
15 Protection and support services

CONTENTS

Indigenous data in the Protection and support services chapter	335
Child protection and out-of-home care services	337
Framework of performance indicators for child protection and out-of-home care services	342
Child protection and out-of-home care services reporting for Indigenous people	344
Future directions in child protection and out-of-home care services performance reporting	350
Juvenile justice services	351
Service overview	351
Framework of performance indicators for Juvenile justice services	352
Juvenile justice services reporting for Indigenous people	353
Definitions of key terms and indicators	371
Child protection and out-of-home care services	371
Juvenile justice services	373
List of attachment tables	374
References	379

Attachment tables

Attachment tables are identified in references throughout this Indigenous Compendium by an 'A' suffix (for example, in this chapter, table 15A.3). As the data are directly sourced from the 2011 Report, the Compendium also notes where the original table, figure or text in the 2011 Report can be found. For example, where the Compendium refers to '2011 Report, p. 15.15' this is page 15 of chapter 15 of the 2011 Report, and '2011 Report, table 15A.2' is attachment table 2 of attachment 15A of the 2011 Report. A full list of attachment tables is provided at the end of this chapter, and the attachment tables are available from the Review website at www.pc.gov.au/gsp.

The Protection and support services chapter (chapter 15) in the *Report on Government Services 2011* (2011 Report) reports on the performance of protection and support services in each Australian State and Territory. Data are reported for Indigenous people for a subset of the performance indicators reported in that chapter — those data are compiled and presented here.

Protection and support services aim to assist individuals and families who are in crisis or experiencing difficulties that hinder personal or family functioning. These services assist by alleviating the difficulties and reducing the potential for their recurrence.

This chapter reports on:

- *child protection services* — functions of government that receive and assess allegations of child abuse and neglect, and/or harm to children and young people, provide and refer clients to family support and other relevant services, and intervene to protect children
- *out-of-home care services* — care for children placed away from their parents for protective or other family welfare reasons
- *juvenile justice services* — services to promote community safety and reduce youth offending by assisting young people to address their offending behaviour.

Indigenous data in the Protection and support services chapter

The Protection and support services chapter in the *Report on Government Services 2011* (2011 Report) contains the following data items on Indigenous people:

- children who were the subject of a notification (number and rate per 1000 children), 2008-09

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- children who were the subject of a substantiation (number and rate per 1000 children), 2008-09
 - children who were on care and protection orders (number and rate per 1000 children), 30 June 2009
 - children who were in out-of-home care (number and rate per 1000 children), 30 June 2009
 - proportion of children aged under 12 years in out-of-home care and in a home-based placement, by Indigenous status, 30 June 2009
 - proportion of children in out-of-home care placed with relatives/kin, 30 June 2009
 - placement in out-of-home care, 30 June 2009
 - average rate of detention of Indigenous and non-Indigenous people aged 10–17 years in juvenile detention, per 100 000 people, 2007-08
 - rate and number of escapes from juvenile justice detention centres, by Indigenous status, 2008-09
 - rate and number of escapes from escorted movement, by Indigenous status, 2008-09
 - proportion of case plans prepared within 6 weeks of commencing sentenced detention orders and sentenced community-based orders, 2008-09

The Protection and support services attachment contains additional data relating to Indigenous people including:

- child protection notifications, investigations and substantiations, 2008-09
- number of children admitted to and discharged from care and protection orders by Indigenous status, 2008-09
- number of children on care and protection orders by type of order and Indigenous status, at 30 June 2009
- children in notifications, investigations and substantiations and children on care and protection orders: number and rate per 1000 children in the target populations, 2008-09
- children in out-of-home care (number and rate per 1000 children) and placement type, 30 June 2009
- number of children who exited care during the year 2008-09 and length of time spent in care
- children in out-of-home care placed with relatives/kin, 30 June
- children in out-of-home care by relationship of caregiver, 30 June 2009

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- children aged under 12 years in out-of-home care and in a home-based placement, 30 June 2009
 - intensive family support services: number of children aged 0–17 years commencing intensive family support services by gender
 - target population data used for annual data, December ('000)
 - target population data used for end of financial year data, March ('000)
 - daily average population of Indigenous people aged 10–17 years in juvenile detention (number)
 - average rates of detention and Indigenous rate ratio, young people aged 10-17 years in juvenile detention, per 100 000 people
 - custody nights, 2008-09
 - proportion of pre-sentence reports completed by juvenile justice agencies, 2008-09
 - deaths in custody, 2008-09
 - young people in detention attending education and training, 2008-09
 - escapes from detention and escorted movement, 2008-09
 - absconds from unescorted leave, 2008-09
 - case plans prepared/reviewed within 6 weeks of commencing a sentenced order, 2008-09.

Child protection and out-of-home care services

Child protection services are provided to protect children and/or young people aged 0–17 years who are at risk of harm within their families, or whose families do not have the capacity to protect them.

Research suggests that children and families who come into contact with the protection and support services system often share common social and demographic characteristics. Families with low incomes or that are reliant on pensions and benefits, those that experience alcohol and substance abuse, or a psychiatric disability, and those that have a family history of domestic violence are over-represented in the families that come into contact with the protection and support services system (Department of Human Services 2002; The Allen Consulting Group 2008).

Child protection concerns and Indigenous communities

Studies have highlighted the high incidence of child abuse and neglect within some Indigenous communities, compared with non-Indigenous communities. Indigenous families across Australia have been found to experience high levels of violence, compared with non-Indigenous families (AIHW 2006). The final report of the Northern Territory Board of Inquiry into the Protection of Aboriginal Children from Sexual Abuse (2007), identified child sexual abuse as a significant issue for many of the remote NT Aboriginal communities consulted as part of the Inquiry. The final report of the WA Inquiry into Response by Government Agencies to Complaints of Family Violence and Child Abuse in Aboriginal Communities (Gordon Report 2002), also found high levels of violence and child abuse within Aboriginal communities in WA.

The Report of the Board of Inquiry into the Child Protection System in the Northern Territory *Growing them strong, together* also observed the presence of multiple risk factors in Aboriginal communities, including lack of adequate housing, financial security and education. However, Aboriginal communities also possessed protective factors which can safeguard children and families from psychological distress, such as spirituality and connection to land, family and culture (Bamblett, Bath and Roseby 2010).

Out-of-home care services

Out-of-home care services provide care for children and young people aged 0–17 years who are placed away from their parents or family home for reasons of safety or family crisis. These reasons include abuse, neglect or harm, illness of a parent and the inability of parents to provide adequate care. Placements may be voluntary or made in conjunction with care and protection orders.

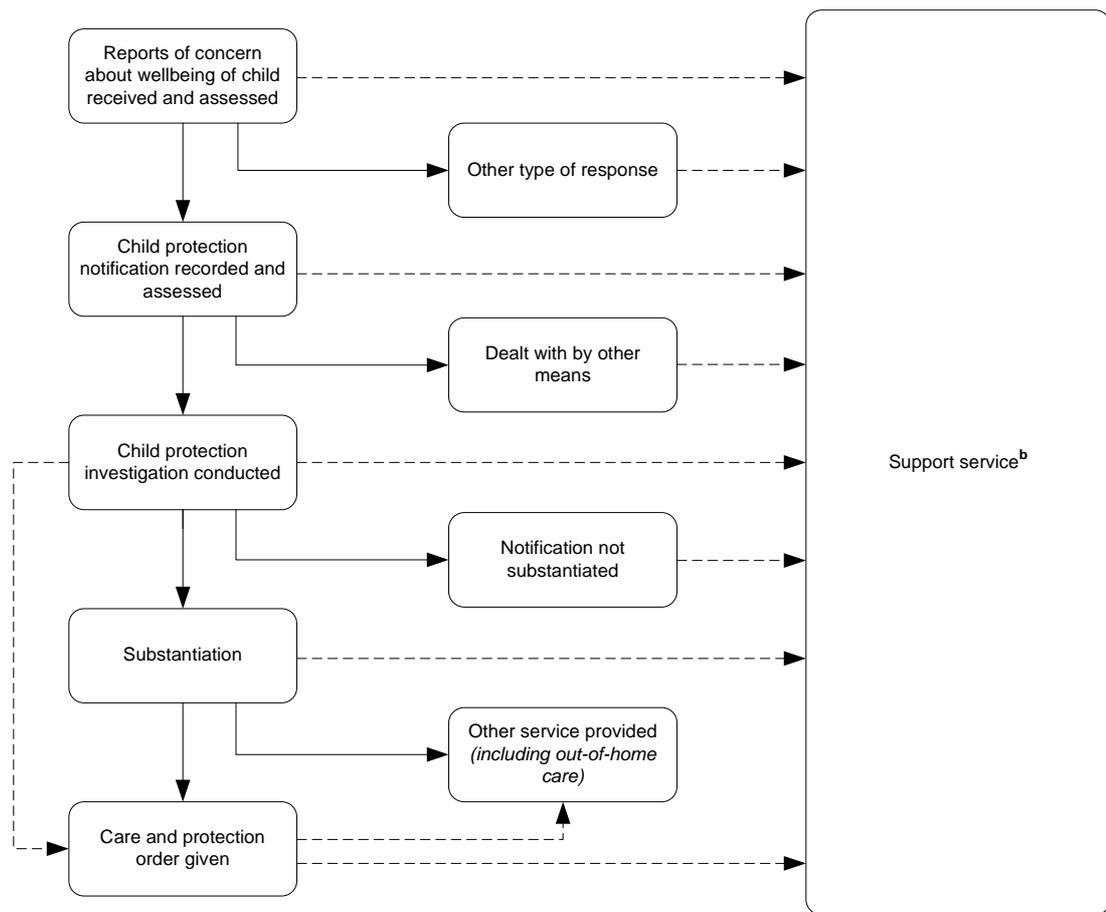
The child protection system

Child protection legislation, policies and practices vary across jurisdictions, which has some implications for the comparability of child protection data (Holzer and Bromfield 2008). However, the broad processes in child protection systems are similar (figure 15.1).

State and Territory departments with responsibility for child protection are advised of concerns about the wellbeing of children through reports to these departments. Reports may be made by people mandated to report or by other members of the community. Individuals and organisations mandated to report vary across states and territories, and may include medical practitioners, police services, school teachers

and principals. These reports are assessed and classified as child protection notifications, child concern reports, or matters requiring some other kind of response. In most jurisdictions, police were the most common source of notifications in 2009-10. The second most common source of notifications varied across jurisdictions and included social workers and school personnel (AIHW 2011).

Figure 15.1 The child protection system^a



^a Dashed lines indicate that clients may or may not receive these services, depending on need and service availability. ^b Support services include family support or family preservation services provided by departments responsible for child protection and referrals to other agencies.

Source: State and Territory governments (unpublished); 2011 Report, figure 15.1, p. 15.10.

Notification

Jurisdictions count notifications at different points in the response to a report, ranging from the point of initial contact with the source of the report to the end of a screening and decision making process. This means the number of notifications is not strictly comparable across jurisdictions.

Most jurisdictions assess incoming reports to determine whether they meet the threshold for recording a notification. Notifications are subsequently investigated based on the policies and practices in each jurisdiction. Once it has been decided that an investigation is required, the investigation process is similar across jurisdictions. The department responsible for child protection may obtain further information about the child and his or her family by checking information systems for any previous history, undertaking discussion with agencies and individuals, interviewing/sighting the child and/or interviewing the caregivers/parents. At a minimum, the child is sighted whenever practicable, and the child's circumstances and needs are assessed. Where possible, an investigation determines whether a notification is substantiated or not substantiated (figure 15.1).

Prior to 2009-10, the rates of children subject to notifications, investigations and substantiations were calculated for children aged 0–16 years, while the rates of children on care and protection orders and in out-of-home care were calculated for children aged 0-17 years. From the 2009-10 period onwards, all child protection data are reported for the age range 0-17 years.

Nationally, 187 314 children aged 0–17 years were the subject of child protection notifications in 2009-10. The rate of notifications per 1000 children in the population aged 0–17 years was 36.8 in 2009-10 (table 15A.4). The total number of notifications for each jurisdiction for 2009-10 (including cases where a child is the subject of more than one child protection notification) by Indigenous status of the child is reported in table 15A.1.

