



Youth justice in Australia

2012–13

Summary

Youth justice in Australia 2012–13 presents information on young people under youth justice supervision, both in the community and in detention, during 2012–13. It explores the characteristics of their supervision and recent trends. Data are reported for all states and territories except WA and the NT. National totals include estimates for all jurisdictions where possible.

Around 6,300 young people under youth justice supervision on an average day

On an average day in 2012–13 in Australia, there were around 6,300 young people aged 10 and older under youth justice supervision due to their involvement, or alleged involvement, in crime. This equates to a rate of 23.8 per 10,000, or about 1 in 420 young persons aged 10–17. A total of 12,880 young people were under supervision at some time during the year.

In 2012–13:

- young people aged 10–17 were more than 6 times as likely to be under community-based supervision as in detention (including estimates for WA and NT)
- young people under any form of youth justice supervision on an average day were predominantly male (83%) (including estimates for WA and NT)
- young people aged 10–17 from *Remote* areas were 4 times as likely to be under supervision on an average day as those from *Major cities*, while those from *Very remote* areas were about 6 times as likely
- the rate of young people aged 10–17 under supervision on an average day was lowest in Victoria, at 16.1 per 10,000, and highest in Tasmania, at 35.3 per 10,000
- the average length of time spent under supervision during the year was 26 weeks.

Indigenous young people continue to be over-represented

In 2012–13, Indigenous young people aged 10–17 were 17 times as likely as non-Indigenous young people to have been under supervision and they were also, on average:

- younger (27% were aged 10–14, compared with 13%)
- more likely to complete multiple periods of supervision (22%, compared with 14%)
- spending longer, in total, under supervision during the year (195 days, on average, compared with 180).

Between 2008–09 and 2012–13, the level of Indigenous over-representation in supervision on an average day increased in all states and territories for which data were available, except in South Australia and Tasmania.

Drop in numbers and rates under youth justice supervision

There was an overall drop in the number and rate of young people under youth justice supervision between 2008–09 and 2012–13. While the *number* under supervision peaked at 7,332 in 2010–11, it dropped to 6,329 in 2012–13 (down 14%). Similarly, the *rate* of young people aged 10–17 under supervision peaked at 27.6 per 10,000 in 2010–11 and dropped to 23.8 in 2012–13. This decrease was mainly due to a fall in the number and rate of young people under community-based supervision (decreasing by 931 or 15% of young people, and from 24.0 to 20.3 per 10,000 young people aged 10–17) and to a decrease in males under supervision (down from 43.5 to 37.9 per 10,000 on an average day). The rate of females under supervision remained steady at around 9 per 10,000.

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Abbreviations

AIHW	Australian Institute of Health and Welfare
Aust	Australia
excl.	excluding
incl.	including
JJ NMDS	Juvenile Justice National Minimum Data Set
UN CRC	United Nations Convention on the Rights of the Child

Symbols

n.a.	not available
n.p.	not published due to confidentiality and/or reliability concerns
↑	increase
↓	decrease
↔	stable

Introduction

The youth justice system is the set of processes and practices for managing children and young people who have committed, or allegedly committed, an offence.

In Australia, the state and territory governments are responsible for dealing with children and young people who are involved in crime. Although each state and territory has its own legislation, policies and practices, the general processes by which young people are charged and sentenced and the types of legal orders available to the courts are similar.

In all states and territories, children and young people aged 10 and older can be charged with a criminal offence. Separate jurisdictional justice systems exist for young people and adults, each with specific legislation.

The upper age limit for treatment as a young person is 17 in all states and territories except Queensland, where the limit is 16. However, some young people aged 18 and older are involved in the youth justice system—for reasons which include the offence being committed when the young person was aged 17 or younger; the continuation of supervision once they turn 18; or their vulnerability or immaturity. Also, in Victoria, some young people aged 18–20 may be sentenced to detention in a youth facility (known as the ‘dual track’ sentencing system).

Young people first enter the youth justice system when they are investigated by police for allegedly committing a crime. Legal action taken by police may include court actions (the laying of charges to be answered in court) and non-court actions (such as cautions, conferencing, counselling or infringement notices). Courts may decide to dismiss the charge, divert a young person from further involvement in the system, or transfer them to specialist courts or programs. If the matter proceeds and the charge is proven, the court may hand down any of a number of orders, either supervised or unsupervised.

One major aspect of youth justice is therefore the supervision of young people, both in their communities and in secure detention facilities. Young people may be supervised when they are unsentenced—that is, 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 supervision if they are proven guilty in a court. The majority of young people have been placed on supervision after the finalisation of their matter.

Information about young people under youth justice supervision in this bulletin is based on data from the Juvenile Justice National Minimum Data Set (JJ NMDS). Western Australia and the Northern Territory did not supply JJ NMDS data for 2012–13 (see ‘Technical notes’ for more information). Unless otherwise stated, national totals exclude estimates for Western Australia and the Northern Territory.

This bulletin presents information on the young people who were under youth justice supervision during 2012–13, both in the community and in detention. It also explores the characteristics of their supervision, and recent trends. The bulletin is part of the *Youth justice in Australia 2012–13* release which includes supplementary tables (those with a prefix of S), fact sheets and web pages, which can be downloaded free of charge from the Australian Institute of Health and Welfare (AIHW) website at <http://www.aihw.gov.au/youth-justice-publications/>. See 'More information and related publications' for a guide to the range of information available in the supplementary data tables, as well as additional information available about young people under youth justice supervision.

Youth justice supervision

Each year, around 2% of the Australian population aged 10–17 are proceeded against by police, just over 1% will have a case finalised in a Children's court, around 0.5% will be supervised by a youth justice agency in the community, and less than 0.3% will be subject to a custodial order (ABS 2012a, 2012b, 2013).

In 2012–13, there were 6,329 young people aged 10 and over under youth justice supervision nationally on an 'average day' (i.e. a measure that reflects both the number of young people supervised and the amount of time they spent under supervision' during 2012–13), and a total of 12,880 young people were supervised at some time during the year (Table 1). For every 10,000 young people in the population aged 10–17, 23.8 were under supervision on an average day and 48.5 during the year (including estimates for Western Australia and the Northern Territory).

The supervision of most young people occurs within the community. On an average day in 2012–13, 85% of young people were under community-based supervision (5,376, or 20.3 per 10,000 aged 10–17) and the remainder (15%), were in detention (975 young people or 3.4 per 10,000 aged 10–17). This means that nationally, young people aged 10–17 were 6 times as likely to be under community-based supervision as in detention on an average day (including estimates for WA and NT) (Table 1).

In contrast, to the 'average day' proportions, during 2012–13 about 2 in 5 (42% or 5,405) young people aged 10 and over under supervision were in detention at some point throughout the year. The 'during the year' measure is a count of the number of unique individuals who were supervised any time during 2012–13. Differences between the 'average day' and 'during the year' measures generally reflect differences in the amount of time spent under supervision (see 'Technical notes' for further details).

Of these, nearly three-quarters (3,910) had also been under community-based supervision at some point during the year. During the year, the rate of young people under community-based supervision was 42.8 per 10,000 aged 10–17, compared to 21.5 per 10,000 in detention. This means that young people aged 10–17 were twice as likely to be under community-based supervision as in detention at some point in time during the year (including estimates for WA and NT) (Table 1).

Table 1: Young people under supervision by supervision type, states and territories, 2012–13

	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust excl. WA & NT	Aust incl. WA & NT ^(a)
Number—all ages										
Average day^(b)										
Community	1,378	1,150	1,318	n.a.	350	238	94	n.a.	4,527	5,376
Detention	331	165	164	n.a.	62	19	18	n.a.	759	975
All supervision	1,700	1,312	1,475	n.a.	410	256	111	n.a.	5,264	6,329
During the year										
Community	2,916	2,473	2,549	n.a.	768	433	195	n.a.	9,334	11,385
Detention	1,970	722	896	n.a.	478	72	104	n.a.	4,242	5,405
All supervision	3,594	2,601	2,672	n.a.	962	440	218	n.a.	10,487	12,880
Rate—age 10–17 (number per 10,000)										
Average day^(b)										
Community	18.4	14.9	24.7	n.a.	18.1	31.5	23.0	n.a.	19.4	20.3
Detention	3.8	1.2	3.4	n.a.	3.1	3.2	4.4	n.a.	2.9	3.4
All supervision	22.2	16.1	28.0	n.a.	21.2	35.3	27.7	n.a.	22.3	23.8
During the year										
Community	37.9	29.7	48.5	n.a.	39.9	56.2	47.9	n.a.	39.1	42.8
Detention	25.0	7.9	18.6	n.a.	27.6	12.6	25.4	n.a.	18.7	21.5
All supervision	45.5	31.0	51.2	n.a.	50.5	57.6	52.0	n.a.	43.8	48.5

(a) Western Australia and the Northern Territory did not supply JJ NMDS data for 2012–13. Totals include estimates for Western Australia and the Northern Territory, where available. (See 'Technical notes'.)

