

# Information Bulletin

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## Repeat contact with the Juvenile Justice System

### Contact with the Youth Court

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This Information Bulletin provides data on the frequency of contact of individual juveniles with the Youth Court. The study takes as its starting point those individual youth who had at least one finalised 'proved' case in 2000. For these young people, all 'proved' cases dealt with in the period 1996 to 2000 were retrieved to provide some indication of the extent of the previous contact within the court system. Information on the number of prior 'proved' cases and the earliest year of contact is detailed.

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## **Introduction**

The annual publication, *Crime and Justice in South Australia: Juvenile Justice*, provides information on young people apprehended by the police, offences alleged against them and their resultant processing through the various levels of the juvenile justice system – formal cautions, family conferences and the Youth Court. In addition, it provides information on young people held in the State’s juvenile detention centres. However, it does not provide insight into the frequency of offending by individual juveniles, or any information on whether or not juvenile involvement with crime is short lived or extends over a long period of time. These issues need to be considered when developing appropriate strategies to diminish crime.

There are a number of ways these issues can be investigated. Offender surveys are one way of obtaining data on the level and frequency of offending. Other sources are police apprehension data and information collected by other criminal justice agencies responsible for processing juveniles. Apprehensions data provide information on police apprehensions for alleged offending and the number of offences alleged. However, at that point, the matters are still allegations. In contrast, at the level of formal caution and family conferences, the matters have been admitted to. With Youth Court data it is possible to identify all matters found proved. Taken in combination these three sources provide the overall history of ‘admitted’ or ‘proved’ offences for juveniles dealt with by the criminal justice system.

However, this Bulletin limits itself to Youth Court data and aims to provide some basic information on the frequency of contact of individual juveniles with the Youth Court. The starting point is those juveniles who met two criteria:

- he/she had at least one case finalised in the Youth Court in 2000; and
- at least one of the charges in these cases was found proved.

For these young people, all ‘proved cases’ dealt with in the Youth Court in the period 1996 to 2000 were retrieved to provide some indication of the extent of the previous contact within the court system. This means that the discussion provides information on each young person’s ‘proved’ court record over a five year period.

Before describing the results of this analysis, some background information on how young people come to be dealt with by the Youth Court is provided.

### **Cases coming before the Youth Court**

When police detect an offence they may, in the case of ‘trivial’ offences, issue an ‘on the spot’ informal caution. Alternatively, they can apprehend the alleged offender. For minor offences, where the offender admits the commission of the offence, he or she can be given a formal caution or be referred to a family conference. Alternatively, for those viewed as more serious or repeat offenders, the police can lay charges before the Youth Court. There is one set of matters, traffic and driving offences, which bypass this process, with many of these being automatically referred to the Youth Court.

The system has some complexities. In a small number of cases, a young person referred to a formal caution may be required to enter into an undertaking. This could involve paying compensation, completing community work, apologising to the victim or performing other tasks considered appropriate. If the undertaking is not completed the matter will be referred to a family conference or, if the youth requires, to court. The same situation applies with family conferences. If a young person does not attend the scheduled conference, does not comply with the requirements of the conference undertaking or elects at any stage to have the matter dealt with by a court, he or she can be referred to court.

In summary, this means that there are a number of avenues by which a young person ends up having a matter dealt with in the Youth Court. Hence, it cannot be assumed that all cases dealt with by the Youth Court are necessarily serious in nature.

### Discrete individuals with ‘proved cases’ in 2000

In 2000, there were 2,052 Youth Court cases in which at least one of the charges was found proved. In total, 1,616<sup>1</sup> individual young people were involved in these cases. This gives an average of 1.3 ‘proven’ cases per individual. For each of these youth, the last occurring ‘proved’ case in 2000<sup>2</sup> was selected and the major offence proved was identified.<sup>3</sup>

Table 1 provides details of the ‘last major offence proved’ for the 1,616 individuals. This shows that *driving* and *larceny and receiving* offences were the most prominent, with each accounting for approximately one quarter (26.4% and 24.0% respectively) of all cases. These were followed by *offences against good order*, *offences against the person (excluding sexual offences)* and *drug offences* (13.6%, 10.4% and 10.0% respectively). At the other end of the scale, *sexual offences*, *fraud and misappropriation*, *other offences* and *robbery and extortion* accounted for relatively few cases (0.7%, 0.7%, 0.9% and 3.0% respectively).

**Table 1: Major offence proved for the last ‘proved’ case for individual young people with finalised cases in the Youth Court in 2000**

Offence category	No. of cases	%
Offences against the person, excluding sexual offences	168	10.4
Sexual offences	12	0.7
Robbery and extortion	49	3.0
Burglary, break and enter	161	10.0
Fraud and misappropriation	12	0.7
Larceny and receiving	388	24.0
Damage property and environmental offences	80	5.0
Offences against good order	220	13.6
Drug offences	86	5.3
Driving offences	426	26.4
Other offences	14	0.9
<b>Total</b>	<b>1,616</b>	<b>100.0</b>

