# 17 Youth justice services

CONTENTS

17.1 Profile of youth justice services 17.1

17.2 Framework of performance indicators 17.7

17.3 Key performance indicator results 17.9

17.4 Definitions of key terms 17.30

17.5 References 17.31

|  |
| --- |
| Attachment tables |
| Attachment tables are identified in references throughout this chapter by a ‘17A’ prefix (for example, table 17A.1) and are available from the website at www.pc.gov.au/rogs/2018. |
|  |

This chapter reports on the performance of youth justice services across Australia.

Further information on the Report on Government Services including other reported services areas, the glossary and list of abbreviations are available at www.pc.gov.au/rogs/2018.

## 17.1 Profile of youth justice services

### Service overview

Youth justice systems are responsible for administering justice to those who have committed or allegedly committed an offence while considered by law to be a child or young person (predominantly aged 10–17 years).

The youth justice system in each State and Territory comprises:

* police, who are usually a young person’s first point of contact with the system, and are typically responsible for administering the options available for diverting young people from further involvement in the youth justice system (chapter 6)
* courts (usually a special children’s or youth court), where matters relating to the charges against young people are heard. The courts are largely responsible for decisions regarding bail, remand and sentencing (chapter 7)
* statutory youth justice agencies, which are responsible for the supervision and case management of young people on a range of legal and administrative orders, and for the provision of a wide range of services intended to reduce and prevent crime
* non‑government and community service providers, who may work with youth justice agencies to provide services and programs for young people under supervision.

This chapter reports on services provided by statutory youth justice agencies that are responsible for the supervision and case management of young people who have committed or allegedly committed an offence; in particular, community‑based supervision, detention‑based supervision and group conferencing (see section 17.4 for definitions).

### Roles and responsibilities

State and Territory governments have responsibility for funding and/or providing youth justice services in Australia. Each jurisdiction has its own legislation that determines the policies and practices of its youth justice system and while this legislation varies in detail, its intent is similar across jurisdictions.

Legislation in all jurisdictions (except Queensland) requires that the offence giving rise to youth justice involvement be committed while a young person is aged between 10-17 years (in Queensland, it is 10-16 years). However, youth justice agencies might continue their involvement with these young people after they reach adulthood, for example, where young people turn 18 years of age while on an order. In five jurisdictions, there is no upper age limit for youth justice involvement (Victoria, Queensland, WA, SA and Tasmania). In NSW, the ACT and the NT, the upper age limits for youth justice involvement are 21.5 years, 21 years, and 18 years, respectively.

#### Diversion of young offenders

In all jurisdictions, police have responsibility for administering options for diverting young people who have committed (or allegedly committed) relatively minor offences from further involvement in the youth justice system. Diversionary options include warnings (informal cautions), formal cautions, and infringement notices. Responsibility for administering the diversionary processes available for more serious offences lies with youth justice authorities, courts and in some cases, other agencies. Comparable and complete national data are yet to become available to illustrate the nature or level of diversion undertaken by Australian jurisdictions.

### Size and scope

#### Clients of youth justice agencies

During 2015‑16, 11 007 young people aged 10–17 years were supervised by youth justice agencies (AIHW 2017). On an average day, 83.6 per cent of supervised young people were in the community (includes supervised bail, probation and parole), with the remainder in detention (figure 17.1).

|  |
| --- |
| Figure 17.1 Daily average proportion of youth justice clients aged  10‑17 years supervised in the community and in detention centres**a** |
| |  | | --- | |  | |
| a See table 17A.1 for detailed footnotes and caveats. |
| *Source*: Australian Institute of Health and Welfare (AIHW) 2017, *Youth justice in Australia 2015‑16,* Bulletin 139, Canberra; NT government (unpublished); table 17A.1. |
|  |
|  |

Over the 5 year period from 2011‑12 to 2015‑16, there was a decrease across most states and territories in the daily average number of young people aged 10–17 years in youth justice detention centres and community‑based supervision (table 17A.1). Nationally, the daily average rate of detention decreased from 37.4 in 2011‑12 to 34.5 per 100 000 young people in 2015‑16 (figure 17.2(a)), and the daily average rate of community‑based supervision decreased from 227.6 in 2011‑12 to 176.5 per 100 000 young people in 2015‑16 (figure 17.2(b)).

Centre utilisation (the number of young people in all detention centres as a proportion of the number of permanently funded beds) has generally declined nationally as the daily average rate of detention has decreased (table 17A.2), though with some variation across reporting years and jurisdictions. Operating youth justice detention centres at below full capacity assists to maintain a safe operating environment for young offenders.

Most of the young people aged 10–17 years supervised by youth justice agencies are males (in 2015‑16, 90.0 per cent in detention and 80.0 per cent in the community) (tables 17A.3−17A.4).

|  |
| --- |
| Figure 17.2 Daily average rate of supervision of young people (rate per 100 000 people aged 10–17 years)**a** |
| |  |  | | --- | --- | | 1. **Detention** | | |  | | 1. **Community‑based** | | |  | | |
| a See table 17A.1 for detailed footnotes and caveats. |
| *Source*: AIHW 2017, *Youth justice in Australia 2015‑16,* Bulletin 139, Canberra; NT government (unpublished); table 17A.1. |
|  |
|  |

#### Aboriginal and Torres Strait Islander people subject to youth justice supervision

Aboriginal and Torres Strait Islander young people are overrepresented in the youth justice system, and to a greater extent in detention-based supervision (25 times the rate for non‑Indigenous young people in 2015‑16) (figure 17.3) compared to community-based supervision (15 times the rate for non-Indigenous young people in 2015‑16) (figure 17.4).

