5. Safety, protection and crime

Summary

> In 2005, Victoria, together with Tasmania, experienced the lowest levels of household crime victimisation and personal crime victimisation rates in Australia, with both forms of crime reducing in Victoria from 2002 to 2005.

> Overall, young people in Victoria report high levels of satisfaction with their safety, with young people in rural areas feeling slightly more safe than young people in metropolitan Melbourne.

> Young people aged 10–24 make up 34 per cent of all victims of assault reported to police with males overrepresented in both reports to police and in assault related hospital admissions.

> Young people (aged under 24) comprise the majority of victims of reported incidents of rape and other sexual offences in Victoria accounting for 66 per cent of all rape victims and 90 per cent of victims of other sexual offences. Females are considerably more likely than males to be the victim of a reported sex crime (Victorian police data).

> In 2005–06, young people (aged 10–24) accounted for over 46 per cent of processed offenders. However, only 3 per cent of the youth population are processed as distinct offenders.

> The majority of young people (aged 10–24) are processed by police for property offences (56 per cent), followed by other crimes (18 per cent), crimes against the person (17 per cent) and drug offences (7 per cent).

> Latest data on injuries experienced by young people shows that each year 200 young people aged 12–24 are killed due to an injury and half of injury deaths are from transport accidents. However, the death rate for this age group has almost halved over the 16-year period from 1990 to 2005, and injuries as a result of transport accidents have decreased over time.

> Young people (aged 10–16) are less likely overall to be the subject of a child protection substantiation than children aged under 10. However, across all age groups in Victoria Indigenous children are subject to child protection substantiations at much higher rates than all children.

> According to police statistics, nearly a quarter of all victims of reported incidents of family violence in Victoria in 2005–06 were aged 10–24.

> Victoria has the lowest rate of young people under juvenile justice supervision across Australia with a rate of 2.6 per 1000.
Future Directions outcome areas

- Young people feel safe in environments that matter to them and are able to negotiate decisions about their own safety

Lead measures:

- Crime will be reduced for the period 2003–08 and Victorians will feel safer
- More young people will feel safe walking alone down the street after dark
- Perceptions of safety at home, on public transport – day and night

The Outcomes Framework

- Proportion of young people (aged 18–24) who feel safe on the street alone during the day and after dark
- Proportion of young people (aged 18–24) who feel safe alone at home during the day and after dark
- Death and hospitalisation rates from injury and poisoning
- Proportion of young people who are the subject of a child abuse substantiation within 12 months of an initial decision not to substantiate
- Rate of re-notifications
- Proportion of Indigenous children in out-of-home care who are placed in accordance with the ACPP
- Levels of crime within the community (crimes against the person and crimes against property)
- Proportion of victims of crime who are children and young people
- Numbers of young people on community-based orders and custodial orders

A Human Rights Framework

- The right to protection from abuse and neglect
- The right to protection for young people without families
- The right to periodic review of placement for young people in the care of the state
- The right of young people alleged or recognised as having committed an offence to respect for their human rights and to benefit from all aspects of the due process of law

Feeling safe to independently navigate the world is key to the transition from childhood to adolescence and on to adulthood.

Young people (aged 12–24) who were consulted in the development of the Future Directions policy linked ‘feeling safe’ and being able to navigate difficult situations with independence and they associated ‘feeling unsafe’ with feeling dependent. Young people also wanted to be able to learn from their mistakes and to utilise this learning to build their independence.

The safety of young people can be understood as relating to a wide range of spheres - to their physical safety, emotional, social and mental safety, to safety at school and in their homes, to safety in their local neighbourhoods, in public spaces and in public transport and to freedom from racism, crime, bullying and discrimination.

This chapter begins with an account of how safe young Victorians feel in their local neighbourhoods. It looks at young people's perceptions of safety in the light of the prevalence of household crime in Victoria as well as the prevalence of factors that affect young people's safety including bullying, racism and discrimination; and violence in the forms of assault and sexual offences (see sections 5.1–5.2).
Young people’s safety can also be compromised by risk-taking behaviour (by themselves and by others) that can lead to injuries - and by the experience, for a minority, of child abuse. The chapter reviews the current knowledge about injuries and injury deaths to young people, and about children (aged 10–17) who are involved in the child protection system (see sections 5.3–5.4).

The chapter concludes with a review of young people as perpetrators of crime and young people’s involvement with the youth justice and adult court and correctional systems (see section 5.5).

While the chapter focuses on issues that compromise young people’s safety, it is important to recognise that the majority of young people feel safe, are safe and are not involved in any form of criminal activity.

