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# Young people in child protection and under youth justice supervision

1 July 2014 to 30 June 2018

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# Young people in child protection and under youth justice supervision

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# Summary

Research shows that children and young people who have been abused or neglected are at greater risk of engaging in criminal activity and of entering the youth justice system. A better understanding of the characteristics and pathways of children and young people who are both in the child protection system and under youth justice supervision can help support staff, case workers, and policy makers to get the best outcomes for these children and young people.

Using data from the linked child protection and youth justice supervision data collections, this report presents information on young people who had received child protection services, and had also been under youth justice supervision at some time between 1 July 2014 and 30 June 2018.

Data in this report relate only to young people who were aged 10–14 at the start of the measurement period (1 July 2014), as these young people remained within the 10–17 age group for the entire 4-year measurement period. This is to ensure that individuals in the study cohort are eligible for both child protection services and youth justice supervision throughout the measurement period.

Results are based on the 7 jurisdictions with data in both child protection and youth justice national minimum data sets—a total of 58,193 young people (54,116 from child protection and 8,112 from youth justice data sets).

## **Of those who had received both child protection services and youth justice supervision, most had child protection first**

Of the 4,035 young people who had received both child protection services and youth justice supervision between 1 July 2014 and 30 June 2018, most (81%) had received child protection services as their first contact during the measurement period.

## **Young people who had received child protection services were 9 times as likely as the general population to have also been under youth justice supervision**

Between 1 July 2014 and 30 June 2018, 7.5% of those who received child protection services (4,035 young people) had also been under youth justice supervision at some point during the same 4-year period. This is 9 times the rate of the general population aged 10–17 (0.8%).

The level of youth justice supervision was 13% for those in out of home care; 13% for those under care and protection orders; and 7.2% for those who had been the subject of an investigated notification of child abuse and neglect.

### **Around half of those under youth justice supervision had also received child protection services**

Between 1 July 2014 and 30 June 2018, 50% of those under youth justice supervision (4,035 young people) had also received child protection services during the period.

More than half of young people in detention (55%) and half of those in community-based supervision (50%) received child protection services. This equates to young people in detention being 10 times as likely and young people in community-based supervision being 9 times as likely as the general population to have received youth justice services.

As this is the overlap for a 4-year period among young people aged 10–17, the actual level of interaction between these 2 sectors over time is likely to be higher.

The younger people were at first supervision, the more likely they were to also have received child protection services during the period (62% of those aged 10 at first supervision, compared with 27% of those aged 17).

### **Females under youth justice supervision were more likely than males to also receive child protection services**

Between 1 July 2014 and 30 June 2018, two-thirds (65%) of the females under youth justice supervision had child protection services at some time during the same period, compared with more than 2 in 5 (45%) males. This means that young females under youth justice supervision were 1.4 times as likely to have had child protection services as males.

Young Indigenous and non-Indigenous females in detention were even more likely to have received child protection services (72% and 70%, respectively).

### **Young Indigenous Australians were more likely than their non-Indigenous counterparts to have received both child protection services and youth justice supervision**

Between 1 July 2014 and 30 June 2018, 16% of Indigenous young people who received child protection services (2,031 young people) had also been under youth justice supervision. Of those under youth justice supervision, 54% had also received child protection services during the same period.

Young Indigenous Australians were 17 times as likely as their non-Indigenous counterparts to have been in both the child protection system and under youth justice supervision.





# 1 Introduction

In 2017–18, around 105,000 children and young people aged 0–17 had a notification of abuse or neglect investigated by a department responsible for child protection (AIHW 2019a) and around 9,200 young people aged 10–17 were supervised by a department responsible for youth justice, either in the community or in a youth detention centre (AIHW 2019b). Some young people are involved in both the child protection system and youth justice supervision (AIHW 2018).

Research shows that children and young people who have been abused or neglected are at greater risk of engaging in criminal activity and entering the youth justice system. For example, one study found that being maltreated as a child roughly doubles the probability of committing a crime (Currie & Tekin 2006). While the majority of children who are abused and neglected do not go on to offend, a large proportion of children who offend have had a history of abuse or neglect (Cashmore 2011). This is particularly the case for young people in detention. A survey of young people in detention in New South Wales found that 64% of young women and 68% of young men had been abused or neglected, while 46% and 27%, respectively, had suffered severe abuse or neglect (JH&FMHN & JJNSW 2017). Other research has found that those who have experienced a greater number of substantiations of reported abuse or neglect; of ongoing abuse from childhood through to adolescence; and of placement into out-of-home care, are more likely to receive a conviction (Malvaso et al. 2017).

Procedures used within the child protection and youth justice systems can also make involvement with both systems more likely. For example, contact with youth justice agencies might lead to a child protection notification being made if abuse or neglect is suspected by, or reported to, child protection agency staff (AIFS 2016).

This highlights the importance of better understanding the characteristics and pathways of children and young people who are both in the child protection system and under youth justice supervision. This information can assist support staff, case workers and policymakers to get the best outcomes for children and young people.

Previous work by the Australian Institute of Health and Welfare (AIHW) found that linking child protection and youth justice supervision data was both feasible and beneficial (AIHW 2012). With the introduction in 2012–13 of a national unit record data collection on children and young people in the child protection system—the Child Protection National Minimum Data Set (CP NMDS)—it is possible to link child protection system data to the existing data on youth justice supervision. This linkage, in turn, enables reporting on the relationships between child protection and youth justice supervision on an annual basis (AIHW 2015). The first of these annual reports was released in 2016, based on 2013–14 data (AIHW 2016a). This report, the fifth in the series, is based on 4 years of data from 1 July 2014 to 30 June 2018.

This report presents information on a total of 58,193 young people who had been involved in the child protection system and/or under youth justice supervision at some time between 1 July 2014 and 30 June 2018 in Victoria, Queensland, Western Australia, South Australia, Tasmania, the Australian Capital Territory or the Northern Territory, and who were aged 10–14 at the start of the study period. Of this group, 6.9% (or 4,035) experienced both child protection services and youth justice supervision at some time during the measurement period (not necessarily at the same time). This is a subset of the total number of children and young people in these jurisdictions who were involved in both the child protection system and under youth justice supervision at any point during childhood and adolescence. This is because some children were in child protection in the years before or after youth justice supervision, but not during the same 4-year period from July 2014 to June 2018.

As more data become available in future years, it will be possible to better analyse the links and pathways between child protection and youth justice supervision over a number of years. Detailed information on the method used for this report can be found in *Developing a linked data collection to report on the relationships between child protection and youth justice supervision* (AIHW 2015).

## 1.1 What is child protection?

In Australia, state and territory departments responsible for child protection assist vulnerable children and young people who have been, or are at risk of being, abused, neglected or otherwise harmed, or whose parents are unable to provide adequate care or protection (AIHW 2019a).

There are 3 main components of the child protection system:

- The assessment and investigation of **notifications** of possible abuse, neglect or other harm: these notifications are screened by child protection departments; if necessary, the report is investigated. If the investigation finds that the child is being or is likely to be abused, neglected or otherwise harmed, the notification is recorded as **substantiated**.
- **Care and protection orders**, which are legal orders or arrangements that give child protection departments some responsibility for a child's welfare.
- The placement of children in **out-of-home care**, which is overnight care for which the department has made, or offered, a financial payment to the carer. This option is taken up when parents cannot give adequate care; when children need a more protective environment; or when other accommodation is needed during family conflict. Consistent with the principle of keeping children with their families, out of home care is considered an intervention of last resort.

It is possible for children and young people to be involved in each of these 3 components at the same time. For more information on child protection policies and practices in the states and territories, see *Child protection Australia 2017–18* (AIHW 2019a).

## 1.2 What is youth justice supervision?

Youth justice supervision is a component of the youth justice system. In Australia, the states and territories are responsible for dealing with young people who have committed, or who are alleged to have committed, criminal offences. Young people enter the system when they are investigated by police for allegedly committing an offence and (depending on the outcome of the investigation) charges may be laid. If the young person is found guilty, they will then be sentenced by a court (AIHW 2019b).

Young people may be supervised by a youth justice department at any stage of their pathway through the youth justice system. There are 2 main types of supervision:

- **community-based supervision**, for young people who reside in the community while they are supervised by the youth justice department. Young people may be unsentenced (before a court hearing or while awaiting the outcome of a trial or sentencing) or may have been sentenced to a period of community-based supervision by a court. Community-based supervision also includes young people who have been released from sentenced detention on parole or supervised release
- **detention**, for young people who are detained in a youth justice centre or detention facility. As with those under community-based supervision, these young people may be unsentenced or may have been sentenced to a period of detention by a court.

Young people may be under multiple types of youth justice supervision within the same year, or at the same time, where supervision orders relate to different charges.

Young people who are in the youth justice system may also be **unsupervised** in the community (for example, on unsupervised bail). Information on these unsupervised community-based orders is not available from the data collection on youth justice supervision and is not included in this report.

The youth justice system now applies to children and young people aged 10–17 at the time of the offence in all states and territories. In Queensland, it previously applied to those aged 10–16. In February 2018, new legislation was enacted to include 17 year olds in the youth justice system, and since then, the Queensland government has been transferring those young people out of adult prisons. In Victoria, some young people aged 18–20 may be sentenced to detention in a youth facility under the state's 'dual track' sentencing system, which is intended to prevent young people from entering the adult prison system at an early age. Children aged under 10 cannot be charged with a criminal offence in any state or territory.

