

**Juvenile justice in Australia
2006–07**

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Australasian Juvenile Justice Administrators and Data Working Group

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- Department for Families and Communities, South Australia
- Department of Health and Human Services, Tasmania
- Office for Children, Youth and Family Support, Australian Capital Territory
- Department of Justice, Northern Territory.

Abbreviations

ABS	Australian Bureau of Statistics
ACSP	Aboriginal cultural support plan
AIHW	Australian Institute of Health and Welfare
AJJA	Australasian Juvenile Justice Administrators
CYDU	Community Youth Development Unit
DJJ	NSW Department of Juvenile Justice
ISP	intensive supervision program
JJ	juvenile justice
NMDS	national minimum data set
VONIY	Victorian Offender Needs Indicator for Youth
YDS	Youth Diversion Scheme

Symbols used in the tables

n.a.	not available
..	not applicable
–	nil, including null cells
n.p.	not published

Note

Percentages in tables may not add to 100 due to rounding.

Main findings

In Australia, responsibility for juvenile justice lies with the states and territories and involves both juvenile justice agencies and other justice agencies such as the police and the courts. This report presents information on one aspect of the juvenile justice process – the supervision of young people in the juvenile justice system.

Number of young people under supervision

A total of 12,765 young people were under supervision in Australia at some time during 2006–07, 10,675 of whom were aged 10–17 years (the remainder were older). Five out of every 1,000 young people aged 10–17 in Australia were under supervision at some time during the year. The majority had community-based supervision, although nearly a third had both community-based supervision and detention in 2006–07. On an average day in 2006–07, there were around 6,000 young people under supervision – around 5,000 in community-based supervision and nearly 1,000 in detention.

During the four years from 2003–04, the overall number and rate of young people under supervision remained relatively stable. However, while the number and rate of young people in community-based supervision reached a four-year low in 2006–07, the number and rate of young people in detention was highest in 2006–07.

The number of young people in detention each year increased by 6% from 2003–04 to 2006–07, while the average daily number of young people in detention increased by 12%. This indicates that more young people are being detained and that they are in detention for longer.

Over-representation of Aboriginal and Torres Strait Islander young people

The over-representation of Aboriginal and Torres Strait Islander young people under supervision is continuing. Only 5% of Australians aged 10–17 years are Indigenous, but Indigenous young people were 14 times more likely to be under supervision than non-Indigenous young people in 2006–07. This pattern is especially prominent in detention. On an average day in 2006–07, there were nearly as many Indigenous young people in detention as non-Indigenous young people.

Age at first supervision and subsequent supervision

The younger people were when they were first supervised, the more likely they were to re-enter juvenile justice supervision. Nearly half of those aged 10–12 years at their first supervision completed four or more periods of supervision in a 5-year period, while only one-quarter of those aged 14 at their first supervision completed as many. Those who were younger at their first supervision were also more likely to be detained in their first supervision, and this detention was also associated with completing more periods of supervision.

Executive summary

Young people under supervision

In 2006–07, 12,765 young people were under juvenile justice supervision at some time during the year and there were around 6,000 young people under supervision on an average day.

Community-based supervision was more common than detention.

- Nearly 11,000 young people had community-based supervision in 2006–07 and there were around 5,000 in community-based supervision on an average day.
- Around 5,500 young people were detained at some time during 2006–07 and there were around 950 young people in detention on an average day.
- The relationship between the number under supervision over the year and the number under supervision on an average day shows that young people spent more time on average in community-based supervision than in detention.

Around 5 out of every 1,000 young people aged 10–17 years in Australia had supervision in 2006–07. Two young people per 1,000 were detained and 4 per 1,000 were in community-based supervision (some young people had both detention and community-based supervision during the year). Although the number and rate of young people in community-based supervision in 2006–07 was the lowest in four years, the number and rate of young people in detention was highest in 2006–07.

Sex

Most young people under juvenile justice supervision are male.

- On an average day, 84% of those in community-based supervision were male and 92% of those in detention were male.
- Of those aged 10–17 years, males were five times more likely to have supervision at some time during 2006–07 than females.

Aboriginal and Torres Strait Islander young people

Aboriginal and Torres Strait Islander young people are over-represented among those who have juvenile justice supervision.

- Although only around 3% of the total Australian population and 5% of Australians aged 10–17 years are Aboriginal and Torres Strait Islanders, over a third (36%) of those who had supervision in 2006–07 were Aboriginal and Torres Strait Islander young people.
- Over a third of those in community-based supervision on an average day in 2006–07 and nearly half of those in detention were Aboriginal and Torres Strait Islander young people.
- Of those aged 10–17 years, Aboriginal and Torres Strait Islander young people were nearly 14 times more likely to have supervision in 2006–07 than non-Indigenous young people.

In addition, Indigenous young people under supervision are more likely to be younger than non-Indigenous young people and they are more likely to have entered supervision for the first time at a younger age.

Supervision experience

In this report, the supervision experience is examined using the concepts of *supervision periods* and *episodes* (see Section 2.1.2). A *supervision period* begins when a young person enters supervision and ends when a young person has had no supervision for 1 or more days. *Supervision periods* contain *episodes*, which provide details on the highest level of supervision experienced by a young person at any given time based on a hierarchy.

Although a young person may be subject to a number of legal orders simultaneously, the data collection on which this report is based does not attempt to provide a comprehensive coverage of orders. Instead, information on the experience of the young person under juvenile justice supervision is collected in the form of episodes.

Of the 12,765 young people who had supervision during 2006–07, 8,808 young people completed at least one *supervision period* in 2006–07 (the remaining 3,957 young people entered supervision before or during 2006–07 and by the end of 2006–07 had not left supervision for at least 1 day). This section reports on the supervision experience of young people who completed at least one *supervision period*.

- Most young people (80%) completed only one *supervision period*; less than 10% completed three or more *supervision periods* in 2006–07. However, the fewer *supervision periods* completed, the longer they were likely to be.

Sentenced episodes

- Most of the time under supervision (93% of person days) was spent in some form of sentenced supervision. More than 75% of person days were spent in *episodes* of sentenced community-based supervision (such as probation). Only 4% of person days were spent in sentenced detention, while around 12% was spent in other forms of sentenced supervision such as suspended detention and parole.
- Most types of sentenced *episodes* in the community were about twice as long, on average, as sentenced detention *episodes*. The median lengths of sentenced community *episodes* and immediate release/suspended detention *episodes* were each around 6 months and the median length of parole *episodes* were around 4 months. In contrast, the median length of sentenced detention *episodes* was around 3 months.
- Most types of sentenced *episodes* ended because the conditions of the sentence were met. For sentenced detention *episodes*, 35% ended because the young person was released on parole and 20% ended because the conditions of the sentence were met.

Pre-sentence *episodes*

- Less than 10% of the time under supervision was spent in pre-sentence *episodes* – 4% in pre-sentence community *episodes* (supervised bail) and 2% in pre-sentence detention *episodes* (remand).
- The median length of pre-sentence community *episodes* was nearly 2 months, while the median length of pre-sentence detention *episodes* was only 2 days.
- Nearly a third of *episodes* of pre-sentence community ended with the start of a more serious order – three-quarters of which involved pre-sentence detention – while two-thirds of pre-sentence detention *episodes* ended with the young person released on bail (either supervised or unsupervised).

Relationship between age at first supervision and subsequent supervision

- The younger people were when they first entered juvenile justice supervision, the more *supervision periods* they completed compared with those who were older when they first entered supervision. Over a 5-year period, 90% of those who were aged 10–11 years at their first supervision completed more than one *supervision period*, compared with 65% of those who were aged 14 years at their first supervision.
- Those who were younger at their first supervision were also more likely to spend time in sentenced detention rather than sentenced community-based supervision. Young people who were aged 11 at their first supervision spent nearly one-third of their time in sentenced supervision in detention in the year they were 16. In contrast, those who were aged 14 at their first supervision spent less than 10% of their time in sentenced supervision in detention in the year they were 16.
- Age at first supervision was also related to being detained in the first *supervision period*: around 60% of those aged 10 or 11 at their first supervision were detained in this first *supervision period*, compared with 40% of those aged 17.
- Young people who were detained during their first *supervision period* completed more *supervision periods* than those who were not detained. Eighty per cent of those detained in their first *supervision period* completed more than one *supervision period*, while less than 60% of those who were not detained completed more than one *supervision period*. This relationship between detention in the first *supervision period* and the number of completed *supervision periods* was strongest for those who were youngest at their first *supervision period*.

1 Introduction

1.1 Background to the Juvenile Justice National Minimum Data Set

The involvement of juveniles in the criminal justice system is a matter of keen interest to many stakeholders. Governments, policy makers, community groups and researchers alike seek information about this group of young people – particularly about the extent of and reasons for their involvement with the criminal justice system, and their experiences within it. The Juvenile Justice National Minimum Data Set (NMDS) fills this information gap by providing data on community-based supervision and detention as well as the number and characteristics of young people under each type of supervision and their movement through juvenile justice supervision throughout the year.

This is the fourth report of the Juvenile Justice NMDS and covers the period 2006–07. The first report, with data from 2000–01 to 2003–04, was published in February 2006, the second report, with data for 2004–05, was published in March 2007 and the third report, with data for 2005–06, was published in August 2007.

1.1.1 Purpose of the Juvenile Justice National Minimum Data Set

The Juvenile Justice NMDS is designed to provide nationally comparable information to inform policy makers, researchers and the community about the involvement of young people with juvenile justice supervision in Australia and to contribute to national monitoring of juvenile justice policies and programs. The potential benefits include:

- providing a national picture of juvenile justice supervision in Australia
- determining the profile of young people with juvenile justice involvement
- examining national and state/territory trends over time
- informing the community about juvenile detention and community-based supervision
- building capacity for research.

There are two related components of the Juvenile Justice NMDS: a young person collection and an *episode* collection. Together, these components provide information about young people who are under juvenile justice supervision in Australia.

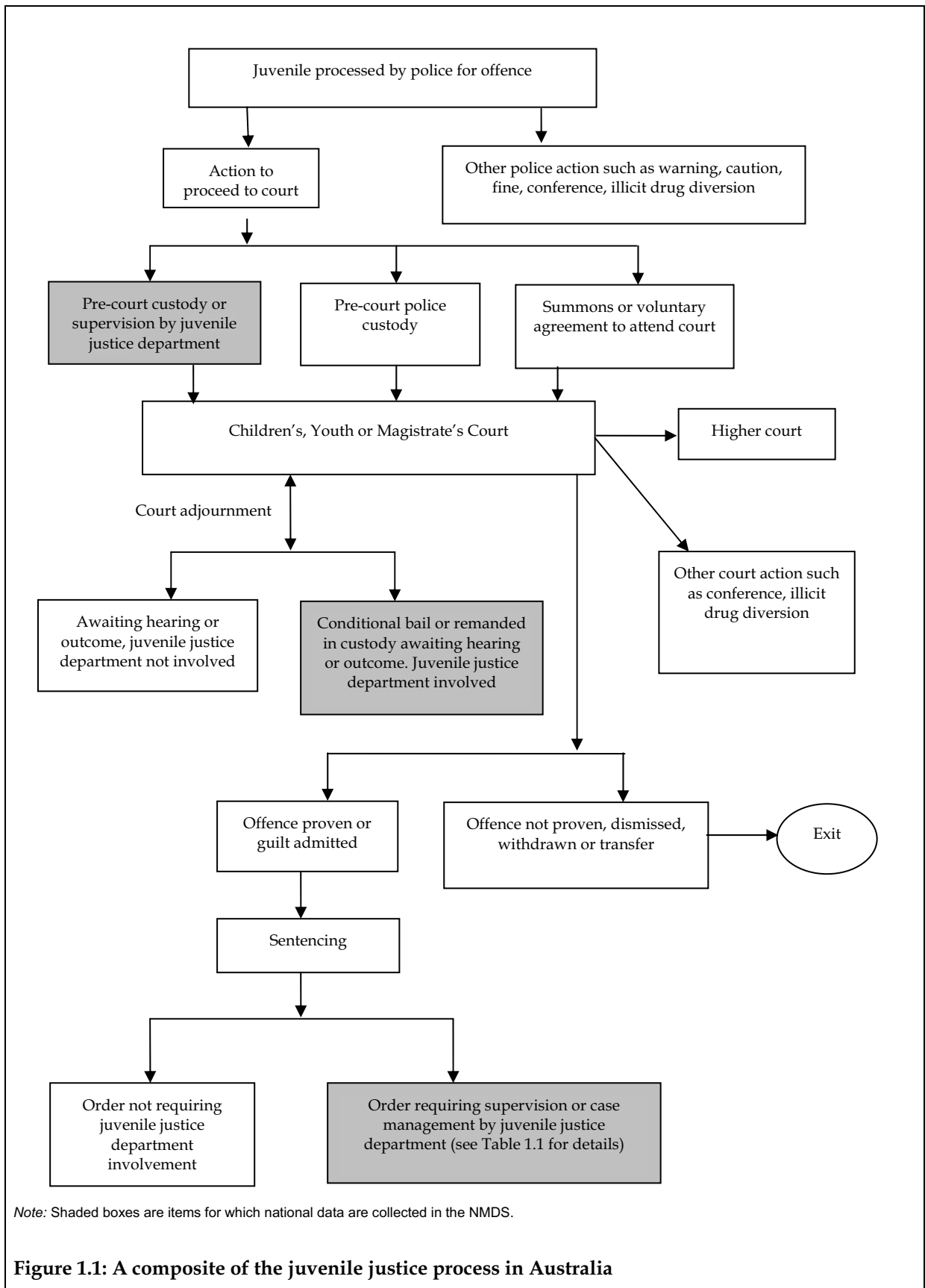
Juvenile justice supervision may include the supervision of a young person while awaiting a court appearance (pre-court supervision), during a trial or while awaiting sentencing (pre-sentence supervision) or while serving an order following finalisation of the case (sentenced supervision). This supervision may occur either in the community or in a custodial facility. A description of the NMDS and its components can be found in Chapter 2.

1.2 The juvenile justice process in Australia

When a young person in Australia reaches the age of 10 years, they are deemed in all states and territories to have criminal responsibility. This means that 10 years is the youngest age at which a young person may enter the formal criminal justice system for having committed or allegedly committed an offence.

In all states and territories except Queensland, young people are treated as juveniles until they reach the age of 18 years. In Queensland, the relevant juvenile justice legislation applies to young people until they reach the age of 17 years. Victoria's juvenile justice legislation was similar to Queensland's, but from July 2005 Victoria's legislation also applies to young people aged 10–17 years. This has led to increased numbers in both detention and community-based supervision in Victoria. Victoria also has a sentencing option for adult courts that allows 18–20 year olds to be sentenced to detention in juvenile justice facilities where appropriate. Young people in all states and territories may remain under juvenile justice supervision for some time while they are 18 years or older (or 17 years or older in Queensland) as the legislative age refers to the age at which the offence occurred rather than the age while under the supervision of the juvenile justice department.

In Australia, the juvenile justice process involves the police, courts, juvenile justice departments, young people and their families, legal advocates and non-government organisations, among others. Figure 1.1 illustrates the flow of the juvenile justice process. A feature of the juvenile justice system in Australia is the diversion of young people away from the formal criminal justice system. Depending on the state or territory, this diversion may occur through the police, the courts or the juvenile justice department. As shown in Figure 1.1, not all young people who come into contact with the criminal justice authorities will end up under juvenile justice supervision, or they may have shortened contact with the formal juvenile justice system.



Young people who are not diverted from the juvenile justice system are either unsupervised or supervised during the various stages of the justice process. In this report, these stages are referred to as:

- pre-court stage (awaiting initial court appearance for an alleged offence)
- pre-sentence stage (awaiting court hearing or outcome)
- sentenced stage (completing an order following the finalisation of the case).

Note that the pre-sentence stage refers to the period that begins with the initial court appearance and ends either with the sentencing of the young person or with the offence being not proven, dismissed or withdrawn. The 'pre-sentence stage' does not refer solely to the period in which a young person has been found guilty of an offence but has not yet been sentenced for that offence.

During each of these stages, the young person can be supervised in either the community or in a custodial facility, and the supervision may be conducted by juvenile justice agencies or by other agencies, such as the police. Examples of the different types of supervision at each of the three stages are provided in Figure 1.2. Shaded objects show orders that are supervised by juvenile justice agencies and that are captured in the Juvenile Justice NMDS (see also Table 1.2).

Information on the supervision of young people by juvenile justice departments in both the community and custodial facilities is presented in this report. However, information on the supervision of young people by agencies other than juvenile justice departments is not included in this report, and neither is information on young people in the juvenile justice system who are unsupervised.

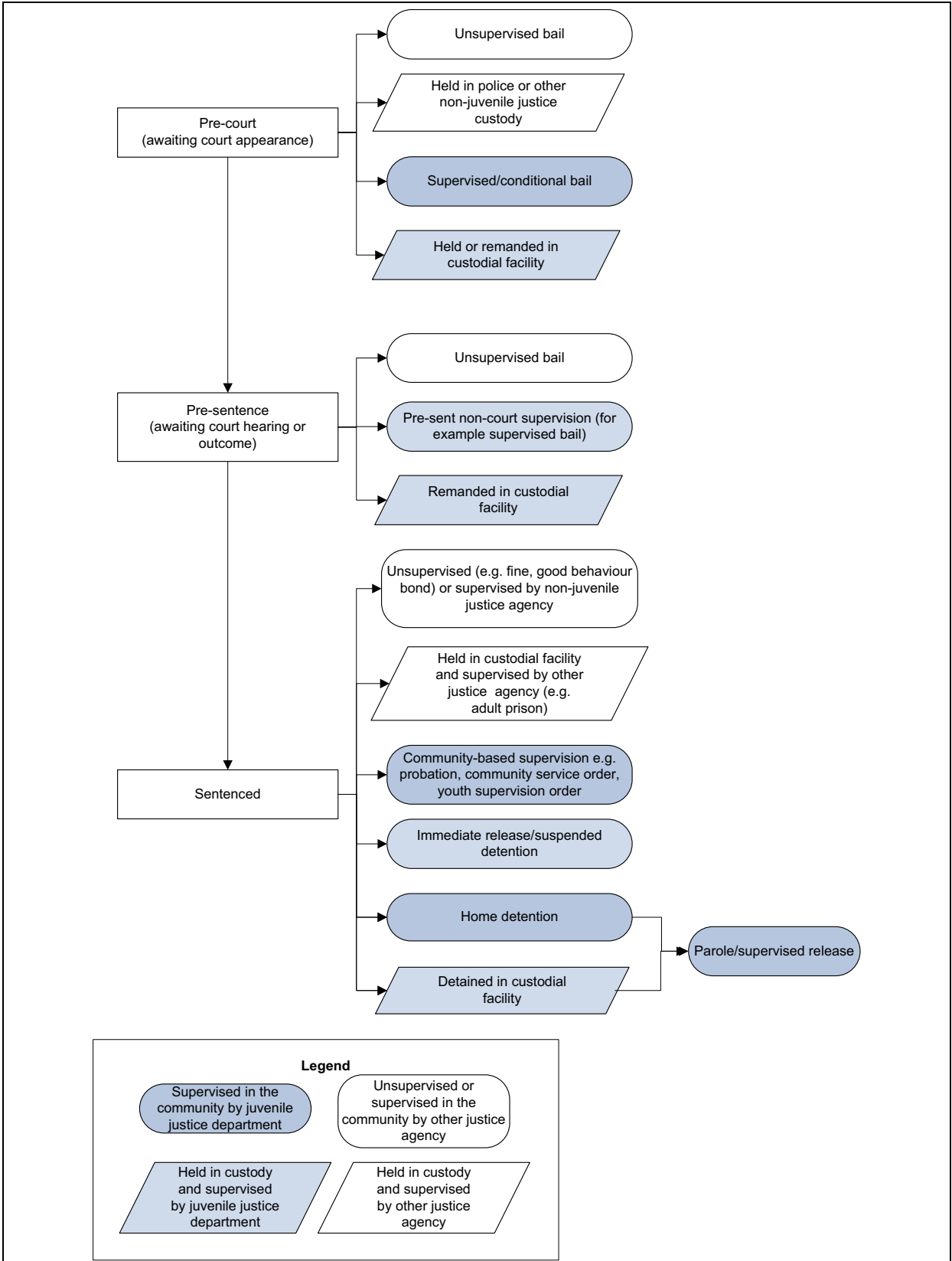


Figure 1.2: Examples of unsupervised and supervised orders at different stages of the juvenile justice process

The court outcomes and services available in juvenile justice differ among states and territories. Those available in some form in most states and territories are shown in Table 1.1. Some court outcomes, such as a discharge without penalty or a fine, may not involve juvenile justice supervision of the young person, while others, such as community service, usually will. Juvenile justice departments may be responsible for the supervision of young people on bail, remand, community service orders or other community-based orders, or sentenced detention orders.

Most states and territories now include ‘victim-offender conferencing’ as part of juvenile justice. Conferences typically involve both the victim and the young person, together with representatives from government and non-government organisations. The aim is to develop a negotiated response to the crime with the young person taking responsibility for the offence, and the needs of both the victim and young person being heard and met. Conferences may be held at a number of stages of the juvenile justice process and are administered variously by the police, courts or juvenile justice departments.

Table 1.1: Range of juvenile justice outcomes and services available by states and territories, May 2008

Juvenile justice outcomes and services	NSW	Vic	Qld	WA	SA	Tas	ACT	NT
Pre-court/pre-sentence diversionary outcomes								
Informal caution/warning	✓	✓	✓	✓	✓	✓	✓	✓
Formal caution	✓	✓	✓	✓	✓	✓	✓	✓
Conferencing	✓	✓	✓	✓	✓	✓	✓	✓
Does not involve juvenile justice department								
Discharge	✓	✓	✓	✓	✓	✓	✓	✓
Fine	✓	✓	✓	✓	✓	✓	✓	✓
Obligation without supervision	✓	✓	✓	✓	✓	✓	✓	✓
May involve juvenile justice department								
<i>Pre-court/pre-sentence stage</i>								
Bail/pre-sentence support and supervision	✓	✓	✓	✓	✓	—	✓	✓
Pre-sentence detention (remand)	✓	✓	✓	✓	✓	✓	✓	✓
<i>Sentenced stage</i>								
Good behaviour bond	✓	✓	✓	✓	—	✓	✓	✓
Community-based supervision (probation)	✓	✓	✓	✓	✓	✓	✓	✓
Community service	✓	✓	✓	✓	✓	✓	✓	✓
Suspended detention	✓	—	✓	✓	✓	✓	—	✓
Home detention	—	—	—	—	(a) ✓	—	—	✓
Detention	✓	✓	✓	✓	✓	✓	✓	✓
Supervised release from detention (parole)	✓	✓	✓	✓	✓	✓	—	(b) ✓
<i>Other</i>								
Conferencing	✓	—	✓	✓	—	✓	✓	✓

(a) Indicates items that are within NMDS scope but for which data are unavailable for the NMDS.

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

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

The legislation that each juvenile justice department is responsible for administering is listed in Appendix A. Details of key elements of the juvenile justice systems in each state and territory are in Appendix B.

1.3 Key policy directions

The juvenile justice field is constantly evolving, with new policy initiatives and programs being formulated to address the offending behaviour of young people. The emergence of victim-offender conferencing as an integral part of juvenile justice services over recent years is an example of this. Some of the key policy directions that the juvenile justice departments will be taking over the next couple of years are outlined in this section.

1.3.1 New South Wales

For juvenile justice in New South Wales, key policy directions include:

- implementing the effective practice model and quality assurance framework for community services staff
- developing an intensive supervision program (ISP) for high-risk juvenile offenders that targets multiple factors linked to antisocial behaviour (this program will provide the tools and opportunities for offenders and their families to make changes to their lives to reduce the risks of re-offending)
- implementing the Aboriginal Strategic Policy Framework to support, provide direction and ensure consistent approaches to decision making in relation to the department's Aboriginal service delivery
- developing a tool and processes to assess and support young people and victims with complex needs participating in youth justice conferences
- implementing the Intensive Bail Supervision Program to maximise opportunities for young people to remain in their communities while on bail and address their risks of re-offending.

1.3.2 Victoria

Key policy directions for youth justice in Victoria are:

- expanding the Group Conferencing Program across the state in accordance with the legislative basis provided by the *Children, Youth and Families Act 2005*
- continuing the diversion of young people from entering or progressing through the justice system, including through the provision of court advice, group conferencing, and central after-hours assessment and bail placement service
- effectively managing young people to reduce offending through effective assessment processes (Victorian Offender Needs Indicator for Youth – VONIY), targeted and evidence-based interventions and case management systems through the implementation of the rehabilitation review, and transitional support and post-release services to reintegrate young people into the community

- continually developing approaches aimed at addressing the over-representation of young Indigenous people in the justice system, including the Children's Koori Court and the further development of the Koori Youth Justice Program (see Appendix B).

Note that the introduction of the *Children, Youth and Families Act 2005* in April 2007 resulted in the Victorian program's nomenclature change from Juvenile Justice to Youth Justice, with wide-ranging effects, including changes to the names of custodial centres, orders and job titles.

1.3.3 Queensland

Key policy directions for youth justice in Queensland include:

- exploring options for reducing offending, including more effective risk and needs assessments for young people (matched to the criminogenic needs of the young person), developing a quality audit framework and continuing to develop evidence-based programs such as post-detention programs to encourage reintegration into communities, which is vital for achieving long-term behavioural change
- reviewing service delivery, including assessing good practice models for case management, and developing a new needs-based assessment framework, which will provide a framework for the new Integrated Client Management System – a system that will facilitate a continuum of care for young people in the youth justice system with case plans that follow a young person through the system
- reviewing and developing youth justice conferencing, with a continued focus on the effectiveness of the enhanced service delivery model, including further development of procedural and practice guidelines that inform response to complex and serious matters brought to conference, and development and delivery of advanced or specialist convenor training programs to provide targeted professional development opportunities for staff who facilitate complex conferences
- reviewing the *Juvenile Justice Act 1992*
- developing an Aboriginal and Torres Strait Islander Youth Justice Strategy to guide the implementation of policy and programmatic responses to the over-representation of Aboriginal and Torres Strait Islander young people in the justice system and the proportionate under-representation of Aboriginal and Torres Strait Islander young people in youth justice conferencing.

These policy projects are aligned to the major funding commitment for the expansion of community-based youth justice service centres across the state, as well as responding to an increased demand for youth justice conferencing.

1.3.4 Western Australia

Key policy directions for juvenile justice in Western Australia include:

- reviewing juvenile justice services and structures with a view to implementing integrated service delivery practices and models between Juvenile Custodial Services and Community Justice Services
- implementing wider and more cost-effective local community-based options in Geraldton and Kalgoorlie, including early intervention, diversion, reparation and intensive case management models

- implementing the VONIY tool, which will enhance case management practices and improve through-care for young people in custodial and community juvenile justice
- developing an annual training program for all uniformed detention staff at the training academy and a promotional pathway program
- developing integrated and efficient data management, collection and extraction systems for use in managing clients in the community and in custody.

1.3.5 South Australia

Families SA policy directions for youth justice in South Australia include:

- developing a new manual of practice in preparation for adoption of the Victorian electronic case management system
- reconfiguring the metropolitan Adelaide youth justice resources to form stand-alone service units
- implementing across-government initiatives arising from the report *To break the cycle* (Cappo 2007).

1.3.6 Tasmania

Key policy directions in Tasmania are:

- providing diversionary strategies involving community conferencing and community service orders
- providing safe and secure custodial care at Ashley Youth Detention Centre
- providing pre- and post-custodial release support and relapse prevention programs
- providing community-based statutory supervision, court support and case management, including integrated collaborative case management for clients with multiple and complex needs
- developing community capacity to help the rehabilitation of young people who have socially offended in the community and the restoration of the harm they may have caused
- improving communication with internal and external stakeholders
- progressing the recommendations contained in the *Review of juvenile remandees in Tasmania* (Commissioner for Children Tasmania 2006)
- finalising the implementation of recommendations contained in the *Review of resident safety at Ashley Youth Detention Centre* (Tasmania Department of Health and Human Services 2005)
- developing and implementing standard operating procedures for the new service delivery model and quality assurance framework
- implementing the case management role within the Court Mandated Drug Diversion program
- improving education and vocational outcomes for young people.

1.3.7 Australian Capital Territory

Key policy directions for 2006–07 included:

- increasing programs for clients under youth justice supervision
- promoting the benefits that restorative justice can bring to young people, as victims of crime or as young people who have been cautioned, charged or convicted of criminal offences
- implementing VONIY to identify risk offending behaviour to support case management and the reduction of recidivism
- implementing Changing Habits and Reaching Targets, which is an evidence-based cognitive and behavioural tool for use across community youth justice and centre-based case management
- providing enhanced education and training options for young people under youth justice supervision through the Student Pathways and Training Pathways Guarantee programs
- continuing to promote and consolidate a common case management approach across the youth sector
- reviewing the Narrabundah Indigenous Supported Accommodation service, which resulted in 20 recommendations, to support young Aboriginal and Torres Strait Islander males on bail, community-based orders and those released from custodial sentences
- strengthening the Turnaround Program's role of case coordination to increase the number of participants with high and complex needs
- establishing a new youth detention centre, which is due to be completed in late 2008, that will better support the case management and delivery of programs to children and young people.

1.3.8 Northern Territory

A major theme of policy direction in the Northern Territory is diversion.

- A new Youth Justice Act came into force in August 2006, replacing the Juvenile Justice Act. The new Act includes provisions for diversion, including a presumption for diversion and the capacity for courts to refer matters back to Youth Diversion.
- The major purpose of the Youth Diversion Scheme (YDS) is to work with young offenders through formal assessment, restorative justice conferences and referral to a diversionary program. In remote communities, Community Youth Development Units (CYDUs) also work with large numbers of young people at risk. This risk abatement work is an essential aspect of the scheme.
- NT Police manage and administer the YDS. The Northern Territory Government funds non-government case management service providers in Darwin, Katherine, Tennant Creek and Alice Springs on a recurrent basis.
- CYDU program funding is currently available to the communities of Borroloola, Galiwin'ku, Tiwi Islands, Groote Eylandt, Docker River, Imanpa and Gunbalanya. Further funding is provided to Tangentyere Central Australian Youth Link Up Service (CAYLUS), which provides invaluable support to the Southern Region CYDUs and other youth programs in the region.

- Large-scale funding was previously used to establish a CYDU in Wadeye and would be reconsidered for future projects, should additional funding become available. One-off capital funding and other support was provided to the communities of Maningrida, Papunya, Mt Liebig, Kintore and Mutitjulu.
- The size and scope of current CYDU programs depends on community needs, governance structures and other partnership arrangements that have been negotiated with key stakeholders. Training for community services to community-employed staff was previously provided through the Institute of Indigenous Tertiary Education 'Communities Supporting Youth' training program. NT Police provides ongoing training for the YDS and restorative justice conference facilitation. Training continues to be a major priority for the program and negotiations about long-term support are continuing. The YDS also provides support for professional development.

1.4 Report structure

This report presents data on:

- the characteristics of young people under juvenile justice supervision
- the characteristics of the *episodes* and *supervision periods* of that juvenile justice supervision.

The focus is on data from the 2006–07 financial year.

1.4.1 Characteristics of young people under supervision

Chapter 3 contains data on the number and rate of young people under juvenile justice supervision in 2006–07. It presents information on the characteristics of these young people, including sex, age, Indigenous status and age at first supervision.

Number of young people under supervision during the financial year

This is a count of the number of young people who were under juvenile justice supervision at any time during the 2006–07 financial year (or in a previous financial year). It can be analysed by state and territory or the characteristics of the young person, such as sex, age and Indigenous status, as is done in Chapter 3. Chapter 3 also presents separate counts of young people who were in community supervision (c) and young people who were in detention (d) during the year. Since a young person may be in both community supervision and detention at different times of the year, the total number of people under supervision is less than the sum of c and d, with the difference being the number of people who experienced both detention and community supervision (b).

That is, where S is the total number of young people under supervision:

$$S = d + c - b$$

Population rates

The numbers of young people under juvenile justice supervision during the year can also be expressed as rates per 1,000 people in the general population of the same age group. Due to the differences among jurisdictions regarding the status of 18 year olds in the juvenile justice system (see Section 1.2), to ensure comparability among jurisdictions all population rates have been calculated for 10–17 year olds (see Chapter 3).

1.4.2 Average daily numbers

Chapter 4 provides data on the average daily number of young people in community-based supervision and detention.

Average daily number

The number of people under supervision during the financial year (as presented in Chapter 3) is not affected by the length of time spent by each person under supervision during the year. Thus a person who spends 1 day under supervision and a person who is under supervision for all of the year each add one to the total count. The average daily number of people under supervision takes account of (in fact, is weighted by) the length of time spent

under supervision. It is calculated by dividing the number of person days by 365.25 (the length of an 'average' year). Similar to the yearly numbers, average daily numbers can be analysed by jurisdiction and the characteristics of the young person (see Chapter 4). Because the average daily number accounts for length of time, it is possible for the two measures to show different patterns. Note that a supervision that begins and ends on the same day is given a count of 1 person day.

1.4.3 Juvenile justice supervision

Chapter 5 provides details of the types of supervision provided, and differences based on the characteristics of the young person such as age, sex, Indigenous status and previous contact with juvenile justice supervision.

Number and length of *supervision periods*

This section uses the concept of *supervision periods*, which provide information on the time a young person spends under supervision. A *supervision period* begins when a young person enters juvenile justice supervision and ends when a young person is not under supervision for 1 or more days (see Section 2.1.2). This section examines the number and characteristics of young people who completed *supervision periods* in 2006–07 and the length of these *supervision periods*.

Types of supervision

Information about the types of supervision that a young person completes is provided by details of *episodes*. *Episodes* occur within *supervision periods* and provide information on the highest known category of supervision a young person is subject to (as dictated by a ranking of types of orders). *Episodes* do not correspond to orders, and *episodes* do not provide information on types of supervision that occur simultaneously (see Section 2.1.2).

Within this section, the types of *episodes* within *supervision periods* are presented, along with their length, the proportion of time spent in different types of *episodes*, and the reasons for *episodes* ending.

To calculate the proportion of time spent by young people in different types of supervision, person days are used. This involves summing the total number of days spent by all young people under juvenile justice supervision during the financial year. The number of person days is also used to calculate average daily numbers (see above).

Relationship between first supervision and subsequent supervision experience

These sections examine the relationships between the age at which a young person first had juvenile justice supervision and the subsequent time spent under supervision, the proportion of time spent in sentenced detention and the impact of being detained in the first *supervision period*.

1.4.4 State and territory appendixes

The state and territory appendixes for *Juvenile justice in Australia 2006–07* are available only at <<http://www.aihw.gov.au/publications/>>.

2 National juvenile justice data: scope, definitions and interpretation

2.1 Juvenile Justice National Minimum Data Set

The focus of the Juvenile Justice National Minimum Data Set (NMDS) is the experience of the young person under juvenile justice supervision rather than legal orders. The Juvenile Justice NMDS provides information about young people who are being supervised by juvenile justice departments in Australia. Pre-court, pre-sentence and sentenced supervision within the community and in detention fall within the scope of the NMDS, as shown in Figure 1.1, and are analysed in this report. Elements of the juvenile justice system that do not require juvenile justice department supervision (such as police and court actions) are not included in the scope of the NMDS.

The data in this report 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 (AIHW). The relevant departments are:

- Department of Juvenile Justice, 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
- Office for Children, Youth and Family Support, Australian Capital Territory
- Department of Justice, Northern Territory.

2.1.1 Young people under juvenile justice supervision

The Juvenile Justice NMDS is designed to capture information on all young people subject to juvenile justice supervision throughout Australia. As outlined in Section 1.2, the ages of young people in the juvenile justice systems in Australia differ among jurisdictions. To allow for these variations, a young person for the purposes of inclusion in the NMDS is a person who is under the supervision or case management of the juvenile justice department as a result of:

- having committed or allegedly committed an offence when between the ages of 10 and 17 years, or
- having committed or allegedly committed an offence at an age greater than 17 years, and who is treated as a juvenile due to his or her vulnerability or immaturity.

This definition means that there will be young people over the age of 17 who are in the NMDS for one of two reasons. Firstly, because the definition is about the age at which the offence was committed or allegedly committed, the young person may be older when they are actually under juvenile justice supervision than at the time of the offence. Secondly, the

definition allows for some young people to be managed within the juvenile justice system when older than 17 at the time of the alleged offence.

The Juvenile Justice NMDS does not include the full names of the young people under supervision but instead contains identification codes and specific combinations of letters from the young people's names. These combination of letters, along with other data items, are used to create statistical linkage keys, which provide the capacity to link the records of young people across states and territories. These linkage possibilities are not explored in this report. The NMDS also includes the dates at which the young people would have begun their first NMDS *episodes*, even where these are before the start of the collection period. The data items collected for young people under supervision are shown in Table 2.1.

Table 2.1: Data items for young people under supervision

Young person's ID (a jurisdictionally-based code)
Letters of name (specific combination of letters used for statistical linkage purposes)
Date of birth
Sex
Statistical linkage key (derived by AIHW from letters of name, sex and date of birth)
Indigenous status
Date of first supervision

Once the statistical linkage key is derived and encrypted, the 'letters of name' data item is deleted to ensure that no identifying information is retained.

2.1.2 Juvenile justice *episodes*

Episodes provide information about the length and type of contact between young people and juvenile justice departments. The Juvenile Justice NMDS does not record information on concurrent *episodes*; instead, it records information on only one *episode* at a time. A pre-defined hierarchy of *episode* types (see 'Hierarchy of *episode* types' below) determines the record that is created for the NMDS *episodes*. *Episodes* do not equate directly to court orders.

What is an *episode*?

An *episode* is defined as:

A period of time during which a juvenile justice young person is under the supervision of, or is case managed by, a state or territory juvenile justice department as a result of having committed or allegedly committed an offence, and where there is no change in the type of supervision provided or the specific juvenile justice agency responsible.

Episodes provide information on the highest known category of supervision (as dictated by the hierarchy). The Juvenile Justice NMDS records a young person as being on one *episode* at a time. If a young person is subject to more than one type of supervision simultaneously (for example, while undergoing a community sentence a young person is placed on supervised bail for a new offence), the highest *episode* according to the hierarchy is recorded in the NMDS (see 'Hierarchy of *episode* types').

The data items reported on in the *episode* collection are shown in Table 2.2.

Table 2.2: Data items relating to *episodes*

Entry date
Juvenile justice <i>episode</i> type
Transferred from
Reason for exit (from <i>episode</i>)
Exit date

Hierarchy of *episode* types

A young person can be recorded as being on only one juvenile justice *episode* at any point in time (that is, they cannot have concurrent juvenile justice *episodes*). If a young person is subject to two or more types of supervision at a particular time in a jurisdiction, then the one that is highest in the NMDS hierarchy will be recorded in the Juvenile Justice NMDS. The hierarchy is presented below, with 1 being the highest possible *episode* type and 12 being the lowest possible *episode* type (see also Figure 1.2):

1. Sentenced – detention
2. Pre-sentence – remanded in juvenile justice facility
3. Pre-court – held in juvenile justice facility
4. Sentenced – home detention
5. Sentenced – immediate release or suspended detention
6. Sentenced – parole or supervised release
7. Sentenced – other community-based supervision and other mandated requirements (for example, work, attendance at a program)
8. Sentenced – community-based supervision without additional mandated requirements
9. Sentenced – other
10. Pre-sentence – other (for example, supervised bail)
11. Pre-court – other (for example, supervised bail)
12. Other.

As the highest possible *episode* type, all orders of sentenced detention will be recorded on the NMDS. Orders relating to *episode* types lower on the hierarchy, however, may not always be recorded in the NMDS. For example, if a young person is subject to pre-sentence community supervision at the same time as a community-based sentence, the pre-sentence supervision will be hidden and not recorded by the NMDS. Similarly, orders relating to *episode* types lower on the hierarchy may be broken up by the occurrence of higher-level *episodes*. For example, if a young person is on a community-based sentence *episode* but is then remanded on other matters, the community-based sentence *episode* will end and the young person will be shown only as being on a pre-sentence detention (remand) *episode*. Should the young person be released from remand while the original community-based sentence is still in force, the NMDS will show that the pre-sentence detention *episode* has ended and a second community-based sentence *episode* has begun.

This is in keeping with the focus of the NMDS being on the experience of the young person under juvenile justice supervision, rather than a count of court orders. The NMDS will therefore report on *supervision periods* and *episodes*, and these should not be interpreted as being equivalent to orders.