Notifications data are collected early in the child protection process and often before an agency has full knowledge of a child's family circumstances. This lack of information and the inherent difficulties in identifying Indigenous status mean that data on the number of notifications by Indigenous status need to be interpreted with care.

Substantiation

The legal definition of harm or risk of harm, abuse or risk of abuse are similar across jurisdictions. Traditionally, child protection legislation and policy focused on the identification and investigation of narrowly defined incidents that were broadly grouped as types of abuse or neglect. Across all jurisdictions, the focus has now shifted away from the actions of parents and guardians, toward the desired outcomes for the child, the identification and investigation of actual and/or likely harm or risk to the child, and the child's needs. While the legal criteria for substantiating such matters are now similar across jurisdictions, there remain some

differences in practice, including different thresholds for recording a substantiation related to risk of harm.

If an investigation results in a substantiation, intervention by child protection services might be needed to protect the child. This intervention can take a number of forms, including one or more of: referral to other services; supervision and support; an application to court; and a placement in out-of-home care.

Nationally, 8334 Indigenous, 22 335 non-Indigenous children and 626 children of unknown Indigenous status were the subject of substantiations in 2009-10. The rate of children who were the subject of a substantiation per 1000 children in the target population aged 0–17 years was 35.3 for Indigenous children and 4.6 for non-Indigenous children (table 15A.4).

Care and protection orders

Although child protection substantiations are often resolved without the need for a court order (which is usually a last resort) recourse to a court may take place at any point in the child protection investigation process. The types of orders available vary across jurisdictions and may include guardianship or custody orders, supervisory orders, and interim and temporary orders.

Nationally, 11 451 Indigenous, 26 215 non-Indigenous and 64 children of unknown Indigenous status were on care and protection orders at 30 June 2010. The rate of children on care and protection orders per 1000 children in the target population aged 0–17 years was 48.3 for Indigenous children and 5.4 for non-Indigenous children (table 15A.4).

Further information regarding children on care and protection orders is included in the attachment tables. Table 15A.2 identifies the number of children admitted to and discharged from care and protection orders by Indigenous status, 2009-10. Table 15A.3 identifies the number of children on care and protection orders by type of order and Indigenous status at 30 June 2010.

Out-of-home care

Out-of-home care is one of a range of services provided to children and families where there is a need to provide safe care for a child. Children are placed in out-of-home care as a last resort when it is not in their best interests to remain with their family (for example, because they are not safe or because no one is able or willing to provide care). Where children are placed in out-of-home care, placement with the extended family or community is sought where possible, particularly in the

case of Indigenous children (AIHW 2006). Continued emphasis is placed on improving case planning and case management processes to facilitate the safe return home of children in out-of-home care and to maximise case workers' contact time with children and families.

Nationally, 11 468 Indigenous children and 24 279 non-Indigenous children were in out-of-home care at 30 June 2010. The rate of children in out-of-home care per 1000 children in the target population aged 0–17 years was 48.4 for Indigenous children and 5.0 for non-Indigenous children (table 15A.5).

Further information on children in out-of-home care is included in the attachment tables. Table 15A.6 identifies the number of children in out-of-home care by Indigenous status and placement type at 30 June 2010. Table 15A.7 identifies the number of children in out-of-home care by Indigenous status and whether they were on a care and protection order at 30 June 2010. Table 15A.8 identifies the number of children in out-of-home care by Indigenous status and length of time in continuous out-of-home care as at 30 June 2010. Table 15A.9 identifies the number of children who exited care during 2009-10, by Indigenous status and length of time spent in care.

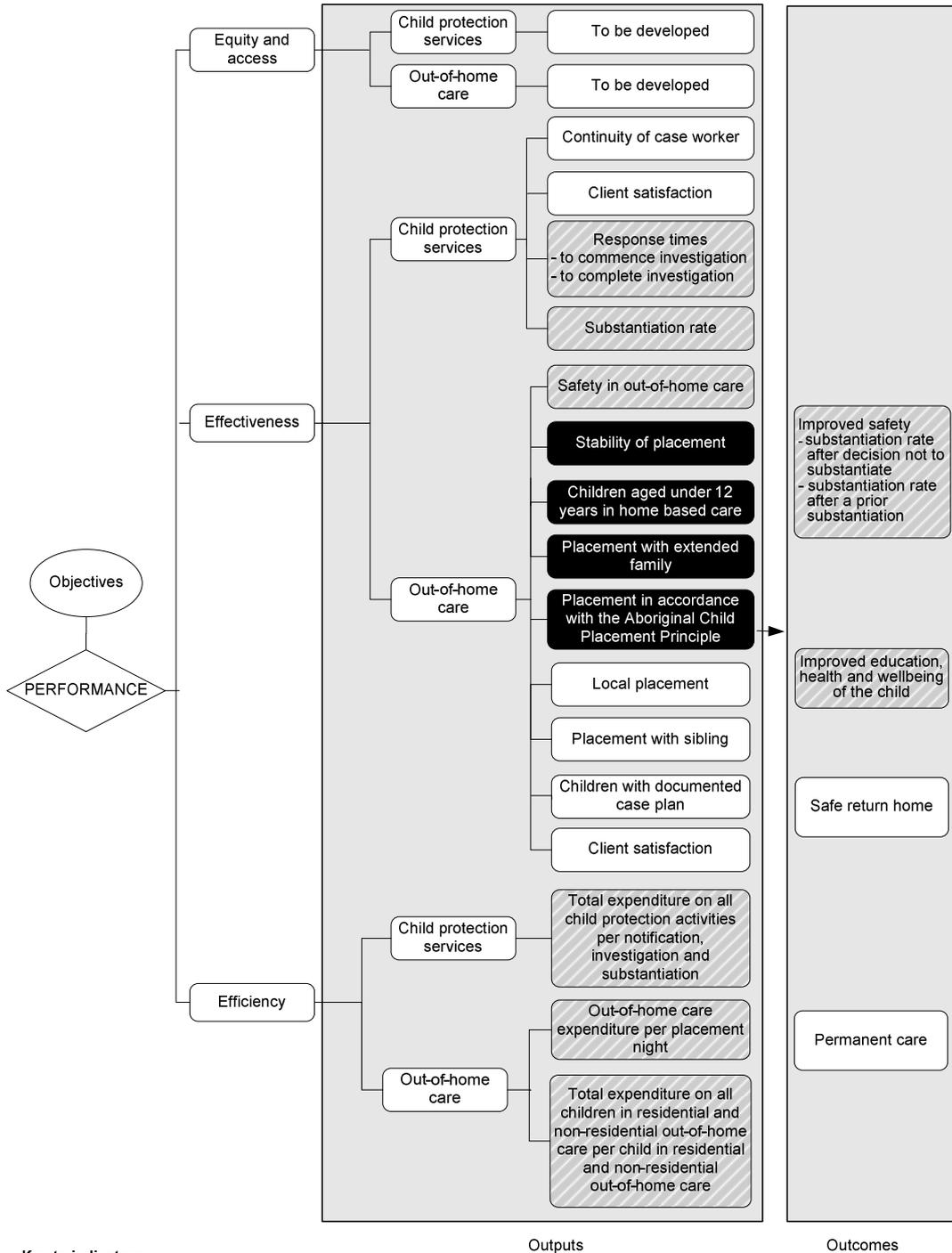
Framework of performance indicators for child protection and out-of-home care services

The Child protection and out-of-home care services performance indicator framework outlined in figure 15.2 identifies the principal child protection and out-of-home care services activity areas considered in the 2011 Report. Data for Indigenous people are reported for a subset of the performance indicators and are presented here. It is important to interpret these data in the context of the broader performance indicator framework. The framework shows which data are comparable. For data that are not considered directly comparable, the text includes relevant caveats and supporting commentary.

Indicator boxes presented throughout the chapter provide information about the reported indicators. As these are sourced directly from the 2011 Report, they may include references to data not reported for Indigenous people and therefore not included in this Compendium.

The Report's statistical appendix contains data that may assist in interpreting the performance indicators presented in this chapter. These data cover a range of demographic and geographic characteristics, including age profile, geographic distribution of the population, income levels, education levels, tenure of dwellings and cultural heritage (including Indigenous and ethnic status) (appendix A).

Figure 15.2 Performance indicators for child protection and out-of-home care services



Key to indicators

- Text** Data for these indicators comparable, subject to caveats to each chart or table
- Text** Data for these indicators not complete or not directly comparable
- Text** These indicators yet to be developed or data not collected for this Report

Source: 2011 Report, figure 15.3, p. 15.16.

Child protection and out-of-home care services reporting for Indigenous people

Out-of-home care — children aged under 12 years in home-based care

‘Children aged under 12 years in home-based care’ is an indicator of governments’ objective to provide services which meet the needs of recipients (box 15.1).

Box 15.1 Children aged under 12 years in home-based care

‘Children aged under 12 years in home-based care’ is defined as the number of children aged under 12 years placed in home-based care divided by the total number of children aged under 12 years in out-of-home care.

A high or increasing rate for this indicator is desirable. This indicator should be interpreted in conjunction with other placement indicators.

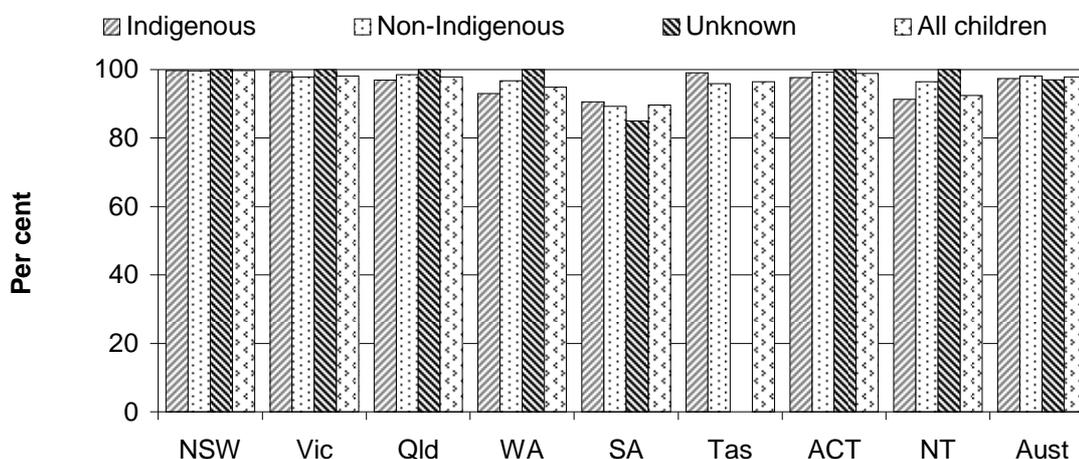
Placing children in home-based care is generally considered to be in their best interests, particularly for younger children. Children will generally make better developmental progress (and have more ready access to normal childhood experiences) in family settings rather than in residential or institutional care environments.

Data reported for this indicator are comparable.

Data quality information for this indicator is under development.

Nationally, the proportion of all children aged under 12 years in care who were placed in home-based care at 30 June 2010 was 97.9 per cent. In most jurisdictions the proportion of Indigenous children aged under 12 years who were placed in home-based care was similar to that of non-Indigenous children (figure 15.3).

Figure 15.3 Proportion of children aged under 12 years in out-of-home care who were in a home-based placement, by Indigenous status, 30 June 2010^a



^a See source table for detailed footnotes.

Source: AIHW (unpublished), derived from *Children in out-of-home care, Australia* collection; table 15A.12; 2011 Report, figure 15.9, p. 15.31.

Out-of-home care — placement with extended family

‘Placement with extended family’ is an indicator of governments’ objective to provide services that meet the needs of recipients on the basis of relative need and available resources (box 15.2).

Box 15.2 Placement with extended family

'Placement with extended family' is defined as the proportion of all children in out-of-home care who are placed with relatives or kin who receive government financial assistance to care for that child.

A high or increasing rate for this indicator is desirable. 'Placement with extended family' needs to be considered with other factors in the placement decision. Placing children with their relatives or kin is generally the preferred out-of-home care placement option. This option is generally associated with better long term outcomes due to increased continuity, familiarity and stability for the child. Relatives are more likely to have or form long term emotional bonds with the child. Placement with familiar people can help to overcome the loss of attachment and belonging that can occur when children are placed in out-of-home care.

