

# Youth detention population in Australia 2023

Web report | Last updated: 13 Dec 2023 | Topic: [Youth justice](#)

## About

This report presents information on the youth detention population in Australia from June 2019 to June 2023. Among the 812 young people in detention on an average night in the June quarter 2023, most were male (89%), aged 14-17 (80%) and Aboriginal and/or Torres Strait Islander (First Nations) (59%). Over the 4-year period, the number of young people in detention fluctuated across quarters, though fell overall from 941 in the June quarter 2019.

Cat. no: JUV 142

### Findings from this report:

- [On an average night in the June quarter 2023, 812 young people were in detention](#)
- [Most \(80%\) young people in detention were aged 14-17, the remainder were aged 10-13 \(5%\) or 18 and over \(15%\)](#)
- [Almost 60% of all young people in detention on an average night in the June quarter 2023 were First Nations people](#)
- [On an average night in the June quarter 2023, 89% of young people in detention were male](#)

## Summary

### On this page:

- [How many young people were in detention?](#)
- [How many First Nations young people were in detention?](#)
- [How many young people aged 10-13 were in detention?](#)
- [What proportion of young people experienced unsentenced detention?](#)
- [How have numbers and rates of young people in detention changed over time?](#)
- [How have numbers and rates for young people in sentenced and unsentenced detention changed over time?](#)
- [How have patterns of youth detention changed over time in each state and territory?](#)

### How many young people were in detention?

On an average night in the June quarter 2023, 812 young Australians aged 10 and over were in detention because of their involvement, or alleged involvement, in criminal activity. The number of young people in detention has fallen, down from 941 in the June quarter 2019. Young people are most likely to be in detention if they are male, aged between 14 and 17 and are Aboriginal and Torres Strait Islander (First Nations) young people.

This report is part of an [annual series](#) and analyses the numbers and rates of young people aged 10 and over who were in youth detention in Australia. It focuses on trends over the 4-year period from the June quarter 2019 to the June quarter 2023 and precludes any change to the age of criminal responsibility by states and territories.

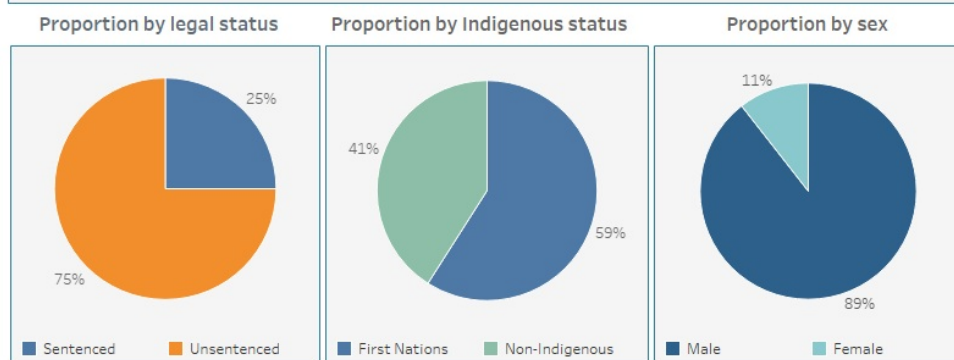
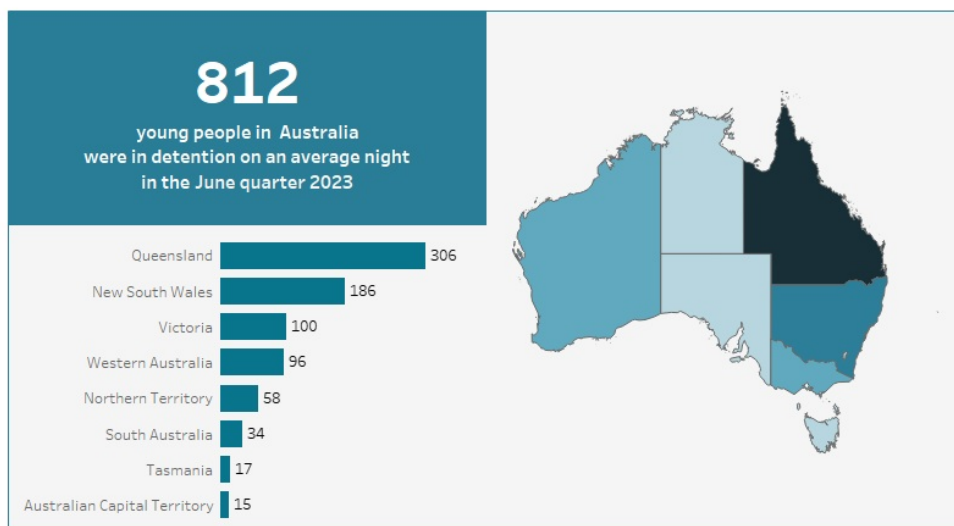
A better understanding of the characteristics and seasonal trends of young people in detention can help support staff, case workers and policy makers to get the best outcomes for these young people. The data may have important policy implications for the age of criminal responsibility among young people.

All data presented in this report are available through the online supplementary tables on [Data](#).

For more information see [Youth detention data](#) and [Raising the age of criminal responsibility](#).

### Figure 1: Number of young people in detention on an average night in Australia

Of the 812 young people who were in detention on an average night, most were unsentenced, First Nations and male. Queensland had the highest number of young people in detention.



Source: AIHW 2023. Youth detention population in Australia 2023  
<https://www.aihw.gov.au>

## Notes

1. These data are not comparable to those published in previous editions of Youth detention population in Australia. Previous editions contained differences in data formats, specifications, definitions and/or quality across jurisdictions. Further details are provided under [Technical notes](#).
2. A small number of young people are reported as having unknown Indigenous status, so some proportions will not sum to 100%.
3. Average day numbers and proportions may not sum to 100% due to rounding.
4. Trends among small populations should be interpreted with caution. Numbers tend to fluctuate from quarter to quarter due to random variation, and this might affect the appearance and interpretation of trends.
5. The legal status pie chart for June quarter 2023 excludes Northern Territory data as data for young people in detention by legal status were not available.

Of the 812 young people in detention on an average night in the June quarter 2023, almost 9 in 10 (89%) were male and almost 6 in 10 were First Nations young people (59%).

For more information visit [How many young people were in youth detention?](#)

## How many First Nations young people were in detention?

The Australian Institute of Health and Welfare (AIHW) uses 'First Nations people' to refer to Aboriginal and Torres Strait Islander people in this report.

There were 478 First Nations young people in detention on an average night in the June quarter 2023 aged 10 and over. Of all young people aged 10-17 in detention during this period, 3 in 5 (63%, or 436 of 689) were First Nations young people, yet First Nations young people made up just 5.7% of the Australian population aged 10-17.

The rate of First Nations young people aged 10-17 in detention dropped between the June quarter 2019 and the June quarter 2023 (31 to 29 per 10,000). However, First Nations young people were 29 times as likely as non-Indigenous young people to be in detention in the June quarter 2023 (compared with 22 times as likely in the June quarter 2019).

First Nations people have a long history of over-representation in the youth and adult justice systems in Australia. This over-representation reflects a history of trauma, cultural dispossession, and forced displacement and assimilation that have affected them, their parents, families and communities.

For more information see [First Nations young people](#).

## How many young people aged 10-13 were in detention?

A very small number of young people aged 10-13 were in detention. This number has fallen - from 52 in the June quarter 2019 to 41 in the June quarter 2023.

The rate of young people aged 10-13 in detention on an average night in the June quarter 2023 was 0.3 per 10,000. For First Nations people aged 10-13 the rate was 4.0 per 10,000 and for young non-Indigenous Australians the rate was 0.1 per 10,000.

Of First Nations young people in detention, 6.3% were aged 10-13. The proportion of non-Indigenous young people in detention aged 10-13 was lower (3.3%).

For more information see [Trends in detention](#) and [How old were First Nations young people in detention?](#)

## What proportion of young people experienced unsentenced detention?

Almost 4 in 5 (77%) young people in detention on an average night in the March quarter 2023 were unsentenced - that is, they were awaiting their initial court appearance or sentencing. The remainder were serving a sentence. (June quarter 2023 data for legal status were unavailable for the Northern Territory, so March quarter 2023 data were used for national reporting).

For more information see [Trends in sentenced and unsentenced detention](#).

In Australia, young people who are charged with, or proven guilty of, criminal offences may be supervised by state and territory youth justice agencies. Supervision may take place either in the community or in detention facilities.

This report looks at trends in the numbers and rates of young people in secure detention facilities in Australia due to their involvement or alleged involvement in crime.

Young people might be in detention while they are:

- unsentenced - that is, awaiting their initial court appearance, or awaiting sentencing after being found or pleading guilty
- sentenced - when they have been found guilty in court and have received a legal order to serve a period of detention.

Whether a young person is unsentenced or sentenced is known as their 'legal status'.

## How have numbers and rates of young people in detention changed over time?

Over the 4-year period from the June quarter 2019 to the June quarter 2023, the number of young people in detention on an average night fell from 941 to 812. In the June quarter 2023, the rate of young people aged 10-17 in detention on an average night was 2.6 per 10,000. This rate was lower than in the June quarter 2019 (3.2 per 10,000) and slightly lower than in the June quarter 2022 (2.7 per 10,000).

For more information see [How did the number of young people in youth detention change over time?](#)

## How have numbers and rates for young people in sentenced and unsentenced detention changed over time?

Northern Territory youth detention population data for legal status were not available for the June quarter 2023. This section therefore uses the March quarter 2023 data for national reporting. March and June quarters are sufficiently comparable as past data indicates that differences based on seasonal trends are minimal for these time periods.

From the June quarter 2019 to the March quarter 2023, the proportion of those in unsentenced detention increased from 63% to 77% while the proportion of those in sentenced detention decreased from 37% to 23%.

In the March quarter 2023, there were 2.3 per 10,000 young people aged 10-17 in unsentenced detention on an average night, and 0.5 per 10,000 in sentenced detention.

