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**Australian Institute of
Health and Welfare**

Juvenile detention population in Australia

2012

JUVENILE JUSTICE SERIES NO. 11



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Health and Welfare**

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

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Australian Institute of Health and Welfare
Canberra

Cat. no. JUV 11

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- Department for Communities and Social Inclusion, South Australia
- Department of Health and Human Services, Tasmania
- Community Services Directorate, Australian Capital Territory
- Department of Justice, Northern Territory.

Abbreviations

ACT	Australian Capital Territory
AIHW	Australian Institute of Health and Welfare
Aust	Australia
Dec	December quarter (October to December)
JJ NMDS	Juvenile Justice National Minimum Data Set
Jun	June quarter (April to June)
Mar	March quarter (January to March)
NSW	New South Wales
NT	Northern Territory
Qld	Queensland
SA	South Australia
Sep	September quarter (July to September)
Tas	Tasmania
Vic	Victoria
WA	Western Australia

Summary

Although most young people in Australia who have committed, or allegedly committed, a criminal offence are supervised in the community, some are in detention.

This report presents information on the juvenile detention population, focusing on trends over the 4-year period from the June quarter 2008 to the June quarter 2012.

Few young people are in detention in Australia

There were 1,024 young people in detention on an average night in the June quarter of 2012. Most (78%) were aged 10–17. This equates to a rate of 0.35 young people in detention per 1,000 aged 10–17, or around 1 in every 3,000 young people. Just over half (53%) of those in detention were Indigenous and most (91%) were young men.

Numbers and rates of detention are stable

Numbers and rates of young people in detention on an average night remained relatively stable over the 4-year period to the June quarter 2012. There was little overall change in either the number of young people (of all ages) in detention (down 1%) or the rate of detention among those aged 10–17 (from 0.37 to 0.35 per 1,000) over the period.

One in two young people in detention have not been sentenced

Just over half (52%) of those in detention on an average night in the June quarter 2012 were unsentenced – that is, awaiting the outcome of their court matter or sentencing.

There was little change in the number and proportion of young people in detention who were unsentenced over the 4-year period. In the most recent year, there was an increase in the unsentenced population (up 9%) and a decrease in the sentenced population (down 9%).

Trends vary among the states and territories

There were differences in the trends in the detention population among the states and territories. Over the 4-year period, rates of young people in detention on an average night decreased in New South Wales, Tasmania and Victoria, remained relatively stable in Western Australia and increased in the other states and territories.

Indigenous over-representation has increased, particularly in unsentenced detention

On an average night in the June quarter 2012, Indigenous young people aged 10–17 were 31 times as likely as non-Indigenous young people to be in detention, up from 27 times in the June quarter 2008. The level of Indigenous over-representation (as shown by the rate ratio) increased in unsentenced detention over the 4-year period (from 24 to 31 times), but decreased slightly in sentenced detention (from 32 to 30 times).

1 Introduction

The set of processes and practices for dealing with young people who have committed, or allegedly committed, an offence is known as the juvenile justice system. In Australia, juvenile justice is the responsibility of state and territory governments, and each has its own legislation, policies and practices. Young people in the juvenile justice system may be supervised by state and territory juvenile justice agencies either in the community or in detention.

This report forms part of an annual series that examines the numbers and rates of young people in detention in Australia, focusing on recent trends. Information about the data presented in this report is provided in *Appendix B*. Supplementary tables referred to in this report (those with a prefix of S) are available for download from <http://www.aihw.gov.au/juvenile-justice-publications/>.

More information about young people in the juvenile justice system, including those supervised in the community and in detention, is available in the annual report *Juvenile justice in Australia: 2010–11* (AIHW 2012).

1.1 Young people in detention

A major principle upon which the Australian juvenile justice system is based is the notion that young people should only be detained as a last resort (Chrzanowski & Wallis 2011). This principle is legislated in each state and territory, and underpins both bail and sentencing considerations. Alternatives to detention are available to the courts for young people who are awaiting trial or who are sentenced.

This is consistent with the United Nations *Convention on the Rights of the Child* (Office of the United Nations High Commissioner for Human Rights 1989), which states that children should be deprived of liberty only as a last resort and for the shortest appropriate period of time. It is also consistent with the United Nations *Standard Minimum Rules for the Administration of Juvenile Justice*, known as “The Beijing Rules” (Office of the United Nations High Commissioner for Human Rights 1985).

Most young people are therefore supervised in the community. On an average day in 2010–11, only 14% of those under supervision were in detention (including estimates for Western Australia and the Northern Territory, as standard data were not provided; AIHW 2012). However, around 2 in 5 (41%) young people who experienced juvenile justice supervision during 2010–11 were in detention at some time during the year. Young people in the juvenile justice system may also be placed on unsupervised community orders, but data are not available.

In addition, young people tend to complete shorter periods of detention than community-based supervision (AIHW 2012). In 2010–11, the median length of completed periods of detention was 4 days (3 days for unsentenced and 58 days for sentenced detention) compared with 85 days for community-based supervision (excluding Western Australia and the Northern Territory, as standard data were not provided).

1.2 Age

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

Despite the upper age limit, in 2010–11, around 18% of young people under supervision on an average day were aged 18 and older (AIHW 2012). Reasons for this include:

- they may have been apprehended for an offence that was (allegedly) committed when they were aged 17 or younger
- those aged 17 or younger may continue to be supervised by the juvenile justice system once they turn 18 (or they may be transferred to the adult correctional system)
- in some states and territories, juvenile justice agencies may supervise young people aged 18 and older due to their vulnerability or immaturity
- young people in Victoria aged 18–20 may be sentenced to detention in a juvenile centre rather than an adult prison if the court deems this appropriate (known as the ‘dual track’ sentencing system).

This report provides information on young people of all ages in juvenile detention. Numbers refer to young people of all ages unless otherwise specified. Population rates allow for the comparison of different groups while taking into account different population sizes. Population rates are only calculated for young people aged 10–17, due to the differences in age limits between the states and territories. More information about the calculation of age is provided in *Appendix B*.

1.3 Legal status

The legal status of young people in detention may be classed as either unsentenced or sentenced. Young people in unsentenced detention are those who have been detained while awaiting the outcome of a trial or sentencing. Those who are sentenced have been proven guilty in court and received a legal order to serve a sentence of detention. Trends in the numbers and rates of young people in detention by legal status are examined throughout this report.

Most young people in unsentenced detention have been remanded in custody by a court (‘on remand’) until their next court appearance. In 2010–11, 97% of young people in unsentenced detention on an average day were on remand (excluding WA and the NT as JJ NMDS data were not available; AIHW 2012). The remainder were in police-referred detention – that is, detained in a juvenile justice centre before their initial court appearance (available in most states and territories). Information about young people detained by police who were not under the supervision of juvenile justice agencies is not available.

1.4 Data on the detention population

This report was compiled using the AIHW's 2010–11 Juvenile Justice National Minimum Data Set (JJ NMDS), which contains data up to and including 30 June 2011. This was supplemented with additional data on the number of young people in detention at midnight at the end of each month between July 2011 and June 2012.

Western Australia and the Northern Territory did not provide JJ NMDS data for the period 1 July 2008 to 30 June 2011. End-of-month data were used for Western Australia and the Northern Territory for this period.

This report provides information on the number of young people in detention on an average night in each quarter over the 4-year period. Each quarter relates to 3 months of the year and is identified with reference to the last month in the quarter. For example, the March quarter relates to the months of January, February and March.

For JJ NMDS data, the average nightly population is calculated based on the number of young people in detention each night during the quarter. For end-of-month data, it is calculated by averaging the number in detention on the last night of each month in the relevant quarter.

This report focuses on trends over the 4-year period to the June quarter 2012. It should be noted that the number of young people in detention on an average night is relatively small, and random variation means that number of young people in detention fluctuates somewhat from quarter to quarter. This may affect the appearance and interpretation of trends. Trends should therefore be interpreted with caution, particularly where these relate to small populations. Percentage changes are not calculated for populations of fewer than 100 young people.

In this report, comparisons are made between the June quarter in 2012 and the June quarter 1 year earlier (2011) and 4 years earlier (2008). The same quarters are compared across years in order to minimise the effect of seasonal variations. Although this report highlights the overall or net change over the 1-year and 4-year periods, more detailed information about changes in the population size in each quarter over the period is available in the supplementary tables.

For more information about the data and methods used in this report, see *Appendix B*.

2 Recent trends in detention

2.1 Key points

On an average night in the June quarter 2012:

- 1,024 young people were in detention
- 794 (78%) were aged 10–17, which is a rate of 0.35 per 1,000 young people aged 10–17
- just over half (53%) of all those in detention were Indigenous
- 91% were boys and young men
- 52% were unsentenced, and the remainder were serving a sentence.

Over the 4-year period (June quarter 2008 to June quarter 2012):

- numbers of young people in detention on an average night were stable (down 1% overall)
- rates of young people aged 10–17 in detention remained around 0.35 per 1,000
- the Indigenous to non-Indigenous rate ratio increased from 27 to 31 times, with most of the change occurring in the most recent year
- there was variation among the states and territories: rates of those aged 10–17 in detention were highest in the Northern Territory and Western Australia, and lowest in Victoria
- rates were stable in Western Australia, decreased in Tasmania, New South Wales and Victoria, and increased in the remaining states and territories.

Over the 1-year period (June quarter 2011 to June quarter 2012):

- numbers and rates of young people in detention on an average night were stable
- there was an overall increase in the unsentenced population (up 9%), and a decrease in the sentenced population (down 9%)
- the Indigenous to non-Indigenous rate ratio increased, from 22 to 31 times.

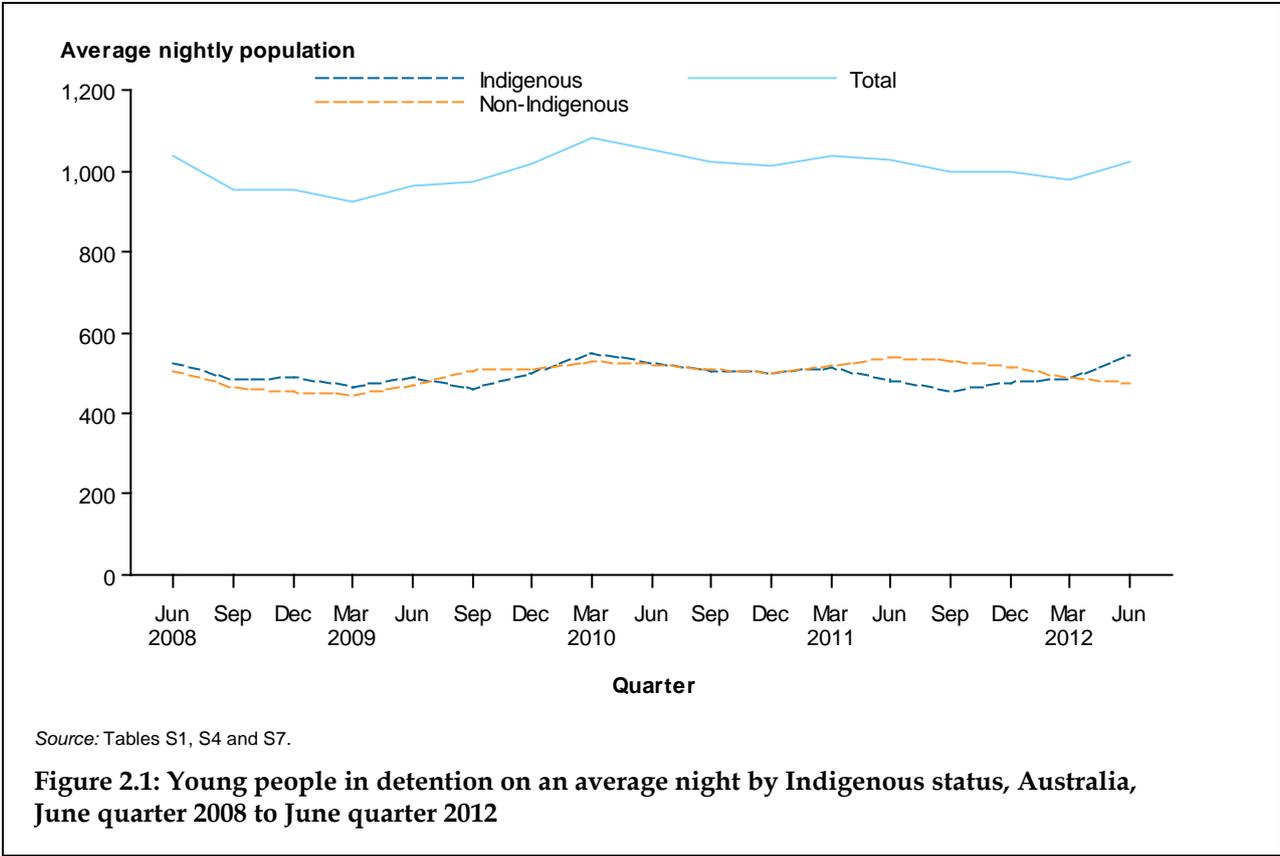
2.2 Number in detention

On an average night in the June quarter of 2012, a total of 1,024 young people were in juvenile detention in Australia (Figure 2.1). Although this number fluctuated slightly between the June quarter 2012 and the June quarter 4 years earlier, there was little change overall (down 1%).

Indigenous status, age and sex

The Indigenous and non-Indigenous populations in detention were similar in size throughout the 4-year period (Figure 2.1). In the June quarter 2012, 53% of those in detention on an average night were Indigenous (544 young people).

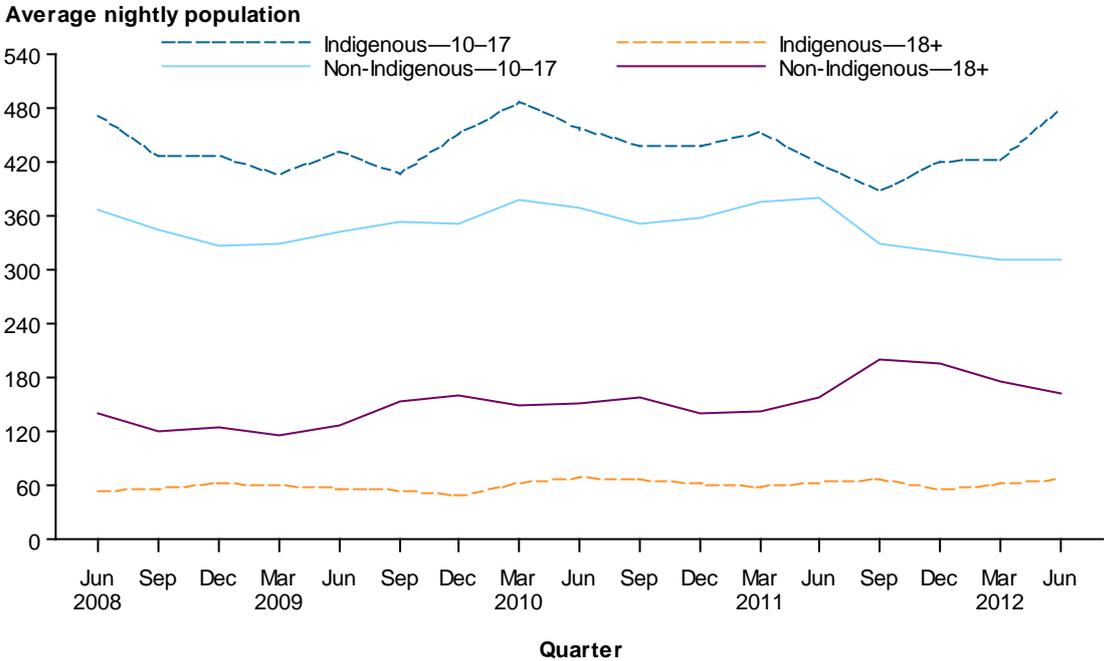
Over the most recent year (comparing the June quarter 2011 to the June quarter 2012), there was an increase in the number of Indigenous young people in detention on an average night (up 13%) and a decrease in the number of non-Indigenous young people (down 12%).



Throughout the 4-year period, around 4 in 5 young people in detention on an average night were aged 10–17 (78% in the most recent quarter) and the remainder were aged 18 and over (tables S7, S8 and S9).

This proportion was highest among Indigenous young people, among whom around 9 in 10 were aged 10–17 on an average night (88% in the most recent quarter) (tables S1 and S2; Figure 2.2). The number of Indigenous young people aged 10–17 in detention fluctuated over the 4-year period, with an increase in the most recent year (up 14%). There were around 55–65 Indigenous young people aged 18 and over in detention on an average night throughout the period.

Among non-Indigenous young people, there was an overall decrease in the number aged 10–17 in detention on an average night over the 4-year period (down 15%) and an increase in the number aged 18 and over (up 17%). Much of this change occurred in the most recent year.

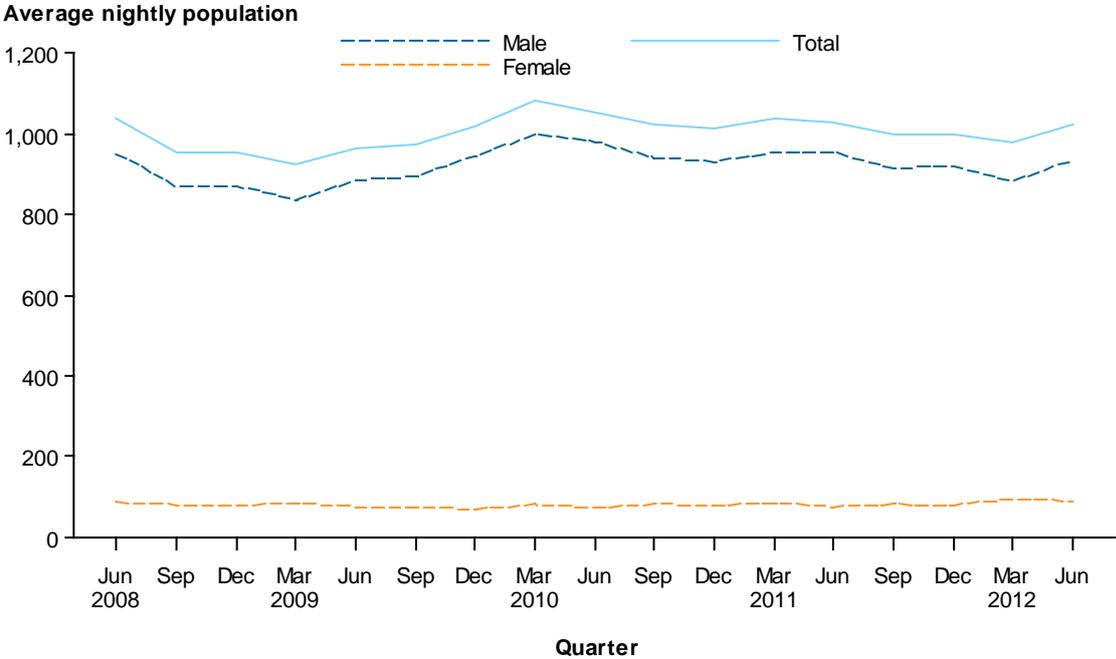


Note: Trends among small populations should be interpreted with caution.

Source: Tables S2, S3, S5 and S6.

Figure 2.2: Young people in detention on an average night by Indigenous status and age group, Australia, June quarter 2008 to June quarter 2012

Most (91%) of those in detention on an average night in the June quarter 2012 were boys and young men, and this proportion remained stable throughout the 4-year period (90–93%) (Figure 2.3). There were around 80 girls and young women in detention on an average night in each quarter (90 in the June quarter 2012).



Note: Trends among small populations should be interpreted with caution.

Source: Table S7.

Figure 2.3: Young people in detention on an average night by sex, Australia, June quarter 2008 to June quarter 2012

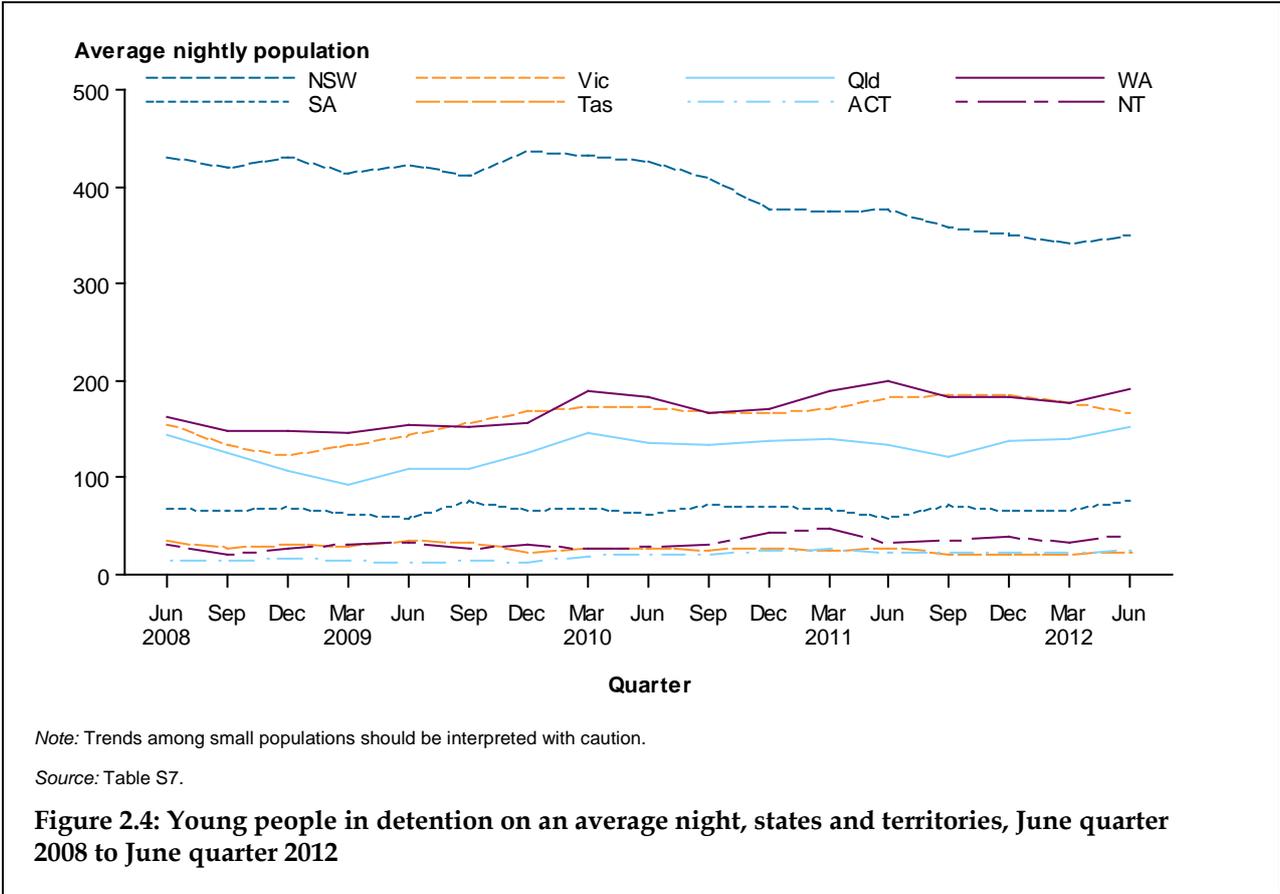
States and territories

Although there was little change in the detention population over the 4-year period at the national level, there were different trends among the states and territories (Figure 2.4). Numbers tended to fluctuate from quarter to quarter. Overall, when the June quarter 2012 is compared with the June quarter 2008, the juvenile detention population had decreased in New South Wales (from 430 to 350) and Tasmania (from 34 to 23 young people). There were overall increases or little change in the remaining states and territories:

- Victoria (from 155 to 167 young people)
- Queensland (from 143 to 153)
- Western Australia (from 163 to 192)
- South Australia (from 68 to 76)
- Australian Capital Territory (15 to 24)
- Northern Territory (from 31 to 41).

