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**Australian Institute of
Health and Welfare**

Young people in child protection services and under youth justice supervision 2013–14

DATA LINKAGE SERIES NO. 21



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Australian Institute of
Health and Welfare

*Authoritative information and statistics
to promote better health and wellbeing*

DATA LINKAGE SERIES

Number 21

Young people in child protection and under youth justice supervision 2013–14

Australian Institute of Health and Welfare
Canberra

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Abbreviations

AIHW	Australian Institute of Health and Welfare
CP	Child Protection
JJ	Juvenile Justice
NMDS	National Minimum Data Set

Notes

Percentages are rounded in text and calculated from unrounded numbers.

Rate ratios are rounded in text and calculated from rounded percentages (as presented in the text).

Figures contain unrounded percentages.

Summary

Research shows that children and young people who have been abused or neglected are at greater risk of engaging in criminal activity and entering the youth justice system. A better understanding of the characteristics and pathways of children and young people who are both in the child protection system and under youth justice supervision will assist support staff, case workers and policy makers to achieve optimal outcomes for these children and young people. With the recent introduction of a national unit record child protection data collection, it is now possible to link child protection and youth justice supervision data to explore the relationships between child protection and youth justice supervision.

This report presents information on young people aged 10–17 who were involved in the child protection system and who were subject to a youth justice supervision order in 2013–14 using data from the linked child protection and youth justice supervision data collection. Results are limited to the 4 states and territories with both child protection and youth justice supervision data for 2013–14 (Victoria, South Australia, Tasmania and the Australian Capital Territory).

The results from the linked data collection will be enhanced in future years as data become available for more states and territories and as years of data accumulate. In addition, linking to other health and welfare data collections would also provide additional information on multiple service use among vulnerable children and young people.

In 2013–14, young people who were the subject of a care and protection order were 23 times as likely to be under youth justice supervision in the same year as the general population

In 2013–14, 7% of those who were the subject of a care and protection order were also under youth justice supervision in the same year (although not necessarily at the same time), compared with just 0.3% of the general population aged 10–17. Youth justice supervision was most likely for Indigenous young people: Indigenous males were 1.4 times as likely to be under supervision as non-Indigenous males, and Indigenous females were twice as likely.

The level of dual involvement was the same for those in out-of-home care (7%), and lower for those who were the subject of an investigated notification (4%), although this was still greater than the rate for the general population.

One-quarter of young people in detention in 2013–14 were also in the child protection system in the same year

Just over one-quarter (26%) of those in detention were also involved in the child protection system, which is 13 times the rate for the general population. The level of child protection involvement for those under community-based supervision in 2013–14 was also high: more than one-fifth (22%) were also in the child protection system.

The younger someone was at their first youth justice supervision, the more likely they were to also be in child protection in 2013–14

Of those under youth justice supervision in 2013–14, one-third (33%) of those aged 10 at their first youth justice supervision were also in child protection in 2013–14, compared with 10% of those aged 17.

1 Introduction

Every year, almost 100,000 children and young people aged 0–17 have a notification of abuse or neglect investigated by a department responsible for child protection (AIHW 2015a) and almost 13,000 young people aged 10–17 are supervised by a department responsible for youth justice in the community or in youth detention centres (AIHW 2015c). Research shows that children and young people who have been abused or neglected are at risk of engaging in criminal activity and entering the youth justice system (see AIHW 2015b). This highlights the importance of better understanding the characteristics and pathways of children and young people who are both in the child protection system and under youth justice supervision. This information can assist support staff, case workers and policy makers to achieve optimal outcomes for children and young people.

Previous work by the Australian Institute of Health and Welfare (AIHW) found that linking child protection and youth justice supervision data was both feasible and beneficial (AIHW 2012). This earlier work used data from the youth justice supervision data collection along with selected Victorian and Tasmanian child protection data relating to notifications. With the introduction of a national unit record data collection on children and young people in the child protection system, it is now possible to link this collection with the existing data collection on youth justice supervision. This linkage in turn enables reporting on the relationship between child protection and youth justice supervision on an annual basis (AIHW 2015b).

This report presents information on a total of 16,972 young people who were involved in the child protection system or under youth justice supervision at some time during 2013–14 in Victoria, South Australia, Tasmania and the ACT, of whom 5% were in both child protection and under youth justice supervision in that year. This is a subset of the total number of children and young people in these states and territory who were involved in both the child protection system and under youth justice supervision at some point during childhood and adolescence, as some children were in child protection in the years before or after youth justice supervision, but not during the same year. As more data become available in future years, it will be possible to more fully analyse the relationships and pathways between child protection and youth justice supervision over a number of years. Detailed information on the method used for this report can be found in *Developing a linked data collection to report on the relationships between child protection and youth justice supervision* (AIHW 2015b).

1.1 What is child protection?

In Australia, state and territory departments responsible for child protection provide assistance to vulnerable children and young people who have been, or are at risk of being, abused, neglected or otherwise harmed, or whose parents are unable to provide adequate care or protection (AIHW 2015a).

There are 3 main components of the child protection system:

- the assessment and investigation of **notifications** of possible abuse, neglect or other harm: these notifications are screened by child protection departments and if required, the report is investigated. If the investigation finds that the child is being or is likely to be abused, neglected or otherwise harmed, the notification is recorded as substantiated.

- **care and protection orders** are legal orders or arrangements that give child protection departments some responsibility for a child's welfare.
- when either parents are unable to provide adequate care, children require a more protective environment, or alternative accommodation is needed during family conflict, children may be placed in **out-of-home care**, which is overnight care where the department has made or offered a financial payment to the carer. Consistent with the principle of keeping children with their families, out-of-home care is considered an intervention of last resort.

It is possible for children and young people to be involved in each of these 3 components at the same time. For more information on child protection policies and practices in the states and territories, see AIHW 2015a.