Data on detention rates and community-based supervision rates, by Indigenous status for historical years back to 2011‑12, are available in tables 17A.5 and 17A.6 respectively. Historical data for average rates of detention and rate ratios are available in table 17A.7.

|  |
| --- |
| Figure 17.3 Daily average rate of detention of young people aged 10–17 years, by Indigenous status, 2015‑16**a** |
| |  | | --- | | More details can be found within the text surrounding this image. | |
| a See table 17A.5 for detailed footnotes and caveats. |
| *Source*: AIHW 2017, *Youth justice in Australia 2015‑16,* Bulletin 139, Canberra; NT government (unpublished); table 17A.5. |
|  |
|  |

|  |
| --- |
| Figure 17.4 Daily average rate of young people aged 10–17 years subject to community-based supervision, by Indigenous status, 2015‑16**a** |
| |  | | --- | | More details can be found within the text surrounding this image. | |
| a See table 17A.6 for detailed footnotes and caveats. |
| *Source*: AIHW 2017, *Youth justice in Australia 2015‑16,* Bulletin 139, Canberra; NT government (unpublished); table 17A.6. |
|  |
|  |

### Funding

The youth justice expenditure data included in this Report are based on the total costs incurred by governments in supervising young offenders of any age, where the offence giving rise to youth justice supervision was committed while the young person was aged   
10–17 years (table 17A.8). At present, there are differences across jurisdictions in the calculation of youth justice expenditure (tables 17A.9–10). It is expected that the quality and comparability of youth justice expenditure data will improve over time.

Total recurrent expenditure on detention‑based supervision, community‑based supervision and group conferencing was $769.5 million across Australia in 2016‑17, with detention‑based supervision accounting for the majority of this expenditure (62.6 per cent, or $482.1 million) (table 17A.8). Nationally in 2016‑17, recurrent expenditure on youth justice services per young person in the population aged 10–17 years (as distinct from per youth justice client, which is reported as a performance indicator in section 17.3) was $332 (figure 17.5).

|  |
| --- |
| Figure 17.5 Recurrent expenditure on youth justice services, per young person aged 10–17 years in the population, 2016‑17**a** |
| |  | | --- | |  | |
| a See table 17A.8 for detailed footnotes and caveats. |
| *Source*: State and Territory governments (unpublished); tables 17A.8 and 17A.28. |
|  |
|  |

## 17.2 Framework of performance indicators

The performance indicator framework is based on governments’ shared objectives for youth justice services (box 17.1).

| Box 17.1 Objectives for youth justice services |
| --- |
| Youth justice services aim to promote community safety, rehabilitate and reintegrate young people who offend, and contribute to a reduction in youth re‑offending.  To achieve these aims, governments seek to provide youth justice services that:   * divert young people who offend from further progression into the youth justice system to alternative services * assist young people who offend to address their offending behaviour * provide a safe and secure environment for the protection of young people during their time in detention * assist young people who are in youth justice detention to return to the community * promote the importance of the families and communities of young people who offend, particularly Aboriginal and Torres Strait Islander communities, in the provision of services and programs |
| (continued next page) |
|  |
|  |

|  |
| --- |
| Box 17.1 (continued) |
| * support young people to understand the impact of their offending on others, including victims and the wider community * recognise the rights of victims.   Governments aim for youth justice services to meet these objectives in an equitable and efficient manner. |
|  |
|  |

The performance indicator framework provides information on equity, efficiency and effectiveness, and distinguishes the outputs and outcomes of youth justice services (figure 17.6).

The performance indicator framework shows which data are complete and comparable in the 2018 Report. For data that are not considered directly comparable, text includes relevant caveats and supporting commentary. Chapter 1 discusses data comparability, data completeness and information on data quality from a Report wide perspective. In addition to section 17.1, the Report’s statistical context chapter (chapter 2) contains data that may assist in interpreting the performance indicators presented in this chapter. Chapters 1 and 2 are available from the website at www.pc.gov.au/rogs/2018.

Improvements to performance reporting for youth justice services are ongoing and include identifying data sources to fill gaps in reporting for performance indicators and measures, and improving the comparability and completeness of data.

|  |
| --- |
| Figure 17.6 Youth justice services performance indicator framework |
| |  | | --- | | More details can be found within the text surrounding this image. | |
|  |
|  |

## 17.3 Key performance indicator results

Different delivery contexts, locations and clients can affect the equity, effectiveness and efficiency of youth justice services. Performance indicator results may differ from similar data included in jurisdictions’ annual reports due to different counting rules applied for these jurisdictional reports.

### Outputs

Outputs are the services delivered (while outcomes are the impact of these services on the status of an individual or group) (see chapter 1). Output information is critical for equitable, efficient and effective management of government services.

### Equity

‘Equitable access to youth justice services’ in an indicator of governments’ objective to provide youth justice services in an equitable manner (box 17.2).

|  |
| --- |
| Box 17.2 Equitable access to youth justice services |
| ‘Equitable access to youth justice services’ is defined as the proportion of young people required to enter youth justice services who receive equitable access to particular processes or services within the system. A lack of access to particular services (including specialised services and community-based programs) or justice processes when in the system can create barriers to equitable treatment and ultimately to outcomes. For example, if a young person cannot access a community-based program due to requirements such as age; gender, location or living arrangement; and that program is available to other young people, then the young person does not have equitable access.  High or increasing proportions of young people who enter these services who receive equitable treatment through access to particular services and processes is desirable.  Data are not yet available for reporting against this indicator. |
|  |
|  |

### Effectiveness

#### Access — Timely access to diversionary services

‘Timely access to diversionary services’ is an indicator of governments’ objective to divert young people who offend from further progression into the youth justice system to alternative services (box 17.3).

|  |
| --- |
| Box 17.3 Timely access to diversionary services |
| ‘Timely access to diversionary services’ is defined as the proportion of diversionary services accessed by young people within a specified time period.  A high or increasing proportion of diversionary services accessed within the specified time period is desirable.  Data are not yet available for reporting against this indicator. |
|  |
|  |

