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

Abbreviations

ABS	Australian Bureau of Statistics
ACSP	Aboriginal cultural support plan (Vic)
AJJA	Australasian Juvenile Justice Administrators
CHART	Changing Habits and Reaching Targets (program) (Qld)
CYDU	Community Youth Development Unit (NT)
DCYFS	Disability, Child, Youth and Family Service (Tas)
ISP	Intensive Supervision Program (NSW and WA)
JJ	juvenile justice
JJ NMDS	Juvenile Justice National Minimum Data Set
VONIY	Victorian Offender Needs Indicator for Youth (Vic and WA)
YDS	Youth Diversion Scheme (NT)

Symbols and abbreviations used in the tables

–	nil, including null cells
n.a.	not available
n.p.	not published
ACT	Australian Capital Territory
Aust	Australia
NSW	New South Wales
NT	Northern Territory
Qld	Queensland
SA	South Australia
Tas	Tasmania
Vic	Victoria
WA	Western Australia

Note

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

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

Main findings

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

There were 4,708 young people under juvenile justice supervision on an average day in 2007–08 in all states and territories except New South Wales, for which data were not available, and 9,540 young people experienced supervision at some time during the year. Most young people were supervised in the community. Around 87% of those under supervision on an average day were under community-based supervision while 13% were in detention. One-quarter of young people who were under supervision during 2007–08 had both community-based supervision and detention during the year.

More young people are in detention

The number of young people in detention on an average day in Australia (excluding New South Wales) rose from 540 in 2004–05 to 630 in 2007–08 – a 17% increase. The rate of young people aged 10–17 years in detention during the year increased from 1.7 per 1,000 to 2.0 per 1,000, indicating that a young person aged 10–17 years in 2007–08 was around 1.2 times as likely to be in detention during the year as a young person aged 10–17 years in 2004–05.

The number of unsentenced young people in detention is increasing

In 2004–05, just over one-third of the average daily detention population was unsentenced but, by 2007–08, unsentenced young people in detention outnumbered those who were sentenced. The increase in the unsentenced population occurred for both Indigenous and non-Indigenous young people.

Aboriginal and Torres Strait Islander young people are still over-represented

Although only about 5% of young Australians are Aboriginal or Torres Strait Islanders, 40% of those under supervision on an average day were Aboriginal or Torres Strait Islanders. Their over-representation was particularly prominent in detention, where over half of those in detention on an average day and 60% of those who were unsentenced in detention were Aboriginal or Torres Strait Islanders. An Indigenous young person aged 10–17 years was 16 times as likely as a non-Indigenous young person of the same age to be under supervision in 2007–08, nearly 15 times as likely to be under community-based supervision as a non-Indigenous young person, and nearly 30 times as likely to be in detention.

1 Overview

1.1 Number of young people under supervision

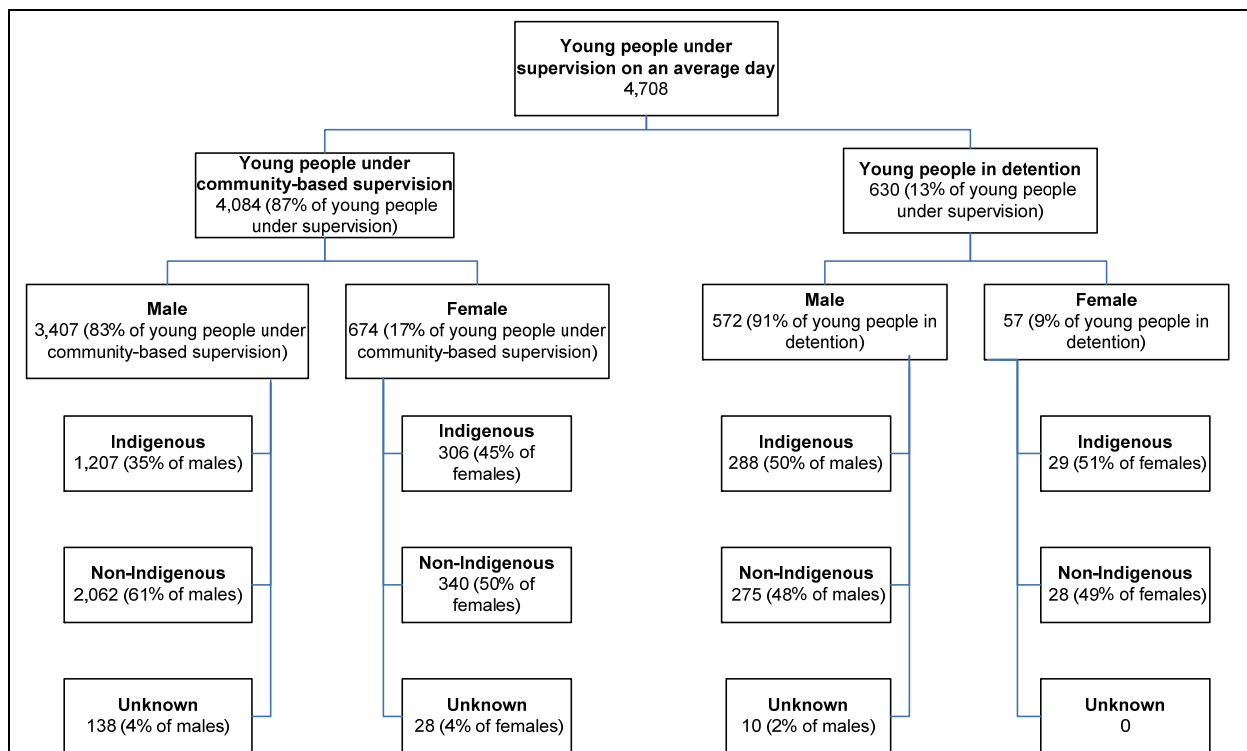
On an average day in 2007–08, 4,708 young people were under supervision in all states and territories except New South Wales, for which data were not available (Figure 1.1). Around 4,000 young people were under community-based supervision on an average day and 630 were in detention. Half of those in detention were on remand and half were sentenced.

A total of 9,540 young people were under juvenile justice supervision at some time during the year; 8,592 young people had community-based supervision and 3,378 young people were detained, which means that 2,430 young people had both community-based supervision and detention during 2007–08.

Aboriginal and Torres Strait Islander young people were over-represented in juvenile justice supervision. Although only about 5% of young Australians are Indigenous, almost 40% of those under supervision on an average day were Indigenous. The over-representation was higher in detention, where over half of those in detention and almost 60% of unsentenced detainees were Indigenous.

As with the adult correctional system (ABS 2009), most of those under juvenile justice supervision were male. Almost 85% of those under community-based supervision on an average day were male, and over 90% of those in detention were male (Figure 1.1).

Most of those under supervision on an average day were aged between 14 and 16 years old, and less than 1% was aged 10 or 11 years old. Of those in detention, nearly half were aged 16 or 17 years old and only 7% were aged less than 14 years.



Sources: Tables A1, A13 and A19.

Figure 1.1: Summary characteristics of the average daily population of young people under supervision, Australia (excluding NSW), 2007–08

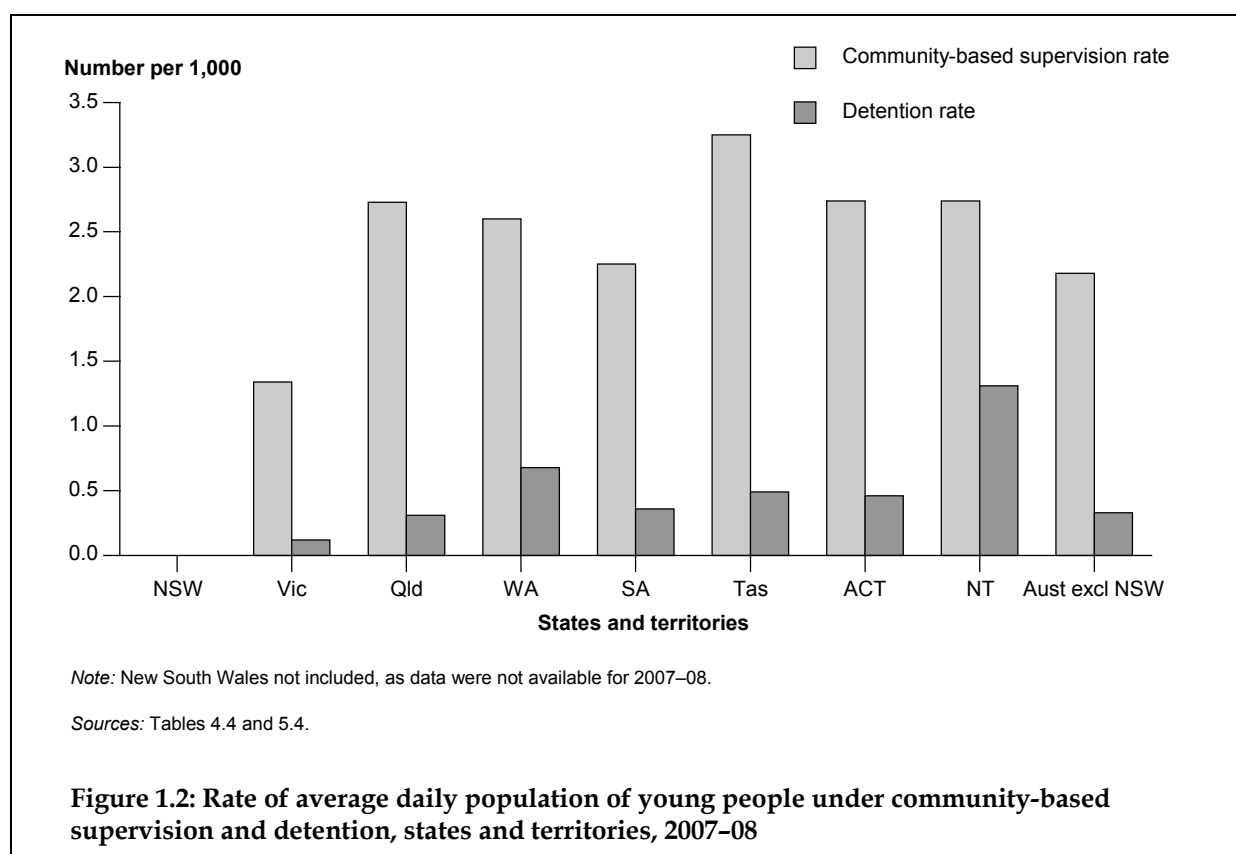
1.2 Rate of young people under supervision

Overall, there were 2.5 young people under supervision per 1,000 aged 10–17 years on an average day in 2007–08. There were 2.2 young people per 1,000 aged 10–17 years under community-based supervision and 0.3 young people in detention.

Supervision rates varied by state and territory (Figure 1.2). In Tasmania, around 3.3 young people per 1,000 aged 10–17 years were under community-based supervision on an average day compared with 1.3 in Victoria. In the Northern Territory, around 1.3 young people per 1,000 aged 10–17 years were in detention compared with 0.1 in Victoria. In Victoria, a young person aged 10–17 years was 23 times as likely to be under community-based supervision as in detention, while in the Northern Territory a young person of this age was only twice as likely to be under community-based supervision as in detention.

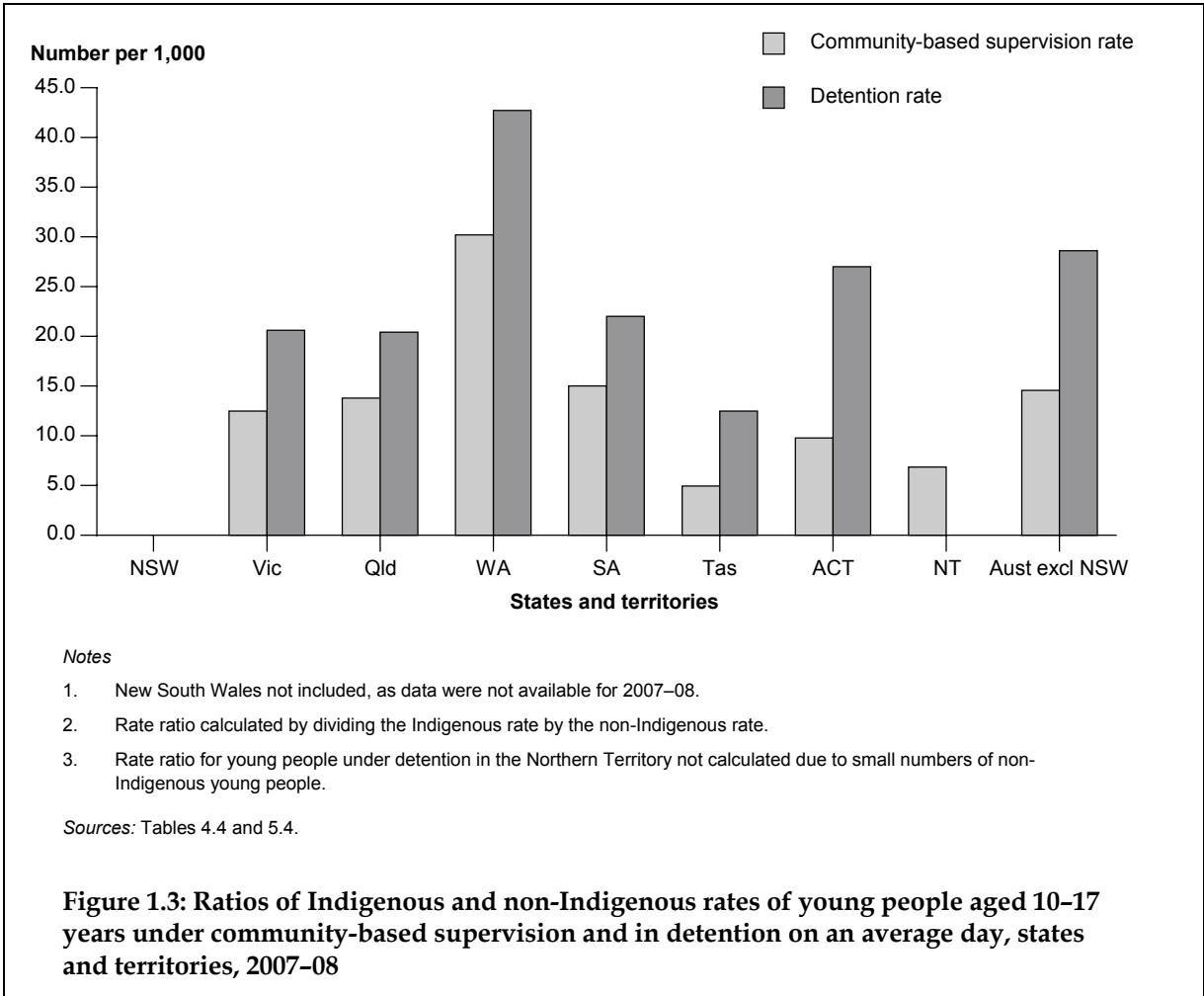
Males were much more likely to be under supervision than females, especially in detention. On an average day, males were 4 times as likely to be under community-based supervision and 8 times as likely to be in detention as females.

Young people were more likely to be under supervision at older ages than at younger ages. Young people aged 17 years were 5 times as likely as 13 year olds to be under community-based supervision and to be in detention on an average day.



1.3 Aboriginal and Torres Strait Islander over-representation

Overall, Indigenous young people were 16 times as likely to be under supervision as non-Indigenous young people on an average day. They were nearly 15 times as likely to be under community-based supervision and 29 times as likely to be in detention on an average day as non-Indigenous young people. While the level of over-representation varied among the states and territories, Aboriginal and Torres Strait Islander young people were over-represented in all states and territories and this over-representation (as shown by the rate ratio) was higher for detention than for community-based supervision (Figure 1.3).



1.4 Types of supervision

Community-based supervision

Most (92%) of those under community-based supervision on an average day were serving a sentence. For over three-quarters (77%) of those under community-based supervision, their most serious order was probation or similar; for 10% it was suspended detention or

immediate release, and for 5% it was parole. Only 8% of those under community-based supervision on an average day had a most serious order of supervised bail.

The majority (53%) of periods of supervision where the most serious order was probation or similar ended with the conditions of sentence being met, while almost 40% ended because a more serious unrelated order began. Where the most serious order was parole or supervised release, only 45% ended because the conditions of sentence were met, compared with 35% for suspended detention or immediate release.

Detention

On an average day in 2007–08, there were 320 young people on remand and 307 young people in sentenced detention. Almost three-fifths (57%) of those on remand were Aboriginal or Torres Strait Islander young people, compared with 43% of those in sentenced detention.

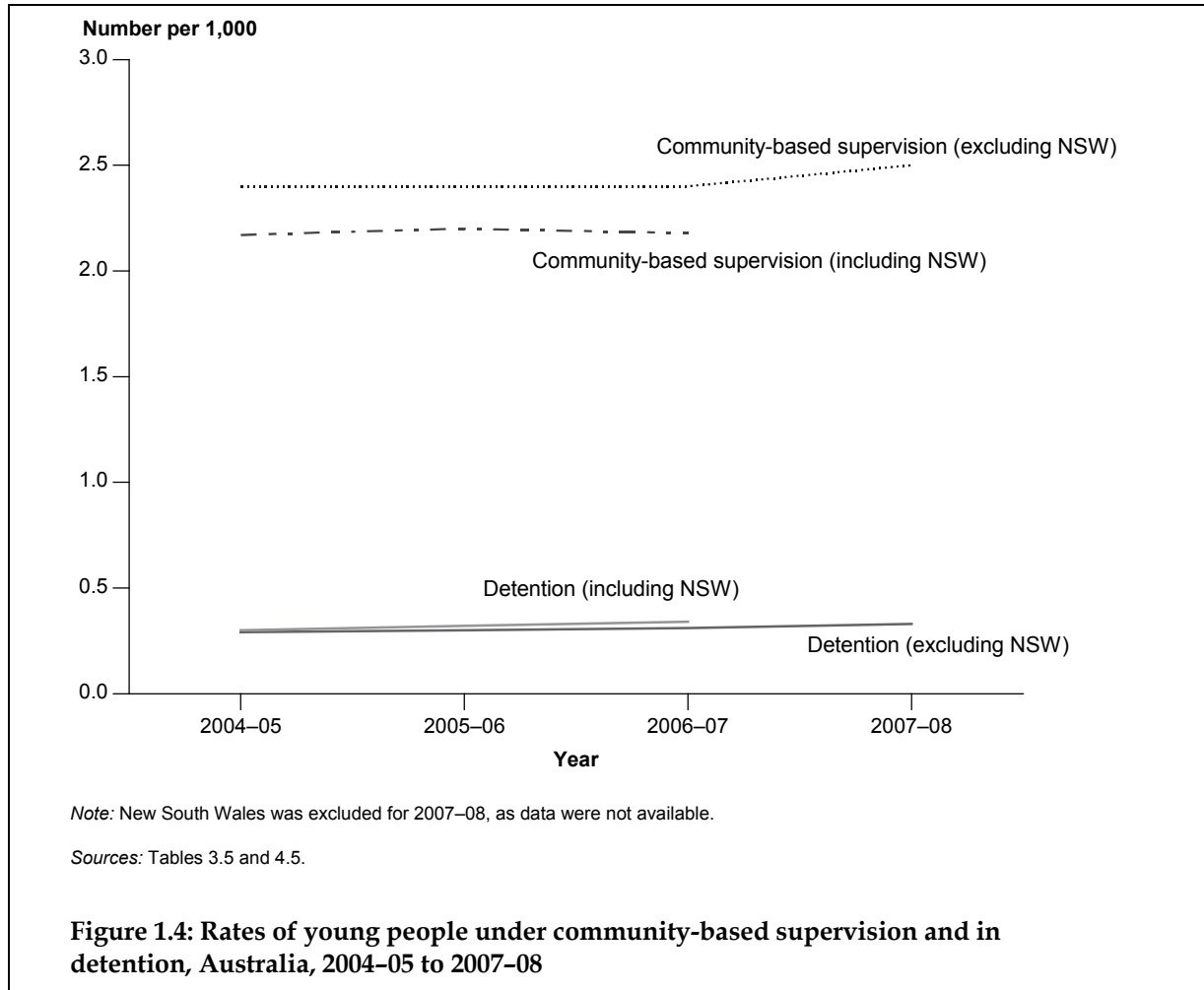
The median length of completed periods of remand was 11 days, compared with almost 3 months (81 days) for sentenced detention. Remand periods completed by Indigenous young people had a longer median length than those completed by non-Indigenous young people, while the reverse was true for sentenced detention. However, for both remand and sentenced detention, Indigenous young people completed more periods, on average, than non-Indigenous young people.

Around half (49%) of remand periods completed in 2007–08 ended with the young person being sentenced, and around one-quarter of these (or 12% of all completed remand periods) were followed by a period of sentenced detention. Around 40% of remand periods ended with the young person being released on bail. Two-thirds of periods of sentenced detention ended with the young person being released on parole or supervised release, while just over one-quarter ended with the conditions of the sentence being met.

Over the 4 years from 2004–05, the total time the average young person spent on remand during the financial year increased from 38 days to 46 days. For sentenced detention, the average length decreased from 2004–05 to 2005–06 but increased in the next 2 years, from 109 days in 2005–06 to 114 days in 2007–08.

1.5 Trends in supervision

Over the 4 years from 2004–05, the rate of community-based supervision for young people aged 10–17 years (without New South Wales, for which data were not available for 2007–08) decreased from 2.13 in 2004–05 to 2.11 in 2006–07 but increased to 2.18 in 2007–08. In contrast, the detention rate (without New South Wales) steadily increased over the 4 years, from 0.29 in 2004–05 to 0.33 in 2007–08.



2 Background

In Australia, juvenile justice is the responsibility of the states and territories. It involves a number of agencies including police, courts and juvenile justice agencies, each with different responsibilities relating to young people who are involved in crime. One major aspect of the juvenile justice system is the supervision of young people who have committed or are alleged to have committed an offence. This report contains data from the Juvenile Justice National Minimum Data Set (JJ NMDS) and provides information on the young people supervised by juvenile justice agencies in Australia, both in detention and in the community, and the types of supervision they experience.

2.1 Juvenile justice system in Australia

Age of criminal responsibility

In all states and territories, a young person is deemed to have criminal responsibility if they are 10 years or older. Children under the age of 10 cannot be charged with a criminal offence in any state or territory in Australia. The relevant juvenile justice legislation applies to young people aged 10–17 years in all states and territories except Queensland, where it applies to young people aged 10–16 years. This upper age limit refers to the age at which the offence was committed (or allegedly committed), which means that people who are aged 18 years or older (17 years or older in Queensland) when they commit an offence will be dealt with under the criminal legislation relating to adults.

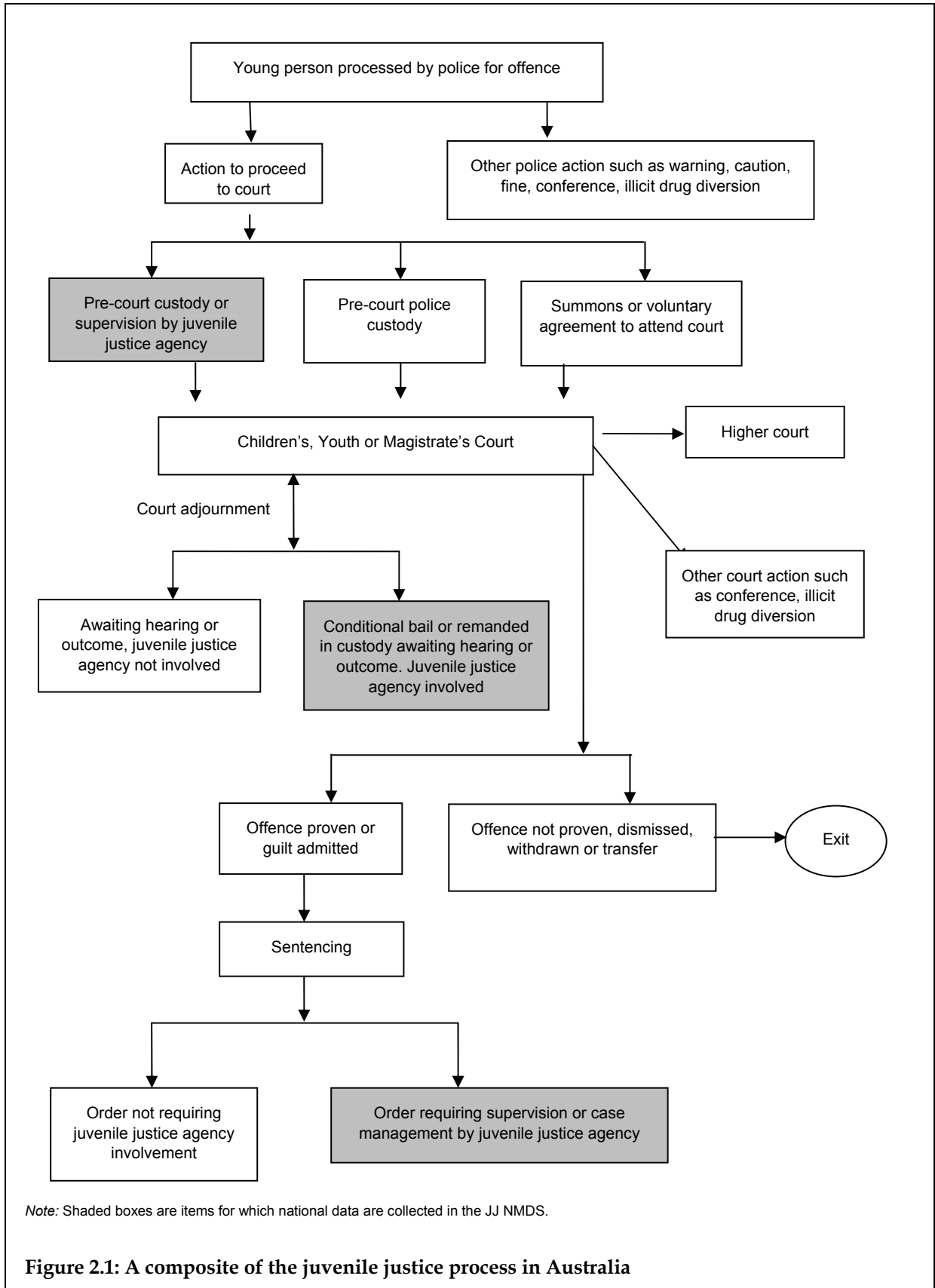
However, it is possible for young people who are 18 years or older to be under juvenile justice supervision. Firstly, they may have been apprehended for an offence that was (allegedly) committed when they were aged 17 years or younger. Secondly, if they entered supervision when aged 17 years or younger, they may continue to be supervised by the juvenile justice system once they turn 18 years old; alternatively, they may be transferred to the adult correctional system. Thirdly, young people aged 18 years and older may be supervised by juvenile justice agencies due to their vulnerability or immaturity. Additionally, young people in Victoria aged 18–20 years may be sentenced to detention in a juvenile detention centre (rather than an adult prison) where the court deems appropriate.

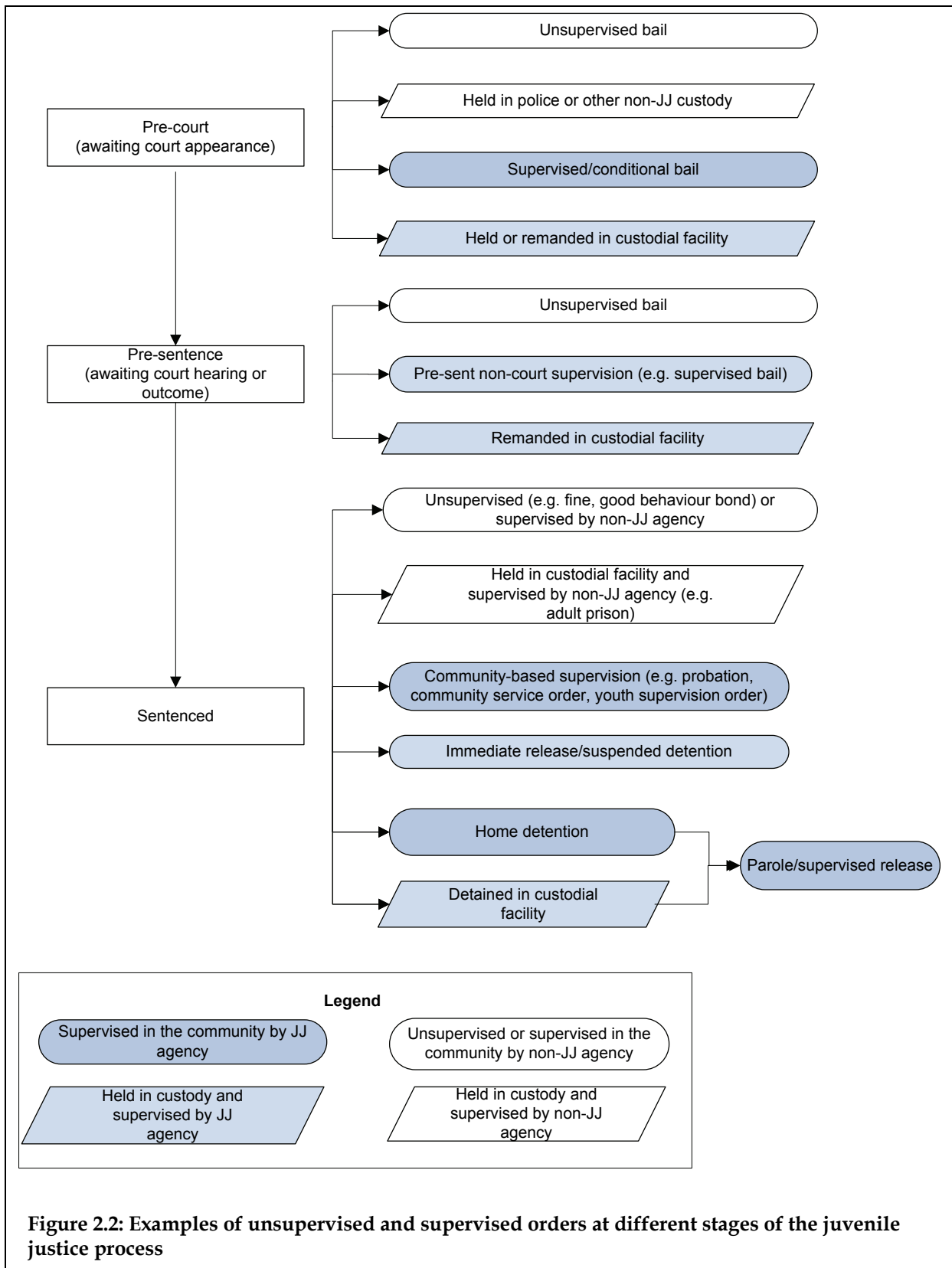
Stages in the juvenile justice system

The first contact that most young people have with the juvenile justice system is when they are apprehended by the police for allegedly committing an offence (Figure 2.1). An important feature of the juvenile justice system in Australia is diversion, and police may divert young people from further involvement with the juvenile justice system through the use of warnings, informal and formal cautions, and other actions. If the young person is not diverted, then the matter proceeds to court. While awaiting their initial court appearance, the young person may be unsupervised in the community, detained by police or supervised by the juvenile justice agency either in the community or in detention. Following the initial court appearance, the court will remand the young person in custody until the next court appearance or release them into the community, either unsupervised or under the

supervision of the juvenile justice agency. Once the trial has concluded and if the court has found the young person guilty, they may be sentenced to a period of detention or community-based supervision (such as probation, community service order or suspended detention), or be given an unsupervised order such as a fine or a good behaviour bond. Young people sentenced to a period of detention may also be released on parole or supervised release before the end of their sentence.

Thus there are a number of different legal arrangements or orders that can apply while a young person is awaiting the initial court appearance, awaiting the court hearing or outcome, or completing a sentence (Figure 2.2). Some of these orders do not require the young person to be supervised, some require the young person to be supervised by the relevant juvenile justice agency, while others require supervision by another agency (such as police). This report contains information on young people who are supervised at each of these three stages by juvenile justice agencies, either in the community or in detention (examples of these orders are shaded in Figure 2.2). Information on young people who are unsupervised and young people who are supervised by agencies other than juvenile justice agencies are not included in this report.





A range of services and outcomes (including court orders) for young people in the juvenile justice system are available in the states and territories (Table 2.1). These services and outcomes can be categorised into three groups: those that require the young person to be supervised in the community or detained, those that do not require the young person to be supervised (such as fines), and those that divert the young person from further involvement with the juvenile justice system (such as cautions and conferencing).

Table 2.1: Juvenile justice services and outcomes, states and territories, July 2009

Juvenile justice services and outcomes	NSW	Vic	Qld	WA	SA	Tas	ACT	NT
Diversionsary outcomes								
Informal caution/warning	✓	✓	✓	✓	✓	✓	✓	✓
Formal caution	✓	✓	✓	✓	✓	✓	✓	✓
Conferencing	✓	✓	✓	✓	✓	✓	✓	✓
Does not require supervision								
Discharge	✓	✓	✓	✓	✓	✓	✓	✓
Fine	✓	✓	✓	✓	✓	✓	✓	✓
Obligation without supervision	✓	✓	✓	✓	✓	✓	✓	✓
Requires supervision								
<i>Unsentenced</i>								
Supervised bail or similar	✓	✓	✓	✓	✓	—	✓	✓
Remand/unsentenced detention	✓	✓	✓	✓	✓	✓	✓	✓
<i>Sentenced</i>								
Good behaviour bond	✓	✓	✓	✓	—	✓	✓	✓
Probation or similar	✓	✓	✓	✓	✓	✓	✓	✓
Community service	✓	✓	✓	✓	✓	✓	✓	✓
Suspended detention	✓	—	✓	✓	✓	✓	—	✓
Home detention	—	—	—	—	(a) ✓	—	—	✓
Detention	✓	✓	✓	✓	✓	✓	✓	✓
Supervised release from detention (parole)	✓	✓	✓	✓	✓	✓	—	(b) ✓

(a) Item that is within JJ NMDS scope but for which data are unavailable for the JJ NMDS.

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

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

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

Further details of the juvenile justice systems in each state and territory are provided in Appendix B.

2.2 Policy directions

New South Wales

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

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

Victoria

Key policy directions for youth justice in Victoria are:

- implementing the Youth Justice Community Support Service for integrated provision of intensive support and services, which will complement the statutory case management undertaken by Youth Justice units and reduce the likelihood of further offending by Youth Justice clients
- continuing the diversion of young people from entering or progressing through the justice system by providing court advice, group conferencing, and the central after-hours assessment and bail placement service
- expanding the Group Conferencing Program across the state in accordance with the legislative basis provided by the *Children, Youth and Families Act 2005*
- effectively managing young people to reduce offending through effective assessment processes (Victorian Offender Needs Indicator for Youth – VONIY), targeted and evidence-based interventions and case management systems
- continuing the rehabilitation review and the development of significant cognitive-behavioural interventions and specifically targeted programs to reduce offending behaviours, and transitional support and post-release services to reintegrate young people into the community
- continually developing and expanding ways of reducing the over-representation of young Indigenous people in the justice system, and making links with appropriate and culturally specific agencies, including the Children's Koori Court and the further development of the Koori Youth Justice Program.

Queensland

Key policy directions for youth justice in Queensland include:

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

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

Western Australia

Key policy directions for juvenile justice in Western Australia include:

- reviewing juvenile justice services and structures with a view to implementing integrated service delivery practices and models between Juvenile Custodial Services and Community Justice Services
- implementing regional youth justice services in the Midwest and Goldfields based in Geraldton and Kalgoorlie
- formalising the intent of the Young Women and Girls Project; the improved infrastructure will support enhanced programs and services for young women and girls held in detention at Rangeview Remand Centre
- implementing a juvenile justice needs assessment tool to help in identifying and prioritising the individual needs of young people, which will improve the department's ability to deliver tailored case management interventions
- implementing the VONIY tool, which enhances case management practices and improves through-care for young people in custodial and community juvenile justice

- introducing new Juvenile Custodial Services rules, which provide regulations and processes for the management, control and security of Western Australia's two juvenile custodial facilities.

South Australia

The policy directions of Families SA for youth justice include:

- implementing consistent state-wide standards, policies and procedures
- implementing the Connected Client Case Management System
- implementing the Community Youth Justice program's intensive case management services, which provides intensive intervention for the most serious and repeat offenders, including young people appearing before the recently formed Community Protection Panel
- progressing the Public Private Partnership new youth training centre project
- implementing across-government initiatives arising from the report *To break the cycle* (Cappo 2007).

Tasmania

Key policy directions in Tasmania include:

- reviewing and implementing improved coordinated, collaborative and integrated case management policy and guidelines
- finalising and trialling a quality assurance framework for youth justice services, including service-specific standards
- reviewing the *Youth Justice Act 1997*
- improving education, training and employment opportunities for disengaged young people who are in custody, exiting custody or at high risk of entering custody
- providing pre- and post-custodial release support and relapse prevention programs
- providing court diversionary community conferencing and community-based statutory supervision, court support and case management
- developing community capacity to help rehabilitate young people who have socially offended in the community and restore the harm they may have caused
- reviewing the Behaviour Development Model at Ashley Youth Detention Centre and implementing the findings.

Australian Capital Territory

Key policy directions for 2007-08 included:

- continuing to support and promote the One Stop Shop, which allows clients to access drug and alcohol, employment and counselling services when they attend for supervision
- promoting the benefits that restorative justice can bring to young people, as victims of crime or as young people who have been cautioned, charged or convicted of criminal offences

- implementing Changing Habits and Reaching Targets, which is an evidence-based cognitive and behavioural tool for use across community youth justice and centre-based case management
- providing enhanced education and training options for young people in detention
- continuing to promote and consolidate a common case management approach across youth justice services and the broader youth sector
- reviewing the Narrabundah Indigenous Supported Accommodation service, which resulted in 20 recommendations, to support young Aboriginal and Torres Strait Islander males on bail and community-based orders, and those released from custodial sentences
- strengthening the Turnaround Program's role of case coordination to increase the number of participants with high and complex needs
- establishing a new youth detention centre, which is due to be completed in late 2008, that will better support the case management and delivery of programs to young people in detention.

Northern Territory

The major theme of policy in the Northern Territory is diversion. Directions include:

- implementing the new Youth Justice Act that came into force in August 2006, which includes provisions for diversion, including a presumption for diversion and the capacity for courts to refer matters back to Youth Diversion
- continuing the Youth Diversion Scheme (YDS), whose major purpose to work with young offenders through formal assessment, restorative justice conferences and referral to a diversionary program
- providing funding under the CYDU program to the communities of Borroloola, Galiwin'ku, Tiwi Islands, Groote Eylandt, Docker River, Imanpa and Gunbalanya, as well as to Tangentyere Central Australian Youth Link Up Service, which provides invaluable support to the Southern Region CYDUs and other youth programs in the region
- providing one-off capital funding and other support to the communities of Maningrida, Papunya, Mt Liebig, Kintore and Mutitjulu
- providing ongoing training for the YDS and restorative justice conference facilitation.

2.3 Data and methods

The data in this report are extracted from the JJ NMDS. The JJ NMDS contains information on all young people who are supervised by juvenile justice agencies in Australia, both those supervised in the community and those in detention. The JJ NMDS does not contain information on young people in the juvenile justice system who are not supervised (for example, young people on unsupervised bail), nor does it contain information on young people supervised by agencies other than juvenile justice agencies, such as police.

The data for the JJ NMDS are extracted from the administrative systems of the state and territory departments responsible for juvenile justice in Australia according to definitions and counting rules agreed to by the departments and the Australian Institute of Health and Welfare. The relevant departments are:

- Department of Juvenile Justice, New South Wales
- Department of Human Services, Victoria
- Department of Communities, Queensland
- Department of Corrective Services, Western Australia
- Department for Families and Communities, South Australia
- Department of Health and Human Services, Tasmania
- Office for Children, Youth and Family Support, Australian Capital Territory
- Department of Justice, Northern Territory.

Data on young people under juvenile justice supervision

The JJ NMDS contains information on all young people who are supervised by a juvenile justice agency in Australia because they have:

- committed or allegedly committed an offence between the ages of 10 and 17 years, or
- committed or allegedly committed an offence when aged over 17 years and are treated as a young person due to their vulnerability or immaturity.

Consequently, there may be young people in the JJ NMDS who are aged 18 years or older:

- young people who committed or allegedly committed an offence while aged 17 years or younger may be supervised in relation to that offence when they are aged 18 years or older
- some young people who were aged 18 years or older at the time of the offence may be supervised by the juvenile justice system rather than the adult correctional system because of their vulnerability or immaturity.