1.2 What is youth justice supervision?

In Australia, the states and territories are responsible for dealing with young people who have committed, or who are alleged to have committed, criminal offences. The youth justice system applies to children and young people aged 10–17 at the time of the offence in all states and territories except Queensland, where it applies to those aged 10–16. Children aged under 10 cannot be charged with a criminal offence in any state or territory. Young people enter the system when they are investigated by police for allegedly committing an offence and (depending on the outcome of the investigation) charges may be laid. If the young person is proven guilty, they will then be sentenced by a court.

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

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

Young people may be under multiple types of youth justice supervision in the same year, and may be under multiple types at the same time where these supervision orders relate to different court matters.

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

For more information on youth justice supervision in Australia, see *Youth justice in Australia 2013–14* (AIHW 2015c).

1.3 Data

Child protection data

Child protection data in this report are from the **Child Protection National Minimum Data Set (CP NMDS)**. This longitudinal person-based data set contains information on the demographics of children and young people who receive child protection services, the details of the notifications received by child protection departments, and the care and protection orders and out-of-home care placements relating to these children and young people in a financial year. It contains data for all states and territories except New South Wales and Queensland. For information on data quality, see the CP NMDS 2013–14 data quality statement, which is available from

<http://meteor.aihw.gov.au/content/index.phtml/itemId/607938>.

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

Because the legislation and policies that provide the framework for assessing child protection notifications vary broadly between states and territories, the number of notifications and the proportion of these notifications that are investigated are not comparable between states and territories.

Youth justice supervision data

Youth justice supervision data in this report are from the **Juvenile Justice National Minimum Data Set (JJ NMDS)**. This longitudinal person-based data set contains information on the demographics of young people who are supervised by youth justice departments in the financial year and the details of their unsentenced and sentenced supervision, both in the community and in youth justice detention centres. It contains data for all states and territories except Western Australia and the Northern Territory. For information on data quality, see the JJ NMDS data quality statement, which is available from

<http://www.aihw.gov.au/youth-justice/data-quality/>.

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

Data only available for limited states and territories

The data in this report relate only to selected states and territories. Because the child protection data collection at the time of linkage did not contain data for New South Wales and Queensland, and the youth justice supervision data collection did not contain data for Western Australia and Northern Territory, the data in this report relate only to Victoria, South Australia, Tasmania and the Australian Capital Territory. For comparative purposes, the rates of child protection and youth justice supervision for the general population mentioned in this report are restricted to these 4 states.

Together, these 4 states and territories account for 27% of those aged 10–17 receiving child protection services and 30% of those under youth justice supervision in Australia in 2013–14

(AIHW 2015a, AIHW 2015c). It is anticipated that data for additional states and territories will be available in future years; see Chapter 4 for more details.

Age is restricted to young people aged 10–17

Data in this report relate only to young people aged 10–17. This report explores the involvement of young people in both the child protection and youth justice supervision systems in the same financial year. Because children under the age of 10 cannot be under youth justice supervision, it is not possible for children in this age group who are in the child protection system to also be under youth justice supervision. For this reason, children who are aged under 10 and in the child protection system are excluded from this report. As years of data accumulate, it will be possible to explore the involvement of children and young people in both sectors over a number of year; see Chapter 4 for more information.

1.4 Linkage method

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

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

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

Once all the possible linkage keys were identified, the utility of each key was measured using the available child protection and youth justice supervision data. These measures were used to order the keys and the keys were then tested to determine the point at which additional linkage keys added no value to the linkage. A total of 381 keys were used to link the 2013–14 data collections.

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

Once the linked data set was constructed, analysis data sets were created for detention, community-based supervision, investigated notifications, care and protection orders, and out-of-home care.

- The **detention data set** was created by extracting data from the detention file in the source youth justice supervision data set. Because it is not possible to be in detention in more than one state or territory at the same time, conflicting records (where a detention record for a person starts or ends in one state or territory while another detention record for the same person is active in another state or territory) were identified and removed. Less than 0.1% of individuals had conflicting detention records and no individuals were removed as a result of this data cleaning, which indicates that the quality of the linkage was high.
- The **community-based supervision data set** was created by extracting information from the orders file in the source youth justice supervision data set. Episodes of community-based supervision were created by removing any portions of community-based orders that were covered by a period of detention (as a young person cannot be in detention and under community-based supervision at the same time).
- The **investigated notifications data set** was created by extracting information from the notifications file in the source child protection data set. All notifications that were investigated in 2013–14 (including those where the investigation was in progress at the end of the financial year) were included.
- The **care and protection orders data set** was created by extracting information from the care and protection orders file in the source child protection data set.
- The **out-of-home care data set** was created by extracting information from the living arrangements file in the source child protection data set. Because it is not possible to be in detention and in out-of-home care at the same time, conflicting records (where a person has an out-of-home record that starts or ends while a detention record is active) were identified and removed. (Detention records that ended the same day that an out-of-home care record started, and out-of-home care records that started the same day that a detention record ended, were not considered to conflict.) This resulted in 93 individuals being removed (0.3% of people with an out-of-home care record). While this may indicate issues with the quality of the data linkage, there is a relatively high proportion of conflicting out-of-home care records in the source living arrangement file (20% of records conflict and 6% of people have conflicting records), which suggests that existing living arrangements records are not always closed when the child or young person's living arrangements changes.

For more detail on the linkage method, see *Developing a linked data collection to report on the relationships between child protection and youth justice supervision* (AIHW 2015b).

1.5 Report structure

There are 4 chapters in this report:

- This first chapter introduces the report, provides an overview of child protection and youth justice supervision and describes the data and the method used to create the linked data set.
- The second chapter explores the demographic characteristics of young people involved in both child protection and youth justice supervision from the perspective of the child

protection system, by reporting on the proportion of young people in the child protection system that is also under youth justice supervision.