#### Appropriateness — Group conferencing agreements

‘Group conferencing agreements’ is a partial indicator of governments’ objectives to divert young people who offend from further progression into the youth justice system to alternative services, and to recognise the rights of victims (box 17.4).

|  |
| --- |
| Box 17.4 Group conferencing agreements |
| ‘Group conferencing agreements’ is defined as the number of young people who receive group conferencing and who as a result reach an agreement, as a proportion of all young people who receive group conferencing.  Data for this indicator should be interpreted with caution as group conferencing differs across jurisdictions in relation to:   * its place in the court process (for example, whether young people are referred by police before court processes begin, or by the court as an alternative to sentencing) * whether the agreement requires all conference participants to agree * the consequences for young people if they do not comply with the outcome plans of a conference * eligibility.   In addition, while all jurisdictions provide the opportunity for victims and/or their representatives to be involved in-group conferencing, thereby recognising the rights of victims and resulting in many benefits for all parties, the level of involvement should reflect the needs and desires of the victim. Therefore, not all group conferences or group conferencing agreements will involve the victim as part of the process or agreement.  A high or increasing rate of young people receiving group conferencing, and for whom an agreement is reached, is desirable.  Data reported for this indicator are:   * comparable (subject to caveats) within jurisdictions over time but are not comparable across jurisdictions * complete for the current reporting period. All required 2016‑17 data were available. |
|  |
|  |

Nationally in 2016‑17, 91.1 per cent of all concluded group conferences resulted in an agreement (89.8 per cent for Aboriginal and Torres Strait Islander young people) (figure 17.7). These results have been broadly consistent over the past five years (table 17A.11).

|  |
| --- |
| Figure 17.7 Proportion of young people who receive group conferencing and reach an agreement, by Indigenous status, 2016‑17**a** |
| |  | | --- | | More details can be found within the text surrounding this image. | |
| a See box 17.4 and table 17A.11 for detailed definitions, footnotes and caveats. |
| *Source*: State and Territory governments (unpublished); table 17A.11. |
|  |
|  |

#### Appropriateness — Case plans prepared

‘Case plans prepared’ is an indicator of governments’ objective to assist young people who offend to address their offending behaviour (box 17.5).

| Box 17.5 Case plans prepared |
| --- |
| ‘Case plans prepared’ is defined as the number of eligible young people who had a documented case plan prepared or reviewed within 6 weeks of commencing:   * a sentenced community‑based order, as a proportion of all young people commencing a sentenced community‑based order * a sentenced detention order, as a proportion of all young people commencing a sentenced detention order. |
| (continued next page) |
|  |
|  |

|  |
| --- |
| Box 17.5 (continued) |
| Case plans are formal written plans that assess a young person’s risks and needs for general safety and rehabilitation for specific offending behaviours. An eligible young person is one who is serving a sentenced order that requires case management.  A high or increasing rate of case plans prepared is desirable.  Data reported for these measures are:   * comparable (subject to caveats) within some jurisdictions over time but are not comparable across jurisdictions or over time for other jurisdictions (see caveats in attachment tables for specific jurisdictions) * incomplete for the current reporting period. Sentenced community‑based order data were not available for WA. |
|  |
|  |

Nationally, 84.1 per cent of eligible young people had a case plan prepared within 6 weeks of commencing a sentenced community‑based order in 2016‑17 (figure 17.8(a)). Nationally, 93.9 per cent of eligible young people had a case plan prepared within 6 weeks of commencing a sentenced detention order in 2016‑17 (figure 17.8(b)). Proportions varied across jurisdictions.

The proportions of eligible young people who had a case plan prepared within 6 weeks of commencing a sentenced order (community‑based and detention) have fluctuated over the past 5 years (table 17A.12).

|  |
| --- |
| Figure 17.8 Proportion of young people with case plans prepared within 6 weeks of commencing sentenced orders, by Indigenous status, 2016‑17**a, b** |
| |  | | --- | | (a) Sentenced community‑based order  (b) Sentenced detention order | |
| a See box 17.5 and table 17A.12 for detailed definitions, footnotes and caveats. b Data were not available for WA for sentenced community‑based orders. |
| *Source*: State and Territory governments (unpublished); table 17A.12. |
|  |
|  |

#### Appropriateness — Secure housing on exit

‘Secure housing on exit’ is an indicator of governments’ objective to assist young people who are in youth justice detention to return to the community (box 17.6).

|  |
| --- |
| Box 17.6 Secure housing on exit |
| ‘Secure housing on exit’ is defined as the proportion of young people who exit youth justice detention to a stable, permanent housing arrangement.  Ensuring young people have suitable, stable accommodation is a critical factor in preventing offending and reoffending, and is a core component of reintegrating young people into the community post‑detention. Lack of suitable housing options can contribute to overuse of custodial supervision orders (Supervised Release Review Board, Western Australia, 2012; Patel, 2004).  A high or increasing percentage of young people who exit youth justice detention to a stable, permanent housing arrangement is desirable.  Data are not yet available for reporting against this indicator. |
|  |
|  |

#### Appropriateness — Education and training attendance

‘Education and training attendance’ is an indicator of governments’ objective to assist young people who are in youth justice detention to return to the community (box 17.7).

| Box 17.7 Education and training attendance |
| --- |
| ‘Education and training attendance’ is defined by two measures:   * the number of young people of compulsory school age in detention attending an education course, as a percentage of all young people of compulsory school age in detention * the number of young people not of compulsory school age in detention attending an education or training course, as a percentage of all young people not of compulsory school age in detention.   Compulsory school age refers to specific State and Territory governments’ requirements for a young person to participate in school, which are based primarily on age (see chapter 4 (School education) in this Report for further information). Education or training course refers to school education or an accredited education or training course under the Australian Qualifications Framework.  A high or increasing percentage of young people attending education and training is desirable.  Exclusions include young people not under youth justice supervision and young people whose situation might preclude their participation in education programs (includes those on temporary leave such as work release; medically unable to participate; in isolation; a risk assessment resulting in exclusion from education; attending court; or on remand or sentenced for fewer than 7 days). |
| (continued next page) |
|  |
|  |

|  |
| --- |
| Box 17.7 (continued) |
| The method for counting young people attending education differs across jurisdictions, with one of the following two methods used: (1) daily data averaged over the number of school days in the financial year, or (2) averaging the number of young people as at the second last day of each school term or an alternative day as required.  Data reported for these measures are:   * comparable (subject to caveats) across jurisdictions and over time * complete for the current reporting period. All required 2016‑17 data were available. |
|  |
|  |

