



Comparisons between the youth and adult justice systems: 2011–12

This fact sheet summarises the key similarities and differences between young people and adults in the justice systems in Australia.

In all states and territories, young people aged 10 years and over can be charged with a criminal offence. Separate justice systems exist for young people and adults, each with specific legislation. In most cases, the upper age limit in the youth justice system is 17 at the time of the offence (16 in Queensland). Some young people aged 18 and over are under youth justice supervision; reasons for this include their age at the time of the offence, continuation of their supervision once they turn 18, or their vulnerability or immaturity.

More information about the youth justice system in Australia is available from <http://www.aihw.gov.au/youth-justice/>.

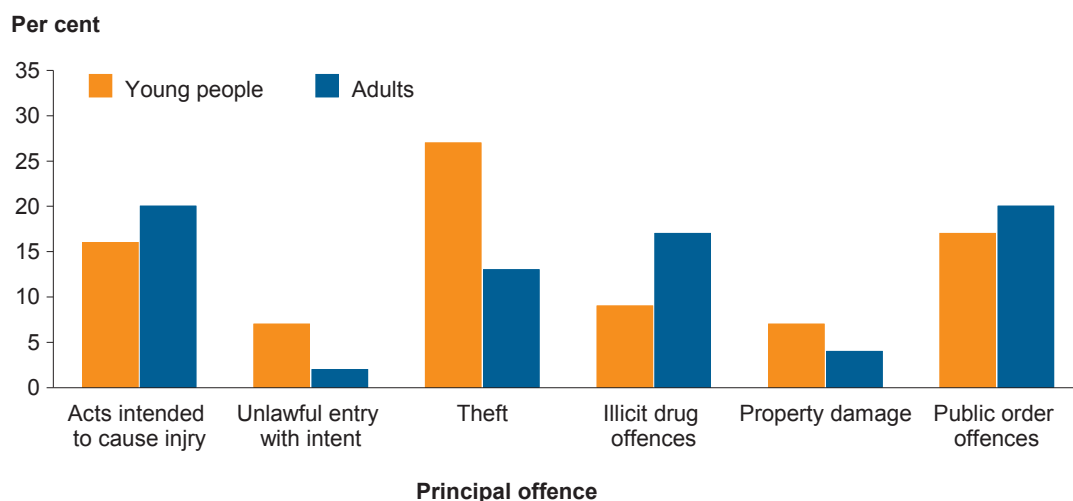
Contact with police

People first enter the justice system when they are investigated by police for allegedly committing an offence. They may be proceeded against by police—that is, have legal action initiated against them—via court actions or non-court actions. Court actions refer to those where charges are laid that must be answered in court, while non-court actions include cautions, conferences, counselling or infringement notices.

Young people in Australia were more likely than adults to be proceeded against by police for allegedly committing an offence. In 2010–11, there were about 300 young people aged 10–17 (the primary group in the youth justice system) proceeded against by police for every 10,000 in the population, compared with about 180 per 10,000 among those aged 18 and over (ABS 2012b).

The Australian Bureau of Statistics (ABS) publishes information on the types of principal (most serious) offences among young people aged 10–19 who were proceeded against by police. In 2010–11, the most common principal offences among young people aged 10–19 were theft (27%), public order offences (17%) and acts intended to cause injury (16%) (Figure 1). The most common principal offences among adults aged 20 and over were public order offences (20%), acts intended to cause injury (20%) and illicit drug offences (17%). It should be noted that the adult category includes a broad range of age groups and this may influence the results.

Overall, young people were more likely than adults to be charged with theft, unlawful entry with intent and property damage; in contrast, adults were more likely to be charged with public order offences, acts intended to cause injury and illicit drug offences.