Over the most recent year (from the June quarter 2011 to the June quarter 2012), the number of young people in detention remained stable at a national level (down less than 1%). There were increases in Queensland, South Australia, and the Northern Territory over this period, and decreases or little change in the remaining states.

For more detailed information about trends in each of the states and territories, see *Chapter 5*.



2.3 Rate of detention

Nationally, there were 0.35 young people aged 10–17 per 1,000 in detention on an average night in the June quarter 2012, compared with 0.37 per 1,000 in the June quarter of 2008 (Figure 2.5). This rate changed little over the 4-year period.

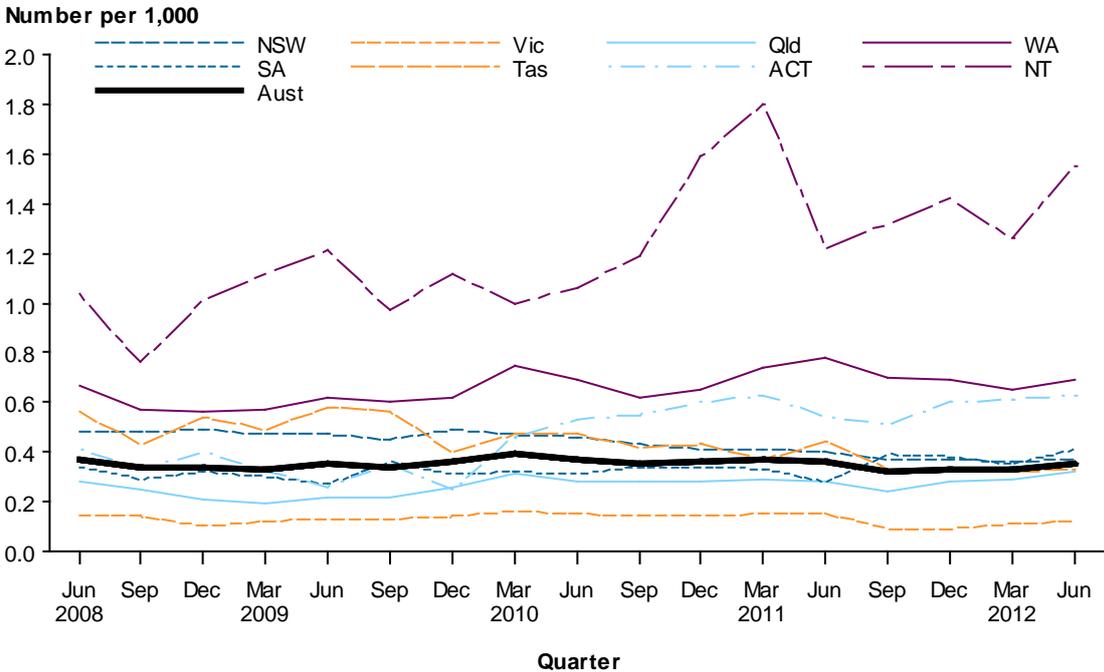
States and territories

Among the states and territories, rates of detention tended to fluctuate from quarter to quarter. These fluctuations were greatest among smallest jurisdictions, due to lower numbers of young people in detention. However, despite this, the Northern Territory consistently had the highest rate of young people in detention throughout the 4-year period (Figure 2.5).

Overall, when the June quarter 2012 is compared with the June quarter 2008, rates of young people aged 10–17 in detention on an average night had:

- decreased in Tasmania (from 0.56 to 0.33 per 1,000), New South Wales (from 0.48 to 0.37 per 1,000) and Victoria (slightly, from 0.14 to 0.12 per 1,000)
- increased in the Northern Territory (from 1.04 to 1.55 per 1,000), the Australian Capital Territory (from 0.41 to 0.63 per 1,000), South Australia (from 0.34 to 0.41 per 1,000) and Queensland (from 0.28 to 0.32 per 1,000)
- changed little overall in Western Australia (from 0.67 to 0.69 per 1,000).

Over the most recent year, the rate increased in Queensland, South Australia, the Australian Capital Territory and the Northern Territory, and decreased in the remaining states.



Note: Trends among small populations should be interpreted with caution.

Source: Table S10.

Figure 2.5: Young people aged 10–17 in detention on an average night, states and territories, June quarter 2008 to June quarter 2012 (rate)

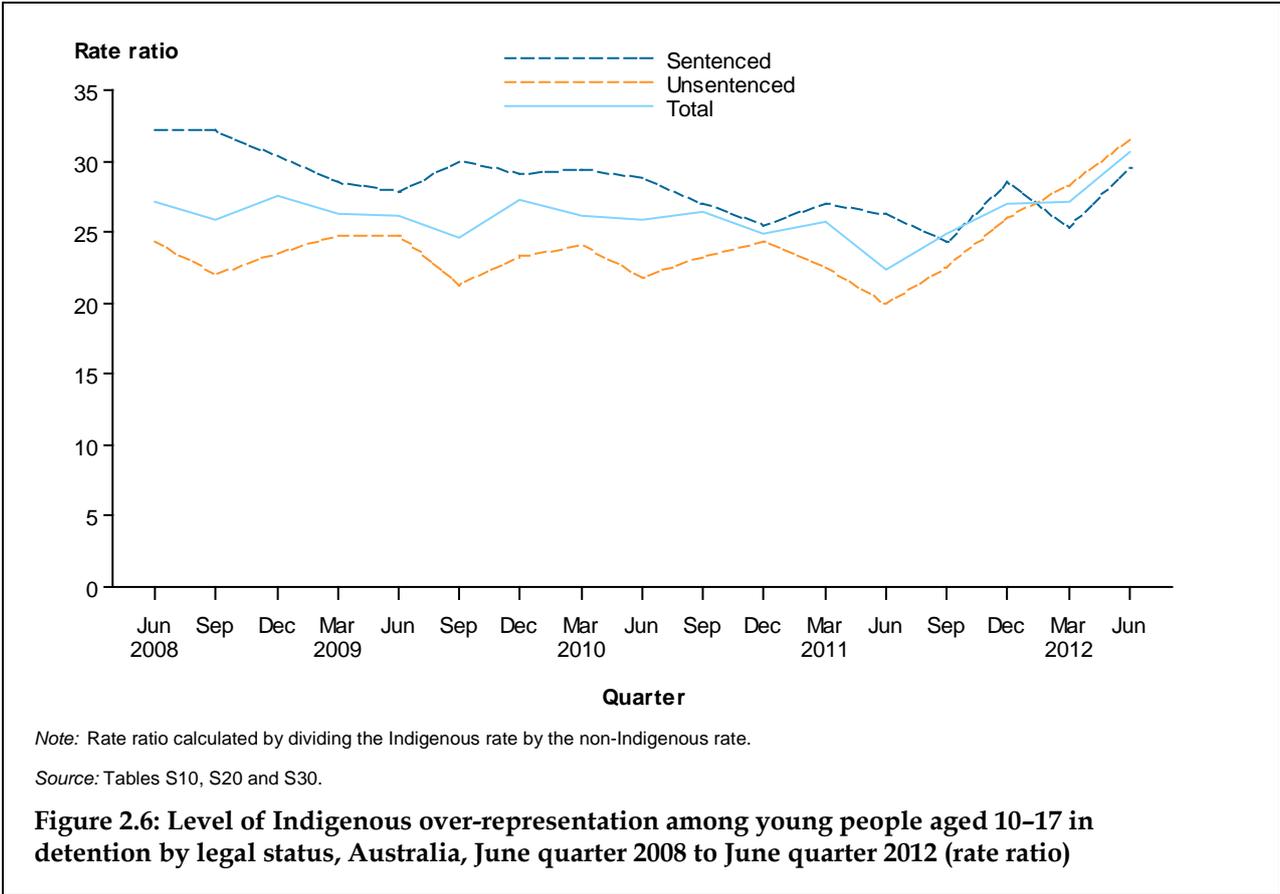
Indigenous status

Indigenous young people aged 10–17 were 31 times as likely as non-Indigenous young people to be in detention on an average night in the June quarter 2012, an increase from 27 times in the June quarter 4 years earlier (Figure 2.6).

Although there was a decline in the Indigenous rate ratio between the June quarter 2008 and the June quarter 2011 (from 27 to 22), there was a steady increase over the most recent year. This was due to both an increase in the Indigenous rate (from 4.03 to 4.60 per 1,000) and a decrease in the non-Indigenous rate (from 0.18 to 0.15 per 1,000) (Table S10).

Over the 4-year period, there was an increase in the rate ratio in unsentenced detention, but not sentenced detention (Figure 2.6; see chapters 3 and 4 for details). However, there was an increase in the rate ratio in both types of detention over the most recent year, with the largest increase in unsentenced detention (from 20 to 31).

Between the June quarter 2011 and the June quarter 2012, the Indigenous rate ratio among young people in detention increased in all states and territories for which data were available except the Australian Capital Territory (rate ratios were not calculated where there were fewer than five young people in the numerator of the relevant rates) (Table S10).

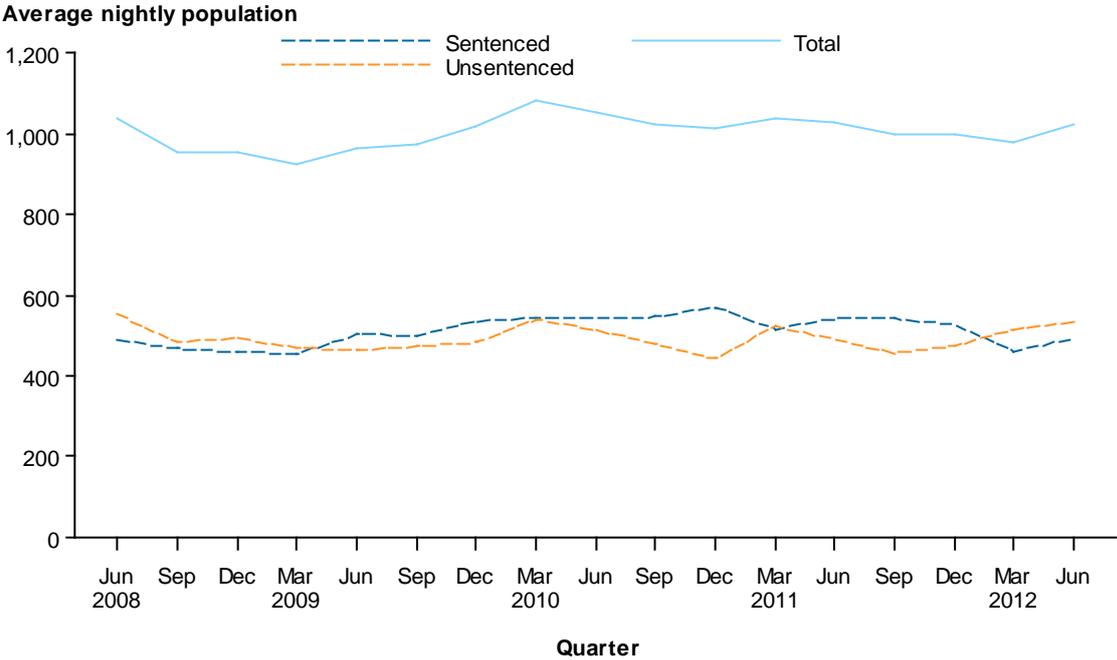


2.4 Legal status

Nationally, there was little change in the numbers of young people in unsentenced (down 3% to 532 young people) and sentenced detention (up 1% to 492) over the 4 years to the June quarter 2012 (Figure 2.7). Around half of the juvenile detention population was unsentenced on an average night in each quarter throughout the period (52% in the June quarter 2012).

Between the June quarter 2011 and the June quarter 2012, there was an overall increase in the unsentenced population (up 9%) and a decrease in the sentenced population (down 9%).

Trends in the unsentenced and sentenced juvenile detention populations are examined in more detail in chapters 3 and 4.



Source: Tables S7, S17 and S27.

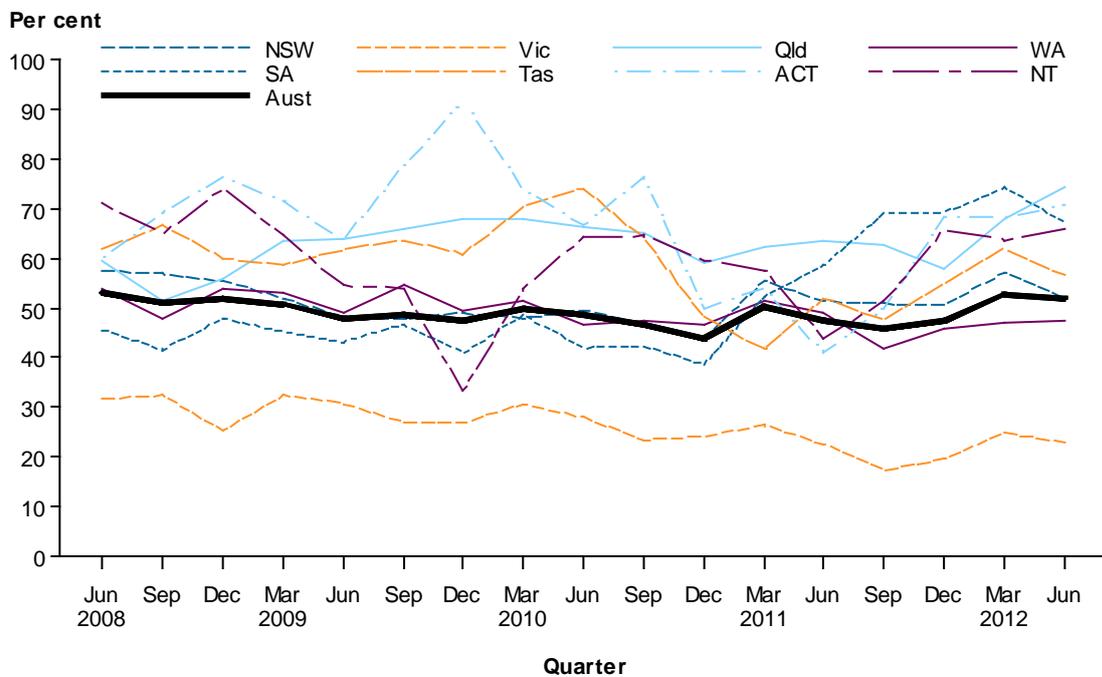
Figure 2.7: Young people in detention on an average night by legal status, Australia, June quarter 2008 to June quarter 2012

States and territories

Throughout the 4-year period, around half (or more) of all young people in detention on an average night were unsentenced in all states and territories except Victoria (Figure 2.8). In Victoria, young people aged 18–20 may be sentenced to detention in a juvenile centre rather than an adult prison if the court deems this appropriate (the ‘dual track’ system). This results in a larger proportion of young people in detention who are sentenced, on average, compared with other states and territories.

Apart from Victoria (where 23% were unsentenced), the proportion that was unsentenced on an average night in the June quarter 2012 ranged from 47% in Western Australia to 75% in Queensland (52% nationally). Proportions fluctuated over the 4-year period in most jurisdictions, with few consistent trends.

When only those aged 10–17 are considered, around 3 in 5 (61%) young people in detention on an average night in the June quarter 2012 were unsentenced (tables S8 and S18). This proportion ranged from 49% in Victoria to 75% in Queensland.



Note: Trends among small populations should be interpreted with caution.

Source: Tables S7 and S17.

Figure 2.8: Young people in unsentenced detention as a proportion of young people in detention on an average night, states and territories, June quarter 2008 to June quarter 2012 (per cent)

3 Recent trends in unsentenced detention

3.1 Key points

On an average night in the June quarter 2012:

- 532 young people were in unsentenced detention
- 486 (91%) were aged 10-17, which equates to a rate of 0.22 per 1,000 young people aged 10-17
- almost 3 in 5 (58%) young people in unsentenced detention were Indigenous
- 9 in 10 (90%) were boys and young men.

Over the 4-year period (June quarter 2008 to June quarter 2012):

- there was little overall change in the numbers and rates of young people in unsentenced detention on an average night
- the Indigenous to non-Indigenous rate ratio increased from 24 to 31, with the increase occurring in the most recent year
- there were overall decreases in the numbers and rates of young people in unsentenced detention in Tasmania, New South Wales and Victoria, and small increases or no change in the remaining states and territories.

Over the 1-year period (June quarter 2011 to June quarter 2012):

- there was an overall increase in both the numbers of young people in unsentenced detention on an average night (up 9%) and the rates among those aged 10-17 (from 0.20 to 0.22 per 1,000)
- this was driven by an increase in the Indigenous population in unsentenced detention (up 29%)
- the Indigenous to non-Indigenous rate ratio increased from 20 to 31.

3.2 Number in unsentenced detention

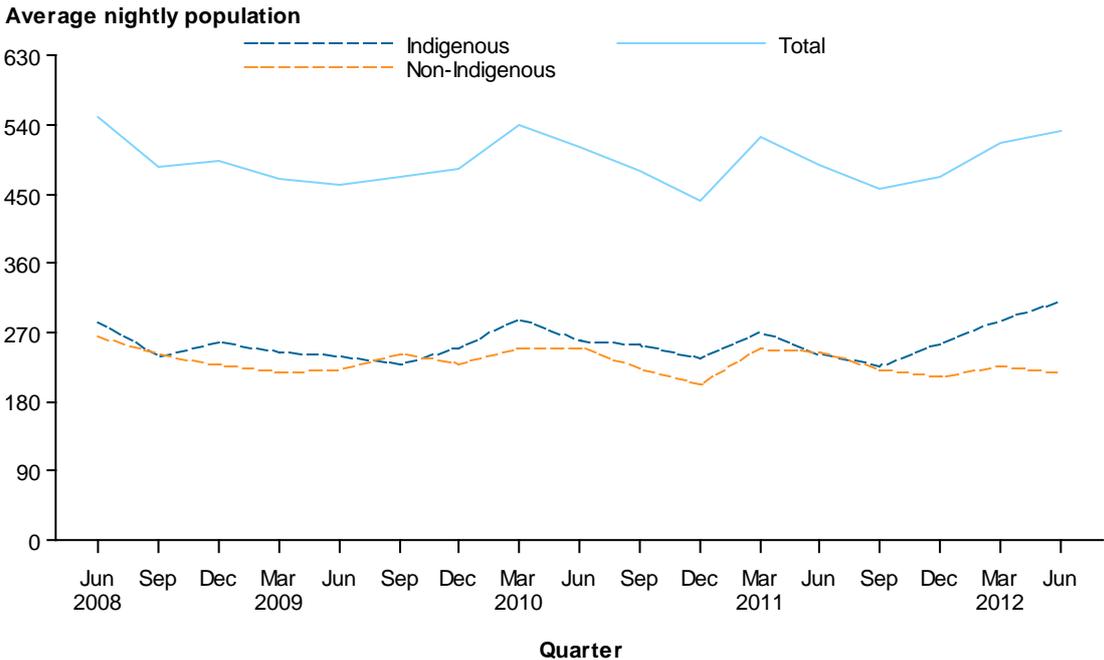
Nationally, there were 532 young people in unsentenced detention on an average night in the June quarter 2012 (Figure 3.1). Although there was an increase in the size of this population over the most recent year (up 9%), there was little overall change over the 4-year period (down 3%).

Indigenous status, age and sex

The unsentenced Indigenous population was slightly larger than the non-Indigenous population throughout most of the 4-year period. In the June quarter 2012, almost 3 in 5 (58%) young people in unsentenced detention on an average night were Indigenous (Figure 3.1).

Over the 4-year period, the unsentenced Indigenous population increased (to 310, up 10%), while the non-Indigenous population decreased (to 216, down 18%). However, numbers in each group remained relatively similar until the most recent year.

In the most recent year, the increase in the unsentenced population was driven by a rise in the number of Indigenous young people (up 29%), while the number of non-Indigenous young people fell (down 11%).