Nationally in 2016‑17, 98.8 per cent of young people in detention and of compulsory school age were attending an education course and 98.7 per cent of young people in detention notof compulsory school age were attending an accredited education or training course. Most jurisdictions recorded 100 per cent for both measures, including for Aboriginal and Torres Strait Islander young people (table 17A.13). Historical data from 2012‑13 are available in table 17A.13.

#### Appropriateness — family engagement with youth justice services

‘Family engagement with youth justice services’ is an indicator of government’s objective to promote the importance of the families of young people who offend, in particular Aboriginal and Torres Strait Islander communities, in the provision of services and programs (box 17.8).

|  |
| --- |
| Box 17.8 Family engagement with youth justice services |
| ‘Family engagement with youth justice services’ is defined as the proportion of those young people receiving youth justice services whose family is engaged with youth justice services. There are three measures for reporting against this indicator:   * proportion of young people participating in group conferencing whose family is engaged * proportion of young people subject to community-based supervision whose family is engaged * proportion of young people subject to detention-based supervision who have contact with their family.   A high or increasing proportion of young people subject to youth justice services whose families engage with youth justice services is desirable.  Data are not yet available for reporting against this indicator. |
|  |
|  |

#### Appropriateness — Completion of programs that aim to address offending behaviour

‘Completion of programs that aim to address offending behaviour’ is a proxy indicator of governments’ objective to support young people to understand the impact of their offending on others, including victims and the wider community (box 17.9).

|  |
| --- |
| Box 17.9 Completion of programs that aim to address offending behaviour |
| ‘Completion of programs that aim to address offending behaviour’ is defined as the proportion of young people referred to programs that aim to address offending behaviour, who complete the program.  A high or increasing proportion of young people completing these programs is desirable.  This indicator is a proxy indicator, and needs to be interpreted with care. Completion of a program that aims to address offending behaviour may not change the young person’s understanding of the impact of their behaviour.  Data are not yet available for reporting against this indicator. Table 17A.14 provides summary information about programs available to young offenders that aim to address their offending behaviour. |
|  |
|  |

#### Quality — Deaths in custody

‘Deaths in custody’ is an indicator of governments’ objective to provide a safe and secure environment for the protection of young people during their time in detention (box 17.10).

|  |
| --- |
| Box 17.10 Deaths in custody |
| ‘Deaths in custody’ is defined as the number of young people who died while in custody.  A zero or decreasing deaths in custody rate is desirable.  Deaths are restricted to those that occurred while the young person was in the legal and/or physical custody of a youth justice agency or en route to an external medical facility (even if not escorted by youth justice agency workers). Deaths from apparently natural causes are included.  Data reported for this indicator are:   * comparable across jurisdictions and over time * complete for the current reporting period. All required 2016‑17 data were available. |
|  |
|  |

No young people died while in the legal or physical custody of an Australian youth justice agency in 2016‑17. Data from 2012‑13 are reported by Indigenous status in table 17A.15 and show no deaths in custody occurred during this period.

#### Quality — Assaults in custody

‘Assaults in custody’ is an indicator of governments’ objective to provide a safe and secure environment for the protection of young people during their time in detention (box 17.11).

|  |
| --- |
| Box 17.11 Assaults in custody |
| ‘Assaults in custody’ is defined by two measures:   * the rate of young people who are seriously assaulted (that is, sustain an injury that requires overnight hospitalisation and any act of sexual assault) due to an act perpetrated by one or more young people, per 10 000 custody nights * the rate of young people who are assaulted (that is, sustain an injury, but do not require hospitalisation) due to an act perpetrated by one or more young people, per 10 000 custody nights.   If a young person is injured in more than one separate incident then each incident is counted. If multiple young people are injured, then each young person is counted. The rate of staff who are seriously assaulted and assaulted are included as contextual information to assist with interpreting this indicator.  Injuries resulting from a range of actions are captured. Types of actions that constitute assaults include intentional acts of direct infliction of force and violence (for example, fistfights) and intentional acts of indirect and non‑confrontational force or violence (for example, administering illicit drugs or poison, spiking food or drink, and setting traps). Types of injuries include bruises, cuts or lacerations, open wounds, fractured or broken bones or teeth, burns or scalds, poisoning, dislocations and sprains, and concussions.  A zero or low, or decreasing rates of assaults in custody is desirable.  Data reported for these measures are:   * comparable (subject to caveats) within some jurisdictions over time but are not comparable across jurisdictions or over time for other jurisdictions (see caveats in attachment tables) * incomplete for the current reporting period. All required 2016‑17 data were not available for WA for the second measure.   Data reported for this indicator need to be interpreted with caution. Methods of data collection vary across jurisdictions and their ability to report is dependent on the documentation of relevant incidents. The **thresholds for recording an assault** and the extent to which minor injuries are included differs across jurisdictions. Further work will be undertaken to examine comparability issues. |
|  |
|  |

Because of their age and vulnerability, the duty of care required for young people in detention is greater than might be the case in adult custodial facilities. In discharging their duty of care to young people in detention, youth justice agencies aim to create safe and secure environments in which typical adolescent development can occur and in which young people can socialise with others in a positive and constructive way prior to their release back into their families and communities.