- The third chapter explores demographic characteristics of young people involved in both child protection and youth justice supervision from the perspective of youth justice supervision, by reporting on the proportion of young people under youth justice supervision that is also in the child protection system.
- The fourth chapter summarises the limitations of the current report and outlines ways in which future reporting can be expanded and enhanced.

Supplementary tables referred to in this report (tables with a prefix of S) are available to download from <<http://www.aihw.gov.au/publications>>.

2 Young people in the child protection system

This chapter explores the demographic characteristics of young people involved in both child protection and youth justice supervision from the perspective of those within the child protection system. As noted in Chapter 1, the data in this chapter relate only to Victoria, South Australia, Tasmania and the Australian Capital Territory.

As data accumulate over time, it will be possible to construct a longitudinal data set that can be used to explore the relationships between different types of events (see Chapter 4 for more details).

Key findings

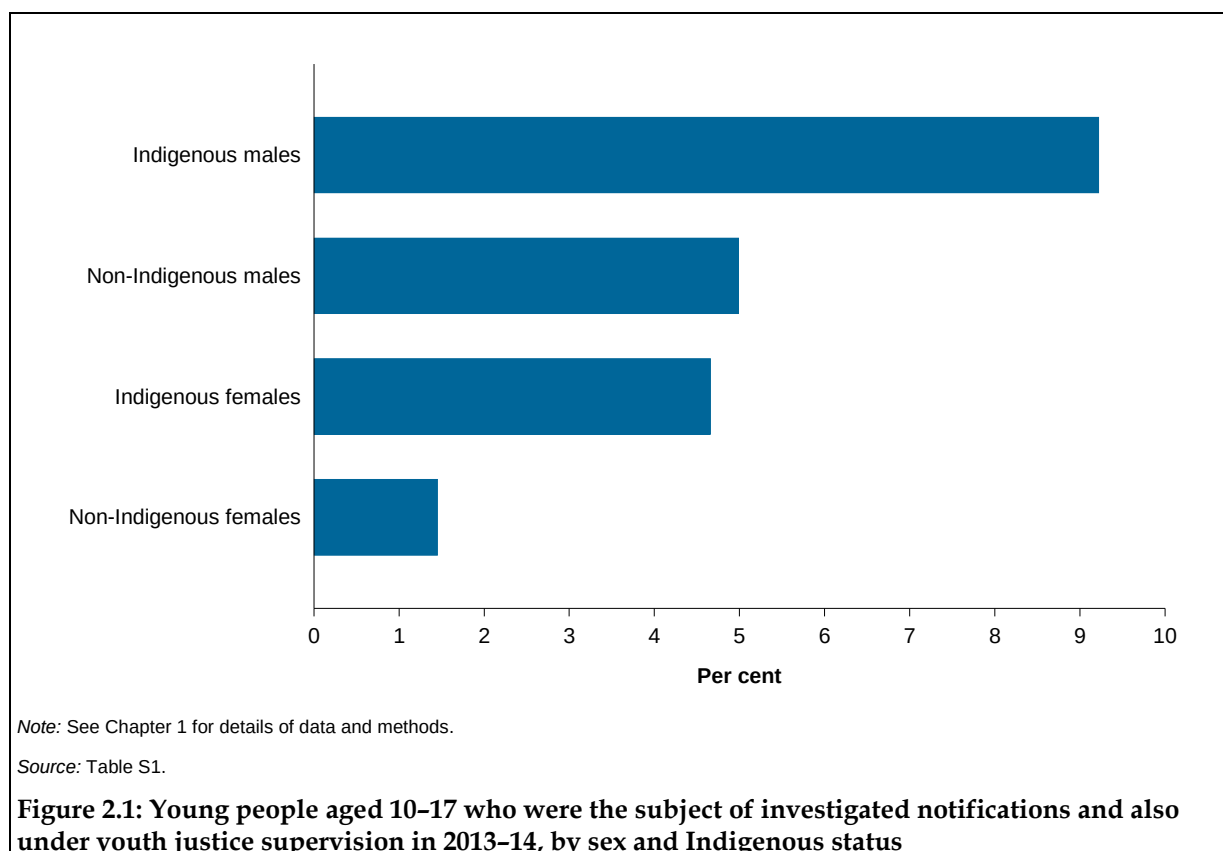
Young people aged 10–17 who were receiving child protection services in 2013–14 were between 13 and 23 times as likely to be under youth justice supervision at some time in 2013–14 as the general population.

Compared with 0.3% of the general population aged 10–17 under youth justice supervision:

- 4% of those who were the subject of an investigated notification were also under youth justice supervision
- 7% of those who were the subject of a care and protection order were also under youth justice supervision
- 7% of those in out-of-home care were also under youth justice supervision.