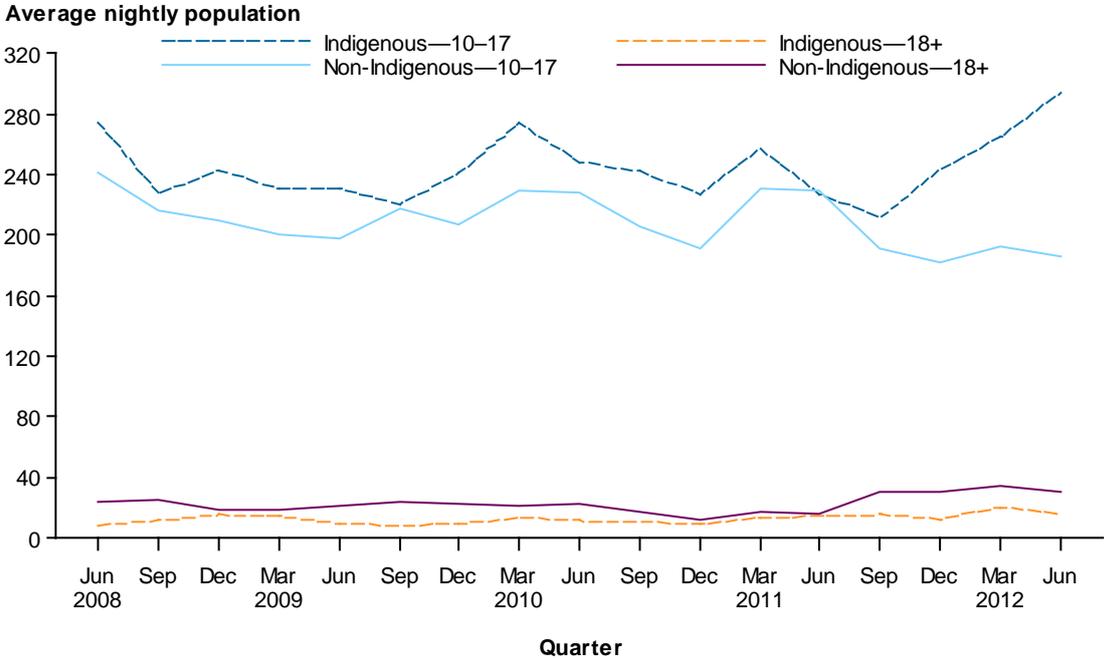
Source: Tables S11, S14 and S17.

Figure 3.1: Young people in unsentenced detention on an average night by Indigenous status, Australia, June quarter 2008 to June quarter 2012

Throughout the 4 years to the June quarter 2012, most of those in unsentenced detention were aged 10–17 (91% in the most recent quarter), and this was the case among both Indigenous and non-Indigenous young people (Figure 3.2).

The number of Indigenous young people aged 10–17 in unsentenced detention on an average night fluctuated at around 230–270 between the June quarter 2008 and the June quarter 2012, with an increase of 7% overall (to 294) (Figure 3.2). There was an increase over the most recent year. There were around 10–20 Indigenous young people aged 18 and over in unsentenced detention on an average night each quarter during 4-year period.

Different trends occurred among non-Indigenous young people. While there was an overall decrease in the number of non-Indigenous young people aged 10–17 in unsentenced detention on an average night over the 4-year period (to 186, down 23%), the number aged 18 years and over increased slightly (from 23 to 30). Again, much of this changed occurred over the most recent year.

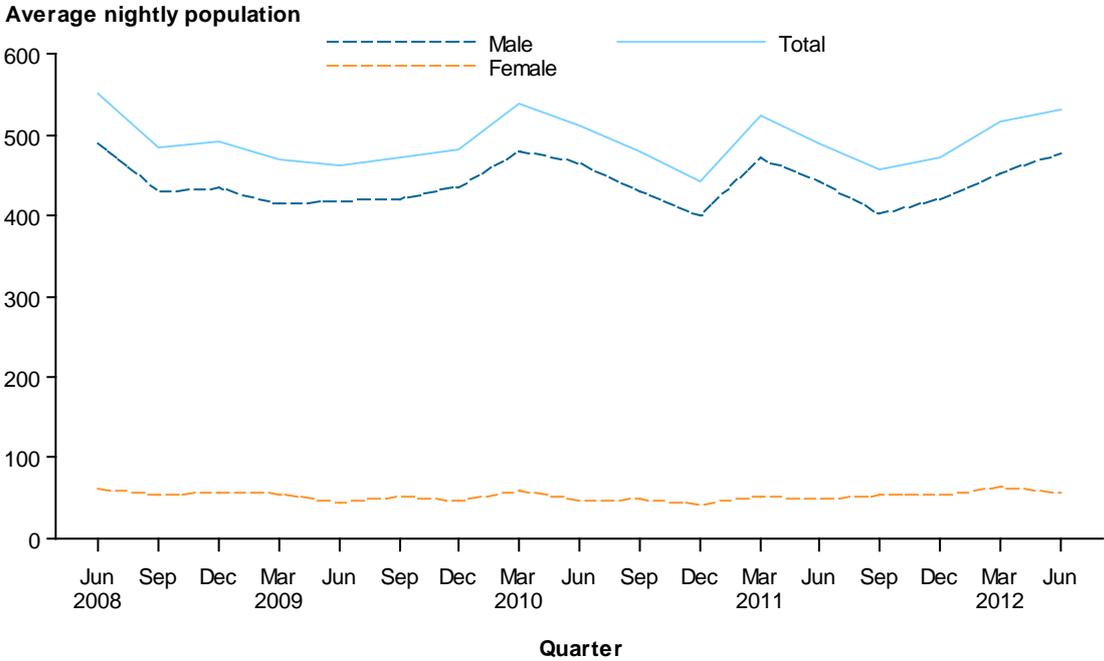


Note: Trends among small populations should be interpreted with caution.

Source: Tables S12, S13, S15 and S16.

Figure 3.2: Young people in unsentenced detention on an average night by Indigenous status and age group, Australia, June quarter 2008 to June quarter 2012

Around 9 in 10 (90%) young people in unsentenced detention on an average night in the June quarter 2012 were boys and young men, and this proportion remained relatively stable throughout the 4-year period (Figure 3.3). Nationally, there were around 50 girls and young women in unsentenced detention on an average night in each quarter (56 in the June quarter 2012).



Note: Trends among small populations should be interpreted with caution.

Source: Table S17.

Figure 3.3: Young people in unsentenced detention on an average night by sex, Australia, June quarter 2008 to June quarter 2012

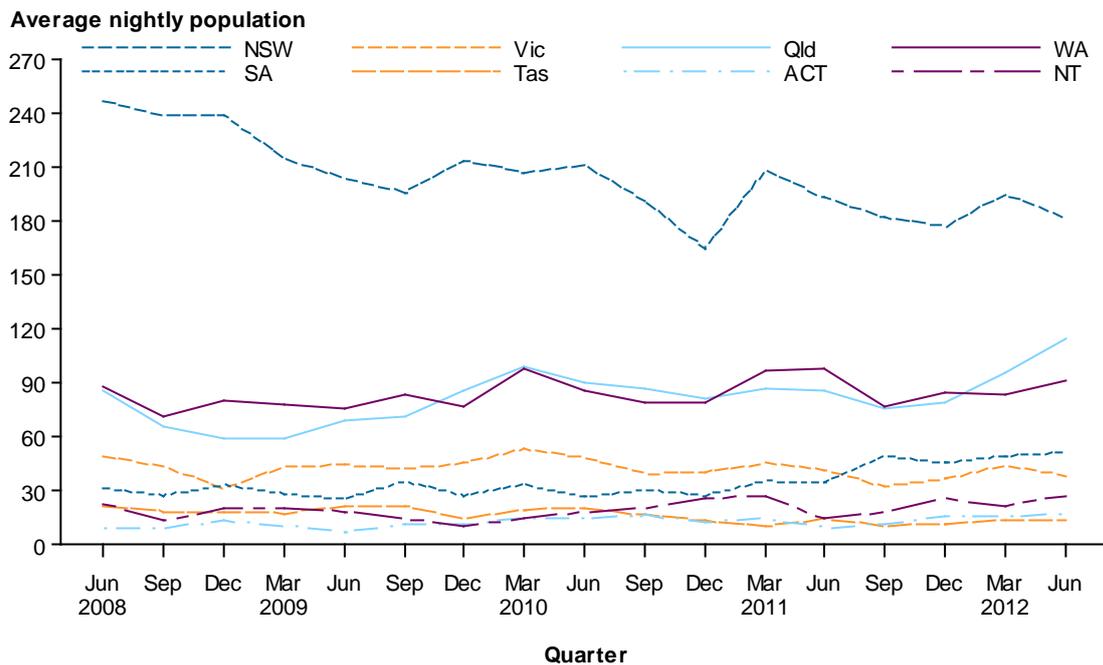
States and territories

New South Wales had the largest unsentenced detention population throughout the 4-year period, followed by Queensland and Western Australia (Figure 3.4).

Despite the fact that there was little change in the unsentenced detention population at a national level, there were differences in trends among the states and territories. It should be noted that numbers tended to fluctuate somewhat from quarter to quarter, particularly in the smaller jurisdictions. Between the June quarter 2008 and the June quarter 2012, the number of young people in unsentenced detention on an average night decreased in New South Wales (from 247 to 182), Victoria (from 49 to 38) and Tasmania (from 21 to 13). There were increases or little change in:

- Queensland (from 85 to 114)
- Western Australia (from 88 to 91)
- South Australia (from 31 to 51)
- Australian Capital Territory (from 9 to 17)
- Northern Territory (from 22 to 27).

Similarly, in the most recent year (June quarter 2011 to June quarter 2012), there were overall decreases in the unsentenced detention population in New South Wales, Victoria, Western Australia, and Tasmania, and increases in the remaining states and territories.



Note: Trends among small populations should be interpreted with caution.

Source: Table S17.

Figure 3.4: Young people in unsentenced detention on an average night, states and territories, June quarter 2008 to June quarter 2012

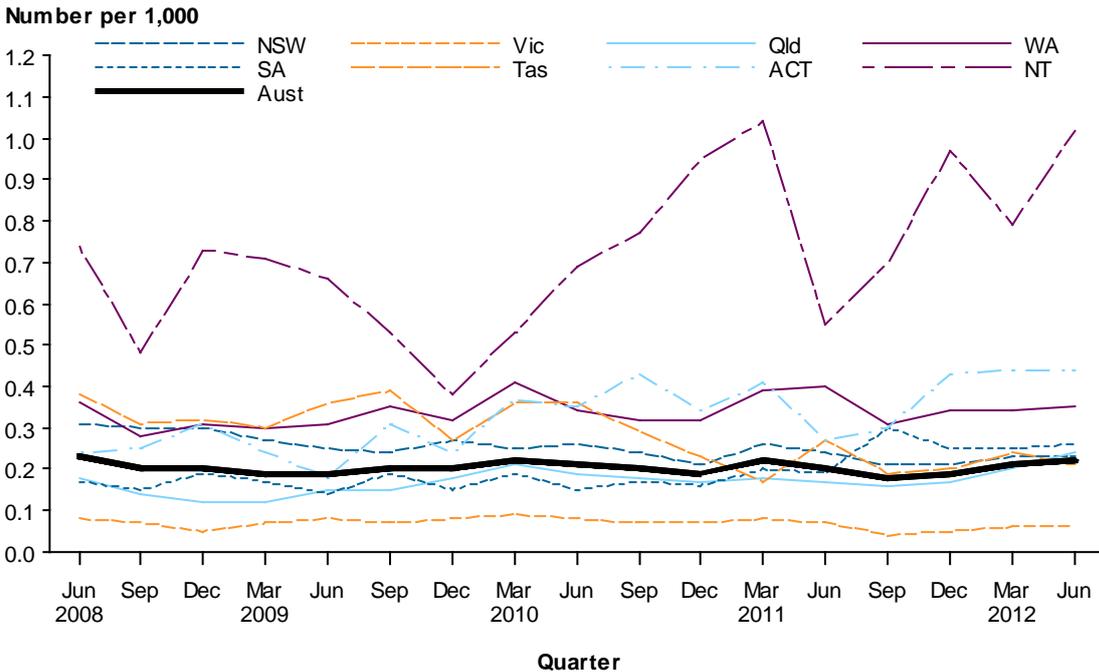
3.3 Rate of unsentenced detention

Nationally, the rate of young people aged 10–17 in unsentenced detention remained relatively stable over the 4-year period (Figure 3.5). There were 0.22 per 1,000 young people aged 10–17 in unsentenced detention on an average night in the June quarter 2012.

States and territories

In the June quarter 2012, the rate of young people aged 10–17 in unsentenced detention on an average night was highest in the Northern Territory (1.02 per 1,000) and lowest in Victoria (0.06 per 1,000) (Figure 3.5). Due to small numbers, the smaller jurisdictions (the Northern Territory, Australian Capital Territory and Tasmania) experienced the largest fluctuations in rates. However, the Northern Territory consistently had the highest rate of young people in unsentenced detention over the 4-year period, while Victoria had the lowest.

In most states and territories, the trends in rates were similar to the trends in numbers due to small proportions of young people aged 18 and over in unsentenced detention (tables S17 and S19). When the June quarter 2012 is compared with the June quarter 2008, there were overall decreases in the unsentenced detention rates in New South Wales, Victoria, and Tasmania, and small increases or little change in the remaining states and territories.



Note: Trends among small populations should be interpreted with caution.

Source: Table S20.

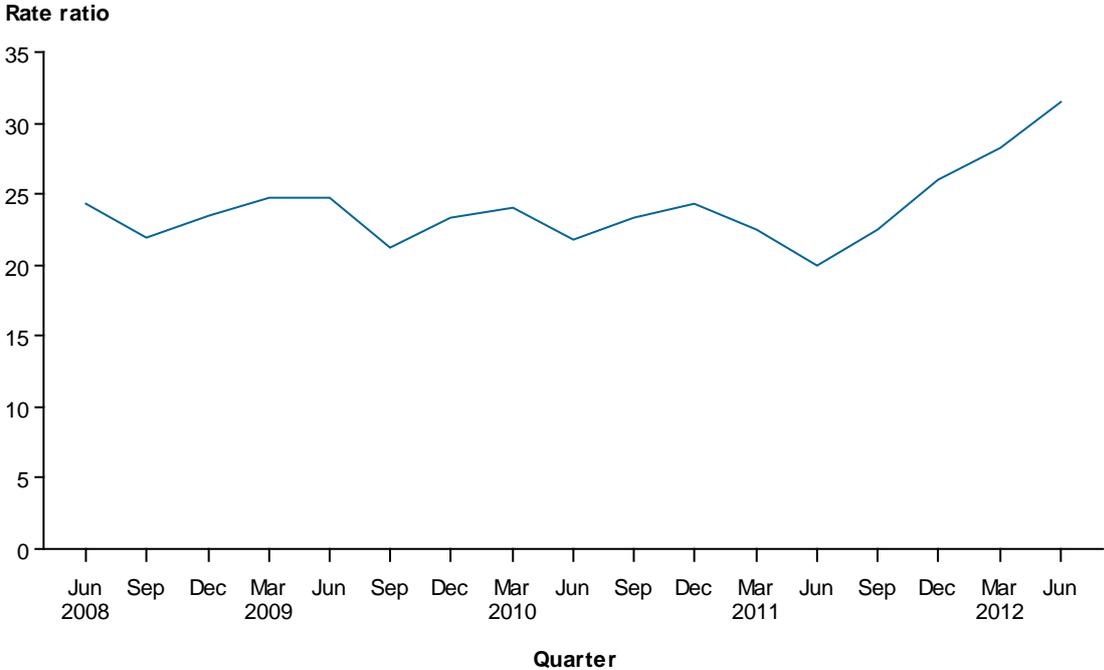
Figure 3.5: Young people aged 10–17 in unsentenced detention on an average night, states and territories, June quarter 2008 to June quarter 2012 (rate)

Indigenous status

In the June quarter 2012, Indigenous young people aged 10–17 were 31 times as likely as non-Indigenous young people to be in unsentenced detention on an average night, up from 24 times as likely in the June quarter 2008 (Figure 3.6).

This increase in the level of Indigenous over-representation (as shown by the rate ratio) mainly occurred in the most recent year (from 20 to 31). Between the June quarter 2011 and the June quarter 2012, there was an increase in the Indigenous rate (from 2.19 to 2.83 per 1,000) and a small decrease in the non-Indigenous rate (from 0.11 to 0.09 per 1,000).

Over the 4-year period, there were increases in the level of Indigenous over-representation in unsentenced detention in New South Wales, Queensland and South Australia. Again, in each of these states, increases occurred over the most recent year (Table S20). The rate ratio fluctuated in Western Australia, with little change over the 4-year period, but increased in the most recent year. Rate ratios were not calculated in all quarters for the other states and territories due to small numbers (rates and rate ratios are not calculated where there are fewer than five young people in the numerator).



Note: Rate ratio calculated by dividing the Indigenous rate by the non-Indigenous rate.

Source: Table S20.

Figure 3.6: Level of Indigenous over-representation among young people aged 10–17 in unsentenced detention, Australia, June quarter 2008 to June quarter 2012 (rate ratio)

4 Recent trends in sentenced detention

4.1 Key points

On an average night in the June quarter 2012:

- 492 young people were in sentenced detention
- 309 (63%) were aged 10–17, with a rate of 0.14 per 1,000 young people aged 10–17
- just under half (48%) of all those in sentenced detention were Indigenous
- 93% were boys and young men.

Over the 4-year period (June quarter 2008 to June quarter 2012):

- numbers and rates of young people in sentenced detention on an average night were relatively stable
- the rate of Indigenous young people aged 10–17 in sentenced detention fluctuated at around 30 times the non-Indigenous rate, with a slight decrease overall (from 32 to 30 times)
- rates of young people aged 10–17 in sentenced detention varied among the states and territories, with the highest rates in the Northern Territory and Western Australia, and the lowest in Victoria.

Over the 1-year period (June quarter 2011 to June quarter 2012):

- there was a decrease in the sentenced detention population on an average night (down 9%)
- there was little change in the rate among those aged 10–17 (from 0.15 to 0.14 per 1,000)
- the Indigenous to non-Indigenous rate ratio fluctuated, with an increase overall (from 26 to 30 times).

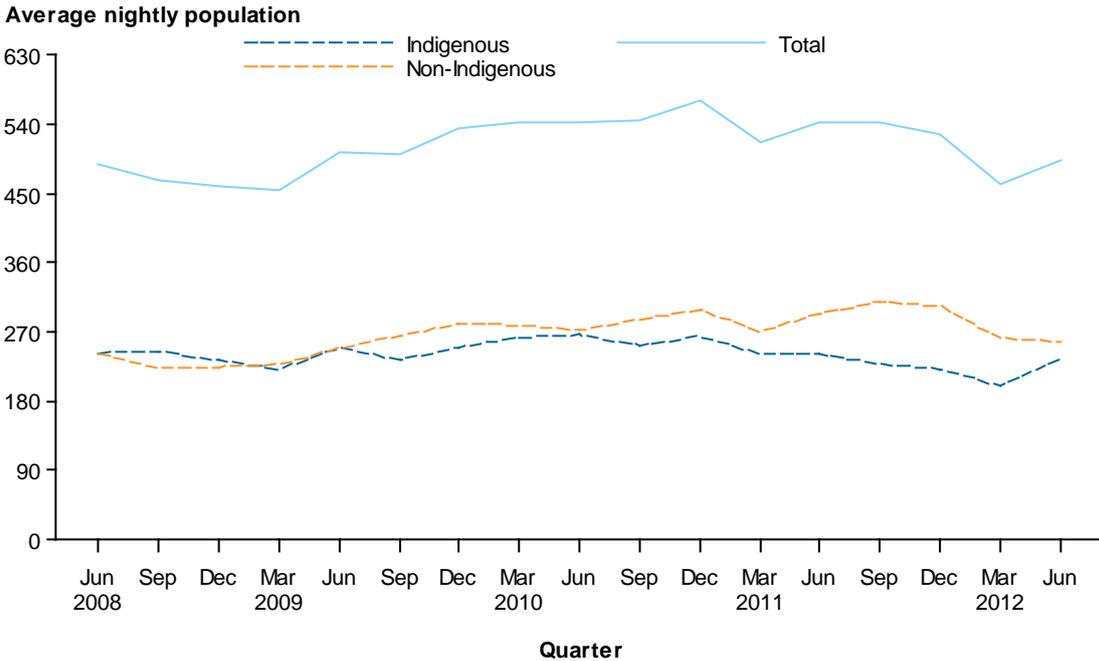
4.2 Number in sentenced detention

On an average night in the June quarter 2012, there were 492 young people in sentenced detention in Australia, which was similar to the number in the June quarter 2008 (488, up 1%) (Figure 4.1). The sentenced detention population increased during 2009 and 2010, peaking at 570 in the December quarter 2010, before dropping back slightly.

Over the most recent year (from the June quarter 2011 to the June quarter 2012), there was a decrease in the number of young people in sentenced detention on an average night (from 541 to 492, down 9%).

Indigenous status, age and sex

When the June quarter 2012 is compared with the June quarter 2008, the number of Indigenous young people in sentenced detention on an average night had decreased slightly (to 234, down 3%) while the number of non-Indigenous young people increased slightly (to 257, up 6%). Non-Indigenous young people made up just over half of those in sentenced detention for most of the period. The difference between the two groups increased over the most recent year, before converging again in the most recent quarter (when 48% were Indigenous).