5.1 Community safety and wellbeing

Perceptions of community safety for young people are closely linked to the quality and nature of young people’s engagement in their communities. Young people who feel safe in their local neighbourhoods and community are more likely to be able to actively participate in local activities (such as arts or sports) and more likely to feel able to travel around and to make local connections.

Household crime and personal crime in Victoria

The 2005 National Crime and Safety Survey shows that Victoria, together with Tasmania, experienced the lowest levels of household crime victimisation and personal crime victimisation rates, compared with the other states and territories in 2005 (see figures 5.1 and 5.2). Rates of both types of crime decreased in Victoria between 2002 and 2005 with household crime rates falling from 7 per cent in 2002 to 4.6 per cent in 2005 and with personal crime rates falling from 5.2 per cent in 2002 to 4.5 per cent in 2005.

Figure 5.1: Household crime victimisation rates: Australian states and territories

Source: ABS 2006a

163 Household crime rates include houses broken in to, attempted break-ins and motor vehicle theft. Personal crime rates include robbery, assault and sexual assault.

164 Household crime victimisation rates decreased in all the other states and territories from 2002 to 2005, except for the Australian Capital Territory where the recorded decrease was not statistically significant (ABS 2006). However, personal crime victimisation rates showed only slight variations in most states and territories between the 2002 and 2005 surveys.
Perceptions of safety: young people (aged 18-24)

The CIV Survey (2007) asked young people (aged 18-24) about how satisfied they felt with their safety overall. The survey also asked young people about how safe they felt in a range of situations, at home by themselves – in the day and in the dark – and walking in their local areas after dark.

Overall, young people reported high levels of satisfaction with their safety with 80.4 per cent of young people giving a positive rating of between eight and 10 on a satisfaction scale (see table 5.1).\textsuperscript{165}

Table 5.1: Frequencies for satisfaction with how safe you feel, 18-24 year olds (percentage)

<table>
<thead>
<tr>
<th>Satisfaction scale</th>
<th>Metropolitan</th>
<th>Country</th>
<th>Victoria</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>0.4</td>
<td>0.4</td>
<td>0.4</td>
</tr>
<tr>
<td>1</td>
<td>0.1</td>
<td>0.4</td>
<td>0.1</td>
</tr>
<tr>
<td>2</td>
<td>0.2</td>
<td>0.1</td>
<td>0.2</td>
</tr>
<tr>
<td>3</td>
<td>0.2</td>
<td>0.2</td>
<td>0.2</td>
</tr>
<tr>
<td>4</td>
<td>1.0</td>
<td>0.9</td>
<td>1.0</td>
</tr>
<tr>
<td>5</td>
<td>2.6</td>
<td>2.6</td>
<td>2.6</td>
</tr>
<tr>
<td>6</td>
<td>4.2</td>
<td>3.1</td>
<td>4.0</td>
</tr>
<tr>
<td>7</td>
<td>12.1</td>
<td>7.3</td>
<td>11.0</td>
</tr>
<tr>
<td>8</td>
<td>24.1</td>
<td>22.1</td>
<td>23.7</td>
</tr>
<tr>
<td>9</td>
<td>27.4</td>
<td>24.9</td>
<td>26.8</td>
</tr>
<tr>
<td>10</td>
<td>27.7</td>
<td>38.0</td>
<td>29.9</td>
</tr>
<tr>
<td>Total rating 8-10</td>
<td>79.2</td>
<td>85.0</td>
<td>80.4</td>
</tr>
<tr>
<td>Total 100.0</td>
<td>100.0</td>
<td>100.0</td>
<td>100.0</td>
</tr>
</tbody>
</table>

Source: CIV Survey 2007

Almost all young people (98.2 per cent) said they felt very safe or safe at home alone during the day. They were slightly less likely to feel very safe or safe alone at home in the dark and less likely still to feel very safe or safe walking in their local area after dark.

There were few notable differences in the responses of young people from rural and metropolitan areas, although rural young people were slightly more likely to express high levels of satisfaction with their safety than young people in metropolitan areas.

\textsuperscript{165} Young people were asked to rate their level of satisfaction on a 10-point scale from 0 ‘completely dissatisfied’ through to 10 which is ‘completely satisfied’.
When young people were asked about how safe they feel when walking in their local area alone during the day, 96 per cent of young people across the state reported feeling very safe or safe with little difference between young people in rural and metropolitan areas.

However, females were considerably less likely to report feeling safe than males. More than one in 10 females (10.6 per cent) felt unsafe or very unsafe at home alone after dark, compared with just 1.6 per cent of males. The difference between females and males was particularly marked in relation to feelings of safety when walking in the local area after dark.

