

# **Juvenile justice in Australia 2004–05**

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# **Juvenile justice in Australia 2004–05**

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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
AIC	Australian Institute of Criminology
AIHW	Australian Institute of Health and Welfare
AJJA	Australasian Juvenile Justice Administrators
DC	detention centre
DSC	Data Sub Committee
JDC	juvenile detention centre
JHC	juvenile holding centre
JJC	juvenile justice centre
JTC	juvenile training centre
NMDS	national minimum data set
RC	remand centre
TC	training centre
YDC	youth detention centre
YRC	youth residential centre

## Symbols used in the tables

n.a.	not available
..	not applicable
–	nil or rounded to zero, including null cells
n.r.	not reported

## Note

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



# Summary

Responsibility for juvenile justice rests at state and territory level and there is marked diversity in terms of legislation, policy and practices among jurisdictions. The age when young people are considered juveniles or adults by the justice system, key policy directions, diversionary options, possible court outcomes, and specific programs and services available to young people are all areas of variation throughout Australia. The Australian Institute of Health and Welfare (AIHW) has worked with the Australasian Juvenile Justice Administrators (AJJA) to develop nationally consistent data on one part of this system, juvenile justice supervision.

This report is based on two data collections of the Juvenile Justice National Minimum Data Set (NMDS):

- young people under juvenile justice supervision
- juvenile justice *episodes* (*supervision periods*).

These data, which include both community-based and detention-based supervision, are collected by the AIHW from the departments in each state and territory with particular responsibility for juvenile justice. The data in this report cover the period 2004–05.

The Juvenile Justice NMDS contains information on the movement of young people through supervision and the services received. The data are presented as *episodes* and *supervision periods* (for definitions see Section 2.1.2 *Episode* collection). Although a young person may be subject to a number of legal orders simultaneously, the NMDS does not attempt to provide comprehensive coverage of orders. Rather, the NMDS is based on the experience of the young person under juvenile justice supervision. It reports the highest known type of supervision a young person is subject to at any given point in time, according to a hierarchy (see ‘Hierarchy of *episode* types’, in Section 2.1.2).

## Main findings of the report

The number of young people under juvenile justice supervision declined over the period 2001–02 to 2004–05 by 7% nationally (excluding Australian Capital Territory, for which data are not available for earlier years). The rate for 10–17 year olds under juvenile justice supervision declined from 5.1 per 1,000 to 4.8 per 1,000. Almost 65% of young people were at least 15 years old when they had their first ever juvenile justice supervision. Most young people completed one *supervision period* during a year, with community-based supervision being much more common than detention-based. Very short *supervision periods* were more likely to include *episodes* of pre-sentence remand. *Supervision periods* of medium or longer lengths were more likely to include *episodes* of sentenced detention or community-based supervision respectively. Differences were found according to demographics such as age, sex and Indigenous status in both the length and type of supervision.

## **Young people under juvenile justice supervision**

### **Number of young people**

- During 2004–05, 12,649 young people in Australia experienced juvenile justice supervision, including 10,830 aged 10–17 years (the remainder being older). This represents an average of fewer than 5 per 1,000 young people aged 10–17 years in the population. Around 4 per 1,000 had community-based supervision, and less than 2 per 1,000 had detention-based supervision at some time during the year. Some young people experienced both community-based and detention-based supervision.

### **Sex of young people**

- Males represented the majority of young people under juvenile justice supervision at around 84% in 2004–05.

### **Age of young people**

- Most young people under juvenile justice supervision were aged 16 years or older (63%), with fewer than 9% being aged 13 or younger in 2004–05.
- Over 74% of young people were aged 14–17 years when they had their first ever juvenile justice supervision.

### **Aboriginal and Torres Strait Islander young people**

- Thirty-seven per cent of young people under juvenile justice supervision identified/were identified as being of Aboriginal and Torres Strait Islander origin.
- About 42 per 1,000 Aboriginal and Torres Strait Islander young people aged 10–17 years were under juvenile justice supervision during 2004–05 compared with about 3 per 1,000 non-Indigenous young people.
- Over 60% of those aged 13 years or younger in 2004–05 identified/were identified as being of Aboriginal and Torres Strait Islander origin.
- Proportionally more Aboriginal and Torres Strait Islander young people were female compared with non-Indigenous young people. They were also younger on average and younger when they had their first ever juvenile justice supervision.

## **Average daily numbers**

### **Community-based supervision**

- During 2004–05, there was an average of 5,047 young people in community-based juvenile justice supervision each day in Australia. This represents a decrease of 5% since 2000–01.
- In the three years 2002–03 to 2004–05, there were decreases in the average daily number of females in community-based supervision, and in the number of young people aged 15 years or older.