For more information on youth justice supervision in Australia, see *Youth justice in Australia 2017–18* (AIHW 2019b).

## 1.3 Data

### Child protection data

Child protection data in this report are from the Child Protection National Minimum Data Set (CP NMDS). This administrative and longitudinal person-based data set contains information on the demographics of children and young people who receive child protection services; details of the notifications received by child protection departments; and the care and protection orders and out-of-home care placements relating to these children and young people in a financial year.

It contains data for all states and territories except New South Wales. For information on data quality, see the CP NMDS 2017–18 data quality statement at <http://meteor.aihw.gov.au/content/index.phtml/itemId/711622>.

The scope of child protection data in this report is restricted to investigated notifications, care and protection orders and out-of-home care. Excluded are notifications that were not investigated; care and protection orders that were 'other' or 'not stated'; and living arrangements that do not constitute out-of-home care.

As the legislative and policy frameworks for assessing child protection notifications vary widely between states and territories, the number of notifications and the proportion of these that are investigated are not comparable between states and territories.

## **Youth justice supervision data**

Youth justice supervision data in this report are from the Juvenile Justice National Minimum Data Set (JJ NMDS). This longitudinal person-based data set contains information on the demographics of young people who are supervised by youth justice departments, by financial year, and the details of their unsentenced and sentenced supervision, both in the community and in youth justice detention centres. It contains administrative data for all states and territories. For information on data quality, see the JJ NMDS data quality statement at <http://meteor.aihw.gov.au/content/index.phtml/itemId/715286>.

In this report, 'youth justice supervision' refers only to supervised community-based orders and detention orders (both unsentenced and sentenced). It does not include unsupervised orders such as unsupervised bail, or diversionary activities that are not supervised orders.

## **Data available for selected jurisdictions**

The data in this report relate to all jurisdictions except for New South Wales, as this jurisdiction does not provide data to the CP NMDS. For comparative purposes, the rates of child protection and youth justice supervision for the general population mentioned in this report are restricted to the remaining 7 jurisdictions. It is expected that data for New South Wales will be available in future years. (See Chapter 5 for more information).

## **Age is restricted**

Data in this report relate only to young people who were aged 10–14 at the start of the measurement period (1 July 2014), as these young people remained within the 10–17 age group for the entire 4-year measurement period. This is to ensure that individuals in the study cohort are eligible for both child protection services and youth justice supervision throughout the measurement period.

The reason being eligible for both services throughout the 4-year measurement period is important is because the report is measuring the overlap of child protection and youth justice services over a 4-year timespan. If the study were to include young people at the start of the measurement period who were not eligible for services by the end, it would no longer be measuring the interaction between the two services. This is because a portion of the young people in the cohort would not appear in the data because they are too old to receive services. For example, if young people aged 16 at the start of the period were included in the study, they would have only been eligible for both services for half of the measurement period. This would mean they would not appear in the data for the second half of the measurement period due to their age and eligibility, not because of a reduced interaction between the services.

Children aged under 10 are also excluded from this report, even if they were in the child protection system, as children aged under 10 cannot be under youth justice supervision. As years of data accumulate, it will be possible to explore the involvement of children and young people in both sectors over a number of years. (See Chapter 5 for more information.)

## 1.4 Report structure

There are 5 chapters in this report:

- Chapter 1 introduces the report, provides an overview of child protection and youth justice supervision and describes the data.
- Chapter 2 reports the demographic characteristics of young people involved in both child protection and youth justice supervision, including state and territory disaggregations and type of service first experienced by a young person.
- Chapter 3 examines the demographic characteristics of young people involved in both child protection and youth justice supervision, from the perspective of the child protection system, by reporting on the proportion of young people in the child protection system who are also under youth justice supervision.
- Chapter 4 examines the demographic characteristics of young people involved in both child protection and youth justice supervision, from the perspective of youth justice supervision, by reporting on the proportion of young people under youth justice supervision who are also in the child protection system.
- Chapter 5 summarises the limitations of the current report and outlines ways in which future reporting can be expanded and enhanced.

Supplementary tables referred to in this report (tables with a prefix of S) are available to download from <https://www.aihw.gov.au/reports-statistics/health-welfare-services/youth-justice/overview>.

## 1.5 Notes

Percentages are rounded to 1 decimal place in text.

Rate ratios are calculated from unrounded percentages, as presented in the supplementary tables.

Figures (charts) present unrounded percentages.

## 2 Young people in child protection and under youth justice supervision

This chapter provides information on the number of young people who received a child protection service (such as an investigated notification, a care and protection order or out-of-home care), and were under any type of youth justice supervision (community-based supervision or detention) at some time between 1 July 2014 and 30 June 2018. As noted in Chapter 1, the data in this report relate to all states and territories except for New South Wales, and the study cohort is restricted to young people aged 10–14 at 1 July 2014 so that only those who were aged 10–17 between 1 July 2014 and 30 June 2018 are included.

### Key findings

Being under youth justice supervision was relatively uncommon among those who had received child protection services, but it was fairly common for those who had been under youth justice supervision to have received child protection services:

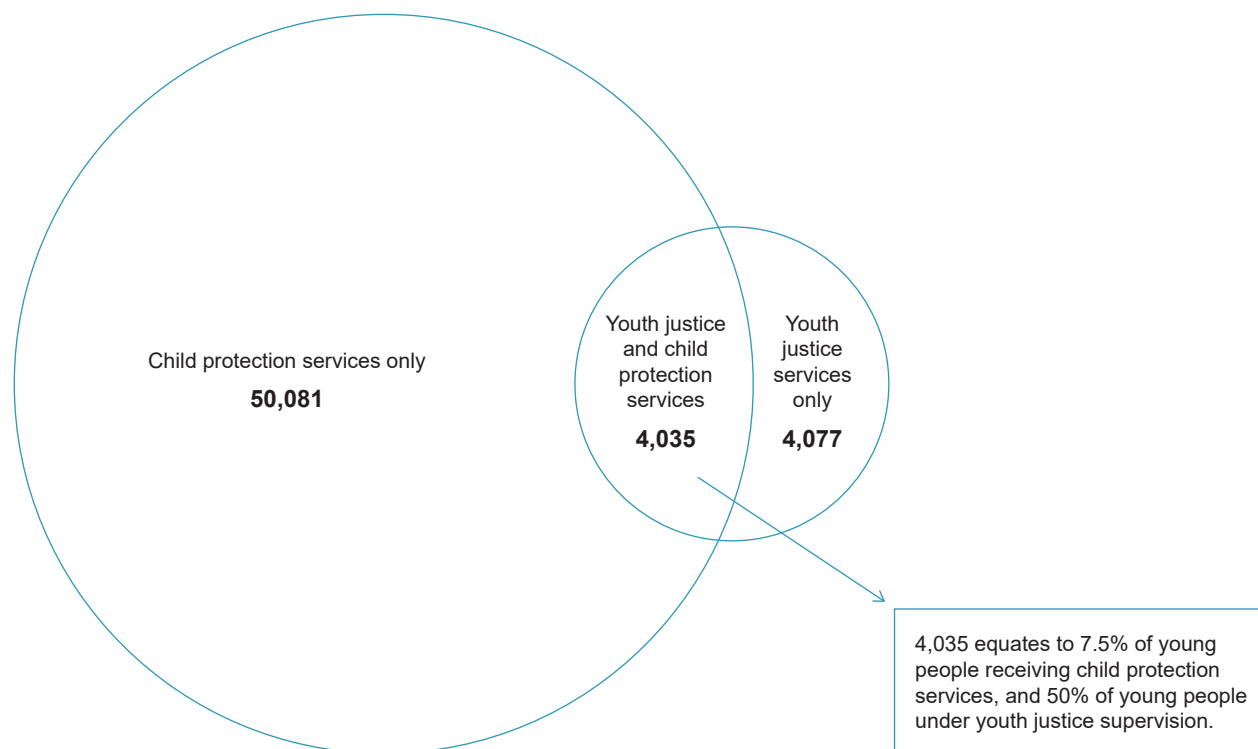
- 7.5% of those who received child protection services had also come under some type of youth justice supervision during the 4-year period from 1 July 2014 to 30 June 2018.
- 50% of those who were under youth justice supervision had also received child protection services at some time during the 4-year period.
- 81% of those who received both types of services during the 4-year period from 1 July 2014 to 30 June 2018 had received a child protection service before entering youth justice supervision, and the remainder (19%) had entered youth justice supervision before receiving a child protection service.

The level of overlap in the use of both youth justice supervision and child protection services between 1 July 2014 and 30 June 2018 varied among the states and territories.

### 2.1 Overlap between child protection and youth justice supervision

Between 1 July 2014 and 30 June 2018, 58,193 young people aged 10–17 received child protection services, were under youth justice supervision or both at some point during the 4-year period. Of these, 6.9% (4,035) received child protection services and also came under youth justice supervision (Figure 2.1).

**Figure 2.1: Young people who had received child protection services, had been under youth justice supervision, or both, 1 July 2014–30 June 2018**



*Notes*

1. Data exclude New South Wales.
2. These data include only those young people who were aged 10–14 at 1 July 2014. This is to ensure that young people in the study were aged between 10 and 17 and therefore eligible for both services for the entire measurement period.