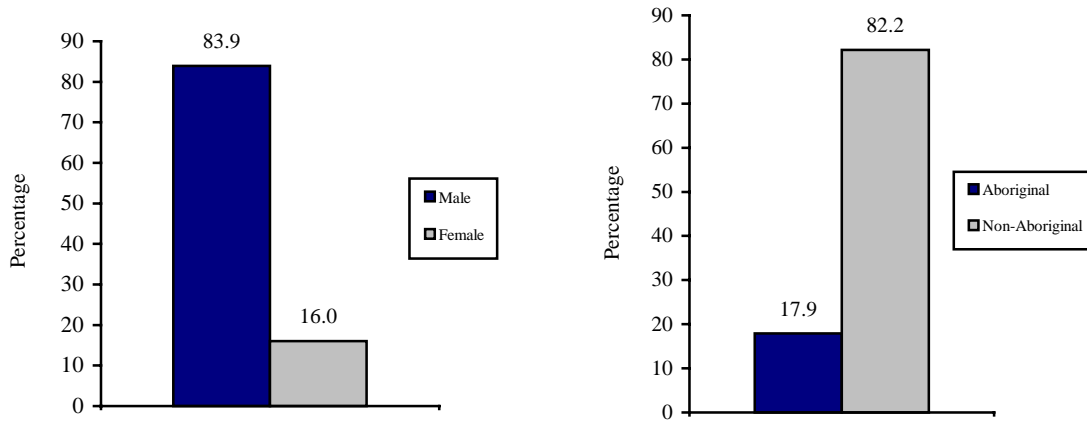
Figure 1 presents sex and Aboriginality profiles for those individuals with at least one proved case in the Youth Court in 2000. This shows that the great majority were male (83.9%) and were non-Aboriginal (82.2%).

<sup>1</sup> Note that for one case there was not any PIN (Personal Identification Number) associated with it. Hence, it was not possible to determine if that individual had any prior proved cases and, for the purposes of this study, this individual is listed as having no prior proved cases.

<sup>2</sup> Note that the last occurring ‘proved’ case is the one that was the last to be finalised. This does not necessarily mean that the offences dealt with in that case occurred later than matters in any other cases for the same individual in 2000. For any one individual, the order in which court cases are dealt with may not reflect the order in which the associated offences actually occurred.

<sup>3</sup> The major offence proved was determined in the same way as for the annual statistical publication of the *Crime and Justice in South Australia, 2000: Juvenile Justice*. For further information, see the notes in the Appendix of that report.

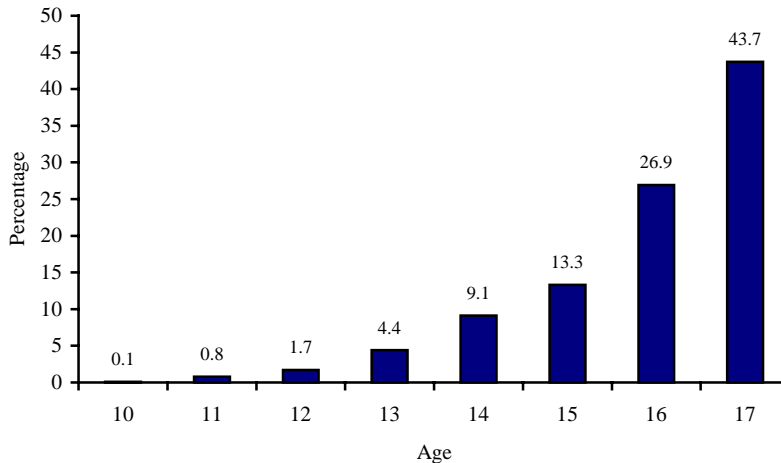
**Figure 1 : Individuals with at least one proved case in the Youth Court in 2000:**  
**(A) By Sex** **(B) By Aboriginality**



Sex was known for all individuals.  
 However, there were 126 individuals for whom Aboriginality was unknown (7.8%).

As shown in Figure 2, seven in ten of the youth with at least one ‘proved case’ in 2000 were 16 years or more (26.9% aged 16 years and 43.7% 17 years of age) at the time of the offence<sup>4</sup>. Just over one quarter were in the 13 to 15 years age range (26.8%) at the time of the offence, while the very young age group of under 13 years accounted for only 2.6% of all individuals.

**Figure 2: Individuals with at least one proved case in the Youth Court in 2000: Age at date of the major offence proved**

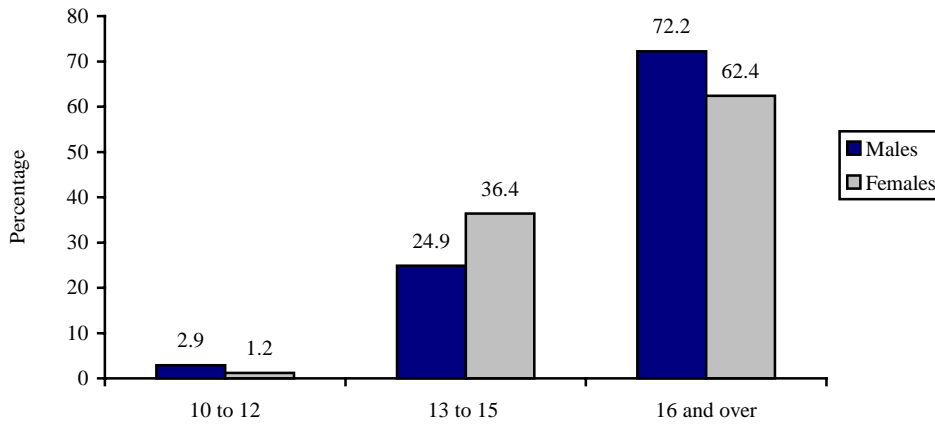


There were 15 individuals for whom age was unknown.

<sup>4</sup> The age listed here is the age at the date of the offence, not the age at the date of the court hearing at which the matter is finalised. It should be noted that considerable time may elapse between the date of the offence and the date on which the young person is apprehended. Further time may elapse before the matter is finalised in the Youth Court.

Figure 3 provides details of the male and female age profiles. It can be seen that the majority of both males and females were 16 years or more (72.2% and 62.4% respectively) and only a very small proportion were in the 10 to 12 years age group (2.9% for males and 1.2% for females). However, there was one difference, with proportionately more females than males aged 13 to 15 years. Over one third of females (36.4%) compared with just under one quarter of males (24.9%) were in this middle age group.