What is a *supervision period*?

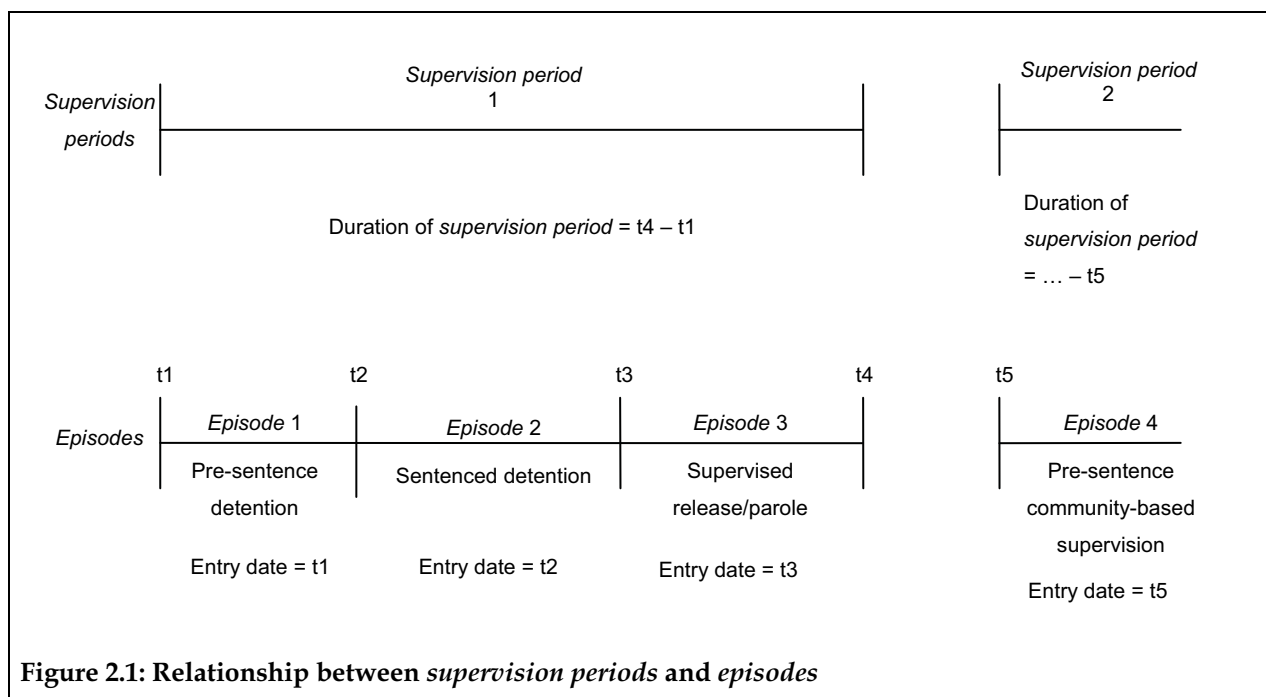
A *supervision period* provides broad-level information on contacts between young people and juvenile justice departments while *episodes* provide the detail on the length and type of that contact.

A *supervision period* is defined as:

A period of time during which a juvenile justice young person is under the supervision of, or is case managed by, a state or territory juvenile justice department, as a result of having committed or allegedly committed an offence.

Supervision periods may consist of one continuous or multiple contiguous *episodes*. Figure 2.1 illustrates the relationship between *episodes* and *supervision periods*.

A *supervision period* ceases when for at least 1 day a young person is not subject to any juvenile justice department supervision.



In the example in Figure 2.1, a young person has completed one *supervision period* and is currently in a second *supervision period*. The first completed *supervision period* began at time 1 (t_1) with an *episode* of pre-sentenced detention (*episode 1*). This was followed at t_2 by an *episode* of sentenced detention and a further *episode* at t_3 of supervised release or parole. When this supervised release was completed, there was no further authority requiring juvenile justice supervision and therefore the *supervision period* ended at t_4 . Some time later, at t_5 , a pre-sentence community-based supervision *episode* began, which signalled the start of a second *supervision period*.

The *supervision periods* tell us that there have been two periods of supervision with a juvenile justice department, and the *episodes* describe the type and length of that supervision.

Supervision periods are a conceptual unit of analysis only – they are derived from *episode* data, rather than being specifically collected data elements themselves. A *supervision period* may contain one or more *episodes*. Juvenile justice *supervision periods* allow the analysis of returns

to juvenile justice supervision. This is in contrast to juvenile justice *episodes*, which allow for the analysis of progression within juvenile justice *supervision periods*.

2.2 Interpretation of the data

Some contextual information about the population of young people in Australia should be kept in mind when reading the results in this report. The following provides some information about the demographic context of the Australian population, including significant differences among the states and territories.

2.2.1 Aboriginal and Torres Strait Islander population

The Aboriginal and Torres Strait Islander population of Australia is younger than the non-Indigenous population. In Australia, around 11% of the population is aged 10–17 years, but nearly 20% of the Aboriginal and Torres Strait Islander population is in this age group (Table 2.3). This is consistent throughout Australia, with little difference among the states and territories.

Table 2.3: Australian population aged 10–17 years and all ages by Indigenous status, states and territories, 2007

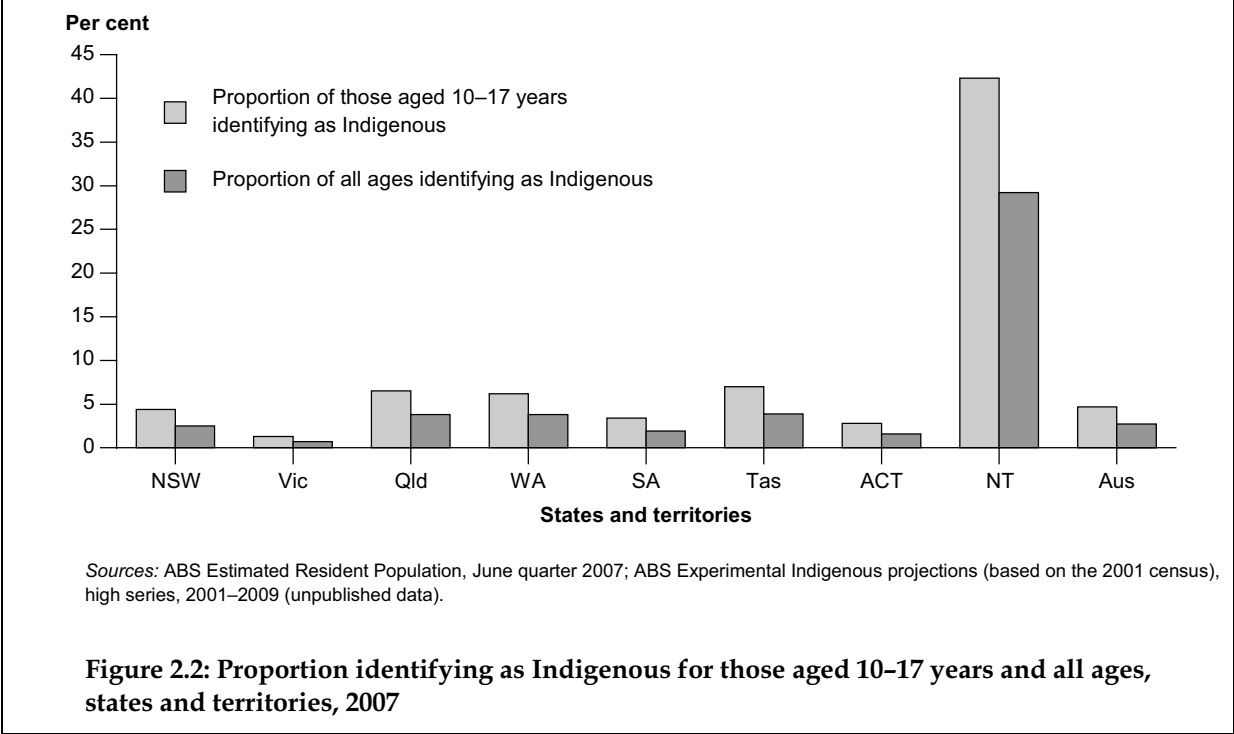
Population	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aus ^(a)
Indigenous									
Aged 10–17	32,337	6,934	30,477	14,595	5,611	3,853	974	11,239	106,056
Total (all ages)	169,479	36,660	157,467	79,541	30,410	19,329	5,385	62,870	561,387
% of total aged 10–17	19.1%	18.9%	19.4%	18.3%	18.5%	19.9%	18.1%	17.9%	18.9%
Other Australians									
Aged 10–17	702,103	538,521	439,798	219,344	158,887	51,081	34,145	15,337	2,159,477
Total (all ages)	6,719,593	5,168,556	4,024,595	2,026,242	1,554,103	474,012	334,480	152,105	20,455,835
% of total aged 10–17	10.4%	10.4%	10.9%	10.8%	10.2%	10.8%	10.2%	10.1%	10.6%
Total									
Aged 10–17	734,440	545,455	470,275	233,939	164,498	54,934	35,119	26,576	2,265,533
Total (all ages)	6,889,072	5,205,216	4,182,062	2,105,783	1,584,513	493,341	339,865	214,975	21,017,222
% of total aged 10–17	10.7%	10.5%	11.2%	11.1%	10.4%	11.1%	10.3%	12.4%	10.8%

(a) Australian figures include people living in other territories not listed in the table.

Note: Indigenous population figures are based on the ABS high series estimate from the 2001 Census.

Sources: ABS Estimated Resident Population, June quarter 2007; ABS Experimental Indigenous projections (based on the 2001 census), high series, 2001–2009 (unpublished data).

However, while the Indigenous population is younger than the non-Indigenous population in all states and territories, the proportion of the population that is Aboriginal or Torres Strait Islander varies (Figure 2.2). In most states and territories, Aboriginal and Torres Strait Islander people represent a small proportion of both the total population and those aged 10–17 years, but in the Northern Territory, nearly a third of the population are Aboriginal or Torres Strait Islander and two out of every five young people aged 10–17 years are Indigenous. In Australia, 3% of the total population and 5% of those aged 10–17 years are Aboriginal and Torres Strait Islander young people.



These differences in the population distribution, particularly in the Northern Territory, should be kept in mind when interpreting the data. This is especially important for juvenile justice data – an area in which Indigenous young people are over-represented.

2.2.2 Data interpretation issues

Indigenous status data

The methods of obtaining and recording information for the data item ‘Indigenous status’ differed among jurisdictions during the collection period. The aim of the Juvenile Justice NMDS is to report on Indigenous status according to the Australian Bureau of Statistics’ (ABS) standard, which differentiates among the following categories:

- Aboriginal but not Torres Strait Islander origin
- Torres Strait Islander but not Aboriginal origin
- both Aboriginal and Torres Strait Islander origin
- neither Aboriginal nor Torres Strait Islander origin.

Because of different standards of data quality for this item, the categories have been collapsed for the purposes of reporting and will be referred to as Indigenous and non-Indigenous in this report. Records for which Indigenous status is unknown are excluded from the calculation of rates.

Pre-court and pre-sentence *episode* types

In some of the states and territories, existing data recording systems and practices do not allow a clear distinction to be made between pre-court and pre-sentence *episode* types. For the purposes of this report, both of these *episode* types are therefore reported as pre-sentence *episodes*.

Community-based supervision (sentenced)

In the data dictionary, an allowance is made to distinguish between community-based supervision with or without additional mandated requirements. Such requirements may include community work or program attendance. As with the pre-court and pre-sentence *episode* types, some states and territories are unable at this stage to clearly define whether or not additional mandated requirements exist on a sentenced community-based supervision *episode*. Therefore, these *episode* types have been collapsed and are reported as community-based supervision.

Calculation of rates

The findings in this report include rates of 10–17 year olds under juvenile justice supervision. These have been calculated at per 1,000 of the relevant population rather than per 100,000. This calculation method was chosen to ensure comparability between smaller and larger jurisdictions.

2.3 Development and data quality

A major challenge for any national data collection in Australia is to produce nationally comparable data, given a starting point of different legislation, counting rules, administrative data systems and recording practices in each state and territory. The Juvenile Justice NMDS has been able to achieve detailed and comparable data that enhance the available national information in this important area. All states and territories were able to provide data for 2006–07, contributing to a comprehensive picture of juvenile justice supervision in Australia. Data quality is an ongoing priority in the development of the NMDS, with continual improvements as each jurisdiction is able to alter or add to their own data practices to suit the NMDS requirements.

2.3.1 Data systems and recording practices

There are a number of differences in the data systems and recording practices of juvenile justice data within Australia because of variation in the administration of juvenile justice. The juvenile justice data system may stand alone (such as in New South Wales), while in some jurisdictions the child protection and juvenile justice data are recorded on one system (Victoria is moving to this system), and, in others, juvenile justice is recorded within an integrated criminal justice recording system (such as in the Northern Territory). In most

cases, this does not adversely affect the ability of the jurisdictions to extract NMDS-compliant data, but there are some exceptions.

In Western Australia, information is recorded on separate database systems for community supervision and custodial supervision. These systems are not linked in any way and, in order to obtain the data for the *episode* collection in this report, the two data extractions were matched and merged based on the statistical linkage key. While this linkage is sufficiently accurate for statistical purposes it is important to note that it is not 100% accurate as would be required for a system linking person records for case management or legal purposes.

In New South Wales, the Kariiong Juvenile Justice Centre was transferred from the NSW Department of Juvenile Justice to the NSW Department of Corrective Services on 10 November 2004. It was renamed the Kariiong Juvenile Correctional Centre. Figures for young people in custody in Kariiong after 10 November 2004 will not be reported by the Department of Juvenile Justice and thus are not included in this report.

2.3.2 Data development

The development and refinement of data items in the Juvenile Justice NMDS is an ongoing process. It is anticipated that data on offences will be included in future developments. Key performance indicators are also being developed to help monitor systemic aspects of juvenile justice supervision.

2.3.3 Data quality and coverage

The coverage of data is complete for the period 2003–04 to 2006–07, with data for 2000–01 to 2002–03 missing only from the Australian Capital Territory. In all other instances, it is believed that 100% of young people within scope of the collection were included in the data.

The quality of data provided for this report was good and has improved since the first report. The amount of missing data is less than 0.1% for all variables except Aboriginal or Torres Strait Islander status. Of those who had supervision in 2006–07, around 5% have a status of 'Unknown', while about 9% of young people in the entire Juvenile Justice NMDS have this status. Differences in data collection methods and data recording systems within jurisdictions, and an unwillingness of some young people to respond to questions about Indigenous status, affect the quality of Indigenous data. In line with the entire community services sector, there is a commitment to improving the quality of data on Indigenous status in the juvenile justice sector. Over the last few years, there has been a general decline in the number of young people with an 'Unknown' Indigenous status in most jurisdictions.

In Tasmania before February 2006, custodial data entered in the central data repository used for this report was incomplete. The result is a reported higher level of custodial activity and longer periods of supervision. Remedial action is being taken to improve the quality of data in subsequent reports.

3 Characteristics of young people

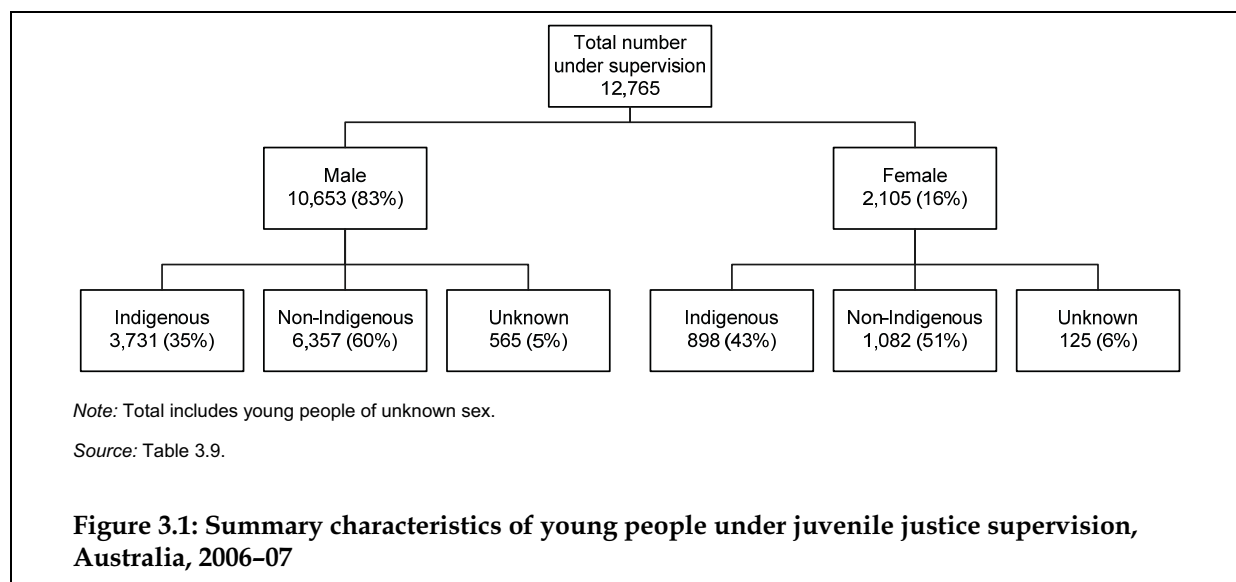
This chapter presents information about young people in Australia who were under juvenile justice supervision at some time during 2006–07. The numbers and rates of young people under supervision and the age at which they first had supervision, as well as broad demographic information such as age, sex and Indigenous status, are included.

3.1 Summary

In 2006–07, there were 12,765 young people under juvenile justice supervision at some time during the year, which is a slight increase on the number of young people under supervision in the previous 4 years. Most of these young people had community-based supervision, while around 30% had both community-based supervision and detention. Over 80% (10,675) were aged 10–17 years, with the remainder being older.

The majority of young people under juvenile justice supervision in 2006–07 were male, and around two-thirds of young people under supervision were aged at least 16 years. Less than 8% were aged under 14, and 16% were aged 18 or older, although this varied considerably by state and territory.

While most young people under supervision in Australia were non-Indigenous (around one-third were Indigenous), in several states and territories there were more Aboriginal and Torres Strait Islander young people under supervision than non-Indigenous young people. Overall, proportionally more females were Indigenous than males. Nationally, the proportion of Indigenous young people under supervision has increased over the past 7 years.



For young people aged 10–17 years, nearly 5 out of every 1,000 young people in Australia had juvenile justice supervision in 2006–07. About 2 per 1,000 young people were in detention and nearly 4 per 1,000 young people had community-based supervision. While the

rate of young people in community-based supervision has fallen over the 7 years from 2000–01, the rate of young people in detention has risen. Males aged 10–17 years were 5 times more likely to be under supervision than females of this age, while Aboriginal and Torres Strait Islander people aged 10–17 years were nearly 14 times more likely to be under supervision than non-Indigenous young people.

Most young people who had juvenile justice supervision in 2006–07 were aged between 14 and 16 years at the start of their first juvenile justice supervision. However, Aboriginal and Torres Strait Islander young people first entered supervision at a younger age than non-Indigenous young people did.

3.2 Number of young people under supervision

Each year, between 12,000 and 13,000 young people experience some form of juvenile justice supervision (Table 3.1). For most, this supervision is in the community rather than in detention and some may experience both (so the numbers for community and detention will not sum to the ‘all young people’ figure).

In 2006–07, 12,765 young people experienced juvenile justice supervision in Australia (Table 3.1). Of these, 10,697 (84%) had community-based supervision, and 5,487 (43%) had detention-based supervision, which means that 3,419 (27%) experienced both community-based supervision and detention at some time during the year.

Over the 4-year period 2003–04 to 2006–07, the number of young people under juvenile justice supervision each year decreased slightly to 2004–05 before increasing in 2005–06 and 2006–07. This increase mainly occurred in detention, while numbers in community-based supervision remained relatively constant. Over the 4 years, the number of young people who had detention each year increased by 6% while the number who had community-based supervision decreased by 3%.

Not all states and territories experienced an increase in the number of young people who had supervision over the 4 years. In South Australia, numbers in both community-based supervision and detention decreased, and in Queensland there was a decrease in the number of young people in detention and little change in the number in community-based supervision. In New South Wales, Tasmania, the Australian Capital Territory and the Northern Territory, the number of young people who had detention increased while the number who were supervised in the community decreased, but in Victoria and Western Australia numbers increased in both community-based supervision and detention. In Victoria, the upper limit of the age jurisdiction of the Children’s Court increased from 16 to 17 years from 1 July 2005. The inclusion of 17 year olds in the Victorian numbers for 2005–06 onwards may account for the increase in these figures compared with 2004–05.

Table 3.1: Young people under juvenile justice supervision by type of supervision, states and territories, 2003–04 to 2006–07

Year	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aus
Community									
2003–04	2,840	1,766	2,552	1,507	1,205	530	325	278	11,003
2004–05	2,748	1,610	2,555	1,576	1,127	504	279	310	10,709
2005–06	2,834	1,809	2,536	1,752	1,046	522	238	289	11,026
2006–07	2,392	2,126	2,567	1,654	973	501	237	247	10,697
Detention									
2003–04	1,902	500	961	884	589	101	131	122	5,190
2004–05	1,946	444	642	855	549	98	117	122	4,773
2005–06	2,147	535	709	857	488	130	130	140	5,136
2006–07	2,317	585	762	930	498	121	143	131	5,487
All young people									
2003–04	3,542	1,895	2,835	1,829	1,392	556	337	318	12,704
2004–05	3,475	1,736	2,653	1,875	1,286	534	290	340	12,189
2005–06	3,705	1,961	2,664	2,035	1,218	550	256	327	12,716
2006–07	3,561	2,298	2,670	2,019	1,135	520	258	304	12,765

Notes

1. This table includes young people who have had at least 1 day of juvenile justice supervision during the collection year. The numbers for community and detention will not sum to the 'all young people' figure, as some young people will have experienced both community and detention supervision during the collection year.
2. Victoria has special sentencing options for 18–20 year olds (see Section 1.2 The juvenile justice process in Australia).
3. Tasmania has incomplete data resulting in higher reported numbers in detention (see Section 2.3.3 Data quality and coverage).

Over the 7 years of data contained in the Juvenile Justice NMDS, the number of young people under supervision, both community and detention, decreased from 2000-01 to 2004-05, but has since increased (Figure 3.2). However, while the number of young people in detention showed the same trend, the number of young people in community-based supervision remained relatively constant except for a decrease from 2005-06 to 2006-07.

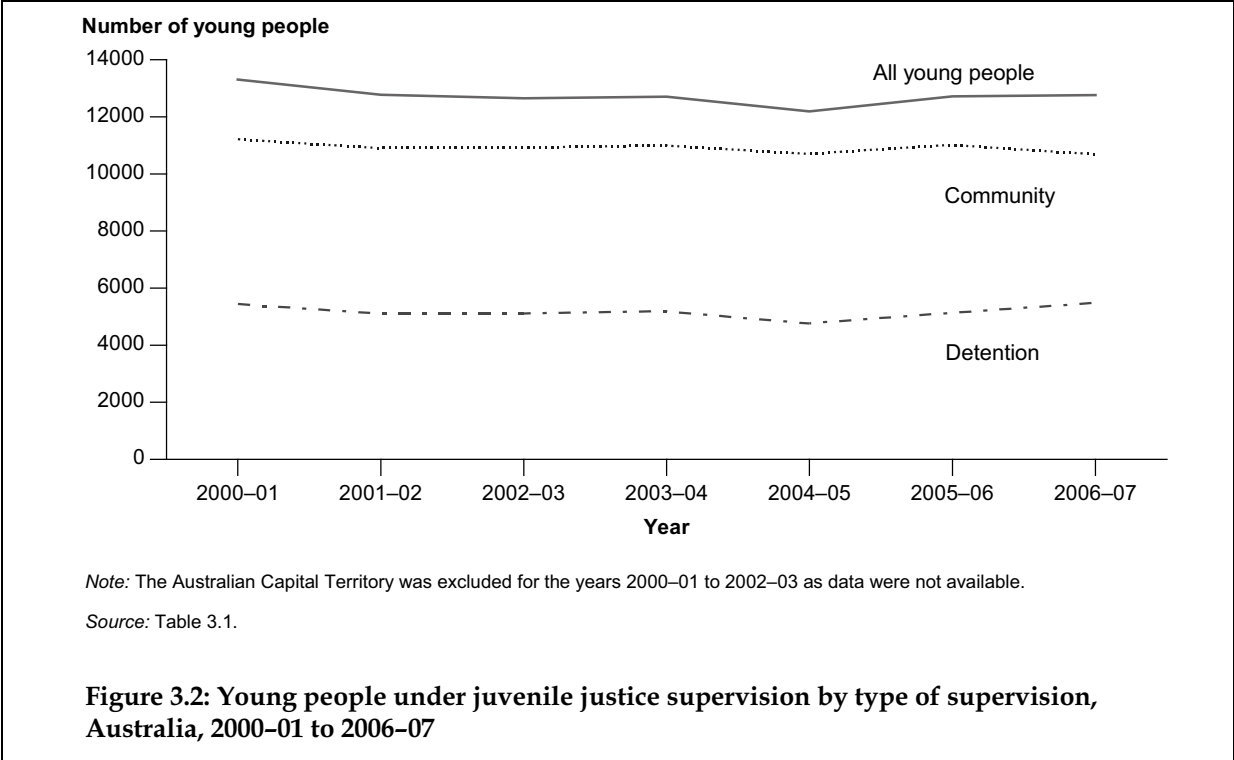
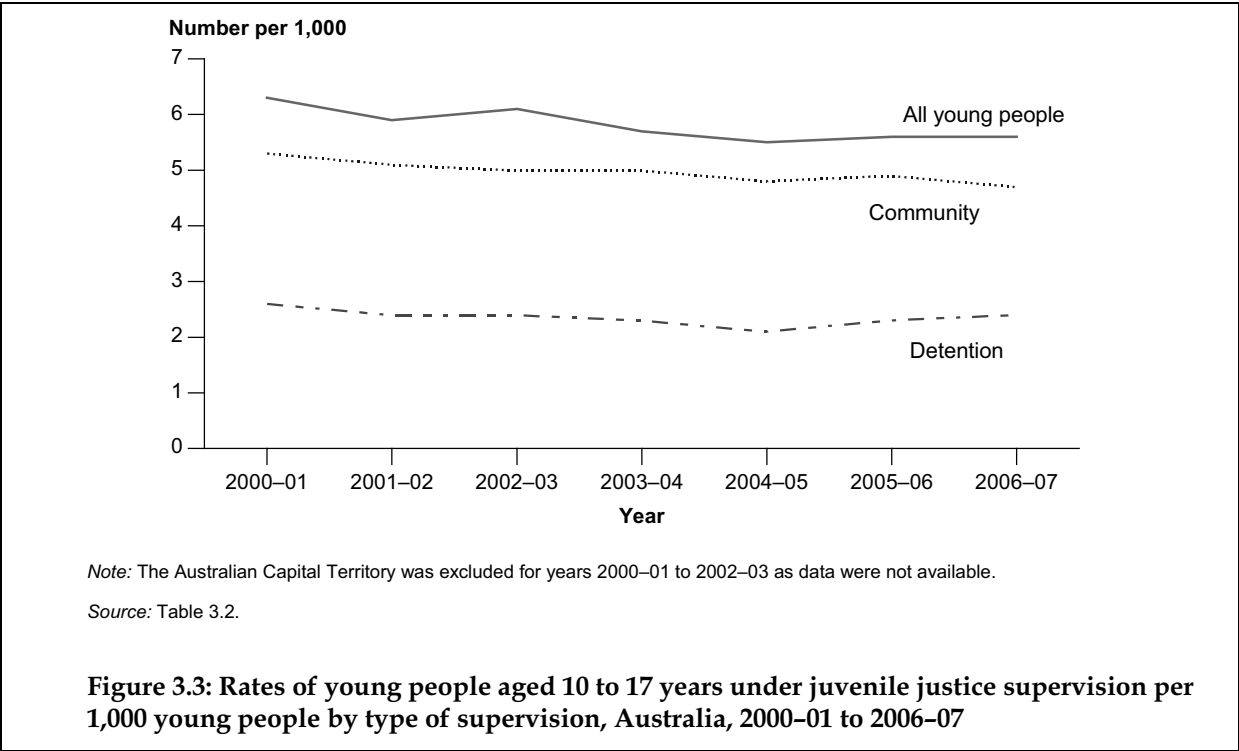


Table 3.2 presents the rates per 1,000 population for 10–17 year olds. Due to the differences among jurisdictions regarding the status of 18 year olds in the juvenile justice system (see Section 1.2), all population rates in this chapter have been calculated for the 10–17 age group. The figures for community and detention represent the number of young people who were subject to that type of juvenile justice supervision at any time during the collection year. Note that these whole-year figures are different from average daily numbers as presented in Chapter 4 and to 1-day snapshot figures that capture only those young people who are under supervision on that particular day.¹

In 2006–07, nearly 5 young people out of every 1,000 aged 10–17 years in Australia experienced some sort of supervision during the year (Table 3.2). Around 4 young people per 1,000 had community-based supervision and about 2 per 1,000 were in detention at some time during the year.

The rates of young people under supervision vary considerably between the states and territories, ranging from around 3 per 1,000 in Victoria to 10 per 1,000 in the Northern Territory. The rate of young people in community-based supervision varied from nearly 3 per 1,000 in Victoria to about 8 per 1,000 in the Northern Territory, while rates of young people in detention ranged from under 1 per 1,000 in Victoria to nearly 5 per 1,000 in the Northern Territory.

While the rate of young people under supervision and the rate of young people in community-based supervision has decreased over the 7 years from 2000–01 to 2006–07, the rate of young people in detention decreased slightly from 2000–01 to 2004–05 but has since increased (Figure 3.3).



1 Reports published by the Australian Institute of Criminology from the Juveniles in Detention in Australia monitoring project provide 1-day snapshot figures taken quarterly.

Over the 4-year period, the number of young people under supervision in Australia decreased slightly from 4.9 per 1,000 young people in 2003–04 to 4.7 per 1,000 in 2006–07, although there was no change in the rates of young people under supervision in New South Wales and Victoria, and the rate in Western Australia increased.

Consistent with the decrease in the overall rate of young people under supervision in Australia, the community-based supervision rate decreased over the 4-year period (from 4.3 per 1,000 to 3.9 per 1,000) but the detention rate increased slightly (from 2.1 per 1,000 to 2.2 per 1,000). Rates of detention increased over the 4-year period in all states and territories except in Queensland and South Australia, where they decreased.

Legislative differences among the states and territories mean that there are varying numbers of young people over the age of 17 who have been excluded from Table 3.2. In Victoria, for example, legislation specifically allows for young people aged up to 21 to be detained in juvenile justice facilities rather than adult correctional facilities. In contrast, in Queensland only young people aged 10–16 are recognised as juveniles under the *Juvenile Justice Act 1992*.

Table 3.2: Rates of young people aged 10–17 years under juvenile justice supervision per 1,000 young people by type of supervision, states and territories, 2003–04 to 2006–07

Year	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aus
Community									
Number of young people									
2003–04	2,440	1,454	2,312	1,417	948	322	269	244	9,406
2004–05	2,339	1,301	2,319	1,480	878	315	240	264	9,136
2005–06	2,453	1,335	2,324	1,632	810	352	199	250	9,355
2006–07	2,041	1,462	2,339	1,528	797	346	199	199	8,911
Number per 1,000									
2003–04	3.4	2.7	5.2	6.2	5.8	5.9	7.5	9.6	4.3
2004–05	3.2	2.4	5.1	6.5	5.4	5.7	6.7	10.1	4.1
2005–06	3.3	2.5	5.0	7.0	4.9	6.4	5.6	9.5	4.2
2006–07	2.8	2.7	5.0	6.5	4.8	6.3	5.7	7.5	3.9
Detention									
Number of young people									
2003–04	1,699	285	946	871	525	76	127	122	4,651
2004–05	1,724	238	622	843	495	86	114	122	4,244
2005–06	1,920	280	702	853	441	113	127	140	4,576
2006–07	2,104	311	754	924	444	111	133	131	4,912
Number per 1,000									
2003–04	2.3	0.5	2.1	3.8	3.2	1.4	3.5	4.8	2.1
2004–05	2.4	0.4	1.4	3.7	3.0	1.6	3.2	4.7	1.9
2005–06	2.6	0.5	1.5	3.7	2.7	2.1	3.6	5.3	2.0
2006–07	2.9	0.6	1.6	3.9	2.7	2.0	3.8	4.9	2.2
All young people									
Number of young people									
2003–04	3,000	1,501	2,584	1,732	1,093	336	279	284	10,809
2004–05	2,905	1,346	2,408	1,775	1,001	341	250	294	10,320
2005–06	3,148	1,380	2,449	1,914	951	372	216	288	10,718
2006–07	3,044	1,541	2,438	1,892	925	362	217	256	10,675
Number per 1,000									
2003–04	4.1	2.8	5.8	7.6	6.7	6.1	7.8	11.2	4.9
2004–05	4.0	2.5	5.3	7.7	6.1	6.2	7.0	11.3	4.6
2005–06	4.3	2.5	5.3	8.3	5.8	6.7	6.1	10.9	4.8
2006–07	4.1	2.8	5.2	8.1	5.6	6.6	6.2	9.6	4.7

Notes

1. Age was calculated as at date of entry to first period of supervision during the relevant financial year.
2. Tasmania has incomplete data resulting in higher reported numbers in detention (see Section 2.3.3 Data quality and coverage).

3.3 Number of males and females under supervision

As is the case in the adult criminal justice system, most young people under juvenile justice supervision during 2006–07 were male (Table 3.3). Nationally, 84% of young people under supervision were male. The Northern Territory had the highest proportion of males among the states and territories (92%) while the Australian Capital Territory had the lowest proportion (77%).

Table 3.3: Young people under juvenile justice supervision by sex, states and territories, 2006–07

Sex	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aus
Number of young people									
Male	3,049	1,977	2,173	1,610	947	420	198	279	10,653
Female	512	321	497	402	188	100	60	25	2,105
Total	3,561	2,298	2,670	2,019	1,135	520	258	304	12,765
Per cent of young people									
Male	85.6	86.0	81.4	79.7	83.4	80.8	76.7	91.8	83.5
Female	14.4	14.0	18.6	19.9	16.6	19.2	23.3	8.2	16.5
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

Note: Total includes young people of unknown sex.

Nationally in 2006–07, 8 out of every 1,000 males aged 10–17 years were under juvenile justice supervision at some time during the year, compared with 1.6 per 1,000 females (Table 3.4). Among the states and territories, the rate of males under supervision varied from about 5 per 1,000 in Victoria to nearly 19 per 1,000 in the Northern Territory, while the female rate ranged from almost 1 per 1,000 in Victoria to around 3 per 1,000 in Western Australia. In most states and territories, males were between 3 and 6 times more likely to be under supervision than females, although in Western Australia, they were 15 times more likely to be under supervision.

Table 3.4: Rates of young people aged 10–17 years under juvenile justice supervision per 1,000 young people by sex, states and territories, 2006–07

Sex	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aus
Number of young people									
Male	2,593	1,293	1,961	1,495	762	289	167	239	8,799
Female	451	248	477	391	163	73	50	17	1,870
Total	3,044	1,541	2,438	1,892	925	362	217	256	10,675
Rate per 1,000 young people									
Male	7.2	4.9	8.6	13.2	9.5	10.8	9.7	18.7	8.0
Female	1.2	0.9	2.0	3.2	1.9	2.6	2.8	1.2	1.6
Total	4.1	2.8	5.2	8.1	5.6	6.6	6.2	9.6	4.7

Notes

1. Total includes young people of unknown sex.
2. Age was calculated as at date of entry to first period of supervision during 2006–07.

3.4 Age of young people under supervision

Most young people who had juvenile justice supervision during 2006–07 were in older age groups; around two-thirds (65%) were aged 16 years or older (Table 3.5). Less than 8% of young people were aged 13 years or younger. The distribution was relatively consistent among states and territories for young people aged 10–17 years.

Across states and territories, the proportion of young people under juvenile justice supervision who were aged 18 years or older varied between 6% in Western Australia and 33% in Victoria. There are several distinct reasons for this. Firstly, most jurisdictions continue to supervise some young people who begin their sentence when they are under 18 until after they turn 18. The reasons for this include the appropriateness of continued and consistent supervision and the level of maturity of some young people. Secondly, the legislative requirements of a number of jurisdictions require the age at the time of the offence to determine whether the juvenile courts have jurisdiction. Delays between the date of the alleged offence and the court proceedings may also contribute to the numbers under juvenile justice supervision who are over the age of 18. Finally, Victoria has legislative provision that allows adult courts to sentence young people who are between the ages of 18 and 20 years to periods of detention in juvenile justice facilities. This allows the adult courts to take into account the maturity of the young person and the relative benefit of adult or juvenile supervision.

Table 3.5: Young people under juvenile justice supervision by age, states and territories, 2006–07

Age	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aus
Number of young people									
10	3	1	9	8	4	1	—	—	26
11	21	—	26	18	13	3	2	—	83
12	65	23	63	65	15	10	6	4	251
13	139	60	143	141	59	21	15	10	588
14	380	176	364	260	116	45	22	26	1,389
15	618	275	581	380	187	57	38	44	2,180
16	814	442	783	479	231	94	61	74	2,978
17	1,004	564	469	541	300	131	73	98	3,180
18+	517	757	232	127	210	158	41	48	2,090
Total	3,561	2,298	2,670	2,019	1,135	520	258	304	12,765
Per cent of young people									
10	0.1	—	0.3	0.4	0.4	0.2	—	—	0.2
11	0.6	—	1.0	0.9	1.1	0.6	0.8	—	0.7
12	1.8	1.0	2.4	3.2	1.3	1.9	2.3	1.3	2.0
13	3.9	2.6	5.4	7.0	5.2	4.0	5.8	3.3	4.6
14	10.7	7.7	13.6	12.9	10.2	8.7	8.5	8.6	10.9
15	17.4	12.0	21.8	18.8	16.5	11.0	14.7	14.5	17.1
16	22.9	19.2	29.3	23.7	20.4	18.1	23.6	24.3	23.3
17	28.2	24.5	17.6	26.8	26.4	25.2	28.3	32.2	24.9
18+	14.5	32.9	8.7	6.3	18.5	30.4	15.9	15.8	16.4
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

Note: Age was calculated as at date of entry to first period of supervision during 2006–07.

3.5 Aboriginal and Torres Strait Islander young people under supervision

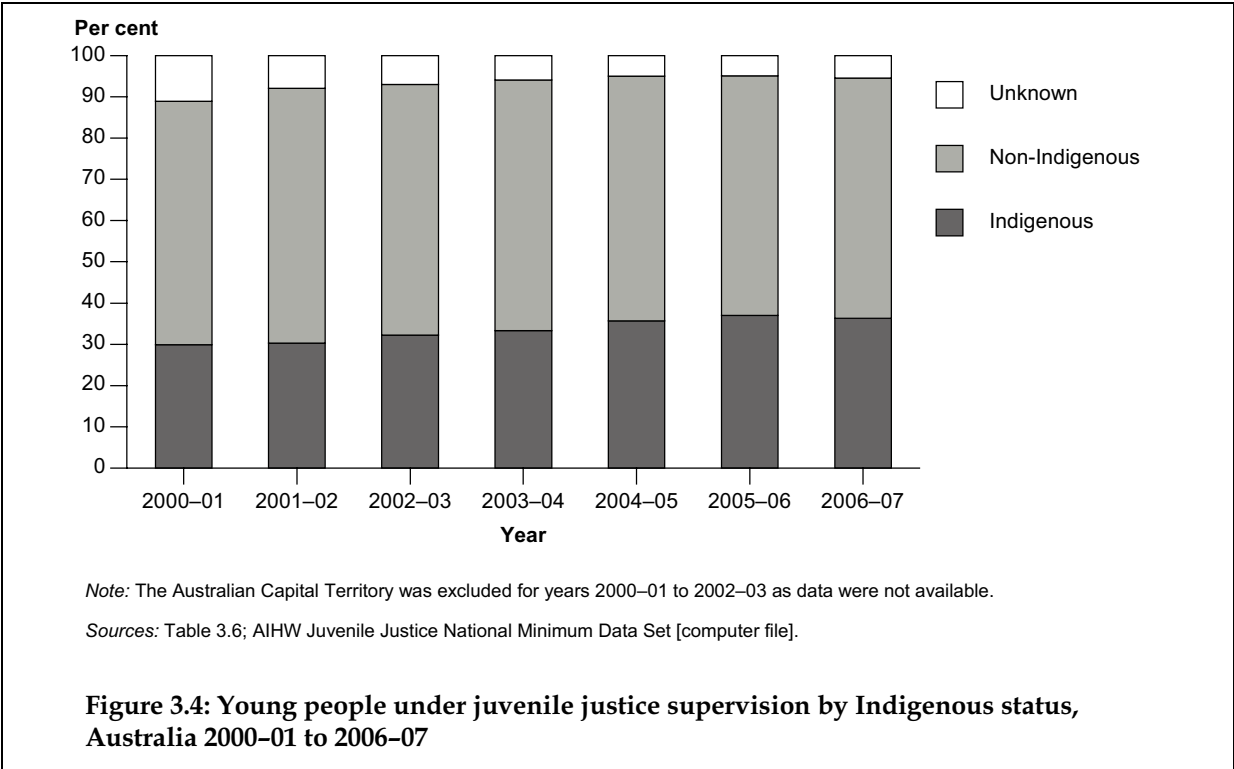
While the majority of young people under juvenile justice supervision are non-Indigenous, a large proportion is of Aboriginal and Torres Strait Islander origin. Of those under supervision in 2006–07, over one-third of young people (36%) are Aboriginal and Torres Strait Islanders (Table 3.6). However, there is considerable variation among states and territories in the proportion of young people who are Aboriginal and Torres Strait Islanders. Queensland, Western Australia and the Northern Territory all had high proportions of Aboriginal and Torres Strait Islander young people under supervision (between 47% in Queensland and 86% in the Northern Territory). These states and territories are the ones with higher proportions of the total population who are Aboriginal and Torres Strait Islanders (see Figure 2.2). In contrast, in Victoria, Tasmania and the Australian Capital Territory, the proportion of young people under supervision who were Aboriginal and Torres Strait Islanders was less than 20%.