Data are collected on the sex, date of birth, Indigenous status and date of first supervision for each young person in the JJ NMDS. The JJ NMDS also contains an identification code for each young person; full names are not collected. Specific combinations of letters are collected and, in combination with other data items, can be used to create a statistical linkage key. A statistical linkage key allows records to be linked across states and territories and between other collections that contain the same statistical linkage key; these linkage possibilities are not explored in this report. For further information on the feasibility of linking the records of young people under juvenile justice supervision with records in other collections, see AIHW (2008).

Data on types of supervision

The current version of the JJ NMDS contains information on a young person's most serious legal arrangement or order at any one time. The most serious legal arrangement or order is determined by the national classification of order types, in which orders relating to sentenced detention are the highest and orders not elsewhere classified are the lowest. If a young person is supervised in relation to two or more order types at a time, then only information about the highest ranked order type is recorded in the JJ NMDS. For example, if a young person is serving a sentence of probation at the same time as they are on supervised bail for another matter, information about the supervised bail would not be available in the JJ NMDS.

Table 2.2: National classification of supervised legal arrangements and orders

Rank	Order type
1	Detention—sentenced
2	Detention—remand
3	Detention—pre-court
4	Community—home detention
5	Community—immediate release or suspended detention
6	Community—parole or supervised release
7	Community—probation or similar (with or without additional mandated requirements)
8	Community—other sentenced not elsewhere classified
9	Community—supervised bail or other unsentenced supervision
10	Other not elsewhere classified

Information about a young person's most serious order includes the order type, the date on which supervision relating to that order type began, the date that supervision ended and the reason why the supervision ended. Reasons for the supervision ending include the young person being sentenced or placed on bail or remand; the start of a more serious order that is unrelated to the current order; and the young person breaching the order, or escaping or absconding.

In future years, it is anticipated that information on all supervised orders, not just the most serious order, will be collected and reported.

Data quality and coverage

Overall, the quality of data in the JJ NMDS is good. Around 3% of young people who were under supervision during 2007–08 and 8% of all young people since 2000–01 have an unknown Indigenous status. For all other variables, the amount of missing data is less than 0.1%. Because of the variation in the administration of juvenile justice across Australia, there are a number of differences in the data systems and recording practices of the states and territories. In most cases, this does not adversely affect the ability of the jurisdictions to extract JJ NMDS-compliant data, but there are some exceptions.

In Western Australia, information for community-based supervision and detention are recorded in separate databases. These databases are not linked and to extract the necessary data for the JJ NMDS, the information from the separate databases are matched using a

statistical linkage key. While this linkage is sufficiently accurate for statistical purposes, it is not accurate for administrative purposes such as case management.

In Tasmania, information for periods of detention before February 2006 are inaccurate and result in the over-counting of young people in detention for 2000–01 to 2005–06. Remedial action is being taken to improve the quality of data for future reports.

New South Wales did not supply 2007–08 data for the JJ NMDS.

Data for all jurisdictions for all other years are complete, with the exception of 2000–01 to 2002–03, for which data for the Australian Capital Territory are not available.

In New South Wales, the Kariiong Juvenile Justice Centre was transferred from the NSW Department of Juvenile Justice to the NSW Department of Corrective Services on 10 November 2004. It was renamed the Kariiong Juvenile Correctional Centre. As the scope of the JJ NMDS includes only young people who are supervised by juvenile justice agencies in Australia, information about young people in custody in the Kariiong Juvenile Correctional Centre after 10 November 2004 is not included in this report. There are typically 20–25 young people on an average day in the Kariiong Juvenile Correctional Centre (Taylor 2009), and therefore they form only a small proportion of young people in detention in New South Wales.

Data development

While the current version of the JJ NMDS only contains information on a young person's most serious order, information on all supervised orders will be collected in future years. Additionally, the feasibility of expanding the information collected on client characteristics and including information on diversionary activities is being explored.

Methods

Number under supervision

In this report, the number of young people under supervision is measured by:

- the number of young people under supervision during the year
- the number of young people under supervision on an average day.

For the first measure, each young person is counted only once, even if they entered and left supervision multiple times during the year. For the second measure, the number of days that each young person spends under supervision during the financial year are summed and divided by the number of days in the financial year. Comparing the two measures provides information on the average length of supervision during the year. For example, if the number under supervision during the year has remained steady over a number of years but the average number per day has increased, this means that the average length of supervision has increased. Where there are many people under supervision for long periods, the ratio of the two measures (the first measure divided by the second measure) will be smaller than when there are the same number of young people under supervision but the average length of supervision is shorter.

Population rates

While the number under supervision varies by state and territory, so does the total number of young people who live in that state and territory. One way of comparing the number under supervision while taking into account differences in population sizes is to calculate population rates. Population rates are calculated by dividing the number of young people under supervision by the number of young people who are eligible to be supervised. Those who are eligible must relate to those under supervision (that is, if the rate is calculated for males under supervision, then those who are eligible can only be males).

Population rates are calculated for both the number under supervision during the year and the number under supervision on an average day. Because there are differences between the states and territories in the extent to which young people aged 18 years and older can be supervised by juvenile justice agencies, all rates are calculated for those aged 10–17 years. For this report, this number is then multiplied by 1,000 (although any multiplier could be used). The rate can then be expressed as the number per 1,000 young people. For example, if there were 10,000 young people aged 10–17 years under supervision during the year and there were 2,000,000 young people aged 10–17 years in Australia, then there were 5 young people under supervision for every 1,000 young people aged 10–17 years in Australia (or 0.5% of the population aged 10–17 years). Similarly, if there were 5,000 Indigenous young people aged 10–17 years under supervision in Australia and there were 100,000 Indigenous young people of this age in Australia, then there were 50 Indigenous young people under supervision for every 1,000 Indigenous young people aged 10–17 years in Australia (or 5% of the Indigenous population aged 10–17 years).

The calculation for rates for Indigenous and non-Indigenous young people exclude young people with unknown Indigenous status.

The populations used in calculating rates are available in Appendix A.

2.4 Online appendixes

Additional tables and state and territory appendixes for *Juvenile justice in Australia 2007–08* are available from <http://www.aihw.gov.au/publications/>.

3 Young people under supervision

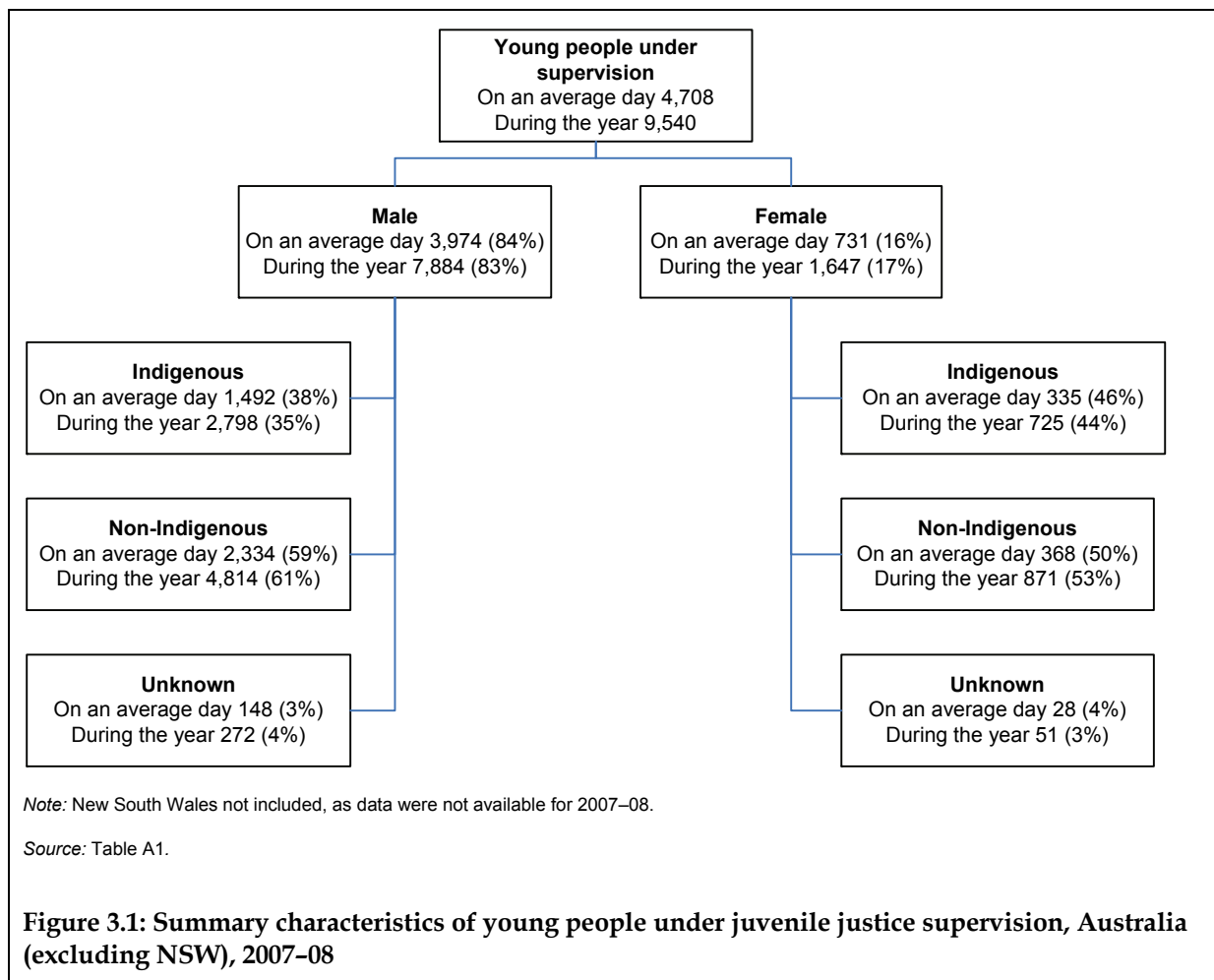
Young people under juvenile justice supervision may be supervised either in the community or in detention. This chapter focuses on all young people under juvenile justice supervision in Australia, irrespective of where they were supervised. (Later chapters focus on young people under community-based supervision and young people in detention.)

In this chapter, information is presented on the number and rate of young people under supervision in 2007–08 and over the 4 years from 2004–05 to 2007–08, as well as their age at first supervision and their length of supervision. This information is disaggregated by sex, age, Indigenous status and state or territory.

Two methods are used to count the number of young people under supervision. The first is the number of young people under supervision at some time during the year, irrespective of how many times they entered or left supervision or how long they were under supervision. This means that a person who spends only 1 day under supervision and a person who spends the entire year under supervision both contribute 1 to the count of young people during the year. The second measure is the number of young people under supervision on an average day, which is a summary statistic that takes into account the length of time each person spends under supervision during the year, and is conceptually similar to a census count of the number of people under supervision on any given day. Comparing the number under supervision during the year with the number under supervision on an average day provides information about the length of supervision during the year.

3.1 Summary

Around 4,700 young people were under supervision on an average day and around 9,500 were under supervision during the year in 2007–08 in all states and territories except New South Wales (for which data were not available; Figure 3.1). Most of those under supervision were male (84% on an average day, 83% during the year) and over 80% of those under supervision on an average day and during the year were aged 10–17 years (the remainder were aged over 17 years). Although only around 5% of young Australians are Aboriginal or Torres Strait Islander, close to 40% of males and over 45% of females under supervision on an average day were Aboriginal or Torres Strait Islander young people.



The rates of young people aged 10–17 years under supervision on an average day and during the year increased slightly over the 4 years from 2004–05. In 2007–08, there were 2.5 young people aged 10–17 years per 1,000 under supervision on an average day, and 5.1 young people per 1,000 during the year.

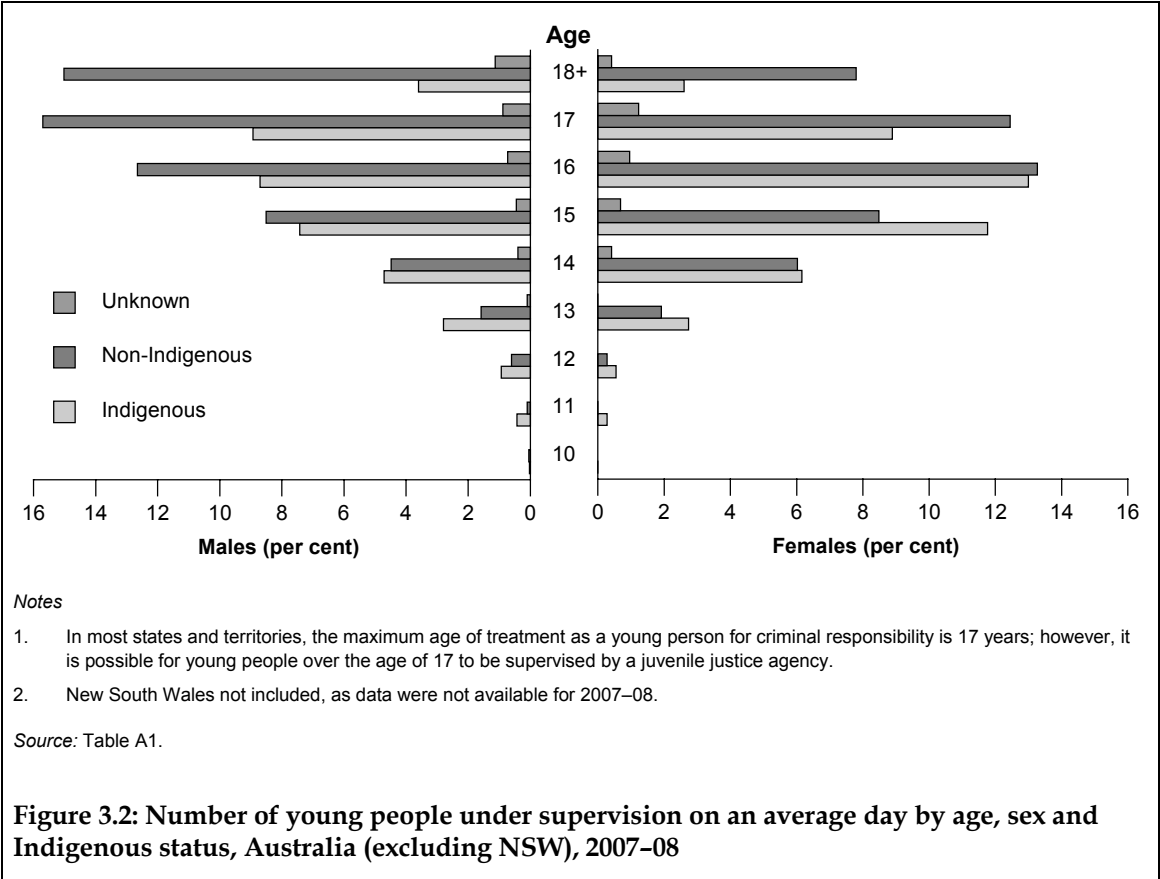
As in previous years, Aboriginal and Torres Strait Islander young people are over-represented in juvenile justice supervision. The proportion of young people under supervision on an average day who were Indigenous steadily increased from 32% in 2000–01 to 39% in 2007–08. In 2007–08, Indigenous young people aged 10–17 years were 16 times as likely to be under supervision on an average day as non-Indigenous young people.

3.2 Sex, age and Indigenous status

Most of the 4,700 young people under supervision in Australia on an average day were male (84%) and half (50%) were aged between 14 and 16 years old; less than 1% of the average daily population (26 young people) were aged 10 or 11 years old and 18% (864) were aged 18 years or older (Table A1, Figure 3.2). Males were slightly more likely to be in the younger age groups and in the 18 years and over age group than females: around 90% of those in the 10-12 years age group and in the 18 years and over age group were male, while around 80% of those aged 13-16 years were male.

Nearly 60% of the young people under supervision on an average day in 2007-08 were non-Indigenous and almost 40% were Indigenous (the remainder were of unknown Indigenous status). Females were more likely to be Indigenous than males: close to half (46%) of females under supervision on an average day were Indigenous, compared with 38% of males (Table A1).

Aboriginal or Torres Strait Islander young people were over-represented in the younger age groups (Figure 3.2). Of the average daily population aged 10-13 years, 63% were Indigenous, compared with 42% of those aged 14-17 years and 19% of those aged 18 years or older.



In 2007–08, there were 3,844 young people aged 10–17 years under supervision on an average day (82% of the total average daily population) and 7,898 young people of this age under supervision at some time during the year (83% of the total under supervision during the year; Table A1). This equates to 2.5 young people per 1,000 under supervision on an average day and 5.1 under supervision during the year, which is less than 1% of all young people aged 10–17 years in Australia (Table 3.1).

Males were 4 times as likely to be under supervision as females: on an average day, 4.0 per 1,000 males aged 10–17 years were under supervision compared with only 0.9 females (Table 3.1). Those in older age groups were also more likely to be under supervision on an average day than those in younger age groups, although the difference was more dramatic for males. There were 9.9 males per 1,000 aged 17 years old under supervision on an average day in 2007–08, compared with 0.6 males aged 12 years. In contrast, there were 1.7 females per 1,000 aged 17 years old and 2.1 aged 16 years under supervision on an average day, but 0.1 per 1,000 aged 12 years.

Table 3.1: Rate of young people aged 10–17 years under supervision by age and sex, Australia (excluding NSW), 2007–08

Sex	10	11	12	13	14	15	16	17	10–17
Supervision rate—average day									
Male	n.p.	0.22	0.62	1.80	3.85	6.54	8.72	9.94	4.04
Female	n.p.	n.p.	0.06	0.36	0.98	1.62	2.08	1.71	0.87
Total	n.p.	0.12	0.35	1.10	2.46	4.16	5.49	5.95	2.50
Supervision rate—during the year									
Male	0.16	0.63	1.74	4.24	8.33	13.15	17.41	18.30	8.13
Female	n.p.	0.08	0.27	1.01	2.43	3.74	4.20	3.71	1.96
Total	0.09	0.36	1.03	2.67	5.48	8.58	10.99	11.22	5.14

Notes

1. New South Wales not included, as data were not available for 2007–08.
2. Age calculated as at start of financial year if supervision began before start of financial year, otherwise age calculated as at start of supervision.
3. Rates are not published where there were fewer than five young people under supervision.
4. Rates are number of young people per 1,000 relevant population.

Most of those under supervision on an average day in Australia during 2007–08 were in Queensland and Victoria (data were not available for New South Wales) – one-third (33%) were under supervision in Queensland and one-quarter (26%) were in Victoria (Table 3.2). Close to 40% of those aged 10–17 years on an average day were under supervision in Queensland, while around 20% of this age group were under supervision in Victoria and a further 20% in Western Australia. Over half (53%) of those aged 18 years or older under supervision on an average day were in Victoria. The proportion aged 10–13 years was small in all states and territories, and ranged from 2% in the Northern Territory to 11% in the Australian Capital Territory.

In each state and territory the majority of those under supervision on an average day were male; this ranged from 80% in the Australian Capital Territory to 94% in the Northern Territory (Table 3.3).

Table 3.2: Number of young people under supervision by age, states and territories, 2007–08

Age	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust excl NSW
Number of young people—average day									
10	n.a.	—	1	1	1	—	—	—	3
11	n.a.	1	13	4	6	—	—	—	23
12	n.a.	7	27	13	14	3	3	1	67
13	n.a.	24	91	53	19	13	12	1	212
14	n.a.	93	183	97	54	22	18	8	474
15	n.a.	151	334	155	87	41	22	16	807
16	n.a.	213	470	185	110	51	19	31	1,078
17	n.a.	299	326	253	140	73	39	50	1,180
10–17	n.a.	788	1,444	760	430	203	113	107	3,844
18+	n.a.	455	133	60	92	97	24	2	864
Total	n.a.	1,243	1,576	820	523	300	137	109	4,708
Number of young people—during the year									
10	n.a.	1	2	6	8	—	—	—	17
11	n.a.	4	27	23	12	1	1	—	68
12	n.a.	16	65	61	40	5	7	2	196
13	n.a.	66	172	171	49	24	27	5	514
14	n.a.	195	333	305	121	43	39	21	1,057
15	n.a.	325	602	382	198	77	43	38	1,665
16	n.a.	434	802	482	230	99	49	60	2,156
17	n.a.	583	521	521	298	125	82	95	2,225
10–17	n.a.	1,624	2,524	1,951	956	374	248	221	7,898
18+	n.a.	905	220	96	178	181	55	7	1,642
Total	n.a.	2,529	2,744	2,047	1,134	555	303	228	9,540

Notes

1. New South Wales not included, as data were not available for 2007–08.
2. Total includes young people with unknown age.

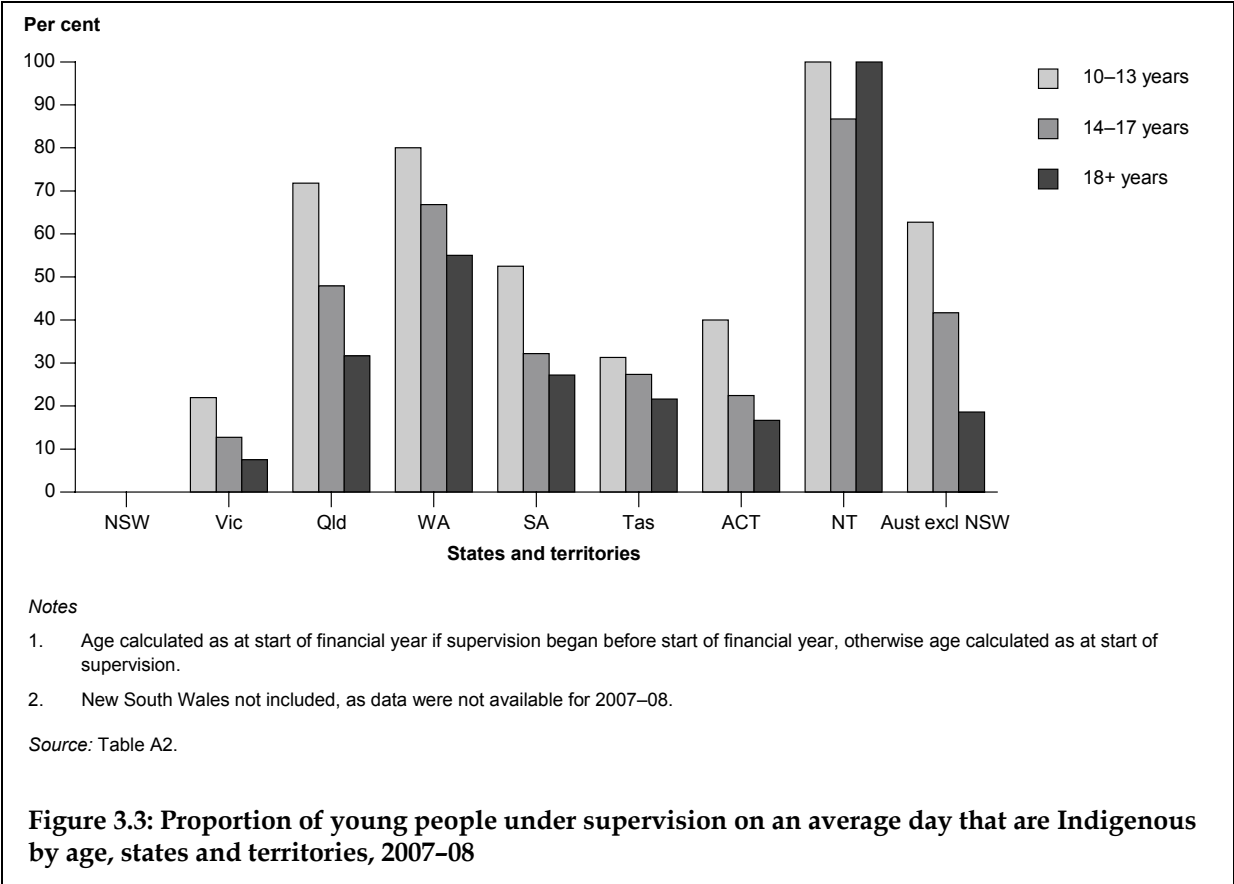
Table 3.3: Number of young people under supervision by sex and Indigenous status, states and territories, 2007–08

Indigenous status	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust excl NSW
Number of young people—average day									
Male									
Indigenous	n.a.	117	604	450	139	67	28	87	1,492
Non-Indigenous	n.a.	878	700	224	278	161	80	14	2,334
Unknown	n.a.	100	1	4	26	16	2	—	148
Total	n.a.	1,095	1,304	678	443	244	109	101	3,974
Female									
Indigenous	n.a.	20	161	99	33	10	5	7	335
Non-Indigenous	n.a.	113	111	37	45	38	23	1	368
Unknown	n.a.	15	—	2	2	8	—	—	28
Total	n.a.	148	272	138	80	56	28	8	731
All young people									
Indigenous	n.a.	138	764	551	172	77	32	94	1,828
Non-Indigenous	n.a.	991	811	263	323	199	102	15	2,704
Unknown	n.a.	115	1	7	28	24	2	—	176
Total	n.a.	1,243	1,576	820	523	300	137	109	4,708
Number of young people—during the year									
Male									
Indigenous	n.a.	233	954	1,010	271	104	50	176	2,798
Non-Indigenous	n.a.	1,806	1,276	614	598	317	173	30	4,814
Unknown	n.a.	161	3	19	51	35	3	—	272
Total	n.a.	2,200	2,233	1,643	920	456	226	206	7,884
Female									
Indigenous	n.a.	44	275	277	83	14	14	18	725
Non-Indigenous	n.a.	260	236	112	125	73	62	3	871
Unknown	n.a.	25	—	6	6	12	1	1	51
Total	n.a.	329	511	395	214	99	77	22	1,647
All young people									
Indigenous	n.a.	277	1,229	1,291	354	118	64	194	3,527
Non-Indigenous	n.a.	2,066	1,512	731	723	390	235	33	5,690
Unknown	n.a.	186	3	25	57	47	4	1	323
Total	n.a.	2,529	2,744	2,047	1,134	555	303	228	9,540

Notes

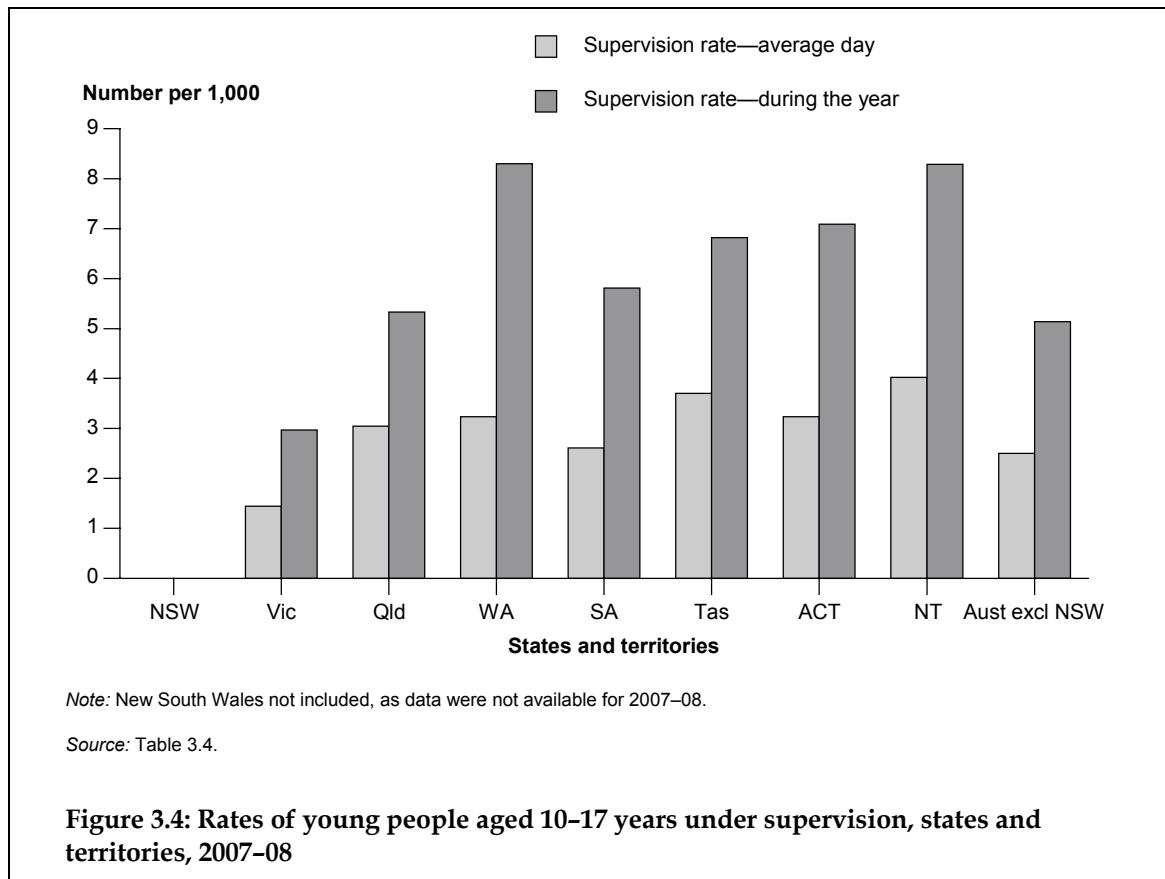
1. New South Wales not included, as data were not available for 2007–08.
2. Total includes young people with unknown age.

Nationally, the proportion of young people under supervision who were Aboriginal or Torres Strait Islander is highest in the younger age groups (Figure 3.3). In general, the states and territories with a greater proportion of Indigenous young people in the general population had higher proportions under supervision in each age group but, in all states and territories except the Northern Territory, the proportion that was Indigenous was less in each successive age group.



On an average day in Australia, the rate of young people aged 10-17 years under supervision ranged from 1.4 per 1,000 young people aged 10-17 years in Victoria to 4.0 per 1,000 in the Northern Territory (Figure 3.4). Rates for males ranged from 2.4 in Victoria to 7.2 in the Northern Territory and from 0.4 in Victoria to 1.6 in Tasmania for females (Table 3.4).

Victoria also had the lowest rate of young people under supervision during the year, with 3.0 per 1,000, while Western Australia and the Northern Territory had the highest rates with 8.3 each (Figure 3.4). Rates for males ranged from 4.9 in Victoria to 14.5 in the Northern Territory, and from 0.9 in Victoria to 4.0 in Australian Capital Territory for females (Table 3.4).



As in previous years, the Indigenous rate of supervision was much higher than the non-Indigenous rate. On an average day in Australia in 2007–08, 2.2% (22.4 per 1,000) of the Indigenous population aged 10–17 were under supervision, compared with 0.1% (1.4 per 1,000) of the equivalent non-Indigenous population. During the year, 4% (43.4 per 1,000) of Indigenous young people aged 10–17 years in Australia were under supervision at some time during the year, compared with only 0.3% (3.0 per 1,000) of the non-Indigenous population (Table 3.4). Thus, Aboriginal and Torres Strait Islander young people were 16 times as likely to be under supervision on an average day as non-Indigenous young people and 14 times as likely to be under supervision during the year. The higher level of over-representation for an average day compared with the number under supervision during the year indicates that Indigenous young people were more likely to be under supervision for longer than non-Indigenous young people.

Table 3.4: Rate of young people aged 10–17 years under supervision by sex and Indigenous status, states and territories, 2007–08

Indigenous status	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust excl NSW
Supervision rate—average day									
Male									
Indigenous	n.a.	24.29	35.93	55.36	41.49	23.57	48.08	14.75	35.37
Non-Indigenous	n.a.	1.88	2.72	1.74	2.70	3.97	3.59	1.75	2.31
Total	n.a.	2.40	4.88	5.12	4.26	5.71	4.94	7.15	4.04
Female									
Indigenous	n.a.	4.87	10.27	13.54	10.11	4.85	n.p.	1.30	8.73
Non-Indigenous	n.a.	0.32	0.48	0.33	0.53	1.09	1.20	n.p.	0.44
Total	n.a.	0.43	1.12	1.18	0.89	1.58	1.40	0.62	0.87
All young people									
Indigenous	n.a.	14.65	23.38	35.29	26.08	14.55	28.03	8.21	22.43
Non-Indigenous	n.a.	1.12	1.63	1.07	1.64	2.55	2.41	0.97	1.40
Total	n.a.	1.44	3.05	3.23	2.61	3.70	3.23	4.02	2.50
Supervision rate—during the year									
Male									
Indigenous	n.a.	44.62	56.15	127.32	82.29	40.12	80.77	29.15	66.54
Non-Indigenous	n.a.	4.02	5.05	5.03	5.92	7.67	7.81	3.75	4.90
Total	n.a.	4.93	8.38	12.80	9.00	10.75	10.10	14.45	8.13
Female									
Indigenous	n.a.	10.32	17.55	38.08	27.09	5.93	20.88	3.16	18.90
Non-Indigenous	n.a.	0.70	1.03	1.02	1.48	2.02	3.41	0.40	1.04
Total	n.a.	0.90	2.11	3.39	2.44	2.67	3.96	1.64	1.96
All young people									
Indigenous	n.a.	27.60	37.27	84.48	55.17	23.65	52.05	16.69	43.40
Non-Indigenous	n.a.	2.40	3.09	3.12	3.76	4.92	5.65	2.14	3.03
Total	n.a.	2.97	5.33	8.30	5.81	6.82	7.09	8.29	5.14

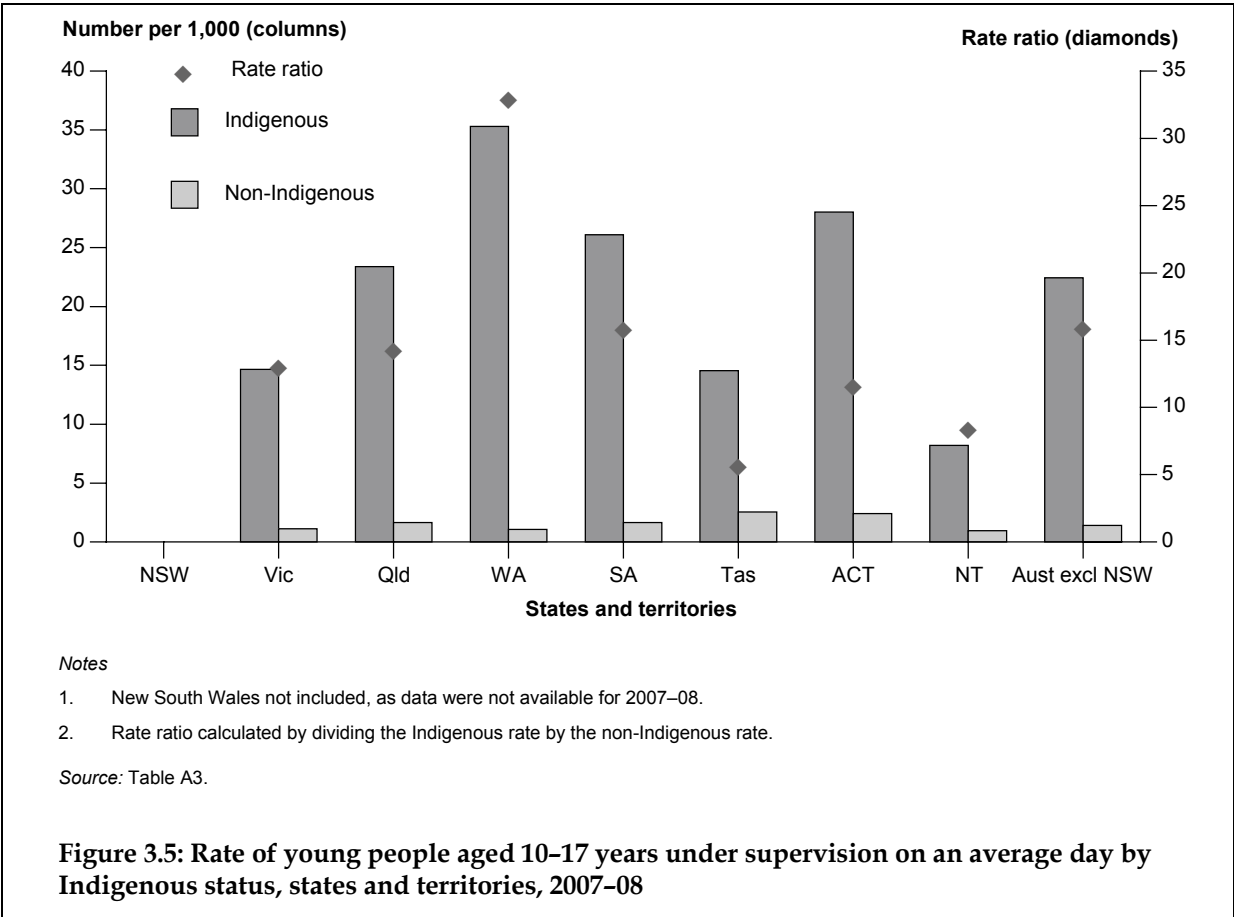
Notes

1. Rates are number of young people per 1,000 relevant population.
2. New South Wales not included, as data were not available for 2007–08.
3. Total includes young people with unknown Indigenous status.

While the rate of Aboriginal and Torres Strait Islander young people under supervision was higher than the equivalent rate for non-Indigenous young people in each state and territory, there was considerable variation in the rate of Indigenous young people among the states and territories but less variation in the non-Indigenous rate (Figure 3.5). In five states and territories, fewer than 2 non-Indigenous young people for every 1,000 aged 10–17 years were under supervision on an average day and, in the remaining two states and territories, between 2 and 3 were under supervision on an average day. In contrast, the lowest rate for Aboriginal and Torres Strait Islander young people was in the Northern Territory, where

there were 8 Indigenous young people for every 1,000 aged 10–17 under supervision on an average day. The Indigenous rate was around 15 young people per 1,000 in Victoria and Tasmania, and between 20 and 30 in Queensland, South Australia and the Australian Capital Territory. In Western Australia, there were 36 Indigenous young people per 1,000 under supervision on an average day, which is equivalent to nearly 4% of the Indigenous population aged 10–17 years.

The level of Aboriginal and Torres Strait Islander over-representation (as shown by the ratio of the Indigenous and non-Indigenous rates) remains high. Nationally, Aboriginal and Torres Strait Islander young people aged 10–17 years were 16 times as likely to be under supervision on an average day as non-Indigenous young people. Indigenous young people were over-represented in all states and territories, although the level of over-representation varied greatly. The highest rate ratio was in Western Australia, where Indigenous young people were 33 times as likely to be under supervision on an average day as non-Indigenous young people. In contrast, Indigenous young people were 8 times as likely to be under supervision as non-Indigenous young people in the Northern Territory, which, like Western Australia, has a high proportion of Indigenous young people (Figure 3.5). Even in Tasmania, the state with the smallest rate ratio, Indigenous young people were 6 times as likely to be under supervision. In the remaining states and territories, the rate ratio ranged from 12 to 16.



3.3 Trends

Over the 4 years from 2004-05, the rate of young people aged 10-17 years under supervision increased slightly, from 2.4 to 2.5 per 1,000 for the average daily population and from 4.9 to 5.1 for the population under supervision during the year (Figure 3.6). In most states and territories, rates either remained steady or there was no clear trend over the 4 years. However, in Victoria and Tasmania, the rate under supervision on an average day and the rate under supervision during the year increased each year in the 4-year period, while in the Northern Territory the opposite occurred (Table 3.5).