As table 5.2 shows, while 80.5 per cent of young males said that they felt safe or very safe walking in their local area after dark, less than half (48.8 per cent) of females said that they felt safe or very safe. In addition, nearly one in four (37.7 per cent) of females said that they felt unsafe or very unsafe (walking in their local area after dark). Females in metropolitan areas were more likely to report feeling unsafe or very unsafe than females in rural areas (38.7 per cent of females in metropolitan areas, compared with 33.7 per cent of females in rural areas).

<table>
<thead>
<tr>
<th></th>
<th>Metropolitan Males</th>
<th>Metropolitan Females</th>
<th>Country Males</th>
<th>Country Females</th>
<th>Victoria Males</th>
<th>Victoria Females</th>
</tr>
</thead>
<tbody>
<tr>
<td>Very safe</td>
<td>30.0</td>
<td>7.8</td>
<td>36.1</td>
<td>9.8</td>
<td>31.3</td>
<td>8.2</td>
</tr>
<tr>
<td>Safe</td>
<td>50.2</td>
<td>40.2</td>
<td>46.0</td>
<td>42.2</td>
<td>49.2</td>
<td>40.6</td>
</tr>
<tr>
<td>Neither safe nor unsafe</td>
<td>8.2</td>
<td>13.4</td>
<td>7.6</td>
<td>14.2</td>
<td>8.1</td>
<td>13.5</td>
</tr>
<tr>
<td>Unsafe</td>
<td>8.9</td>
<td>28.5</td>
<td>8.0</td>
<td>25.0</td>
<td>8.7</td>
<td>27.8</td>
</tr>
<tr>
<td>Very unsafe</td>
<td>2.8</td>
<td>10.2</td>
<td>2.3</td>
<td>8.7</td>
<td>2.7</td>
<td>9.9</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>100.0</strong></td>
<td><strong>100.0</strong></td>
<td><strong>100.0</strong></td>
<td><strong>100.0</strong></td>
<td><strong>100.0</strong></td>
<td><strong>100.0</strong></td>
</tr>
</tbody>
</table>

Source: CIV Survey 2007

NB: Population weighted results

**Bullying/discrimination**

The HNSS asked Years 6 and 8 students whether they had been bullied recently (teased or called names, had rumours spread about them, been deliberately left out of things, threatened physically or actually hurt). Analysis of the Victorian data found that 62.5 per cent of students stated that they had not experienced bullying recently, 23.8 answered less than once a week, 6.6 per cent said once a week, 7.1 per cent said most days. There were no differences between the responses of Indigenous children, CALD children or children from rural areas (Williams 2007).

The survey also asked students whether they had taken part in bullying another student recently. The majority of students (80.6 per cent) said that they had not taken part recently, while 15.7 per cent said less than once a week, 2.5 per cent said once a week and 1.3 per cent said most days. Again there were no differences in response by CALD status or between rural and metropolitan young people.
Victorian government schools anti-bullying policy

Every student has the right to feel safe from bullying at school.

Bullying behaviour in schools should be addressed as part of a school’s duty of care to provide a safe and supportive school environment.

All schools are required to develop and implement a student code of conduct that identifies goals and standards for student behaviour.

The student code of conduct must include safe school and specific anti-bullying strategies that aim to promote positive student behaviour, prevent anti-social behaviour, and encourage respect, compassion and cooperation.

To effectively prevent bullying, schools need to take a whole-school approach that focuses on safety and wellbeing throughout all school practices.

It is important, therefore, that school safety is not viewed as a separate policy, but as a central component of an effective school.

5.2 Young people as victims of crime

Assault and victimisation

It is difficult to obtain an accurate estimate of the number of people who are victims of violence because many crimes go unreported. Young people are known to be more likely to become victims of some violent crimes (including rape, other sexual offences and assaults). However, research also suggests that young victims (aged under 25) are less likely (than older victims) to report a violent crime (Johnson 2005, cited in AIHW 2007a).

Victoria Police data show that in 2005–06 there were 13,097 youth victims of crime against the person and 30,628 youth victims of property crime. Figure 5.3 shows the rate of victimisation per 100,000 population of each age group.

Figure 5.3: Victims of crime reported to Victoria Police in 2005–06 per 100,000 population of age group (based on ABS preliminary estimate population 2005)

Source: Produced by Corporate Statistics, Victoria Police. Data extracted from LEAP on 18 July 2007

A more detailed look at Victoria Police crime statistics (2005–06) shows that young people aged 10–24 make up 34 per cent of all victims of assault, reported to the police, in Victoria (see figure 5.4).