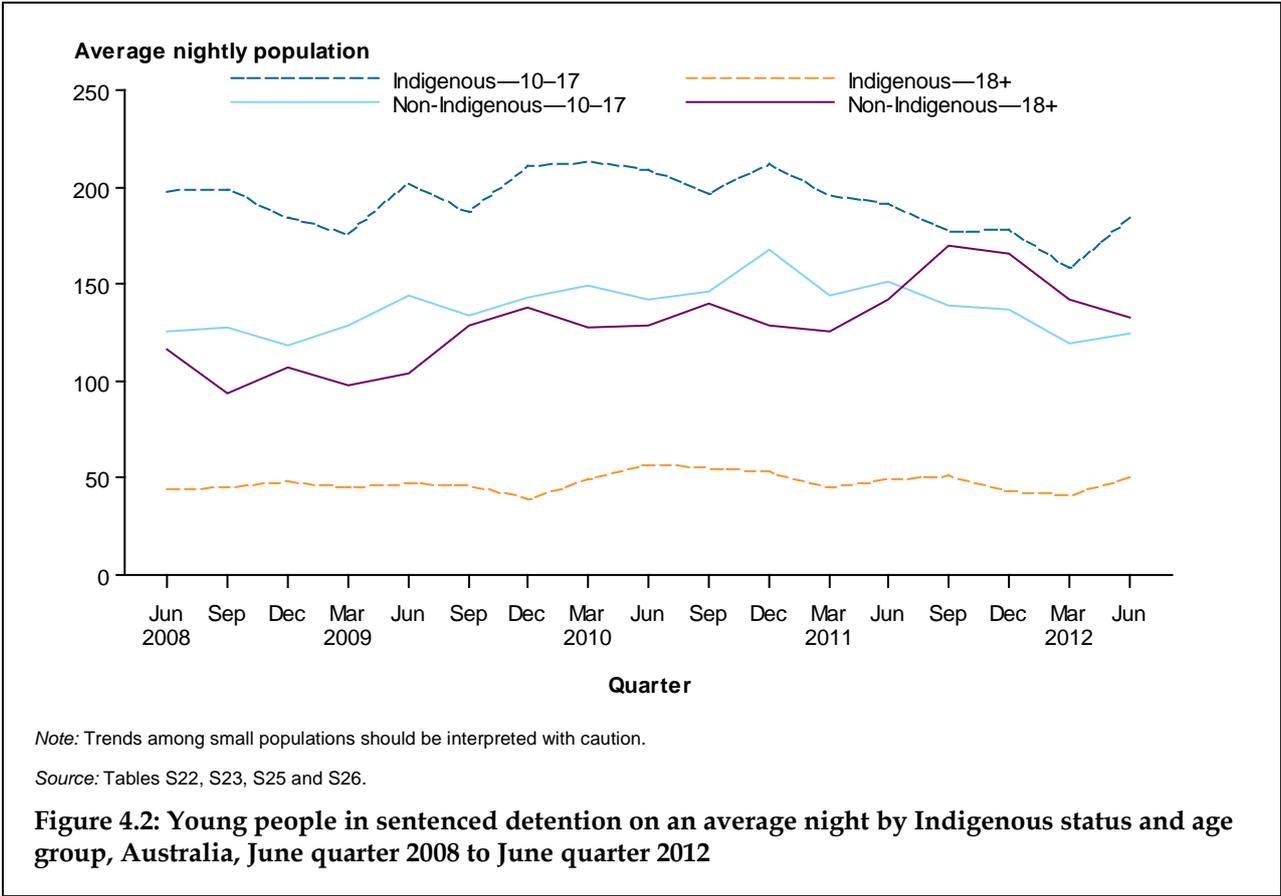
Source: Tables S21, S24 and S27.

Figure 4.1: Young people in sentenced detention on an average night by Indigenous status, Australia, June quarter 2008 to June quarter 2012

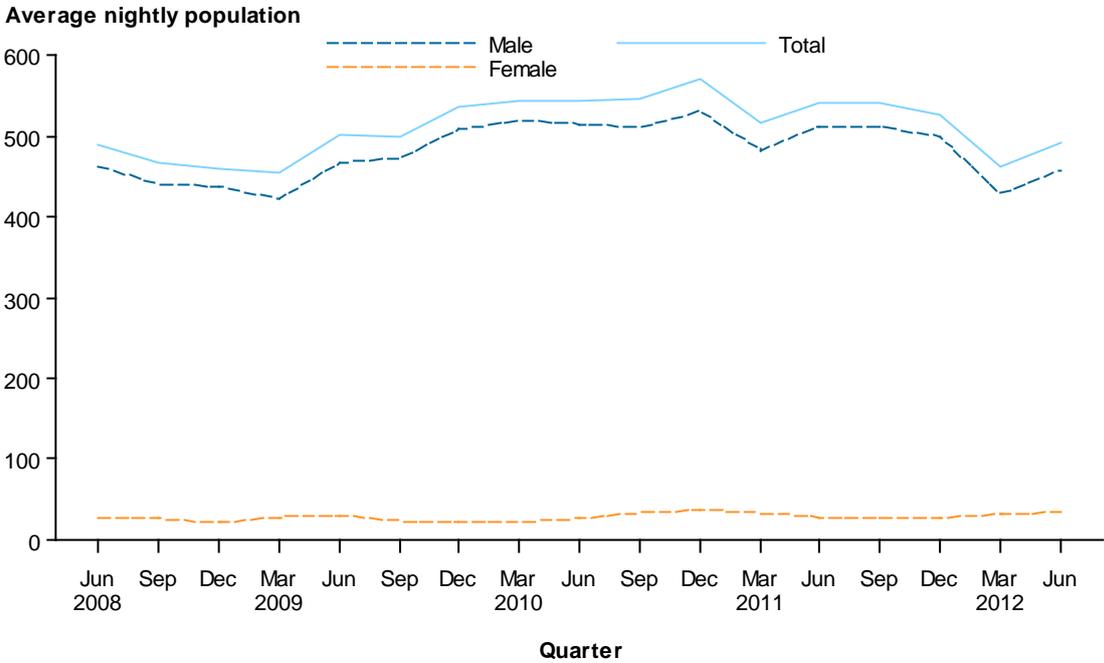
On an average night in the June quarter 2012, the majority (309 or 63%) of young people in sentenced detention were aged 10–17, and the remainder were 18 and over (tables S27 and S28). The proportion aged 10–17 ranged from 63% in New South Wales to 100% in South Australia and the Northern Territory, with the exception of Victoria (25%). The low proportion in Victoria is due to the ‘dual track’ sentencing system in that state, whereby some young people aged 18–20 may be sentenced to detention in a juvenile facility.

Among those in sentenced detention who were aged 10–17, Indigenous young people outnumbered non-Indigenous young people throughout the 4-year period (tables S22 and S25). Overall, there was a slight decrease in the Indigenous population aged 10–17 (down 7%), with the downward trend occurring from the start of 2011 onwards (Figure 4.2). The non-Indigenous population aged 10–17 increased between 2008 and 2010, before falling back to around the June quarter 2008 level.

In contrast, among those aged 18 and over in sentenced detention, the non-Indigenous population outnumbered the Indigenous population. The non-Indigenous population aged 18 and over increased steadily over the 4-year period, peaking in the September quarter 2011, before falling back slightly (up 15% overall). The Indigenous population remained relatively stable, with close to 50 young people on an average night in most quarters.



Most (around 95%) of those in sentenced detention on an average night throughout the period were boys and young men (Figure 4.3), and this was slightly higher than the proportion in unsentenced detention (around 90%; Figure 3.3). On an average night in the June quarter 2012, there were 457 boys and young men (93%) and 34 girls and young women in sentenced detention.



Note: Trends among small populations should be interpreted with caution.

Source: Table S27.

Figure 4.3: Young people in sentenced detention on an average night by sex, Australia, June quarter 2008 to June quarter 2012

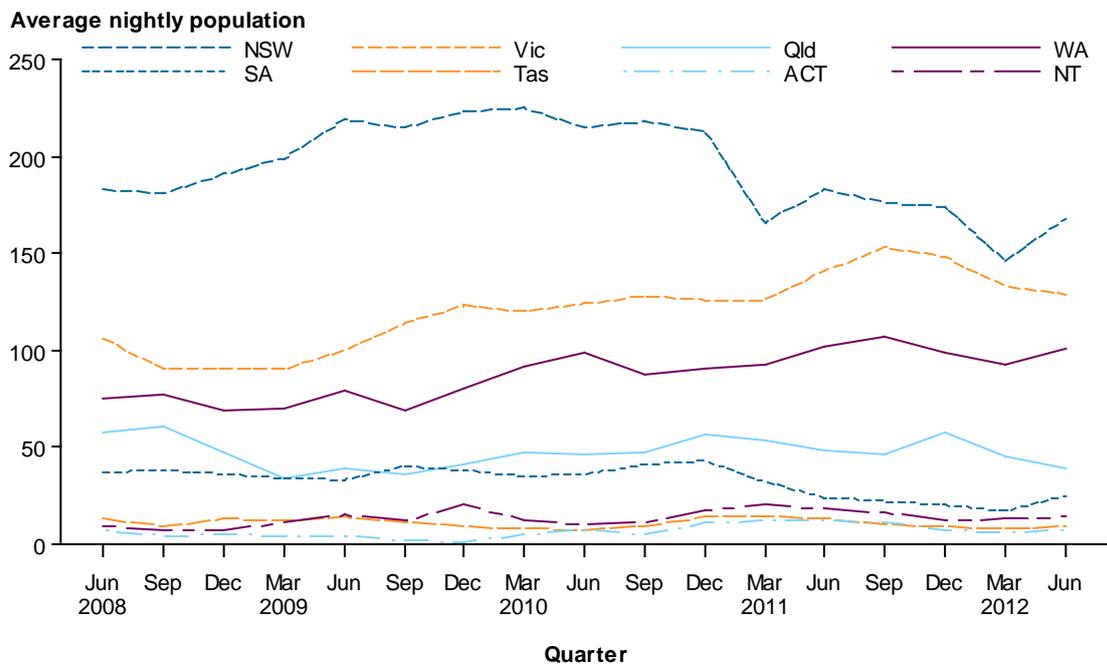
States and territories

Throughout each of the 4 years to the June quarter 2012, New South Wales had the largest population in sentenced detention on an average night, followed by Victoria and Western Australia (Figure 4.4).

In New South Wales, the sentenced detention population increased during 2008 and 2009, but decreased from the first quarter of 2011 onwards (down 183 to 168 overall). There was a decrease over the 4-year period in South Australia (from 37 to 25), and numbers fluctuated in Queensland, with a decrease overall (from 58 to 39).

In contrast, the sentenced detention population increased in Victoria (from 106 to 129) and Western Australia (from 75 to 101) over the 4 years. Numbers fluctuated in the smaller states and territories.

Over the most recent year (from the June quarter 2011 to the June quarter 2012), there were small decreases or little change in the sentenced detention population in all states and territories.



Note: Trends among small populations should be interpreted with caution.

Source: Table S27.

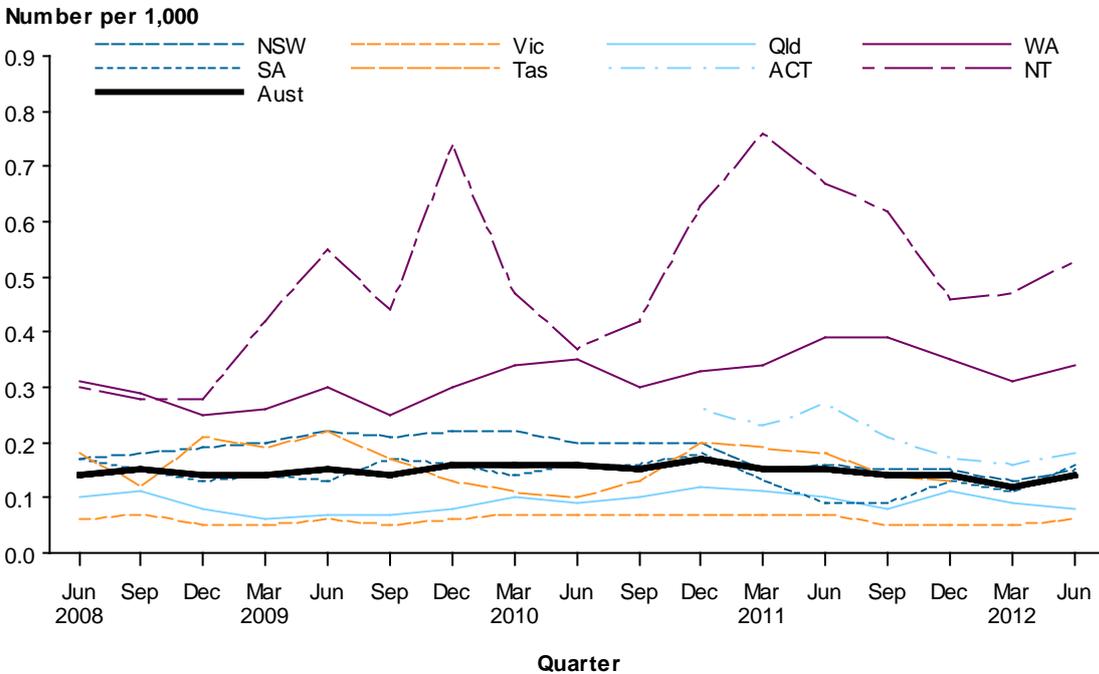
Figure 4.4: Young people in sentenced detention on an average night, states and territories, June quarter 2008 to June quarter 2012

4.3 Rate of sentenced detention

There were 0.14 young people per 1,000 aged 10–17 in sentenced detention on an average night in the June quarter 2012, which was the same as the rate in the June quarter 4 years earlier (Figure 4.5). This rate was relatively stable over the 4-year period, and was highest in the December quarter 2010 (0.17 per 1,000).

States and territories

As with unsentenced detention, the rate of sentenced detention was highest, but also most volatile, in the Northern Territory over the 4-year period (ranging from 0.28 to 0.76 per 1,000). This was followed by Western Australia (ranging from 0.25 to 0.39 per 1,000). Despite having one of the largest populations in sentenced detention, Victoria consistently had the lowest rate of young people aged 10–17 in sentenced detention (due to the high proportion of young people aged 18 and over in sentenced detention).



Note: Trends among small populations should be interpreted with caution.

Source: Table S30.

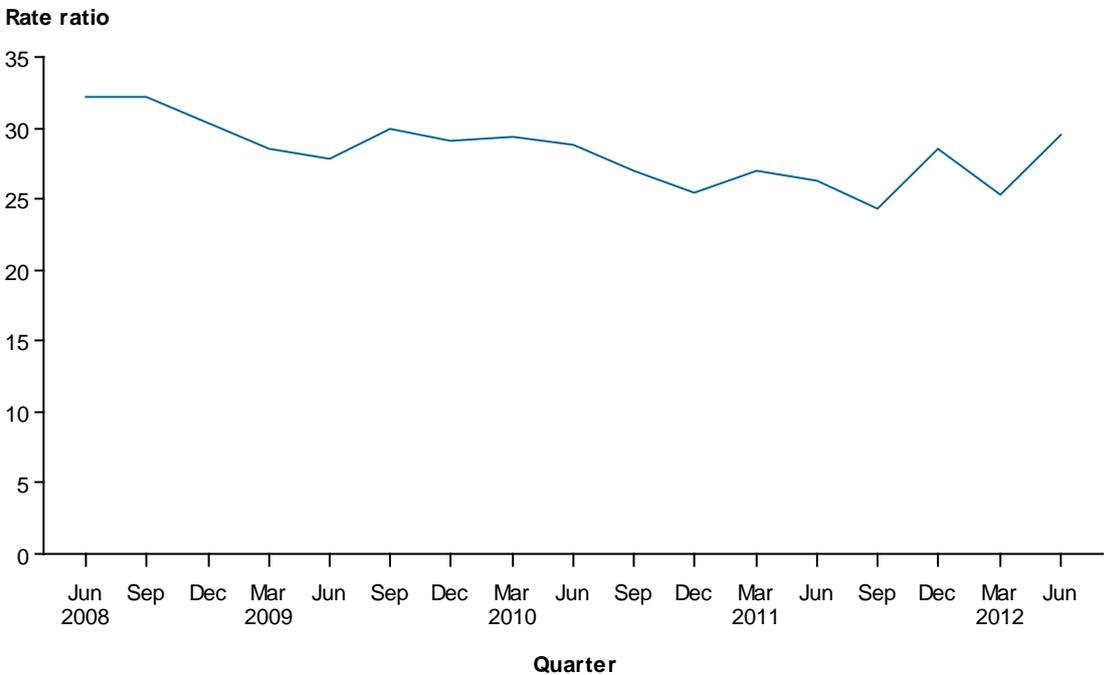
Figure 4.5: Young people aged 10–17 in sentenced detention on an average night, states and territories, June quarter 2008 to June quarter 2012 (rate)

Indigenous status

In the June quarter 2012, Indigenous young people aged 10–17 were 30 times as likely as non-Indigenous young people to be in sentenced detention on an average night – a slight decrease from 32 times as likely 4 years earlier (Figure 4.6). This was due to an overall drop in the Indigenous rate (from 1.93 to 1.77 per 1,000) while the non-Indigenous rate remained stable (around 0.06 per 1,000 each quarter).

Over the most recent year, the level of Indigenous over-representation fluctuated, with an increase overall (from 26 to 30 times).

Throughout the 4-year period, Indigenous young people aged 10–17 were over-represented in all states and territories for which rate ratios were calculated (Table S30). Rate ratios were not calculated where there were fewer than five young people in the numerator of the relevant rates (Tasmania, the Australian Capital Territory and the Northern Territory for all quarters and Victoria for selected quarters).



Note: Rate ratio calculated by dividing the Indigenous rate by the non-Indigenous rate.

Source: Table S30.

Figure 4.6: Level of Indigenous over-representation among young people aged 10–17 in sentenced detention, Australia, June quarter 2008 to June quarter 2012 (rate ratio)

5 State and territory trends

5.1 Key points

Over the 4-year period (comparing June quarter 2008 with June quarter 2012):

New South Wales

- The average number of young people of all ages in detention dropped 19% (from 430 to 350), and the rate of those aged 10–17 also decreased (0.48 to 0.37 per 1,000).
- The decrease was greater in unsentenced than sentenced detention (down 26% compared with 8%).

Victoria

- There was a small increase in the detention population (155 to 167, up 8%), and a slight decrease in the rate among those aged 10–17 (from 0.14 to 0.12 per 1,000).
- Although there was an increase in the sentenced population and a decrease in the unsentenced, rates for these groups remained similar.

Queensland

- Numbers and rates in detention fluctuated, but increased overall (numbers up 7% from 143 to 153, and rates from 0.28 to 0.32 per 1,000).
- The unsentenced population increased while the sentenced population decreased, with much of the change occurring over the most recent year.

Western Australia

- There was an increase in the number (163 to 192, up 18%) of young people of all ages in detention, but little change in the rate of those aged 10–17 (from 0.67 to 0.69 per 1,000).
- The sentenced and unsentenced detention populations remained similar in size.

South Australia

- Both numbers (from 68 to 76) and rates (from 0.34 to 0.41 per 1,000) of young people in detention on an average night increased.
- The unsentenced population increased and the sentenced population decreased, with most of the changes occurring over the most recent year.

Tasmania

- Numbers and rates of young people in detention decreased (numbers dropped from 34 to 23, and rates from 0.56 to 0.33 per 1,000).
- The unsentenced detention rate decreased (0.38 to 0.21 per 1,000), while the sentenced rate fluctuated.

Australian Capital Territory

- The number in detention on an average night increased (from 15 to 24), and rates among those aged 10–17 were highest from 2010 onwards.
- The unsentenced population outnumbered the sentenced population in most quarters.

Northern Territory

- Although numbers and rates fluctuated, there were overall increases (numbers from 31 to 41, and rates from 1.04 to 1.55 per 1,000).

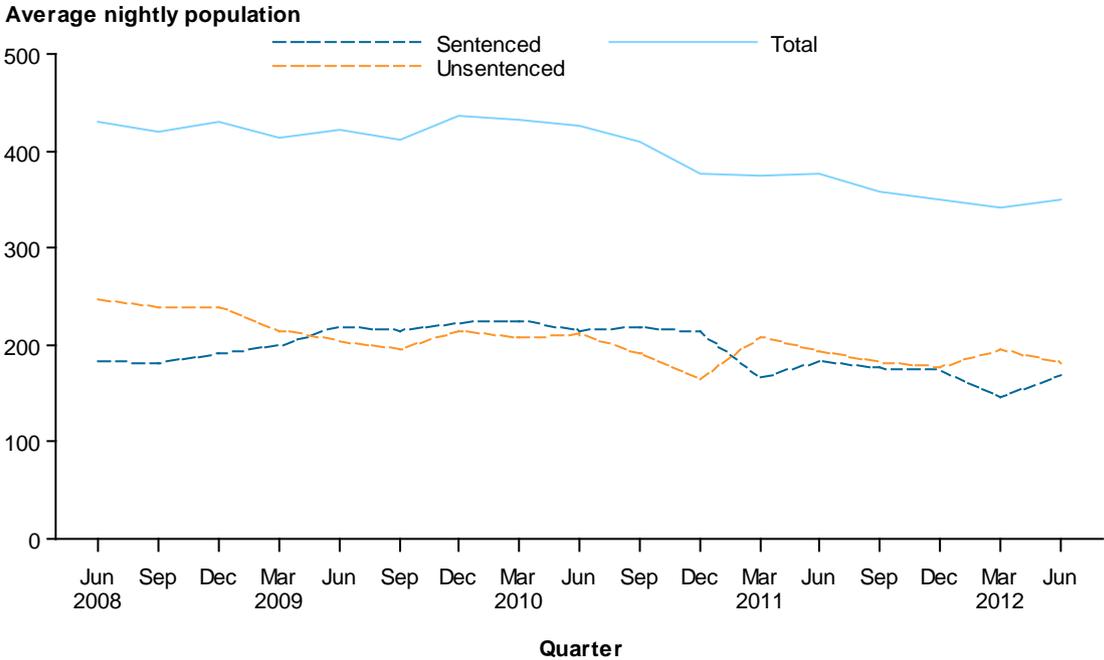
5.2 New South Wales

Numbers

The number of young people in detention in New South Wales on an average night decreased from 430 to 350 (down 19%) over the 4-year period to the June quarter 2012 (Figure 5.1). This decrease occurred from 2010 onwards.

Similar numbers of young people were in sentenced and unsentenced detention in each quarter in most quarters, with a larger overall decrease in unsentenced (to 182, down 26%) than sentenced detention (to 168, down 8%).

