



Unsentenced detention: 2011–12

This fact sheet summarises information about young people in unsentenced detention during 2011–12.

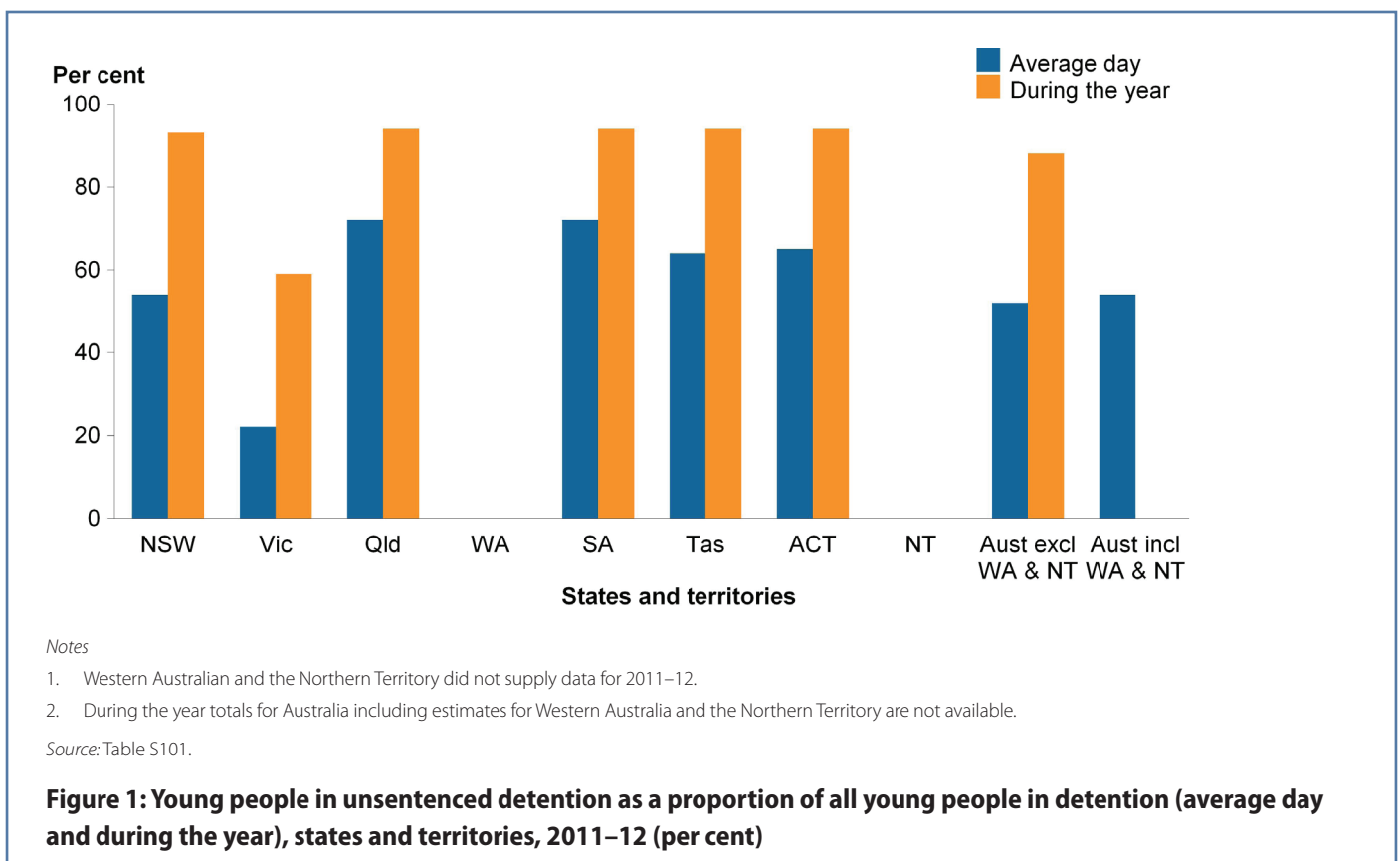
Young people may be in unsentenced detention when they have been charged with an offence and are awaiting the outcome of their court matter, or when they have been found or pleaded guilty and are awaiting sentencing. They may also be sentenced to a period of detention if proven guilty in a court (see the *Sentenced detention: 2011–12* fact sheet in this series for more details).