Source: Table S1.

Of the 54,116 young people who received child protection services during the 4-year period, 1 in 13 (7.5%) also had some type of youth justice supervision in that time. However, of the 8,112 young people under youth justice supervision, half (50%) had received child protection services (Figure 2.1).

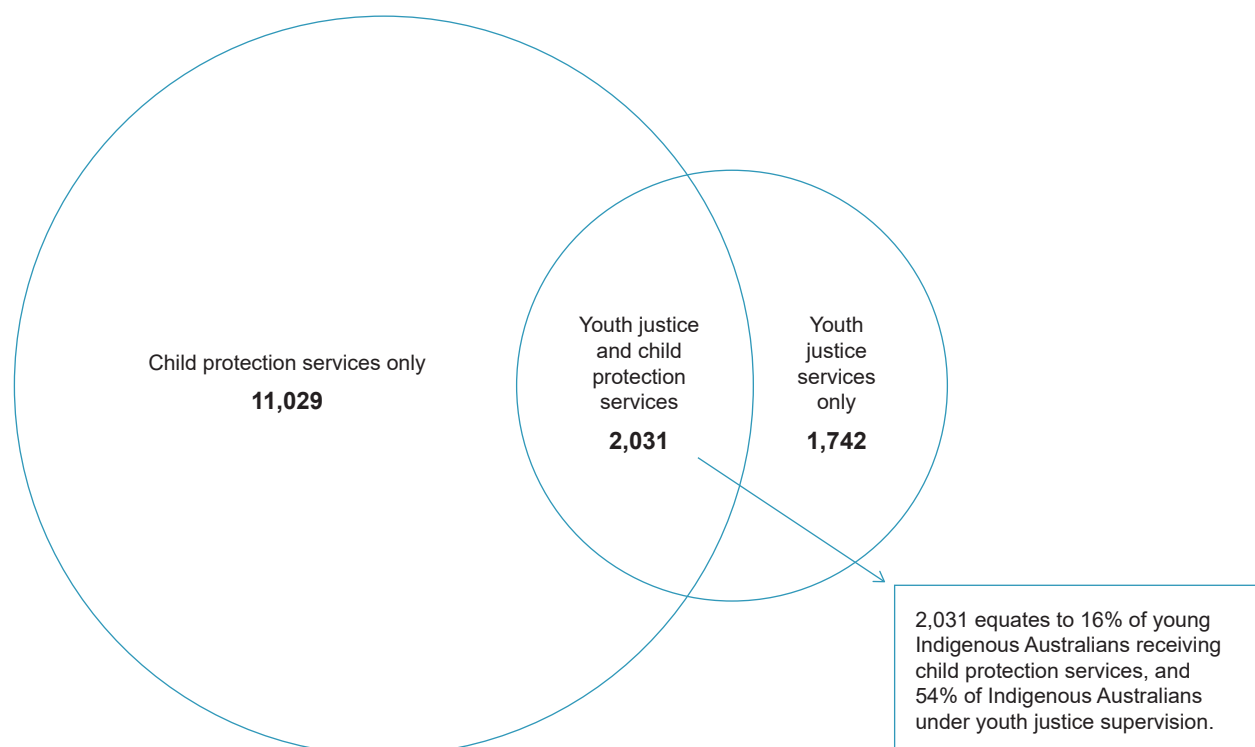
This suggests that being under youth justice supervision was relatively uncommon among those receiving child protection services but it was fairly common for those who were under youth justice supervision to have received child protection services. However, when compared to the general population of the same age, both of these groups were far more likely to be involved in both services (9 times and 10 times as likely, respectively). (See key findings pages 13 and 17).

Indigenous Australians aged 10–17 were more likely than their non-Indigenous counterparts to receive child protection services, or to be under youth justice supervision during the measurement period. Just under 3 in 10 (27%) young Indigenous Australians had contact with either child protection or youth justice supervision, compared with 4.5% of non-Indigenous young people (Table S1). This means that Indigenous Australians were 6 times as likely as their non-Indigenous counterparts to have received child protection services or been under youth justice supervision.

Of the 14,802 young Indigenous Australians who received child protection services or were under youth justice supervision between 1 July 2014 and 30 June 2018, 14% (2,031) had contact with both systems—compared with 4.9% of the 41,024 non-Indigenous young people (Figure 2.2; Table S1).



**Figure 2.2: Indigenous young people who had received child protection services, had been under youth justice supervision, or both, 1 July 2014–30 June 2018**



*Notes*

1. Data exclude New South Wales.
2. These data include only those young people who were aged 10–14 at 1 July 2014. This is to ensure that young people in the study were aged between 10 and 17 and therefore eligible for both services for the entire measurement period.

Source: Table S1.

Of the 13,060 Indigenous young people receiving child protection services at some time between 1 July 2014 and 30 June 2018, 1 in 6 (16%) also had some type of youth justice supervision at some point during the same 4-year period. However, of the 3,773 Indigenous young people under youth justice supervision, over half (54%) had also received child protection services during the same 4-year period (Figure 2.2).

As these data relate to a subset of children over a 4-year period only, the actual involvement in both sectors over time may be higher. A full analysis of the complete overlap between these sectors would be possible if all child protection system and youth justice supervision data over a larger number of years were considered. This could be achieved once a sufficient number of years of longitudinal child protection data are available (see ‘Chapter 5 Future reporting’).

## 2.2 Type of first contact

Of the 4,035 young people involved with both youth justice supervision and child protection between 1 July 2014 and 30 June 2018, 81% (3,272) had received a child protection service before entering youth justice supervision and almost 1 in 5 (19%) had entered youth justice supervision before receiving a child protection service (Table S2). As a young person’s child protection history prior to the age of 10 was not captured in this analysis, the number of young people who experienced child protection first may be higher than reported here. Rates of child protection services are higher among those who are younger (10–14 years) and the rate of youth justice supervision is higher among those who are older (15–17 years) (AIHW 2019a, 2019b).

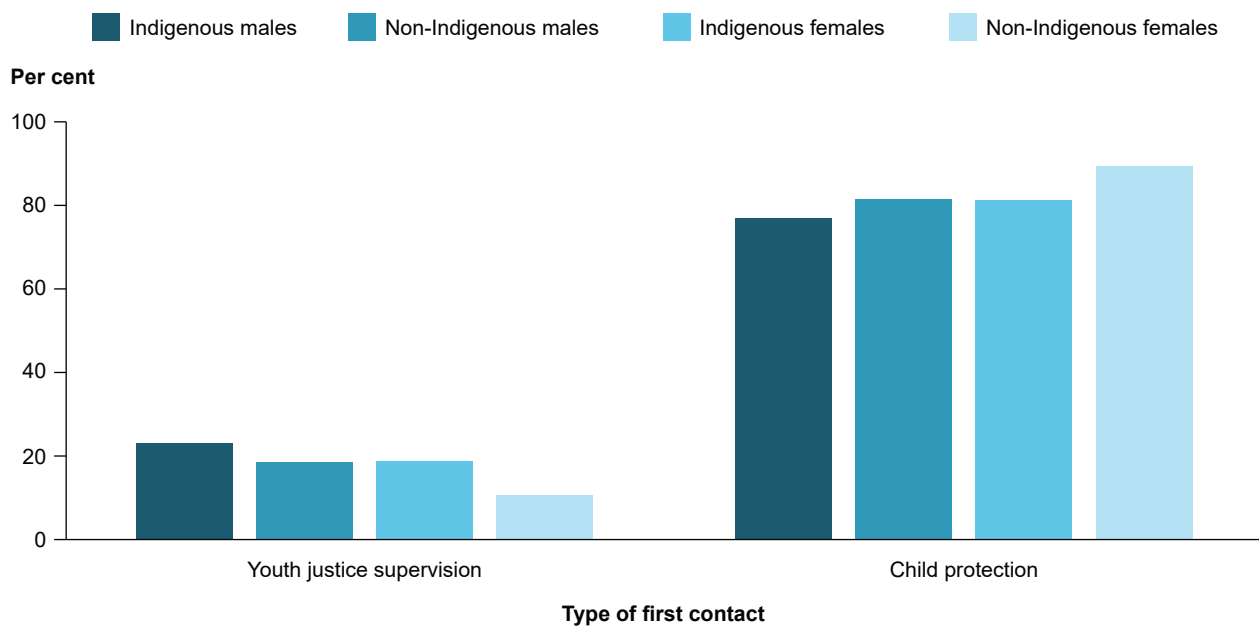


Receiving child protection services before youth justice supervision was slightly more likely among non-Indigenous young people (Figure 2.3).

Of those in the study cohort:

- 22% of Indigenous young people were under youth justice supervision first, compared with 16% of non-Indigenous young people
- 85% of young females received a child protection service first, compared with 79% of young males (Table S2).

**Figure 2.3: Young people who had been under youth justice supervision and who had also received child protection services, by type of first contact, by Indigenous status, by sex, 1 July 2014–30 June 2018**



*Notes*

1. Data exclude New South Wales.
2. These data include only those young people who were aged 10–14 at 1 July 2014. This is to ensure that young people in the study were aged between 10 and 17 and therefore eligible for both services for the entire measurement period.