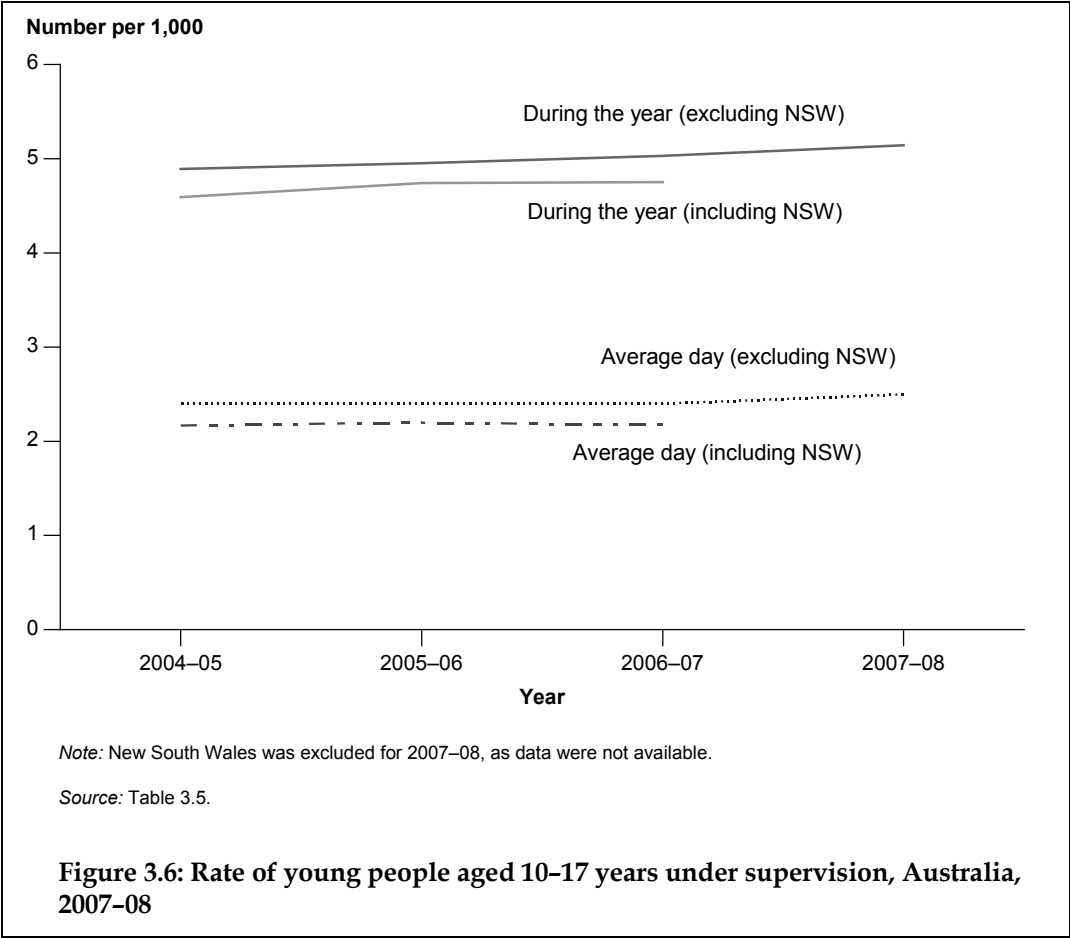


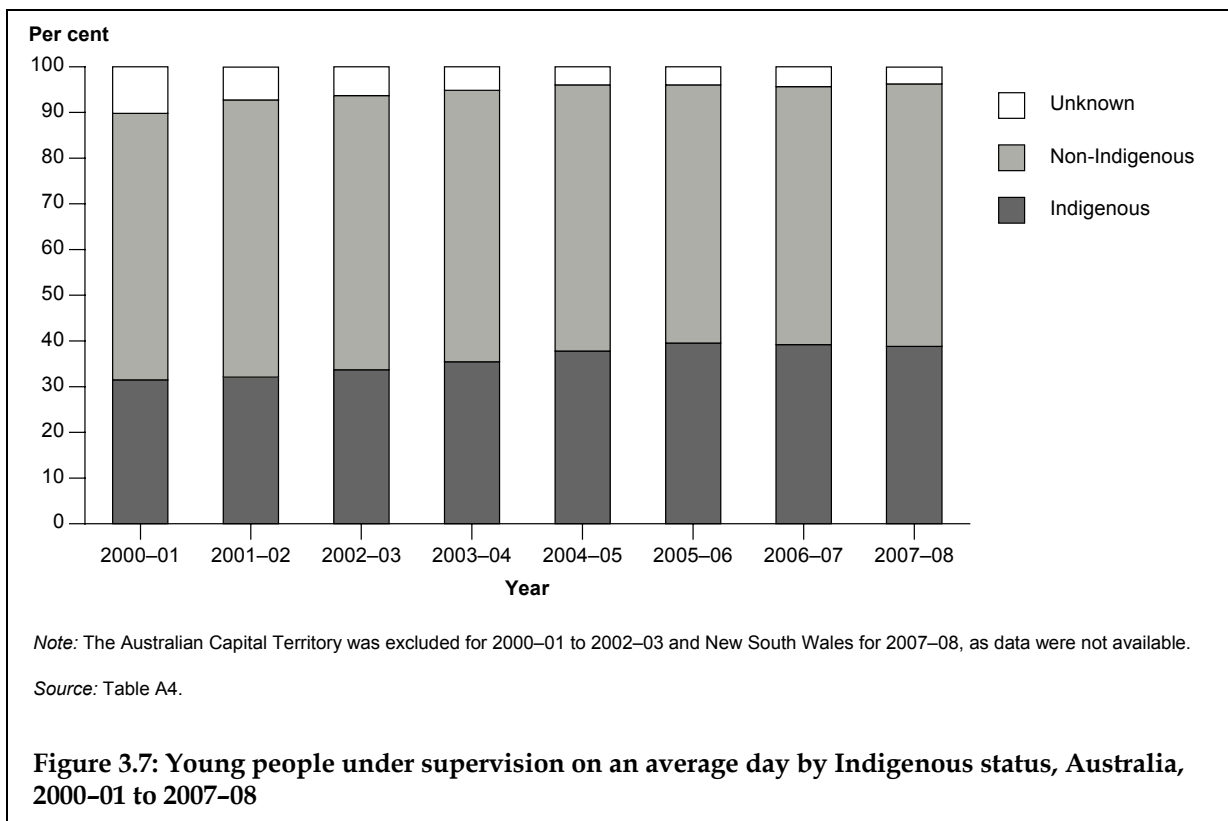
Table 3.5: Rate of young people aged 10–17 years under supervision, states and territories, 2004–05 to 2007–08

Year	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust excl NSW	Aust
Supervision rate—average day										
2004–05	1.70	1.20	3.03	2.77	2.93	3.22	4.05	6.14	2.40	2.17
2005–06	1.80	1.22	2.97	3.16	2.54	3.50	2.92	6.06	2.40	2.20
2006–07	1.71	1.29	2.99	3.12	2.44	3.55	3.11	5.01	2.40	2.18
2007–08	n.a.	1.44	3.05	3.23	2.61	3.70	3.23	4.02	2.50	n.a.
Supervision rate—during the year										
2004–05	3.98	2.49	5.36	7.58	6.11	5.37	6.94	11.47	4.89	4.59
2005–06	4.30	2.54	5.34	8.14	5.81	5.93	6.06	11.25	4.95	4.74
2006–07	4.17	2.84	5.24	8.35	5.64	5.95	6.19	9.88	5.03	4.75
2007–08	n.a.	2.97	5.33	8.30	5.78	6.82	7.09	8.29	5.14	n.a.

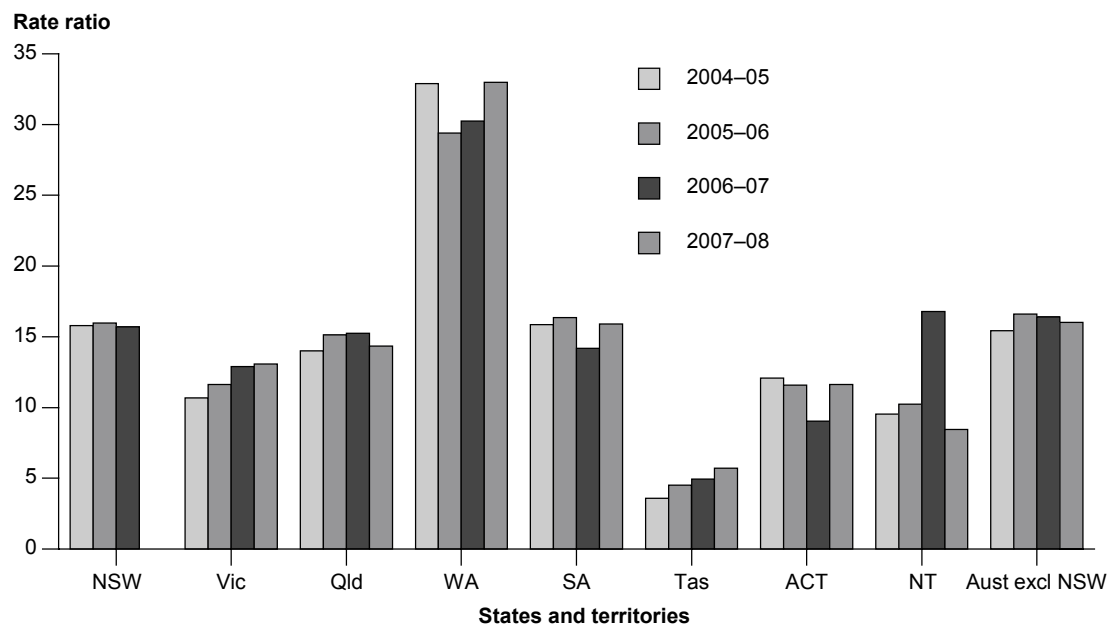
Notes

1. New South Wales was excluded for 2007–08, as data were not available.
2. Rates are number of young people per 1,000 relevant population.

The over-representation of Indigenous young people under supervision is increasing. Over the 8 years from 2000–01, the proportion of Indigenous young people under supervision on an average day (all ages) steadily increased from 32% to 39% (Figure 3.7). The proportion of non-Indigenous young people increased from 2000–01 to 2001–02 (the proportion of those with unknown Indigenous status decreased over the same period) before it decreased from 61% in 2001–02 to 57% in 2007–08. The numerical increase of Indigenous young people is far greater than the decrease in the number of young people with unknown Indigenous status, suggesting that the increase is not just a result of improved Aboriginal and Torres Strait Islander identification.



For young people aged 10-17 years, the propensity of Indigenous young people to be under supervision on an average day compared with non-Indigenous young people (as shown by the rate ratio) changed little in recent years. Nationally, Indigenous young people aged 10-17 years were just as over-represented in 2004-05 as they were in 2007-08 (around 16 times as likely to be under supervision as non-Indigenous young people on an average day; Figure 3.8). There was little change in the levels of over-representation in most states and territories but in some over-representation increased over the 4-year period.



Notes

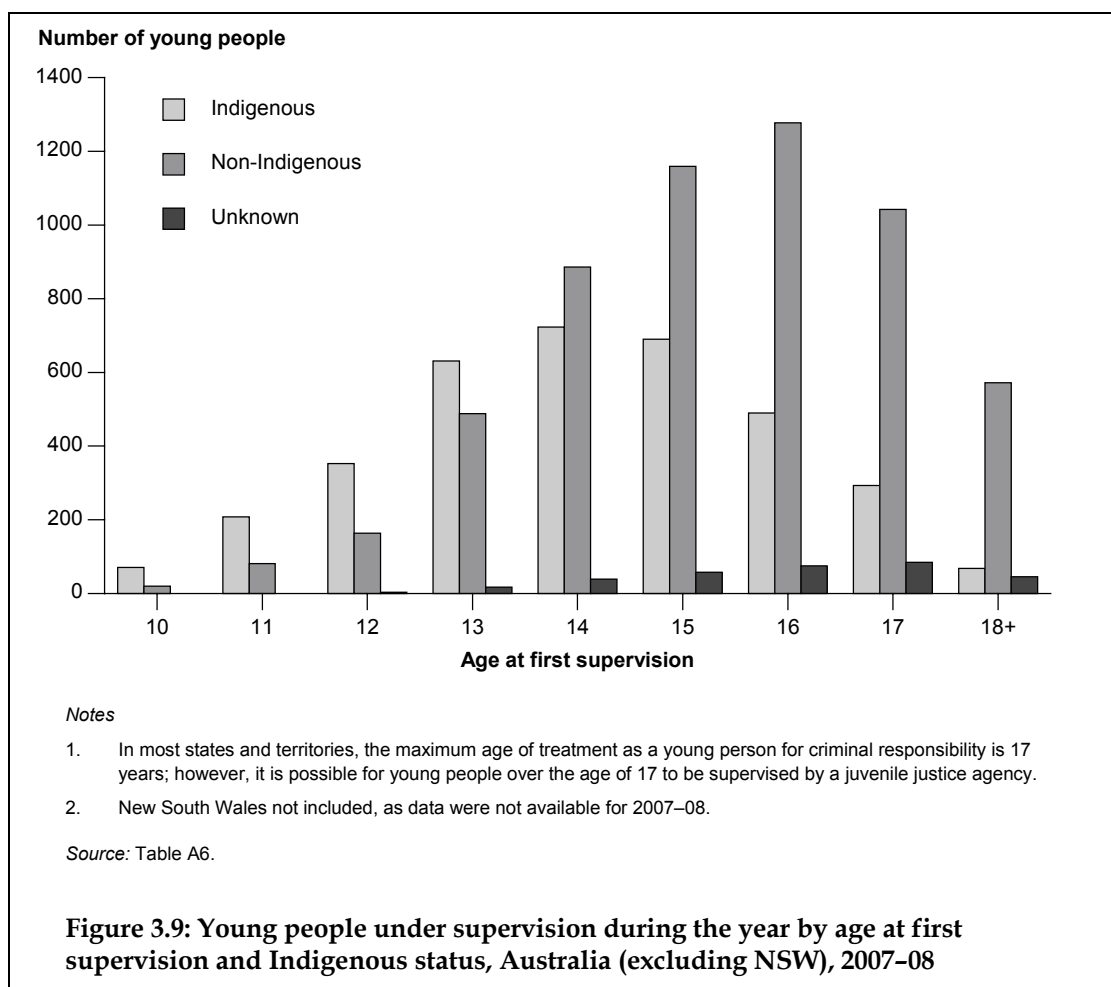
1. New South Wales not included in Australian total, as data were not available for 2007-08.
2. Rate ratio calculated by dividing the Indigenous rate by the non-Indigenous rate.

Source: Table A5.

Figure 3.8: Ratios of Indigenous and non-Indigenous rates of young people aged 10-17 years under supervision on an average day, states and territories, 2004-05 to 2007-08

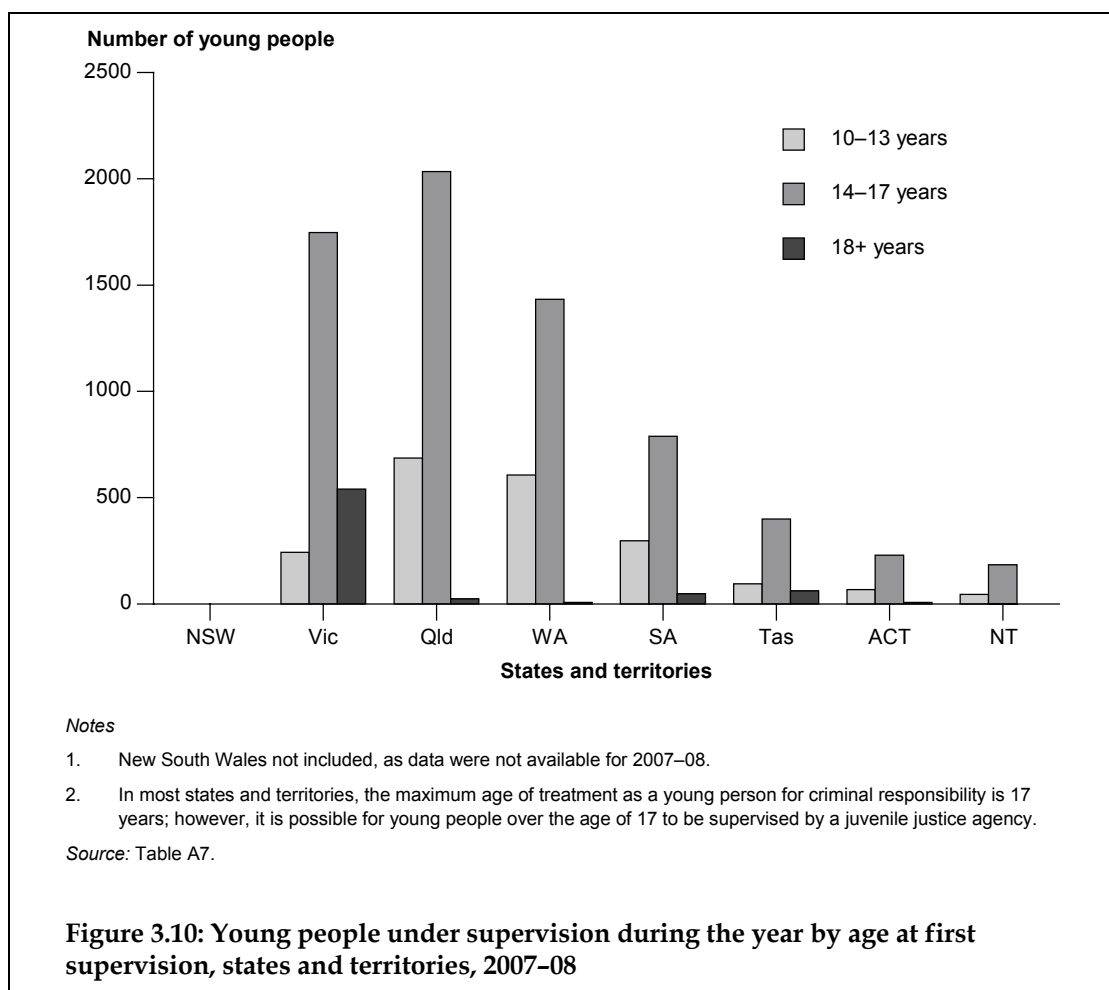
3.4 Age at first supervision

Almost three-quarters (71%) of young people under supervision in 2007–08 first entered supervision when aged between 14 and 17 years old, while fewer than 10% were aged 12 years or under (Figure 3.9). However, Aboriginal and Torres Strait Islander young people are over-represented in the younger age groups: 18% of Indigenous young people began their first supervision while aged 10–12 years, compared with 5% of non-Indigenous young people.



Most young people first entered supervision aged 14–17 years old in all states and territories, although around one-quarter of those under supervision in Queensland, Western Australia, South Australia and the Australian Capital Territory had their first supervision when aged 10–13 years old (Figure 3.10). In contrast, only 10% of those in Victoria (or 12% of young people in this age group nationally) first entered supervision at this age. Nationally, few (7%) were aged 18 years or older at their first supervision. However, close to 80% of those who began at this age were in Victoria, which is most likely the result of legislation in that state that allows for young people aged 18–20 years to be sentenced to a juvenile detention centre.

While the number of young people under supervision is increasing, young people are not entering juvenile justice supervision at younger ages: there was relatively little change in the distribution of age at first supervision in the 4 years from 2004–05 to 2007–08 (Table A8).



3.5 Length of supervision

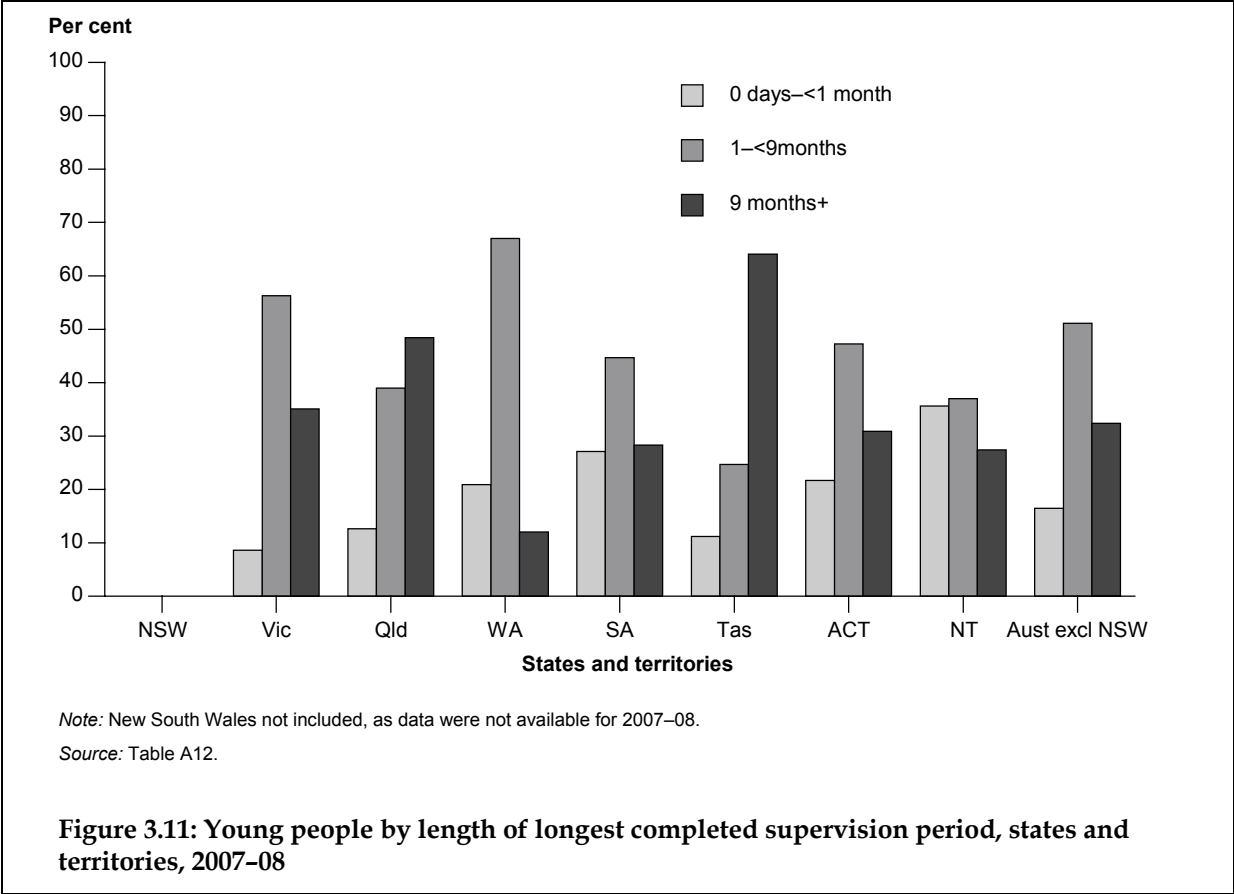
Of the 9,540 young people who were under supervision during 2007-08, nearly two-thirds (5,879) entered supervision during or before 2007-08 and left supervision for at least 1 day during 2007-08 (Table A12); that is, they completed at least one supervision period. Therefore, after entering supervision (which was either in or before 2007-08), one-third of young people under supervision had not left supervision for at least 1 full day by the end of 2007-08. Around half (55%) of those who did complete a supervision period only completed one supervision period during the year, while 13% completed four or more.

The 7,115 supervision periods that were completed in 2007-08 had a mean length of half a year (mean = 183 days, median = 127 days). The supervision periods completed by Indigenous young people were, on average, about 1 month shorter than those completed by non-Indigenous young people, but Indigenous young people were more likely to complete more supervision periods than non-Indigenous young people (tables A9 and A11). While the supervision periods completed by females were also, on average, about 1 month shorter than those completed by males, an equal proportion completed two or more supervision periods.

Of those who completed one or more supervision periods, over 80% completed a supervision period that lasted at least 1 month while one-third (33%) completed a supervision period that

lasted 9 months or more (Figure 3.11). Only 17% did not complete a supervision period longer than 1 month.

The length of supervision periods varied by state and territory. In Western Australia, only 12% of young people completed a supervision period that lasted 9 months or more, while over one-third completed supervision periods of this length in Victoria, Queensland and Tasmania. In Victoria, less than 10% completed supervision periods that were less than 1 month, compared with one-third in the Northern Territory.



4 Young people under community-based supervision

A young person may be supervised in the community while unsentenced or while serving a sentence following the finalisation of a court case. Community-based supervision includes supervised bail, probation, community service orders, suspended detention, parole or supervised release, and home detention. Not all types of supervision are available in all states and territories; see Table 2.1 for further information. Young people may also be unsupervised in the community while awaiting court appearances or hearings, or while serving sentences; however, information on unsupervised orders is not included in this report.

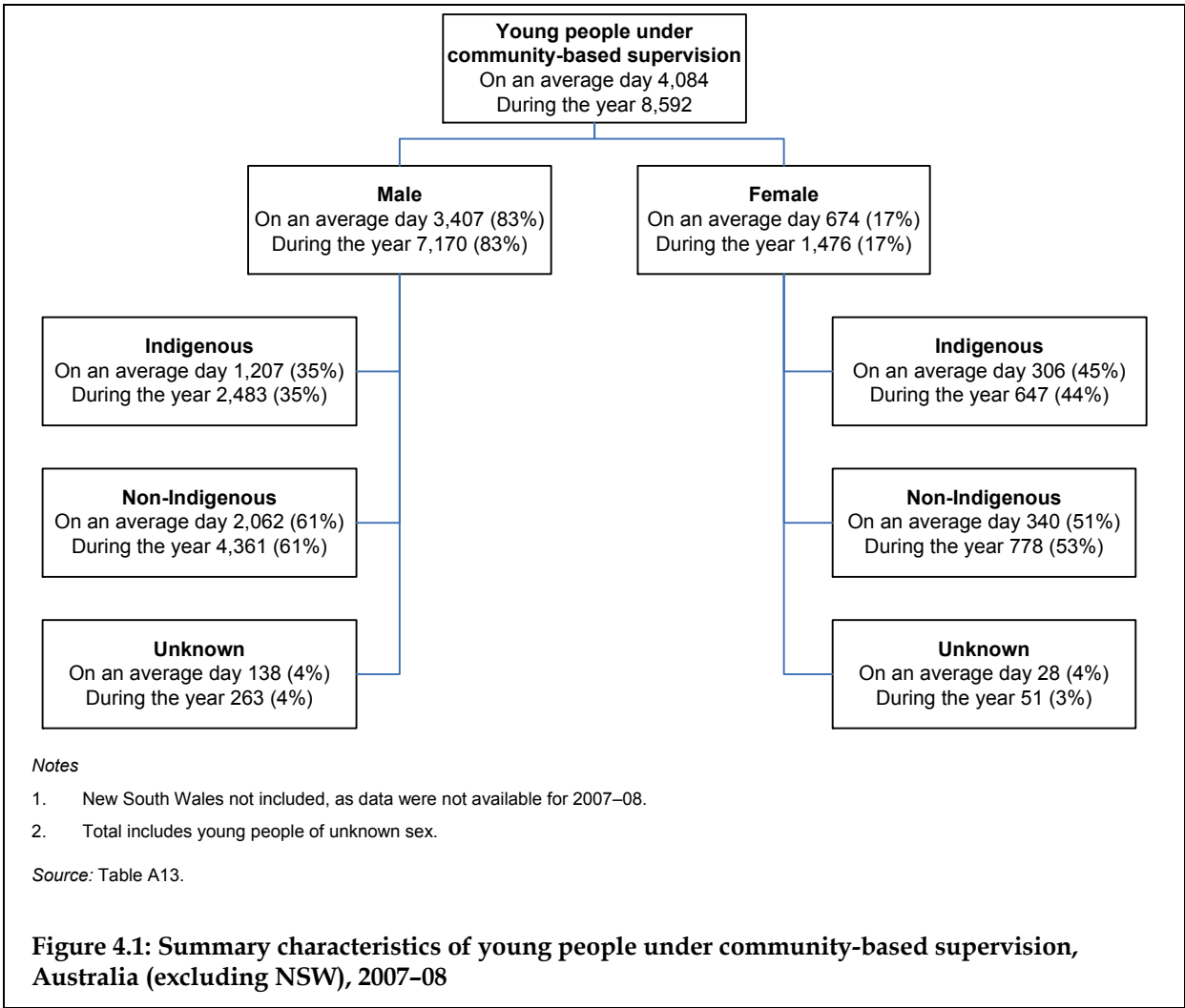
Furthermore, while a young person may be supervised in relation to a number of different types of legal arrangements or orders at any one time, the data on which this report is based only contains information about a young person's most serious supervised legal arrangement or order. The most serious order is determined using a hierarchy of order types (see section 'Data on types of supervision' for further information). Home detention is ranked highest of the sentenced community-based orders, followed by immediate release or suspended detention, parole or supervised release, and probation or similar. Unsented community-based orders such as supervised bail are ranked lower than sentenced orders, followed by other order types not elsewhere categorised. Therefore, if a young person is recorded as being on a supervised bail order, then the only other order type that they could possibly have at the same time is an 'other' type. However, if a young person is recorded as being on suspended detention, then at the same time they may be on one or more of the order types that are lower in the hierarchy, that is, parole or supervised release, probation or similar, supervised bail, or other types. Detention orders are ranked higher than community-based orders when determining the most serious order, so a young person will not be recorded as being on a supervised community-based order where they are in detention, although a supervised community-based order may still be in force for the period the young person is in detention.

This chapter contains information on the number and rate of young people under community-based supervision in 2007–08 and over the 4 years from 2004–05 to 2007–08, as well as the number of young people supervised under different types of legal arrangements or orders, the length of these periods of supervision and their outcomes. As in the previous chapter, data on both the number of young people under supervision on an average day and the number under supervision during the year are presented.

4.1 Summary

In 2007–08, there were 4,084 young people under community-based supervision on an average day and 8,592 under community-based supervision during the year; most (83%) were male (data were not available for New South Wales; Figure 4.1). Around one-third (35%) of males under community-based supervision on an average day were Aboriginal and Torres Strait Islander, compared with 45% of females. Around 80% of those under community-based supervision both on an average day and during the year were aged 10–17 years (the remaining 20% were aged 18 years or older). Half of those under

community-based supervision on an average day were aged 14–16 years. Aboriginal and Torres Strait Islander young people were particularly over-represented in the younger age groups.



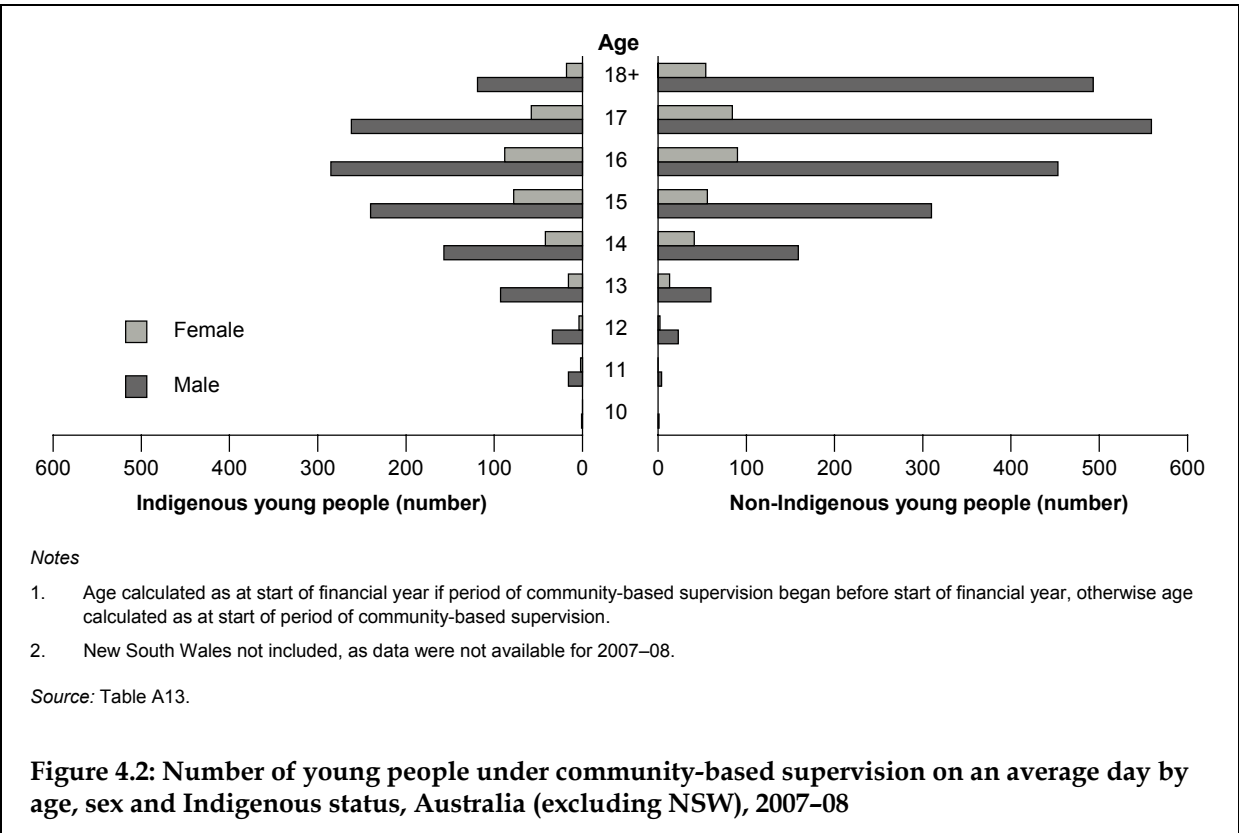
Around 2 young people out of every 1,000 aged 10–17 years were under community-based supervision on an average day, while nearly 5 young people out of every 1,000 aged 10–17 years were under community-based supervision during the year. For Indigenous young people, nearly 19 out of every 1,000 aged 10–17 years were under community-based supervision on an average day – a rate that is nearly 15 times as high as the equivalent non-Indigenous rate. The rate of young people under community-based supervision on an average day changed little over the 4 years from 2004–05, although the rate under community-based supervision during the year increased.

Most of those under community-based supervision on an average day were sentenced, and the most serious order for over three-quarters (77%) of the average daily population was probation or similar.

4.2 Sex, age and Indigenous status

The majority (83%) of the 4,084 young people under community-based supervision on an average day were male and over half (59%) were non-Indigenous (Figure 3.2). Females were more likely to be Indigenous than males: nearly half (45%) of females under community-based supervision on an average day were Indigenous, compared with around one-third (35%) of males.

Half (51%) of those under community-based supervision on an average day were aged 14–16 years. Females were more likely to be in this age group than males (61% of females were 14–16 years compared with 49% of males), while over 90% of those aged 10–12 years were male. Indigenous young people were more likely to be younger than non-Indigenous young people. Two-thirds (66%) of those aged 10–12 years were Indigenous, compared with 40% of those aged 14–17 years and only 19% of those aged 18 years and older.



Just over 80% of those under community-based supervision were aged 10–17 years – 3,356 young people on an average day and 7,038 during the year, which equates to 2.2 young people per 1,000 under community-based supervision on an average day and 4.6 per 1,000 during the year (tables 4.1 and 4.2). Males were 4 times as likely to be under community-based supervision on an average day as females in 2007–08 (there were 3.5 males and 0.8 females per 1,000 aged 10–17 years). Those in older age groups were more likely to be under community-based supervision than those in younger age groups, although there was less variation in age for females than for males. Overall, a 17 year old was 5 times as likely to be under community-based supervision on an average day as a 13 year old, and 42 times as likely to be under community-based supervision as an 11 year old.

Table 4.1: Rate of young people aged 10–17 years under community-based supervision by age and sex, Australia (excluding NSW), 2007–08

Sex	10	11	12	13	14	15	16	17	10–17
Community-based supervision rate—average day									
Male	n.p.	0.21	0.58	1.58	3.35	5.70	7.59	8.38	3.49
Female	n.p.	n.p.	0.06	0.32	0.92	1.48	1.93	1.57	0.80
Total	n.p.	0.12	0.33	0.97	2.17	3.66	4.83	5.08	2.18
Community-based supervision rate—during the year									
Male	0.11	0.51	1.55	3.61	7.42	11.87	15.52	16.44	7.25
Female	n.p.	0.08	0.21	0.86	2.09	3.30	3.82	3.33	1.74
Total	0.06	0.30	0.90	2.27	4.85	7.71	9.84	10.08	4.58

Notes

1. New South Wales not included, as data were not available for 2007–08.
2. Rates are number of young people per 1,000 relevant population.
3. Age calculated as at start of financial year if period of community-based supervision began before start of financial year, otherwise age calculated as at start of period of community-based supervision.
4. Rates are not published where there were fewer than five young people under supervision.
5. Total includes young people of unknown sex.

Most of the young people under community-based supervision on an average day were in Victoria, Queensland and Western Australia (data for New South Wales were not available for 2007–08). Around one-third (35%) of young people under community-based supervision on an average day in 2007–08 were in Queensland, while just over one-quarter (27%) were in Victoria (Table 4.2). The pattern was similar for the number of young people under community-based supervision during the year. Just under one-third (30%) of those under community-based supervision during the year were in Queensland and nearly the same proportion (28%) were in Victoria.

While Queensland had the highest number of young people under community-based supervision, both on an average day and during the year, Victoria had the highest number of young people aged 18 years and older, with 353 young people (48% of the Australian total) of this age on an average day and 834 (54%) during the year. The proportion of young people under community-based supervision on an average day who were aged 18 years or older ranged from 33% in Victoria to 3% in the Northern Territory.

In all states and territories, there were more males than females under community-based supervision, although the proportion of those who were female ranged from 7% in the Northern Territory to 20% in Tasmania and 21% in the Australian Capital Territory (Table 4.3).

Table 4.2: Number of young people under community-based supervision by age, states and territories, 2007–08

Age	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust excl NSW
Number of young people—average day									
10	n.a.	—	1	1	—	—	—	—	2
11	n.a.	1	12	4	5	—	—	—	22
12	n.a.	6	24	14	13	3	2	1	62
13	n.a.	25	79	43	16	12	10	1	187
14	n.a.	86	162	82	47	18	16	6	418
15	n.a.	150	295	123	73	35	19	15	710
16	n.a.	192	421	158	96	45	18	18	948
17	n.a.	271	302	186	121	65	32	31	1,007
10–17	n.a.	733	1,295	611	370	178	96	73	3,356
18+	n.a.	353	126	49	83	93	23	2	728
Total	n.a.	1,086	1,422	659	453	271	119	75	4,084
Number of young people—during the year									
10	n.a.	1	2	3	5	—	—	—	11
11	n.a.	2	25	16	11	1	1	—	56
12	n.a.	17	63	49	29	5	7	2	172
13	n.a.	62	152	134	42	22	22	4	438
14	n.a.	190	307	252	105	36	33	12	935
15	n.a.	309	561	316	165	72	44	30	1,497
16	n.a.	412	745	405	198	92	39	39	1,930
17	n.a.	556	518	438	237	112	71	67	1,999
10–17	n.a.	1,549	2,373	1,613	792	340	217	154	7,038
18+	n.a.	834	217	102	159	185	49	8	1,554
Total	n.a.	2,383	2,590	1,715	951	525	266	162	8,592

Notes

1. New South Wales not included, as data were not available for 2007–08.
2. Total includes young people with unknown age.

Table 4.3: Number of young people under community-based supervision by sex and Indigenous status, states and territories, 2007–08

Indigenous status	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust excl NSW
Number of young people—average day									
Male									
Indigenous	n.a.	96	523	343	110	54	21	58	1,207
Non-Indigenous	n.a.	760	640	187	245	148	71	11	2,062
Unknown	n.a.	91	1	4	25	16	1	—	138
Total	n.a.	947	1,163	535	380	218	94	69	3,407
Female									
Indigenous	n.a.	19	153	87	30	9	4	4	306
Non-Indigenous	n.a.	104	105	32	41	36	20	1	340
Unknown	n.a.	15	—	2	2	8	—	—	28
Total	n.a.	139	258	121	73	53	25	5	674
All young people									
Indigenous	n.a.	116	676	431	141	63	25	62	1,514
Non-Indigenous	n.a.	864	745	222	285	184	92	12	2,404
Unknown	n.a.	106	1	7	27	24	2	—	166
Total	n.a.	1,086	1,422	659	453	271	119	75	4,084
Number of young people—during the year									
Male									
Indigenous	n.a.	218	911	866	223	98	43	124	2,483
Non-Indigenous	n.a.	1,693	1,185	500	509	295	155	24	4,361
Unknown	n.a.	157	1	19	49	35	2	—	263
Total	n.a.	2,068	2,097	1,385	781	428	200	148	7,107
Female									
Indigenous	n.a.	43	273	231	64	13	12	11	647
Non-Indigenous	n.a.	247	220	84	100	72	53	2	778
Unknown	n.a.	25	—	6	6	12	1	1	51
Total	n.a.	315	493	321	170	97	66	14	1,476
All young people									
Indigenous	n.a.	261	1,184	1,101	287	111	55	135	3,134
Non-Indigenous	n.a.	1,940	1,405	589	609	367	208	26	5,144
Unknown	n.a.	182	1	25	55	47	3	1	314
Total	n.a.	2,383	2,590	1,715	951	525	266	162	8,592

Notes

1. New South Wales not included, as data were not available for 2007–08.
2. Total includes young people with unknown age.
3. Total includes young people of unknown sex.

There was some variation in the rates of young people under community-based supervision among the states and territories. On an average day, there were 1.3 young people aged 10–17 years per 1,000 under supervision in Victoria compared with 3.3 per 1,000 in Tasmania; in the remaining states and territories, the rate ranged from 2.3 to 2.7 (Table 4.4). Victoria also had the lowest rate of young people under community-based supervision during the year, with 2.8 per 1,000. In most of the other states and territories, 5–6 young people aged 10–17 years per 1,000 were under community-based supervision during the year. In Western Australia, where the rate was 6.9, a young person was nearly 2.5 times as likely to be under community-based supervision during the year as a young person in Victoria.