Young people may be referred to unsentenced detention by either police (pre-court) or a court (known as remand). Police-referred pre-court detention is not available in

all states and territories, and most young people in unsentenced detention are on remand.

Young people in unsentenced detention

Just over half (540 young people, or 54%) of young people in detention on an average day in 2011–12 were unsentenced (Figure 1 and Table S101). More than half (54–72%) of those in detention on an average day were unsentenced in all states and territories except Victoria, where 22% were unsentenced (excluding Western Australia and the Northern Territory; see Box 1).



The low proportion in Victoria is in part due to the 'dual track' sentencing system, in which some young people aged over 18 may be sentenced to detention in a youth facility rather than an adult prison. When only young people aged 10–17 are considered, about 45% of those in detention in Victoria on an average day were unsentenced (tables S69 and S104).

Although only about half of all young people in detention on an average day in 2011–12 were unsentenced, most (88%) experienced unsentenced detention at some time during the year (Figure 1). The difference between the proportions of young people in detention on an average day and during the year highlights the typically short duration of periods of unsentenced detention.

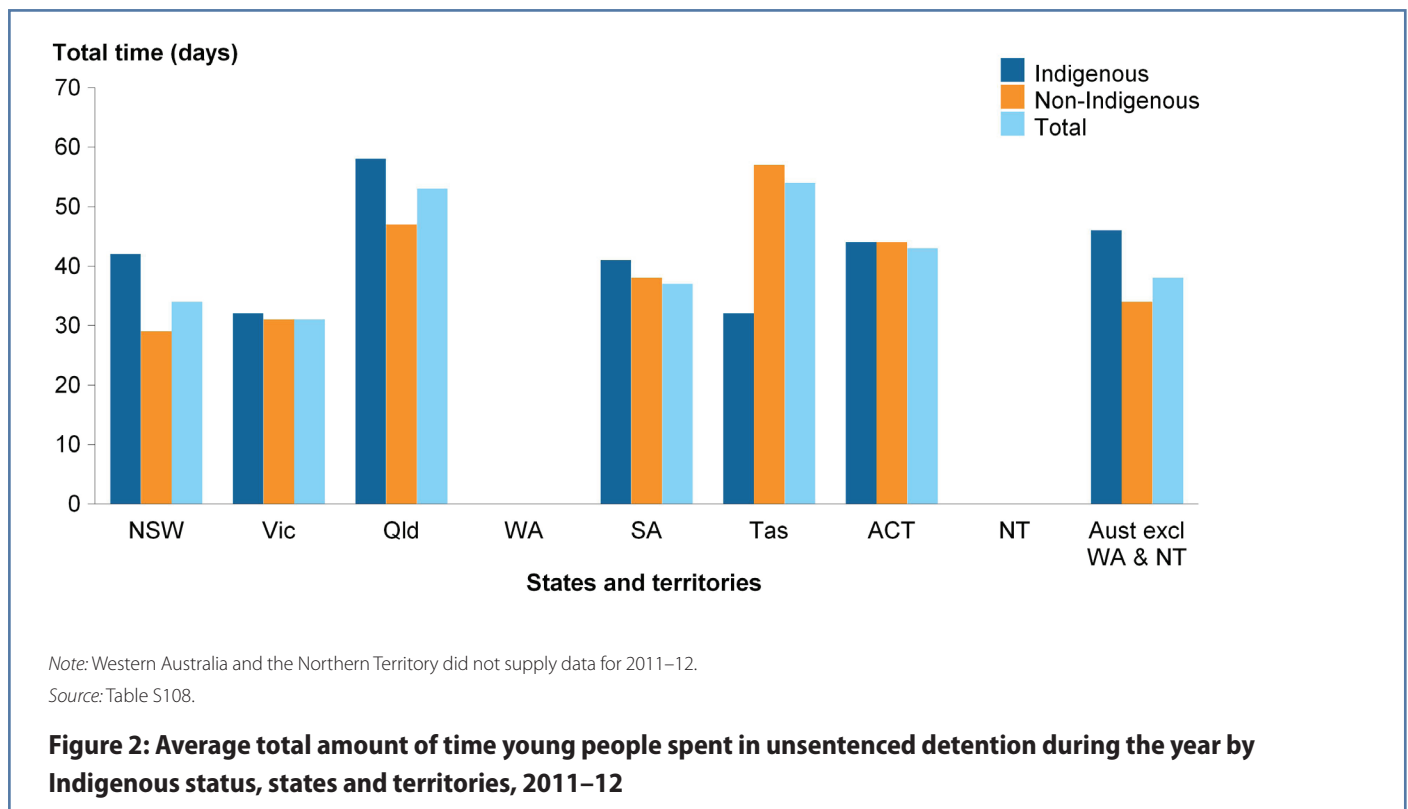
Almost half (47%) of all young people in unsentenced detention on an average day were Indigenous (55% if estimates for Western Australia and the Northern Territory are included; see Box 1) (Table S101). This proportion varied substantially among the states and territories, ranging from 7% in Tasmania to 62% in Queensland.