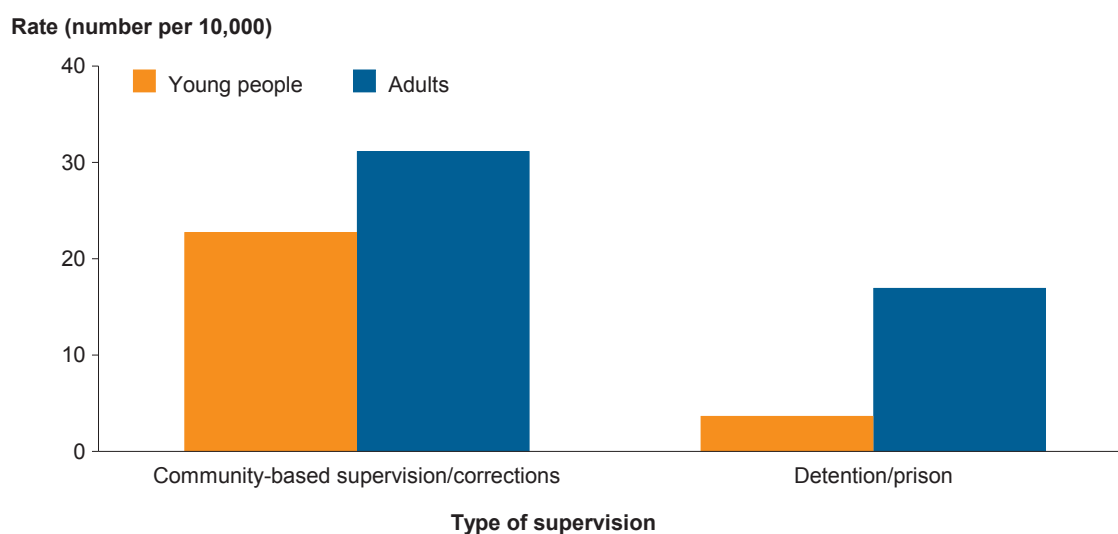
Note: 'Young people' includes those aged 10–19; 'adults' includes those aged 20 and over.
Sources: ABS 2012b.

Figure 1: Young people and adults proceeded against by police, by selected principal offence, 2010–11 (per cent)

Community-based supervision, detention and prison

Although young people were more likely than adults to be proceeded against by police, adults were more likely to be placed under formal supervision. There were 31 adults aged 18 and over in community-based corrections for every 10,000 in the population on an average day during the June quarter 2012, compared with 23 young people aged 10–17 per 10,000 under community-based youth justice supervision on an average day in 2011–12. Similarly, there were 17 adults in full-time prison per 10,000 compared with about 4 young people per 10,000 in detention (Figure 2).

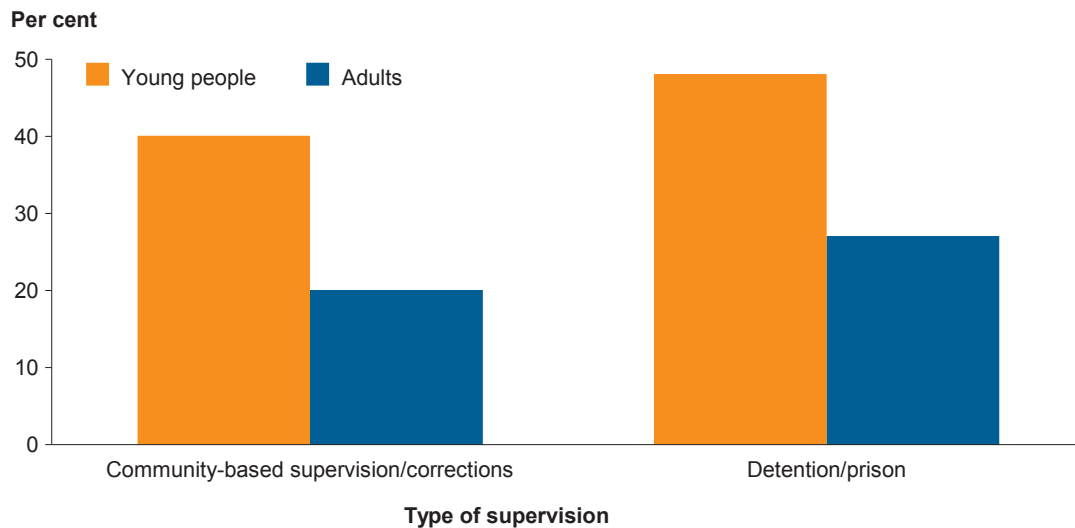
This means that adults were 1.4 times as likely as young people to be supervised in the community, and almost 5 times as likely to be detained on an average day.