There were similar patterns for the rate of supervision for males and females. For males, the rate under supervision on an average day ranged from 2.2 per 1,000 in Victoria to 4.9 in Tasmania and the Northern Territory. For females, the rate ranged from 0.4 per 1,000 in Victoria and the Northern Territory to 1.5 per 1,000 in Tasmania. In the Northern Territory, males were 13 times as likely to be under community-based supervision as females, while in the Australian Capital Territory, they were only 3 times as likely to be under community-based supervision.

As for supervision overall, Aboriginal and Torres Strait Islander young people were over-represented in community-based supervision. Nationally, there were 18.6 young people aged 10–17 years per 1,000 Indigenous young people under community-based supervision on an average day, which is 15 times as high as the non-Indigenous rate. And nearly 4% of all Indigenous young people aged 10–17 years (38.3 per 1,000) were under community-based supervision at some time during the year, compared with around 0.27 per cent of non-Indigenous young people (2.7 per 1,000).

Again, while the rates of supervision for Indigenous young people varied by state and territory, they were always much higher than the equivalent non-Indigenous rates. In Tasmania, Indigenous young people were around 5 times as likely to be under community-based supervision as non-Indigenous young people. They were around 15 times as likely to be under supervision in South Australia, and in Western Australia, Indigenous young people were 30 times as likely to be under community-based supervision as non-Indigenous young people (rate ratios were similar for average daily rates and the rate under supervision during the year for all states and territories).

Although the rates for females were much smaller than the rates of supervision for males, in nearly all states and territories the level of Indigenous over-representation was higher for females than for males. Nationally, female Indigenous young people were around 20 times as likely as non-Indigenous females to be under supervision on an average day and around 19 times as likely to be under supervision during the year, compared with rate ratios of 14 and 13 for males respectively. In Western Australia, Indigenous females were 42 times more likely to be under community-based supervision (both on an average day and during the year) than non-Indigenous females.

Table 4.4: Rate of young people aged 10–17 years under community-based supervision by sex and Indigenous status, states and territories, 2007–08

Indigenous status	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust excl NSW
Community-based supervision rate—average day									
Male									
Indigenous	n.a.	21.18	30.86	41.91	33.47	18.56	34.62	9.77	28.50
Non-Indigenous	n.a.	1.76	2.48	1.47	2.33	3.51	3.18	1.37	2.09
Total	n.a.	2.23	4.33	4.03	3.62	4.93	4.21	4.91	3.49
Female									
Indigenous	n.a.	4.87	9.74	11.85	9.03	4.31	n.p.	n.p.	7.96
Non-Indigenous	n.a.	0.30	0.45	0.28	0.46	1.01	1.08	n.p.	0.40
Total	n.a.	0.41	1.06	1.03	0.80	1.46	1.28	0.39	0.80
All young people									
Indigenous	n.a.	13.09	20.53	27.46	21.47	11.43	21.02	5.35	18.51
Non-Indigenous	n.a.	1.05	1.49	0.91	1.43	2.32	2.15	0.78	1.27
Rate ratio	n.a.	12.47	13.78	30.18	15.01	4.93	9.78	6.86	14.57
Total	n.a.	1.34	2.73	2.60	2.25	3.25	2.74	2.74	2.18
Community-based supervision rate—during the year									
Male									
Indigenous	n.a.	42.64	53.36	108.21	67.64	35.61	69.23	20.06	58.52
Non-Indigenous	n.a.	3.83	4.67	3.99	4.93	6.80	7.00	3.00	4.40
Total	n.a.	4.71	7.84	10.63	7.53	9.61	8.93	10.19	7.25
Female									
Indigenous	n.a.	10.03	17.42	31.59	20.95	5.93	n.p.	n.p.	16.86
Non-Indigenous	n.a.	0.65	0.95	0.75	1.19	1.94	2.87	0.27	0.91
Total	n.a.	0.85	2.03	2.73	1.94	2.59	3.38	1.01	1.74
All young people									
Indigenous	n.a.	26.46	35.78	71.47	44.70	21.31	45.05	11.33	38.29
Non-Indigenous	n.a.	2.29	2.86	2.45	3.11	4.43	4.97	1.68	2.70
Rate ratio	n.a.	11.55	12.51	29.17	14.37	4.81	9.06	6.74	14.18
Total	n.a.	2.83	5.01	6.86	4.81	6.20	6.20	5.78	4.58

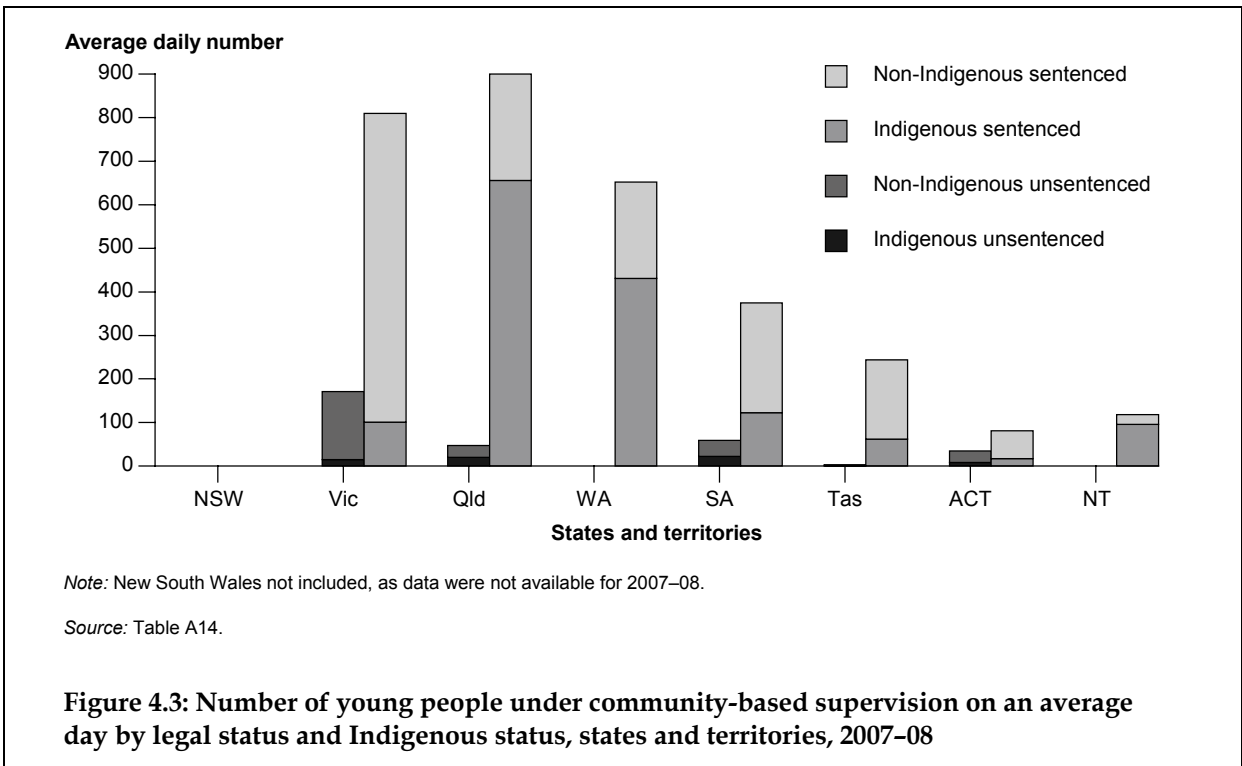
Notes

1. Rates are number of young people per 1,000 relevant population.
2. Rates are not published where there were fewer than five young people under supervision.
2. New South Wales not included, as data were not available for 2007–08.
3. Age calculated as at start of financial year if period of community-based supervision began before start of financial year, otherwise age calculated as at start of period of community-based supervision.
4. Total includes young people of unknown sex.
5. Total includes young people with unknown Indigenous status.
6. Rate ratio calculated by dividing the Indigenous rate by the non-Indigenous rate.

4.3 Legal status

Most (92%) of the 4,084 young people under community-based supervision on an average day were serving a sentence and this pattern was found in all states and territories (Table A14). The remainder were unsentenced and waiting for their court case to be finalised. (Young people may also be on unsupervised bail while waiting for their court case to be finalised; information on these young people is not included in this report.) The Australian Capital Territory had the highest proportion of young people unsentenced (31%), followed by Victoria (16%; Figure 4.3).

Overall, Indigenous young people were more likely to be under sentenced community-based supervision and less likely to be under unsentenced community-based supervision than non-Indigenous young people. Nationally, 20% of those who were unsentenced were Indigenous compared with 40% of those who were sentenced (Table A14).



4.4 Trends

The overall rate of young people under community-based supervision on an average day was steady from 2004-05 to 2006-07 at 2.1 per 1,000 but increased slightly in 2007-08 to 2.2 per 1,000 (Figure 4.4 and Table 4.5). The rate for the Northern Territory fell over the 4 years from 4.5 to 2.7, but increased in Tasmania from 2.7 to 3.2. There were no clear patterns for the remaining states and territories.

The rate for community-based supervision during the year showed a similar pattern. The rate increased slightly from 4.4 in 2004-05 to 4.6 in 2007-08. As with the average daily rate, the rate fell in the Northern Territory and increased in Tasmania. There was also a slight decrease in the rates for Queensland and South Australia.

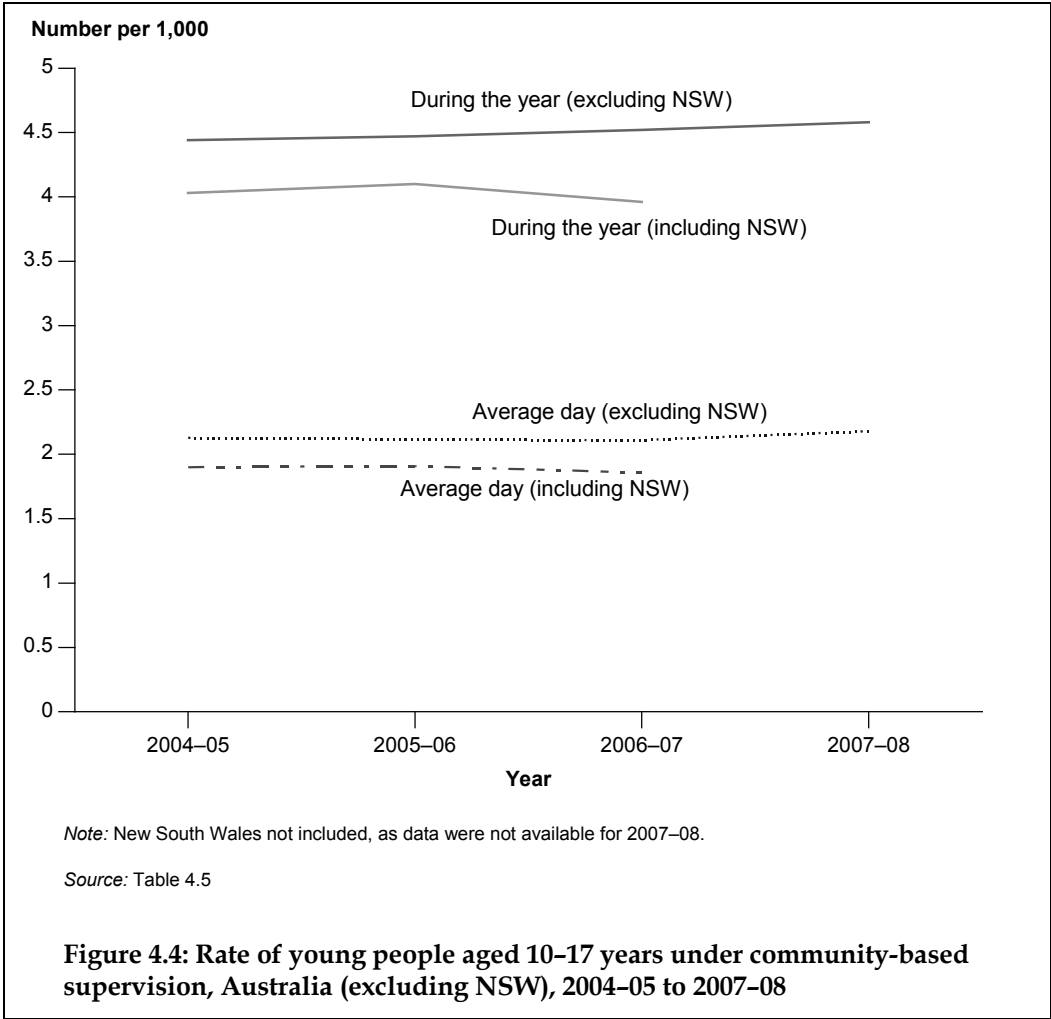


Table 4.5: Rates of young people aged 10–17 years under community-based supervision, states and territories, 2004–05 to 2007–08

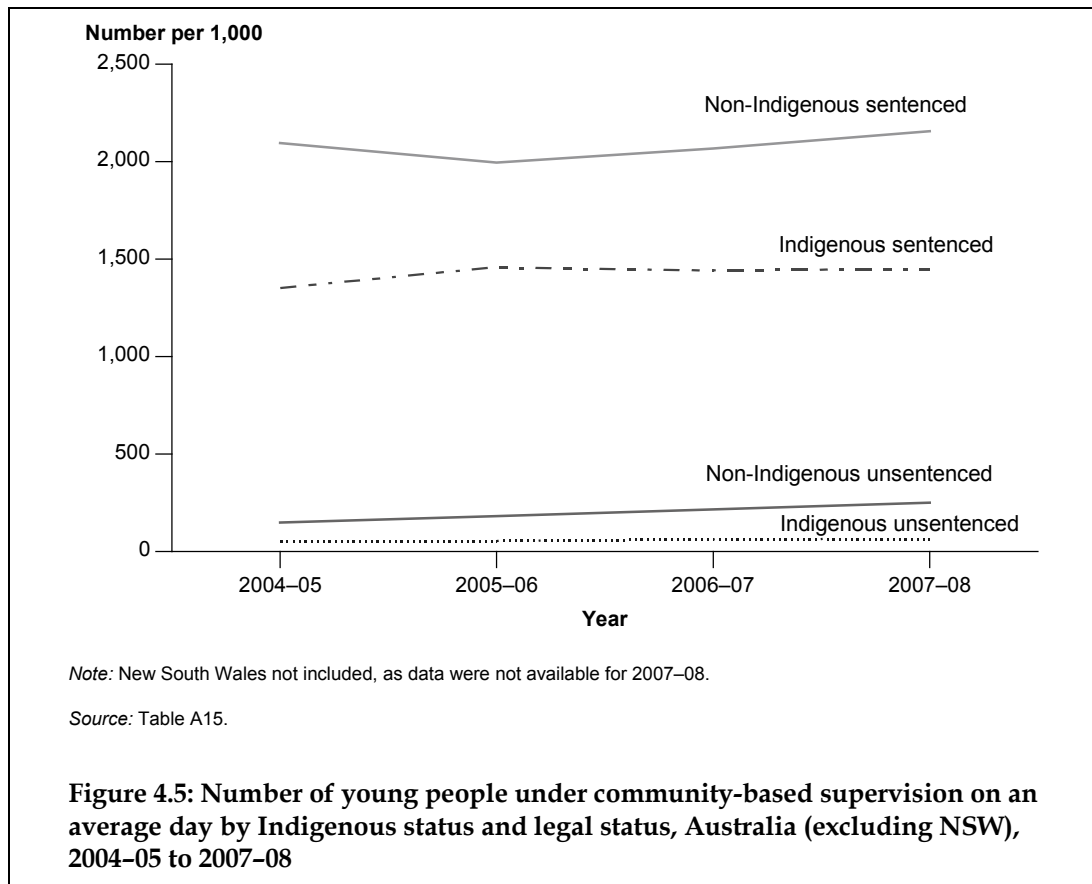
Year	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust excl NSW	Aust
Community-based supervision rate—average day										
2004–05	1.42	1.10	2.81	2.28	2.56	2.66	3.58	4.51	2.13	1.90
2005–06	1.48	1.13	2.70	2.68	2.25	2.98	2.44	4.35	2.12	1.91
2006–07	1.34	1.22	2.70	2.57	2.11	3.04	2.74	3.39	2.11	1.86
2007–08	n.a.	1.34	2.73	2.60	2.25	3.25	2.74	2.74	2.18	n.a.
Community-based supervision rate—during the year										
2004–05	3.18	2.40	5.16	6.26	5.33	4.89	6.61	9.10	4.44	4.03
2005–06	3.32	2.44	5.07	6.89	4.93	5.48	5.55	8.70	4.47	4.10
2006–07	2.78	2.68	5.02	6.92	4.85	5.51	5.68	7.16	4.52	3.96
2007–08	n.a.	2.83	5.01	6.86	4.81	6.20	6.20	5.78	4.58	n.a.

Notes

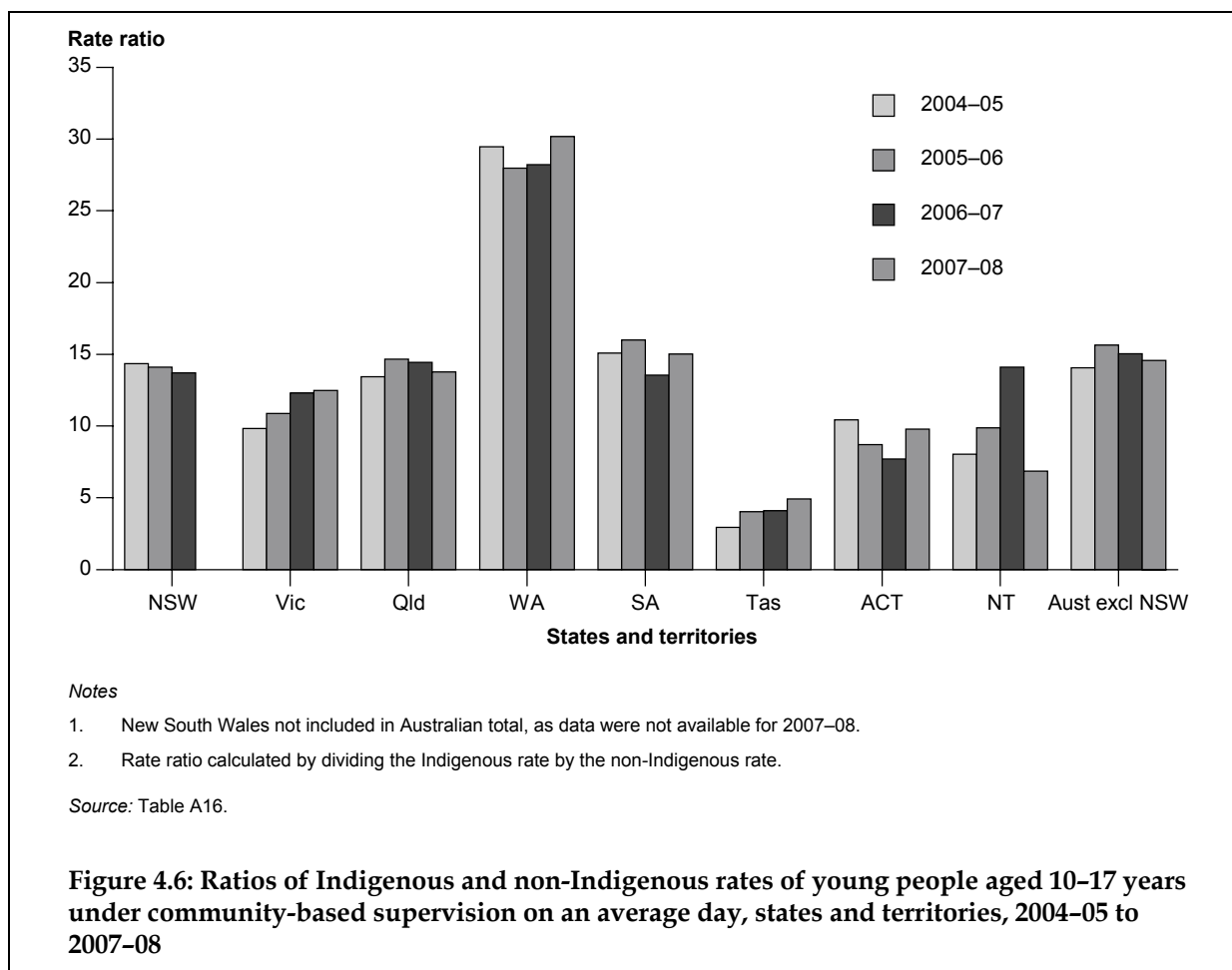
1. New South Wales was excluded for 2007–08, as data were not available.
2. Age calculated as at start of financial year if period of community-based supervision began before start of financial year, otherwise age calculated as at start of period of community-based supervision.
3. Rates are number of young people per 1,000 relevant population.

Most of the young people under community-based supervision on an average day are serving a sentenced order (although they may also be on an unsentenced order), and this was true for each of the 4 years from 2004–05 (Figure 4.5). In 2007–08, less than 10% of young people under community-based supervision on an average day were not sentenced.

During the 4 years from 2004–05, both the number of unsentenced and sentenced young people under community-based supervision on an average day increased, although the number of unsentenced young people increased at a faster rate (Table A15). This increase occurred for both Indigenous young people and non-Indigenous young people (Figure 4.5). However, in 2007–08, sentenced non-Indigenous young people were still the largest group under community-based supervision on an average day. These increases occurred in most states and territories (Table A15).



In each of the 4 years from 2004-05, Indigenous young people were around 14 to 16 times as likely to be under community-based supervision as non-Indigenous young people (as shown by the rate ratio; Figure 4.6).



4.5 Types of supervision

While a young person may be supervised in relation to a number of different types of legal arrangements or orders at any one time, the following tables only contain information on a young person's most serious supervised community-based legal arrangement or order at any one time (see section 2.3 'Data and methods').

Nationally, around 6,700 young people, or 78% of all those under community-based supervision during the year, had a most serious order of probation or similar at some time during the year (Table 4.6). The proportion of young people who had a most serious order of probation on an average day was similarly high – this was the most serious order type for 77% of those under community-based supervision on an average day. Only 8% of those under community-based supervision on an average day had a most serious order type of supervised bail or similar, but 17% of those who had community-based supervision during the year had this as a most serious order type, which reflects the typically short duration of this order type. Around 10% of those under community-based supervision on an average day had a most serious order of suspended detention and 5% had a most serious order of parole.

In all states and territories, the majority of young people under community-based supervision had most serious orders of probation. In Victoria, nearly 70% of young people under community-based supervision during the year had a most serious order of probation or similar at some time during the year, while in Queensland 94% of young people had this supervision type.

Table 4.6: Young people by most serious type of community-based supervision, states and territories, 2007–08

Most serious order type	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust excl NSW
Number of young people—average day									
Immediate release/suspended detention	n.a.	—	49	172	76	73	—	19	389
Parole/supervised release	n.a.	119	34	62	—	6	—	—	222
Probation or similar	n.a.	790	1,291	420	318	189	82	55	3,145
Supervised bail or other unsentenced supervision	n.a.	178	48	1	59	3	37	1	325
Other ^(a)	n.a.	—	—	6	—	—	—	—	6
Total	n.a.	1,086	1,422	659	453	271	119	75	4,084
Number of young people—during the year									
Immediate release/suspended detention	n.a.	—	240	437	158	151	—	42	1,028
Parole/supervised release	n.a.	309	164	241	—	21	—	1	736
Probation or similar	n.a.	1,648	2,427	1,258	675	413	191	124	6,736
Supervised bail or other unsentenced supervision	n.a.	815	179	6	276	7	169	5	1,457
Other ^(a)	n.a.	—	—	15	—	—	—	—	15
Total	n.a.	2,383	2,590	1,715	951	525	266	162	8,592

(a) Other includes home detention and other order types not elsewhere categorised.

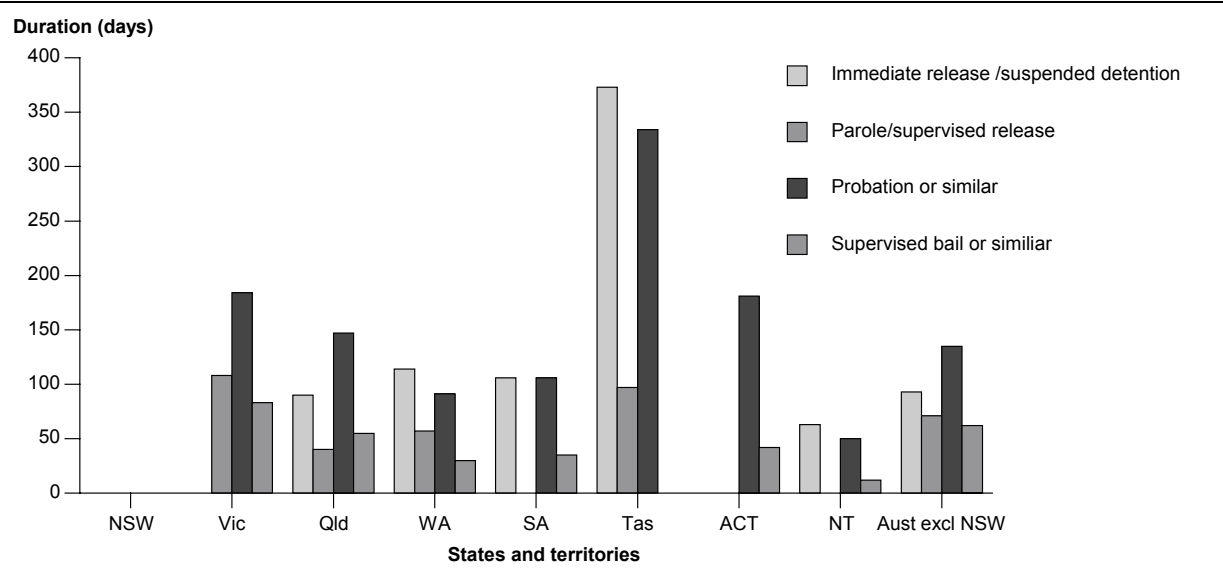
Notes

1. Totals will not sum as some young people may have had more than one most serious order type during the year or during the same day (e.g. if they ended one type of supervision and began another type of supervision on the same day).
2. New South Wales not included, as data were not available for 2007–08.

Related tables: Supplementary tables, Tables 11 and 12.

During 2007–08, around 7,000 young people completed over 9,000 periods of community-based orders (Table A17). Nearly 5,000 young people completed over 6,000 periods where probation or similar was the most serious order type, while around 1,200 young people completed around 1,400 periods where supervised bail or similar was the most serious order type.

Overall, the most serious type of community-based supervision with the longest median length was probation or similar (135 days), followed by suspended detention (93 days) and parole (71 days; Figure 4.7). Supervised bail or similar had a median length of around 2 months (62 days). Note that this is the median length of time for which the supervision type was the most serious type, and not necessarily the length of time for which young people were under that supervision type.



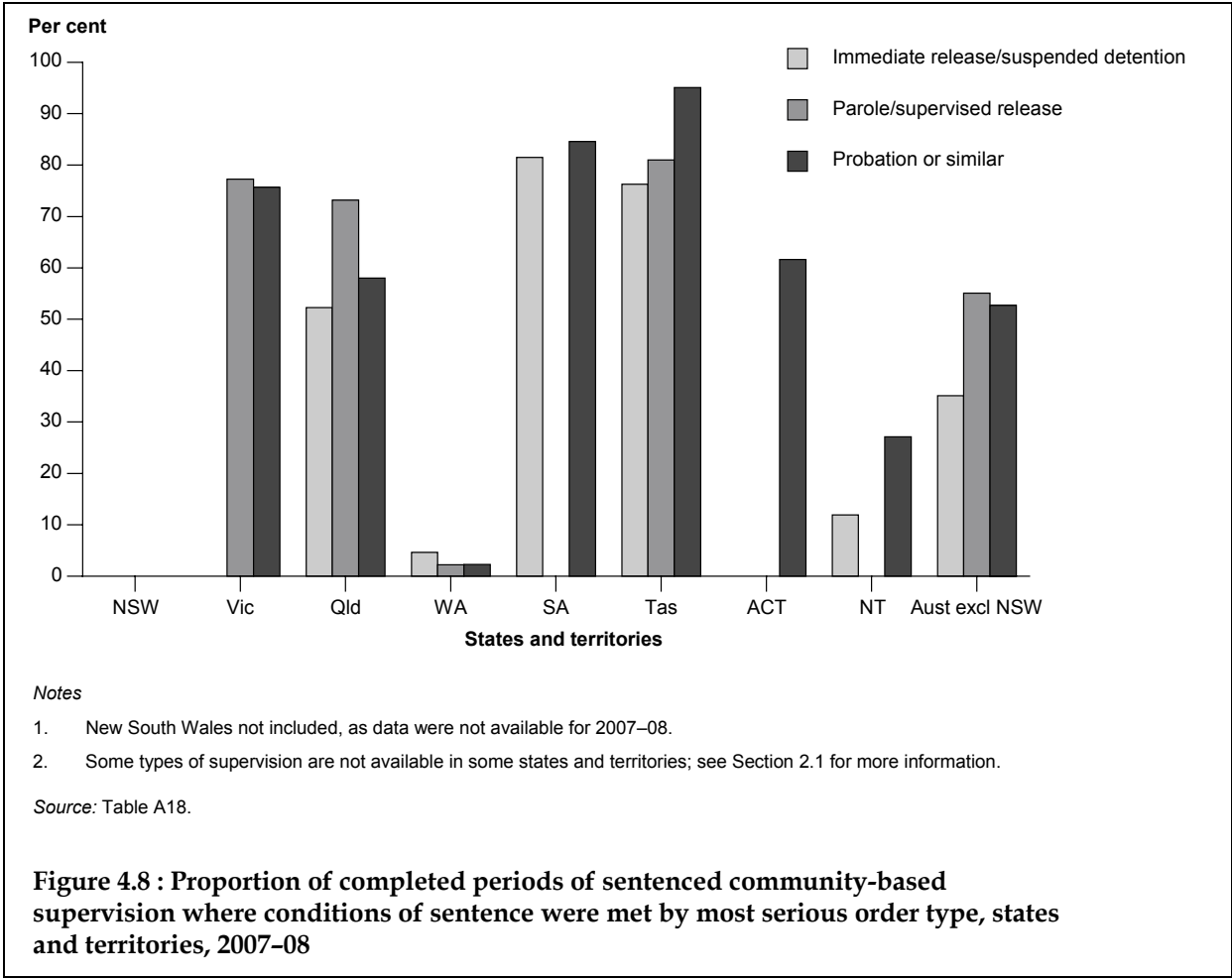
Notes

1. New South Wales not included, as data were not available for 2007–08.
2. Some types of supervision are not available in some states and territories; see Section 2.1 for more information.

Source: Table A17.

Figure 4.7: Median length of completed periods of community-based supervision by most serious order, states and territories, 2007–08

The main reasons why the most serious sentenced community-based order may end include meeting the conditions of the sentence, breaching the order or beginning a more serious order. Nationally, 53% of periods of supervision where the most serious order type was probation or similar ended with the conditions of sentence being met (Figure 4.8), while nearly 40% ended because a more serious unrelated order began (Table A18). The proportion ending with conditions of sentence being met was lower where the most serious order type was parole or supervised release (45%) or suspended detention (35%), although the proportion ending due to the start of a more serious unrelated order was similar (36% for parole or supervised release and 50% for immediate release or suspended detention; Table A18).



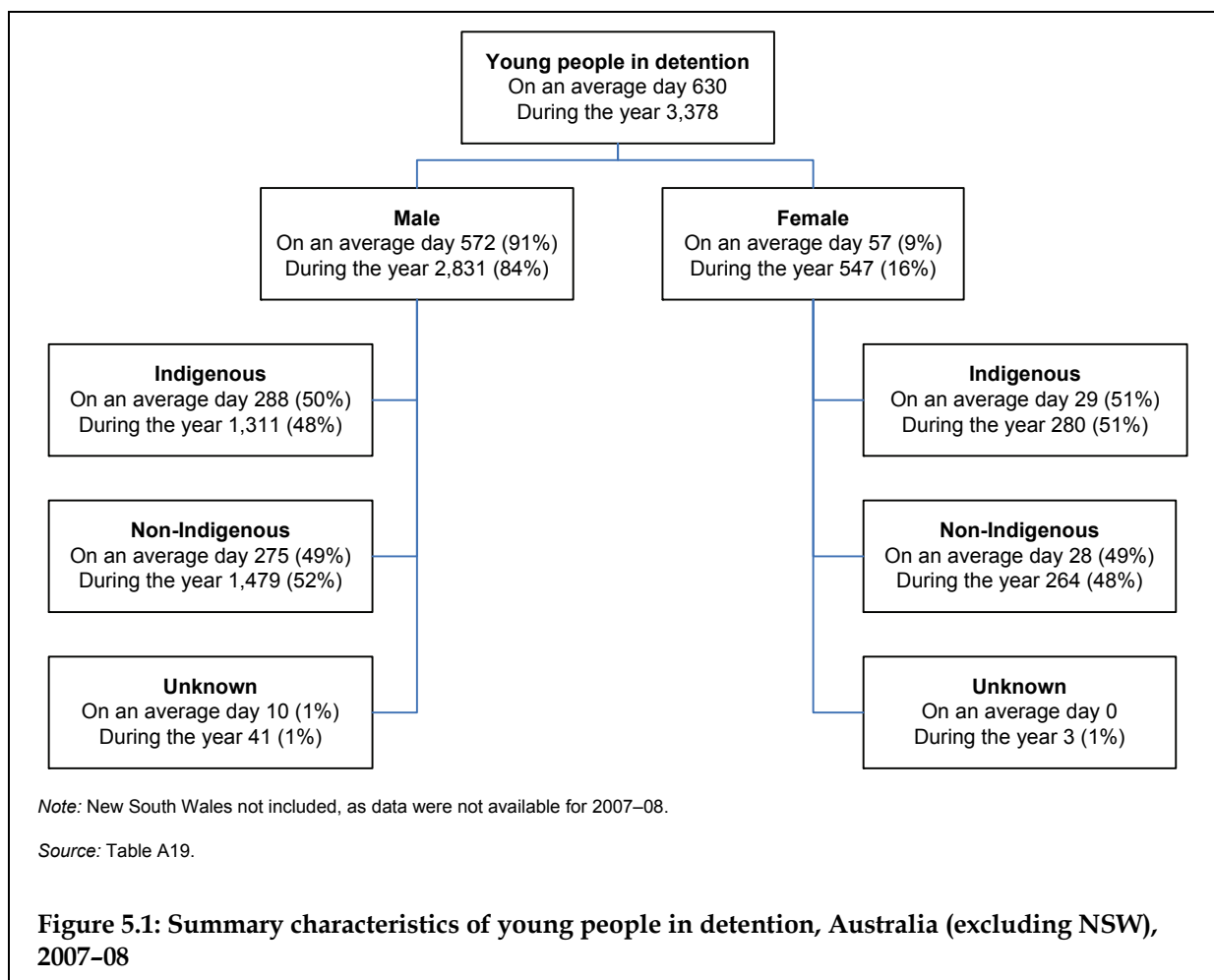
5 Young people in detention

As with community-based supervision, a young person can be detained while awaiting an initial court appearance for an alleged offence, waiting for a court hearing or outcome, or serving a sentence following the finalisation of a court case. Most young people in detention either have been sentenced to detention or are remanded in detention until their next court appearance, but a small number of young people are detained while awaiting their initial court appearance. In this chapter, 'unsentenced' refers to both those young people who are remanded in detention by a court and those awaiting their initial court appearance (in contrast, unsentenced young people supervised by a juvenile justice agency in the community have usually already had their initial court appearance).

This chapter contains information on the number and rate of young people in detention in 2007–08 and over the 4 years from 2004–05 to 2007–08, as well as the lengths of these periods of detention. As in the previous chapters, data on both the number of young people under supervision on an average day and the number under supervision during the year are presented.

5.1 Summary

In 2007–08, there were 641 young people in detention on an average day, and 3,378 young people were detained some time during the year in Australia (excluding New South Wales, for which data were not available; Figure 5.1). Nearly all of those detained on an average day were male (90%) and just over half (52%) were Aboriginal and Torres Strait Islander young people. Most were aged over 15 years and almost 20% were aged 18 years and older. Only 7% were aged less than 14 years.



Both the rate of young people aged 10–17 years in detention on an average day and the rate during the year increased in each of the 4 years from 2004–05. In 2007–08, 0.3 young people for every 1,000 were in detention on an average day and nearly 2 young people per 1,000 were detained some time during the year.

The rate of detention on an average day was much higher for Indigenous young people than for non-Indigenous young people, and Indigenous young people were 29 times as likely to be detained on an average day in 2007–08 as non-Indigenous young people.

About half of those in detention on an average day were on remand, and nearly 60% of these were Aboriginal and Torres Strait Islander young people, compared with 44% of the sentenced population. Over the 4 years from 2004–05, the average length of time spent on remand during the year increased from 38 days to 46 days. In contrast, the average length of time spent in sentenced detention during the year decreased from 2004–05 to 2005–06 but increased over the next 2 years to 114 days in 2007–08.

Most young people completed only one period of remand during the year, but Indigenous young people were slightly more likely to complete multiple periods of remand than non-Indigenous young people, and these periods were, on average, 5 days longer than those of non-Indigenous young people.

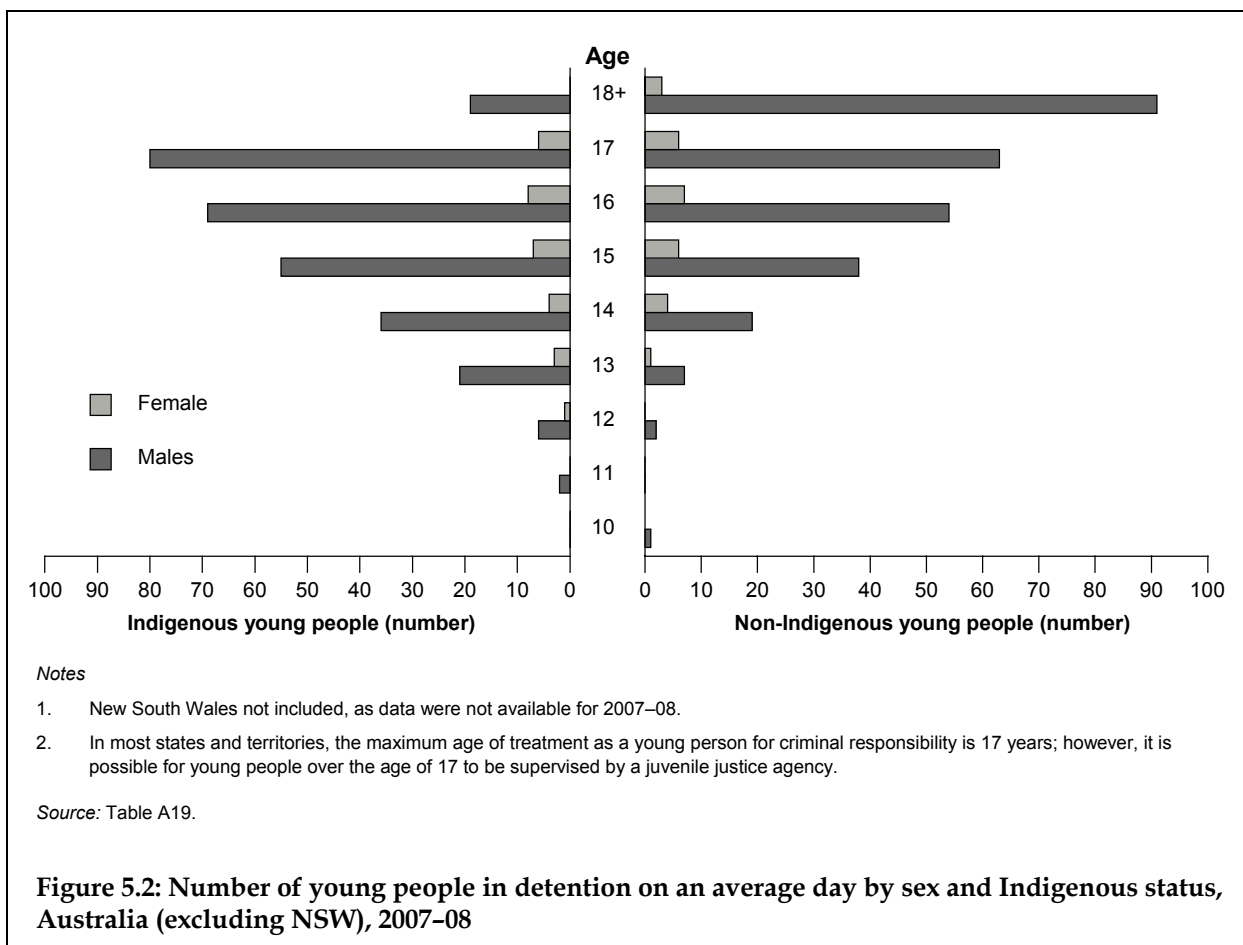
On average, young people completed nearly two periods of remand during 2007–08. Indigenous young people completed more periods of remand than non-Indigenous young people and these periods were, on average, longer for Indigenous young people. In contrast, completed periods of sentence detention were, on average, shorter for Indigenous young people, although they were more likely to complete multiple periods of sentenced detention.