(b) Numbers of young people on an average day may not sum to the total, due to rounding and to the fact that some young people may have moved between community-based supervision and detention on the same day.

Notes

1. Rates are numbers of young people per 10,000 population.
2. Rates are not published where there were fewer than 5 young people.

Source: Tables S1, S4, S36, S39, S72 and S75.

Nationally, on an average day, the majority of young people aged 10 and over under youth justice supervision were male and under community-based supervision (70%, or 4,402). Young females under community-based supervision and young males in detention accounted for nearly all remaining young people under supervision (15% and 14%, respectively). A small proportion of young females (1%, or 91) were in detention on an average day. This pattern was consistent across all states and territories for which data were available (including estimates for WA and NT) (Table 2).

Table 2: Young people under supervision on an average day by supervision type, sex, Indigenous status and states and territories (including estimates for WA and NT), 2012–13

	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust excl. WA & NT	Aust incl. WA & NT ^(a)
Community-based supervision										
<i>Young males</i>										
Indigenous	418	120	506	n.a.	88	34	18	n.a.	1,183	1,647
Non-Indigenous	558	852	532	n.a.	189	154	55	n.a.	2,339	2,585
<i>Sub-total</i>	<i>1,112</i>	<i>976</i>	<i>1,055</i>	<i>n.a.</i>	<i>280</i>	<i>189</i>	<i>74</i>	<i>n.a.</i>	<i>3,687</i>	<i>4,402</i>
<i>Young females</i>										
Indigenous	111	35	150	n.a.	30	6	6	n.a.	338	433
Non-Indigenous	119	137	110	n.a.	39	43	14	n.a.	461	499
<i>Sub-total</i>	<i>266</i>	<i>174</i>	<i>263</i>	<i>n.a.</i>	<i>69</i>	<i>49</i>	<i>20</i>	<i>n.a.</i>	<i>841</i>	<i>973</i>
Total	1,378	1,150	1,318	n.a.	350	238	94	n.a.	4,527	5,376
Detention										
<i>Young males</i>										
Indigenous	156	16	92	n.a.	24	1	4	n.a.	293	437
Non-Indigenous	140	140	47	n.a.	31	17	13	n.a.	388	441
<i>Sub-total</i>	<i>300</i>	<i>157</i>	<i>139</i>	<i>n.a.</i>	<i>56</i>	<i>18</i>	<i>17</i>	<i>n.a.</i>	<i>687</i>	<i>885</i>
<i>Young females</i>										
Indigenous	13	1	17	n.a.	3	0	0	n.a.	34	49
Non-Indigenous	17	8	9	n.a.	3	1	1	n.a.	38	42
<i>Sub-total</i>	<i>30</i>	<i>9</i>	<i>25</i>	<i>n.a.</i>	<i>6</i>	<i>1</i>	<i>1</i>	<i>n.a.</i>	<i>73</i>	<i>91</i>
Total	331	165	164	n.a.	62	19	18	n.a.	759	975
All supervision	1,700	1,312	1,475	n.a.	410	256	111	n.a.	5,264	6,329

(a) Western Australia and the Northern Territory did not supply JJ NMDS data for 2012–13. Totals include estimates for Western Australia and the Northern Territory, where available. (See 'Technical notes'.)

Notes

1. Totals include young people whose sex or Indigenous status were unknown.
2. Numbers may not sum to the total due to rounding, to the inclusion of young people with unknown sex or Indigenous status, and to the fact that some young people may have moved between community-based supervision and detention on the same day.
3. Information about calculation of the number of young people under supervision on an average day is provided in 'Technical notes'.

Source: Tables S2, S37 and S73.

During 2012–13, the median length of all completed periods of supervision was 75 days, or almost 11 weeks (Table S29). Note that this includes time under supervision only in 2012–13. A small number of young people (16%) who had completed one period of supervision during 2012–13 went on to complete at least one more period of supervision in that year (Table S28).

When all periods of time spent under supervision during 2012–13 are considered (including periods that are ongoing, i.e. not-completed), young people spent a total of 183 days, or about 6 months, on average, under supervision (Table S30).

Although most young people under supervision on an average day in 2012–13 had lived in *Major cities* (49%) and *Inner and outer regional areas* (39%) before entering supervision (based on postcode of last address), those from geographically remote areas were the most

likely to be supervised (Table S21). Young people aged 10–17 from *Remote* areas were 4 times as likely to be under supervision on an average day as those from *Major cities* (63.9 per 10,000 compared with 15.5 per 10,000), while those from *Very remote* areas were about 6 times as likely (99.5 per 10,000 compared with 15.5 per 10,000).

More than a third (38%) of young people aged 10 and over under supervision on an average day resided in areas of the lowest socioeconomic status (based on postcode of last address) (Table S23). Further, those young people aged 10–17 from the areas of lowest socioeconomic status were more than 5 times as likely to be under supervision than those from the areas of highest socioeconomic status (44.1 per 10,000 compared with 7.8 per 10,000) (Table S24).

About two-thirds (65%) of young people aged 10 and over under supervision in 2012–13 had been under supervision in a previous year; the remainder were in their first year of supervision (Table S17). ‘Probation and similar’ (45%) was the most common first type of supervision for those young people supervised during 2012–13; followed by ‘Remand’ (27%) (tables 1 and S20). At some point throughout their supervision history, almost 3 in 5 (59%) young people under supervision in 2012–13 had been in detention (tables 1 and S35).

Age and sex

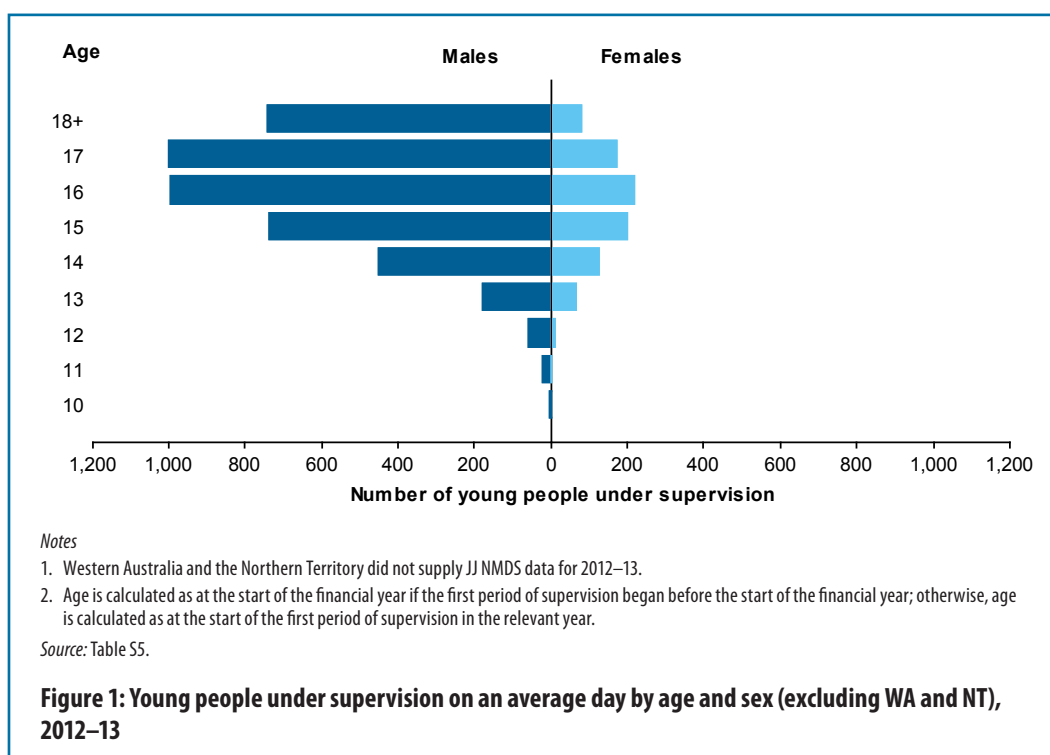
On an average day, males accounted for more than 4 in 5 (83%) young people under supervision (Table S2). This proportion was even higher in detention (91%) (Table S73). Young males aged 10–17 were 4 times as likely as females of the same age to be under supervision on an average day (Table S4). Young males were also 4 times as likely to be under community-based supervision and 8 times as likely to be in detention, on an average day, than young females (including estimates for WA and the NT) (tables S39 and S75).