Placements with extended family may not always be the best option. Long standing family dynamics can undermine the pursuit of case goals such as reunification, and the possibility of intergenerational abuse needs to be considered. In addition, depending on the individual circumstances of the child, it may be more important to have a local placement that enables continuity at school, for example, rather than a distant placement with relatives.

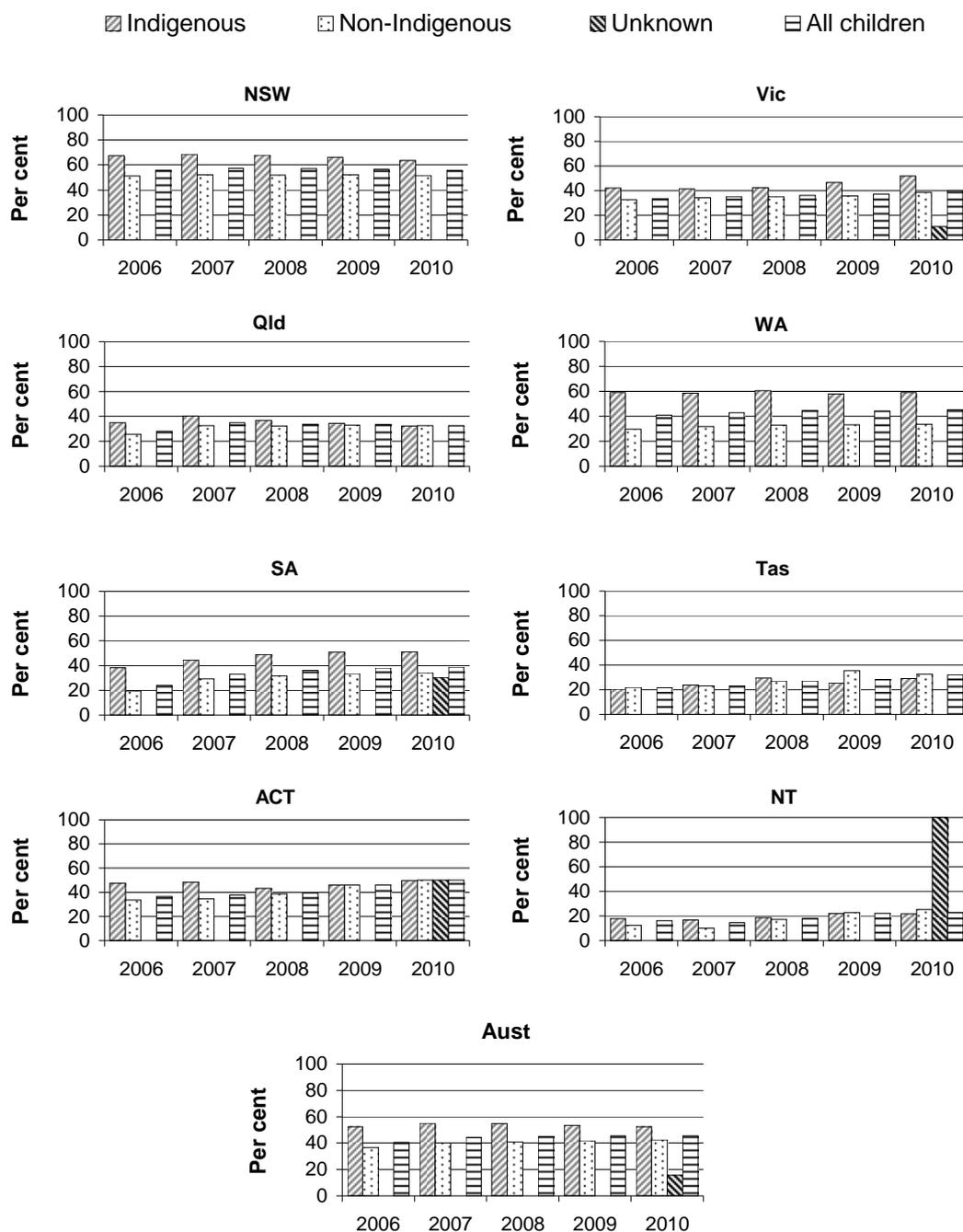
Data reported for this indicator are comparable.

Data quality information for this indicator is under development.

Figure 15.4 shows the proportion of children placed with relatives or kin by Indigenous status. Although these data are comparable, each jurisdiction is shown separately for simpler presentation. The proportion of children placed with relatives or kin at 30 June 2010 was greater for Indigenous children than for non-Indigenous children in all jurisdictions and nationally (figure 15.4).

The Aboriginal Child Placement Principle places considerable emphasis on the placement of Indigenous children with extended family. This principle is discussed in box 15.3.

Figure 15.4 Proportion of children in out-of-home care placed with relatives/kin, by Indigenous status, 30 June^{a, b, c}



^a Prior to 2009-10, non-Indigenous status included children whose Indigenous status was unknown or not stated. From 2009-10 onwards, the category unknown Indigenous status is reported separately. ^b See source table for detailed footnotes. ^c The NT figure of 100 per cent of children of 'unknown' Indigenous status in home-based care at 30 June 2010 is for two children who were in care at that time.

Source: AIHW (unpublished), derived from *Children in out-of-home care, Australia* data collection; table 15A.10; 2011 Report, figure 15.10, p. 15.33.

Out-of-home care — placement in accordance with the Aboriginal Child Placement Principle

‘Placement in accordance with the Aboriginal Child Placement Principle’ is an indicator of governments’ objective to protect the safety and welfare of Indigenous children while maintaining their cultural ties and identity (box 15.3).

Box 15.3 Placement in accordance with the Aboriginal Child Placement Principle

‘Placement in accordance with the Aboriginal Child Placement Principle’ is defined as the number of Indigenous children placed with the child’s extended family, Indigenous community or other Indigenous people, divided by the total number of Indigenous children in out-of-home care. Data are reported separately for children placed (i) with relative/kin, (ii) with a non-relative Indigenous carer or in Indigenous residential care, and (iii) not placed with relative/kin, a non-relative Indigenous carer or in Indigenous residential care.

Placing Indigenous children in circumstances consistent with the Aboriginal Child Placement Principle is considered to be in their best interests. However, it is one factor among many considerations for the child’s safety and wellbeing that must be carefully considered in the placement decision. In the application of this principle, departments consult with and involve appropriate Indigenous individuals and/or organisations. If the preferred options are not available, the child may be placed (after appropriate consultation) with a non-Indigenous family or in a residential setting. The principle does not preclude the possibility that in some instances, placement in a non-Indigenous setting, where arrangements are in place for the child’s cultural identity to be preserved, might be the most appropriate placement for the child.

This indicator needs to be interpreted with care as it is a proxy for compliance with the principle. This indicator reports the placement outcomes of Indigenous children rather than compliance with the principle. The indicator does not reflect whether the hierarchy was followed in the consideration of the best placement for the child, nor whether consultation was had with appropriate Indigenous individuals or organisations.

A high or increasing proportion of children placed in accordance with the principle is desirable.

Data reported for this indicator are comparable.

Data quality information for this indicator is under development.

According to the Aboriginal Child Placement Principle (NSW Law Reform Commission 1997) the following hierarchy of placement options should be pursued in protecting the safety and welfare of Indigenous children:

- placement with the child’s extended family (which includes Indigenous and non-Indigenous relatives/kin)

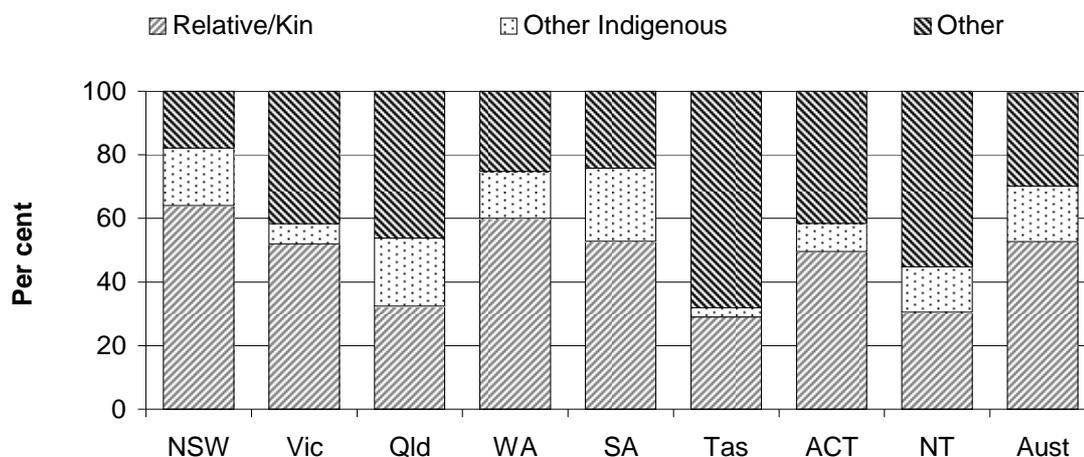
- placement within the child’s Indigenous community
- placement with other Indigenous people.

All jurisdictions have adopted this principle in both legislation and policy.

Nationally, at 30 June 2010, 53.0 per cent of Indigenous children in out-of-home care were placed with relatives/kin (40.6 per cent with Indigenous relatives/kin and 12.4 per cent with non-Indigenous relatives/kin). A further 17.5 per cent of Indigenous children in out-of-home care were placed with other Indigenous carers or in Indigenous residential care (figure 15.5).

The proportion of Indigenous children in out-of-home care at 30 June 2010 who were placed with Indigenous or non-Indigenous relatives or kin or with another Indigenous carer or in Indigenous residential care varied across jurisdictions (figure 15.5).

Figure 15.5 Placement of Indigenous children in out-of-home care, 30 June 2010^{a, b, c}



Relative/Kin = Placed with relative/kin. Other Indigenous = Placed with other Indigenous carer or Indigenous residential care. Other = Not placed with relative/kin, other Indigenous carer or Indigenous residential care. ^a Excludes Indigenous children living independently and those whose living arrangements were unknown. ^b Data for Tasmania and the ACT relate to a small number of Indigenous children (138 and 125 respectively) in care at 30 June 2010. ^c See source table for detailed footnotes.

Source: AIHW (unpublished), derived from *Children in out-of-home care, Australia* collection; table 15A.11; 2011 Report, figure 15.11, p. 15.35.

Future directions in child protection and out-of-home care services performance reporting

COAG developments

National framework for protecting Australia's children 2009—2020

On 30 April 2009, COAG endorsed *Protecting Children is Everyone's Business: National Framework for Protecting Australia's Children 2009-2020* ("the National Framework"). The National Framework argues that Australia needs to move from seeing 'protecting children' as a response to abuse and neglect to one of promoting the safety and wellbeing of children. The National Framework is intended to deliver a more integrated response to protecting Australia's children and emphasises the role of government, the non-government sector, and the community in promoting the safety and wellbeing of children.

The National Framework's main goal is to ensure that Australia's children and young people are safe and well. To measure this high-level outcome, the National Framework sets the following target: a substantial and sustained reduction in child abuse and neglect in Australia over time.

To demonstrate progress towards achieving the target of a substantial and sustained reduction in child abuse and neglect over time, the National Framework sets out four key measures and identifies six supporting outcomes one of which is that Indigenous children are supported and safe in their families and communities.

The Report's child protection and out-of-home care performance indicator framework already includes and reports upon several National Framework performance indicators. In addition, the Steering Committee has previously identified developments for the Report's child protection and out-of-home care performance indicator framework which are complementary to many of the measures in the National Framework. In further developing the Report's child protection and out-of-home care performance indicator framework, the Steering Committee will reflect and report consistently with applicable National Framework developments.

Juvenile justice services

Service overview

Juvenile justice systems are responsible for attending to young people (predominantly aged 10–17 years) who have committed or allegedly committed an offence while considered by law to be a juvenile. In so doing, juvenile justice systems aim to promote community safety and reduce youth offending by assisting young people to address their offending behaviour and take responsibility for the effect their behaviour has on victims and the wider community.