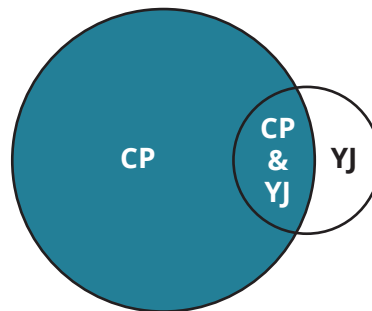
Source: Table S2.

## 2.3 Overlap by state and territory

The level of overlap between youth justice supervision and child protection between 1 July 2014 and 30 June 2018 varied among the states and territories (figures 2.4 and 2.5). This may be due to variation in demographics, as well as in the procedures, policies, and practices in each state and territory relating to both youth justice and child protection.

## Young people in the child protection system who had youth justice supervision

This section presents the overlap between child protection and youth justice supervision, relative to the child protection population, by jurisdiction.



Young people who received a child protection service in the Australian Capital Territory were the most likely to have been supervised by a youth justice agency at some point during the same 4-year period (11%) (Figure 2.4). This is 11 times the rate of youth justice supervision for the age-equivalent population in the Australian Capital Territory over the same 4-year period (1.0%) (tables S3 and S15). Being under youth justice supervision was least likely among young people who received a child protection service in Victoria (4.8%), however this rate of youth justice supervision is 10 times the rate for the age-equivalent Victorian population (0.5%) (tables S3 and S15). This shows that, regardless of the number of young people who received a child protection service in each jurisdiction, those who did were more likely to also have youth justice supervision.

Of those who received child protection services in each state and territory:

- young Indigenous Australians were more likely than their non-Indigenous counterparts to have also been under youth justice supervision
- males were more likely than females to have been under youth justice supervision (Table S3).

**Figure 2.4: Young people who had received child protection services and who had also been under youth justice supervision, by Indigenous status, by state and territory, 1 July 2014–30 June 2018**



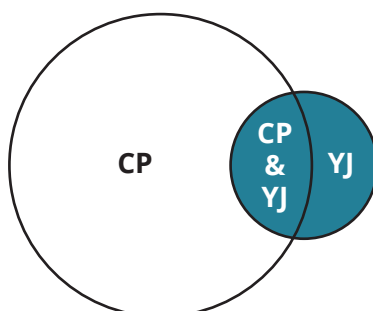
**Notes**

1. Variability in the level of overlap for child protection and youth justice among the states and territories may be due to variation in legislation, procedures, policies and practices in each state and territory, relating both to youth justice and to child protection.
2. These data include only those young people who were aged 10–14 at 1 July 2014. This is to ensure that young people in the study were aged between 10 and 17 and therefore eligible for both services for the entire measurement period.

Source: Table S3.

## Young people under youth justice supervision who had child protection

This section presents the overlap between child protection and youth justice supervision relative to the youth justice population, by jurisdiction.



Young people under youth justice supervision in the Northern Territory were the most likely to have also received a child protection service during the same 4-year period at 68%, followed by Victoria (63%). Young people under youth justice supervision in South Australia were the least likely to have received a child protection service during the same 4-year period (37%). Young people under youth justice supervision in the remaining states and territory ranged between 39% and 53% (tables S4 and S15). These high proportions show the strong likelihood for young people who have been involved in youth justice to have also been involved in child protection across all jurisdictions in Australia.

Of those under youth justice supervision in each state and territory:

- young Indigenous Australians were more likely than their non-Indigenous counterparts to have received child protection services
- females were more likely than males to have received a child protection service (Table S4).

**Figure 2.5: Young people who had been under youth justice supervision and who had also received child protection services, by Indigenous status, by state and territory, 1 July 2014–30 June 2018**



**Notes**

1. Variability in the level of overlap for child protection and youth justice among the states and territories may be due to variation in legislation, procedures, policies and practices in each state and territory, relating both to youth justice and to child protection.
2. These data include only those young people who were aged 10–14 at 1 July 2014. This is to ensure that young people in the study were aged between 10 and 17 and therefore eligible for both services for the entire measurement period.

Source: Table S4.

Differences among the states and territories in rates of, and overlaps between, child protection service use and youth justice supervision could be due to differences in policies, programs and practices, or to differences in need among the various populations. However, the rate ratios show that, regardless of the size of the child protection and youth justice populations within each state, once a young person has had contact with one of these services, they are more likely to have contact with the other. This might be because contact with one system may prompt contact with the other, because the needs of these populations are closely related, or both.

## 3 Young people who received a child protection service

This chapter explores the demographic characteristics of young people involved in both child protection and youth justice supervision from the perspective of those within the child protection system. As noted in Chapter 1, the data in this chapter exclude New South Wales. The study cohort is restricted to young people aged 10–14 at 1 July 2014, so that only those who were aged 10–17 from 1 July 2014 to 30 June 2018 are included.

### Key findings

Young people who received child protection services at some time during the period from 1 July 2014 to 30 June 2018 were 9 times as likely as the general population to be under youth justice supervision at some time during this period.

Compared with 0.8% of the general population of the same age who had been under youth justice supervision:

- 7.2% of those who were the subject of an investigated notification had been under youth justice supervision at some time during the period
- 13% of those who were the subject of a care and protection order had been under youth justice supervision at some time during the period
- 13% of those in out-of-home care had been under youth justice supervision at some time during the period.

### 3.1 Overlap with youth justice

Between 1 July 2014 and 30 June 2018, 54,116 young people received child protection services, and 7.5% of those also had some type of youth justice supervision during this period—9 times the rate of youth justice supervision for the general population (tables S1 and S15).

In the same period, young Indigenous Australians aged 10–17 were almost 6 times as likely as their non-Indigenous counterparts to be involved in the child protection system (Table S1). Young Indigenous Australians who had received child protection services were about 3 times as likely as their non-Indigenous counterparts to have also been under youth justice supervision (Table S5). Overall, Indigenous Australians aged 10–17 were 17 times as likely as their non-Indigenous counterparts to have received both child protection services and youth justice supervision during the 4-year period (Table S1).

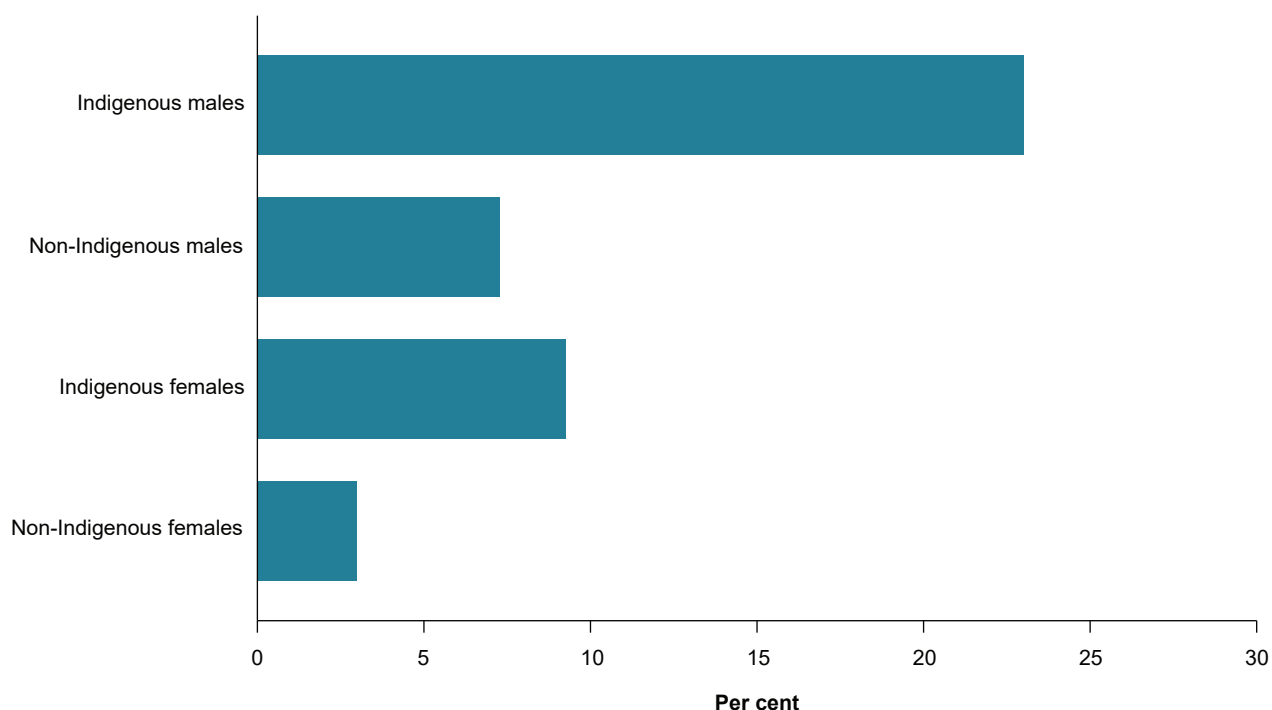
Males who received child protection services were more than twice as likely as females to have also had youth justice supervision at some time during the 4-year period (11% compared with 4.5%) (Table S5).

## 3.2 Investigated notifications

Of the 47,548 young people in the study cohort who had been the subject of an investigated notification between 1 July 2014 and 30 June 2018, 7.2% had also been placed under youth justice supervision at some time in the same 4-year period—9 times the rate of youth justice supervision for the general population (tables S6 and S15).