The rate of young people in unsentenced detention fluctuated over time. It was lowest in the September quarter 2020 (1.7 per 10,000), and highest in the March quarter 2023 (2.3 per 10,000).

The rate of young people aged 10-17 in sentenced detention fell from 0.9 per 10,000 in the June quarter 2019 to 0.5 per 10,000 in the March quarter 2023.

For more information see [Trends in sentenced and unsentenced detention](#).

## How have patterns of youth detention changed over time in each state and territory?

Over the 4-year reporting period, the Northern Territory consistently had the highest rate of young people in detention on an average night each quarter (6.6-22 per 10,000 aged 10-17). This rate was at its peak in the June quarter 2023 (22 per 10,000) and lowest in the June quarter 2020 (6.6 per 10,000).

In this period, there were declines in the rate of young people in detention on an average night in New South Wales, Victoria, Western Australia, and South Australia. Rates of young people in detention on an average night increased in Queensland and the Northern Territory.

For the Australian Capital Territory and Tasmania, these rates fluctuated over the 4-year period and showed no clear trend.

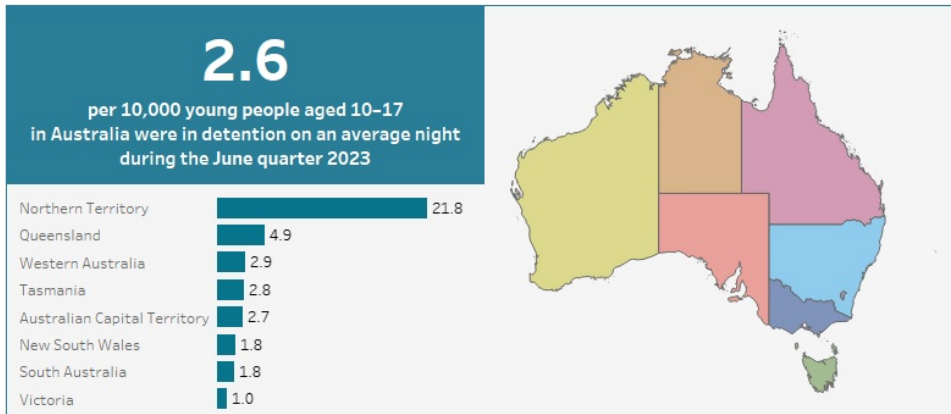
For more information see [State and territory trends](#).

## Figure 2: Rates of young people in detention on an average night in Australia

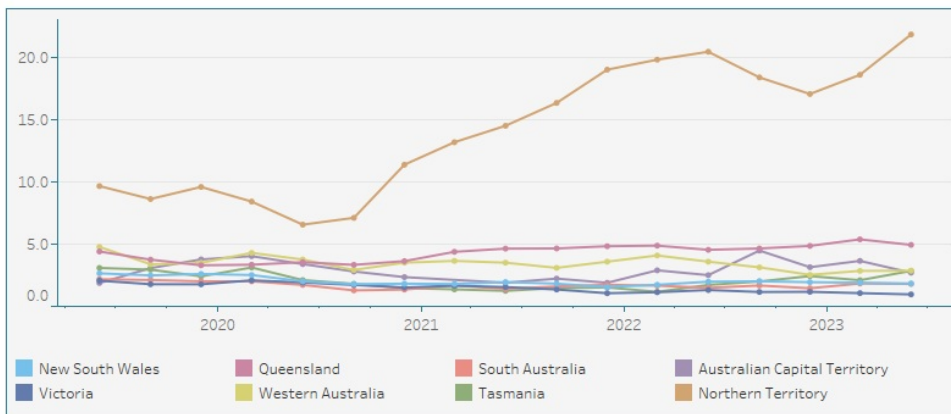
The Northern Territory rate of young people aged 10-17 in detention on an average night has been increasing since 2020 and is much higher than the national rate.

Select Quarter:  
June quarter 2023

Select State/Territory:  
Australia



June quarter 2019 to June quarter 2023



Source: AIHW 2023. Youth detention population in Australia 2023  
<https://www.aihw.gov.au>

### Notes

1. These data are not comparable to those published in previous editions of Youth detention population in Australia. Previous editions contained differences in data formats, specifications, definitions and/or quality across jurisdictions. Further details are provided under [Technical notes](#).
2. Trends among small populations should be interpreted with caution. Numbers tend to fluctuate from quarter to quarter due to random variation, and this might affect the appearance and interpretation of trends.
3. Rates are not published where there were fewer than 5 young people.

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### Content warning

This report contains information some readers may find distressing as it refers to young people's experiences of youth justice. Aboriginal and Torres Strait Islander (First Nations) young people are also over-represented in the data.

If you or someone you know needs help, visit [Lifeline](#) or call [13 11 14](#) or [13YARN \(13 92 76\)](#).

For a list of support services see [Crisis and support services](#).

## Trends in detention

On this page:

- [Key findings](#)
- [How many young people were in youth detention?](#)
- [How did the number of young people in youth detention change over time?](#)

### Key findings

On an average night in the June quarter 2023:

- there were 812 young people in youth detention in Australia
- the rate of young people aged 10-17 in detention was 2.6 per 10,000
- most (648 or 80%) young people in detention were aged 14-17
- 9 in 10 (726 or 89%) young people in detention on an average night were male.

On an average night over the 4-year period from June quarter 2019 to June quarter 2023:

- the number of those young people aged 10 and over fell from 941 to 812
- the rate of those aged 10-17 fell from 3.2 to 2.6 per 10,000.

### How many young people were in youth detention?

On an average night in the June quarter 2023, there were 812 young people in youth detention in Australia due to their involvement, or alleged involvement, in crime.

On an average night in the June quarter 2023:

- most (689 or 85%) young people in detention were aged 10-17. Of these, 41 were aged 10-13 and 648 were aged 14-17
- the remainder (123 or 15%) were aged 18 or over (Figure 1.1).

The average nightly population is rounded to whole numbers, so components might not sum to the totals due to rounding (see [Technical notes](#)).

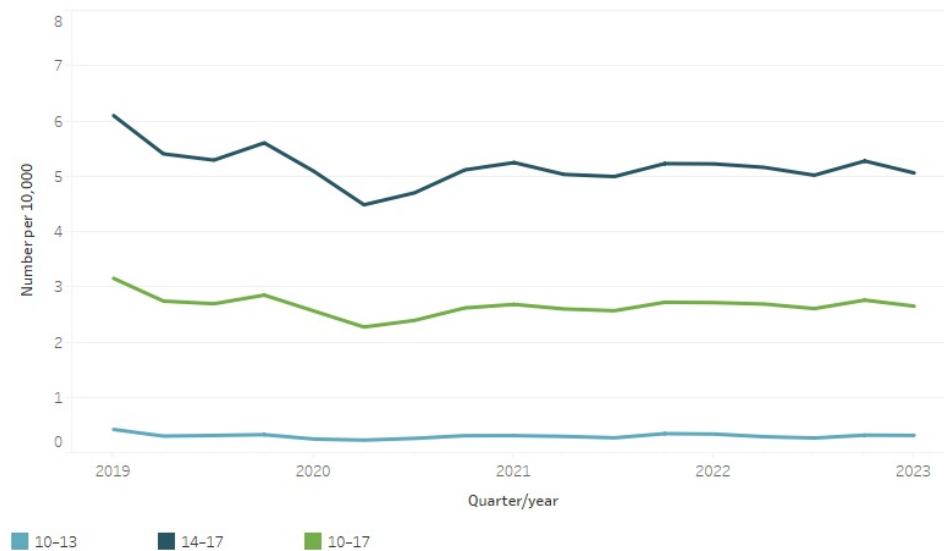
On an average night in the June quarter 2023:

- the rate of young people aged 10-17 in detention was 2.6 per 10,000, while the rate for young people aged 10-13 was 0.3, and 5.1 for those aged 14-17 (Figure 1.1)
- nearly 9 in 10 (726 or 89%) young people in detention on an average night were male.

### Figure 1.1: Young people in detention on an average night, by age group, June quarter 2019 to June quarter 2023 (number and rate)

The rate and number of young people in detention on an average night was highest for those aged 14-17. Rates and numbers have remained steady across age groups since 2021.

Select number or rate  
Rate



<http://www.aihw.gov.au>

## Notes

1. Trend data may differ from those previously published due to data revisions.
2. For data extracted from the YJ NMDS, age is calculated at the start of the relevant quarter unless the period of detention began within the quarter or the young person had a birthday, in which case age is calculated as at the start of that period or from their birthday.
3. Rates are the number of young people per 10,000 relevant population.

Source: Supplementary tables S11, S12, S13, S14, S15, S16, S17 and S18.

## How did the number of young people in youth detention change over time?

The number and rate of young people in detention fell from 941 in the June quarter 2019 to 812 in the June quarter 2023; the rate fell from 3.2 to 2.6 per 10,000.

Both the number and rate of young people in detention were lowest in the September quarter 2020, with the number at 723 and the rate at 2.3 per 10,000.

The rate of young people aged 14-17 in detention followed a similar trend to those aged 10-17, although the rates were slightly higher (Figure 1.1).

For those aged 10-13, the rate of young people in detention on an average night in the June quarter 2023 was 0.3 per 10,000. This was slightly lower than in the June quarter 2019 when the rate was 0.4 per 10,000 (Figure 1.1).

The number of young people in detention on an average night declined in all age groups from the June quarter 2019 to 2023:

- The number of those aged 10-13 in detention declined slightly over the 4-year period, from 52 to 41.
- The number of young people aged 14-17 in detention declined from 706 to 648 and was lowest in the September quarter 2020 (538). This age group drove an overall decline in the number of young people aged 10-17 in detention, from 758 to 689 over the 4-year period.
- Those aged 18 or over showed a steady decline from 182 to 123 young people over the 4-year period (Figure 1.1).

Young males were far more likely to be in detention on an average night than females. This was the case in all quarters throughout the 4-year period for males aged 10 and over (89%-92%). However, for young people aged 10-13 there was a slightly lower proportion of males in detention on an average night (75%-89%).