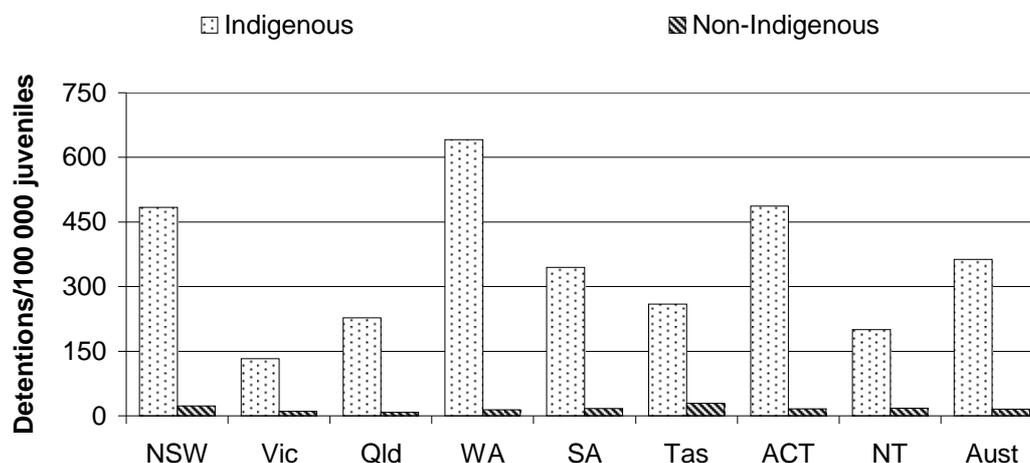
Responsibility for the provision of juvenile justice services in Australia resides with State and Territory governments. The relevant department in each State and Territory responsible for funding and/or providing juvenile justice services in 2009-10 is listed in 2011 report, box 15.30. Each jurisdiction has its own legislation that determines the policies and practices of its juvenile justice system. While this legislation varies in detail, its intent is similar across jurisdictions. National coordination takes place through the Australasian Juvenile Justice Administrators (AJJA). The AJJA is a Standing Committee of the Community and Disability Services Ministerial Advisory Council (CDSMAC).

Juvenile detention

Numbers and rates of Indigenous young people placed in detention

The daily average number of Indigenous young people aged 10–17 years detained in juvenile detention centres was 411.5 in 2008-09 (table 15A.112). Nationally, the daily average detention rate for Indigenous people aged 10–17 years in 2008-09 was 370.9 per 100 000 Indigenous people aged 10–17 years. The rate for the non-Indigenous population aged 10–17 years in 2008-09 was 16.1 per 100 000 non-Indigenous people aged 10–17 years (table 15A.113). The over-representation of Indigenous young people in detention across jurisdictions in 2008-09 is shown in figure 15.6.

Figure 15.6 Average rate of detention of Indigenous and non-Indigenous people aged 10–17 years in juvenile detention, per 100 000 people, 2008-09^{a, b}



^a Rates of detention for Indigenous and non-Indigenous people in NSW in each quarter in 2008-09 include young people in the care of both the NSW Department of Juvenile Justice and the Department of Corrective Services. ^b The ACT rate for Indigenous young people should be treated with caution due to the small Indigenous population in the ACT. The rate ratio at table 15A.113 should also be taken into account.

Source: AIHW JJ NMDS (unpublished); AIC Juveniles in detention (unpublished); table 15A.113; 2011 Report, figure 15.18, p. 15.62.

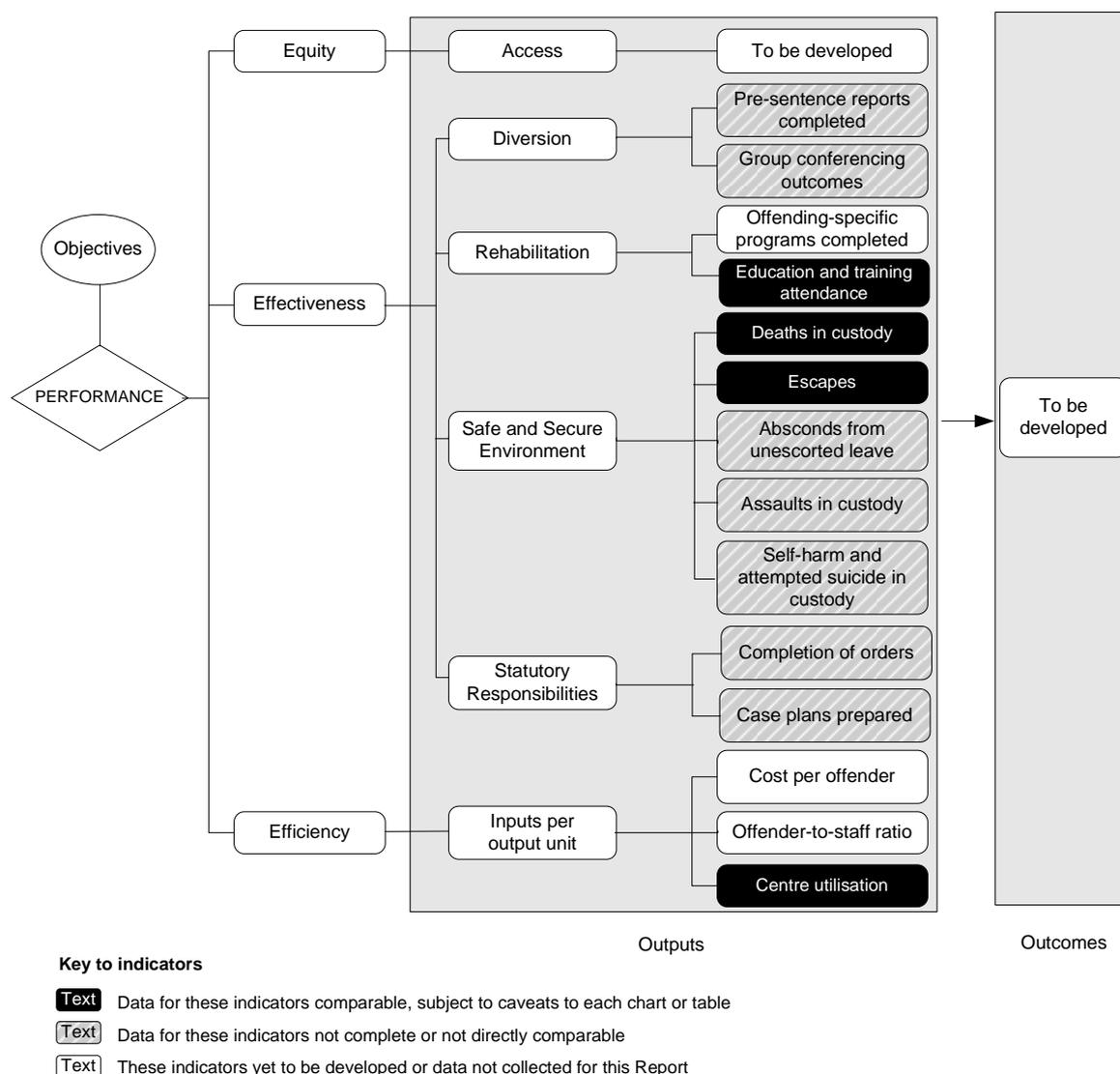
Framework of performance indicators for Juvenile justice services

The Juvenile justice services performance indicator framework outlined in figure 15.7 identifies the principal juvenile justice services activity areas considered in the 2011 Report. Data for Indigenous people are reported for a subset of the performance indicators and are presented here. It is important to interpret these data in the context of the broader performance indicator framework. The framework shows which data are comparable. For data that are not considered directly comparable, the text includes relevant caveats and supporting commentary.

Indicator boxes presented throughout the chapter provide information about the reported indicators. As these are sourced directly from the 2011 Report, they may include references to data not reported for Indigenous people and therefore not included in this Compendium.

The Report's statistical appendix contains data that may assist in interpreting the performance indicators presented in this chapter. These data cover a range of demographic and geographic characteristics, including age profile, geographic distribution of the population, income levels, education levels, tenure of dwellings and cultural heritage (including Indigenous and ethnic status) (appendix A).

Figure 15.7 Performance indicators for juvenile justice services



Source: 2011 Report, figure 15.19, p. 15.65.

Juvenile justice services reporting for Indigenous people

Diversion — pre-sentence reports completed

‘Pre-sentence reports completed’ is an indicator of governments’ objective to ensure that accurate and timely advice is provided to the court to inform decision-making (box 15.4).

Box 15.4 Pre-sentence reports completed

'Pre-sentence reports completed' is defined as the number of written reports provided by juvenile justice agencies to a court in response to a request for a pre-sentence report, as a proportion of all court requests to juvenile justice agencies for written pre-sentence reports.

A pre-sentence report is a written report that provides a court with pertinent information about the assessed factors that contributed to a young person's offence and explores programs and services that could be provided to address a young person's offending behaviour. A pre-sentence report is prepared when ordered by a court after a young person has pleaded or has been found guilty of an offence.

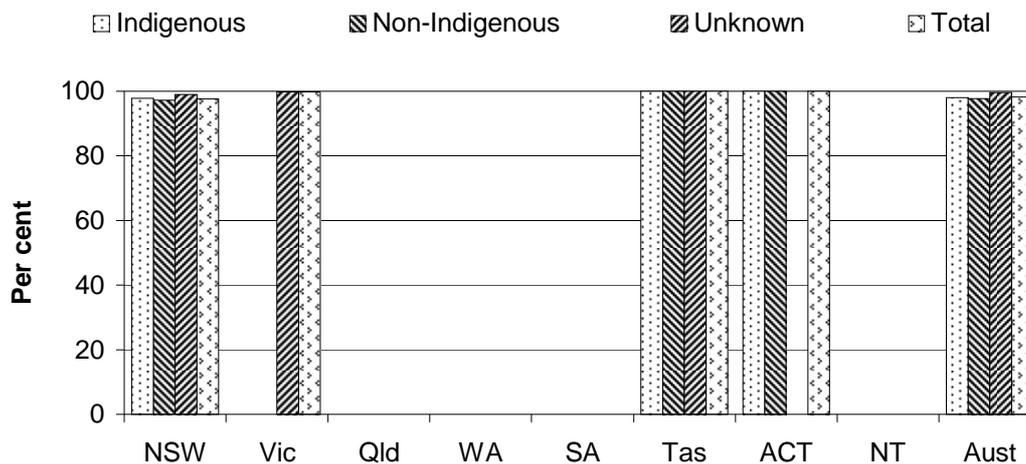
A high or increasing percentage of pre-sentence reports completed is desirable.

Data reported for this indicator are comparable but not complete.

Data quality information for this indicator is under development.

The percentage of pre-sentence reports completed varied across jurisdictions (figure 15.8). Nationally, 98.3 per cent of all court requests for pre-sentence reports were completed.

Figure 15.8 Proportion of pre-sentence reports completed by juvenile justice agencies, by Indigenous status (2009-10)^{a, b, c, d}



^a Data were not available for SA and the NT. ^b Queensland could not provide the denominator for this indicator, hence proportions could not be calculated. ^c WA data were affected by a time lag which resulted in an artificially greater number of completed court reports than requests for court reports. Consequently, these data are excluded from the national average. ^d Refer to table 15A.115 for detailed footnotes.

Source: State and Territory governments (unpublished); table 15A.115; 2011 Report, figure 15.20, p. 15.66.

Diversion — group conferencing outcomes

‘Group conferencing outcomes’ is an indicator of governments’ objective to divert young people from the juvenile justice system and address their offending needs (box 15.5).

Box 15.5 Group conferencing outcomes

‘Group conferencing outcomes’ 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.

A high or increasing rate for this indicator is desirable.

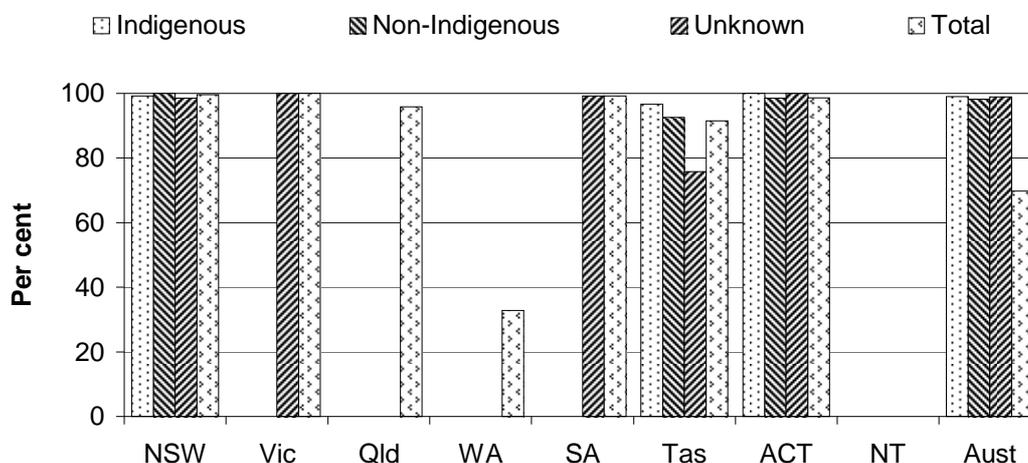
Group conferences are decision-making forums that aim to minimise the progression of young people into the juvenile justice system, and provide restorative justice. Data for this indicator should be interpreted with caution as the provision of group conferencing differs across jurisdictions in relation to: (a) 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), (b) the consequences for young people if they do not comply with the outcome plans of a conference, and (c) eligibility for group conferencing.

