. In addition, almost one-quarter (24%) of Indigenous young people in detention had first entered supervision aged 10–12 years, compared with 8% of non-Indigenous young people.



A similar pattern for age at first supervision was found in each of the states and territories, with more than half of young people in detention during the year first entering supervision aged 14–17 years (Figure 7.8). Queensland had the highest proportion of young people in detention during 2009–10 who first entered supervision aged 10–13 years (48%), which is in part due to the lower age of adult criminal responsibility (17 years and over) in that state. Victoria had the highest proportion of young people who first entered supervision aged 18 years and over (17%), which is likely due to its ‘dual track’ sentencing system.



Notes

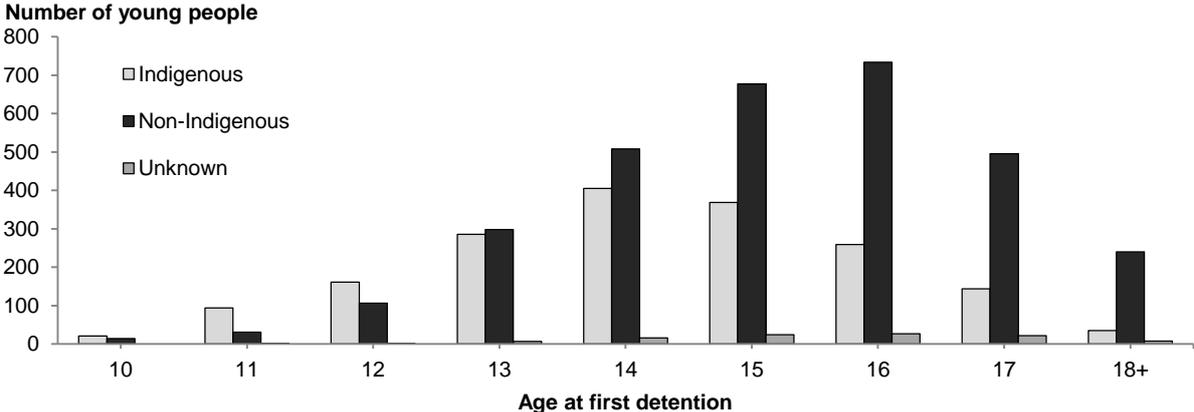
1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2009–10.
2. In most states and territories, the maximum age for treatment as a young person is 17 years; however, it is possible for young people over the age of 17 to be under juvenile justice supervision.

Source: Table D8.

Figure 7.8: Young people in detention during the year by age at first supervision, states and territories, 2009–10

First detention

Similar patterns were found for young people’s age at first detention: while most young people first entered detention at older ages, Indigenous young people were more likely to experience their first detention at younger ages (Figure 7.9). Almost one-third (31%) of Indigenous young people in detention during 2009–10 first entered detention aged 10–13 years, compared with 14% of non-Indigenous young people. Overall, 60% of young people in detention had their first detention when aged 14–16 years (tables 7.2 and D9).



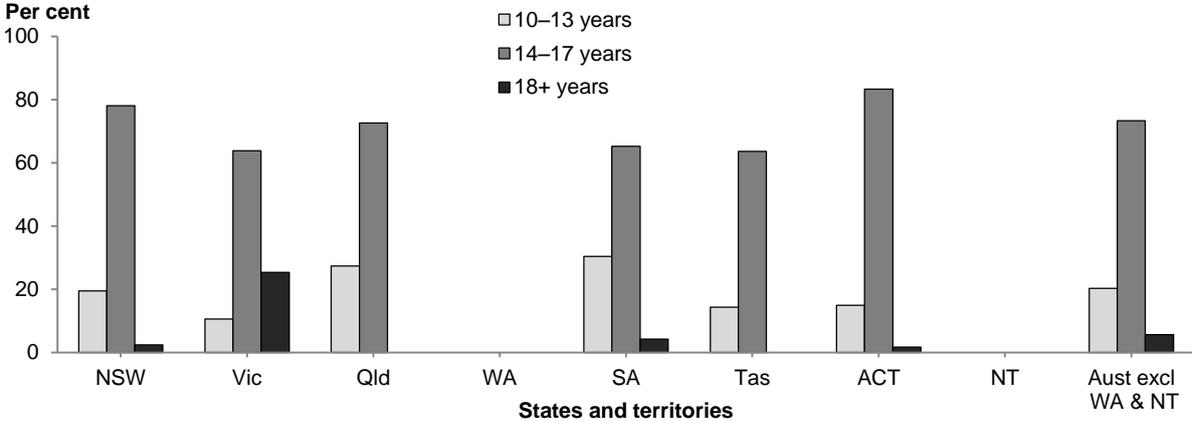
Notes

1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2009–10.
2. In most states and territories, the maximum age for treatment as a young person is 17 years; however, it is possible for young people over the age of 17 to be under juvenile justice supervision.

Source: Table D9.

Figure 7.9: Young people in detention during the year by age at first detention and Indigenous status, Australia (excluding WA and NT), 2009–10

The proportion of young people in detention who had first entered detention aged 14–17 years ranged from 64% in Victoria to 83% in the Australian Capital Territory (Figure 7.10). One-quarter of those in detention in Victoria first entered detention when aged 18 years or older, compared with less than 5% in the other states and territories.



Notes

1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2009–10.
2. In most states and territories, the maximum age for treatment as a young person is 17 years; however, it is possible for young people over the age of 17 to be under juvenile justice supervision.

Source: Table D10.

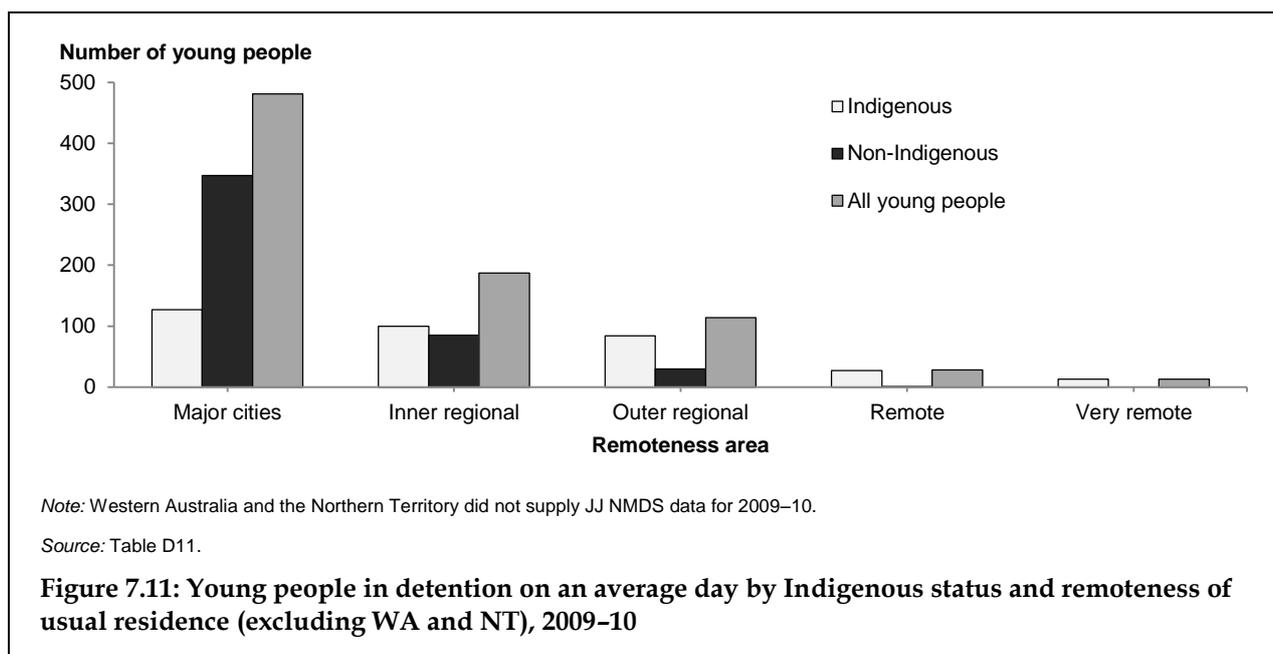
Figure 7.10: Young people in detention during the year by age at first detention, states and territories, 2009–10 (per cent)

7.4 Remoteness of usual residence

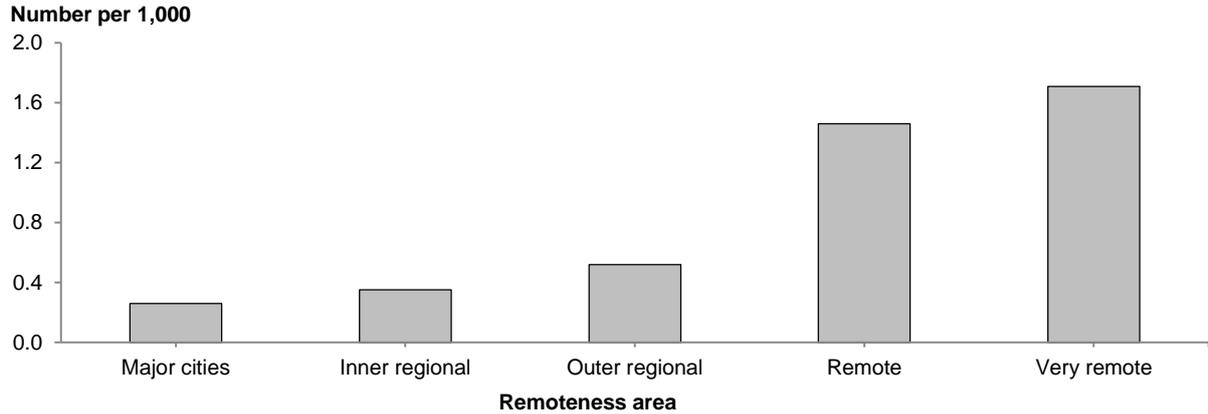
Western Australia and the Northern Territory did not supply JJ NMDS data for 2009–10 and are not included in this section.

In 2009–10, most young people in detention were from cities and regional areas. More than half (55%) of young people in detention on an average day in 2009–10 lived in *Major cities* prior to entering supervision and an additional 35% were from regional areas (tables D11 and 7.2). Just 5% of young people in detention on an average day were from *Remote* or *Very remote* areas (information about the remoteness area of usual residence was not available for 5% of young people). These proportions were similar for all young people in detention during the year.

Indigenous young people in detention during 2009–10 were more likely than non-Indigenous young people to have lived in regional or *Remote* or *Very remote* areas prior to entering supervision (Figure 7.11). Close to three-quarters (71%) of non-Indigenous young people in detention on an average day were from *Major cities*, 24% were from regional areas and less than 1% were from *Remote* and *Very remote* areas. In comparison, around one-third (34%) of Indigenous young people were from *Major cities*, 50% were from regional areas and 11% were from remote areas. In addition, almost all (98%) young people in detention on an average day who were from *Remote* or *Very remote* areas were Indigenous.



Although most young people in detention were from *Major cities* and regional areas, young people from *Remote* and *Very remote* areas were the most likely to be in detention. On an average day in 2009–10, there were 0.26 young people aged 10–17 years in detention for every 1,000 in the population in *Major cities*, compared with 1.46 per 1,000 in *Remote* areas and 1.71 per 1,000 in *Very Remote* areas (Figure 7.12). Young people aged 10–17 years from *Remote* areas were therefore almost 6 times as likely to be in detention on an average day as young people from *Major cities*, while those from *Very Remote* areas were almost 7 times as likely to be in detention as those from *Major cities*.



Notes

1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2009–10.
2. Rates are number of young people per 1,000 relevant population.

Source: Table D12.

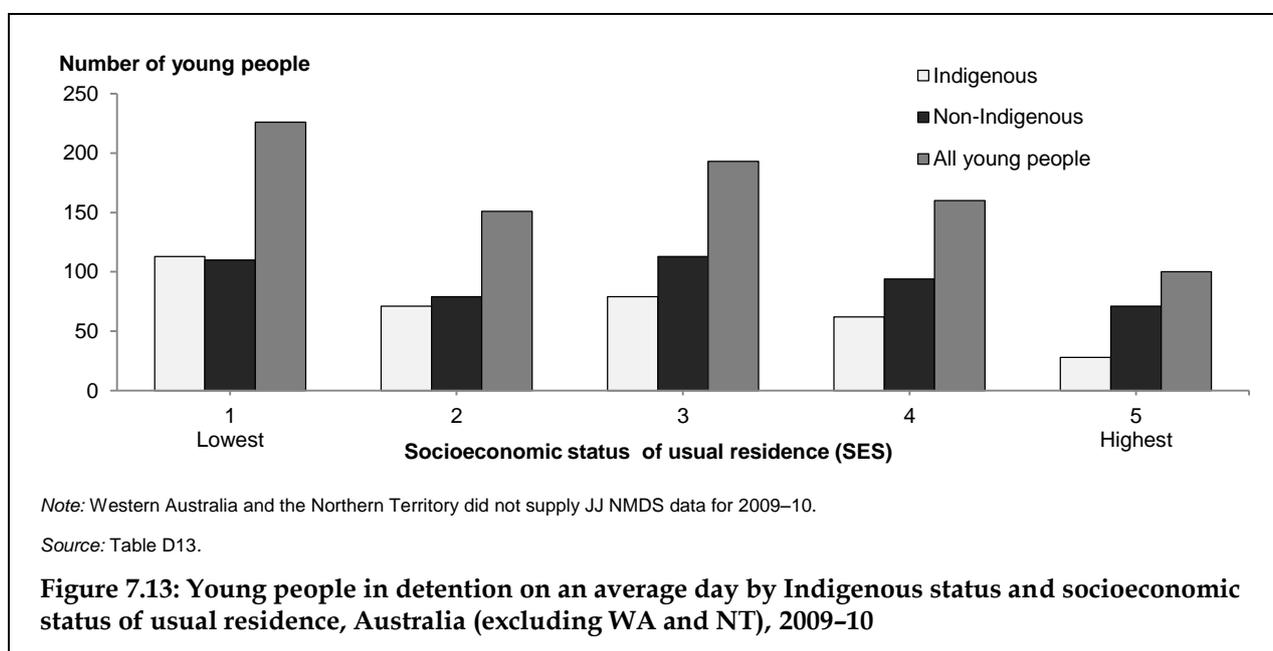
Figure 7.12: Young people aged 10–17 years in detention on an average day by remoteness of usual residence, Australia (excluding WA and NT), 2009–10 (rate)

7.5 Socioeconomic status of usual residence

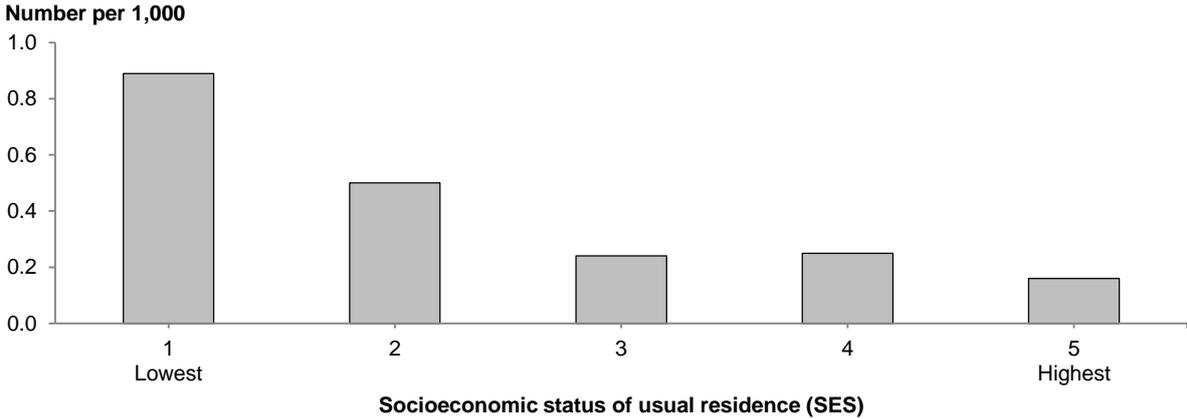
Western Australia and the Northern Territory did not supply JJ NMDS data for 2009–10 and are not included in this section.

Young people in detention were more likely to be from areas of lower socioeconomic status than from areas of higher socioeconomic status. In 2009–10, 26% of young people in detention on an average day were from the areas of lowest socioeconomic status, compared with 12% from the areas of highest socioeconomic status (tables D13 and 7.2).

Indigenous young people in detention were more likely to be from an area of low socioeconomic status than non-Indigenous young people (Figure 7.13). Almost one-third (31%) of Indigenous young people in detention on an average day were from one of the areas of lowest socioeconomic status, compared with 23% of non-Indigenous young people. Just 8% of Indigenous young people in detention were from one of the areas of highest socioeconomic status, compared with 15% of non-Indigenous young people.



There was an inverse relationship between socioeconomic status and the rate of detention, with young people from areas of lower socioeconomic status being more likely to be in detention than those from areas of higher socioeconomic status. On an average day in 2009–10, there were 0.9 young people aged 10–17 years in detention per 1,000 from the areas of lowest socioeconomic status, compared with less than 0.2 young people per 1,000 from the areas of highest socioeconomic status (Figure 7.14). Young people aged 10–17 years from the lowest socioeconomic areas in Australia were therefore almost 6 times as likely to be in detention on an average day as those from the highest socioeconomic areas.



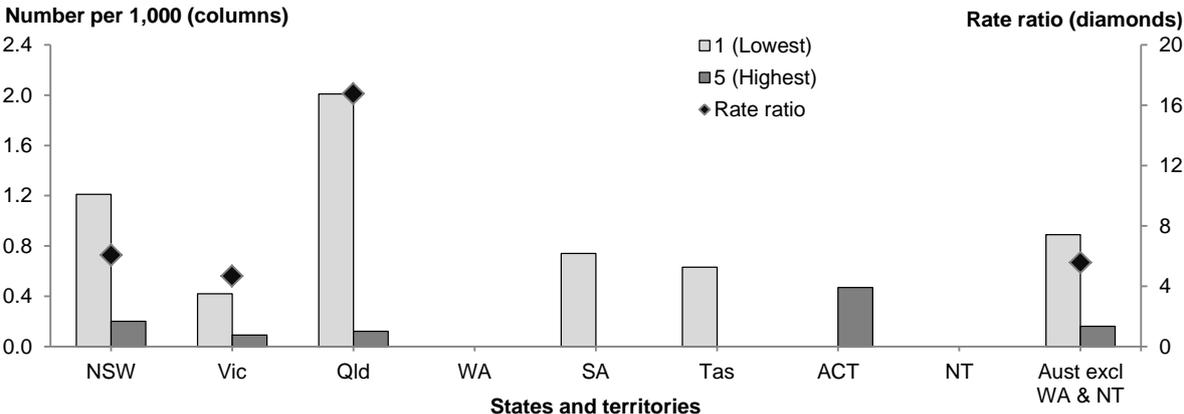
Notes

1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2009–10.
2. Rates are number of young people per 1,000 relevant population.

Source: Table D14.

Figure 7.14: Young people aged 10–17 years in detention on an average day by socioeconomic status of usual residence, Australia (excluding WA and NT), 2009–10 (rate)

In all states and territories, young people from areas of lower socioeconomic status were more likely to be in detention than young people from areas of higher socioeconomic status. In Victoria, young people aged 10–17 years living in areas of the lowest socioeconomic status were almost 5 times as likely to be in detention on an average day as those from areas of the highest socioeconomic status, and in New South Wales they were 6 times as likely (Figure 7.15). In Queensland, young people from the areas of lowest socioeconomic status were 17 times as likely to be in detention as those from the areas of highest socioeconomic status.



Notes

1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2009–10.
2. Rate ratio calculated by dividing the Indigenous rate by the non-Indigenous rate.
3. Rate ratios were not calculated for states and territories without young people in both the highest and the lowest areas of SES.
4. Rates are not published where there were fewer than five young people.

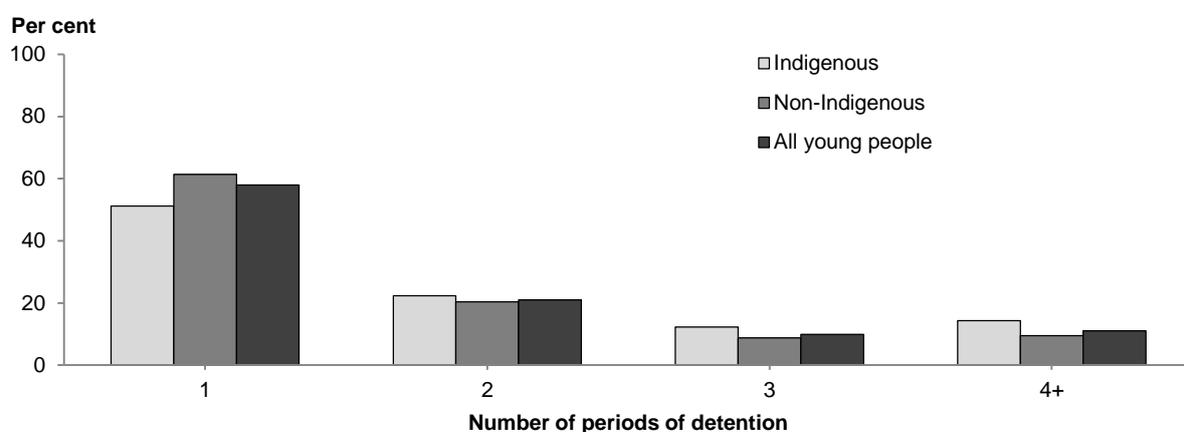
Source: Table D14.

Figure 7.15: Young people aged 10–17 years in detention on an average day by socioeconomic status of usual residence, states and territories (excluding WA and NT), 2009–10 (rate)

7.6 Time in detention

Western Australia and the Northern Territory did not supply JJ NMDS data for 2009–10 and are not included in this section.

Nearly all of those in detention during 2009–10 had completed at least one period of detention by the end of the year, and these young people completed an average of 1.9 periods during the year (these periods may have started before 2009–10) (tables 7.2 and D15). Over half (58%) of those who completed at least one period completed only one period during the year, while 11% completed four or more periods (Figure 7.16). Indigenous young people were more likely to have completed multiple periods than non-Indigenous young people (49% compared with 39%), and 14% of Indigenous young people who had completed at least one period completed four or more, compared with 10% of non-Indigenous young people.



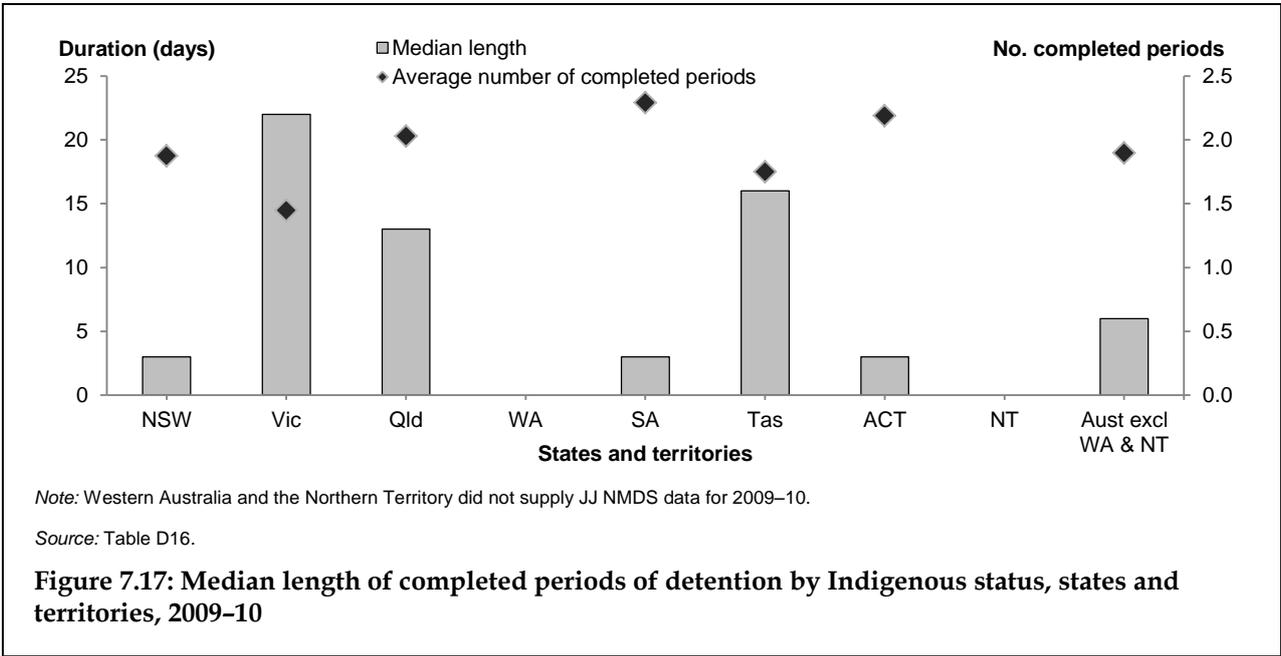
Note: Western Australia and the Northern Territory did not supply JJ NMDS data for 2009–10.

Source: Table D15.

Figure 7.16: Young people who completed a period of detention during the year by number of periods completed and Indigenous status, Australia (excluding WA and NT), 2009–10 (per cent)

The median length of completed detention periods was just under 1 week (6 days), with an average of 1.9 periods completed by those who completed at least one period of detention during the year (Figure 7.17).

There was a strong inverse relationship between the average number of detention periods completed and the median length of those periods in the states and territories (Figure 7.17). Detention periods were shortest in New South Wales, South Australia and the Australian Capital Territory (3 days each), with an average number of periods completed of 1.9 in New South Wales, 2.2 in the Australian Capital Territory and 2.3 in South Australia. Completed detention periods were at least 4 times as long in the remaining states with available data: almost two weeks in Queensland (13 days), over two weeks in Tasmania (16 days) and three weeks in Victoria (22 days). However, the average number of periods completed tended to be lower in these states: 1.4 in Victoria, 1.8 in Tasmania and 2.0 in Queensland.



Overall, periods of detention that Indigenous young people completed were twice as long as those completed by non-Indigenous young people (median of 8 days compared with 4 days), and Indigenous young people also completed slightly more periods, on average, than non-Indigenous young people (2.1 compared with 1.8) (Table D16). Among the states and territories, the median length of periods completed by Indigenous young people was the same as for periods completed by non-Indigenous young people in South Australia and Tasmania, but was longer in the remaining states and territories with available data – ranging from 4 days longer in New South Wales and the Australian Capital Territory, to 11 days longer in Queensland. However, Indigenous young people completed slightly more periods, on average, than non-Indigenous young people in all states and territories.

During 2009–10, young people in detention spent a total of 2 months (63 days) in detention, on average, and this remained stable over the 4 years from 2006–07 (Figure 7.18). Among the states and territories, the average time spent in detention during the year ranged from just over 1 month (37 days) in the Australian Capital Territory, to almost 3 months (82 days) in Victoria. Over the 4-year period, there were net increases in New South Wales (from 55 to 63 days) and South Australia (from 42 to 47 days) and decreases in Victoria (from 90 to 82 days), Queensland (from 72 to 61 days), Tasmania (from 96 to 71 days) and the Australian Capital Territory (from 44 to 37 days).

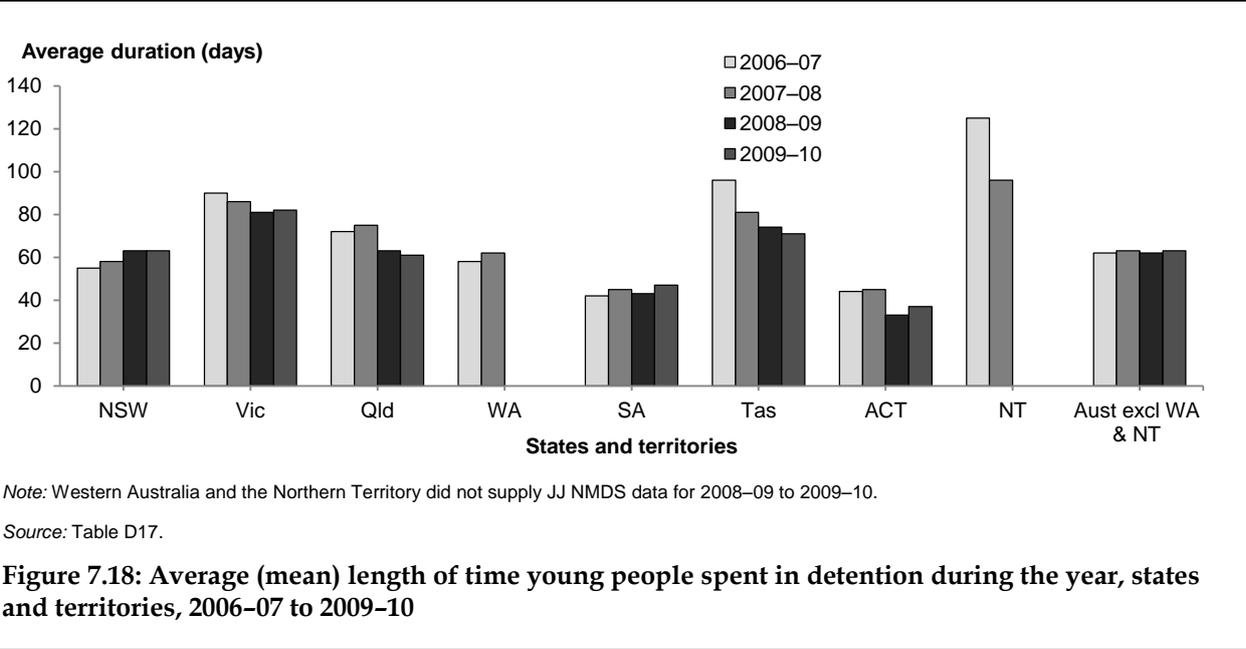


Figure 7.18: Average (mean) length of time young people spent in detention during the year, states and territories, 2006–07 to 2009–10

Indigenous young people spent 2.5 more weeks in detention during the year than non-Indigenous young people (75 days compared with 57 days) (Table D17). Indigenous young people spent longer in detention during the year than non-Indigenous young people in all states and territories, with differences ranging from just under 1 week (5 days) in Tasmania to almost 6 weeks (39 days) in the Australian Capital Territory.

7.7 Receptions and releases

A reception occurs when a young person enters detention having not been detained immediately before, while a release occurs when a young person leaves detention and is not detained immediately after (see Section 3.5 ‘Methods’). A change in legal status, for example from unsentenced to sentenced detention, is not counted as a new reception.

Western Australia and the Northern Territory did not supply JJ NMDS data for 2009–10 and are not included in this section.

In 2009–10, there was an average of 1.7 receptions per young person (Table 7.6). Most (94%) receptions were for young people entering unsentenced detention, and almost three-quarters (72%) of all unsentenced receptions were for remand (where a young person is placed in detention after their court appearance) with the remainder (28%) being police-referred detention (where a young person is detained before their initial court appearance). Only 6% of all receptions during 2009–10 were for sentenced detention, and although 1,457 young people were in sentenced detention during the year, only 449 were received into sentenced detention (tables 7.6 and 7.8). This indicates that most young people in sentenced detention during the year were either received into sentenced detention before 2009–10 or were detained on an unsentenced order immediately before being sentenced to detention.

Table 7.6: Receptions by legal status, states and territories (excluding WA and NT), 2009–10

Legal status	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust excl WA & NT
Number of receptions									
Police-referred detention	1,054	0	377	n.a.	639	0	0	n.a.	2,070
Remand	2,694	707	898	n.a.	299	234	371	n.a.	5,203
<i>Unsentenced</i>	<i>3,748</i>	<i>707</i>	<i>1,275</i>	<i>n.a.</i>	<i>938</i>	<i>234</i>	<i>371</i>	<i>n.a.</i>	<i>7,273</i>
Sentenced	115	252	54	n.a.	45	5	1	n.a.	472
Total receptions	3,863	959	1,329	n.a.	984	239	372	n.a.	7,746
Number of young people									
Police-referred detention	832	0	276	n.a.	399	0	0	n.a.	1,507
Remand	1,733	456	560	n.a.	222	132	171	n.a.	3,274
<i>Unsentenced</i>	<i>2,120</i>	<i>456</i>	<i>727</i>	<i>n.a.</i>	<i>507</i>	<i>132</i>	<i>171</i>	<i>n.a.</i>	<i>4,113</i>
Sentenced	113	238	53	n.a.	40	4	1	n.a.	449
Total young people	2,186	670	742	n.a.	529	133	172	n.a.	4,432

Notes

1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2009–10.
2. Data for Tasmania are affected by recording practices for backdated orders.

There were slightly more releases from detention than receptions in 2009–10, and an average of 1.7 releases per young person (tables 7.6 and 7.7). Similar to receptions, most (84%) releases were for young people in unsentenced detention, although sentenced detainees formed a greater proportion of releases than receptions (16% compared with 6%). Most (79%) unsentenced releases were for those remanded to detention by a court.

In all states and territories, most receptions and releases were for unsentenced young people. Unsentenced receptions formed more than 95% of receptions in all states and territories except Victoria, where 74% of receptions were for unsentenced detention. Similarly, the proportion of releases for unsentenced detention ranged from 83% (Tasmania) to 97% (Australian Capital Territory) in all states and territories except Victoria (63%).