Over the most recent year (from the June quarter 2011 to the June quarter 2012), there was a 7% decrease in the detention population.



Note: Trends among small populations should be interpreted with caution.

Source: Tables S7, S17 and S27.

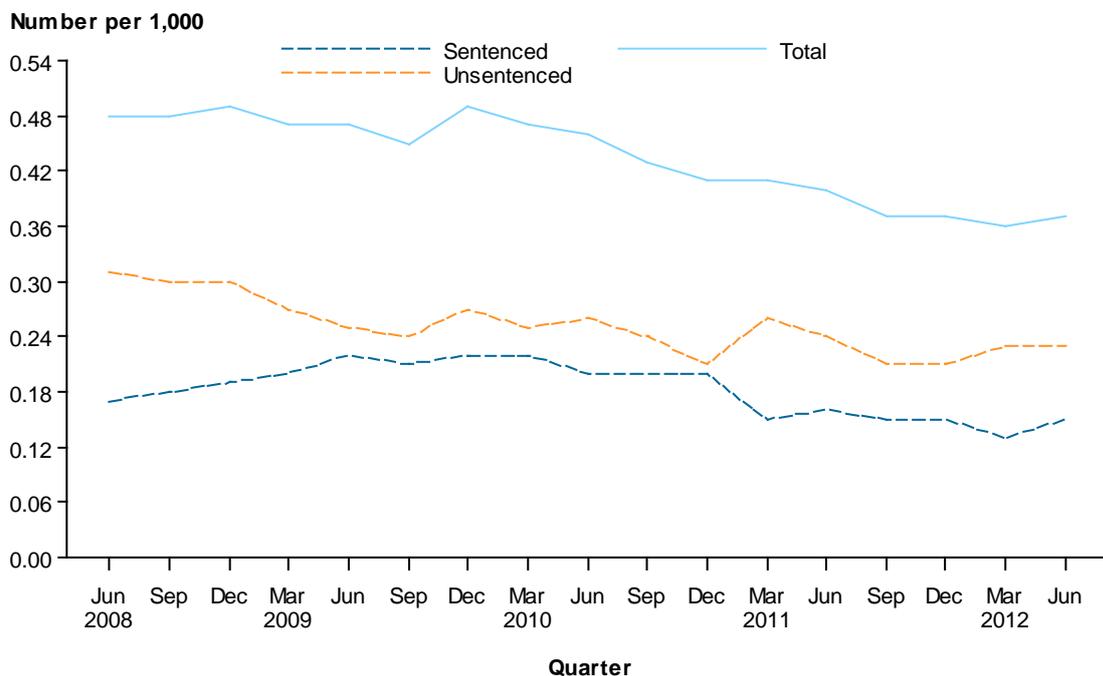
Figure 5.1: Young people in detention on an average night by legal status, New South Wales, June quarter 2008 to June quarter 2012

Rates

Over the 4-year period, there was an overall decrease in the rate of young people aged 10–17 in detention on an average night (from 0.48 to 0.37 per 1,000), and this decrease occurred in both unsentenced and sentenced detention (Figure 5.2). The unsentenced detention rate remained higher than the sentenced detention rate throughout the period.

The unsentenced detention rate decreased steadily, from 0.31 per 1,000 in the June quarter 2008 to 0.23 per 1,000 in the June quarter 2012. The sentenced detention rate increased slightly from 0.17 to 0.22 during 2009 and early 2010, before dropping to 0.15 per 1,000 in the June quarter 2012.

Young people aged 10–17 in New South Wales were 1.5 times as likely to be in unsentenced as sentenced detention in the June quarter 2012.



Note: Trends among small populations should be interpreted with caution.

Source: Tables S10, S20 and S30.

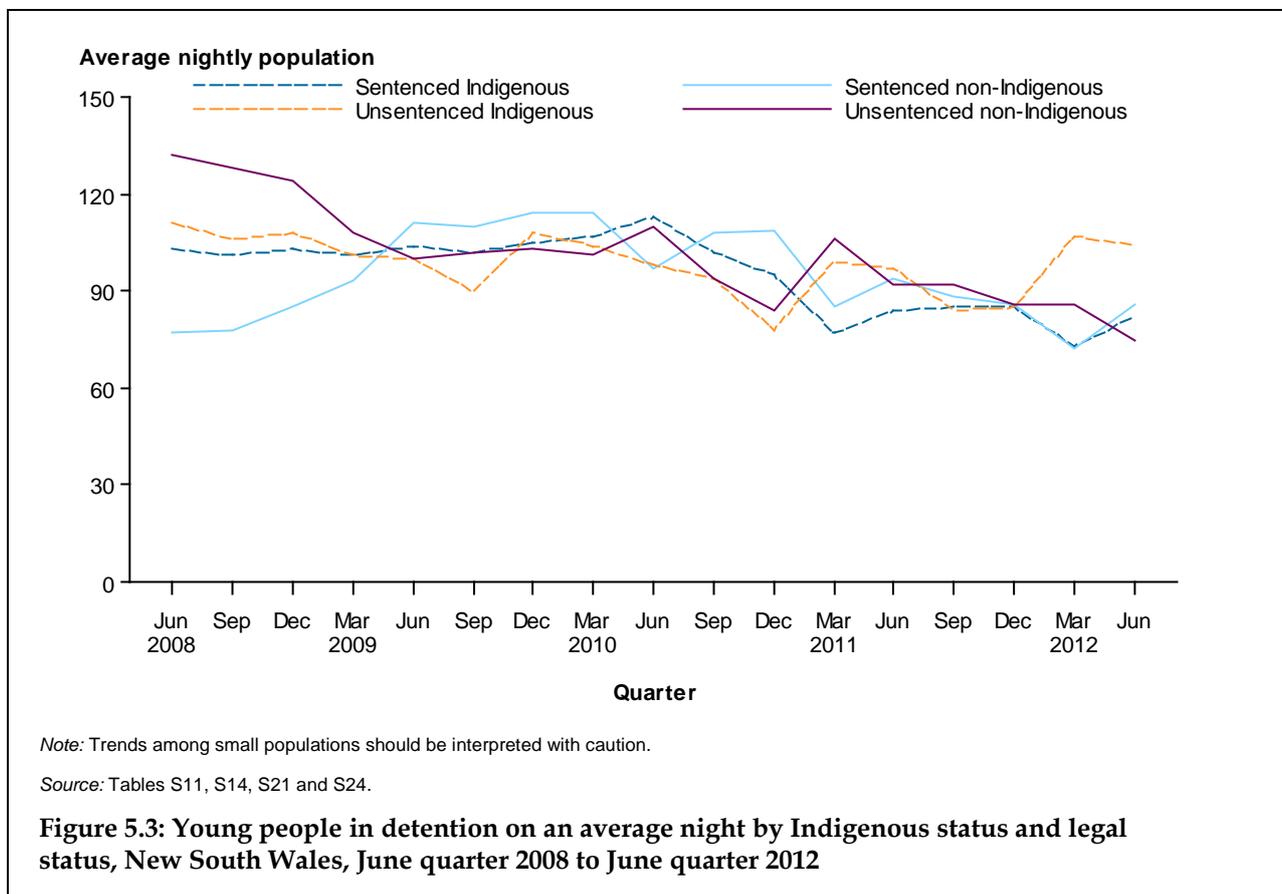
Figure 5.2: Young people aged 10–17 in detention on an average night by legal status, New South Wales, June quarter 2008 to June quarter 2012 (rate)

Indigenous status

The decrease in the unsentenced detention population in New South Wales was greatest among non-Indigenous young people (Figure 5.3). Over the 4-year period, there was a steady decline in the unsentenced non-Indigenous population on an average night, from 132 to 75 young people. The unsentenced Indigenous population fluctuated, with little change overall (from 111 to 104).

In sentenced detention, there was a decrease in the Indigenous population over the 4-year period (from 103 to 82 young people). The sentenced non-Indigenous population peaked during 2009 and 2010, but subsequently dropped slightly, with little change overall (from 77 to 86).

Over most of the period, the four groups remained relatively similar in size. The unsentenced Indigenous population was the largest of the four in the June quarter 2012 (30% of the total detention population).

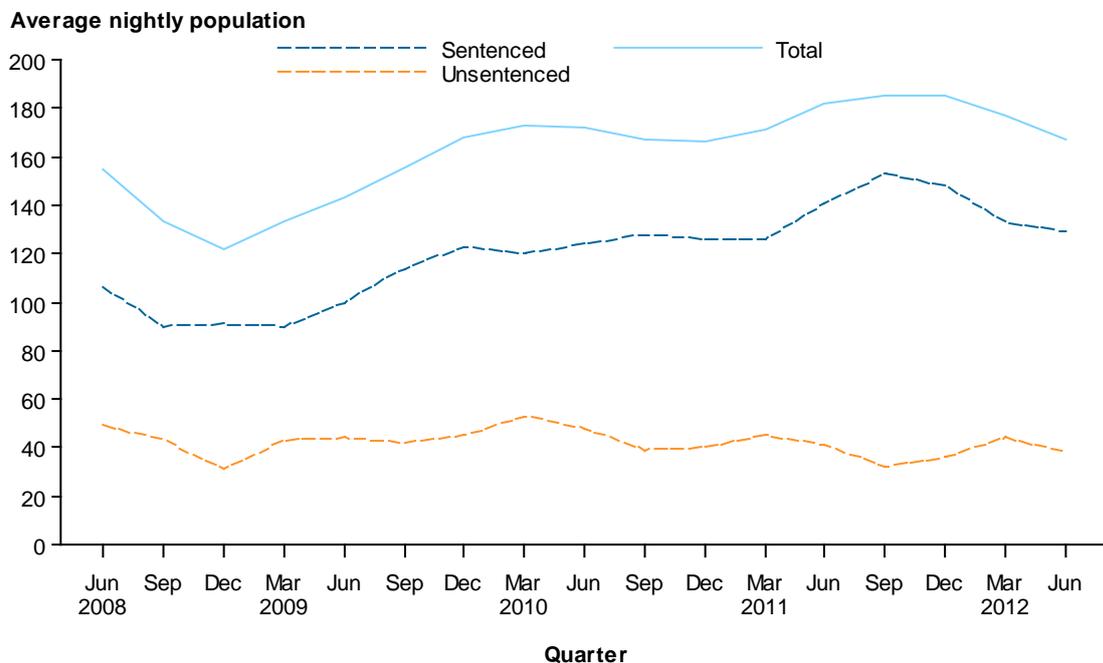


5.3 Victoria

Numbers

Over the 4-year period to the June quarter 2012, there was a slight overall increase in the number of young people in detention on an average night in Victoria (from 155 to 167, up 8%) (Figure 5.4). The detention population was smallest in the December quarter 2008 (122) and largest in the second half of 2011 (185).

Around three-quarters of all young people in detention in Victoria were serving a sentence on an average night throughout the 4-year period, although this proportion fluctuated. Between the June quarter 2008 and the June quarter 2012, there was an increase in the sentenced detention population (from 106 to 129 young people) and a decrease in the unsentenced population (from 49 to 38).



Note: Trends among small populations should be interpreted with caution.

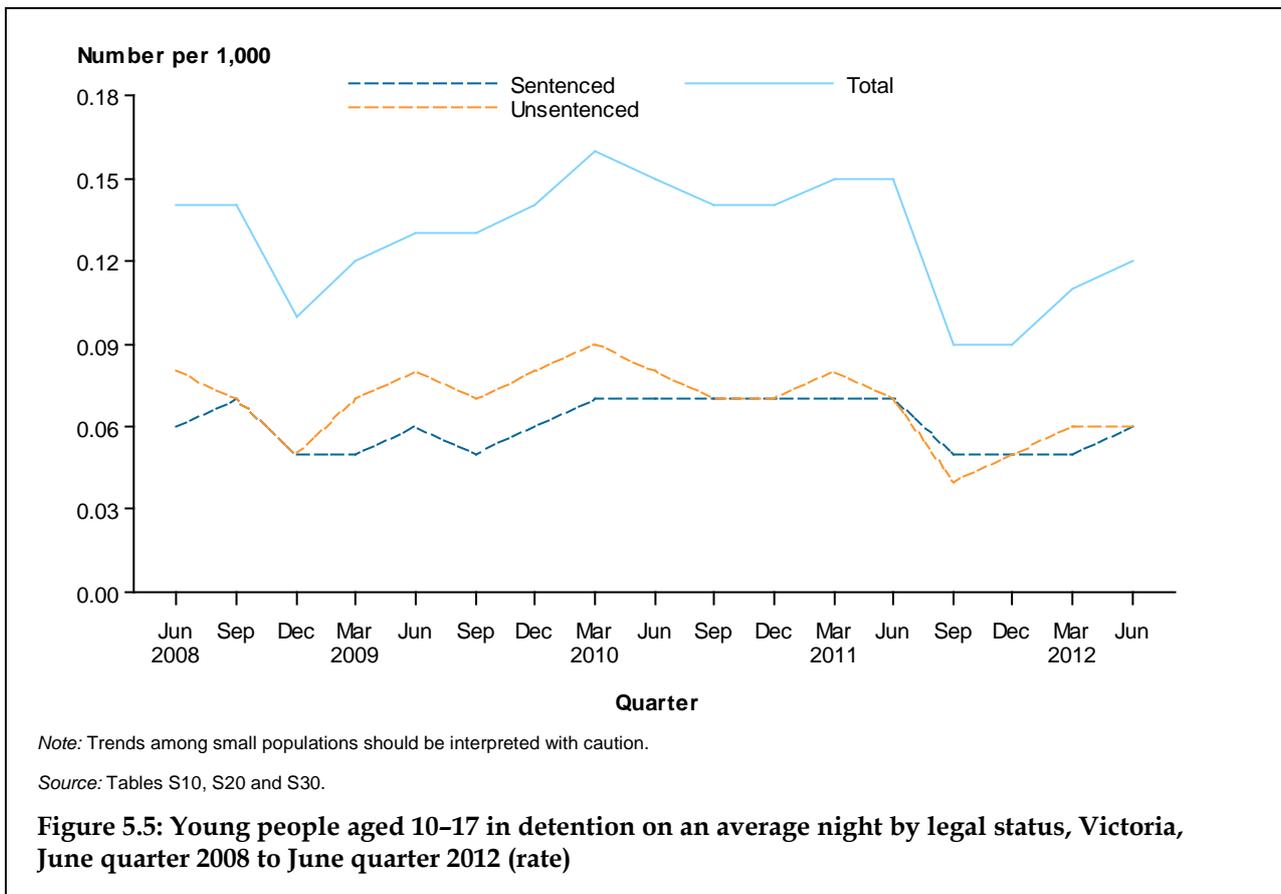
Source: Tables S7, S17 and S27.

Figure 5.4: Young people in detention on an average night by legal status, Victoria, June quarter 2008 to June quarter 2012

Rates

Although rates fluctuated from quarter to quarter, when the June quarter 2012 is compared with the June quarter 2008, there was a slight decline in the rate of young people aged 10–17 in detention on an average night in Victoria (from 0.14 to 0.12 per 1,000) (Figure 5.5). There was also a decrease over the most recent year (from 0.15 to 0.12 per 1,000).

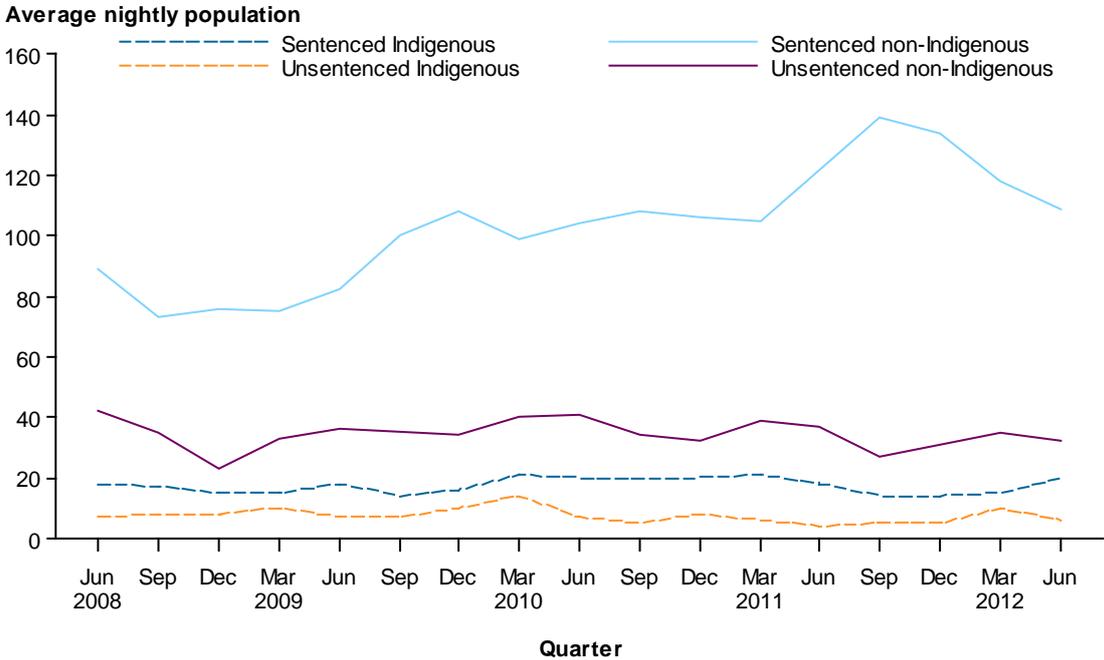
In contrast to the numbers of young people (of all ages), the rates of those aged 10–17 in unsentenced and sentenced detention were relatively similar throughout the period. The difference between the numbers and rates is due to the fact that majority (around 70%) of young people in sentenced detention in Victoria were aged 18 and over (due to the fact that some young people aged 18–20 in Victoria may be sentenced to detention in a juvenile facility, known as the ‘dual track’ system).



Indigenous status

Sentenced non-Indigenous young people were the largest group in detention in Victoria throughout the 4 years, and made up more than half of the total population on an average night each quarter (Figure 5.6). There was a general upward trend in this population throughout the period, and an overall increase (from 89 to 109 young people), with the population largest in the September quarter 2011 (139). In contrast, there was little change in the sentenced Indigenous population (around 15–20 young people in each quarter).

Over the 4-year period, there were no distinct changes in the numbers of Indigenous and non-Indigenous young people in detention. There were around 30–40 non-Indigenous young people in unsentenced detention on an average night, and around 5–10 Indigenous young people.



Note: Trends among small populations should be interpreted with caution.

Source: Tables S11, S14, S21 and S24.

Figure 5.6: Young people in detention on an average night by Indigenous status and legal status, Victoria, June quarter 2008 to June quarter 2012

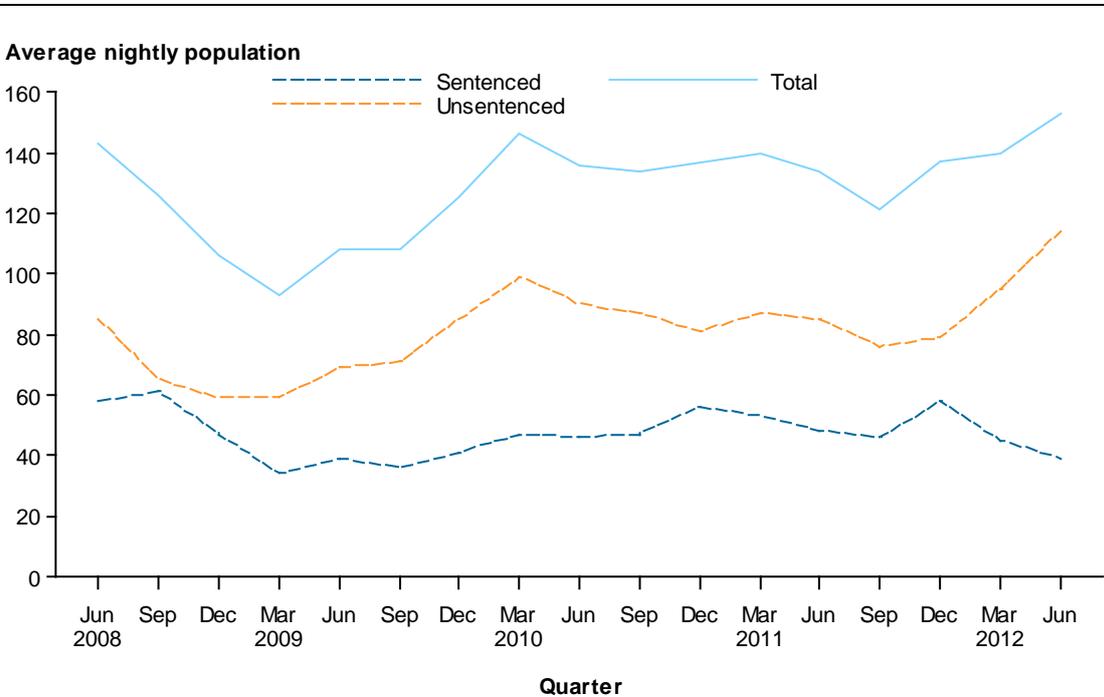
5.4 Queensland

Numbers

The number of young people in detention on an average night in Queensland increased slightly over the 4-year period to the June quarter 2012 (from 143 to 153, up 7%) (Figure 5.7). However, numbers fluctuated: the detention population was smallest in the March quarter 2009 (93 young people) and largest in the June quarter 2012. The unsentenced population was larger than the sentenced population on an average night throughout the period.

When the June quarter 2012 is compared with the June quarter 2008, there was an overall increase in the number of young people in unsentenced detention on an average night (from 85 to 114) and a decrease in sentenced detention (from 58 to 39).

Similarly, over the most recent year (from the June quarter 2011 to the June quarter 2012), the unsentenced detention population increased while the sentenced population decreased.



Note: Trends among small populations should be interpreted with caution.