2.1 Investigated notifications

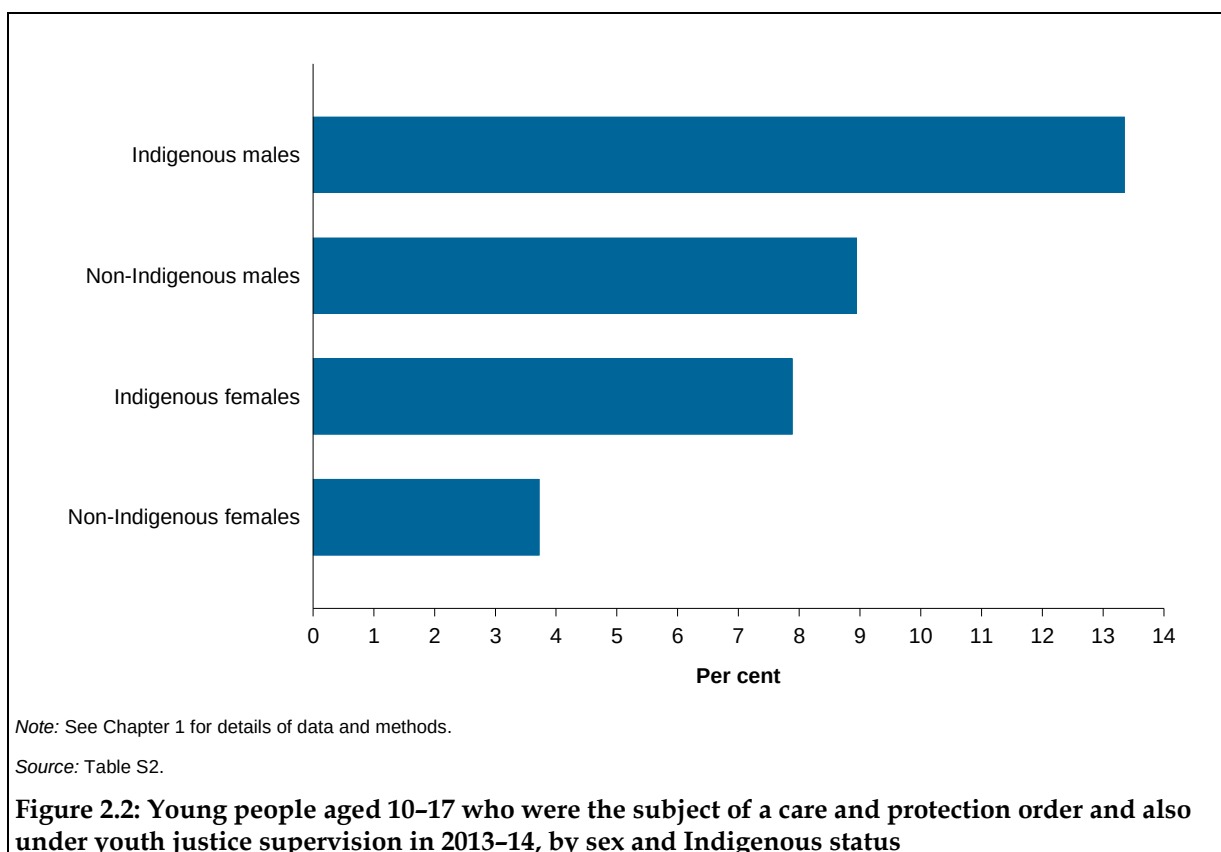
Of the 9,603 young people aged 10–17 who were the subject of an investigated notification in 2013–14, 4% were also under youth justice supervision in the same year (Table S1), which is 13 times the rate of youth justice supervision for the general population. Youth justice supervision was most likely for Indigenous young people: 9% of Indigenous males and 5% of Indigenous females who were the subject of an investigated notification were also under youth justice supervision during the year, compared with 5% of non-Indigenous males and 1% of non-Indigenous females (Figure 2.1).



Additional analysis showed there was little difference between those who had at least one notification substantiated through the year and those whose investigated notifications were not substantiated: 4% of those with a substantiated notification were also under youth justice supervision in the same year, compared with 3% of those whose investigated notifications were not substantiated.