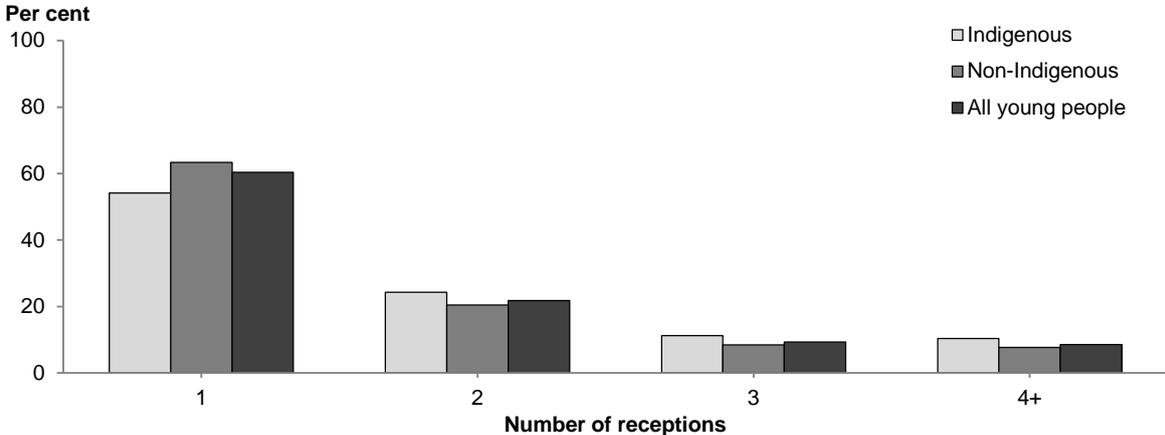
Table 7.7: Releases by legal status, states and territories (excluding WA and NT), 2009–10

Legal status	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust excl WA & NT
Number of releases									
Police-referred detention	761	0	184	n.a.	448	0	0	n.a.	1,393
Remand	2,672	580	1,003	n.a.	435	198	355	n.a.	5,243
<i>Unsentenced</i>	<i>3433</i>	<i>580</i>	<i>1187</i>	<i>n.a.</i>	<i>883</i>	<i>198</i>	<i>355</i>	<i>n.a.</i>	<i>6636</i>
Sentenced	576	346	167	n.a.	97	40	10	n.a.	1,236
Total releases	4,009	926	1354	n.a.	987	238	365	n.a.	7,879
Number of young people									
Police-referred detention	649	0	158	n.a.	311	0	0	n.a.	1,118
Remand	1,710	397	602	n.a.	284	120	167	n.a.	3,280
<i>Unsentenced</i>	<i>1,997</i>	<i>397</i>	<i>696</i>	<i>n.a.</i>	<i>486</i>	<i>120</i>	<i>167</i>	<i>n.a.</i>	<i>3,863</i>
Sentenced	516	303	140	n.a.	82	36	10	n.a.	1,087
Total young people	2,342	657	768	n.a.	541	139	170	n.a.	4,617

Notes

1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2009–10.
2. Data for Tasmania are affected by recording practices for backdated orders.

Most (60%) young people received into detention during 2009–10 had only one reception during the year; 22% had two receptions, 9% had three and 9% had four or more (Figure 7.19). Indigenous young people were more likely to have multiple receptions than non-Indigenous young people: 46% of Indigenous young people received during the year had more than one reception, compared with 37% of non-Indigenous young people.

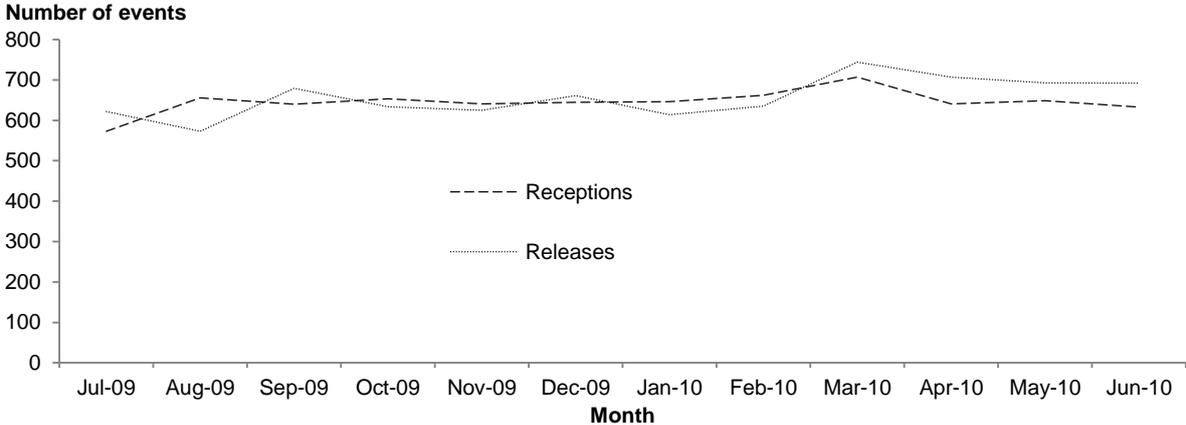


Note: Western Australia and the Northern Territory did not supply JJ NMDS data for 2009–10.

Source: Table D18.

Figure 7.19: Young people received into detention during the year, number of receptions by Indigenous status, Australia (excluding WA and NT), 2009–10 (per cent)

Throughout 2009–10, the number of receptions to detention each month closely followed the number of releases (Figure 7.20). The number of receptions during the month was lowest at the start of the financial year (573 in July 2009) and peaked in March 2010 (707). Similarly, the number of releases was lowest in August 2009 (573) and peaked in March 2010 (744). The number of releases was greater than the number of receptions each month between March 2010 and the end of the financial year.



Note: Western Australia and the Northern Territory did not supply JJ NMDS data for 2009–10.

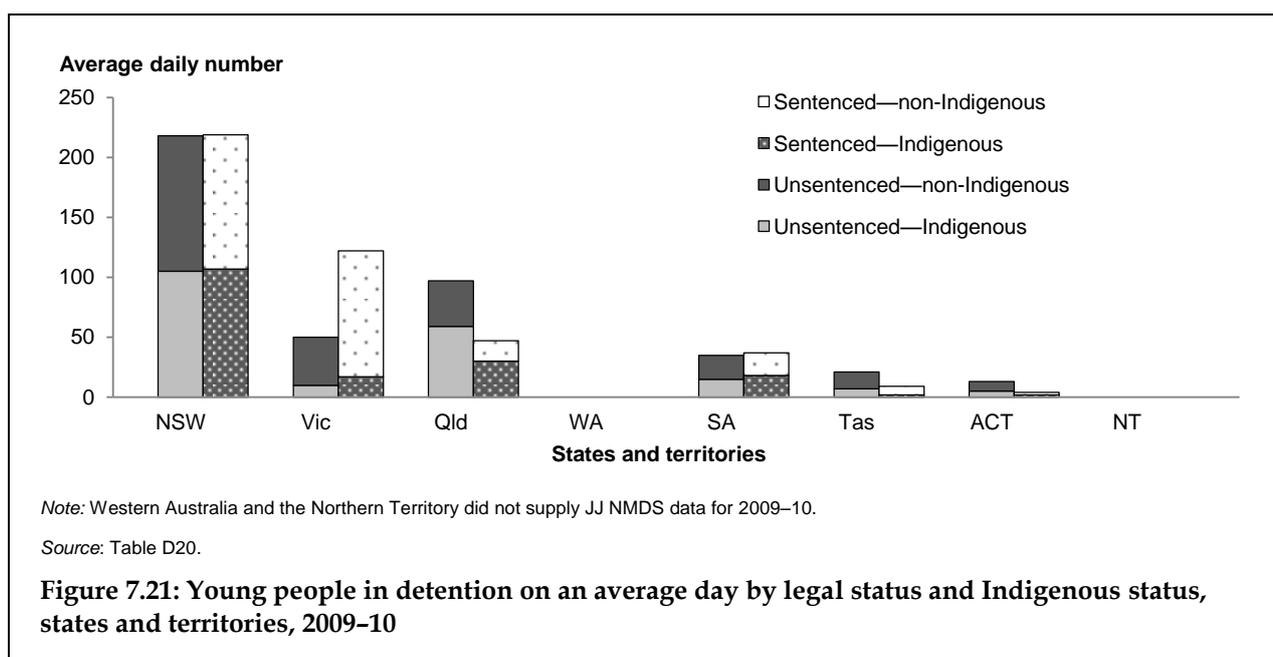
Source: Table D19.

Figure 7.20: Monthly trends in detention receptions and releases, Australia (excluding WA and NT), 2009–10

7.8 Legal status

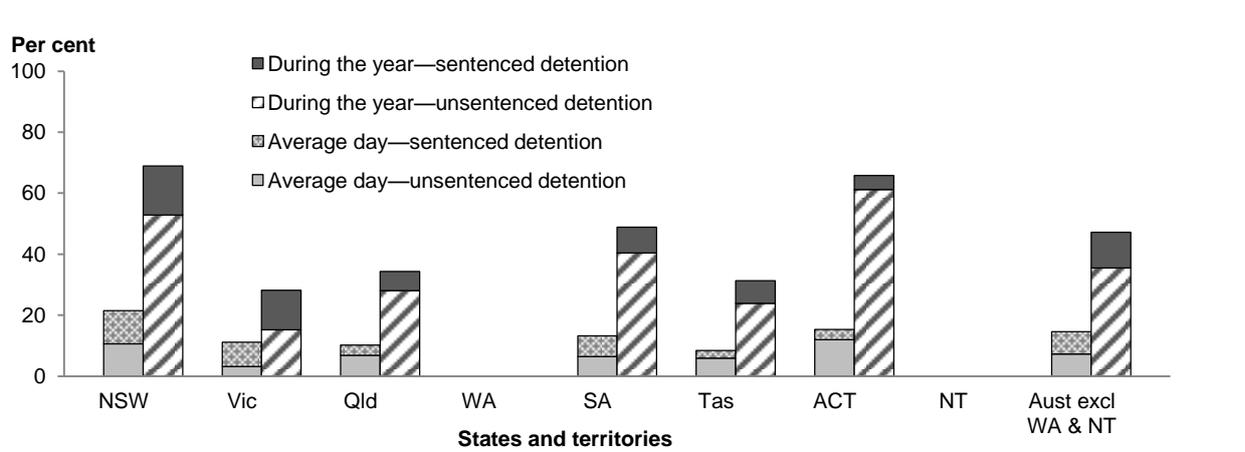
Half (50%) of those in detention on an average day in 2009–10 (including Western Australia and the Northern Territory) were unsentenced (tables 7.1 and D20). On an average day, young people in detention in New South Wales and South Australia were equally likely to be unsentenced as to be sentenced, while those who were unsentenced outnumbered sentenced detainees in Queensland, Tasmania and the Australian Capital Territory (Figure 7.21). In Victoria, only 29% of those in detention on an average day were unsentenced.

Nationally, Indigenous young people in detention on an average day were more likely to be unsentenced than sentenced (54% compared with 48%), while the reverse was true for non-Indigenous young people (48% and 52%) (some young people were both unsentenced and sentenced on an average day) (tables 7.2 and D20). In Victoria, both groups were more likely to be sentenced than unsentenced, although non-Indigenous young people were more likely to be sentenced than those who were non-Indigenous (73% compared with 63%) (Figure 7.21). In New South Wales, both groups were equally as likely to be sentenced as unsentenced, while in the remaining states and territories with available data, both groups were more likely to be unsentenced, although Indigenous young people were more likely to be sentenced than non-Indigenous young people in Queensland and the Australian Capital Territory.



On an average day in 2009–10, around 7% of all young people under juvenile justice supervision were in unsentenced detention and a further 7% were in sentenced detention (excluding Western Australia and the Northern Territory) (Figure 7.22). Among the states and territories for which data were available, the proportion in unsentenced detention on an average day ranged from 3% in Victoria to 12% in the Australian Capital Territory; the proportion in sentenced detention ranged from 3% in Tasmania, Queensland and the Australian Capital Territory to 11% in New South Wales.

More than one-third (36%) of all young people under supervision during the year were in unsentenced detention at some time during the year, and 12% were in sentenced detention (Table D21). The differences between these proportions highlights the typically shorter duration of periods of unsentenced detention.

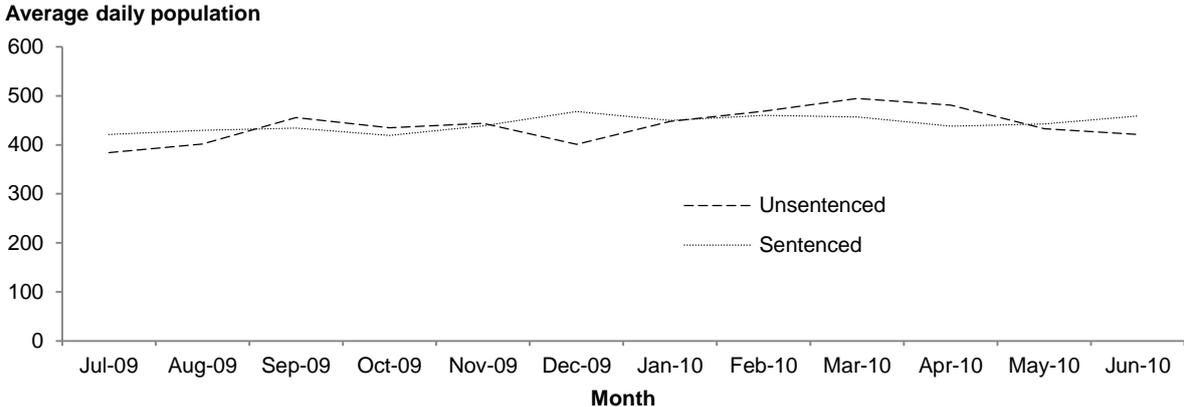


Note: Western Australia and the Northern Territory did not supply JJ NMDS data for 2009–10.

Source: Table D21.

Figure 7.22: Young people in unsentenced and sentenced detention as a proportion of all young people under supervision (average day and during the year), states and territories, 2009–10 (per cent)

Despite small fluctuations each month, the number of young people in sentenced and unsentenced detention on an average day remained closely matched throughout 2009–10 (Figure 7.23). The number of unsentenced detainees was lowest in July 2009, at 384, and peaked at 495 in March 2010. The number of sentenced detainees ranged from 419, in October 2009, to 468, in December 2009. Despite the relative stability in the national average daily detention population, there were substantial differences among the states and territories (see Chapter 8).



Note: Western Australia and the Northern Territory did not supply JJ NMDS data for 2009–10.

Source: Table D22.

Figure 7.23: Average daily detention population by month and legal status, Australia (excluding WA and NT), 2009–10

Most (88%) young people who were in detention in 2009–10 were in unsentenced detention at some time during the year (excluding Western Australia and the Northern Territory) (Table 7.8). Just under one-third (29%) were in sentenced detention during the year, which means that 17% experienced both sentenced and unsentenced detention at some time in 2009–10 (but not necessarily at the same time).

Almost all (92–99%) young people in detention during 2009–10 were in unsentenced detention at some time during the year in all states and territories except Victoria, where just three in five (62%) young people in detention during the year were in unsentenced detention at some time. The lower proportion in Victoria is likely due in part to the ‘dual track’ sentencing system that operates in Victoria, where young people aged 18–20 can be sentenced to detention in a juvenile justice detention centre. Over one-third (36%) of those in detention in Victoria during the year were aged 18 years and older (Table 7.1).

Table 7.8: Young people in detention during the year by legal status, states and territories (excluding WA and NT), 2009–10

Legal status	NSW	Vic	Qld	WA	SA	Tas ^(a)	ACT	NT	Aust excl WA & NT
	Number								
Unsentenced	2,351	475	770	n.a.	522	142	172	n.a.	4,432
Sentenced	714	406	171	n.a.	109	44	13	n.a.	1,457
<i>Both unsentenced and sentenced</i>	497	120	138	n.a.	66	40	11	n.a.	872
Total number of young people	2,568	761	803	n.a.	565	146	174	n.a.	5,017

(a) For Tasmania, young people on concurrent sentenced and unsentenced orders are recorded as being on a sentenced order.

Notes

1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2009–10.
2. Total includes young people of unknown sex and Indigenous status.
3. Number of unsentenced and sentenced young people may not sum to total as some young people may have been both unsentenced and sentenced during the year.

7.9 Unsentenced detention

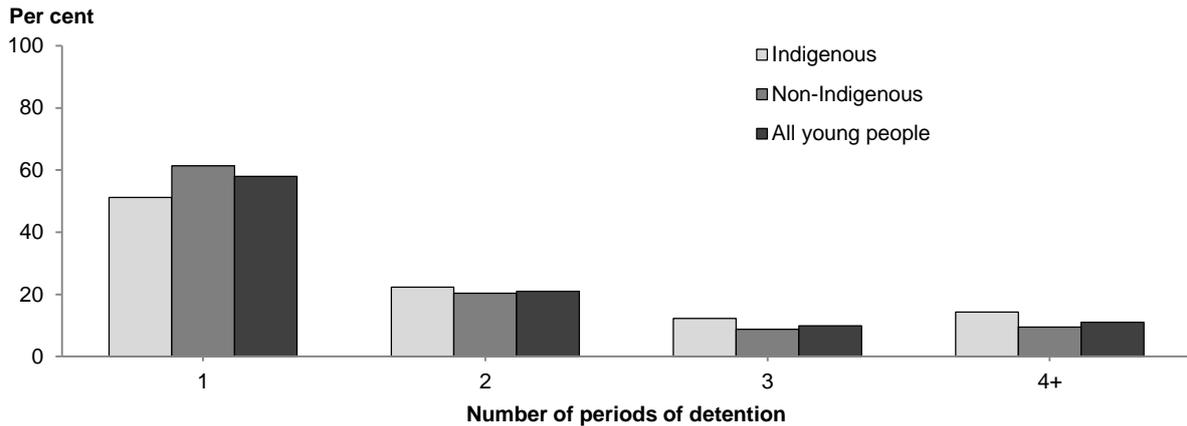
This section provides information on young people in unsentenced detention. Unsentenced detention refers to all young people in detention who have not been sentenced, and includes young people who have been placed in detention following a police referral, along with those in detention following a court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

Western Australia and the Northern Territory did not supply JJ NMDS data for 2009–10 and are not included in this section.

Excluding Western Australia and the Northern Territory, there were 438 young people in unsentenced detention on an average day in 2009–10 (Table D23). Most young people in unsentenced detention were on remand; only 16 were in police-referred detention on an average day. Young people were in police-referred detention in New South Wales, Queensland and South Australia.

Most (87%) young people in unsentenced detention on an average day were aged 14–17 years; 7% were aged 10–13 years and 6% were aged 18 years and older (Figure 7.24). Among the states and territories, the proportion aged 14–17 years ranged from 74% in South Australia to 92% in Victoria.

While a similar proportion of Indigenous (87%) and non-Indigenous (86%) young people in unsentenced detention on an average day were aged 14–17 years, Indigenous young people were slightly more likely to be aged 10–13 years (9% compared with 6%) and less likely to be aged 18 years and over (4% compared with 8%) (Table D23).



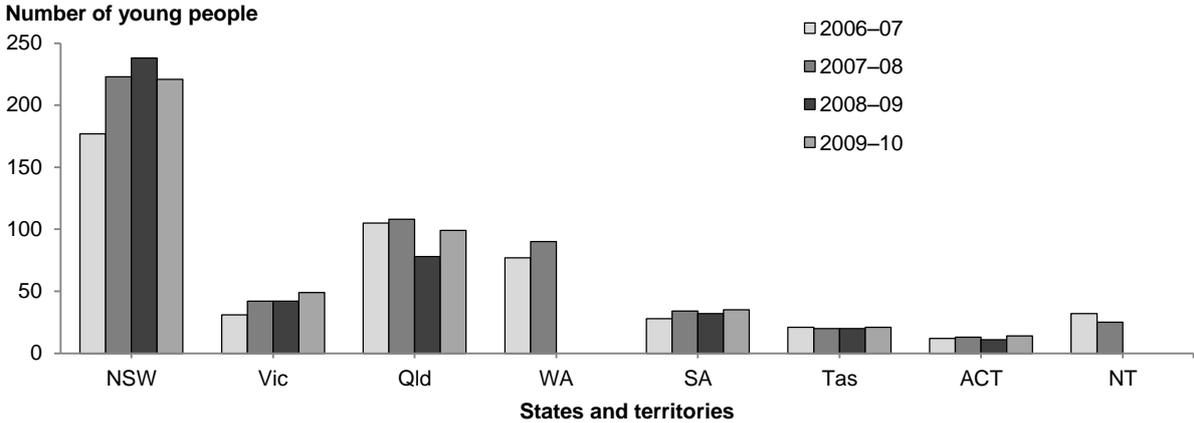
Notes

1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2009–10.
2. In most states and territories, the maximum age of treatment as a young person for criminal responsibility is 17 years; however, it is possible for young people over the age of 17 to be supervised by a juvenile justice agency.

Source: Table D23.

Figure 7.24: Young people in unsentenced detention on an average day by age, states and territories, 2009–10

The number of young people in unsentenced detention on an average day fluctuated between 2006–07 and 2009–10, with a net increase of 17% over the 4-year period (Table D24). Similarly, the number in unsentenced detention during the year fluctuated each year with an overall increase of 17% (Figure 7.25). Among the states and territories for which complete trend data are available, the largest proportional increases on an average day between 2006–07 and 2009–10 were in Victoria (58%) and New South Wales (25%), while the number in Queensland decreased slightly (down 6%).



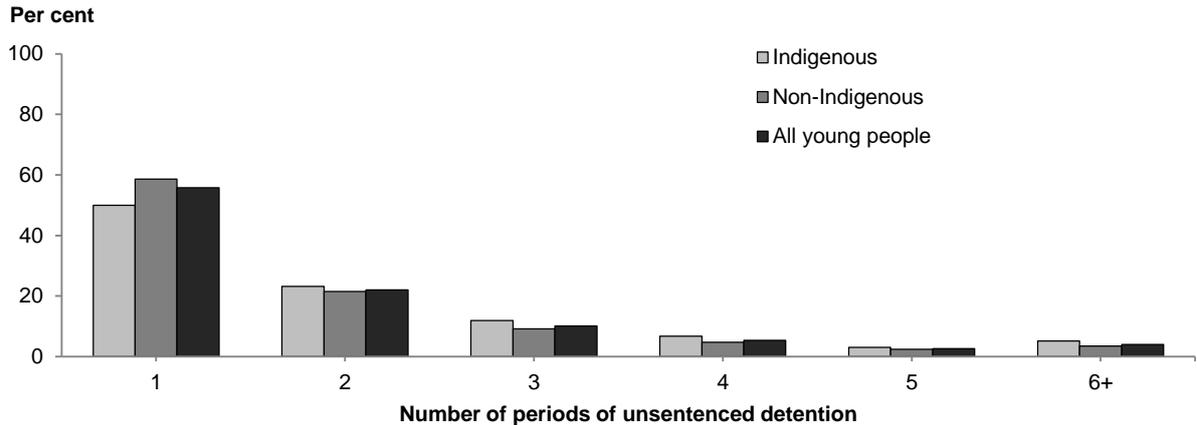
Note: Western Australia and the Northern Territory did not supply JJ NMDS data for 2008-09 to 2009-10.

Source: Table D24.

Figure 7.25: Young people in unsentenced detention on an average day, states and territories, 2006–07 to 2009–10

Almost all (97%) of the 4,432 young people who were in unsentenced detention during 2009–10 had completed at least one period of unsentenced detention by the end of the financial year (tables D24 and D25).

On average, the 4,297 young people who had completed at least one sentenced detention period completed 1.9 periods during the year (Table D26). More than half (56%) of young people who completed at least one unsentenced detention period during the year completed only one; 22% completed two and a further 22% completed three or more (Figure 7.26). Indigenous young people were more likely than non-Indigenous young people to have completed multiple periods of unsentenced detention during the year (50% compared with 41%).



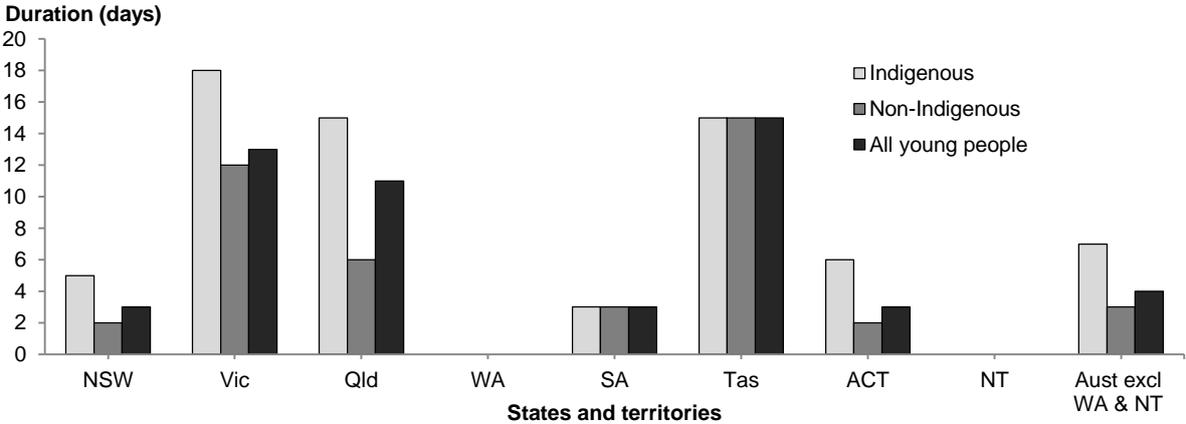
Note: Western Australia and the Northern Territory did not supply JJ NMDS data for 2009–10.

Source: Table D25.

Figure 7.26: Young people who completed a period of unsentenced detention during the year by number of periods completed and Indigenous status, Australia (excluding WA and NT), 2009–10 (per cent)

In total, 8,359 periods of unsentenced detention were completed during 2009–10, with a median duration of 4 days (Figure 7.27 and Table D26). The average duration varied among the states and territories: unsentenced detention periods were shortest, on average, in New South Wales, South Australia and the Australian Capital Territory (3 days) and longest in Tasmania (15 days).

On average, completed periods of unsentenced detention were 4 days longer for Indigenous young people (7 days compared with 3 days), and this pattern occurred in all states and territories except South Australia and Tasmania, where there was no difference. On average, completed periods of detention were 9 days longer for Indigenous young people in Queensland compared with non-Indigenous young people; 6 days longer in Victoria; 4 days longer in the Australian Capital Territory and 3 days longer in New South Wales.



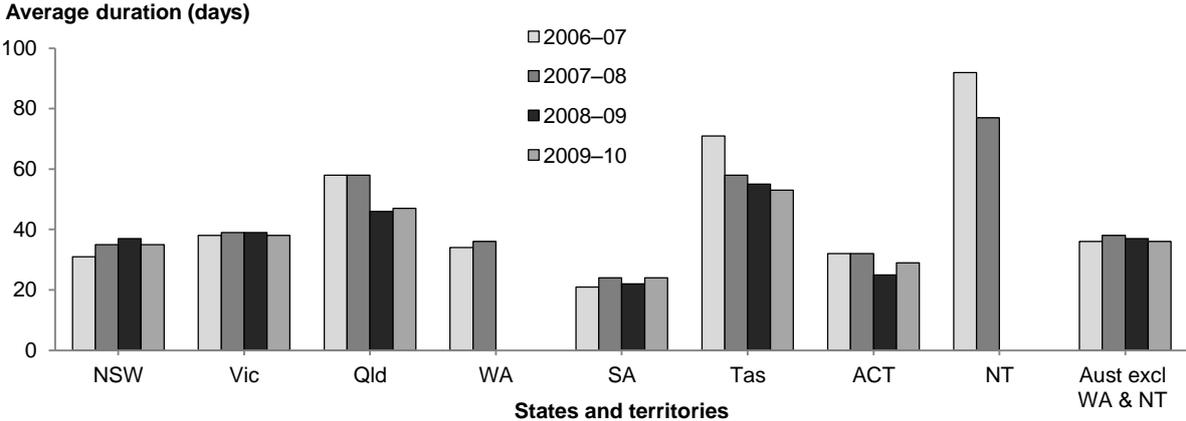
Note: Western Australia and the Northern Territory did not supply JJ NMDS data for 2009–10.

Source: Table D26.

Figure 7.27: Median length of completed periods of unsentenced detention by Indigenous status, states and territories (excluding WA and NT), 2009–10

When all periods are included, a young person who was in unsentenced detention during 2009–10 spent a total around 5 weeks (36 days), on average, in unsentenced detention during the year (excluding Western Australia and the Northern Territory) (Figure 7.28). Between 2006–07 and 2009–10, there was little change in the average length of time young people spent in unsentenced detention during the year (between 36 and 38 days each year).

On average, Indigenous young people spent 14 more days than non-Indigenous young people in unsentenced detention during the year (excluding Western Australia and the Northern Territory) (Table D27). This pattern was found in every state and territory for which data were available, with differences ranging from 6 days in South Australia to 27 days in the Australian Capital Territory.



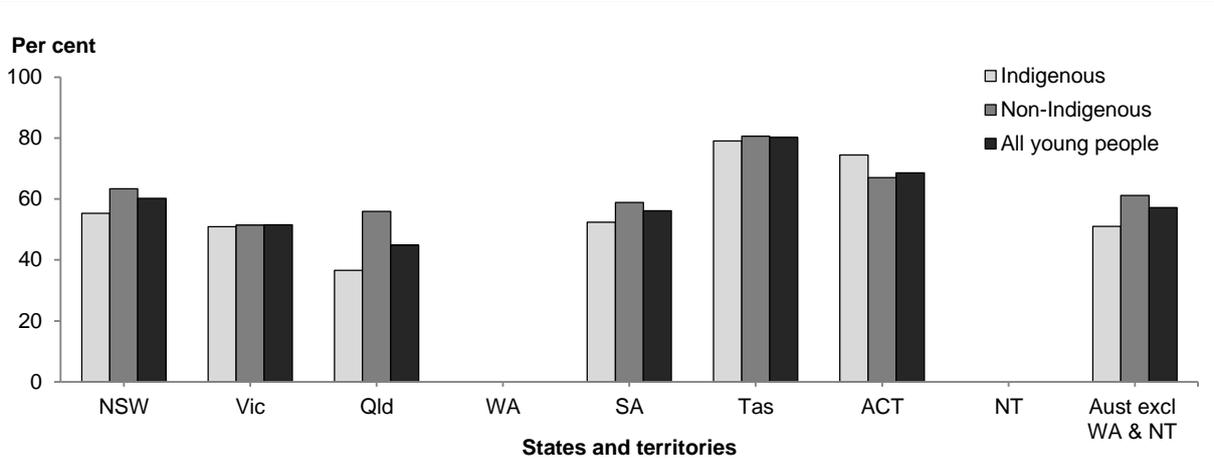
Note: Western Australia and the Northern Territory did not supply JJ NMDS data for 2008-09 to 2009-10.

Source: Table D27.

Figure 7.28: Average (mean) length of time young people spent in unsentenced detention during the year, states and territories (excluding WA and NT), 2006-07 to 2009-10

More than half (57%) of all remand periods that ended during 2009–10 ended with the young person being released on bail (excluding Western Australia and the Northern Territory) (Figure 7.29). One-third (33%) ended with the remand order being completed, and the remainder ended for other reasons. The proportion of remand periods that ended with the young person being released on bail ranged from 45% in Queensland to 80% in Tasmania.

Nationally, Indigenous young people were more likely to have completed remand periods than non-Indigenous young people (38% compared with 29%) and less likely to have ended remand periods with release on bail (51% compared with 61%). However, there were differences among the states and territories. Remand periods for Indigenous young people were less likely to have ended with release on bail than those for non-Indigenous young people in New South Wales (55% compared with 63%), Queensland (37% compared with 56%) and South Australia (52% compared with 59%). Proportions were similar in Victoria (51% each) and Tasmania (79% compared with 81%), while in the Australian Capital Territory, remand periods for Indigenous young people were more likely than non-Indigenous young people to have ended with release on bail (74% compared with 67%).

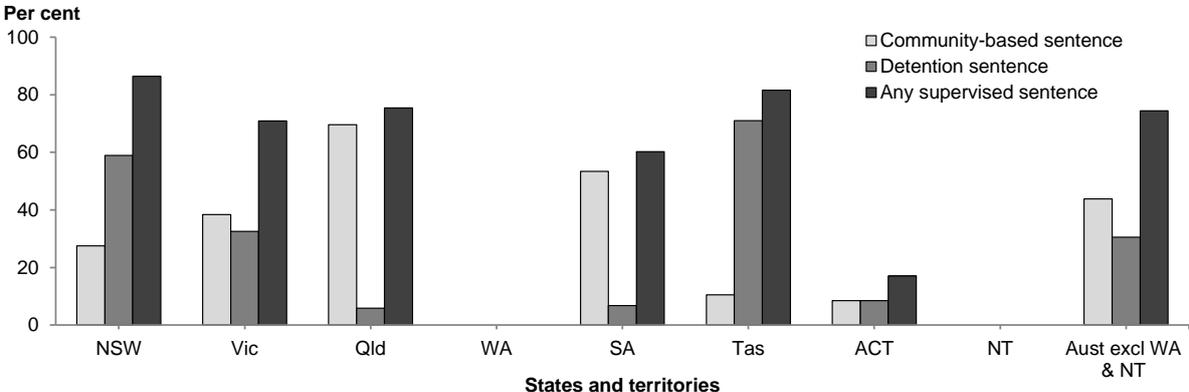


Note: Western Australia and the Northern Territory did not supply JJ NMDS data for 2009–10.
 Source: Table D28.

Figure 7.29: Periods of remand ending with release on bail as a proportion of all periods of remand that ended during the year by Indigenous status, states and territories, 2009–10 (per cent)

Like detention in general, remand is typically used when other options, such as release on supervised or unsupervised bail, are not appropriate. While remand periods were often followed by a supervised sentence, most of these sentences were community-based, not detention sentences. Almost three-quarters (74%) of remand periods completed in 2009–10 were followed by a supervised sentence within 1 day – this ranged from 17% in the Australian Capital Territory to 86% in New South Wales (Figure 7.30). However, only a small proportion of remand periods were followed by a period of sentenced detention. Less than one-third (31%) of remand periods completed in 2009–10 were followed by a period of sentenced detention within 1 day.

The occurrence of sentenced detention following remand varied among the states and territories. In Queensland, South Australia and the Australian Capital Territory less than 10% of completed remand periods were followed by a period of sentenced detention within 1 day. However, 33% of remand periods completed in Victoria, 59% of those completed in New South Wales and 71% of those in Tasmania were followed by a period of sentenced detention within 1 day.



Note: Western Australia and the Northern Territory did not supply JJ NMDS data for 2009–10.

Source: Tables D28 and D29.

