

**Juvenile justice in Australia  
2005–06**

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# **Juvenile justice in Australia 2005–06**

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- 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, including null cells
n.p.	not published

## 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 the 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 2005–06.

## Main findings of the report

While the number of young people under juvenile justice supervision declined between 2002–03 and 2004–05, there was an increase of 4% in 2005–06 compared with 2004–05 (excluding the Australian Capital Territory, for which data are not available for earlier years). The rate of 10–17 year olds under juvenile justice supervision in 2005–06 was 5.0 per 1,000. Over 60% 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 detention (remand), while *supervision periods* of medium or longer lengths were more likely to include *episodes* of community-based supervision. 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 2005–06, 13,254 young people in Australia experienced juvenile justice supervision, including 11,265 aged 10–17 years (the remainder being older). This represents an average of 5 per 1,000 young people aged 10–17 years in the population. Around 4 per 1,000 had community-based supervision, and around 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 83% in 2005–06.

## **Age of young people**

- Most young people under juvenile justice supervision were aged 16 years or older (64%), with fewer than 9% being aged 13 or younger in 2005–06.
- Almost 73% 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-eight per cent of young people under juvenile justice supervision identified/were identified as being of Aboriginal and Torres Strait Islander origin.
- About 44 per 1,000 Aboriginal and Torres Strait Islander young people aged 10–17 years were under juvenile justice supervision during 2005–06 compared with about 3 per 1,000 non-Indigenous young people.
- Over 60% of those aged 13 years or younger in 2005–06 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 2005–06, there was an average of 5,185 young people in community-based juvenile justice supervision each day in Australia. This represents an increase of 2% since 2004–05, compared with the 4% decrease from 2002–03 to 2004–05 (excluding the Australian Capital Territory for which 2002–03 data were unavailable).

### **Detention supervision**

- During 2005–06, there was an average of 816 young people in detention-based juvenile justice supervision each day in Australia. This represents an increase of 4% since 2004–05, compared with the 8% decrease from 2002–03 to 2004–05 (excluding the Australian Capital Territory for which 2002–03 data were unavailable).

## **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 (for example, detention or community-based).

### **Number of supervision periods**

- Of all the young people under juvenile justice supervision in 2005–06, over 80% completed only one *supervision period* during the year.
- Differences were found according to age in the number of *supervision periods* completed. Eighteen per cent of young people aged 12 years or under completed at least three *supervision periods* during 2005–06, compared to 3% of those aged 16 or older.
- The number of *supervision periods* completed each year also varied according to Indigenous status. About 23% of Indigenous young people completed at least two *supervision periods* in 2005–06, compared with around 15% of non-Indigenous young people.

### **Length of supervision**

- The length of *supervision periods* completed during 2005–06 varied greatly from fewer than 7 days (25%) to 12 months or longer (21%). 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 11% of young people completed one *supervision period* during 2005–06 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 147 days, compared with 83 days for *episodes* of sentenced detention.
- About 36% of *supervision periods* for females were less than 14 days in length, compared with about 29% for males.
- The relationship between the length of completed *supervision periods* and age is more complex. Between 42% and 49% of *supervision periods* completed by those aged 10–12 years lasted less than one month, compared with 21% for those aged 18 years and older. However, there was less variation between the different age groups for the *supervision periods* lasting for nine months or more.
- Although Indigenous young people completed relatively more *supervision periods* in a year than non-Indigenous young people, those *supervision periods* were shorter. Almost two-thirds (64%) of *supervision periods* completed by Indigenous young people were less than six months long, compared with 56% 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 2005–06.
- There is much variation among states and territories in relation to pre-sentence supervision, with legislative differences around supervised bail.
- Males were more likely than females to have *episodes* of sentenced detention in their *supervision periods* (11% and 5% of *supervision periods* respectively).
- Females tended to have both longer *episodes* of sentenced community-based supervision and longer *episodes* of sentenced detention than males but shorter *episodes* of pre-sentenced community supervision.
- A greater proportion of *supervision periods* by 10–14 year olds included *episodes* of pre-sentence detention (58–79%) than did those by young people aged 15 to 18+ (21–52%).
- 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 (56% compared with 50% in 2005–06). This pattern was also observed for sentenced detention (11% and 9%, respectively). For community-based supervision, the pattern was reversed with non-Indigenous young people more likely to have both pre-sentenced and sentenced community-based *episodes* than Indigenous young people.

## Exits from pre-sentence detention *episodes*

- Over 60% of pre-sentence detention *episodes* in 2005–06 ended with the young person being released on bail. Fewer than 10% ended with the young person being sentenced and immediately commencing an *episode* of sentenced detention.
- The proportion of pre-sentence (remand) *episodes* ending with the young person being sentenced and immediately commencing an *episode* of detention increased with age. Four per cent of pre-sentence detention *episodes* for young people aged 13 years or under ended this way, compared with 10% for those aged at least 15 years.
- The proportion of pre-sentence detention (remand) *episodes* that finished with release on bail was lower among Indigenous than non-Indigenous young people (56% compared with 68%) in 2005–06.

## 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-six per cent of those aged 14 years in 2001–02 had their first and last *supervision period* during that year, compared to around 20% of those aged 11 years.
- About 70% of young people who began their first ever supervision when aged 13 years had completed at least two *supervision periods* by the time they were 18, compared with 14% for those whose initial supervision did not begin until they were 17 years old.

- For those aged 12–17 years at their first *supervision period*, the likelihood of this *supervision period* containing detention decreased as age increased, from 55% for those aged 12 to 36% for those aged 17. This detention was usually pre-sentence, except for those aged 18 and over.
- Detention in the first *supervision period* was associated with having more *supervision periods* during subsequent years. For young people aged 10–14 years in 2001–02, 40% of those who experienced early detention had four or more *supervision periods*, compared to 16% of those who did not experience early detention.

*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).*