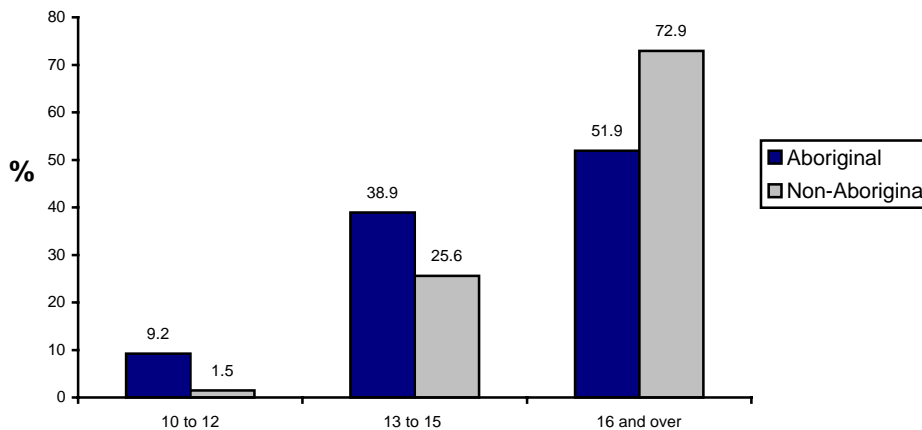
**Figure 3: Sex by Age at date of major offence proved for last proved case in 2000**



There were 2 females and 13 males for whom age was unknown. Sex was known for all youth.

As shown in Figure 4, there were substantial differences in the age profiles for Aboriginal and non-Aboriginal youth. While the majority of both groups were 16 years or over (51.9% for Aboriginal and 72.9% for non-Aboriginal youth), Aboriginal youth were far more likely than their non-Aboriginal counterparts to be under 16 years of age. One in ten Aboriginal youth (9.2% compared with only 1.5% of non-Aboriginal youth) were aged 10 to 12 years while just under four in ten were in the middle age group (38.9% compared with only 25.6% of non-Aboriginal youth).

**Figure 4: Aboriginality by Age at date of major offence proved for last proved case in 2000**



There were 4 Aboriginal and 10 non-Aboriginal youth for whom age was unknown. There were 126 youth for whom Aboriginality was unknown.

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## Previous contact with the Youth Court

As indicated earlier, to obtain some insight into the extent of their previous contact with the Youth Court, for each of the 1,616 individuals identified above, all prior proved cases in the five year period, 1996 to 2000, were obtained.<sup>5</sup> When interpreting the following data, four points regarding prior proved cases need to be borne in mind:

- ‘Prior proved cases’ are those cases dealt with earlier than the established date of the final proved case in 2000. For any one individual, the order in which court cases are dealt with may not reflect the order in which the associated offences actually occurred.
- Due to limitations of the data available, this analysis relates only to those cases finalised in the years 1996 to 2000. That is, only five years of court records have been examined. As young people can be charged with an offence only after they turn 10 years of age, this means that this analysis has full court case histories for only those young people who turned 10 either during 1996 or in the years since. This in turn means that full ‘prior’ court history is available for only those youth who were 14 years or younger in the year 2000. Nonetheless, it should be noted that very few cases involving 10 year olds are recorded in the Youth Court<sup>6</sup>. Hence, there can be a high level of confidence that the following analysis details all ‘prior proved cases’ for all but a few of the youth aged 15 years or younger at the time of the ‘last major offence proved’ in 2000. However, for those aged 16 years or more, this is not the case and it cannot be assumed that the following discussion details all ‘priors’ for these youth.
- Not all the individuals considered here have had the same length of time to accumulate prior cases. For example, a 14 year old has had two years more than a 12 year old in which to develop a ‘prior’ history.
- As detailed earlier, there are a number of options for dealing with young people who have allegedly committed an offence – informal cautions, formal cautions, family conferences and the Youth Court. What is being detailed here are the Youth Court ‘priors’, not all instances of young people’s prior contact with the juvenile justice system. The pattern of contact may vary greatly across the young people selected here. Some may have had a number of cautions and conferences before they were finally dealt with in the Youth Court. At the other end of the scale, some may have elected, for one of their earlier apprehensions by the police, to have the matter dealt with in court.

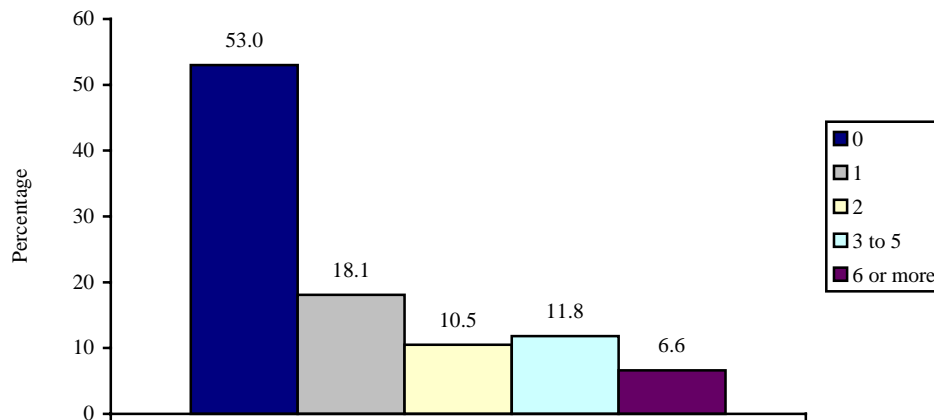
As shown in Figure 5, half of the youth (53.0%) had no prior proved cases listed against them in the five year period 1996 to 2000, while approximately one in five (18.1%) had only one earlier proved case, one in ten had two (10.5%) and 6.6% of youth were at the high end of the spectrum with six or more prior proved cases.