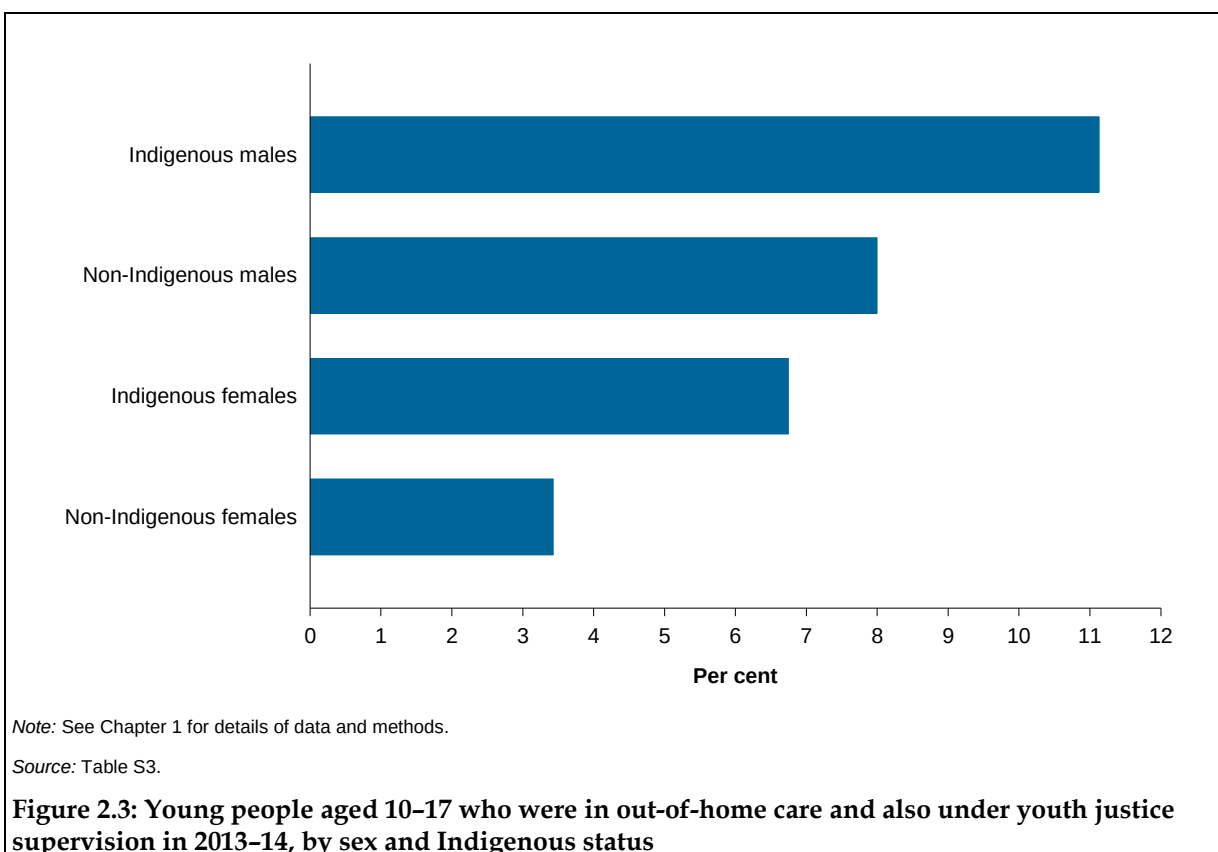
2.2 Care and protection orders

Youth justice supervision in the same year was almost twice as likely for those who were the subject of a care and protection order as it was for those who were the subject of an investigated notification. Of the 8,180 young people aged 10–17 who were the subject of a care and protection order, 7% were also under youth justice supervision in 2013–14 (Table S2). Again, youth justice supervision was most likely for Indigenous males: 13% of those who were the subject of a care and protection order were also under youth justice supervision, compared with 9% of non-Indigenous males, 8% of Indigenous females and 4% of non-Indigenous females (Figure 2.2).



2.3 Out-of-home care

As with those who were the subject of a care and protection order, 7% of the 6,906 young people aged 10–17 who were in out-of-home care during 2013–14 were also under youth justice supervision (Table S3). Indigenous males were again most likely to also be under youth justice supervision, with 11% of those in out-of-home care also under youth justice supervision, compared with 8% of non-Indigenous males, 7% of Indigenous females and 3% of non-Indigenous females (Figure 2.3).



3 Young people under youth justice supervision

This chapter explores the demographic characteristics of young people involved in both child protection and youth justice supervision from the perspective of those under youth justice supervision. As noted in Chapter 1, the data in this chapter relate only to Victoria, South Australia, Tasmania and the Australian Capital Territory. As data accumulate over time, it will be possible to construct a longitudinal data set that can be used to explore the relationships between different types of events (see Chapter 4 for more details).

Key findings

Young people aged 10–17 who were under youth justice supervision in 2013–14 were between 11 and 13 times as likely to be receiving child protection services at some time in 2013–14 as the general population.

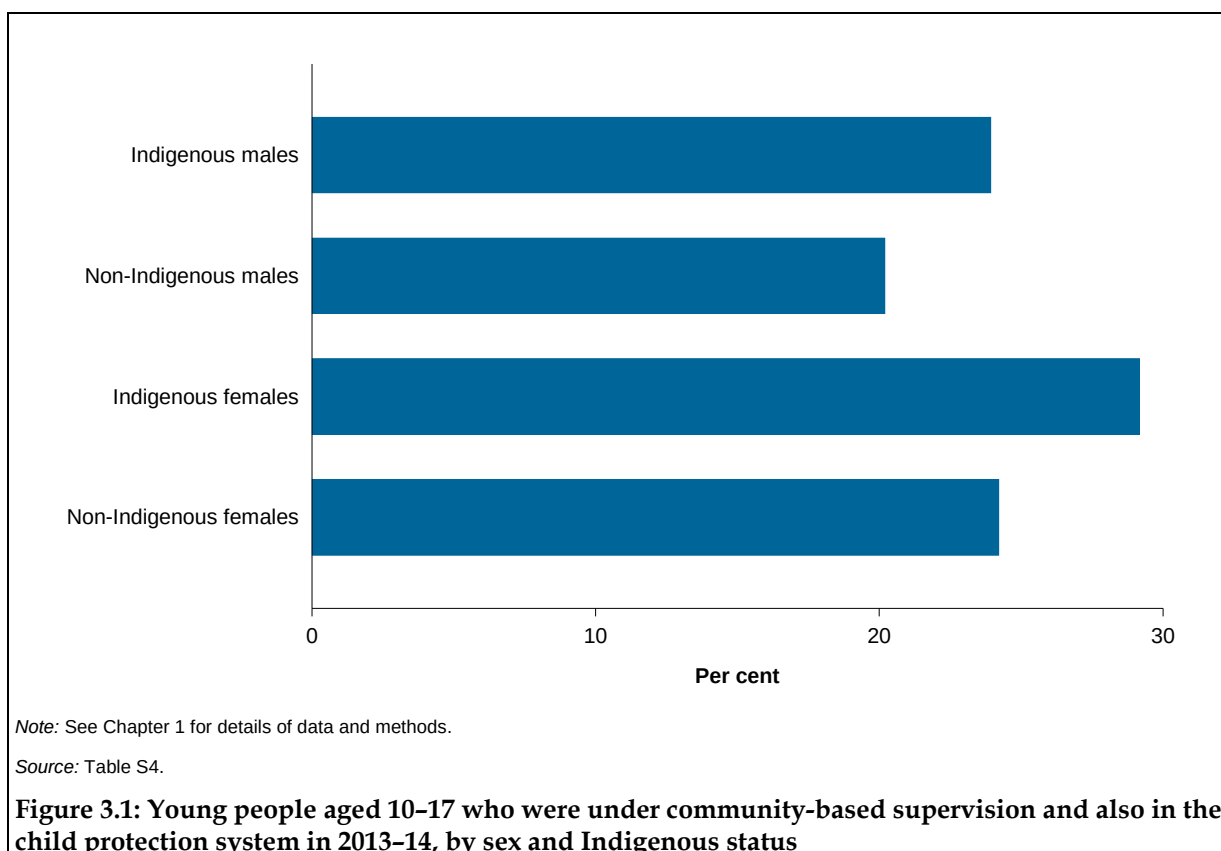
Compared with 2% of the general population aged 10–17 in the child protection system:

- 22% of those under community-based supervision were also in the child protection system
- 26% of those in detention were also in the child protection system.