Youth justice supervision was most likely for Indigenous young people: 23% of Indigenous males and 9.3% of Indigenous females who had been the subject of an investigated notification had also been under youth justice supervision at some time during the 4-year period, compared with 7.3% of non-Indigenous males, and 3.0% of non-Indigenous females (Figure 3.1).

**Figure 3.1: Young people who had been the subject of an investigated notification and who had also been under youth justice supervision, by Indigenous status, by sex, 1 July 2014–30 June 2018**



*Notes*

1. Data exclude New South Wales.

2. These data include only those young people who were aged 10–14 at 1 July 2014. This is to ensure that young people in the study were aged between 10 and 17 and therefore eligible for both services for the entire measurement period.

Source: Table S6.

Further analysis showed differences between young people who had at least 1 notification substantiated through the period, and those whose investigated notifications were not substantiated. Of those who had received a substantiated notification, 8.5% were also placed under youth justice supervision at some time during the 4-year period, compared with 6.1% of those whose investigated notifications were not substantiated (Table S6).

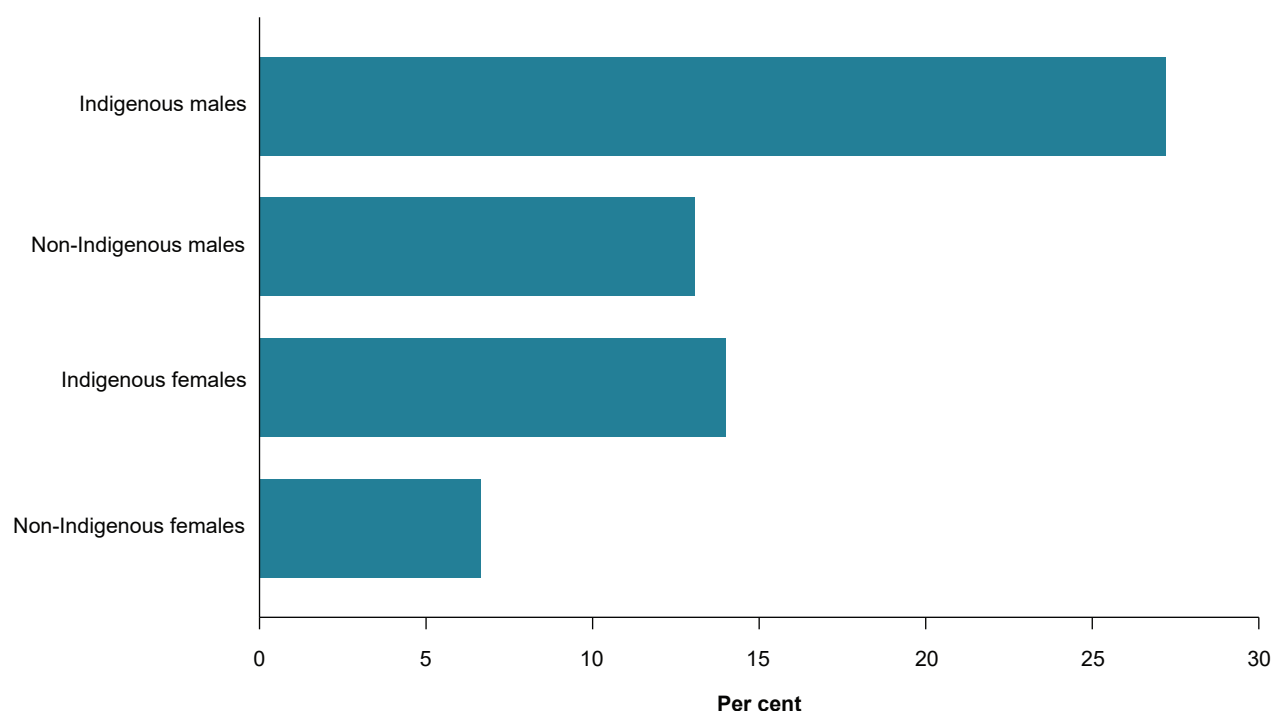
### 3.3 Care and protection orders

Youth justice supervision in the same 4-year period was nearly twice as likely for young people who had been the subject of a care and protection order as for those who had been the subject of an investigated notification.

Between 1 July 2014 and 30 June 2018, of the 13,871 young people in the study cohort who had been the subject of a care and protection order, 13% had also been placed under youth justice supervision—15 times the rate for the general population of the same age (tables S7 and S15).

Youth justice supervision was most likely for Indigenous males—with 27% of those who had been the subject of a care and protection order also being placed under youth justice supervision within these 4 years, compared with 13% of non-Indigenous males, 14% of Indigenous females, and 6.7% of non-Indigenous females (Figure 3.2).

**Figure 3.2: Young people who had been the subject of a care and protection order and who had also been under youth justice supervision, by Indigenous status, by sex, 1 July 2014–30 June 2018**



*Notes*

1. Data exclude New South Wales.
2. These data include only those young people who were aged 10–14 at 1 July 2014. This is to ensure that young people in the study were aged between 10 and 17 and therefore eligible for both services for the entire measurement period.

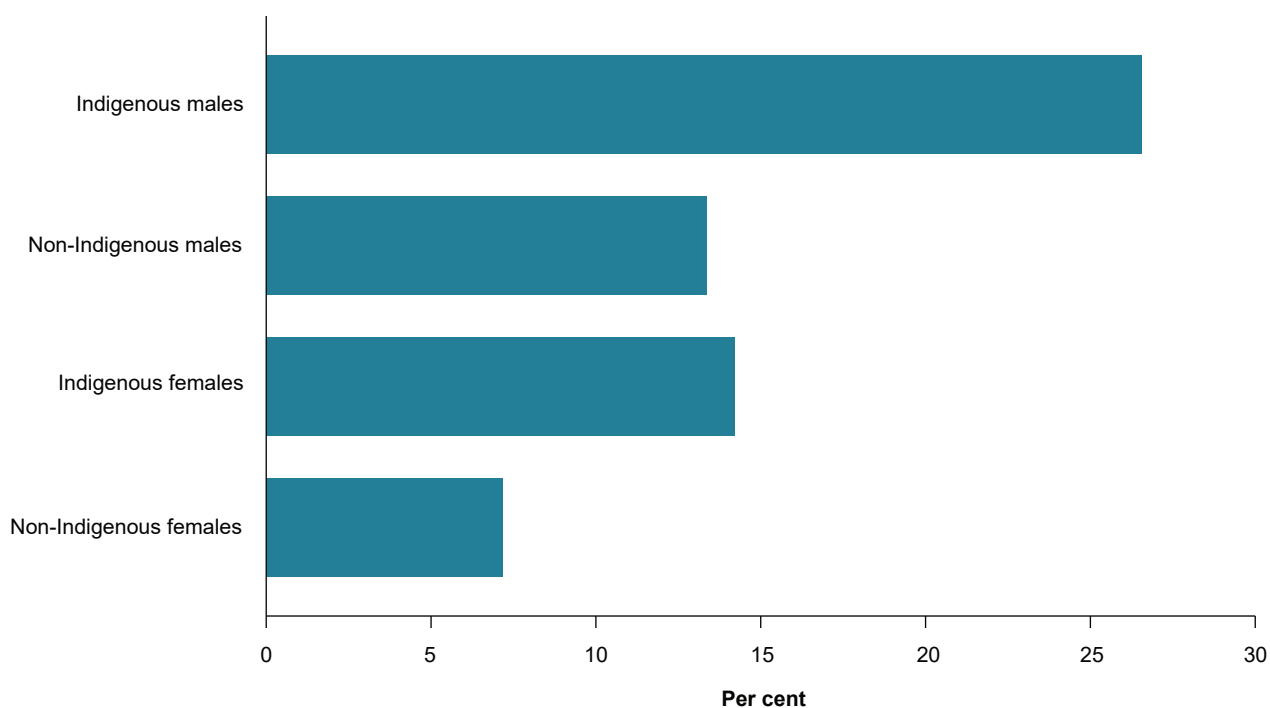
Source: Table S7.

### 3.4 Out-of-home care

Between 1 July 2014 and 30 June 2018, of the 12,647 young people who had been in out of home care, 13% had also come under youth justice supervision at some time during the period—15 times the rate of the general population of the same age (tables S8 and S15).

Youth justice supervision was most likely for Indigenous males, with 26% of those who had been in out of home care also being placed under youth justice supervision at some stage in this period, compared with 13% of non-Indigenous males, 14% of Indigenous females, and 7.2% of non-Indigenous females (Figure 3.3).

**Figure 3.3: Young people who had been in out-of-home care and who had also been under youth justice supervision, by Indigenous status, by sex, 1 July 2014 – 30 June 2018**



*Notes*

1. Data exclude New South Wales.
2. These data include only those young people who were aged 10–14 at 1 July 2014. This is to ensure that young people in the study were aged between 10 and 17 and therefore eligible for both services for the entire measurement period.

Source: Table S8.



## 4 Young people under youth justice supervision

This chapter looks at the demographic characteristics of young people involved in both child protection and youth justice supervision from the perspective of those under youth justice supervision. The data in this chapter exclude New South Wales and the study cohort is restricted to young people aged 10–14 at 1 July 2014, so that only those who were aged 10–17 from 1 July 2014 to 30 June 2018 are included.