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<sup>5</sup> A small number of prior cases may have been missed as there was a small subgroup of cases in the years 1996 to 1999 for which there was not any identifier (PIN) for the individual associated with the case. However, given that nearly all these cases with the missing person identifier were for *driving offences* which tend to be committed by the older age group, it is likely that only a very small number were, in fact, prior cases for young people dealt with in the Youth Court in 2000.

<sup>6</sup> The Crime and Justice in South Australia: Juvenile Justice report series details 10 or fewer ‘proved’ cases involving 10 year olds in each of the years 1998, 1999 and 2000 (4, 10 and 3 respectively).

**Figure 5: Discrete individuals at time of last proved case in 2000: number of prior proved cases in 1996 to 2000**



**Major offence proved by number of prior proved cases in 1996 to 2000**

Table 2 (a) details the major offence proved for the last case finalised in 2000 by the number of ‘prior cases proved’. This shows that for those youth for whom a *driving offence* was listed as their ‘last major offence proved’, eight in ten had no prior proved cases recorded against them (81.0%). In contrast, for all other offence categories, more than half had at least one prior proved case (ranging from 51.2% for *offences against the person (excluding sexual offences)* up to 62.1% for *larceny and receiving offences*). For some offence categories, a proportion of individuals had six or more prior proven court cases. This category was particularly evident for *burglary, break and enter offences, drug offences, larceny and receiving and good order offences* (11.2%, 8.6%, 8.1% and 8.0% respectively).

The above findings indicate that youths found guilty of *driving offences* in 2000 had a substantially different ‘priors’ profile from other youths. Given that this offence was listed against one quarter of all individuals at the time of their final appearance in 2000, the ‘priors profile’ for this group would have substantially impacted on the overall ‘priors’ profile detailed in Figure 2. To allow consideration of the ‘priors’ profile without this influence, Table 2 (b) presents the overall profile when *driving offences* are excluded from consideration. As expected, this shows a considerable shift from that detailed earlier. Under the earlier analysis, half of all individuals (n = 2,616) had no prior proved cases (53.0%). Now, for the reduced group of 1,190 individuals the ‘no priors’ figure is considerably lower at four in ten (42.9%). For each of the other ‘prior’ categories of one, two, three to five, and six or more priors, slightly higher proportions than detailed under the earlier analysis are apparent. For example, when all individuals were considered, 6.6% had six or more prior proved cases but when those found guilty of a *driving offence* are dropped from consideration, 8.2% fell into this category.

**Table 2(a): Major offence proved for last proved case in 2000 by number of prior cases proved**

Offence	Number of prior proved cases in 1996 to 2000										
	0		1		2		3-5		6 or more		Total
	No.	%	No.	%	No.	%	No.	%	No.	%	
Offences against the person (excluding sexual offences)	82	48.8	28	16.7	25	14.9	21	12.5	12	7.1	<b>168</b>
Sexual offences	9	*	2	*	1	*	0	*	0	*	<b>12</b>
Robbery and extortion	23	*	10	*	4	*	7	*	5	*	<b>49</b>
Burglary, break and enter	64	39.8	37	23.0	17	10.6	25	15.5	18	11.2	<b>161</b>
Fraud and misappropriation	7	*	2	*	0	0.0	2	*	1	*	<b>12</b>
Larceny and receiving	147	37.9	92	23.7	55	14.2	63	16.2	31	8.0	<b>388</b>
Damage property and environmental offences	35	43.8	16	20.0	13	16.3	11	13.8	5	6.3	<b>80</b>
Offences against good order	98	44.6	41	18.6	27	12.3	35	15.9	19	8.6	<b>220</b>
Drug offences	36	41.9	20	23.3	14	16.3	9	10.5	7	8.1	<b>86</b>
Driving offences	345	81.0	43	10.0	12	2.8	17	4.0	9	2.1	<b>426</b>
Other offences	10	*	2	*	1	*	1	*	0	*	<b>14</b>
<b>Total</b>	<b>856</b>	<b>53.0</b>	<b>293</b>	<b>18.1</b>	<b>169</b>	<b>10.5</b>	<b>191</b>	<b>11.8</b>	<b>107</b>	<b>6.6</b>	<b>1,616</b>

Percentages are not specified as total number for offence category is too small.

**Table 2(b): A comparison of driving offences with all other offences combined Major offence proved for last proved case in 2000 by number of prior cases proved**

Offence	Number of prior proved cases in 1996 to 2000										
	0		1		2		3-5		6 or more		Total
	No.	%	No.	%	No.	%	No.	%	No.	%	
All offences	856	53.0	293	18.1	169	10.5	191	11.8	107	6.6	1,616
Driving offences	345	81.0	43	10.0	12	2.8	17	4.0	9	2.1	<b>426</b>
<b>All offences other than driving offences</b>	<b>511</b>	<b>42.9</b>	<b>250</b>	<b>21.0</b>	<b>157</b>	<b>13.2</b>	<b>174</b>	<b>14.6</b>	<b>98</b>	<b>8.2</b>	<b>1,190</b>



### Age by prior cases proved

Table 3 presents the ‘prior cases proved’ profiles by age of the youth at the time of the offence last ‘proven’ in 2000. If the very young age group is considered first, it can be seen that there were 42 individuals aged 10 to 12 years at the time of the most recently proved offence. Despite their young age, over half of these youths (23) had at least one earlier proved case. Of these, 16 had one ‘prior’ and seven had two or more. Six or more priors were listed against one youth.

The ‘priors’ profiles of the 13 to 15 year olds and those aged 16 years or more show a great deal of similarity. Approximately half of each group had no ‘prior proved cases’ (51.9% for 13 to 15 year olds and 53.9% for 16 years and over), and just under one fifth listed one prior (18.5% and 17.2% respectively). Six or more ‘prior proved cases’ were slightly more prominent for the older age group (7.2% compared with 5.6% for 13 to 15 year olds).