Figure 7.30: Remand periods followed by a period of sentenced supervision within 1 day as a proportion of all completed remand periods by type of sentenced supervision, states and territories, 2009–10 (per cent)

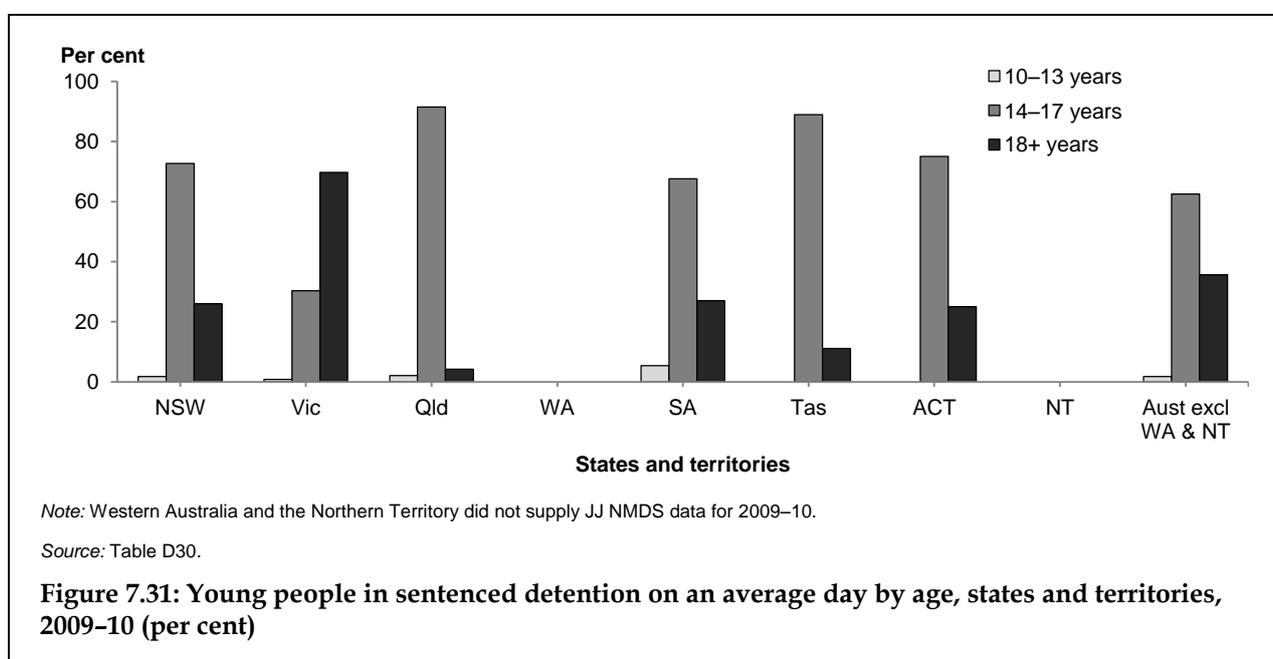
7.10 Sentenced detention

Western Australia and the Northern Territory did not supply JJ NMDS data for 2009–10 and are not included in this section.

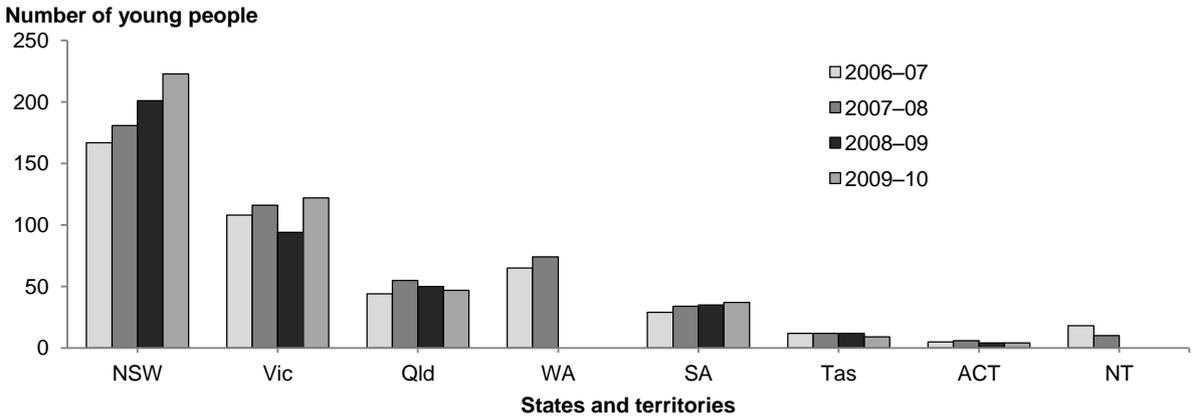
Almost two-thirds (63%) of young people in sentenced detention on an average day were aged 14–17 years, 36% were aged 18 years and over, and just 2% (eight young people) were aged 10–13 years (Figure 7.31).

Victoria had the highest proportion (70%) of young people in sentenced detention aged 18 years and older, which is most likely due to the 'dual track' sentencing system operating in that state (Figure 7.31). In the remaining states and territories, most of those in sentenced detention were aged 14–17 years.

Indigenous young people in sentenced detention were more likely than non-Indigenous young people to be in the younger age groups (five of the eight young people aged 10–13 years on an average day were Indigenous) and less likely to be aged 18 years and older (19% compared with 47%) (Table D30).



Over the 4 years from 2006–07 to 2009–10, the number of young people in sentenced detention during the year increased from 1,231 to 1,457 (up 18%), while the number on an average day similarly increased from 365 to 443 (up 21%, excluding Western Australia and the Northern Territory) (Table D31). On an average day, the largest proportional increases over the period were in New South Wales (34%) and South Australia (28%), and there were small decreases in the numbers in Tasmania (from 12 to nine young people) and the Australian Capital Territory (from five to four young people) (Figure 7.32).

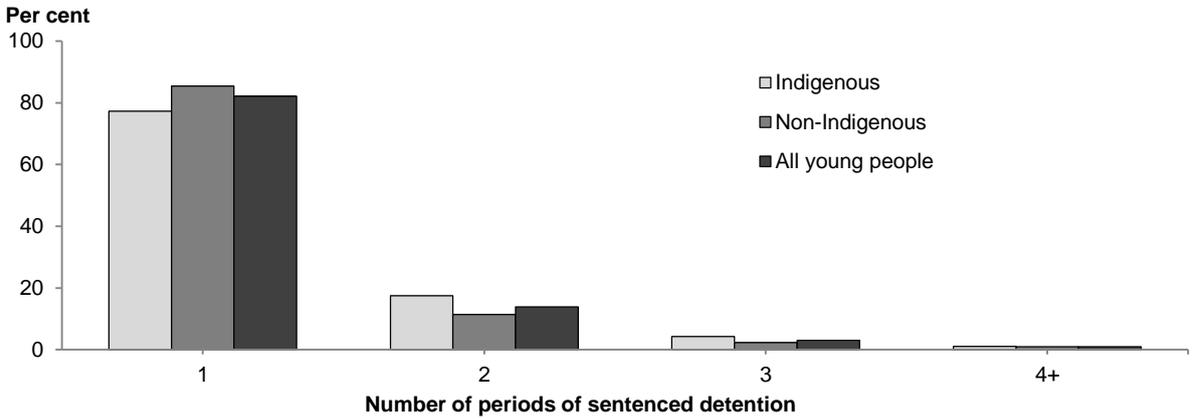


Note: Western Australia and the Northern Territory did not supply JJ NMDS data for 2008–09 or 2009–10.

Source: Table D31.

Figure 7.32: Young people in sentenced detention on an average day, states and territories, 2006–07 to 2009–10

Most (79%) young people who were in sentenced detention during 2009–10 completed at least one period of sentenced detention during the year (tables D30 and D32). Of the 1,151 young people who had completed at least one sentenced detention period, most (82%) had completed only one period; a further 14% completed two periods and just 4% completed three or more (Figure 7.33). Indigenous young people who had completed at least one sentenced detention period were more likely than non-Indigenous young people to have completed multiple periods during the year (23% compared with 15%).



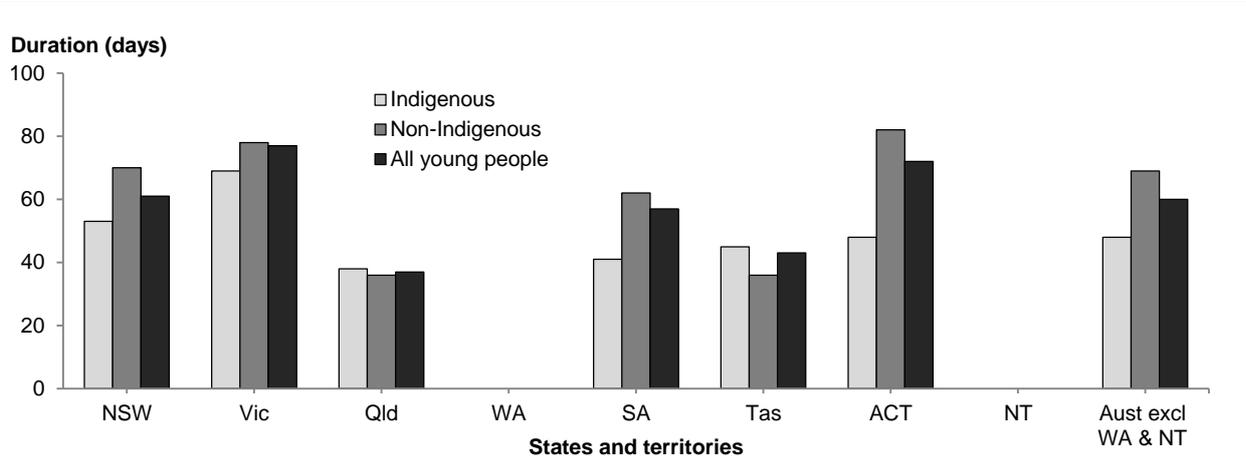
Note: Western Australia and the Northern Territory did not supply JJ NMDS data for 2009–10.

Source: Table D32.

Figure 7.33: Young people who completed a period of sentenced detention during the year, number of periods completed by Indigenous status, Australia (excluding WA and NT), 2009–10 (per cent)

In 2009–10, the median duration of all completed periods of sentenced detention was 60 days, or more than 8 weeks (Figure 7.34). Completed periods of sentenced detention were shortest, on average, in Queensland (37 days) and Tasmania (43 days) and longest in the Australian Capital Territory (72 days) and Victoria (77 days).

On average, periods of sentenced detention completed during 2009–10 were 21 days shorter for Indigenous young people than for non-Indigenous young people. Indigenous young people completed shorter periods of sentenced detention than non-Indigenous young people, on average, in all states and territories except Queensland, where the median duration was 2 days longer, and Tasmania, where it was 9 days longer.



Notes

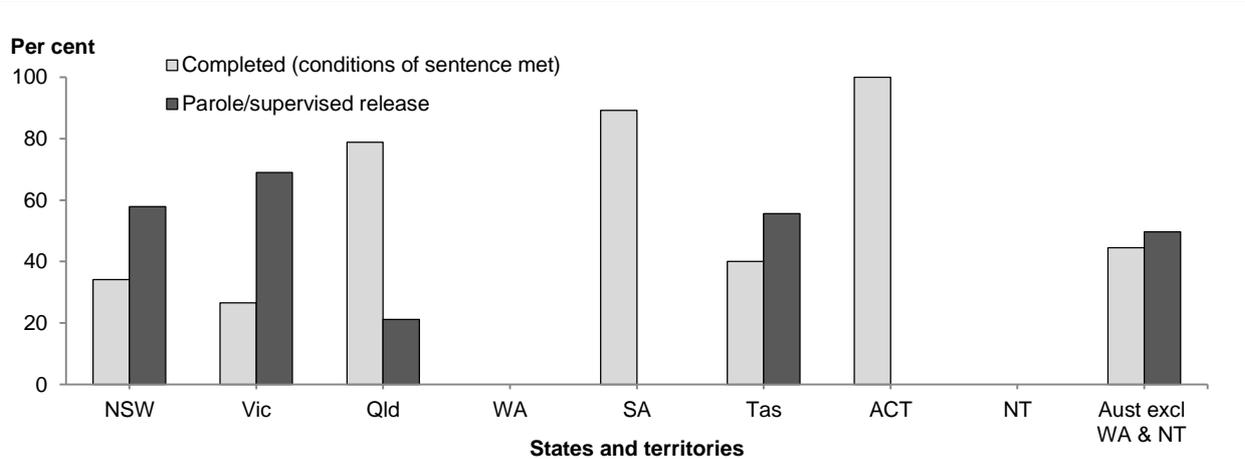
1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2009–10.
2. Median lengths not calculated for where there were fewer than five periods.

Source: Table D33.

Figure 7.34: Median length of completed periods of sentenced detention by Indigenous status, states and territories (excluding WA and NT), 2009–10

Half (50%) of all sentenced detention periods that were completed during 2009–10 ended with the young person being released on parole (also known as supervised release); almost half (45%) ended with the sentence being completed (conditions of sentence met); and the remainder ended for other reasons, including transfer (Figure 7.35). Release due to parole was most common in Victoria (69%), New South Wales (58%) and Tasmania (56%), while release due to sentence completion was most common in the Australian Capital Territory (100%; parole or supervised release was not available), South Australia (89%) and Queensland (79%).

Indigenous young people who had completed a period of sentenced detention were less likely to be released on parole than non-Indigenous young people (43% compared with 55%) (Table D34). This was the case in New South Wales (56% compared with 60%) and Victoria (56% compared with 72%). Indigenous young people were more likely than non-Indigenous young people to be released on parole in Queensland (23% compared with 18%) and Tasmania (90% compared with 46%). Not all sentences of detention are eligible for parole or supervised release.



Notes

1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2009–10.
2. Some types of supervision are not available in some states and territories. See Section 2.3 for details.

Source: Table D34.

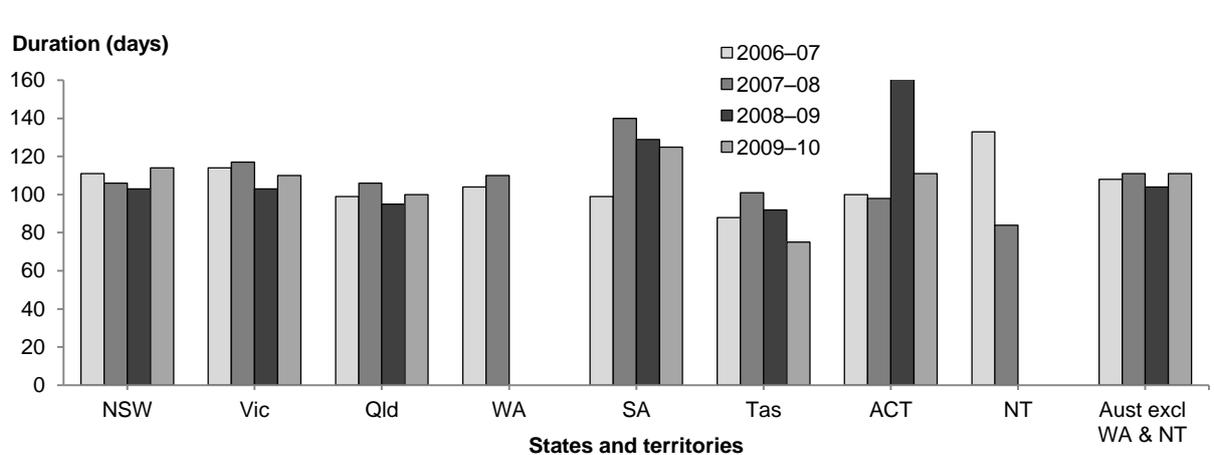
Figure 7.35: Periods of sentenced detention ending with either sentence completed or release on parole or supervised release, states and territories (excluding WA and NT), 2009–10 (per cent)

In total, the average young person who was in sentenced detention in 2009–10 spent almost 4 months (111 days) in sentenced detention during the year (Figure 7.36). Young people in Tasmania spent the least amount of time in sentenced detention during the year, on average (75 days), while young people in South Australia spent the most time (125 days).

On average, Indigenous young people spent 2 fewer days than non-Indigenous young people in sentenced detention during the year (110 days compared with 112 days). This pattern occurred in New South Wales (1 less day), Victoria (7 days) and Queensland (20 days). However, Indigenous young people spent more time in sentenced detention during the year, on average, than non-Indigenous young people in South Australia (19 more days), Tasmania (12 days) and the Australian Capital Territory (2 days).

Between 2006–07 and 2009–10, the average amount of time spent in sentenced detention during the year increased slightly, from 108 to 111 days (Figure 7.36). The largest proportional increases over the period were in South Australia (up 26 days) and the Australian Capital Territory (11 days), while there were decreases in Victoria (4 days) and Tasmania (13 days).

Over the 4-year period, the average amount of time spent in sentenced detention during the year increased for Indigenous young people (from 97 to 110 days, up 13%) and decreased slightly for non-Indigenous young people (from 117 to 112 days, down 4%) (Table D35). In all states and territories for which data were available except South Australia, there was a net increase in the amount of time Indigenous young people spent in sentenced detention and a decrease in the amount of time non-Indigenous young people spent in sentenced detention over the 4-year period. In South Australia, the increase for Indigenous young people (up 30%) was greater than for non-Indigenous (17%) young people.



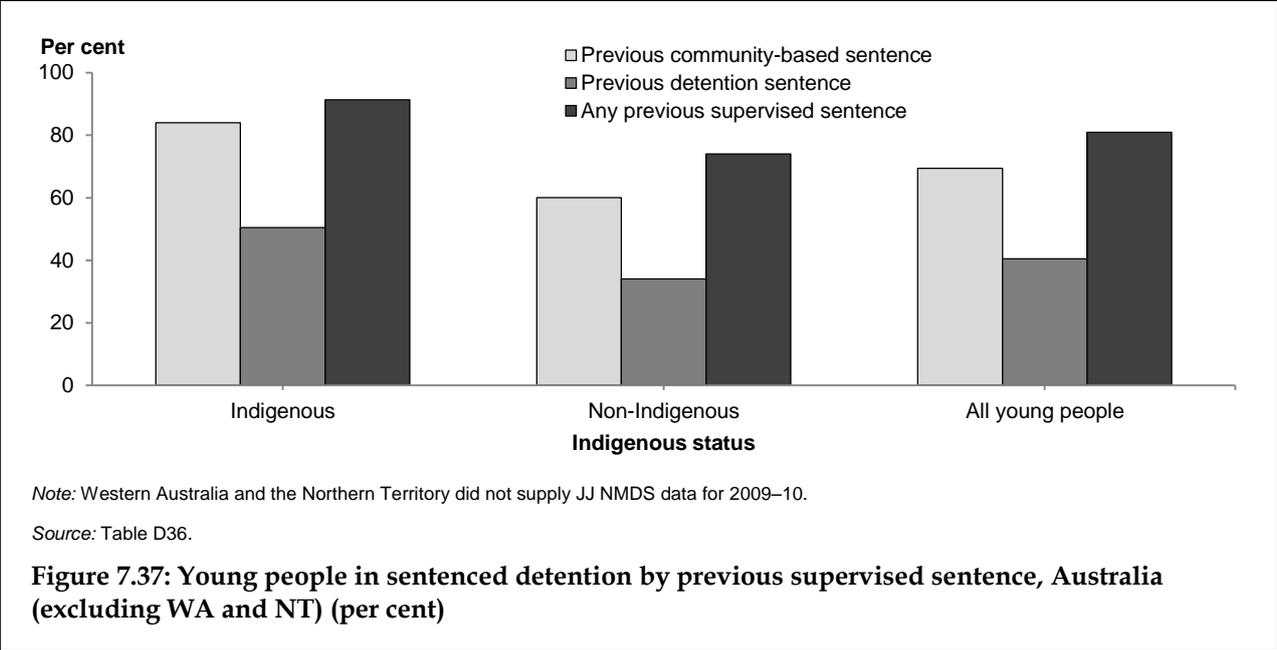
Note: Western Australia and the Northern Territory did not supply JJ NMS data for 2008–09 or 2009–10.

Source: Table D35.

Figure 7.36: Average length of time spent in sentenced detention during the year, states and territories (excluding WA and NT), 2006–07 to 2009–10

Many young people in sentenced detention have been under juvenile justice supervision on multiple occasions. Most (81%) of the young people who were in sentenced detention in 2009–10 had experienced a supervised sentence in a previous year (Figure 7.37). Around seven in ten (69%) young people in sentenced detention during 2009–10 had previously experienced a community-based sentence, and four in ten (40%) had experienced sentenced detention (some young people had experienced both).

In 2009–10, Indigenous young people in sentenced detention were more likely to have had a previous supervised sentence than non-Indigenous young people (91% compared with 74%) (Table D36). In 2009–10, 84% of Indigenous young people in sentenced detention had experienced a previous community-based sentence, compared with 60% of non-Indigenous young people; in addition, 51% of Indigenous young people had experienced a previous detention sentence, compared with 34% of non-Indigenous young people.



8 State and territory summary

This chapter provides a summary of information about young people under juvenile justice supervision in each state and territory, including the numbers and rates of young people under community-based supervision and in detention on an average day in 2009–10 and key trends over time.

8.1 New South Wales

Around four in five (79%) of the 2,067 young people under supervision in New South Wales were under community-based supervision on an average day in 2009–10 (Figure 8.1). One in five (21%) were in detention, which was the highest proportion of all the states and territories (excluding Western Australia and the Northern Territory). A young person aged 10–17 years was 4 times as likely to be under community-based supervision on an average day as in detention, with a community-based supervision rate of 2.1 per 1,000 young people and a detention rate of 0.5 (Table 8.1).

Only 4% of those under community-based supervision on an average day and 16% of those in detention were aged 18 years and older. Non-Indigenous young people under supervision were more likely to be in this age group than Indigenous young people, as were young men compared with young women.

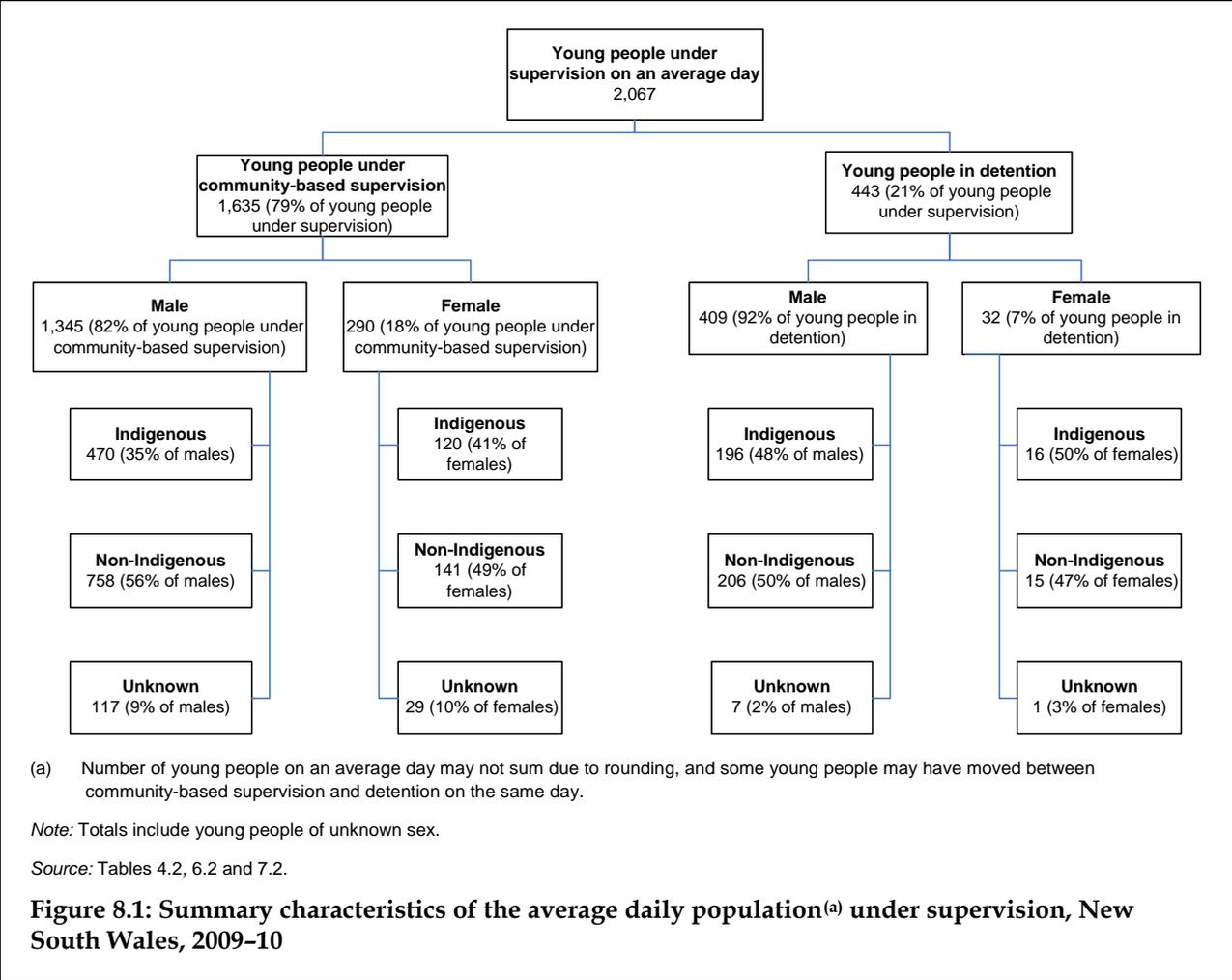
While Indigenous young people were over-represented in both community-based supervision and detention, the level of over-representation was higher in detention. Over one-third (36%) of young people under community-based supervision on an average day and almost half (48%) of those in detention were Indigenous (Table 8.1). An Indigenous young person aged 10–17 years was 15 times as likely to be under community-based supervision on an average day and 24 times as likely to be in detention as a non-Indigenous young person aged 10–17 years.

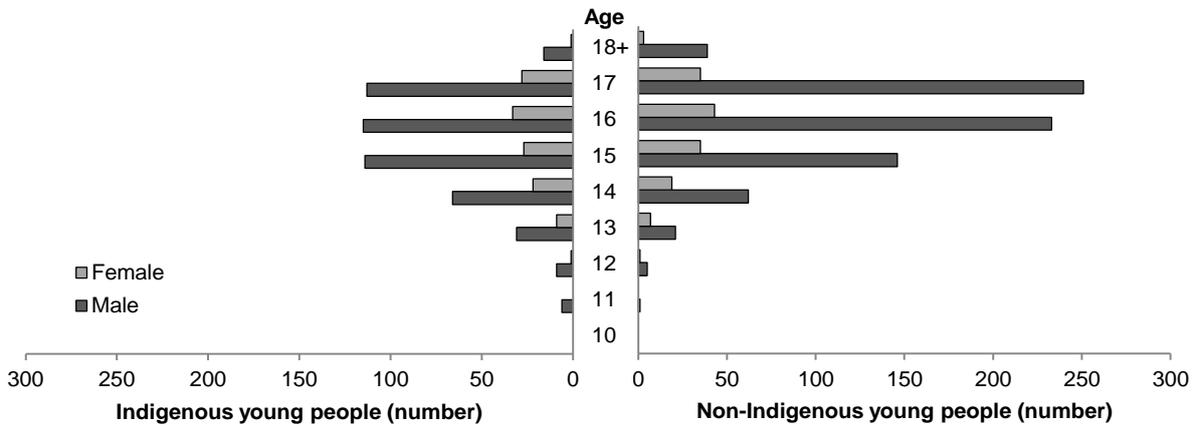
The number and rate of young people under both community-based supervision and detention increased between 2006–07 and 2009–10. The number of young people under community-based supervision and in detention on an average day increased by 28% and 30%, respectively (Figure 8.4), while the rate for 10–17 year olds increased from 1.7 to 2.1 young people per 1,000 for community-based supervision and from 0.4 to 0.5 per 1,000 for detention (Figure 8.5).

A similar number of young people were in unsentenced and sentenced detention throughout the year, with little fluctuation (Figure 8.6). The number of unsentenced detainees ranged from 194 in August 2009 to 238 in November 2009, while the number of sentenced detainees ranged from 212 in October 2009 to 239 December 2009.

Over the 4 years from 2006–07 to 2009–10, the unsentenced Indigenous and non-Indigenous detention populations showed similar trends. However, the sentenced non-Indigenous population increased steadily in each of the 3 years from 2007–08 while the sentenced Indigenous population remained relatively steady over the same period (Figure 8.7).

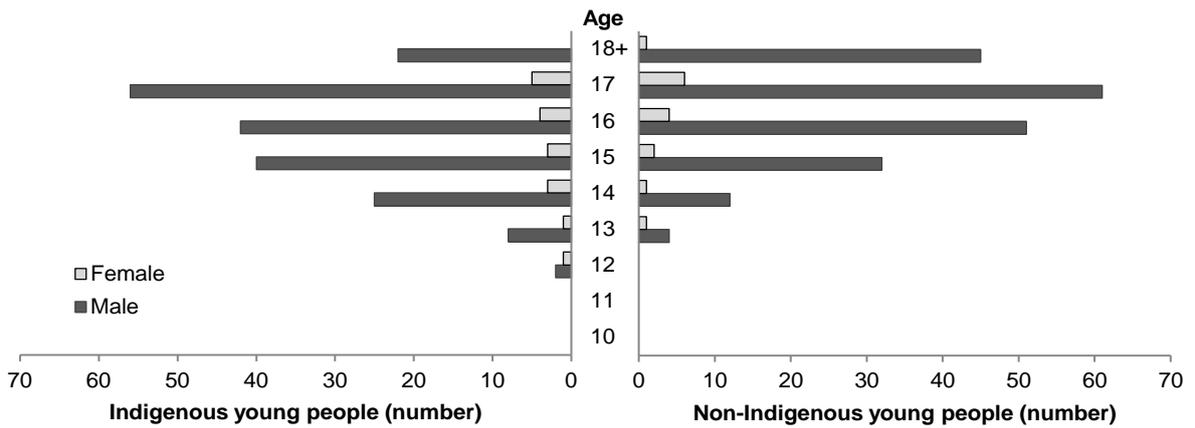
Number and rate under supervision





Source: Table E1.

Figure 8.2: Young people under community-based supervision on an average day by age, sex and Indigenous status, New South Wales, 2009-10



Source: Table E1.

Figure 8.3: Young people in detention on an average day by age, sex and Indigenous status, New South Wales, 2009-10

Table 8.1: Young people under supervision on an average day^(a) by age and Indigenous status, community-based supervision and detention, New South Wales, 2009–10 (number and rate)

Indigenous status	10	11	12	13	14	15	16	17	10–17	18+	Total
Number^(b)											
Community-based supervision											
Indigenous	—	6	10	40	87	141	148	141	573	17	590
Non-Indigenous	0	1	6	28	81	181	275	286	858	42	899
Unknown	0	0	—	5	15	31	38	48	136	9	145
Total	—	7	16	73	182	352	462	474	1,567	68	1,635
Detention											
Indigenous	—	—	3	9	28	42	47	61	189	23	212
Non-Indigenous	—	—	—	4	14	35	56	67	176	48	224
Unknown	0	0	0	—	—	1	2	2	6	2	7
Total	—	—	3	13	42	78	104	131	371	72	443
Rate											
Community-based supervision											
Indigenous	n.p.	1.43	2.61	10.18	22.00	35.65	37.82	36.09	18.36	..	..
Non-Indigenous	n.p.	n.p.	0.06	0.32	0.92	2.03	3.06	3.12	1.22	..	..
Rate ratio	n.a.	n.a.	43.50	31.81	23.91	17.56	12.36	11.57	15.05	..	..
Total	n.p.	0.08	0.18	0.80	1.99	3.79	4.92	4.96	2.14	..	..
Detention											
Indigenous	n.p.	n.p.	n.p.	2.18	6.94	10.71	11.88	15.70	6.06	..	..
Non-Indigenous	n.p.	n.p.	n.p.	n.p.	0.15	0.39	0.62	0.73	0.25	..	..
Rate ratio	n.a.	n.a.	n.a.	n.a.	46.27	27.46	19.16	21.51	24.24	..	..
Total	n.p.	n.p.	n.p.	0.14	0.45	0.84	1.11	1.37	0.51	..	..

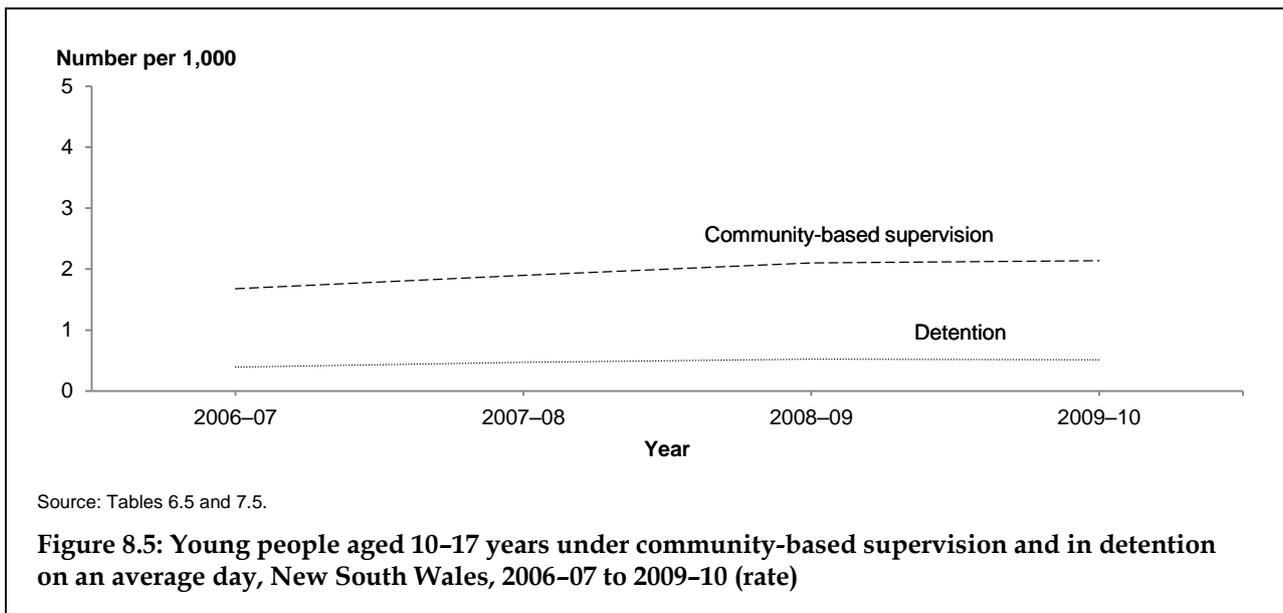
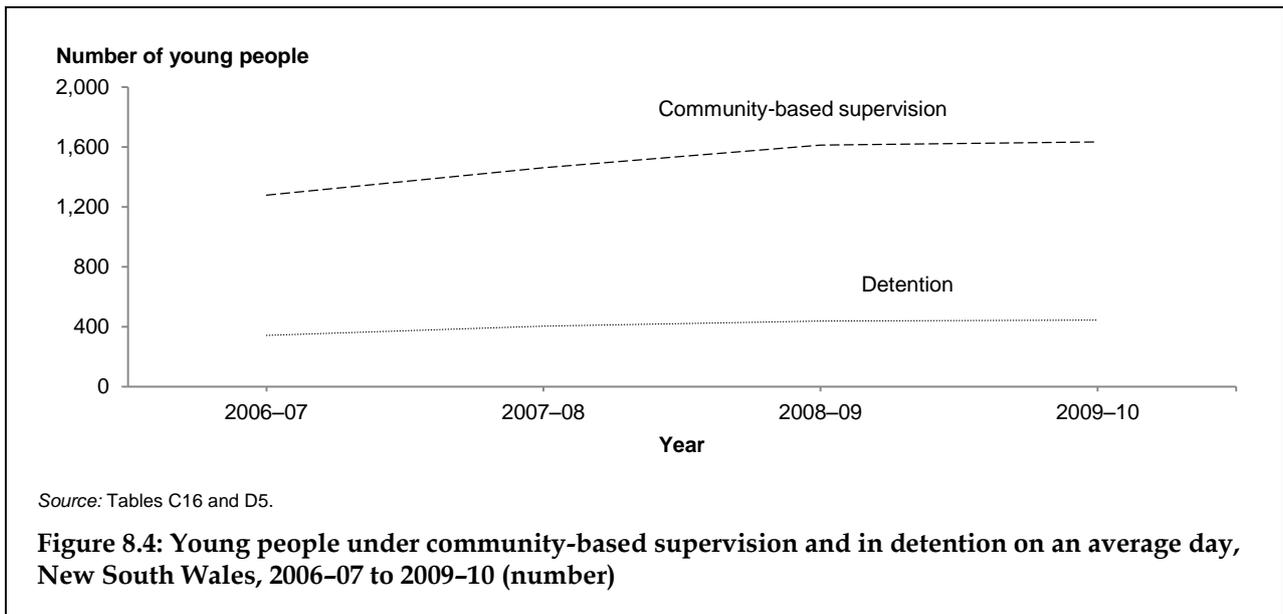
(a) Number of young people on an average day may not sum to total due to rounding.