Nationally in 2016‑17, 12 young people were reported as injured in custody due to a serious assault (table 17.1) and a further 194 young people were reported as injured in custody due to an assault (excluding serious assaults) (table 17.2). These data tend to fluctuate across jurisdictions and over time, particularly for those jurisdictions with small numbers of young people in detention (tables 17A.16–17).

|  |
| --- |
| Table 17.1 Young people injured as a result of a serious assault, by Indigenous status, 2016‑17**a** |
| |  |  |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | --- | --- | |  | NSW | Vic | Qld | WA | SA | Tas | ACT | NT | | **Number of young people injured as a result of a serious assault** | | | | | | | | | | Aboriginal and Torres Strait Islander | 1 | – | – | 1 | – | – | – | 2 | | Non‑Indigenous | 5 | 2 | – | 1 | – | – | – | – | | **Total** | **6** | **2** | **–** | **2** | **–** | **–** | **–** | **2** | | **Rate per 10 000 custody nights** |  |  |  |  |  |  |  |  | | Aboriginal and Torres Strait Islander | 0.2 | – | – | 0.3 | – | – | – | 1.6 | | Non‑Indigenous | 1.1 | 0.3 | – | 0.7 | – | – | – | – | | **Total** | **0.6** | **0.3** | **–** | **0.4** | **–** | **–** | **–** | **1.5** | |
| a See box 17.11 and table 17A.16 for detailed definitions, footnotes and caveats. – Nil or rounded to zero. |
| *Source*: State and Territory governments (unpublished); tables 17A.16 and 17A.18. |
|  |
|  |

|  |
| --- |
| Table 17.2 Young people injured as a result of an assault (excludes serious assaults), by Indigenous status, 2016‑17**a, b** |
| |  |  |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | --- | --- | |  | NSW | Vic | Qld | WA | SA | Tas | ACT | NT | | **Number of young people injured as a result of an assault** | | | | | | | | | | Aboriginal and Torres Strait Islander | 27 | 4 | 14 | na | 8 | 4 | – | 23 | | Non‑Indigenous | 46 | 40 | 5 | na | 5 | 12 | 2 | 2 | | **Total** | **75** | **44** | **19** | **na** | **13** | **16** | **2** | **25** | | **Rate per 10 000 custody nights** |  |  |  |  |  |  |  |  | | Aboriginal and Torres Strait Islander | 5.1 | 3.5 | 3.0 | na | 7.1 | 44.3 | – | 17.9 | | Non‑Indigenous | 10.0 | 6.9 | 2.6 | na | 7.6 | 39.8 | 6.6 | 25.2 | | **Total** | **7.5** | **6.3** | **2.9** | **na** | **7.3** | **40.9** | **5.1** | **18.3** | |
| a See box 17.11 and table 17A.17 for detailed definitions, footnotes and caveats. b The total for NSW includes two young people of unknown Indigenous status. **na** Not available. – Nil or rounded to zero. |
| *Source*: State and Territory governments (unpublished); 17A.17 and 17A.18. |
|  |
|  |

#### Quality — Self‑harm and attempted suicide in custody

‘Self‑harm and attempted suicide in custody’ is an indicator of governments’ objective to provide a safe and secure environment for the protection of young people during their time in detention (box 17.12).

|  |
| --- |
| Box 17.12 Self‑harm and attempted suicide in custody |
| ‘Self‑harm and attempted suicide in custody’ is defined by two measures:   * incidents of self‑harm or attempted suicide in custody requiring hospitalisation * incidents of self‑harm or attempted suicide in custody not requiring hospitalisation.   The number of young people who self-harmed or attempted suicide are reported as contextual information to assist with interpreting the results. An incident is counted each time a young person self‑harms or attempts suicide. Therefore, the number of incidents and the number of young people will differ when one young person has self‑harmed on two or more occasions in the reporting period, as each occasion will be counted as a separate incident.  Types of self‑inflicted incidents that constitute self‑harm include poisoning, hanging, attempted strangulation, suffocation, drowning or electrocution, submersion in water, burning, cutting, jumping from a high place, and jumping or lying in front of a moving object.  A zero or low, or decreasing rate of self‑harm and attempted suicide in custody is desirable.  Data reported for these measures are:   * comparable (subject to caveats) within some jurisdictions over time but are not comparable across jurisdictions or over time for other jurisdictions (see caveats in attachment tables) * incomplete for the current reporting period. Data for 2016‑17 were not available for WA.   Data reported for this indicator need to be interpreted with caution. Methods of data collection vary across jurisdictions and their ability to report is dependent on the documentation of relevant incidents. |
|  |
|  |

Nationally in 2016‑17, 19 incidents of self-harm or attempted suicide requiring hospitalisation (table 17.3) and a further 157 incidents not requiring hospitalisation were reported (table 17.4). Proportions varied across jurisdictions and fluctuated over time (table 17A.19).

|  |
| --- |
| Table 17.3 Incidents of self‑harm or attempted suicide in custody requiring hospitalisation, by Indigenous status, 2016‑17**a** |
| |  |  |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | --- | --- | |  | NSW | Vic | Qld | WA | SA | Tas | ACT | NT | | **Number of incidents of self‑harm or attempted suicide in custody requiring hospitalisation** | | | | | | | | | | Aboriginal and Torres Strait Islander | 6 | – | 1 | na | – | – | – | 5 | | Non‑Indigenous | 5 | 1 | – | na | – | – | – | 1 | | **Total** | **11** | **1** | **1** | **na** | – | – | – | **6** | | **Rate per 10 000 custody nights** |  |  |  |  |  |  |  |  | | Aboriginal and Torres Strait Islander | 1.1 | – | 0.2 | na | – | – | – | 3.9 | | Non‑Indigenous | 1.1 | 0.2 | – | na | – | – | – | 12.6 | | **Total** | **1.1** | **0.1** | **0.2** | **na** | – | – | – | **4.4** | |
| a See box 17.12 and table 17A.19 for detailed definitions, footnotes and caveats. **na** Not available. – Nil or rounded to zero. |
| *Source*: State and Territory governments (unpublished); tables 17A.18–19. |
|  |
|  |