**Table 3: Discrete individuals with at least one proved case in 2000: age by number of prior proved cases in the period 1996 to 2000**

Number of prior proved cases	10-12 year olds		13-15 year olds		16 years and over	
	No.	%	No.	%	No.	%
0	19	*	222	51.9	609	53.9
1	16	*	79	18.5	195	17.2
2	2	*	53	12.4	111	9.8
3 to 5	4	*	50	11.7	135	11.9
6 or more	1	*	24	5.6	81	7.2
<b>Total</b>	<b>42</b>	<b>*</b>	<b>428</b>	<b>100.0</b>	<b>1,131</b>	
<b>Percentage</b>	<b>2.6</b>		<b>26.7</b>		<b>70.6</b>	<b>100.0</b>

There were 15 individuals for whom age was unknown.  
Percentages not specified as total number too small.

In considering the data just presented, it needs to be noted again that the ‘priors’ data were available only from 1996. This means that, while there can be confidence that all prior proved cases for those 15 years or younger have been listed it is likely that some of the older youth had more priors than have been detailed here. In addition, the implication of the high level of ‘no priors’ associated with *driving offences* needs to be considered. Driving offences are likely to be an age related offence – those aged 16 years or more would be expected to account for the great majority of those listed against this offence. Table 4 shows that this is the case. As detailed, nearly all of the individuals found guilty of a *driving offence* at their last proved appearance were in the oldest age group (97.4%).

**Table 4 : Discrete individuals for whom the Major offence proved for the last ‘proved’ case in 2000 was a Driving offence by age**

Age Group	No.	%
10 to 12 years	0	0
13 to 15 years	11	2.6
16 or more years	413	97.4
<b>Total</b>	<b>424*</b>	<b>100.0</b>

\*There were two individuals listed against driving offences for whom age was unknown.

This means that the ‘priors’ profile for those aged 16 years or more, as detailed in Table 3, would have been substantially impacted by the ‘no priors’ associated with *driving offences*, while the profile for those under 16 years of age would have been relatively unaffected. So that the ‘priors’ profiles can be compared without the uneven impact of this age related offence, Table 5 presents the ‘priors profiles’ by age excluding all individuals for whom a *driving offence* was the last major offence proved. This shows that the ‘priors’ profile for 10 to 12 year olds is completely unchanged from that detailed earlier, while for the middle age group, the profile is nearly the same as that discussed above.

In contrast, the profile for those aged 16 years or more is substantially different from that detailed earlier. When individuals whose most recent offence proved was a *driving offence* are excluded, there is a substantial drop in the proportion with ‘no priors’ (from 53.9% when all offences were included to 38.3%). In turn, each of the other categories records higher proportions than previously.

This means that substantial differences between the two older age groups are now apparent. Under this new scenario, less than four in ten of those aged 16 years or more have ‘no priors’ compared with half of those of the middle age group (38.3% compared with 50.8% respectively). At the other end of the spectrum, one in ten of the oldest age group has six or more ‘priors’ compared with only one in twenty of the 13 to 15 year olds (10.0% compared with 5.8% respectively).

However, it needs to be remembered that the older youth are likely to have had more priors than have been listed here. Hence, this discussion is likely to have under-enumerated the actual difference between the ‘priors’ profiles for the middle and older age groups.

**Table 5: Discrete individuals with at least one proved case in 2000: age by number of prior proved cases in the period 1996 to 2000. Excluding those individuals for whom the major offence proved for the last proved case was a driving offence**

Number of prior proved cases	10-12 year olds		13-15 year olds		16 years and over	
	No.	%	No.	%	No.	%
0	19	*	212	50.8	275	38.3
1	16	*	79	18.9	153	21.3
2	2	*	52	12.5	100	13.9
3 to 5	4	*	50	12.0	118	16.4
6 or more	1	*	24	5.8	72	10.0
<b>Total</b>	<b>42</b>	<b>*</b>	<b>417</b>	<b>100.0</b>	<b>718</b>	
<b>Percentage</b>	<b>3.6</b>		<b>35.4</b>		<b>61.0</b>	<b>100.0</b>

There were 13 individuals for whom age was unknown.  
Percentages not specified as total number too small.

### Sex by prior cases proved

Table 6 details the ‘prior proved cases’ profiles for males and females. As indicated earlier in Figure 3, there were some differences in the age profiles for males and females, with proportionately more females than males aged 13 to 15 years. Given that age has implications for the length of time an individual has to accumulate a ‘prior’ history, the male/female ‘priors’ profiles are presented by age.

If the youngest age group is taken first, it can be seen that just under half of the males (n= 17) had no priors, while two of the three females fell in this category. There were four males and one female with three or more ‘prior proved cases’.

Some male/female differences were apparent in the profiles for the middle age group. Females were substantially more likely than their male counterparts to have no prior proved case recorded against them

(60.6% compared with only 49.4% respectively). They were less likely than males to have one 'prior' (14.9% compared with 19.5% respectively) or three or more priors (18.9% compared with 11.7%).

The male and female 'priors' profiles for the 16 and over group were very similar, with half of both groups recording 'no priors' (53.8% for males and 54.0% for females), and approximately equal proportions recorded against one or two priors (27.2% for males and 26.1% for females). However, a slightly higher proportion of females than males recorded three or more (14.3% compared with 11.6% respectively) while the reverse was true for six or more priors (7.4% for males compared with 5.6% for females).

The last section of Table 6 presents the profiles for the oldest age group when those youth most recently found guilty of a *driving offence* are excluded. Excluding this offence group meant that 40 females and 373 males were dropped from consideration. Females accounted for 121 (or 16.9%) of the 718 individuals now considered. Under this new scenario slightly greater male/female differences were apparent. Females were more likely than males to have 'no priors' (42.2% compared with 37.5% respectively) while the reverse was true for one or two priors (36.0% for males compared with 31.4% for females). However, at the high end of the spectrum, much the same pattern as previously detailed was evident.