Of this age group, 15–19 and 20–24 year olds are the most likely to be victims of assault. Males are more likely to be the victims of assault in both age groups (60 per cent male and 40 per cent female).
In addition, Victoria Police data show trends, for 2001 to 2006, in the number of reported cases of assault where young people were the victims. The greatest increase has occurred in the 18 to 24-year age group. (This group has experienced a 20 per cent increase in reported cases of assault since 2001).

Admissions to hospital for assault related injuries

There were 1503 hospital admissions of young people (aged 12–25) for assault-related injuries in 2006, compared with 1538 in 2005 and 1270 in 2004. Males accounted for 86 per cent of cases and were nearly six times more likely to be hospitalised. Hospital admissions for assaults peaked at ages 19 and 20.

The most common form of assault was hitting/punching/kicking (62 per cent), stabbing/slashing with sharp objects (12 per cent, mostly knives but also swords and daggers) and hit/struck by blunt objects (10 per cent).

Figure 5.5 shows the yearly trend in assault-related hospital admission rates in Victoria for the 12-year period between 1995 and 2006. Rates are calculated excluding and including same-day admissions. The former method provides a more stable indicator as rates are less affected by hospital admissions policy and other factors operating in the health system such as shortage of GPs.

If same day admissions are excluded, the hospitalisation rate for assault-related injuries decreased between 1995 and 2006 but if these admissions are included then an increasing trend was evident. The male assault-related hospitalisation rate decreased over the study period, partly offset by an increasing trend in the female hospitalisation rate.

A young person is recorded as an admission (in hospital records) if the duration of their treatment lasts more than four hours. Where the young person is discharged from hospital in less than 24 hours, they are counted as a ‘same-day admission’.
Figure 5.5: Yearly trend in assault related hospital admission rates, persons aged 12–24 years, Victoria 1990–2005\(^{169} 170 171 172\)

Source: VAED 1995-2006

**Sexual assault**

It is well documented that sexual assaults are the crime least likely to be reported to police and therefore official crime statistics are likely to significantly underrepresent actual rates in the community (Neame & Heenan 2003).

However, Victoria Police data show that young people (aged under 24) comprise the majority of victims of reported cases of rape and other sexual offences in Victoria, accounting for 66 per cent of all rape victims and 90 per cent of victims of other sexual offences in Victoria (see figure 5.6).

Females are much more likely to be victims of rape and other sexual offences, accounting for 85 per cent of rapes and 75 per cent of other sexual offences.

Figure 5.6: Victims of rape and other sexual offences reported to police by age of victim

Source: Victoria Police 2006

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169 The assaultive injury and poisoning admission rate (excluding same-day admissions) decreased over the 12-year period from 583/100,000 in 1995 to 538/100,000 in 2006, representing an estimated annual decrease of 0.7 per cent (-2.2 per cent to 0.8 per cent) and an overall reduction of 8.2 per cent (-23.7 per cent to 10.1 per cent). This decrease was not statistically significant.

170 The assaultive injury and poisoning admission rate (including same-day admissions) increased significantly over the 12-year period from 1265/100,000 in 1995 to 1503/100,000 in 2006, representing an estimated annual increase of 2.1 per cent (0.5 per cent to 3.7 per cent) and an overall increase of 28.4 per cent (6.1 per cent to 54 per cent).

171 The male assaultive injury and poisoning admission rate (excluding same-day admissions) decreased over the 12-year period from 503/100,000 in 1995 to 463/100,000 in 2006, representing an estimated annual decrease of 1 per cent (-2.6 per cent to 0.6 per cent) and an overall reduction of 11.2 per cent (-26.9 per cent to 7.3 per cent). This decrease was not statistically significant.

172 Although the female assaultive injury and poisoning admission rate (excluding same-day admissions) decreased over the 12-year period from 80/100,000 in 1995 to 75/100,000 in 2006, based on the trend line this actually represents an overall increase of 10.5 per cent (-16 per cent to 44.3 per cent) and an estimated annual increase of 0.8 per cent (-1.4 per cent to 3.1 per cent). This change was not statistically significant.
Victoria Police analysis of sexual assault data over time has found that the crime of sexual penetration of a child (under 16) has had the greatest increase in youth victims between 2001 and 2006, with victims aged 10–14 representing the largest increase (up 82 per cent) over this time period (see figure 5.7).

Figure 5.7: Number of victims of reported cases of sexual penetration of a child under 16, by age, 2001-06

Source: Produced by Corporate Statistics, Victoria Police. Data extracted from LEAP on 18 July 2007

5.3 Injuries to young people

Young people are particularly liable to injury because of their increased involvement in risk-taking behaviour, their participation in sport, their inexperience as drivers and the prevalence of mental health difficulties (Pitman et al. 2003).