# First Nations young people in detention

On this page:

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- [Overview](#)
- [How many First Nations young people were in detention?](#)
- [Trends in detention by Indigenous status](#)
- [How old were First Nations young people?](#)
- [Were First Nations females more likely to be in detention compared with non-Indigenous?](#)
- [Were First Nations males more likely to be in detention compared with non-Indigenous?](#)
- [Were First Nations young people more likely to be in sentenced or unsentenced detention?](#)
- [What are the differences by state/territory?](#)

## Key findings

On an average night in the June quarter 2023:

- about 3 in 5 (63%) young people aged 10-17 in detention were First Nations, while First Nations people in this age group make up 5.7% of the general population
- of First Nations young people aged 10-17, 29 per 10,000 were in detention
- First Nations young people aged 10-17 were 29 times as likely as non-Indigenous young people aged 10-17 to be in detention.

On an average night over the 4-year period from June quarter 2019 to June quarter 2023:

- the rate and number of First Nations young people aged 10-17 in detention have been increasing since the September quarter 2020
- the number of non-Indigenous young people aged 10-17 in detention has been decreasing since the September quarter 2020. The rate has also been decreasing since the June quarter 2021.

## Overview

The Australian Institute of Health and Welfare (AIHW) uses 'First Nations people' to refer to Aboriginal and Torres Strait Islander people in this report.

First Nations young people are over-represented in the youth justice system. The over-representation of this population must be understood alongside the broader historic, political and social context of First Nations people and their experiences of colonialism.

For more information see [First Nations young people](#).

## How many First Nations young people were in detention?

On an average night in the June quarter 2023:

- there were 478 First Nations young people in detention, of which 436 were aged 10-17
- First Nations young people made up more than half (59%) of all those in detention aged 10 and over (Supplementary tables S1 and S11) while non-Indigenous young people made up 41% (336)
- 29 per 10,000 young First Nations people and 1.0 per 10,000 young non-Indigenous people aged 10-17 were in detention
- First Nations young people aged 10-17 were 29 times as likely as non-Indigenous young people aged 10-17 to be in detention (Supplementary table S10).

## Trends in detention by Indigenous status

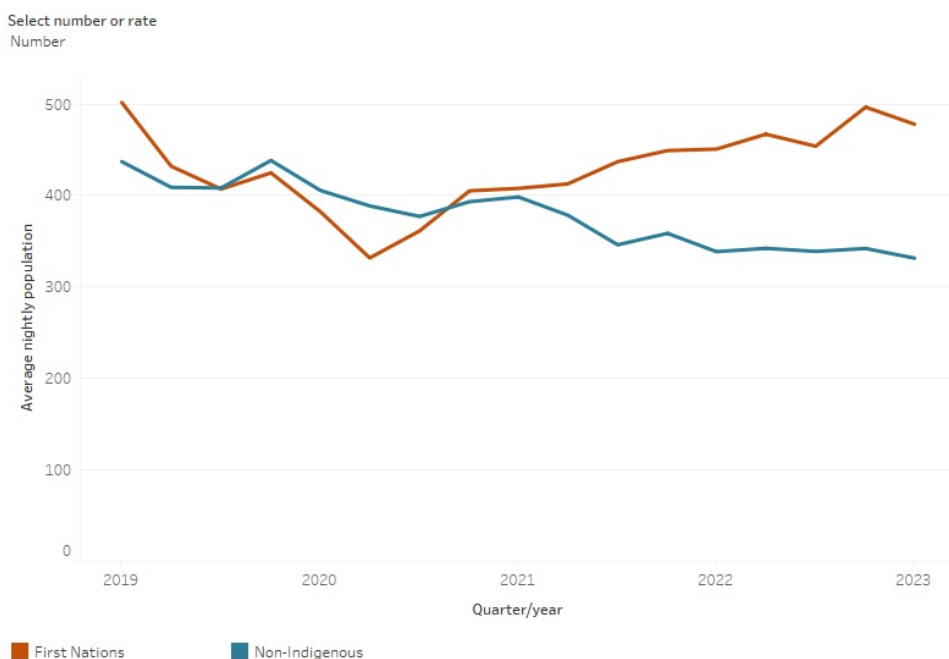
Between an average night in the June quarter 2019 and the June quarter 2023:

- the number of First Nations young people aged 10 and over in detention has been increasing since the September quarter 2020. Before this, the number had been decreasing
- 46%-59% of young people aged 10 and over in detention were First Nations (Supplementary tables S1 and S11)
- the rate of First Nations young people aged 10-17 in detention has fluctuated between a high of 31 per 10,000 in the June quarter 2019 and March quarter 2023 and a low in the September quarter 2020 (19 per 10,000), and has consistently been higher than the non-Indigenous rate (Figure 2.1)
- the rate of non-Indigenous young people aged 10-17 in detention has remained relatively steady, ranging from 1.0 to 1.4 per 10,000 with an overall downward trend (Figure 2.1)
- in the June quarter 2023, First Nations young people were 29 times as likely to be in detention than non-Indigenous young people. The rate ratio of First Nations to non-Indigenous young people in detention has fluctuated, with a low of 16 in September 2020 and a high of 29 in the March and June quarters 2023 (Supplementary table S18).



**Figure 2.1: Young people in detention on an average night, by Indigenous status, June quarter 2019 to June quarter 2023 (number and rate)**

The number and rate of First Nations young people in detention has increased between 2020 and 2023 while for non-Indigenous young people the number and rate has decreased.



<http://www.aihw.gov.au>

## Notes

1. Trend data may differ from those previously published due to data revisions.
2. Rates are the number of young people per 10,000 relevant population.
3. Data for the figure presenting numbers includes young people aged 10 and over; data for the rate figure includes young people aged 10-17.

Source: Supplementary tables S1, S6 and S18.

## How old were First Nations young people in detention?

First Nations young people experience detention at relatively younger ages than non-Indigenous young people, with a higher number, rate, and rate ratio for those aged 10-13 and 14-17. Conversely, fewer First Nations young people in detention were aged 18 or over (Figure 2.2).

Nationally, on an average night in the June quarter 2023, for young people aged 10-13 in detention:

- 30 in 41 (or 73%) were First Nations
- 4.0 per 10,000 were First Nations compared to 0.1 per 10,000 who were non-Indigenous (Supplementary table S16).

First Nations young people aged 10-13 were 46 times as likely as non-Indigenous young people to be in detention. The rate ratio for this age group fell from 52 times as likely in the June quarter 2019, when 5.4 per 10,000 First Nations young people were in detention on an average night (Supplementary table S16).

For young people aged 14-17 in detention:

- 406 in 648 (or 63%) were First Nations
- the rate of detention (55 per 10,000) was markedly higher for First Nations than the rate for non-Indigenous young people (2.0 per 10,000) (Supplementary table S17).

First Nations young people aged 14-17 were 28 times as likely as non-Indigenous young people to be in detention in the June quarter 2023 (Supplementary table S17).

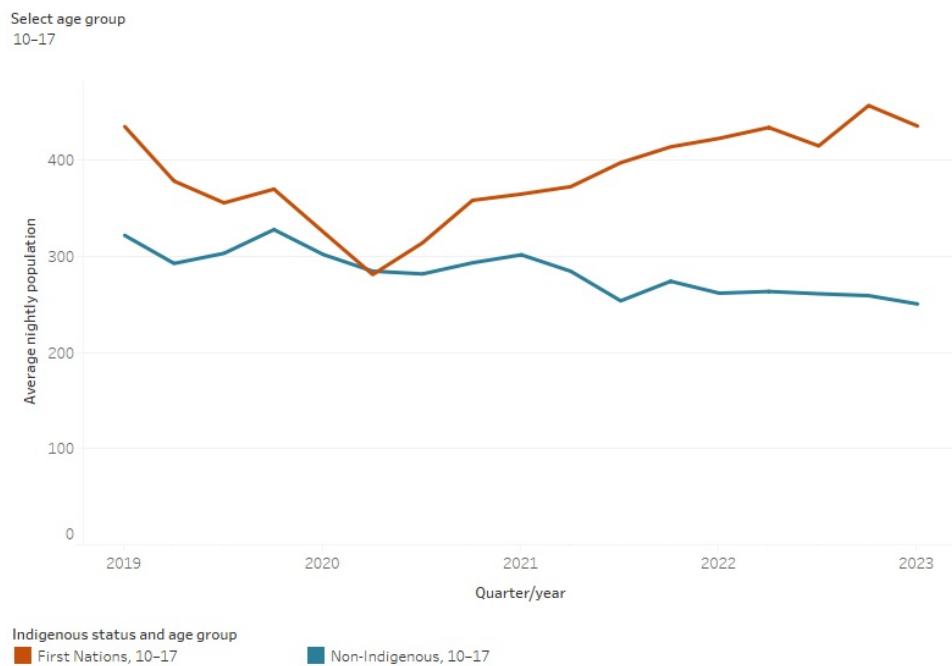
For young people aged 18 and over in detention, 1 in 3 (42 or 34%) were First Nations.

Of First Nations young people in detention on an average night in the June quarter 2023:

- 6.3% were aged 10-13, compared to 3.3% of non-Indigenous young people (Supplementary tables S1, S2, S6 and S7)
- 85% were aged 14-17, compared to 72% of non-Indigenous young people (Supplementary tables S1, S3, S6 and S8)
- 8.8% were aged 18 and over, compared to 24% of non-Indigenous young people (Supplementary tables S1, S5, S6 and S10).

**Figure 2.2: First Nations and non-Indigenous people in detention, by age group, June quarter 2019 to June quarter 2023 (number)**

Since 2019, the number of First Nations young people in detention was higher across all ages than non-Indigenous, except for the 18+ age group.



<http://www.aihw.gov.au>

Source: Supplementary tables S2, S3, S5, S7, S8, and S10.