**Table 6: Discrete individuals with at least one proved case in 2000: sex by age by number of prior proved cases in the period 1996 to 2000**

10 to 12 year olds						
Number of prior proved cases	Males		Females		Total	
	No.	%	No.	%	No.	%
0	17	*	2	*	19	*
1	16	*	0	*	16	*
2	2	*	0	*	2	*
3 to 5	3	*	1	*	4	*
6 or more	1	*	0	*	1	*
<b>Total</b>	<b>39</b>	<b>*</b>	<b>3</b>	<b>*</b>	<b>42</b>	<b>*</b>
13 to 15 year olds						
	Males		Females		Total	
	No.	%	No.	%	No.	%
0	165	49.4	57	60.6	222	51.9
1	65	19.5	14	14.9	79	18.5
2	41	12.3	12	12.8	53	12.4
3 to 5	42	12.6	8	8.5	50	11.7
6 or more	21	6.3	3	3.2	24	5.6
<b>Total</b>	<b>334</b>	<b>100.0</b>	<b>94</b>	<b>100.0</b>	<b>428</b>	
<b>Percentage</b>	<b>78.0</b>		<b>22.0</b>			<b>100.0</b>
16 years or more						
	Males		Females		Total	
	No.	%	No.	%	No.	%
0	522	53.8	87	54.0	609	53.9
1	169	17.4	26	16.2	195	17.2
2	95	9.8	16	9.9	111	9.8
3 to 5	112	11.6	23	14.3	135	11.9
6 or more	72	7.4	9	5.6	81	7.2
<b>Total</b>	<b>970</b>	<b>100.0</b>	<b>161</b>	<b>100.0</b>	<b>1,131</b>	
<b>Percentage</b>	<b>85.8</b>		<b>14.2</b>			<b>100.0</b>

Continued on next page

**Excluding those individuals for whom the major offence proved for the last proved case was a driving offence\***

	16 years or more					
	Males		Females		Total	
	No.	%	No.	%	No.	%
0	224	37.5	51	42.2	275	38.3
1	130	21.8	23	19.0	153	21.3
2	85	14.2	15	12.4	100	13.9
3 to 5	95	15.9	23	19.0	118	16.4
6 or more	63	10.6	9	7.4	72	10.0
<b>Total</b>	<b>597</b>	100.0	<b>121</b>	100.0	<b>718</b>	
<b>Percentage</b>	<b>83.1</b>		<b>16.9</b>			<b>100.0</b>

**Aboriginality by prior cases proved**

The profiles for 'prior proved cases' by Aboriginality are detailed in Table 7. As shown earlier in Figure 4, Aboriginal youth had a substantially different age profile from their non-Aboriginal counterparts, with a greater proportion of Aboriginal youth in the two younger age groups. To allow for these differences, the Aboriginal/non-Aboriginal 'priors' profiles are presented by age group.

As shown, there were 24 Aboriginal and 18 non-Aboriginal young people in the youngest age group. Aboriginal young people accounted for one quarter of the youth aged 13 to 15 years (24.7%) but only 13.3% of the oldest age group.

For the very young age group, at least half of both Aboriginal and non-Aboriginal youth had one or more prior proved cases (14 Aboriginal and 9 non-Aboriginal).

Substantial differences were apparent for the 13 to 15 year age group. While less than four in ten Aboriginal youth (38.2%) had no priors, over half of their non-Aboriginal counterparts were in this category (54.7%). Aboriginal youth were substantially more likely than their non-Aboriginal counterparts to have six or more 'priors' (13.7% compared with only 3.2% respectively).

Differences were also apparent for the oldest age group. Only one-fifth of the Aboriginal youth (19.1%) had no 'prior proved cases', compared with half of the non-Aboriginal young people (53.8%). At the other end of the scale, greater proportions of Aboriginal than non-Aboriginal young people aged 16 years or more had six or more 'priors' (19.9% compared with 6.1% respectively).

As was done for the male/female profiles, data relating to the 16 and over age group was re-extracted, excluding youths for whom the most recent proved offence in court was a *driving offence*. This information is presented in the last section of Table 7. This means that 309 non-Aboriginal and 10 Aboriginal youth, together with 94 youth with unknown Aboriginality, were dropped from consideration. Aboriginal youth now account for 17.9% of those aged 16 years or more for whom details of Aboriginal status are known. Under this new scenario, Aboriginal /non-Aboriginal differences do remain. However, they are not as substantial as those recorded above. As shown, Aboriginal youth are less likely than their non-Aboriginal counterparts to have no 'prior proved cases' (19.0% compared with 41.0% respectively). A higher proportion of non-Aboriginal than Aboriginal youth had one 'prior' (22.6% compared with 17.5% respectively). Aboriginal youth were more likely to have two or more 'prior proved cases' (63.5% compared with only 36.5% for non-Aboriginal youth).

**Table 7: Discrete individuals with at least one proved case in 2000: Aboriginality by age by number of prior proved cases in the period 1996 to 2000**