Injury has a major impact on the health and wellbeing of young Australians. While death rates from injury and poisoning have decreased (between 1985 and 2004) injuries and poisoning remains the leading cause of deaths among young Australians and injuries can have long-term effects on young people’s health and wellbeing.

Injuries and deaths to young people are commonly classified into those that are unintentional (arising from falls, poisoning and road accidents) and those that are intentional (arising from self-harm or interpersonal violence). Young males account for a much greater proportion of injuries and injury deaths than young females.

The latest available year of Victorian injury surveillance data (2005 for deaths and 2006 for hospital admissions) shows that each year 200 young Victorians aged 12–24 suffer fatal injuries and more than 18,000 are admitted to hospital for treatment of significant injuries. Most of their injuries are preventable.

Hospital admissions

There were 18,433 hospital admissions of young people (aged 12–24) for injury and poisoning in 2006, 80 per cent (14,826) of which were for unintentional (‘accidental’) injury, 16 per cent for intentional injury (8 per cent self-harm and 8 per cent assault/maltreatment/neglect) and in 3 per cent of cases the intent was undetermined (mostly drug overdose cases). Self-harm hospital admissions are detailed in the chapter on health, and admissions for assault related injuries were discussed in section 5.2.

Figure 5.8 shows the yearly trend in the all-injury hospital admissions rates in Victoria for the 12-year period between 1995 and 2006. When same day admissions are excluded, the rate of injury hospital admissions has decreased significantly over the 12-year period between 1995 and 2006, whereas when they are included the rate of injury hospital admissions increased significantly.

173 The all-intents injury and poisoning admission rate (excluding same-day admissions) decreased significantly over the 12-year period from 10,461/100,000 in 1995 to 9334/100,000 in 2006, representing an estimated annual decrease of 1.7 per cent (-2.3 per cent to -1.0 per cent) and an overall reduction of 18.1 per cent (-24.2 per cent to -11.8 per cent).

174 The all-intents injury and poisoning admission rate (including same-day admissions) increased significantly over the 12-year period from 16,631/100,000 in 1995 to 18,412/100,000 in 2006, representing an estimated annual increase of 0.7 per cent (0.1 per cent to 1.3 per cent) and an overall increase of 8.5 per cent (1.0 per cent to 16.5 per cent).

175 The male all-intents injury and poisoning admission rate (excluding same-day admissions) decreased significantly over the 12-year period from 7211/100,000 in 1995 to 6463/100,000 in 2006, representing an estimated annual decrease of 1.7 per cent (-2.3 per cent to -1.1 per cent) and an overall reduction of 18.2 per cent (-23.9 per cent to -12.3 per cent).

176 The female all-intents injury and poisoning admission rate (excluding same-day admissions) decreased significantly over the 12-year period from 3250/100,000 in 1995 to 2871/100,000 in 2006, representing an estimated annual change of -1.6 per cent (-2.8 per cent to -0.3 per cent) and an overall reduction of 18 per cent (-2.9 per cent to -5.7 per cent).
Unintentional injury and poisoning

Of the 14,826 hospital admissions for unintentional injury and poisoning in 2006, three-quarters were males (n=11,128). Injury counts were highest from ages 18 to 21 years.

As the major proportion of injury hospital admissions are for unintentional injuries, trendlines follow the pattern already discussed with injury hospitalisation rates decreasing significantly between 1995 and 2006 if same-day admissions are excluded and increasing significantly if they are included.\(^\text{177-179}\)

The major causes of unintentional injury in 2006 were falls (29 per cent), transport (25 per cent), hit/struck/crush injuries (17 per cent) and cutting and piercing (8 per cent). Seventy-seven per cent of admitted cases were discharged from hospital in less than two days, 20 per cent stayed in hospital from two to seven days and 3 per cent for eight days or more.

Deaths from injury and poisoning

In 2005 there were 200 deaths from injury and poisoning among 12–24 year olds in Victoria compared with 230 in 2004 and 209 in 2003. Nearly two-thirds of injury and poisoning deaths were unintentional (‘accidental’) (n=134) and one-third intentional (suicide and homicide) (n=62; 57 suicide and five homicide, as noted above).

The death rate among young people aged 12–24 has almost halved over the 16-year period between 1990 and 2005,\(^\text{181}\) mainly due to community interventions that have resulted in a marked decline in both transport related deaths\(^\text{182}\) and suicides\(^\text{183}\) (see figure 5.9).