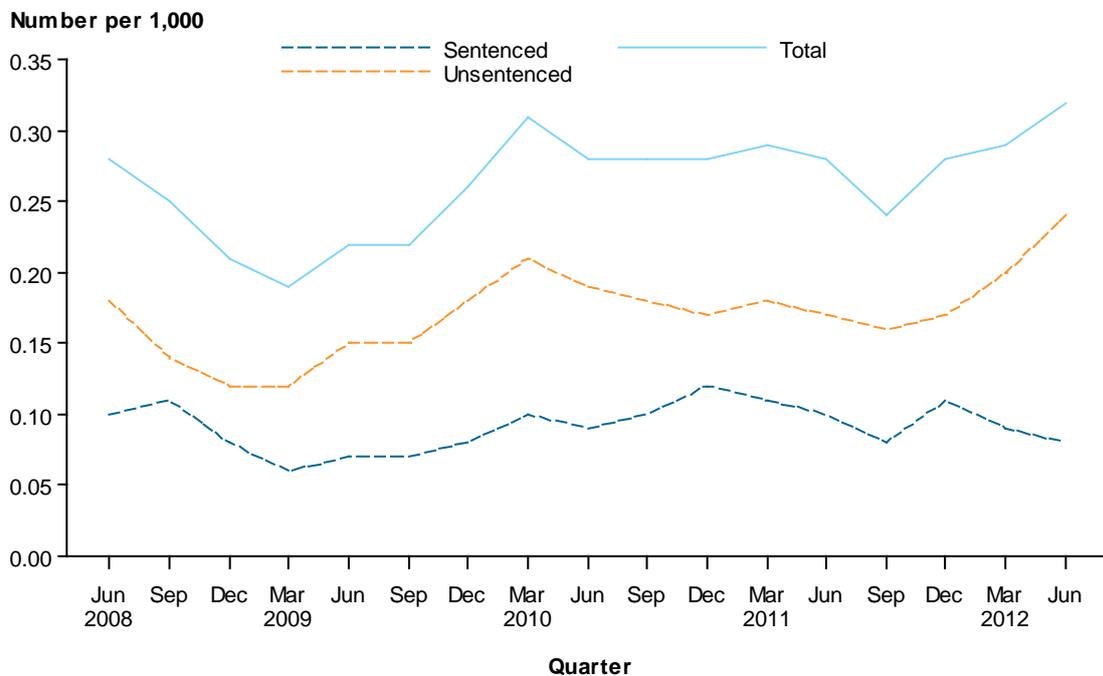
Source: Tables S7, S17 and S27.

Figure 5.7: Young people in detention on an average night by legal status, Queensland, June quarter 2008 to June quarter 2012

Rates

As very few young people in detention in Queensland were aged 18 and over, trends in the rates of detention among those aged 10–17 were similar to the trends in numbers of young people of all ages. Between the June quarter 2008 and the June quarter 2012, there was a small overall increase in the rate of young people aged 10–17 in detention on an average night (from 0.28 to 0.32 per 1,000) (Figure 5.8). The rate was lowest in the March quarter 2009 (0.19 per 1,000 young people).

Over the 4-year period, the rate of young people aged 10–17 in unsentenced detention on an average night increased (from 0.18 to 0.24 per 1,000), while the sentenced detention rate dropped slightly (from 0.10 to 0.08 per 1,000). The increase in unsentenced detention was largely due to an increase in the Indigenous rate (from 1.77 to 2.50 per 1,000 young people), while the non-Indigenous rate fluctuated (ranging between 0.05 and 0.09 young people per 1,000) (Table S20).



Note: Trends among small populations should be interpreted with caution.

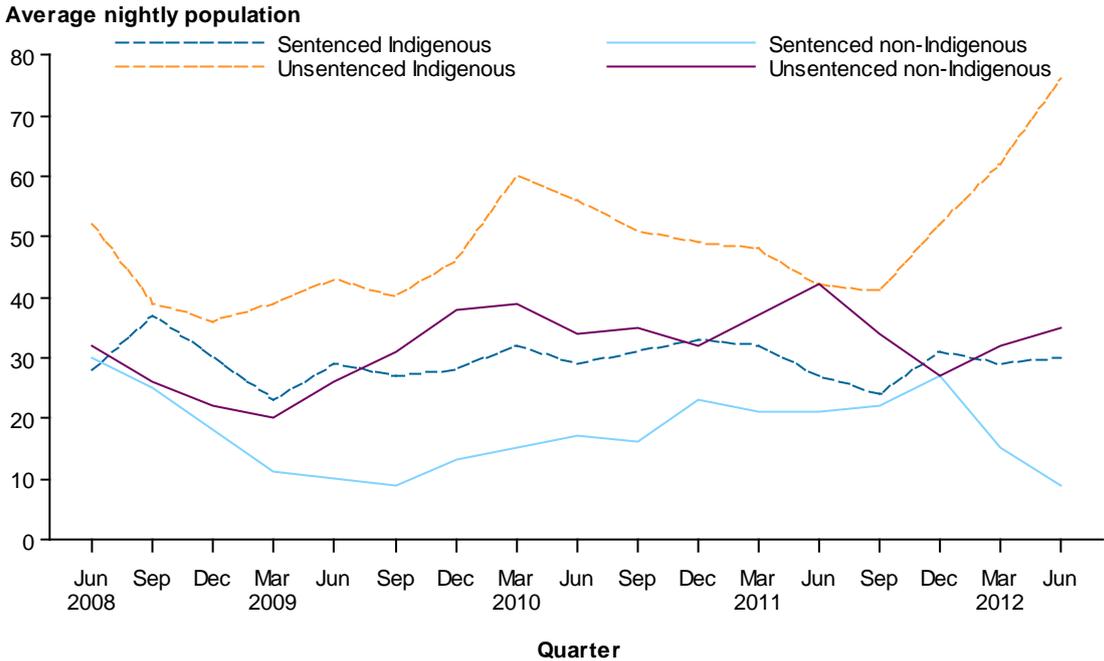
Source: Tables S10, S20 and S30.

Figure 5.8: Young people aged 10–17 in detention on an average night by legal status, Queensland, June quarter 2008 to June quarter 2012 (rate)

Indigenous status

Throughout the 4-year period to the June quarter 2012, the majority of young people in detention on an average night in Queensland were Indigenous (tables S1 and S7). The largest group was the unsentenced Indigenous population, which made up around 30–50% of the total detention population in each quarter (Figure 5.9).

Over the 4 years to the June quarter 2012, the unsentenced Indigenous population increased (from 52 to 76 young people). The smallest group in almost all quarters was the non-Indigenous sentenced population, which fluctuated between 9 and 30 young people throughout the period.



Note: Trends among small populations should be interpreted with caution.

Source: Tables S11, S14, S21 and S24.

Figure 5.9: Young people in detention on an average night by Indigenous status and legal status, Queensland, June quarter 2008 to June quarter 2012

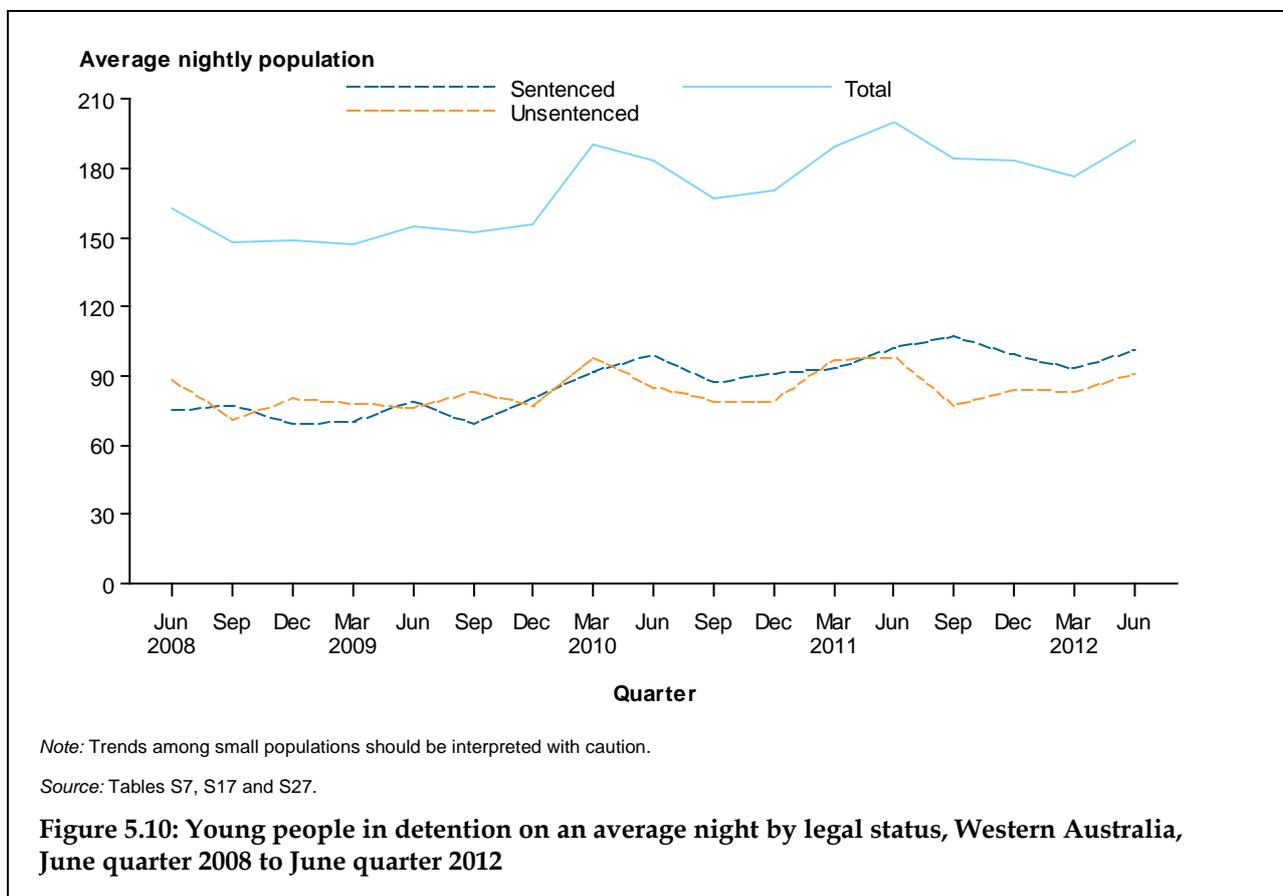
5.5 Western Australia

Numbers

Between the June quarter 2008 and the June quarter 2012, the number of young people in detention in Western Australia on an average night fluctuated, with an overall increase of 18% (from 163 to 192) (Figure 5.10).

There were similar numbers of young people in sentenced and unsentenced detention each quarter, but slight differences in the trends. Over the period, there was an increase in the sentenced population (from 75 to 101), and little change in the unsentenced population (around 80–90 each quarter).

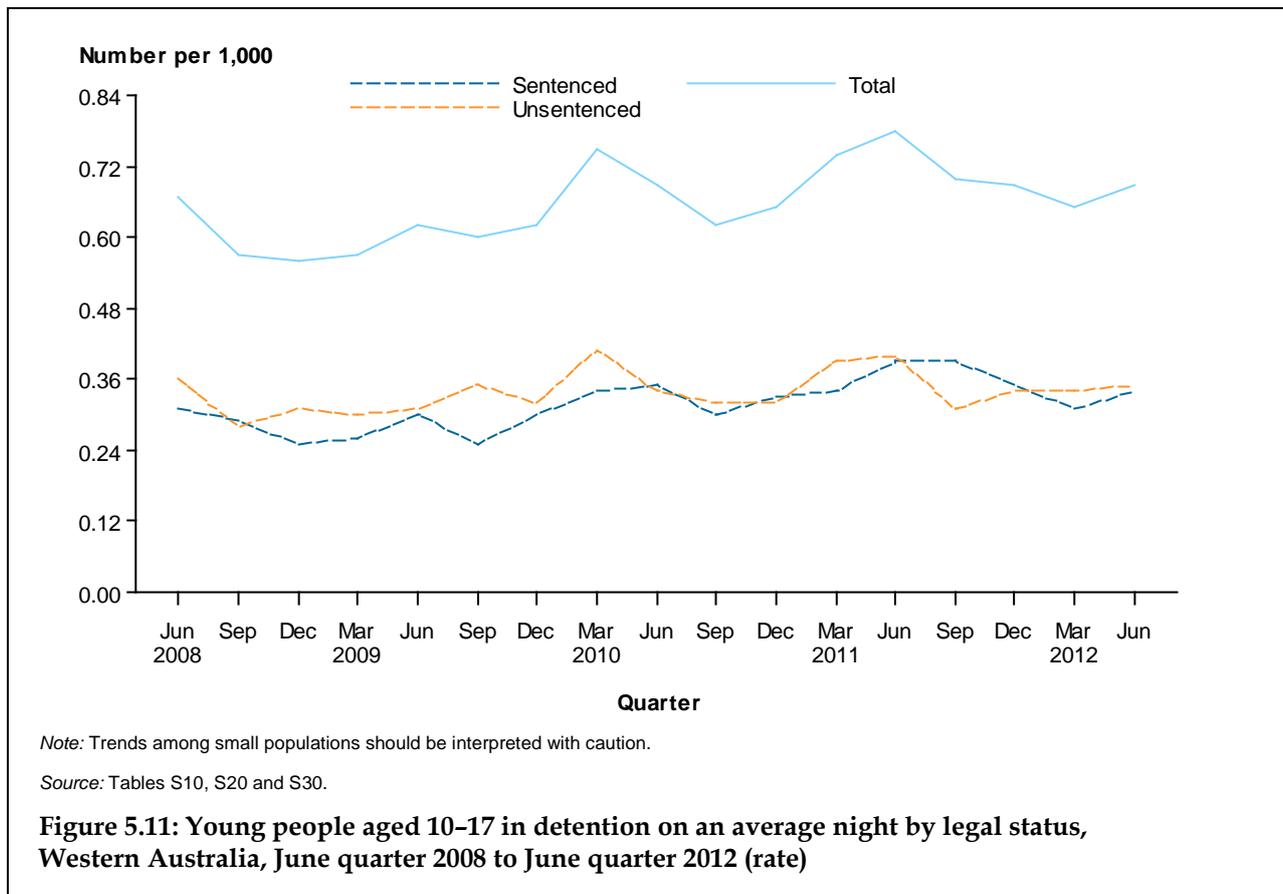
Over the most recent year (from the June quarter 2011 to the June quarter 2012), there were around 180–200 young people in detention each quarter.



Rates

Between the June quarter 2008 and the June quarter 2012, there was a general upward trend in the rate of young people aged 10–17 in detention on an average night, but only a slight increase overall (from 0.67 to 0.69 per 1,000) (Figure 5.11). The rate of young people aged 10–17 in detention was lowest in the December quarter 2008, and peaked in the March 2010 and June 2011 quarters. This pattern was similar to that for the number of young people of all ages in detention, due to the relatively low numbers of those aged 18 and older in detention.

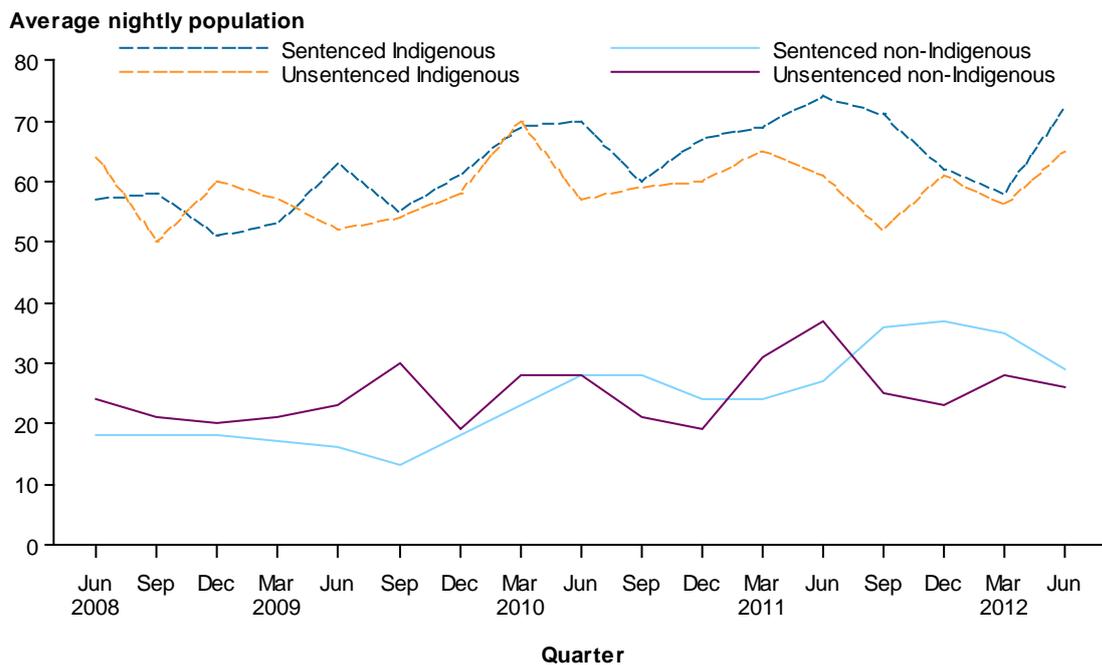
Over the 4-year period, rates of young people in sentenced and unsentenced detention remained relatively similar to one another. In the June quarter 2012, there were 0.34 young people per 1,000 aged 10–17 in sentenced detention, and 0.35 per 1,000 in sentenced detention.



Indigenous status

On an average night, most young people in both unsentenced and sentenced detention in Western Australia were Indigenous, and this was the case throughout the 4-year period (tables S11, S14, S21 and S24). In the June quarter 2012, around 70% of young people in sentenced and unsentenced detention were Indigenous.

Both the unsentenced and sentenced Indigenous populations in detention fluctuated at around 50–70 young people on an average night each quarter (Figure 5.12). Among non-Indigenous young people, there was an upward trend in the sentenced population (overall increase from 18 to 29) and little overall change in the unsentenced population.



Note: Trends among small populations should be interpreted with caution.

Source: Tables S11, S14, S21 and S24.

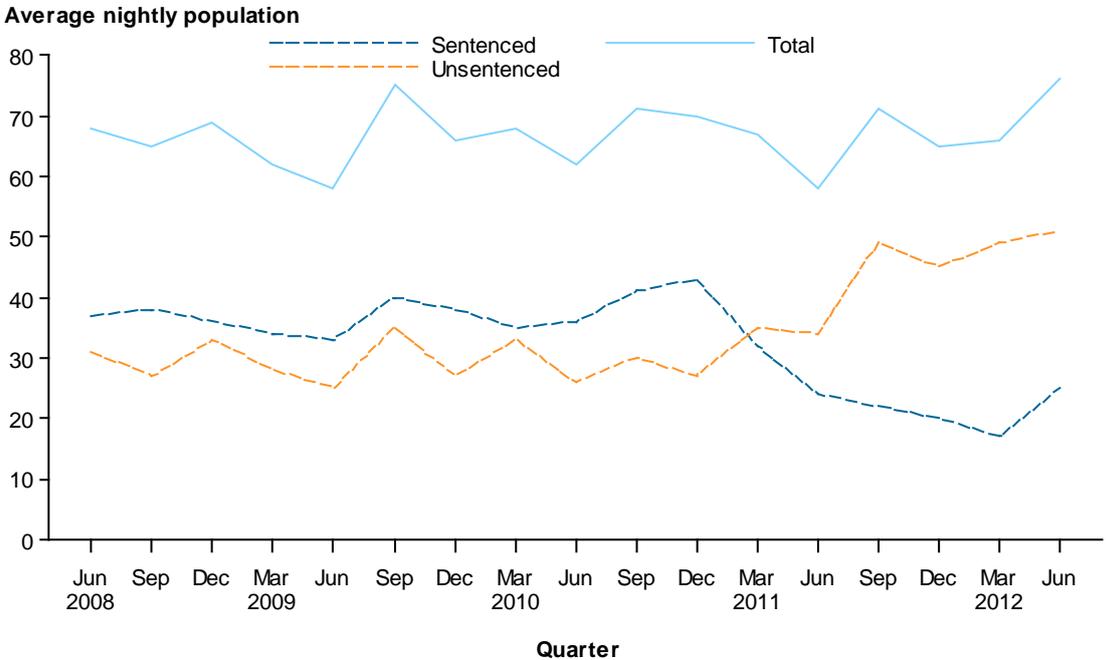
Figure 5.12: Young people in detention on an average night by Indigenous status and legal status, Western Australia, June quarter 2008 to June quarter 2012

5.6 South Australia

Numbers

Over the 4 years to the June quarter 2012, there were around 65–75 young people in detention in South Australia on an average night (Figure 5.13). When the June quarter 2012 is compared with the June quarter 2008, there was a small increase overall (from 68 to 76 young people).

However, there were notable differences in trends between the sentenced and unsentenced populations. The number of young people in sentenced detention was higher than unsentenced detention in each quarter until the most recent year, when the number in sentenced detention dropped, and the number in unsentenced detention increased. On an average night in the June quarter 2012, there were 51 young people in unsentenced detention and 25 in sentenced.



Note: Trends among small populations should be interpreted with caution.