(b) Number of young people under community-based supervision and in detention may not sum to total number under supervision as young people may be under community-based supervision and in detention on the same day and may be in different age groups. See Chapter 3 for more information.

Notes

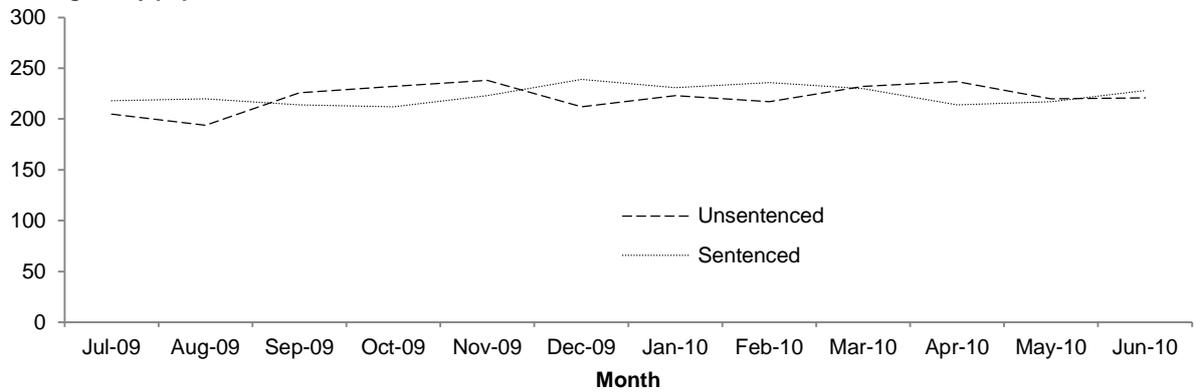
1. Age calculated as at start of financial year if first period of community-based supervision or detention began before the start of the financial year, otherwise age calculated as at start of first period of community-based supervision or detention.
2. Totals include young people of unknown Indigenous status.
3. Rates are number of young people per 1,000 relevant population.
4. Rates are not published where there were fewer than five young people.
5. Rate ratio calculated by dividing the Indigenous rate by the non-Indigenous rate.

Trends



Detention

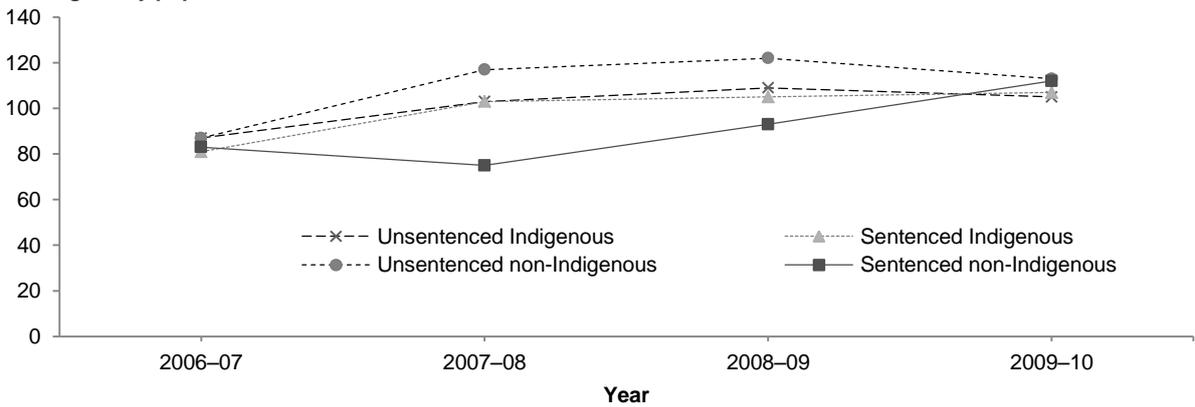
Average daily population



Source: Table E7.

Figure 8.6: Young people in detention on an average day by month and legal status, New South Wales, 2009-10

Average daily population



Source: Table D5.

Figure 8.7: Young people in detention on an average day by Indigenous status and legal status, New South Wales, 2006-07 to 2009-10

8.2 Victoria

On an average day in 2009–10, there were 1,527 young people under juvenile justice supervision in Victoria; almost nine in ten (89%) were under community-based supervision and one in ten (11%) was in detention (Figure 8.8). A young person aged 10–17 years was 10 times as likely to be under community-based supervision on an average day as in detention, with a community-based supervision rate of 1.7 per 1,000, compared with 0.2 per 1,000 for detention (Table 8.2).

Unlike other states and territories, in Victoria young people aged 18–20 years may be sentenced to detention in a juvenile detention centre rather than an adult prison. Consequently, a relatively high proportion of young people in detention in Victoria are aged 18 years and older – in 2009–10, half (50%) were in this age group (Table 8.2). Almost one-third (31%) of those under community-based supervision were aged 18 years and older. Non-Indigenous young people under supervision were more likely to be in this age group than Indigenous young people, as were young men compared with young women. On an average day, 88% of those aged 18 years and older in detention were non-Indigenous, while only 10% were Indigenous.

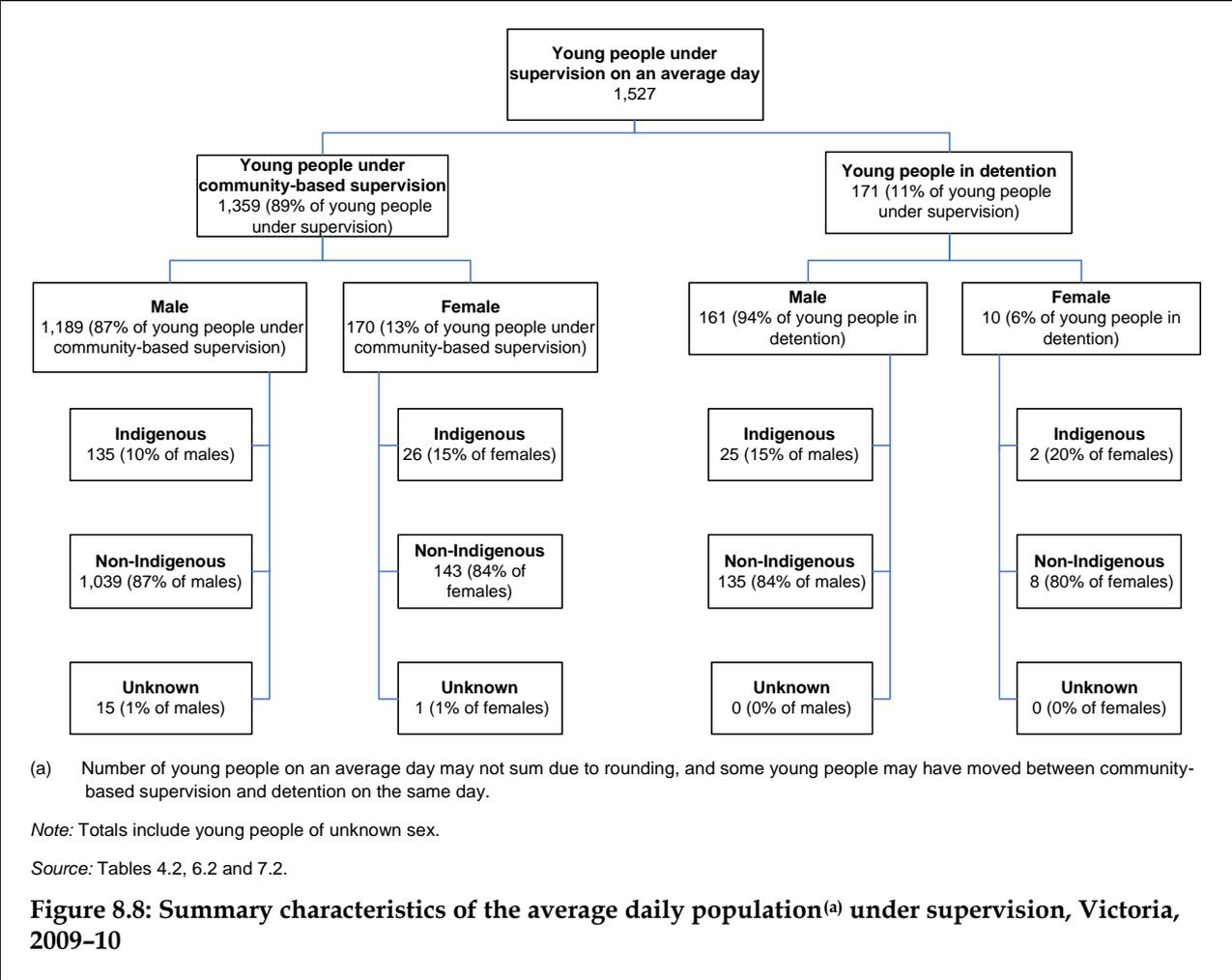
Indigenous young people were over-represented in both community-based supervision and detention in Victoria, although the level of over-representation was higher in detention. Around 12% of those under community-based supervision and 16% of those in detention were Indigenous (Table 8.2). An Indigenous young person aged 10–17 years was 12 times as likely to be under community-based supervision on an average day and 22 times as likely to be in detention as a non-Indigenous young person aged 10–17 years.

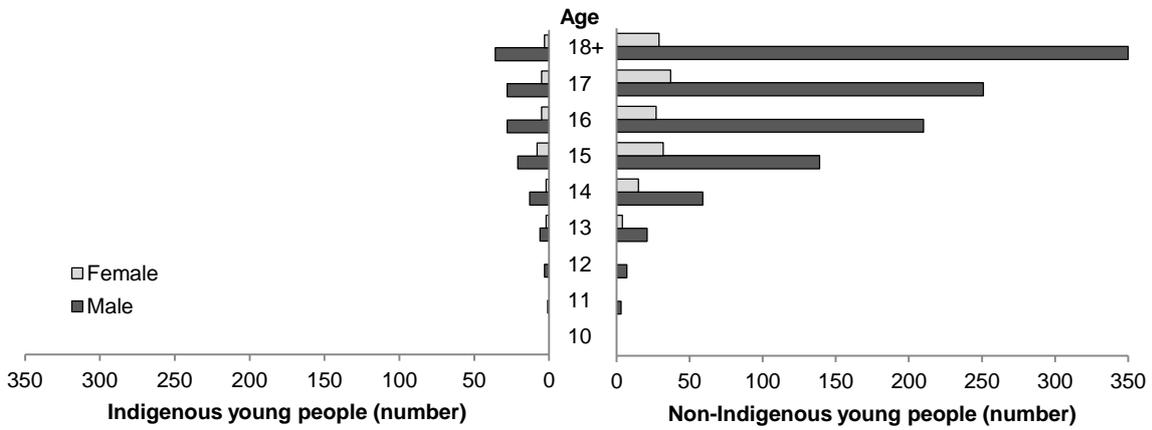
The number of young people under community-based supervision in Victoria on an average day rose each year between 2006–07 and 2009–10, resulting in a total increase of 40% over the period (Figure 8.11). The corresponding number of young people in detention fluctuated over the period, with a net increase of 23%. While the rate of young people aged 10–17 years under community-based supervision on an average day increased each year from 1.3 to 1.7 per 1,000, there was also a small overall increase in the rate of young people in detention over the period (from 0.1 to 0.2 per 1,000) (Figure 8.12).

Young people in detention were more likely to be sentenced than unsentenced – on an average day, there were 55–97 more sentenced young people than unsentenced each month in 2011 (Figure 8.13). The number of unsentenced detainees ranged from 28 in July 2009 to 65 in March 2010, while the number of sentenced detainees ranged from 109 in July 2009 to 134 in December 2010.

Throughout the 4 years from 2006–07 to 2009–10, the largest group of detainees on an average day were sentenced non-Indigenous young people, followed by unsentenced non-Indigenous, sentenced Indigenous and unsentenced Indigenous (Figure 8.14). There were increases over the 4 years for all four groups, although the number of sentenced non-Indigenous detainees fluctuated, with a low of 77 young people in 2008–09.

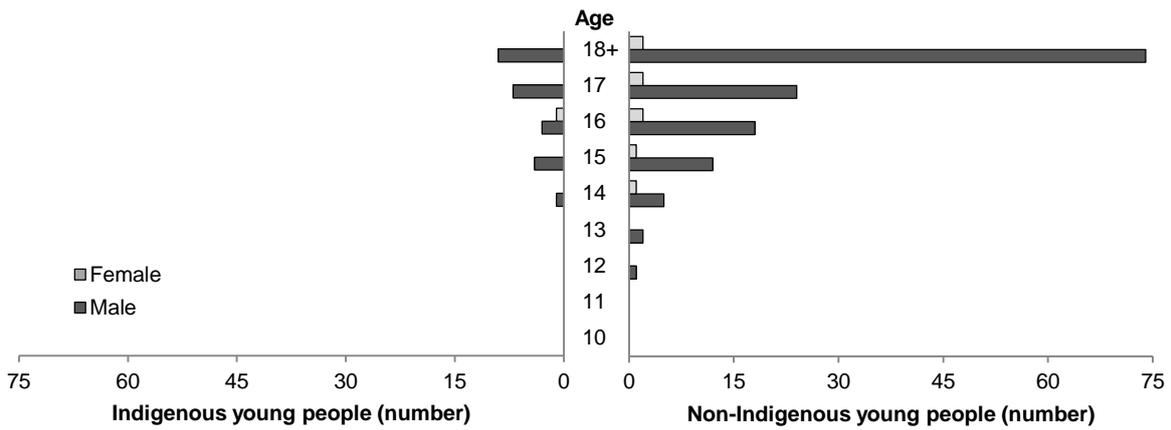
Number and rate under supervision





Source: Table E2.

Figure 8.9: Young people under community-based supervision on an average day by age, sex and Indigenous status Victoria, 2009-10



Source: Table E2.

Figure 8.10: Young people in detention on an average day by age, sex and Indigenous status, Victoria, 2009-10

Table 8.2: Young people under supervision on an average day^(a) by age and Indigenous status, community-based supervision and detention, Victoria, 2009–10 (number and rate)

Indigenous status	10	11	12	13	14	15	16	17	10–17	18+	Total
Number^(b)											
Community-based supervision											
Indigenous	0	1	3	8	15	29	33	33	122	39	161
Non-Indigenous	—	3	7	25	74	170	237	288	804	379	1,182
Unknown	0	0	0	0	1	1	2	4	8	7	16
Total	—	4	10	33	89	201	272	325	934	425	1,359
Detention											
Indigenous	0	0	—	—	2	4	4	8	18	9	27
Non-Indigenous	—	—	1	2	6	13	20	26	68	76	144
Unknown	0	0	0	0	0	—	0	—	—	—	—
Total	—	—	1	2	8	17	24	34	86	86	171
Rate											
Community-based supervision											
Indigenous	n.p.	n.p.	n.p.	10.07	17.18	34.24	39.54	38.16	18.14	..	..
Non-Indigenous	n.p.	n.p.	0.11	0.37	1.08	2.46	3.38	4.05	1.48	..	..
Rate ratio	n.a.	n.a.	n.a.	27.22	15.91	13.92	11.70	9.42	12.26	..	..
Total	n.p.	n.p.	0.15	0.49	1.30	2.87	3.84	4.52	1.70	..	..
Detention											
Indigenous	n.p.	n.p.	n.p.	n.p.	n.p.	n.p.	n.p.	8.67	2.65	..	..				
Non-Indigenous	n.p.	n.p.	n.p.	n.p.	0.09	0.19	0.29	0.37	0.12	..	..
Rate ratio	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	23.43	22.08	..	..				
Total	n.p.	n.p.	n.p.	n.p.	0.11	0.25	0.34	0.47	0.16	..	..

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

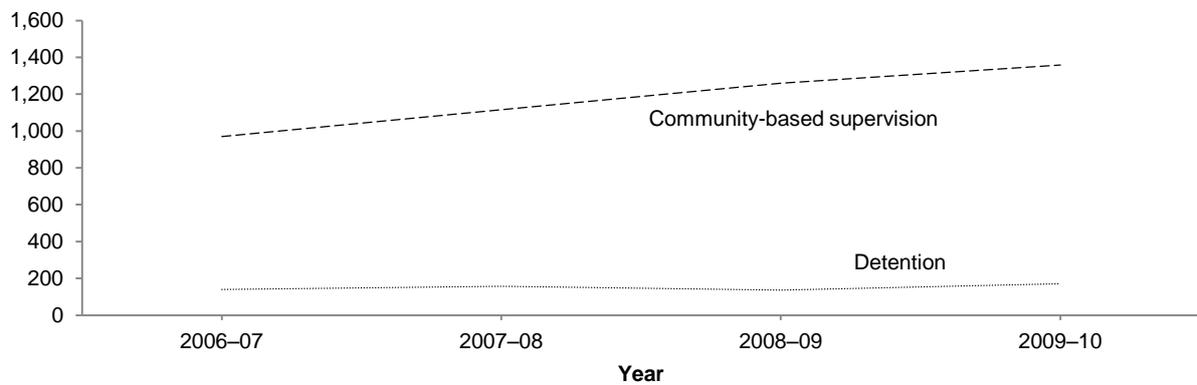
(b) Number of young people under community-based supervision and in detention may not sum to total number under supervision as young people may be under community-based supervision and in detention on the same day and may be in different age groups. See Chapter 3 for more information.

Notes

1. Age calculated as at start of financial year if first period of community-based supervision or detention began before the start of the financial year, otherwise age calculated as at start of first period of community-based supervision or detention.
2. Totals include young people of unknown Indigenous status.
3. Rates are number of young people per 1,000 relevant population.
4. Rates are not published where there were fewer than five young people.
5. Rate ratio calculated by dividing the Indigenous rate by the non-Indigenous rate.

Trends

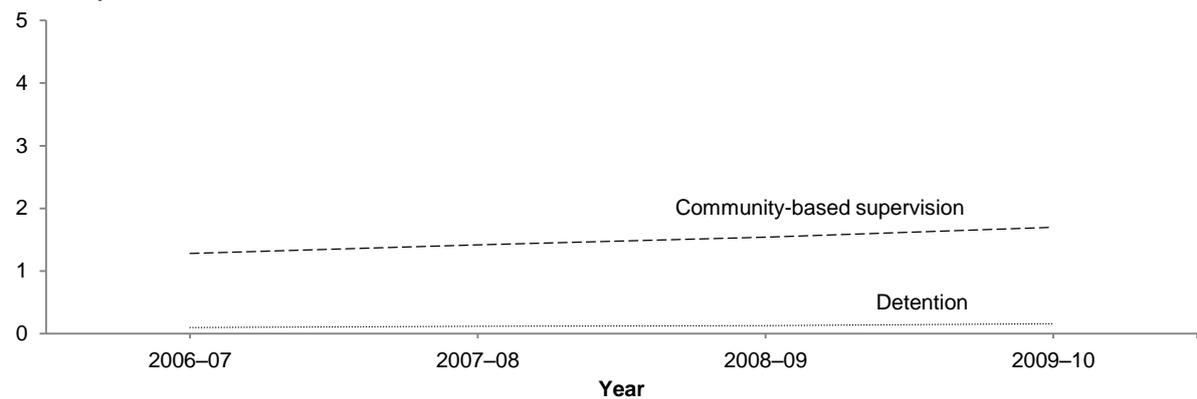
Number of young people



Source: Tables C16 and D5.

Figure 8.11: Young people under community-based supervision and in detention on an average day, Victoria, 2006-07 to 2009-10 (number)

Number per 1,000

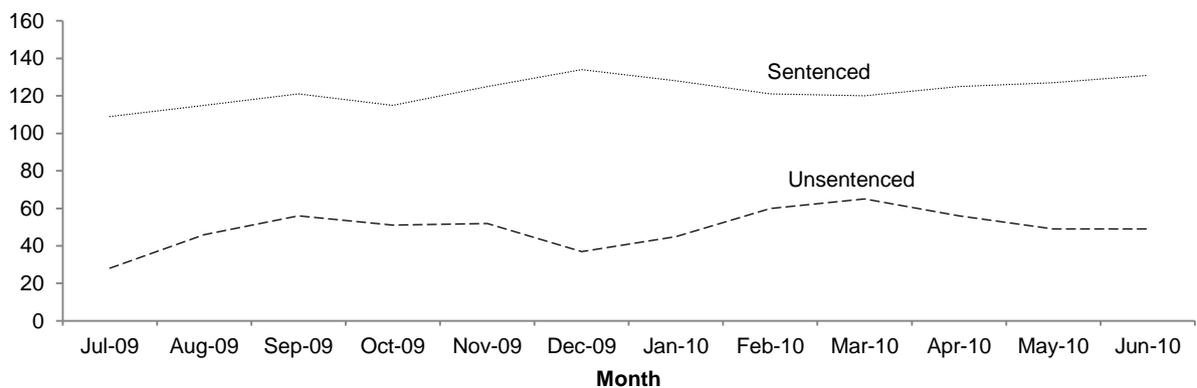


Source: Tables 6.5 and 7.5.

Figure 8.12: Young people aged 10-17 years under community-based supervision and in detention on an average day, Victoria, 2006-07 to 2009-10 (rate)

Detention

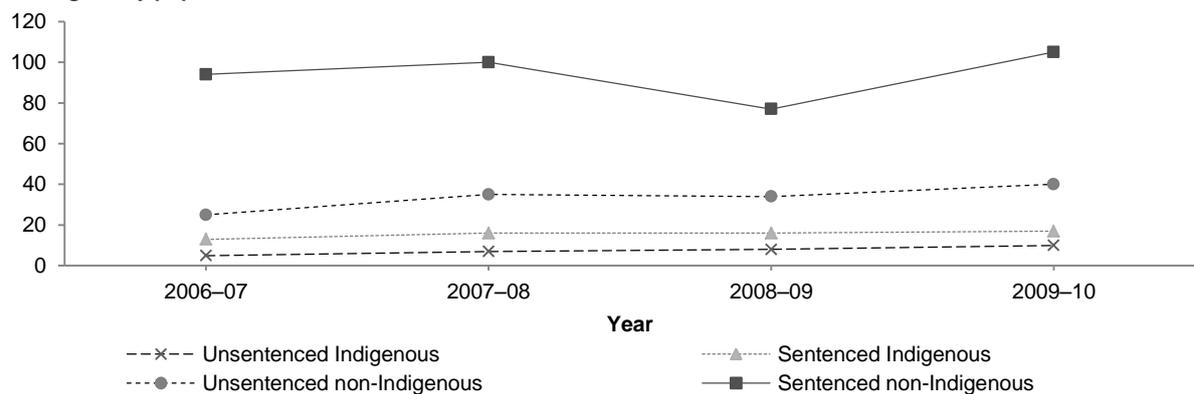
Average daily population



Source: Table E7.

Figure 8.13: Young people in detention on an average day by month and legal status, Victoria, 2009-10

Average daily population



Source: Table D5.

Figure 8.14: Young people in detention on an average day by Indigenous status and legal status, Victoria, 2006-07 to 2009-10

8.3 Queensland

Most (91%) of the 1,432 young people who were under supervision in Queensland on an average day in 2009–10 were under community-based supervision; only 9% were in detention (Figure 8.15). A young person aged 10–17 years in Queensland was 9 times as likely to be under community-based supervision as in detention on an average day, with a community-based supervision rate of 2.5 per 1,000 young people aged 10–17 years and a detention rate of 0.3 per 1,000.

In Queensland, the *Youth Justice Act 1992* applies to all young people aged 10–16 years at the time of the offence; however, young people may be aged 17 years or older by the time their court matters or sentence are finalised. On an average day in 2009–10, 29% of those under community-based supervision and 8% of those in detention were aged 17 years or older (Table 8.3).

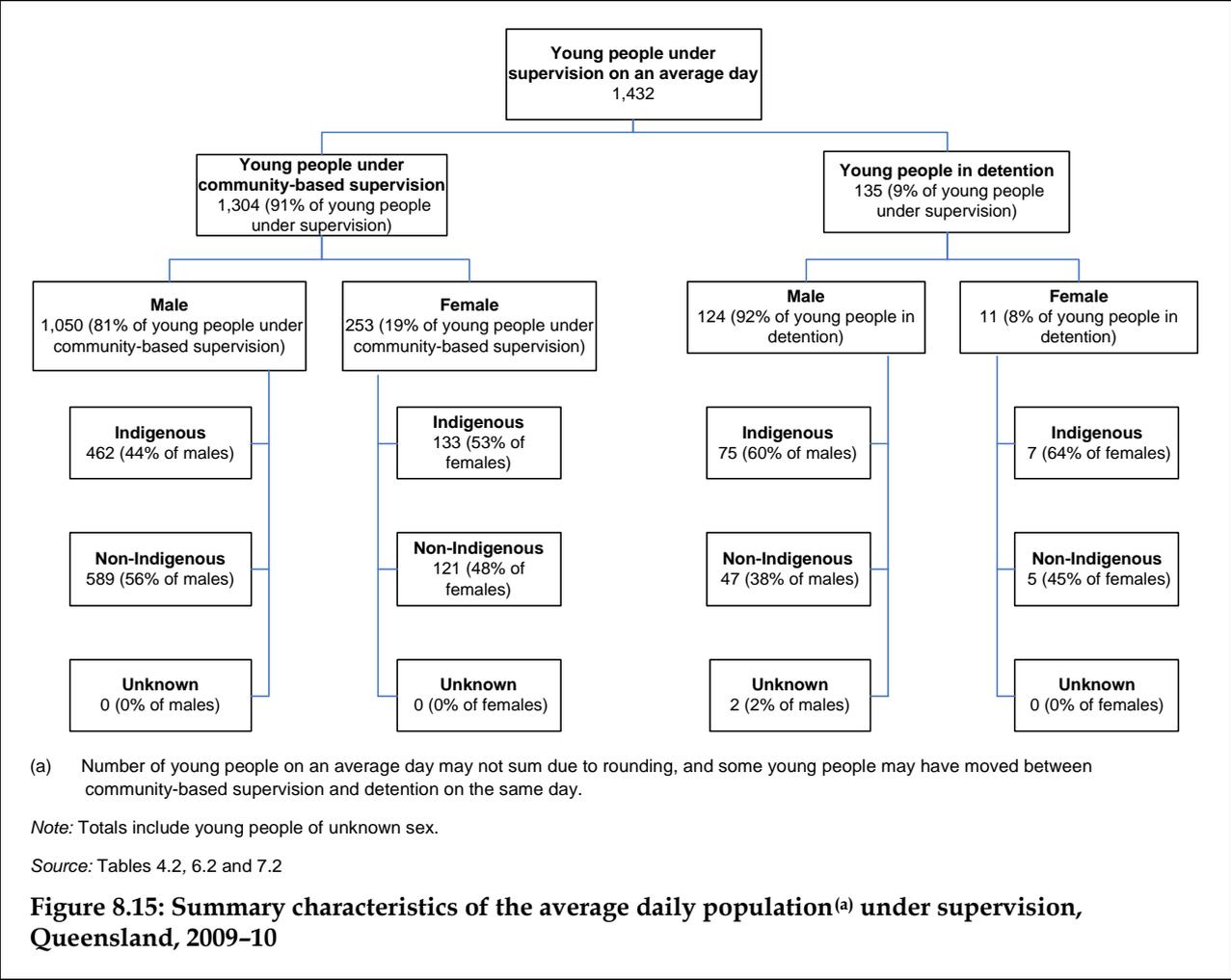
Almost half (46%) of young people under community-based supervision and the majority (61%) of those in detention were Indigenous, and like other states and territories, these proportions were higher among young women than among young men (Figure 8.15). An Indigenous young person aged 10–17 years was 13 times as likely to be under community-based supervision and 24 times as likely to be in detention as a non-Indigenous young person aged 10–17 years.

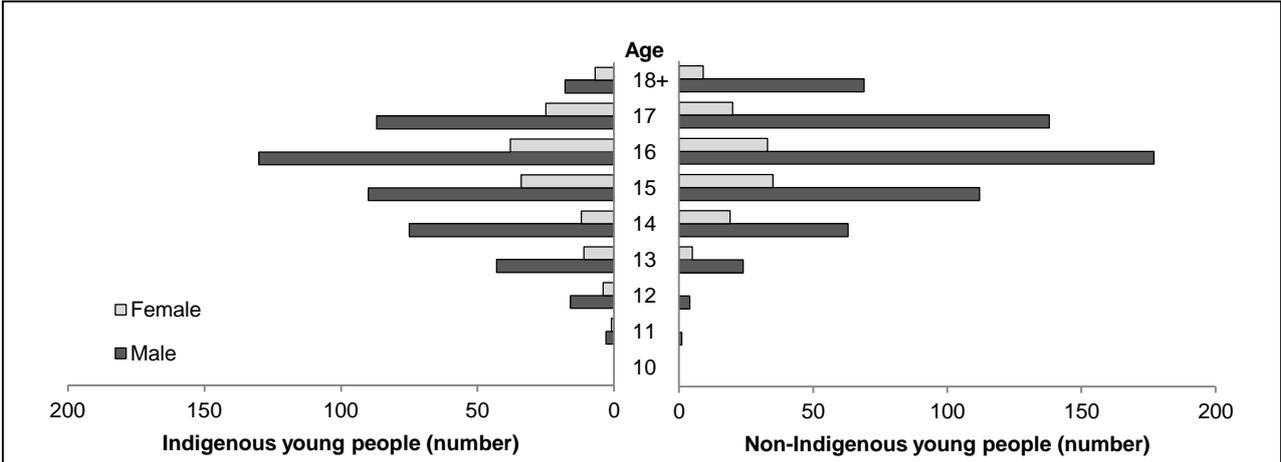
The number of young people under community-based supervision in Queensland on an average day increased between 2006–07 and 2007–08, but decreased in both 2008–09 and 2009–10, producing an overall decrease of 8% over the 4-year period (Figure 8.18). The number in detention on an average day also fluctuated each year, resulting in little net change over the period (down 2%). Similarly, the rates of young people aged 10–17 years under community-based supervision and in detention on an average day in Queensland fluctuated, with a slight overall decrease in community-based supervision between 2006–07 and 2009–10 (from 2.7 to 2.5 per 1,000) and little change in detention (around 0.3 per 1,000) (Figure 8.19).

Unsentenced detainees outnumbered sentenced detainees throughout 2009–10, and there were between 37 and 66 more unsentenced detainees than sentenced each month (Figure 8.20). The number of unsentenced detainees ranged from 81 in July and August 2009 to 120 in March 2010, while the number of sentenced detainees ranged from 37 in August 2009 to 54 in February and March 2010.

Over the 4 years from 2006–07 to 2009–10, the unsentenced Indigenous detainee population remained the largest group, while the sentenced non-Indigenous detainee population was the smallest (Figure 8.21). Both the Indigenous and non-Indigenous unsentenced groups followed similar trends over the 4 years, with a decrease in 2008–09 followed by an increase in 2009–10. In contrast, the number of sentenced Indigenous detainees increased over the first three years and remained steady in 2009–10, while the number of sentenced non-Indigenous detainees peaked in 2007–08 before decreasing in the following two years.

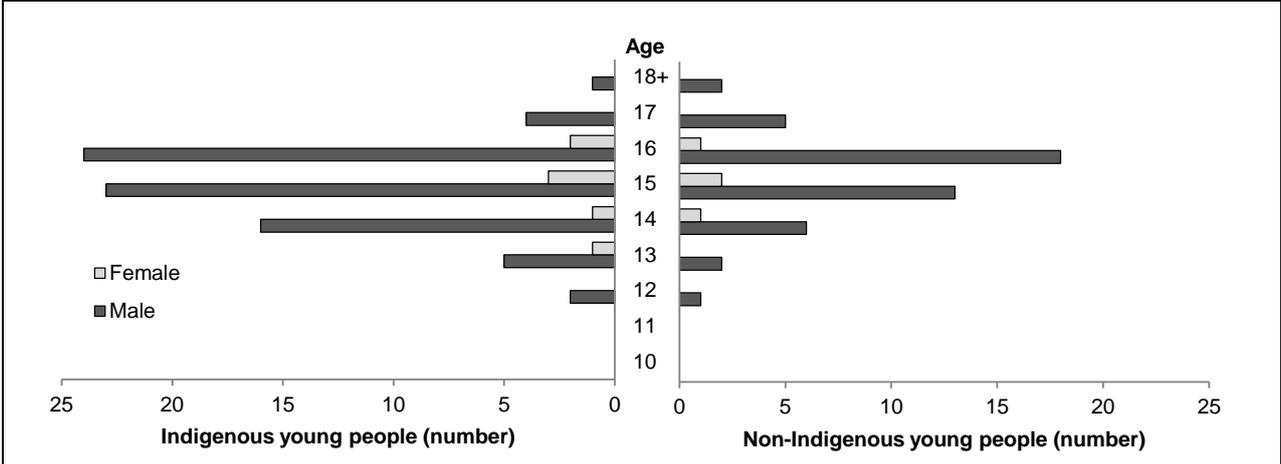
Number and rate under supervision





Source: Table E3.

Figure 8.16: Young people under community-based supervision on an average day by age, sex and Indigenous status, Queensland, 2009-10



Source: Table E3.