\(^\text{177}\) The unintentional injury and poisoning admission rate (excluding same-day admissions) decreased significantly over the 12-year period from 7902/100,000 in 1995 to 7571/100,000 in 2006, representing an estimated annual decrease of 0.9 per cent (-1.5 per cent to -0.3 per cent) and an overall reduction of 10 per cent (-16.2 per cent to -3.6 per cent).

\(^\text{178}\) The unintentional injury and poisoning admission rate (including same-day admissions) increased significantly over the 12-year period from 12,636/100,000 in 1995 to 14,826/100,000 in 2006, representing an estimated annual increase of 1.3 per cent (0.7 per cent to 1.9 per cent) and an overall increase of 16.5 per cent (8.3 per cent to 24.9 per cent).

\(^\text{179}\) The male unintentional injury and poisoning admission rate (excluding same-day admissions) decreased significantly over the 12-year period from 5878/100,000 in 1995 to 5633/100,000 in 2006, representing an estimated annual decrease of 1 per cent (-1.6 per cent to -0.4 per cent) and an overall reduction of -11.2 per cent (-17.5 per cent to -4.6 per cent).

\(^\text{180}\) The female unintentional injury and poisoning admission rate (excluding same-day admissions) decreased significantly over the 12-year period from 2024/100,000 in 1995 to 1938/100,000 in 2006, representing an estimated annual decrease of 0.6 per cent (-1.3 per cent to 0.1 per cent) and an overall reduction of -7.3 per cent (-14.8 per cent to 0.7 per cent). This decrease was not statistically significant.

\(^\text{181}\) The all causes injury and poisoning death rate decreased significantly over the 16-year period from 42/100,000 in 1990 to 22.6/100,000 in 2005, representing an estimated annual decrease of 3 per cent (95 per cent confidence intervals -4.2 per cent to -1.9 per cent) and an overall reduction of 38.4 per cent (-49.4 per cent to -26.4 per cent) based on the trend line.

\(^\text{182}\) The male unintentional injury and poisoning death rate decreased significantly over the 16-year period from 22/100,000 in 1990 to 11.3/100,000 in 2005, representing an estimated annual decrease of 3.3 per cent (-4.8 per cent to -1.8 per cent) and an overall reduction of 41.8 per cent (-54.3 per cent to -25.7 per cent).

\(^\text{183}\) The suicide rate decreased significantly over the 16-year period from 12.1/100,000 in 1990 to 6.4/100,000 in 2005, representing an estimated annual decrease of 4 per cent (-5.7 per cent to -2.9 per cent) and an overall reduction of 49.8 per cent (-60.9 per cent to -37.8 per cent).
Just over three-quarters of all injury and poisoning deaths were male (77 per cent, n=154). Death rates generally increased as age increased and peaked for males at age 23 (74.6/100,000) and females at age 21 (20.7/100,000) (see figure 5.10).

Half the fatalities in 2005 were caused by transport crashes. Other major causes were suicide (28.5 per cent) and accidental poisoning (9 per cent) (see table 5.3).
Table 5.3: Major causes of injury and poisoning deaths, 12-24 year olds, Victoria 2005

<table>
<thead>
<tr>
<th>Cause of death</th>
<th>Percentage of all deaths</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unintentional</td>
<td>66.5</td>
</tr>
<tr>
<td>Transport</td>
<td>50.0</td>
</tr>
<tr>
<td>Poisoning</td>
<td>9.0</td>
</tr>
<tr>
<td>Falls</td>
<td>1.5</td>
</tr>
<tr>
<td>Fires/burns/scalds</td>
<td>1.5</td>
</tr>
<tr>
<td>Drowning</td>
<td>1.0</td>
</tr>
<tr>
<td>Choking/suffocation</td>
<td>1.0</td>
</tr>
<tr>
<td>Explosions/firearms</td>
<td>1.0</td>
</tr>
<tr>
<td>Hit/stuck/crush</td>
<td>0.5</td>
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<tr>
<td>Cutting/piercing</td>
<td>0.5</td>
</tr>
<tr>
<td>Other unintentional</td>
<td>0.5</td>
</tr>
<tr>
<td>Intentional</td>
<td>31.0</td>
</tr>
<tr>
<td>Suicide</td>
<td>28.5</td>
</tr>
<tr>
<td>Homicide</td>
<td>2.5</td>
</tr>
<tr>
<td>Other and undetermined intent</td>
<td>2.5</td>
</tr>
<tr>
<td>All deaths</td>
<td>100</td>
</tr>
</tbody>
</table>

Source: ABS Death Unit Record File (ABS-DURF) 2005

5.4 Protection from child abuse and family violence

It is well documented that there are difficulties in arriving at universally agreed, clear, practical definitions of child abuse. However, the following provides a useful definition:

Child abuse is an act by parents, caregivers, other adults or older adolescents that endangers a child or young person’s physical or emotional health or development and can be a single incident, but usually takes place over time.