Data reported for this indicator are not complete.

Data quality information for this indicator is under development.

The proportion of group conferences resulting in an agreement varied across jurisdictions (figure 15.9). Nationally, 69.8 per cent of all concluded group conferences resulted in an agreement.

Figure 15.9 Proportion of group conferences resulting in an agreement, by Indigenous status (2009-10)^{a, b, c}



^a Data were not available for the NT. ^b WA and Qld were able to disaggregate the number of concluded group conferences by Indigenous status, but not the number of group conferences resulting in an agreement by Indigenous status. Therefore, proportions are only calculated for the total number of group conferences resulting in agreement for these jurisdictions. Further, with the exception of the total number of concluded group conferences and total number of group conferences resulting in agreement, disaggregated data for WA and Qld are excluded from national totals. ^c Refer to table 15A.116 for detailed footnotes.

Source: State and Territory governments (unpublished); table 15A.116; 2011 Report, figure 15.21, p. 15.67.

Rehabilitation — education and training attendance

‘Education and training attendance’ is an indicator of governments’ objective to provide program interventions in education and training to rehabilitate young offenders and increase their chances of successfully re-integrating into the community (box 15.6).

Box 15. 6 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 government requirements for a young person to participate in school which are based primarily on age (see chapter 4 of the 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.

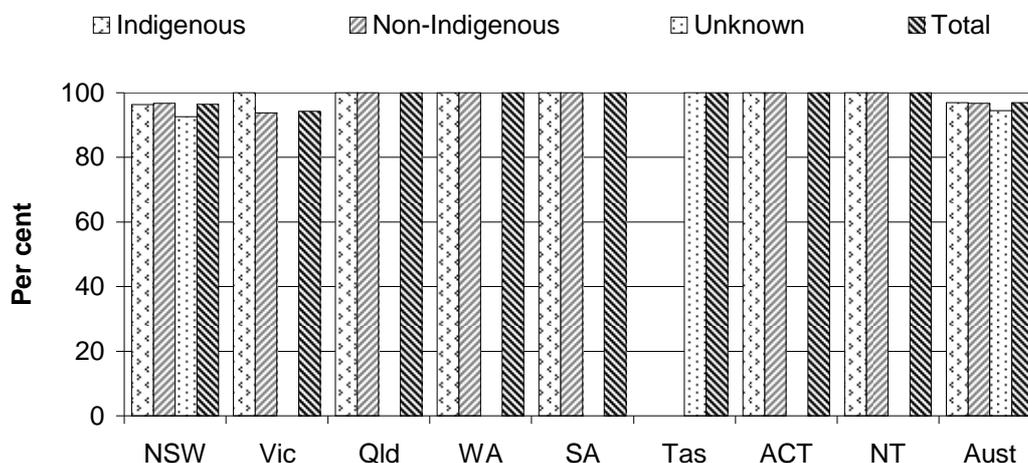
Exclusions include young people not under juvenile justice supervision (for example, in police custody) and young people whose situation might exclude their participation in education programs (including young people who are: on temporary leave such as work release, medically unable to participate, in isolation, and on remand or sentenced for fewer than 7 days).

Data reported for this indicator are comparable.

Data quality information for this indicator is under development.

Nationally, all young Indigenous people of compulsory school age in detention were attending an education course in 2009-10 (table 15A.118). There was variation across jurisdictions in the proportion of young Indigenous people *not* of compulsory school age attending an accredited education or training course. Nationally, 97.0 per cent of young Indigenous people in detention not of compulsory school age were attending an accredited education or training course (figure 15.10).

Figure 15.10 Proportion of young people in detention not of compulsory school age attending an accredited education or training course, by Indigenous status (2009-10)^a



^a Refer to table 15A.118 for detailed footnotes.

Source: State and Territory governments (unpublished); table 15A.118; 2011 Report, figure 15.22, p. 15.73.

Safe and secure environment — escapes

‘Escapes’ is an indicator of governments’ objective to ensure that juvenile justice agencies provide a safe and secure environment for young people in custody, and the community (box 15.7).

Box 15.7 Escapes

'Escapes' is defined by two measures:

- the number of escapes from a juvenile 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 juvenile justice detention centre is defined as a breach of a secure perimeter or defined boundary of a juvenile justice detention centre by a young person under the supervision of the centre.

A period of escorted movement is defined as a period of time during which a young person is in the custody of the juvenile justice agency while outside a detention centre. The period of escorted movement ends when the young person is returned to the detention centre, or is no longer in the legal or physical custody of the juvenile 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 juvenile 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 in a counting period, three escapes are recorded. If three young people escape at the same time, three escapes are recorded.

A zero escape rate is desirable.

Data reported for this indicator are comparable but not complete.

Data quality information for this indicator is under development.

Nationally, there was a total of 5 escapes from juvenile justice detention in 2009-10 by Indigenous detainees, which was equivalent to 0.3 escapes per 10 000 young Indigenous people in juvenile justice detention in 2009-10 (table 15.1). The number of escapes from detention varied across jurisdictions.

Table 15.1 Rate and number of escapes from juvenile justice detention centres, by Indigenous status (2009-10)^a

	<i>NSW</i>	<i>Vic</i>	<i>Qld</i>	<i>WA</i>	<i>SA</i>	<i>Tas</i>	<i>ACT</i>	<i>NT</i>	<i>Aust</i>
Rate per 10 000 custody nights									
Indigenous	0.4	–	–	–	–	3.4	–	1.0	0.3
Non-Indigenous	–	–	–	–	–	–	–	–	0.3
Unknown	–	1.1	–	–	–	..	..	..	–
Total	0.2	0.9	–	–	–	1.0	–	1.0	0.3
Number of escapes									
Indigenous	3.0	–	–	–	–	1.0	–	1.0	5.0
Non-Indigenous	–	6.0	–	–	–	–	–	–	6.0
Unknown	–	–	–	–	–	–	–	–	–
Total	3.0	6.0	–	–	–	1.0	–	1.0	11.0

^a Refer to table 15A.119 for detailed footnotes. .. Not applicable. – Nil or rounded to zero.

Source: State and Territory governments (unpublished); table 15A.119; 2011 Report, table 15.5, p. 15.75.

Nationally, there was 1 escape from escorted movements in 2009-10 for Indigenous detainees, which was equivalent to 1.6 escapes by Indigenous detainees per 10 000 periods of escorted movement (table 15.2).

Table 15.2 Rate and number of escapes from escorted movement, by Indigenous status (2009-10)^a

	<i>NSW</i>	<i>Vic</i>	<i>Qld</i>	<i>WA</i>	<i>SA</i>	<i>Tas</i>	<i>ACT</i>	<i>NT</i>	<i>Aust</i>
Rate per 10 000 periods of escorted movement									
Indigenous	3.8	–	–	–	–	–	–	–	1.6
Non-Indigenous	5.4	–	–	–	–	–	–	–	2.5
Unknown	–	–	–	–	–	–	–	–	–
Total	4.6	–	–	–	–	–	–	–	1.9
Number of escapes									
Indigenous	1.0	–	–	–	–	–	–	–	1.0
Non-Indigenous	2.0	–	–	–	–	–	–	–	2.0
Unknown	–	–	–	–	–	–	–	–	–
Total	3.0	–	–	–	–	–	–	–	3.0

^a Refer to table 15A.119 for detailed footnotes. **na** Not available. .. Not applicable. – Nil or rounded to zero.

Source: State and Territory governments (unpublished); table 15A.119; 2011 Report, table 15.6, p. 15.75.

Safe and secure environment — absconds from unescorted leave

‘Absconds from unescorted leave’ is an indicator of governments’ objective to appropriately manage young people while they are in the legal custody of a juvenile justice detention centre (box 15.8).

This includes the provision of appropriate assessment, planning and supervision to enable young people to undertake unescorted temporary leave from detention centres. Unescorted leave may be undertaken for the purposes of providing rehabilitation interventions and activities such as education, training and employment.

Box 15.8 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.

A zero or low, or decreasing rate of absconds from unescorted leave is desirable.

Data reported for this indicator are comparable but not complete.

Data quality information for this indicator is under development.

Nationally, there was 1 Indigenous absconds from unescorted leave in 2009-10, which is equivalent to 1.1 Indigenous absconds from unescorted leave per 1000 periods of unescorted leave (table 15.3).

Table 15.3 Rate and number of absconds from unescorted leave, by Indigenous status (2009-10)^{a, b, c}

	<i>NSW</i>	<i>Vic</i>	<i>Qld</i>	<i>WA</i>	<i>SA</i>	<i>Tas</i>	<i>ACT</i>	<i>NT</i>	<i>Aust</i>
Rate per 1 000 periods of unescorted leave									
Indigenous	–	90.9	..	..	..	–	–	na	1.1
Non-Indigenous	–	–	55.6	–	–	na	0.6
Unknown	–	–	–	–	na	–
Total	–	1.2	..	..	55.6	–	–	na	0.7
Number of absconds									
Indigenous	–	1.0	–	–	–	–	–	–	1.0
Non-Indigenous	–	–	–	–	1.0	–	–	–	1.0
Unknown	–	–	–	–	–	–	–	–	–
Total	–	1.0	–	–	1.0	–	–	–	2.0

^a Unescorted leave is not undertaken in Queensland or WA. ^b Data for the number of unescorted leaves undertaken were not available from the ACT and the NT. ^c Refer to table 15A.120 for detailed footnotes. **na** Not available. .. Not applicable. – Nil or rounded to zero.

Source: State and Territory governments (unpublished); table 15A.120; 2011 Report, table 15.7, p. 15.76.

Safe and secure environment — assaults in custody

‘Assaults in custody’ is an indicator of governments’ objective to provide a custodial environment that is safe and secure in order to rehabilitate young offenders and reintegrate them into their community (box 15.9).

Box 15.9 Assaults in custody

‘Assaults in custody’ is defined by two measures:

- the rate of detainees and staff (by Indigenous status) 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 detainees, as a proportion of the number of detainees in custody
- the rate of detainees and staff (by Indigenous status) who are assaulted (that is, sustain an injury, but do not require hospitalisation) due to an act perpetrated by one or more detainees, as a proportion of the number of detainees in custody.

A zero or low, or decreasing assaults in custody rate is desirable.

Data reported for this indicator are not complete.

Data quality information for this indicator is under development.

Nationally, 2 Indigenous detainees were reported as injured in custody due to a serious assault in 2009-10 (table 15.4). Proportions varied across jurisdictions. No staff were reported as injured due to a serious assault in 2009-10 (table 15A.121).

Table 15.4 **Rate and number of detainees injured as a result of a serious assault, by Indigenous status (2009-10)^a**

	NSW	Vic	Qld	WA	SA	Tas	ACT	NT
Number of detainees injured as a result of a serious assault								
Indigenous	1.0	na	1.0	na	na	–	–	–
Non-Indigenous	2.0	na	–	na	na	–	–	–
Unknown	–	na	–	na	na	–	–	–
Total	3.0	na	1.0	na	na	–	–	–
Rate per 10 000 custody nights								
Indigenous	0.1	na	0.3	na	na	–	–	–
Non-Indigenous	0.2	na	–	na	na	–	–	–
Unknown	–	na	–	na	na	–	–	–
Total	0.2	na	0.2	na	na	–	–	–

^a Data were not available for Victoria, WA and SA. **na** Not available. – Nil or rounded to zero.