Figure 8.17: Young people in detention on an average day by age, sex and Indigenous status, Queensland, 2009-10

Table 8.3: Young people under supervision on an average day^(a) by age and Indigenous status, community-based supervision and detention, Queensland, 2009–10 (number and rate)

Indigenous status	10	11	12	13	14	15	16	17	10–17	18+	Total
Number^(b)											
Community-based supervision											
Indigenous	1	4	19	54	87	124	168	111	569	25	594
Non-Indigenous	0	1	4	29	82	147	210	159	632	77	709
Unknown	0	0	—	0	0	0	0	0	—	0	—
Total	1	5	24	83	169	271	378	270	1,201	103	1,304
Detention											
Indigenous	—	—	2	5	17	26	25	4	81	1	82
Non-Indigenous	0	—	1	2	7	15	19	5	49	2	51
Unknown	0	0	0	—	—	1	1	0	2	0	2
Total	—	1	2	8	24	42	46	9	133	2	135
Rate											
Community-based supervision											
Indigenous	n.p.	n.p.	5.09	14.15	23.14	33.21	44.59	30.20	18.88	..	..
Non-Indigenous	n.p.	n.p.	n.p.	0.52	1.43	2.54	3.63	2.71	1.40	..	..
Rate ratio	n.a.	n.a.	n.a.	27.21	16.18	13.07	12.28	11.14	13.49	..	..
Total	n.p.	0.09	0.40	1.40	2.78	4.40	6.12	4.34	2.49	..	..
Detention											
Indigenous	n.p.	n.p.	n.p.	1.44	4.57	7.01	6.72	1.21	2.69	..	..
Non-Indigenous	n.p.	n.p.	n.p.	n.p.	0.12	0.27	0.33	0.08	0.11	..	..
Rate ratio	n.a.	n.a.	n.a.	n.a.	38.08	25.96	20.36	15.13	24.45	..	..
Total	n.p.	n.p.	n.p.	0.13	0.40	0.69	0.74	0.15	0.28	..	..

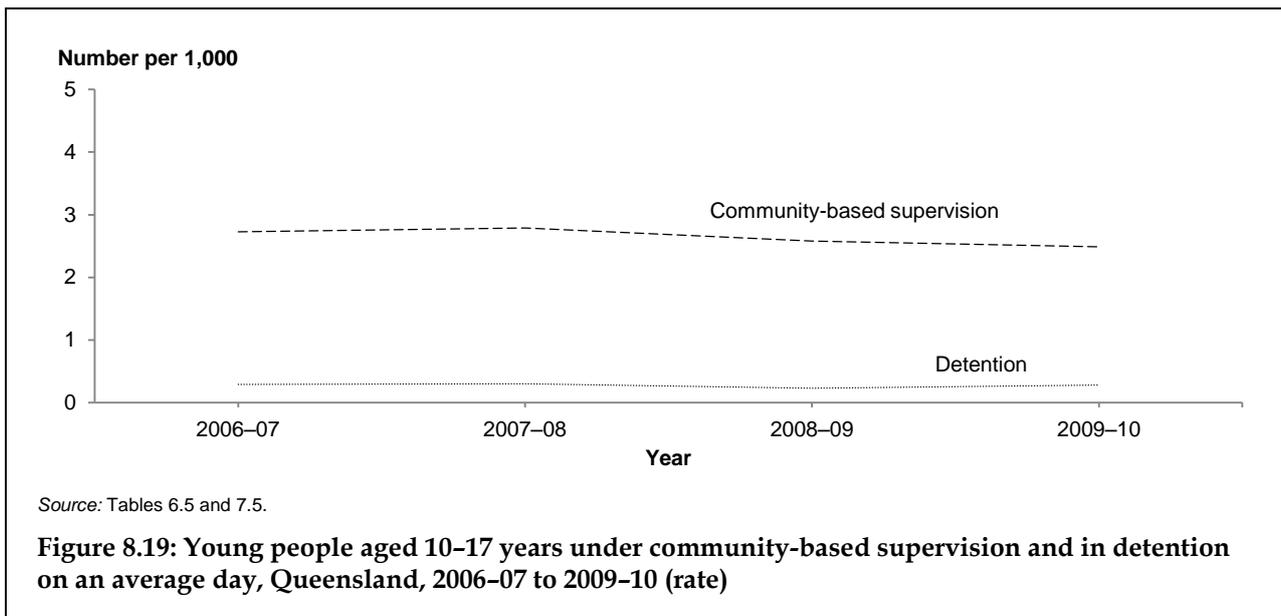
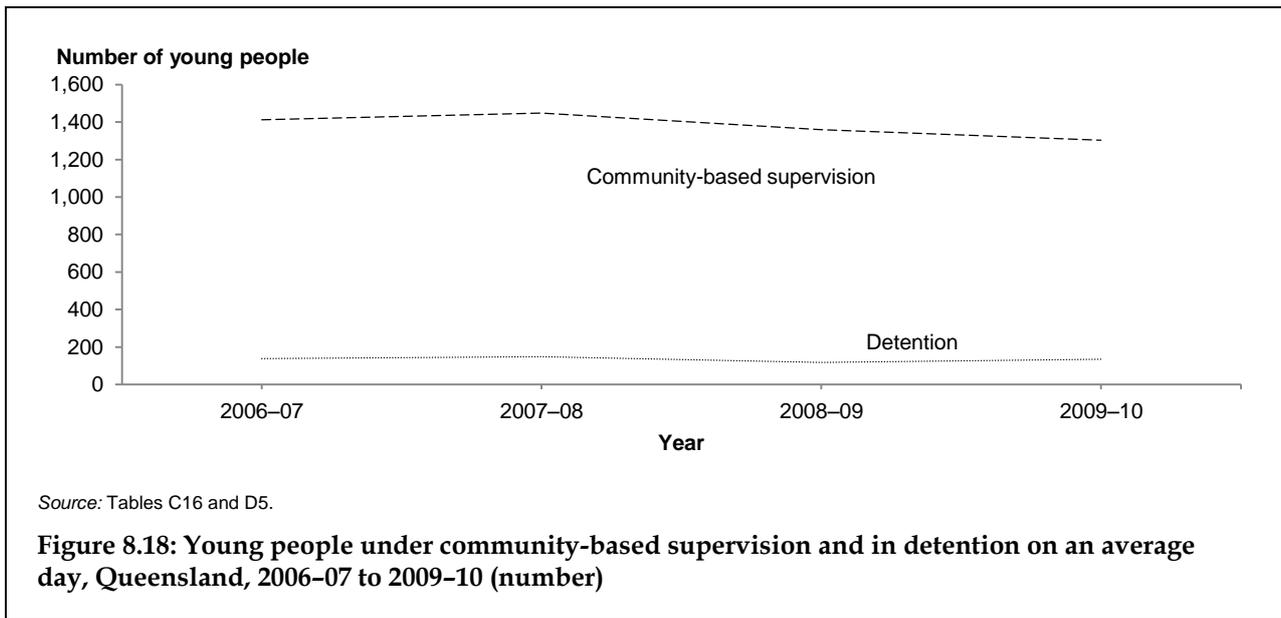
(a) Number of young people on an average day may not sum to total due to rounding.

(b) Number of young people under community-based supervision and in detention may not sum to total number under supervision as young people may be under community-based supervision and in detention on the same day and may be in different age groups. See Chapter 3 for more information.

Notes

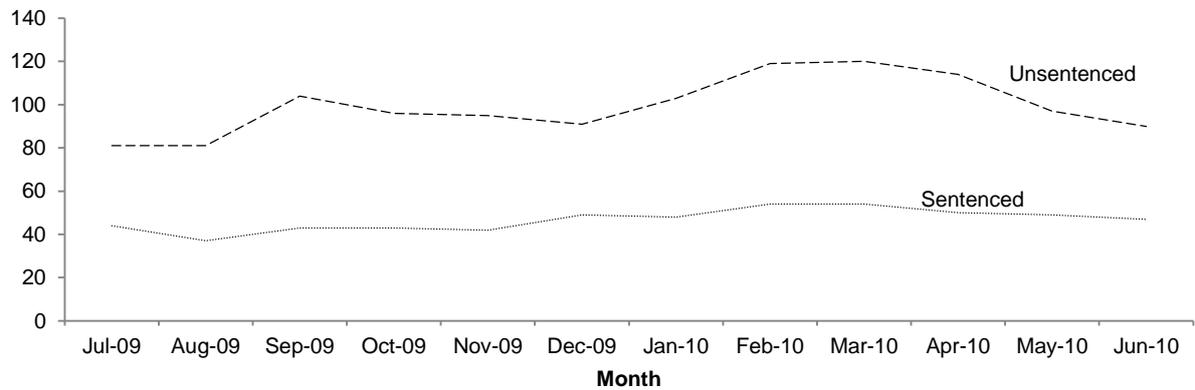
1. Age calculated as at start of financial year if first period of community-based supervision or detention began before the start of the financial year, otherwise age calculated as at start of first period of community-based supervision or detention.
2. Totals include young people of unknown Indigenous status.
3. Rates are number of young people per 1,000 relevant population.
4. Rates are not published where there were fewer than five young people.
5. Rate ratio calculated by dividing the Indigenous rate by the non-Indigenous rate.

Trends



Detention

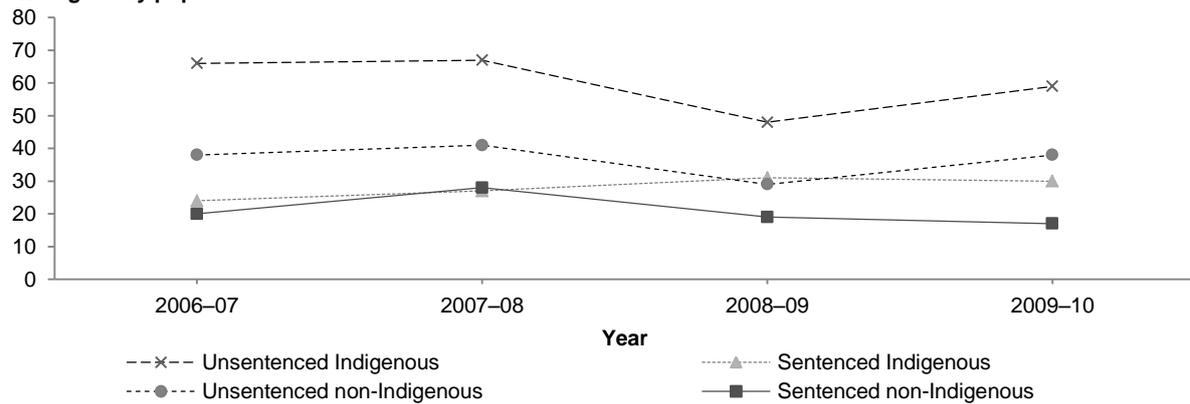
Average daily population



Source: Table E7.

Figure 8.20: Young people in detention on an average day by month and legal status, Queensland, 2009-10

Average daily population



Source: Table D5.

Figure 8.21: Young people in detention on an average day by Indigenous status and legal status, Queensland, 2006-07 to 2009-10

8.4 Western Australia

Western Australia did not supply JJ NMDS data for 2009–10.

8.5 South Australia

On an average day in 2009–10, there were 543 young people under juvenile justice supervision in South Australia; 87% were under community-based supervision and 13% were in detention (Figure 8.22). Young people aged 10–17 years were 6 times as likely to be under community-based supervision on an average day as in detention, with rates of 2.3 per 1,000 for community-based supervision and 0.4 for detention (Table 8.4).

Around one-fifth (21%) of those under community-based supervision and in detention (19%) were aged 18 years or older (Table 8.4). Those in detention in this age group were slightly more likely to be non-Indigenous than Indigenous (57% and 43%, respectively), but three-quarters (74%) of those in this age group under community-based supervision were non-Indigenous.

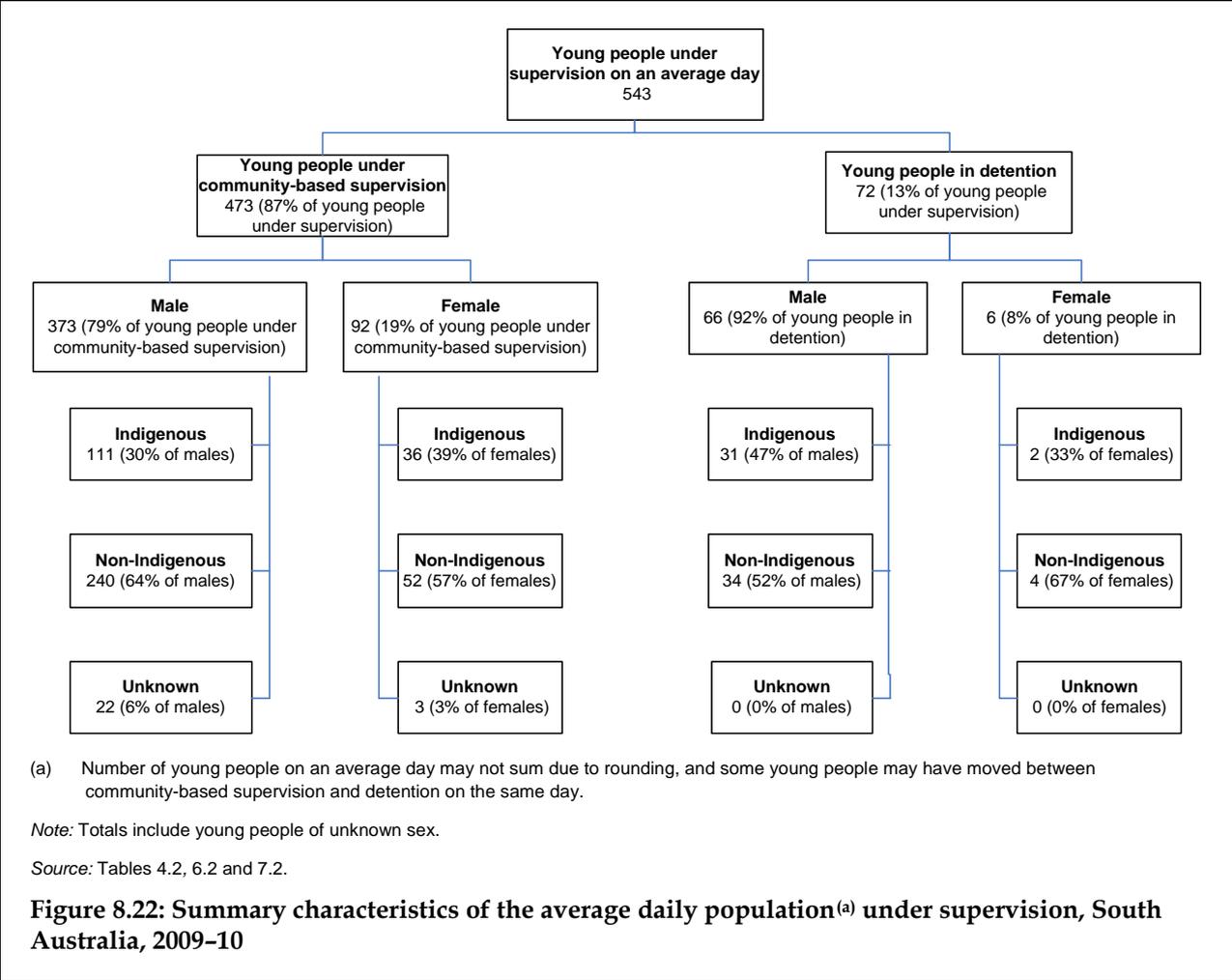
Indigenous young people were over-represented, particularly in detention. Almost one-third (31%) of those under community-based supervision and nearly half (46%) of those in detention were Indigenous (Table 8.4). Indigenous young people aged 10–17 years were 16 times as likely as non-Indigenous young people to be under community-based supervision on an average day, and 24 times as likely to be in detention.

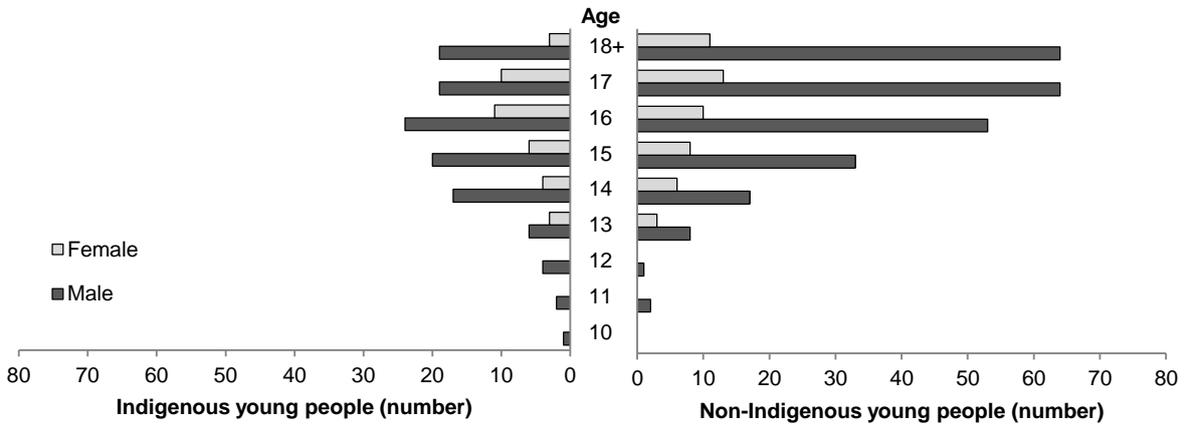
Both the number and rate of young people under community-based supervision in South Australia on an average day increased between 2006–07 and 2008–09, before dropping back to around 2006–07 levels in 2009–10 (Figure 8.25 and Figure 8.26). Overall, there were 2.2 young people aged 10–17 years per 1,000 under community-based supervision in 2006–07, and 2.3 per 1,000 in 2009–10. The number of young people in detention on an average day increased by more than one-quarter (26%) over the 4-year period, and there was a corresponding small increase in the rate of young people aged 10–17 years in detention (from 0.3 to 0.4 per 1,000).

The numbers of sentenced and unsentenced detainees were similar throughout 2009–10 with some small fluctuations (Figure 8.27). The average daily number of unsentenced detainees ranged from a low of 29 in October 2009 to a high of 42 in January 2010, while the number of sentenced detainees ranged from 32 in January 2010 to 43 in September 2009.

Over the 4 years from 2006–07 to 2009–10, the unsentenced non-Indigenous population was the largest in detention while the unsentenced Indigenous population was the smallest (Figure 8.28). However, both groups along with the sentenced Indigenous group had similar trends. In contrast, the sentenced non-Indigenous population showed the opposite pattern, with a decrease in 2007–08 from 2006–07 (compared with an increase for the other groups) and a decrease in 2009–10 from 2008–09 (compared with an increase for the other groups). Despite this, all four groups increased over the 4-year period. The increases were greater for the Indigenous populations (50% for sentenced and 36% for unsentenced) than for the non-Indigenous populations (12% and 18%, respectively).

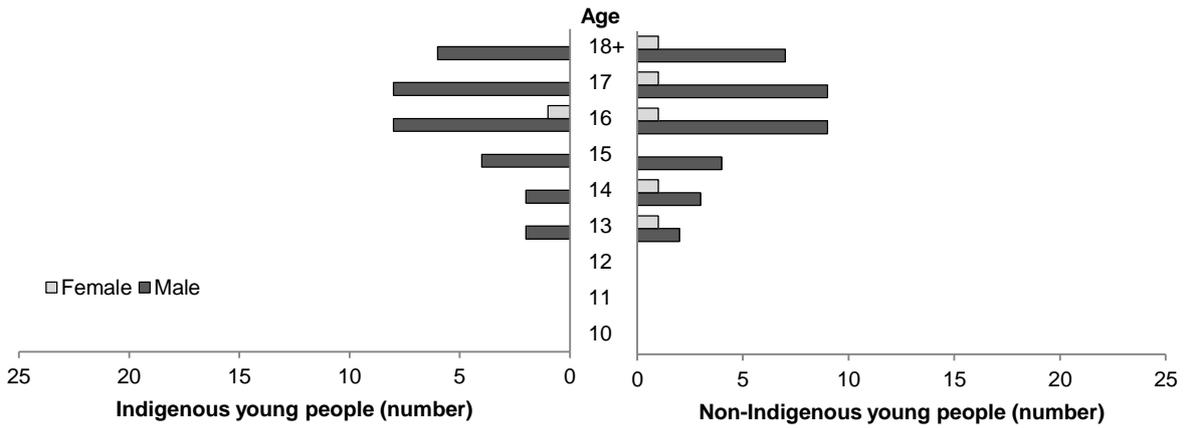
Number and rate under supervision





Source: Table E4.

Figure 8.23: Young people under community-based supervision on an average day, South Australia, 2009-10



Source: Table E4.

Figure 8.24: Young people in detention on an average day, South Australia, 2009-10

Table 8.4: Young people under supervision on an average day^(a) by age and Indigenous status, community-based supervision and detention, South Australia, 2009–10 (number and rate)

Indigenous status	10	11	12	13	14	15	16	17	10–17	18+	Total
Number^(b)											
Community-based supervision											
Indigenous	1	2	4	9	21	26	35	29	125	22	147
Non-Indigenous	0	2	1	10	23	41	63	77	218	75	293
Unknown	0	—	0	3	2	5	8	11	28	4	33
Total	1	4	5	22	45	72	106	117	372	101	473
Detention											
Indigenous	—	—	—	2	2	4	9	8	27	6	33
Non-Indigenous	0	—	—	3	4	5	10	9	31	8	39
Unknown	0	0	0	—	0	0	—	—	—	—	—
Total	—	1	1	5	6	9	19	18	58	14	72
Rate											
Community-based supervision											
Indigenous	n.p.	n.p.	n.p.	12.72	29.34	37.33	50.03	41.25	22.31	..	..
Non-Indigenous	n.p.	n.p.	n.p.	0.51	1.14	2.06	3.12	3.71	1.38	..	..
Rate ratio	n.a.	n.a.	n.a.	24.94	25.74	18.12	16.04	11.12	16.17	..	..
Total	n.p.	n.p.	0.25	1.07	2.19	3.47	5.03	5.42	2.27	..	..
Detention											
Indigenous	n.p.	n.p.	n.p.	n.p.	n.p.	n.p.	12.57	11.78	4.75	..	..
Non-Indigenous	n.p.	n.p.	n.p.	n.p.	n.p.	0.22	0.50	0.45	0.20	..	..
Rate ratio	n.a.	n.a.	n.a.	n.a.	n.a.	28.27	25.14	26.18	23.75	..	..
Total	n.p.	n.p.	n.p.	0.26	0.27	0.43	0.90	0.82	0.35	..	..

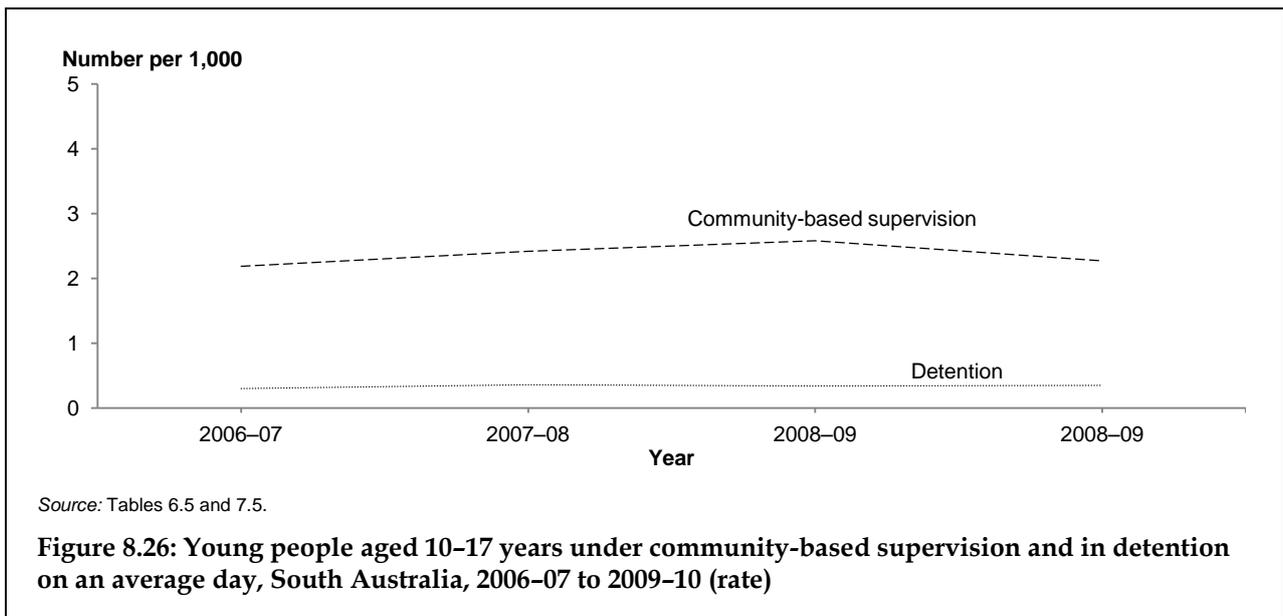
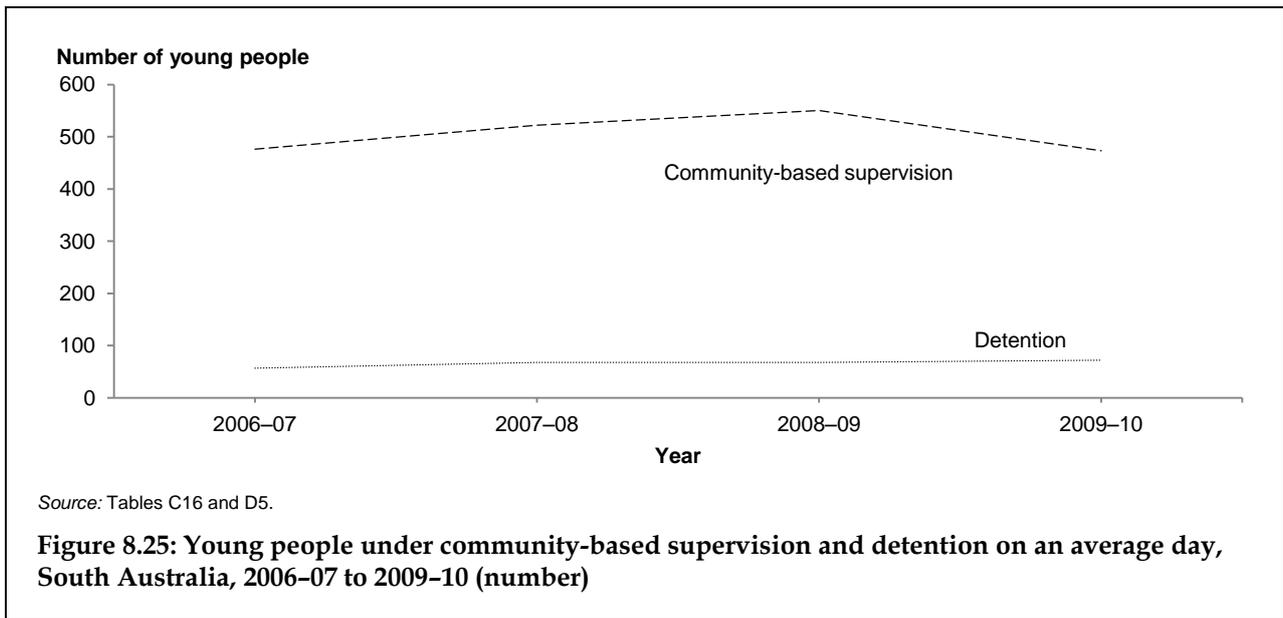
(a) Number of young people on an average day may not sum to total due to rounding.

(b) Number of young people under community-based supervision and in detention may not sum to total number under supervision as young people may be under community-based supervision and in detention on the same day and may be in different age groups. See Chapter 3 for more information.

Notes

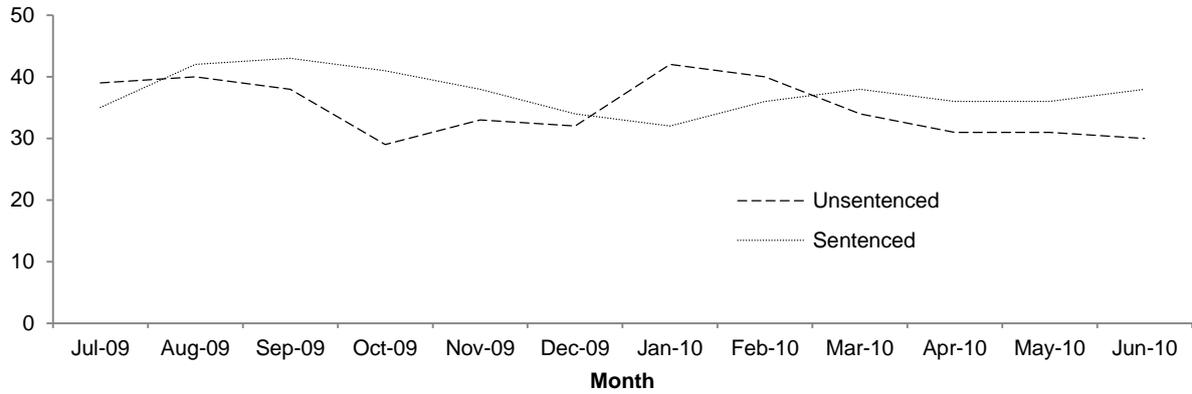
1. Age calculated as at start of financial year if first period of community-based supervision or detention began before the start of the financial year, otherwise age calculated as at start of first period of community-based supervision or detention.
2. Totals include young people of unknown Indigenous status.
3. Rates are number of young people per 1,000 relevant population.
4. Rates are not published where there were fewer than five young people.
5. Rate ratio calculated by dividing the Indigenous rate by the non-Indigenous rate.

Trends



Detention

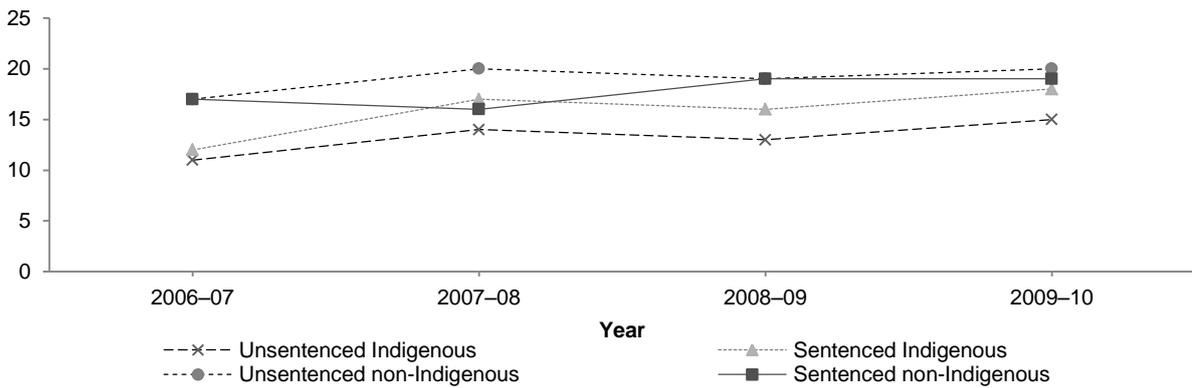
Average daily population



Source: Table E7.

Figure 8.27: Young people in detention on an average day by month and legal status, South Australia, 2009-10

Average daily population



Source: Table D5.

Figure 8.28: Young people in detention on an average day by Indigenous status and legal status, South Australia, 2006-07 to 2009-10

8.6 Tasmania

Of all states and territories (excluding Western Australia and the Northern Territory), Tasmania had the smallest proportion of young people under supervision who were in detention: only 8% of the 354 young people under supervision were in detention on an average day in 2009–10, and the remaining 92% were under community-based supervision (Figure 8.29). A young person aged 10–17 years old in Tasmania was 9 times as likely to be under community-based supervision as in detention on an average day in 2009–10, with rates of 4.3 per 1,000 for community-based supervision and 0.5 per 1,000 for detention (Table 8.5).

While there was only an average of one young person on any given day in detention who was aged 18 years or older, 28% of those under community-based supervision were in this age group (Table 8.5). Most (84%) of the young people under community-based supervision who were aged 18 years and older were non-Indigenous.

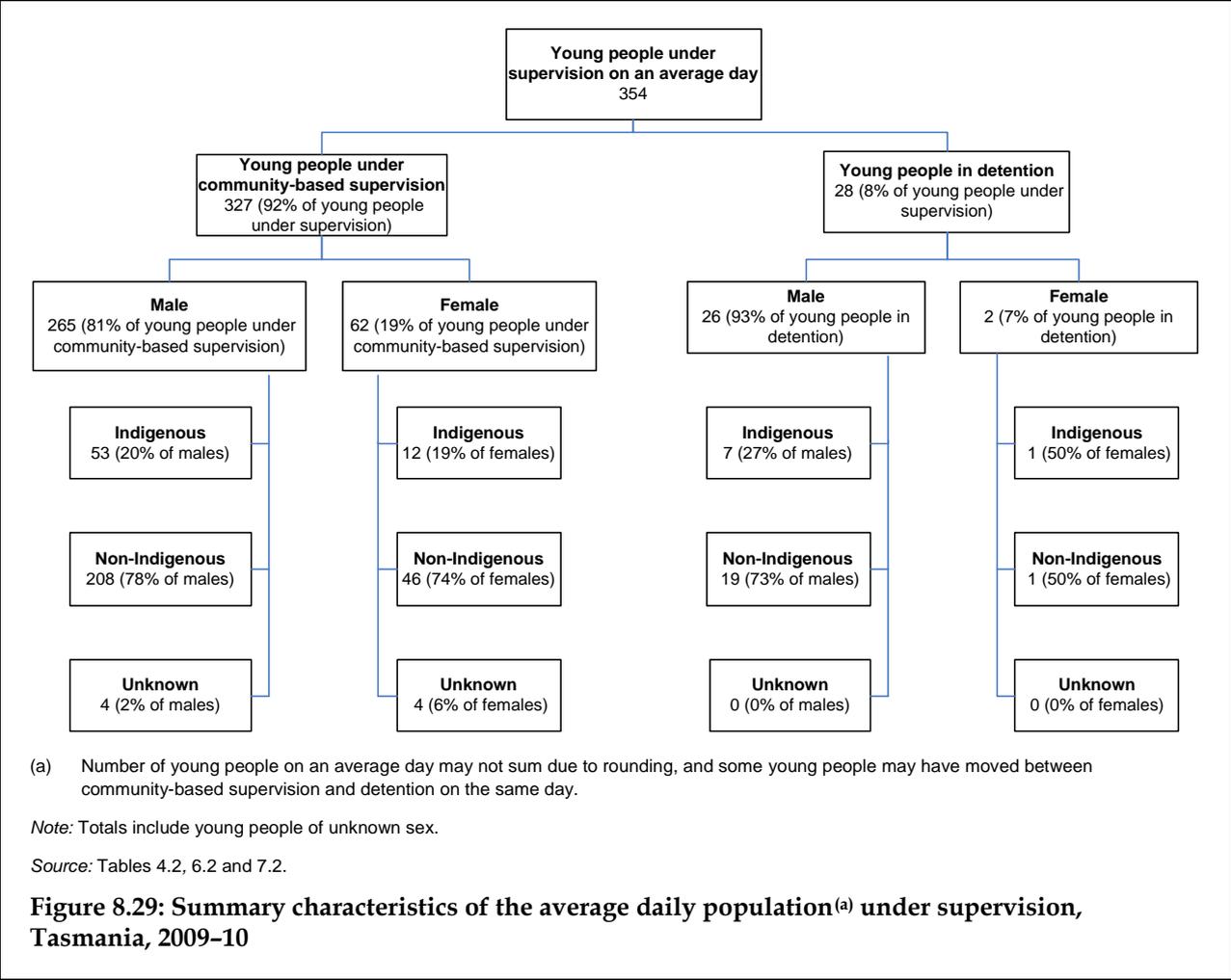
Tasmania had the lowest levels of Indigenous over-representation (excluding Western Australia and the Northern Territory). Around 20% of young people under community-based supervision on an average day and 29% of those in detention were Indigenous (Table 8.5). An Indigenous young person aged 10–17 years was 4 times as likely as a non-Indigenous young person aged 10–17 years to be under community-based supervision, and 6 times as likely to be in detention.