On an average night over the 4-year period from the June quarter 2019 to June quarter 2023:

- for those aged 10-13:
  - the number of First Nations young people fell from 40 to 30, while for non-Indigenous young people the number ranged between 6 and 12 (Figure 2.2)
  - the rate of First Nations young people in detention ranged between 3.0 and 5.4 per 10,000, while for non-Indigenous the rate remained at 0.1 per 10,000 (Supplementary table S16)
- for those aged 14-17:
  - the number of First Nations young people in detention ranged from 259 to 427, while for non-Indigenous young people the number ranged between 240 and 319 (Figure 2.2)
  - the rate of First Nations young people in detention ranged from 37 to 58 in 10,000, while for non-Indigenous the rate was 2.0 to 2.9 in 10,000 (Supplementary table S17)
- for those aged 18 and over the number of First Nations young people in detention ranged from 28 to 66. For non-Indigenous young people the number ranged from 77 to 116 (Figure 2.2).

### Were First Nations females more likely to be in detention compared with non-Indigenous?

The proportion of young people in detention who were female was higher among First Nations young people than among those who were non-Indigenous across all age groups. The difference was greater for those aged 10-13 than for those aged 14-17 or 18 and over.

On an average night in the June quarter 2023, the proportion of First Nations young people in detention who were female and aged:

- 10-13 was higher (13%, or 4 in 30) than the proportion of non-Indigenous young people who were female (6.9%, or less than 1 young non-Indigenous female on an average night)
- 14-17 was higher (13%, or 52 of 406) than the proportion of non-Indigenous young people who were female (8.4%, or 20 of 240)
- 18 or over who were female was higher (8.2% or 3 of 42) than for non-Indigenous females aged 18 or over (5.8% or 5 of 81)
- proportions for young people aged 10-17 were very similar to those aged 14-17 (Supplementary tables S4 and S9).

### Were First Nations males more likely to be in detention compared with non-Indigenous?

On an average night in the June quarter 2023, the proportion of First Nations who were male and aged:

- 10-13 in detention was 87% (26 of 30) compared to 93% (or 10 of 11) for non-Indigenous males (Supplementary tables S2 and S7)
- 14-17 in detention was 87% (or 353 of 406) compared to 92% (or 220 of 240) for non-Indigenous males (Supplementary tables S3 and S8)
- 18 and over was 92% (or 39 of 42) for First Nations males and 94% (or 76 of 81) for non-Indigenous males (Supplementary tables S5 and S10).

### Were First Nations young people more likely to be in sentenced or unsentenced detention?

Northern Territory youth detention data for legal status are unavailable for the June quarter 2023, so March quarter 2023 data are used for national reporting.

On an average night in the March quarter 2023:

- 81% of First Nations young people in detention were unsentenced; 72% of non-Indigenous young people in detention were unsentenced
- of all young people in unsentenced detention, 3 in 5 (62% or 401) were First Nations
- First Nations young people made up half (50% or 96) of all young people in sentenced detention (Supplementary tables S1, S19, S29, S37 and S47).

On an average night over the 4-year period (June quarter 2019 to March quarter 2023), for those in unsentenced detention:

- there was an increase in the number of First Nations young people from 323 (64%) to 401 (81%) (Figure 2.3)
- the rate of First Nations young people aged 10-17 has been increasing since the September quarter 2020. The rate was at its lowest in the September quarter 2020 at 14 per 10,000 and highest in the March quarter 2023 at 26 per 10,000 young people (Supplementary table S36)
- the rate of non-Indigenous young people aged 10-17 was relatively stable over time ranging from 0.8 to 1.1 per 10,000 (Supplementary table S36).

On an average night over the 4-year period (June quarter 2019 - March quarter 2023), for those in sentenced detention:

- the number of First Nations young people fell from 178 (36%) in the June quarter 2019 to 96 (19%) in the March quarter 2023 (Supplementary table S37)
- the rate of First Nations young people aged 10-17 fell from 9.4 to 5.2 per 10,000. The rate was at its lowest in the September quarter 2020 and the March quarter 2023 at 5.2 per 10,000 (Supplementary table S54, Figure 2.3)
- The rate of non-Indigenous young people aged 10-17 gradually declined from 0.4 per 10,000 in the June quarter 2019 to 0.2 per 10,000 in the March quarter 2023 (Supplementary table S54, Figure 2.3).

**Figure 2.3: First Nations young people in detention, by legal status, June quarter 2019 to March quarter 2023/ June quarter 2023 (number, rate and rate ratio)**

The rate and number of First Nations young people in unsentenced detention increased between 2020 and 2023, while the rate of those in sentenced detention decreased.



## Notes

1. Data for the figures presenting numbers includes those young people aged 10 and over, data for the rate and rate ratio figures includes young people aged 10-17.
2. Figures presenting data excluding the Northern Territory, exclude Northern Territory data for the entire 4-year period.
3. Figures that present data excluding the Northern Territory include the June quarter 2023. For those that include data for the Northern Territory, the June quarter 2023 is excluded.
4. Northern Territory data for legal status is unavailable for the June quarter 2023.
5. Trend data may differ from those previously published due to data revisions.
6. Rates are the number of young people per 10,000 relevant population.
7. Rate ratio is calculated by dividing the First Nations rate by the non-Indigenous rate.

## What are the differences by state/territory?

On an average night in the June quarter 2023, First Nations young people aged 10-17 were more likely to be in detention than non-Indigenous young people across all states and territories. Of the states and territories:

- the Northern Territory and Queensland had the highest rates of First Nations young people aged 10-17 in detention (50 and 45 per 10,000, respectively)
- Victoria had the lowest rate (7.7 per 10,000) of First Nations young people aged 10-17 in detention
- the rate of detention for non-Indigenous young people was highest in the Australian Capital Territory and Tasmania (2.1 and 2.4 per 10,000).

Among the states and territories for which rate ratios could be calculated, the rate ratio for First Nations young people aged 10-17 in detention ranged from 10 times the non-Indigenous rate in Victoria to 30 times in Western Australia (Figure 2.4).

Rates were not calculated due to small numbers for First Nations young people aged 10-17 in Tasmania and the Australian Capital Territory, and for non-Indigenous young people aged 10-17 in the Northern Territory.

On an average night over the 4-year period (June quarter 2019 - June quarter 2023) the rate of First Nations young people aged 10-17 in detention:

- increased in the Northern Territory (from 22 to 50 per 10,000) and Queensland (from 42 to 45 per 10,000)
- fell in Western Australia (from 57 to 30 per 10,000), Victoria (from 19 to 7.7 per 10,000) and South Australia (from 24 to 20 per 10,000).

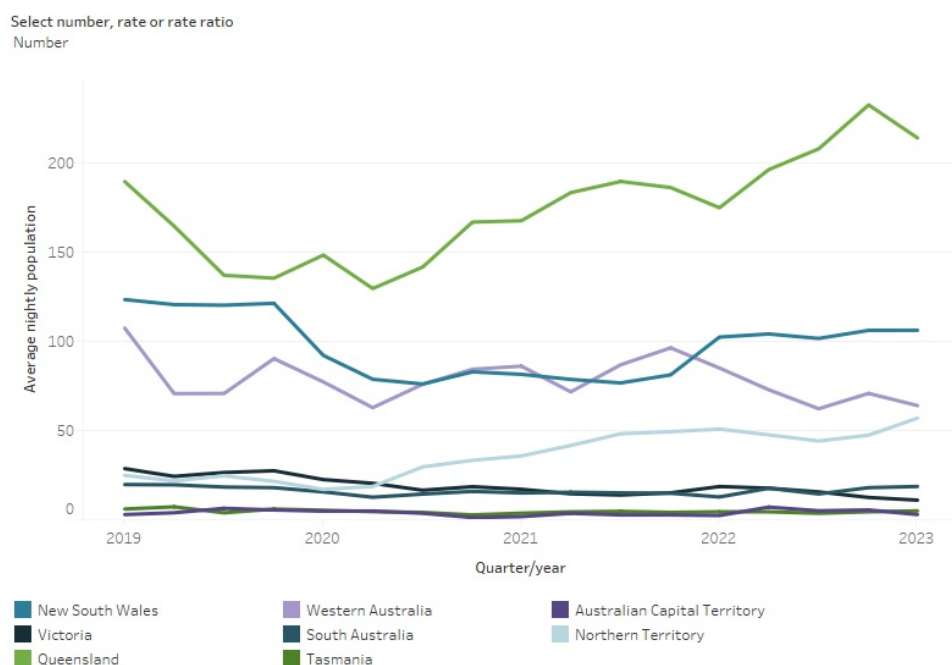
The rate of non-Indigenous young people aged 10-17 in detention:

- increased in Queensland (from 1.2 to 1.6 per 10,000) and the Australian Capital Territory (1.4 to 2.1 per 10,000)
- fell in New South Wales (from 1.5 to 0.7 per 10,000), Victoria (from 1.8 to 0.9 per 10,000) and South Australia (from 1.1 to 0.9 per 10,000).

The rate ratio has been consistently lowest in Victoria, at 5-11 times the non-Indigenous rate. The rate ratio has been consistently highest in Western Australia, ranging from a high of 58 times the non-Indigenous rate in June 2022 to a low of 30 in June 2023 (Figure 2.4).

### Figure 2.4: First Nations young people in detention, by state and territory, June quarter 2019 to June quarter 2023 (number, rate and rate ratio)

Queensland had the highest number of First Nations young people in detention between 2019 and 2023. The rate was highest in Western Australia, Queensland and the Northern Territory.



<http://www.aihw.gov.au>

## Notes

1. Trend data may differ from those previously published due to data revisions.
2. For data extracted from the YJ NMDS, age is calculated at the start of the relevant quarter unless the period of detention began within the quarter or the young person had a birthday, in which case age is calculated as at the start of that period or from their birthday.
3. Northern Territory data may be affected by legislation implemented in May 2021 which led to key changes in youth justice processes.
4. Rates are the number of young people per 10,000 relevant population.
5. Rates are not published where there were fewer than 5 young people.
6. Trends among small populations should be interpreted with caution. Numbers tend to fluctuate from quarter to quarter due to random variation, and this might affect the appearance and interpretation of trends.
7. Rate ratio is calculated by dividing the First Nations rate by the non-Indigenous rate.
8. Blank observations in the rate ratio figure are due to unpublished rates. Where there were fewer than 5 young people, rates and rate ratios are not calculated. There might be instances when a numerator is presented as 5, and the rate is not calculated due to rounding (see [Technical notes](#)).
9. Rate ratios for most quarters are not available for Tasmania, the Australian Capital Territory and the Northern Territory due to small numbers.