### Key findings

Young people aged 10–17 who had been under youth justice supervision at some time between 1 July 2014 and 30 June 2018 were 9 times as likely as the general population to have received child protection services at some time during this 4-year period.

Compared with 5.6% of the general population aged 10–17 who had been in the child protection system:

- half (50%) of those under community-based supervision also received child protection services at some time during the period
- over half (55%) of those in detention also received child protection services at some time during the period.

The younger people were at their first youth justice supervision, the more likely they were to have also received child protection services at some time during the 4-year period.

### 4.1 Overlap with child protection

Of the 8,112 young people under youth justice supervision between 1 July 2014 and 30 June 2018, half (50%) also received child protection services during the same 4-year period (Table S9). This rate was 9 times the rate for the general population (Table S15).

Of those under youth justice supervision, Indigenous Australians were more likely to receive child protection services than their non-Indigenous counterparts (54% compared with 47%, respectively) (Table S9).

Overall, young Indigenous Australians aged 10–17 were nearly 6 times as likely as their non-Indigenous counterparts to have received either child protection services or youth justice supervision during the 4-year period, and 17 times as likely to have had contact with both (Table S1).

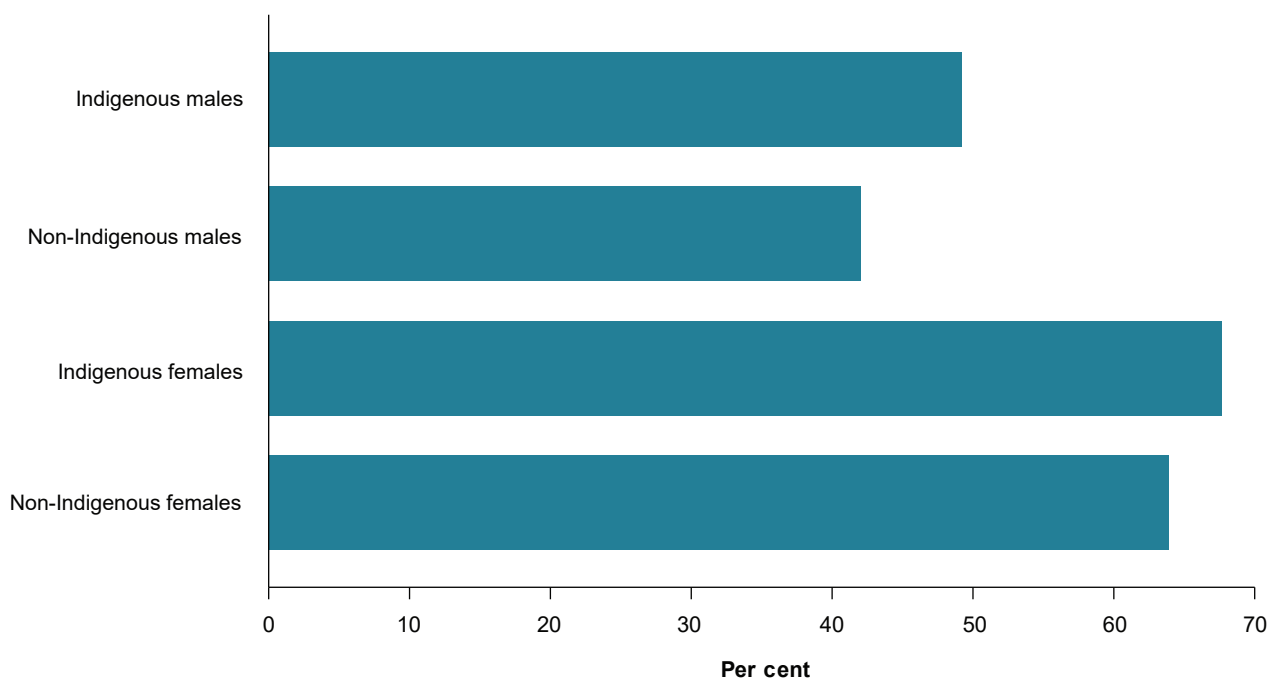
Females under youth justice supervision were 1.4 times as likely as males to have received child protection services during the 4-year period (65% compared with 45%, respectively) (Table S9). The female population in youth justice is very small, representing a very vulnerable group who are even more likely to be involved in child protection than males.

## 4.2 Community-based supervision

Half (50% or 3,684) of young people under youth justice community-based supervision also received child protection services at some time between 1 July 2014 and 30 June 2018 (Table S10). This was 9 times the rate for the general population (Table S15).

Of those under community-based supervision, young females were most likely to also receive child protection services at some time during the period—68% of Indigenous females and 64% of non-Indigenous females were in the child protection system, compared with 49% of Indigenous males, and 42% of non-Indigenous males (Figure 4.1).

**Figure 4.1: Young people who had been under community-based supervision and who had also received child protection services, by Indigenous status, by sex, 1 July 2014–30 June 2018**



*Notes*

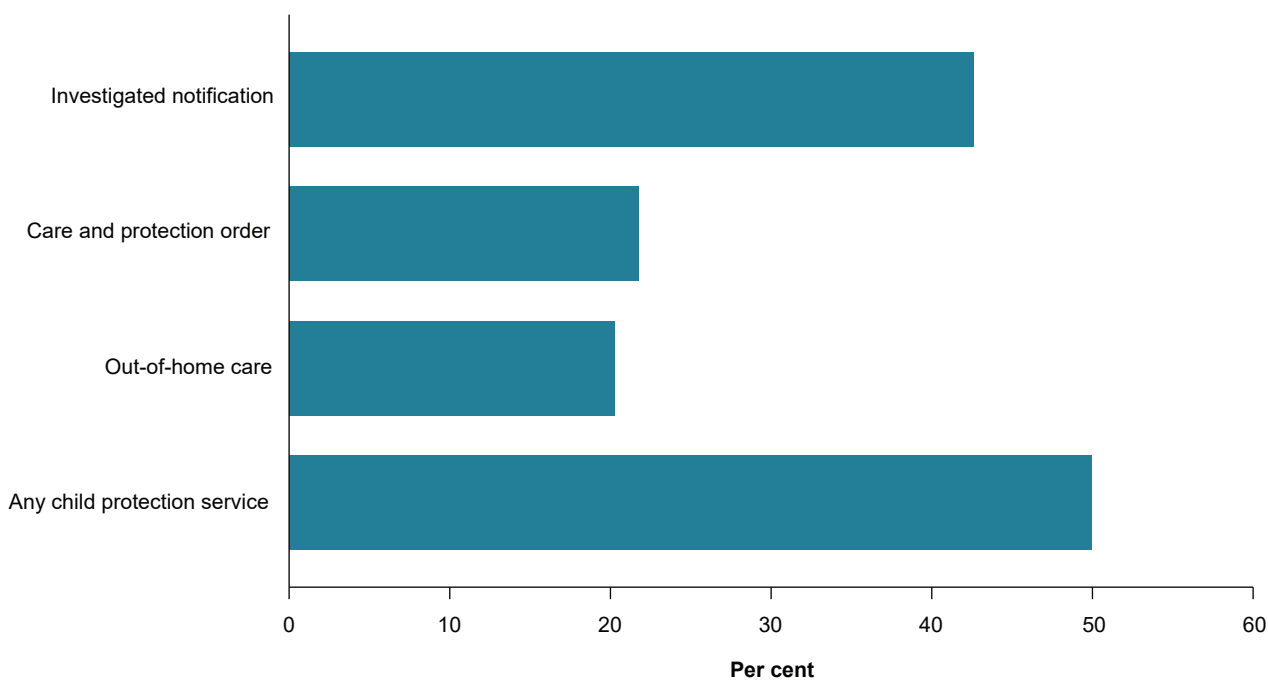
1. Data exclude New South Wales.
2. These data include only those young people who were aged 10–14 at 1 July 2014. This is to ensure that young people in the study were aged between 10 and 17 and therefore eligible for both services for the entire measurement period.

*Source:* Table S10.

The most common type of child protection service for those under community-based supervision between 1 July 2014 and 30 June 2018 was investigated notifications (43% of those under youth justice community-based supervision), followed by care and protection orders (22%), and out-of-home care (20%) (Figure 4.2).

Non-Indigenous females were the most likely to also be the subject of a care and protection order (32%) or to be in out-of-home care (31%) but young Indigenous females were the most likely to be the subject of an investigated notification (58%) (Table S11).

**Figure 4.2: Young people who had been under community-based supervision and who had also received child protection services, by type of child protection service, 1 July 2014–30 June 2018**



*Notes*

1. Data excludes New South Wales.
2. These data include only those young people who were aged 10–14 at 1 July 2014. This is to ensure that young people in the study were aged between 10 and 17 and therefore eligible for both services for the entire measurement period.

Source: Table S11.