Source: State and Territory governments (unpublished); table 15A.121; 2011 Report, table 15.8, p. 15.77.

Nationally, 46 Indigenous detainees were reported as injured in custody due to an assault in 2009-10 (table 15.5). Proportions varied across jurisdictions.

Table 15.5 Rate and number of detainees injured as a result of an assault, by Indigenous status (2009-10)^{a, b}

	<i>NSW</i>	<i>Vic</i>	<i>Qld</i>	<i>WA</i>	<i>SA</i>	<i>Tas</i>	<i>ACT^c</i>	<i>NT</i>
Number of detainees injured as a result of an assault								
Indigenous	11.0	na	18.0	na	na	na	7.0	10.0
Non-Indigenous	11.0	na	3.0	na	na	na	6.0	1.0
Unknown	1.0	na	–	na	na	14.0	–	–
Total	23.0	na	21.0	na	na	14.0	13.0	11.0
Rate per 10 000 custody nights								
Indigenous	1.5	na	6.0	na	na	na	np	10.3
Non-Indigenous	1.4	na	1.4	na	na	na	np	12.3
Unknown	3.3	na	–	na	na	–	–	–
Total	1.4	na	4.1	na	na	13.8	np	10.5

^a Data were not available for Victoria, WA and SA. ^b Data reported for this indicator are not comparable and need to be interpreted with caution. Methods of data collection vary across jurisdictions (for example, manual case file review compared to the collation of electronic incident reports) and jurisdictions' ability to report on this measure is dependent on relevant incidents having first been documented. ^c The ACT has only one juvenile justice detention centre with relatively small numbers in detention. Data are not converted to a rate per 10 000 custody nights due to the small number of detainees in the ACT. **na** Not available. **np** Not published. – Nil or rounded to zero.

Source: State and Territory governments (unpublished); table 15A.122; 2011 Report, table 15.9, p. 15.78.

Nationally, 11 staff were reported as injured due to an assault while supervising Indigenous detainees in 2009-10 (table 15.6). Proportions varied across jurisdictions.

Table 15.6 Rate and number of staff injured as a result of an assault, by Indigenous status (2009-10)^{a, b, c}

	NSW	Vic	Qld	WA	SA	Tas	ACT ^d	NT
Number of staff injured as a result of an assault								
Indigenous	3.0	na	6.0	–	na	na	–	2.0
Non-Indigenous	13.0	na	7.0	1.0	na	na	9.0	5.0
Unknown	9.0	na	–	na	na	9.0	–	–
Total	25.0	na	13.0	1.0	na	9.0	9.0	7.0
Rate per 10 000 custody nights								
Indigenous	0.4	na	2.0	–	na	na	–	2.1
Non-Indigenous	1.6	na	3.2	0.6	na	na	np	61.7
Unknown	29.8	na	–	na	na	–	–	–
Total	1.6	na	2.5	0.2	na	8.9	np	6.7

^a Data were not available for Victoria and SA. ^b Data reported for this indicator are not comparable and need to be interpreted with caution. Methods of data collection vary across jurisdictions (for example, manual case file review compared to the collation of electronic incident reports) and jurisdictions' ability to report on this measure is dependent on relevant incidents having first been documented. ^c Data report the Indigenous status of staff who were reported as injured due to an assault. ^d The ACT has only one juvenile justice detention centre with relatively small numbers in detention. Data are not converted to a rate per 10 000 custody nights due to the small number of detainees in the ACT. **na** Not available. **np** Not published. – Nil or rounded to zero.

Source: State and Territory governments (unpublished); table 15A.122; 2011 Report, table 15.10, p. 15.79.

Safe and secure environment — self-harm and attempted suicide in custody

'Self-harm and attempted suicide in custody' is an indicator of governments' objective to provide a custodial environment that is safe and secure in order to rehabilitate young offenders and reintegrate them into their community (box 15.10).

Box 15.10 Self-harm and attempted suicide in custody

'Self-harm and attempted suicide in custody' is defined by four measures:

- the number of incidents of self-harm or attempted suicide in custody requiring hospitalisation
- the number of incidents of self-harm or attempted suicide in custody that did not require hospitalisation
- the number of detainees who self-harmed or attempted suicide in custody and required hospitalisation
- the number of detainees who self-harmed or attempted suicide in custody but did not require hospitalisation.

The number of incidents of self-harm and the number of detainees who self-harm will differ when one detainee has self-harmed on two or more occasions as each occasion will be counted as a separate incident.

A zero or low, or decreasing self-harm and attempted suicide in custody rate is desirable.

Data reported for this indicator are not complete.

Data quality information for this indicator is under development.

Nationally, 1 Indigenous detainee was reported as having self-harmed or attempted suicide in custody requiring hospitalisation in 2009-10. Proportions varied across jurisdictions (tables 15.7 and 15.8).

Table 15.7 Rate and number of detainees who self-harmed in custody and required hospitalisation, by Indigenous status (2009-10)^{a, b}

	<i>NSW</i>	<i>Vic</i>	<i>Qld</i>	<i>WA</i>	<i>SA</i>	<i>Tas</i>	<i>ACT</i>	<i>NT</i>
Number of detainees who self-harmed in custody and required hospitalisation								
Indigenous	1.0	na	–	na	na	–	–	–
Non-Indigenous	1.0	na	–	na	na	–	–	–
Unknown	1.0	na	–	na	na	–	–	–
Total	3.0	na	–	na	na	–	–	–
Rate per 10 000 custody nights								
Indigenous	0.1	na	–	na	na	–	–	–
Non-Indigenous	0.1	na	–	na	na	–	–	–
Unknown	3.3	na	–	na	na	–	–	–
Total	0.2	na	–	na	na	–	–	–

^a Data were not available for Victoria, WA and SA. ^b Refer to table 15A.123 for detailed footnotes. **na** Not available. – Nil or rounded to zero.

Source: State and Territory governments (unpublished); table 15A.123; 2011 Report, table 15.11, p. 15.80.

Table 15.8 Rate and number of incidents of self-harm in custody that required hospitalisation, by Indigenous status (2009-10)^{a, b}

	<i>NSW</i>	<i>Vic</i>	<i>Qld</i>	<i>WA</i>	<i>SA</i>	<i>Tas</i>	<i>ACT</i>	<i>NT</i>
Number of incidents of self-harm in custody that required hospitalisation								
Indigenous	1.0	na	–	na	na	–	–	–
Non-Indigenous	1.0	na	–	na	na	–	–	–
Unknown	1.0	na	–	na	na	–	–	–
Total	3.0	na	–	na	na	–	–	–
Rate per 10 000 custody nights								
Indigenous	0.1	na	–	na	na	–	–	–
Non-Indigenous	0.1	na	–	na	na	–	–	–
Unknown	3.3	na	–	na	na	–	–	–
Total	0.2	na	–	na	na	–	–	–

^a Data were not available for Victoria, WA and SA. ^b Refer to table 15A.123 for detailed footnotes. **na** Not available. – Nil or rounded to zero.

Source: State and Territory governments (unpublished); table 15A.123; 2011 Report, table 15.12, p. 15.81.

Nationally, 26 Indigenous detainees were reported as having self-harmed or attempted suicide in 34 separate incidents during 2009-10, none of which required hospitalisation (tables 15.9 and 15.10). Proportions varied across jurisdictions.

Table 15.9 Rate and number of detainees who self-harmed in custody but did not require hospitalisation, by Indigenous status (2009-10)^{a, b}

	<i>NSW</i>	<i>Vic</i>	<i>Qld</i>	<i>WA</i>	<i>SA</i>	<i>Tas</i>	<i>ACT^c</i>	<i>NT</i>
Number of detainees who self-harmed in custody but did not require hospitalisation								
Indigenous	17.0	na	3.0	na	na	–	7.0	2.0
Non-Indigenous	20.0	na	1.0	na	na	–	3.0	na
Unknown	2.0	na	–	na	na	2.0	–	2.0
Total	39.0	na	4.0	na	na	2.0	10.0	2.0
Rate per 10 000 custody nights								
Indigenous	2.3	na	1.0	na	na	–	np	2.1
Non-Indigenous	2.5	na	0.5	na	na	–	np	na
Unknown	6.6	na	–	na	na	–	–	–
Total	2.5	na	0.8	na	na	2.0	np	1.9

^a Data were not available for Victoria, WA and SA. ^b Data reported for this indicator are not comparable and need to be interpreted with caution. Methods of data collection vary across jurisdictions (for example, manual case file review compared to the collation of electronic incident reports) and jurisdictions' ability to report on this measure is dependent on relevant incidents having first been documented. ^c The ACT has only one juvenile justice detention centre with relatively small numbers in detention. Data are not converted to a rate per 10 000 custody nights due to the small number of detainees in the ACT. **na** Not available. **np** Not published. – Nil or rounded to zero.

Source: State and Territory governments (unpublished); table 15A.123; 2011 Report, table 15.13, p. 15.81.

Table 15.10 Rate and number of incidents of self-harm in custody that did not require hospitalisation, by Indigenous status (2009-10)^{a, b}

	<i>NSW</i>	<i>Vic</i>	<i>Qld</i>	<i>WA</i>	<i>SA</i>	<i>Tas</i>	<i>ACT^c</i>	<i>NT</i>
Number of incidents of self-harm in custody that did not require hospitalisation								
Indigenous	17.0	na	5.0	na	na	–	12.0	–
Non-Indigenous	20.0	na	1.0	na	na	–	7.0	–
Unknown	2.0	na	–	na	na	6.0	–	2.0
Total	39.0	na	6.0	na	na	6.0	19.0	2.0
Rate per 10 000 custody nights								
Indigenous	2.3	na	1.7	na	na	–	np	–
Non-Indigenous	2.5	na	0.5	na	na	–	np	–
Unknown	6.6	na	–	na	na	–	–	–
Total	2.5	na	1.2	na	na	5.9	np	1.9

^a Data were not available for Victoria, WA and SA. ^b Data reported for this indicator are not comparable and need to be interpreted with caution. Methods of data collection vary across jurisdictions (for example, manual case file review compared to the collation of electronic incident reports) and jurisdictions' ability to report on this measure is dependent on relevant incidents having first been documented. ^c The ACT has only one juvenile justice detention centre with relatively small numbers in detention. Data are not converted to a rate per 10 000 custody nights due to the small number of detainees in the ACT. **na** Not available. **np** Not published. – Nil or rounded to zero.

Source: State and Territory governments (unpublished); table 15A.123; 2011 Report, table 15.14, p. 15.82.

Statutory responsibilities — completion of orders

'Completion of orders' is an indicator of governments' objective to rehabilitate young offenders and reintegrate them into their community (box 15.10).

Box 15.10 Completion of orders

'Completion of orders' is defined as the proportion of sentenced community-based supervised orders successfully completed. An order is considered to be successfully completed where the earliest order expiry date or the order termination date is reached and breach is neither pending nor finalised.

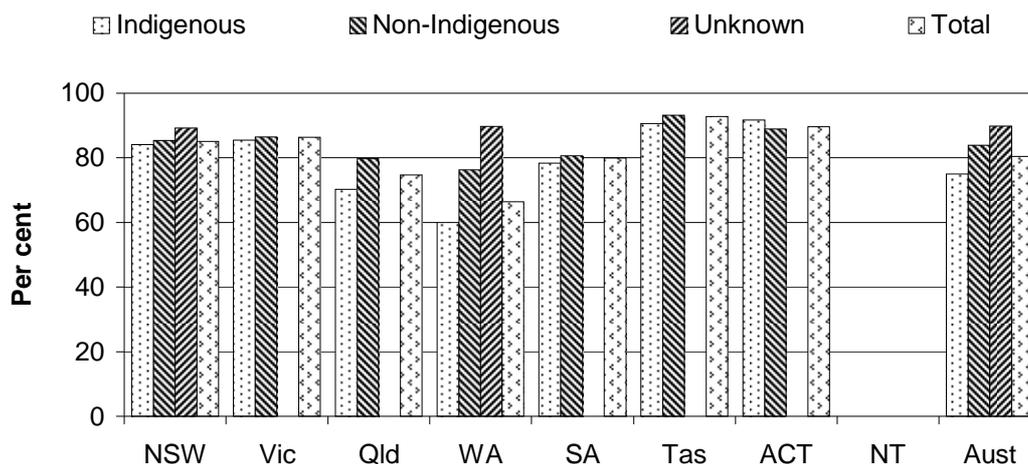
A high or increasing proportion of orders successfully completed is desirable. However, where offenders are non-compliant and pose a risk, breach action (an unsuccessful completion) may be warranted. As a result, a completion rate less than 100 per cent may not necessarily indicate poor performance, and may reflect appropriate supervision of young people on community-based supervision orders.