Table 3.6: Young people under juvenile justice supervision by Indigenous status, states and territories, 2006–07

Indigenous status	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aus
Number of young people									
Indigenous	1,163	242	1,244	1,240	337	98	50	261	4,635
Non-Indigenous	2,129	1,775	1,425	761	730	370	208	42	7,440
Unknown	269	281	1	18	68	52	—	1	690
Total	3,561	2,298	2,670	2,019	1,135	520	258	304	12,765
Per cent of young people									
Indigenous	32.7	10.5	46.6	61.4	29.7	18.8	19.4	85.9	36.3
Non-Indigenous	59.8	77.2	53.4	37.7	64.3	71.2	80.6	13.8	58.3
Unknown	7.6	12.2	0.0	0.9	6.0	10.0	—	0.3	5.4
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

The proportion of Aboriginal and Torres Strait Islander young people under juvenile justice supervision increased from 30% in 2000–01 to 36% in 2006–07 (Figure 3.4). The increase in the proportion of Aboriginal and Torres Strait Islander young people may be due to an actual increase in the proportion of young people under juvenile justice supervision who are Aboriginal and Torres Strait Islander, or it may be due to increased Aboriginal and Torres Strait Islander identification among this group as well as improvements in data quality, especially as the proportion of young people whose Indigenous status is unknown has decreased from 11% to 5% over the 7-year period.

The over-representation of Aboriginal and Torres Strait Islander young people in juvenile detention has been apparent for a number of years (AIC 2007). These results show that this over-representation occurs for community-based supervision as well as detention.



The rates of juvenile justice supervision for all young people aged 10–17 years show high levels of over-representation of Indigenous youth, relative to their population distribution, throughout the states and territories during 2006–07 (Table 3.7). Nationally, Aboriginal and Torres Strait Islander young people were under juvenile justice supervision at a rate of nearly 40 young people per 1,000, compared with around 3 per 1,000 for non-Indigenous young people. While rates for non-Indigenous young people were similar across all states and territories, there was considerable variation in the rates for Aboriginal and Torres Strait Islander young people. Western Australia had the highest Indigenous rate, with around 80 per 1,000 Indigenous young people under supervision, followed by South Australia with 50 per 1,000 and the Australian Capital Territory with 42 per 1,000. The Northern Territory, Tasmania and Victoria had the lowest rates, which ranged from 20 to 26 per 1,000.

Table 3.7: Rates of young people aged 10–17 years under juvenile justice supervision per 1,000 young people by Indigenous status, states and territories, 2006–07

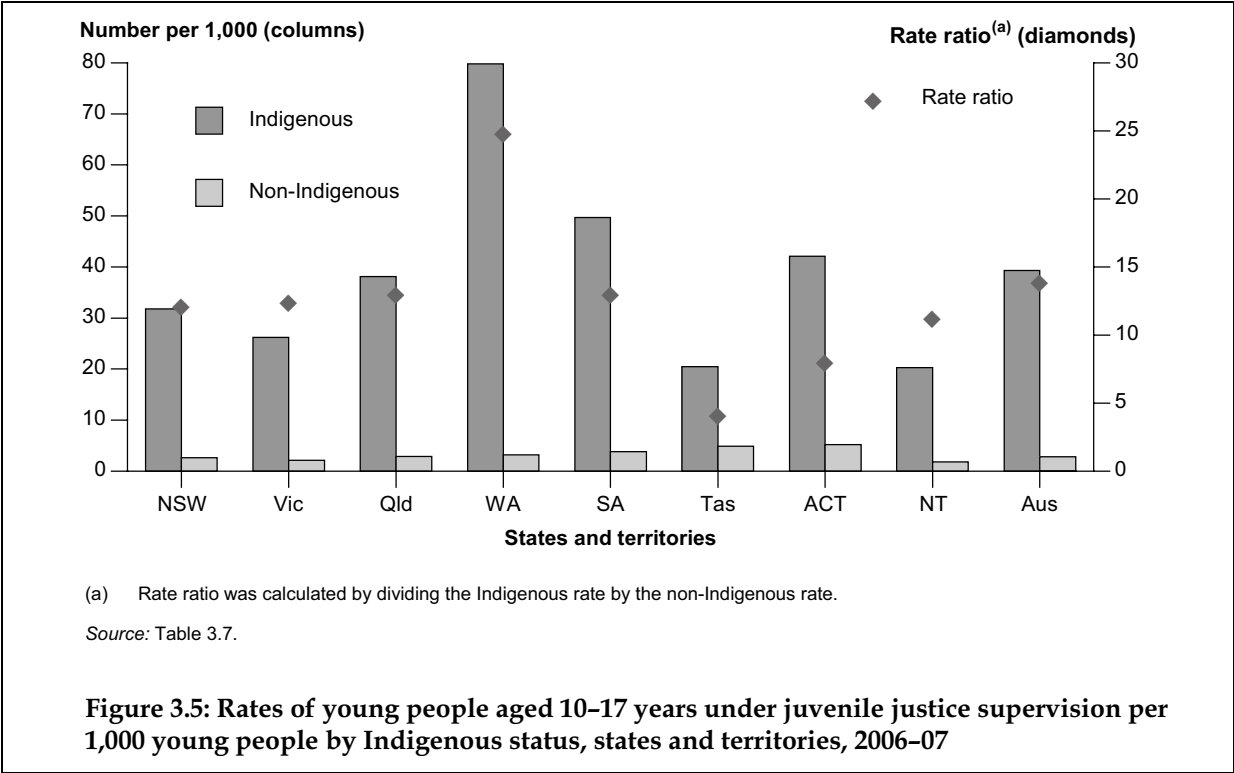
Indigenous status	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aus
Number of young people									
Indigenous	1,027	182	1,162	1,165	279	79	41	228	4,163
Non-Indigenous	1,792	1,152	1,275	709	596	251	176	27	5,978
Unknown	225	207	1	18	50	32	—	1	534
Total	3,044	1,541	2,438	1,892	925	362	217	256	10,675
Rate per 1,000									
Indigenous	31.8	26.2	38.1	79.8	49.7	20.5	42.1	20.3	39.3
Non-Indigenous	2.6	2.1	2.9	3.2	3.8	4.9	5.2	1.8	2.8
Unknown	—	—	—	—	—	—	—	—	—
Total	4.1	2.8	5.2	8.1	5.6	6.6	6.2	9.6	4.7

Notes

1. Calculation of rates excludes Unknown.
2. Age was calculated as at date of entry to first period of supervision during 2006–07.

The considerable variation in Indigenous rates among states and territories combined with the lack of variation in non-Indigenous rates means that the rate ratio also varies considerably. In Figure 3.5, columns represent the rate of supervision per 1,000 young people while the diamond shows the rate ratio (the Indigenous rate divided by the non-Indigenous rate), which is the propensity for Indigenous young people to be under juvenile justice supervision compared with non-Indigenous young people.

In Western Australia, which has the largest rate ratio, an Indigenous young person is 25 times more likely to be under supervision than a non-Indigenous young person, while in Tasmania, which has the smallest rate ratio, an Indigenous young person is 4 times more likely to be under supervision. In the remaining states and territories, the rate ratio varied from 8 to 13.



Nationally, there has been little change in the rates of supervision for Aboriginal and Torres Strait Islanders and non-Indigenous Australians over the most recent 4-year period (Table 3.8). However, both Western Australia and Tasmania have had large increases in the rate of Indigenous Australians under supervision. In Western Australia, the rate of Indigenous young people increased from 70 per 1,000 in 2003–04 to 80 per 1,000 in 2006–07, while the rate for Tasmania increased from 11 to 21 per 1,000 over the same period. In contrast, the Indigenous rate decreased in South Australia from 62 to 50 per 1,000 and in the Australian Capital Territory from 53 to 42 per 1,000 young people. Although most states and territories have experienced changes in the non-Indigenous rate of supervision over the same period, they are not of the same magnitude as the changes in the Indigenous rates.

Table 3.8: Rates of young people aged 10–17 years under juvenile justice supervision per 1,000 young people by Indigenous status, states and territories, 2003–04 to 2006–07

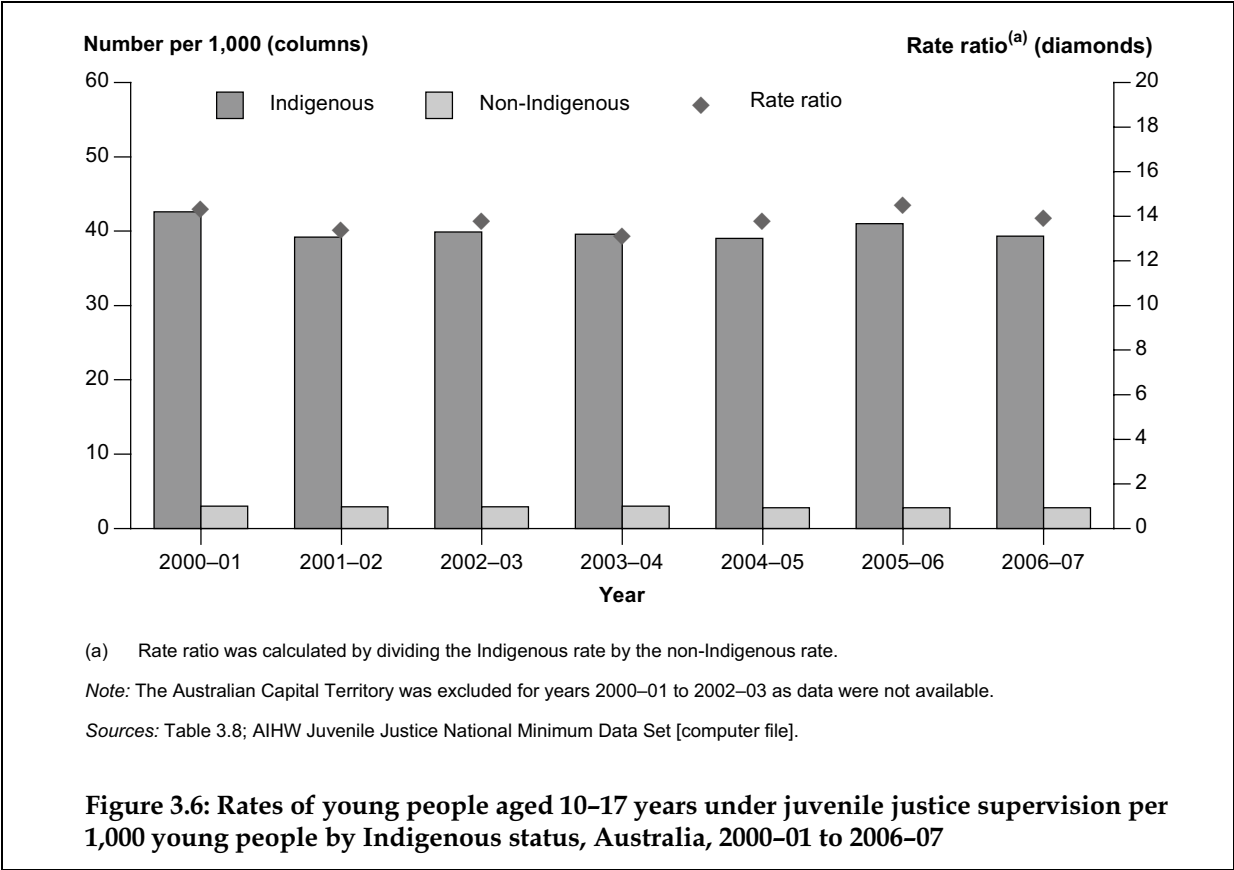
Indigenous status	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aus
2003–04									
Indigenous	34.2	24.9	39.7	70.1	61.9	11.2	53.2	21.2	39.6
Non-Indigenous	2.6	2.5	3.6	2.9	4.4	3.8	6.7	3.8	3.0
Total	4.1	2.8	5.8	7.6	6.7	6.1	7.8	11.2	4.9
2004–05									
Indigenous	32.4	22.7	38.1	73.7	57.8	14.3	55.8	22.8	39.0
Non-Indigenous	2.5	2.2	3.1	3.0	4.0	4.1	5.8	3.0	2.8
Total	4.0	2.5	5.3	7.7	6.1	6.2	7.0	11.3	4.6
2005–06									
Indigenous	34.9	24.7	40.0	80.1	52.3	19.6	44.2	21.8	41.0
Non-Indigenous	2.6	2.1	2.9	3.3	3.9	4.8	5.1	3.0	2.8
Total	4.3	2.5	5.3	8.3	5.8	6.7	6.1	10.9	4.8
2006–07									
Indigenous	31.8	26.2	38.1	79.8	49.7	20.5	42.1	20.3	39.3
Non-Indigenous	2.6	2.1	2.9	3.2	3.8	4.9	5.2	1.8	2.8
Total	4.1	2.8	5.2	8.1	5.6	6.6	6.2	9.6	4.7

Notes

1. The Department of Health and Human Services, Tasmania has reported that the Indigenous data for Tasmania for 2003–04 to 2005–06 may not be reliable due to limitations in the reporting capabilities of the information system.
2. Calculation of rates excludes Unknown.
3. Age was calculated as at date of entry to first period of supervision during the relevant year.

Source: Table D1.

Both the rate of Indigenous young people under juvenile justice supervision and the rate of non-Indigenous young people decreased over the 7 years from 2000–01, but the rate ratio (that is, the propensity for Indigenous young people to be under juvenile justice supervision compared with non-Indigenous young people) increased slightly over the 7-year period (Figure 3.6). In 2000–01, Indigenous young people were 13 times more likely to be under supervision than non-Indigenous young people, while in 2006–07 they were 14 times more likely to be under supervision.



3.6 Relationships between sex, age and Indigenous status

In 2006–07, Aboriginal and Torres Strait Islander young people under juvenile justice supervision were, on average, slightly younger than non-Indigenous young people under supervision (Table 3.9). Of those aged 10–17 years, the median age of Indigenous young people was 15 years compared with 16 years for non-Indigenous young people. The proportion that was Indigenous in each age group steadily decreased from 10 years (73%) to 18 years old (23%).

Proportionally more females were aged 14 to 17 years than males (81% compared with 75% respectively), while fewer were aged 18 years or older (11%, compared with 17% for males).

Table 3.9: Young people under juvenile justice supervision by age, sex and Indigenous status, Australia, 2006–07

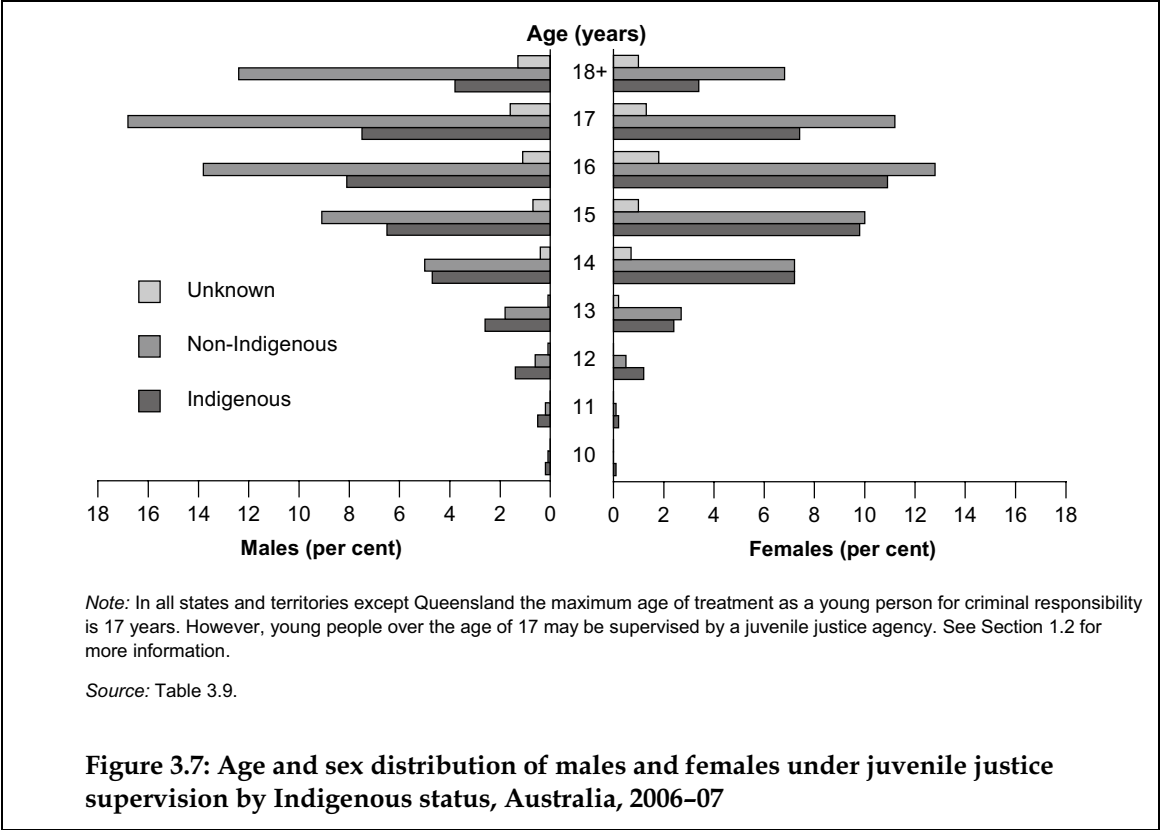
Sex	10	11	12	13	14	15	16	17	18+	Total
Number of young people										
Male										
Indigenous	16	55	146	272	496	694	858	794	400	3,731
Non-Indigenous	7	18	60	190	534	968	1,469	1,793	1,318	6,357
Unknown	—	3	7	14	39	78	114	174	136	565
Total	23	76	213	476	1,069	1,740	2,441	2,761	1,854	10,653
Female										
Indigenous	3	5	26	50	152	206	229	156	71	898
Non-Indigenous	—	2	11	57	152	211	269	236	144	1,082
Unknown	—	—	—	4	14	22	38	27	20	125
Total	3	7	37	111	318	439	536	419	235	2,105
All young people										
Indigenous	19	60	173	323	649	901	1,088	950	472	4,635
Non-Indigenous	7	20	71	247	687	1,179	1,738	2,029	1,462	7,440
Unknown	—	3	7	18	53	100	152	201	156	690
Total	26	83	251	588	1,389	2,180	2,978	3,180	2,090	12,765
Per cent of young people										
Male										
Indigenous	69.6	72.4	68.5	57.1	46.4	39.9	35.1	28.8	21.6	35.0
Non-Indigenous	30.4	23.7	28.2	39.9	50.0	55.6	60.2	64.9	71.1	59.7
Unknown	—	3.9	3.3	2.9	3.6	4.5	4.7	6.3	7.3	5.3
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Female										
Indigenous	100.0	71.4	70.3	45.0	47.8	46.9	42.7	37.2	30.2	42.7
Non-Indigenous	—	28.6	29.7	51.4	47.8	48.1	50.2	56.3	61.3	51.4
Unknown	—	—	—	3.6	4.4	5.0	7.1	6.4	8.5	5.9
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
All young people										
Indigenous	73.1	72.3	68.9	54.9	46.7	41.3	36.5	29.9	22.6	36.3
Non-Indigenous	26.9	24.1	28.3	42.0	49.5	54.1	58.4	63.8	70.0	58.3
Unknown	—	3.6	2.8	3.1	3.8	4.6	5.1	6.3	7.5	5.4
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

Notes

1. Age (in years) was calculated as at entry to first *supervision period* in 2006–07. If the *supervision period* began before 2006–07, age was calculated as at 1 July 2006.
2. Total includes young people of unknown sex.

Related table: State and territory appendixes 2006–07, Table 1.

The population of females who experienced juvenile justice supervision in 2006–07 had a slightly younger age structure than the equivalent male population (Figure 3.7). This was true for both Indigenous and non-Indigenous females. While Aboriginal and Torres Strait Islander young people formed a smaller proportion of the population at older ages for both males and females, at younger age groups there were proportionally more Indigenous young people, especially females.



Proportionally more females were Aboriginal or Torres Strait Islanders than males (43% compared with 35%), and this occurred in all states and territories except Tasmania, the Australian Capital Territory and the Northern Territory (Table 3.10). For females, the proportion that was Indigenous ranged from 9% in Tasmania to 84% in the Northern Territory. Among males, the proportion ranged from 10% in Victoria to 86% in the Northern Territory.

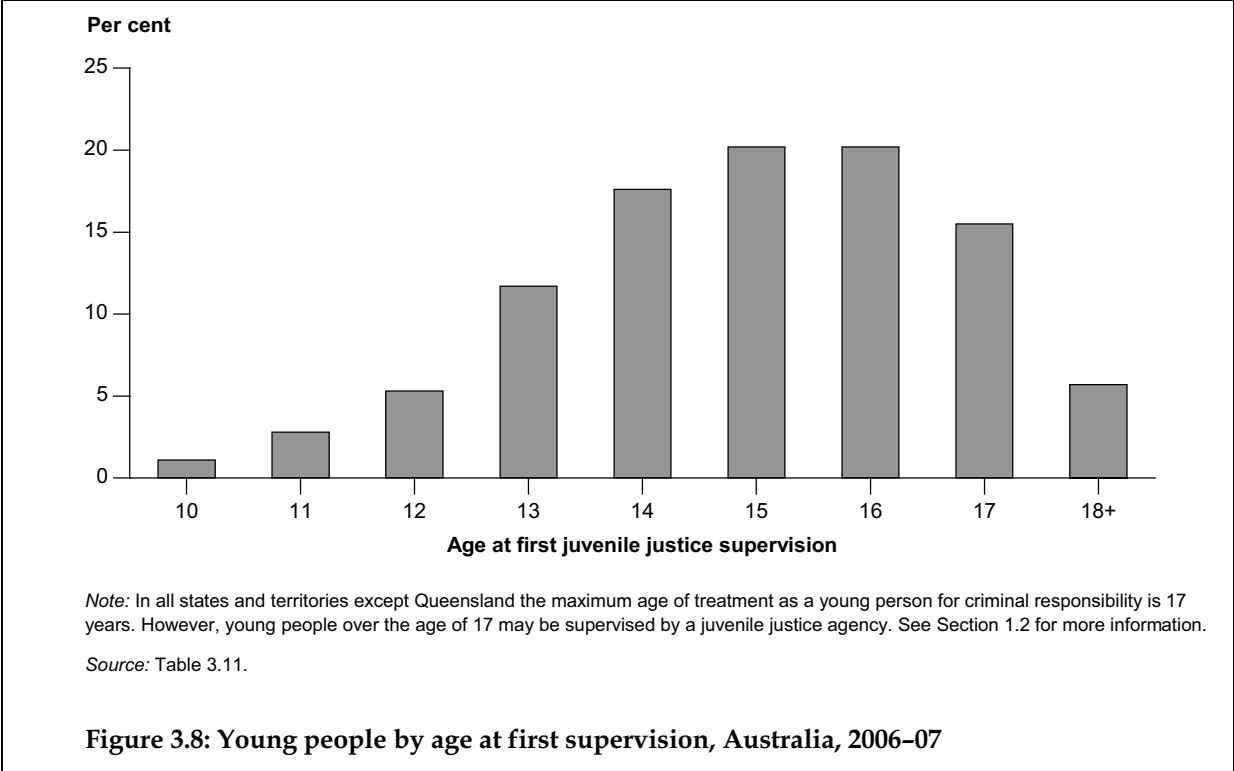
Table 3.10: Young people under juvenile justice supervision by sex and Indigenous status, states and territories, 2006–07

Indigenous status	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aus
Number of young people									
Male									
Indigenous	982	198	965	958	260	89	39	240	3,731
Non-Indigenous	1,852	1,540	1,208	636	628	296	159	38	6,357
Unknown	215	239	—	16	59	35	—	1	565
Total	3,049	1,977	2,173	1,610	947	420	198	279	10,653
Female									
Indigenous	181	44	279	276	77	9	11	21	898
Non-Indigenous	277	235	217	124	102	74	49	4	1,082
Unknown	54	42	1	2	9	17	—	—	125
Total	512	321	497	402	188	100	60	25	2,105
All young people									
Indigenous	1,163	242	1,244	1,240	337	98	50	261	4,635
Non-Indigenous	2,129	1,775	1,425	761	730	370	208	42	7,440
Unknown	269	281	1	18	68	52	—	1	690
Total	3,561	2,298	2,670	2,019	1,135	520	258	304	12,765
Per cent of young people									
Male									
Indigenous	32.2	10.0	44.4	59.5	27.5	21.2	19.7	86.0	35.0
Non-Indigenous	60.7	77.9	55.6	39.5	66.3	70.5	80.3	13.6	59.7
Unknown	7.1	12.1	—	1.0	6.2	8.3	—	0.4	5.3
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Female									
Indigenous	35.4	13.7	56.1	68.7	41.0	9.0	18.3	84.0	42.7
Non-Indigenous	54.1	73.2	43.7	30.8	54.3	74.0	81.7	16.0	51.4
Unknown	10.5	13.1	0.2	0.5	4.8	17.0	—	—	5.9
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
All young people									
Indigenous	32.7	10.5	46.6	61.4	29.7	18.8	19.4	85.9	36.3
Non-Indigenous	59.8	77.2	53.4	37.7	64.3	71.2	80.6	13.8	58.3
Unknown	7.6	12.2	0.0	0.9	6.0	10.0	—	0.3	5.4
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

Note: Total includes young people of unknown sex.

3.7 Age at first juvenile justice supervision

Of the young people who had juvenile justice supervision in 2006–07, three-fifths (58%) were 14–16 years at the start of their first juvenile justice supervision, which may have occurred in any year up to and including 2006–07 (Figure 3.8). Less than 5% were aged 10 or 11 years at the start of their first supervision.

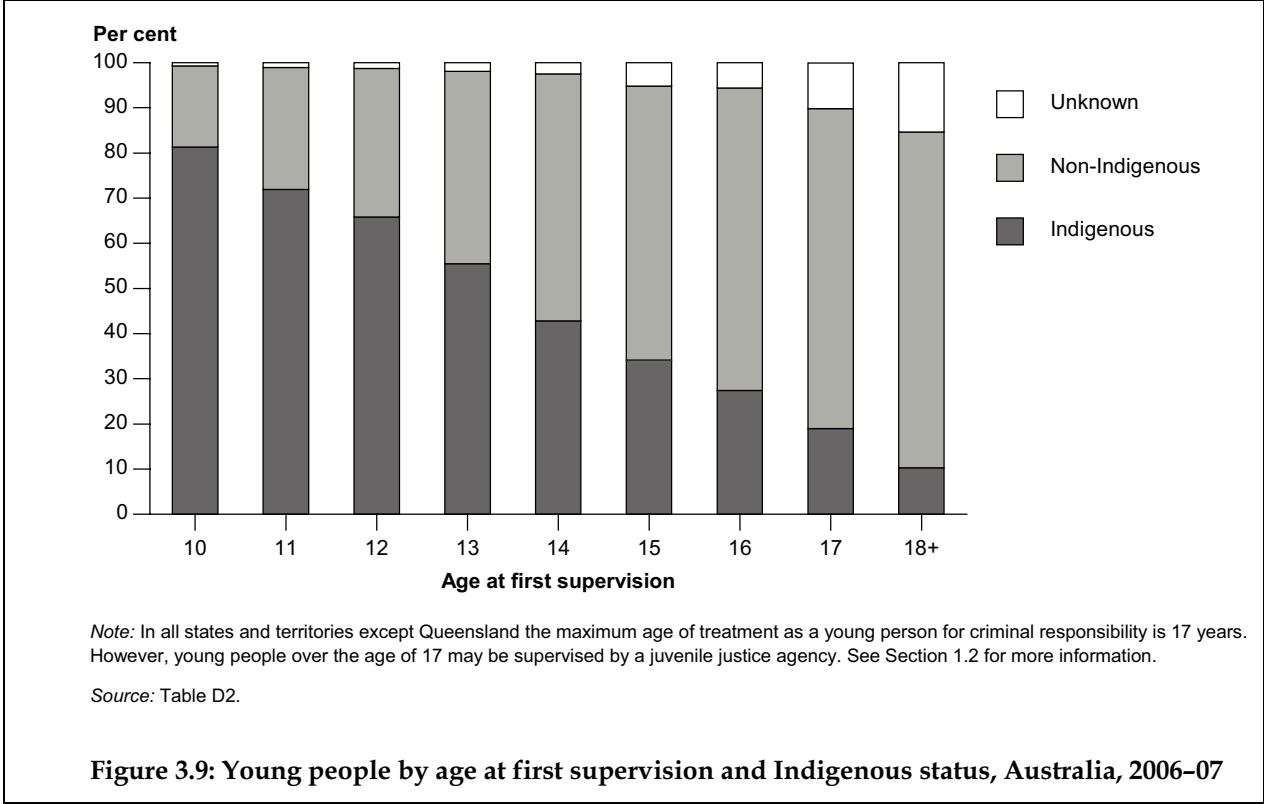


There was some variation between states and territories in the age at first supervision (Table 3.11). The proportion of young people aged 17 and over at the time of their first supervision was lowest in Queensland, where only 8% of young people were aged 17 or older. This is probably due to the legislation in Queensland that recognises 17 year olds as adults rather than juveniles. In the remaining states and territories, the proportion ranged from 14% in Western Australia to 38% in Victoria. In Victoria, 19% of young people began their supervision when they were aged 18 years or older, which is the highest proportion of all the states and territories. Legislation in Victoria allows for some young people aged up to 21 to be supervised in the juvenile justice system (see Section 1.2).

Table 3.11: Young people by age at first supervision, states and territories, 2006–07 (per cent)

Age	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aus
10	0.6	0.2	1.3	2.7	1.9	0.6	0.4	—	1.1
11	2.5	0.7	3.5	3.9	4.8	3.3	2.3	1.6	2.8
12	4.8	2.8	6.2	7.8	5.4	5.2	5.4	3.6	5.3
13	10.4	6.6	15.6	14.8	12.0	10.0	11.2	11.5	11.7
14	18.2	13.9	20.1	18.5	17.0	13.3	17.4	19.1	17.6
15	20.9	17.7	22.8	19.7	18.3	17.7	18.2	24.0	20.2
16	20.4	20.2	22.4	18.6	19.3	17.9	21.3	17.1	20.2
17	18.4	18.9	7.3	13.6	16.8	19.4	20.9	22.7	15.5
18 or older	3.8	19.0	0.8	0.4	4.4	12.7	2.7	0.3	5.7
Total (per cent)	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Total (number)	3,561	2,298	2,670	2,019	1,135	520	258	304	12,765

Of those under juvenile justice supervision in 2006–07 whose first supervision began at a young age, a greater proportion was Indigenous than non-Indigenous. In contrast, a greater proportion of those who entered supervision at an older age were non-Indigenous (Figure 3.9).



There were also differences in age at first supervision between males and females for young people who were under juvenile justice supervision in 2006–07. Females were more likely than males to have begun juvenile justice supervision when aged around 13–16 years and were less likely than males to have begun juvenile justice supervision for the first time when aged 10 or 11 years (Table 3.12).

Table 3.12: Young people by age at first supervision and sex, Australia, 2006–07

Sex	10	11	12	13	14	15	16	17	18+	Total
Number of young people										
Male	125	326	574	1,212	1,764	2,096	2,173	1,729	654	10,653
Female	14	33	97	278	476	480	407	246	74	2,105
Unknown	—	—	1	1	2	2	1	—	—	7
Total	139	359	672	1,491	2,242	2,578	2,581	1,975	728	12,765
Per cent of young people										
Male	89.9	90.8	85.4	81.3	78.7	81.3	84.2	87.5	89.8	83.5
Female	10.1	9.2	14.4	18.6	21.2	18.6	15.8	12.5	10.2	16.5
Unknown	—	—	0.1	0.1	0.1	0.1	0.0	—	—	0.1
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

Notes

1. Age (in years) was calculated as at entry to first *supervision period* in 2006–07. If the *supervision period* began before 2006–07, age was calculated as at 1 July 2006.
2. Total includes young people of unknown sex.

Related table: State and territory appendixes 2006–07, Table 2.

The age at which young people began their first juvenile justice supervision has remained relatively constant over the 4 years from 2003–04 (Table 3.13). The majority of young people (66–68%) who entered supervision for the first time each year were aged 15–17 years. In each year, only 3–5% of young people who began juvenile justice supervision were aged 10–12 years.

Table 3.13: Young people by age at and year of first supervision, Australia, 2000–01 to 2006–07 (per cent)

Year of first supervision	10	11	12	13	14	15	16	17	18+	Total (per cent)	Number
2003–04	0.3	1.4	3.4	8.4	14.3	20.7	25.8	20.0	5.6	100.0	4,775
2004–05	0.2	1.3	3.1	7.9	14.0	21.0	25.2	20.5	6.8	100.0	4,537
2005–06	0.5	1.4	2.3	7.6	13.8	19.7	24.5	22.2	8.0	100.0	5,031
2006–07	0.3	1.1	3.0	6.6	14.4	19.8	24.0	22.3	8.5	100.0	4,936

Notes

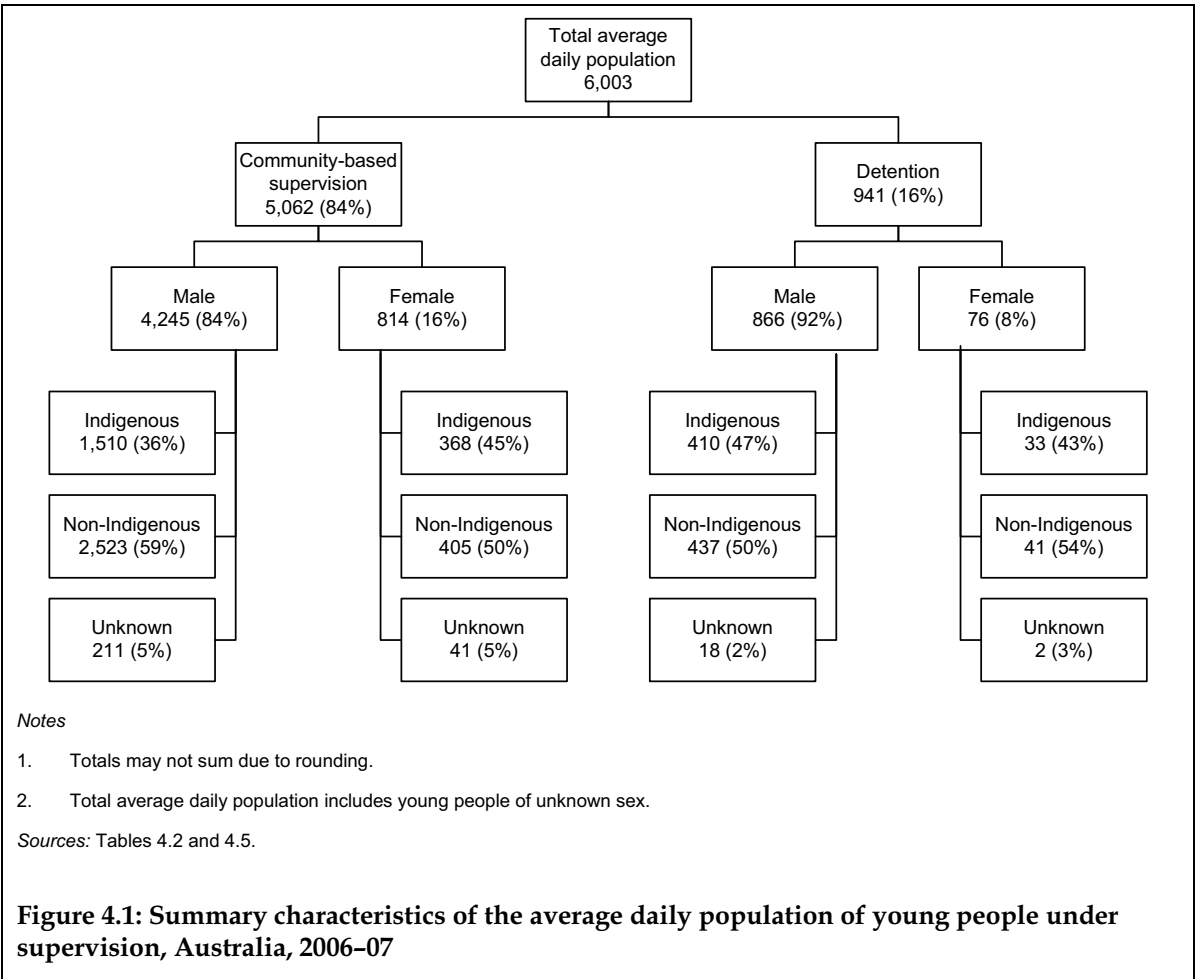
1. This table excludes young people with unknown age.
2. This table excludes the Australian Capital Territory as data were not available for 2000–01 to 2002–03.

4 Average daily numbers

This chapter presents information on the average daily number of young people under juvenile justice supervision, both community-based and detention. The average daily number was calculated by summing the duration of all *episodes* during each year and dividing this total by 365.25. These numbers do not represent caseload figures. For example, if during 1 year there were 10 young people who each had a supervision lasting for 90 days, the total number of supervision days would be 900, with an average of 2.5 young people under supervision each day.

4.1 Summary

During 2006–07, there was an average of 6,003 young people under juvenile justice supervision each day. Of these, 84% (5,062) were in community-based supervision and 16% (941) were in detention, either on pre-sentence or sentenced detention (Figure 4.1). A greater proportion of those in detention on an average day were male and Indigenous compared with those in the community.



Aboriginal and Torres Strait Islander young people were more likely to be younger than non-Indigenous young people, both in community-based supervision and in detention.

There has been little change in the overall daily average number of young people under juvenile justice supervision in Australia over the 4-year period 2003–04 to 2006–07. However, while the average daily number of young people in community-based supervision has decreased, the average daily number in detention has increased. In particular, the number of Aboriginal and Torres Strait Islander young people in both community-based supervision and detention on an average day increased. In 2000–01, there were 1.5 times more non-Indigenous young people than Indigenous young people in detention on an average day. In 2006–07, there were nearly as many Indigenous young people in detention as non-Indigenous young people, despite Indigenous young people forming a much smaller proportion of the Australian population.

4.2 Average daily numbers in community supervision

On an average day in 2006–07, there were 5,062 young people in community-based supervision. Of these, 4,554 were aged 10–17 years. The majority were aged 15–17 years, and this was the case for all states and territories. However, 10% of those in community-based supervision on an average day were aged 18 years or older, and this varied among the states and territories, from 2% in Western Australia to 24% in Victoria.