In Tasmania, the number of young people under community-based supervision on an average day increased by more than one-third (35%) in the 4 years to 2009–10, while the number in detention dropped slightly (down 7%) (Figure 8.32). Similarly, the rate of young people aged 10–17 years under community-based supervision increased from 3.0 to 4.3 per 1,000 over the period, while the rate in detention remained around 0.5 per 1,000 (Figure 8.33).

Throughout the year, unsentenced detainees outnumbered sentenced detainees, although numbers fluctuated (Figure 8.34). The number of unsentenced detainees ranged from 14 in October 2009 to 28 in August 2009, while the number of sentenced detainees ranged from 5 in April 2010 to 13 in August 2009.

Over the 4 years from 2006–07 to 2009–10, the number of unsentenced non-Indigenous detainees remained higher than the number of unsentenced Indigenous detainees and sentenced detainees (both Indigenous and non-Indigenous) (Figure 8.35). Although there was little net change in the number of detainees for each group, the trends over the 4 years varied.

Number and rate under supervision



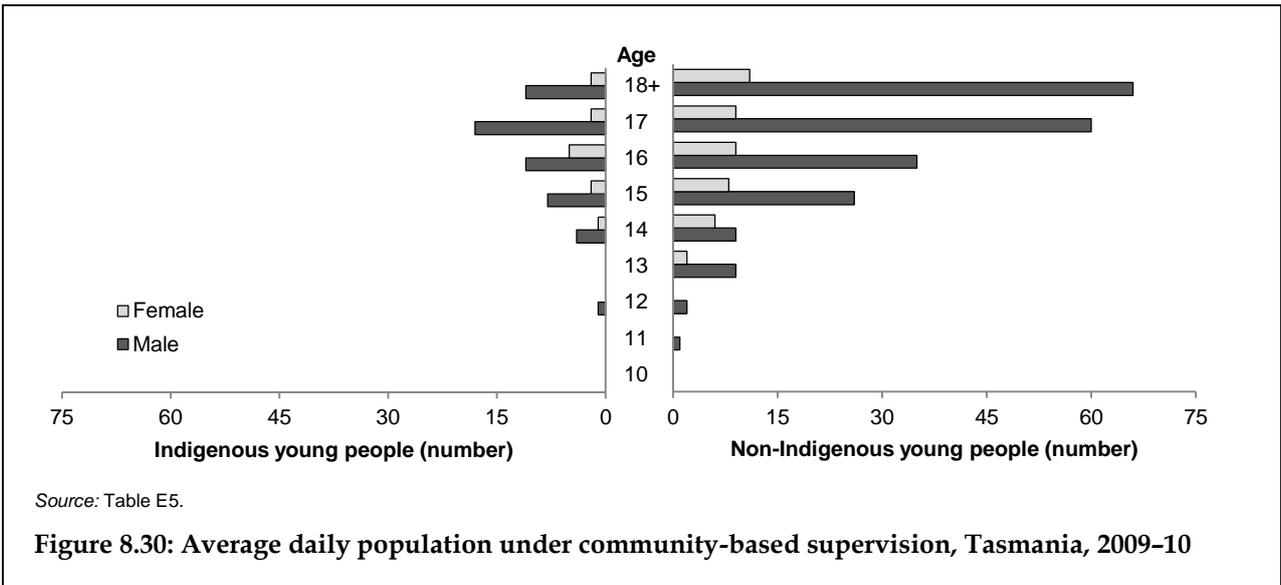


Table 8.5: Young people under supervision on an average day^(a) by age and Indigenous status, community-based supervision and detention, Tasmania, 2009–10 (number and rate)

Indigenous status	10	11	12	13	14	15	16	17	10–17	18+	Total
Number^(b)											
Community-based supervision											
Indigenous	0	0	1	0	5	10	16	20	52	13	65
Non-Indigenous	0	1	2	11	15	35	45	69	177	77	254
Unknown	0	0	0	—	0	1	2	3	6	2	9
Total	0	1	3	11	19	46	62	92	235	92	327
Detention											
Indigenous	0	—	—	—	—	2	3	3	8	—	8
Non-Indigenous	0	0	—	2	2	5	4	6	19	1	20
Unknown	0	0	0	0	0	0	0	0	0	0	0
Total	0	—	—	2	2	7	7	9	27	1	28
Rate											
Community-based supervision											
Indigenous	n.p.	n.p.	n.p.	n.p.	9.77	20.28	32.59	41.71	13.81	..	..
Non-Indigenous	n.p.	n.p.	n.p.	1.72	2.26	5.33	6.91	10.70	3.50	..	..
Rate ratio	n.a.	n.a.	n.a.	0.00	4.32	3.80	4.72	3.90	3.95	..	..
Total	n.p.	n.p.	n.p.	1.61	2.78	6.60	8.98	13.27	4.33	..	..
Detention											
Indigenous	n.p.	n.p.	n.p.	n.p.	n.p.	n.p.	n.p.	n.p.	2.23	..	..
Non-Indigenous	n.p.	n.p.	n.p.	n.p.	n.p.	0.84	n.p.	0.92	0.38	..	..
Rate ratio	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	11.84	7.37	5.87	..	..
Total	n.p.	n.p.	n.p.	n.p.	n.p.	1.02	1.01	1.32	0.50	..	..

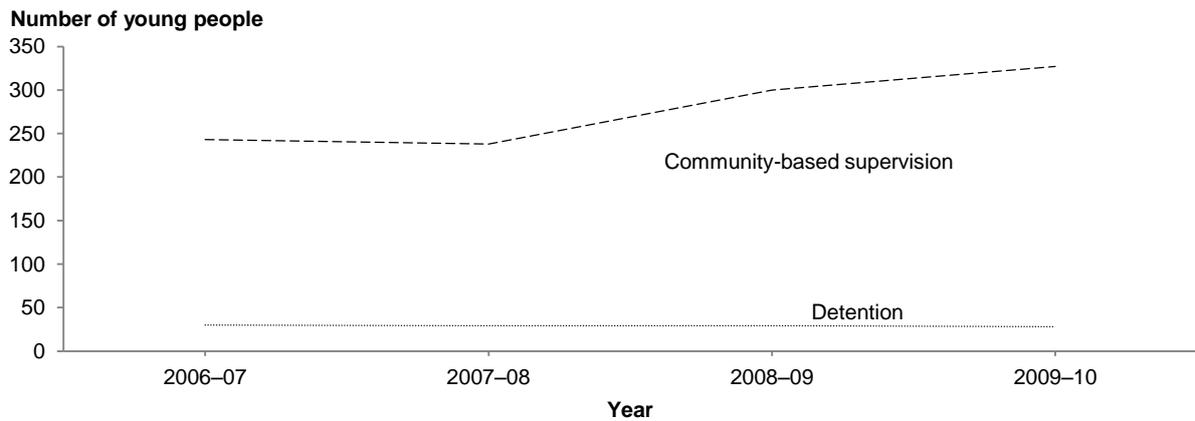
(a) Number of young people on an average day may not sum to total due to rounding.

(b) Number of young people under community-based supervision and in detention may not sum to total number under supervision as young people may be under community-based supervision and in detention on the same day and may be in different age groups. See Chapter 3 for more information.

Notes

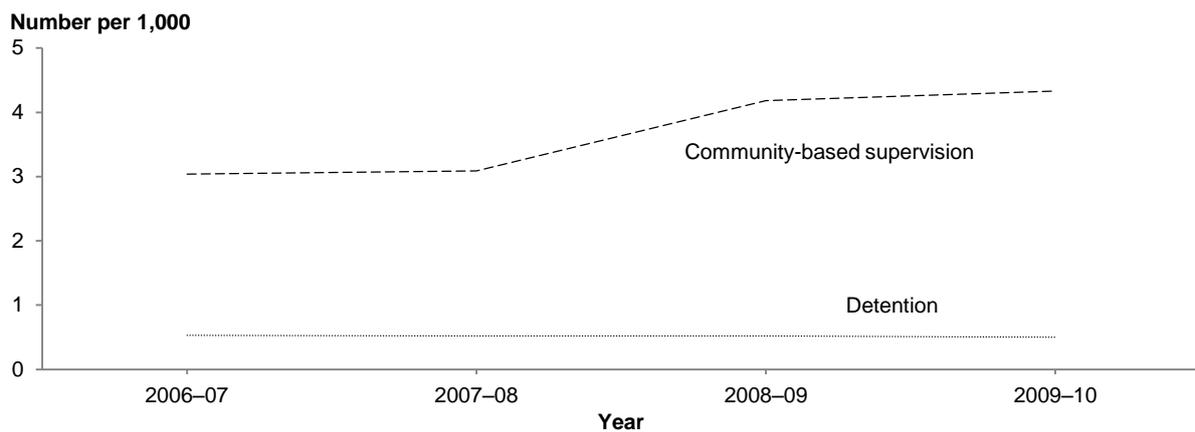
1. Age calculated as at start of financial year if first period of community-based supervision or detention began before the start of the financial year, otherwise age calculated as at start of first period of community-based supervision or detention.
2. Totals include young people of unknown Indigenous status.
3. Rates are number of young people per 1,000 relevant population.
4. Rates are not published where there were fewer than five young people.
5. Rate ratio calculated by dividing the Indigenous rate by the non-Indigenous rate.

Trends



Source: Tables C16 and D5.

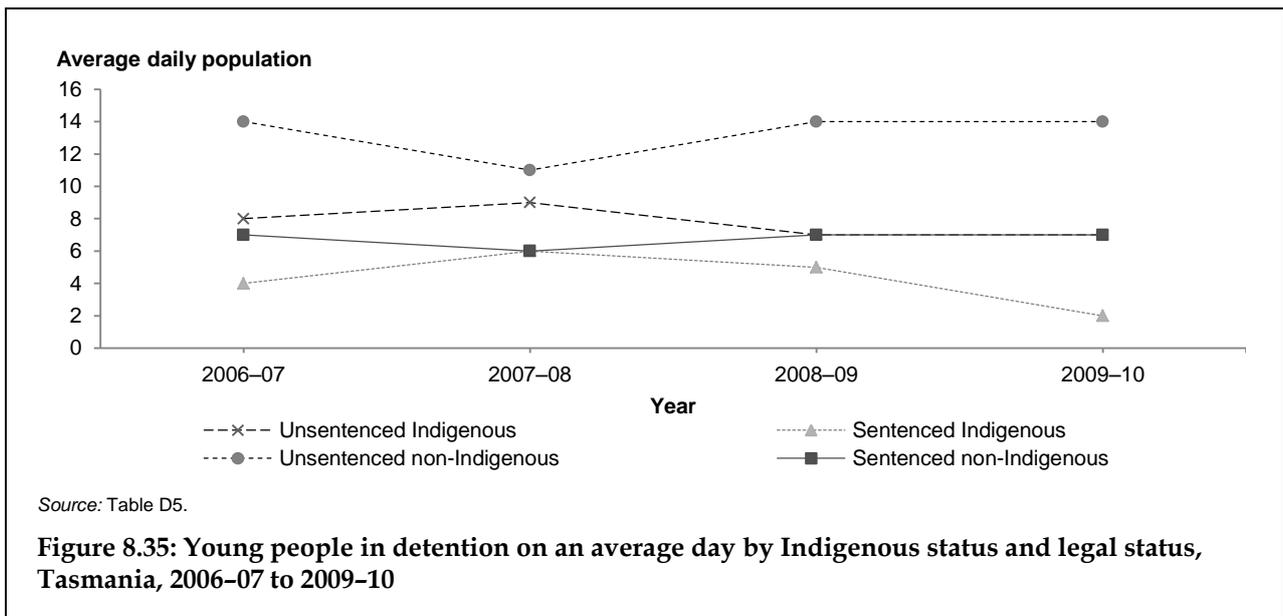
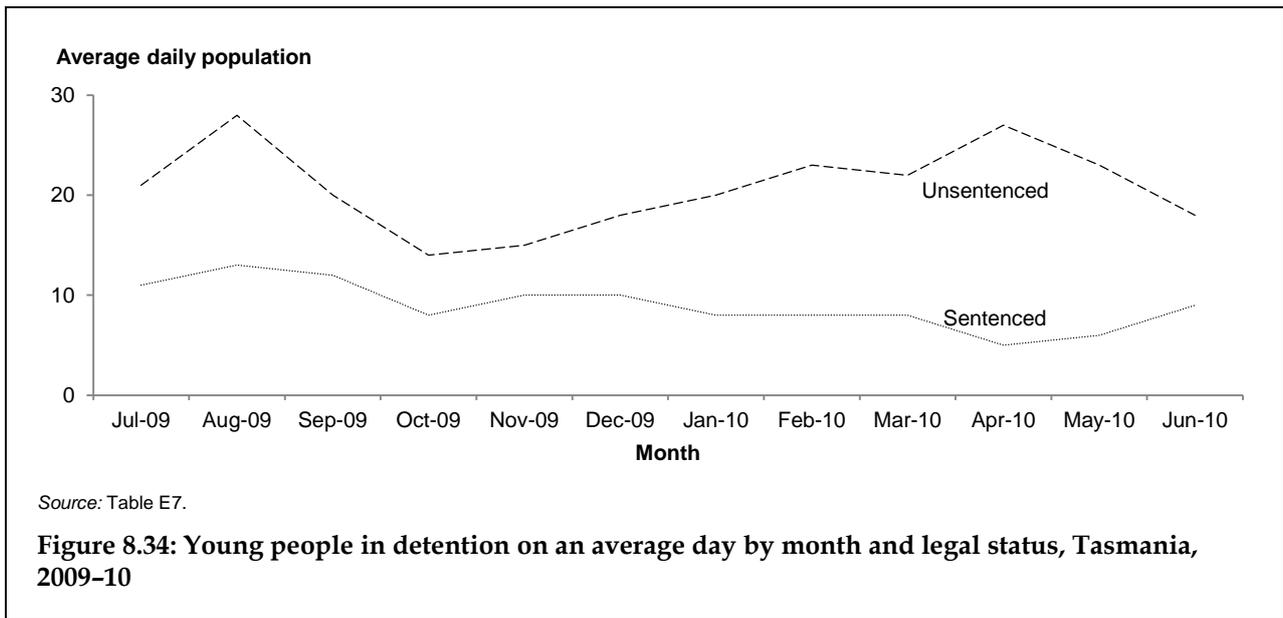
Figure 8.32: Young people under community-based supervision and detention on an average day, Tasmania, 2006-07 to 2009-10 (number)



Source: Tables 6.5 and 7.5.

Figure 8.33: Young people aged 10-17 years under community-based supervision and in detention on an average day, Tasmania, 2006-07 to 2009-10 (rate)

Detention



8.7 Australian Capital Territory

On an average day in 2009–10, 86% of the 117 young people under juvenile justice supervision in the Australian Capital Territory were under community-based supervision and 15% were in detention (Figure 8.36). A young person aged 10–17 years was 6 times as likely to be under community-based supervision as in detention on an average day, with a community-based supervision rate of 2.6 per 1,000 and a detention rate of 0.4 per 1,000.

Relatively few young people under supervision were aged 18 years or older – only two on an average day in detention and 11 under community-based supervision (Table 8.6). All of those in this age group in detention were Indigenous; the reverse was true for community-based supervision.

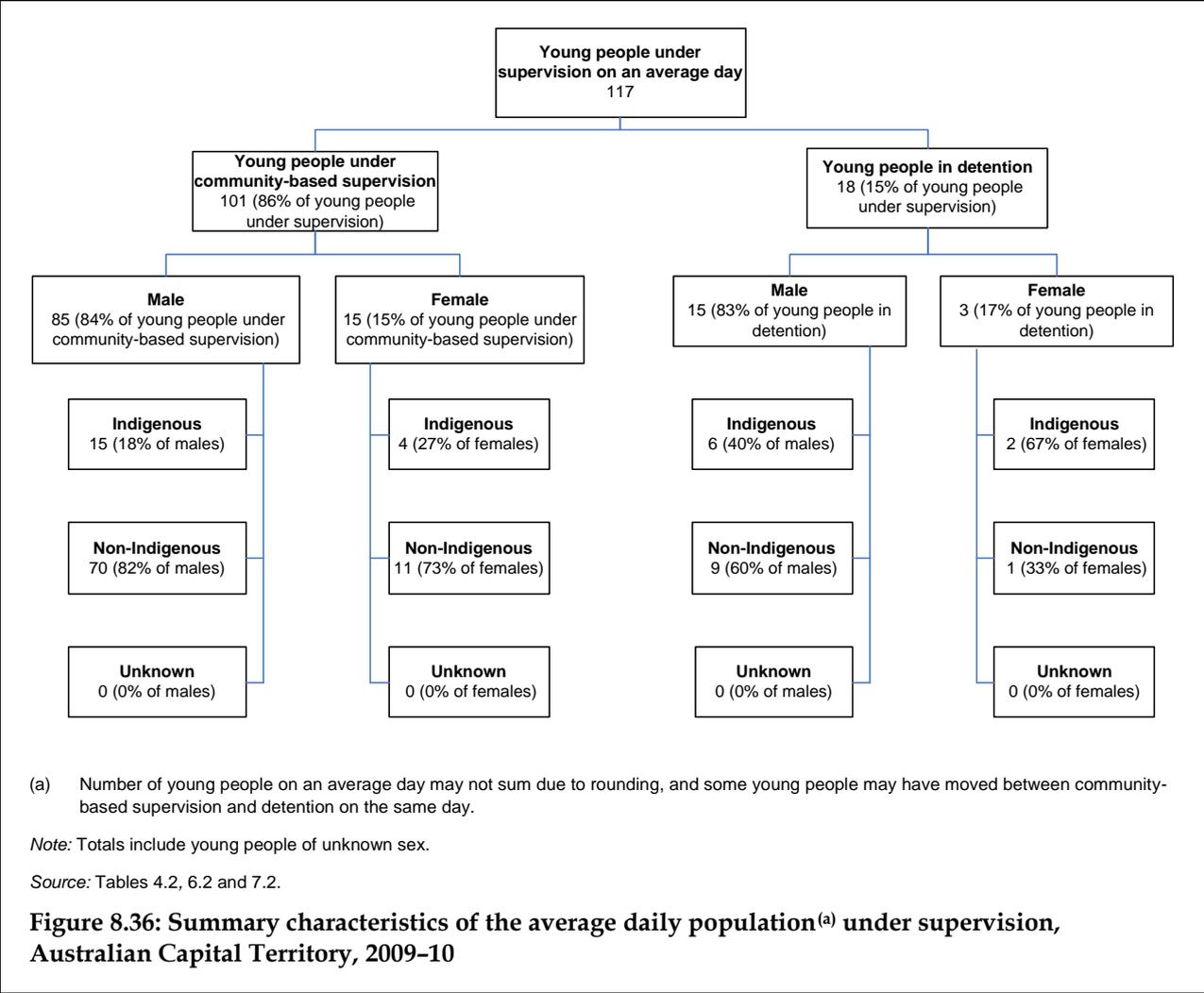
As with the other states and territories, the level of Indigenous over-representation was higher for detention than for community-based supervision. Almost one in five (19%) young people under community-based supervision and two in five (39%) in detention were Indigenous (Table 8.6). An Indigenous young person aged 10–17 years was 11 times as likely to be under community-based supervision as a non-Indigenous young person aged 10–17 and 22 times as likely to be in detention.

The number of young people under community-based supervision in the Australian Capital Territory on an average day peaked in 2007–08 before dropping in the two subsequent years, resulting in a net decrease (down 17%) between 2006–07 and 2009–10 (Figure 8.39). Similarly, the rate of young people aged 10–17 years under community-based supervision rose from 2.9 per 1,000 in 2006–07 to 3.7 per 1,000 in 2007–08, before decreasing to 2.6 per 1,000 in 2009–10 (Figure 8.40). There were minor fluctuations in the number of young people in detention on an average day over the 4-year period, and the rate of young people aged 10–17 years in detention fluctuated between 0.4 and 0.5 per 1,000 over the period.

The number of unsentenced detainees was consistently higher than the number of sentenced detainees throughout 2009–10, although the number of sentenced detainees rose from November 2009 to June 2010 (Figure 8.41). The number of unsentenced detainees ranged from a daily average of 10 in July 2009 to 21 in March 2010, while the number of sentenced detainees ranged from a daily average of 1 in September to October 2009 to 7 in April to June 2010.

There was little overall change in the sentenced and unsentenced Indigenous and non-Indigenous populations over the 4-year period to 2009–10 (Figure 8.42), although the levels of the Indigenous populations were more stable than the non-Indigenous ones.

Number and rate under supervision



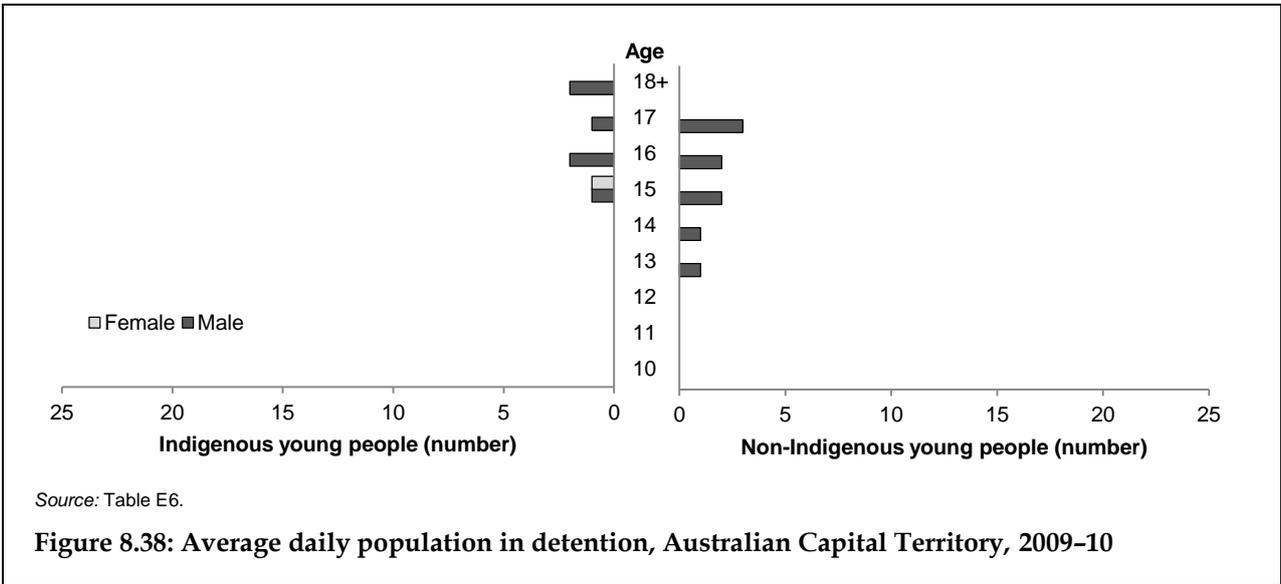
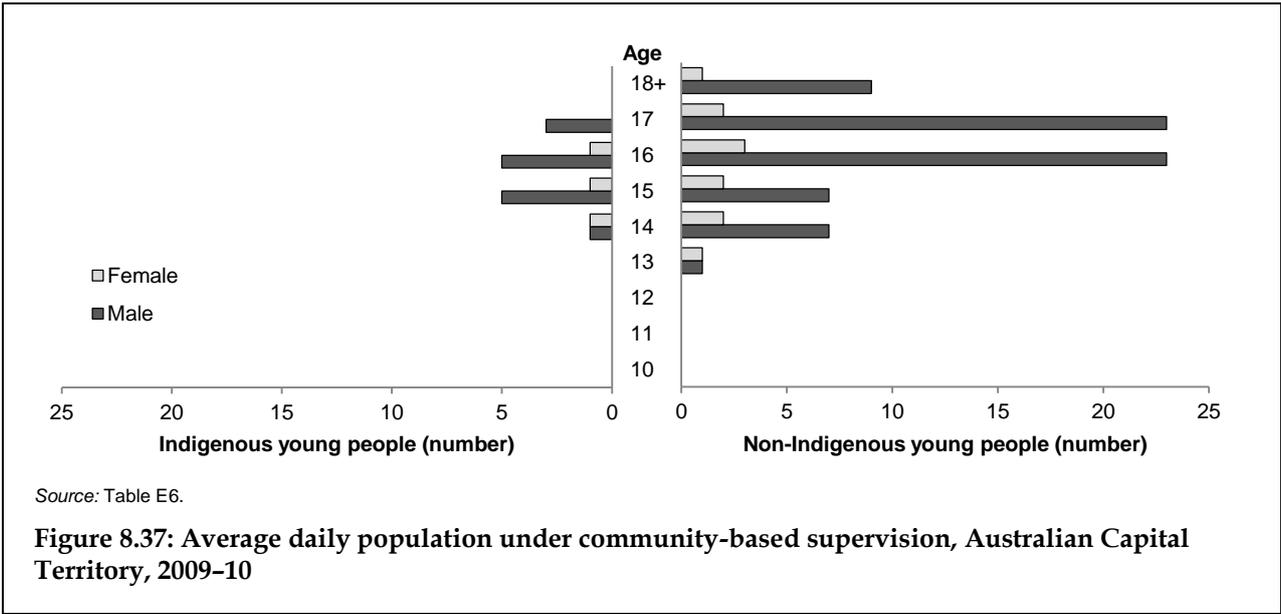


Table 8.6: Young people under supervision on an average day^(a) by age and Indigenous status, community-based supervision and detention, Australian Capital Territory, 2009–10 (number and rate)

Indigenous status	10	11	12	13	14	15	16	17	10–17	18+	Total
Number^(b)											
Community-based supervision											
Indigenous	0	—	—	—	3	5	6	4	19	—	19
Non-Indigenous	0	0	—	2	10	9	26	24	71	10	81
Unknown	0	0	0	0	0	0	0	0	0	0	0
Total	0	—	—	2	12	14	33	28	90	11	101
Detention											
Indigenous	0	—	0	—	1	2	2	1	5	2	7
Non-Indigenous	0	0	—	1	1	2	2	3	10	—	10
Unknown	0	0	0	0	0	0	—	0	—	0	—
Total	0	—	—	1	2	4	5	4	15	2	18
Rate^(c)											
Community-based supervision											
Indigenous	..	..	..	..	..	..	..	..	22.25	..	..
Non-Indigenous	..	..	..	..	..	..	..	..	2.10	..	..
Rate ratio	..	..	..	..	..	..	..	..	10.60	..	..
Total	n.p.	n.p.	n.p.	n.p.	2.83	3.11	7.33	6.00	2.58	..	..
Detention											
Indigenous	..	..	..	..	..	..	..	..	6.27	..	..
Non-Indigenous	..	..	..	..	..	..	..	..	0.29	..	..
Rate ratio	..	..	..	..	..	..	..	..	21.62	..	..
Total	n.p.	n.p.	n.p.	n.p.	n.p.	n.p.	1.02	n.p.	0.43	..	..

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

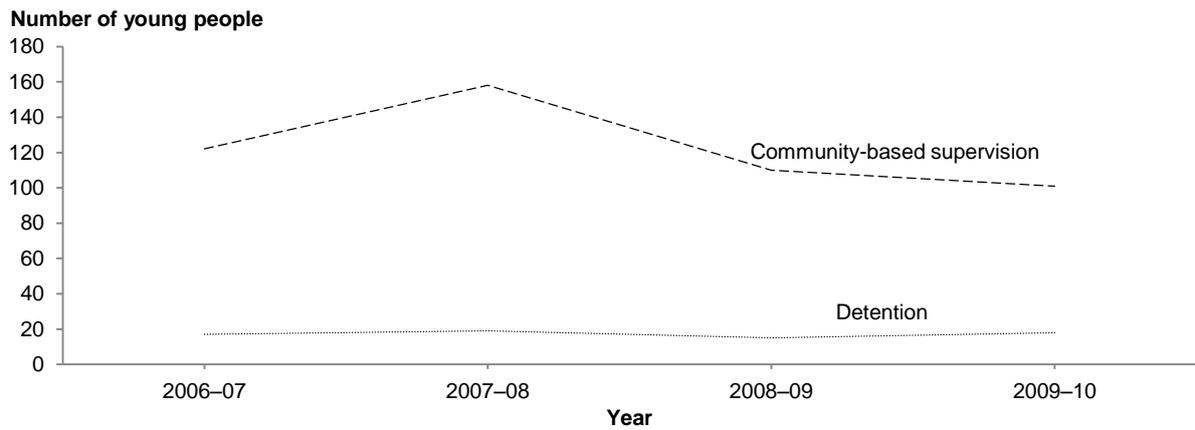
(b) Number of young people under community-based supervision and in detention may not sum to total number under supervision as young people may be under community-based supervision and in detention on the same day and may be in different age groups. See Chapter 3 for more information.

(c) Population data for the Australian Capital Territory are not available by individual age year and Indigenous status.

Notes

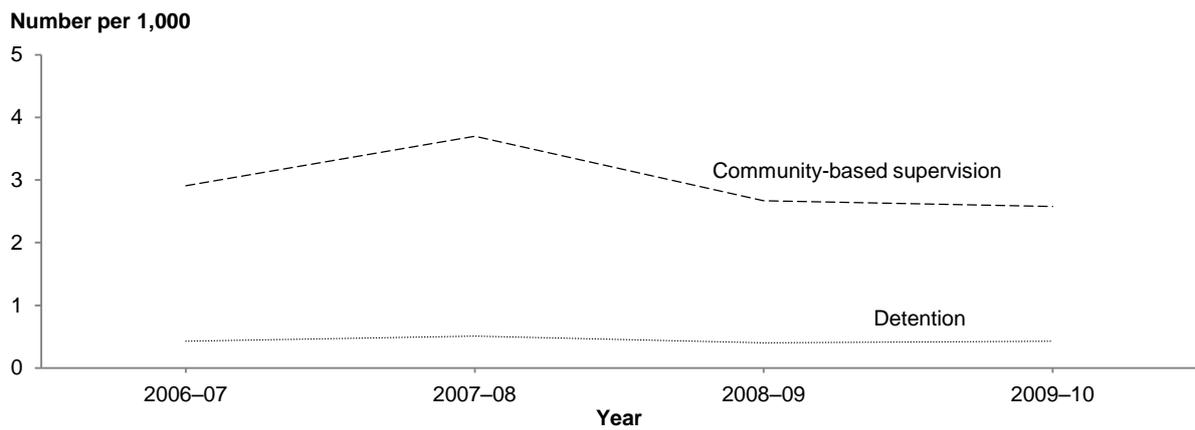
1. Age calculated as at start of financial year if first period of community-based supervision or detention began before the start of the financial year, otherwise age calculated as at start of first period of community-based supervision or detention.
2. Totals include young people of unknown Indigenous status.
3. Rates are number of young people per 1,000 relevant population.
4. Rates are not published where there were fewer than five young people.
5. Rate ratio calculated by dividing the Indigenous rate by the non-Indigenous rate.

Trends



Source: Tables C16 and D5.

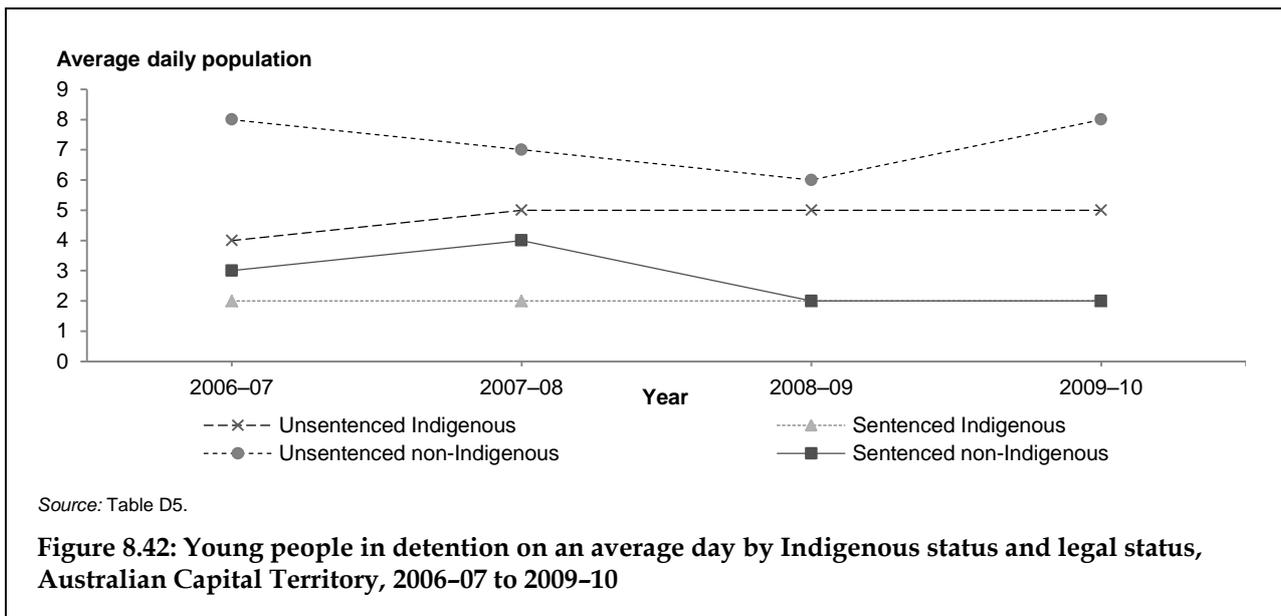
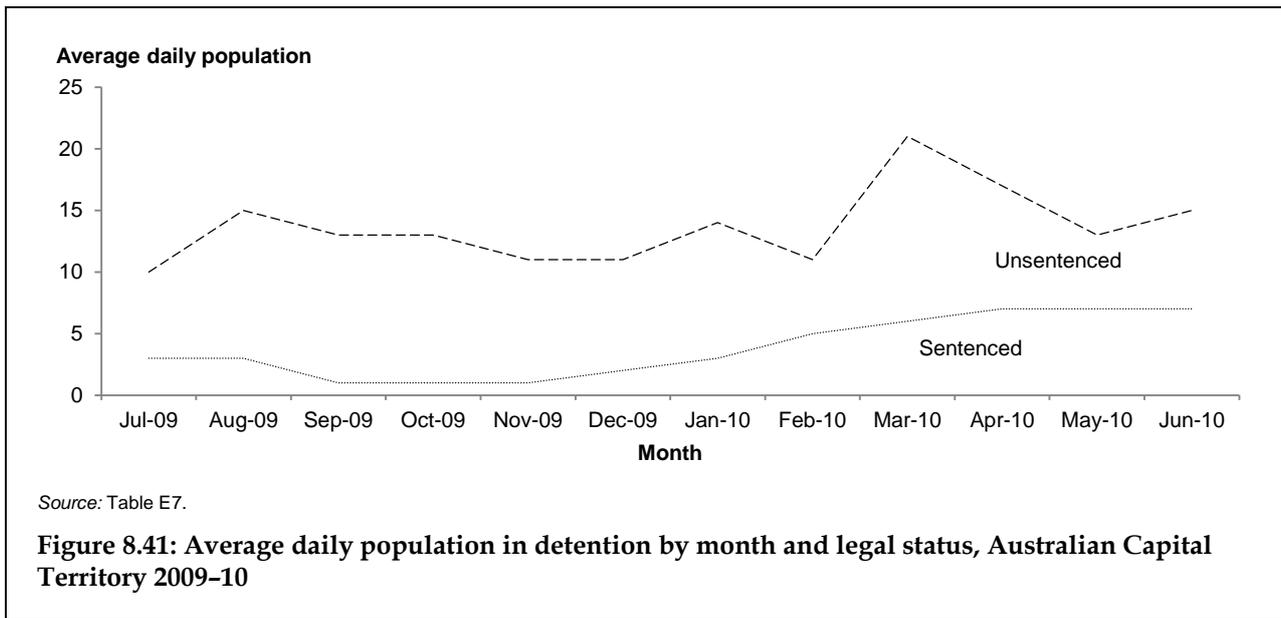
Figure 8.39: Average daily population under community-based supervision and detention, Australian Capital Territory, 2006-07 to 2009-10 (number)



Source: Tables 6.5 and 7.5.