About half (49%) of completed remand periods ended with the young person being sentenced, although only one-quarter (24%) of the remand periods that ended with the young person being sentenced were followed by a period of sentenced detention. Two-fifths (39%) of remand periods ended with the young person released on bail. Remand periods for Aboriginal and Torres Strait Islander young people were more likely to end with the young person being sentenced than released on bail. In contrast, the remand periods for non-Indigenous young people were equally likely to end with the young person being sentenced or released on bail. Nearly two-thirds of periods of sentenced detention ended with the young person released on parole or supervised release, and this proportion was the same for both Indigenous and non-Indigenous young people.

5.2 Sex, age and Indigenous status

Most (91%) of the 630 young people in detention on an average day in 2007–08 were male and half (50%) were Indigenous (Figure 5.2 and Table A19). Aboriginal and Torres Strait Islander young people were particularly over-represented in the younger age groups – 73% of those in detention aged 10–13 years were Indigenous – and in all age groups except those aged 18 and older, more than half were Indigenous young people (Figure 4.2). A similar proportion of females and males in detention were Indigenous (50% of males and 51% of females).

Most of those in detention on an average day were in the older age groups – 47% were aged 16 or 17 years old and only 7% were aged 13 years or younger. Overall, 81%, or 513 young people, were aged 10–17 years; the remainder were aged 18 years or older (Figure 5.2, Table 5.2).



In 2007–08, there were 0.3 young people per 1,000 aged 10–17 years in detention on an average day and 2.0 per 1,000 in detention at some time during the year (Table 5.1). Young people in older age groups were more likely to be in detention than those in younger age groups. The rate in detention on an average day was higher in each successive age group; however, young people aged 16 years were the most likely to be in detention at some time during the year. Despite this, 17 year olds spent longer in detention, on average.

Overall, males were 8 times as likely to be in detention on an average day as females but only 5 times as likely to be in detention at some time during the year, indicating that, on average, males spent longer in detention than females in 2007–08 (Table 5.4).

The propensity for males to be in detention compared with females was higher for those in older age groups compared with those in younger age groups. Males aged 17 years were 12 times as likely to be in detention on an average day as females of that age, while males aged 14 years were only 6 times as likely to be in detention as females of the same age. Similarly, males aged 17 years were 6 times as likely to be in detention at some time during the year as females of that age, but 14 year olds were only 3 times as likely.

Table 5.1: Rate of young people aged 10–17 years in detention by age and sex, Australia (excluding NSW), 2007–08

Sex	10	11	12	13	14	15	16	17	10–17
Detention rate—average day									
Male	n.p.	n.p.	0.08	0.28	0.55	0.94	1.25	1.41	0.58
Female	n.p.	n.p.	n.p.	0.05	0.09	0.14	0.16	0.12	0.07
Total	n.p.	n.p.	0.05	0.17	0.33	0.55	0.72	0.78	0.33
Detention rate—during the year									
Male	0.09	0.30	0.77	2.32	3.54	5.34	6.69	6.03	3.18
Female	n.p.	n.p.	0.14	0.55	1.21	1.37	1.24	1.02	0.70
Total	0.05	0.17	0.46	1.46	2.41	3.40	4.04	3.59	1.98

Notes

1. New South Wales not included, as data were not available for 2007–08.
2. Rates are not published where there were fewer than five young people under supervision.

Overall, 81% of those in detention on an average day were aged 10–17 years, and, in most states and territories, between 86% and 100% of those in detention on an average day were of this age (Table 5.2). However, the majority (58%) of those in detention in Victoria were aged 18 years or older. This is most likely a reflection of the sentencing option in Victoria that allows for young people aged 18–20 years to be sentenced to detention in a juvenile facility instead of an adult prison.

Most (91%) of those in detention on an average day were male (Table 5.3). The proportion of females in detention on an average day ranged from 6% in Victoria to 17% in the Australian Capital Territory. The proportion that was Aboriginal or Torres Strait Islander ranged from 14% in Victoria to 91% in the Northern Territory.

Table 5.2: Number of young people in detention on an average day and during the year by age, states and territories, 2007–08

Age	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust excl NSW
Number of young people—average day									
10	n.a.	—	—	—	1	—	—	—	1
11	n.a.	—	1	—	1	—	—	—	2
12	n.a.	1	3	3	1	—	—	—	9
13	n.a.	3	12	11	3	1	2	1	33
14	n.a.	7	20	20	7	5	2	2	63
15	n.a.	12	39	31	14	5	3	3	107
16	n.a.	20	48	38	14	7	2	11	141
17	n.a.	25	25	54	20	8	7	17	155
10–17	n.a.	67	148	159	60	27	16	35	512
18+	n.a.	93	7	4	10	2	1	—	117
Total	n.a.	160	155	164	70	29	18	35	630
Number of young people—during the year									
10	n.a.	1	—	3	6	—	—	—	10
11	n.a.	2	8	13	7	—	1	—	31
12	n.a.	3	28	30	21	1	4	1	88
13	n.a.	27	91	98	33	9	20	3	281
14	n.a.	54	136	144	74	17	25	14	464
15	n.a.	91	203	203	100	22	21	21	661
16	n.a.	98	260	222	110	40	25	37	792
17	n.a.	127	61	241	152	38	37	57	713
10–17	n.a.	403	787	954	503	127	133	133	3,040
18+	n.a.	267	12	10	28	7	14	—	338
Total	n.a.	670	799	964	531	134	147	133	3,378

Notes

1. New South Wales not included, as data were not available for 2007–08.
2. Total includes young people with unknown age.

Table 5.3: Number of young people in detention on an average day and during the year by sex and Indigenous status, states and territories, 2007–08

Indigenous status	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust excl NSW
Number of young people—average day									
Male									
Indigenous	n.a.	21	81	109	29	13	6	29	288
Non-Indigenous	n.a.	120	60	37	33	13	8	2	275
Unknown	n.a.	9	—	—	1	—	—	—	10
Total	n.a.	150	141	146	63	26	15	32	572
Female									
Indigenous	n.a.	1	8	13	3	1	1	3	29
Non-Indigenous	n.a.	9	6	5	4	2	2	—	28
Unknown	n.a.	—	—	—	—	—	—	—	—
Total	n.a.	10	14	17	7	3	3	3	57
All young people									
Indigenous	n.a.	22	89	122	31	14	7	32	317
Non-Indigenous	n.a.	129	66	42	37	15	11	2	302
Unknown	n.a.	9	—	—	1	—	—	—	10
Total	n.a.	160	155	164	70	29	18	35	630
Number of young people—during the year									
Male									
Indigenous	n.a.	83	370	524	157	40	29	108	1,311
Non-Indigenous	n.a.	489	299	261	257	80	80	13	1,479
Unknown	n.a.	33	2	—	3	—	3	—	41
Total	n.a.	605	671	785	417	120	112	121	2,831
Female									
Indigenous	n.a.	8	75	131	46	4	5	11	280
Non-Indigenous	n.a.	54	53	48	68	10	30	1	264
Unknown	n.a.	3	—	—	—	—	—	—	3
Total	n.a.	65	128	179	114	14	35	12	547
All young people									
Indigenous	n.a.	91	445	655	203	44	34	119	1,591
Non-Indigenous	n.a.	543	352	309	325	90	110	14	1,743
Unknown	n.a.	36	2	—	3	—	3	—	44
Total	n.a.	670	799	964	531	134	147	133	3,378

Notes

1. New South Wales not included, as data were not available for 2007–08.
2. Total includes young people with unknown age.
3. Total includes young people of unknown sex.

There was some variation in the detention rate between the states and territories. The rate of young people in detention ranged from 0.1 per 1,000 in Victoria to 1.3 in the Northern Territory for an average day, and from 0.7 per 1,000 in Victoria to 5.0 in the Northern Territory during the year (Table 5.4).

As with community-based supervision, Aboriginal and Torres Strait Islander young people were over-represented in detention. Nationally, there were around 4 Indigenous young people per 1,000 in detention on an average day, which is 29 times the non-Indigenous rate (Table 5.4). Indigenous males aged 10–17 years were 29 times as likely to be in detention on an average day as non-Indigenous males of the same age, and Indigenous females were 20 times as likely to be in detention as non-Indigenous females.

While Indigenous young people were more likely to be detained than non-Indigenous young people in all states and territories, the likelihood was greater in some states and territories than in others. An Aboriginal or Torres Strait Islander young person aged 10–17 years in Western Australia was 4 times as likely to be in detention on an average day as one in Victoria, and 5 times as likely to be in detention some time during the year. In 2007–08, 7% of Aboriginal and Torres Strait Islander males aged 10–17 years in Western Australia and 5% of those in the Australian Capital Territory and South Australia were in detention at some time during the year. Additionally, while the non-Indigenous rates were much smaller than the Indigenous rates, there were state and territory variations. A non-Indigenous young person in Tasmania was 3 times as likely to be detained on an average day as a non-Indigenous young person in Victoria.

Table 5.4: Rate of young people aged 10–17 years in detention by sex and Indigenous status, states and territories, 2007–08

Indigenous status	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust excl NSW
Detention rate—average day									
Male									
Indigenous	n.a.	3.39	5.07	13.97	8.37	6.02	11.54	4.97	7.05
Non-Indigenous	n.a.	0.15	0.24	0.32	0.37	0.46	0.40	n.p.	0.24
Total	n.a.	0.21	0.55	1.17	0.64	0.85	0.79	2.31	0.58
Female									
Indigenous	n.a.	n.p.	0.53	1.83	n.p.	n.p.	n.p.	n.p.	0.80
Non-Indigenous	n.a.	0.02	0.03	0.05	n.p.	n.p.	n.p.	n.p.	0.04
Total	n.a.	0.03	0.06	0.15	0.09	n.p.	n.p.	n.p.	0.07
All young people									
Indigenous	n.a.	1.85	2.85	8.11	4.61	3.38	7.01	2.86	4.01
Non-Indigenous	n.a.	0.09	0.14	0.19	0.21	0.27	0.26	n.p.	0.14
Rate ratio	n.a.	20.6	20.4	42.7	22.0	12.5	27.0	n.p.	28.6
Total	n.a.	0.12	0.31	0.68	0.36	0.49	0.46	1.31	0.33
Detention rate—during the year									
Male									
Indigenous	n.a.	16.10	23.38	68.27	51.26	19.06	53.85	18.52	33.17
Non-Indigenous	n.a.	0.97	1.27	2.25	2.99	2.94	3.93	1.62	1.62
Total	n.a.	1.25	2.72	6.36	4.65	4.08	5.56	8.74	3.18
Female									
Indigenous	n.a.	1.72	4.90	18.47	15.89	1.62	8.35	2.05	7.54
Non-Indigenous	n.a.	0.16	0.25	0.45	0.85	0.36	n.p.	n.p.	0.35
Total	n.a.	0.19	0.55	1.58	1.37	0.45	1.98	0.94	0.70
All young people									
Indigenous	n.a.	8.96	14.35	44.22	33.88	10.65	32.03	10.62	20.69
Non-Indigenous	n.a.	0.58	0.77	1.38	1.95	1.69	2.88	0.91	1.00
Rate ratio	n.a.	15.4	18.6	32.0	17.4	6.3	11.1	11.7	20.7
Total	n.a.	0.74	1.66	4.06	3.05	2.32	3.80	4.99	1.98

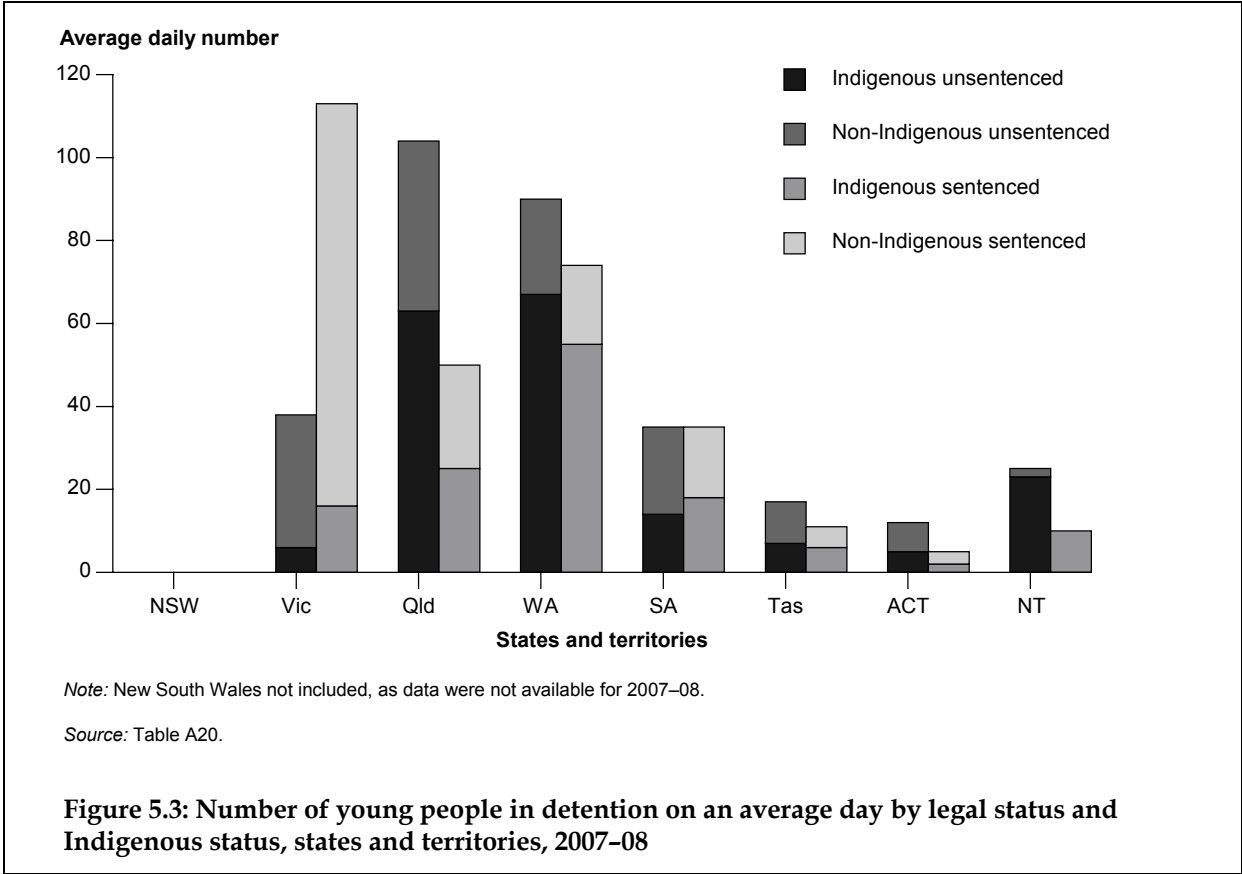
Notes

1. New South Wales not included, as data were not available for 2007–08.
2. Rates are number of young people per 1,000 relevant population.
3. Rates are not published where there were fewer than five young people under supervision.
4. Total includes young people with unknown age.
5. Total includes young people of unknown sex.

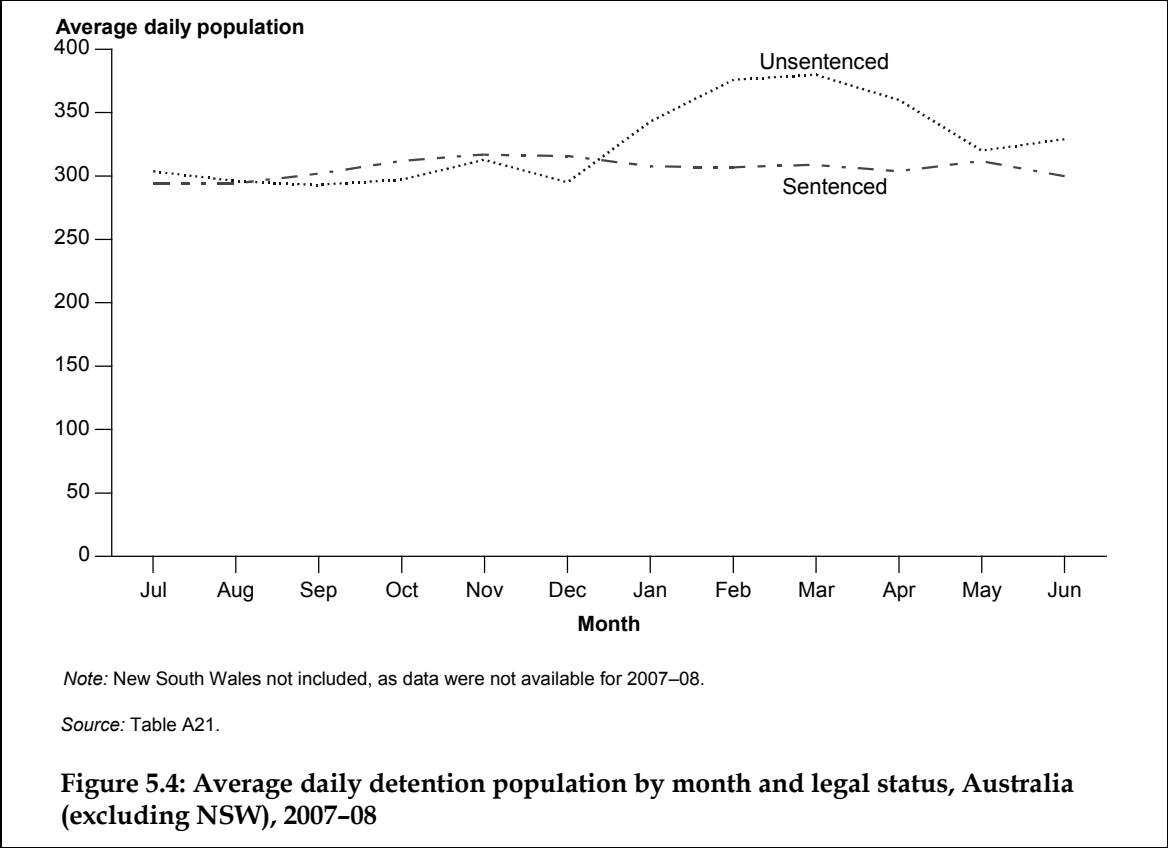
5.3 Legal status

Overall, half (52%) of young people in detention on an average day during 2007–08 were unsentenced, although the proportion varied by state and territory (Table A20). Around two-thirds were unsentenced in the Northern Territory, Queensland and the Australian Capital Territory, and over half were unsentenced in Western Australia and Tasmania. In contrast, just under half (49%) of those in detention on an average day were unsentenced in South Australia and only one-quarter (26%) were unsentenced in Victoria (Figure 5.3).

Over half (57%) of unsentenced detainees were Aboriginal and Torres Strait Islander young people, compared with 44% of sentenced detainees (Table A20). However, in Western Australia, Victoria and the Australian Capital Territory, Aboriginal and Torres Strait Islander young people in detention were equally likely to be sentenced or unsentenced, while in South Australia, Tasmania and the Northern Territory, they were more likely to be sentenced than unsentenced (Figure 5.3).



While the number of young people in detention on an average day who were sentenced was relatively stable throughout the year, the number of young people who were unsentenced varied (Figure 5.4). The sentenced detention population was highest in the second quarter of the financial year (October to December), and peaked at 317 in November 2007. In contrast, the number of unsentenced young people was lowest in late 2007, with 293 young people in September. The unsentenced population then increased markedly in early 2008 and overtook the sentenced population in January 2008. The unsentenced population peaked in March 2008 at 380 young people.



5.4 Receptions and releases

Nearly 3,100 young people were received into detention in 2007–08 and there were around 5,750 individual receptions, which means that the 3,100 young people had, on average, fewer than two receptions during the year (Table 5.6). In the same year, slightly more young people were released from detention. As there were nearly 5,800 individual releases, this means that each of these young people was released, on average, just under two times during the year.

Overall, most (89%) receptions were of unsentenced young people, and this was the case in all states and territories (Table 5.6). Similarly, most of the releases were of unsentenced young people (84%); this ranged from 59% in the Northern Territory to 93% in the Australian Capital Territory.

Table 5.6: Receptions and releases by legal status, states and territories, 2007–08

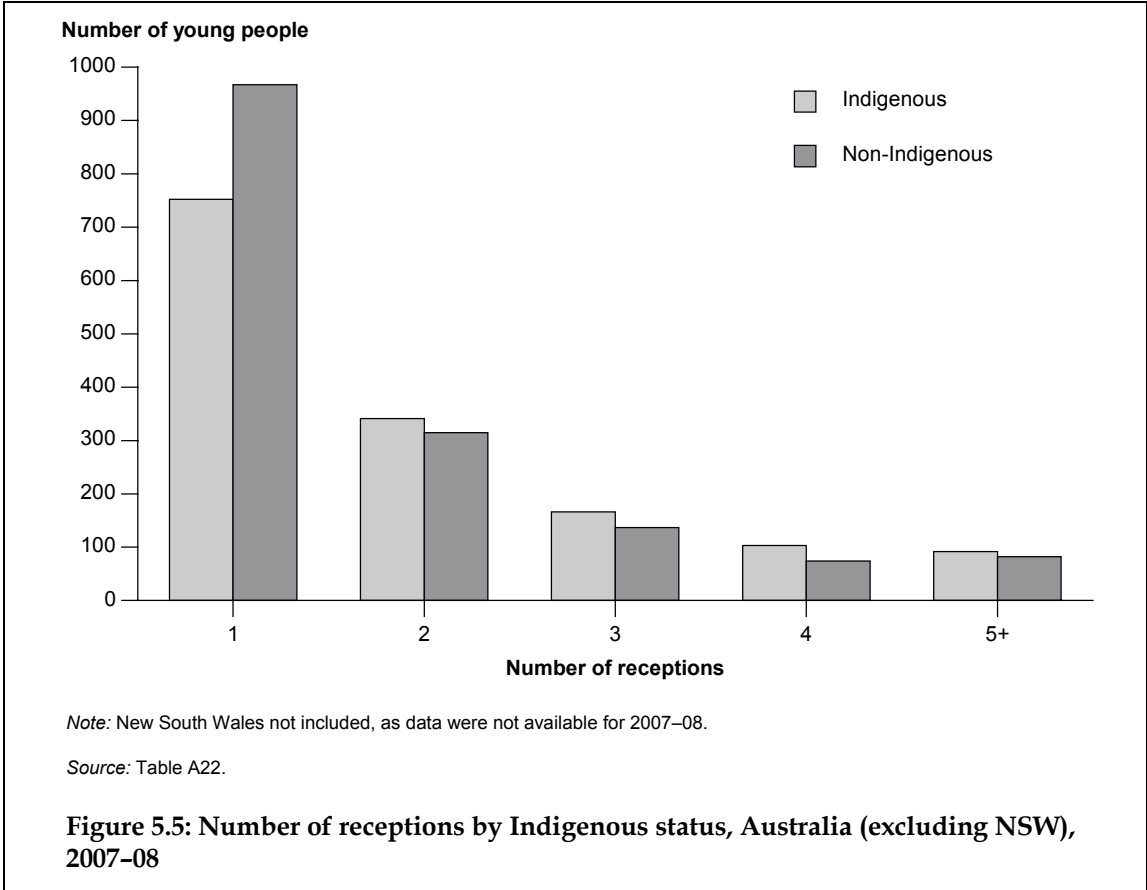
Legal status	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust excl NSW
Number of receptions									
Unsentenced	n.a.	596	1,325	1,643	977	171	269	153	5,134
Sentenced	n.a.	218	179	89	80	43	2	17	628
Total receptions	n.a.	814	1,504	1,732	1,057	214	271	170	5,752
Total young people	n.a.	557	732	907	503	122	139	106	3,066
Number of releases									
Unsentenced	n.a.	500	1,360	1,450	975	170	260	106	4,855
Sentenced	n.a.	316	159	258	87	43	19	40	922
Total releases	n.a.	816	1,519	1,708	1,062	213	279	180	5,777
Total young people	n.a.	589	764	923	517	125	144	117	3,179

Notes

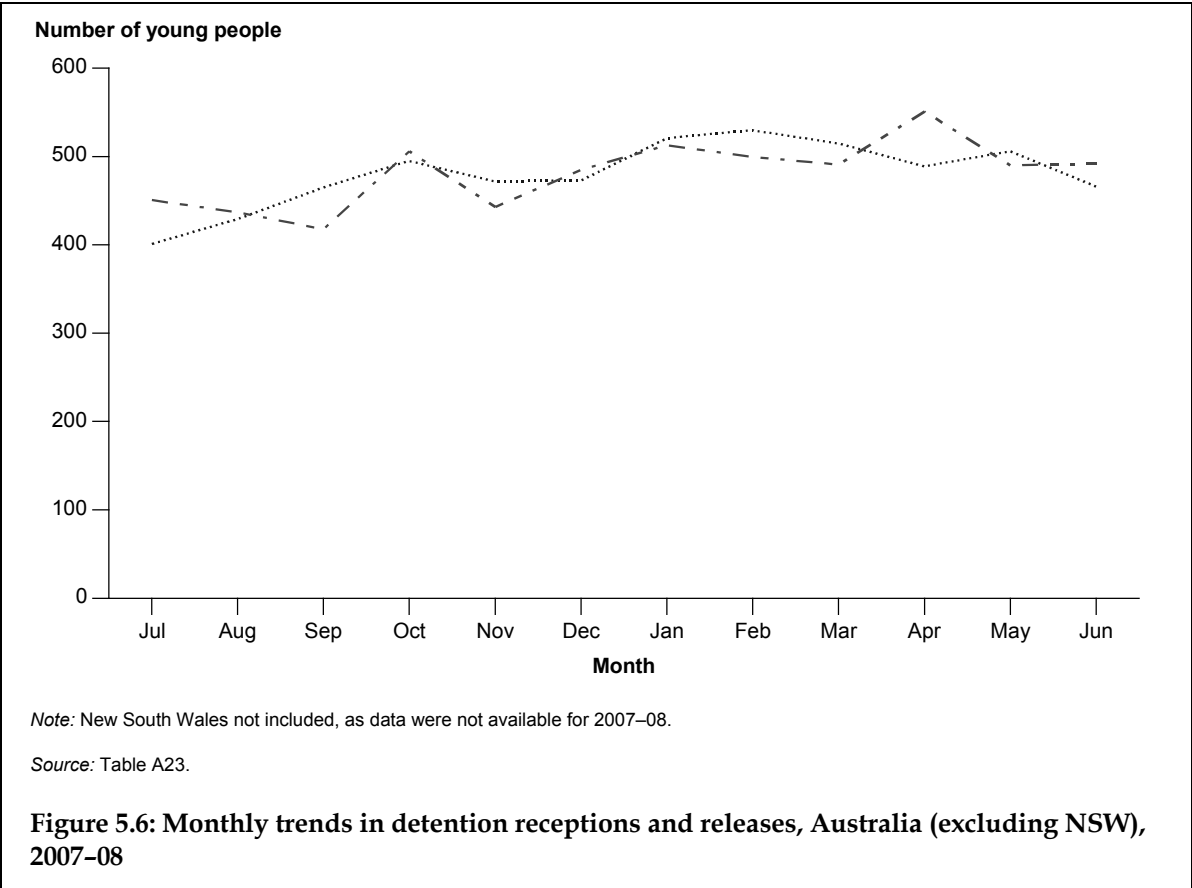
1. New South Wales not included, as data were not available for 2007–08.
2. Data for Tasmania are affected by recording practices for backdated orders.

Related tables: Supplementary tables, tables 22 and 23.

The majority (57%) of young people who were received into detention in 2007–08 had only one reception; however, 6% had five or more receptions in 2007–08 (Table A22). Indigenous young people were more likely to have more receptions in 2007–08 than non-Indigenous young people (Figure 5.5). While 61% of non-Indigenous young people who were received into detention in 2007–08 had only one reception in that year, only 52% of Indigenous young people had only one reception.



During 2007–08, the number of receptions and releases followed the same general pattern: both were lower in the first half of the financial year and higher in the second half (Figure 5.6). However, the number of releases was more volatile than the number of receptions. The number of releases was lowest in September 2007 with 418 young people released and highest in April 2008 with 551. However, there were also peaks in October 2007 (506) and January 2008 (513). In contrast, the number of receptions rose from a low of 401 young people received in July 2007 to 495 in October, before falling slightly in November and December. The number of receptions then increased in early 2008 and peaked at 530 in February 2008.



5.5 Trends

Both the rate of young people aged 10–17 years in detention on an average day and the rate in detention during the year increased in each of the 4 years from 2004–05 (Figure 5.7). Queensland and Western Australia experienced increases in both the average daily rate and the rate during the year, as did New South Wales for 2004–05 to 2006–07 (data were not available for 2007–08), while the average daily rate decreased over the 4 years in Tasmania. The rate of young people in detention during the year increased in all states and territories except the Northern Territory and South Australia, where no trend was apparent (Table 5.7).

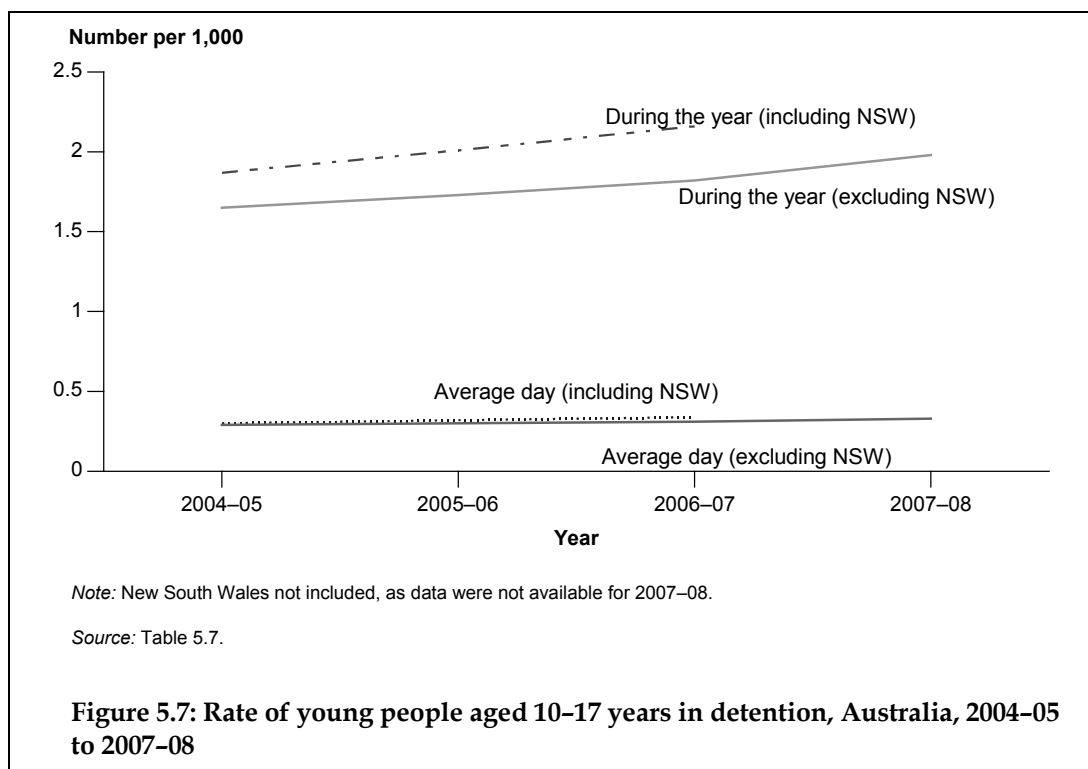


Table 5.7: Rate of young people aged 10-17 years in detention, states and territories, 2004-05 to 2007-08

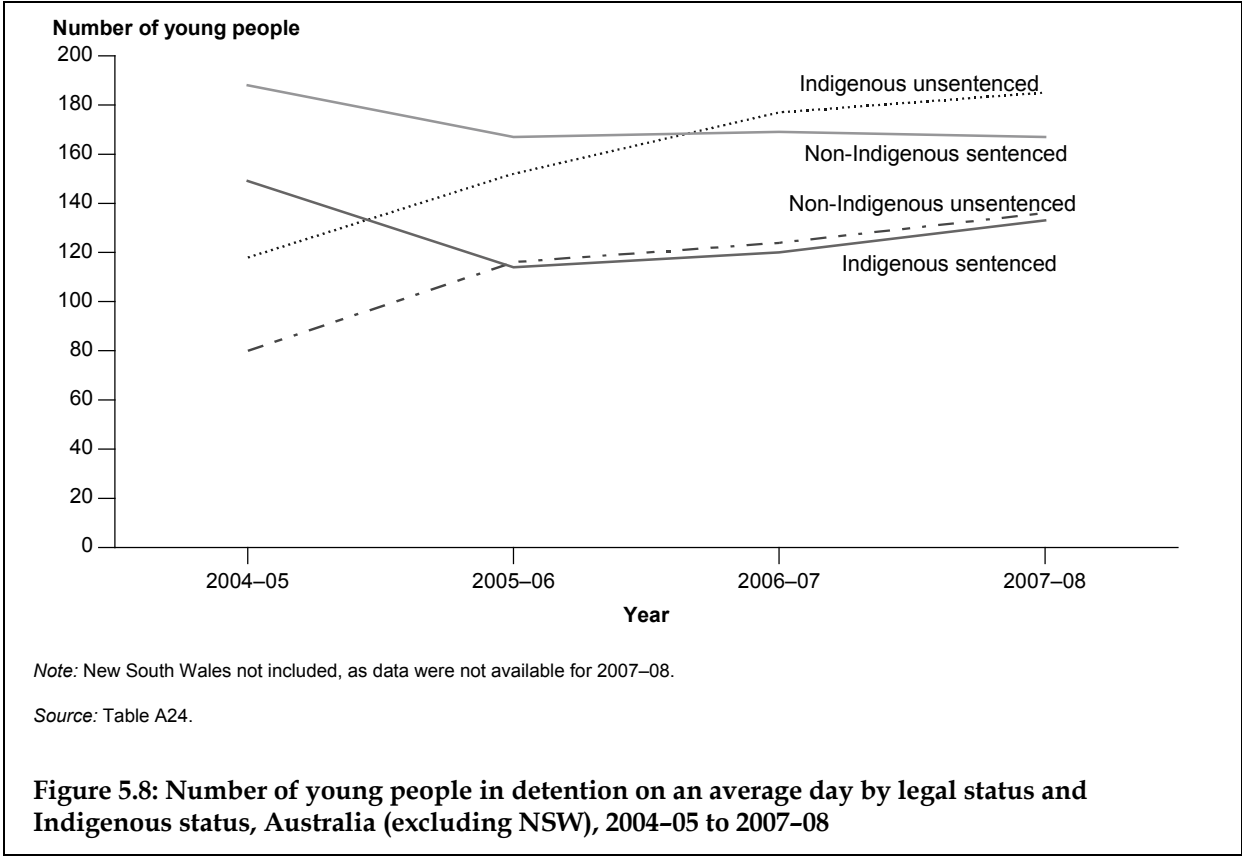
Year	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust excl NSW	Aust
Detention rate—average day										
2004-05	0.31	0.11	0.21	0.55	0.37	0.62	0.47	1.67	0.29	0.30
2005-06	0.36	0.11	0.27	0.52	0.30	0.56	0.50	1.75	0.30	0.32
2006-07	0.41	0.09	0.29	0.60	0.33	0.56	0.42	1.62	0.31	0.34
2007-08	n.a.	0.12	0.31	0.68	0.36	0.49	0.46	1.31	0.33	n.a.
Detention rate—during the year										
2004-05	2.34	0.42	1.38	3.52	2.97	1.47	3.17	5.09	1.65	1.87
2005-06	2.60	0.50	1.53	3.57	2.68	1.96	3.56	5.61	1.73	2.01
2006-07	2.86	0.57	1.62	3.79	2.72	2.02	3.79	5.16	1.82	2.16
2007-08	n.a.	0.74	1.66	4.06	3.05	2.32	3.80	4.99	1.98	n.a.

Notes

1. New South Wales not included, as data were not available for 2007-08.
2. Rates are number of young people per 1,000 relevant population.
3. New South Wales was excluded for 2007-08, as data were not available.

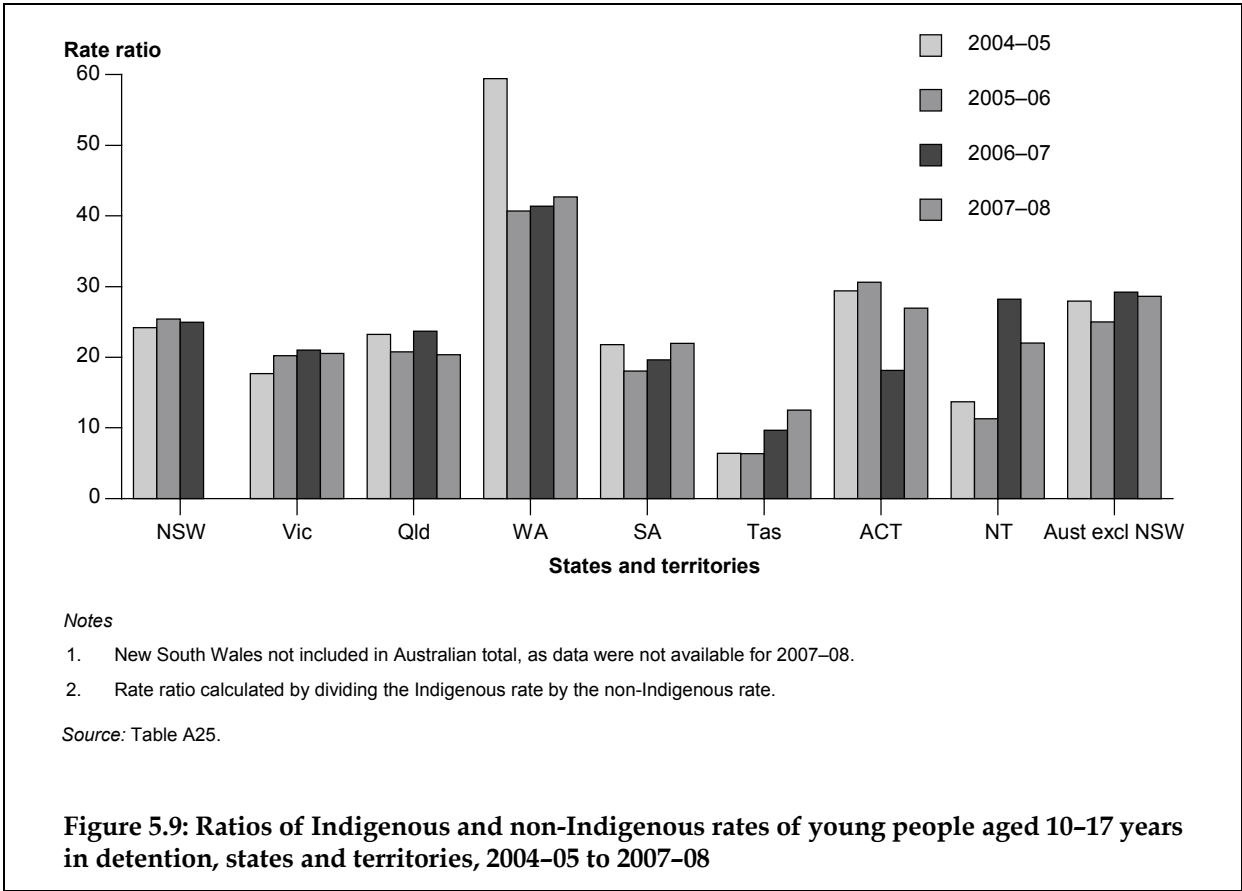
Overall, the number of unsentenced young people in detention on an average day increased from 2004-05 to 2007-08 while the number of sentenced young people decreased (Table A24). In 2004-05, just over one-third of the average daily detention population were unsentenced, but by 2007-08 there were more unsentenced young people in detention on an average day than sentenced young people.