|  |
| --- |
| Table 17.4 Incidents of self‑harm or attempted suicide in custody not requiring hospitalisation, by Indigenous status, 2016‑17**a, b** |
| |  |  |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | --- | --- | |  | NSW | Vic | Qld | WA | SA | Tas | ACT | NT | | **Number of incidents of self‑harm or attempted suicide in custody not requiring hospitalisation** | | | | | | | | | | Aboriginal and Torres Strait Islander | 38 | – | 11 | na | 4 | 3 | 2 | 38 | | Non‑Indigenous | 23 | 12 | 2 | na | 6 | 6 | 2 | 9 | | **Total** | **62** | **12** | **13** | **na** | **10** | **9** | **4** | **47** | | **Rate per 10 000 custody nights** |  |  |  |  |  |  |  |  | | Aboriginal and Torres Strait Islander | 7.2 | – | 2.4 | na | 3.5 | 33.3 | 22.1 | 29.6 | | Non‑Indigenous | 5.0 | 2.1 | 1.0 | na | 9.2 | 19.9 | 6.6 | 113.4 | | **Total** | **6.2** | **1.7** | **2.0** | **na** | **5.6** | **23.0** | **10.2** | **34.5** | |
| a See box 17.12 and table 17A.18 for detailed definitions, footnotes and caveats. b The total for NSW includes one incident involving a young person of unknown Indigenous status. **na** Not available. – Nil or rounded to zero. |
| *Source*: State and Territory governments (unpublished); tables 17A.18–19. |
|  |
|  |

### Efficiency

The unit costs presented for these efficiency indicators may differ to unit costs reported in jurisdiction‑specific annual reports due to different methods of calculation.

Efficiency indicators cannot be interpreted in isolation and should be considered in conjunction with other indicators. A low cost per young person subject to community‑based supervision could reflect less investment in rehabilitation programs to address a young person’s offending needs, or less intensive case management of young people on community‑based supervision orders. Unit costs are also affected by differences in the profile of young offenders, geographic dispersion and other factors that limit opportunities to reduce overheads through economies of scale.

In addition, the daily average costs of supervising young offenders are significantly higher than unit costs for adult offenders. This is likely to be explained by more extensive supervision requirements when working with minors and the more limited opportunity for economies of scale in smaller youth justice systems.

#### Cost per young person subject to community‑based supervision

‘Cost per young person subject to community‑based supervision’ is an indicator of governments’ objective to provide youth justice services in an efficient manner (box 17.13).

|  |
| --- |
| Box 17.13 Cost per young person subject to community‑based supervision |
| ‘Cost per young person subject to community‑based supervision’ is defined as recurrent expenditure on community‑based supervision per day, divided by the daily average number of young people subject to community‑based supervision.   * Recurrent expenditure per day is calculated as annual recurrent expenditure divided by 365.25. * The daily average number of young people is calculated by summing the number of days each young person spends under supervision during the year (irrespective of age) and dividing this total by the number of days in the same year.   A low or decreasing average cost per day per young person is desirable as it suggests more efficient resource management.  Data reported for this indicator are:   * comparable (subject to caveats) within jurisdictions over time but are not comparable across jurisdictions * complete for the current reporting period. All required 2016‑17 data were available. |
|  |
|  |

Nationally in 2016‑17, the average cost per day per young person subject to community‑based supervision was $140 (figure 17.9). These data fluctuate across jurisdictions (table 17A.20).

|  |
| --- |
| Figure 17.9 Average cost per day, per young person subject to community‑based supervision (2016-17 dollars)**a** |
| |  | | --- | |  | |
| a See box 17.13 and table 17A.20 for detailed definitions, footnotes and caveats. |
| *Source*: State and Territory governments (unpublished); table 17A.20. |
|  |
|  |

#### Cost per young person subject to detention‑based supervision

‘Cost per young person subject to detention‑based supervision’ is an indicator of governments’ objective to provide youth justice services in an efficient manner (box 17.14).

|  |
| --- |
| Box 17.14 Cost per young person subject to detention‑based supervision |
| ‘Cost per young person subject to detention‑based supervision’ is defined as recurrent expenditure on detention‑based supervision per day, divided by the daily average number of young people subject to detention‑based supervision.   * Recurrent expenditure per day is calculated as annual recurrent expenditure divided by 365.25. * The daily average number of young people is calculated by summing the number of days each young person spends under supervision during the year (irrespective of age) and dividing this total by the number of days in the same year.   A low or decreasing average cost per day per young person is desirable as it suggests more efficient resource management.  Data reported for this indicator are:   * comparable (subject to caveats) within jurisdictions over time but are not comparable across jurisdictions * complete for the current reporting period. All required 2016‑17 data were available. |
|  |
|  |

Nationally in 2016‑17, the average cost per day per young person subject to detention‑based supervision was $1482 (figure 17.10). These data tend to fluctuate across jurisdictions and over time (table 17A.21).

|  |
| --- |
| Figure 17.10 Average cost per day, per young person subject to detention‑based supervision (2016-17 dollars)**a** |
| |  | | --- | |  | |
| a See box 17.14 and table 17A.21 for detailed definitions, footnotes and caveats. |
| *Source*: State and Territory governments (unpublished); table 17A.21. |
|  |
|  |

#### Cost per group conference

‘Cost per group conference’ is an indicator of governments’ objective to provide youth justice services in an efficient manner (box 17.15).