(Richardson 2004)

It is now common practice to classify child abuse into four main types: physical abuse, sexual abuse, emotional abuse and neglect. It is important to note that children and young people are often subjected to negative experiences from more than one of these categories (Higgins & McCabe 2000). There are close links between child abuse and family violence.

Child abuse is associated with a wide range of immediate and long-term negative outcomes. Research has found that children who have experienced child abuse have been shown to have low self-esteem, increased fear, guilt and self-blame, depression, anxiety, and nightmares or flashbacks. In addition, child abuse has been associated with intellectual deficits and other academic problems such as delay in acquiring language and problems in mathematics and reading tests (Eckenrode, Laird & Doris 1993). Research has also found that the impact of child abuse may follow some children into adulthood.184

The majority of children who experience child abuse come from low-income families that are affected by one or more of the following: substance abuse, mental health difficulties, intellectual disability and domestic violence. Poor parenting and isolation are other known risk factors for child abuse (Eagar et al. 2005).

184 Adult survivors of child abuse have been found to engage in certain behavioural patterns, many of which are considered to be coping mechanisms that are used in an attempt to overcome the emotional distress associated with past trauma. These behavioural patterns include the development of eating disorders, alcohol and substance use/dependence (Chandy et al. 1996) and self-injurious behaviours (Oates 1996).
The Victorian child protection system

The Victorian Government has embarked on a comprehensive program of reform to child, youth and family services, including the development and implementation of new legislation.

The Child Wellbeing and Safety Act guides the operation of new administrative structures including the establishment of a Child Safety Commissioner, the Victorian Children’s Council and a Children’s Services Coordination Board to oversee administration of children services across government.


The new legislation more explicitly places children and young people’s best interests at the heart of all decision making and service delivery from earlier intervention through to the Children’s Court. The legislation aims to improve children’s stability, strengthening service responses to cumulative harm and better maintaining Indigenous children and young people’s connection to their community and culture. An implementation team has been established to work with the community service sector and the child protection workforce to implement new policy and legislative directions.

Family Services

Family Services aim to promote the safety, stability and wellbeing of vulnerable children, young people and their families, and to support the building of child, family and community capacity and resilience. Family Services (together with Family Support Innovation Projects) provide a range of activities to support vulnerable children, young people and their families, which may include intake, active engagement, assessment, casework (community-based case management), counselling, in-home support and group work, as well as providing other support and information activities where appropriate.

Family Support Innovations Projects commenced in 2003 and will be expanded across Victoria by 2008–09. The projects aim to get earlier help to vulnerable children, young people and families so as to avoid the need for later child protection involvement.

In the 2005–06 financial year, there was a population of 22,878 families accessing family services. Of these, 2471 were families where the presenting person was aged 12–24 and 4436 were families with young people aged 12–24.

185 Parenting, relationship and behaviour issues were the most frequent issues identified by the families who accessed Family Services, followed by issues relating to mental health, (and equally) family violence and financial/household concerns.

Notifications and substantiations

In Victoria key professionals (including doctors, nurses, teachers and police) who have contact with children and young people are mandated to report suspected cases of child sexual and physical abuse to the child protection system. In addition, other members of the public who have concerns that a child or young person is being neglected or physically, emotionally or sexually abused are also able to report their concerns to Victorian child protection services.

Reports made to child protection services in Victoria are called ‘notifications’. All notifications are assessed and either referred to appropriate support services or, if appropriate, sent for child protection investigation or closed. A child protection notification is ‘substantiated’ where it is concluded that the child or young person has been, is being or is likely to be, abused, neglected or otherwise harmed (AIHW 2006).

Young people (aged 10–16) are less likely overall to be the subject of a substantiation than children aged under 10.

185 There was an overlap of 87 families that fell into both groups, that is, families where the presenting person was aged 12–24 years but that also contained young people aged 12–24 years.

186 Issues relating to behaviour were frequently identified in families with young people aged 12–24, although not so frequently in families where the presenting person was aged 12–24.
Figure 5.11 shows the rates of children and young people aged 10–16 in substantiated cases of child abuse in each state and territory by two age groups (10–14 and 15–16). For both age groups, only three states have lower rates of substantiation than Victoria.187

Figure 5.11: Rate of children and young people aged 10–16 in substantiations by state and territory and age, 2005–06

The trend in notifications and substantiations has also been relatively stable in Victoria, from 2001 to 2006 (see table 5.4). It is likely that Family Support Innovations Projects have contributed to the recent stabilisation of growth in demand for Victorian frontline child protection services.