Table 4.1: Average daily number of young people in community supervision by age, states and territories, 2006–07

Age	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aus
10	—	1	4	2	—	1	—	—	8
11	8	1	14	5	10	6	2	—	44
12	19	8	33	17	6	7	2	3	96
13	41	32	103	55	22	27	7	7	294
14	127	96	200	83	50	30	13	19	618
15	232	133	349	129	81	43	20	24	1,009
16	303	221	419	141	96	53	30	40	1,303
17	315	234	221	165	102	77	36	34	1,182
<i>10–17 subtotal</i>	<i>1045</i>	<i>726</i>	<i>1343</i>	<i>597</i>	<i>367</i>	<i>244</i>	<i>110</i>	<i>127</i>	<i>4,554</i>
18+	94	229	41	14	47	64	11	5	506
Total	1,139	955	1,383	611	413	309	120	131	5,062

Notes

1. Age (in years) was calculated as at entry to first community *episode* in 2006–07. If the *episode* began before 2006–07, age was calculated as at 1 July 2006.
2. Totals may not sum due to rounding.

Nationally on an average day, nearly 3 out of every 5 young people (56%) in community-based supervision were non-Indigenous, while nearly two-fifths (37%) were Aboriginal or Torres Strait Islander (for the remainder, Indigenous status was unknown) (Table 4.2). In most states and territories, the majority of young people in community-based supervision on an average day during 2006–07 were non-Indigenous (Table 4.2). The exceptions (Western Australia and the Northern Territory) were the states and territories where a higher proportion of the general population was Indigenous (see Figure 2.2).

In Australia, females in community-based supervision were more likely to be Indigenous than males (45% compared with 36%). This pattern occurred in all states and territories except Tasmania and the Australian Capital Territory, where males were more likely to be Indigenous than females.

Table 4.2: Average daily number of young people in community supervision by sex and Indigenous status, states and territories, 2006–07

Indigenous status	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aus
Male									
Indigenous	314	81	516	327	100	51	17	105	1,510
Non-Indigenous	576	648	619	173	233	184	73	17	2,523
Unknown	79	93	—	3	20	16	—	—	211
Total	969	822	1,135	503	353	250	90	122	4,245
Female									
Indigenous	76	22	147	78	25	6	5	9	368
Non-Indigenous	75	97	100	27	32	48	25	—	405
Unknown	19	14	—	—	3	5	—	—	41
Total	170	133	248	105	61	59	30	9	814
Total young people									
Indigenous	390	103	663	407	125	56	22	114	1,881
Non-Indigenous	651	745	720	201	265	231	98	17	2,928
Unknown	98	107	—	3	23	21	—	—	253
Total	1,139	955	1,383	611	413	309	120	131	5,062

Notes

1. Totals may not sum due to rounding.
2. Total young people includes young people of unknown sex.

For both males and females, the majority (around 70%) of those in community-based supervision on an average day were aged 15–17 years (Table 4.3, Figure 4.2). However, males were slightly more likely to be aged 18 or older (11% of males compared with 7% of females).

While the majority of Indigenous and non-Indigenous young people were also aged 15–17 years, Indigenous young people were more likely to be younger – 15% of Indigenous young people were aged under 14 years, but only 5% of non-Indigenous young people were. Non-Indigenous young people were more likely to be aged 18 and over.

Table 4.3: Average daily number of young people in community supervision by age, sex and Indigenous status, Australia, 2006–07

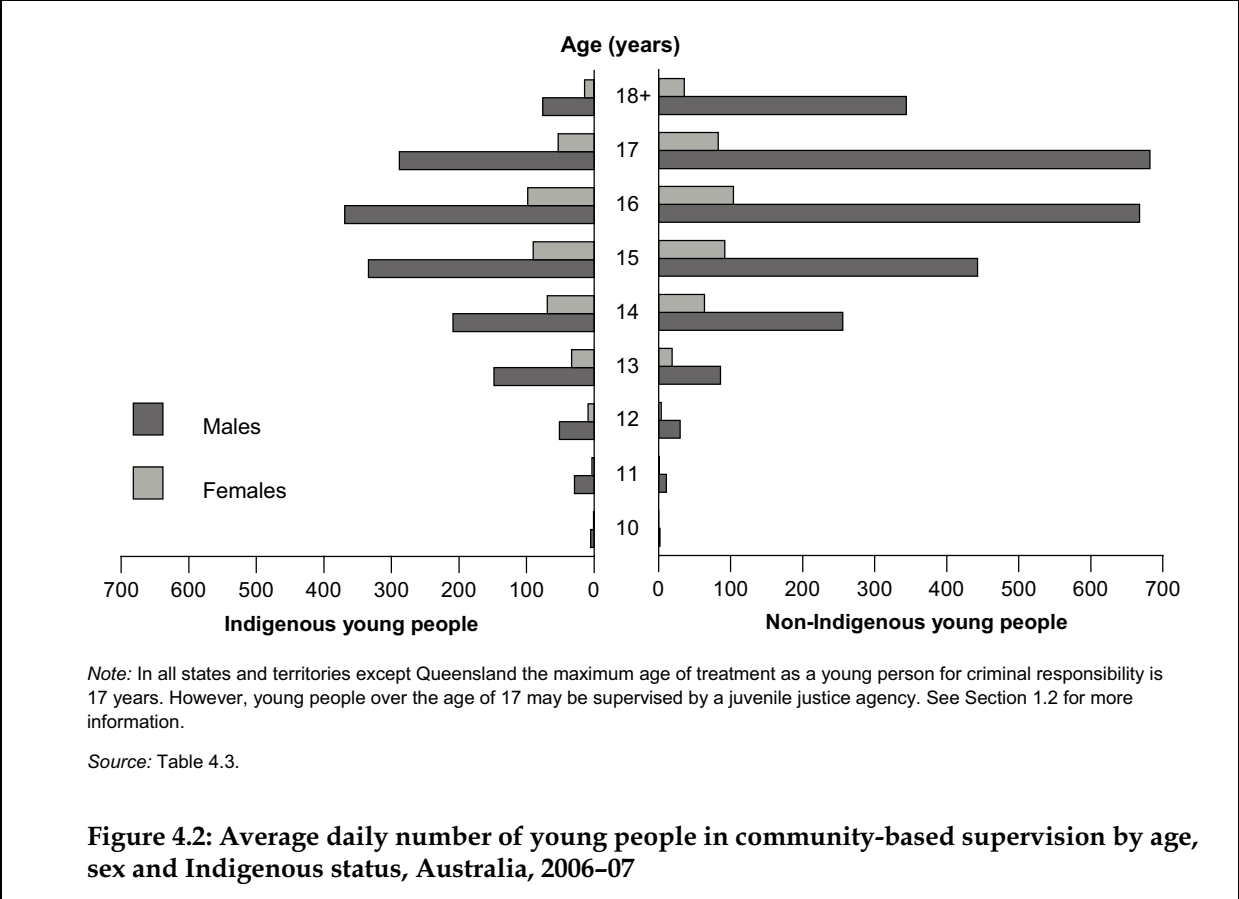
Indigenous status	10	11	12	13	14	15	16	17	18+	Total
Male										
Indigenous	5	29	51	148	209	334	369	288	76	1,510
Non-Indigenous	2	11	30	86	256	443	668	682	344	2,523
Unknown	—	—	2	6	15	40	51	66	31	211
Total	7	40	83	240	481	817	1,088	1,036	451	4,245
Female										
Indigenous	1	3	9	33	69	90	98	53	14	368
Non-Indigenous	—	1	4	19	64	92	104	83	36	405
Unknown	—	—	—	1	3	10	12	11	4	41
Total	1	4	12	54	136	192	215	147	54	814
Total young people										
Indigenous	6	32	60	182	278	424	467	341	91	1,881
Non-Indigenous	2	12	34	105	321	536	773	764	381	2,928
Unknown	—	—	2	7	18	50	63	77	35	253
Total	8	44	96	294	618	1,009	1,303	1,182	506	5,062

Notes

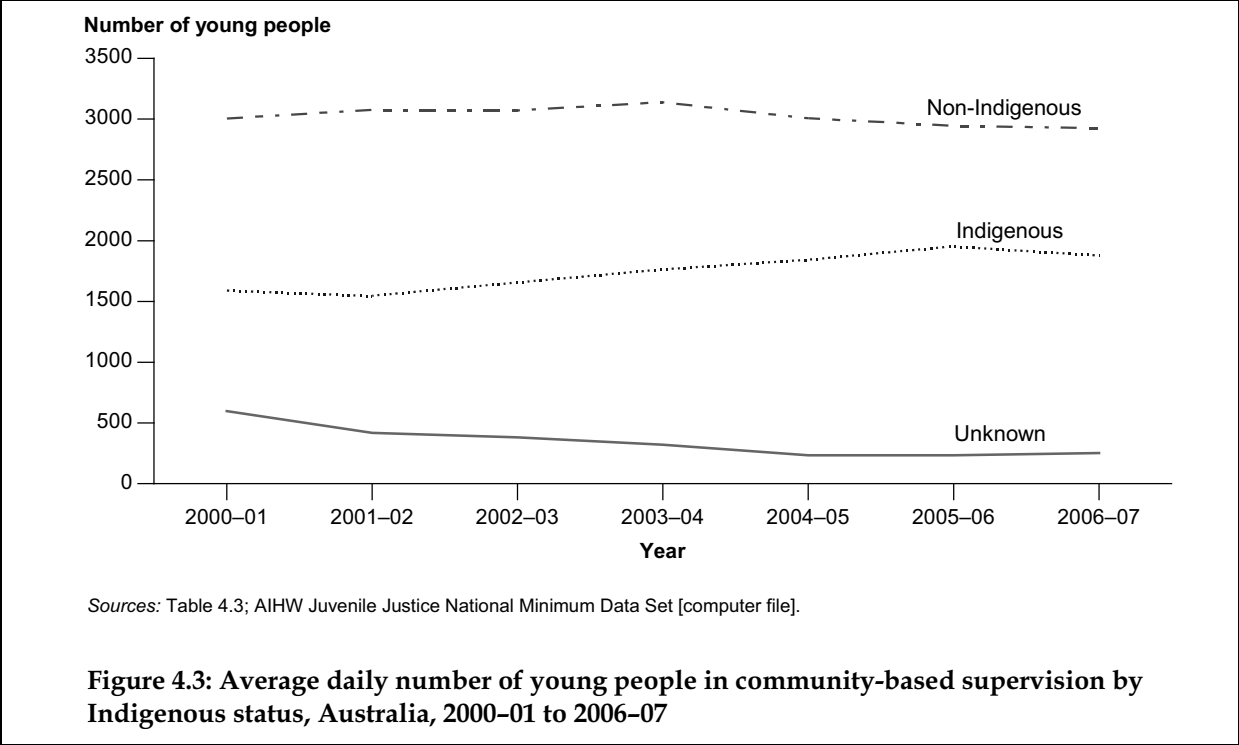
1. Age (in years) was calculated as at entry to first community *episode* in 2006–07. If the *episode* began before 2006–07, age was calculated as at 1 July 2006.
2. Totals may not sum due to rounding.
3. Total young people includes young people of unknown sex.

Related table: State and territory appendixes 2006–07, Table 3.

Of those in community-based supervision on an average day, the majority of males in the older age groups were non-Indigenous (Figure 4.2). However, for females, the numbers of Indigenous and non-Indigenous young people were similar and for both sexes, more young people were Indigenous than non-Indigenous in the younger age groups.



Over the 7-year period from 2000-01, the number of Aboriginal and Torres Strait Islander young people in community-based supervision on an average day increased, although there was a slight decrease in the most recent year (2005-06 to 2006-07), while the number of non-Indigenous young people decreased (Figure 4.3). However, there are still more non-Indigenous young people in community-based supervision than Indigenous on an average day.



4.3 Average daily numbers in detention

The numbers presented in this section may differ in several ways from those presented in other publications on young people in detention, such as the Australian Institute of Criminology's statistics produced from the Juveniles in Detention in Australia monitoring project. Firstly, these tables include young people of all ages, and are not restricted to young people aged 10–17 years. Secondly, they are averages calculated from an entire year of unit record data, rather than a snapshot taken on one particular day. Thirdly, supervisions that begin and end on the same day are counted as 1 day, which may differ from jurisdictional practice. Finally, these data include some young people held in police watch-houses rather than only those held in a juvenile detention facility.

On an average day in 2006–07, there were 941 young people in detention, including 797 aged 10–17 years. Nationally, 65% were aged 15–17 years, while only 3% were aged 10–12 years. Of those in detention on an average day, 15% were aged 18 years or older, although the majority of these (68%) were in Victoria, reflecting Victoria's special sentencing option for people aged 18–20 and diversionary policies (see sections 1.2 and 1.3).

Table 4.4: Average daily number of young people in detention by age, states and territories, 2006–07

Age	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aus
10	—	—	—	—	—	—	—	—	—
11	1	—	1	2	—	—	—	—	5
12	6	—	6	4	1	3	—	1	22
13	16	2	10	7	6	3	1	1	44
14	43	6	29	14	9	5	3	2	110
15	71	13	39	25	12	8	4	6	178
16	92	14	47	34	11	10	3	11	221
17	117	26	11	31	9	10	5	8	217
<i>10–17 subtotal</i>	<i>346</i>	<i>61</i>	<i>143</i>	<i>117</i>	<i>48</i>	<i>39</i>	<i>16</i>	<i>29</i>	<i>797</i>
18+	40	97	1	1	4	1	—	—	143
Total	386	157	145	117	52	39	17	29	941

Notes

1. Age (in years) was calculated as at entry to first detention *episode* in 2006–07. If the *episode* began before 2006–07, age was calculated as at 1 July 2006.
2. Totals may not sum due to rounding.
3. Tasmania has incomplete data resulting in higher reported numbers in detention (see Section 2.3.3 Data quality and coverage).

While the majority of those in detention in Australia on an average day were non-Indigenous, nearly half (47%) were Aboriginal and Torres Strait Islander young people (Table 4.5). However, the proportion of Indigenous young people in detention varied among the states and territories, from 12% in Victoria to 90% in the Northern Territory. As with community-based supervision, the Northern Territory, Western Australia and Queensland had higher proportions of Indigenous young people both in the general population and in detention (see Figure 2.2). However, in all states and territories there were proportionally more Indigenous young people in detention than in community-based supervision (tables 4.2 and 4.5, see also Figure 4.9).

Similarly, in all states and territories there were proportionally more males in detention on an average day than in community-based supervision. In Australia, 92% of young people in detention on an average day were male.

While a greater proportion of females in community-based supervision were Indigenous than males (see Table 4.2), the opposite was true for those in detention. Nearly half (47%) of males in detention were Aboriginal or Torres Strait Islander compared with 43% of females.

Table 4.5: Average daily number of young people in detention by sex and Indigenous status, states and territories, 2006–07

Indigenous status	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aus
Male									
Indigenous	177	18	81	72	20	13	4	26	410
Non-Indigenous	175	119	51	30	28	23	9	2	437
Unknown	10	8	—	—	—	—	—	—	18
Total	362	145	132	102	48	36	13	28	866
Female									
Indigenous	8	2	10	10	1	1	—	1	33
Non-Indigenous	15	10	4	5	3	2	3	—	41
Unknown	1	1	—	—	—	—	—	—	2
Total	24	12	13	15	4	3	4	1	76
Total young people									
Indigenous	184	19	91	83	21	14	5	26	443
Non-Indigenous	190	129	54	35	31	24	12	2	478
Unknown	11	9	—	—	—	—	—	—	20
Total	386	157	145	117	52	39	17	29	941

Notes

1. Totals may not sum due to rounding.
2. Tasmania has incomplete data resulting in higher reported numbers in detention (see Section 2.3.3 Data quality and coverage).

As with those in community-based supervision, the proportion of Aboriginal or Torres Strait Islander young people in detention on an average day decreased as age increased (Table 4.6). For young people aged 10 to 15, 61% of the average daily population in detention were Indigenous, but the proportion decreased to 17% for young people aged 18 and older. A greater proportion of females aged 10–13 years than males were Indigenous.

Table 4.6: Average daily number of young people in detention by age, sex and Indigenous status, Australia, 2006–07

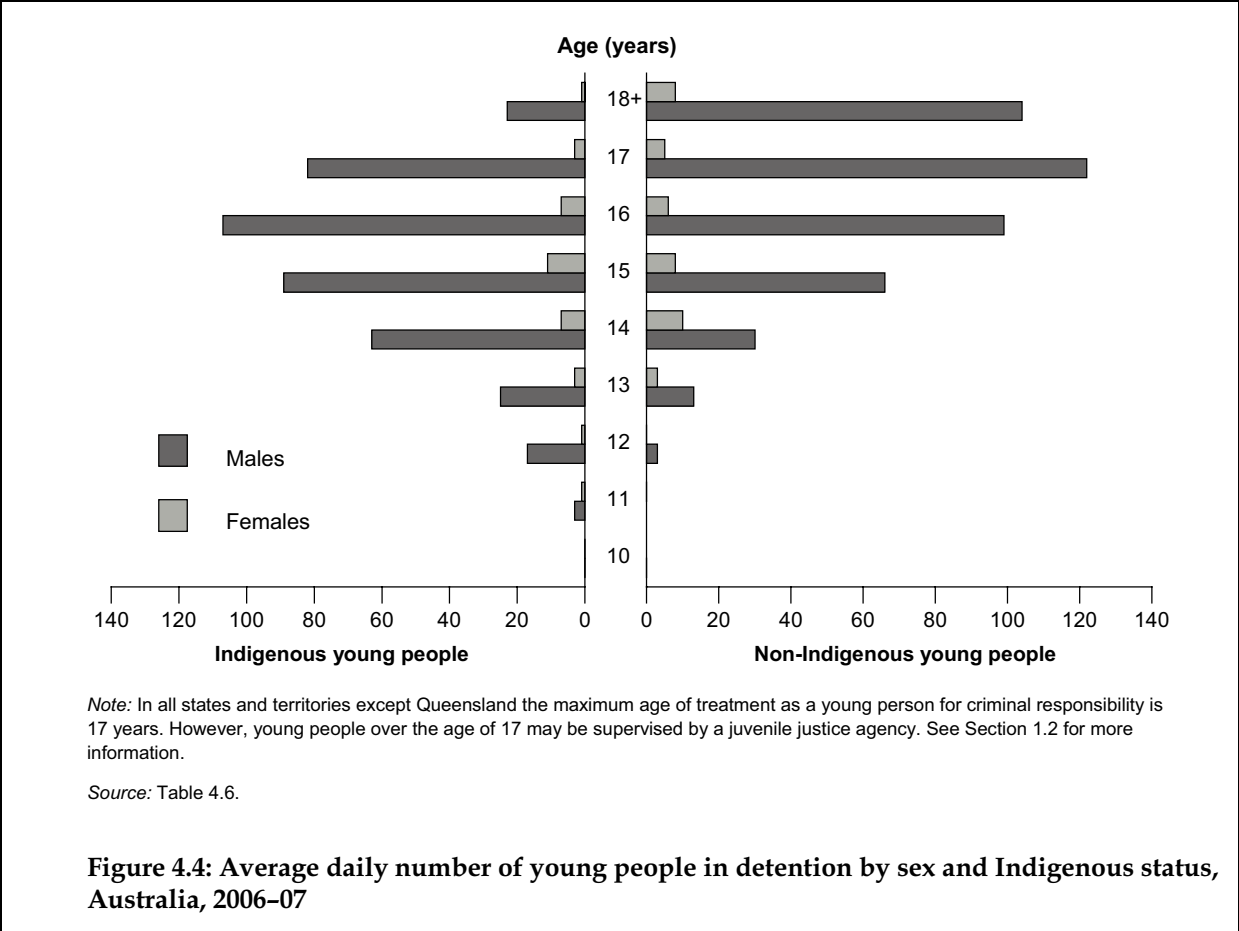
Indigenous status	10	11	12	13	14	15	16	17	18+	Aus
Male										
Indigenous	—	3	17	25	63	89	107	82	23	410
Non-Indigenous	—	—	3	13	30	66	99	122	104	437
Unknown	—	—	1	—	1	3	2	5	7	18
Total	—	4	21	38	94	159	207	209	134	866
Female										
Indigenous	—	1	1	3	7	11	7	3	1	33
Non-Indigenous	—	—	—	3	10	8	6	5	8	41
Unknown	—	—	—	—	—	1	—	—	—	2
Total	—	1	1	6	17	20	14	8	9	76
Total young people										
Indigenous	—	5	18	28	69	100	114	86	24	443
Non-Indigenous	—	—	3	16	40	74	105	127	112	478
Unknown	—	—	1	—	1	5	2	5	7	20
Total	—	5	22	44	110	178	221	217	143	941

Notes

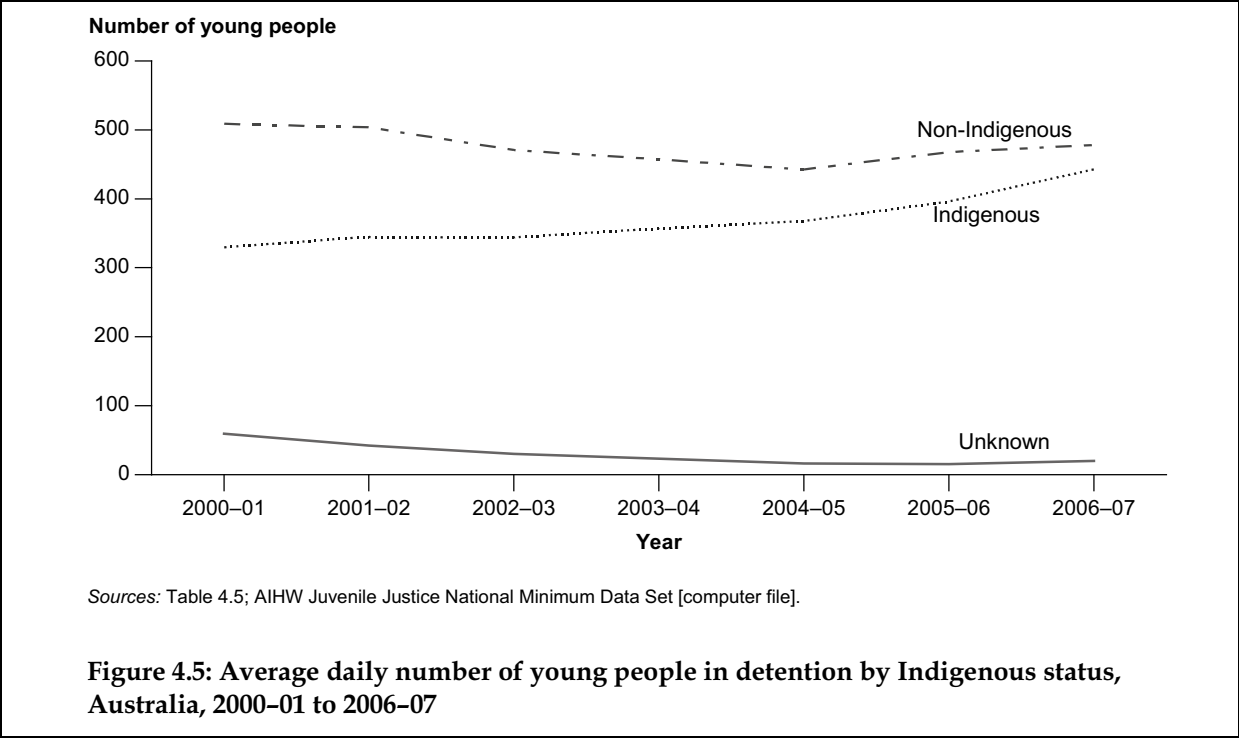
1. Age (in years) was calculated as at entry to first detention *supervision period* in 2006–07. If the *supervision period* began before 2006–07, age was calculated as at 1 July 2006.
2. Totals may not sum due to rounding.
3. Tasmania has incomplete data resulting in higher reported numbers in detention (see Section 2.3.3 Data quality and coverage).

Related table: State and territory appendixes 2006–07, Table 4.

The population of Indigenous young people in detention on an average day in 2006–07 had a younger age structure than the non-Indigenous population (Figure 4.4). At the younger ages, there were more Indigenous males and females than non-Indigenous males and females. Also, a greater proportion of those in detention were Indigenous than for those in community-based supervision (see Figure 4.2).



Over the 7-year period 2000-01 to 2006-07, the number of Aboriginal and Torres Strait Islander young people in detention steadily increased while the number of non-Indigenous young people decreased from 2000-01 to 2004-05 before slightly increasing (Figure 4.5). In 2000-01, there were 1.5 times more non-Indigenous young people in detention than Indigenous young people. In 2006-07, there were nearly as many Indigenous young people in detention as non-Indigenous young people on an average day.



4.4 Average daily numbers under juvenile justice supervision

Over the 4 years from 2003–04, there has been little change in the average daily number of young people under supervision (Table 4.7). However, while there has been a decrease in the average daily number of young people in the community of 3%, there has been a corresponding increase in the average daily detention numbers of 12%.

This pattern of changes was reflected in most states and territories. The average daily number of young people in community-based supervision decreased over the 4 years in six states and territories and the average daily number of young people in detention increased in four. In five states and territories (New South Wales, Queensland, South Australia, the Australian Capital Territory and the Northern Territory), young people are more likely to be in detention than in community-based supervision than they were 4 years ago (as shown by the ratio of community-based average daily numbers to detention numbers).

Table 4.7: Average daily number of young people under supervision by type of supervision, states and territories, 2003–04 to 2006–07

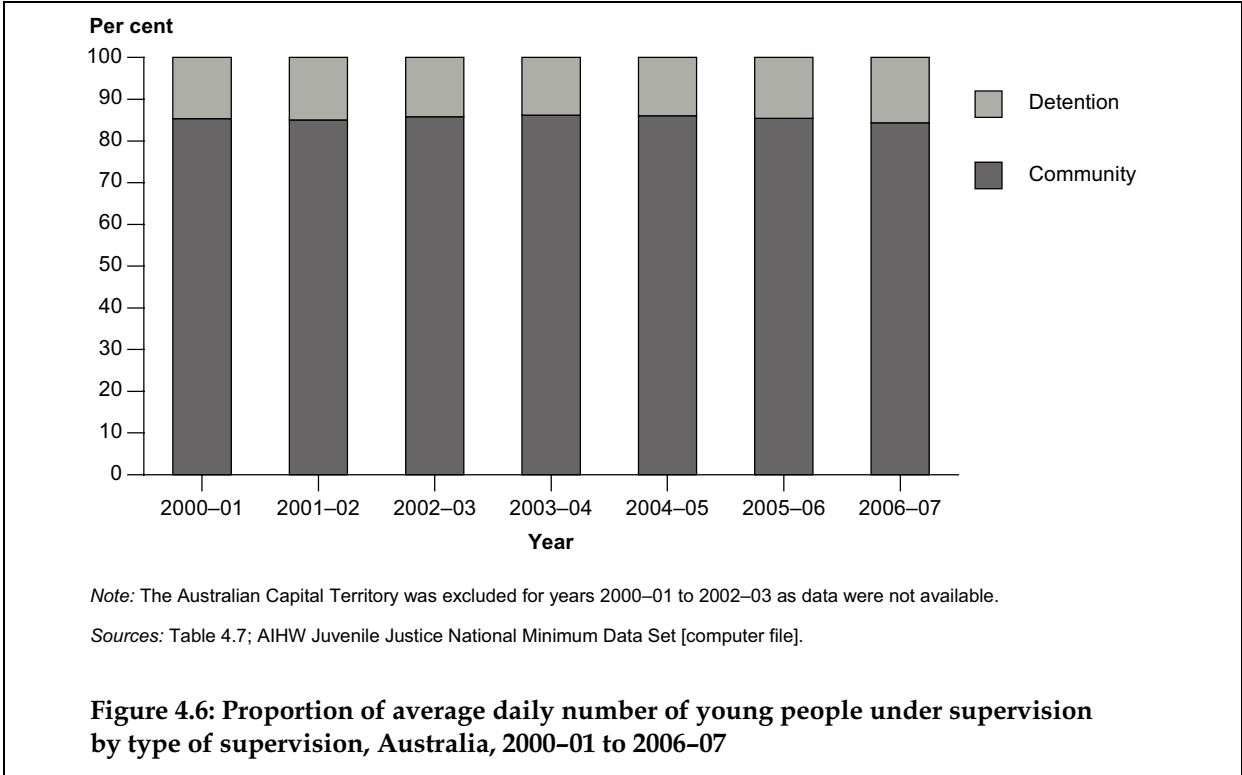
Year	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aus
Average daily number in community									
2003–04	1,281	735	1,416	558	629	310	164	136	5,229
2004–05	1,233	710	1,400	569	559	309	148	160	5,088
2005–06	1,256	793	1,352	678	484	311	106	158	5,138
2006–07	1,139	955	1,383	611	413	309	120	131	5,062
Average daily number in detention									
2003–04	315	140	121	120	63	41	21	16	839
2004–05	329	138	105	113	68	40	17	19	827
2005–06	363	147	131	101	51	47	19	19	879
2006–07	386	157	145	117	52	39	17	29	941
Average daily number under supervision									
2003–04	1,596	876	1,537	678	693	351	185	152	6,068
2004–05	1,562	847	1,505	681	627	348	165	179	5,914
2005–06	1,619	940	1,483	779	535	358	125	177	6,017
2006–07	1,525	1,112	1,528	728	465	347	137	160	6,003

Notes

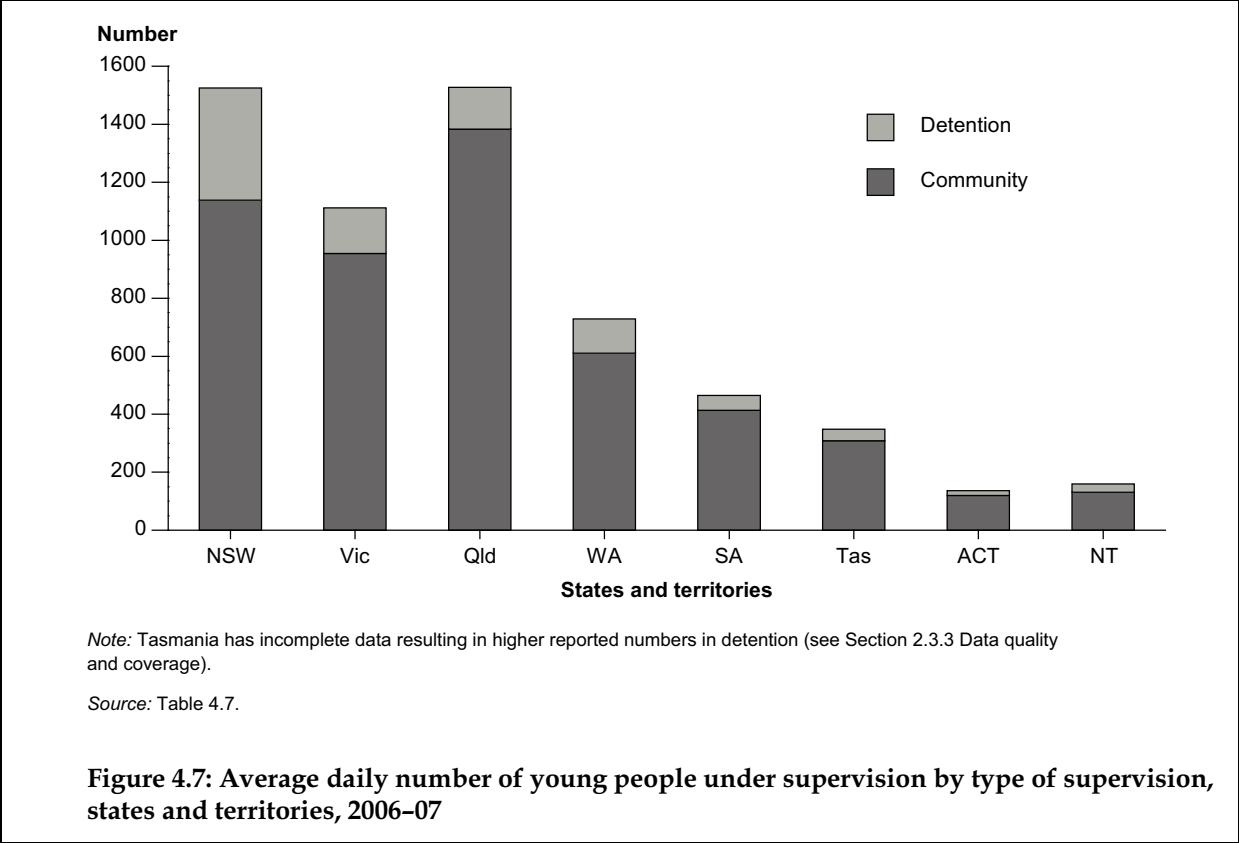
1. Totals may not sum due to rounding.
2. Tasmania has incomplete data resulting in higher reported numbers in detention (see Section 2.3.3 Data quality and coverage).
3. The average daily number under supervision was calculated by summing the average daily number in community and the average daily number in detention.

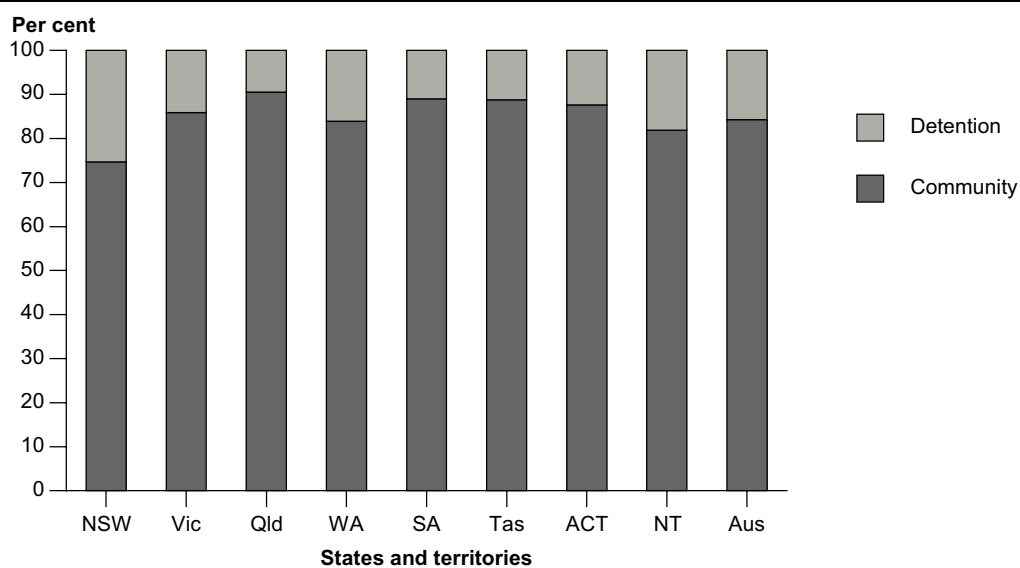
Source: Table D3.

Over the 7 years from 2000-01, there has been little change in the proportion of young people in community-based supervision and detention during an average day (Figure 4.6).



The number and proportion of young people in community-based supervision and detention on an average day during 2006–07 varied among the states and territories (figures 4.7 and 4.8). Queensland had the smallest proportion of young people in detention on an average day while New South Wales had the greatest.



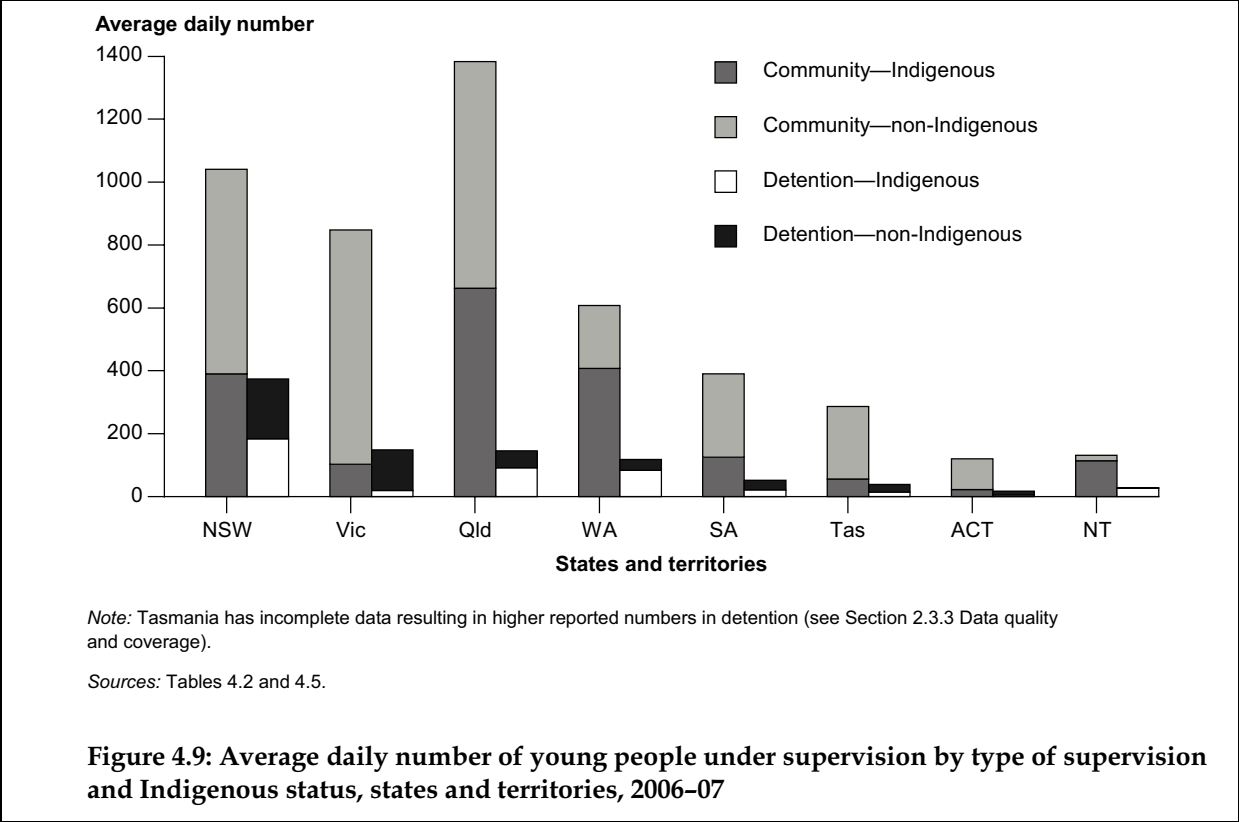


Note: Tasmania has incomplete data resulting in higher reported numbers in detention (see Section 2.3.3 Data quality and coverage)

Source: Table 4.7.

Figure 4.8: Proportion of average daily number of young people under supervision by type of supervision, states and territories, 2006-07

In most states and territories, there are more non-Indigenous young people than Indigenous young people in both community-based supervision and detention (Figure 4.9). However, in all states and territories, there are proportionally more Indigenous young people in detention than in the community.



5 Juvenile justice supervision

Chapter 5 presents information on the supervision experienced by young people during 2000–01 to 2006–07. The supervision experience is examined using the concepts of *supervision periods* and *episodes*. As outlined in Section 2.1.2 (*episode* collection), *supervision periods* are a way of measuring continuous supervision within the juvenile justice system. A *supervision period* begins when a young person enters supervision and ends when a young person has had no supervision for 1 or more days. *Supervision periods* contain *episodes*, which provide details on the highest level of supervision experienced by a young person at any given time, based on the hierarchy as outlined in Section 2.1.2 (see Glossary for explanation of the different *episode* types).

To explore the supervision of young people, the first section of this chapter examines who completed *supervision periods* in 2006–07, how many they completed and their length, while the second section examines what occurred within these *supervision periods* using the concept of *episodes*. In this section, information on the types of *episodes* within completed *supervision periods*, *episode* length and the reasons for ending the *episodes* is presented.

The final section examines the relationship between the age at which young people first experience juvenile justice supervision, the presence or absence of detention in the first *supervision period* and subsequent supervision.

5.1 Summary

5.1.1 *Supervision periods*

In 2006–07, 12,765 young people were supervised by juvenile justice agencies (see Chapter 3). Of these young people, 3,957 did not complete a *supervision period*, which means that they entered supervision either before or during 2006–07 and at the end of 2006–07 they had not left supervision for at least a day. Of the remaining 8,808 young people who did complete at least one *supervision period* in 2006–07, around 80% completed only one, while 3% completed four or more.

The length of time spent under supervision varied by the number of *supervision periods* completed. Of young people who completed only one *supervision period*, 15% spent less than 1 week under supervision, while 41% spent between 3 months and a year, and 31% spent more than a year. However, of those who completed four or more *supervision periods*, 32% had *supervision periods* that averaged less than 7 days in length.