|  |
| --- |
| Box 17.15 Cost per group conference |
| ‘Cost per group conference’ is defined as the total recurrent expenditure on group conferencing divided by the number of concluded group conferences.  A low or decreasing unit cost is desirable as it suggests more efficient resource management.  Data for this indicator should be interpreted with caution as the provision of group conferencing differs across jurisdictions.  Data reported for this indicator are:   * comparable (subject to caveats) within jurisdictions over time but are not comparable across jurisdictions * complete for the current reporting period. |
|  |
|  |

Nationally, in 2016‑17, the average cost per concluded group conference was $7152 (figure 17.11). These data fluctuate across jurisdictions and over time (table 17A.22).

| Figure 17.11 Cost per concluded group conference (2016-17 dollars)**a** |
| --- |
| |  | | --- | |
| a See box 17.15 and table 17A.22 for detailed definitions, footnotes and caveats. |
| *Source*: State and Territory governments (unpublished); table 17A.22. |
|  |
|  |

### Outcomes

Outcomes are the impact of services on the status of an individual or group (see chapter 1).

#### Escapes

‘Escapes’ is an indicator of governments’ objective to promote community safety (box 17.16).

| Box 17.16 Escapes |
| --- |
| ‘Escapes’ is defined by two measures:   * the number of escapes from a youth justice detention centre, as a proportion of all young people in custody * the number of escapes during periods of escorted movement, as a proportion of all periods of escorted movement.   An escape from a youth justice detention centre is defined as a breach of a secure perimeter or defined boundary of a detention centre by a young person under the supervision of the centre. |
| (continued next page) |
|  |
|  |

|  |
| --- |
| Box 17.16 (continued) |
| A period of escorted movement is defined as a period of time during which a young person is in the custody of the youth justice agency while outside a detention centre, and ends when the young person is returned to the detention centre, or is no longer in the legal or physical custody of the youth justice agency. An escape from an escorted movement is defined as the failure of a young person to remain in the custody of a supervising youth justice worker or approved service provider during a period of escorted movement.  An escape is counted each time a young person escapes. For example, if a young person escapes three times during the year, three escapes are recorded. If three young people escape at the same time, three escapes are recorded.  A zero or decreasing rate of escapes is desirable.  Data reported for these measures are:   * comparable (subject to caveats) across jurisdictions and over time * complete for the current reporting period. All required 2016‑17 data were available. |
|  |
|  |

Nationally in 2016‑17, there were 25 escapes from youth justice detention (table 17.5) and no escapes from escorted movements. These data fluctuate across jurisdictions and over time (table 17A.23).

|  |
| --- |
| Table 17.5 Number and rate of escapes from youth justice detention centres, by Indigenous status, 2016‑17**a** |
| |  |  |  |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | |  | NSW | Vic | Qld | WA | SA | Tas | ACT | NT | Aust | | **Number of escapes** |  |  |  |  |  |  |  |  |  | | Aboriginal and Torres Strait Islander | – | 12 | – | – | – | – | – | 6 | 18 | | Non‑Indigenous | – | 6 | – | – | – | – | – | 1 | 7 | | **Total** | – | **18** | – | – | – | – | – | **7** | **25** | | **Rate per 10 000 custody nights** |  |  |  |  |  |  |  |  |  | | Aboriginal and Torres Strait Islander | – | 10.5 | – | – | – | – | – | 4.7 | 1.0 | | Non‑Indigenous | – | 1.0 | – | – | – | – | – | 12.6 | 0.5 | | **Total** | – | **2.6** | – | – | – | – | – | **5.1** | **0.8** | |
| a See box 17.16 and table 17A.23 for detailed definitions, footnotes and caveats. – Nil or rounded to zero. |
| *Source*: State and Territory governments (unpublished); table 17A.23. |
|  |
|  |

#### Absconds from unescorted leave

‘Absconds from unescorted leave’ is an indicator of governments’ objective to promote community safety (box 17.17).

|  |
| --- |
| Box 17.17 Absconds from unescorted leave |
| ‘Absconds from unescorted leave’ is defined as the number of young people who have unescorted temporary leave and fail to return to custody, as a proportion of all young people who have unescorted temporary leave.  Unescorted leave is leave for a young person held in custody that is authorised in writing and does not require the young person to be escorted by a youth justice worker. An abscond is a failure to return from leave, and occurs when the youth justice agency advises police of the young person’s failure to return to custody.  A zero or low, or decreasing rate of absconds from unescorted leave is desirable.  Data reported for this indicator are:   * comparable (subject to caveats) across jurisdictions and over time. However, not all jurisdictions permit unescorted leave to be undertaken (for these jurisdictions this indicator is not applicable) * complete for the current reporting period. All required 2016‑17 data were available. |
|  |
|  |

Management of young people while they are in the legal custody of a youth detention centre includes the provision of appropriate assessment, planning and supervision to enable young people to undertake unescorted temporary leave from detention centres. Unescorted leave is undertaken for activities such as education, training and employment.

One young person absconded from unescorted leave in 2016‑17. Historical data are available back to 2012‑13 in table 17A.24, and show no absconds over this period.

#### Completion of community‑based orders

‘Completion of community‑based orders’ is an indicator of governments’ objective to rehabilitate and reintegrate young people who offend (box 17.18).

| Box 17.18 Completion of community‑based orders |
| --- |
| ‘Completion of community‑based orders’ is defined as the proportion of sentenced community‑based supervision orders successfully completed.  Successful completion occurs when the earliest of the order expiry date or the order termination date is reached, and a breach is neither pending nor finalised. An order is not successfully completed where a court decides that an order was breached, irrespective of the court‑ordered outcome. Excludes orders that have not yet been completed and/or the breach action has not been finalised. |
| (continued next page) |
|  |
|  |

|  |
| --- |
| Box 17.18 (continued) |
| A high or increasing proportion of orders successfully completed is desirable. However, where offenders are non‑compliant and pose a risk, breach action (an unsuccessful completion) may be warranted. As a result, a completion rate less than 100 per cent may not necessarily indicate poor performance, and may reflect appropriate supervision of young people on community‑based supervision orders.  Data reported for this indicator are:   * comparable (subject to caveats) across jurisdictions and over time * complete for the current reporting period. All required 2016‑17 data were available. |
|  |
|  |