- The average daily number of Aboriginal and Torres Strait Islander young people in community-based supervision increased by 15% from 2000–01 to 2004–05.

### **Detention supervision**

- During 2004–05, there was an average of 784 young people in detention-based juvenile justice supervision each day in Australia. This represents a decrease of 13% since 2000–01.
- In the five years 2000–01 to 2004–05, there were decreases in the average daily number of females in detention, and in the number of young people aged 18 years or older.

### **Supervision periods**

*Supervision periods* are periods of continuous juvenile justice supervision and are made up of one or more *episodes*, which represent specific types of supervision (e.g. detention or community-based).

### **Number of supervision periods**

- Of all the young people under juvenile justice supervision in 2004–05, 83% completed only one *supervision period* during the year.
- Differences were found according to age in the number of *supervision periods* completed. Thirteen per cent of young people aged 13 years or under completed at least three *supervision periods* during 2004–05, compared to 4% of those aged 16 or older.
- The number of *supervision periods* completed each year also varied according to Indigenous status. About 22% of Indigenous young people completed at least two *supervision periods* in 2004–05 compared with around 14% of non-Indigenous young people.

### **Length of supervision**

- The length of *supervision periods* completed during 2004–05 varied greatly from fewer than 7 days (25%) to 12 months or longer (22%). The median length of completed *supervision periods* was 3 to 6 months.
- For a small minority of young people there was no break in their juvenile justice supervision, and as a result, no end to a *supervision period*. Approximately 13% of young people completed one *supervision period* during 2004–05 that lasted for 12 months or more and contained multiple discrete *episodes* or types of supervision rather than one long *episode*.
- *Episodes* of community-based supervision were consistently longer than *episodes* of detention-based supervision. The median length of sentenced community-based supervision *episodes* was 144 days compared with 80 days for *episodes* of sentenced detention.
- About 35% of *supervision periods* for females were less than 14 days in length compared with about 28% for males.

- The length of completed *supervision periods* increased with age. Between 37% and 59% of *supervision periods* completed by people aged 10–14 years were less than one month long compared with 20% for those aged 18 years or older.
- Although Indigenous young people completed relatively more *supervision periods* in a year than non-Indigenous young people, those *supervision periods* were shorter. Over 38% of *supervision periods* completed by Indigenous young people were less than one month long, compared with 33% for non-Indigenous young people.

### **Community supervision and detention**

- The majority of juvenile justice sentenced supervision is community-based, with around 90% of time in sentenced supervision spent in the community rather than in detention during 2004–05.
- There is much variation among states and territories in relation to pre-sentence supervision, with legislative differences around supervised bail.
- The *supervision periods* of females were proportionally more likely than those of males to contain *episodes* of pre-sentence detention. The opposite was true of sentenced detention *episodes*.
- Females tended to have shorter *episodes* of remand and longer community-based sentenced supervision than males.
- A greater proportion of *supervision periods* by 11–13 year olds included *episodes* of pre-sentence detention (63–65%) than did those by young people aged 16 years or older (less than 42%).
- The proportion of Indigenous young people's *supervision periods* that included *episodes* of pre-sentence detention was greater than the proportion for non-Indigenous young people (52% compared with 43% in 2004–05). This pattern was observed for both pre-sentence and sentenced detention. For community-based supervision, the pattern was reversed with non-Indigenous young people more likely to have community-based *episodes* than Indigenous young people.

### **Exits from pre-sentence detention episodes**

- Over 50% of remand *episodes* in 2004–05 ended with the young person being released on bail. Less than 5% ended with the young person being sentenced and immediately commencing an *episode* of sentenced detention.
- The proportion of remand *episodes* ending with the young person being sentenced and immediately commencing an *episode* of detention increased with age. Less than 2% of remand *episodes* for young people aged 13 years or under ended this way compared with over 5% for those aged at least 15 years.
- The proportion of *episodes* of remand that finished by release on bail was lower among Indigenous than non-Indigenous young people (43% compared with 58% in 2004–05).

### **Age at first contact**

- The younger people were when they entered their first *supervision period*, the more likely they were to re-enter juvenile justice supervision during subsequent years. Forty-four

per cent of those aged 14 years in 2000–01 had their first and last *supervision period* during that year, compared to around 23% of those aged 10–12 years.

- Age was not so strongly related to the likelihood of having an early detention *episode*. Around 47% of young people aged 10–14 years at their first juvenile justice supervision had detention *episodes* in their first *supervision period*, compared to around 41% for those aged 16 or over.
- Early detention was associated with having more *supervision periods* during subsequent years. For young people aged 10–14 years in 2000–01, around 80% of those who experienced early detention had more than one *supervision period*, compared to 55% of other young people.