Number of prior proved cases		10 to 12 year olds					
		Aboriginal		Non-Aboriginal		Unknown	
		No.	%	No.	%	No.	%
0	10	*	9	*	0	0	
1	10	*	6	*	0	0	
2	0	*	2	*	0	0	
3 to 5	3	*	1	*	0	0	
6 or more	1	*	0	*	0	0	
<b>Total</b>	24	*	18	*	0	0	
		13 to 15 year olds					
		Aboriginal		Non-Aboriginal		Unknown	
		No.	%	No.	%	No.	%
0	39	38.2	170	54.7	13	*	
1	21	20.6	57	18.3	1	*	
2	14	13.7	38	12.2	1	*	
3 to 5	14	13.7	36	11.6			
6 or more	14	13.7	10	3.2			
<b>Total</b>	102	100.0	311	100.0	15	*	
<b>Percentage of those for whom details of Aboriginal status were known</b>	<b>24.7</b>		<b>75.3</b>				
		16 years or more					
		Aboriginal		Non-Aboriginal		Unknown	
		No.	%	No.	%	No.	%
0	26	19.1	476	53.8	107	97.3	
1	23	16.9	170	19.2	2	1.8	
2	25	18.4	85	9.6	1	0.1	
3 to 5	35	25.7	100	11.3	0		
6 or more	27	19.9	54	6.1	0		
<b>Total</b>	136	100.0	885	100.0	110	100.0	
<b>Percentage of those for whom details of Aboriginal status were known</b>	<b>13.3</b>		<b>86.7</b>				
There were 4 Aboriginal and 10 non-Aboriginal youth plus one youth of unknown Aboriginality for whom age was unknown.							
<b>Excluding those individuals for whom the major offence proved for the last proved case was a driving offence*</b>							
		16 years or more					
		Aboriginal		Non-Aboriginal		Unknown	
		No.	%	No.	%	No.	%
0	24	19.0	236	41.0	15	*	
1	22	17.5	130	22.6	1	*	
2	25	19.8	75	13.0	0	*	
3 to 5	32	25.4	86	14.9	0	*	
6 or more	23	18.3	49	8.5	0	*	
<b>Total</b>	126	100.0	576	100.0	16	*	
<b>Percentage of those for whom details of Aboriginal status were known</b>	<b>17.9</b>		<b>80.1</b>				

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### **Earliest year of contact with the Youth Court**

The above discussion has provided information on the number of prior proved court cases. To give further insight into the nature of a youth's prior contact with the Youth Court information is provided on the year of the earliest proved court case for each individual over the 1996 to 2000 period. This analysis excludes those youth for whom the most recent offence proved in the Youth Court was a *driving offence*, as it has already been established that these individuals had a very high level of 'no priors'.

Table 8 presents the 'earliest year' profile for the remaining 1,177 youth for whom age details were known. The younger ages are considered first. As might be expected, the 'proved' court histories for the two 10 year olds and all but one of the 11 year olds were limited to the year 2000. However, for the 12 and 13 year olds, despite their young age, the situation was somewhat different. Substantial proportions of these two groups had cases listed earlier than 2000 (one half and one third respectively).

The profiles for the 14 and 15 year olds reveal that for more than half of both groups the 'proved' court records were limited to the year 2000. Nearly two thirds of the 14 year olds (66.7%) and over half of the fifteen year olds (57.8%) were in this category. However, at the top end of the spectrum, approximately one in ten of each group had long court records extending back to 1997 or 1996 (9.0% for 14 year olds and 11.2% for 15 year olds).

Equal proportions, just under half, of both the 16 and 17 year olds had 'proved' court records limited to the year 2000 (46.8% and 45.2% respectively). This result is unexpected, given the assumption that prior contact with the Youth Court would be likely to increase with age. However, it should be remembered that, unlike individuals in the younger age groups, these youth may have court records that extend back beyond 1996. That is, some proportion of these older youth will have court records that are more extensive than those detailed here. It would be expected that this would be the case for a higher proportion of 17 year olds than 16 year olds. At the top end of the spectrum differences between the two groups are apparent. Those aged 17 years were more likely than 16 year olds to have a 'proved' court case as early as 1997 or 1996 (23.3% compared with 18.1% respectively).

**Table 8: Age at date of last major proved offence by year of earliest proved court case. Excluding those for whom the last major offence proved was a driving offence**

Year	Age at date of last major proved offence in 2000																
	10		11		12		13		14		15		16		17		Total
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.
<b>1996</b>	0	*	0	*	0	*	1*	*	6	4.2	6	2.9	26	8.9	48	11.3	<b>87</b>
<b>1997</b>	0	*	0	*	0	*	1	*	7	4.9	17	8.3	27	9.2	51	12.0	<b>103</b>
<b>1998</b>	0	*	0	*	3	*	4	*	8	5.6	29	14.2	44	15.0	65	15.3	<b>153</b>
<b>1999</b>	0	*	1	*	10	*	17	*	27	18.8	34	16.7	59	20.1	69	16.2	<b>217</b>
<b>2000</b>	2	*	12	*	14	*	46	*	96	66.7	118	57.8	137	46.8	192	45.2	<b>617</b>
<b>Total</b>	<b>2</b>	<b>*</b>	<b>13</b>	<b>*</b>	<b>27</b>	<b>*</b>	<b>69</b>	<b>*</b>	<b>144</b>	<b>100.0</b>	<b>204</b>	<b>100.0</b>	<b>293</b>	<b>100.0</b>	<b>425</b>	<b>100.0</b>	<b>1,177*</b>

There were 13 additional individuals of unknown age (3, 2, 3, and 5 of these had their earliest proved case in 1996,1997,1999 and 2000 respectively)

\* This particular young person was 13 years of age at the time of the last proved case in 2000. However, the matter heard in 2000 related to an offence that occurred in 1997. (Justine 1113078)

Table 9 presents 'earliest year' profiles for males and females and shows that the profiles for the two groups are fairly similar. There were 39 males in the 10 to 12 year age group and for two thirds of these (n = 26) the court record was limited to 2000. Ten of these young males had cases in 1999 while three had cases in 1998. Two of the females had court records limited to 2000 while the remaining one had a 'prior proved' case in 1999.

A male/female comparison of the 13 to 15 year olds revealed some differences. Females in this middle age group were more likely than their male counterparts to have 'proved' Court records limited to 2000 (68.9% compared with 60.6% respectively). In contrast, males were more likely than females to have cases listed in 1997 or 1998 (10.7% compared with only 3.3% for females).