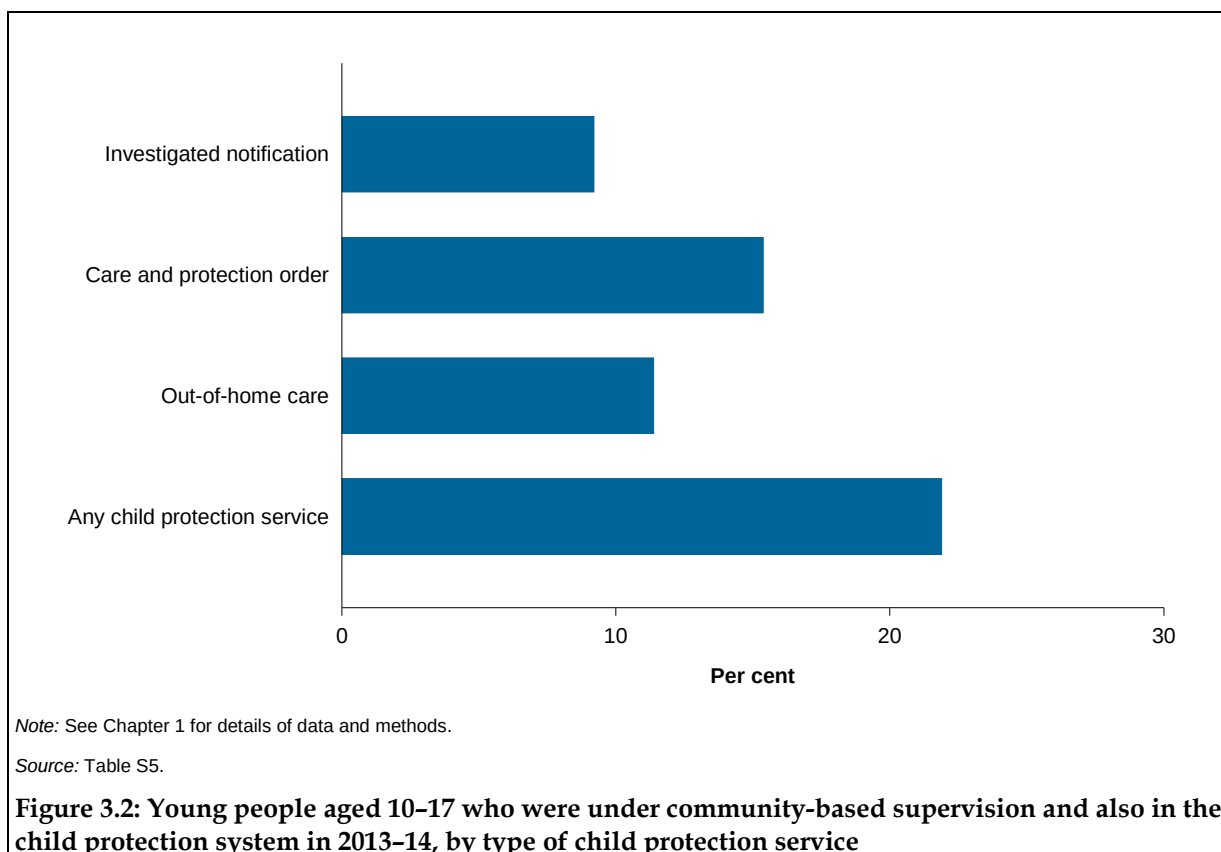
The younger someone was at their first youth justice supervision, the more likely they were to also be in child protection in 2013–14.

3.1 Community-based supervision

Just over one-fifth (22%) of the 3,330 young people under youth justice community-based supervision were also in the child protection system in 2013–14, which is 11 times the rate for the general population (Table S4). Of those under community-based supervision, young women were most likely to also be in the child protection system: 29% of Indigenous females and 24% of non-Indigenous females under youth justice supervision were also in child protection, compared with 24% of Indigenous males and 20% of non-Indigenous males (Figure 3.1).



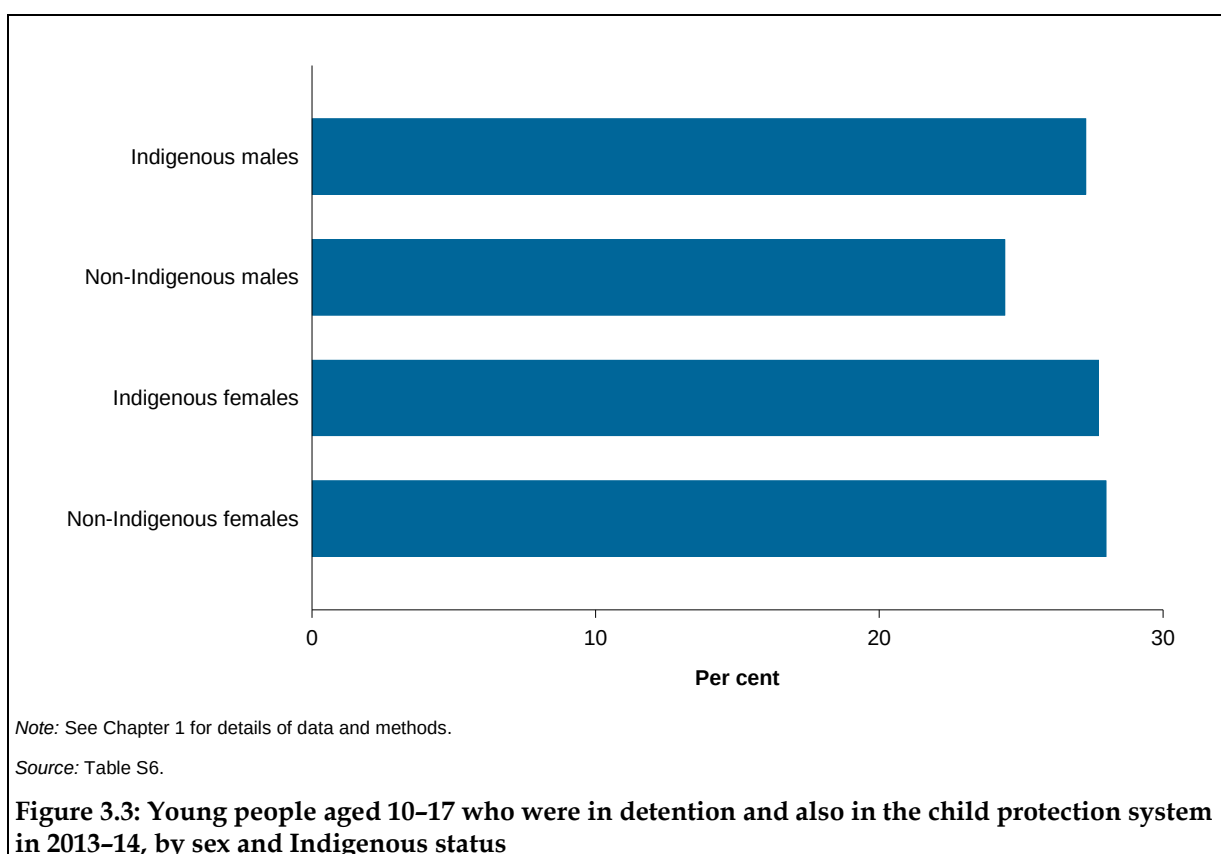
For those under community-based supervision who were also in the child protection system in the same year, the most common types of child protection service were care and protection orders (15% of those under youth justice community-based supervision), followed by out-of-home care (11%) and investigated notifications (9%) (Figure 3.2). Consistent with their overall level of involvement in the child protection system, Indigenous females were most likely to also be the subject of a care and protection order or to be in out-of-home care, but there was little difference by sex and Indigenous status for those who were the subject of investigated notifications (Table S5).