Within a *supervision period*, a young person may experience a variety of types of supervision. Young people under juvenile justice supervision can be supervised pre-sentence (before appearing in court, while awaiting the conclusion of a trial or while waiting sentencing) or while serving a sentence (sentenced supervision). This supervision can occur in the community or in detention. Young people can be serving multiple court orders concurrently, and can therefore be supervised for multiple orders. This chapter does not present information on orders; instead, only the highest level of supervision experienced by a young person at any given time (as determined by the *episode* hierarchy, see Section 2.1.2) is analysed.

Of the *supervision periods* completed in 2006–07, the most common combination of pre-sentence and sentenced *episode* types were pre-sentence without any *episodes* of pre-sentence supervision (36% of completed *supervision periods*), and *episodes* of pre-sentence detention without any *episodes* of sentenced supervision (33%).

5.1.2 Sentenced *episodes*

Overall, most of the time under supervision (93% of person days) was spent in some form of sentenced supervision (such as sentenced detention, immediate release/suspended detention, home detention, parole or other sentenced community-based supervision). The most common *episode* of sentenced supervision was ‘community-based supervision’ (for example, probation) – 77% of person days were spent in *episodes* of this type, and the median length of these *episodes* was 6 months. Forty-five per cent of all *supervision periods* contained *episodes* of sentenced community-based supervision. Far fewer person days were spent in *episodes* of sentenced detention (4% of person days) and the median length of such *episodes* were about half that of *episodes* of sentenced community-based supervision (91 days compared with 182 days). *Episodes* of sentenced detention were also relatively uncommon – only 10% of *supervision periods* contained such *episodes*.

Most types of sentenced *episodes* ended because the conditions of the sentence were met. For sentenced detention *episodes*, 35% ended because the young person was released on parole (supervised release into the community, which is available in all states and territories except the Australian Capital Territory, see Table 1.1 for more information) while 20% ended because the conditions of the sentence were met.

5.1.3 Pre-sentence *episodes*

Far less time under supervision was spent in *episodes* of pre-sentence supervision than in sentenced supervision. Only 2% of person days were spent in *episodes* of pre-sentence detention (remand) and only 4% in pre-sentence community *episodes* (supervised bail). However, while *episodes* of pre-sentence detention were more common than those of pre-sentence community (58% of completed *supervision periods* contained pre-sentence detention compared with 14% for pre-sentence community *episodes*), *episodes* of pre-sentence community-based supervision were, on average, nearly 30 times as long as those of pre-sentence detention (median length of 57 days and 2 days, respectively).

One-third of *episodes* of pre-sentence community ended with the start of a more serious order, three-quarters of which involved pre-sentence detention. Two-thirds of pre-sentence detention *episodes* ended because the young person was released on bail (either supervised or unsupervised).

5.1.4 Relationship between first supervision and subsequent supervision

The younger people were when they first started supervision, the more *supervision periods* they completed compared with those who were older when they entered juvenile justice supervision.

For young people who are now unlikely to return to juvenile justice supervision due to their age, around 20% of those who were 11–12 years when they first entered supervision completed only one *supervision period*, while around 45% completed four or more. In contrast, nearly 80% of those who entered supervision aged 16–17 years completed only one *supervision period* while less than 5% completed four or more.

Furthermore, this relationship between age at first supervision and number of *supervision periods* completed was found when only young people who, because of their ages, had the same amount of time to potentially complete *supervision periods* were examined. In a population that was eligible to complete *supervision periods* over a 5-year period, nearly 90% of those aged 10–11 at their first *supervision period* completed more than one compared with about 65% of those aged 14. This relationship between age at first supervision and the number of *supervision periods* completed in a 5-year period was found to be slightly stronger for Aboriginal and Torres Strait Islander young people than non-Indigenous young people.

Those who were younger at their first supervision were also more likely to spend time in sentenced detention rather than sentenced community-based supervision. Young people who were aged 11 at their first supervision spent nearly one-third of their time in sentenced supervision in detention in the year they were 16. In contrast, those who were aged 14 at their first supervision spent less than 10% of their time in sentenced supervision in detention in the year they were 16.

Furthermore, the type of supervision during the first *supervision period* was also related to the number of *supervision periods* completed. Those who were younger at their first supervision were more likely to be detained during this first *supervision period* than those who were older, and those who were younger and were detained at their first supervision went on to complete more *supervision periods* than those who were older and detained at their first supervision. Around 60% of those aged 10 or 11 at their first supervision were detained in this first *supervision period*, compared with 40% of those aged 17. Of those detained in their first *supervision period*, 80% completed more than one *supervision period*, while less than 60% of those who were not detained completed more than one *supervision period*. This relationship between detention in the first *supervision period* and the number of completed *supervision periods* was strongest for those who were youngest at their first *supervision period*.

5.2 Number and length of *supervision periods*

Of the 12,765 young people who had supervision during 2006–07 (see Table 3.1), nearly 70% (8,808) completed one or more *supervision periods* during the year. The remaining 30% had not completed a *supervision period* by the end of 2006–07. Most of those who completed *supervision periods* in 2006–07 completed only one (Table 5.1).

Table 5.1: Young people by number of completed *supervision periods*, states and territories, 2006–07

Number of <i>supervision periods</i>	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aus
Number of young people									
1	2,076	1,266	1,332	1,274	684	169	140	156	7,097
2	436	94	70	346	113	3	15	27	1,104
3	167	2	14	99	30	—	4	9	325
4 or more	143	3	2	97	28	—	1	8	282
Total	2,822	1,365	1,418	1,816	855	172	160	200	8,808
Per cent of young people									
1	73.6	92.7	93.9	70.2	80.0	98.3	87.5	78.0	80.6
2	15.5	6.9	4.9	19.1	13.2	1.7	9.4	13.5	12.5
3	5.9	0.1	1.0	5.5	3.5	—	2.5	4.5	3.7
4 or more	5.1	0.2	0.1	5.3	3.3	—	0.6	4.0	3.2
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

Proportionally, there were no marked differences between males and females in the number of *supervision periods* completed in 2006–07 (Table 5.2).

The relationship between age and number of completed *supervision periods* was more complex. Young people aged 12–13 years old were the most likely of all age groups to have completed more than one *supervision period*, while those aged 10 years and 18 years or older were least likely. Those in younger age groups were more likely to complete four or more *supervision periods* than those in older age groups.

Table 5.2: Young people by number of completed *supervision periods*, age and sex, Australia, 2006–07 (per cent)

Number of <i>supervision periods</i>	10	11	12	13	14	15	16	17	18+	Total
Male										
1	93.3	72.1	62.9	66.6	74.2	76.0	80.5	81.5	91.0	80.8
2	6.7	16.3	19.4	15.2	15.9	15.8	12.6	13.0	6.7	12.6
3	—	7.0	7.3	8.6	5.6	4.1	3.5	3.7	1.5	3.7
4 or more	—	4.7	10.5	9.7	4.3	4.1	3.4	1.8	0.8	3.0
Total (per cent)	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Number	15	43	124	290	623	1,090	1,581	2,103	1,426	7,295
Female										
1	—	100.0	82.6	75.8	70.5	74.6	82.1	81.7	90.7	79.7
2	—	—	—	15.2	16.5	14.9	10.0	12.9	8.2	12.4
3	—	—	13.0	4.5	4.5	4.1	4.6	2.3	1.1	3.6
4 or more	—	—	4.3	4.5	8.5	6.3	3.3	3.2	—	4.2
Total (per cent)	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Number	—	3	23	66	200	315	369	349	183	1,508
All young people										
1	93.3	73.9	66.0	68.3	73.3	75.7	80.8	81.5	91.0	80.6
2	6.7	15.2	16.3	15.1	16.0	15.6	12.1	13.0	6.9	12.5
3	—	6.5	8.2	7.8	5.3	4.1	3.7	3.5	1.4	3.7
4 or more	—	4.3	9.5	8.7	5.3	4.6	3.4	2.0	0.7	3.2
Total (per cent)	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Number	15	46	147	357	824	1,406	1,951	2,452	1,610	8,808

Notes

1. Age (in years) was calculated as at entry to first *supervision period* in 2006–07. If the *supervision period* began before 2006–07, age was calculated as at 1 July 2006.
2. Total includes young people of unknown sex.

Related table: State and territory appendixes 2006–07, Table 5.

Overall, Aboriginal and Torres Strait Islander young people were more likely to complete multiple *supervision periods* in 2006–07 than non-Indigenous young people. A quarter of Indigenous young people completed more than one *supervision period*, compared with 17% of non-Indigenous young people (Table 5.3). For both Indigenous and non-Indigenous young people, those of a younger age were more likely to have completed more than one *supervision period* than those of an older age.

Table 5.3: Young people by number of completed *supervision periods*, age and Indigenous status, Australia, 2006–07 (per cent)

Number of <i>supervision periods</i>	10	11	12	13	14	15	16	17	18+	Total
Indigenous										
1	100.0	71.4	62.2	64.6	70.6	70.8	74.8	77.0	88.3	74.9
2	—	17.1	19.4	17.5	19.0	18.8	15.4	16.5	8.5	16.1
3	—	5.7	9.2	10.6	4.9	5.6	4.3	4.3	2.2	4.8
4 or more	—	5.7	9.2	7.4	5.6	4.8	5.5	2.3	1.0	4.3
Total (per cent)	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Number	10	35	98	189	411	558	723	820	401	3,245
Non-Indigenous										
1	80.0	77.8	73.8	71.1	75.2	78.1	83.4	83.1	91.4	83.1
2	20.0	11.1	9.5	13.2	13.4	13.7	10.9	11.7	6.8	10.9
3	—	11.1	7.1	5.0	5.9	3.4	3.5	3.2	1.2	3.2
4 or more	—	—	9.5	10.7	5.4	4.8	2.3	1.9	0.6	2.8
Total (per cent)	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Number	5	9	42	159	387	789	1,130	1,500	1,094	5,115
Unknown										
1	—	100.0	71.4	100.0	88.5	89.8	94.9	91.7	96.5	93.1
2	—	—	14.3	—	7.7	10.2	3.1	6.1	2.6	5.1
3	—	—	—	—	3.8	—	2.0	1.5	0.9	1.3
4 or more	—	—	14.3	—	—	—	—	0.8	—	0.4
Total (per cent)	—	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Number	—	2	7	9	26	59	98	132	115	448

Note: Age (in years) was calculated as at entry to first *supervision period* in 2006–07. If the *supervision period* began before 2006–07, age was calculated as at 1 July 2006.

Related table: State and territory appendixes 2006–07, Table 6.

The relationship between the number and length of *supervision periods* completed in 2006–07 shows that the more *supervision periods* completed, the shorter their average length was likely to be (Table 5.4). Nearly 300 young people completed four or more *supervision periods* and for 72% the average length of their completed *supervision periods* was under a month, while for those who completed only one *supervision period*, only 20% had *supervision periods* this short.

For nearly one-third of young people (2,152) who completed only one *supervision period*, that *supervision period* lasted a year or more. Further analysis revealed that for nearly half of these young people (981, or 11% of all young people who completed *supervision periods*), this single long *supervision period* contained *episodes* that lasted a year or more. Most of these young people completed only one long *episode* (and many also completed shorter *episodes*) but some young people completed two *episodes* that lasted a year or more in a single *supervision period*. The majority (96%) of these very long *episodes* were sentenced community-based *episode* types including sentenced community (probation), immediate release/suspended detention and parole/supervised release. The remaining 1,171 young people who completed a single long *supervision period* completed multiple *episodes* that each lasted less than a year.

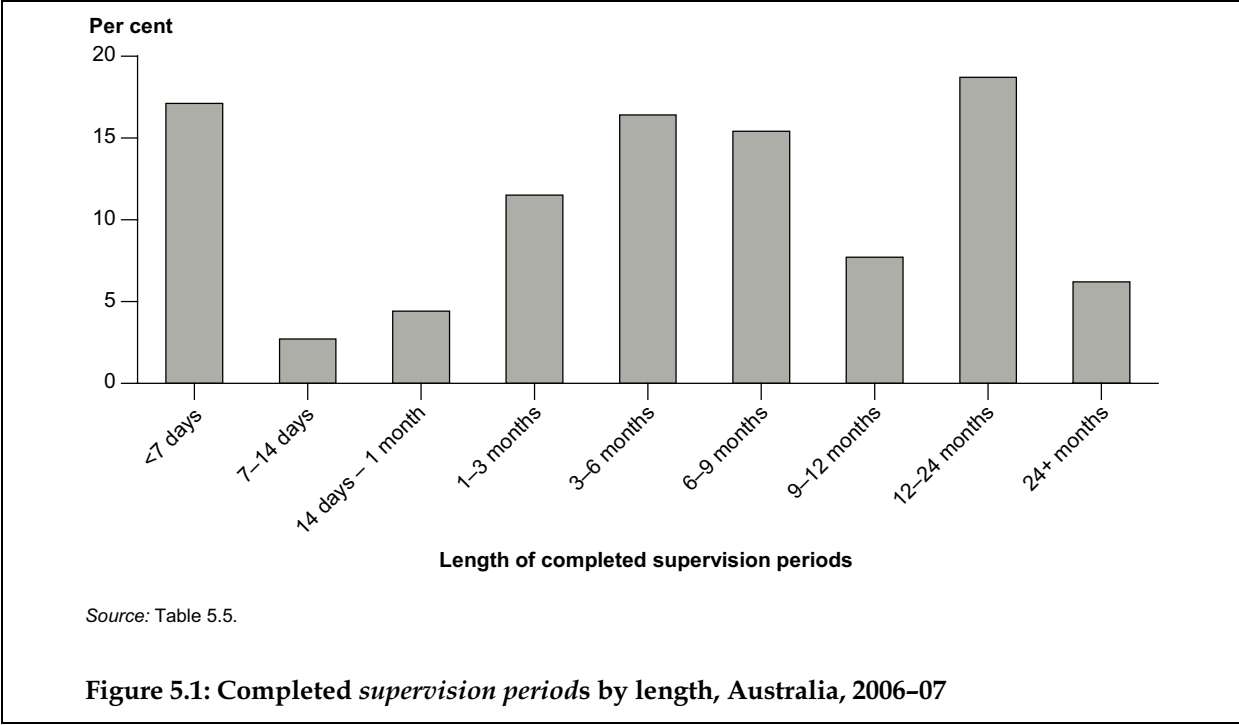
Table 5.4: Young people, by number and average length of completed *supervision periods*, Australia, 2006–07

Number	<7 days	7 to <14 days	14 days to <1 month	1 to <3 months	3 to <6 months	6 to <9 months	9 to <12 months	12 to <24 months	24 months+	Total
Number of young people										
1	1,095	132	187	620	1,090	1,206	615	1,606	546	7,097
2	249	40	90	213	277	138	57	38	2	1,104
3	71	25	37	109	65	10	5	3	—	325
4 or more	91	39	73	68	10	1	—	—	—	282
Total	1,506	236	387	1,010	1,442	1,355	677	1,647	548	8,808
Per cent of young people										
1	15.4	1.9	2.6	8.7	15.4	17.0	8.7	22.6	7.7	100.0
2	22.6	3.6	8.2	19.3	25.1	12.5	5.2	3.4	0.2	100.0
3	21.8	7.7	11.4	33.5	20.0	3.1	1.5	0.9	—	100.0
4 or more	32.3	13.8	25.9	24.1	3.5	0.4	—	—	—	100.0
Total	17.1	2.7	4.4	11.5	16.4	15.4	7.7	18.7	6.2	100.0

Note: Where a young person has completed more than one *supervision period* during the year, the lengths have been averaged so that each young person is represented in this table once.

Related table: State and territory appendixes 2006–07, Table 7.

The duration of *supervision periods* completed during 2006–07 varied in length from less than 1 week (27% of *supervision periods*) to 2 or more years (5%) (Figure 5.1). The most common lengths of completed *supervision periods* were less than a week and 1–2 years. The great majority of *supervision periods* that lasted for fewer than 7 days contained pre-sentence detention episodes (97%, see Table 5.16).



There was considerable variation in the lengths of completed *supervision periods* among the states and territories. Nearly half of the *supervision periods* completed in New South Wales lasted less than 2 weeks, while only 7% of those completed in Tasmania were that short. Of the states and territories, *supervision periods* completed in Tasmania were most likely to last 1 or more years (67% of *supervision periods*) while they were least likely to last that long in Western Australia (7%).

Table 5.5: Completed supervision periods by length, states and territories, 2006–07

Length of completed supervision periods	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aus
Number of supervision periods									
Less than 7 days	1,790	93	164	720	318	8	24	60	3,177
7 to less than 14 days	185	22	26	163	51	4	5	23	479
14 days to less than 1 month	224	30	17	188	71	4	19	19	572
1 to less than 3 months	382	193	88	375	174	4	25	46	1,287
3 to less than 6 months	380	309	155	569	143	9	26	28	1,619
6 to less than 9 months	398	293	267	372	101	18	30	19	1,498
9 to less than 12 months	236	121	132	154	43	11	9	14	720
12 to less than 24 months	503	366	435	166	151	72	32	45	1,770
24 months or longer	113	46	239	26	80	45	16	18	583
Total	4,211	1,473	1,523	2,733	1,132	175	186	272	11,705
Per cent of supervision periods									
Less than 7 days	42.5	6.3	10.8	26.3	28.1	4.6	12.9	22.1	27.1
7 to less than 14 days	4.4	1.5	1.7	6.0	4.5	2.3	2.7	8.5	4.1
14 days to less than 1 month	5.3	2.0	1.1	6.9	6.3	2.3	10.2	7.0	4.9
1 to less than 3 months	9.1	13.1	5.8	13.7	15.4	2.3	13.4	16.9	11.0
3 to less than 6 months	9.0	21.0	10.2	20.8	12.6	5.1	14.0	10.3	13.8
6 to less than 9 months	9.5	19.9	17.5	13.6	8.9	10.3	16.1	7.0	12.8
9 to less than 12 months	5.6	8.2	8.7	5.6	3.8	6.3	4.8	5.1	6.2
12 to less than 24 months	11.9	24.8	28.6	6.1	13.3	41.1	17.2	16.5	15.1
24 months or longer	2.7	3.1	15.7	1.0	7.1	25.7	8.6	6.6	5.0
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

Note: Tasmania has incomplete data resulting in higher reported numbers in detention (see Section 2.3.3 Data quality and coverage).

Females were more likely to complete shorter *supervision periods* than males. Over one-third (36%) of *supervision periods* completed by females lasted less than 2 weeks, compared with 30% of those completed by males. One in five (21%) of *supervision periods* completed by males lasted a year or more, compared with 16% of those completed by females (Table 5.6).

There was also a relationship between the length of the *supervision period* and age. Young people in younger age groups were more likely to complete shorter *supervision periods* than those in older age groups, who were more likely to complete long *supervision periods* (Table 5.6).

Indigenous young people were more likely to complete *supervision periods* of medium length (1–9 months) than non-Indigenous young people (38% compared with 35%) while non-Indigenous young people were slightly more likely to complete *supervision periods* of 1 or more years (22% compared with 19%) (Table 5.7).

Table 5.6: Completed supervision periods by length, age and sex, Australia, 2006–07 (per cent)

Length of completed supervision periods	10	11	12	13	14	15	16	17	18+	Total
Male										
Less than 7 days	42.1	36.2	38.1	32.1	26.8	28.4	23.8	25.9	16.3	26.1
7 to less than 14 days	5.3	7.6	5.0	5.9	4.7	4.3	3.4	4.0	1.8	4.0
14 days to less than 1 month	—	5.7	6.3	7.5	4.8	4.3	4.2	4.6	5.0	4.8
1 to less than 3 months	5.3	6.7	10.7	8.1	10.5	10.2	10.2	12.2	15.9	11.0
3 to less than 6 months	21.1	16.2	13.2	8.4	12.6	12.2	14.1	14.7	22.7	14.1
6 to less than 9 months	15.8	11.4	8.5	10.7	10.8	11.1	13.1	15.6	13.8	12.8
9 to less than 12 months	5.3	1.9	1.9	6.3	4.9	6.0	6.5	7.0	7.9	6.2
12 to less than 24 months	5.3	7.6	9.7	13.0	16.1	16.7	19.3	13.9	13.3	15.7
24 months or more	—	6.7	6.6	7.8	8.7	6.8	5.5	2.1	3.3	5.3
Total (per cent)	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Total (number)	19	105	318	663	1,167	1,848	2,311	2,334	845	9,610
Female										
Less than 7 days	—	9.1	42.2	27.8	39.7	31.6	30.7	27.7	29.4	31.9
7 to less than 14 days	—	9.1	4.4	7.0	5.9	4.8	3.6	3.1	2.0	4.5
14 days to less than 1 month	—	—	—	10.1	6.9	5.4	4.2	5.7	2.0	5.5
1 to less than 3 months	—	9.1	11.1	13.9	9.4	9.8	11.0	11.7	12.7	10.8
3 to less than 6 months	—	27.3	15.6	12.0	9.4	12.6	11.0	16.3	19.6	12.7
6 to less than 9 months	100.0	9.1	6.7	7.6	9.1	12.8	13.9	16.8	17.6	12.8
9 to less than 12 months	—	—	2.2	3.8	5.2	4.6	8.0	5.7	7.8	5.7
12 to less than 24 months	—	18.2	8.9	10.1	10.8	15.3	15.1	11.4	5.9	12.7
24 months or more	—	18.2	8.9	7.6	3.7	3.1	2.6	1.6	2.9	3.4
Total (per cent)	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Total (number)	1	11	45	158	406	478	502	386	102	2,089
All young people										
Less than 7 days	40.0	33.6	38.6	31.3	30.1	29.1	25.0	26.1	17.7	27.1
7 to less than 14 days	5.0	7.8	5.0	6.1	5.0	4.4	3.4	3.9	1.8	4.1
14 days to less than 1 month	—	5.2	5.5	8.0	5.3	4.6	4.2	4.7	4.6	4.9
1 to less than 3 months	5.0	6.9	10.7	9.2	10.2	10.1	10.3	12.1	15.5	11.0
3 to less than 6 months	20.0	17.2	13.5	9.1	11.8	12.2	13.5	15.0	22.4	13.8
6 to less than 9 months	20.0	11.2	8.3	10.2	10.4	11.5	13.3	15.8	14.2	12.8
9 to less than 12 months	5.0	1.7	1.9	5.8	5.0	5.7	6.8	6.8	7.9	6.2
12 to less than 24 months	5.0	8.6	9.6	12.4	14.7	16.4	18.5	13.5	12.6	15.1
24 months or more	—	7.8	6.9	7.8	7.4	6.1	5.0	2.1	3.3	5.0
Total (per cent)	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Total (number)	20	116	363	822	1,574	2,327	2,815	2,720	948	11,705

Notes

1. Age (in years) was calculated as at entry to first supervision in 2006–07.
2. Total includes young people of unknown sex.

Related table: State and territory appendixes 2006–07, Table 8.

Table 5.7: Completed supervision periods by length, age and Indigenous status, Australia, 2006–07 (per cent)

Length of completed supervision periods	10	11	12	13	14	15	16	17	18+	Total
Indigenous										
Less than 7 days	38.5	31.9	36.8	26.1	27.2	27.1	23.8	22.9	25.0	26.0
7 to less than 14 days	—	8.5	4.2	5.6	5.6	4.1	3.7	5.1	2.7	4.6
14 days to less than 1 month	—	6.4	6.3	6.7	6.0	5.8	4.7	5.6	7.1	5.7
1 to less than 3 months	—	6.4	12.1	9.4	11.7	10.9	11.7	14.5	19.6	12.0
3 to less than 6 months	30.8	17.0	13.8	11.7	14.1	13.8	15.1	16.6	17.9	14.7
6 to less than 9 months	23.1	12.8	8.8	11.9	9.4	11.1	13.4	15.5	7.6	12.1
9 to less than 12 months	7.7	1.1	2.1	7.4	4.9	5.2	6.8	8.3	6.0	6.1
12 to less than 24 months	—	8.5	7.9	12.1	13.6	15.7	16.3	9.7	10.9	13.3
24 months or longer	—	7.4	7.9	9.0	7.6	6.3	4.5	1.9	3.3	5.5
Total (per cent)	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Total (number)	13	94	239	445	736	960	1,085	857	184	4,613
Non-Indigenous										
Less than 7 days	42.9	42.1	39.5	38.0	32.9	31.1	26.4	28.6	17.0	28.6
7 to less than 14 days	14.3	—	7.0	6.9	4.7	4.6	3.4	3.4	1.8	3.9
14 days to less than 1 month	—	—	3.5	10.0	4.6	3.7	3.9	4.7	4.1	4.5
1 to less than 3 months	14.3	10.5	7.9	8.9	8.7	9.3	9.0	10.7	13.9	10.0
3 to less than 6 months	—	15.8	13.2	5.8	9.7	11.2	12.3	13.1	21.4	12.6
6 to less than 9 months	14.3	5.3	7.9	7.5	11.0	11.4	13.0	15.8	15.8	13.0
9 to less than 12 months	—	5.3	1.8	3.6	5.1	5.9	6.3	6.2	8.6	6.1
12 to less than 24 months	14.3	10.5	14.0	12.7	16.0	16.7	20.2	15.2	13.6	16.5
24 months or longer	—	10.5	5.3	6.6	7.4	6.1	5.5	2.2	3.7	4.9
Total (per cent)	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Total (number)	7	19	114	361	808	1,277	1,627	1,713	676	6,602
Unknown										
Less than 7 days	—	33.3	70.0	25.0	26.7	21.1	15.5	16.7	8.0	17.8
7 to less than 14 days	—	33.3	—	—	—	4.4	1.0	2.0	—	1.8
14 days to less than 1 month	—	—	10.0	—	10.0	3.3	2.9	0.7	3.4	2.9
1 to less than 3 months	—	—	10.0	12.5	16.7	12.2	17.5	14.0	19.3	15.3
3 to less than 6 months	—	33.3	10.0	12.5	13.3	11.1	16.5	26.7	38.6	22.2
6 to less than 9 months	—	—	—	25.0	16.7	15.6	16.5	17.3	15.9	16.3
9 to less than 12 months	—	—	—	12.5	3.3	8.9	13.6	4.7	6.8	7.8
12 to less than 24 months	—	—	—	12.5	10.0	20.0	14.6	16.0	8.0	14.1
24 months or longer	—	—	—	—	3.3	3.3	1.9	2.0	—	1.8
Total (per cent)	—	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Total (number)	—	3	10	16	30	90	103	150	88	490

Note: Age (in years) was calculated as at entry to first supervision in 2006–07.

Related table: State and territory appendixes 2006–07, Table 9.

5.3 Types of supervision

This section examines the types of supervision that young people experience within *supervision periods*. It is important to remember when reading this section that the Juvenile Justice NMDS contains information only on young people subject to juvenile justice supervision. Many young people are given unsupervised bail before appearing in court for trial or sentencing, and this is not reflected in the NMDS data. The relatively common occurrence of bail (both supervised and unsupervised) is apparent in the reasons for exit from pre-sentence detention (remand) (see Table 5.18).

5.3.1 Combinations of pre-sentence and sentenced *episodes*

Of the 11,705 *supervision periods* that ended in 2006–07, the two most common combinations of pre-sentence and sentenced *episode* types were pre-sentence detention *episodes* without any sentenced *episodes* (36% of *supervision periods*) and *episodes* of sentenced community-based supervision (including community sentences such as probation, suspended detention and parole) without any pre-sentence *episodes* (33% of *supervision periods*) (Table 5.8). Eight per cent of *supervision periods* contained *episodes* of pre-sentence detention combined with *episodes* of sentenced community-based supervision while only 2% contained *episodes* of pre-sentence detention combined with *episodes* of sentenced detention. However, it is important to remember that these pre-sentence and sentenced *episodes* are not necessarily related to the same underlying matter, or that the sentenced *episodes* necessarily follow the pre-sentence *episodes*. Instead, this table provides information on the combinations of pre-sentence and sentenced *episodes* that occur within the same period of time (a *supervision period*).

The two most common combinations nationally were also the most common in most states and territories, although the proportion of *supervision periods* containing these combinations varied (Figure 5.2). The two exceptions were Victoria and the Australian Capital Territory. In Victoria, the two most common combinations were sentenced community *episodes* without any pre-sentence *episodes* (42%) and pre-sentence community *episodes* without any sentenced *episodes* (23%). In the Australian Capital Territory, the most common combination was pre-sentence *episodes* of both community and detention without any sentenced *episodes* (24%), followed by pre-sentence *episodes* of both community and detention combined with *episodes* of sentenced community-based supervision, and pre-sentence detention *episodes* without any sentenced *episodes* (both 14%) (state and territory appendixes, Table 10).

Table 5.8: Completed *supervision periods* by sentenced and pre-sentenced *episode type*, Australia, 2006–07

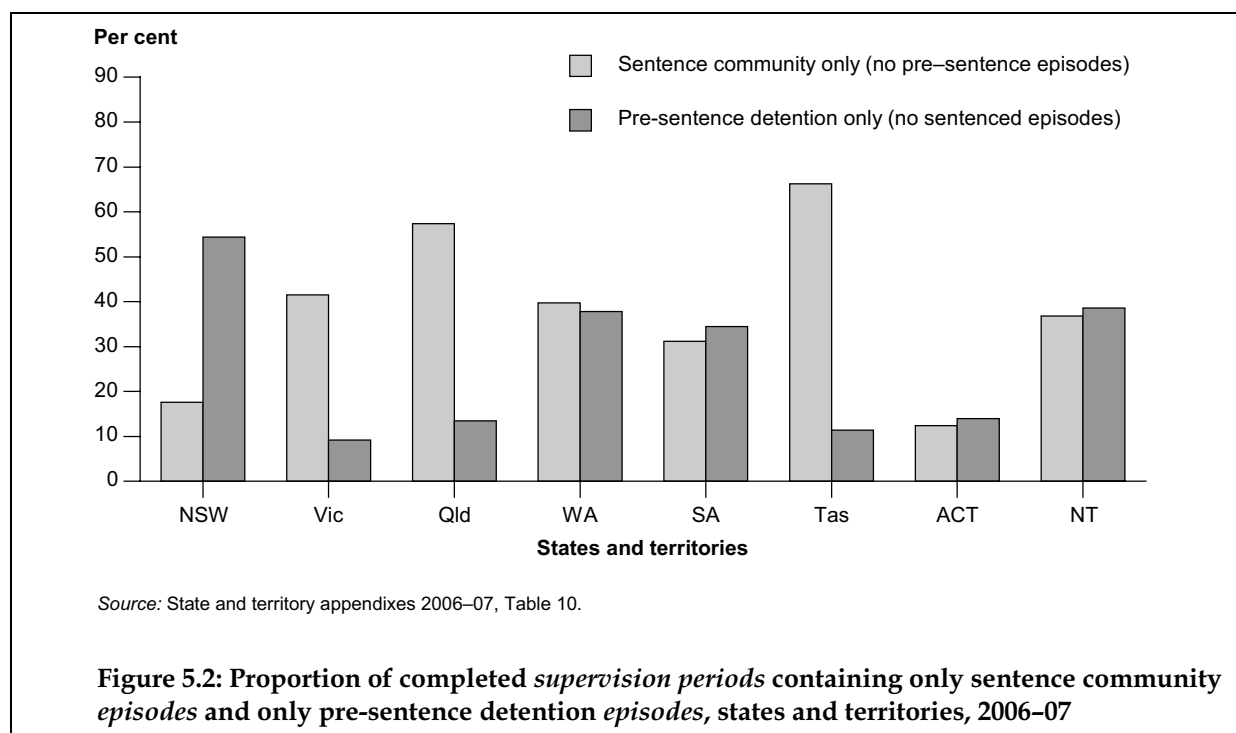
<i>Supervision periods</i> containing pre-sentence <i>episodes</i>	<i>Supervision periods</i> containing sentenced <i>episodes</i>				Total
	Community ^(a)	Detention	Community ^(a) and detention	No sentenced <i>episodes</i>	
Number of <i>supervision periods</i>					
Community only	183	4	13	532	732
Detention only	910	200	524	4,205	5,839
Community and detention	314	21	110	477	922
No pre-sentence <i>episodes</i>	3,906	120	169	17	4,212
Total	5,313	345	816	5,231	11,705
Per cent of <i>supervision periods</i>					
Community only	1.6	0.0	0.1	4.5	6.3
Detention only	7.8	1.7	4.5	35.9	49.9
Community and detention	2.7	0.2	0.9	4.1	7.9
No pre-sentence <i>episodes</i>	33.4	1.0	1.4	0.1	36.0
Total	45.4	2.9	7.0	44.7	100.0

(a) Sentenced community *episodes* include community sentences with/without additional mandated requirements, immediate release/suspended detention, home detention, parole and other community sentences.

Notes

1. Data on unsupervised bail are not collected in the NMDS and hence are not included in the pre-sentence figures.
2. The use of the *episode* hierarchy may shorten or hide *episodes* that are lower in the hierarchy.

Related table: State and territory appendixes 2006–07, Table 10.



5.3.2 Types of episodes within supervision periods

A young person's *supervision period* may contain several *episode* types, and this section examines the relative frequency with which different types of *episodes* occur under supervision periods (see Glossary for explanation of *episode* types). In the following tables, each cell indicates the number of *supervision periods* containing at least one *episode* of the *episode* type (row) expressed as a percentage of all *supervision periods* completed (column). Percentages do not add to 100% because each *supervision period* may contain more than one type of *episode*. For example, one *supervision period* may consist of an *episode* of sentenced community supervision, then an *episode* of pre-sentence detention and another *episode* of sentenced community supervision. This *supervision period* would be represented in the table as containing both sentenced community supervision and pre-sentence detention *episode* types.

Within completed *supervision periods*, pre-sentence supervision was more likely to occur in detention than in community, while for sentenced supervision the reverse was true (Table 5.9). Nearly 3 out of every 5 (58%) completed *supervision periods* contained *episodes* of pre-sentence detention while only 14% contained *episodes* of pre-sentence community supervision. In contrast, only 10% of *supervision periods* contained sentenced detention, while 60% contained some form of sentenced community-based supervision (sentenced community, immediate release/suspended detention and parole *episode* types).

The occurrence of different types of supervision within completed *supervision periods* varied by states and territories. In some states and territories, pre-sentence detention *episodes* were much more likely to occur than pre-sentence community ones, while in other states and territories, the opposite was true. The occurrence of sentenced community-based supervision varied more than that of sentenced detention *episodes*.

Table 5.9: Completed supervision periods, by episode type, states and territories, 2006–07 (per cent)

Episode type	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aus
Pre-sentence community	14.2	33.1	11.5	0.5	22.5	0.6	62.4	1.8	14.1
Pre-sentence detention	77.9	19.8	39.7	58.4	58.2	26.9	64.5	60.3	57.8
Sentenced community	28.6	55.5	78.7	44.9	42.3	74.9	46.2	49.3	45.1
Immediate release/ suspended detention	5.3	—	10.0	13.4	8.1	22.3	—	11.4	7.7
Sentenced detention	10.0	14.7	6.3	9.6	8.1	14.9	7.5	13.2	9.9
Parole	4.4	10.7	5.5	7.0	—	4.0	—	—	5.3
Other ^(a)	0.2	—	—	9.3	—	—	0.5	0.7	2.3
Number of supervision periods	4,211	1,473	1,523	2,733	1,132	175	186	272	11,705

(a) Other includes home detention, other sentenced *episode* type and other *episode* type.

Notes

1. Data on unsupervised bail are not collected in the NMDS and hence are not included in the pre-sentence figures.
2. Percentages do not add to 100% because each *supervision period* may contain more than one type of *episode*.
3. Age (in years) was calculated as at entry to *supervision period*. The *supervision period* may have begun before 2006–07.
4. Not all types of sentenced *episodes* are available in all states and territories (see Table 1.1).

For pre-sentence supervision, the proportion of young people who completed *supervision periods* containing pre-sentence community *episodes* varied little with age (Table 5.10). However, for *episodes* of pre-sentence detention the proportion of *supervision periods* containing this *episode* increased from age 10 to age 12 and then decreased as age increased. Around 80% of the *supervision periods* completed by 12 year olds contained *episodes* of pre-sentence detention, while for all those aged 10–17 years over half of completed *supervision periods* contained these *episodes*. However, only one-quarter (26%) of the *supervision periods* completed by those aged 18 and older contained this type of *episode*.

A similar proportion of males and females completed *supervision periods* containing pre-sentence *episode* types (Table 5.10). However, Indigenous young people were more likely to complete *supervision periods* containing pre-sentence detention *episodes* than non-Indigenous young people (64% compared with 56%), but were less likely to complete *supervision periods* containing pre-sentence community *episodes* (10% compared with 16%; Table 5.11).

For those aged 10–17 years, the proportion of completed *supervision periods* containing sentenced *episodes* varied little with age (Table 5.10). Around 6–10% of *supervision periods* for this age group contained *episodes* of sentenced detention, while the most common type of sentenced community-based *episodes* was *episodes* of sentenced community (such as probation): 40–50% of completed *supervision periods* for those aged 10–17 years contained this *episode* type. Young people aged 18 years or older were more likely to have completed *supervision periods* containing *episodes* of sentenced detention (20%) than younger age groups and were also more likely to have *episodes* of parole (13% compared with 3–6% for those aged 10–17 years), possibly due to the greater occurrence of sentenced detention among this age group.

Males were more than twice as likely to have completed *supervision periods* containing sentenced detention *episodes* than females (11% compared with 4%) but females aged 11–12 years were more likely to have completed such *episodes* than males of this age (Table 5.10).

Aboriginal and Torres Strait Islander young people were more likely than non-Indigenous young people to complete *supervision periods* containing *episodes* of sentenced supervision, both community-based (46% compared with 44%) and detention (12% compared with 9%; Table 5.11).

Table 5.10: Completed supervision periods by episode type, age and sex, Australia, 2006–07 (per cent)

<i>Episode type</i>	10	11	12	13	14	15	16	17	18+	Total
Male										
Pre-sentence community	15.8	15.2	15.1	14.8	15.4	13.3	13.8	11.6	22.1	14.2
Pre-sentence detention	52.6	73.3	79.2	73.3	68.4	63.8	56.9	52.7	26.0	57.9
Sentenced community	42.1	42.9	38.7	44.2	46.4	46.5	49.7	44.1	35.1	45.2
Immediate release/ suspended detention	—	4.8	8.2	10.3	10.5	9.3	8.1	7.4	4.9	8.3
Sentenced detention	—	4.8	8.5	8.6	10.5	11.7	10.7	9.9	19.9	11.2
Parole	—	2.9	3.8	4.8	5.7	6.5	5.6	4.3	12.8	6.0
Other ^(a)	—	—	2.5	2.9	2.8	3.0	2.6	3.0	0.6	2.6
Number of supervision periods	19	105	318	663	1,167	1,848	2,311	2,334	845	9,610
Female										
Pre-sentence community	100.0	9.1	13.3	18.4	13.3	11.9	13.3	12.7	21.6	13.7
Pre-sentence detention	100.0	54.5	75.6	72.2	68.7	58.8	51.8	49.7	28.4	57.3
Sentenced community	100.0	63.6	40.0	40.5	37.9	45.6	49.0	47.2	34.3	44.3
Immediate release/ suspended detention	—	36.4	4.4	6.3	4.9	4.0	5.0	5.7	4.9	5.1
Sentenced detention	—	18.2	8.9	2.5	2.5	3.3	3.6	3.4	17.6	4.1
Parole	—	9.1	6.7	1.3	2.5	2.1	1.6	1.8	10.8	2.5
Other ^(a)	—	9.1	—	1.3	0.2	0.6	0.4	0.8	1.0	0.6
Number of supervision periods	1	11	45	158	406	478	502	386	102	2,089
All young people										
Pre-sentence community	20.0	14.7	14.9	15.5	14.9	13.0	13.7	11.8	22.0	14.1
Pre-sentence detention	55.0	71.6	78.8	73.0	68.4	62.7	55.9	52.2	26.3	57.8
Sentenced community	45.0	44.8	38.8	43.6	44.3	46.3	49.6	44.6	35.1	45.1
Immediate release/ suspended detention	—	7.8	7.7	9.5	9.1	8.2	7.6	7.2	4.9	7.7
Sentenced detention	—	6.0	8.5	7.4	8.4	10.0	9.4	9.0	19.6	9.9
Parole	—	3.4	4.1	4.1	4.9	5.6	4.9	4.0	12.6	5.3
Other ^(a)	—	0.9	2.2	2.6	2.2	2.5	2.2	2.7	0.6	2.3
Number of supervision periods	20	116	363	822	1,574	2,327	2,815	2,720	948	11,705

(a) Other includes home detention, other sentenced *episode type* and other *episode type*.