The increase in the unsentenced detention population occurred for both Indigenous and non-Indigenous young people (Figure 5.8). Similarly, for both Indigenous and non-Indigenous young people, the number in sentenced detention decreased in 2005-06 from 2004-05 levels. However, while the non-Indigenous sentenced population remained steady over the following 3 years, the equivalent Indigenous population increased each year from 2005-06.



The overall rate of young people in detention on an average day increased over the 4 years from 2004–05 (Table 5.7). However, while the rate of non-Indigenous young people in detention on an average day remained relatively constant, the rate of Aboriginal and Torres Strait Islander young people in detention decreased in 2005–06 from 2004–05 levels before increasing in 2006–07 and again in 2007–08.

At the start of the 4-year period (2004–05), Indigenous young people aged 10–17 years in Australia (excluding New South Wales) were 28 times as likely to be in detention as non-Indigenous young people (Figure 5.9). This rate ratio decreased slightly in 2005–06 but returned to 28 in 2007–08. The high level of Indigenous over-representation in detention remained relatively steady over the 4 years in most states and territories.

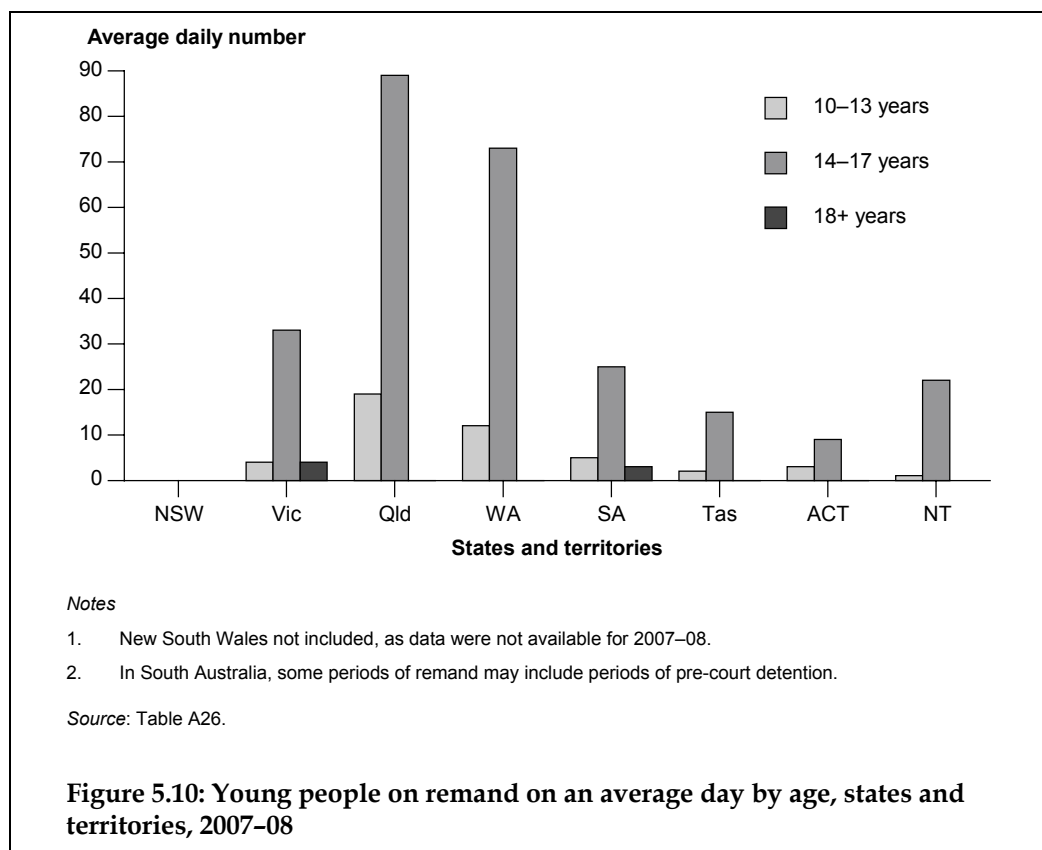


5.6 Remand

In this section, 'remand' refers to young people who have been remanded in custody by a court and excludes young people who are detained by police and supervised by juvenile justice agencies while awaiting their first appearance in court. Young people who are concurrently on remand and serving a sentence of detention are included in the section on sentenced detention.

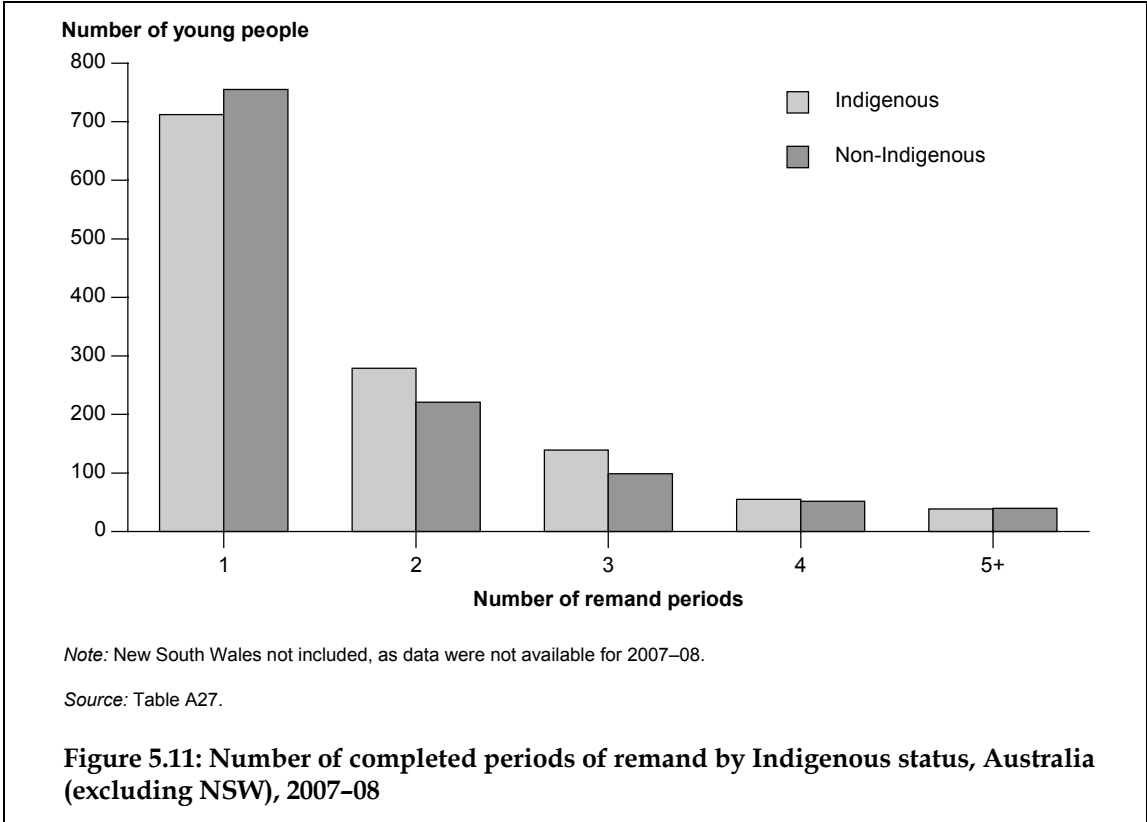
In 2007–08, 2,540 young people were on remand at some time during 2007–08 and there was an average of 320 young people on remand each day in Australia (excluding New South Wales; Table A26). Most (83%) of those on remand on an average day were aged 14–17 years. Only 2% were aged 18 years or older, and only Victoria and South Australia averaged more than one young person of this age in remand per day (some states and territories had no young people of this age in remand; Figure 5.10). The proportion of young people on remand aged 10–13 years ranged from 4% in the Northern Territory to 25% in the Australian Capital Territory.

Nearly 60% of those on remand on an average day were Aboriginal and Torres Strait Islander young people, who were particularly over-represented in the younger age groups. Of those on remand on an average day, 72% of those aged 10–13 years, 56% of those aged 14–17 years and 29% of those aged 18 years or older were Aboriginal and Torres Strait Islander young people (Table A26). The proportion of Indigenous 14–17 year olds on remand ranged from 15% in Victoria to 95% in the Northern Territory. In most states and territories, the proportion of those aged 10–13 years who were Indigenous was higher than the equivalent proportion for those aged 14–17 years (although in most states and territories the actual number in remand aged 10–13 years on an average day was small).

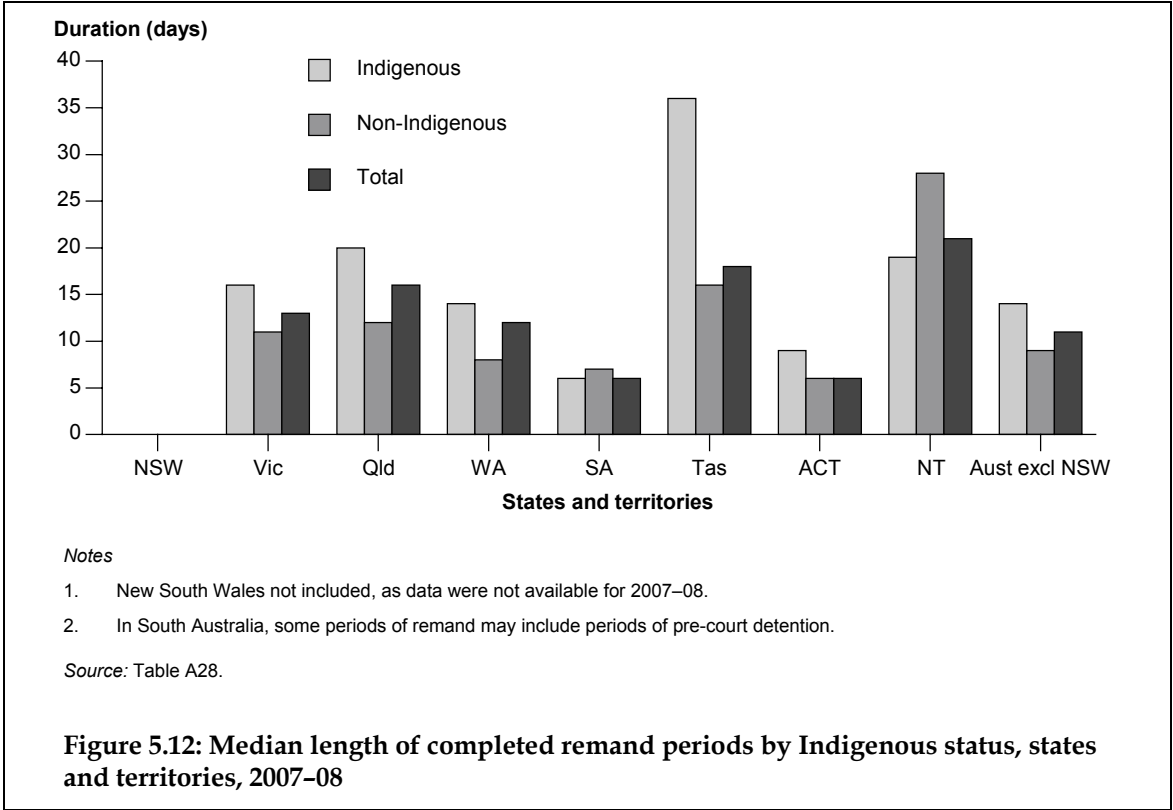


In 2007-08, 2,422 young people completed 4,121 periods of remand (tables A27 and A28). Most (61%) completed only one period of remand during the year, but one-fifth (18%) completed three or more remand periods in 2007-08.

More Aboriginal and Torres Strait Islander young people completed periods of remand during the year than non-Indigenous young people, and they were slightly more likely to complete multiple periods of remand than non-Indigenous young people (Table A28, Figure 5.11). Just over 40% of Indigenous young people completed two or more periods of remand, compared with 35% of non-Indigenous young people.



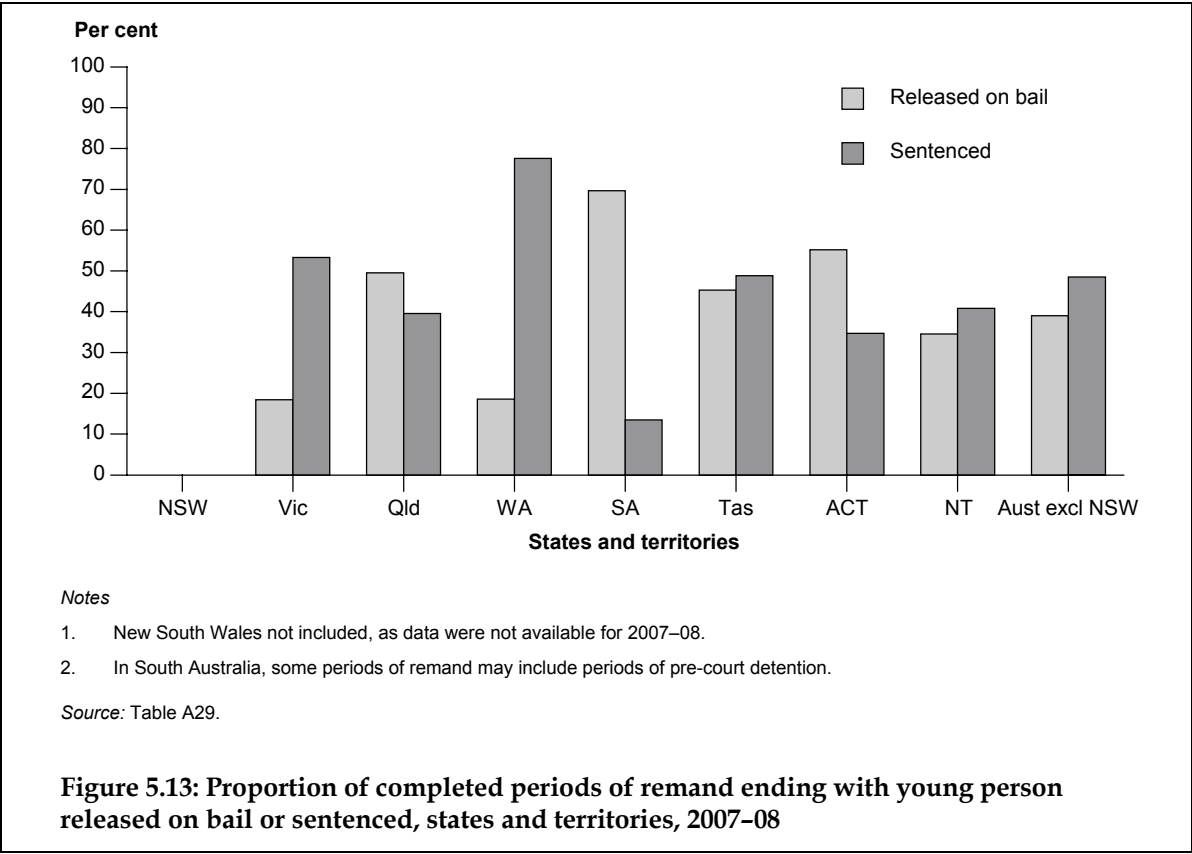
Nationally, the median length of periods of remand completed in 2007–08 was 11 days (Figure 5.12). The shortest median length was 6 days in South Australia and the Australian Capital Territory, and the longest was 21 days in the Northern Territory. Aboriginal and Torres Strait Islander young people spent an average of 5 days longer on remand, and the median length of remand periods was longer for these young people in most states and territories.



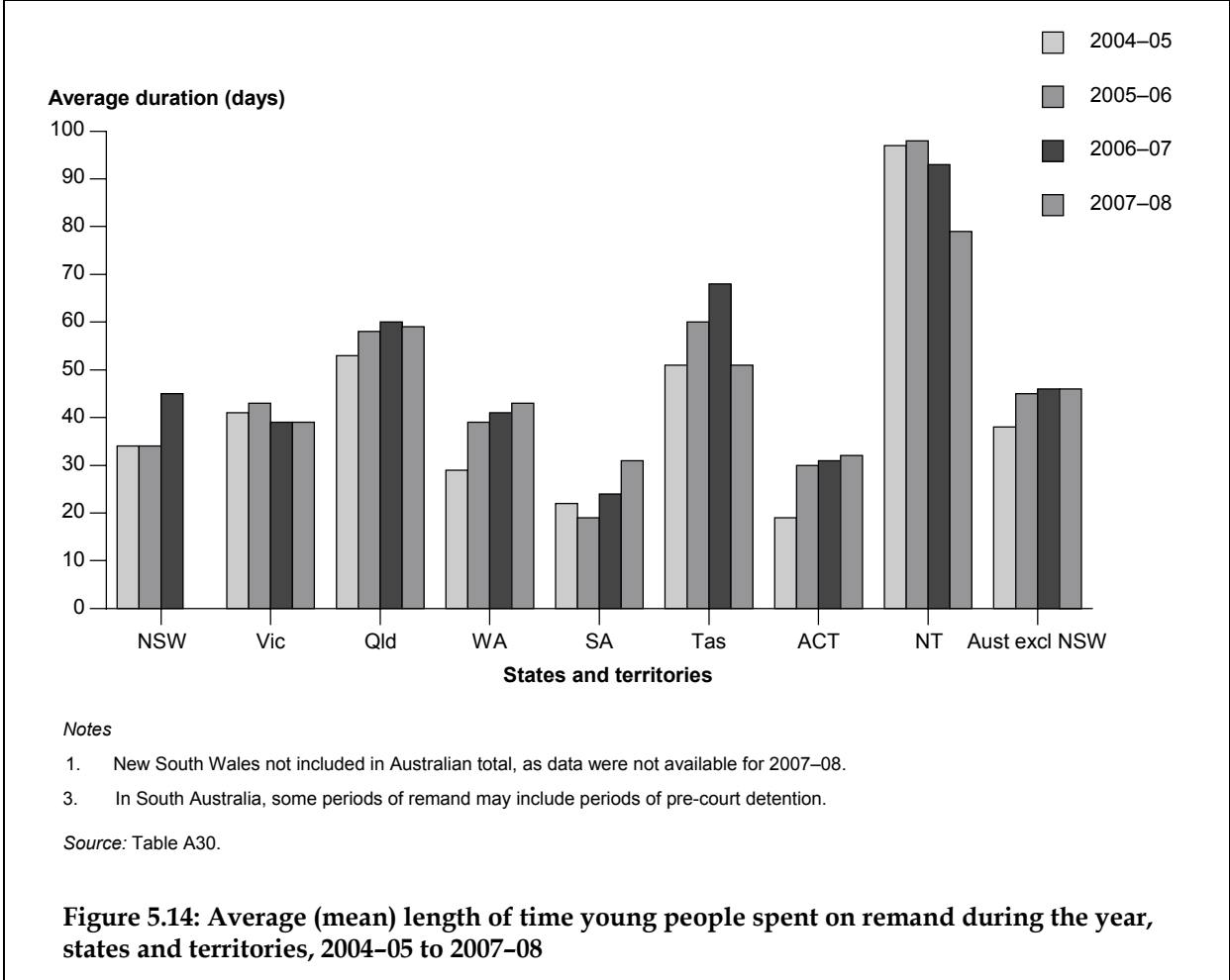
Overall, nearly half (49%) of remand periods ended with the young person being sentenced (Figure 5.13). However, only one-quarter (25%) of periods ending with the young person being sentenced were followed by a period of sentenced detention (Table A29). Over one-third of remand periods (39%) ended with the young person being released on bail, and the remainder ended with the young person transferred (2%) or exiting for a reason not further defined (10%; Table A29).

The proportion of remand periods ending with the young person being sentenced ranged from 13% in South Australia to 78% in Western Australia (Figure 5.13). In several states, remand periods were more likely to end with the young person released on bail than sentenced.

Remand periods for Aboriginal and Torres Strait Islander young people were more likely to end with the young person being sentenced than released on bail (55% ended with a sentence, 35% ended with a release on bail; Table A29). In contrast, remand periods for non-Indigenous young people were equally likely to end with the young person being sentenced or released on bail (42% ended with a sentence, 43% ended with a release on bail).



In 2007-08, young people spent, on average, a total of 46 days in remand, compared with 38 days in 2004-05 (Figure 5.14). Over the 4 years, the average length spent on remand during the year fell in the Northern Territory but increased in Western Australia and the Australian Capital Territory. In 2007-08, the average time spent on remand ranged from 31 days in South Australia to 79 days in the Northern Territory.

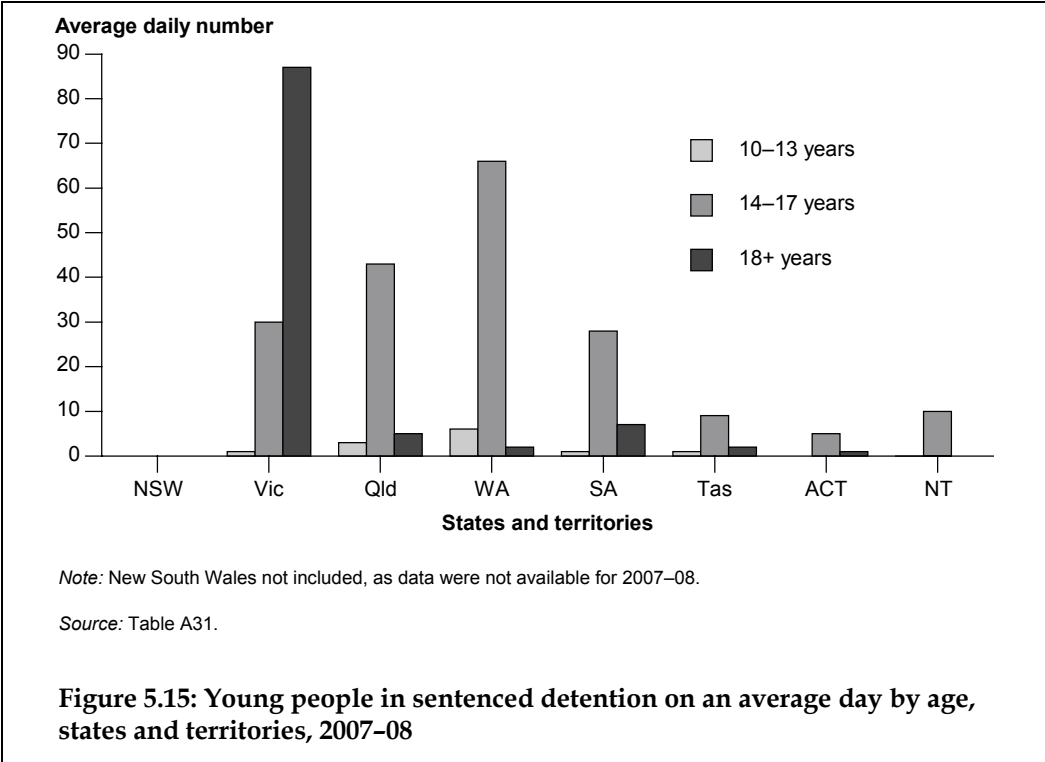


5.7 Sentenced detention

In Australia (excluding New South Wales), 986 young people were in sentenced detention during 2007–08, with an average of 307 young people in sentenced detention on an average day (Table A31). Over half (54%) of those in sentenced detention on an average day were non-Indigenous, 43% were Indigenous and the remainder were of unknown Indigenous status. Over 60% of those in sentenced detention were aged 14–17 years; only 4% were aged 10–13 years and 34% were aged 18 years or older.

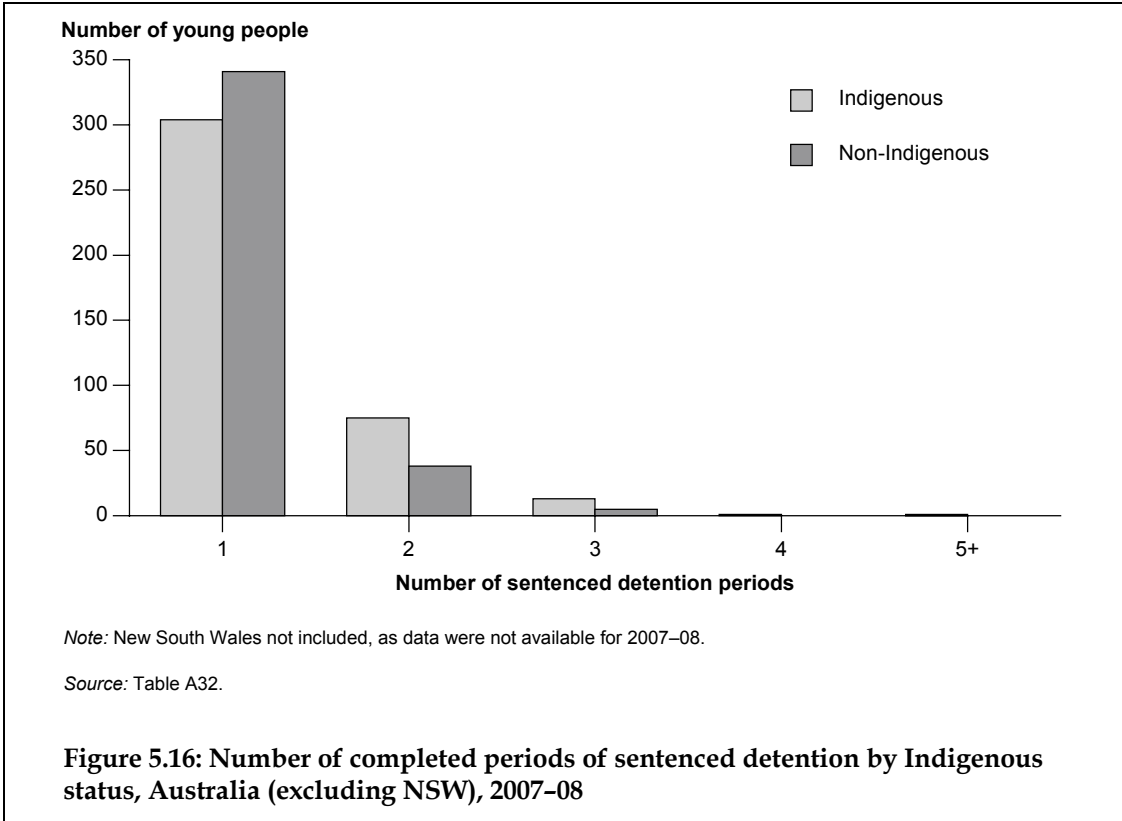
The number of young people in sentenced detention on an average day ranged from 5 in the Australian Capital Territory to 119 in Victoria (Table A31). In contrast to most of the other states and territories, nearly three-quarters of those in sentenced detention in Victoria were aged 18 years or older (Figure 5.15). In most states and territories, there was an average of none or 1 young person aged 10–13 years in sentenced detention each day; in Queensland there was an average of 3 young people of this age in sentenced detention each day and there was an average of 6 young people aged 10–13 years in Western Australia.

The proportion of young people in sentenced detention on an average day that was Aboriginal or Torres Strait Islander varied from 13% in Victoria to 100% in the Northern Territory (Table A31).



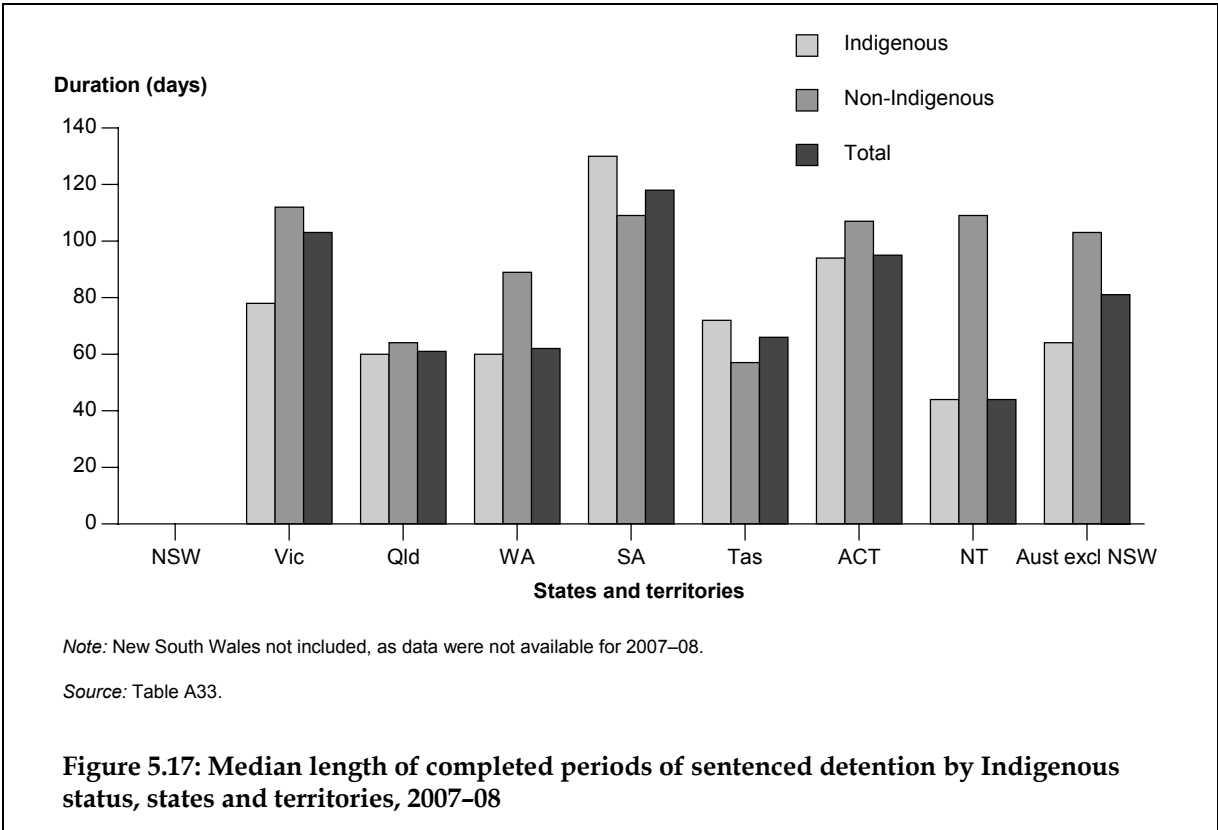
In 2007-08, 792 young people completed 950 periods of sentenced detention (tables A32 and A33). Most (83%) completed only one period of sentenced detention during the year, but 3% completed three or more periods of sentenced detention during the year.

Slightly more Indigenous young people completed periods of sentenced detention than non-Indigenous young people (394 periods and 384 periods, respectively) (Table A33). They were also more likely to complete multiple periods of sentenced detention during the year than non-Indigenous young people. Nearly one-quarter (23%) of Indigenous young people completed two or more periods of sentenced detention, compared with 11% of non-Indigenous young people.



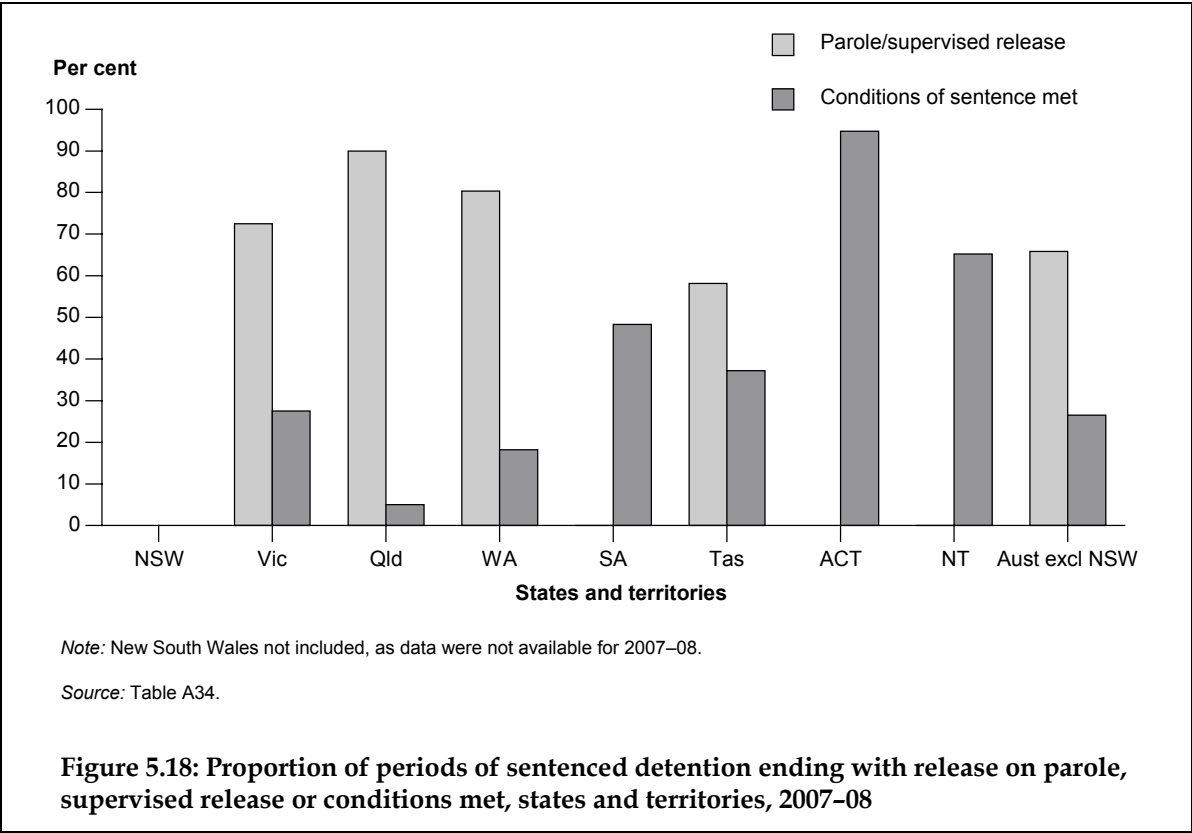
The median length of completed periods of sentenced detention was almost 3 months (81 days; Figure 5.17). On average, Indigenous young people had shorter periods of sentenced detention than non-Indigenous young people (64 days compared with 103 days). However, they were more likely to complete multiple periods of sentenced detention than non-Indigenous young people (tables A32 and A33).

The median length of periods of sentenced detention was around 1.5 months in the Northern Territory and 2 months in Queensland, Western Australia and Tasmania. It was over 3 months in the Australian Capital Territory and Victoria and almost 4 months in South Australia. The median length of sentenced detention periods were longer for non-Indigenous young people compared with Indigenous young people in most states and territories.



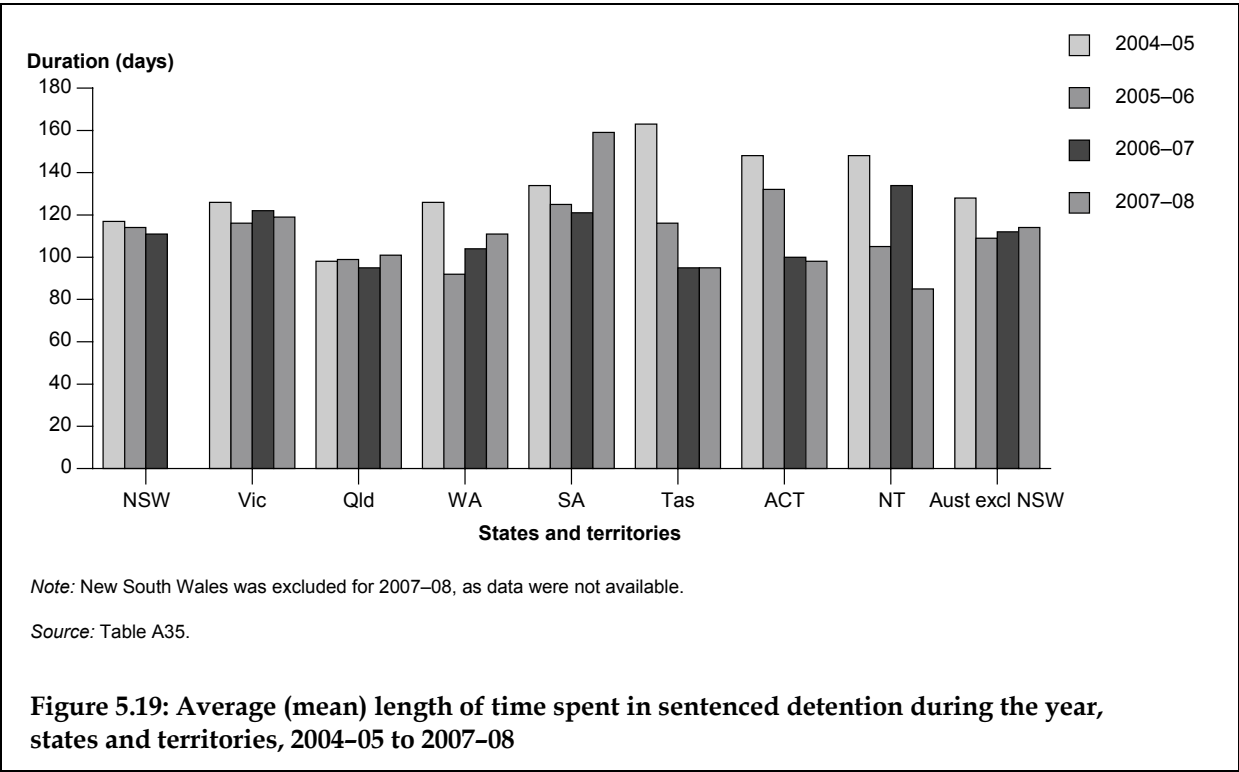
Overall, two-thirds (66%) of the periods of sentenced detention completed in 2007–08 ended with the young person being released on parole or supervised release, and just over one-quarter (27%) ended with the conditions of the sentence being met (Figure 5.18). Around 5% ended with the young person being transferred (to a location other than a remand or detention centre within the jurisdiction) and 2% ended for unspecified reasons (Table A34). Indigenous and non-Indigenous young people were equally likely to be released on parole or supervised release.

Most of the periods of sentenced detention in Victoria, Queensland and Western Australia and just over half of those in Tasmania ended with the young person being released on parole or supervised release (Figure 5.18). In the Australian Capital Territory, where parole or supervised release is not available, 95% of sentenced detention periods ended with the conditions of sentence being met.



In 2007-08, young people spent a total of 114 days in sentence detention, on average. While the average length of time in sentenced detention during the year was higher in 2004-05 (128 days), it decreased to 109 in 2005-06 but increased in the next 2 years to 114 days in 2007-08 (Figure 5.19). The average length of time spent in sentenced detention in 2007-08 ranged from 85 days in the Northern Territory to 159 days in South Australia.

Overall, non-Indigenous young people spent longer in sentenced detention on average during the year than Indigenous young people, and this difference increased over the 4 years (Table A35). In 2004-05, non-Indigenous young people spent, on average, 1 day less in sentenced detention than Indigenous young people, but in 2007-08 they spent 21 more days in sentenced detention.



Appendix A Tables

Young people under supervision

Table A1: Young people under supervision by age, sex and Indigenous status, Australia (excluding NSW), 2007–08

Indigenous status	10	11	12	13	14	15	16	17	18+	Total
Number of young people—average day										
Male										
Indigenous	1	17	37	111	187	295	346	355	143	1,492
Non-Indigenous	2	4	24	63	178	338	503	624	597	2,334
Unknown	—	—	—	4	16	18	29	35	45	148
Total	3	21	61	178	382	652	878	1,014	785	3,974
Female										
Indigenous	—	2	4	20	45	86	95	65	19	335
Non-Indigenous	—	—	2	14	44	62	97	91	57	368
Unknown	—	—	—	—	3	5	7	9	3	28
Total	—	2	6	34	92	153	199	165	79	731
All young people										
Indigenous	2	19	41	131	232	381	442	420	161	1,828
Non-Indigenous	2	4	26	77	223	402	600	715	654	2,704
Unknown	—	—	—	4	19	24	36	45	48	176
Total	3	23	67	212	474	807	1,078	1,180	864	4,708
Number of young people—during the year										
Male										
Indigenous	9	46	114	232	389	519	650	579	260	2,798
Non-Indigenous	6	15	56	180	405	758	1,047	1,218	1,129	4,814
Unknown	—	—	—	8	32	33	56	70	73	272
Total	15	61	170	420	826	1,310	1,753	1,867	1,462	7,884
Female										
Indigenous	2	6	16	46	115	177	183	139	41	725
Non-Indigenous	—	1	9	46	110	166	209	197	133	871
Unknown	—	—	—	2	3	10	9	21	6	51
Total	2	7	25	94	228	353	401	357	180	1,647
All young people										
Indigenous	11	52	131	278	505	697	834	718	301	3,527
Non-Indigenous	6	16	65	226	517	925	1,257	1,416	1,262	5,690
Unknown	—	—	—	10	35	43	65	91	79	323
Total	17	68	196	514	1,057	1,665	2,156	2,225	1,642	9,540

Notes

1. Total includes young people of unknown sex.
2. New South Wales not included, as data were not available for 2007–08.
3. Age calculated as at start of financial year if supervision began before start of financial year, otherwise age calculated as at start of supervision.