On an average day in 2012–13, almost 4 in every 5 (78%) young people under supervision were aged 14–17, and 16% were aged 18 and over (see ‘Technical notes’ for more information about the age range for treatment as a young person). Just 7% of young people under supervision on an average day were aged 10–13 (Table S7).

There are some similarities in the age distribution of young males and females under supervision (Figure 1), although, on average, males tended to be older. On an average day in 2012–13, the numbers and rates of young people under supervision were highest for males aged 16 and 17, and for females aged 15 and 16 (tables S5 and S6). Overall, a higher proportion of females were aged 10–16 than males (72% compared with 58%).

There were variations in the age profiles of young people under supervision between the states and territories, due to differences in legislation, policies and practices. In Queensland, young people who are aged 17 or over at the time they allegedly commit offences are processed in the adult criminal justice system. This results in a younger population, on average, under youth justice supervision in Queensland. Conversely, in Victoria, some young people aged 18–20 may be sentenced to detention in a youth facility (known as the ‘dual track’ system), which results in an older population, on average.

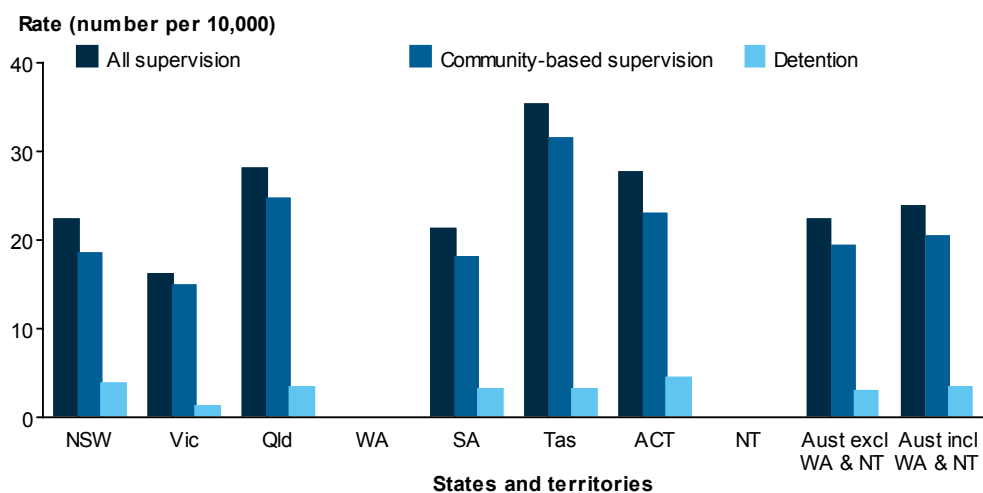
Despite these differences, most young people under supervision on an average day in all states and territories were aged 14–17 (63%–89%) (Table S7). However, there was some jurisdictional variation in particular age groups; for example, the proportion of young people under supervision on an average day aged 10–13 ranged from 3% in both the Australian Capital Territory and Tasmania, to 11% in Queensland, while the proportion of young people aged 18 and over ranged from 6% in New South Wales to 34% in Victoria.



Types of supervision

The notion that young people should be placed in detention only as a last resort is one of the key principles upon which Australia’s youth justice systems are based. This principle can be found in youth justice legislation in each state and territory (with the exception of Queensland which revised its legislation in March 2014). It is also consistent with the *United Nations Convention on the Rights of the Child* (UN CRC) and the *Standard Minimum Rules for the Administration of Juvenile Justice* (“The Beijing Rules”) (Office of the United Nations High Commissioner for Human Rights 1985, 1989). The UN CRC states that children should be deprived of liberty only as a last resort and for the shortest appropriate period of time. Accordingly, most young people under youth justice supervision are supervised in the community rather than in detention.

Nationally, the rate of young people aged 10–17 under supervision on an average day in 2012–13 was 23.8 per 10,000 (Figure 2). This rate was lowest in Victoria, at 16.1 per 10,000, and highest in Tasmania, at 35.3 per 10,000. Variations between states and territories may reflect differences in legislation, policy and practice in the youth justice systems, including the range of supervised orders and the options for diversion that are available.



Note: Western Australia and the Northern Territory did not supply JJ NMDS data for 2012–13. Totals include estimates for Western Australia and the Northern Territory, where available. (See 'Technical notes'.)

Source: Table 1.

Figure 2: Young people under supervision on an average day by supervision type, states and territories, 2012–13 (rate)

Nationally, the average length of time young people spent under supervision in 2012–13 was 183 days, or 26 weeks. This ranged from 156 days (22 weeks) in South Australia to 213 days (30 weeks) in Tasmania (Table 3).

Table 3: Average length of time spent under supervision during the year, states and territories, 2012–13 (days)

	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust excl. WA & NT
Indigenous									
Young males	198	184	213	n.a.	168	225	189	n.a.	200
Young females	166	166	201	n.a.	132	199	152	n.a.	176
<i>Total</i>	<i>192</i>	<i>180</i>	<i>210</i>	<i>n.a.</i>	<i>158</i>	<i>221</i>	<i>179</i>	<i>n.a.</i>	<i>195</i>
Non-Indigenous									
Young males	167	190	201	n.a.	159	220	196	n.a.	184
Young females	149	160	181	n.a.	131	190	162	n.a.	161
<i>Total</i>	<i>164</i>	<i>185</i>	<i>198</i>	<i>n.a.</i>	<i>154</i>	<i>213</i>	<i>189</i>	<i>n.a.</i>	<i>180</i>
All young people									
Young males	177	189	205	n.a.	162	220	195	n.a.	188
Young females	157	161	189	n.a.	132	188	156	n.a.	165
Total	173	184	202	n.a.	156	213	186	n.a.	183

Notes

1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2012–13.
2. Average duration calculated from the summed length of periods of supervision that occurred within the financial year.
3. Totals includes young people of unknown sex.

Source: Table S30.