Notes

1. Data on unsupervised bail are not collected in the NMDS and hence are not included in the pre-sentence figures.
2. Percentages do not add to 100% because each *supervision period* may contain more than one type of *episode*.
3. Age (in years) was calculated as at entry to *supervision period*. The *supervision period* may have begun before 2006–07.
4. Total includes young people of unknown sex.

Related table: State and territory appendixes 2006–07, Table 11.

Table 5.11: Completed supervision periods by episode type, age and Indigenous status, Australia, 2006–07 (per cent)

<i>Episode type</i>	10	11	12	13	14	15	16	17	18+	Total
Indigenous										
Pre-sentence community	15.4	13.8	15.1	10.3	10.9	9.8	10.0	7.2	13.6	10.1
Pre-sentence detention	53.8	71.3	80.3	71.5	69.3	65.0	61.8	55.7	38.6	63.7
Sentenced community	53.8	44.7	38.9	51.5	47.0	47.2	47.3	44.3	33.2	46.0
Immediate release/ suspended detention	—	9.6	9.6	14.2	10.9	11.0	9.3	7.9	8.2	10.1
Sentenced detention	—	6.4	9.6	9.7	9.9	12.7	14.7	12.4	13.0	12.1
Parole	—	3.2	5.4	5.8	5.8	8.3	7.6	5.4	10.9	6.8
Other ^(a)	—	1.1	2.9	4.0	3.7	3.9	4.4	4.9	1.1	3.9
Number of supervision periods	13	94	239	445	736	960	1,085	857	184	4,613
Non-Indigenous										
Pre-sentence community	28.6	21.1	14.0	21.3	18.1	15.0	15.7	13.8	22.2	16.3
Pre-sentence detention	57.1	78.9	75.4	75.6	68.2	62.1	53.9	52.7	25.1	55.6
Sentenced community	28.6	42.1	42.1	33.2	42.1	45.3	50.2	43.1	34.6	43.7
Immediate release/ suspended detention	—	—	4.4	3.6	7.7	6.3	6.8	7.1	4.1	6.3
Sentenced detention	—	5.3	7.0	4.4	7.2	8.5	6.4	7.9	22.9	8.9
Parole	—	5.3	1.8	2.2	4.1	3.8	3.4	3.6	14.3	4.6
Other ^(a)	—	—	0.9	0.8	0.9	1.6	0.9	1.8	0.6	1.2
Number of supervision periods	7	19	114	361	808	1,277	1,627	1,713	676	6,602
Unknown										
Pre-sentence community	—	—	20.0	25.0	26.7	18.9	21.4	14.7	38.6	22.2
Pre-sentence detention	—	33.3	80.0	56.3	53.3	47.8	25.2	28.0	9.1	31.2
Sentenced community	—	66.7	—	56.3	36.7	51.1	66.0	62.0	43.2	54.5
Immediate release/ suspended detention	—	—	—	12.5	3.3	5.6	1.9	4.0	3.4	3.9
Sentenced detention	—	—	—	12.5	3.3	2.2	1.9	2.0	8.0	3.5
Parole	—	—	—	—	3.3	2.2	—	—	2.3	1.0
Other ^(a)	—	—	—	—	—	2.2	—	—	—	0.4
Number of supervision periods	—	3	10	16	30	90	103	150	88	490

(a) Other includes home detention, other sentenced *episode type* and other *episode type*.

Notes

1. Data on unsupervised bail are not collected in the NMDS and hence are not included in the pre-sentence figures.
2. Percentages do not add to 100% because each *supervision period* may contain more than one type of *episode*.
3. Age (in years) was calculated as at entry to *supervision period*. The *supervision period* may have begun before 2006–07.

Related table: State and territory appendixes 2006–07, Table 12.

5.3.3 Length of episodes

At both pre-sentence and sentenced stages, detention-based *episodes* were generally much shorter than community-based *episodes* (Table 5.12). Pre-sentence *episodes* had a median length of 4 days when detention-based (that is, *episodes* of remand), compared with 48 days for community-based (that is, *episodes* of supervised bail). For sentenced *episodes*, sentenced community *episodes* were 2 times longer than detention (median lengths 136 days and 73 days respectively).

It should be remembered that where a young person may have multiple potential *episodes* concurrently, the *episode* that will be counted here is the highest according to the hierarchy (see 'Hierarchy of *episode* types', Section 2.1.2). Therefore, if a young person has both detention and community supervision simultaneously, it is the detention *episode* that will be counted in the collection. This is in keeping with the focus of the NMDS being on the actual experience of supervision.

Table 5.12: Median length of *episodes* (in days) within completed supervision periods by *episode* type, states and territories, 2006–07

<i>Episode</i> type	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aus
Pre-sentence community	38	80	57	35	33	n.p.	37	71	48
Pre-sentence detention	3	10	6	3	4	32	3	5	4
Sentenced community	112	218	152	112	99	365	119	102	136
Immediate release/ suspended detention	182	—	91	130	110	365	—	81	114
Sentenced detention	64	112	100	53	92	182	105	34	73
Parole	87	124	55	77	—	^(a) 121	—	—	87
Other ^(b)	44	—	—	26	—	—	n.p.	n.p.	26

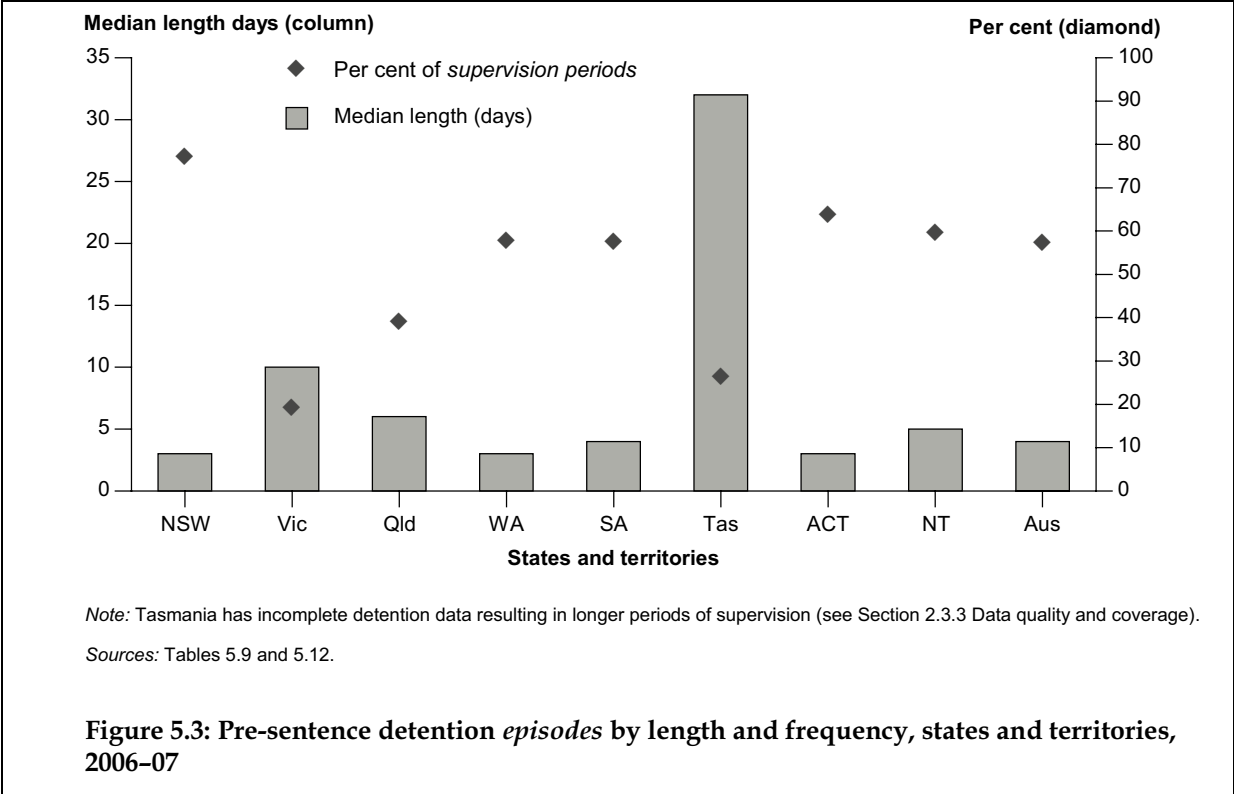
(a) The number of observations contributing to this cell is fewer than 10.

(b) Other includes home detention, other sentenced *episode* type and other *episode* type.

Notes

1. In this table, detention *episodes* of the same type that are separated by a transfer within detention are considered to be one *episode* and their length summed.
2. The use of the *episode* hierarchy may shorten or hide *episodes* that are lower on the hierarchy.
3. Data on unsupervised bail are not collected in the NMDS and hence are not included in the pre-sentence figures.
4. Age (in years) was calculated as at entry to *episode*. The *episode* may have begun before 2006–07.
5. Cells are not published (n.p.) where N<5.
6. Tasmania has incomplete detention data resulting in longer periods of supervision (see Section 2.3.3 Data quality and coverage).

Across states and territories there tends to be an inverse relationship between the median length of *episodes* of pre-sentence detention (remand) and the proportion of *supervision periods* that contain such *episodes* (Figure 5.3). For example, in New South Wales, pre-sentence detention occurs in 78% of completed *supervision periods*, but has a median length of only 3 days. In contrast, pre-sentence detention lasts, on average, 10 days in Victoria but occurs in only 20% of *supervision periods*.



For all *episode* types except sentenced community (such as probation) and other *episode* types (including home detention and other sentenced *episode* types), the median length of *episodes* within completed *supervision periods* was longer for males than for females (Table 5.13). In general, the length of most *episode* types increased as age increased.

The median length of pre-sentence detention *episodes* was longer for Indigenous young people than non-Indigenous young people at every age (Table 5.14). For all other *episodes* except 'other', the median length was longer for non-Indigenous young people.

Table 5.13: Median length of *episodes* (in days) within completed *supervision periods* by *episode type*, age and sex, Australia, 2006–07

<i>Episode type</i>	10	11	12	13	14	15	16	17	18+	Total
Male										
Pre-sentence community	n.p.	18	33	33	39	48	55	50	85	50
Pre-sentence detention	2	3	3	3	4	4	4	4	6	4
Sentenced community	132	83	92	101	107	123	137	165	181	130
Immediate release/ suspended detention	—	n.p.	41	46	92	108	93	157	248	109
Sentenced detention	—	n.p.	63	43	67	60	70	66	109	73
Parole	—	—	^(a) 46	39	49	55	62	91	155	86
Other ^(b)	—	—	^(a) 26	12	25	27	22	28	22	26
Female										
Pre-sentence community	—	24	37	22	28	31	49	48	68	41
Pre-sentence detention	—	18	2	3	3	2	3	3	2	3
Sentenced community	n.p.	^(a) 62	96	126	144	182	182	182	150	176
Immediate release/ suspended detention	—	n.p.	n.p.	^(a) 120	96	144	155	184	^(a) 365	140
Sentenced detention	—	—	n.p.	n.p.	^(a) 77	48	59	62	82	67
Parole	—	—	n.p.	n.p.	n.p.	66	88	133	227	93
Other ^(b)	—	n.p.	—	n.p.	n.p.	n.p.	n.p.	n.p.	n.p.	43
All young people										
Pre-sentence community	n.p.	20	33	28	36	43	54	50	84	48
Pre-sentence detention	2	3	3	3	4	4	4	4	5	4
Sentenced community	126	81	92	105	112	130	143	169	181	136
Immediate release/ suspended detention	—	n.p.	45	56	92	109	93	159	249	114
Sentenced detention	—	n.p.	61	46	69	59	70	66	107	73
Parole	—	—	^(a) 36	39	49	56	62	91	156	87
Other ^(b)	—	n.p.	^(a) 26	22	25	31	22	30	26	26

(a) The number of observations contributing to this cell is fewer than 10.

(b) Other includes home detention, other sentenced *episode type* and other *episode type*.

Notes

1. In this table, detention *episodes* of the same type that are separated by a transfer within detention are considered to be one *episode* and their length summed.
2. The use of the *episode* hierarchy may shorten or hide *episodes* that are lower on the hierarchy.
3. Data on unsupervised bail are not collected in the NMDS and hence are not included in the pre-sentence figures.
4. Age (in years) was calculated as at entry to *episode*. The *episode* may have begun before 2006–07.
5. Cells are not published (n.p.) where N<5.
6. Total includes young people of unknown sex.

Related table: State and territory appendixes 2006–07, Table 13.

Table 5.14: Median length of *episodes* (in days) within completed *supervision periods* by *episode type*, age and Indigenous status, Australia, 2006–07

<i>Episode type</i>	10	11	12	13	14	15	16	17	18+	Total
Indigenous										
Pre-sentence community	n.p.	22	29	29	37	43	42	50	64	40
Pre-sentence detention	^(a) 2	3	4	4	5	4	5	6	6	5
Sentenced community	^(a) 98	93	92	98	93	112	123	129	123	114
Immediate release/ suspended detention	—	^(a) 90	37	64	85	105	91	121	184	92
Sentenced detention	—	—	52	43	67	53	65	54	64	60
Parole	—	—	^(a) 36	39	77	58	56	95	140	77
Other ^(b)	—	n.p.	^(a) 18	22	27	31	25	30	^(a) 30	27
Non-Indigenous										
Pre-sentence community	n.p.	^(a) 16	35	26	32	43	57	48	85	49
Pre-sentence detention	^(a) 2	3	2	3	3	3	3	3	5	3
Sentenced community	n.p.	47	106	133	128	150	166	181	182	164
Immediate release/ suspended detention	—	—	50	34	175	111	151	187	273	161
Sentenced detention	—	n.p.	n.p.	100	71	72	82	81	120	90
Parole	—	—	—	n.p.	26	54	72	90	176	97
Other ^(b)	—	—	n.p.	n.p.	17	21	15	26	^(a) 22	23
Unknown										
Pre-sentence community	—	—	n.p.	n.p.	^(a) 85	57	52	92	99	78
Pre-sentence detention	—	n.p.	^(a) 2	2	5	3	3	2	3	3
Sentenced community	—	n.p.	—	84	148	221	210	182	181	184
Immediate release/ suspended detention	—	—	—	n.p.	n.p.	n.p.	n.p.	^(a) 214	n.p.	249
Sentenced detention	—	—	—	n.p.	—	n.p.	^(a) 32	n.p.	^(a) 61	32
Parole	—	—	—	—	—	—	n.p.	—	n.p.	^(a) 78
Other ^(b)	—	—	—	—	—	n.p.	—	—	—	n.p.

(a) The number of observations contributing to this cell is fewer than 10.

(b) Other includes home detention, other sentenced *episode type* and other *episode type*.

Notes

1. In this table, detention *episodes* of the same type that are separated by a transfer within detention are considered to be one *episode* and their length summed.
2. The use of the *episode* hierarchy may shorten or hide *episodes* that are lower on the hierarchy.
3. Data on unsupervised bail are not collected in the NMDS and hence are not included in the pre-sentence figures.
4. Age (in years) was calculated as at entry to *episode*. The *episode* may have begun before 2006–07.
5. Cells are not published (n.p.) where N<5.

Related table: State and territory appendixes 2006–07, Table 14.

5.3.4 Proportion of time under supervision spent in different types of episodes

This section examines the proportion of time spent in different types of *episodes* using the concept of person days. Person days were calculated by summing the total number of days spent by all people in different types of *episodes* (see Section 1.4.3).

The first table in this section examines the proportion of time in sentenced supervision within completed *supervision periods* that is spent in *episodes* of sentenced community-based supervision and detention, regardless of the length of the *supervision period*. In this table, the proportion of time spent by young people in either community-based supervision or detention is expressed as the percentage of the total duration spent under juvenile justice supervision, measured in person days.

On average, young people spent most of their time in sentenced supervision in the community rather than in detention (Table 5.15). Irrespective of the length of the *supervision period*, 91% of the time spent in sentenced *episodes* within completed *supervision periods* occurred in some form of sentenced community-based supervision. The greatest proportion of time in sentenced supervision spent in detention occurred in New South Wales and Western Australia (14% and 13% of person days, respectively).

Table 5.15: Proportion of person days in sentenced supervision within completed *supervision periods* by episode type, states and territories, 2006–07

Sentenced episode type	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aus
Per cent of person days in sentenced supervision									
Sentenced community ^(a)	85.8	88.3	97.2	87.0	93.1	89.0	90.5	95.3	90.6
Sentenced detention	14.2	11.7	2.8	13.0	6.9	11.0	9.5	4.7	9.4
Total (per cent)	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Total (number)	10,730	2,286	5,467	5,467	2,618	314	602	749	28,233

(a) Sentenced community includes *episodes* of home detention, immediate release/suspended detention, parole/supervised release and other community-based supervision with or without additional mandated requirements.

Notes

1. The denominator for the proportions is the total time in sentenced supervision across the entire jurisdiction, with the numerator being the total time either in sentenced community or in detention across the entire jurisdiction.
2. Tasmania has incomplete detention data resulting in longer periods of detention (see Section 2.3.3 Data quality and coverage).

In the following table, the proportion of time, as measured by person days, spent in particular types of *episodes* that ended in 2006–07 by the length of the *supervision period* is presented. In this table, proportions are based on the total duration of all *supervision periods* of a particular length.

Most of the time (around 90%) under supervision for *supervision periods* of less than 2 weeks was spent in pre-sentence detention *episodes*, while for longer *supervision periods* of between 6 months and 2 years, around 60–70% of the total *supervision period* duration consisted of sentenced community *episodes* (Table 5.16).

Overall, 64% of the total duration of *supervision periods* completed in 2006–07 was spent in sentenced community *episodes*.

Table 5.16. Proportion of person days under supervision by episode type and length of completed supervision period, Australia, 2006–07 (row per cent)

	Episode type							Total number of days ('000)
	Pre-sentence community	Pre-sentence detention	Sentenced community	Immediate release/suspended detention	Sentenced detention	Parole	Other ^(a)	
	Per cent of person days							
Less than 7 days	0.7	97.3	0.8	0.2	0.6	0.1	0.2	7
7 to less than 14 days	5.0	87.5	4.8	0.2	1.0	—	1.5	5
14 days to less than 1 month	17.0	60.2	13.8	1.2	3.3	1.0	3.5	12
1 to 3 months	31.4	23.6	33.3	2.4	5.4	0.9	3.1	74
3 to 6 months	16.1	8.3	61.3	4.3	6.5	2.6	1.1	214
6 to 9 months	7.3	5.1	71.8	7.1	5.3	2.5	0.8	320
9 to 12 months	4.8	6.0	66.7	9.7	7.3	4.6	0.8	223
12 to 24 months	4.6	5.4	68.0	10.1	7.0	4.6	0.3	832
24+ months	3.5	9.6	59.8	8.5	12.2	6.2	0.2	593
Total (per cent)	6.7	8.1	63.9	8.3	8.0	4.4	0.6	2,279

(a) Other includes home detention, other sentenced episode type and other episode type.

Related table: State and territory appendices 2006–07, Table 15.

5.3.5 Reasons for exiting *episodes*

The relationship between *episode* types and the reasons why those *episodes* ended provides information about the flow of young people through supervision. This section looks at different types of supervision such as community-based and detention-based, and various possible outcomes including conditions of sentence met, breached and more serious order begun (see Glossary for definitions of reasons for exit from *episodes*). It should be remembered that the Juvenile Justice NMDS can count only one *episode* occurring at any one time. Therefore where more than one type of supervision that could constitute an *episode* occurs at the same time, the most serious type of supervision, according to the *episode* hierarchy (see Section 2.1.2), is defined as the *episode*. This may hide the outcomes of some types of supervision, as indicated by the use of the reason for exit 'more serious order begun'.

For pre-sentence community *episodes* (supervised bail), nearly 35% ended with 'more serious order begun', which means that the young person received an order that constituted a higher ranked *episode* type and that the order was unrelated to the order underlying the pre-sentence community *episode* (Table 5.17). Further analysis showed that three-quarters of *episodes* following this reason for exit were pre-sentence detention. Just over 40% of pre-sentence community *episodes* ended with other reason for exit, which includes no further action and referral to external program, while 11% ended with a breach and 10% ended due to sentencing.

Over half (57%) of pre-sentence detention *episodes* ended with the young person released on bail, while only 17% ended due to sentencing.

Around half of each of the community-based sentenced *episode* types (sentenced community, immediate release/suspended detention, parole/supervised release) ended because the conditions of sentence were met, although around one-third ended due to a more serious order beginning – further analysis showed that over half of the *episodes* following this reason for exit were pre-sentence detention *episodes*. Around one-third (35%) of sentenced detention *episodes* ended with the young person released on parole or supervised release and 20% released because the conditions of the sentence were met. Of all the sentenced community-based *episodes*, *episodes* of parole were most likely to end through a breach (15%).

Table 5.17: Episodes within completed supervision periods by episode type and reason for exit, Australia, 2006-07 (per cent)

Reason for exit	Pre-sentence community	Pre-sentence detention	Sentenced community	Immediate release/suspended detention	Sentenced detention	Parole or supervised release	Other ^(a)
Released on bail	0.4	57.2	—	—	0.8	—	21.0
Matters proven/charges dismissed	0.1	1.1	—	—	0.1	—	—
Remand	2.0	0.9	—	—	—	—	0.3
Sentenced	10.3	16.8	—	—	0.3	—	—
Parole/supervised release	—	1.4	—	—	34.7	—	—
Conditions of sentence met	—	0.5	57.7	47.6	20.4	50.1	8.3
Breached	11.1	—	5.1	7.7	—	15.3	—
More serious order begun	35.5	11.1	27.7	38.4	—	30.6	35.5
Transferred	—	2.4	0.5	0.3	19.3	—	—
Other ^(b)	40.5	8.8	9.0	5.9	24.5	4.0	34.8
Total (per cent)	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Number of episodes	2,192	10,324	8,205	1,168	1,963	821	290

(a) Other episode type includes home detention, other sentenced episode type and other episode type.

(b) Other reason for exit includes no further action, referral to external program, escape/abscond, death and other reason for exit.

Notes

1. Transferred does not include transfers from one detention centre to another within a jurisdiction in the same supervision period where the episode type does not change.
2. Some reasons for exit may be due to the result of an appeal.

Related table: State and territory appendices 2006-07, Table 16.

Both the number of young people in remand (which in this section refers only to *episodes* of pre-sentence detention and does not include *episodes* of pre-court detention)² and the outcome of this detention are of concern for many states and territories in Australia. Policy and legislative differences among jurisdictions on issues such as diversion and supported bail are likely to affect the use and outcome of remand.

Overall, nearly 61% of all remand *episodes* within *supervision periods* completed in 2006–07 ended with the young person being released on bail. Only 19% of remand *episodes* ended because the young person was sentenced, and only 7% ended with the young person sentenced to detention. The reason for exit from remand varied considerably among the states and territories. New South Wales and South Australia had the highest proportion of *episodes* ending with the young person released on bail following remand (76% and 73%, respectively). Note that the numbers in this table differ slightly from those presented in Table 5.17 for pre-sentence detention as Table 5.17 includes pre-court detention *episodes*.

Table 5.18: Remand *episodes* within completed *supervision periods* by reason for exit, states and territories, 2006–07

Reason for exit from remand	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aus
Number of remand <i>episodes</i>									
Released on bail	3,606	96	261	535	543	20	112	86	5,259
Matters proven/charges dismissed	49	—	6	16	10	1	—	21	103
Sentenced	696	168	451	6	90	34	111	69	1,625
Next episode type: sentenced detention	365	69	72	5	—	10	14	30	565
More serious order begun	—	—	—	635	—	3	—	—	638
Other	403	88	185	225	104	—	10	12	1,027
Total	4,754	352	903	1,417	747	58	233	188	8,652
Per cent of remand <i>episodes</i>									
Released on bail	75.9	27.3	28.9	37.8	72.7	34.5	48.1	45.7	60.8
Matters proven/charges dismissed	1.0	—	0.7	1.1	1.3	1.7	—	11.2	1.2
Sentenced	14.6	47.7	49.9	0.4	12.0	58.6	47.6	36.7	18.8
Next episode type: sentenced detention	7.7	19.6	8.0	0.4	—	17.2	6.0	16.0	6.5
More serious order begun	—	—	—	44.8	—	5.2	—	—	7.4
Other	8.5	25.0	20.5	15.9	13.9	—	4.3	6.4	11.9
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

Notes

1. Other includes escaped/absconded, died, transferred, and other reasons for exit.
2. This table excludes pre-court *episodes* and transfers from one detention centre to another within a jurisdiction in the same *supervision period*.

² Elsewhere in this report, *episodes* of pre-sentence detention include *episodes* of pre-court detention. See Section 2.2.2 for further information.

Remand *episodes* completed by males were less likely to end with the young person bailed than those completed by females (59% compared with 72%), although *episodes* completed by females in younger age groups were less likely to end with the young person released on bail than those completed by males in the same age groups (Table 5.19). Remand *episodes* completed by males were more likely to end with the young person being sentenced than those completed by females (20% compared with 14%). Overall, the proportion of young people in an *episode* of pre-sentence detention who were released on bail decreased slightly with age, while the proportion sentenced increased with age

Remand *episodes* completed by non-Indigenous young people were more likely to end with the young person released on bail than those completed by Indigenous young people (68% compared with 52%) and slightly less likely to end with the young person being sentenced (18% compared with 21%; Table 5.20).

Overall, the proportion of Aboriginal and Torres Strait Islander young people released on bail was similar to that of non-Indigenous young people (77% and 79%, respectively) (Table 5.20).

Table 5.19: Remand episodes within completed supervision periods by reason for exit, age and sex, Australia, 2006–07 (per cent)

Reason for exit from remand	10	11	12	13	14	15	16	17	18+	Total
Male										
Released on bail	80.0	71.3	70.5	66.0	61.0	58.6	54.9	58.0	51.2	58.9
Matters proven/charges dismissed	—	1.1	0.7	1.2	1.1	1.3	0.8	0.8	1.2	1.0
Sentenced	—	16.0	13.8	17.1	20.0	19.8	22.4	18.0	21.2	19.6
Next episode type: detention	—	1.1	2.0	2.8	6.0	6.9	8.8	8.9	12.1	7.3
More serious order begun	—	3.2	4.6	6.7	7.4	8.0	9.5	9.8	0.9	8.1
Other	20.0	8.5	10.5	9.0	10.5	12.2	12.4	13.3	25.5	12.5
Total (per cent)	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Total (number)	5	94	305	597	1,038	1,582	1,748	1,679	330	7,378
Female										
Released on bail	—	50.0	62.9	78.9	76.9	70.8	70.5	66.2	73.5	72.0
Matters proven/charges dismissed	—	—	—	2.8	2.4	2.1	1.9	2.5	5.9	2.3
Sentenced	—	10.0	20.0	9.2	10.9	12.7	18.2	17.2	17.6	14.1
Next episode type: detention	—	—	2.9	—	0.7	2.1	2.3	4.9	5.9	2.1
More serious order begun	—	10.0	11.4	0.7	3.7	3.4	3.4	3.4	—	3.4
Other	—	30.0	5.7	8.5	6.1	11.0	6.1	10.8	2.9	8.3
Total (per cent)	—	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Total (number)	—	10	35	142	294	291	264	204	34	1,274
All persons										
Released on bail	80.0	69.2	69.7	68.5	64.5	60.5	56.9	58.9	53.3	60.8
Matters proven/charges dismissed	—	1.0	0.6	1.5	1.4	1.4	0.9	1.0	1.6	1.2
Sentenced	—	15.4	14.4	15.6	18.0	18.7	21.9	18.0	20.9	18.8
Next episode type: detention	—	1.0	2.1	2.3	4.8	6.1	8.0	8.4	11.5	6.5
More serious order begun	—	3.8	5.3	5.5	6.6	7.3	8.7	9.1	0.8	7.4
Other	20.0	10.6	10.0	8.9	9.5	12.0	11.6	13.0	23.4	11.9
Total (per cent)	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Total (number)	5	104	340	739	1,332	1,873	2,012	1,883	364	8,652

Notes

1. Age (in years) was calculated as at entry to *episode*. The *episode* may have begun before 2006–07.
2. Other includes escaped or absconded, died, transferred, and other reasons for exit.
3. This table excludes pre-court *episodes* and transfers from one detention centre to another within a jurisdiction in the same *supervision period*.

Related table: State and territory appendixes 2006–07, Table 17.

Table 5.20: Remand *episodes* within completed *supervision periods* by reason for exit, age and Indigenous status, Australia, 2006–07 (per cent)

Reason for exit remand	10	11	12	13	14	15	16	17	18+	Total
Indigenous										
Released on bail	100.0	64.2	64.3	58.2	55.6	50.8	48.8	46.9	47.9	52.2
Matters proven/charges dismissed	—	1.2	0.4	1.8	1.8	2.0	1.0	1.2	2.5	1.5
Sentenced	—	18.5	17.4	20.0	19.9	21.4	23.3	18.3	20.2	20.5
Next episode type: detention	—	1.2	2.6	3.5	6.2	7.3	8.9	9.7	11.8	7.3
More serious order begun	—	4.9	6.5	9.6	10.8	11.9	14.7	16.4	1.7	12.1
Other	—	11.1	11.3	10.4	12.0	13.9	12.3	17.2	27.7	13.6
Total (per cent)	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Total (number)	2	81	230	395	675	841	894	688	119	3,925
Non-Indigenous										
Released on bail	66.7	86.4	80.4	80.8	73.3	68.2	63.3	65.5	55.7	67.7
Matters proven/charges dismissed	—	—	1.0	1.2	0.9	1.0	0.8	0.9	0.8	0.9
Sentenced	—	4.5	8.8	9.9	16.4	16.9	21.1	18.0	21.5	17.6
Next episode type: detention	—	—	1.0	0.9	3.3	5.4	7.3	7.8	11.8	6.0
More serious order begun	—	—	2.9	0.9	2.3	3.7	4.1	5.1	0.4	3.6
Other	33.3	9.1	6.9	7.2	7.0	10.1	10.7	10.5	21.5	10.2
Total (per cent)	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Total (number)	3	22	102	334	640	987	1,082	1,150	237	4,557
Unknown										
Released on bail	—	100.0	87.5	60.0	88.2	73.3	66.7	73.3	62.5	72.9
Matters proven/charges dismissed	—	—	—	—	—	—	2.8	2.2	12.5	1.8
Sentenced	—	—	—	30.0	5.9	8.9	11.1	11.1	12.5	10.6
Next episode type: detention	—	—	—	—	5.9	2.2	2.8	4.4	—	2.9
More serious order begun	—	—	—	—	—	—	—	—	—	—
Other	—	—	12.5	10.0	5.9	17.8	19.4	13.3	12.5	14.7
Total (per cent)	—	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Total (number)	—	1	8	10	17	45	36	45	8	170

Notes

- Age (in years) was calculated as at entry to *episode*. The *episode* may have begun before 2006–07.
- Other includes escaped/absconded, died, transferred, and other reasons for exit.
- This table excludes pre-court *episodes* and transfers from one detention centre to another within a jurisdiction in the same *supervision period*.

Related table: State and territory appendixes 2006–07, Table 18.

5.4 Relationship between first supervision and subsequent supervision experience

5.4.1 Age at first supervision and number of subsequent supervision periods

Many young people who experience juvenile justice supervision appear once and do not return to juvenile justice supervision. However, some young people return multiple times. One of the factors associated with returning to juvenile justice supervision is the age of the young person when he/she first experiences supervision.

In this section, the relationship between age at the first juvenile justice supervision and subsequent number and type of *supervision periods* in later years is examined in several ways.

In the first table (Table 5.21), the number of completed *supervision periods* is presented for young people who first began juvenile justice supervision in 2000–01, which is the first year of data in the Juvenile Justice NMDS. The population of this table is restricted to young people who were aged between 11 and 17 at the start of the year of their first supervision so that the table will contain their complete juvenile supervision history, as those who were 10 in 2000–01 will have turned 16 in 2006–07 (the most recent year of data) and could therefore complete further juvenile justice supervision in future years. This enables us to examine the relationship between age at first supervision and the number of completed *supervision periods* for young people who began supervision in a common year.

Table 5.22 uses a different population to examine the same relationship. In this table, the number of completed *supervision periods* is presented for young people who were 17 at the start of 2006–07, meaning they turned 18 during 2006–07 and therefore will be unlikely to experience juvenile justice supervision in future years. However, the population of this table experienced their first supervision not only at different ages but also in different years, allowing us to examine whether a relationship between age at first supervision and the number of completed *supervision periods* exists regardless of the year in which supervision began.

In the remaining tables in this section, the relationship between age at first supervision and subsequent contact with the juvenile justice supervision system is explored using the histories of young people who experienced their first supervision during 2002–03 and who were aged between 10 and 14 years at that time. This group is chosen because these young people are within the age range for having further juvenile justice supervision with the juvenile justice system over the 5 years (2002–02 to 2006–07), as those aged 10 in 2002–03 would have turned 14 in 2006–07, and those aged 14 would have turned 18 in 2006–07. Note, however, that while young people in most states and territories may remain under juvenile justice supervision once they turn 18 years, they are unlikely to enter juvenile justice supervision for an offence committed while they were aged 18 or older (see Section 1.2).

Of those who started supervision in 2000–01 and were aged 11–17 years at this time, 2 out of every 5 (41%) completed more than one *supervision period* in 7 years (and as they will all be aged at least 18 in 2007–08, they are unlikely to be further supervised in the juvenile justice system) (Table 5.21). Only 12% completed four or more *supervision periods*.

However, younger people were more likely to complete more *supervision periods* than those who were older at their first *supervision period*. For those aged 11–12 years at their first supervision, 20% completed only one *supervision period* over the 7 years, while 43% completed four or more *supervision periods*. In contrast, nearly 80% of those aged 16–17 years at their first supervision completed only one *supervision period*, while only 3% completed four or more *supervision periods*. However, those who are older have fewer years to be under juvenile justice supervision (that is, an 11 year old in 2000–01 could potentially have had juvenile justice supervision in all 7 years, whereas that is unlikely for someone who was 17 years old in 2000–01).

Table 5.21: Young people with first supervision in 2000–01 by number of completed *supervision periods* and age at first supervision, Australia, 2000–01 to 2006–07

Age at and year of first supervision		Number of completed <i>supervision periods</i>				Total
		1	2	3	4 or more	
Number of young people						
11	2000–01	10	18	11	33	72
12	2000–01	45	40	34	87	206
13	2000–01	161	106	77	144	488
14	2000–01	388	177	118	135	818
15	2000–01	656	246	124	93	1,119
16	2000–01	843	179	70	42	1,134
17	2000–01	505	77	13	8	603
Total		2,608	843	447	542	4,440
Per cent of young people						
11	2000–01	13.9	25.0	15.3	45.8	100.0
12	2000–01	21.8	19.4	16.5	42.2	100.0
13	2000–01	33.0	21.7	15.8	29.5	100.0
14	2000–01	47.4	21.6	14.4	16.5	100.0
15	2000–01	58.6	22.0	11.1	8.3	100.0
16	2000–01	74.3	15.8	6.2	3.7	100.0
17	2000–01	83.7	12.8	2.2	1.3	100.0
Total		58.7	19.0	10.1	12.2	100.0

Notes

1. The Australian Capital Territory was excluded as data for 2000–01 were unavailable.
2. Age was calculated as at 1 July of the relevant financial year.

The same relationship between age at first supervision and number of *supervision periods* subsequently completed exists for young people who began supervision in different years (Table 5.22). The results for young people who were born in the same financial year but began supervision in different years, and thus at different ages, were similar to those presented in the previous table. Of those aged 11–12 years at their first supervision, only 18% completed just one *supervision period* over the 7 years while 45% completed four or more, but for those aged 16–17 years at their first supervision, over three-quarters (77%) completed only one *supervision period* while only 3% completed four or more.

Table 5.22: Young people who turned 18 years old in 2006–07 by number of completed supervision periods, and age at first supervision, Australia, 2000–01 to 2006–07

Age at and year of first supervision	Number of completed supervision periods				Total
	1	2	3	4 or more	
Number of young people					
11 2000–01	10	18	11	33	72
12 2001–02	42	39	38	96	215
13 2002–03	173	128	83	164	548
14 2003–04	334	208	123	165	830
15 2004–05	591	236	97	108	1,032
16 2005–06	838	224	70	41	1,173
17 2006–07	623	69	14	8	714
Total	2,611	922	436	615	4,584
Per cent of young people					
11 2000–01	13.9	25.0	15.3	45.8	100.0
12 2001–02	19.5	18.1	17.7	44.7	100.0
13 2002–03	31.6	23.4	15.1	29.9	100.0
14 2003–04	40.2	25.1	14.8	19.9	100.0
15 2004–05	57.3	22.9	9.4	10.5	100.0
16 2005–06	71.4	19.1	6.0	3.5	100.0
17 2006–07	87.3	9.7	2.0	1.1	100.0
Total	57.0	20.1	9.5	13.4	100.0

Notes

1. The Australian Capital Territory was excluded as data for 2000–01 to 2002–03 were unavailable.
2. Age was calculated as at 1 July of the relevant financial year.

In previous tables, it was shown that those who were younger at their first supervision completed more *supervision periods* than those older at first supervision (tables 5.21 and 5.22). To show that this relationship is not because younger people have more years in which to be under juvenile justice supervision, the following tables are restricted to young people who were aged 18 years or under in the 5 years from 2002–03 to 2006–07. This means that in most states and territories, these young people were able to have juvenile justice supervision for all 5 years.

As with the previous tables, the results of these analyses again show that those who were younger at their first supervision completed more *supervision periods* than those older at first supervision. Of those aged 11 years at their first supervision, only 12% completed just one *supervision period* over the 5 years, compared with over one-third (36%) of those aged 14 years at their first supervision (Figure 5.4, Table 5.23). Conversely, over half (52%) of those aged 11 years at their first supervision completed four or more *supervision periods* over the 5-year period, compared with only one-quarter (24%) of those aged 14 at their first supervision.

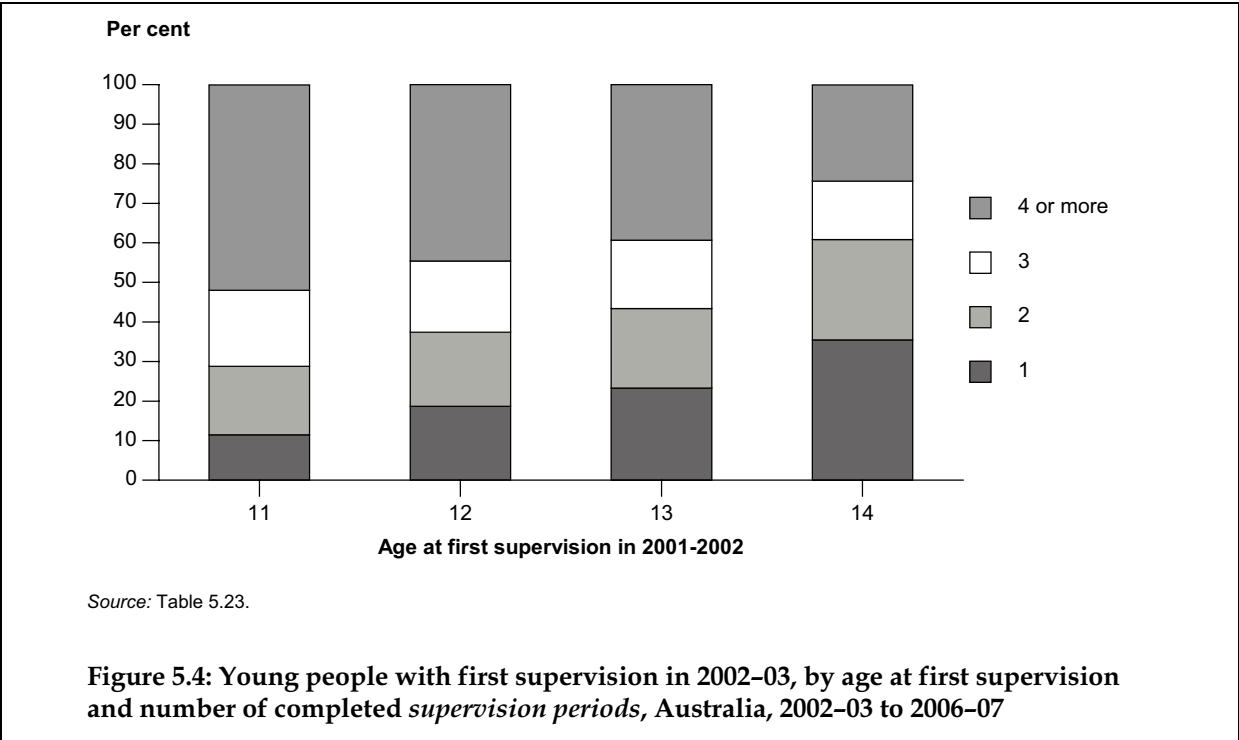


Table 5.23: Young people with first supervision in 2002–03 by age at first supervision and number of completed *supervision periods*, Australia, 2002–03 to 2006–07

Number of <i>supervision periods</i>	Age at first supervision in 2002–03					Total
	10	11	12	13	14	
Number of young people						
1	3	6	26	86	247	368
2	—	9	26	74	176	285
3	3	10	25	64	103	205
4 or more	10	27	62	145	169	413
Total	16	52	139	369	695	1,271
Per cent of young people						
1	18.8	11.5	18.7	23.3	35.5	29.0
2	—	17.3	18.7	20.1	25.3	22.4
3	18.8	19.2	18.0	17.3	14.8	16.1
4 or more	62.5	51.9	44.6	39.3	24.3	32.5
Total	100.0	100.0	100.0	100.0	100.0	100.0

Note: The Australian Capital Territory was excluded as data for 2002–03 were unavailable.