Figure 8.40: Young people aged 10-17 years under community-based supervision and in detention on an average day, Australian Capital Territory, 2006-07 to 2009-10 (rate)

Detention



8.8 Northern Territory

The Northern Territory did not supply JJ NMDS data for 2009-10.

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

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

New South Wales

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

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

Key policy directions

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

Key agencies

Juvenile justice agency

The Department of Human Services is responsible for providing juvenile justice services in New South Wales. The Department of Juvenile Justice was amalgamated with a number of other agencies to form the Department of Human Services in June 2009.

The Juvenile Justice agency (referred to as Juvenile Justice) within the Department of Human Services is responsible for:

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

Juvenile Justice also administers the Youth Justice Conferencing scheme and operates 36 community offices and nine juvenile justice centres.

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

Police

The New South Wales Police Force is responsible for the detection and investigation of crime in New South Wales. Police may choose to use alternatives to the commencement of court proceedings such as warnings, cautions or referral to youth justice conferences, as set out in the *Young Offenders Act 1997*, or may commence court proceedings under the provisions of the *Children (Criminal Proceedings) Act 1987*.

Juvenile Justice works closely with the New South Wales Police Force, particularly in relation to the transportation of young people and incident management within juvenile justice centres. The New South Wales Police Force also provides specialist support to young people through Police and Community Youth Clubs and engages young people through a variety of recreational and social programs.

Courts

The commencement, conduct and outcome of court proceedings against young people alleged to have committed an offence and who are not eligible to be dealt with under the *Young Offenders Act 1997* are governed principally by the *Children (Criminal Proceedings) Act 1987*. Section 6 of the *Children (Criminal Proceedings) Act* sets out the principles applicable to all courts exercising criminal jurisdiction with respect to children, while Section 33 details the penalties that the Children's Court may impose on children found guilty of an offence.

Possible outcomes for young people appearing before the court include:

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

Key elements

Diversion

The *Young Offenders Act 1997* provides for warnings, cautions and youth justice conferencing. Juvenile Justice is responsible for the administration of youth justice conferences (see 'Glossary' for definition) under Part 5 of the *Young Offenders Act 1997*. Not all young people are eligible for a youth justice conference. Some categories of offence, such as sexual assault, serious drug offences, breaches of apprehended violence orders, traffic offences and offences causing death, can only be dealt with by a court.

The Youth Conduct Order Pilot Scheme, which commenced in 2008–09, targets young people aged 14–18 years who have been charged with or convicted of antisocial offences and aims to reduce their antisocial behaviour. Juvenile Justice works in partnership with key justice and human services agencies to provide intensive case management, aimed at addressing the cause of the offender's antisocial behaviour. Youth Conduct Orders (YCOs) have the capacity to direct young people to perform certain tasks or activities identified as helpful in reducing

the young person's risk of offending, such as participation in education or employment, or involvement in a range of programs, such as alcohol and drug counselling or anger management. YCOs also have a component where the young person is restricted from visiting specified places, being in the company of a particular person and engaging in behaviour that may cause harassment, alarm or distress.

Case management

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

Offence-specific and therapeutic programs

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

- The Community/Custodial Services Intervention Framework and Framework for Programming, which helps staff in juvenile justice centres and the community to develop and deliver programs to tackle offending behaviour such as violent and aggressive behaviour, alcohol and drug misuse.
- The Targets for Effective Change program is an offending behaviour program that focuses on issues such as relationship skills, handling conflict, accommodation and employment.
- The Changing Habits and Reaching Targets (CHART) program, which is a cognitively based intervention designed specifically for caseworkers to engage and work with young people who require moderate to high intervention to reduce their risk of reoffending.

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

Programs for Aboriginal and Torres Strait Islander young people

To ensure a coordinated approach to addressing the over-representation of Indigenous young people in the juvenile justice system, Juvenile Justice has developed the Aboriginal Strategic Plan 2007–2011 and implemented a number of programs to address issues for Indigenous young people in the juvenile justice system, including the Intensive Supervision Program (ISP), Dthina Yuwali and Our Journey to Respect.

The ISP is a family-focused approach that has proven to be successful in working with young people from all backgrounds including Indigenous populations both overseas and in Western Australia. Indigenous young people are a focus of the program. The program is established in teams of specially trained staff, including an Aboriginal team advisor who facilitates the engagement of Indigenous families in the program.

Dthina Yuwali is a targeted drug and alcohol program focusing on Indigenous young people. The program uses a culturally appropriate approach that improves the likelihood of breaking the cycle of reoffending. This program has been evaluated and is being prepared for state-wide implementation.

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

Supported accommodation and bail programs

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

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

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

Pre- and post- release programs

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

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

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

Other programs

Other programs include:

- Youth Pathways to Education, Employment and Training – an education-based program for young offenders in the community who have disengaged from the mainstream educational system
- Shoalhaven Safe Community Aboriginal Partnership – provides a single point of contact and consultation for Aboriginal people accessing government agencies in the Shoalhaven area

- Targeted Youth Support Program – provides young people with a range of relevant educational, vocational, recreational and cultural programs
- Community Intervention Team (Northern Region) – links young people to health services in the community, and consists of a Justice Health Nurse (Clinician) attached to the Juvenile Justice Community Services office
- Collaborative Family Work Model (Western Region) – works with parents and guardians to enhance parenting skills and develop solutions to problems within the family
- Alcohol and Other Drug Program Treatment Pathway
- Sex Offender Program (SOP).

Legislation

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

Children (Community Service Orders) Act 1987

Children (Criminal Proceedings) Act 1987

Children (Detention Centres) Act 1987

Children (Detention Centres) Amendment Act 2006 (enacted in July 2006)

Children (Interstate Transfer of Offenders) Act 1988

Young Offenders Act 1997 (Part 5 and Schedule 1)

Juvenile justice remand and detention centres

Acmena Juvenile Justice Centre (Grafton)

Broken Hill Juvenile Justice Centre

Cobham Juvenile Justice Centre (St Marys)

Keelong Juvenile Justice Centre (Unanderra)

Orana Juvenile Justice Centre (Dubbo)

Reiby Juvenile Justice Centre (Airds)

Riverina Juvenile Justice Centre (Wagga Wagga)

Juniperina Juvenile Justice Centre (Lidcombe)

Emu Plains Juvenile Justice Centre (Penrith)

Victoria

In Victoria, criminal responsibility commences at the age of 10 years. The maximum age for young people to appear in a children's court is 17 years at the time of offending.

Additionally, young people aged 18–20 years may be sentenced to detention in a juvenile detention centre (rather than an adult prison) where the court deems appropriate.

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

Key policy directions

- Continuing the diversion of young people from entering or progressing through the justice system by providing court advice, group conferencing and a central after-hours assessment and bail placement service.
- Providing effective assessment processes, targeted and evidence-based interventions and case management systems.
- Implementing the Youth Justice Client Outcomes Framework to integrate performance measurement into practice and build an evidence base for effective service provision.
- Improving rehabilitation programs for young people through the 'What Works' evidence base for effective programs and practice and to intervene with young people to address those issues that have a causal link to offending.
- Ongoing support to the Youth Justice Community Support Service for integrated provision of intensive support and services, which will complement the statutory case management that Youth Justice regional units undertake and reduce the likelihood of further offending by Youth Justice clients.
- Developing and expanding ways of reducing the over-representation of young Indigenous people in the justice system, including through the Children's Koori Court and the further development of the Koori Youth Justice Program.

Key agencies

Juvenile justice agency

The Department of Human Services is responsible for providing youth justice services in Victoria. The Youth Justice program works with young people aged 10–20 years to ensure care, custody and supervision through the provision of programs that will assist them to develop the knowledge, skills and attitudes to manage their lives effectively without further offending. It also aims to provide the mechanisms, resources and direction to achieve this.

The Youth Justice program provides a state-wide service through three metropolitan and five rural regional youth justice units and three detention centres.

Police

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

Courts

The sentencing principles framed in the *Children, Youth and Families Act 2005* distinguish the developmental needs of children and adolescents as separate from adults' needs. Section 362(1) of the Act contains the matters the court must take into account in determining a sentence.

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

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

- a central after-hours bail assessment and placement service that has been effective in reducing inappropriate remands in custodial centres
- an adult court assessment and support service to adult courts for young people aged 18–20 years, to provide youth justice centre suitability assessments, bail support and advice, and referral services.

Key elements

Diversion

The youth justice system in Victoria takes a strong diversionary approach to managing children and young people who enter the criminal justice system under the *Children, Youth and Families Act 2005*. The manner in which children and young people are dealt with reflects this, from the initial point of contact with the police through to completion of any order that the court may impose.

As part of the diversionary approach, Victoria has a unique sentencing option known as the 'dual track' system. The *Sentencing Act 1991* provides for the adult courts to sentence a young person aged 18–20 years to a youth justice centre as a direct alternative to a sentence of imprisonment.

A pre-sentence Group Conferencing Program exists across Victoria, with the legislative framework for this program incorporated into the *Children, Youth and Families Act 2005*. The program is targeted at young people aged 10–17 years who have pleaded or been found guilty of an offence or offences serious enough to warrant a supervised order in the community.

Case management

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

In 2008–09, Youth Justice re-focused its post-release support services through the establishment and funding of the Youth Justice Community Support Service (YJCSS). This service provides an integrated approach to the provision of intensive support and services to Youth Justice clients to complement the statutory case management that regional Youth Justice units undertake. The YJCSS commenced operations in metropolitan regions in October 2008 and rural regions from February 2009.

The model has been developed in recognition that young people in the youth justice system present with a range of complex and varied needs that require an individualised service response. This includes support to young people on community-based orders and post-release support services for young people leaving custody. Individualised packages of services are targeted to enhance rehabilitation, increase economic participation and improve social connectedness in the community.

Within each region, a group of community sector agencies deliver the YJCSS. Each group has a lead agency and a number of partners who provide a single intake point for a suite of services that are flexible and individually tailored to meet the needs of young people in their

local area and a referral pathway to the broader youth service system. The YJCSS includes the following services:

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

Offence-specific and therapeutic programs

There are a range of offence-specific programs offered in Victoria.

Changing Habits and Reaching Targets (CHART)

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

- be a practical tool to support casework with young adult offenders
- employ a skills-oriented, cognitive behavioural focus
- be clearly directive in its approach to intervention
- use active, participatory learning methods.

Male Adolescent Program for Positive Sexuality (MAPPS)

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

The Be Real About Violence (BRAVE) and Relationships And Violence (RAVE) Programs

The BRAVE program (for young men) and the RAVE program (for young women) have been developed for youth justice clients who have committed violent offences or who have displayed or threatened physical violence in familial and/or community settings. The program aims to address violent behaviour, increase their understanding of patterns of violence, increase pro-social coping skills and assist the young person to make violence-free choices, thus preventing further offending.

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

This program is targeted towards those young people found guilty of motor vehicle offences. There are two models for the program, the first is a 2-week program, the second an 8-week program. Both programs address motor vehicle offending and involve the Transport Accident Commission, VicRoads and the Road Trauma Support Unit to deliver modules.

Victoria also offers a range of programs designed to address offence-related issues and behaviours including substance abuse programs, health- and mental health-related

programs, housing programs and independent living support, education training and employment programs and a range of pre- and post-release programs.

Programs for Aboriginal and Torres Strait Islander young people

Indigenous-specific programs have been extensively developed and expanded in Victoria to address the over-representation of Indigenous young people and make connections with appropriate culturally specific organisations.

The Koori Youth Justice Program employs Koori Youth Justice Workers to provide access for Indigenous young people to appropriate role models and culturally sensitive support, advocacy and casework. The Koori Youth Justice Program operates in three metropolitan Melbourne locations and 11 rural locations and the three Youth Justice Centres. Clients include young people who are the subject of orders from the criminal division of the Children's Court, young adults in the dual-track system and, as caseloads permit, young Indigenous people who are at risk of offending, and those who have committed minor offences and received police diversion or cautions.

Koori Youth Justice Workers develop Aboriginal cultural support plans for clients; provide practical support to clients and their families; support other youth justice workers in assessing, planning and setting goals for young Indigenous clients; and develop preventive programs such as organising sporting and recreational programs, coaching and transporting young people to these events.

The Koori Early School Leavers and Youth Employment Program is designed to divert young Koori people from the youth justice system by focusing on the key risk factors for young offenders, particularly lack of engagement with school or other learning opportunities and supporting the young person to re-engage with a learning institution. The program targets young Indigenous people who have disengaged or are at risk of disengaging from education, training or employment. Two Koori-specific programs are currently operating: one in the North and West Metropolitan region and the other in the Loddon Mallee region (Mildura).

Supported accommodation and bail programs

The Koori Intensive Bail Support Program is a diversionary program aimed at reducing the likelihood of more serious contact with the criminal justice system. This is accomplished by providing a supervised bail or deferred sentencing option for young Indigenous people who are at immediate risk of remand or who are likely to receive a custodial sentence. The program provides culturally specific support to young Indigenous people to assist the courts in determining the most appropriate sentencing option. The practitioners work with the young person, their family and other agencies to support the young person's compliance with the conditions attached to bail.

Koori Intensive Bail Support practitioners are employed in five of the eight regions across the state in North and West Metropolitan region, Southern Metropolitan Region, Gippsland Region, Hume Region and Barwon South West Region.

An Intensive Bail Supervision Program is being piloted in the North and West metropolitan region to divert young people aged 15 to 18 years away from remand and support their compliance with bail conditions. The Intensive Bail support workers provide supervision and support to young people on bail and facilitate critical referrals and connections with services during the bail period in an effort to divert young people from remand.

The Youth Justice Housing Pathways Initiative (THM-YJHPI) provides post-release housing and accommodation support to young people involved with the Youth Justice program in an effort to divert young people from the youth justice system and to minimise the likelihood of further offending by Youth Justice clients. The program provides accommodation and intensive support in 47 properties across Victoria to 94 young people per annum for an average of 6 months. Housing information and referral workers provide outreach to the three Youth Justice Centres to assist young people who are not eligible for or are not able to access the properties and support. The primary target group for this program is young people aged 17 plus exiting custodial centres on parole, however other young people on may also be assisted. The model provides tenancy management, accommodation, housing information and referral and support to live independently.

Pre- and post-release programs

The Koori Intensive Pre and Post Release Program is made up of three components: the Koori State-wide Coordinator, the Koori Intensive Pre/Post Release practitioners, and the delivery of cultural programs in the three youth justice centres. The Koori State-wide Coordinator provides coordination across the Youth Justice Program to ensure effective pre- and post-release services to young Koori people in custody are in place as part of pre-release planning, in reports to the Youth Parole Board, during Youth Parole Board hearings and post-release.

The Koori Intensive Pre/Post Release Practitioners provide intensive and innovative culturally based case-management support to young Koori people being released from the three youth justice custodial centres. The practitioner provides direct outreach casework, with a focus on developing family support, community development and linkages to specialist services that target support to Aboriginal communities. Youth Justice Units employ staff in five positions covering the North and West Metropolitan, Hume, Gippsland, Southern Metropolitan and Barwon South West regions.

Koori cultural programs are regularly offered in the three youth justice centres. The programs are tailored to meet the requirements of the demographics of each centre. Indigenous people facilitate provision of these programs to Indigenous custodial clients and other clients who wish to enhance their understanding of the Indigenous culture. The programs include educational, cultural identity and wellbeing components.

The Youth Justice Community Support Service (YJCSS) provides an integrated approach to the provision of intensive support and services to Youth Justice clients to complement the statutory case management that Youth Justice units undertake. The model has been developed recognising that Youth Justice clients present with a range of complex and varied needs that require an individualised service response. This new service model commenced operations in Melbourne metropolitan regions in October 2008 and the five Victorian rural regions from February 2009.

Many Youth Justice clients require intensive support and assistance to access integrated service networks including employment, education and training, mental health, drug and alcohol, and housing options. Individualised packages of services are targeted to enhance rehabilitation, increase economic participation and social connectedness in the community.

The Temporary Leave Program supports the effective transition of young people from custody back into the community by promoting personal growth, skill development, behavioural and attitudinal change and the adoption of appropriate, non-offending behaviours in the community on release. 'Temporary leave' refers to a time-limited leave of

absence from a youth justice centre for a young person who is serving a sentence. Temporary leave for young offenders balances rehabilitation goals with community expectations regarding the administration of justice. Decisions regarding temporary leave reflect the seriousness of the crime for which the young person has been convicted, the length of sentence, and community safety considerations as well as the goal of rehabilitation.

Examples of temporary leave may include leave to:

- seek or engage in employment
- attend an education or training institution
- visit family, relatives or friends
- participate in sport, recreation or entertainment in the community
- attend a hospital, medical, dental or psychiatric clinic to receive treatment.

The Youth Residential Board and Youth Parole Board exercise jurisdiction over all young people whom the courts sentence to a period of detention in a youth justice custodial centre and over young people transferred by the Adult Parole Board from imprisonment to a youth justice custodial centre. The boards make decisions within a framework that balances the needs of the young person with community safety considerations. The boards work closely with custodial staff and community-based parole officers to help young offenders resolve their problems, successfully transition into the community and adopt appropriate, non-offending behaviours.

Legislation

Bail Act 1977

Children, Youth and Families Act 2005 (enacted in April 2007)

Crimes Act 1958

Sentencing Act 1991

Juvenile justice remand and detention centres

Malmsbury Youth Justice Centre

Melbourne Youth Justice Centre

Parkville Youth Residential Centre

Queensland

In Queensland, criminal responsibility commences at the age of 10 years. Young people are dealt with as juveniles for offences committed up until their 17th birthday.

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

Key policy directions

- A new Supervised Community Accommodation (SCA) service has been developed as part of Queensland's commitment to the National Partnership Agreement on Homelessness (NPAH) aimed at providing accommodation options for young people

leaving custody who are at risk of homelessness. This service commenced in Townsville in late 2010.

- Evidence-based programs to address reoffending behaviour among young people under statutory supervision remain a priority, including ongoing training and supervision to youth justice staff to deliver the Aggression Replacement Training (ART) and Changing Habits and Reaching Targets (CHART) programs.
- Specialist counselling services for young people who have committed sexual offences continue to improve, including providing recurrent and enhanced funding to non-government organisations providing these services, and training and support for youth justice staff to improve their skills in working with young people who have committed sexual offences.
- The *Youth Justice Act 1992*, enacted on 29 March 2010, ensures Queensland has a robust youth justice system based on evidence and community feedback which supports victims of crime, meets community expectations and addresses the underlying causes of crime.
- Youth justice conferencing practices continue to be a focus for improvement, including delivering specialist convenor training programs and enhanced procedural and practice guidelines, particularly in relation to complex and serious matters brought to a conference.
- Programs and services aimed at Aboriginal and Torres Strait Islander young people to reduce their over-representation in the criminal justice system are subject to continuous improvement.

Key agencies

Juvenile justice agency

The Department of Communities is responsible for the provision of statutory youth justice services, youth justice conferencing and youth detention services in Queensland.

Police

Police are the first point of contact for young people entering the criminal justice system. In Queensland, police have the option of either diverting young people by way of a warning, caution or a youth justice conference, or referring them directly to the courts.

Courts

In Queensland, young people who are alleged to have committed an offence and who are not diverted are dealt with by the Childrens Court, Childrens Court of Queensland, District Courts or the Supreme Court under the provision of the *Youth Justice Act 1992*.

Key elements

Diversion

Youth Justice Conferencing is available as a pre-sentence option, sentence option or as an alternative to court.

There are 13 Youth Justice Conferencing services throughout Queensland offering a specialist model of service delivery that aims to divert young people from further offending.

The model provides a restorative justice approach to working with victims, young people and their families.

Case management

Young people under the supervision of youth justice service centres and youth detention centres are actively case managed. A case management framework is applied to each young person in the youth justice system, to identify and implement interventions to divert the young person from reoffending and, where needed, refer them to specialist services and programs. Case management and interventions are informed by a comprehensive client assessment and case-planning process. Young people are monitored and case plans are reviewed on a regular basis to ensure that interventions are tailored to the young people's changing rehabilitative and support needs.

Offence-specific and therapeutic programs

The ART program targets medium-to-high-risk young people who exhibit aggressive and violent behaviour, and aims to reduce their risk of committing violent offences by teaching them social skills, anger management techniques and moral reasoning. ART is an intensive 10-week program. In March 2008, Youth Justice commenced training relevant staff in all youth justice service centres and the two youth detention centres to deliver the program.

The CHART program is a structured individual intervention program for young people who are at moderate and high level risk to reduce their risk of reoffending. It is a twelve-module program, consisting of six core modules and six discretionary modules selected on the basis of the young person's assessed needs. Training of case workers and other relevant staff began during 2008 with the aim of having CHART integrated into case worker training as a core case management skill.

The Mater Family and Youth Counselling Service is a specialist service for young people who commit offences of a sexual nature. This service provides preparatory support and therapeutic interventions for young people, families and victims who are referred to a youth justice conference by police or a court in relation to offences of a sexual nature. This service is a joint initiative between Youth Justice Program and Mater Misericordiae Health Services.

The Griffith Youth Forensic Service of the Griffith University Schools of Criminology and Criminal Justice and Applied Psychology is funded to provide clinical intervention services for young people found guilty of sexual offences by the Queensland courts. The Griffith Youth Forensic Service works with departmental case managers to provide specialised assessment and treatment programs for young sexual offenders; pre-sentence reports to facilitate court decisions; and treatment planning, consultancy and training services.

Programs for Aboriginal and Torres Strait Islander young people

Indigenous Service Support Officers (ISSOs) were first introduced into youth justice service centres in 2007–2008 and were expanded in 2008–2009. These positions are located where there is a high proportion of Aboriginal and Torres Strait Islander young people under supervision. These positions were created to provide more culturally appropriate support and intervention for Aboriginal and Torres Strait Islander young people subject to youth justice intervention, and to better support their families and caregivers. ISSOs play a key role in facilitating communication between youth justice staff and Aboriginal and Torres Strait Islander communities to ensure programs and services provided to Indigenous peoples are culturally appropriate. ISSOs contribute to case planning and consult with families, elders,

other key community members, community agencies and government departments to ensure Indigenous young people are effectively supported.

Indigenous Conferencing Support Officers (ICSOs) provide culturally responsive and appropriate youth justice conferencing services to Aboriginal and Torres Strait Islander young people, victims, families and communities. ICSOs also play a key role in helping to increase Indigenous participation in the youth justice conferencing process, thereby improving outcomes and adherence to conference agreements.

Supported accommodation and bail programs

During 2009–10, a new Supervised Community Accommodation (SCA) service model has been developed and will be implemented toward the end of 2010. This service will provide short-term accommodation and support to young people exiting detention from Cleveland Youth Detention Centre (Townsville) who are either homeless or at risk of homelessness. The SCA service also provides a preventive solution to young people being remanded in custody.

The SCA is funded through the National Partnership Agreement on Homelessness (NPAH).

The Department of Communities provides two bail support programs – Conditional Bail Program and Bail Support Services. The Conditional Bail Program provides the courts with alternatives to remanding young people in custody and targets those at risk of remand in custody by engaging them in activities for the duration of their bail period. Youth Justice Services manages the Conditional Bail Program as part of a young person's bail.

Bail Support Services provide support to young people in existing accommodation arrangements, and facilitates new placements for those who have been granted bail by the courts and who require additional assistance to meet bail conditions. They also provide developmental and support services to young people subject to bail. Non-government organisations in selected locations are funded to provide bail support services in the community. These programs provide the courts and police with a viable alternative to remanding young people in custody.

The Youth Bail Accommodation Support Service is one example of a Bail Support Service, located in Brisbane, which provides accommodation and support services to young people remanded in custody, or at risk of being remanded in custody, because of a lack of stable accommodation. The program aims to:

- reduce the number of young people held in detention on remand
- facilitate culturally appropriate placement and intervention for young people released from detention on bail
- provide courts with an option to support young people in accommodation rather than remanding young people in custody.

The Bail Support Service in Far North Queensland is part of the Youth Opportunity Program. The program provides support specifically to help young offenders meet their bail conditions.

Dedicated bail support funding is also provided to non-government organisations in other areas of need including Mount Isa, Atherton Tablelands, and Townsville. This funding allows young people and their caregivers to stabilise accommodation and meet their bail conditions.

Pre- and post-release programs

Youth Justice Service Centres provide post-detention support and provide follow-up of any program commenced while in detention. This ensures that young people are connected with appropriate services and support networks to minimise the likelihood of reoffending at the time when the risk of offending is highest.

Both youth detention centres employ two transition officers to support young people exiting detention to assist with their reintegration into the community. While in detention, young people are involved in a variety of programs including therapeutic, educational, vocational, cultural and recreational programs aimed at providing them with the skills to enable rehabilitation in the community upon their release.

Legislation

Child Protection (Offender Prohibition Order) Act 2008

Child Protection (Offender Reporting) Act 2004

Childrens Court Act 1992

Youth Justice Act 1992 (including Juvenile Justice Amendment Act 1996, Juvenile Justice Amendment Act 1998, Juvenile Justice Amendment Act 2002)

Youth Justice Regulation 2003

Young Offenders (Interstate Transfer) Act 1987

In 2010, the *Juvenile Justice Act 1992* was renamed the *Youth Justice Act 1992*; and the Juvenile Justice Regulation 2003 was renamed the Youth Justice Regulation 2003.

Juvenile justice remand and detention centres

Brisbane Youth Detention Centre

Cleveland Youth Detention Centre

South Australia

In South Australia, criminal responsibility commences at the age of 10 years. The maximum age for appearance in a children's court is 17 years.

The term 'youth justice' is used in South Australia. Juvenile justice remand and detention centres are referred to as training centres.

Key policy directions

- Implementing consistent state-wide standards, policies and procedures.
- Implementing the connected client case management system.
- Implementing new program initiatives for young people under community-based orders and in detention.
- Implementing an across-government case management approach for serious and repeat offenders.
- Building a new youth training centre.

- Developing a new service model for training centres and implementing a change management process prior to commissioning of the new training centre.
- Strengthening through-care of young people leaving custody.

Key agencies

Juvenile justice agency

The Department for Families and Communities (DFC) through the Families SA Division is responsible for providing tertiary juvenile justice services in South Australia. The department's main responsibilities are to support the rehabilitation of young people and contribute to a reduction in their reoffending.

Case management services (including intensive supervision and home detention), restitution services and court services are delivered through the Community Youth Justice Program (metro) and seven Families SA Regional offices in the country.

Families SA provides remand management to young people who have been released on bail or remanded in custody, and sentence management to young people whose sentence involves a period of supervision. Remand management aims to ensure that the young person appears in court and complies with the conditions of the bail agreement, when on bail. Sentence management aims to ensure that the young person receives the correction, guidance and care necessary to support them to live crime free.

Police

In South Australia, the police are the first point of contact for young people entering the criminal justice system. The police have the power to issue cautions (either informal or formal) to a child or young person who has committed an offence. Police officers issue informal cautions 'on the spot' for minor offences, while formal cautions are issued for offences that the police deem to be more serious. Police may also divert young people who plead guilty to an offence to a Family Conference. If a decision is taken to prosecute, the police may proceed by issuing a summons for the young person to attend court, or by detaining them until the next sitting of the Youth Court.

In South Australia there are provisions which enable a young person who has committed a serious offence to have those matters heard as an adult matter. There are also provisions that enable the Youth Court to declare a young person a recidivist offender at the point of sentencing (*Statutes Amendment (Recidivist Young Offenders and Youth Parole Board) Act 2009*).

Courts

In South Australia, children and young people who are alleged to have committed an offence and who are not diverted to a Family Conference are primarily dealt with by the Youth Court under the provisions of the *Youth Court Act 1993*. A judge of the District Court presides over the Youth Court.

The principle of the use of custody as a means of last resort for minors remains in statute in South Australia, as does the common law principle of *doli incapax* (the maximum age of presumption against criminal responsibility) for children 13 years and younger.

When a young person is detained, conditional release application is through a Review Board. Young people are required to serve two-thirds of a detention order prior to becoming eligible for conditional release consideration.

The *Statutes Amendment (Recidivist Young Offenders and Youth Parole Board) Act 2009* has created new provision for a young person who is declared a recidivist young offender to be required to serve four-fifths of a sentence prior to being eligible for conditional release consideration. A declared recidivist offender is subject to the Youth Parole Board.

A young person may also have their matters referred to a higher court subject to the seriousness of the offence (for trial as an adult) or if there is a pattern of serious repeat offending. The Supreme Court deals with all charges of homicide regardless of the age of the offender.

Key elements

Diversion

Children or young people who commit offences that are considered too serious for an informal or formal caution may be directed to attend a Family Conference. To be eligible for a Family Conference, the young person has to admit to carrying out the offence(s). If the charge is denied then the matter is referred to the Youth Court. The Courts Administration Authority within the Department of Justice runs Family Conferences.

Case management

Case management is a flexible, planned and individualised approach to service delivery that provides the client with choices and maximises the efficient use of formal and informal resources in service provision. Case management focuses on engagement, consistent face-to-face contact, dynamic worker/client relationships, goal setting and goal achievement. Case management in a criminal justice context promotes desistance from offending and compliance with court-mandated conditions, and places significant emphasis on a rehabilitative approach.

Offence-specific and therapeutic programs

A range of rehabilitation and support programs are offered to children and young people who are under the supervision of either the Community or Custodial Youth Justice Program. Examples of programs currently offered include Challenging Offending Behaviours, Victim Awareness, Anger Reduction, Moral Reasoning, Drug and Alcohol Use and Behaviour Management. A new approach to the oversight of development and review of programs has been established and includes representation drawn from experts in the field, university sector, guardians' office, victim support services and allied government services (health, education).

Programs for Aboriginal and Torres Strait Islander young people

DFC acknowledges the significance culture plays in the positive growth and development of Aboriginal and Torres Strait Islander young people within their family, cultural community and wider community. DFC provides access to a range of cultural support services for Indigenous young people and their families. Young people in Training Centres and the community receive specialist Aboriginal programs that focus on problem solving and creating new patterns of behaviour within the context of increasing Indigenous children and young people's awareness of the positive aspects of their cultural identity. Focus is placed on ensuring programs transition with the young person as they move between detention and community placements.

Supported accommodation and bail programs

The Remand Intensive Neighbourhood Care Program provides supported family-based-care accommodation for children and young people on remand. Marni Wodli provides supported cluster and group accommodation for Indigenous children and young people aged 16–18 years who are on youth justice mandates and guardianship orders.

Children and young people who enter into a supervised bail agreement (including home detention bail) must comply with structured, regular supervision, which staff of the Community Youth Justice Program provide. The primary objective of supervising bail is to ensure the child or young person returns to court and to support community safety. Bail supervision also ensures that the child or young person is adequately supported, particularly through referral to and liaison with professional staff at supported accommodation, health, education and vocational training agencies.

Pre-and post-release programs

Pre- and post-release programs for children and young people detained in training centres focus on providing a range of education, training and vocational opportunities, with a strong through-care approach with community linkages. Education programs, both in training centres and in the community, have a particular emphasis on literacy and numeracy as base skills, but also include a balanced curriculum offering art, life skills, health, physical education, woodwork and metalwork. Vocational courses, accredited by the South Australian Certificate of Education, are also offered in the training centres and include hospitality, dry wall construction and music.

A large number of case-managed Innovative Community Action Networks courses and programs are also offered to children and young people released from training centres, all of which foster engagement, capacity and pathways to employment.

Other programs

In addition to rehabilitation and therapeutic programs, a range of recreational and personal development programs are offered to children and young people in training centres. These include a variety of recreation and health programs, road safety, self-awareness and mentoring programs.

Legislation

Bail Act 1985

Criminal Law (Sentencing) Act 1988

Family and Community Services Act 1972

Young Offenders Act 1993

Youth Court Act 1993

Juvenile justice remand and detention centres

Cavan Training Centre

Magill Training Centre

Western Australia

In Western Australia, criminal responsibility commences at the age of 10 years. The maximum age for appearance in a children's court is 17 years.

The term 'youth justice' is used in Western Australia.