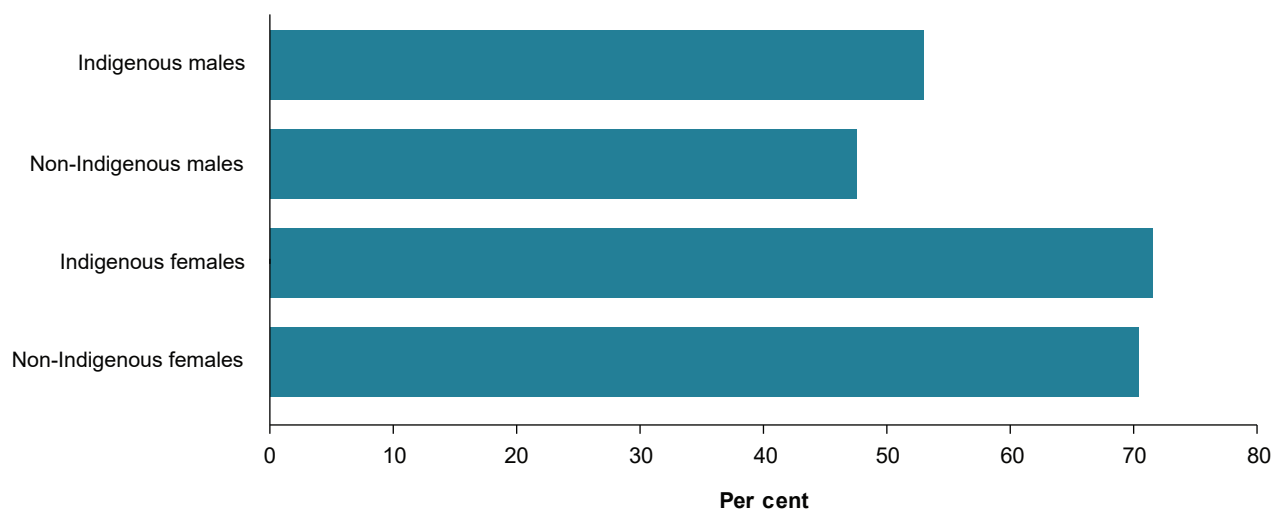
### 4.3 Detention

Just over half (2,653 or 55%) of young people who spent time in detention also received child protection services at some time between 1 July 2014 and 30 June 2018. This was almost 10 times the rate of child protection service use for the general population (tables S11, S12 and S14).

Of those placed in detention during the measurement period, young females were most likely to have also received child protection services. Seven in 10 (71%) young females in detention had received child protection services, compared with half of young males (50%). This means that females in detention were 1.4 times as likely as males to have also received child protection services during the measurement period (Table S12).

This pattern was seen among Indigenous and non-Indigenous young people—72% of Indigenous females, and 70% of non-Indigenous females who spent time in detention during the period had also received child protection services, compared with 53% of Indigenous males, and 48% of non-Indigenous males (Figure 4.3).

**Figure 4.3: Young people who had been in detention and who had also received child protection services, by Indigenous status, by sex, 1 July 2014–30 June 2018**



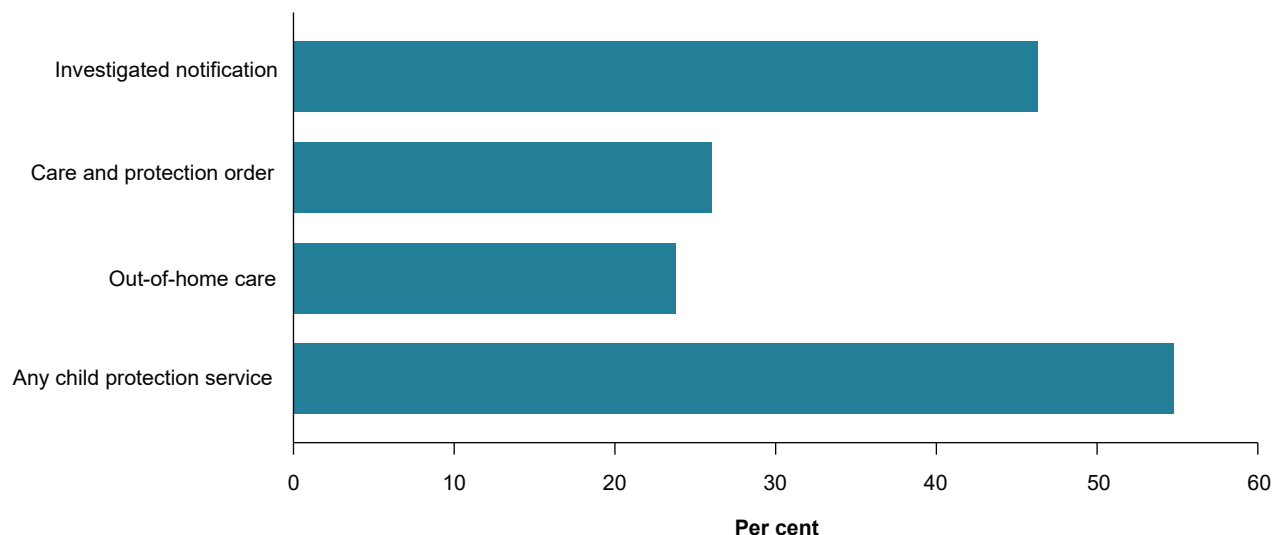
*Notes*

1. Data exclude New South Wales.
2. These data include only those young people who were aged 10–14 at 1 July 2014. This is to ensure that young people in the study were aged between 10 and 17 and therefore eligible for both services for the entire measurement period.

Source: Table S12.

In the 4-year period, the most common types of child protection services for those in detention were investigated notifications (46%), followed by care and protection orders (26%), and out-of-home care (24%) (Figure 4.4).

**Figure 4.4: Young people who had been in detention and who had also received child protection services, by type of child protection service, 1 July 2014–30 June 2018**



*Notes*

1. Data exclude New South Wales.
2. These data include only those young people who were aged 10–14 at 1 July 2014. This is to ensure that young people in the study were aged between 10 and 17 and therefore eligible for both services for the entire measurement period.

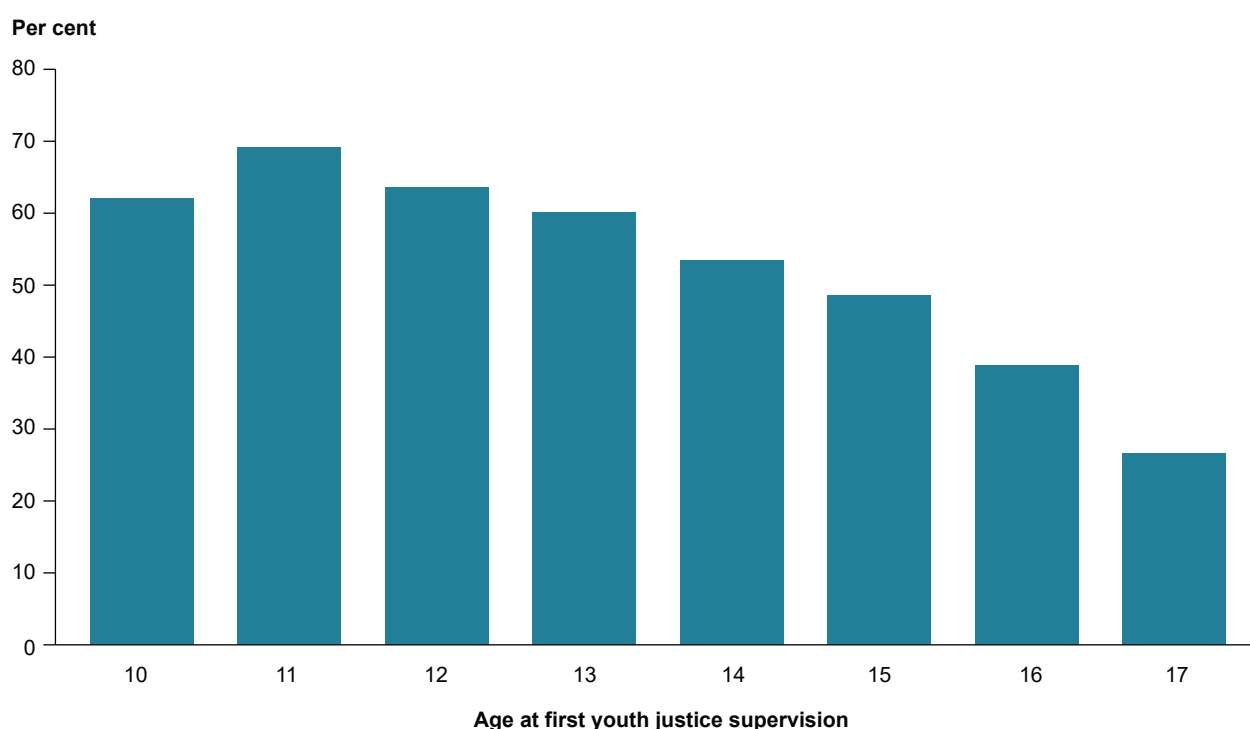
Source: Table S13.

## 4.4 Age at first youth justice supervision

Between 1 July 2014 and 30 June 2018, those who were younger at their first youth justice supervision were more likely to have also received child protection services, compared with those who were older at their first youth justice supervision (this includes periods of youth justice supervision which may have occurred before the 4-year period) (Figure 4.5).

Of those aged 10 at their first youth justice supervision, just over two-thirds (62%) had also received child protection services at some stage in the 4-year period. Those aged 11 at their first youth justice supervision were the most likely to have also had child protection services (69%), and those aged 17 were the least likely (27%).