The relationship found previously between the age at first supervision and the overall number of *supervision periods* completed was slightly stronger for Aboriginal and Torres Strait Islander young people than non-Indigenous young people. For Aboriginal and Torres Strait Islander young people, 50% of those aged 10–12 in 2002–03 had completed four or more *supervision periods*, compared with 45% of non-Indigenous 10–12 year olds.

Table 5.24: Young people with first supervision in 2002–03 by age at first supervision, number of completed *supervision periods* and Indigenous status, Australia, 2002–03 to 2006–07

Number of <i>supervision periods</i>	Age at first supervision in 2002–03					Total
	10	11	12	13	14	
Number of young people						
Indigenous						
1	2	3	15	33	69	122
2	—	5	17	39	61	122
3	3	7	17	33	38	98
4 or more	9	20	40	96	81	246
Total	14	35	89	201	249	588
Non-Indigenous						
1	1	3	8	47	159	218
2	—	4	9	31	110	154
3	—	3	8	31	64	106
4 or more	—	7	22	49	88	166
Total	1	17	47	158	421	644
Per cent of young people						
Indigenous						
1	14.3	8.6	16.9	16.4	27.7	20.7
2	—	14.3	19.1	19.4	24.5	20.7
3	21.4	20.0	19.1	16.4	15.3	16.7
4 or more	64.3	57.1	44.9	47.8	32.5	41.8
Total	100.0	100.0	100.0	100.0	100.0	100.0
Non-Indigenous						
1	100.0	17.6	17.0	29.7	37.8	33.9
2	—	23.5	19.1	19.6	26.1	23.9
3	—	17.6	17.0	19.6	15.2	16.5
4 or more	—	41.2	46.8	31.0	20.9	25.8
Total	100.0	100.0	100.0	100.0	100.0	100.0

Notes

1. The Australian Capital Territory was excluded as data for 2002–03 were unavailable.
2. 39 young people whose Indigenous status was unknown were excluded.

The following table examines the same group of young people who began supervision in 2002–03 and were aged 10–14 years at the time of this supervision.

Of those who were 14 when they began supervision in 2002–03, 42% had not begun another *supervision period* since 2002–03, compared with 23% of those aged 10–12 years when they first began supervision (Table 5.25). Conversely, 40% of those aged 10–12 years at their first supervision began their most recent *supervision period* in 2006–07, compared with only 8% of those aged 14 at their first supervision.

Table 5.25: Young people with first supervision in 2002–03 by year of entry to most recent *supervision period* and age at first supervision, Australia, 2002–03 to 2006–07

Age at and year of first supervision		Year of entry to most recent <i>supervision period</i>					Total
		2002–03	2003–04	2004–05	2005–06	2006–07	
Number of young people							
10	2002–03	3	—	2	2	9	16
11	2002–03	9	2	9	8	24	52
12	2002–03	35	16	17	20	51	139
13	2002–03	111	46	53	88	71	369
14	2002–03	294	103	114	130	54	695
Per cent of young people							
10	2002–03	18.8	—	12.5	12.5	56.3	100.0
11	2002–03	17.3	3.8	17.3	15.4	46.2	100.0
12	2002–03	25.2	11.5	12.2	14.4	36.7	100.0
13	2002–03	30.1	12.5	14.4	23.8	19.2	100.0
14	2002–03	42.3	14.8	16.4	18.7	7.8	100.0

Notes

1. This table may not represent the young person's last ever *supervision period* — data are subject to change as data for future years become available.
2. Note that young people aged 18 years or older may be supervised by the adult corrections system, and that data are not available in this report.
3. The Australian Capital Territory was excluded as data for 2002–03 were unavailable.

The following two tables again follow young people who began supervision for the first time during the same year but, in contrast to the previous table, these show the number of young people who began a new *supervision period* in each year. In addition, these tables also include young people who were aged between 15 and 17 years at their first supervision. These young people will therefore have turned 18 sometime during the years encompassed by the tables and in this and subsequent years would have been less likely to be under juvenile justice supervision than young people aged under 18. To highlight this, data relating to young people aged 18 and older are italicised and a significantly diminished return is expected in these cells.

For young people who began supervision in 2002–03, the proportion of young people returning to juvenile justice supervision each successive year generally decreased (Table 5.26). As seen in the previous table, those who were younger at their first supervision were more likely to enter new *supervision periods* in subsequent years than those who were older.

This relationship between age at first supervision and returns to supervision holds irrespective of the year in which the young person first began supervision (Table 5.27).

Table 5.26: Young people with first supervision in 2002–03 by year of entry to new supervision periods and age at first supervision, Australia, 2002–03 to 2006–07

Age at and year of first supervision		Year of entry to new supervision periods				
		2002–03	2003–04	2004–05	2005–06	2006–07
Number of young people						
10	2002–03	16	7	7	7	9
11	2002–03	52	18	24	20	24
12	2002–03	139	58	52	46	51
13	2002–03	369	160	141	125	71
14	2002–03	695	239	178	154	54
15	2002–03	1,097	310	184	70	21
16	2002–03	1,291	242	92	25	10
17	2002–03	942	88	18	4	1
Per cent of young people						
10	2002–03	100.0	43.8	43.8	43.8	56.3
11	2002–03	100.0	34.6	46.2	38.5	46.2
12	2002–03	100.0	41.7	37.4	33.1	36.7
13	2002–03	100.0	43.4	38.2	33.9	19.2
14	2002–03	100.0	34.4	25.6	22.2	7.8
15	2002–03	100.0	28.3	16.8	6.4	1.9
16	2002–03	100.0	18.7	7.1	1.9	0.8
17	2002–03	100.0	9.3	1.9	0.4	0.1

Notes

1. This table shows young people who had their first ever juvenile justice supervision in 2002–03 and who began a new supervision period at some point in subsequent years. Young people are entering and leaving supervision on a regular basis so it should not be assumed those under supervision in a particular year are the same young people who were under juvenile justice supervision during the previous year.
2. Some young people may be under supervision during subsequent years but not appear in the figures because they are continuing one long supervision period rather than beginning a new one. For the relationship between age and length of supervision period, see Table 5.6.
3. Italics indicate young people aged 18 years or older. Note that young people aged 18 years or older may also be supervised by the adult corrections system and such data are not available in this report.
4. The Australian Capital Territory was excluded as data for 2002–03 were unavailable.

Table 5.27: Young people with first supervision in 2003–04 to 2006–07 by year of entry to new supervision periods and age at first supervision, Australia, 2003–04 to 2006–07 (per cent)

Age at and year of first supervision		Year of entry to new supervision periods			
		2003–04	2004–05	2005–06	2006–07
Per cent of young people					
10	2003–04	100.0	46.2	61.5	76.9
11	2003–04	100.0	46.0	41.3	52.4
12	2003–04	100.0	45.3	42.8	34.6
13	2003–04	100.0	37.8	32.9	35.5
14	2003–04	100.0	32.8	27.3	23.5
15	2003–04	100.0	26.8	18.6	9.2
16	2003–04	100.0	19.5	8.7	2.2
17	2003–04	100.0	9.3	2.4	0.6
10	2004–05	—	100.0	44.4	33.3
11	2004–05	—	100.0	37.9	44.8
12	2004–05	—	100.0	48.9	45.3
13	2004–05	—	100.0	38.0	38.0
14	2004–05	—	100.0	31.4	26.6
15	2004–05	—	100.0	26.9	21.3
16	2004–05	—	100.0	19.1	8.4
17	2004–05	—	100.0	10.6	2.3
10	2005–06	—	—	100.0	50.0
11	2005–06	—	—	100.0	50.0
12	2005–06	—	—	100.0	38.1
13	2005–06	—	—	100.0	39.1
14	2005–06	—	—	100.0	31.1
15	2005–06	—	—	100.0	26.7
16	2005–06	—	—	100.0	19.6
17	2005–06	—	—	100.0	11.2

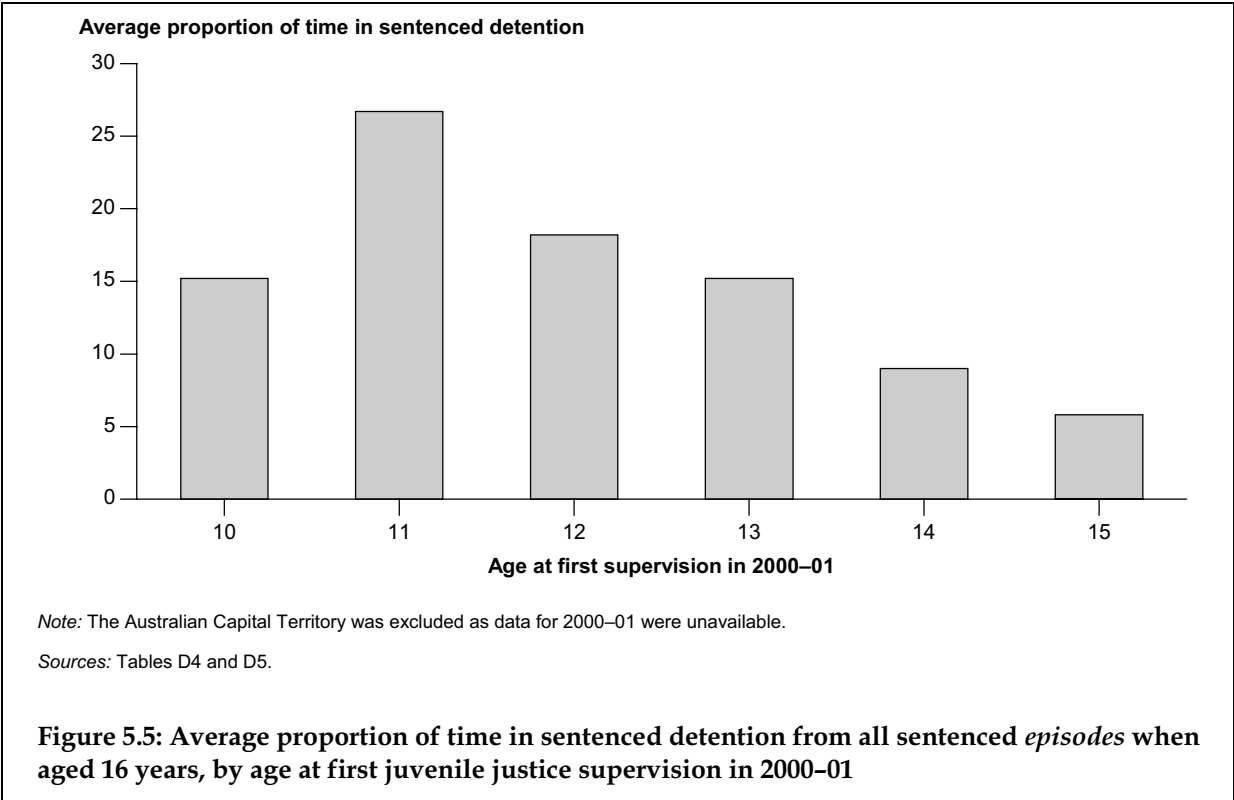
Notes

1. This table shows young people who had their first ever juvenile justice supervision in a particular year and who began a new *supervision period* at some point in subsequent years. Young people are entering and leaving supervision on a regular basis so it should not be assumed those under supervision in a particular year are the same young people who were under supervision during the previous year.
2. Some young people may be under supervision during subsequent years but not appear in the figures because they are continuing one long *supervision period* rather than beginning a new one. For the relationship between age and length of *supervision period*, see Table 5.6.
3. Italics indicate young people aged 18 years or older. Note that young people aged 18 years or older may be supervised by the adult corrections system, and such data are not available in this report.

5.4.2 Age at first supervision and sentenced detention

The previous section showed that the younger people were when they began juvenile justice supervision, the more likely they are to return to supervision in subsequent years. This section examines whether there is a relationship between age at first supervision and the type of sentenced supervision later experienced when aged 16 for those still under supervision at this age. The age 16 is chosen because the youngest people in the NMDS (those who began supervision aged 10 years old during the first year of data in 2000-01) were aged 16 years during 2006-07, which is the latest year of data.

In general, those who were younger at their first supervision spent a greater proportion of their time in sentenced supervision in detention in the year they were 16 than those who were older at their first supervision (Figure 5.5). Young people who were aged 11 at their first supervision spent 27% of their time in sentenced supervision in detention when they were 16 (which was during 2005-06). The average proportion of time spent in sentenced detention then decreased with the age at which the young person began supervision. Those aged 12 at first supervision spent, on average, 18% of the time they were in sentenced supervision in detention when they were 16 (which was during 2004-05) while those aged 15 at their first supervision spent only 6% of their time in sentenced supervision in detention when they were 16 (in 2001-02). However, this relationship did not hold for those aged 10 at their first supervision – on average, they spent 15% of their time in sentenced supervision when they were 16 (in 2006-07) in detention.



5.4.3 Age and detention at first supervision and subsequent supervision

This section examines the relationship between age at first supervision, the presence or absence of detention in the first supervision, and the number of *supervision periods* subsequently completed during 2000–01 to 2006–07. Detention can occur either at the pre-sentence or sentenced stage, and a young person's *supervision period* may contain both *episodes* of pre-sentence detention and *episodes* of sentenced detention.

Overall, 46% of young people who had their first supervision in the 7-year period 2000–01 to 2006–07 were detained during their first supervision (Table 5.28). However, the proportion of young people whose first supervision contained detention decreased as the age of the young person at the start of this first supervision increased. Of those who were 10 years old at the start of their first supervision, 63% were detained during this first supervision while only 40% of those aged 17 at their first supervision were.

In general, the majority of the detention that occurred during this first *supervision period* was pre-sentence detention. Sentenced detention during the first *supervision period* was uncommon for all those except young people aged 18 or older at their first supervision.

Table 5.28: Young people by age at first supervision and presence or absence of detention *episodes* in the first *supervision period*, Australia, 2000–01 to 2006–07

	Age at first supervision									Total
	10	11	12	13	14	15	16	17	18+	
Number of young people										
First <i>supervision period</i> contained detention	70	238	565	1,373	2,421	3,226	3,644	2,686	951	15,174
<i>Pre-sentence detention</i>	70	233	559	1,363	2,402	3,163	3,577	2,577	406	14,350
<i>Sentenced detention</i>	2	23	42	123	156	244	253	253	599	1,695
First <i>supervision period</i> did not contain detention	41	166	363	1,080	2,300	3,638	4,838	4,142	1,414	17,982
Total	111	404	928	2,453	4,721	6,864	8,482	6,828	2,365	33,156
Per cent of young people										
First <i>supervision period</i> contained detention	63.1	58.9	60.9	56.0	51.3	47.0	43.0	39.3	40.2	45.8
<i>Pre-sentence detention</i>	63.1	57.7	60.2	55.6	50.9	46.1	42.2	37.7	17.2	43.3
<i>Sentenced detention</i>	1.8	5.7	4.5	5.0	3.3	3.6	3.0	3.7	25.3	5.1
First <i>supervision period</i> did not contain detention	36.9	41.1	39.1	44.0	48.7	53.0	57.0	60.7	59.8	54.2
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

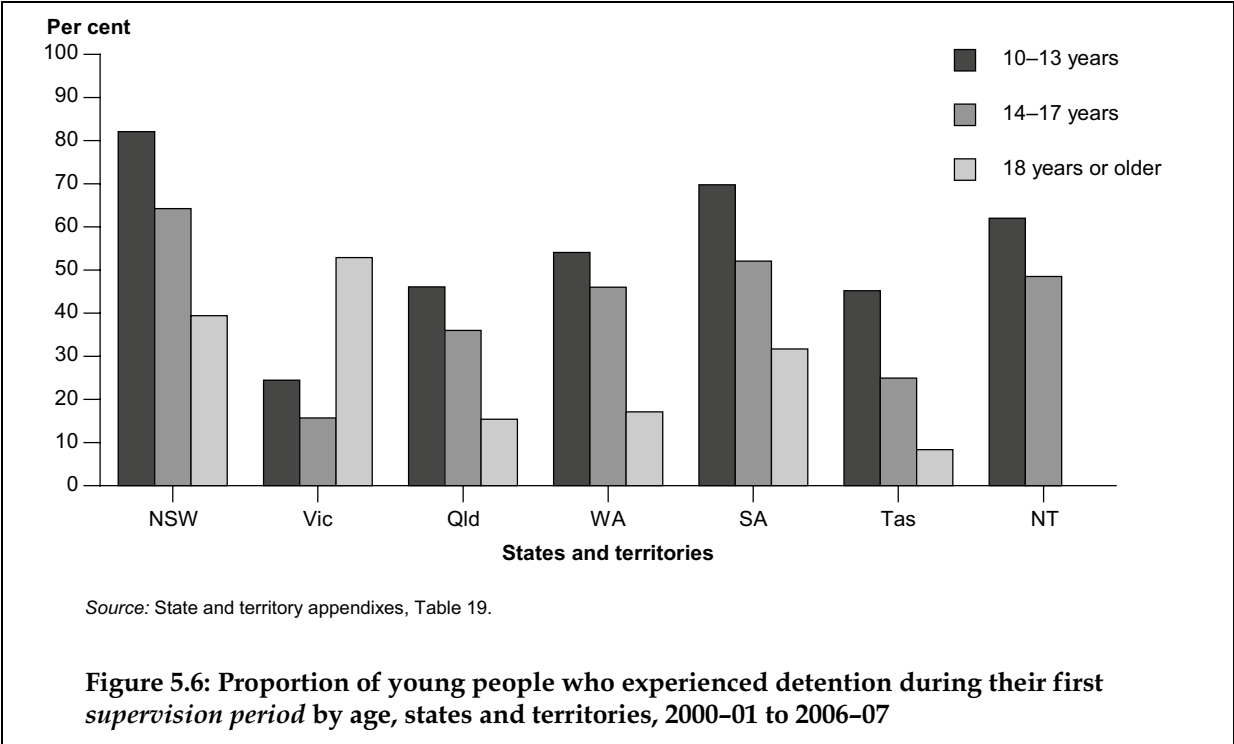
Notes

1. The Australian Capital Territory was excluded as data for 2000–01 to 2002–03 were unavailable.
2. This table excludes four young people whose age at first supervision is unknown.
3. The first *supervision period* for some young people contained both pre-sentence detention and sentenced detention.
4. Age (in years) was calculated as at entry to first *supervision period* in 2006–07. If the *supervision period* began before 2006–07, age was calculated as at 1 July 2006.

Related table: State and territory appendixes 2006–07, Table 19.

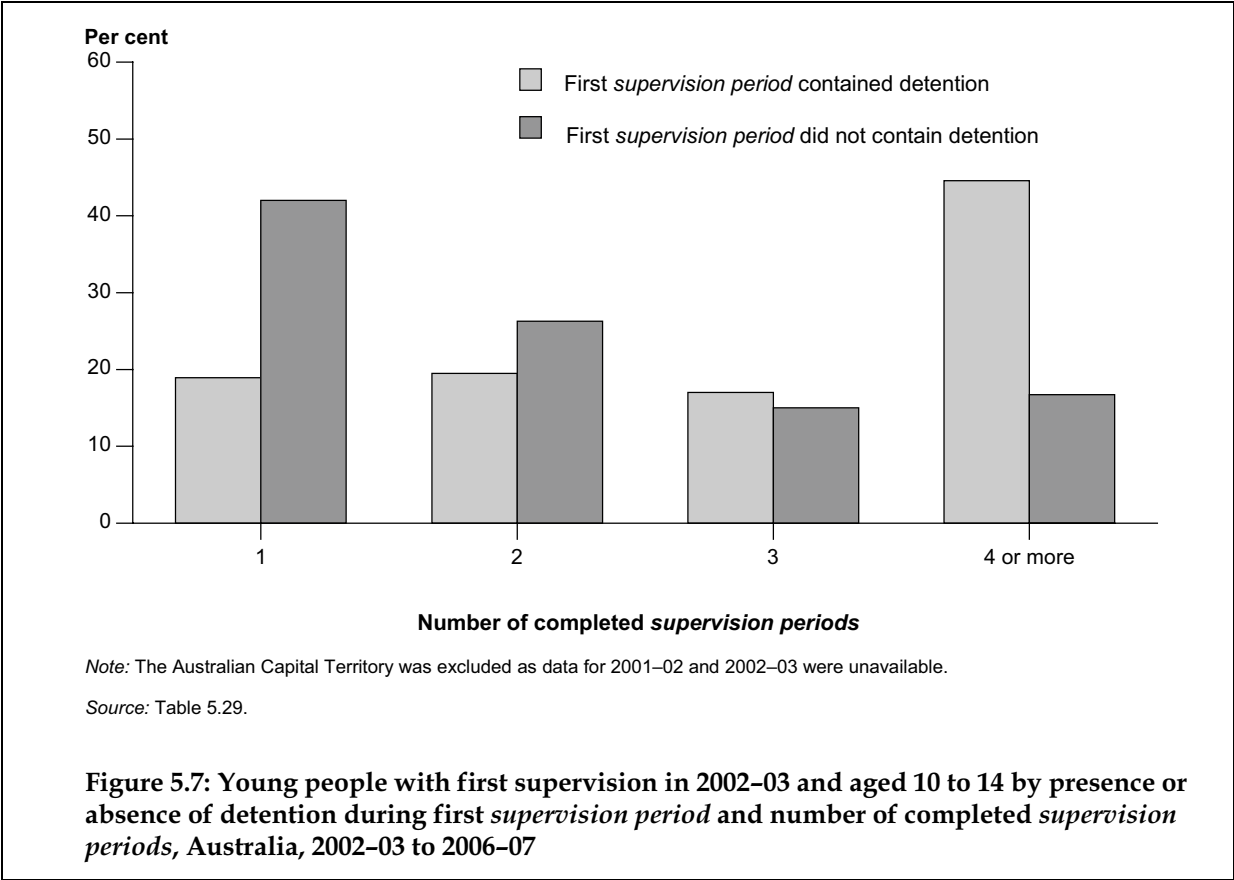
For all states and territories, the occurrence of detention in the first *supervision period* was more common for those aged 10–13 years than those aged 14–17 years (Figure 5.6). However, the proportion of young people of each age group whose first *supervision period* contained detention varied by state and territory. For those aged 10–13 years at the start of their first supervision, more than 50% were detained during this supervision in New South Wales, South Australia and the Australian Capital Territory compared with less than one-quarter who were detained in Queensland and Victoria. However, only in New South Wales were more than 50% of those aged 14–17 years detained in their first *supervision period*, while in Victoria only 12% of this age group were detained.

Detention in the first *supervision period* was much less common for those aged 18 and older than for other age groups in all states and territories except Victoria, where 51% of this age group were detained during their first supervision. This most likely reflects the ‘dual track’ sentencing system in Victoria (see Section 1.2).



Among those whose first supervision occurred in 2002–03 and who were young enough at this first supervision to potentially be supervised by the juvenile justice system in 2006–07 (that is, aged 10–14 years in 2002–03), those who were detained during their first *supervision period* were more likely to complete more *supervision periods* during the 5-year period to 2006–07 than those who were not detained.

Only 20% of those who were detained in their first *supervision period* completed only one *supervision period* in the 5-year period, compared with 42% of those who were not detained (Figure 5.7). The situation was reversed for those who completed four or more *supervision periods* in the 5-year period: 45% of those were detained in their first *supervision period* completed four or more *supervision periods* in the 5-year period, compared with only 17% of those who were not detained.



This association between detention in the first *supervision period* and completing a high number of *supervision periods* is strongest for those who were youngest when starting their first supervision. Nearly 60% of those who were detained in their first supervision and aged 10–12 years completed four or more *supervision periods* over the 5-year period, compared with 37% of those who were detained in their first supervision and aged 14 years (Table 5.29).

Young people who were detained in their first supervision were more likely to complete more *supervision periods* than those who were not detained in their first supervision in all states and territories (Table 5.30).

Table 5.29: Young people aged 10–14 years at first supervision in 2002–03 by age at first supervision, presence or absence of detention during first supervision period and number of completed supervision periods, Australia, 2002–03 to 2006–07

First supervision period contained detention?	Age at first supervision												Total	
	10		11		12		13		14				Yes	No
	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No
Number of supervision periods														
1	1	2	3	3	10	16	32	54	90	157	232	136	232	
2	—	—	6	3	14	12	39	35	81	95	145	140	145	
3	1	2	4	6	13	12	36	28	68	35	83	122	83	
4 or more	9	1	18	9	46	16	106	39	142	27	92	321	92	
Total	11	5	31	21	83	56	213	156	381	314	552	719	552	
	Per cent of young people													
1	9.1	40.0	9.7	14.3	12.0	28.6	15.0	34.6	23.6	50.0	42.0	18.9	42.0	
2	—	—	19.4	14.3	16.9	21.4	18.3	22.4	21.3	30.3	26.3	19.5	26.3	
3	9.1	40.0	12.9	28.6	15.7	21.4	16.9	17.9	17.8	11.1	15.0	17.0	15.0	
4 or more	81.8	20.0	58.1	42.9	55.4	28.6	49.8	25.0	37.3	8.6	16.7	44.6	16.7	
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	

Note: The Australian Capital Territory was excluded as data for 2002–03 were unavailable.

Related table: State and territory appendixes 2006–07, Table 20.

Table 5.30: Young people aged 10–14 years at first supervision in 2002–03 by presence or absence of detention during first supervision period and number of completed supervision periods, states and territories, 2002–03 to 2006–07

First supervision period contained detention?	NSW		Vic		Qld		WA		SA		Tas		NT		Aus	
	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No
Number of supervision periods	Number of young people															
1	42	42	2	52	47	74	7	26	25	15	9	14	4	9	136	232
2	48	21	7	33	48	62	10	12	19	12	5	3	3	2	140	145
3	42	12	9	19	30	39	13	7	22	3	—	1	6	2	122	83
4 or more	123	7	15	12	44	18	78	48	58	7	—	—	3	—	321	92
Total	255	82	33	116	169	193	108	93	124	37	14	18	16	13	719	552
	Per cent of young people															
1	16.5	51.2	6.1	44.8	27.8	38.3	6.5	28.0	20.2	40.5	64.3	77.8	25.0	69.2	18.9	42.0
2	18.8	25.6	21.2	28.4	28.4	32.1	9.3	12.9	15.3	32.4	35.7	16.7	18.8	15.4	19.5	26.3
3	16.5	14.6	27.3	16.4	17.8	20.2	12.0	7.5	17.7	8.1	—	5.6	37.5	15.4	17.0	15.0
4 or more	48.2	8.5	45.5	10.3	26.0	9.3	72.2	51.6	46.8	18.9	—	—	18.8	—	44.6	16.7
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

Note: The Australian Capital Territory was excluded as data for 2002–03 were unavailable.

Appendix A: Juvenile justice legislation in Australia

Juvenile justice in Australia is governed by state and territory legislation. The Acts specifying the responsibilities of the juvenile justice departments that are relevant to this collection are listed below.

New South Wales

- Amendments to Children's (Detention Centre) Regulation 2005 (effective 2 March 2007)
- *Children (Criminal Proceedings) Act 1987*
- *Children (Community Service Orders) 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)

Victoria

- *Bail Act 1977*
- *Children and Young Persons Act 1989* (CYPA)
- *Children, Youth and Families Act 2005* (CYFA; enacted in April 2007)
- *Crimes Act 1958*
- *Sentencing Act 1991*

Queensland

- *Child Protection (Offender Reporting) Act 2004*
- *Children's Court Act 1992*
- *Juvenile Justice Act 1992* (including *Juvenile Justice Amendment Act 1996*, *Juvenile Justice Amendment Act 1998*, *Juvenile Justice Amendment Act 2002*)
- *Juvenile Justice Regulations 2003*
- *Young Offenders (Interstate Transfer) Act 1987*

Western Australia

- *Bail Act 1982*
- *Children's Court of Western Australia Act 1988*
- *Child Welfare Act 1947*
- *Court Security and Custodial Services Act 1999*

- *Inspector of Custodial Services Act 2003*
- *Sentence Administration Act 2003*
- *Young Offenders Act 1994*
- *Young Offenders Amendment Act 2004* (proclaimed on 1 January 2005)
- *Young Offenders Amendment Regulations 1995*

South Australia

- *Bail Act 1985*
- *Criminal Law (Sentencing) Act 1988*
- *Family and Community Services Act 1972*
- *Young Offenders Act 1993*
- *Youth Court Act 1993*

Tasmania

- *Youth Justice Act 1997*
- *Youth Justice Amendment Act 2003*
- *Youth Justice Regulations 1999*

Australian Capital Territory

- *Bail Act 1992*
- *Children and Young People Act 1999* (new bill being drafted)
- *Crimes (Restorative Justice) Act 2004*
- *Crimes (Sentencing) Act 2005*
- *Rehabilitation of Offenders (Interim) Act 2001*

Northern Territory

- *Youth Justice Act 2005*
- *Youth Justice Regulations 2005*

Appendix B: Key elements of juvenile justice systems in each state and territory

With the responsibility for juvenile justice in Australia resting at jurisdictional level, there are many differences in the systems among the states and territories. This appendix provides an overview of the key elements of juvenile justice in each state and territory.

New South Wales

The term *juvenile justice* is generally used to refer to a state's criminal justice responses to children who have allegedly committed an offence or have been found to have committed an offence. Different aspects of these criminal justice responses are administered in New South Wales by various government agencies.

In New South Wales, the age of criminal responsibility starts at 10 years. Under criminal law, a child is a person under 18 years.

In some jurisdictions, the function of juvenile justice resides within human services agencies and is not viewed purely in a criminal justice context. In New South Wales, the Department of Juvenile Justice is considered both a justice and a human services agency.

The police

The detection and investigation of crime is the responsibility of the New South Wales Police Force. For eligible and entitled young offenders, the police may use the alternatives to court of warnings, cautions or referrals to youth justice conferences that are set out in the *Young Offenders Act 1997*. In court proceedings, the majority of juvenile charges brought by the police are dealt with by the Children's Court under the provisions of the *Young Offenders Act 1997* and the *Children (Criminal Proceedings) Act 1987*. Police charges for very serious offences are dealt with by the District and Supreme courts.

Legal representation

All children in New South Wales against whom criminal proceedings are commenced are entitled to free legal representation.

Under the *Young Offenders Act 1997* young people must be informed of their right to speak to a lawyer before making any admission or statement to the police, and be told how they can exercise this right. The Children's Legal Service of Legal Aid New South Wales provides free telephone legal advice for all children in police custody in New South Wales. Aboriginal and Torres Strait Islander children who are taken into police custody are legally entitled to speak immediately to a solicitor from the Aboriginal Legal Service.

Lawyers from the Children's Legal Service represent children in criminal matters in the specialist Children's courts in metropolitan Sydney (including the Youth Drug and Alcohol Court). Legal Aid pays private solicitors to represent children at local courts sitting as Children's courts outside Sydney.

The Department of Juvenile Justice funds the Children's Visiting Legal Service (Legal Aid Commission of New South Wales) to give free legal advice and assistance to young offenders in the department's eight juvenile justice centres.

The courts

The commencement, conduct and outcome of court proceedings against children alleged to have committed an offence and who are not diverted under the *Young Offenders Act 1997* are governed principally by the *Children (Criminal Proceedings) Act 1987*.

The *Children (Criminal Proceedings) Act 1987* sets out the principles applicable to all courts exercising criminal jurisdiction with respect to children. These are (section 6):

- that children have rights and freedoms before the law equal to those enjoyed by adults and, in particular, a right to be heard and a right to participate in the processes that lead to decisions that affect them
- that children who commit offences bear responsibility for their actions but, because of their state of dependency and immaturity, require guidance and assistance
- that it is desirable, wherever possible, to allow the education or employment of a child to proceed without interruption
- that it is desirable, wherever possible, to allow a child to reside in his or her own home
- that the penalty imposed on a child for an offence should be no greater than that imposed on an adult who commits an offence of the same kind.

Section 33 of the *Children (Criminal Proceedings) Act 1987* permits the courts to make any of the following orders: a dismissal and/or caution, a good behaviour bond with or without supervision, a fine, referral to a youth justice conference, conditional or unconditional probation, a community service order, or an order that confines a young person to a period to detention.

The Department of Juvenile Justice

The main responsibilities of the department are the administration of youth justice conferences and the supervision of young offenders on community-based or custodial orders made by the courts.

The department's work also includes support for young offenders making applications for bail, supervision of young offenders who are on conditional bail, supervision of young people remanded in custody pending finalisation of their court matters, and the preparation of reports for the consideration of the courts in determining whether to make a control order.

The department also provides funding to a number of community agencies to assist young people who have offended and their families.

Within the New South Wales juvenile justice system, young people who were under the age of 18 years at the time of their offence can serve all or part of their sentence in a juvenile justice centre.

Detainees 16 years or older who are of high classification are able to be administratively transferred from the Department of Juvenile Justice to the Department of Corrective Services (Kariiong Juvenile Correctional Centre) with the consent of the Commissioner for Corrective

Services and pursuant to section 28(1) of the *Children (Detention Centres) Act 1987*. These transfers do not require reference to the courts.

The *Juvenile Offender Legislation Amendment Act 2004* commenced on 20 December 2004 and transferred the administration of Kariong Juvenile Justice Centre to the Department of Corrective Services as the Kariong Juvenile Correctional Centre. The Department of Corrective Services has managed Kariong since 10 November 2004.

The criteria for transfer to Kariong Juvenile Correctional Centre are that detainees must be over 16 years of age and be classified either A1(b) or A1(o) under the Department of Juvenile Justice's objective classification system. This means that a detainee has been charged with or convicted of a serious indictable offence, or the detainee's behaviour within the juvenile system warrants the highest level classification.

Thus, certain young people aged 16 years or older can be administratively transferred to a juvenile correctional centre.

Section 19 of the *Children (Criminal Proceedings) Act 1987* provides for the automatic transfer to adult custody of young people convicted of a serious children's indictable offence when they turn 18 years of age. This section also provides the court with the discretion to make an order for the young person to remain in juvenile detention up to the age of 21 years if there are special circumstances. However, not all young people over 18 years in the juvenile system are the subject of the findings of 'special circumstance'.

Young people aged 18 and over who commit an offence while in juvenile detention can also be transferred to adult prison, as can those young people whose court order stipulates that a transfer to prison is to take place at a particular time in their sentence.

Victoria

The Victorian Youth Justice Program sits within the Department of Human Services. The Youth Justice Program provides a state-wide service through three metropolitan and five rural community-based regional youth justice units and three custodial centres.

The age jurisdiction of the youth justice system in Victoria is from 10 years to 17 years inclusive. The inclusion of 17 year olds came into effect on 1 July 2005.

The youth justice system in Victoria takes a strong diversionary approach to managing children and young people who enter the criminal justice system. This is reflected in the new *Children, Youth and Families Act 2005* (CYFA) implemented in April 2007, and in the manner in which children and young people are dealt with from the initial point of contact with the police through to completion of any order imposed by the court.

The sentencing principles framed in the CYFA distinguish the developmental needs of children and adolescents as separate from adults' needs. Section 362 (1) of the CYFA contains the matters the court must take into account in determining a sentence:

- the need to strengthen and preserve the relationship between the young person and their family
- the desirability of allowing the young person to live at home
- the desirability of allowing the young person's education or employment to continue without interruption or disturbance
- the need to minimise the stigma of receiving a court order

- the suitability of the sentence to the young person
- the need to ensure that young people are aware and accountable for their behaviour for any unlawful action
- the need to protect the community or any person from the violent or other wrongful act of the young person.

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.

Dual track system

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 to 20 years to a juvenile justice administered Youth Justice Centre order as a direct alternative to a sentence of imprisonment.

Court advice services

The Youth Justice Program provides an advisory service to both the Children’s Court and adult court system that includes assessment and advice to the courts to assist 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 18–20 year olds, to provide youth justice centre suitability assessments, bail support and advice, and referral services.

Group conferencing

The pre-sentence Group Conferencing Program was expanded across Victoria from October 2006. A legislative framework for the Group Conferencing Program has been incorporated into the Victorian *Children, Youth and Families Act 2005*, which was enacted in April 2007. The program is targeted at 10–17 year olds 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 has responsibility for managing community-based and custodial sentencing orders imposed by the Children’s Court and the Youth Justice Centre order imposed by an adult court. Case management and interventions are informed by a comprehensive client assessment (VONIY) and planning process. Offending-related and offence-specific needs are addressed through individual casework, group work and referral to specialist services and programs.

Koori programs and initiatives

Koori Youth Justice Program

The Koori Youth Justice Program was established in 1992 and has expanded over the years to all regions administered by the Department of Human Services. The program currently has 16 community Koori workers, three custodial Koori workers (one in each custodial centre) and a central Koori program adviser. The sixteen community-based workers are employed by community services organisations, which are mainly Aboriginal cooperatives.

The role of the Koori Youth Justice workers is both preventative and responsive. 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 case loads permit, young Koories who are at risk of offending and those who have committed minor offences and received police diversion or caution.

Koori Youth Justice workers develop client Aboriginal cultural support plans (ACSPs), provide practical support to clients and their families and support other youth justice workers in assessing, planning and goal setting for Koori clients. Many of the workers also develop preventative programs such as organising sporting and recreational programs and taking an active role in coaching and transporting youth to these events.

Koori Intensive Bail Support Program

The Koori Intensive Bail Support Program is for young people from the adult system and the Children's Court (on deferral of sentence status) who are at high risk of breaching bail and/or re-offending and are deemed likely to be remanded in custody. There are three positions employed by youth justice offices in the N&W, Hume and Gippsland regions.

Youth Justice staff have responsibility for supervising and case managing the young people. Case management activities include assessing the range of youth and family needs and accessing appropriate services, as well as providing case and court reports and advice to the courts. The program provides intensive support for up to 6-8 young people at any one time.

Koori Early School Leavers and Youth Employment Program

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.

The program also aims to divert young Koori people from the youth justice system, once they have entered it, by supporting the young person to re-engage with a learning institution, be that school, training, vocation or alternative education environment. The Department of Human Services is currently funded to establish two Koori-specific programs for young Koories aged 10-20 years and will receive referrals from youth justice units as well as from families, schools and other community organisations.

The Koori Pre and Post Release Program

The Koori Pre and Post Release Program is made up of three components: the Koori State-wide Coordinator, the Koori Intensive Post Release and the delivery of cultural programs in the three centres.

Koori State-wide Coordinator

The purpose of this position is to provide coordination across the Youth Justice Program to ensure that effective pre-and post-release services to young Koori people in custody are in place as part of pre-release planning, in reports to the Youth Parole Board, during Youth Parole Board hearings and post-release. This position will be physically located in the N&W region but will have a state-wide focus.

Koori Intensive Support Practitioner (Post Release)

The Koori Intensive Support Practitioner (Post Release) is a specialist role and will provide intensive and innovative culturally based case management support to Koori young people being released from Youth Justice custodial centres. The practitioner will provide direct outreach casework, information and reports to the Youth Parole Board and will be part of a team approach, having responsibility for time-limited intensive supervision and case management of a small caseload of young Koories with a focus on developing family support, community development and linkages to specialist services that target support to Koori communities. The practitioners will work closely with the Koori State-wide Coordinator.