Data reported for this indicator are comparable but not complete.

Data quality information for this indicator is under development.

Nationally, 75.0 per cent of community-based orders were successfully completed in 2009-10. The proportion of community-based orders successfully completed varied across jurisdictions (figure 15.11).

Figure 15.11 Proportion of orders successfully completed, by Indigenous status (2009-10)^{a, b}



^a Data were not available for the NT. ^b Refer to table 15A.124 for detailed footnotes.

Source: State and Territory governments (unpublished); table 15A.124; 2011 Report, figure 15.23, p. 15.83.

Statutory responsibilities — case plans prepared

‘Case plans prepared’ is an indicator of governments’ objective to ensure that juvenile justice agencies support young people to minimise the likelihood of re-offending by addressing their offending-related needs (box 15.11).

Box 15.11 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 six weeks of commencing:

- a sentenced detention order, as a proportion of all young people commencing a sentenced detention order
- a sentenced community-based order, as a proportion of all young people commencing a sentenced community-based order.

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.

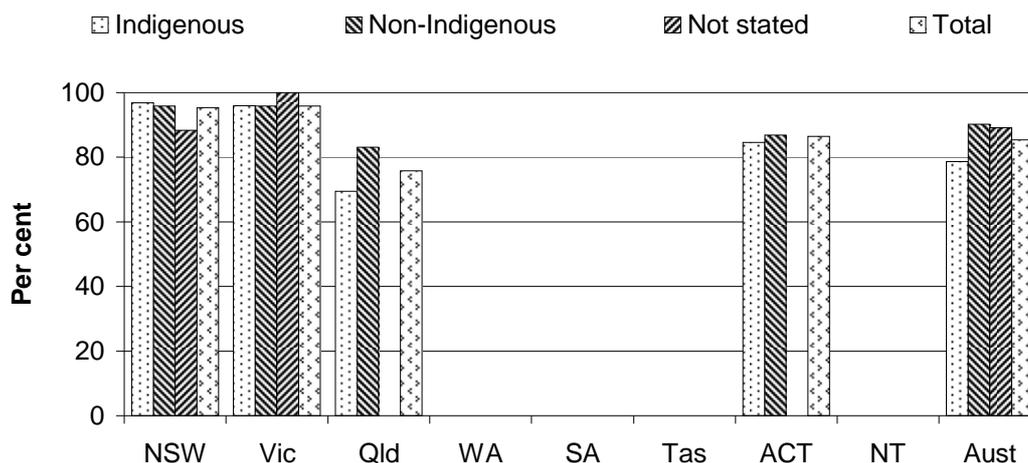
Data reported for this indicator are comparable but not complete.

Data quality information for this indicator is under development.

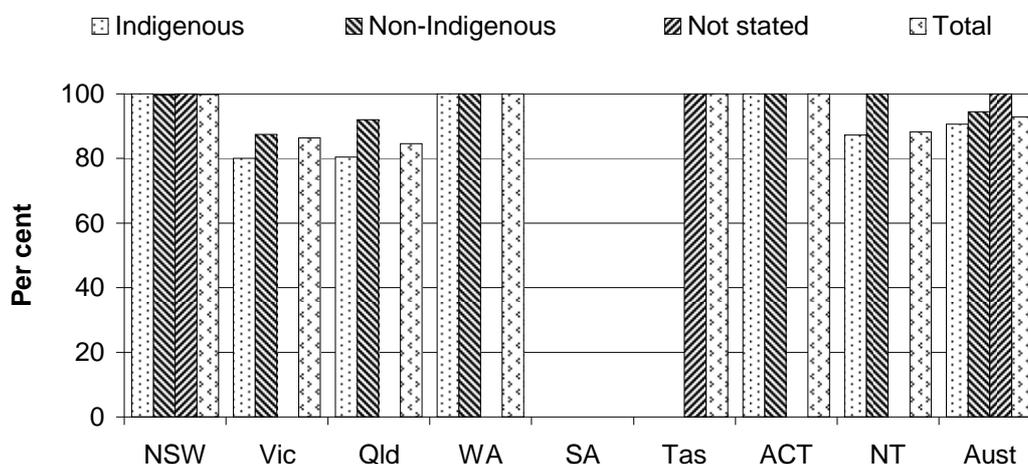
Nationally, 78.6 per cent of case plans for Indigenous people were prepared within six weeks of commencing a sentenced community-based order in 2009-10 (figure 15.12(a)). Nationally, 90.6 per cent of case plans for Indigenous people were prepared within six weeks of commencing a sentenced detention order in 2009-10 (figure 15.12(b)). Proportions varied across jurisdictions.

Figure 15.12 Proportion of case plans prepared within 6 weeks of commencing sentenced detention orders and sentenced community-based orders, by Indigenous status (2009-10)^a

(a) Proportion of case plans prepared within 6 weeks of commencing a sentenced community-based order^b



(b) Proportion of case plans prepared within 6-weeks of commencing a sentenced detention order^c



^a Refer to table 15A.125 for detailed footnotes. ^b Data for case plans prepared within 6 weeks of commencing a sentenced community-based order were not available for WA, SA, Tasmania and the NT. ^c Data for case plans prepared within 6 weeks of commencing a sentenced detention order were not available for SA.

Source: State and Territory governments (unpublished); table 15A.125; 2011 Report, table 15.24, p. 15.85.

Definitions of key terms and indicators

Child protection and out-of-home care services

Care and protection orders

Care and protection orders are legal orders or arrangements which give child protection departments some responsibility for a child's welfare. The scope of departmental involvement mandated by a care and protection order is dependent on the type of order, and can include:

- responsibility for overseeing the actions of the person or authority caring for the child
- reporting or giving consideration to the child's welfare (for example, regarding the child's education, health, religion, accommodation and financial matters).

Types of care and protection orders:

- Finalised guardianship or custody orders – involve the transfer of legal guardianship to the relevant state or territory department or non-government agency. These orders involve considerable intervention in a child's life and that of his or her family, and are sought only as a last resort. Guardianship orders convey responsibility for the welfare of a child to a guardian (for example, regarding a child's education, health, religion, accommodation and financial matters). Guardianship orders do not necessarily grant the right to the daily care and control of a child, or the right to make decisions about the daily care and control of a child, which are granted under custody orders. Custody orders generally refer to orders that place children in the custody of the state or territory, or department responsible for child protection or non-government agency. These orders usually involve the child protection department being responsible for the daily care and requirements of a child, while his or her parent retains legal guardianship. Custody alone does not bestow any responsibility regarding the long-term welfare of the child.
- Finalised third party parental responsibility orders – transfer all duties, powers, responsibilities and authority parents are entitled to by law, to a nominated person(s) considered appropriate by the court. The nominated person may be an individual such as a relative or an office of the state or territory department. Third party parental responsibility may be ordered when a parent is unable to care for a child, and as such parental responsibility is transferred to a relative. 'Permanent care orders' are an example of a third party parental responsibility order and involve the transfer of guardianship to a third party carer. It can also be applied to the achievement of a stable arrangement under a long-term guardianship order to 18 years without guardianship being transferred to a third party. These orders are only applicable in some jurisdictions.
- Finalised supervisory orders – give the department responsible for child protection some responsibility for a child's welfare. Under these orders, the department supervises and/or directs the level and type of care that is to be provided to the child. Children under supervisory orders are generally under the responsibility of their parents and the guardianship or custody of the child is unaffected. Finalised supervisory orders are therefore less intrusive than finalised guardianship orders but require the child's parent or guardian to meet specified conditions, such as medical care of the child.

	<ul style="list-style-type: none"> • Interim and temporary orders – generally cover the provision of a limited period of supervision and/or placement of a child. Parental responsibility under these orders may reside with the parents or with the department responsible for child protection. Orders that are not finalised (such as an application to a court for a care and protection order) are also included in this category, unless another finalised order is in place. • Administrative arrangements – are agreements between a parent (or parents) and the relevant child protection department, which have the same effect as a court order in transferring custody or guardianship. These arrangements can also allow a child to be placed in out-of-home care without going through the courts. <p>Children are counted only once, even if they are on more than one care and protection order.</p>
Child	A person aged 0–17 years.
Child at risk	A child for whom no abuse or neglect can be substantiated but where there are reasonable grounds to suspect the possibility of prior or future abuse or neglect, and for whom continued departmental involvement is considered warranted.
Child concern reports	Reports to departments responsible for child protection regarding concerns about a child, as distinct from notifications of child abuse and neglect. The distinction between the two differs across and within jurisdictions.
Guardian	Any person who has the legal and ongoing care and responsibility for the protection of a child.
Indigenous person	Person of Aboriginal or Torres Strait Islander descent who identifies as being an Aboriginal or Torres Strait Islander and is accepted as such by the community with which he or she is associated. If Indigenous status is unknown, then a person is considered to be non-Indigenous.
Investigation	An investigation of child abuse and neglect that involves identifying harm or risk of harm to the child, determining an outcome and assessing protective needs. It includes the interviewing or sighting of the subject child where practicable.
Notification	Contact with an authorised department by persons or other bodies making allegations of child abuse or neglect, or harm to a child. Notifications can be counted at different points in the response to a report, ranging from the point of initial contact with the source of the report to the end of a screening and decision making process.
Relatives/kin	Family members other than parents, or a person well known to the child and/or family (based on an existing relationship).
Stability of placement	<p>Number of placements for children who have exited out-of-home care and do not return within two months. Placements exclude respite or temporary placements lasting less than seven days. Placements are counted separately where there is:</p> <ul style="list-style-type: none"> • a change in the placement type — for example, from a home-based to a facility-based placement • within placement type, a change in venue or a change from one home-based placement to a different home-based placement. <p>A particular placement is counted only once, so a return to a previous placement is another placement.</p>

Substantiation

Notification for which an investigation concludes there is reasonable cause to believe that the child has been, is being or is likely to be abused, neglected or otherwise harmed. It does not necessarily require sufficient evidence for a successful prosecution and does not imply that treatment or case management is, or is to be, provided.

Juvenile justice services**Juvenile justice centre**

A place administered and operated by a juvenile justice department, where young people are detained whilst under the supervision of the relevant juvenile justice department on a remand or sentenced detention episode.

Juvenile justice department

Refers to those departments in each State and Territory that are responsible for juvenile justice matters.

Supervision period

A period of time during which a young person is continuously under juvenile justice supervision of one type or another. A supervision period is made up of one or more contiguous episodes.

List of attachment tables

Attachment tables for data within this chapter are contained in the attachment to the Compendium. These tables are identified in references throughout this chapter by an 'A' suffix (for example, table 15A.3 is table 3). Attachment tables are provided on the Review website (www.pc.gov.au/gsp).