The male and female profiles for the oldest age group were fairly similar. For just under half of each group the 'earliest year' was 2000 (45.4% for males and 47.9% for females), while similar proportions listed either 1997 or 1996 (21.4% for males and 19.8% for female

**Table 9: Sex by Age at date of last major proved offence in 2000 by year of earliest proved court case. Excluding those for whom the last major offence proved was a driving offence.**

Year	Sex											
	Males						Females					
	10 to 12 year olds		13 to 15 year olds		16 years and over		10 to 12 year olds		13 to 15 year olds		16 years and over	
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
<b>1996</b>	0	*	13	4.0	59	9.9	0	*	0	0	15	12.4
<b>1997</b>	0	*	22	6.7	69	11.6	0	*	3	3.3	9	7.4
<b>1998</b>	3	*	32	9.8	86	14.4	0	*	9	10.0	23	19.0
<b>1999</b>	10	*	62	19.0	112	19.0	1	*	16	17.8	16	13.2
<b>2000</b>	26	*	198	60.6	271	45.4	2	*	62	68.9	58	47.9
<b>Total</b>	<b>39</b>	<b>*</b>	<b>327</b>	<b>100.0</b>	<b>597</b>	<b>100.0</b>	<b>3</b>	<b>*</b>	<b>90</b>	<b>100.0</b>	<b>121</b>	<b>100.0</b>

The 'earliest year' profiles for Aboriginal and non-Aboriginal youth revealed both similarities and differences. As shown in Table 10, the profiles for the youngest age group were relatively similar. For the majority of both Aboriginal and non-Aboriginal youth in the 10 to 12 years age group, the 'proved' records were limited to 2000. However, differences were apparent in the middle age group. Approximately half of the Aboriginal youth aged 13 to 15 years listed 2000 as their 'earliest year' (52.9%) compared with a substantially higher 64.6% of non-Aboriginal youth. Conversely, Aboriginal youth in this age group were more likely to have records extending back to 1996 (7.8% compared with 1.3% for non-Aboriginal youth)

The greatest Aboriginal/non-Aboriginal differences were apparent for the oldest age groups. For nearly half of the non-Aboriginal youth aged 16 years and over, the 'proved' court records were limited to the year 2000 (48.1%). However, less than three in ten of the Aboriginal youth were in this position (28.6%). One quarter of the Aboriginal youth in this age group (24.6%) had records extending back to 1996. In contrast, less than one in ten of their non-Aboriginal counterparts had records of this length (7.5%).



**Table 10: Aboriginality by Age at date of last major proved offence in 2000 by year of earliest proved court case. Excluding those for whom the last major offence proved was a driving offence**

Year	Aboriginality											
	Aboriginal						Non-Aboriginal					
	10 to 12 year olds		13 to 15 year olds		16 years and over		10 to 12 year olds		13 to 15 year olds		16 years and over	
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
1996	0	*	8	7.8	31	24.6	0	*	4	1.3	43	7.5
1997	0	*	6	5.9	21	16.7	0	*	19	6.3	57	9.9
1998	2	*	16	15.7	25	19.8	1	*	25	8.3	84	14.6
1999	7	*	18	17.7	13	10.3	4	*	59	19.5	115	20.0
2000	15	*	54	52.9	36	28.6	13	*	195	64.6	277	48.1
<b>Total</b>	<b>24</b>	<b>*</b>	<b>102</b>	<b>100.0</b>	<b>126</b>	<b>100.0</b>	<b>18</b>	<b>*</b>	<b>302</b>	<b>100.0</b>	<b>576</b>	<b>100.0</b>

### Summary

In 2000, there were 2,052 Youth Court cases in which at least one of the charges was found proved, and in total, 1,616 individual young people were involved in these cases. The great majority were male and were non-Aboriginal. Over seven in ten individuals were aged 16 years of more at the time of the last proved case in 2000. Only a very small proportion was in the 10 to 12 years age group.

Half of all the youth had no prior proved cases listed against them in the five year period 1996 to 2000. However, just over one in twenty had six or more prior proved cases. The number of 'prior proved cases' varied according to the most recent 'major offence proved'. For those youth for whom a *driving offence* was listed as their 'last major offence proved', eight in ten had no prior proved cases recorded against them. In contrast, for individuals from other offence categories, more than half had at least one prior proved case. Those for whom the 'last major offence proved' was either a *burglary, break and enter, good order, drug or larceny and receiving offence* were more likely than others to have six or more prior proved cases.

The relationship between the number of 'priors' and age at the date of the last major offence proved was considered. As might be expected, when the age related offence category of *driving offences* was excluded, as age increased the proportion of individuals with 'no priors' decreased. Half of the middle age group compared with only one third of the oldest age group had no 'prior proved cases'.

Also examined was the year of the earliest proved case for each individual. Again the pattern was as expected. Generally, the younger the youth the more likely it was that their proved cases were limited to the year 2000. Very long court records back to 1997 or 1996 were more prominent for the older than younger youth.

When male and female profiles were compared, some differences were apparent. For the middle age group, females were substantially more likely than their male counterparts to have no prior proved cases. However, the differences were less apparent for the oldest age group. A similar pattern held true when the 'earliest year' profiles were examined.

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Substantial differences were apparent in the Aboriginal/non-Aboriginal profiles. For both the middle and older age groups, Aboriginal youth were substantially less likely than their non-Aboriginal counterparts to have 'no prior proved cases'. Lower proportions of Aboriginal than non-Aboriginal youth had 2000 listed as the 'earliest year'. The difference was most pronounced for the oldest age group. Less than three in ten Aboriginal compared with nearly half non-Aboriginal youth aged 16 years or more had 'proved' records limited to 2000. At the other end of the scale, one quarter of the oldest Aboriginal youth compared with only 7.5% of their non-Aboriginal counterparts had 'proved' records extending back to 1996.