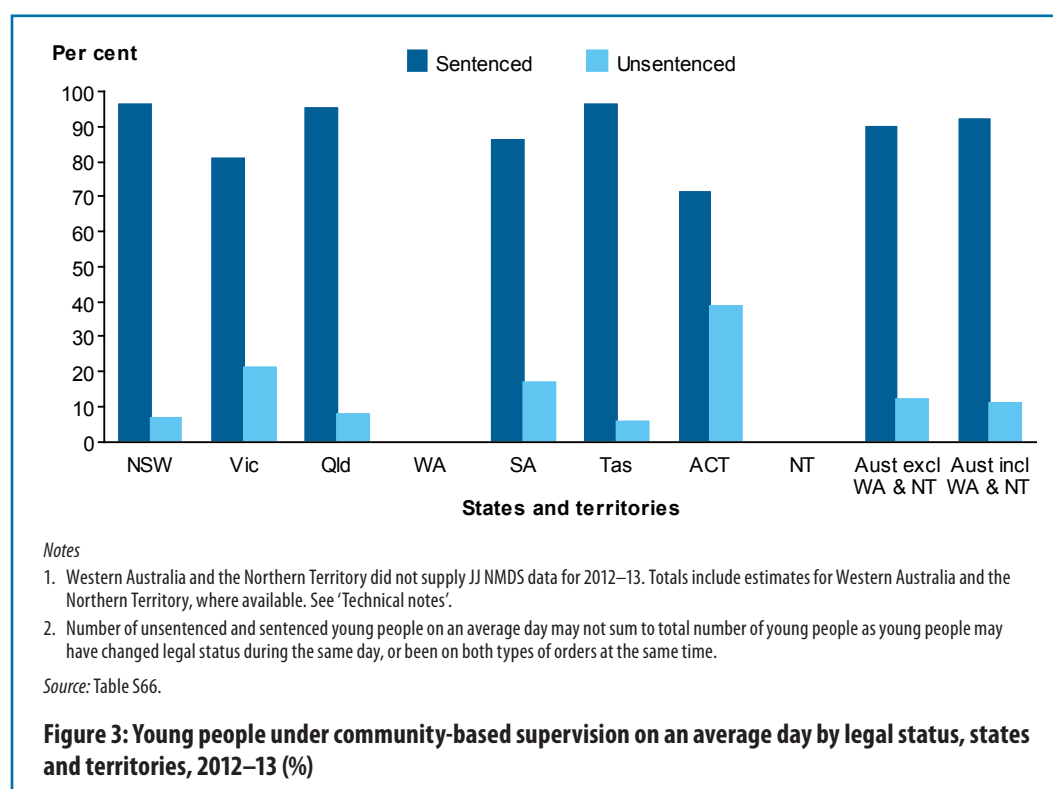
Community-based supervision

In 2012–13, 85% of young people aged 10 and over under supervision on an average day were supervised in the community (including estimates for WA and the NT (Table 1). Tasmania had the highest rate of community-based supervision (31.5 per 10,000 aged 10–17), and Victoria had the lowest (14.9 per 10,000 aged 10–17).

Community-based supervision includes both unsentenced orders, such as supervised or conditional bail and home detention bail; and sentenced orders, such as probation, suspended detention, and parole or supervised release. Some young people were on multiple types of orders on the same day.

On an average day in 2012–13, over 9 in 10 (92%) young people aged 10 and over under community-based supervision were serving a sentence (including estimates for WA and NT (Figure 3). The most common type of sentenced community-based supervision was ‘Probation and similar’, with almost 4 in every 5 (79%) young people on an average day serving this type of order (Table S62). Queensland had the highest proportion on ‘Probation and similar’ (90% of those under community-based supervision) and Tasmania had the highest proportion on ‘Suspended detention’ (41%). Victoria and New South Wales had the highest proportion on ‘Parole and supervised release’ (11%).

Only about 1 in 8 (11%) young people aged 10 and over under community-based supervision were under unsentenced community-based orders (note that some young people may have changed legal status on the same day, or have been on both orders at the same time) (including estimates for WA and NT). Tasmania (6%) had the lowest proportion of young people under unsentenced community-based orders and the Australian Capital Territory (39%) the highest.



Nationally, the median duration of completed periods of community-based supervision during 2012–13 was 81 days, or nearly 3 months (Table S64). When all periods of community-based supervision during the year are considered (including periods that are ongoing, i.e. not-completed), young people spent on average 177 days under supervision, or almost 6 months (Table S65).

Detention

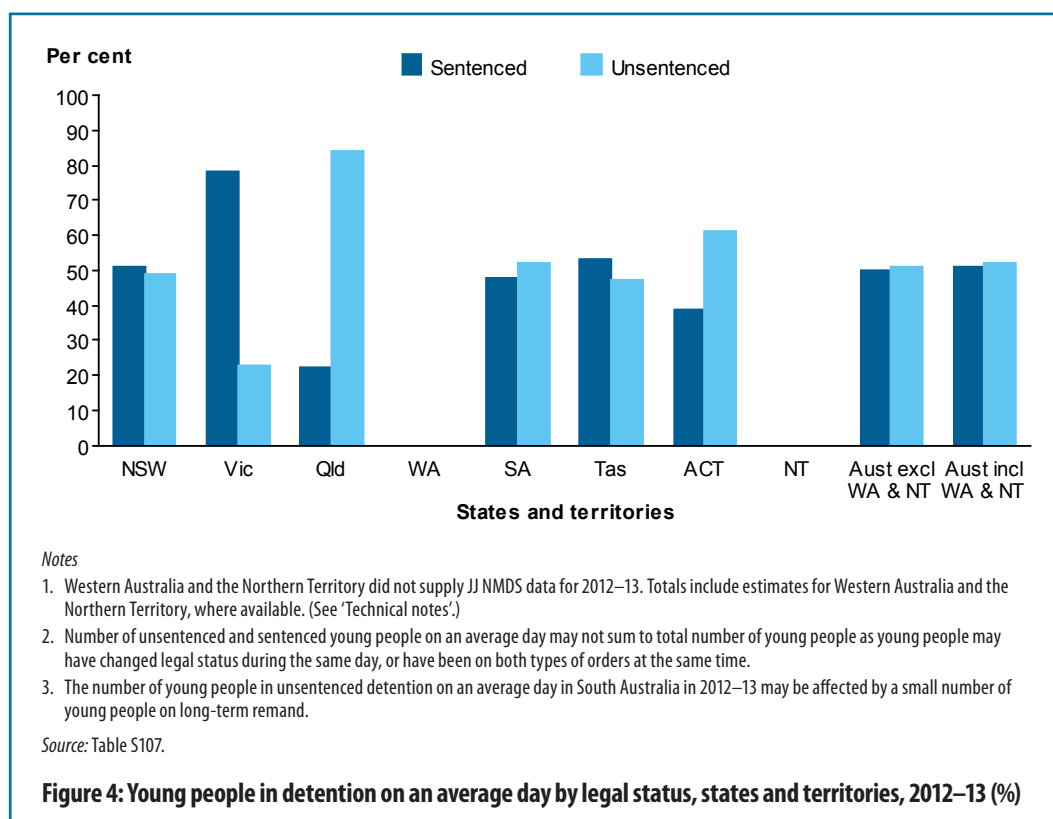
Consistent with the principle that young people should be placed in detention as a last resort, only 15% of young people (975) aged 10 and over under supervision on an average day in 2012–13 were in detention (including estimates for WA and the NT). This varied by state and territory, ranging from 7% in Tasmania to 19% in New South Wales (Table 1).

However, a considerable number of young people did experience detention at some point during the year. In total, 2 in 5 (42%) young people who were supervised during 2012–13 were in detention at some time. There were substantial differences between states and territories on this measure, ranging from 16% in Tasmania to 55% in New South Wales (Table 1).

Differences in the proportion of young people in detention on an average day and during the year reflect the fact that young people spent substantially less time in detention, on average, than under community-based supervision in 2012–13. Nationally, the rate of young people in detention on an average day was 3.4 per 10,000 young people (Table 1). The Australian Capital Territory had the highest rate of detention (4.4 per 10,000) and Victoria the lowest (1.2 per 10,000).

More than half (52%) of all young people aged 10 and over in detention on an average day were unsentenced (Figure 4). In Victoria, the proportion of young people in unsentenced detention (23%) is substantially lower than in all other states and territories (ranging from 47% in Tasmania to 84% in Queensland). The Victorian system of 'dual track' sentencing, in place for those young people aged 18 and over, results in a larger proportion of sentenced detainees. When only young people aged 10–17 are considered, 56% of those in detention on an average day in Victoria were unsentenced (tables S72 and S110).

Completed periods of unsentenced detention were substantially shorter than completed periods of sentenced detention (a median length of 4 days compared with 61 days) (tables S113 and S120). When all periods of supervision during the year are considered, young people in unsentenced detention spent, on average, a total of 39 days (nearly 6 weeks) in unsentenced detention (Table S114). Those in sentenced detention spent a total of 108 days (about 15 weeks), on average, in sentenced detention during the year (Table S122).



Indigenous young people

In Australia, Aboriginal and Torres Strait Islander young people have had a long history of over-representation in both youth and adult justice systems. This issue first came to the fore more than 20 years ago through the Royal Commission into Aboriginal Deaths in Custody (Johnston 1991). A recent House of Representatives inquiry noted that continued high rates of contact with the justice system are thought to be symptomatic of the social and economic disadvantage experienced by many Indigenous young people (House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs 2011).

In response to these ongoing issues, state and territory youth justice agencies provide a range of services and programs to young people under supervision to help reduce their risk of re-offending. Programs designed specifically for Indigenous young people are available in each state and territory, and aim to provide culturally sensitive and appropriate support to young people and their families and communities. Programs focus on topics such as alcohol and drug use; family violence; education and employment; art and cultural activities; mentoring; counselling; and family support.