Source: Supplementary tables S11 and S18.

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## Trends in sentenced and unsentenced detention

On this page:

- [Key findings](#)
- [How many young people were in unsentenced detention?](#)
- [How many young people were in sentenced detention?](#)
- [What were the age groups of young people in sentenced and unsentenced detention?](#)
- [Were there any sex differences in the numbers of young people in sentenced compared with unsentenced detention?](#)

### Key findings

On an average night in the March quarter 2023:

- almost 4 in 5 (649 or 77%) young people in detention were unsentenced
- the rate of young people aged 10-17 in unsentenced detention was 2.3 per 10,000 and in sentenced detention 0.5 per 10,000

On an average night from the June quarter 2019 to the March quarter 2023:

- the proportion of those in unsentenced detention increased from 63% to 77%
- the number of young people in sentenced detention fell by 45%.

Northern Territory detention data for legal status were unavailable for the June quarter 2023, so March quarter 2023 data were used for national reporting. March and June quarters are sufficiently comparable as past data indicates that differences based on seasonal trends are minimal for these time periods.

### How many young people were in unsentenced detention?

On an average night in the March quarter 2023:

- more than 3 in 4 (649 or 77%) young people in detention were unsentenced
- the rate of young people aged 10-17 in unsentenced detention was 2.3 per 10,000.

Over the 4-year period from the June quarter 2019 to the March quarter 2023:

- the proportion of those in unsentenced detention increased from 63% (589) to 77% (654) (Supplementary tables S11 and S29)
- the rate of young people aged 10-17 in unsentenced detention remained relatively stable, ranging between 1.7 and 2.3 per 10,000
- the rate of young people in unsentenced detention tended to be higher in the March and June quarters each year, and lower in the September and December quarters. The exception was the June quarter 2020 when the rate was lower (Figure 3.1).

Over the 1-year period from March quarter 2022 to March quarter 2023:

- the number of young people in unsentenced detention increased from 617 to 649
- the rate of young people aged 10-17 in unsentenced detention increased slightly from 2.2 to 2.3 per 10,000 (Figure 3.1).

### How many young people were in sentenced detention?

On an average night in the March quarter 2023:

- almost 1 in 4 (192 or 23%) young people in detention were sentenced
- the rate of young people aged 10-17 in sentenced detention was 0.5 per 10,000 (Figure 3.1).

Over the 4-year period from the June quarter 2019 to the March quarter 2023:

- the number of young people in sentenced detention fell by 45% from 352 to 192, with a low in the June quarter 2022 (181, or 23%) (Supplementary tables S11 and S47, Figure 3.1)
- the rate of young people in sentenced detention has declined steadily from 0.9 to 0.5 per 10,000 young people (Figure 3.1).

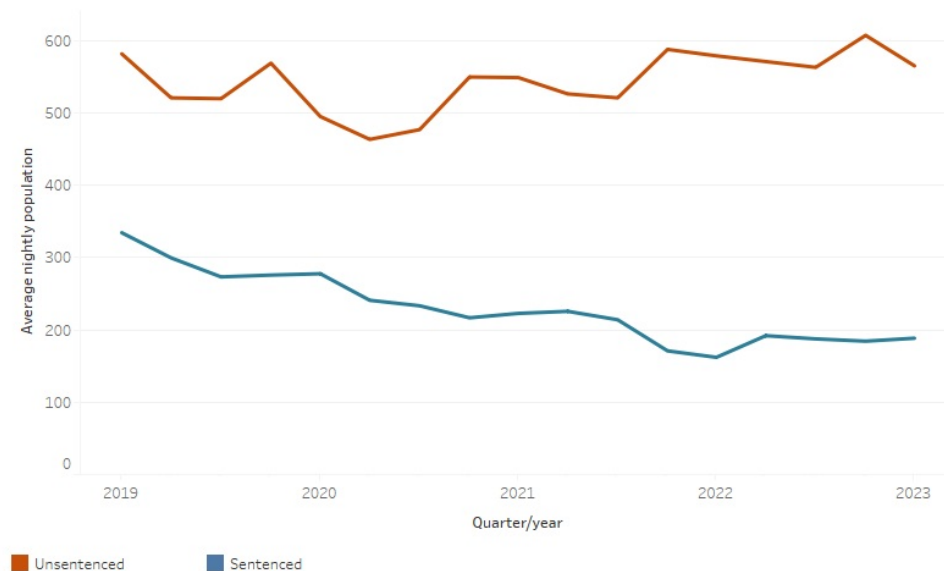
Over the one-year period from March quarter 2022 to March quarter 2023:

- the number of young people in sentenced detention remained steady (193 in 2022 and 192 in 2023) (Figure 3.1)
- the rate of young people aged 10-17 in sentenced detention remained the same (0.5 per 10,000 young people) (Supplementary table S54, Figure 3.1).

### Figure 3.1 Young people in detention on an average night, by legal status, June quarter 2019 to March quarter 2023 (number and rate)

Between 2019 and 2023, the number and rate of young people in unsentenced detention increased, while it decreased in sentenced detention.

Number/Rate (incl/excl NT)  
Number - Aust excl NT



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## Notes

1. Trend data may differ from those previously published due to data revisions.
2. Rates are the number of young people per 10,000 relevant population.
3. Data for the figures presenting numbers includes those young people aged 10 and over, data for the rate figures includes young people aged 10-17.
4. Figures presenting data excluding the Northern Territory, exclude Northern Territory data for the entire 4-year period.
5. Figures that present data excluding the Northern Territory include the June quarter 2023. For those that include data for the Northern Territory, the June quarter 2023 is excluded.
6. Northern Territory data for legal status is unavailable for the June quarter 2023.

Source: Supplementary tables S29, S36, S47 and S54.

## What were the age groups of young people in sentenced and unsentenced detention?

On an average night in the March quarter 2023:

- a higher proportion of those in unsentenced detention were aged 10-17 (92%) than in sentenced detention (64%) (Supplementary tables S29, S32, S47 and S50)
- in unsentenced detention, 8.4% were aged 18 or over; in sentenced detention the proportion was 36% (Supplementary tables S29, S33, S47 and S51).

The proportion of young people aged 10-17 in unsentenced detention was consistently higher than in sentenced detention throughout the 4-year period (from June quarter 2019 to March quarter 2023):

- in unsentenced detention, 89%-93% were aged 10-17
- in sentenced detention, 55%-71% were aged 10-17, with a low in the September quarter 2020 and a high in the September quarter 2022 (Supplementary tables S29, S32, S47, and S50).

Additionally, in the March quarter 2023, 6.4% of young people in unsentenced detention were aged 10-13 and less than 0.1% in sentenced detention were aged 10-13. These proportions fluctuated over the 4-year period from the June quarter 2019 to the March quarter 2023 for unsentenced detention (5.5%-8.3%) and sentenced detention (0.0%-1.3%) (Supplementary tables S29, S30, S47, S48).

One reason more young people aged 18 and over are in sentenced detention than in unsentenced detention is that some may continue serving a sentence in a youth facility once they turn 18. Whether they remain in youth detention or are moved to the adult justice system depends on different policies and practices in the states and territories.

For example, in Victoria, 65% to 78% of young people in sentenced detention were aged 18 or over in each quarter over the 4-year period (from June quarter 2019 to March quarter 2023), compared with 29% to 45% in Australia overall. This is in part due to the 'dual track' sentencing system operating in Victoria, which results in a relatively large proportion of young people aged 18 and over in sentenced detention (see [Age limits](#) for more details).

## Were there any sex differences in the numbers of young people in sentenced compared with unsentenced detention?

On an average night in the March quarter 2023, comparatively more females (83%) than males (77%) were in unsentenced detention (Supplementary tables S29 and S11). This was the case in each quarter throughout the 4-year period (from June quarter 2019 to March quarter 2023), with:

- 71% to 83% of females in detention unsentenced
- 61% to 77% of males in detention unsentenced.

Conversely, males (23%) were more likely than females (17%) to be in sentenced detention on an average night in the March quarter 2023 (Supplementary tables S47 and S11). These results should be interpreted with caution due to the small number of females in detention.

Over the 4-year period, the proportion of males in sentenced detention declined from 39% in the June quarter 2019 to 23% in the March quarter 2023, while the corresponding proportion of females fluctuated, with an overall decrease from 23% to 17%.





## State and territory trends

On this page:

- [Key findings](#)
- [Overview](#)
- [How many young people were in youth detention by state and territory?](#)
- [Changes in the rate of young people in detention over the 4-year period in each state and territory](#)
- [What were the differences between states and territories by legal status?](#)

### Key findings

On an average night in the June quarter 2023:

- the number of young people aged 10 and over in detention was lowest in the Australian Capital Territory (15) and highest in Queensland (306)
- the rate of young people aged 10-17 was highest in the Northern Territory (22 per 10,000) and lowest in Victoria (1.0 per 10,000).

On an average night from the June quarter 2019 to the June quarter 2023:

- the Northern Territory consistently had the highest rate of young people aged 10-17 in detention (6.6-22 per 10,000)
- the rate of young people in detention increased in Queensland (4.4 to 4.9 per 10,000) and the Northern Territory (9.7 to 22 per 10,000) and declined in New South Wales, Victoria, Western Australia, and South Australia.

### Overview

The size of youth justice populations in states and territories can be affected by the population size of that state or territory, as well as by differences in state legislation, policies and practices, including the available types of supervised orders and options for diversion. For more information see [Youth justice in Australia 2021-22 - Appendices 2-4](#).