Note: Data on young people under supervision are for 2011–12, and data on adults under supervision are for the June quarter 2012.
Sources: ABS 2012a; Tables S39 and S72.

Figure 2: Young people aged 10–17 and adults under supervision on an average day, by type of supervision, 2011–12 (rate)

There were higher proportions of Indigenous young people under youth justice supervision than Indigenous adults under supervision. In 2011–12, almost half (48%) of young people (of all ages) in detention on an average day were Indigenous compared with just over one-quarter (27%) of adults (of all ages) in full-time prison in the June quarter 2012. Similarly, 40% of young people supervised in the community were Indigenous compared with 20% of adults in community corrections (Figure 3).



Note: Data on young people under supervision are for 2011–12, and data on adults under supervision are for the June quarter 2012.
Sources: ABS 2012a; Tables S38 and S70.

Figure 3: Proportion of Indigenous young people and adults under supervision on an average day, by type of supervision, 2011–12 (per cent)

The proportions of young people and adults under justice supervision who were male were similar: around 92% of young people in detention and 93% of adults in prison were male, along with 80% of young people and 82% of adults supervised in the community (ABS 2012a; tables S38 and S70).

Young people in detention were more likely than adults in prison to be unsentenced (that is, awaiting the outcome of their court matter or sentencing). On an average day in 2011–12, just over half (54%) of young people in detention were unsentenced, compared with almost one-quarter (24%) of adults in prison in the June quarter 2012 (ABS 2012a; Table S101).

References

ABS (Australian Bureau of Statistics) 2012a. Corrective Services, Australia, June quarter 2012. ABS cat. no. 4512.0. Canberra: ABS.

ABS 2012b. Recorded crime—offenders, Australia, 2010–11. ABS cat. no. 4519.0. Canberra: ABS.

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). These 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 and are not included in the data presented in this fact sheet.

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 used 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/>>.

© Australian Institute of Health and Welfare 2013 

This product, excluding the AIHW logo, Commonwealth Coat of Arms and any material owned by a third party or protected by a trademark, has been released under a Creative Commons BY 3.0 (CC BY 3.0) licence. Excluded material owned by third parties may include, for example, design and layout, images obtained under licence from third parties and signatures. We have made all reasonable efforts to identify and label material owned by third parties.

You may distribute, remix and build upon this work. However, you must attribute the AIHW as the copyright holder of the work in compliance with our attribution policy available at <www.aihw.gov.au/copyright/>. The full terms and conditions of this licence are available at <<http://creativecommons.org/licenses/by/3.0/au/>>.

Enquiries relating to copyright should be addressed to the Head of the Media and Strategic Engagement Unit, Australian Institute of Health and Welfare, GPO Box 570, Canberra ACT 2601.

This publication is part of the Australian Institute of Health and Welfare's Youth justice fact sheet series. A complete list of the Institute's publications is available from the Institute's website <www.aihw.gov.au>.

ISBN 978-1-74249-487-6

ISSN 2202-1841

Suggested citation

Australian Institute of Health and Welfare 2013. Youth justice fact sheet no. 17. Comparisons between the youth and adult justice systems: 2011–12. Cat. no. JUV 29. Canberra: AIHW.

Australian Institute of Health and Welfare
Board Chair Dr Andrew Refshauge
Director David Kalisch

Any enquiries about or comments on this publication should be directed to:

Media and Strategic Engagement Unit
Australian Institute of Health and Welfare
GPO Box 570
Canberra ACT 2601

Tel: (02) 6244 1032 Email: info@aihw.gov.au

Published by the Australian Institute of Health and Welfare

Please note that there is the potential for minor revisions of data in this report. Please check the online version at <www.aihw.gov.au> for any amendments.