Nationally, 79.0 per cent of community‑based orders were successfully completed in 2016‑17 (figure 17.12), with this proportion broadly consistent over the past five years (table 17A.25).

|  |
| --- |
| Figure 17.12 Proportion of community‑based orders successfully completed, by Indigenous status, 2016‑17**a** |
| |  | | --- | | More details can be found within the text surrounding this image. | |
| a See box 17.18 and table 17A.25 for detailed definitions, footnotes and caveats. |
| *Source*: State and Territory governments (unpublished); table 17A.25. |
|  |
|  |

#### Returns to sentenced youth justice supervision

‘Returns to sentenced youth justice supervision’ is an indicator of governments’ objective to contribute to a reduction in youth re‑offending (box 17.19).

|  |
| --- |
| Box 17.19 Returns to sentenced youth justice supervision |
| ‘Returns to sentenced youth justice supervision’ is defined as the proportion of young people released from sentenced supervision who are aged 10–16 years at time of release who returned to sentenced supervision within 12 months. Data are reported by the State or Territory of the original sentenced supervision, even if the return to supervision is not in that State or Territory.  The measure has a number of restrictions that need to be considered when interpreting the results:   * the measure is restricted to young people who have received a supervised sentence and does not include those young people for whom the offence resulted in an unsupervised sentence * the measure does not include information on people supervised by adult justice departments * some returns to sentenced supervision may be due to a breach of a previous order rather than a new offence.   This measure should not be interpreted as a measure of recidivism. Accurately measuring recidivism would require information on all criminal acts committed by a young person which would include those not coming to the attention of authorities, and for those that did not result in a return to youth justice sentenced supervision.  This measure should be considered in the context of other youth justice outcome indicators, as many factors are likely to influence youth offending patterns, including a young person’s family environment and social circumstances. In addition, as factors that give rise to offending vary from region to region, direct comparisons of rates should not be made in isolation from the broader social context of each region.  A low rate of returns to sentenced youth justice supervision is desirable.  Data reported for this indicator are:   * comparable (subject to caveats) within jurisdictions but are not comparable across jurisdictions * incomplete for the current reporting period. Data were not available for the NT. |
|  |
|  |

For jurisdictions for whom data were available, 47.2 per cent of young people aged   
10–16 years at time of release from sentenced supervision in 2014‑15 returned within 12 months (figure 17.13). Results varied across jurisdictions (table 17A.26).

| Figure 17.13 Proportion of young people who returned to sentenced youth justice supervision within 12 months**a, b** |
| --- |
| |  | | --- | |
| a See box 17.19 and table 17A.26 for detailed definitions, footnotes and caveats. b Data were not available for the WA for 2013‑14 and for the NT for 2013‑14 and 2014‑15. |
| *Source*: AIHW Juvenile Justice National Minimum Dataset 2014‑15 and 2015‑16; table 17A.26. |
|  |
|  |

## 17.4 Definitions of key terms

|  |  |
| --- | --- |
| **Community‑based youth justice supervision** | Community‑based youth justice supervision is an alternative to detention, where a sentenced order or unsentenced order (such as conditional bail) is served in the community. |
| **Detention‑based youth justice supervision** | Detention‑based youth justice supervision involves young people serving their sentence in a custodial environment. |
| **Group conferencing** | Group conferences are decision‑making forums that aim to minimise the progression of young people into the youth justice system, and provide restorative justice. Typically, a group conference involves the young offender(s) and victim(s) and their families, police and a youth justice agency officer, all of whom attempt to agree on a course of action required of the young offender/s to make amends for his or her offence/s. |
| **Police caution** | A police officer administering a caution, or warning, to a child instead of bringing a child before a court for the offence. |
| **Pre‑sentence community** | Pre‑sentence arrangements where the youth justice department is responsible for the case management or supervision of a young person (such as supervised or conditional bail where the youth justice department is involved with monitoring or supervising a young person). |
| **Pre‑sentence detention** | Remanded or held in a youth justice centre or police watch house prior to appearing in court or to being sentenced. |
| **Sentenced  community‑based supervision** | Includes probation, recognisance and community service orders which are supervised or case managed by the youth justice department. May be supervision with or without additional mandated requirements, requiring some form of obligation or additional element that a young person is required to meet. This obligation could be community work such as a community service order, a developmental activity or program attendance. The youth justice department may or may not directly supervise any additional mandated requirements, but remains responsible for the overall case management of a young person. |
| **Supervision period** | A period of time during which a young person is continuously under youth justice supervision of one type or another. A supervision period is made up of one or more contiguous episodes. |
| **Youth justice centre** | A place administered and operated by a youth justice department, where young people are detained while under the supervision of the relevant youth justice department on a remand or sentenced detention episode. |
| **Youth justice conference/group conference** | A youth justice conference, or group conference, is a facilitated meeting resulting in a formal agreement to repair the harm caused by the offence. Participants can include the victim(s), offender(s), a youth justice agency officer, police and other key stakeholders. Referrals may be initiated by the police or the courts. |
| **Youth justice department** | Departments in each State and Territory that are responsible for youth justice matters. |

## 17.5 References

AIHW (Australian Institute of Health and Welfare) 2017, *Youth justice in Australia 2015‑16*, Bulletin no. 139, Cat. no. AUS 211, Canberra, www.aihw.gov.au/publication-detail/?id =60129558624 (accessed 14/8/2017).

Patel, N., 2004, *Accommodation needs of young offenders,* Youth Justice Board for England and Wales: United Kingdom.

Supervised Release Review Board 2012, *Supervised Release Review Board: Annual Report*, Western Australia.