Key policy directions

- Continued improvement and expansion of youth justice services and procedures to ensure that the intent of the *Young Offenders Act 1994* is followed and detention is used as a last resort.
- Exploring options for reducing offending and increasing the diversion of young people from entering or progressing through the justice system.
- Investigating graduated release and through-care options for young people in custody.
- Redeveloping Banksia Hill Detention Centre to cater for all young people in custody. This redevelopment has provided an opportunity to review and develop best practice and contemporary models of service that meet the diverse needs of all young people in care, while balancing the safety, security and integrity of the centre. The redevelopment is the result of the planned conversion of Rangeview Remand Centre to a young adult prison.

Key agencies

Juvenile justice agency

Youth justice services are the responsibility of the Department of Corrective Services. The Department of Corrective Services is responsible for providing offender management services, supporting offenders to become responsible citizens and promoting crime prevention.

Youth Justice is responsible for young people on supervised bail, which is used when no responsible adult is available for a bail undertaking. In a supervised bail arrangement, the Department develops a behavioural contract for the young person that may include conditions such as avoiding certain locations or looking for work. Youth Justice is also responsible for supervising young people on community-based sentences and provides a number of services, including:

- generic case management
- psychological counselling
- referral to external statutory authorities and local service providers
- Youth Support Officers who provide advice and support.

Youth Custodial Services provides a safe and secure environment for young people remanded in custody or sentenced to a period of detention. The centres are staffed by a range of experienced professionals, including juvenile custodial officers, education and training staff, program facilitators, psychologists, and case planning, supervised bail and medical staff. Young people in custody participate in programs including drug counselling, abuse prevention, personal development, healthy relationships, conflict resolution, life skills and health care.

Police

Young people charged with offences or arrested by police may either be given a notice by a police officer to appear in court, be arrested and released on bail, or be arrested and transferred to Rangeview Remand Centre until they appear in court. Four types of bail are available to young people: surety, which requires the young person or their parents to pay a sum of money as security that the young person will appear in court; personal bail, which is only available to those aged 17 years or older who hold a full-time job and do not have a history of offending; bail undertaking by a responsible person, where a responsible adult takes responsibility for the young person; and supervised bail.

Courts

The Children's Court of Western Australia deals with offences alleged to have been committed by young people aged 10–17 years. If a young person is found guilty of an offence, a number of penalties are available, including:

- fines
- Good Behaviour Bonds—these are normally given to young people who have committed minor offences. A monetary bond is set and must be forfeited if the young person reoffends
- Community Work Order—this is used where a young person has not paid their fine, has forfeited a bail undertaking, or has failed to abide by a Good Behaviour Bond. The court determines how many hours of community work the young person must do. If the young person does not obey the order, they may be detained
- community-based sentences—these include Youth Community-Based Order, Intensive Youth Supervision Order (without detention), Intensive Youth Supervision Order (detention—conditional release order)
- detention.

Young people whose offending behaviour is linked to drug use can apply to be a participant in the Children's Drug Court. If the young person is deemed suitable, a youth justice officer then assists the young person to receive treatment and provides ongoing support.

Key elements

Diversion

Youth Justice provides a number of prevention and diversionary services.

- Killara Youth Support Service—this provides support to the families of young people in contact with the police.
- Juvenile Justice Teams—these teams arrange meetings with the young person, their families, victims and police to determine an action plan. If the young person successfully completes the action plan, they do not receive a criminal record. Both the police and the courts can refer young people to a Juvenile Justice Team.
- Regional Community Conferencing—this operates in regional and remote Aboriginal communities for those who have offended for the first time or have committed minor offences. Youth Justice Services train local community members to hold family group conferences based on the principles of the Juvenile Justice Teams' approach.

Legislation

Bail Act 1982

Children's Court of Western Australia Act 1988

Court Security and Custodial Services Act 1999

Inspector of Custodial Services Act 2003

Sentence Administration Act 2003

Young Offenders Act 1994

Young Offenders Amendment Regulations 1995

Juvenile justice remand and detention centres

Banksia Hill Detention Centre

Rangeview Remand Centre

Tasmania

In Tasmania, criminal responsibility commences at the age of 10 years. The maximum age for appearance in a children's court is 17 years.

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

Key policy directions

- Ongoing review, development and implementation of improved coordinated, collaborative and integrated case management policy and practice guidelines.
- Continuing the *Youth Justice Act 1997* review project.
- Improving education, training and employment opportunities for disengaged young people who are in custody, exiting custody or at high risk of entering custody.
- Providing pre- and post-custodial release support.
- Providing court diversionary community conferencing, community-based statutory supervision, court support and case management which complements support services for young people provided by other government and community sector organisations to reduce the likelihood of further offending.
- Developing community capacity to help rehabilitate young people who have socially offended in the community and restore the harm they may have caused.

Key agencies

Juvenile justice agency

Youth Justice Services within the Department of Health and Human Services (DHHS) is responsible for providing juvenile justice services in Tasmania. The main responsibilities of Youth Justice Services are:

- court diversionary community conferencing involving the victim and significant others

- community-based statutory supervision of young people placed on orders by the courts and support for court processes through the provision of pre-sentence reports and attendance at bail hearings
- safe and secure custodial services and pre- and post-release support
- integrated case management of young people on legal orders with a view to rehabilitation, reduced youth offending and promotion of sustainable pro-social pathways
- a community service order program to assist young people to make good the harm they may have caused in the community and to assist young people to access services that will help them to reduce offending.

Police

Police are the first point of contact for young people entering the criminal justice system. In Tasmania, the police are responsible for the clearance of reported youth crime and deciding whether to divert or to prosecute matters in the courts. Police Early Intervention Units are responsible for diversionary pre-court and informal and formal cautioning services. Police may refer a young person to Youth Justice Services for a non-court-based community conference.

Tasmania Police works closely with Youth Justice Services, and Youth Justice Services participates in a number of steering committees for police diversionary programs, including U-Turn, a program for young people aged 15–20 years who have been involved in, or who are at risk of becoming involved in, motor vehicle theft.

Courts

In Tasmania, young people who are alleged to have committed an offence, and who are not diverted, are dealt with by the Magistrate's Court (Youth Justice Division) under the provisions of the *Youth Justice Act 1997*. The Supreme Court may hear offences prescribed under the Act. The Court has a range of sentencing options, including dismissing the charges, releasing and adjourning the proceedings on conditions, fines, community conference, probation, rehabilitation orders for a family violence offence, community service orders, suspended detention with conditions and detention.

Before using more serious sentencing options, the court must obtain a pre-sentence report from Youth Justice Services. A magistrate may order a conviction to be recorded for a probation order and a community service order, and must order a conviction if a detention order is made.

Key elements

Diversion

In Tasmania, the juvenile justice system is based on the *Youth Justice Act 1997*, which provides a comprehensive framework for restorative justice, including the restoration or reparation of harm done in the community. Under the Act, diversion from the criminal justice system is the principal outcome sought for all young people who are placed on legal supervision orders and case managed. Detention is a sentencing option of last resort.

There are two primary tiers of non-court based diversion:

- Tasmania Police has the power to informally or formally caution young people who have admitted to committing an offence.
- If the matter is considered more serious, the Police may request Youth Justice Services to conduct a community conference, which is convened by a facilitator.

A formal caution or a community conference has the capacity to bring young people face to face with their victims to decide how best to rectify the harm caused by their offending. Failure to comply with undertakings entered into during a community conference can cause the original complaint to be referred back to Tasmania Police, who may decide to prosecute the complaint in the Magistrate's Court (Youth Justice Division).

Case management

In Tasmania, case management is central to the work that is undertaken with young people. Case management identifies:

- the requirements of the court order and strategies to fulfil these
- the services and strategies required to address needs as determined during the general assessment process, inclusive of other professional assessments as required
- the relevant people and services to help identify strategies and goals
- the level of agreement among those involved, including the young person, Community and/or Custodial Youth Justice, on the goals and strategies to achieve these goals, and the associated level of commitment
- the process of assessing and monitoring progress and the point at which involvement with the young person will diminish.

Offence-specific and therapeutic programs

All young people at the Ashley Youth Detention Centre (AYDC) participate in a range of rehabilitative programs. The programs offered and techniques applied take place within a case management context, are evidence-based and understood to be effective for offender rehabilitation. The program framework is designed to provide cognitive-based therapeutic programs for persistent and serious offenders and address specific criminogenic and social needs. Basic interventions that address issues that may affect community integration, such as employment, education, accommodation and leisure, are also included.

The case management approach in place at the AYDC takes account of the needs of the individual child or young person and any court-ordered obligations, as well as community expectations. A comprehensive assessment process undertaken upon admission informs this approach and it is continuous throughout the young person's period of detention.

Community-based Youth Justice Workers also provide case management services within a restorative and rehabilitative framework. These workers do not provide discrete therapeutic programs. Instead, the needs of young people are assessed and, where appropriate, they are referred to a variety of services, which may be internal to the DHHS, offered by professionals in private practice or provided by community service organisations.

DHHS began a pilot program in 2010 with a view to implementing the Youth Level of Service/Case Management Inventory (YLS/CMI) and Changing Habits and Reaching Targets (CHART) programs. The scope of the implementation of these tools will depend on the outcome of the pilot.

Programs for Aboriginal and Torres Strait Islander young people

Lungtalanana

The Lungtalanana program is a residency program where Indigenous young people live on Lungtalanana (also known as Clarke Island) and participate in culturally appropriate activities. Young people who are on remand or serving a sentence of detention are eligible, and are assessed by staff at the centre and the Tasmanian Aboriginal Corporation (TAC) for suitability.

Indigenous partnerships

Youth Justice has a number of partnerships with Indigenous organisations. These include partnerships with:

- the TAC, which has supervised a number of young people on community service orders and involved them in health and wellbeing programs, as well as tasks such as land care
- the Circular Head Aboriginal Corporation, which provides preparation for work programs and linkages to employment for Indigenous and non-Indigenous Youth Justice clients
- the meenah mienne (My Dream), which is a government-assisted Tasmanian Aboriginal arts community organisation that provides art and mentoring programs.

Supported accommodation and bail programs

The Tasmanian Government is investigating supported accommodation and bail programs through its Youth at Risk Strategy.

Pre- and post-release programs

The Department of Education operates a school on site at the AYDC, for young people of compulsory and non-compulsory school age. The educational focus for detainees of compulsory school age at the Centre reflects the curriculum used in schools in the community.

The DHHS funds other programs that are run on site in areas such as the arts, physical education, and technologies. Courses include an in-house espresso coffee course, grade 10 equivalent short courses in mathematics, English, information communication and technology, and reading and writing recovery programs. The school currently offers Certificate 1 in Workplace Skills and units in Certificate I and II in Hospitality will be introduced in the future.

Other programs

The development of the Gateway Services and Integrated Family Support Services began in 2008–09. These services aim to support children and families in need through a single point of access within each of the four service delivery areas across Tasmania. This major reform is underpinned by legislative changes that facilitate greater integration of services and improve the exchange of information.

Additional legislative amendments have improved community and statutory services' response to prenatal concerns, and enhanced stability through increased options for permanent care arrangements.

A Youth at Risk Strategy is being developed and will involve:

- identifying young people at risk of entering the youth justice system at the time a caution is delivered by Tasmania Police to prevent future offending
- providing integrated case management for young people who are statutory clients of both Child Protection and Youth Justice Services. These young people regularly transition between these services and the focus is to provide for continuity in their management
- linking available services for the support of young people at risk through community-based Gateway and Targeted Youth Support Service (TYSS)
- implementing 'wrap around' comprehensive homelessness services for young people as part of the *Tasmanian Homelessness Plan 2010–2013*.

Improvements implemented at the AYDC include:

- Appointment of a Resident Advocate from the Office of the Commissioner for Children to address issues and concerns that residents raise and to ensure residents 'have a voice'.
- Increased access to schooling for residents, with the school now operating 48 weeks of the year.
- Provision of additional training to staff on adolescent development and the effects of poverty and disadvantage.
- Engagement of an Adolescent Forensic Psychiatrist to consult on relevant mental health issues.
- Completion of the review of the Behaviour Development Scheme including greater application of the incentive scheme on a regular basis.
- Provision of vocational education and training programs to young people on site by the Tasmanian Polytechnic. The programs complement the core school curriculum and include courses on small engine maintenance, carpentry, joinery, bricklaying and horticulture.
- Completion of capital works to provide appropriate accommodation for the new educational courses at AYDC.

Legislation

Bail Act 1994

Children, Young Persons and Their Families Act 1997

Police Offences Act 1935

Sentencing Act 1997

Youth Justice Act 1997

Youth Justice Amendment Act 2003

Youth Justice Regulations 1999

Juvenile justice remand and detention centres

Ashley Youth Detention Centre

Northern Territory

In the Northern Territory, criminal responsibility commences at the age of 10 years. The maximum age for appearance in a children's court is 17 years.

The term 'youth justice' is used in the Northern Territory.

Key policy directions

- Implementing the new *Youth Justice Act 2006* that came into force in August 2006, which includes provisions for diversion, including a presumption for diversion and the capacity for courts to refer matters back to Youth Diversion.
- Working with young offenders through formal assessment, restorative justice conferences and referral to a diversionary program under the Continuing the Youth Diversion Scheme (YDS).
- Providing funding under the Community Youth Development Unit (CYDU) program to the communities of Borroloola, Galiwin'ku, Tiwi Islands, Groote Eylandt, Docker River, Imanpa and Gunbalanya, as well as to Tangentyere Central Australian Youth Link Up Service, which provides invaluable support to the Southern Region CYDUs and other youth programs in the region.
- Strengthening of the Family Responsibility Unit and improved interagency response to the management of Family Responsibility Agreements and enforcement of Family Responsibility Orders within the provisions of the YJA.
- Providing one-off capital funding and other support to the communities of Maningrida, Papunya, Mt Liebig, Kintore and Mutitjulu.
- Providing ongoing training for the YDS and restorative justice conference facilitation.

Key agencies

Juvenile justice agency

Correctional Services in the Department of Justice is responsible for young people in detention. The Department of Health and Families is responsible for young people on community-based orders.

If the young person is bailed the court can place the young person under the supervision of Correctional Services with conditions such as residence, curfew and attendance at specific appointments (for example, alcohol and drug assessments).

All young people placed on orders undergo case management, whether they are on a community-based order or serving a term of detention. Case management goals vary significantly depending on the young person, their family or significant other supports, and the services available in their community.

Juvenile detention numbers have increased significantly in recent years. In July 2008, there was an average of 23 juveniles in custody, 25 in July 2009 and 28 in July 2010. In January 2011 the average number was 46 juveniles in custody. In July 2008 there was an average of one female in custody. However this has steadily risen to an average of five females in custody in January 2011.

Community Justice Policy is currently reviewing the overall management of juveniles within the Northern Territory. The review will provide direction and longer term solutions to the

management of juveniles, including addressing the increasing numbers of both male and female detainees.

Alice Springs Juvenile Detention Centre

Alice Springs Juvenile Detention Centre opened on 27 March 2011. The Centre currently holds seven detainees and will continue to have a staged opening and expansion. This facility will increase to a maximum of 24 detainees including males and females. This will allow juveniles from local regions to continue to have access to their families and traditional supports.

Police

Alleged young offenders in the Northern Territory are dealt with in one of three ways:

- referred to the Northern Territory Police Youth Diversion Scheme
- released on bail
- remanded in custody.

The Youth Diversion Scheme may take the form of verbal and written warnings, or family and victim-offender conferencing. Conference outcomes may be informal and formal programs, and conditions (for example an apology to the victim). Programs can include but are not limited to substance abuse, training and education, and community work.

Young people may be released on bail with or without supervision conditions.

If the alleged crime is serious, the accused young person may be remanded in detention before the court hearing.

Department of Children and Families

The Family Responsibility Unit manages Family Responsibility Agreements and Family Responsibility Orders within the provisions of the *Youth Justice Act 2006* with families identified as needing intensive support.

Courts

If the court finds a charge proven against a young person, the decision may be made to:

- dismiss the charge for the offence or discharge the young person without penalty
- adjourn the matter for up to 6 months and, if the young person does not commit a further offence during that period, discharge them without penalty
- adjourn the matter to a specified date within 12 months of the finding of guilt, and grant bail to the young person under the *Bail Act*, to assess the young person's capacity and prospects for rehabilitation, or allow them to demonstrate that rehabilitation has taken place, or for any other appropriate purpose
- order the young person to participate in a specified program
- order that the young person be released, as long as they give security that they will appear before the court if called on to do so, be of good behaviour for the period of the order, and observe any conditions the court imposes
- fine the young person not more than the maximum penalty that may be imposed under the relevant law for the offence
- make a community work order that the young person participate in an approved project for a specified number of hours

- order that the young person serve a term of detention or imprisonment that is suspended, or is suspended as long as the young person enters into an alternative detention order or a periodic detention order
- order that the young person serve a term of detention or imprisonment
- make any other order that another court could make if the young person were an adult convicted of that offence.

If the court orders that the young person serve a term of detention or imprisonment, the term must not exceed the lesser of the maximum period that may be imposed under the relevant law for the offence, or:

- for a young person who is 15 years of age or more – 2 years
- for a young person who is less than 15 years of age – 12 months.

The court must not order the imprisonment of a young person who is less than 15 years of age.

Pre-sentencing conference

The court may, when determining the appropriate sentence for a young person who has been found guilty of an offence, adjourn the proceedings and order the young person to participate in a pre-sentencing conference.

A pre-sentencing conference may include any of the victims of the offence, community representatives, members of the young person's family or any other persons who the court considers appropriate.

Non-parole period

If the court sentences a young person to a term of detention or imprisonment longer than 12 months that is not suspended, the court must fix a non-parole period unless the court considers that the nature of the offence, the past history of the young person or the circumstances of the particular case make this inappropriate.

Legislation

Youth Justice Act 2006

Youth Justice Regulations 2005

Juvenile justice remand and detention centres

Alice Springs Juvenile Holding Centre (ASJHC)

Alice Springs Juvenile Detention Centre (opened Sunday 27th March 2011)

Don Dale Juvenile Detention Centre

Australian Capital Territory

In the Australian Capital Territory, criminal responsibility commences at the age of 10 years. The maximum age for appearance in a children's court is 17 years.

The term 'youth justice' is used in the Australian Capital Territory.

Key policy directions

- Embedding new systems, policies and procedures and ensure the development and implementation of a wide range of educational, vocational, recreational and rehabilitative programs for young people.
- The Department of Disability, Housing and Community Services is implementing the Youth Level of Service/Case Management Inventory (YLS/CMI). Senior staff undertook training in April 2010 and all staff received training in 2010–11, when the program was implemented for young people in Bimberi Youth Justice Centre and under supervision by Community Youth Justice.
- Implementing the Changing Habits and Reaching Targets (CHART) program, which aims to provide clients with rehabilitation-focused supervision sessions and engagement based on evidence-based practice.

Key agencies

Juvenile justice agency

The Office for Children, Youth and Family Support within the Department of Disability, Housing and Community Services (DHCS) is responsible for providing youth justice services in the Australian Capital Territory.

Community Youth Justice within the Office for Children, Youth and Family Services (DHCS) is responsible for the supervision of young people subject to bail and supervised community sentencing orders that the ACT Children's Court and the ACT Supreme Court make.

The Restorative Justice Unit within the Department of Justice and Community Safety is responsible for managing all restorative justice conferences in the Australian Capital Territory.

The Bimberi Youth Justice Centre is the Australian Capital Territory's secure youth justice centre for the custody of children and young people remanded in custody or subject to orders of imprisonment. It was the first youth custodial facility in Australia to be designed, built and operated under Human Rights legislation. Community Youth Justice and the Bimberi Youth Justice Centre provide supervision through a case management model which supports the best interests of clients, while ensuring a balance between community protection, restitution and rehabilitation. They are also responsible for providing reports upon the request of the courts.

To facilitate the effective and efficient management of detention services for young detainees, policies and procedures are notified under the *Children and Young People Act 2008* and are available at <<http://www.legislation.act.gov.au/a/2008-19/ni.asp>>.

Police

Police are the first point of contact for young people entering the criminal justice system. In the Australian Capital Territory, the police have discretionary powers to divert young people who have committed minor offences by using a warning and diversionary system. When considering diversion as an option, police will consider criteria such as the young person's offending history, maturity and mental capacity, and parental input. If a decision is taken to prosecute, the police may proceed by issuing a summons for the young person to attend court, or by detaining them until the next sitting of the Children's Court.

Courts

In the Australian Capital Territory, the Children's Court deals with young people who are alleged to have committed an offence, and who are not diverted, under the provisions of the *ACT Crimes (Sentencing) Act 2005* and other legislation. Children and young people convicted of indictable offences in the Children's Court may be committed to the Supreme Court for sentencing. Conversely, young people whom the Supreme Court has convicted may be remitted to the Children's Court for sentencing. A specialist court officer within DHCS attends all court matters relating to a child or young person to provide reports on current youth justice clients and advice on the custodial and community-based services available to children and young people.

Key elements

Diversion

Restorative justice conferencing is legislated by the *ACT Crimes (Restorative Justice) Act 2004*. The Restorative Justice Unit within the Department of Justice and Community Safety administers the Act through convening and managing the conference processes. The Restorative Justice Unit incorporates the diversionary conferencing system that ACT Policing formally delivers.

ACT Policing has discretionary powers to divert young people (aged 10–17 years) who have committed offences by way of caution or restorative justice conferencing. Restorative justice conferencing is used for a variety of less serious offences and the key criterion for referral is that the young person accepts responsibility for the offence. Other factors taken into account include seriousness of the offence, prior offending behaviour, level of remorse and maturity.

Restorative justice conferencing can also occur in conjunction with a prosecution. ACT Policing, the Office of the Director of Public Prosecutions, the ACT Children's Court, the Office for Children, Youth and Family Support and the Restorative Justice Unit can refer young people at various stages of the criminal justice continuum from caution through to post-sentence; however, the young person must voluntarily agree to participate.

Case management

Community Youth Justice and the Bimberi Youth Justice Centre provide case management and service coordination for all young people supervised on a community-based order or detained at the Centre and transition planning for all young people serving periods of detention. The case managers deliver the CHART program to all young people who have entered guilty pleas or who have been sentenced. Case managers work in close partnership with a range of stakeholders to ensure supervised young people are given the best opportunities to meet their legal obligations and make positive changes in their lives.

Offence-specific and therapeutic programs

Community and custodial facilities implemented the CHART program in 2008. With its implementation, Youth Justice aims to provide clients with rehabilitative-focused supervision sessions and engagement based on evidence-based practice.

DHCS is implementing the Youth Level of Service/Case Management Inventory (YLS/CMI). All staff received training in 2010–11, when the program was implemented for young people in Bimberi Youth Justice Centre and under supervision by Community Youth Justice.

Programs for Aboriginal and Torres Strait Islander young people

Aboriginal and Torres Strait Islander programs at the Bimberi Youth Justice Centre that Aboriginal and Torres Strait Islander community service providers deliver include numeracy and literacy tutoring, Indigenous art, and counselling and family support programs. An Aboriginal and Torres Strait Islander case manager and Aboriginal and Torres Strait Islander liaison officer also provide programs and services for Indigenous young people detained in the Centre, and work with Aboriginal and Torres Strait Islander community service providers to ensure young people transitioning from custody are supported within their community.

Supported accommodation and bail programs

DHCS funds a number of non-government organisations to deliver accommodation, including the Transition Support for Young People Exiting Detention auspiced by Barnardos and Lowana Youth Services.

Pre- and post-release programs

The Bimberi Youth Justice Centre offers a number of programs that aim to provide young people with the skills to help them successfully transition back into the community.

DHCS funds various non-government organisations to deliver post-release programs, including case management services for young people transitioning from custody.

Legislation

Bail Act 1992

Children and Young People Act 2008

Crimes (Restorative Justice) Act 2004

Crimes (Sentence Administration) Act 2005

Crimes (Sentencing) Act 2005

Juvenile justice remand and detention centres

Bimberi Youth Justice Centre

Appendix B Population data

Table 1: Australian population (excluding WA and the NT) aged 10–17 years by sex, Indigenous status and age, December 2009

Indigenous status	10	11	12	13	14	15	16	17	Total
Male									
Indigenous	4,948	4,960	4,966	4,963	5,080	5,061	5,048	5,016	40,042
Non-Indigenous	120,481	120,647	121,478	122,646	124,594	126,504	127,717	130,083	994,150
Total	125,429	125,607	126,444	127,609	129,674	131,565	132,765	135,099	1,034,192
Female									
Indigenous	4,774	4,750	4,799	4,828	4,812	4,796	4,771	4,725	38,255
Non-Indigenous	114,833	114,832	115,654	116,673	118,605	120,333	121,280	123,259	945,469
Total	119,607	119,582	120,453	121,501	123,417	125,129	126,051	127,984	983,724
All young people									
Indigenous	9,722	9,710	9,765	9,791	9,892	9,857	9,819	9,741	78,297
Non-Indigenous	235,314	235,479	237,132	239,319	243,199	246,837	248,997	253,342	1,939,619
Total	245,036	245,189	246,897	249,110	253,091	256,694	258,816	263,083	2,017,916

Notes

1. The number of Indigenous young people in December each year is approximated by averaging of the two relevant 30 June Indigenous population projects; numbers may not therefore sum to the total.
2. The number of Indigenous young people aged 10–17 years is approximated by summing the total number of Indigenous children aged 10–14 years and three-fifths of the number of Indigenous young people aged 15–19 years. This method assumes that there is an even distribution of Indigenous young people in each single year of age between 15 and 19.
3. The number of non-Indigenous young people is obtained by subtracting the number of Indigenous young people from the total number of young people.

Source: ABS 2009b, 2010b.

Table 2: Australian population (excluding WA and NT) aged 10–17 years by age, December 2006 to December 2009

Year	10	11	12	13	14	15	16	17	Total
2006	242,638	246,616	249,448	250,018	251,568	253,428	254,805	253,123	2,001,644
2007	242,363	244,834	248,748	251,502	252,142	254,007	256,784	259,703	2,010,083
2008	242,928	244,781	247,137	250,984	253,974	255,016	257,784	261,738	2,014,342
2009	245,036	245,189	246,897	249,110	253,091	256,694	258,816	263,083	2,017,916

Notes

1. The number of Indigenous young people in December each year is approximated by averaging of the two relevant 30 June Indigenous population projects; numbers may not therefore sum to the total.
2. The number of Indigenous young people aged 10–17 years is approximated by summing the total number of Indigenous children aged 10–14 years and three-fifths of the number of Indigenous young people aged 15–19 years. This method assumes that there is an even distribution of Indigenous young people in each single year of age between 15 and 19.
3. The number of non-Indigenous young people is obtained by subtracting the number of Indigenous young people from the total number of young people.

Source: ABS 2010b.

Table 3: Australian population aged 10–17 years by sex and Indigenous status, states and territories, December 2009

Indigenous status	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust excl WA & NT	Aust incl WA & NT
Male										
Indigenous	15,959	3,378	15,488	7,161	2,847	1,887	446	5,883	40,042	53,089
Non-Indigenous	359,478	278,450	231,963	117,539	80,961	26,011	17,157	8,031	994,150	1,119,717
Total	375,437	281,828	247,451	124,700	83,808	27,898	17,603	13,914	1,034,192	1,172,806
Female										
Indigenous	15,233	3,338	14,640	6,561	2,777	1,858	393	5,614	38,255	50,435
Non-Indigenous	342,520	263,736	220,643	109,598	77,209	24,484	16,737	7,245	945,469	1,062,307
Total	357,753	267,074	235,283	116,159	79,986	26,342	17,130	12,859	983,724	1,112,742
All young people										
Indigenous	31,192	6,716	30,128	13,722	5,624	3,745	839	11,497	78,297	103,524
Non-Indigenous	701,998	542,186	452,606	227,137	158,170	50,495	33,894	15,276	1,939,619	2,182,024
Total	733,190	548,902	482,734	240,859	163,794	54,240	34,733	26,773	2,017,916	2,285,548

Notes

1. The number of Indigenous young people in December each year is approximated by averaging of the two relevant 30 June Indigenous population projects; numbers may not therefore sum to the total.
2. The number of Indigenous young people aged 10–17 years is approximated by summing the total number of Indigenous children aged 10–14 years and three-fifths of the number of Indigenous young people aged 15–19 years. This method assumes that there is an even distribution of Indigenous young people in each single year of age between 15 and 19.
3. The number of non-Indigenous young people is obtained by subtracting the number of Indigenous young people from the total number of young people.

Source: ABS 2009b, 2010b.

Table 4: Australian population aged 10–17 years by Indigenous status, states and territories, December 2006 to December 2009

Indigenous status	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust excl WA & NT	Aust incl WA & NT
2006										
Indigenous	30,707	6,491	28,889	13,311	5,407	3,837	798	11,284	76,186	100,791
Non-Indigenous	703,856	538,650	437,674	219,605	159,341	51,149	34,569	15,247	1,925,458	2,160,300
Total	734,563	545,141	466,563	232,916	164,748	54,986	35,367	26,531	2,001,644	2,261,091
2007										
Indigenous	31,146	6,608	29,550	13,471	5,496	3,832	809	11,328	77,515	102,321
Non-Indigenous	703,910	539,789	444,309	221,701	159,172	50,982	34,180	15,320	1,932,568	2,169,582
Total	735,056	546,397	473,859	235,172	164,668	54,814	34,989	26,648	2,010,083	2,271,903
2008										
Indigenous	31,299	6,684	29,893	13,599	5,561	3,776	825	11,394	78,100	103,100
Non-Indigenous	702,539	540,929	449,045	224,550	158,682	50,751	34,045	15,202	1,936,242	2,175,987
Total	733,838	547,613	478,938	238,149	164,243	54,527	34,870	26,596	2,014,342	2,279,087
2009										
Indigenous	31,192	6,716	30,128	13,722	5,624	3,745	839	11,497	78,297	103,524
Non-Indigenous	701,998	542,186	452,606	227,137	158,170	50,495	33,894	15,276	1,939,619	2,182,024
Total	733,190	548,902	482,734	240,859	163,794	54,240	34,733	26,773	2,017,916	2,285,548

Notes

1. The number of Indigenous young people in December each year is approximated by averaging of the two relevant 30 June Indigenous population projects; numbers may not therefore sum to the total.
2. The number of Indigenous young people aged 10–17 years is approximated by summing the total number of Indigenous children aged 10–14 years and three-fifths of the number of Indigenous young people aged 15–19 years. This method assumes that there is an even distribution of Indigenous young people in each single year of age between 15 and 19.
3. The number of non-Indigenous young people is obtained by subtracting the number of Indigenous young people from the total number of young people.

Source: ABS 2009b, 2010b.

Glossary

Breach: A breach occurs when a young person reoffends or fails to comply with the conditions of a community-based order.

Case management: The process of assessment, identification of needs, planning and review. Case management requires staff to assess the patterns and situational factors that directly relate to the young person's offending behaviour. Case planning also acknowledges the importance of the young person's cultural and developmental needs. Staff collaborate with the young person's family and community services to ensure interventions are sustainable once they have completed their court order.

Changing Habits and Reaching Targets (CHART) program: A cognitively-based intervention designed specifically for caseworkers to engage and work with young offenders who require moderate to high intervention to reduce their risk of reoffending. The Department of Human Services, Victoria, designed the CHART model.

Criminogenic: Producing or tending to produce crime or criminality.

Dual track system: The system in Victoria whereby young people aged 18–20 years can be sentenced to a juvenile detention centre.

Griffith remand: A sentencing option where the court grants an adjournment to assess the young person's rehabilitation prospects or progress. The young person is usually placed under strict conditions, such as completing a residential drug rehabilitation program.

Group conferencing (also known as youth justice conferences): A formal legal process based on the principles of restorative justice. Group conferences bring young people, their families and supporters face-to-face with victims and their support people. Together, they agree on a suitable outcome that may include an apology, reasonable reparation to victims, and steps to reconnect the young person with their community in order to help them desist from further offending.

Juvenile justice centre: A place administered and operated by a juvenile justice agency where young people are detained while under the supervision of the relevant juvenile justice agency. See Appendix A for lists of the juvenile justice centres in each state and territory.

Juvenile justice agency: The state or territory government agency or department responsible for juvenile justice supervision.

Parole or supervised release: A sentenced community-based supervision order that is issued or enacted following a period of sentenced detention. Release on parole or supervised release is possible in some situations when a young person has served a specified proportion of their detention sentence. A breach of the parole or supervised release order usually results in the young person returning to detention to serve the remainder of the sentence.

Police-referred detention: Unsentenced detention in a juvenile justice agency that occurs before the young person's initial court appearance.

Probation or similar: A sentenced community-based supervision order that may be issued with additional mandated requirements such as community work or program attendance. The juvenile justice agency may or may not directly supervise any additional mandated requirements, but remains responsible for the overall supervision and case management of

the young person. Includes probation, recognisance and community service orders that a juvenile justice agency supervises or case manages.

Reception: The event of entering a detention centre to begin an unsentenced or sentenced detention order. Neither a transfer to a new detention facility nor a change in legal status constitutes a reception; however, if a young person is released from detention and then re-enters at a later date, this is a new reception.

Released on bail: Following a period of remand, a court may order a young person to be released into the community pending the outcome of the trial. Bail may be either unsupervised or supervised.

Remand: The act of placing in custody a young person who is accused of an offence to await trial or the continuation of the trial.

Supervised or unconditional bail: The act of allowing a young person who is accused of an offence to await trial or the continuation of the trial in the community under the supervision of a juvenile justice agency.

Suspended detention: A sentence that usually involves a period of intensive supervision in the community with the possibility of detention if the young person breaches the community supervision. Includes immediate release orders, suspended detention orders and intensive supervision of young people with detention orders.

Young person: A person whom a juvenile justice agency supervises as a result of having committed or allegedly committed an offence.

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Related publications

This report, *Juvenile justice in Australia 2009–10*, is part of an annual series. The four earlier editions and any published subsequently can be downloaded free from the AIHW website <<http://www.aihw.gov.au/publications/index.cfm/series/405>>. The website also includes information on ordering printed copies.

The following AIHW publications relating to children and young people might also be of interest:

- AIHW 2011. *Young Australians: their health and wellbeing 2011*. Cat. no. PHE 140. Canberra: AIHW.
- AIHW 2011. *Child protection Australia 2009–10*. Child welfare series no. 51. Cat. no. CWS 39. Canberra: AIHW.
- AIHW 2011. *Educational outcomes of children under guardianship or custody orders: a pilot study, stage 2*. Child welfare series no. 49. Cat. no. CWS 37. Canberra: AIHW.
- AIHW 2010. *Health and wellbeing of young Australians: indicator framework and key national indicators*. Bulletin no. 77. Cat. no. AUS 123. Canberra: AIHW.
- AIHW 2010. *The health of Australia's prisoners 2009*. Cat. no. PHE 123. Canberra: AIHW.
- AIHW 2008. *Linking SAAP, child protection and juvenile justice data collections: a feasibility study*. Data linkage series no. 5. Cat. no. CSI 5. Canberra: AIHW.