All jurisdictions data

Table 15A.1	Child protection notifications, investigations and substantiations by Indigenous status
Table 15A.2	Number of children admitted to and discharged from care and protection orders by Indigenous status
Table 15A.3	Number of children on care and protection orders by type of order and Indigenous status, at 30 June
Table 15A.4	Children in notifications, investigations and substantiations and children on care and protection orders: number and rate per 1000 children in the target populations by Indigenous status
Table 15A.5	Children in out-of-home care: number and rate per 1000 children aged 0–17 years by Indigenous status
Table 15A.6	Children in out-of-home care by Indigenous status and placement type, 30 June (number)
Table 15A.7	Children in out-of-home care by Indigenous status and whether on a care and protection order, 30 June (number)
Table 15A.8	Children in out-of-home care by Indigenous status and length of time in continuous out-of-home care, 30 June (number)
Table 15A.9	Children who exited care during the year by Indigenous status and length of time spent in care (number)
Table 15A.10	Children in out-of-home care placed with relatives/kin by Indigenous status, 30 June
Table 15A.11	Indigenous children in out-of-home care by relationship of caregiver, 30 June
Table 15A.12	Children aged under 12 years in out-of-home care and in a home-based placement by Indigenous status, 30 June
Table 15A.13	Intensive family support services: number of children aged 0–17 years commencing intensive family support services by Indigenous status and gender
Table 15A.14	Target population data used for annual data, December ('000)
Table 15A.15	Target population data used for end of financial year data, March ('000)

Single jurisdiction data NSW

Table 15A.16	Child protection notifications, investigations and substantiations by Indigenous status, NSW
Table 15A.17	Number of children admitted to and discharged from care and protection orders by Indigenous status, NSW
Table 15A.18	Number of children on care and protection orders at 30 June by type of order and Indigenous status, NSW
Table 15A.19	Children in notifications, investigations and substantiations and children on care and protection orders: Number and rate per 1000 children in the target populations by Indigenous status, NSW
Table 15A.20	Children in out-of-home care at 30 June: number and rate per 1000 children aged 0–17 years, by Indigenous status, NSW
Table 15A.21	Number of children in out-of-home care at 30 June, by Indigenous status and placement type, NSW

Table 15A.22	Number of children in out-of-home care at 30 June, by Indigenous status and whether on a care and protection order, NSW
Table 15A.23	Number of children in out-of-home care at 30 June, by Indigenous status and length of time in continuous out-of-home care, NSW
Table 15A.24	Number of children who exited care during the year by Indigenous status and length of time spent in care, NSW
Table 15A.25	Children in out-of-home care at 30 June placed with relatives/kin, by Indigenous status, NSW
Table 15A.26	Indigenous children in out-of-home care at 30 June by Indigenous status and relationship of caregiver, NSW
Table 15A.27	Children aged under 12 years in out-of-home care in a home based placement at 30 June, by Indigenous status, NSW

Single jurisdiction data Vic

Table 15A.28	Child protection notifications, investigations and substantiations by Indigenous status, VIC
Table 15A.29	Number of children admitted to and discharged from care and protection orders by Indigenous status, VIC
Table 15A.30	Number of children on care and protection orders at 30 June by type of order and Indigenous status, VIC
Table 15A.31	Children in notifications, investigations and substantiations and children on care and protection orders: Number and rate per 1000 children in the target populations by Indigenous status, VIC
Table 15A.32	Children in out-of-home care at 30 June: number and rate per 1000 children aged 0–17 years, by Indigenous status, VIC
Table 15A.33	Number of children in out-of-home care at 30 June, by Indigenous status and placement type, VIC
Table 15A.34	Number of children in out-of-home care at 30 June, by Indigenous status and whether on a care and protection order, VIC
Table 15A.35	Number of children in out-of-home care at 30 June, by Indigenous status and length of time in continuous out-of-home care, VIC
Table 15A.36	Number of children who exited care during the year by Indigenous status and length of time spent in care, VIC
Table 15A.37	Indigenous children in out-of-home care at 30 June by Indigenous status and relationship of caregiver, VIC
Table 15A.38	Children in out-of-home care at 30 June placed with relatives/kin, by Indigenous status, VIC
Table 15A.39	Children aged under 12 years in out-of-home care in a home based placement at 30 June, by Indigenous status, VIC

Single jurisdiction data Qld

Table 15A.40	Child protection notifications, investigations and substantiations by Indigenous status, Qld
Table 15A.41	Number of children admitted to and discharged from care and protection orders by Indigenous status, Qld
Table 15A.42	Number of children on care and protection orders at 30 June by type of order and Indigenous status, Qld
Table 15A.43	Children in notifications, investigations and substantiations and children on care and protection orders: Number and rate per 1000 children in the target populations by Indigenous status, Qld
Table 15A.44	Children in out-of-home care at 30 June: number and rate per 1000 children aged 0–17 years, by Indigenous status, Qld
Table 15A.45	Number of children in out-of-home care at 30 June, by Indigenous status and placement type, Qld
Table 15A.46	Number of children in out-of-home care at 30 June, by Indigenous status and whether on a care and protection order, Qld
Table 15A.47	Number of children in out-of-home care at 30 June, by Indigenous status and length of time in continuous out-of-home care, Qld

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- Table 15A.48** Number of children who exited care during the year by Indigenous status and length of time spent in care, Qld
- Table 15A.49** Children in out-of-home care at 30 June placed with relatives/kin, by Indigenous status, Qld
- Table 15A.50** Indigenous children in out-of-home care at 30 June by Indigenous status and relationship of caregiver, Qld
- Table 15A.51** Children aged under 12 years in out-of-home care in a home based placement at 30 June, by Indigenous status, Qld

Single jurisdiction data WA

- Table 15A.52** Child protection notifications, investigations and substantiations by Indigenous status, WA
- Table 15A.53** Number of children admitted to and discharged from care and protection orders by Indigenous status, WA
- Table 15A.54** Number of children on care and protection orders at 30 June by type of order and Indigenous status, WA
- Table 15A.55** Children in notifications, investigations and substantiations and children on care and protection orders: Number and rate per 1000 children in the target populations by Indigenous status, WA
- Table 15A.56** Children in out-of-home care at 30 June: number and rate per 1000 children aged 0–17 years, by Indigenous status, WA
- Table 15A.57** Number of children in out-of-home care at 30 June, by Indigenous status and placement type, WA
- Table 15A.58** Number of children in out-of-home care at 30 June, by Indigenous status and whether on a care and protection order, WA
- Table 15A.59** Number of children in out-of-home care at 30 June, by Indigenous status and length of time in continuous out-of-home care, WA
- Table 15A.60** Number of children who exited care during the year by Indigenous status and length of time spent in care, WA
- Table 15A.61** Children in out-of-home care at 30 June placed with relatives/kin, by Indigenous status, WA
- Table 15A.62** Indigenous children in out-of-home care at 30 June by Indigenous status and relationship of caregiver, WA
- Table 15A.63** Children aged under 12 years in out-of-home care in a home based placement at 30 June, by Indigenous status, WA

Single jurisdiction data SA

- Table 15A.64** Child protection notifications, investigations and substantiations by Indigenous status, SA
- Table 15A.65** Number of children admitted to and discharged from care and protection orders by Indigenous status, SA
- Table 15A.66** Number of children on care and protection orders at 30 June by type of order and Indigenous status, SA
- Table 15A.67** Children in notifications, investigations and substantiations and children on care and protection orders: Number and rate per 1000 children in the target populations by Indigenous status, SA
- Table 15A.68** Children in out-of-home care at 30 June: number and rate per 1000 children aged 0–17 years, by Indigenous status, SA
- Table 15A.69** Number of children in out-of-home care at 30 June, by Indigenous status and placement type, SA
- Table 15A.70** Number of children in out-of-home care at 30 June, by Indigenous status and whether on a care and protection order, SA
- Table 15A.71** Number of children in out-of-home care at 30 June, by Indigenous status and length of time in continuous out-of-home care, SA
- Table 15A.72** Number of children who exited care during the year by Indigenous status and length of time spent in care, SA
- Table 15A.73** Children in out-of-home care at 30 June placed with relatives/kin, by Indigenous status, SA

Table 15A.74 Indigenous children in out-of-home care at 30 June by Indigenous status and relationship of caregiver, SA

Table 15A.75 Children aged under 12 years in out-of-home care in a home based placement at 30 June, by Indigenous status, SA

Single jurisdiction data Tas

Table 15A.76 Child protection notifications, investigations and substantiations by Indigenous status, TAS

Table 15A.77 Number of children admitted to and discharged from care and protection orders by Indigenous status, TAS

Table 15A.78 Number of children on care and protection orders at 30 June by type of order and Indigenous status, TAS

Table 15A.79 Children in notifications, investigations and substantiations and children on care and protection orders: Number and rate per 1000 children in the target populations by Indigenous status, TAS

Table 15A.80 Children in out-of-home care at 30 June: number and rate per 1000 children aged 0–17 years, by Indigenous status, TAS

Table 15A.81 Number of children in out-of-home care at 30 June, by Indigenous status and placement type, TAS

Table 15A.82 Number of children in out-of-home care at 30 June, by Indigenous status and whether on a care and protection order, TAS

Table 15A.83 Number of children in out-of-home care at 30 June, by Indigenous status and length of time in continuous out-of-home care, TAS

Table 15A.84 Number of children who exited care during the year by Indigenous status and length of time spent in care, TAS

Table 15A.85 Children in out-of-home care at 30 June placed with relatives/kin, by Indigenous status, TAS

Table 15A.86 Indigenous children in out-of-home care at 30 June by Indigenous status and relationship of caregiver, TAS

Table 15A.87 Children aged under 12 years in out-of-home care in a home based placement at 30 June, by Indigenous status, TAS

Single jurisdiction data ACT

Table 15A.88 Child protection notifications, investigations and substantiations by Indigenous status, ACT

Table 15A.89 Number of children admitted to and discharged from care and protection orders by Indigenous status, ACT

Table 15A.90 Number of children on care and protection orders at 30 June by type of order and Indigenous status, ACT

Table 15A.91 Children in notifications, investigations and substantiations and children on care and protection orders: Number and rate per 1000 children in the target populations by Indigenous status, ACT

Table 15A.92 Children in out-of-home care at 30 June: number and rate per 1000 children aged 0–17 years, by Indigenous status, ACT

Table 15A.93 Number of children in out-of-home care at 30 June, by Indigenous status and placement type, ACT

Table 15A.94 Number of children in out-of-home care at 30 June, by Indigenous status and whether on a care and protection order, ACT

Table 15A.95 Number of children in out-of-home care at 30 June, by Indigenous status and length of time in continuous out-of-home care, ACT

Table 15A.96 Number of children who exited care during the year by Indigenous status and length of time spent in care, ACT

Table 15A.97 Children in out-of-home care at 30 June placed with relatives/kin, by Indigenous status, ACT

Table 15A.98 Indigenous children in out-of-home care at 30 June by Indigenous status and relationship of caregiver, ACT

Table 15A.99 Children aged under 12 years in out-of-home care in a home based placement at 30 June, by Indigenous status, ACT

Single jurisdiction data NT

Table 15A.100	Child protection notifications, investigations and substantiations by Indigenous status, NT
Table 15A.101	Number of children admitted to and discharged from care and protection orders by Indigenous status, NT
Table 15A.102	Number of children on care and protection orders at 30 June by type of order and Indigenous status, NT
Table 15A.103	Children in notifications, investigations and substantiations and children on care and protection orders: Number and rate per 1000 children in the target populations by Indigenous status, NT
Table 15A.104	Children in out-of-home care at 30 June: number and rate per 1000 children aged 0–17 years, by Indigenous status, NT
Table 15A.105	Number of children in out-of-home care at 30 June, by Indigenous status and placement type, NT
Table 15A.106	Number of children in out-of-home care at 30 June, by Indigenous status and whether on a care and protection order, NT
Table 15A.107	Number of children in out-of-home care at 30 June, by Indigenous status and length of time in continuous out-of-home care, NT
Table 15A.108	Number of children who exited care during the year by Indigenous status and length of time spent in care, NT
Table 15A.109	Children in out-of-home care at 30 June placed with relatives/kin, by Indigenous status, NT
Table 15A.110	Indigenous children in out-of-home care at 30 June by Indigenous status and relationship of caregiver, NT
Table 15A.111	Children aged under 12 years in out-of-home care in a home based placement at 30 June, by Indigenous status, NT

Juvenile justice data

Table 15A.112	Daily average population of Indigenous people aged 10–17 years in juvenile detention (number)
Table 15A.113	Average rates of detention and Indigenous rate ratio, young people aged 10–17 years in juvenile detention, per 100 000 people
Table 15A.114	Custody nights, by Indigenous status
Table 15A.115	Proportion of pre-sentence reports completed by juvenile justice agencies, by Indigenous status
Table 15A.116	Proportion of group conferences resulting in an agreement, by Indigenous status
Table 15A.117	Deaths in custody, by Indigenous status
Table 15A.118	Young people in detention attending education and training, by Indigenous status
Table 15A.119	Escapes from detention and escorted movement, by Indigenous status
Table 15A.120	Absconds from unescorted leave, by Indigenous status
Table 15A.121	Serious assaults in custody, by Indigenous status
Table 15A.122	Assaults in custody, by Indigenous status
Table 15A.123	Self-harm and attempted suicide in custody, by Indigenous status
Table 15A.124	Completion of orders, by Indigenous status
Table 15A.125	Case plans prepared/reviewed within 6 weeks of commencing a sentenced order, by Indigenous status

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