Most (86%) young people in unsentenced detention on an average day in 2011–12 were aged 14–17 (Table S104), with the proportion ranging from 79% to 93% in the states and territories.

Time in unsentenced detention

In 2011–12, the median duration of completed periods of unsentenced detention was 4 days (Table S107). However, there were substantial variations among the states and territories, with the median duration ranging from 2 days in New South Wales and the Australian Capital Territory to just over 2 weeks (17 days) in Tasmania.

Some young people spent more than one period in unsentenced detention during the year. When all periods of unsentenced detention were considered, young people spent a total of about 5 weeks (38 days), on average, in unsentenced detention during the year (Figure 2). This ranged from about 4 weeks (31 days) in Victoria to almost 8 weeks (54 days) in Tasmania.



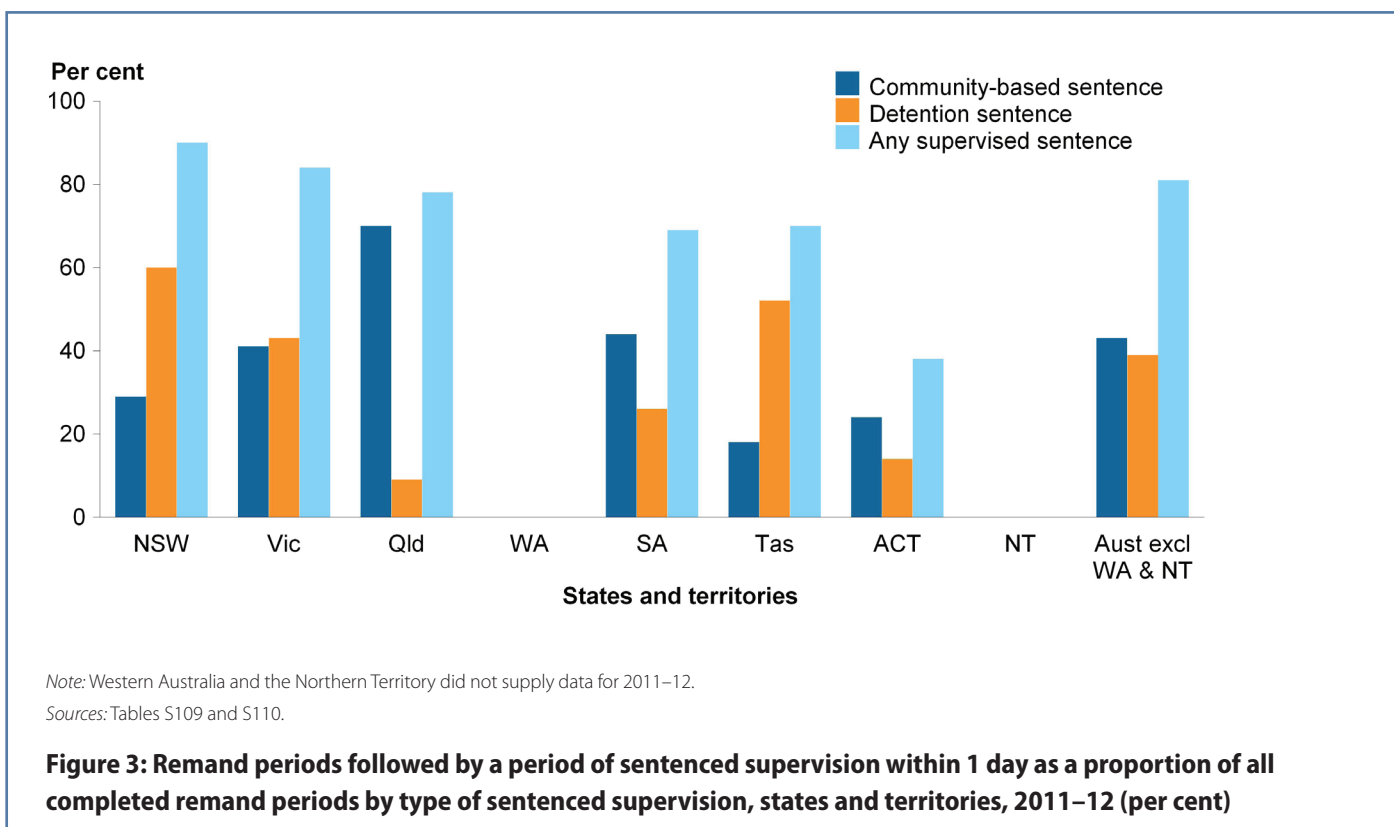
Indigenous young people tended to complete longer periods of unsentenced detention than non-Indigenous young people (6 days compared with 3 days), but spent almost 2 weeks longer in unsentenced detention during the year, on average (almost 7 weeks, or 46 days, compared with 5 weeks, or 34 days) (Figure 2 and Table S107). However, this varied among the states and territories for which data were available.