Related table: State and territory appendixes 2007–08, Table 1.

Table A2: Young people under supervision on an average day by age and Indigenous status, states and territories, 2007–08

Age	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust excl NSW
Indigenous									
10–13	n.a.	7	94	56	21	5	6	2	192
14–17	n.a.	96	628	461	126	51	22	91	1,475
18+	n.a.	34	42	33	25	21	4	2	161
Total	n.a.	138	764	551	172	77	32	94	1,828
Non-Indigenous									
10–13	n.a.	24	37	13	19	10	8	—	110
14–17	n.a.	581	684	223	242	121	74	14	1,940
18+	n.a.	386	90	27	62	69	20	—	654
Total	n.a.	991	811	263	323	199	102	15	2,704
Unknown									
10–13	n.a.	1	—	1	—	2	1	—	4
14–17	n.a.	79	1	6	23	14	1	—	124
18+	n.a.	35	—	—	5	8	—	—	48
Total	n.a.	115	1	7	28	24	2	—	176
All young people									
10–13	n.a.	32	131	70	40	16	15	2	306
14–17	n.a.	756	1,312	690	391	187	98	105	3,539
18+	n.a.	455	133	60	92	97	24	2	864
Total	n.a.	1,243	1,576	820	523	300	137	109	4,708

Notes

1. Age calculated as at start of financial year if supervision began before start of financial year, otherwise age calculated as at start of supervision.
2. New South Wales not included, as data were not available for 2007–08.
3. Total includes young people of unknown sex.

Related table: Supplementary tables, Table 1.

Table A3: Young people aged 10–17 years under supervision on an average day by Indigenous status, states and territories, 2007–08 (number and rate)

Indigenous status	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust excl NSW
Number of young people									
Indigenous	n.a.	103	722	518	147	56	28	92	1,667
Non-Indigenous	n.a.	605	721	236	261	130	82	15	2,050
Unknown	n.a.	80	1	7	23	16	2	0	128
Total	n.a.	788	1,444	760	430	203	113	107	3,844
Rate									
Indigenous	n.a.	14.65	23.38	35.29	26.08	14.55	28.03	8.21	22.43
Non-Indigenous	n.a.	1.12	1.63	1.07	1.64	2.55	2.41	0.97	1.40
Rate ratio	n.a.	13.08	14.34	32.98	15.90	5.71	11.63	8.46	16.02
Total	n.a.	1.44	3.05	3.23	2.58	3.70	3.23	4.02	2.50

Notes

1. Age calculated as at start of financial year if period of supervision began before start of financial year, otherwise age calculated as at start of period of supervision.
2. New South Wales not included, as data were not available for 2007–08.
3. Rates are number of young people per 1,000 relevant population.
4. Total includes young people with unknown Indigenous status.

Related table: Supplementary tables, Table 2.

Table A4: Young people under supervision on an average day by Indigenous status, Australia (excluding NSW), 2000–01 to 2007–08 (number and per cent)

	Indigenous		Non-Indigenous		Unknown		Total	
	No.	%	No.	%	No.	%	No.	%
2000–01	1,869	31.5	3,465	58.3	6045	10.2	5,938	100.0
2001–02	1,878	32.1	3,541	60.6	422	7.2	5,842	100.0
2002–03	2,004	33.7	3,562	60.0	375	6.3	5,940	100.0
2003–04	2,109	35.4	3,540	59.4	315	5.3	5,964	100.0
2004–05	2,219	37.8	3,411	58.2	235	4.0	5,864	100.0
2005–06	2,356	39.5	3,366	56.5	240	4.0	5,962	100.0
2006–07	2,364	39.2	3,406	56.4	267	4.4	6,038	100.0
2007–08	1,828	38.8	2,704	57.4	176	3.7	4,708	100.0

Note: The Australian Capital Territory was excluded for 2000–01 to 2002–03 and New South Wales for 2007–08, as data were not available.

Related tables: Supplementary tables, Table 3; state and territory appendixes, Table 2.

Table A5: Rates of young people aged 10–17 years under supervision on an average day by Indigenous status, states and territories, 2004–05 to 2007–08

Indigenous status	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust excl NSW	Aust
2004–05										
Indigenous	15.80	11.42	23.50	29.60	29.82	8.15	38.78	12.77	21.75	19.96
Non-Indigenous	1.00	1.07	1.68	0.90	1.88	2.27	3.21	1.34	1.41	1.28
Rate ratio	15.80	10.67	13.99	32.89	15.86	3.59	12.08	9.53	15.43	15.59
Total	1.70	1.20	3.03	2.77	2.93	3.22	4.05	6.14	2.40	2.17
2005–06										
Indigenous	16.46	11.86	23.77	33.52	26.17	11.20	26.64	12.79	22.43	20.62
Non-Indigenous	1.03	1.02	1.57	1.14	1.60	2.48	2.30	1.25	1.35	1.25
Rate ratio	15.98	11.63	15.14	29.40	16.36	4.52	11.58	10.23	16.61	16.50
Total	1.80	1.22	2.97	3.16	2.54	3.50	2.92	6.06	1.62	2.20
2006–07										
Indigenous	15.22	12.63	23.78	33.28	22.70	13.01	23.16	10.91	21.98	19.93
Non-Indigenous	0.97	0.98	1.56	1.10	1.60	2.64	2.56	0.65	1.34	1.22
Rate ratio	15.69	12.89	15.24	30.25	14.19	4.93	9.05	16.78	16.40	16.34
Total	1.71	1.29	2.99	3.12	2.44	3.55	3.11	5.01	2.40	2.18
2007–08										
Indigenous	n.a.	14.65	23.38	35.29	26.08	14.55	28.03	8.21	22.43	n.a.
Non-Indigenous	n.a.	1.12	1.63	1.07	1.64	2.55	2.41	0.97	1.40	n.a.
Rate ratio	n.a.	13.08	14.34	32.98	15.90	5.71	11.63	8.46	16.02	n.a.
Total	n.a.	1.44	3.05	3.23	2.61	3.70	3.23	4.02	2.50	n.a.

Notes

1. Rates are number of young people per 1,000 relevant population.
2. New South Wales was excluded for 2007–08, as data were not available.
3. Rate ratio calculated by dividing the Indigenous rate by the non-Indigenous rate.
4. Total includes young people with unknown Indigenous status.
5. Age calculated as at start of financial year if period of supervision began before start of financial year, otherwise age calculated as at start of period of supervision.

Table A6: Young people under supervision during the year by age at first supervision and Indigenous status, Australia (excluding NSW), 2007–08

Indigenous status	10	11	12	13	14	15	16	17	18+	Total
Indigenous	71	208	353	631	723	690	490	293	68	3,527
Non-Indigenous	20	81	164	488	886	1,159	1,277	1,042	572	5,690
Unknown	—	—	3	17	39	58	75	85	46	323
Total	91	289	520	1,136	1,648	1,907	1,842	1,420	686	9,540

Notes

1. Total includes young people with unknown age at first contact.
2. Age calculated as at start of financial year if supervision began before start of financial year, otherwise age calculated as at start of supervision.
3. New South Wales not included, as data were not available for 2007–08.

Related table: State and territory appendixes, Table 3.

Table A7: Young people under supervision during the year by age at first supervision, states and territories, 2007–08

Age	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust excl NSW
10–13	n.a.	242	686	606	297	94	67	44	2,036
14–17	n.a.	1,747	2,035	1,434	789	399	229	184	6,817
18+	n.a.	540	23	7	48	61	7	—	686
Total	n.a.	2,529	2,744	2,047	1,134	555	303	228	9,540

Notes

1. Total includes young people with unknown age.
2. Age calculated as at start of financial year if supervision began before start of financial year, otherwise age calculated as at start of supervision.
3. New South Wales not included, as data were not available for 2007–08.

Related table: Supplementary tables, Table 4.

Table A8: Young people under supervision during the year by age at first supervision, states and territories, 2004–05 to 2007–08

Age at first supervision	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust excl NSW	Aust
2004–05										
10–13	665	224	725	507	316	58	47	62	1,939	2,604
14–17	2,656	1,309	1,915	1,303	885	349	231	281	6,273	8,929
18+	154	202	14	12	63	81	12	1	385	539
Total	3,475	1,735	2,655	1,822	1,265	488	290	345	8,600	12,075
2005–06										
10–13	686	236	730	558	295	82	49	57	2,007	2,693
14–17	2,862	1,386	1,918	1,415	850	344	204	280	6,397	9,259
18+	157	337	19	13	62	75	3	1	510	667
Total	3,705	1,959	2,667	1,986	1,208	501	256	339	8,916	12,621
2006–07										
10–13	651	237	715	582	273	84	50	54	1,995	2,646
14–17	2,773	1,624	1,940	1,469	809	322	201	262	6,627	9,400
18+	137	437	22	13	46	59	7	1	585	722
Total	3,561	2,298	2,677	2,064	1,129	465	258	317	9,208	12,769
2007–08										
10–13	n.a.	242	686	606	297	94	67	44	2,036	2,036
14–17	n.a.	1,747	2,035	1,434	789	399	229	184	6,817	6,817
18+	n.a.	540	23	7	48	61	7	—	686	686
Total	n.a.	2,529	2,744	2,047	1,134	555	303	228	9,540	9,540

Notes

1. Total includes young people with unknown age.
2. Age calculated as at start of financial year if supervision began before start of financial year, otherwise age calculated as at start of supervision.
3. New South Wales not included, as data were not available for 2007–08.

Table A9: Young people by Indigenous status and number of completed supervision periods, states and territories, 2007–08

Number of completed supervision periods	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust excl NSW
Indigenous									
1	n.a.	82	343	329	98	28	19	58	957
2	n.a.	34	156	235	53	17	10	31	536
3	n.a.	15	75	129	31	5	6	13	274
4+	n.a.	15	55	312	59	1	11	26	479
Total	n.a.	146	629	1,005	241	51	46	128	2,246
Non-Indigenous									
1	n.a.	800	532	293	238	162	90	12	2,127
2	n.a.	241	182	116	105	54	37	3	738
3	n.a.	93	51	56	61	14	15	1	291
4+	n.a.	53	20	104	75	3	16	1	272
Total	n.a.	1,187	785	569	479	233	158	17	3,428
All young people									
1	n.a.	978	877	637	364	208	112	71	3,247
2	n.a.	307	338	351	160	73	47	34	1,310
3	n.a.	112	126	186	92	19	21	14	570
4+	n.a.	69	75	416	134	4	27	27	752
Total	n.a.	1,466	1,416	1,590	750	304	207	146	5,879

Notes

1. New South Wales not included, as data were not available for 2007–08.
2. Total includes young people with unknown Indigenous status.

Related tables: Supplementary tables, tables 5 and 6.

Table A10: Young people by sex and number of completed supervision periods, states and territories, 2007–08

Number of completed supervision periods	NSW	Vic	QLD	WA	SA	Tas	ACT	NT	Aust excl NSW
Male									
1	n.a.	832	708	495	287	169	75	62	2,628
2	n.a.	269	274	279	132	61	37	32	1,084
3	n.a.	99	102	145	72	15	14	12	459
4+	n.a.	61	63	338	104	4	20	26	616
Total	n.a.	1,261	1,147	1,257	595	249	146	132	4,787
Female									
1	n.a.	146	169	139	77	39	37	9	616
2	n.a.	38	64	69	28	12	10	2	223
3	n.a.	13	24	41	20	4	7	2	111
4+	n.a.	8	12	78	30	—	7	1	136
Total	n.a.	205	269	327	155	55	61	14	1,086
All young people									
1	n.a.	978	877	637	364	208	112	71	3,247
2	n.a.	307	338	351	160	73	47	34	1,310
3	n.a.	112	126	186	92	19	21	14	570
4+	n.a.	69	75	416	134	4	27	27	752
Total	n.a.	1,466	1,416	1,590	750	304	207	146	5,879

Notes

1. New South Wales not included, as data were not available for 2007–08.
2. Total includes young people of unknown sex.

Related tables: Supplementary tables, tables 5 and 6.

Table A11: Average length of completed supervision periods (days) by Indigenous status and sex, Australia (excluding NSW), 2007–08

Sex	Mean	Median	Number	Standard deviation
Indigenous				
Male	166	107	2,295	229
Female	138	91	641	167
Total	160	103	2,941	217
Non-Indigenous				
Male	200	168	3,300	234
Female	172	122	660	180
Total	195	160	3,962	226
All young people				
Male	189	139	5,775	234
Female	158	116	1,333	174
Total	183	127	7,115	224

Notes

1. New South Wales not included, as data were not available for 2007–08.
2. Total includes young people of unknown sex.
3. Total includes young people with unknown Indigenous status.

Related table: State and territory appendixes, Table 4.

Table A12: Young people by duration of longest completed supervision periods, states and territories, 2007–08

Duration	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust excl NSW
0 days–<1 month	n.a.	126	178	333	203	34	45	52	971
1–<9 months	n.a.	826	552	1,066	335	75	98	54	3,006
9–24+ months	n.a.	514	686	191	212	195	64	40	1,902
Total	n.a.	1,466	1,416	1,590	750	304	207	146	5,879

Note: New South Wales not included, as data were not available for 2007–08.

Related table: Supplementary tables, Table 7.

Young people under community-based supervision

Table A13: Number of young people under community-based supervision by age, sex and Indigenous status, Australia, 2007–08

Indigenous status	10	11	12	13	14	15	16	17	18+	Total
Number of young people—average day										
Male										
Indigenous	1	16	34	93	157	240	285	262	119	1,207
Non-Indigenous	1	4	23	60	159	310	453	559	493	2,062
Unknown	—	—	—	4	16	18	26	34	40	138
Total	2	20	57	157	332	568	764	855	653	3,407
Female										
Indigenous	—	2	4	16	42	78	88	58	18	306
Non-Indigenous	—	—	2	13	41	56	90	84	54	340
Unknown	—	—	—	—	3	6	6	9	3	28
Total	—	2	6	30	86	140	184	151	76	674
All young people										
Indigenous	1	18	38	109	200	318	373	320	138	1,514
Non-Indigenous	1	4	25	73	200	367	543	643	547	2,404
Unknown	—	—	—	4	19	24	32	43	43	166
Total	2	22	62	187	418	710	948	1,007	728	4,084
Number of young people—during the year										
Male										
Indigenous	6	39	100	203	341	469	568	506	251	2,483
Non-Indigenous	4	10	52	147	363	683	944	1,101	1,057	4,361
Unknown	—	—	—	8	32	31	51	70	71	263
Total	10	49	152	358	736	1,183	1,563	1,677	1,379	7,107
Female										
Indigenous	1	6	12	37	103	164	163	124	37	647
Non-Indigenous	—	1	7	41	90	138	193	176	132	778
Unknown	—	—	—	2	3	10	9	21	6	51
Total	1	7	19	80	196	312	365	321	175	1,476
All young people										
Indigenous	7	45	113	240	445	634	732	630	288	3,134
Non-Indigenous	4	11	59	188	455	822	1,138	1,278	1,189	5,144
Unknown	—	—	—	10	35	41	60	91	77	314
Total	11	56	172	438	935	1,497	1,930	1,999	1,554	8,592

Notes

1. New South Wales not included, as data were not available for 2007–08.
2. Age calculated as at start of financial year if period of community-based supervision began before start of financial year, otherwise age calculated as at start of period of community-based supervision.
3. Total includes young people of unknown sex.

Related tables: State and territory appendixes, tables 5 and 6.

Table A14: Young people under community-based supervision on an average day by legal status and Indigenous status, states and territories, 2007–08

Indigenous status	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust excl NSW
Unsentenced									
Indigenous	n.a.	15	20	—	22	1	8	—	65
Non-Indigenous	n.a.	156	27	—	37	2	27	—	250
Unknown	n.a.	7	1	—	—	—	1	—	10
Total	n.a.	178	48	1	59	3	37	1	325
Sentenced									
Indigenous	n.a.	101	656	431	119	62	17	62	1,449
Non-Indigenous	n.a.	709	718	221	248	182	64	12	2,155
Unknown	n.a.	98	—	6	27	24	1	—	157
Total	n.a.	909	1,374	659	394	268	82	74	3,760
All young people									
Indigenous	n.a.	116	676	431	141	63	25	62	1,514
Non-Indigenous	n.a.	864	745	222	285	184	92	12	2,404
Unknown	n.a.	106	1	7	27	24	2	—	166
Total	n.a.	1,086	1,422	659	453	271	119	75	4,084

Notes

1. New South Wales not included, as data were not available for 2007–08.
2. Totals may not sum as some young people may have changed legal status during the same day.

Related table: Supplementary tables, Table 8.

Table A15: Young people under community-based supervision on an average day by legal status and Indigenous status, states and territories, 2004–05 to 2007–08

Year	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust excl NSW	Aust
Indigenous										
Unsentenced										
2004–05	44	7	21	—	22	—	4	—	54	97
2005–06	42	9	19	—	18	—	8	1	54	96
2006–07	62	13	20	2	17	—	8	1	62	124
2007–08	n.a.	15	20	—	22	1	8	—	65	n.a.
Sentenced										
2004–05	372	65	622	345	148	32	24	116	1,351	1,724
2005–06	378	74	634	428	145	43	13	122	1,458	1,837
2006–07	327	89	652	415	115	48	16	107	1,441	1,768
2007–08	n.a.	101	656	431	119	62	17	62	1,449	n.a.
Total										
2004–05	416	71	643	345	170	32	28	116	1,405	1,821
2005–06	420	83	653	428	163	43	20	123	1,512	1,933
2006–07	389	102	671	417	132	49	24	108	1,502	1,892
2007–08	n.a.	116	676	431	141	63	25	62	1,514	n.a.
Non-Indigenous										
Unsentenced										
2004–05	81	76	24	—	34	—	14	—	148	230
2005–06	61	94	27	—	30	1	28	—	180	240
2006–07	93	114	35	—	36	—	30	—	215	308
2007–08	n.a.	156	27	—	37	2	27	—	250	n.a.
Sentenced										
2004–05	648	562	734	183	322	162	105	27	2,095	2,744
2005–06	673	571	676	229	262	175	58	22	1,994	2,666
2006–07	557	628	685	226	245	199	67	17	2,067	2,625
2007–08	n.a.	709	718	221	248	182	64	12	2,155	n.a.
Total										
2004–05	729	637	758	183	357	162	119	27	2,243	2,972
2005–06	733	664	703	230	293	176	86	22	2,173	2,906
2006–07	650	741	720	226	281	199	96	18	2,282	2,932
2007–08	n.a.	864	745	222	285	184	92	12	2,404	n.a.

(continued)

Table A15 (continued): Young people under community-based supervision on an average day by legal status and Indigenous status, states and territories, 2004–05 to 2007–08

Year	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust excl NSW	Aust
All young people										
Unsentenced										
2004–05	132	82	45	—	56	—	18	—	202	334
2005–06	108	112	45	—	49	1	36	1	244	353
2006–07	162	154	55	2	54	1	38	2	304	466
2007–08	n.a.	178	48	1	59	3	37	1	325	n.a.
Sentenced										
2004–05	1,100	627	1,358	559	506	257	130	142	3,580	4,679
2005–06	1,147	678	1,311	662	437	264	71	144	3,566	4,713
2006–07	976	798	1,337	643	384	262	83	124	3,630	4,606
2007–08	n.a.	909	1,374	659	394	268	82	74	3,760	n.a.
Total										
2004–05	1,231	709	1,403	560	563	257	147	143	3,781	5,012
2005–06	1,255	790	1,356	662	486	265	106	145	3,810	5,064
2006–07	1,137	952	1,391	645	438	262	120	126	3,934	5,071
2007–08	n.a.	1,086	1,422	659	453	271	119	75	4,084	n.a.

Notes

1. Total includes young people with unknown Indigenous status.
2. New South Wales was excluded for 2007–08 as data were not available.
3. Totals may not sum as some young people may have changed legal status during the same day.

Related tables: Supplementary tables, tables 9 and 10.

Table A16: Rate of young people aged 10–17 years under community-based supervision on an average day people by Indigenous status, states and territories, 2004–05 to 2007–08

Indigenous status	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust excl NSW	Aust
2004–05										
Indigenous	12.33	9.83	21.37	23.27	25.04	5.52	30.55	9.16	18.29	16.49
Non-Indigenous	0.86	1.00	1.59	0.79	1.66	1.88	2.93	1.14	1.30	1.15
Rate ratio	14.34	9.83	13.44	29.46	15.08	2.94	10.43	8.04	14.07	14.34
Total	1.42	1.10	2.81	2.28	2.56	2.66	3.58	4.51	2.13	1.90
2005–06										
Indigenous	12.41	10.34	21.27	27.98	22.74	8.59	17.76	9.07	19.08	17.07
Non-Indigenous	0.88	0.95	1.45	1.00	1.42	2.13	2.04	0.92	1.22	1.11
Rate ratio	14.10	10.88	14.67	27.98	16.01	4.03	8.71	9.86	15.64	15.38
Total	1.48	1.13	2.70	2.68	2.25	2.98	2.44	4.35	2.12	1.91
2006–07										
Indigenous	10.82	11.45	20.94	26.80	18.95	9.63	17.89	7.33	18.34	16.05
Non-Indigenous	0.79	0.93	1.45	0.95	1.40	2.35	2.32	0.52	1.22	1.08
Rate ratio	13.70	12.31	14.44	28.21	13.54	4.10	7.71	14.10	15.03	14.86
Total	1.34	1.22	2.70	2.57	2.11	3.04	2.74	3.39	2.11	1.86
2007–08										
Indigenous	n.a.	13.09	20.53	27.46	21.47	11.43	21.02	5.35	18.51	n.a.
Non-Indigenous	n.a.	1.05	1.49	0.91	1.43	2.32	2.15	0.78	1.27	n.a.
Rate ratio	n.a.	12.47	13.78	30.18	15.01	4.93	9.78	6.86	14.57	n.a.
Total	n.a.	1.34	2.73	2.60	2.25	3.25	2.74	2.74	2.18	n.a.

Notes

1. Rates are number of young people per 1,000 relevant population.
2. Age calculated as at start of financial year if period of community-based supervision began before start of financial year, otherwise age calculated as at start of period of community-based supervision.
3. Rate ratio calculated by dividing the Indigenous rate by the non-Indigenous rate.
4. New South Wales not included, as data were not available for 2007–08.
5. Total includes young people with unknown Indigenous status.

Table A17: Completed periods of community-based supervision by most serious order type, states and territories, 2007–08

Most serious order type	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust excl NSW
Median length (days)									
Immediate release/suspended detention	n.a.	—	90	114	106	373	—	63	93
Parole/supervised release	n.a.	108	40	57	—	97	—	n.p.	71
Probation or similar	n.a.	184	147	91	106	334	181	50	135
Supervised bail or similar	n.a.	83	55	30	35	n.p.	42	12	62
Other ^(a)	n.a.	—	—	195	—	—	—	—	195
Total	n.a.	143	113	90	72	325	65	47	103
Number of completed periods of community-based supervision									
Immediate release/suspended detention	n.a.	—	239	439	135	97	—	42	952
Parole/supervised release	n.a.	203	153	272	—	21	—	1	650
Probation or similar	n.a.	1,173	2,379	1,452	751	267	159	118	6,299
Supervised bail or similar	n.a.	690	150	6	347	4	238	8	1,443
Other ^(a)	n.a.	—	—	8	—	—	—	—	8
Total	n.a.	2,066	2,921	2,177	1,233	389	397	169	9,352
Number of young people									
Immediate release/suspended detention	n.a.	—	205	320	92	88	—	21	726
Parole/supervised release	n.a.	183	134	205	—	18	—	1	541
Probation or similar	n.a.	980	1,683	1,004	487	243	123	75	4,595
Supervised bail or similar	n.a.	649	124	6	229	4	152	5	1,169
Other ^(a)	n.a.	—	—	8	—	—	—	—	8
Total	n.a.	1,812	2,146	1,543	808	353	275	102	7,039

(a) Other includes home detention and other order types not elsewhere categorised.

Notes

1. New South Wales not included, as data were not available for 2007–08.
2. Median lengths were not calculated where there were fewer than five periods.

Related tables: Supplementary tables, tables 13, 14, 15 and 16.

Table A18: Completed periods of sentenced community-based supervision by reason for exit, states and territories, 2007–08

Most serious order type	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust excl NSW
Conditions of sentence met									
Immediate release/suspended detention	n.a.	—	125	20	110	74	—	5	334
Parole/supervised release	n.a.	157	112	6	—	17	—	—	292
Probation or similar	n.a.	888	1,381	33	635	254	98	32	3,321
More serious unrelated order begun									
Immediate release/suspended detention	n.a.	—	100	346	2	18	—	10	476
Parole/supervised release	n.a.	—	7	224	—	2	—	—	233
Probation or similar	n.a.	261	866	1,232	5	5	50	16	2,435
All reasons for exit									
Immediate release/suspended detention	n.a.	—	239	439	135	97	—	42	952
Parole/supervised release	n.a.	203	153	272	—	21	—	1	650
Probation or similar	n.a.	1,173	2,379	1,452	751	267	159	118	6,299

Notes

1. New South Wales not included, as data were not available for 2007–08.
2. Other reasons for exit include breach, transfer, and other reasons not elsewhere classified.

Related tables: Supplementary tables, tables 17, 18 and 19.

Young people in detention

Table A19: Number of young people in detention by age, sex and Indigenous status, Australia (excluding NSW), 2007–08

Indigenous status	10	11	12	13	14	15	16	17	18+	Total
Number of young people—average day										
Male										
Indigenous	—	2	6	21	36	55	69	80	19	288
Non-Indigenous	1	—	2	7	19	38	54	63	91	275
Unknown	—	—	—	—	1	1	3	1	4	10
Total	1	2	8	28	55	94	126	144	114	572
Female										
Indigenous	—	—	1	3	4	7	8	6	—	29
Non-Indigenous	—	—	—	1	4	6	7	6	3	28
Unknown	—	—	—	—	—	—	—	—	—	—
Total	—	—	1	5	8	13	15	12	3	57
All young people										
Indigenous	—	2	7	24	39	62	77	86	20	317
Non-Indigenous	1	—	2	8	23	44	62	69	94	302
Unknown	—	—	—	—	1	1	3	1	4	10
Total	1	2	9	33	63	107	141	155	117	630
Number of young people—during the year										
Male										
Indigenous	4	23	55	138	193	260	319	273	46	1,311
Non-Indigenous	5	6	20	89	157	267	344	330	261	1,479
Unknown	—	—	—	3	1	5	11	12	9	41
Total	9	29	75	230	351	532	674	615	316	2,831
Female										
Indigenous	1	1	11	24	59	58	69	50	7	280
Non-Indigenous	—	1	2	27	53	70	49	47	15	264
Unknown	—	—	—	—	1	1	—	1	—	3
Total	1	2	13	51	113	129	118	98	22	547
All young people										
Indigenous	5	24	66	162	252	318	388	323	53	1,591
Non-Indigenous	5	7	22	116	210	337	393	377	276	1,743
Unknown	—	—	—	3	2	6	11	13	9	44
Total	10	31	88	281	464	661	792	713	338	3,378

Notes

1. New South Wales not included, as data were not available for 2007–08.
2. Age calculated as at start of financial year if period of community-based supervision began before start of financial year, otherwise age calculated as at start of period of community-based supervision.
3. Total includes young people of unknown sex.

Related tables: State and territory appendixes, tables 7 and 8.

Table A20: Young people in detention on an average day by legal status and Indigenous status, states and territories, 2007–08

Indigenous status	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust excl NSW
Unsentenced									
Indigenous	n.a.	6	63	67	14	7	5	23	185
Non-Indigenous	n.a.	32	41	23	21	10	7	2	136
Unknown	n.a.	3	—	—	—	—	—	—	3
Total	n.a.	41	105	90	34	17	12	25	325
Sentenced									
Indigenous	n.a.	16	25	55	18	6	2	10	133
Non-Indigenous	n.a.	97	25	19	17	5	3	—	167
Unknown	n.a.	6	—	—	1	—	—	—	7
Total	n.a.	119	50	74	36	12	5	10	306
All young people									
Indigenous	n.a.	22	89	122	31	14	7	32	317
Non-Indigenous	n.a.	129	66	42	37	15	11	2	302
Unknown	n.a.	9	—	—	1	—	—	—	10
Total	n.a.	160	155	164	70	29	18	35	630

Notes

1. New South Wales not included, as data were not available for 2007–08.
2. Components may not sum as some young people may have changed legal status during the same day.

Related table: Supplementary tables, Table 20.

Table A21: Young people in detention on an average day by legal status and month, Australia (excluding NSW), 2007–08

Month	Unsentenced	Sentenced	Total
July 2007	304	294	596
August 2007	296	294	589
September 2007	293	302	594
October 2007	297	312	608
November 2007	313	317	629
December 2007	295	316	610
January 2008	343	308	651
February 2008	376	307	681
March 2008	380	309	688
April 2008	360	304	663
May 2008	320	312	630
June 2008	329	300	628

Notes

1. New South Wales not included, as data were not available for 2007–08.
2. Components may not sum as some young people may have changed legal status during the same day.

Related tables: State and territory appendixes, tables 9 and 10.

Table A22: Number of receptions by Indigenous status, Australia (excluding NSW), 2007–08

Number of receptions	Indigenous	Non-Indigenous	Unknown	Total
1	752	967	25	1,744
2	341	315	5	661
3	166	137	3	306
4	103	74	2	179
5+	92	82	2	176
Total	1,454	1,575	37	3,066

Note: New South Wales not included, as data were not available for 2007–08.

Related tables: Supplementary tables, Table 24; State and territory appendixes, Table 11.

Table A23: Receptions and releases by month, Australia (excluding NSW), 2007–08

Month	Receptions	Releases
July 2007	401	451
August 2007	429	437
September 2007	465	418
October 2007	495	506
November 2007	472	443
December 2007	473	485
January 2008	521	513
February 2008	530	500
March 2008	515	491
April 2008	489	551
May 2008	506	490
June 2008	466	492

Note: New South Wales not included, as data were not available for 2007–08.

Related tables: State and territory appendixes, tables 12 and 13.

Table A24: Young people in detention on an average day by legal status and Indigenous status, states and territories, 2004–05 to 2007–08

Year	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust excl NSW	Aust
Indigenous										
Unsentenced										
2004–05	76	2	38	36	13	1	2	26	118	194
2005–06	89	5	52	51	7	5	3	30	152	241
2006–07	128	5	66	56	10	8	4	30	177	306
2007–08	n.a.	6	63	67	14	7	5	23	185	n.a.
Sentenced										
2004–05	62	15	21	67	15	9	5	17	149	211
2005–06	77	17	21	38	13	5	5	15	114	191
2006–07	54	15	20	47	14	6	2	16	120	174
2007–08	n.a.	16	25	55	18	6	2	10	133	n.a.
Total										
2004–05	138	17	60	103	28	10	7	43	267	404
2005–06	165	22	72	89	20	10	8	44	265	430
2006–07	182	19	86	103	24	14	5	46	297	479
2007–08	n.a.	22	89	122	31	14	7	32	317	n.a.
Non-Indigenous										
Unsentenced										
2004–05	84	16	28	13	14	2	4	3	80	164
2005–06	91	25	37	18	13	10	7	5	116	207
2006–07	130	28	37	21	16	12	8	3	124	255
2007–08	n.a.	32	41	23	21	10	7	2	136	n.a.
Sentenced										
2004–05	93	105	14	15	25	20	7	2	188	281
2005–06	93	98	17	16	19	12	4	1	167	260
2006–07	59	100	19	18	20	7	3	2	169	228
2007–08	n.a.	97	25	19	17	5	3	—	167	n.a.
Total										
2004–05	176	121	42	28	40	22	10	6	268	444
2005–06	183	123	54	34	33	22	11	6	283	466
2006–07	189	128	55	38	36	19	12	5	293	482
2007–08	n.a.	129	66	42	37	15	11	2	302	n.a.

(continued)

Table A24 (continued): Young people in detention on an average day by legal status and Indigenous status, states and territories, 2004–05 to 2007–08

Year	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust excl NSW	Aust
All young people										
Unsentenced										
2004–05	164	18	67	49	27	4	6	29	199	363
2005–06	184	30	89	69	20	16	10	34	270	454
2006–07	266	36	103	77	26	20	12	32	305	571
2007–08	n.a.	41	105	90	34	17	12	25	325	n.a.
Sentenced										
2004–05	161	120	36	82	40	33	11	20	342	503
2005–06	175	117	38	54	32	18	8	16	284	458
2006–07	116	120	39	65	35	13	5	18	295	411
2007–08	n.a.	119	50	74	36	12	5	10	306	n.a.
Total										
2004–05	324	137	102	130	67	37	17	49	540	864
2005–06	357	147	126	123	53	35	19	50	552	910
2006–07	381	156	141	141	61	33	17	50	599	980
2007–08	n.a.	160	155	164	70	29	18	35	630	n.a.

Notes

1. New South Wales not included, as data were not available for 2007–08.
2. Total includes young people with unknown Indigenous status.

Related tables: Supplementary tables, tables 25 and 26.

Table A25: Rates of young people aged 10-17 years in detention on an average day by Indigenous status, states and territories, 2004-05 to 2007-08

Indigenous status	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust excl NSW	Aust
2004-05										
Indigenous	3.87	1.59	2.09	7.13	4.79	2.63	8.23	3.70	3.63	3.70
Non-Indigenous	0.16	0.09	0.09	0.12	0.22	0.41	0.28	0.27	0.13	0.14
Rate ratio	24.19	17.67	23.22	59.42	21.77	6.41	29.39	13.70	27.92	26.43
Total	0.32	0.11	0.21	0.55	0.37	0.62	0.47	1.67	0.29	0.30
2005-06										
Indigenous	4.57	1.82	2.49	6.10	3.43	2.60	8.88	3.72	3.50	3.82
Non-Indigenous	0.18	0.09	0.12	0.15	0.19	0.41	0.29	0.33	0.14	0.15
Rate ratio	25.39	20.22	20.75	40.67	18.05	6.34	30.62	11.27	25.00	25.47
Total	0.37	0.11	0.27	0.52	0.30	0.58	0.50	1.75	0.30	0.32
2006-07										
Indigenous	4.99	1.47	2.84	7.03	3.93	3.38	5.26	3.67	3.80	4.16
Non-Indigenous	0.20	0.07	0.12	0.17	0.20	0.35	0.29	0.13	0.13	0.15
Rate ratio	24.95	21.00	23.67	41.35	19.65	9.66	18.14	28.23	29.23	27.73
Total	0.42	0.10	0.29	0.60	0.33	0.56	0.42	1.62	0.31	0.34
2007-08										
Indigenous	n.a.	1.85	2.85	8.11	4.61	3.38	7.01	2.86	4.01	n.a.
Non-Indigenous	n.a.	0.09	0.14	0.19	0.21	0.27	0.26	0.13	0.14	n.a.
Rate ratio	n.a.	20.56	20.36	42.68	21.95	12.52	26.96	22.00	28.64	n.a.
Total	n.a.	0.12	0.31	0.68	0.36	0.49	0.46	1.31	0.33	n.a.

Notes

1. New South Wales was excluded for 2007-08, as data were not available.
2. Rates are number of young people per 1,000 relevant population.
3. Age calculated as at start of financial year if period of detention began before start of financial year, otherwise age calculated as at start of period of detention.
4. Rate ratio calculated by dividing the Indigenous rate by the non-Indigenous rate.

Remand

Table A26: Number of young people on remand by age and Indigenous status, states and territories, 2007–08

Age	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust excl NSW
Number of young people—average day									
Indigenous									
10–13	n.a.	1	16	11	2	1	2	—	33
14–17	n.a.	5	50	53	10	6	3	21	148
18+	n.a.	1	—	—	1	—	—	—	2
Total	n.a.	6	66	64	13	7	5	21	182
Non-Indigenous									
10–13	n.a.	3	3	1	3	1	1	—	13
14–17	n.a.	25	39	20	15	9	6	2	116
18+	n.a.	3	—	—	1	—	—	—	5
Total	n.a.	32	42	22	19	10	7	2	134
All young people									
10–13	n.a.	4	19	12	5	2	3	1	46
14–17	n.a.	33	89	73	25	15	9	22	266
18+	n.a.	4	—	—	3	—	—	—	7
Total	n.a.	41	108	85	32	17	12	23	320
Number of young people—during the year									
Indigenous									
10–13	n.a.	5	84	103	25	4	10	3	234
14–17	n.a.	50	305	410	119	34	22	95	1,035
18+	n.a.	4	2	—	7	1	1	—	15
Total	n.a.	59	391	513	151	39	33	98	1,284
Non-Indigenous									
10–13	n.a.	24	32	17	25	6	14	1	119
14–17	n.a.	258	245	195	189	76	84	8	1,055
18+	n.a.	24	2	1	11	2	10	—	50
Total	n.a.	306	279	213	225	84	108	9	1,224
All young people									
10–13	n.a.	31	116	120	50	10	25	4	356
14–17	n.a.	331	552	605	310	110	108	103	2,119
18+	n.a.	28	4	1	18	3	11	—	65
Total	n.a.	390	672	726	378	123	144	107	2,540

Notes

1. New South Wales not included, as data were not available for 2007–08.
2. Age calculated as at start of financial year if period of detention began before start of financial year, otherwise age calculated as at start of period of detention.
3. Total includes young people with unknown Indigenous status.

Related tables: Supplementary tables, tables 27 and 28.

Table A27: Number of completed periods of remand by Indigenous status, Australia (excluding NSW), 2007–08

Number of remand periods	Indigenous	Non-Indigenous	Total
1	712	755	1,488
2	279	221	505
3	139	99	239
4	55	52	109
5+	39	40	81
Total	1,224	1,167	2,422

Notes

1. New South Wales not included, as data were not available for 2007–08.
2. Total includes young people with unknown Indigenous status.

Related tables: Supplementary tables, Table 29; state and territory appendixes, Table 14.

Table A28: Completed periods of remand by Indigenous status, states and territories, 2007–08

Indigenous status	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust excl NSW
Median length (days)									
Indigenous	n.a.	16	20	14	6	36	9	19	14
Non-Indigenous	n.a.	11	12	8	7	16	6	28	9
Total	n.a.	13	16	12	6	18	6	21	11
Number of completed periods of remand									
Indigenous	n.a.	84	653	847	282	53	75	132	2,127
Non-Indigenous	n.a.	450	453	354	362	117	194	10	1,940
Total	n.a.	576	1,108	1,201	646	170	277	142	4,121
Number of young people									
Indigenous	n.a.	55	376	489	148	37	31	88	1,224
Non-Indigenous	n.a.	289	268	204	214	78	107	7	1,167
Total	n.a.	368	646	693	364	115	141	95	2,422

Notes

1. Total includes young people with unknown Indigenous status.
2. The duration of periods of remand separated by a transfer to another remand or detention centre were summed.

Related table: Supplementary tables, Table 30.

Table A29: Completed periods of remand by reason for exit, states and territories, 2007–08

Reason for exit	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust excl NSW
Indigenous									
Released on bail	n.a.	13	290	155	200	15	35	45	753
Sentenced	n.a.	58	291	658	32	35	34	53	1,161
Sentenced detention follows	n.a.	22	78	153	12	19	6	22	312
Transferred	n.a.	—	13	—	35	—	—	22	70
Escaped or absconded	n.a.	—	—	—	—	—	2	—	2
Died	n.a.	—	—	—	—	—	—	—	—
Other	n.a.	13	60	34	15	3	4	12	141
Total	n.a.	84	654	847	282	53	75	132	2,127
Non-Indigenous									
Released on bail	n.a.	87	258	68	249	62	111	4	839
Sentenced	n.a.	221	146	274	55	48	62	5	811
Sentenced detention follows	n.a.	49	37	37	12	19	11	2	167
Transferred	n.a.	—	4	1	24	—	—	—	29
Escaped or absconded	n.a.	—	—	—	—	—	1	—	1
Died	n.a.	—	—	—	—	—	—	—	—
Other	n.a.	142	45	11	34	7	20	1	260
Total	n.a.	450	453	354	362	117	194	10	1,940
All young people									
Released on bail	n.a.	106	549	223	450	77	153	49	1,607
Sentenced	n.a.	307	438	932	87	83	96	58	2,001
Sentenced detention follows	n.a.	77	115	190	24	38	17	24	485
Transferred	n.a.	—	16	1	59	—	—	22	99
Escaped or absconded	n.a.	—	—	—	—	—	3	—	3
Died	n.a.	—	—	—	—	—	—	—	—
Other	n.a.	163	105	45	50	10	25	13	411
Total	n.a.	576	1,108	1,201	646	170	277	142	4,121

Notes

1. New South Wales not included, as data were not available for 2007–08.
2. Other reason for exit includes charges dismissed, transferred to other programs and reason for exit not further defined.
3. Completed periods do not include periods separated by a transfer to another remand or detention centre.
4. Total includes young people with unknown Indigenous status.