Despite accounting for around 5% of young people aged 10–17 in Australia, on an average day 40% of young people under youth justice supervision in 2012–13 were Indigenous (ABS 2008, 2009, 2013; Table S2). In detention, this proportion increases to half (50%) of all young people (including estimates for WA and the NT) (Table S73).

Nationally, Indigenous young people aged 10–17 were about 17 times as likely as non-Indigenous young people to have been under supervision on an average day (225.0 Indigenous young people per 10,000 compared with 13.0 non-Indigenous young people). During the year, the level of Indigenous young people over-representation was slightly lower, at 16 times (including estimates for WA and NT) (Table 4).

The level of Indigenous over-representation varied according to supervision type. On an average day, Indigenous young people aged 10–17 were 16 times as likely to be under community-based supervision as non-Indigenous young people (rates of 182.7 and 11.4 per 10,000, respectively) and 28 times as likely to be in detention (42.4 compared with 1.5 per 10,000) (Table 4).

In comparison to the over-representation on an average day, Indigenous young people were 20 times as likely as non-Indigenous young people to experience detention sometime during the year. The decrease in the over-representation of Indigenous young people between the ‘average day’ and ‘during the year’ measures reflect the fact that Indigenous young people spent longer, on average, under supervision compared with their non-Indigenous counterparts (Table 4).

Indigenous young people under supervision were also younger, on average, than non-Indigenous young people (Figure 5). About 1 in 4 (27%) Indigenous young people under supervision on an average day were aged 10–14, compared with around 1 in 7 (13%) non-Indigenous young people.

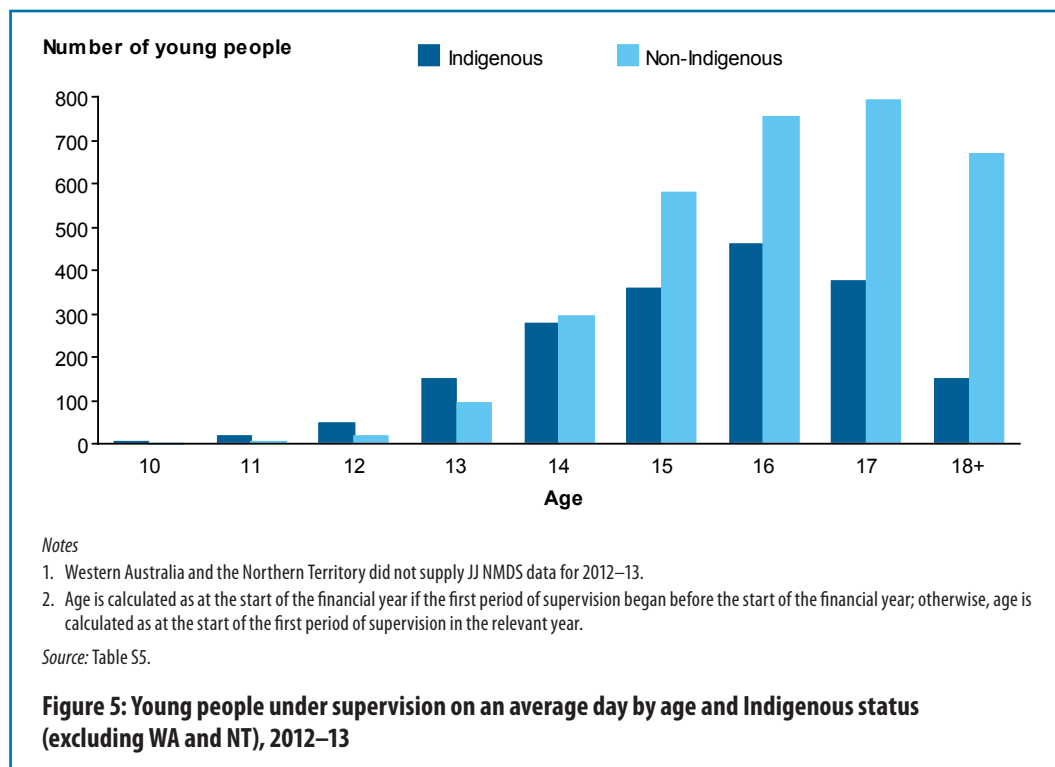


Table 4: Young people aged 10–17 under supervision by Indigenous status, supervision type, states and territories, 2012–13 (rate: number per 10,000)

Indigenous status	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust excl. WA & NT	Aust incl. WA & NT ^(a)
Community-based supervision rate—average day										
Indigenous	168.3	182.4	201.7	n.a.	170.8	67.2	229.1	n.a.	178.7	182.7
Non-Indigenous	9.3	12.5	11.9	n.a.	12.1	28.7	18.0	n.a.	11.7	11.4
<i>All young people</i>	<i>18.4</i>	<i>14.9</i>	<i>24.7</i>	<i>n.a.</i>	<i>18.1</i>	<i>31.5</i>	<i>23.0</i>	<i>n.a.</i>	<i>19.4</i>	<i>20.3</i>
Detention rate—average day										
Indigenous	48.9	12.3	35.4	n.a.	40.9	n.p.	n.p.	n.a.	37.7	42.4
Non-Indigenous	1.7	1.0	1.2	n.a.	1.7	3.3	3.3	n.a.	1.5	1.5
<i>All young people</i>	<i>3.8</i>	<i>1.2</i>	<i>3.4</i>	<i>n.a.</i>	<i>3.1</i>	<i>3.2</i>	<i>4.4</i>	<i>n.a.</i>	<i>2.9</i>	<i>3.4</i>
All supervision rate—average day										
Indigenous	217.0	197.2	235.9	n.a.	212.7	71.2	287.9	n.a.	216.3	225.0
Non-Indigenous	11.0	13.6	13.0	n.a.	13.7	32.5	21.4	n.a.	13.2	13.0
All young people	22.2	16.1	28.0	n.a.	21.2	35.3	27.7	n.a.	22.3	23.8
Community-based supervision rate—during the year										
Indigenous	335.6	364.9	394.2	n.a.	368.2	110.5	515.6	n.a.	354.9	381.7
Non-Indigenous	19.1	25.0	23.0	n.a.	27.0	51.7	36.7	n.a.	23.5	24.0
<i>All young people</i>	<i>37.9</i>	<i>29.7</i>	<i>48.5</i>	<i>n.a.</i>	<i>39.9</i>	<i>56.2</i>	<i>47.9</i>	<i>n.a.</i>	<i>39.1</i>	<i>42.8</i>
Detention rate—during the year										
Indigenous	253.6	98.7	167.9	n.a.	341.9	24.9	227.8	n.a.	202.1	223.7
Non-Indigenous	13.9	6.7	8.0	n.a.	15.6	11.7	20.5	n.a.	10.6	11.2
<i>All young people</i>	<i>25.0</i>	<i>7.9</i>	<i>18.6</i>	<i>n.a.</i>	<i>27.6</i>	<i>12.6</i>	<i>25.4</i>	<i>n.a.</i>	<i>18.7</i>	<i>21.5</i>
All supervision rate—during the year										
Indigenous	399.2	381.4	411.2	n.a.	510.2	113.3	551.6	n.a.	398.7	434.1
Non-Indigenous	23.8	26.1	24.5	n.a.	32.6	52.9	39.7	n.a.	26.3	27.2
All young people	45.5	31.0	51.2	n.a.	50.5	57.6	52.0	n.a.	43.8	48.5