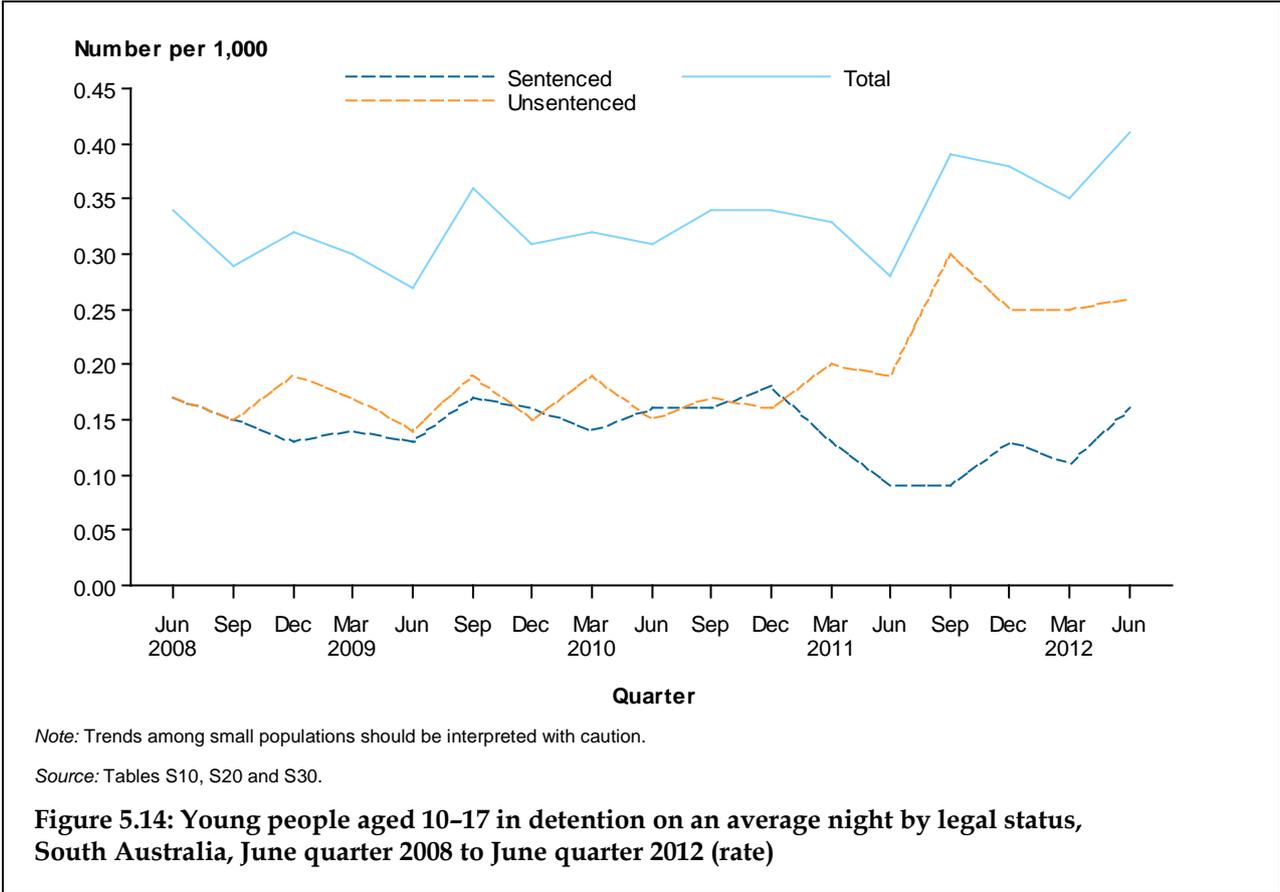
Source: Tables S7, S17 and S27.

Figure 5.13: Young people in detention on an average night by legal status, South Australia, June quarter 2008 to June quarter 2012

Rates

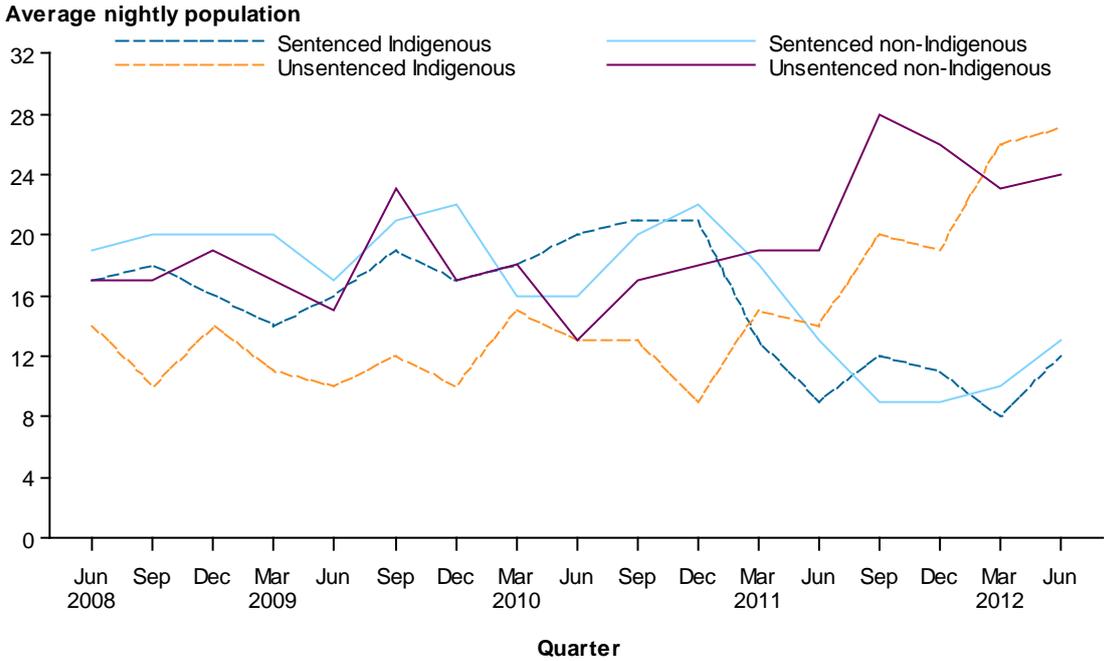
Over the 4-year period, there was an increase in the rate of young people aged 10–17 in detention in South Australia on an average night (from 0.34 to 0.41 per 1,000) (Figure 5.14). As with the numbers, rates of sentenced and unsentenced detention were similar until 2011, when there was an increase in the unsentenced rate and a decrease in the sentenced rate.

In the June quarter 2008, young people in detention in South Australia were equally likely to be unsentenced or sentenced, but by the June quarter 2012, they were 1.6 times as likely to be unsentenced.



Indigenous status

In South Australia, similar trends occurred among the Indigenous and non-Indigenous populations over the 4-year period. Between the June quarter 2008 and the June quarter 2012, the numbers of both Indigenous and non-Indigenous young people in unsentenced detention on an average night increased, with most of this increase occurring over the most recent year (Figure 5.15). The numbers of Indigenous and non-Indigenous young people in sentenced detention both decreased over the period.



Note: Trends among small populations should be interpreted with caution.

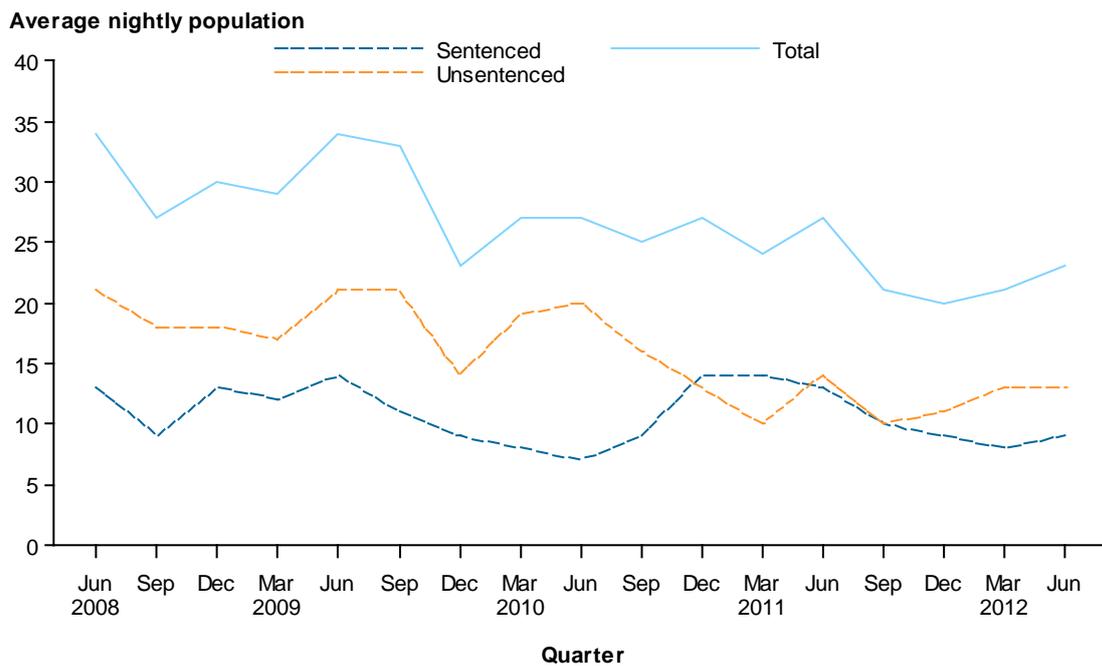
Source: Tables S11, S14, S21 and S24.

Figure 5.15: Young people in detention on an average night by Indigenous status and legal status, South Australia, June quarter 2008 to June quarter 2012

5.7 Tasmania

Numbers

Over the 4-year period, there was a decline in the number of young people in detention in Tasmania on an average night – from 34 in the June quarter 2008 to 23 in the June quarter 2012 (Figure 5.16). Most of this was due to a drop in the unsentenced detention population (from 21 to 13 young people). The sentenced population fluctuated slightly over the period, but with little change overall.



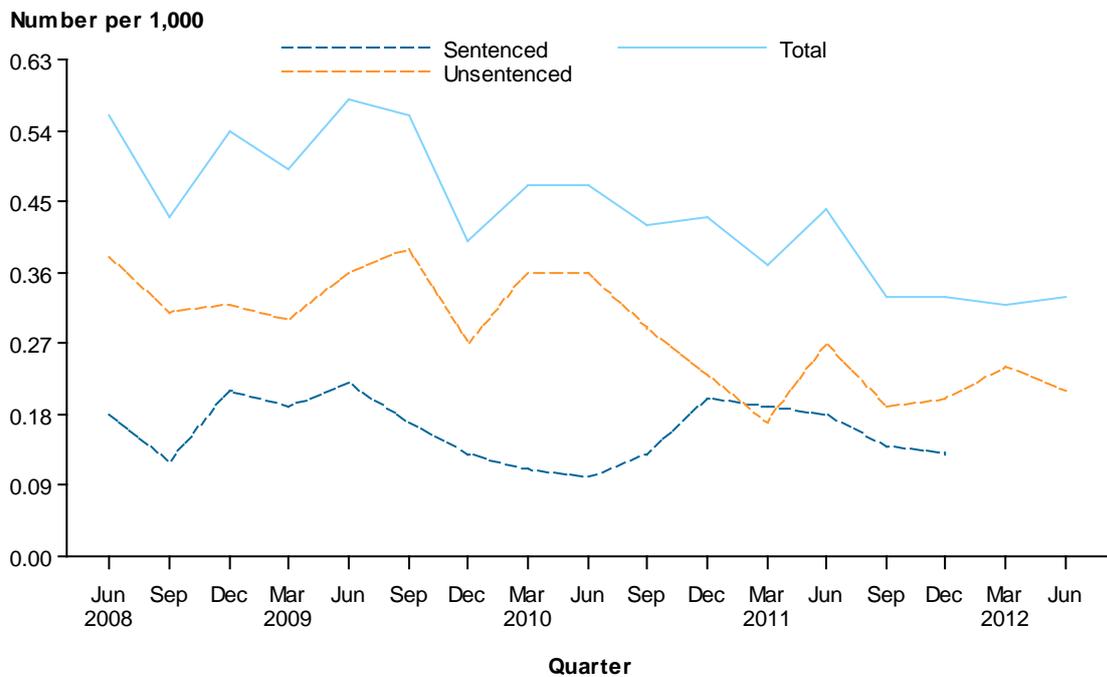
Note: Trends among small populations should be interpreted with caution.

Source: Tables S7, S17 and S27.

Figure 5.16: Young people in detention on an average night by legal status, Tasmania, June quarter 2008 to June quarter 2012

Rates

Consistent with the decline in numbers over the 4-year period, the rate of young people aged 10–17 in detention on an average night in Tasmania decreased from 0.56 to 0.33 per 1,000 (Figure 5.17). While the unsentenced rate decreased over the period, the sentenced rate fluctuated each quarter. (Note that rates were not calculated where there were fewer than five young people in the numerator.)



Notes

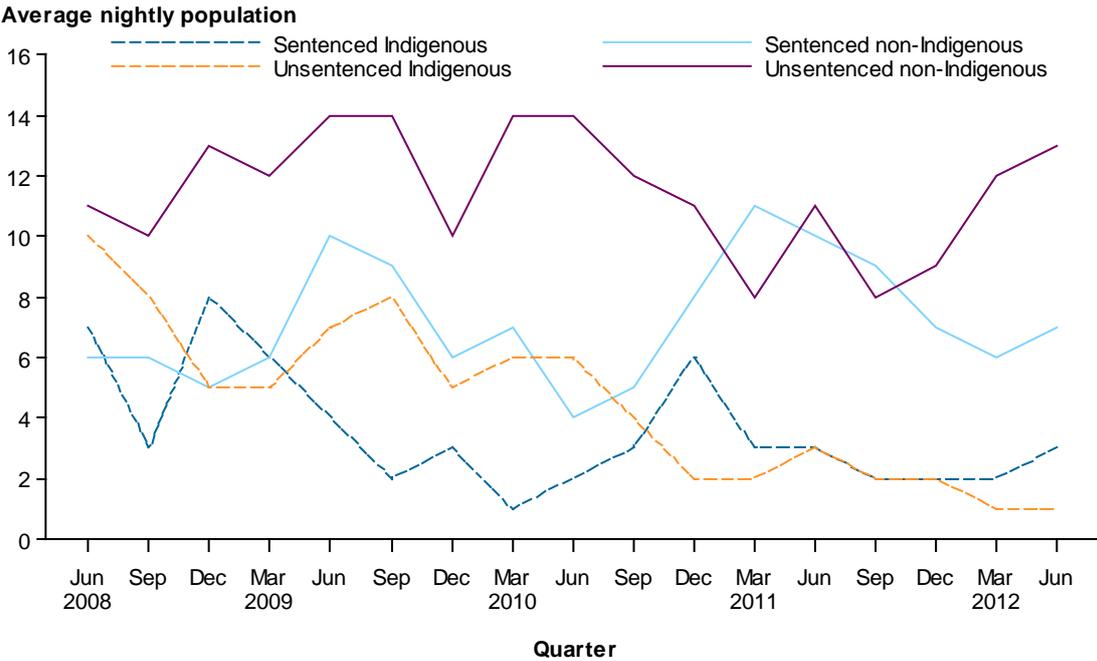
1. Rates are not published where there were fewer than five young people in the numerator.
2. Trends among small populations should be interpreted with caution.

Source: Tables S10, S20 and S30.

Figure 5.17: Young people aged 10–17 in detention on an average night by legal status, Tasmania, June quarter 2008 to June quarter 2012 (rate)

Indigenous status

There were few clear patterns in the Indigenous and non-Indigenous sentenced and unsentenced populations in Tasmania over the 4-year period, in part due to the small numbers of young people in detention (Figure 5.18). Unsentenced non-Indigenous young people remained the largest group for most of the 4 years. There was a decline in the unsentenced Indigenous population between the June quarter 2008 and the June quarter 2012 (from 10 to 1).



Note: Trends among small populations should be interpreted with caution.

Source: Tables S11, S14, S21 and S24.

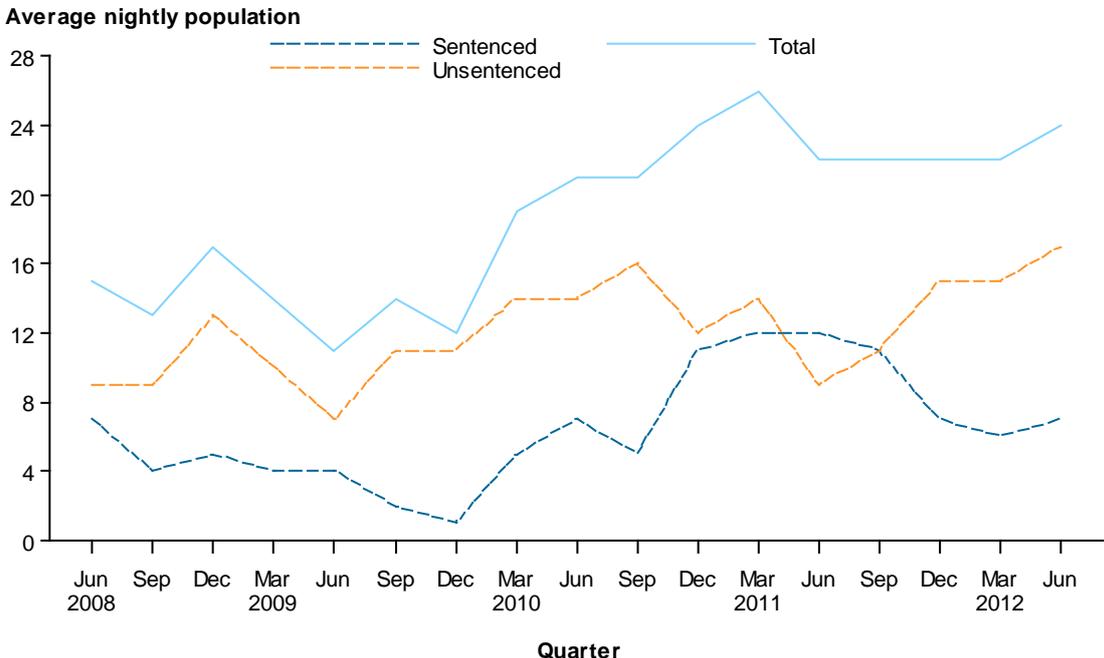
Figure 5.18: Young people in detention on an average night by Indigenous status and legal status, Tasmania, June quarter 2008 to June quarter 2012

5.8 Australian Capital Territory

Numbers

Over the 4 years to the June quarter 2012, the number of young people in detention in the Australian Capital Territory on an average night increased from 15 to 24 (Figure 5.19). The unsentenced population outnumbered the sentenced population in almost all quarters. The unsentenced population was largest in the most recent quarter (17 young people), while the sentenced population was largest in the first half of 2011 (12 young people).

Over the most recent year, there was an increase in the number of young people in unsentenced detention on an average night (from 9 to 17).



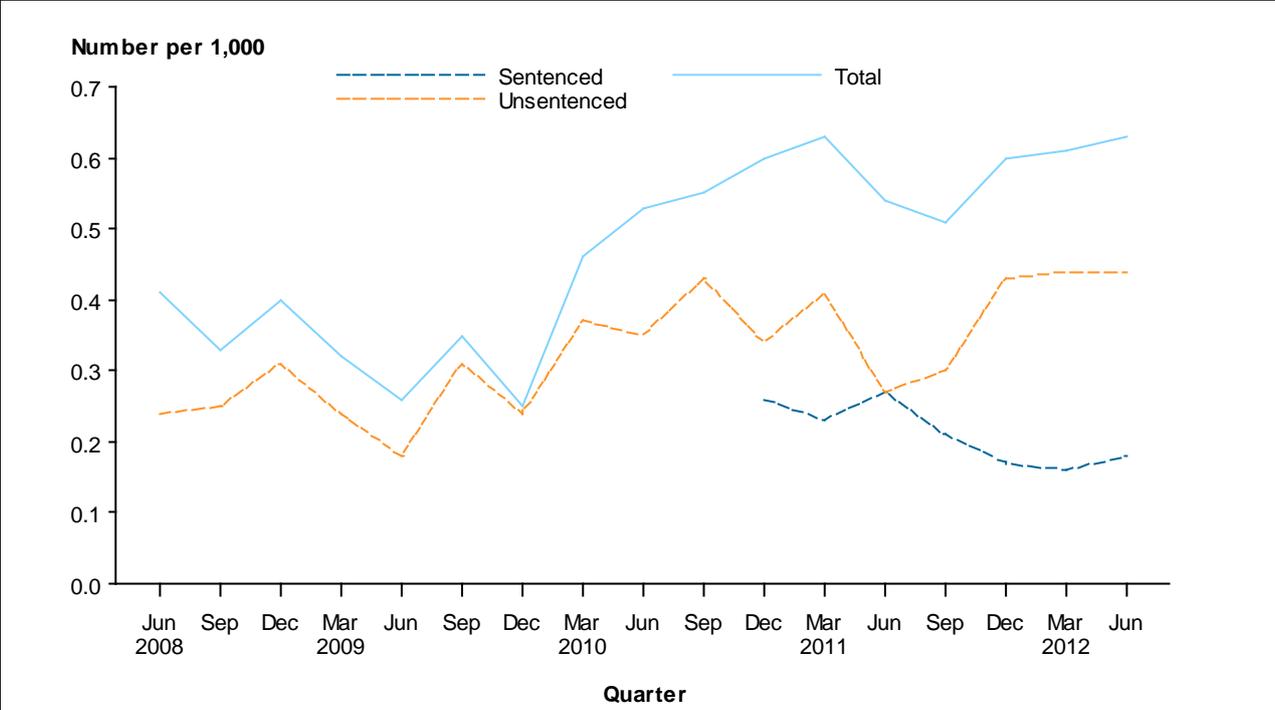
Note: Trends among small populations should be interpreted with caution.

Source: Tables S7, S17 and S27.

Figure 5.19: Young people in detention on an average night by legal status, Australian Capital Territory, June quarter 2008 to June quarter 2012

Rates

Rates of young people aged 10-17 in detention on an average night in the Australian Capital Territory fluctuated over the 4-year period (Figure 5.20). As with the numbers of young people in detention, rates were higher from 2010 onwards. However, trends in rates should be interpreted with caution due to small numbers in detention. Rates were not published where there were fewer than five young people in detention on an average night.