### How many young people were in youth detention by state and territory?

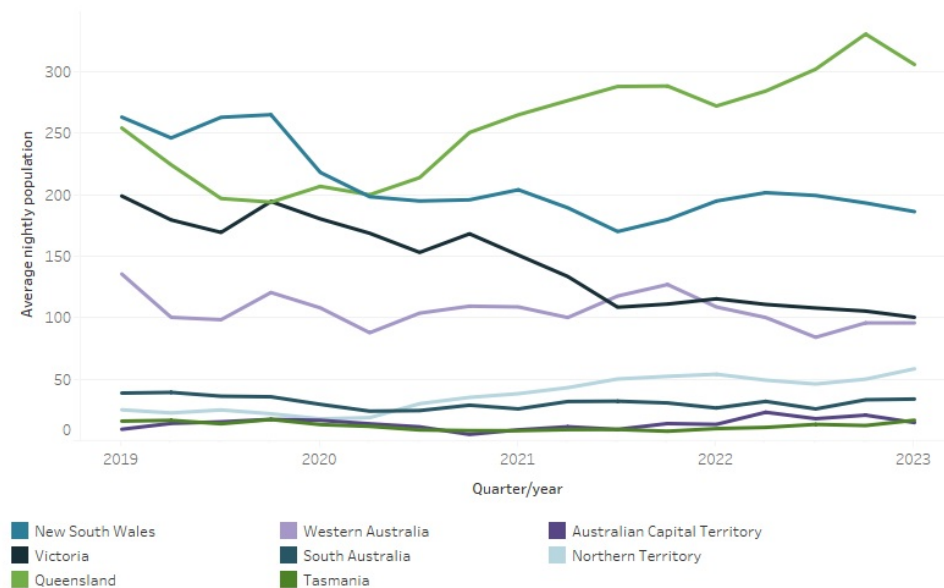
On an average night in the June quarter 2023:

- Queensland had the highest number of young people in detention (306), followed by New South Wales (186) and Western Australia (96)
- the Northern Territory had the highest rate of young people aged 10-17 in detention (22 per 10,000), followed by Queensland (4.9 per 10,000) and Western Australia (2.9 per 10,000)
- the Australian Capital Territory had the lowest number of young people aged 10 and over in detention (15), followed by Tasmania (17) and South Australia (34)
- Victoria had the lowest rate of young people aged 10-17 in detention (1.0 per 10,000), followed by New South Wales and South Australia (1.8 per 10,000 for each) (Figure 4.1).

### Figure 4.1: Young people in detention on an average night, by state and territory, June quarter 2019-2023 (number and rate)

The rate of young people in detention on an average night has increased for the Northern Territory and remains much higher than for other states and territories.

Select number or rate  
Number



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## Notes

1. Rates are for young people aged 10-17. Numbers include young people aged 10 or over who are under youth justice supervision. For numbers of young people aged 10-17 only, refer to the [supplementary tables](#).
2. Trends among small populations should be interpreted with caution. Numbers tend to fluctuate from quarter to quarter due to random variation, and this might affect the appearance and interpretation of trends.
3. Rates are calculated from the unrounded average nightly populations and are not published when there are fewer than 5 young people in the numerator. There might be instances when a numerator is presented as 5 due to rounding, and the rate is not calculated (see [Technical notes](#)).
4. Numbers might not add up to the total due to rounding.
5. Rates for some quarters in the Australian Capital Territory are suppressed due to small numbers.

Source: Supplementary tables S11, S18, S29, S36, S47 and S54.

## Changes in the rate of young people in detention over the last 4 years, in each state and territory

On an average night over the 4-year period from the June quarter 2019 to June quarter 2023:

- overall, the Northern Territory had the highest rate of young people aged 10-17 in detention on an average night each quarter (6.6 to 22 per 10,000). The rate peaked in the June quarter 2023 after falling to its lowest in the June quarter 2020
- the rate of young people in detention increased in Queensland (4.4 to 4.9 per 10,000) and the Northern Territory (9.7 to 22 per 10,000) and declined in New South Wales, Victoria, Western Australia and South Australia
- rates of young people in detention have fluctuated in the Australian Capital Territory, increasing from 1.9 to 2.7 per 10,000 over the 2 years from the June quarter 2021
- rates of young people in detention decreased in Tasmania over the 2 years to June 2021 (from 3.1 to 1.2 per 10,000) but increased to 2.8 per 10,000 over the next 2 years
- the states with the highest number of young people aged 10 and over in detention were Queensland (194 to 331) and New South Wales (170 to 265), followed by Victoria (100 to 199) and Western Australia (84-136)
- since the September quarter 2020, Queensland has had the largest number of young people in detention on an average night
- the size of the youth detention population fell in New South Wales, Victoria, Western Australia, and South Australia (Figure 4.2).

## What were the differences between states and territories by legal status?

Northern Territory detention data for legal status were unavailable for the June quarter 2023, so the March quarter 2023 data were used for national reporting.

On an average night in the March quarter 2023, the rate of young people aged 10-17:

- in unsentenced detention ranged from 1.0 per 10,000 in Victoria to 16 per 10,000 in the Northern Territory
- in sentenced detention ranged from 0.1 per 10,000 in Victoria to 2.7 per 10,000 in Northern Territory (among the states and territories for which data is available) (Figure 4.2).

Over the 4-year period (from June quarter 2019 to March quarter 2023), the rate of young people aged 10-17 in unsentenced detention:

- increased sharply in the Northern Territory from the September quarter 2020 to the March quarter 2023 (3.1 to 16 per 10,000, respectively)

- increased in Queensland from a low of 2.8 per 10,000 in the December quarter 2019 to 4.9 per 10,000 in the March quarter 2023
- declined in New South Wales from 1.8 to 1.5 per 10,000 with a low in the December quarter 2021 of 1.1 per 10,000.

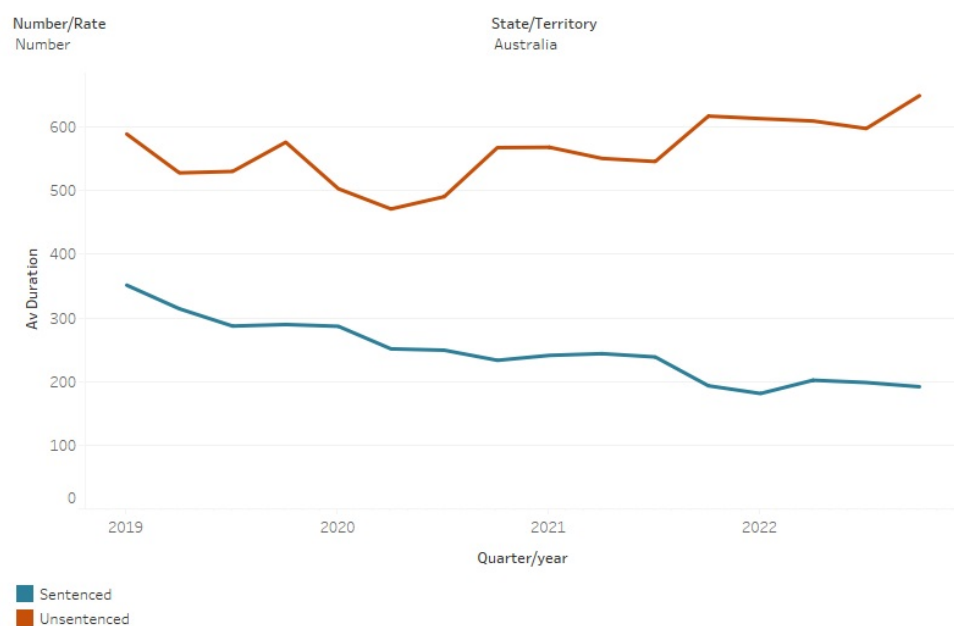
Trends in unsentenced detention could not be reliably determined in Tasmania and the Australian Capital Territory due to small numbers.

Over the same 4-year period, the rate of young people aged 10-17 in sentenced detention fell overall in New South Wales (0.9 to 0.4 per 10,000), Victoria (0.5 to 0.1 per 10,000), Queensland (0.8 to 0.4 per 10,000), Western Australia (1.8 to 0.9 per 10,000), and the Northern Territory (6.7 to 2.7 per 10,000).

Trends could not be reliably determined in South Australia, Tasmania and the Australian Capital Territory due to small numbers (Figure 4.2).

**Figure 4.2: Young people in detention on an average night, by legal status, by state and territory, June quarter 2019-2023 (number and rate)**

The rate of young people in sentenced detention decreased between 2019 and 2023, while that for unsentenced detention has increased since 2020.



<http://www.aihw.gov.au>

## Notes

1. Numbers might not add up to the total due to rounding.
2. Rates are for young people aged 10-17. Numbers include young people aged 10 and over who are under youth justice supervision. For numbers of young people aged 10-17 only, refer to the [supplementary tables](#).
3. Trends among small populations should be interpreted with caution. Numbers tend to fluctuate from quarter to quarter due to random variation, and this might affect the appearance and interpretation of trends.
4. Rates are calculated from the unrounded average nightly populations, and are not published when there are fewer than 5 young people in the numerator. There might be instances where a numerator is presented as 5 due to rounding, and the rate is not calculated (see [Technical notes](#)).
5. Rates for some quarters for South Australia, Tasmania and the Australian Capital Territory are suppressed due to small numbers.
6. Legal status data for the Northern Territory was unavailable for the June quarter 2023, so March quarter 2023 data is used in presentations that include Northern Territory data.

Source: Supplementary tables S29, S36, S47 and S54.



## Understanding youth detention in Australia

In Australia, young people who are charged with, or proven guilty of, criminal offences may be supervised by state and territory youth justice agencies. Supervision may take place either in the community or in detention facilities.

Among the states and territories, variations in the numbers and rates of young people under supervision reflect differences in youth justice legislation, policy and practice. This includes differences in police practices, the types of legal orders available and the options for diversion.

This report and accompanying supplementary tables (those with a prefix of 'S') are available from [Data](#).