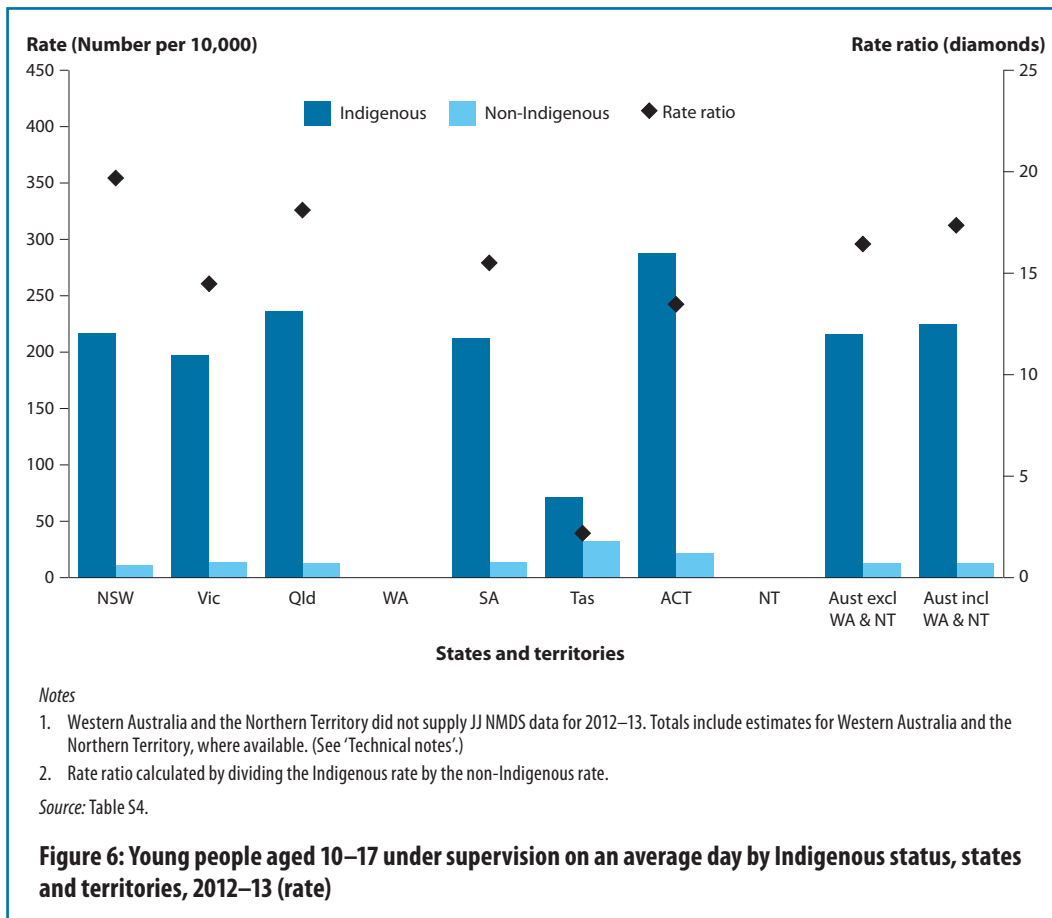
(a) Western Australia and the Northern Territory did not supply JJ NMD) data for 2012–13. Totals include estimates for Western Australia and the Northern Territory, where available. See 'Technical notes'.

Notes:

1. Rates are not published where there were fewer than 5 young people.
2. As some denominators may be less than 10,000, rates should be interpreted with caution.

Source: Tables S4, S39 and S75.

The over-representation of Indigenous young people aged 10–17 in youth justice supervision was evident in all states and territories (Figure 6). Among the states and territories for which data were available, Tasmania had the lowest rate of Indigenous young people aged 10–17 under supervision on an average day (71.2 per 10,000), and the lowest level of Indigenous over-representation (as measured by the rate ratio)—just over twice the non-Indigenous rate. Levels of Indigenous over-representation were highest in Queensland and New South Wales (18 and 20 times the non-Indigenous rate, respectively).



In line with the general distribution of the Indigenous population in Australia, Indigenous young people under supervision on an average day were more likely than non-Indigenous young people to have lived in *Remote* or *Very remote* areas before entering supervision (10% compared with less than 1%) (Table S21). They were also more likely to have lived in the areas of lowest socioeconomic status before entering supervision (44% compared with 35%) (Table S23).

Of those young people who completed at least one period of supervision during 2012–13, Indigenous young people were more likely than non-Indigenous young people to complete multiple periods of supervision (22% compared with 14%). On average, Indigenous young people spent 15 days (or about 2 weeks) longer, in total, under supervision during the year (195 days, on average, compared with 180) compared with their non-Indigenous counterparts (tables S28 and S30).

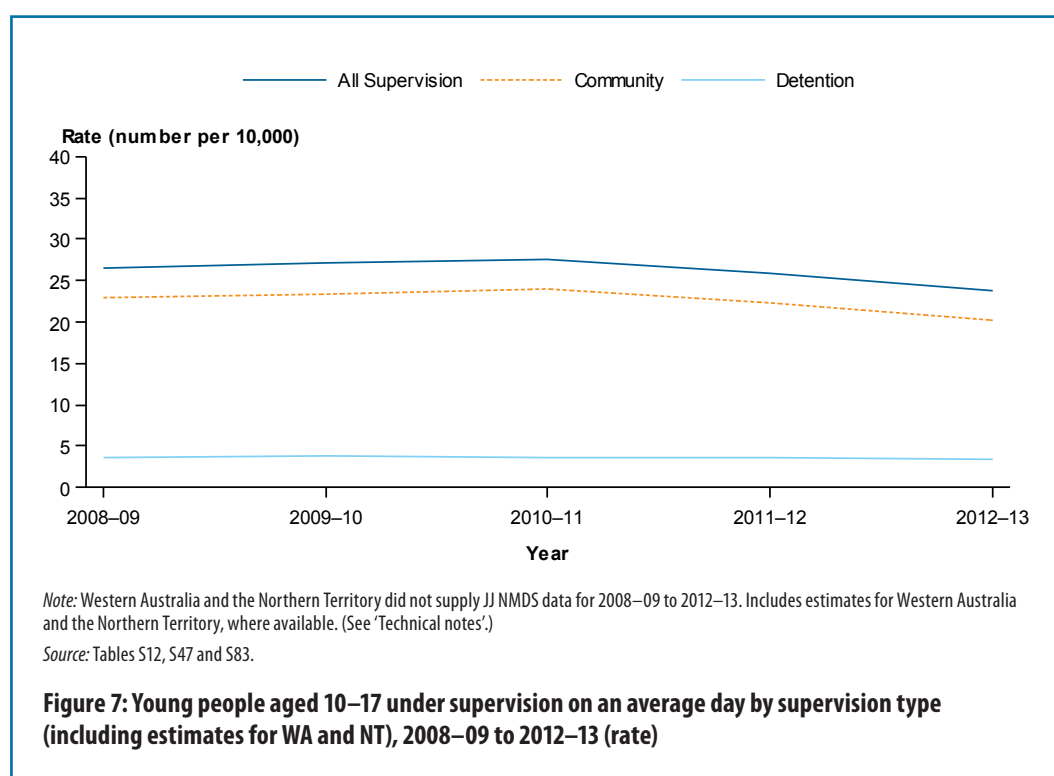
Indigenous young people spent about 2 weeks longer in unsentenced detention during the year than non-Indigenous young people (47 days compared with 34 days, on average) but 2–3 weeks less in sentenced detention (98 days compared with 115 days) (tables S114 and S122). Additionally, they spent nearly a week (6 days) longer than non-Indigenous young people under community-based supervision (182 days compared with 176) (Table S65).