Completion of unsentenced detention periods

The majority (60%) of remand periods that ended in 2011–12 did so with the young person being released on bail (Table S109). About 28% of remand periods that ended were completed, and the remainder ended for other reasons, including transfer. The proportion of remand periods that ended with release on bail was lowest in Queensland (48%) and highest in Tasmania (74%).

In 2011–12, 4 in 5 (81%) completed remand periods were followed by a supervised sentence within 1 day (Figure 3). Many of these sentences were community-based rather than detention. About 43% of completed remand periods were followed by a community-based sentence within 1 day, and 39% were followed by a detention sentence.

There were substantial differences among the states and territories. Completed periods of remand were more likely to be followed by a community-based sentence than detention within 1 day in Queensland, South Australia and the Australian Capital Territory, and were more likely to be followed by detention in New South Wales and Tasmania. In Victoria, completed periods of remand were equally likely to be followed by a community-based sentence as detention.



Box 1: Youth justice supervision fact sheets

This is one of a series of fact sheets on youth justice supervision in 2011–12 published by the Australian Institute of Health and Welfare (AIHW). The fact sheets can be downloaded for free from the AIHW website at <<http://www.aihw.gov.au/publications/youth-justice/>>.

Western Australia and the Northern Territory did not supply standard data for 2011–12. Where possible, national estimates including Western Australia and the Northern Territory are reported in this fact sheet. National estimates include non-standard data for Western Australia and standard 2007–08 data for the Northern Territory, and are rounded to the nearest 5 young people. Where national estimates could not be calculated, totals excluding Western Australia and the Northern Territory are reported. Non-standard data are not published as they are not sufficiently comparable, and Western Australia and the Northern Territory are not included in state and territory comparisons.

The supplementary data tables (those with a prefix of S) referred to in this fact sheet accompany the bulletin *Youth justice in Australia 2011–12: an overview*, and can be downloaded from <<http://www.aihw.gov.au/publication-detail/?id=60129543149&tab=3>>.

Technical and data quality information, including definitions of key terms in this fact sheet, is available from <<http://www.aihw.gov.au/youth-justice/data-quality/>>.

For more information about young people under youth justice supervision, see <<http://www.aihw.gov.au/youth-justice/>>.

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