There are three practitioners based in the N&W, Hume (Shepparton) and Gippsland (LaTrobe) regions.

Cultural programs

Koori cultural programs are regularly offered in the three youth justice custodial centres. The programs are tailored to meet the requirements of the demographics of each centre. The program themes have educational, cultural identity and wellbeing components and are facilitated by Koories for Koori custodial clients and other clients who wish to enhance their understanding of Koori culture.

Yannabil Program

'Yannabil' is the Woiwurrung language word for 'visitor'. Yannabil is a visitors program for young Koori people in Victoria's youth justice custodial centres.

The purpose of the Yannabil program is to provide an additional level of cultural and personal support to young Koori people detained in youth justice centres. The program will ensure that young Koori people are safe in custody by providing support to the system and helping to ensure the wellbeing of young Koori people through providing feedback to the centre's management.

Aboriginal cultural support plans

The purpose of the ACSPs is to ensure that young Koori people in the youth justice system have access to Koori Youth Justice workers and other cultural supports. The ACSP is an integral part of the client assessment and planning process. It is the role of the Koori Youth Justice worker to develop the ACSP in consultation with the case manager.

Post-release support services

The Department of Human Services funds several community service organisations to provide a range of transitional and intensive post-release support services for young offenders leaving custody. These agencies have the expertise and commitment to work with

particularly difficult and disadvantaged young offenders. They develop relationships with young people while they are still in the youth justice centre, providing support as the young person prepares for release and on their return to the community. The level of intensity, frequency of contact and duration of support vary according to the individual needs of each young person. The funded agencies work closely with the youth justice custodial centres and community-based units to coordinate services to maximise their effectiveness.

Transitional Housing Management: Juvenile Justice Housing Pathways Initiative

This initiative assists young people at risk of homelessness on release from custody. The provision of additional support workers, housing referral services and accommodation has had a positive effect on meeting the housing needs of young offenders exiting custody.

Youth Residential Board and Youth Parole Board

These boards exercise jurisdiction over all young people sentenced by the courts 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 parole officers to help young offenders resolve their problems, successfully transition into the community and adopt appropriate, non-offending behaviours.

Queensland

Youth justice overview

The Department of Communities has responsibility for the provision of youth justice conferencing, youth justice services and programs in Queensland.

Youth justice statutory responsibilities are prescribed under the *Juvenile Justice Act 1992*, enabling work with young people who are aged 10–16 years at the time of the offence. The Act contains a Charter of Juvenile Justice Principles that guides officers in the operation and application of the Act.

Youth justice conferencing, services and programs offer a specialist model of service delivery that aims to:

- divert young people from further offending
- take a restorative justice approach to working with young people
- address and reduce the over-representation of Aboriginal and Torres Strait Islander young people in the justice system.

Youth justice conferencing, services and programs are delivered from 32 locations, including:

- youth justice service centres
- youth justice conferencing services and outpost services
- a court services unit
- two youth detention centres.

Key functions include:

- carrying out court-related activities, including attending all court appearances by young people, administering the Conditional Bail Program and providing bail support services
- administering and supervising young people on community-based orders
- meeting the safety, wellbeing and rehabilitation needs of detained young people
- coordinating and operating youth justice conferencing
- providing youth detention.

Youth justice services and youth justice conferencing are generally co-located in youth justice service centres, with youth justice services providing supervisory, rehabilitative and re-integrative services to young people on community-based orders and young people leaving detention.

The two detention centres provide secure care to young people while assisting with their planned re-integration into the community.

State-wide units provide policy, operational and strategic direction to support regional service delivery, in addition to funding program management that facilitates the delivery of related programs in the community sector to support youth justice outcomes.

Key services delivered by these units include provision of service support, and program and policy development to youth justice service centres, youth detention centres and youth justice conferencing, including:

- operational procedures
- quality assurance and quality control initiatives
- practice improvement
- operational advice and support
- program development
- research and evidence development
- review and evaluations.

Specific programs

Youth Bail Accommodation Support Service

This service is funded by the Department of Communities to provide accommodation and support services to young people who are remanded in custody, or are at risk of being remanded in custody, because of a lack of stable accommodation. The aims of the program are 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 a legitimate supported accommodation option to remanding young people in custody.

Griffith Youth Forensic Service

The Griffith Youth Forensic Service is a joint initiative of the Griffith University schools of Criminology and Criminal Justice and Applied Psychology and the Department of Communities. The service is funded by the department and provides clinical intervention services for young people dealt with by Queensland courts who are guilty of sexual offences. The Griffith Youth Forensic Service:

- provides specialised assessment and treatment programs for young sexual offenders
- provides pre-sentence reports to facilitate court decisions and treatment planning
- provides consultancy and training services for departmental and other allied workers who work with the target group.

Employment Project Officer program

This program is a joint initiative in five locations between the Department of Communities and the Department of Employment and Industrial Relations that provides specialist job search, career planning and employment-related activities to young people over 15 years of age who are subject to community-based orders and are receiving supervision from a youth justice service centre.

Mater FaceUp Counselling Service

The Mater FaceUp Counselling Service is a 2-year joint pilot initiative between the Department of Communities and Mater Health Services that provides preparatory support and therapeutic interventions for young people, families and victims who are referred to a youth justice conference in relation to a sexual offence.

Western Australia

Jurisdictional placement

Juvenile justice services in Western Australia fall under the Community and Juvenile Justice Division of the Department of Corrective Services. This division covers adult community corrections and juvenile justice within the Community Justice Services Directorate and juvenile remand and detention services in the Juvenile Custodial Services Directorate.

Diversion

Community Justice Services has a community funding program that aims to reduce re-offending by funding local community agencies to provide preventative services and activities for juveniles up to 18 years old who have offended, or are at risk of offending.

Western Australia also offers young people charged with minor offences early alternatives to the formal introduction into the criminal justice system by allowing them to engage in therapeutic services and mediation with victims and other relevant stakeholders. Killara Youth Support Service is a departmental program for at-risk juveniles and young people who may have just started offending and links in with the police cautioning system. Killara offers counselling and support to young people and their families to help them resolve the problems that may be contributing to the offending behaviour. Juvenile justice teams also

aim to divert minor offenders from the formal court system and to heighten the opportunity for police, mediators, victims and parents or caregivers to be involved in determining, in conjunction with the young people concerned, the penalties applied to offenders. Court conferencing is an added function of the juvenile justice teams and provides an opportunity for victims of scheduled offences not able to be referred to juvenile justice teams to engage in restorative justice.

Court

Should a juvenile offender be convicted and formally sentenced by the Children's Court, a number of sentencing options are available:

- no punishment
- no punishment with conditions
- no punishment with recognisance
- fine
- youth community-based order (with possible conditions of community work and therapeutic programs)
- intensive youth supervision order without detention (with possible conditions as above)
- intensive youth supervision order with detention/conditional release order (with possible conditions as above; also, breach or re-offending while on the order can result in a custodial term being imposed at the magistrate's discretion)
- custodial sentence usually followed by supervised release (juvenile parole).

Juveniles cannot be sentenced without a written court report, which is usually prepared by a Juvenile Justice Officer. Verbal sentencing advice to the courts is also given when required. Whether the sentence granted is custodial or community-based, the role of the Juvenile Justice Officer becomes primary case management.

Juvenile justice supervision

Depending on the nature of the offence, the age and developmental stage of the young person, the apparent personal issues and the requirements of the disposition, the services can include:

- generic case management by a Juvenile Justice Officer
- psychological counselling
- referral to external statutory agencies and local service providers
- referral to the Victim-Offender Mediation Unit (if there are victim issues that require intervention)
- the use of Youth Support officers or mentors
- referral to Department of Corrective Services Education Advisory officers.

Juvenile Custodial Services

Juvenile Custodial Services provides a safe and secure environment to the young people remanded in custody or sentenced to a period of detention. There are two juvenile custodial

facilities in Western Australia, both in metropolitan Perth. The bed capacity of the two detention centres has been modified to better provide for the needs of juveniles. Banksia Hill Detention Centre can now accommodate 104 males aged 10–18, while Rangeview Remand Centre can now accommodate 64 males and females aged 10–18. The two 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.

The wide range of programs provided to the young people in custody includes drug counselling, abuse prevention programs, personal development programs, healthy relationships programs, conflict resolution, life skills programs and health care. These are provided by both internal and external providers.

Intensive Supervision Program

Aimed at the state's most serious repeat young offenders, the ISP is the first of its kind in Australia. ISP teams work with young people who have extensive offending histories and complex social circumstances that contribute to their antisocial behaviour.

The ISP operates under licence from the highly successful Multi-Systemic Therapy model, which is currently used in 25 American states, as well as in Canada, Denmark, England, France, New Zealand, Northern Ireland and Norway. Evaluations of the model over the past 30 years have shown a 25–70% reduction in long-term rates of re-arrest of juveniles.

The start-up ISP team began operating on 1 November 2004; there are now three ISP teams established in the Perth metropolitan area and plans to expand the program to regional areas are underway.

Many of the young people who are referred to ISP have already participated in a range of diversionary programs or have been subject to court orders and detention, which have only been marginally successful at rehabilitation. Therefore, for many families ISP is their 'last shot' at helping their young people remain out of the justice system. The program finds ways to engage with families and young offenders who might be ambivalent or resistant. Team members work with some of the state's most marginalised and challenging families, often in difficult environments. Interventions used will depend on how the offending behaviours 'fit' or make sense with each family's situation. The main philosophy behind the program is that the best way to help young offenders is by helping their families use their existing strengths, skills and resources.

Perth Children's Court

Juvenile Custodial Services resumed responsibility for the holding rooms at Perth Children's Court and the transportation of young people across the metropolitan area in August 2004. In August 2005, Juvenile Custodial Services also accepted responsibility for the management of adult prisoners at the Perth Children's Court Custody Centre who are appearing on outstanding juvenile charges or for care and protection hearings.

The philosophy of stimulating interaction and genuine interest in procedures and people has proved successful in dealing with persons in custody, both young people and adults.

Regional juvenile remand centres

In February 2005 the state government committed \$24 million to constructing two 12-bed juvenile remand centres in regional areas of Western Australia.

The centres were not designed to replace the function of the Banksia Hill Detention Centre for sentenced detainees. Banksia Hill was purpose-built for sentenced offenders, who usually stay longer in detention centres than young people on remand.

Following extensive community consultation in the regional areas, the Minister for Corrective Services advised in May 2007 that the state government would look at a wider range of options for young offenders at risk.

Funding has now been directed at:

- intensive, one-on-one and group support for families with difficult adolescents
- an outreach program for young people at risk and their families
- agreements with other government and non-government agencies to house young people on bail with individuals or groups, rather than in police lock-ups
- the use of community bail accommodation options.

South Australia

The youth justice system is primarily established under the *Young Offenders Act 1993*, which operates within the context of the general laws of the state and spells out the relevant adaptations and modifications of these laws for the processing and treatment of young people. The youth justice system deals with 10–17 year olds who commit an offence or are alleged to have done so, although some older youth may be involved in the system for crimes committed as a young person.

Police

Police are the primary gatekeepers of the youth justice system and direct offenders either through the tiered diversionary structure or to the Youth Court. The police have the power to issue a young person either an informal or formal caution. Informal cautions are issued 'on the spot' by police officers for 'minor offences'. Formal cautions are issued to a young person who has committed an offence and where the police have determined the offence to be more serious than one warranting an informal caution.

Family conference

For those offences considered too serious for an informal or formal caution, a young person may be directed to attend 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. An outcome of the conference may include a range of different undertakings. The Family Conference Team is situated in the Courts Administration Authority within the justice portfolio.

Youth Court

The composition and function of the Youth Court is determined by the *Youth Court Act 1993*. The Youth Court is presided over by a judge of the District Court. Young people may be referred to a higher court depending on the seriousness of the offence or the pattern of repeated behaviour. The Supreme Court deals with all charges of homicide regardless of the age of the offender.

Families SA

Families SA is in the Department for Families and Communities. The responsibilities of Families SA are to:

- assist young people at risk from becoming involved in offending
- reduce reoffending through the provision of appropriate services and programs
- provide the Youth Court with viable alternatives to detention
- protect the community by providing appropriate detention facilities.

Families SA has the statutory responsibility to manage orders made by the Youth Court.

In metropolitan Adelaide Families SA provides case management services through the Northern and Southern Youth Justice Case Management Teams.

In country South Australia youth justice services are provided by Families SA district centres located across the state.

Country-based district centres are direct providers of a range of both child protection and youth justice services.

There are two youth secure care facilities in South Australia, Magill and Cavan, both of which are managed by Families SA. Additionally, Families SA provides social welfare services including poverty prevention and intervention services, family and child support and alternative care responses.

Families SA's service delivery responsibilities are shown below.

Sentence management

This involves the management of youth justice sentences ordered by the court. Sentence management involves allocation, assessment and sentence planning, implementation and review, and discharge planning. It involves elements of supervision and intervention. Orders include:

- secure detention
- home detention
- conditional release
- suspended detention
- supervised obligation
- community service order
- fines payment.

Remand management

Remand management is the management of young people on detention remand and community bail. Remand management aims to ensure the young person's return to court and compliance with conditions of the order. It involves elements of supervision. Orders include:

- custodial remand
- home detention bail
- conditional bail.

Programs

Programs and activities form part of a case management response aimed at reducing offending, building skills and developing the young person's capacity to integrate into the community.

Tasmania

Jurisdictional location

Youth justice in Tasmania is administered through the Department of Health and Human Services by the Youth Justice Services unit, which is part of the Human Services Group.

Youth Justice Services provides a state-wide Community Youth Justice Service from three regional units and one custodial centre. The Custodial Service is located in the north of Tasmania near the town of Deloraine while the community-based services are located in Hobart, Launceston and Burnie-Devonport. The Directorate and the Service and System Development unit are located in Hobart.

Legislation

The *Youth Justice Act 1997* underpins the provision of services in Tasmania through restorative justice principles and objectives for the age cohort 10-17 years. The Act provides a comprehensive framework for a restorative justice 'what works' practice base. Some young people are over 17 years of age because they committed their offences before reaching the age of 18 years. A major emphasis of the Act is pre-court diversion and restoration or reparation of harm done in the community. Involvement of victims, parents, guardians and the community is encouraged in order to improve individual resilience and community capacity to take responsibility and work in partnership to help young people rehabilitate in the community.

Police

Tasmania Police is responsible for the clearance of reported youth crime and deciding whether to divert or to prosecute matters in the courts. Police are responsible for the diversionary pre-court, informal and formal cautioning service. Police may refer a young person to Youth Justice Services for a community conference. Cultural, community and

religious diversity must be considered when decisions are being made. Tasmania Police's Community Policing Services works closely with Youth Justice Services, which is also a member of the Crime Prevention and Community Safety Council, chaired by the Commissioner of Police. The service participates in a number of police diversionary program steering committees including U-Turn, a program for young people aged 15–20 who have been involved in, or who are at risk of becoming involved in, motor vehicle theft.

The courts

The Magistrate's Court (Youth Justice Division) hears all matters brought to its attention under the Act. While young people may elect to have their case adjudicated by the Supreme Court, the court generally hears matters related to serious prescribed offences.

Undertakings entered into at a community conference are registered with the Court Registrar and, if the young person chooses not to comply, the matter may be referred back to police to determine if they will proceed with a prosecution of the matter in the courts.

The Magistrate's Court (Youth Justice Division) has a range of sentencing options, including fines, community conference, probation, community service orders, suspended detention and detention. Before using more serious sentencing options, a pre-sentence report must be obtained 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.

Youth Justice Services

The two components of Youth Justice Services, the Community Youth Justice Service and the Custodial Service, work closely to ensure coordinated and integrated assessment and case management practices are used across Youth Justice Services.

The Community Youth Justice Service has a supervision and management role for young offenders who either have a statutory order resulting from a court appearance or a community service undertaking to perform that was agreed to during a community conference. The role of the Community Youth Justice Service is to provide:

- community (court diversionary) conferencing
- pre-sentence advice and after-hours support for the courts
- needs and risk assessment, case management and supervision for those on statutory orders
- community engagement processes that develop community partnerships which support the supervision of community services orders and the attainment of case management objectives for young people
- collaborative case conferencing services for young people who have multiple and complex needs.

The Custodial Service provides safe and secure custodial services at Ashley Youth Detention Centre. There is only one such centre in Tasmania, which can accommodate up to 51 young people. The centre services both females and males and works closely with the Community Youth Justice Service to ensure that assessments that underpin pre- and post-release planning and case management are comprehensive and contemporary.

Ashley Youth Detention Centre ensures educational and training services are provided along with other appropriate health and wellbeing services that are essential for young people in custodial environments. Reviews of client safety and remand levels have been conducted in order to continually review the adequacy of the service for young people in custody. The centre has a dedicated programs officer and a number of programs have been developed for residents, including drug and alcohol, employment and life-coaching programs. Program designs in the centre are sensitive to the cultural diversity of residents. An independent resident advocacy position is attached to the Office of the Commissioner for Children. The centre's staff has developed strong links with external service providers in order that support and programs for young people are in place in the community upon release from custody.

Australian Capital Territory

Responsibility for youth justice services in the Australian Capital Territory sits with the Office for Children, Youth and Family Support in the Department of Disability, Housing and Community Services.

The youth justice system is primarily administered under the *Children and Young People Act 1999*, which outlines the specific requirements for dealing with children and young people who offend. However, there is some provision for the sentencing of young people under the *Crimes (Sentencing) Act 2005*, which is primarily designed for the sentencing of adult offenders. Bail decisions for young people are made under the *Bail Act 1992*. The *Children and Young People Act 1999* is currently under review.

The youth justice system deals with children and young people aged between 10 and 18 years who enter the justice system (with some capacity to supervise older people whose matters have been dealt with as though they were a young person).

Legislation and policy

The Children and Young People Bill 2008 ('the Bill') was introduced in the ACT Legislative Assembly on 6 March 2008. The Bill will replace the *Children and Young People Act 1999* when it is passed and commenced in 2008.

The Bill proposes significant reform to the area of youth justice in the Territory. These proposed changes include the application of criminal justice law to children and young people, within the context of human rights legislation, through the *Human Rights Act 2004*.

The amendments provide a sentencing methodology consistent with the United Nations Convention on the Rights of the Child and Australian common law that applies to all people under the age of 18, where the primary focus is rehabilitation. The amendments empower all ACT Courts to use Court procedures and practices appropriate for young offenders, again consistent with the United Nations Convention on the Rights of the Child. The changes will also enable sentencing courts to tailor sentences to the specific rehabilitative needs of young offenders.

The Bill requires a sentencing Court, in deciding to impose a sentence of imprisonment for a child or young person, to consider making a combination sentence that also imposes a good behaviour order with a supervision condition following the period of imprisonment. The Bill

also prohibits the imposition of a life sentence upon a person who committed an offence when they were under 18 years old.

The Bill introduces a maximum upper limit of 12 hours for the detention of young detainees in police and court cells. New custodial obligations are introduced for the Chief Police Officer in relation to young detainees while detained in police cells. These obligations are derived from international human rights jurisprudence on the treatment of young people in detention, such as the Beijing Rules.

In the area of youth detention, the Bill introduces a comprehensive framework regarding the Chief Executive's powers and responsibilities in administering a place for detention for young detainees. The Bill addresses important recommendations of the 2005 Human Rights Audit of Quamby Youth Detention Centre by the ACT Human Rights Commissioner. It also elevates administrative powers relating to youth detention from their current existence in standing orders to legislation.

The Bill includes minimum standards and entitlements for young detainees, in addition to necessary measures to ensure safety, security and good order at the detention place, such as the use of force, segregation (including safe room segregation directions) and monitoring certain communications within the detention place. The Bill also introduces new offences in the youth detention place for a young detainee to possess a prohibited thing and for a person to take a prohibited thing into a detention place. In addition, the Bill requires that adults who work or provide services in the detention place must report to the Chief Executive any significant threats to security or good order.

The Bill also includes a framework for responding to behaviour breaches by young detainees in the detention place. The Bill creates a distinction between low-level breaches (minor behaviour breaches) and breaches that are of a persistent or serious nature (behaviour breaches). Minor behaviour breaches may be dealt with through the behaviour management framework and this could lead to the imposition of behaviour management consequences prescribed by the Bill. Behaviour breaches may be dealt with through the discipline process of administrative charging and hearing, leading to the imposition of behaviour management consequences. The Bill also contemplates a behaviour management framework being established to promote positive behaviour in reflection of the age and developmental maturity of young detainees.

Police

Police have discretionary powers to divert young people who have committed offences by using a warning and diversionary system. This diversionary process is utilised for minor offences and is based on criteria that consider a range of factors, including prior 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 child or young person to attend court, or by detaining them until the next sitting of the Children's Court.

Restorative justice

The *Crimes (Restorative Justice) Act 2004* was passed on 31 January 2005. It is being introduced in two phases. At present, the first phase of the Act applies only to young people who have been cautioned, charged or convicted of a criminal offence.

The Restorative Justice Unit was established within the Department of Justice and Community Safety to administer the Act and to convene and manage the conference processes. The Restorative Justice Unit is responsible for all restorative justice activities in the ACT and incorporates the diversionary conferencing formerly delivered by the Australian Federal Police.

To be eligible to be referred to restorative justice, young people must accept responsibility for their offences. Some offences are excluded from the process. They are those offences that do not have an identified victim (traffic and drug related offences) and serious offences, including domestic violence and sexual assault offences.

In the second phase the Act will be extended to cover both young people and adults, and will apply to all offences involving a victim.

Children's Court

The ACT Chief Magistrate appoints a magistrate to the position of Children's Court Magistrate for a term of up to 2 years. The facilities within the Magistrate's Court building allows for the physical separation of matters in the children's and adult's courts.

Children and young people convicted of indictable offences in the Children's Court may be committed to the Supreme Court for sentence. Conversely, young people convicted by the Supreme Court may be remitted to the Children's Court for sentence. Also, preliminary examination of indictable offences involving both young offenders and adult offenders may, with the approval of the Chief Magistrate, be conducted together.

A specialist court officer within the department 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.

Dispositions

The *Children and Young People Act 1999* provides specific principles that must be considered when making decisions on sentencing in relation to children and young people. The principles focus is on having the child or young person accept responsibility for the offence and be held accountable, while providing them with the maximum opportunity to re-enter the community and to develop in socially responsible ways.

Dispositions available to the court include:

- dismissal of charge
- reprimand
- conditional discharge
- fine, reparation or compensation order
- probation order
- community service order
- attendance centre order
- residential order
- committal order (within the Australian Capital Territory or to another state institution).

Remand in custody and custodial management

Quamby Youth Detention Centre currently manages children and young people who have been remanded in custody or sentenced to a custodial term. Within the facility there are case management services and therapeutic services, including mental health and general education programs, and specific programs to address offence-related issues. The ACT Government has commenced the development of a new youth detention centre. The new facility is scheduled for completion in 2008.

Community-based management

Community Youth Justice manages children and young people who are placed on bail supervision or other supervised community-based orders and provides a comprehensive assessment of the factors that contributed to a young person's offending behaviour and work with the young person, within a case management model, to address these factors. Community Youth Justice also provides regular advice and information to the court on the young person's compliance with the conditions of their orders and progress in addressing their offending behaviours.

Northern Territory

Juvenile justice is the responsibility of the Correctional Services of the Department of Justice and the Northern Territory Police through the Youth Diversion Scheme.

Pre-court

Alleged young offenders in the Northern Territory are dealt with in one of three ways:

- referred to the NT 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 service.

Young people may be released on bail with or without conditions.

If the alleged crime is serious, the accused young person may be remanded in custody before the court hearing.

Court sentencing options

Court orders

If the court finds a charge proven against a youth it may, whether or not it proceeds to conviction, do one or more of the following:

- (a) dismiss the charge for the offence

- (b) discharge the youth without penalty
- (c) adjourn the matter for a period not exceeding 6 months and if, during that period, the youth does not commit a further offence, discharge the youth without penalty
- (d) adjourn the matter to a specified date not more than 12 months from the date of the finding of guilt, and grant bail to the youth in accordance with the *Bail Act*
 - (i) for the purpose of assessing the youth's capacity and prospects for rehabilitation, or
 - (ii) for the purpose of allowing the youth to demonstrate that rehabilitation has taken place, or
 - (iii) for any other purpose the court considers appropriate in the circumstances
- (e) order the youth to participate in a program approved by the Minister, as specified in the order, and adjourn the matter for that purpose
- (f) order that the youth be released on his or her giving such security as the court considers appropriate that he or she will
 - (i) appear before the court if called on to do so during the period, not exceeding 2 years, specified in the order
 - (ii) be of good behaviour for the period of the order
 - (iii) observe any conditions imposed by the court
- (g) fine the youth not more than the maximum penalty that may be imposed under the relevant law in relation to the offence
- (h) make a community work order that the youth participate in an approved project for the number of hours, not exceeding 480 hours, specified in the order
- (i) order that the youth serve a term of detention or imprisonment that is suspended wholly or partly
- (j) order that the youth serve a term of detention or imprisonment that is suspended on the youth entering into an alternative detention order
- (k) order that the youth serve a term of detention or imprisonment that is to be served periodically under a periodic detention order
- (l) order that the youth serve a term of detention or imprisonment
- (m) make any other order in respect of the youth that another court could make if the youth were an adult convicted of that offence.

If the court orders that the youth serve a term of detention or imprisonment, the term must not exceed the lesser of:

- (a) the maximum period that may be imposed under the relevant law in relation to the offence, or
- (b) for a youth who is
 - (i) 15 years of age or more – 2 years, or
 - (ii) less than 15 years of age – 12 months.

The court must not order the imprisonment of a youth who is less than 15 years of age.

If the Supreme Court remits a case to the Youth Justice Court, the Youth Justice Court must deal with the youth as if the youth had been found guilty of the offence in that court.

This section does not limit the power of the Supreme Court to impose on a youth a sentence it could otherwise impose on him or her.

Pre-sentencing conference

The court may, when determining the appropriate sentence for a youth who has been found guilty of an offence, adjourn the proceedings and order the youth to participate in a pre-sentencing conference.

A pre-sentencing conference may be with any of the victims of the offence the youth is charged with, community representatives, members of the youth's family or any other persons as the court considers appropriate.

The court may:

- (a) direct that the conference be convened at a specified time and place
- (b) appoint a person who is appropriately qualified as the convenor of the conference.

The convenor must report to the court as to the outcome of the conference.

Non-parole period

If the court sentences a youth to a term of detention or imprisonment longer than 12 months that is not suspended in whole or part, the court must fix a non-parole period unless the court considers that the nature of the offence, the past history of the youth or the circumstances of the particular case make the fixing of such a period inappropriate.

If the sentence is in respect of more than one offence, the non-parole period is for the aggregate period of detention or imprisonment that the youth is liable to serve under all the sentences imposed. 'Non-parole period' means a period during which the youth is not eligible to be released on parole.

Juvenile justice supervision

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 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.

Appendix C: List of remand and detention centres

Data are collected for the following remand and detention centres.

New South Wales

Acmena Juvenile Justice Centre (Grafton), Broken Hill Juvenile Justice Centre, Cobham Juvenile Justice Centre (St Marys), Frank Baxter Juvenile Justice Centre (Kariiong), 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).

In New South Wales, the Kariiong Juvenile Justice Centre was transferred from the NSW Department of Juvenile Justice (DJJ) to the NSW Department of Corrective Services on 10 November 2004. It was re-named the Kariiong Juvenile Correctional Centre. The facility continues to accommodate young people on remand, those serving sentences for very serious offences, or who have exhibited behavioural problems. A Memorandum of Understanding between DJJ and the Department of Corrective Services enables smooth transfer between the two systems.

Young people continue to be transferred from DJJ centres to Kariiong based upon DJJ's classification system. To be transferred to Kariiong young men must be 16 years old or older and have a serious classification. Figures for young people in custody in Kariiong after 10 November 2004 will not be reported by DJJ.

Victoria

Malmsbury Juvenile Justice Centre, Melbourne Juvenile Justice Centre, Parkville Youth Residential Centre

Queensland

Brisbane Youth Detention Centre, Cleveland Youth Detention Centre

Western Australia

Banksia Hill Detention Centre, Rangeview Remand Centre

South Australia

Cavan Training Centre, Magill Training Centre

Tasmania

Ashley Youth Detention Centre

Australian Capital Territory

Quamby Youth Detention Centre

Northern Territory

Alice Springs Juvenile Holding Centre, Don Dale Juvenile Detention Centre, Wildman River Wilderness Work Camp (closed 14 October 2003)

Appendix D: Tables

Table D1: Young people aged 10–17 years under juvenile justice supervision by Indigenous status, states and territories, 2003–04 to 2005–06

Indigenous status	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aus
2003–04									
Indigenous	992	153	1,075	959	332	42	44	227	3,824
Non-Indigenous	1,792	1,348	1,506	617	699	192	234	56	6,444
Unknown	216	—	3	156	62	102	1	1	541
Total	3,000	1,501	2,584	1,732	1,093	336	279	284	10,809
2004–05									
Indigenous	982	147	1,079	1,038	318	55	49	249	3,917
Non-Indigenous	1,731	1,192	1,329	642	635	211	201	45	5,986
Unknown	192	7	—	95	48	75	—	—	417
Total	2,905	1,346	2,408	1,775	1,001	341	250	294	10,320
2005–06									
Indigenous	1,097	165	1,176	1,156	292	75	41	243	4,245
Non-Indigenous	1,827	1,120	1,273	723	613	248	175	45	6,024
Unknown	224	95	—	35	46	49	—	—	449
Total	3,148	1,380	2,449	1,914	951	372	216	288	10,718

Table D2: Young people by age at first supervision and Indigenous status, Australia, 2006–07

Indigenous status	10	11	12	13	14	15	16	17	18+	Total
Number of young people										
Indigenous	113	258	442	827	959	878	707	376	75	4,635
Non-Indigenous	25	97	221	635	1,227	1,566	1,729	1,399	541	7,440
Unknown	1	4	9	29	56	134	145	200	112	690
Total	139	359	672	1,491	2,242	2,578	2,581	1,975	728	12,765
Column per cent										
Indigenous	81.3	71.9	65.8	55.5	42.8	34.1	27.4	19.0	10.3	36.3
Non-Indigenous	18.0	27.0	32.9	42.6	54.7	60.7	67.0	70.8	74.3	58.3
Unknown	0.7	1.1	1.3	1.9	2.5	5.2	5.6	10.1	15.4	5.4
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Row per cent										
Indigenous	2.4	5.6	9.5	17.8	20.7	18.9	15.3	8.1	1.6	100.0
Non-Indigenous	0.3	1.3	3.0	8.5	16.5	21.0	23.2	18.8	7.3	100.0
Unknown	0.1	0.6	1.3	4.2	8.1	19.4	21.0	29.0	16.2	100.0
Total	1.1	2.8	5.3	11.7	17.6	20.2	20.2	15.5	5.7	100.0

Note: Age (in years) was calculated as at entry to first *supervision period* in 2006–07. If the *supervision period* began before 2006–07, age was calculated as at 1 July 2006.

Related table: State and territory appendixes 2006–07, Table 2.

Table D3: Number of supervision days by type of supervision and year, states and territories, 2002-03 to 2005-06

Year	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aus
Number of community supervision days									
2003-04	467,757	268,558	517,251	203,786	229,902	113,285	59,882	49,520	1,909,941
2004-05	450,321	259,207	511,447	207,681	204,214	112,800	53,997	58,564	1,858,231
2005-06	458,853	289,594	493,895	247,541	176,639	113,734	38,873	57,680	1,876,809
2006-07	415,963	348,873	505,204	223,228	150,958	112,727	43,861	48,029	1,848,843
Number of detention supervision days									
2003-04	115,179	51,275	44,266	43,924	23,135	14,861	7,647	5,980	306,267
2004-05	120,044	50,300	38,284	41,156	24,735	14,474	6,193	6,806	301,992
2005-06	132,527	53,840	47,839	36,925	18,724	17,148	6,855	7,100	320,958
2006-07	140,878	57,256	53,004	42,792	19,014	14,130	6,189	10,517	343,780
Total number of supervision days									
2003-04	582,936	319,833	561,517	247,710	253,037	128,146	67,529	55,500	2,216,208
2004-05	570,365	309,507	549,731	248,837	228,949	127,274	60,190	65,370	2,160,223
2005-06	591,380	343,434	541,734	284,466	195,363	130,882	45,728	64,780	2,197,767
2006-07	556,841	406,129	558,208	266,020	169,972	126,857	50,050	58,546	2,192,623

Note: Totals may not sum due to rounding.

Table D4: Number of person days spent in sentenced *episodes* for young people with first supervision in 2000–01 by year, age at first supervision and type of *episode*, Australia, 2000–01 to 2006–07

Age at first supervision in 2000–01	Episode type	2000–01	2001–02	2002–03	2003–04	2004–05	2005–06	2006–07
Number of person days								
10	Sentenced detention	—	16	—	8	332	347	298
	Sentenced community	2,108	2,937	2,593	2,417	2,274	1,789	1,063
	Sentenced other	—	21	426	279	780	1,037	594
	Total	2,108	2,974	3,019	2,704	3,386	3,173	1,955
11	Sentenced detention	360	805	913	1,580	2,012	1,787	1,253
	Sentenced community	3,864	6,669	4,686	5,152	4,142	3,366	978
	Sentenced other	—	148	514	1,014	1,555	1,538	1,178
	Total	4,224	7,622	6,113	7,746	7,709	6,691	3,409
12	Sentenced detention	216	779	2,258	2,954	2,780	3,314	620
	Sentenced community	11,882	15,610	11,866	12,069	8,514	4,760	1,338
	Sentenced other	307	1,445	3,334	3,490	3,941	2,096	1,081
	Total	12,405	17,834	17,458	18,513	15,235	10,170	3,039
13	Sentenced detention	338	2,394	6,117	5,500	6,123	4,775	1,176
	Sentenced community	31,603	45,424	30,412	24,093	17,584	8,212	1,474
	Sentenced other	564	3,892	6,771	6,501	5,606	2,035	1,107
	Total	32,505	51,710	43,300	36,094	29,313	15,022	3,757
14	Sentenced detention	1,208	4,277	7,254	7,179	4,944	2,002	476
	Sentenced community	69,016	102,009	63,747	38,585	15,976	2,746	423
	Sentenced other	2,411	7,245	9,460	9,565	5,389	2,265	414
	Total	72,635	113,531	80,461	55,329	26,309	7,013	1,313
15	Sentenced detention	2,186	7,516	9,310	4,941	2,414	1,326	73
	Sentenced community	95,246	113,489	52,865	22,480	4,692	1,277	62
	Sentenced other	2,253	9,610	11,631	7,199	3,469	2,066	412
	Total	99,685	130,615	73,806	34,620	10,575	4,669	547

Note: This table excludes the Australian Capital Territory as data for 2000–01 to 2002–03 were unavailable.

Table D5: Proportion of person days spent in sentenced *episodes* for young people with first supervision in 2000–01 by year, age at first supervision and type of *episode*, Australia, 2000–01 to 2006–07

Age at first supervision in 2000–01	Episode type	2000–01	2001–02	2002–03	2003–04	2004–05	2005–06	2006–07
Per cent of person days								
10	Sentenced detention	—	0.5	—	0.3	9.8	10.9	15.2
	Sentenced community	100.0	98.8	85.9	89.4	67.2	56.4	54.4
	Sentenced other	—	0.7	14.1	10.3	23.0	32.7	30.4
	Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0
11	Sentenced detention	8.5	10.6	14.9	20.4	26.1	26.7	36.8
	Sentenced community	91.5	87.5	76.7	66.5	53.7	50.3	28.7
	Sentenced other	—	1.9	8.4	13.1	20.2	23.0	34.6
	Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0
12	Sentenced detention	1.7	4.4	12.9	16.0	18.2	32.6	20.4
	Sentenced community	95.8	87.5	68.0	65.2	55.9	46.8	44.0
	Sentenced other	2.5	8.1	19.1	18.9	25.9	20.6	35.6
	Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0
13	Sentenced detention	1.0	4.6	14.1	15.2	20.9	31.8	31.3
	Sentenced community	97.2	87.8	70.2	66.8	60.0	54.7	39.2
	Sentenced other	1.7	7.5	15.6	18.0	19.1	13.5	29.5
	Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0
14	Sentenced detention	1.7	3.8	9.0	13.0	18.8	28.5	36.3
	Sentenced community	95.0	89.9	79.2	69.7	60.7	39.2	32.2
	Sentenced other	3.3	6.4	11.8	17.3	20.5	32.3	31.5
	Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0
15	Sentenced detention	2.2	5.8	12.6	14.3	22.8	28.4	13.3
	Sentenced community	95.5	86.9	71.6	64.9	44.4	27.4	11.3
	Sentenced other	2.3	7.4	15.8	20.8	32.8	44.2	75.3
	Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0

Note: This table excludes the Australian Capital Territory as data for 2000–01 to 2002–03 were unavailable.

Glossary

General definitions

Age

In all age-related tables, age is reported in years.

Criminogenic

Producing or tending to produce crime or criminality (Houghton Mifflin Company 2000).

Episode

A distinct period of time during which a young person is under a specific type of supervision by a juvenile justice department. See Section 2.1.2 for a complete definition.

Juvenile justice centre

A place administered and operated by a juvenile justice department where young people are detained while under the supervision of the relevant juvenile justice department on a pre-sentence or sentenced detention *episode*. See Appendix C for a list of the juvenile justice centres included in this collection.

Juvenile justice department

Refers to those departments in each state and territory that are responsible for juvenile justice matters. See the Acknowledgments for a list of the relevant departments.

Supervision period

A period of time during which a young person is continuously under juvenile justice supervision of one type or another. A *supervision period* consists of one or more contiguous *episodes*. See Section 2.1.2 for a complete definition.

Young person

A young person in the national collection is any young person who is under supervision by a juvenile justice department as a result of having committed or allegedly committed an offence. See Section 2.1.1 for a complete definition.

Juvenile justice *episode* types

Pre-sentence detention

Remanded or held in a juvenile justice centre or police watch house before appearing in court or to being sentenced.

Pre-sentence community

Other pre-sentence arrangements where the juvenile justice department is responsible for the case management or supervision of the young person (such as supervised or conditional bail where the juvenile justice department is involved with monitoring or supervising the young person while in the community).

Sentenced community-based supervision

Includes probation, recognisance and community service orders that are supervised or case managed by the juvenile justice department. May be supervision with or without additional mandated requirements, requiring some form of obligation or additional element that the young person is required to meet. This obligation could be community work such as in a community service order, a developmental activity or program attendance. The juvenile justice department may or may not directly supervise any additional mandated requirements, but remains responsible for the overall case management of the young person.

Immediate release/suspended detention

Includes immediate release orders, suspended detention orders and intensive youth supervision order with detention. Usually involves a period of intensive supervision in the community with the possibility of detention if the young person breaches the community supervision.

Parole/supervised release

After serving a proportion of a sentence of detention, a young person may be released into the community under supervision. A breach of the parole order usually results in the young person returning to detention to serve the remainder of the sentence.

Reasons for exit from *episodes*

Released on bail

Following a period of remand (pre-sentence detention), 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.

Matters proven/charges dismissed

Where the young person exits a pre-sentence *episode* and does not return to juvenile justice supervision because the results of legal proceedings do not invoke a new *episode*.

Breached

Breaches are due to re-offending, non-compliance with the conditions of the order, or otherwise, resulting in the ending of an *episode* and/or a change in *episode* type.

Conditions of sentence met

Where the young person has fulfilled the obligations of their sentence and is released from supervision (without a period of supervised release or parole to immediately follow).

More serious order begun

Where an *episode* ends because the young person receives another order that is more highly ranked on the *episode* type hierarchy than the original *episode*, but no breach has been recorded. See Section 2.1.2 for details of the *episode* type hierarchy. For example, a young person is being supervised for an order that constitutes an *episode* of parole. The young person then receives an order that requires pre-sentence detention. Because pre-sentence detention is ranked higher on the hierarchy than parole, according to the *episode* construct the young person is now deemed to be supervised for an *episode* of parole. As a young person can only be in one *episode* at a time, the *episode* of parole ends and, because the order underlying the new *episode* is unrelated to the order underlying the *episode* of parole, the reason for exit is 'more serious order begun'.

Transferred

Transfers may include young people being transferred from one detention centre to another in the same state or territory, young people being transferred to an adult correctional facility in the same state or territory, supervision or case management of young people being transferred to the adult justice system, or where young people are transferred interstate.

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