Recent trends

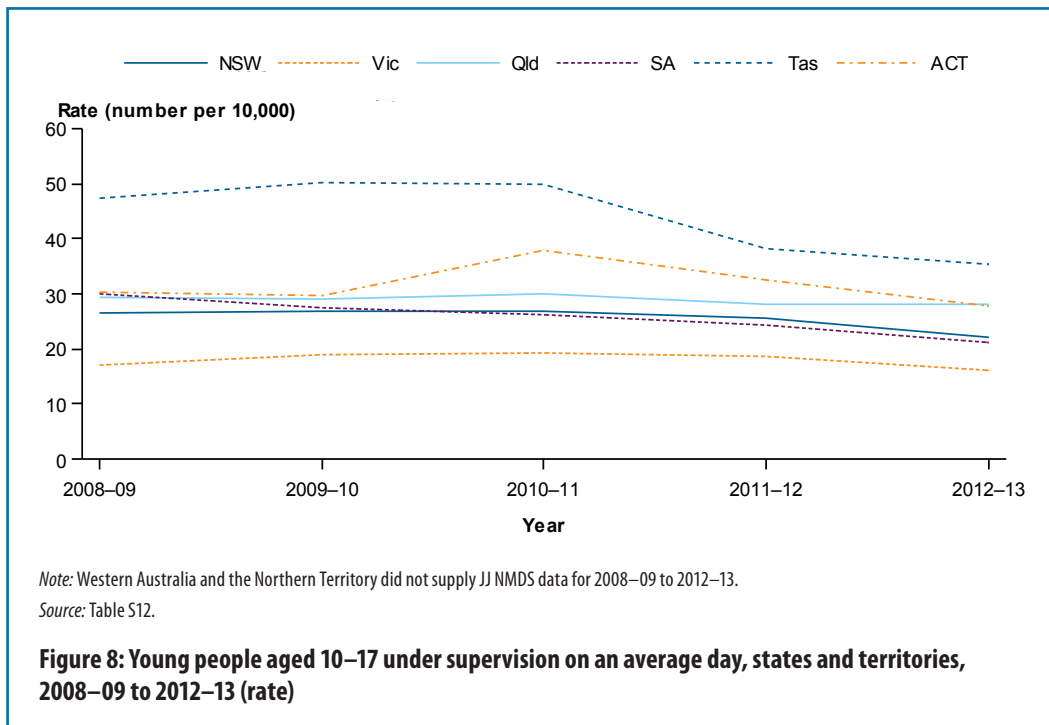
Nationally, between 2008–09 and 2012–13 there has been an overall decline in the number of young people (of all ages), and in the rates of those aged 10–17, under youth justice supervision (Figure 7). During this time, both the number and rate of young people under supervision peaked in 2010–11 (at 7,332 or 27.6 per 10,000 young people aged 10–17) (tables S11 and S12). Since 2010–11, the number of young people under supervision on an average day has fallen by 14% (or 1,003 young people) and the rate has decreased from 27.6 to 23.8 per 10,000 young people aged 10–17 (including estimates for WA and the NT) (tables S11 and S12).

This change appears to have largely been associated with a fall in the number and rate of young people aged 10–17 under community-based supervision, where the trend follows a similar pattern to the all supervision figures. Since 2010–11, the number of young people (all ages) under community-based supervision on an average day has fallen by 15% (931 young people) and the rate has declined from 24.0 to 20.3 per 10,000 young people aged 10–17 (including estimates for WA and NT) (tables S46 and S47).

The number and rate in detention has remained relatively stable overall, at around 1,000 young people (all ages), or 3.5 per 10,000 young people aged 10–17 (including estimates for WA and NT) (tables S82 and S83).



The rate of young people aged 10–17 under supervision on an average day fell in most states and territories where data were available (Figure 8 and Table 5). Between 2008–09 and 2012–13, these rates declined most markedly in Tasmania (from 47.3 to 35.3 per 10,000), South Australia (from 29.9 to 21.2), and New South Wales (from 26.7 to 22.2). A slight decline was seen in the Australian Capital Territory (from 30.3 to 27.7), while the rate of young people under supervision in Victoria and Queensland remained steady over this period.



The rate of Indigenous young people aged 10-17 under supervision on an average day declined overall from 2008-09 to 2012-13 (233.2 to 225.0 per 10,000). During this time, the rate peaked in 2010-11 at 244.9 per 10,000. Between 2008-09 and 2012-13, there was an overall fall in the rate of non-Indigenous young people aged 10-17 under supervision, from 15.6 to 13.0 per 10,000 (including estimates for WA and NT) (Table S12).

Overall, the number of Indigenous and non-Indigenous young people (all ages) who were under supervision fell from 2008-09 to 2012-13, however this fall was greater for non-Indigenous young people (15% compared with 5%) (including estimates for WA and NT) (Table S11).

As a result, the over-representation of Indigenous young people aged 10-17 under supervision increased from 2008-09 to 2012-13. As previously noted, Indigenous young people were 17 times as likely as non-Indigenous young people to be under supervision on an average day in 2012-13, up from 15 times 5 years earlier (Table S12). Similar overall increases in the Indigenous rate ratio on an average day occurred in community-based supervision (14 to 16 times), and in detention (25 to 28 times) (tables S47 and S83).

Over the 5-year period between 2008-09 and 2012-13, the level of Indigenous over-representation in supervision on an average day (as measured by the rate ratio) increased overall in most states and territories for which data were available, except in South Australia Tasmania, and the Australian Capital Territory (Table S12).

There was an overall fall in the rate of males under supervision on an average day, between 2008-09 and 2012-13 (from 43.5 to 37.9 per 10,000), while the rate of females remained stable (at about 9 per 10,000) (Table S15). This meant that in 2008-09 males were 5 times as likely as females to be under supervision on an average day, and in 2012-13 this fell slightly to 4 times as likely (including estimates for WA and NT).

The total amount of time, on average, spent by young people under youth justice supervision during the year was stable over the 5 years from 2008–09 and 2012–13 (179–186 days in each year). This was the case in both community-based supervision (176–182 days) and detention (62–65 days) (tables S30, S65 and S102).

Table 5: Young people aged 10–17 under supervision on an average day by supervision type, summary of trends in rates, 2008–09 to 2012–13

	Supervision type		
	Community	Detention	All supervision
New South Wales	↓	↓	↓
Victoria	↔	↔	↔
Queensland	↓	↔	↔
Western Australia	n.a.	n.a.	n.a.
South Australia	↓	↔	↓
Tasmania	↓	↓	↓
Australian Capital Territory	↓	↔	↓
Northern Territory	n.a.	n.a.	n.a.
Australia (including estimates for WA and NT)	↓	↔	↓

Notes

1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2008–09 to 2012–13. Totals include estimates for Western Australia and the Northern Territory, where available. (See 'Technical notes'.)
2. Arrows indicate an overall trend from 2008–09 to 2012–13. Trends may have fluctuated between these years, particularly among smaller jurisdictions.
3. Trend data may differ from those previously published due to data revisions.

Source: Tables S12, S47 and S83.

Over the 5 years from 2008–09 and 2012–13, there was an overall fall in the rate of young people aged 10–17 under community-based supervision during the year. This decline was consistent across all states and territories for which data were available (Table 6).

The rates of young people aged 10–17 under community-based supervision during the year decreased in New South Wales (from 45.6 to 37.9 per 10,000), South Australia (from 54.4 to 39.9), Tasmania (from 71.3 to 56.2) and the Australian Capital Territory (from 57.1 to 47.9). Smaller falls were seen in Victoria (from 31.7 to 29.7 per 10,000) and in Queensland (from 50.5 to 48.5) (Table 6).

Nationally, there was an overall fall in the rate of Indigenous and non-Indigenous young males aged 10–17 under community-based supervision, while the rate for Indigenous and non-Indigenous young females overall remained steady (Table 6).

Over the 5-year period, there was an overall fall in the rate of Indigenous young males under community-based supervision in most states and territories for which data were available, except in Queensland and the Australian Capital Territory. Over the same time period, the rate for Indigenous females fell in New South Wales and South Australia. The rate for non-Indigenous females varied between jurisdictions over the 5-year period, with a fall in South Australia, a rise in Tasmania and Victoria, and a stable rate in the remaining states and territories (Table 6).

Table 6: Young people aged 10–17 under community-based supervision during the year by sex and Indigenous status, overall trends in rates, 2008–09 to 2012–13

	Young males		Young females		
	Indigenous	Non-Indigenous	Indigenous	Non-Indigenous	All
New South Wales	↓	↓	↓	↔	↓
Victoria	↓	↓	↑	↑	↓
Queensland	↑	↓	↑	↔	↓
Western Australia	n.a.	n.a.	n.a.	n.a.	n.a.
South Australia	↓	↓	↓	↓	↓
Tasmania	↓	↓	↓	↑	↓
Australian Capital Territory	↑	↓	↑	↔	↓
Northern Territory	n.a.	n.a.	n.a.	n.a.	n.a.
Australia (excluding estimates for WA and NT)	↓	↓	↔	↔	↓

Notes

1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2008–09 to 2012–13. (See 'Technical notes'.)
2. Arrows indicate an overall trend from 2008–09 to 2012–13. Trends may have fluctuated between these years, particularly among smaller jurisdictions.
3. Trend data may differ from those previously published due to data revisions.
4. Changes in the Indigenous rates for the Australian Capital Territory and Tasmania should be interpreted with caution due to small numbers.

Source: Table S53.