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## Understanding youth detention in Australia

The 2 main principles upon which the Australian youth justice system is based, and which are incorporated in state and territory legislation, are that young people should be detained only as a last resort and for the shortest appropriate period (Chrzanowski and Wallis 2011). This is consistent with international guidelines, such as the United Nations Convention on the Rights of the Child and the Standard Minimum Rules for the Administration of Juvenile Justice (UN 1985, 1989).

Diverting young people from further involvement in the justice system is crucial to applying these principles. Forms of diversion include:

- police warnings
- referral to services such as drug and alcohol treatment
- bail supervision for those at risk of remand
- youth justice conferencing.

Alternatives to detention include:

- transfer to specialist courts or programs
- supervised or unsupervised community orders.

As a result, most young people under supervision in Australia are supervised in the community.

On an average day in 2021-22, just over 4 in 5 young people under supervision were supervised in the community, and almost 1 in 5 were in detention. Of those who were under supervision, just under half spent time in detention at some point during the year (AIHW 2023).

### References

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AIHW (Australian Institute of Health and Welfare) (2023) *Youth justice in Australia 2021-22'*, cat. no. JUV 140, AIHW, Canberra.

Chrzanowski A and Wallis R (2011) 'Understanding the youth justice system', in: Stewart A, Allard T and Dennison S (eds), *Evidence based policy and practice in youth justice*, Annandale: The Federation Press, 7-27.

UN (United Nations) (1985) *United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules)*, New York, USA: United Nations, viewed 8 September 2023.

UN (1989) *Convention on the Rights of the Child*, New York, USA: United Nations, viewed 8 September 2023.

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## Understanding youth detention in Australia

In Australia, young people may be charged with a criminal offence if they are aged 10 or over. Separate justice systems operate for young people and adults, each with specific legislation. The upper age limit in the youth justice system is 17 (at the time of the offence) in most states and territories. Those aged 18 or over are dealt with under the adult justice system.

In 2020-21, 1 in 4 young people under supervision on an average day were aged 18 or over (AIHW 2023). Reasons for this include:

- Young people may be apprehended for an offence that was committed or allegedly committed when they were aged 17 or younger.
- Young people may continue to be supervised by the youth justice system once they turn 18 (or they may be transferred to the adult correctional system).
- Some young people aged 18 or over are supervised by youth justice agencies due to their vulnerability or immaturity (in some jurisdictions).
- Young people aged between 18 and 20 in Victoria who appear in courts other than the Children's Court may be sentenced to detention in a youth facility rather than an adult prison if assessed as suitable and the court deems this appropriate. This is known as the 'dual track' sentencing system.

In this report, the term 'young people' has been used to refer to individuals aged 10 and over who are supervised by a youth justice agency. Numbers of young people in detention relate to young people of all ages unless otherwise specified.

Population rates allow for the comparison of different groups while taking into account different population sizes. In this report, rates have been calculated only for young people aged 10-13, 14-17 and 10-17, as these are the key populations in most states and territories. For more information about the calculation of rates see [Technical notes](#).

For this report, the age on an average night each quarter has been calculated based on the age a young person is each night that they are in detention. If a young person changes age during a period of detention, then the average nightly number in detention will reflect this.

Average nightly data broken down by age will not be comparable to *Youth detention population in Australia* releases prior to 2020. For more information about the calculation of age, see [Technical notes](#).

### References

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AIHW (Australian Institute of Health and Welfare) (2023) *Youth justice in Australia 2021-22*, cat. no. JUV 140, AIHW, Canberra.

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## Understanding youth detention in Australia

In Australia, young people are deemed to have criminal responsibility if they are aged 10 or over. Young people aged between 10 and 14 are given the presumption of *doli incapax*, meaning that they cannot be held criminally responsible unless it can be proved beyond reasonable doubt that the young person knew that their conduct was wrong (Child Rights International Network 2020).

The UN Committee on the Rights of the Child (2019) recently issued an update to the International Standards for the Minimum Age of Criminal Responsibility. In paragraph 22 of its 'General comment no. 24 (2019) on children's rights in juvenile justice', the Committee deemed the previously recommended age of criminal responsibility of 12 years to be too low.

The Committee now encourages state parties to 'take note of recent scientific findings, and to increase their minimum age to at least 14 years'.

The recommendation to increase the minimum age of criminal responsibility reflects current research in child development and neuroscience which provides evidence that the capacity for abstract reasoning is not fully developed in children aged 12 and 13 (UN Committee on the Rights of the Child 2019).

In Australia, the Meeting of Attorneys-General (MAG) reviewed Australia's age of criminal responsibility. MAG noted that the Australian Capital Territory and the Northern Territory have committed to raising the minimum age of criminal responsibility, and states have supported the development of proposals to raise the age, having regard to any carve-outs, timing and discussion of implementation requirements (MAG 2022). This followed on from the Royal Commission into the Protection and Detention of Children in the Northern Territory (Royal Commission, Australian Government 2017), which resulted in recommendations for Australia to:

- raise the minimum age of criminal responsibility from 10 to 12
- keep young people aged 14 and under out of detention unless they have committed a serious crime or pose a serious risk to the community.

In August 2023, the Northern Territory raised the minimum age of criminal responsibility from 10 to 12.

In May 2023, the Australian Capital Territory introduced legislation to raise the criminal age of responsibility to 12 initially (this was implemented in November 2023), then to 14 within the next 2 years (which is expected to be implemented in mid-2025).

In April 2023, Victoria made an announcement to raise the criminal age of responsibility to 12 by the end of 2024, and to 14 in 2027.

In June 2022, Tasmania committed to raising the age of criminal detention from 10 to 14 years old. Subsequently, in September 2023, the Commission of Inquiry into the Tasmanian Government's Responses to Child Sexual Abuse in Institutional Settings report recommended that the Government work towards increasing the minimum age of detention (including remand) to 16 years by developing alternatives to detention for children aged 14 and 15 years who are found guilty of serious violent offences and who may be a danger to themselves or the community.

### References

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Child Rights International Network (2020) *Minimum ages of criminal responsibility around the world*, London, UK: CRIN, viewed 8 September 2023.

MAG (Meeting of Attorneys-General) (2022) *Council of Attorneys-General communique. Canberra: Age of Criminal Responsibility Working Group*, viewed 8 September 2023.

Royal Commission, Australian Government (2017) *Royal Commission into the Detention and Protection of Children in the Northern Territory*, Canberra: Australian Government, viewed 8 September 2023.

UN Committee on the Rights of the Child (2019) *General comment no. 24 (2019) on children's rights in the child justice system*, New York, USA: United Nations, viewed 8 September 2023.

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## Understanding youth detention in Australia

First Nations people (Aboriginal and Torres Strait Islander people) have a long history of over-representation in the youth and adult justice systems in Australia (House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs 2011; Johnston 1991). It is important to understand how the past shapes the lives of First Nations Australians today: they have a long history of trauma, cultural dispossession, and forced displacement and assimilation, which affects their physical, mental and social wellbeing.

Disconnection from family and kinship systems, from Country, from spirituality and cultural practices, as well as the loss of parenting practices, are sources of trauma that can be passed from caregiver to child. First Nations people's experience of child welfare policies has historically been traumatic, with the policy of forcible removal of children leading to what is now known as the Stolen Generations.

These removal policies have long-term consequences, including enduring social, physical and psychological impacts for those directly involved and their families and communities. The over-representation of First Nations children in juvenile justice systems reflects this history of trauma and the stressors that have affected their parents, families and communities.

Although only about 5.8% of people aged 10-17 in Australia are First Nations, more than half (52%) of the people aged 10-17 in detention on an average day in 2021-22 were First Nations (AIHW 2023).

Note: This proportion differs from the nightly average for the June quarter 2023 as it is restricted to the 10-17 age group and is from an earlier period.

Outcome 11 of the National Agreement on Closing the Gap is that First Nations young people not be over-represented in the criminal justice system. The target under the National Agreement is to reduce the rate of First Nations young people (10-17 years) in detention by 30%, from 31.9 per 10,000 young people on an average day in 2018-19 to 22.3 per 10,000 young people by 2030-31 (Department of the Prime Minister and Cabinet 2020).

First Nations over-representation in youth detention can be expressed as a rate ratio, which compares the rate of First Nations young people with that of non-Indigenous young people (for more details see [Technical notes](#)).

### References

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AIHW (Australian Institute of Health and Welfare) (2023) *Youth justice in Australia 2021-22*, cat. no. JUV 140, AIHW, Canberra.

Department of the Prime Minister and Cabinet (2020) *Closing the Gap report 2020*, Canberra: Department of the Prime Minister and Cabinet, viewed 8 September 2023.

House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs (2011) *Doing time - time for doing: Indigenous youth in the criminal justice system*, Canberra: Australian Government.

Johnston E (1991) *Royal Commission into Aboriginal Deaths in Custody: national reports, volumes 1-5*, Canberra: Australian Government Publishing Service.

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## Understanding youth detention in Australia

Young people might be in detention while they are:

- unsentenced - that is, awaiting their initial court appearance, or awaiting sentencing after being found or pleading guilty
- sentenced - when they have been found guilty in court and have received a legal order to serve a period of detention.

Whether a young person is unsentenced or sentenced is known as their 'legal status'.

Most young people in unsentenced detention have been remanded in custody by a court until their next court appearance. In 2021-22, the vast majority (98%) of young people in unsentenced detention on an average day were on remand (AIHW 2023). The remainder were in police-referred detention, that is, they were detained before their first court appearance (which is possible in most states and territories). However, more than one-third (37%) of those who were in unsentenced detention during 2021-22 experienced police-referred detention at some time during the year (AIHW 2023).

In this report, young people who are both sentenced and unsentenced at the same time (for example, for 2 different matters) are counted as sentenced.

From 2017-18 onwards, Queensland's detention data include sentenced and unsentenced young people in detention centres and other custodial settings. In Queensland, 'other custodial settings' includes young people held in police watch houses under remand and sentenced detention, which is unique compared with other jurisdictions.