**Figure 4.5: Young people who had been in detention and who had also received child protection services, by age at first supervision, 1 July 2014–30 June 2018**



*Notes*

1. Data exclude New South Wales.
2. These data include only those young people who were aged 10–14 at 1 July 2014. This is to ensure that young people in the study were aged between 10 and 17 and therefore eligible for both services for the entire measurement period.

Source: Table S14.

## 5 Future reporting

This report expands on earlier AIHW reports that linked selected child protection data with the Juvenile Justice NMDS (AIHW 2015, 2016a, 2016b, 2017, 2018). This showed that linking child protection and youth justice supervision data is both feasible and informative. This report updates these findings with results based on the 2017–18 data collections (1 July 2014 to 30 June 2018).

Results from the linked data collection will be improved in future years, as data become available for more states and territories, and as years of data accumulate. Including data from other health and welfare data collections will also be considered to supply more information on multiple service use among vulnerable children and young people.

### 5.1 Data availability for states and territories

Data limitations meant that analyses in this report were restricted to data for those who were in child protection or under youth justice supervision. The Northern Territory provided data for the JJ NMDS 2017–18, leaving New South Wales as the only state that could not be included in this report.

When data for New South Wales CP NMDS become available, there will be enough data to look at the links between child protection and youth justice supervision by demographic characteristics other than sex and Indigenous status (including remoteness and socioeconomic status of usual residence), as well as the similarities and differences between the states and territories.

### 5.2 Longitudinal analyses of pathways and links

This report used available data to look at the characteristics of young people who were in both the child protection system and under youth justice supervision at any time between 1 July 2014 and 30 June 2018.

In the previous (2016–17) report, the period was expanded to cover a 4-year period. For the current report (2017–18), the same methodology was applied and the findings of this report were largely consistent with the patterns presented in the previous reports using 2013–14, 2014–15 and 2015–16 data, as well as the 4-year analysis presented in 2016–17 (AIHW 2016a, 2016b, 2018).

For example, single-year and 2-year period analyses showed that only a small proportion of young people who received child protection services had also come under youth justice supervision, but a substantial proportion of young people under youth justice supervision had received child protection services. Similarly, single-year and 2-year period analyses showed that young people in detention were more likely than those supervised in the community to have received child protection services.

These data are a subset of the total number of children and young people who were involved in both systems at some point during childhood and adolescence, which prevents the analysis of pathways taken through the respective systems.

As years of data continue to accumulate for both data collections, it will be possible to expand on the current set of analyses by looking at:

- associations between different types of events, such as the number and length of out-of-home care placements and the likelihood of being placed in unsentenced detention or unsentenced community-based supervision
- trends in the overlap of child protection and youth justice services each year
- the relationship between early childhood involvement with child protection and later involvement in the youth justice supervision system.

### 5.3 Other data collections

It is also possible to expand the linked child protection and youth justice supervision data collection to include information from other health and welfare data collections. This would improve the value of the linked data collection, and yield valuable information on various issues, such as mental health conditions; acquired brain injury; alcohol and other drug problems; and homelessness.

Data collections with information on health and welfare issues that are already suitable for linkage include the:

- Disability Services NMDS
- Alcohol and Other Drug Treatment Services NMDS
- Specialist Homelessness Services NMDS
- National Prisoner Health Data Collection.

The AIHW has already published the following linkage reports:

- *Overlap between youth justice supervision and alcohol and other drug treatment services: 1 July 2012 to 30 June 2016*, released in 2018.
- *Vulnerable young people: interactions across homelessness, youth justice and child protection: 1 July 2011 to 30 June 2015*.

There are also opportunities to better understand broader health and welfare outcomes for this population through linkage to other national data collections. Candidates for further exploration include data collections about use of hospital services (admissions and emergency department); the Medicare Benefits Schedule (for example, general practice attendances); the Pharmaceutical Benefits Scheme (for example, use of specific medication types); community mental health services; adult corrections; income support; and mortality data. The AIHW is currently working with stakeholders to consider the feasibility of and appropriate data governance models for such work.

# Appendix

## Linkage method

The available data were linked using a **multi-step key-based linkage method**, which allows data collections without common person identifiers or full names to be linked. The aim of key based linkage is to minimise the likelihood both of false positives (where records that belong to different people are incorrectly identified as belonging to the same person) and of false negatives (where records that belong to the same person are incorrectly identified as belonging to different people). Using linkage keys protects the privacy of individuals, and lowers the burden on data providers, as existing data collections can be used.

This multi-step key-based linkage method uses a series of keys that vary in distinctiveness, to reduce the possibility that records belonging to different people are incorrectly recorded as belonging to the same person. At the same time, it increases the possibility that records belonging to the same person will be identified, even where components such as family name have changed. This method can be used where values are missing (such as, date of birth) and, where available, it can also use alternative information such as alias names.

To link the child protection and youth justice supervision data collections, linkage keys were formed using data items available in both collections: selected letters of name, date of birth, sex, Indigenous status and information about the suburb or town of usual residence. Complete address information was not available.

Data were restricted to young people who were aged 10–14 at the start of the measurement period (1 July 2014). This was to ensure that individuals in the study cohort were eligible for both child protection services and youth justice supervision throughout the 4-year period.

Once all the possible linkage keys were identified, the utility of each key was measured using the available child protection and youth justice supervision data. These measures were used to order the keys, and the keys were then tested to find the point at which further linkage keys added no value to the linkage. A total of 100 keys were used to link the data collections.

The resulting ordered list of linkage keys was used to link the individual state and territory data sets. The most precise key (as decided by the measures of utility) was used first, followed by the next most precise key, and so on. The final linked data set was then created by combining the records that were linked using the ordered list of keys with the records that remained unlinked. A project-specific identifier was created so that distinct people could be counted.



Once the linked data set was constructed, analysis data sets were created for any youth justice supervision, including a breakdown of detention and community-based supervision, and any child protection involvement, including a breakdown of investigated notifications, care and protection orders, and out-of-home care:

- The youth justice supervision data set was created by extracting record identifiers from both the detention file and the community-based supervision file in the youth justice supervision data set (the JJ NMDS).
  - The **detention data set** was created by extracting data from the detention file in the source youth justice supervision data set. As it is not possible to be in detention in more than 1 state or territory at the same time, conflicting records (where a detention record for a person starts or ends in 1 state or territory while another detention record for the same person is active in another state or territory) were identified and removed. Less than 0.3% of individuals had conflicting detention records and no individuals were removed as a result of this data cleaning, which indicates that the quality of the linkage was high.
  - The **community-based supervision data set** was created by extracting information from the orders file in the source youth justice supervision data set. Episodes of community-based supervision were created by removing any portions of community-based orders that were covered by a period of detention (as a young person cannot be in detention and supervised in the community at the same time).
- The child protection data set was created by extracting record identifiers from the investigated notifications, care and protection orders and out-of-home care data sets.
  - The **investigated notifications data set** was created by extracting information from the notifications file in the source child protection data set. All notifications that were investigated from 1 July 2014 to 30 June 2018 (including those where the investigation was in progress) were included.
  - The **care and protection orders data set** was created by extracting information from the care and protection orders file in the source child protection data set.
  - The **out-of-home care data set** was created by extracting information from the living arrangements file in the source child protection data set. As it is not possible to be in detention and in out-of-home care at the same time, a check was run to identify and remove conflicting records (where a person has an out-of-home record that starts or ends while a detention record is active). (Detention records that ended the same day that an out-of-home care record started and out-of-home care records that started the same day that a detention record ended were not considered to conflict.) This check revealed that, from 1 July 2014 to 30 June 2018, 0.5% of out-of-home care records had a conflicting detention record and were removed from the analysis.

For more detail on the linkage method, see *Developing a linked data collection to report on the relationships between child protection and youth justice supervision* (AIHW 2015). For more information on child protection services, see *Child protection Australia 2017–18* (AIHW 2019a), and for more on youth justice see *Youth justice in Australia 2017–18* (AIHW 2019b).

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- the Children and Families Data Network, which consists of representatives from the state and territory departments responsible for child and family services.

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## Related publications

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More information about children and young people in the child protection system in Australia is available from [www.aihw.gov.au/reports-statistics/health-welfare-services/child-protection/overview](http://www.aihw.gov.au/reports-statistics/health-welfare-services/child-protection/overview).

As well as the publications listed in the references, the following AIHW publications might also be of interest:

- AIHW 2016. Vulnerable young people: interactions across homelessness, youth justice and child protection: 1 July 2011 to 30 June 2015. Cat. no. HOU 279. Canberra: AIHW.
- AIHW 2018. Youth detention population in Australia 2018. Bulletin no. 145. Cat. no. JUV 128. Canberra: AIHW.
- AIHW 2018. Overlap between youth justice supervision and alcohol and other drug treatment services 2012–16. Cat. no. JUV 126. Canberra: AIHW.
- AIHW 2019. Young people returning to sentenced youth justice supervision 2017–18. Juvenile justice series no. 23. Cat. no. JUV 130. Canberra: AIHW.



This report presents information on young people aged 10–17 who had received child protection services and were under youth justice supervision at any time between 1 July 2014 and 30 June 2018. Young people who had been under youth justice supervision were 9 times as likely as the general population to have received child protection services. Indigenous Australians were 17 times as likely as their non-Indigenous counterparts to have received both child protection services and youth justice supervision.

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