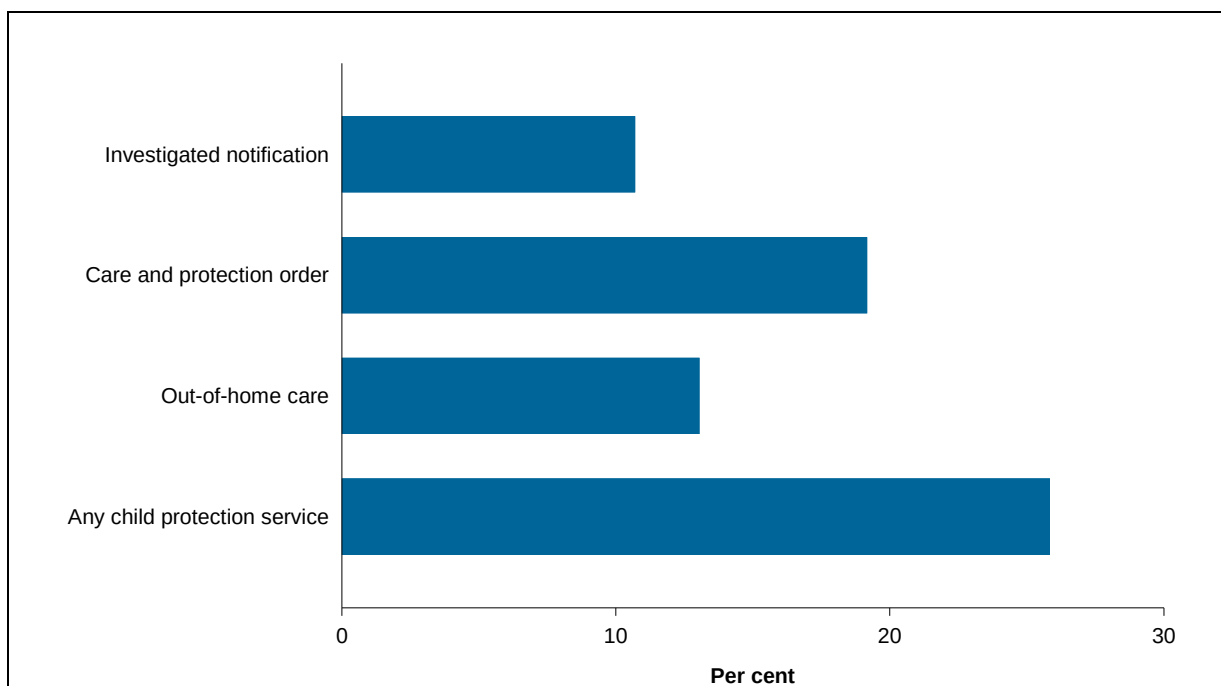
3.2 Detention

Over one-quarter (26%) of the 1,665 young people in detention in 2013–14 were also in the child protection system at some time in the same year (Table S6), which means they were 13 times as likely to be in the child protection system as the equivalent general population.

In contrast to those under community-based supervision, for those in detention there was little difference in the level of involvement in the child protection system by sex and Indigenous status (Figure 3.3). Non-Indigenous males in detention were slightly less likely to also be involved in the child protection system (24%), compared with Indigenous males and females (both 27%) and non-Indigenous females (28%) in detention.



As for those under community-based supervision, the most common types of child protection service for those in detention who were also in the child protection system in 2013–14 were care and protection orders (19%), followed by out-of-home care (13%) and investigated notifications (11%) (Figure 3.4).