Notes

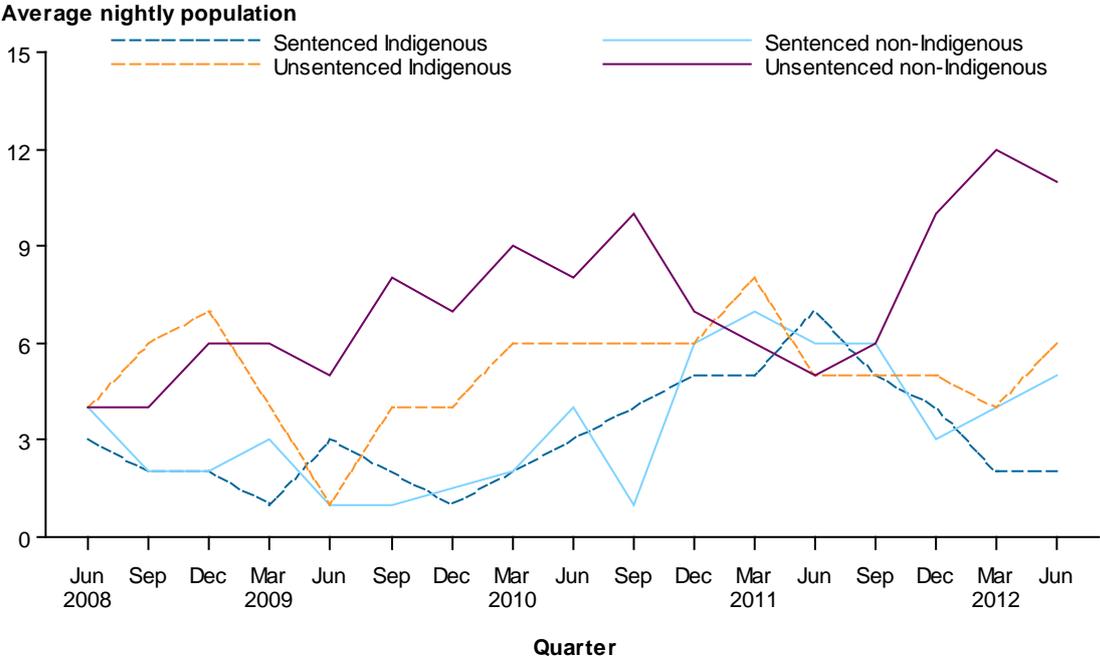
1. Rates are not published where there were fewer than five young people in the numerator.
2. Trends among small populations should be interpreted with caution.

Source: Tables S10, S20 and S30.

Figure 5.20: Young people aged 10-17 in detention on an average night by legal status, Australian Capital Territory, June quarter 2008 to June quarter 2012 (rate)

Indigenous status

Over the 4-year period, there was an overall increase in the unsentenced non-Indigenous population in the Australian Capital Territory, from 4 young people on an average night in the June quarter 2008 to 11 in the June quarter 2012 (Figure 5.21). However, numbers fluctuated over the period. There were no clear trends among the other groups.



Note: Trends among small populations should be interpreted with caution.

Source: Tables S11, S14, S21 and S24.

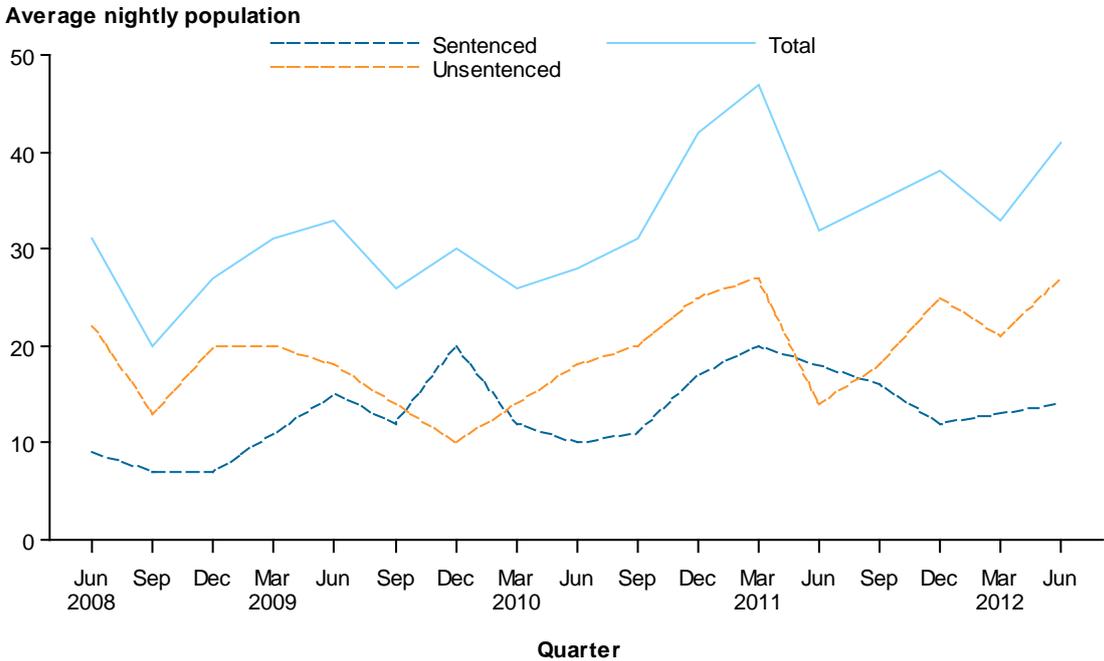
Figure 5.21: Young people in detention on an average night by Indigenous status and legal status, Australian Capital Territory, June quarter 2008 to June quarter 2012

5.9 Northern Territory

Numbers

Although numbers fluctuated, there was an upward trend in the number of young people in detention on an average night in the Northern Territory over the 4-year period (Figure 5.22). When the number in detention in the June quarter 2012 is compared with the June quarter 2008, there was an increase overall (from 31 to 41 young people). Trends should be interpreted with caution due to small numbers in detention.

The unsentenced population in the Northern Territory on an average night was larger than the sentenced population during most of the 4-year period.



Note: Trends among small populations should be interpreted with caution.

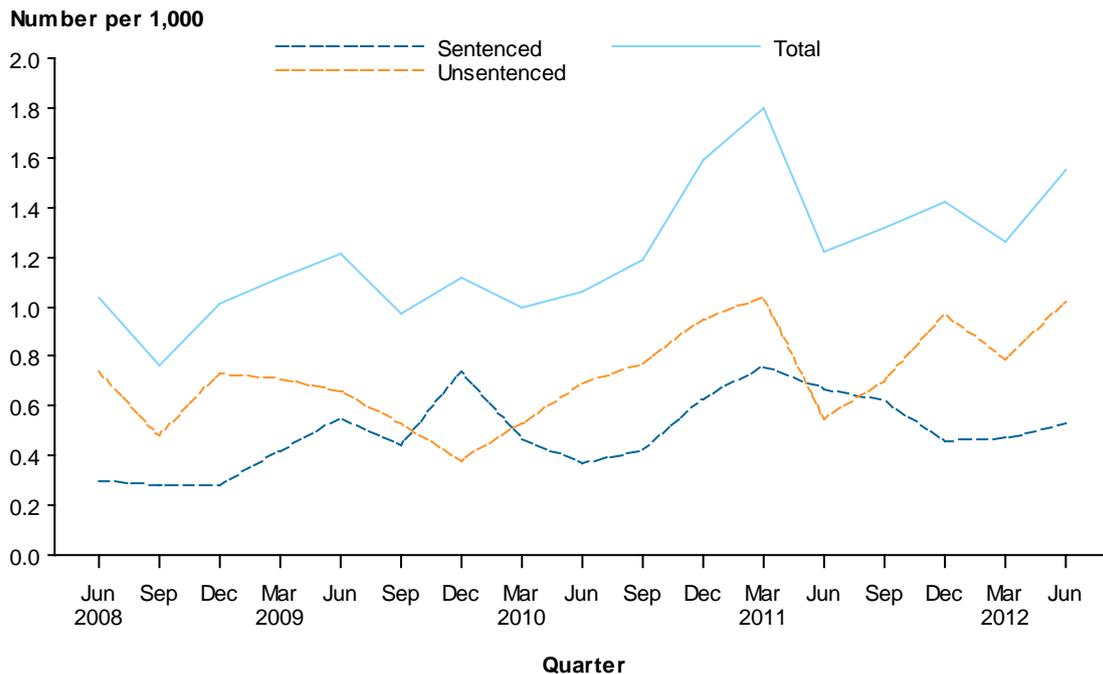
Source: Tables S7, S17 and S27.

Figure 5.22: Young people in detention on an average night by legal status, Northern Territory, June quarter 2008 to June quarter 2012

Rates

Rates of young people aged 10–17 in detention were similar to the numbers of young people (of all ages) in detention, due to the fact that very few young people aged 18 and over were in detention in the Northern Territory.

Over the 4-year period, the rate of young people in detention on an average night increased from 1.04 to 1.55 per 1,000 (Figure 5.23). In the June quarter 2012, there were 1.02 young people aged 10–17 per 1,000 in unsentenced detention and 0.53 per 1,000 in sentenced detention.



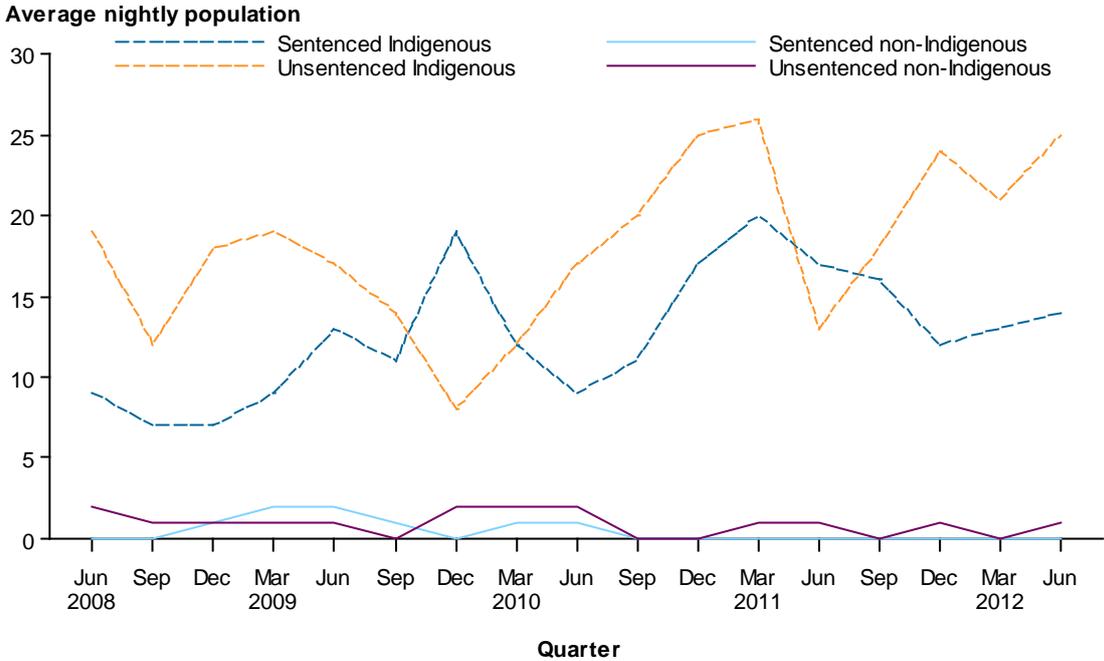
Note: Trends among small populations should be interpreted with caution.

Source: Tables S10, S20 and S30.

Figure 5.23: Young people aged 10–17 in detention on an average night by legal status, Northern Territory, June quarter 2008 to June quarter 2012 (rate)

Indigenous status

Trends in the unsentenced and sentenced Indigenous populations were similar to the overall trends in the Northern Territory, due to the fact that there were few non-Indigenous young people in detention on an average night each quarter (Figure 5.24). Overall, the unsentenced Indigenous population was larger than the sentenced Indigenous population on an average night in most quarters.



Note: Trends among small populations should be interpreted with caution.

Source: Tables S11, S14, S21 and S24.

Figure 5.24: Young people in detention on an average night by Indigenous status and legal status, Northern Territory, June quarter 2008 to June quarter 2012

Appendix A Summary table

Table A1: Young people in detention on an average night, states and territories, June quarter 2008, 2011 and 2012

	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust
Number									
Unsentenced detention									
June quarter 2008	247	49	85	88	31	21	9	22	551
June quarter 2011	193	41	85	98	34	14	9	14	489
June quarter 2012	182	38	114	91	51	13	17	27	532
Sentenced detention									
June quarter 2008	183	106	58	75	37	13	7	9	488
June quarter 2011	183	141	48	102	24	13	12	18	541
June quarter 2012	168	129	39	101	25	9	7	14	492
Total detention									
June quarter 2008	430	155	143	163	68	34	15	31	1,039
June quarter 2011	376	182	134	200	58	27	22	32	1,030
June quarter 2012	350	167	153	192	76	23	24	41	1,024
Rate (Number per 1,000)									
Unsentenced detention									
June quarter 2008	0.31	0.08	0.18	0.36	0.17	0.38	0.24	0.74	0.23
June quarter 2011	0.24	0.07	0.17	0.40	0.19	0.27	0.27	0.55	0.20
June quarter 2012	0.23	0.06	0.24	0.35	0.26	0.21	0.44	1.02	0.22
Sentenced detention									
June quarter 2008	0.17	0.06	0.10	0.31	0.17	0.18	0.17	0.30	0.14
June quarter 2011	0.16	0.07	0.10	0.39	0.09	0.18	0.27	0.67	0.15
June quarter 2012	0.15	0.06	0.08	0.34	0.16	0.12	0.18	0.53	0.14
Total detention									
June quarter 2008	0.48	0.14	0.28	0.67	0.34	0.56	0.41	1.04	0.37
June quarter 2011	0.40	0.15	0.28	0.78	0.28	0.44	0.54	1.22	0.36
June quarter 2012	0.37	0.12	0.32	0.69	0.41	0.33	0.63	1.55	0.35

Notes

1. Numbers may not sum to total due to rounding.
2. Rates are for young people aged 10–17. Numbers include young people aged 18 and older.
3. Trends among small populations should be interpreted with caution.

Source: Tables S7, S10, S17, S20, S27 and S30.

Appendix B Data and methods

Detention data

This report, *Juvenile detention population in Australia: 2012*, was compiled using the AIHW's 2010–11 Juvenile Justice National Minimum Data Set (JJ NMDS), which contains data up to and including 30 June 2011. This was supplemented with additional data on the number of young people in detention at midnight at the end of each month between July 2011 and June 2012.

In addition to *Juvenile detention population in Australia*, the AIHW also publishes the annual *Juvenile justice in Australia* report, which provides comprehensive information on young people under juvenile justice supervision each year (for the most recent report, see AIHW 2012). This report presents more recent data on trends in the juvenile detention population than *Juvenile justice in Australia: 2010–11*. It also contains data on young people in detention in Western Australia and the Northern Territory, which is not available for *Juvenile justice in Australia*.

The presentation of data in this report is slightly different from those published in *Juvenile justice in Australia*. First, this report presents the average nightly population for each quarter, while *Juvenile justice in Australia* presents the average daily population for each year. Second, young people who are concurrently unsentenced and sentenced are classified as sentenced in this report, but are counted as both unsentenced and sentenced in *Juvenile justice in Australia* (although only counted once in the total detention population in both reports).

Western Australia and the Northern Territory did not provide JJ NMDS data for the period 1 July 2008 to 30 June 2011. In *Juvenile detention population in Australia: 2012*, end-of-month data were used for Western Australia and the Northern Territory for this period.

Methods

Information about key methods used in this report is provided below. For more information about data from the JJ NMDS, see AIHW (2012), available from www.aihw.gov.au/juvenile-justice/. A data quality statement for the JJ NMDS 2010–11 is also available from meteor.aihw.gov.au/content/index.phtml/itemId/490897.

Age

In this report, numbers of young people in detention include all age groups unless otherwise specified. Population rates include young people aged 10–17 only (see section on 'Rates' below).

For data extracted from the JJ NMDS, age is calculated at the start of the relevant quarter unless the period of detention began within the quarter, in which case age is calculated as at the start of that period.

A young person's age can therefore vary across tables because age is calculated with respect to the type of detention being analysed. This means that for a particular age group, the total number of young people in detention may not be the sum of the number of young people in sentenced and unsentenced detention.

For the end-of-month data, age is calculated as at the end of the relevant month.

Average nightly population

For data that are extracted from the JJ NMDS, the average nightly population is calculated by summing the duration (in nights) of each period of detention that falls within the quarter and dividing the summed duration by 91, which is the number of nights in a standard year divided by the number of quarters in a year.

Where no JJ NMDS data were available for the relevant quarter, the nightly averages were calculated by averaging end-of-month data provided by the states and territories.

Indigenous status

Information on Indigenous status has been collected since the implementation of the JJ NMDS. Overall, the quality of Indigenous status data in the JJ NMDS and end-of-month data is good. Nationally, the proportion of records with not stated Indigenous status ranged from 0.5% to 1.3% each quarter between the June quarter 2008 and the June quarter 2012. This proportion was low (less than 3%) in all states and territories.

Some differences exist in how state and territory jurisdictions collect information about Indigenous status. Not all jurisdictions use the national standard question and standard codes for recording Indigenous status, as recommended by the Australian Bureau of Statistics. However, a number of jurisdictions have taken steps to improve their data collection forms and information systems in recent years, to be more in line with the national standard. It should be noted that changes in the collection and recording of Indigenous status may affect rates of Indigenous identification over time.

Legal status

Young people who are both sentenced and unsentenced on a particular night are classified as sentenced. The JJ NMDS includes periods of detention with 'other' legal status; these periods are not included in this report.

Rates

Population rates allow for the comparison of different groups while taking into account different population sizes. Because there are differences between the states and territories in the extent to which young people aged 18 and older can be detained in juvenile justice facilities, rates are restricted to those aged 10–17.

The number of young people in detention on an average night during a quarter is rounded to the nearest person. The rate is calculated using the number on an average day before rounding. Rates are not calculated where there are fewer than five young people in the numerator due to a lack of statistical reliability. The calculation of rates for Indigenous and non-Indigenous young people excludes young people with unknown Indigenous status.

Population data used in the calculation of rates are provided in the supplementary Table S31.

Rate ratios

In this report, rate ratios are used to compare Indigenous and non-Indigenous rates and to provide a measure of the level of Indigenous over-representation. Rate ratios should be

interpreted with caution where there are small denominators, rare events and rates that converge while declining. Crude rates are also presented to guide interpretation.

Rate ratios are not calculated where one or both of the rates have fewer than five young people in the numerator, due to a lack of statistical reliability.

Rounding

The average nightly population is rounded to whole numbers. Components may not sum to totals due to this rounding.

Rates were calculated using the unrounded average nightly population and are presented in this report to two decimal places. Rates calculated by using the average nightly population rounded to whole numbers may therefore differ slightly to the rates presented in this report.

Rate ratios were calculated using rates rounded to two decimal places. Proportions were calculated using average nightly numbers rounded to whole numbers. Numbers and rates displayed in figures are rounded as presented in the supplementary tables.

Glossary

dual track system: A system in Victoria whereby young people aged 18–20 can be sentenced to a juvenile detention centre.

juvenile justice centre: A place administered and operated by a juvenile justice agency where young people are detained while under the supervision of the relevant juvenile justice agency.

juvenile justice agency: The state or territory government agency or department responsible for juvenile justice supervision.

police-referred detention: Unsented detention in a juvenile justice agency that occurs before the young person's initial court appearance.

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

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

References

AIHW (Australian Institute of Health and Welfare) 2012. Juvenile justice in Australia: 2010-11. Cat. no. JUV 10. Canberra: AIHW.

Chrzanowski A & Wallis R 2011. Understanding the youth justice system. In: Stewart A, Allard T & Dennison S (eds). Evidence based policy and practice in youth justice. Annandale: The Federation Press.

Office of the United Nations High Commissioner for Human Rights 1985. United Nations Standard Minimum Rules for the Administration of Juvenile Justice ("The Beijing Rules"). Viewed 5 March 2012, <<http://www2.ohchr.org/english/law/beijingrules.htm>>.

Office of the United Nations High Commissioner for Human Rights 1989. Convention on the rights of the child. Viewed 17 January 2011, <<http://www2.ohchr.org/english/law/crc.htm>>.

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Related publications

This report is part of an annual series of reports examining trends among young people in detention. This and subsequent reports in this series, along with other juvenile justice reports, can be downloaded for free from the AIHW website:

<<http://www.aihw.gov.au/publications/index.cfm/series/405>>. The website also includes information about ordering printed copies.

The following AIHW publications might also be of interest:

- AIHW 2012. Indigenous young people in the juvenile justice system: 2011–12. Bulletin no. 109. Cat. no. AUS 164. Canberra: AIHW.
- AIHW 2012. Children and young people at risk of social exclusion: links between homelessness, child protection and juvenile justice. Data linkage series no. 13. Cat. no. CSI 13. Canberra: AIHW.
- AIHW 2012. Girls and young women in the juvenile justice system: 2011–12. Bulletin no. 107. Cat. no. AUS 162. Canberra: AIHW.
- AIHW 2012. Juvenile justice in Australia 2010–11. Juvenile justice series no. 10. Cat. no. JUV 10. Canberra: AIHW.
- AIHW 2012. Juvenile detention population in Australia 2011. Juvenile justice series no. 9. Cat. no. JUV 9. Canberra: AIHW.
- AIHW 2012. Child protection Australia 2010–11. Child welfare series no. 53. Cat. no. CWS 41. Canberra: AIHW.
- AIHW 2011. Headline indicators for children’s health, development and wellbeing, 2011. Cat. no. PHE 144. Canberra: AIHW.
- AIHW 2011. The health of Australia’s prisoners 2010. Cat. no. PHE 149. Canberra: AIHW.
- AIHW 2011. Young Australians: their health and wellbeing 2011. Cat. no. PHE 140. Canberra: AIHW.
- AIHW 2008. Linking SAAP, child protection and juvenile justice data collections: a feasibility study. Data linkage series no. 5. Cat. no. CSI 5. Canberra: AIHW.

This report presents information on the juvenile detention population in Australia, focusing on quarterly trends from June 2008 to June 2012. On an average night, there were about 1,000 young people in detention, about half of whom were unsentenced.

Numbers and rates of young people in detention remained relatively stable over the 4 years; however, the level of Indigenous over-representation increased, particularly in unsentenced detention.