Overall, the rate of young people aged 10–17 in detention during the year dropped between 2008–09 and 2012–13 (from 21.3 to 18.7 per 10,000). This fall was consistent across most states and territories with available data, except in Queensland and Victoria (Table 7). Declines in rates were seen in New South Wales (from 32.3 to 25.0 per 10,000), South Australia (from 31.8 to 27.6), Tasmania (from 25.1 to 12.6) and the Australian Capital Territory (from 44.4 to 25.4). There was an overall increase in the rate for Queensland (from 14.2 to 18.6 per 10,000) and the rate remained steady in Victoria (at 8 per 10,000).

Nationally, there was an overall decline in the rate of Indigenous and non-Indigenous young males in detention between 2008–09 and 2012–13. In contrast, the rate of Indigenous young females in detention rose overall in that time, while the rate of non-Indigenous females remained steady.

In nearly all states and territories, the rate of Indigenous and non-Indigenous males in detention fell overall, except in Victoria where the non-Indigenous rate remained steady. The rate of Indigenous females in detention rose overall in all states and territories for which data were available, except in New South Wales (however due to small numbers in some states and territories, these trends should be interpreted with caution). The rate for young non-Indigenous females remained steady across most states and territories.

Table 7: Young people aged 10–17 under detention during the year by sex and Indigenous status, overall trends in rates, 2008–09 to 2012–13

	Young males		Young females		All
	Indigenous	Non-Indigenous	Indigenous	Non-Indigenous	
New South Wales	↓	↓	↓	↔	↓
Victoria	↓	↔	↑	↔	↔
Queensland	↑	↑	↑	↔	↑
Western Australia	n.a.	n.a.	n.a.	n.a.	n.a.
South Australia	↓	↓	↑	↓	↓
Tasmania	↓	↓	n.p.	n.p.	↓
Australian Capital Territory	↓	↓	n.p.	↓	↓
Northern Territory	n.a.	n.a.	n.a.	n.a.	n.a.
Australia (excluding estimates for WA and NT)	↓	↓	↑	↔	↓

Notes

1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2008–09 to 2012–13. See 'Technical notes'.
2. Arrows indicate an overall trend from 2008–09 to 2012–13. Trends may have fluctuated between these years, particularly among smaller jurisdictions.
3. Trend data may differ from those previously published due to data revisions.
4. Changes in the Indigenous rates for the Australian Capital Territory and Tasmania should be interpreted with caution due to small numbers.

Source: Table S89.

Technical notes

Information about young people under youth justice supervision in this bulletin is based on data from the JJ NMDS. This data collection contains information about all young people who were supervised by state and territory youth justice agencies in Australia, both in the community and detention. More information about the JJ NMDS, including details of the data and methods used in reporting, is available from the AIHW website at <http://www.aihw.gov.au/youth-justice/data-quality/>. A data quality statement for the JJ NMDS 2012–13 is also available at <http://meteor.aihw.gov.au/content/index.phtml/itemId/558327>.

Age

Across Australia, young people may be charged with a criminal offence once they are aged 10 or older. The upper age limit for treatment as a young person is 17 (at the time an offence was allegedly committed) in all states and territories except Queensland, where the age limit is 16. Young people who are aged 18 and older (17 or older in Queensland) at the time an offence was allegedly committed are dealt with under criminal legislation relating to adults.

However, it is possible for young people aged 18 and older to be under youth justice supervision. Reasons for this include the offence being committed when the young person was aged 17 or younger; the continuation of supervision once they turn 18; or their vulnerability or immaturity. In addition, in Victoria, some young people aged 18–20 may be sentenced to detention in a youth facility (known as the 'dual track' system).

As the majority of young people under supervision in each state and territory are aged 10–17, this age range is used to enable meaningful state/territory comparisons. The age range of 10 and over is used to represent all young people under supervision.

Average and median

Two measures are used to describe the typical or central value for the data reported in this bulletin. For example, when reporting the total time spent under supervision, the mean duration of all periods is used. However, when reporting the length of completed periods, the median is used due to the skewed distribution of the data. Both these measures refer to time under supervision in 2012–13 only.

National totals

Western Australia and the Northern Territory did not provide JJ NMDS data for 2008–09 to 2012–13. Estimated national totals were calculated, where possible, using non-standard data. Data from the JJ NMDS may include two national totals:

- **‘Australia excluding Western Australia and the Northern Territory’**—all states and territories with JJ NMDS data.
- **‘Australia including estimates for Western Australia and the Northern Territory’**—an approximate national total derived, where possible, from the available JJ NMDS data, plus aggregate non-standard data (i.e. not in NMDS format) for 2011–12 supplied by Western Australia and 2007–08 JJ NMDS data for the Northern Territory.

Where national estimates could not be calculated, totals excluding Western Australia and the Northern Territory are reported. This includes analyses by single year of age, age of first supervision, remoteness, socioeconomic status, and supervision orders. Non-standard data for Western Australia and the Northern Territory are not published in tables as the data format is not comparable with JJ NMDS data, and relative data quality comparisons are not possible.

In addition, not all states and territories were able to provide JJ NMDS data in the current format for all years of the JJ NMDS (2000–01 to 2012–13).

Number of young people under supervision

Two measures of the number of young people under supervision are available from the JJ NMDS:

- **‘Average day’**—calculated by summing the number of days each young person spends under supervision during the year and dividing this total by the total number of days in the financial year.
- **‘During the year’**—calculated by counting each distinct young person under supervision during the year only once, even if they entered and exited supervision multiple times.

The ‘average day’ measure reflects the number of young people under supervision on a typical day during the year, and gives an indication of the average number of young people supported by the supervision system at any one time. It is a summary measure that reflects both the number of young people supervised and the amount of time they spent under supervision. This measure is the main focus of this bulletin. In contrast, the ‘during the year’ measure is a count of the number of unique individuals who were supervised at any time during 2012–13.

Differences between the 'average day' and 'during the year' measures generally reflect differences in the amount of time spent under supervision. For example, only 15% of young people were in detention on an average day in 2012–13, but 42% experienced detention at some time during the year. This difference reflects the fact that young people spent substantially less time in detention, overall, than under community-based supervision.

Rates

Population rates allow for the comparison of different groups while taking into account differences in population sizes. Because there are differences between the states and territories in the extent to which young people aged 18 and older can be supervised by youth justice agencies, rates compared in this report are restricted to young people aged 10–17. The calculation of rates for particular variables excludes young people for whom data are not available, and are not calculated where there are fewer than 5 people, due to a lack of statistical reliability.

For this bulletin, rates are expressed as the number per 10,000 young people in the population. Note that in AIHW youth justice reports published prior to 2013, rates of young people under supervision were expressed as the number per 1,000 young people. Rates expressed as a number per 1,000 can be converted to a number per 10,000 by multiplying the rate by 10.

Rate ratios

Rate ratios are used to compare Indigenous and non-Indigenous rates and to provide a measure of the level of Indigenous over-representation. They should be interpreted with caution where there are small denominators, rare events, or rates that converge while declining (or diverge while increasing).

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More information and related publications

This bulletin and associated supplementary data tables (those with a prefix of S) are part of the *Youth justice in Australia 2012–13* release which also includes a series of fact sheets and web pages released in multiple stages throughout the year. All components can be downloaded free of charge from <<http://www.aihw.gov.au/youth-justice-publications/>>. Previous and future editions are also available for download. Table 8 provides a guide to the range and location of information available in the supplementary data tables.


Table 8: Index of supplementary tables^(a)

Characteristic	Population		
	All young people under supervision	Community-based supervision	Detention
Age, sex, Indigenous status	S1a–S7b	S36a–S42b	S72a–S78b
Trends	S8a–S18	S43a–S55	S79a–S91
First supervision	S19–S20b	S56–S57	S92–S95
Remoteness	S21a–S22d	S58a–S59d	S96a–S97d
Socioeconomic status of usual residence	S23a–S24d	S60a–S61d	S98a–S99d
Number of orders/supervision periods	S25–S28	S62a–S63	—
Time under supervision/supervision history	S29–S35c	S64a–S71	S100–S102
Receptions/releases	—	—	S103a–S106b
Legal status	—	—	S107a–S109
Detention type	—	—	S110a–S123

(a) See tables S124 to S135 for detailed state and territory data and tables S136 to S143 for population numbers used to calculate rates.

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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>

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