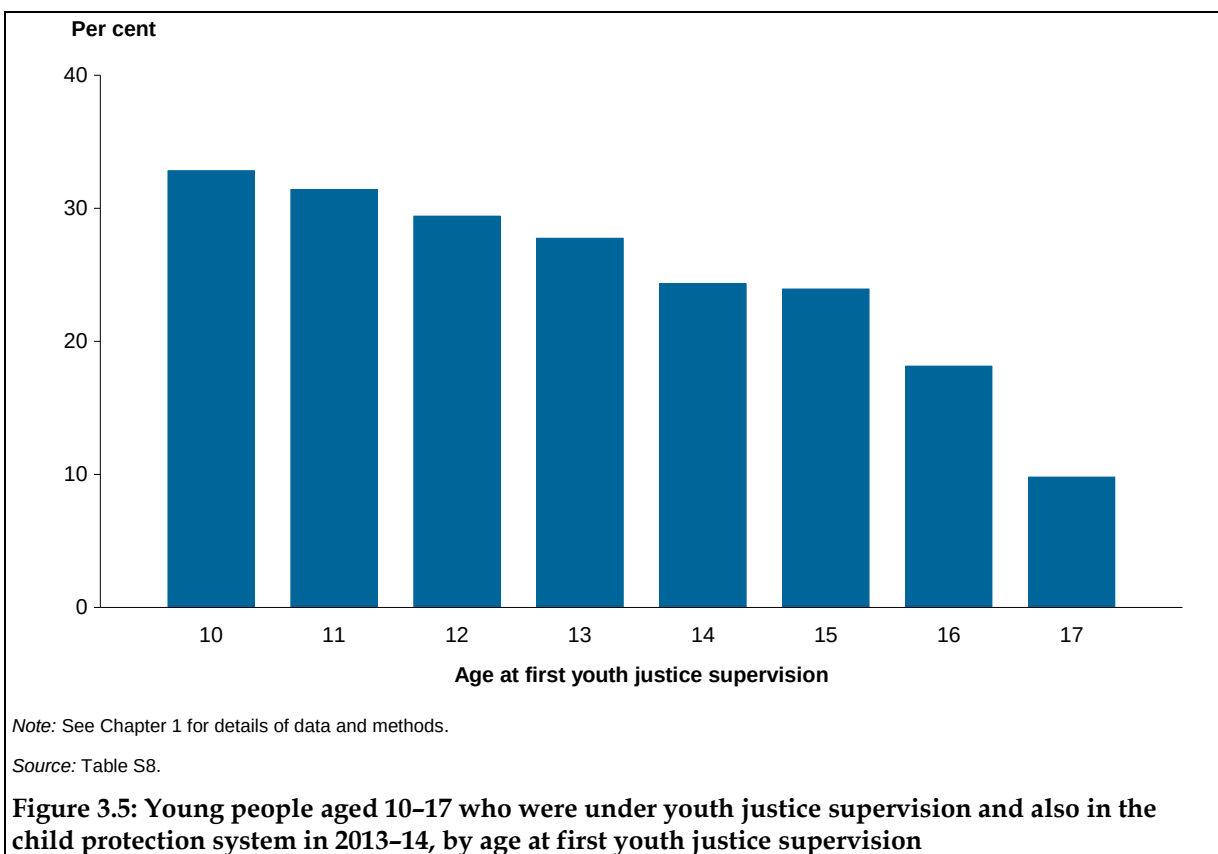
Note: See Chapter 1 for details of data and methods.

Source: Table S7.

Figure 3.4: Young people aged 10–17 who were in detention and also in the child protection system in 2013–14, by type of child protection service

3.3 Age at first youth justice supervision

Those who were younger at their first youth justice supervision were more likely to also be in child protection in 2013–14 than those who were older at their first youth justice supervision (which may have been before 2013–14) (Figure 3.5). One-third (33%) of those aged 10 at their first youth justice supervision were also in child protection, compared with 10% of those aged 17.



4 Future reporting

This report expands on an earlier AIHW project that linked selected child protection data with the youth justice supervision data set (AIHW 2012), which showed that linking child protection and youth justice supervision data on an annual basis is both feasible and informative. The results from the linked data collection will be enhanced in future years as data become available for more states and territories and as years of data accumulate. In addition, including data from other health and welfare data collections would provide additional information on multiple service use among vulnerable children and young people.

4.1 Data availability for states and territories

Data limitations meant that analyses in this report were restricted to those who were in child protection or under youth justice supervision in only 4 Australian states and territories: Victoria, South Australia, Tasmania and the Australian Capital Territory. Youth justice supervision data for Queensland and child protection data for Western Australia are already available, and it is anticipated that child protection data for Queensland will be available for linkage in 2016 and youth justice supervision data for Western Australia in 2017, which means that data for these 2 states are likely to be included in future reports.

As data for more states become available, there will be sufficient numbers to explore the relationships between child protection and youth justice supervision by demographic characteristics other than sex and Indigenous status, including age, remoteness and socio-economic status of usual residence, and to examine the similarities and differences between the states and territories.

4.2 Longitudinal analyses of pathways and the relationships between specific events

This report used available data to explore the characteristics of young people who were in both the child protection system and under youth justice supervision in 2013–14. As years of data accumulate for both data collections, it will be possible to construct a longitudinal data set that can be used to explore the relationships between different types of events, such as whether there is an association between the number and length of out-of-home care placements and being placed in unsentenced detention instead of unsentenced community-based supervision. Over time, it will be also be possible to examine the pathways from early childhood, and explore the impact of childhood abuse or neglect on later involvement in the youth justice supervision system.

4.3 Other data collections

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

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

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

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Related publications

This report can be downloaded free of charge from
<<http://www.aihw.gov.au/youth-justice-publications/>>.

More information about children and young people in the child protection system in Australia and under youth justice supervision in Australia is available from the AIHW website at <<http://www.aihw.gov.au/families-and-children/>>.

In addition to the publications listed in the References, the following AIHW publications may also be of interest:

- AIHW 2014. Youth detention population in Australia 2014. Juvenile justice series no. 16. Cat. no. JUV 53. Canberra: AIHW.
- AIHW 2014. Pathways through youth justice supervision. Juvenile justice series no. 15. Cat. no. JUV 40. Canberra: AIHW.

This report presents information on young people aged 10–17 who were involved in the child protection system and under youth justice supervision in 2013–14, and demonstrates the insights that can be gained through data linkage. One-quarter of young people in youth justice detention were also in the child protection system in the same year. Those who were younger at their first youth justice supervision were more likely to also be in child protection.