### References

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AIHW (Australian Institute of Health and Welfare) (2023) *Youth justice in Australia 2021-22*, cat. no. JUV 140, AIHW, Canberra.

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## Understanding youth detention in Australia

This report looks at the number of young people in detention on an average night in each quarter from the June quarter 2019 to the June quarter 2023. Each quarter covers 3 months of the year and is identified with reference to the last month in the quarter, for example, the March quarter comprises January, February, and March.

The states and territories provided data on the average nightly number of young people in detention each quarter between July 2022 and June 2023. These data supplement the Youth Justice National Minimum Data Set (YJ NMDS). For more information, see [Technical notes](#).

In the Northern Territory, new legislation was implemented to the youth justice system on 15 May 2021 - the *Youth Justice Legislation Amendment Act (YJLAA) 2021* (the Act). The intent of the Act was to target repeat youth offenders to reduce youth crime. The Act resulted in some key changes to processes of the youth justice system. This change in legislation may have affected the number and rate of young people in detention in the Northern Territory.

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## Understanding youth detention in Australia

The number of young people in detention on an average night is relatively small, and the amount of random variation from quarter to quarter is more noticeable when numbers are small. This might affect the appearance and interpretation of trends, and these should be interpreted with caution (particularly where they relate to small populations).

In this report, comparisons are made between the June quarter 2023 and the June quarter 1 year earlier (2022) and 4 years earlier (2019). The same quarters are compared across years to minimise the effect of seasonal variation. However, as data on legal status were not available for the Northern Territory during the June quarter 2023, sections of this report use the March quarter 2023 for comparison when referring to sentenced and unsentenced groups.

Previous analyses have indicated that there appears to be some seasonal variation in the numbers of young people in sentenced and unsentenced detention each year (AIHW 2023), which is yet to be fully investigated or explained.

This report aimed to summarise key trends over the 1-year and 4-year periods.

For more data, including counts of young people who enter the youth justice system throughout the year, and trends over 10 years to 2021-22, see [Youth justice in Australia 2021-22](#).

### Impact of COVID-19 on youth detention data

Measures put in place as part of government responses to COVID-19 during 2020 and 2021 (including travel bans/ restrictions, lockdowns limiting non-urgent face-to-face work, remote learning for students and quarantine requirements) may have affected youth detention processes during 2019-20 to 2021-22. The long-term impact of COVID-19 on youth detention processes is still unknown. No specific impacts on the annual data are highlighted in this report, but effects may become apparent in future years.

### References

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AIHW (Australian Institute of Health and Welfare) (2023) [Youth justice in Australia 2021-22](#), cat. no. JUV 140, AIHW, Canberra.

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## Technical notes

### Youth detention data sources

This report was compiled using 2 data sources. States and territories provided data on the average nightly population per quarter between July 2022 and June 2023. These data were used to supplement the 2021-22 YJ NMDS, which contains data up to and including 30 June 2022 for all states and territories.

This report is not comparable with previous editions of *Youth detention population in Australia*. Previous editions contained differences in data formats, specifications, definitions and/or quality across jurisdictions. Comparisons between YJ NMDS and youth detention population data should be made with caution.

A data quality statement is available at [Youth Justice NMDS 2021-22: Quality statement](#).

### Youth detention reports

In addition to this report, the Australian Institute of Health and Welfare (AIHW) publishes the annual *Youth justice in Australia* report series, which provides comprehensive information on young people under youth justice supervision.

The presentation of data in this report is slightly different from the presentation in *Youth justice in Australia*:

- This report presents the average nightly population for each quarter, while *Youth justice in Australia* presents the average daily population for each year. These data are reported differently because unit record data are not available for all reporting years for the youth detention population in Australia.
- Young people who are concurrently unsentenced and sentenced are classified as sentenced in this report, but are counted separately as both unsentenced and sentenced in *Youth justice in Australia* (although they are only counted once in the total detention population in both publications).

### Methods

This section provides key information about the methods used in this report.

#### Age

In this report, numbers of young people in detention include all age groups unless otherwise specified. Population rates include young people aged 10-17 only (see 'Rates' in this section).

The age on an average night each quarter is calculated based on the age a young person is each night that they are in detention. If a young person changes age during a period of detention, then the average nightly number in detention will reflect this.

For example, where a young person turns 18 during a period of detention, any nights spent in detention (sentenced or unsentenced) aged 18 will be counted only in quarterly average nightly population for the 18+ age group. Similarly, nights spent in detention before a young person has turned 18 will be counted only in the 10-17 age group.

Average nightly data broken down by age are not comparable to *Youth detention population in Australia* releases prior to 2020.

#### Average nightly population

The average nightly population is calculated by adding the duration (in nights) of each period of detention that falls within the quarter, and dividing the summed duration by the number of nights in the quarter.

#### Indigenous status

Information on Indigenous status has been collected since the implementation of the YJ NMDS. The AIHW uses 'First Nations people' to refer to Aboriginal and Torres Strait Islander people in this report.

Nationally, the proportion of young people with 'not stated' Indigenous status was between <0.2% and 1.0% each quarter between the June quarter 2019 and the June quarter 2023. This proportion was low (2.3% or less each quarter) in all states and territories.

Changes in the collection and recording of Indigenous status can affect rates of First Nations identification over time.

There are some differences in the ways states and territories collect information about Indigenous status. Not all jurisdictions use the national standard question and standard codes for recording Indigenous status, as recommended by the Australian Bureau of Statistics. Some jurisdictions have taken steps to improve their data collection forms and information systems in recent years to address this issue.

#### Legal status

Young people who are both sentenced and unsentenced at the same time (that is, serving multiple or concurrent supervision orders) are classified as 'sentenced' in this report.

## Rates

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Population rates enable different groups to be compared, while taking into account different population sizes. Because there are differences between the states and territories in the extent to which young people aged 18 or over can be detained in youth justice facilities, rates are restricted to those aged 10-13, 14-17 and 10-17. Crude rates are presented in this report.

The number of young people in detention on an average night during a quarter is rounded to the nearest person in text. The rate is calculated using the number on an average day before rounding.

In the text of this report, rates are presented to one decimal place for rates less than 10, and to the nearest whole number for rates 10 and over. Rates are presented to 3 decimal places in the supplementary tables. As a result, rates calculated by using the average nightly population rounded to whole numbers might differ slightly from the rates presented in this report.

Due to a lack of statistical reliability, rates are not calculated where there are fewer than 5 young people in the numerator. In some instances, the number of young people might be presented as 5, but the rate might not be calculated due to rounding (for example, if there are 4.7 young people in detention on an average night, this will appear as 5 in the table, but the rate will not be calculated). But these young people contribute to overall state and national rates. The calculation of rates for young First Nations and non-Indigenous Australians excludes young people with unknown Indigenous status.

Population data used in the calculation of rates are provided in the supplementary tables S55a, S55b and S55c.

## Rate ratios

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Rates for different groups can be compared using a rate ratio, which is the ratio of 2 rates.

In this report, rate ratios are used to compare First Nations and non-Indigenous rates, and to provide a measure of the level of First Nations over-representation. Rate ratios are calculated by dividing the First Nations rate by the non-Indigenous rate.

Rate ratios should be interpreted with caution where there are small denominators, rare events, and rates that converge while declining.

Due to a lack of statistical reliability, rate ratios in this report are not calculated where one or both of the rates have fewer than 5 young people in the numerator. However, these young people contribute to overall state and national rate ratios.

## Rounding

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The average nightly population is rounded to whole numbers using numbers presented in the supplementary tables at 3 decimal places, so components might not sum to the totals.

Rate ratios were calculated using rates rounded to 3 decimal places. Proportions were calculated using average nightly numbers rounded to 3 decimal places. Numbers and rates displayed in figures are rounded, as presented in the supplementary tables.

## Technical notes

Table: Abbreviations

Term	In full
ACT	Australian Capital Territory
AIHW	Australian Institute of Health and Welfare
NSW	New South Wales
NT	Northern Territory
Qld	Queensland
SA	South Australia
Tas	Tasmania
Vic	Victoria
WA	Western Australia
YJ NMDS	Youth Justice National Minimum Data Set

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## Technical notes

Table: Symbols

Term/symbol	Description
—	nil or rounded to zero
n.p.	not publishable because of small numbers, confidentiality or other concerns about the quality of the data
n.a.	not available

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## Notes

### Data quality statement

[Youth Justice NMDS 2021-22: Quality Statement](#)

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# Data

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## Report editions

### This release

Youth detention population in Australia 2023 | 13 Dec 2023

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### Previous releases

- Youth detention population in Australia 2022 | **Web report** | 13 Dec 2022
  - Youth detention population in Australia 2021 | **Publication** | 14 Dec 2021
  - Youth detention population in Australia 2020 | **Publication** | 26 Feb 2021
  - Youth detention population in Australia 2019 | **Publication** | 28 Feb 2020
  - Youth detention population in Australia 2018 | **Publication** | 19 Dec 2018
  - Youth detention population in Australia 2017 | **Publication** | 05 Dec 2017
  - Youth detention population in Australia 2016 | **Publication** | 13 Dec 2016
  - Youth detention population in Australia 2015 | **Publication** | 04 Dec 2015
  - Youth detention population in Australia 2014 | **Publication** | 28 Nov 2014
  - Youth detention population in Australia 2013 | **Publication** | 10 Dec 2013
  - Juvenile detention population in Australia 2012 | **Publication** | 20 Dec 2012
  - Juvenile detention population in Australia 2011 | **Publication** | 09 Feb 2012
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## Formats

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Another format | If you need this publication in an alternative format, please contact us.

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## Related material

### Additional material

- [\*Youth justice in Australia 2021-22\*](#)
  - [\*Young people returning to sentenced youth justice supervision 2021-22\*](#)
  - [\*Young people under youth justice supervision and their interaction with the child protection system 2020-21\*](#)
  - [\*National data on the health of justice-involved young people: a feasibility study 2016-17\*](#)
- 