Related tables: Supplementary tables, tables 31 and 32.

Table A30: Average length of time spent on remand during the year, states and territories, 2004–05 to 2007–08 (days)

Indigenous status	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust excl NSW	Aust
2004–05										
Indigenous	41	29	51	33	25	44	27	97	42	42
Non-Indigenous	29	43	56	22	20	53	17	103	33	31
Total	34	41	53	29	22	51	19	97	38	36
2005–06										
Indigenous	44	37	57	44	20	65	34	96	50	48
Non-Indigenous	29	46	60	31	19	58	29	115	40	34
Total	34	43	58	39	19	60	30	98	45	40
2006–07										
Indigenous	59	34	63	45	24	70	37	95	53	56
Non-Indigenous	37	43	55	32	23	66	30	70	40	38
Total	45	39	60	41	24	68	31	93	46	45
2007–08										
Indigenous	n.a.	39	62	45	32	69	56	78	52	n.a.
Non-Indigenous	n.a.	38	55	37	32	42	25	90	40	n.a.
Total	n.a.	39	59	43	31	51	32	79	46	n.a.

Notes

1. New South Wales was excluded for 2007–08, as data were not available.
2. Average duration calculated from the summed length of remand periods that occurred within the financial year.
3. Total includes young people with unknown Indigenous status.

Related table: Supplementary tables, Table 33.

Sentenced detention

Table A31: Number of young people in sentenced detention on an average day by age and Indigenous status, states and territories, 2007–08

Age	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust excl NSW
Number of young people—average day									
Indigenous									
10–13	n.a.	1	2	6	—	1	—	—	9
14–17	n.a.	7	23	48	14	5	2	10	109
18+	n.a.	9	—	2	4	1	—	—	15
Total	n.a.	16	25	56	18	6	2	10	133
Non-Indigenous									
10–13	n.a.	1	—	—	1	—	—	—	3
14–17	n.a.	20	20	18	14	4	3	—	79
18+	n.a.	76	5	—	2	1	1	—	86
Total	n.a.	97	25	19	17	5	3	—	167
All young people									
10–13	n.a.	1	3	6	1	1	—	—	12
14–17	n.a.	30	43	66	28	9	5	10	190
18+	n.a.	87	5	2	7	2	1	—	105
Total	n.a.	119	50	75	36	12	5	10	307
Number of young people—during the year									
Indigenous									
10–13	n.a.	1	2	6	—	2	—	1	38
14–17	n.a.	7	23	48	34	16	5	39	389
18+	n.a.	9	—	2	8	4	1	—	46
Total	n.a.	16	25	56	42	22	6	40	473
Non-Indigenous									
10–13	n.a.	1	—	—	2	2	—	—	10
14–17	n.a.	20	20	18	32	17	10	3	243
18+	n.a.	76	5	—	5	5	4	—	241
Total	n.a.	97	25	19	39	24	14	3	494
All young people									
10–13	n.a.	1	3	6	2	4	—	1	48
14–17	n.a.	30	43	66	66	33	15	42	642
18+	n.a.	87	5	2	14	9	5	—	296
Total	n.a.	119	50	75	82	46	20	43	986

Notes

1. New South Wales not included, as data were not available for 2007–08.
2. Age calculated as at start of financial year if period of detention began before start of financial year, otherwise age calculated as at start of period of detention.
3. Total includes young people with unknown Indigenous status.

Related tables: Supplementary tables, tables 34 and 35.

Table A32: Number of completed periods of sentenced detention by Indigenous status, Australia (excluding NSW), 2007–08

Number of sentenced detention periods	Indigenous	Non-Indigenous	Total
1	304	341	657
2	75	38	115
3	13	5	18
4	1	—	1
5+	1	—	1
Total	394	384	792

Notes

1. New South Wales not included, as data were not available for 2007–08.
2. Total includes young people with unknown Indigenous status.

Related tables: Supplementary tables, Table 36; state and territory appendixes, Table 15.

Table A33: Completed periods of sentenced detention by Indigenous status, states and territories, 2007–08

Indigenous status	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust excl NSW
Median length (days)									
Indigenous	n.a.	78	60	60	130	72	94	44	64
Non-Indigenous	n.a.	112	64	89	109	57	107	109	103
Total	n.a.	103	61	62	118	66	95	44	81
Number of completed periods of sentenced detention									
Indigenous	n.a.	49	116	221	44	22	6	44	502
Non-Indigenous	n.a.	252	43	59	42	21	13	2	432
Total	n.a.	316	159	280	87	43	19	46	950
Number of young people									
Indigenous	n.a.	43	98	159	34	20	5	35	394
Non-Indigenous	n.a.	232	40	46	31	20	13	2	384
Total	n.a.	288	138	205	66	40	18	37	792

Notes

1. New South Wales not included, as data were not available for 2007–08.
2. The duration of periods of remand separated by a transfer to another remand or detention centre were summed.
3. Median lengths were not calculated where there were fewer than five periods.
4. Total includes young people with unknown Indigenous status.

Related table: Supplementary tables, Table 37.

Table A34: Completed periods of sentenced detention by reason for exit, states and territories, 2007–08

Reason for exit	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust excl NSW
Indigenous									
Released on parole	n.a.	33	105	177	—	14	—	3	332
Conditions of sentence met	n.a.	16	7	42	23	7	5	29	129
Transferred		—	2	1	8	1	—	12	24
Escaped/absconded	n.a.	—	—	1	—	—	1	—	2
Death	n.a.	—	—	—	—	—	—	—	—
Other	n.a.	—	2	—	13	—	—	—	15
Total	n.a.	49	116	221	44	22	6	44	502
Non-Indigenous									
Released on parole	n.a.	186	38	48	—	11	—	1	284
Conditions of sentence met	n.a.	66	1	9	19	9	13	1	118
Transferred		—	4	2	14	—	—	—	20
Escaped/absconded	n.a.	—	—	—	—	—	—	—	—
Death	n.a.	—	—	—	—	—	—	—	—
Other	n.a.	—	—	—	9	1	—	—	10
Total	n.a.	252	43	59	42	21	13	2	432
All young people									
Released on parole	n.a.	229	143	225	—	25	—	4	626
Conditions of sentence met	n.a.	87	8	51	42	16	18	30	252
Transferred		—	6	3	22	1	—	12	44
Escaped/absconded	n.a.	—	—	1	—	—	1	—	2
Death	n.a.	—	—	—	—	—	—	—	—
Other	n.a.	—	2	—	23	1	—	—	26
Total	n.a.	316	159	280	87	43	19	46	950

Notes

1. New South Wales not included, as data were not available for 2007–08.
2. Completed periods do not include periods separated by a transfer to another remand or detention centre.
3. Total includes young people with unknown Indigenous status.

Related table: Supplementary tables, Table 38.

Table A35: Average (mean) length of time spent in sentenced detention during the year, states and territories, 2004–05 to 2007–08 (days)

Indigenous status	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust excl NSW	Aust
2004–05										
Indigenous	101	121	92	130	139	220	160	149	128	118
Non-Indigenous	128	127	109	115	131	143	140	148	127	127
Total	117	126	98	126	134	163	148	148	128	124
2005–06										
Indigenous	108	115	82	84	134	130	154	103	97	101
Non-Indigenous	120	116	132	123	120	112	111	128	118	119
Total	114	116	99	92	125	116	132	105	109	111
2006–07										
Indigenous	100	104	77	101	129	93	76	127	101	100
Non-Indigenous	122	125	128	112	119	96	122	244	122	122
Total	111	122	95	104	121	95	100	134	112	112
2007–08										
Indigenous	n.a.	106	77	109	155	108	128	89	103	n.a.
Non-Indigenous	n.a.	122	147	116	158	83	86	30	124	n.a.
Total	n.a.	119	101	111	159	95	98	85	114	n.a.

Notes

1. New South Wales was excluded for 2007–08, as data were not available.
2. Average duration calculated from the summed length of detention periods that occurred within the financial year.
3. Total includes young people with unknown Indigenous status.

Related table: Supplementary tables, Table 39.

Australian population

Table A36: Australian population (excluding New South Wales) aged 10–17 years by age and sex, 2007

Sex	10	11	12	13	14	15	16	17	10–17
Male	95,070	96,168	97,968	99,099	99,207	99,642	100,702	102,000	789,856
Female	89,915	91,006	92,509	93,520	93,706	94,500	95,480	96,355	746,991
Total	184,985	187,174	190,477	192,619	192,913	194,142	196,182	198,355	1,536,847

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

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

Table A37: Australian population aged 10–17 years by sex and Indigenous status, states and territories, 2007

Indigenous status	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust
Male									
Indigenous	16,964	3,541	15,780	7,587	2,868	1,994	520	5,832	55,105
Non-Indigenous	359,948	277,121	227,211	114,175	81,584	26,194	17,293	8,005	1,111,663
Total	376,912	280,662	242,991	121,762	84,452	28,188	17,813	13,837	1,166,768
Female									
Indigenous	15,811	3,489	15,099	7,091	2,769	1,854	479	5,373	51,995
Non-Indigenous	342,333	262,246	215,769	106,319	77,447	24,772	16,697	7,438	1,053,140
Total	358,144	265,735	230,868	113,410	80,216	26,626	17,176	12,811	1,105,135
All young people									
Indigenous	32,775	7,030	30,879	14,678	5,637	3,848	999	11,205	107,100
Non-Indigenous	702,281	539,367	442,980	220,494	159,031	50,966	33,990	15,443	2,164,803
Total	735,056	546,397	473,859	235,172	164,668	54,814	34,989	26,648	2,271,903

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

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

Table A38: Australian population aged 10–17 years by Indigenous status, states and territories, 2004 to 2007

Indigenous status	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust
2004									
Indigenous	29,687	6,306	27,703	13,883	5,432	3,803	851	10,810	98,517
Non-Indigenous	699,949	533,238	421,218	214,504	158,109	51,163	35,155	14,905	2,128,518
Total	729,636	539,544	448,921	228,387	163,541	54,966	36,006	25,715	2,227,035
2005									
Indigenous	30,870	6,576	28,862	14,261	5,541	3,841	901	11,028	101,922
Non-Indigenous	700,703	535,769	429,435	216,079	158,556	51,278	34,757	15,191	2,142,009
Total	731,573	542,345	458,297	230,340	164,097	55,119	35,658	26,219	2,243,931
2006									
Indigenous	31,872	6,810	29,947	14,514	5,594	3,844	950	11,186	104,760
Non-Indigenous	702,691	538,331	436,616	218,402	159,154	51,142	34,417	15,345	2,156,331
Total	734,563	545,141	466,563	232,916	164,748	54,986	35,367	26,531	2,261,091
2007									
Indigenous	32,775	7,030	30,879	14,678	5,637	3,848	999	11,205	107,100
Non-Indigenous	702,281	539,367	442,980	220,494	159,031	50,966	33,990	15,443	2,164,803
Total	735,056	546,397	473,859	235,172	164,668	54,814	34,989	26,648	2,271,903

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

Sources: ABS Estimated Resident Population, December quarter 2004–2007; ABS Experimental Indigenous projections (based on the 2001 Census), high series, 2001–2009 (unpublished data).

Appendix B Juvenile justice systems in Australian states and territories

Because the states and territories in Australia are responsible for juvenile justice, there are many differences between the difference juvenile justice systems. In this appendix, information on key elements of the systems in each state and territory is provided, along with lists of the legislation relating to juvenile justice and the juvenile justice centres in each state and territory.

New South Wales

Key elements

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

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

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

Police

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

Legal representation

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

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

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

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

Courts

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

This Act sets out the principles applicable to all courts exercising criminal jurisdiction over children. These are (section 6):

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

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

Department of Juvenile Justice

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

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

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

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

Detainees 16 years or older who are of high classification are able to be administratively transferred from the Department of Juvenile Justice to the Department of Corrective Services

(Kariong Juvenile Correctional Centre) with the consent of the Commissioner for Corrective Services and pursuant to section 28(1) of the *Children (Detention Centres) Act 1987*. These transfers do not require reference to the courts.

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

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

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

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

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

Legislation

Amendments to Children's (Detention Centre) Regulation 2005 (effective 2 March 2007)

Children (Community Service Orders) Act 1987

Children (Criminal Proceedings) Act 1987

Children (Detention Centres) Act 1987

Children (Detention Centres) Amendment Act 2006 (enacted in July 2006)

Children (Interstate Transfer of Offenders) Act 1988

Young Offenders Act 1997 (Part 5 and Schedule 1)

Juvenile justice centres

- Acmena Juvenile Justice Centre (Grafton)
- Broken Hill Juvenile Justice Centre
- Cobham Juvenile Justice Centre (St Marys)
- Keelong Juvenile Justice Centre (Unanderra)
- Orana Juvenile Justice Centre (Dubbo)
- Reiby Juvenile Justice Centre (Airds)
- Riverina Juvenile Justice Centre (Wagga Wagga)
- Juniperina Juvenile Justice Centre (Lidcombe)

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

Young people continue to be transferred from Department of Juvenile Justice centres to Kariiong based upon the department's classification system. To be transferred to Kariiong young men must be 16 years or older and have a serious classification. Information for young people in custody in Kariiong after 10 November 2004 will not be reported by the Department of Juvenile Justice.

Victoria

Key elements

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

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

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

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

- the need to strengthen and preserve the relationship between the young person and their family
- the desirability of allowing the young person to live at home
- the desirability of allowing the young person's education or employment to continue without interruption or disturbance
- the need to minimise the stigma of receiving a court order
- the suitability of the sentence to the young person
- the need to ensure that young people are aware and accountable for their behaviour for any unlawful action
- the need to protect the community or any person from the violent or other wrongful act of the young person.

The criminal division of the Children's Court has a range of options available to it when dealing with children and young people, and a clear sentencing hierarchy is established through the legislation.

Dual track system

As part of the diversionary approach, Victoria has a unique sentencing option known as the 'dual track' system. The *Sentencing Act 1991* provides for the adult courts to sentence a young person aged 18 to 20 years to a youth justice centre as a direct alternative to a sentence of imprisonment.

Court advice services

The Youth Justice Program provides an advisory service to both the Children's Court and the adult court system that includes assessment and advice to the courts to help in the sentencing process, and to facilitate diversionary options where appropriate. There are a number of aspects to this service, including:

- a central after-hours bail assessment and placement service that has been effective in reducing inappropriate remands in custodial centres
- an adult court assessment and support service to adult courts for 18–20 year olds, to provide youth justice centre suitability assessments, bail support and advice, and referral services.

Group conferencing

The pre-sentence Group Conferencing Program was expanded across Victoria from October 2006. A legislative framework for the Group Conferencing Program has been incorporated into the *Children, Youth and Families Act 2005*, which was enacted in April 2007. The program is targeted at 10–17 year olds who have pleaded or been found guilty of an offence or offences serious enough to warrant a supervised order in the community.

Case management

The Youth Justice Program is responsible for managing community-based and custodial sentencing orders imposed by the Children's Court, and the youth justice centre order imposed by an adult court. Case management and interventions are backed up by a comprehensive client assessment and planning process. Offending-related and offence-specific needs are met through individual casework, group work, and referral to specialist services and programs.

Koori programs and initiatives

Koori Youth Justice Program

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

The role of the Koori youth justice workers is both preventative and responsive. Clients include young people who are the subjects of orders from the criminal division of the Children's Court, young adults in the dual track system and, as case loads permit, young Kooris who are at risk of offending, and those who have committed minor offences and received police diversion or cautions.

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

Koori Intensive Bail Support Program

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

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

Koori Early School Leavers and Youth Employment Program

The Koori Early School Leavers and Youth Employment Program is designed to divert young Koori people from the youth justice system by focusing on the key risk factors for young offenders, particularly lack of engagement with school or other learning opportunities.

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

The Koori Pre and Post Release Program

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

Koori State-wide Coordinator

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

Koori Intensive Support Practitioners (Post Release)

The Koori Intensive Support Practitioners (Post Release) are specialists who provide intensive and innovative culturally based case management support to Koori young people being released from youth justice custodial centres. They provide direct outreach casework, information and reports to the Youth Parole Board. The practitioners work closely with the Koori State-wide Coordinator and form part of a team approach, having responsibility for time-limited intensive supervision and case management of a small caseload of young

Kooris. The practitioners focus on developing family support, community development and linkages to specialist services that target support to Koori communities.

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

Cultural programs

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

Yannabil program

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

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

Aboriginal cultural support plans

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

Post-release support services

The Department of Human Services funds several community service organisations to provide a range of transitional and intensive post-release support services for young offenders leaving custody. These agencies have the expertise and commitment to work with particularly difficult and disadvantaged young offenders. They develop relationships with young people while they are still in the youth justice centre, providing support as the young person prepares for release and on their return to the community. The level of intensity, frequency of contact and duration of support vary according to the individual needs of each young person. The funded agencies work closely with the youth justice custodial centres and community-based units to coordinate services to maximise their effectiveness.

Transitional Housing Management: Juvenile Justice Housing Pathways Initiative

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

Youth Residential Board and Youth Parole Board

These boards exercise jurisdiction over all young people sentenced by the courts to a period of detention in a youth justice custodial centre and over young people transferred by the Adult Parole Board from imprisonment to a youth justice custodial centre. The boards make decisions within a framework that balances the needs of the young person with community

safety considerations. The boards work closely with custodial staff and parole officers to help young offenders resolve their problems, successfully transition into the community and adopt appropriate, non-offending behaviours.

Legislation

Bail Act 1977

Children and Young Persons Act 1989

Children, Youth and Families Act 2005 (enacted in April 2007)

Crimes Act 1958

Sentencing Act 1991

Juvenile justice centres

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

Queensland

Key elements

The Department of Communities is responsible for providing statutory youth justice services, youth justice conferencing and youth detention services in Queensland.

Statutory youth justice services are delivered by departmental staff at 16 youth justice service centres, 13 Youth Justice Conferencing Services and two youth detention centres.

Additionally, there are some smaller youth justice services located in rural and remote areas to ensure the provision of relevant and timely youth justice services.

Youth justice statutory responsibilities are prescribed under the *Juvenile Justice Act 1992*, enabling work with young people who are aged 10–16 years at the time of the offence. The Act contains a Charter of Juvenile Justice Principles that guides officers in the operation and application of the Act. The *Juvenile Justice Act 1992* is currently being reviewed to ensure it provides a contemporary youth justice system that contributes to positive outcomes for young people while at the same time ensuring that it meets the public's and victims' expectations and promotes community safety.

Police

Police are the first point of contact for young people entering the criminal justice system. Police have the option of either diverting young people by way of a caution or a youth justice conference, or referring them directly to the courts.

Youth justice conferencing

Youth justice conferencing services are delivered through Youth Justice Conferencing Services that are located in 13 locations throughout Queensland. Youth justice conferencing offers a specialist model of service delivery that aims to divert young people from further offending. It does so by taking a restorative justice approach to working with victims, young people and their families. It focuses on ensuring that conferencing processes for Aboriginal and Torres Strait Islander young people are culturally appropriate.

Youth justice services

There are 16 youth justice service centres throughout Queensland staffed by professional caseworkers, programs staff and youth workers. Youth justice services provide supervisory, rehabilitative and re-integrative services to young people on statutory community-based orders and young people leaving detention. Key functions of staff at these services include:

- carrying out court-related activities including attendance at all court appearances by young people and the provision of advice to courts when required
- administering the Conditional Bail Program and providing bail support services
- administering community-based orders and supervising young people on community-based orders
- developing, delivering and making supported referrals to appropriate programs and services to address young people's offending behaviour and the causes of their offending behaviour.

Youth detention centres

Two youth detention centres provide secure care to young people while assisting with their planned re-integration into the community. The Brisbane Youth Detention Centre is located in Brisbane and accommodates both males and females. The Cleveland Youth Detention Centre is located in Townsville and only accommodates females. Key functions of the youth detention centres are:

- meeting the safety, wellbeing and rehabilitation needs of detained young people
- providing secure youth detention facilities.

Delivery of services

Case management framework

Young people under the supervision of youth justice service centres and youth detention centres are actively case managed. A case management framework is applied to each young person in the youth justice system to identify and implement interventions to divert the young person from reoffending and where needed refer them to specialist services and programs. Case management and interventions are informed by a comprehensive client assessment (YLS/CMI Risk/Needs Assessment Tool) and case-planning process. Young people are monitored and case plans are reviewed on a regular basis to ensure that interventions are tailored to the young people's changing rehabilitative and support needs.

Support by state-wide units

Other groups within the Department of Communities provide strategic and programmatic direction as well as operational advice to support regional service delivery. In addition, a range of programs is funded in the community sector to support youth justice outcomes.

Key services include:

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

Specific programs and initiatives

State-wide therapeutic programs

The Aggression Replacement Training program is an intensive 10-week program that targets high-risk young people who express anger and aggression, and aims to reduce their risk of committing violent offences by teaching them social skills, anger management techniques and moral reasoning. The Department of Communities began providing training in March 2008 to all youth justice service centres and the two youth detention centres. This multi-modal intervention improves social skills, competence, anger control and moral reasoning in young people assessed as medium to high risk.

The Changing Habits and Reaching Targets (CHART) program is a cognitively based intervention designed specifically for caseworkers to engage and work with youth offenders who require moderate to high intervention to reduce their risk of re-offending. The CHART model was designed by the Department of Human Services, Victoria and has been modified for the Queensland context. The program consists of 12 modules, with six core modules and six discretionary modules selected on the basis of the young person's assessed needs. Training of case workers and other relevant staff began during 2008 with the aim of having CHART integrated into case worker training as a core case management skill.

Bail support programs

The Department of Communities provides funds to each of the 16 youth justice service centres across the state to provide Conditional Bail and Bail Support programs.

The Conditional Bail Program provides the courts with alternatives to remanding young people in custody and targets those at risk of remand in custody by engaging them in activities for the duration of their bail period. The Bail Support Program provides support to young people in existing accommodation arrangements, and facilitates new placements for those who have been granted bail by the courts and who require additional assistance to meet bail conditions.

The Department of Communities also provides funds to non-government organisations in selected locations to provide bail support programs in the community. These programs provide the courts and police with a viable alternative to remanding young people in custody.

The Bail Support Service, located in Brisbane, is funded by the Department of Communities to provide accommodation and support services to young people who are remanded in custody, or are at risk of being remanded in custody, because of a lack of stable accommodation. The aims of the program are to:

- reduce the number of young people held in detention on remand
- facilitate culturally appropriate placement and intervention for young people released from detention on bail
- provide courts with a legitimate supported accommodation option to remanding young people in custody.

The Far North Queensland Bail Support Service is part of the Youth Opportunity Program that was funded this year and was due to begin operating on 1 July 2008. The Bail Support Service provides a holistic therapeutic approach to addressing the developmental needs of young people at risk of being remanded in custody. The service coordinates emergency accommodation and provides other support specifically to help young offenders meet their bail conditions. This will provide a much needed alternative to the courts for young people who might otherwise be remanded in custody.

While not stand-alone bail support services, dedicated bail support funding is provided to non-government organisations in the following areas of need: Mt Isa, Atherton Tablelands (Far North Queensland) and Townsville. This funding allows young people and their caregivers to be supported to stay in stable accommodation and meet their bail conditions.

Aboriginal and Torres Strait Islander programs and initiatives

Indigenous Service Support Officer positions were introduced into youth justice service centres over the last year in locations with a high proportion of Aboriginal and Torres Strait Islander young people under supervision. These positions were created to provide more culturally appropriate support and intervention for Aboriginal and Torres Strait Islander young people subject to youth justice intervention, and to better support their families and care givers. Indigenous Service Support Officers play a key role in facilitating communication between youth justice staff and Aboriginal and Torres Strait Islander communities to ensure programs and services provided to Indigenous peoples are culturally appropriate. Indigenous Service Support Officers contribute to case planning and consult with families, elders, other key community members, community agencies and government departments to ensure Indigenous young people are effectively supported. This initiative will be expanded to another four Queensland locations over the next 2 years.

Indigenous Conferencing Support Officers were first introduced into five youth justice conferencing service centres in 2005 and are now a permanent feature of seven service delivery locations. The aim of these positions is to provide culturally responsive and appropriate youth justice conferencing services to Aboriginal and Torres Strait Islander young people, victims, families and communities. Indigenous Conferencing Support Officers also play a key role in helping to increase Indigenous participation in the youth justice conferencing process and thereby improving outcomes from the conference process. These positions also provide an identified entry-level position within the youth justice conferencing program to facilitate the retention of Indigenous staff.

This new program was funded for the first time in 2007-08 and was due to start operating in Cairns from 1 July 2008. The service delivery model incorporates a Young Offender Community Response Service and Bail Support Service and will deliver culturally appropriate support and intervention services to young people and their families in Far

North Queensland. This new service has a focus on delivering culturally competent services for Aboriginal and Torres Strait Islander young people and their families to address the causes of crime, and provide practical transitional support for young people exiting detention and returning to their communities.

Specialist services for young sex offenders

The Mater Family and Youth Counselling Service is a joint initiative between the Department of Communities and Mater Misericordiae Health Services Brisbane Ltd that provides preparatory support and therapeutic interventions for young people, families and victims who are referred to a youth justice conference by police or a court in relation to a sexual offence.

The Griffith Youth Forensic Service of the Griffith University Schools of Criminology and Criminal Justice and Applied Psychology is funded by the Department of Communities to provide clinical intervention services for young people dealt with by Queensland courts who are guilty of sexual offences. The Griffith Youth Forensic Service works with departmental case managers and provides:

- specialised assessment and treatment programs for young sexual offenders
- pre-sentence reports to facilitate court decisions and treatment planning
- consultancy and training services.

Other programs

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

Queensland has introduced the Bridge Award, an introductory program to the Duke of Edinburgh's Award. The program is now being delivered to young people in the community and in the Brisbane Youth Detention Centre. The award helps young people to acquire new leadership, teamwork and decision-making skills.

Legislation

Child Protection (Offender Prohibition Order) Act 2008

Child Protection (Offender Reporting) Act 2004

Children's Court Act 1992

Juvenile Justice Act 1992 (including Juvenile Justice Amendment Act 1996, Juvenile Justice Amendment Act 1998, Juvenile Justice Amendment Act 2002)

Juvenile Justice Regulations 2003

Young Offenders (Interstate Transfer) Act 1987

Juvenile justice centres

- Brisbane Youth Detention Centre
- Cleveland Youth Detention Centre

Western Australia

Key elements

Jurisdictional placement

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

Diversion

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

Western Australia also offers young people charged with minor offences early alternatives to the formal introduction into the criminal justice system by allowing them to engage in therapeutic services and mediation with victims and other relevant people. Killara Youth Support Service is a departmental program for at-risk juveniles and young people who may have just started offending; it is linked with the police cautioning system. Killara offers counselling and support to young people and their families to help them resolve the problems that may be contributing to the offending behaviour. Juvenile justice teams also aim to divert minor offenders from the formal court system and to heighten the opportunity for police, mediators, victims and parents or caregivers to be involved in determining, in conjunction with the young people concerned, the penalties applied to offenders. Court conferencing is an added function of the juvenile justice teams and provides an opportunity for victims of scheduled offences not able to be referred to juvenile justice teams to engage in restorative justice.

Juvenile justice supervision

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

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

Juvenile Custodial Services

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

facilities in Western Australia, both in metropolitan Perth. The bed capacity of the two detention centres has been modified to better provide for the needs of juveniles. Banksia Hill Detention Centre can now accommodate 104 males aged 10–18, while Rangeview Remand Centre can now accommodate 64 males and females aged 10–18. The two centres are staffed by a range of experienced professionals, including juvenile custodial officers, education and training staff, program facilitators and psychologists, as well as case planning, supervised bail and medical staff.

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

Intensive Supervision Program

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

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

The ISP is a home and community-based intervention program for young people aged 10–17 years who commit serious and repeat offences or are at great risk of escalating their offending. The majority of families involved in the program are among the most marginalised in the state, and are characterised by unemployment, poverty, mental illness and isolation.

Since February 2005, three ISP teams have operated in the metropolitan area, based at Midland, Maddington and Mirrabooka. The first regional team started in Kalgoorlie–Boulder in September 2007 and a second regional team in Geraldton began operations in October 2008.

Legislation

Bail Act 1982

Children's Court of Western Australia Act 1988

Child Welfare Act 1947

Court Security and Custodial Services Act 1999

Inspector of Custodial Services Act 2003

Sentence Administration Act 2003

Young Offenders Act 1994

Young Offenders Amendment Act 2004 (proclaimed on 1 January 2005)

Young Offenders Amendment Regulations 1995

Juvenile justice centres

- Banksia Hill Detention Centre
- Rangeview Remand Centre

South Australia

Key elements

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

Police

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

Family conference

For those offences considered too serious for an informal or formal caution, a young person may be directed to attend a family conference. The young person has to admit to carrying out the offence(s). If the charge is denied then the matter is referred to the Youth Court. An outcome of the conference may include a range of different undertakings. The Family Conference Team is situated in the Courts Administration Authority within the justice portfolio.

Youth Court

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

Families SA

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

- reduce reoffending through the provision of appropriate services and programs
- provide the Youth Court with viable alternatives to detention
- protect the community by providing appropriate detention facilities.

Families SA has the statutory responsibility to manage orders made by the Youth Court. In metropolitan Adelaide Families SA provides case management services through the Community Youth Justice Program.

The Community Youth Justice Program provides:

- case management services
- intensive case management services (including intensive supervision, home detention)
- restitution services (including community service activities)
- court services.

In country South Australia, youth justice services are provided by Families SA district centres located across the state. Country-based district centres are also direct providers of a range of both child protection and care services.

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

Families SA's youth justice service delivery responsibilities are shown below.

Sentence management

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

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

Remand management

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

- custodial remand
- home detention bail
- conditional bail.

Programs

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

Legislation

Bail Act 1985

Criminal Law (Sentencing) Act 1988

Family and Community Services Act 1972

Young Offenders Act 1993

Youth Court Act 1993

Remand and detention centres

- Cavan Training Centre
- Magill Training Centre

Tasmania

Key elements

The Department of Health and Human Services is responsible for providing youth justice services in Tasmania. The services are part of the Human Services Group of the department and the Director of the newly created Disability, Child, Youth and Family Service (DCYFS) has overall responsibility for the services provided by the DCYFS. These services include disability, child health and parenting, community development, adoption and permanency planning, child protection, family violence counselling and support, sexual assault, and youth justice community and custodial services. The services have been brought together to ensure that the client is at the centre of service delivery and to promote an integrated delivery of services that avoids overlaps, improves communication between service providers and clients, and ensures that clients do not fall into service gaps.

Community youth justice services are part of a suite of services provided from three area offices. The community-based services are located in Hobart, Launceston and Burnie-Devonport. The custodial service is provided by Ashley Youth Detention Centre, which is located in the north of Tasmania near the town of Deloraine. The Director of Policy and Programs, located in Hobart, has portfolio responsibility for the detention centre.

Legislative base

The *Youth Justice Act 1997* underpins the provision of services in Tasmania through restorative justice objectives and principles for young people aged 10–17 years. Young people who are 18 years of age may have their alleged offences dealt with under the Act if they were less than 18 years old at the time the offence was alleged.

The Act provides a comprehensive framework for restorative justice. A major emphasis of the Act is pre-court diversion and restoration or reparation of harm done in the community. Involvement of victims, parents, guardians and the community is encouraged in order to improve individual resilience and community capacity to take responsibility and work in partnership to help young people rehabilitate in the community. Diversion from the criminal justice system is the primary outcome sought for all young people who are placed on legal supervision orders and case managed. Detention is a sentencing option of last resort.

Police

Tasmania Police is responsible for the clearance of reported youth crime and deciding whether to divert or to prosecute matters in the courts. Police Early Intervention Units are responsible for diversionary pre-court and informal and formal cautioning services. Police may refer a young person to Youth Justice Services for a community conference. Cultural, community and religious diversity must be considered when decisions are being made. Tasmania Police works closely with Youth Justice Services, which is also a member of the Crime Prevention and Community Safety Council chaired by the Commissioner of Police. Youth Justice Services participates in a number of police diversionary program steering committees including U-Turn, a program for young people aged 15–20 who have been involved in, or who are at risk of becoming involved in, motor vehicle theft.

Courts

The Magistrate's Court (Youth Justice Division) is established under the *Youth Justice Act 1997*. Prescribed offences under the Act may be heard by the Supreme Court.

Undertakings entered into at a community conference are registered with the Court Registrar. Non-compliance with undertakings entered into during a conference may cause the original complaint to be referred back to Tasmania Police to decide if they will prosecute the complaint in the court.

The court has a range of sentencing options, including dismissing the charges, releasing and adjourning the proceedings on conditions, fines, community conference, probation, making a rehabilitation order for a family violence offence, community service orders, and detention. A detention order may be suspended with conditions. Before using more serious sentencing options, a pre-sentence report must be obtained from Youth Justice Services. A magistrate may order a conviction to be recorded for a probation order and a community service order, and must order a conviction if a detention order is made. During sentencing Magistrates give due consideration to the objectives and principles of the Act.

Youth Justice Services

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

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

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

The Custodial Service provides safe and secure custodial services at Ashley Youth Detention Centre. There is only one such centre in Tasmania, which can accommodate up to 50 young people. The centre services both females and males and works closely with the Community Youth Justice Service to ensure that assessments that underpin pre- and post-release planning and case management are comprehensive and contemporary.

Ashley Youth Detention Centre ensures educational and training services are provided along with other appropriate health and wellbeing services that are essential for young people in custodial environments. The centre has a dedicated programs officer, and a number of programs have been developed for residents, including drug and alcohol, employment and life-coaching programs. Program designs in the centre are sensitive to the cultural diversity of residents. An independent resident advocacy position is attached to the Office of the Commissioner for Children. In addition, the Ashley Youth Detention Centre Advisory Group, which is chaired by the Deputy Secretary of the Human Services Group and includes the Commissioner for Children, meets regularly. It receives compliance reports regarding service standards and provides advice on service improvements and development. The Custodial Service maintains strong links with external service providers to ensure support and programs for young people are in place in the community when they are released from custody.

Legislation

Bail Act 1994

Child, Young Persons and Their Families Act 1997

Police Offences Act 1935

Sentencing Act 1997

Youth Justice Act 1997

Youth Justice Amendment Act 2003

Youth Justice Regulations 1999

Detention centre

- Ashley Youth Detention Centre

Australian Capital Territory

Key elements

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

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

decisions for young people are made under the *Bail Act 1992*. The *Children and Young People Act 1999* will be replaced by the *Children and Young People Act 2008* when it is passed.

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

Legislation and policy

The Children and Young People Bill 2008 was introduced in the ACT Legislative Assembly on 6 March 2008. The Bill will replace the *Children and Young People Act 1999*.

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

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

In the area of youth detention, the Bill introduces a comprehensive framework regarding the Chief Executive's powers and responsibilities in administering a place for detention for young detainees. The Bill also includes minimum standards and entitlements for young detainees and a framework for responding to behaviour breaches by young detainees in the detention place.

Police

Police have discretionary powers to divert young people who have committed offences by using a warning and diversionary system. This diversionary process is used for minor offences and is based on criteria that consider a range of factors, including the young person's offending history, maturity and mental capacity, and parental input. If a decision is taken to prosecute, the police may proceed by issuing a summons for the young person to attend court, or by detaining them until the next sitting of the Children's Court.

Restorative justice

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

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

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

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

Children's Court

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

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

A specialist court officer within the department attends all court matters relating to a child or young person to provide reports on current youth justice clients and advice on the custodial and community-based services available to children and young people.

Dispositions

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

Dispositions available to the court include:

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

Remand in custody and custodial management

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

Community-based management

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

Legislation

Bail Act 1992

Children and Young People Act 1999 (new bill being drafted)

Children and Young People Act 2008

Crimes (Restorative Justice) Act 2004

Crimes (Sentence Administration) Act 2005

Crimes (Sentencing) Act 2005

Juvenile justice centres

- Quamby Youth Detention Centre
- Bimberi Youth Justice Centre (opened 3 September 2008)

Northern Territory

Key elements

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

Pre-court

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

- referred to the Northern Territory Police Youth Diversion Scheme
- released on bail
- remanded in custody.

The Youth Diversion Scheme may take the form of verbal and written warnings, or family and victim-offender conferencing. Conference outcomes may be informal and formal programs, and conditions (for example an apology to the victim). Programs can include but are not limited to substance abuse, training and education, and community work.

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

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

Court sentencing options

Court orders

If the court finds a charge proven against a young person, it may do one or more of the following:

- dismiss the charge for the offence or discharge the young person without penalty
- adjourn the matter for up to 6 months and, if the young person does not commit a further offence during that period, discharge them without penalty
- adjourn the matter to a specified date within 12 months of the finding of guilt, and grant bail to the young person under the *Bail Act*, to assess the young person's capacity and prospects for rehabilitation, or allow them to demonstrate that rehabilitation has taken place, or for any other appropriate purpose
- order the young person to participate in a specified program
- order that the young person be released, as long as they give security that they will appear before the court if called on to do so, be of good behaviour for the period of the order, and observe any conditions imposed by the court
- fine the young person not more than the maximum penalty that may be imposed under the relevant law for the offence
- make a community work order that the young person participate in an approved project for a specified number of hours
- order that the young person serve a term of detention or imprisonment that is suspended, or is suspended as long as the young person enters into an alternative detention order or a periodic detention order
- order that the young person serve a term of detention or imprisonment
- make any other order that another court could make if the young person were an adult convicted of that offence.

If the court orders that the young person serve a term of detention or imprisonment, the term must not exceed the lesser of the maximum period that may be imposed under the relevant law for the offence, or, for a young person who is 15 years of age or more – 2 years, or for a young person who is less than 15 years of age – 12 months. The court must not order the imprisonment of a young person who is less than 15 years of age.

Pre-sentencing conference

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

A pre-sentencing conference may be with any of the victims of the offence, community representatives, members of the young person's family or any other persons who the court considers appropriate.

Non-parole period

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

Juvenile justice supervision

If the young person is bailed the court can place the young person under the supervision of Correctional Services with conditions such as residence, curfew and attendance at specific appointments (for example, alcohol and drug assessments).

All young people placed on orders undergo case management whether on a community-based order or serving a term of detention. Case management goals vary significantly depending on the young person, their family or significant other supports, and the services available in their community.

Legislation

Youth Justice Act 2006

Youth Justice Regulations 2005

Remand and detention centres

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

Glossary

Age

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

Breach

Breaches are due to re-offending or non-compliance with the conditions of the order.

Conditions of sentence met

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

Criminogenic

Producing or tending to produce crime or criminality.

Immediate release or suspended detention

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

Juvenile justice centre

A place administered and operated by a juvenile justice agency where young people are detained while under the supervision of the relevant juvenile justice agency. See Appendix B for lists of each state's and territory's juvenile justice centres included in this collection.

Juvenile justice agency

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

Parole or supervised release

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

Probation or similar

Includes probation, recognisance and community service orders that are supervised or case managed by the juvenile justice agency. May be supervision with or without additional mandated requirements, requiring some form of obligation or additional element that the young person is required to meet. This obligation could be community work such as in a

community service order, a developmental activity or program attendance. The juvenile justice agency may or may not directly supervise any additional mandated requirements, but remains responsible for the overall case management of the young person.

Reception

When a young person first enters a detention centre, they are 'received' into detention. A transfer to a new detention facility does not constitute a reception; however, if a young person is released from detention and then reenters at a later date, this is a new reception.

Released on bail

Following a period of remand, a court may order a young person to be released into the community pending the outcome of the trial. Bail may be either unsupervised or supervised.

Remand

The act of placing in custody a young person who is accused of an offence to await trial or the continuation of the trial.

Supervised bail or similar

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

Young person

A person who is under supervision by a juvenile justice agency as a result of having committed or allegedly committed an offence.

Transferred

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

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