Table 5.4: Notifications and substantiations in Victoria 2001–06

<table>
<thead>
<tr>
<th>Year</th>
<th>Number of notifications 10–17 year olds</th>
<th>Percentage of notifications substantiated</th>
</tr>
</thead>
<tbody>
<tr>
<td>2001–02</td>
<td>10,190</td>
<td>28</td>
</tr>
<tr>
<td>2002–03</td>
<td>10,369</td>
<td>24</td>
</tr>
<tr>
<td>2003–04</td>
<td>10,352</td>
<td>26</td>
</tr>
<tr>
<td>2004–05</td>
<td>10,854</td>
<td>23</td>
</tr>
<tr>
<td>2005–06</td>
<td>11,519</td>
<td>24</td>
</tr>
</tbody>
</table>

Source: Department of Human Services, Client Relationship Information System (CRIS)

Indigenous children

Substantiation rates are consistently higher among Indigenous children and young people than for all children and young people (see figure 5.12 and table 5.5).188

187 For 10–14 year olds, the rate is lower in Western Australia (2.0), South Australia (3.2) and Tasmania (5.0). For 15–16 year olds the rate is lower in Western Australia (0.7), South Australia (1.3) and the Northern Territory (1.8).

188 It is important to note that the number of Indigenous children and young people who are affected is small (in comparison with the number of all children). (This observation also relates to comparative data reported here on children on orders, children placed in out-of-home care and re-notifications.)
Figure 5.12: Rate of child protection substantiations among children and young people aged 10–17, Indigenous and all children and young people

<table>
<thead>
<tr>
<th>Year</th>
<th>All children aged 10-17</th>
<th>Rate per 1000</th>
<th>Indigenous children aged 10-17</th>
<th>Rate per 1000</th>
</tr>
</thead>
<tbody>
<tr>
<td>2001–02</td>
<td>2839</td>
<td>4.4</td>
<td>202</td>
<td>32.6</td>
</tr>
<tr>
<td>2002–03</td>
<td>2438</td>
<td>3.7</td>
<td>220</td>
<td>33.0</td>
</tr>
<tr>
<td>2003–04</td>
<td>2729</td>
<td>4.1</td>
<td>211</td>
<td>29.8</td>
</tr>
<tr>
<td>2004–05</td>
<td>2530</td>
<td>3.8</td>
<td>225</td>
<td>29.9</td>
</tr>
<tr>
<td>2005–06</td>
<td>2624</td>
<td>3.9</td>
<td>252</td>
<td>31.7</td>
</tr>
</tbody>
</table>

Source: Department of Human Services calculation based on data from CRIS and the ABS

Table 5.5: Rate of child protection substantiations among children and young people aged 10–17, Indigenous and all children and young people

Re-notifications

A re-notification is defined as having occurred when a child or young person is notified to child protection and there have been one or more previous notifications for that same individual during the 12 months preceding the notification date.

In 2005–06 there were 11,519 notifications to child protection for children and young people aged 10–17. These included 607 notifications involving Indigenous children and young people. The re-notification rate for all young people (in this age group) was 33.9 per cent, compared with 46.3 per cent for Indigenous young people.

Trend analysis shows that there has been little variation in the Victorian re-notification rates over the past three years. However, the re-notification rate for Indigenous children and young people is consistently higher than that for all young people in this age group.

Substantiations following decision not to substantiate

This indicator measures the percentage of young people for whom an investigation led to a decision not to substantiate, but who were subsequently the subject of a substantiation within three months of case closure.

In 2005–06 there was a total of 60 substantiations for children and young people aged 10–17 that occurred within three months of previous case closure for that young person with a decision not to substantiate. This included seven substantiations for Indigenous children and young people. The percentage of substantiations within three months of a decision not to substantiate for all young people in the 10–17 age group was 2.3 per cent in 2005–06, compared with 3.2 per cent for Indigenous young people in this age group.

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189 These data include children who do not permanently reside in Victoria but who were the subject of a notification to the Victorian Child Protection Services.

190 It should be noted that there are a high number of notifications each year in which Aboriginal status is not reported.
Trend analysis shows a considerable decrease, from 2002–03 to 2003–04, in the percentage of substantiations within three months of a decision not to substantiate for Indigenous young people aged 10–17 years, with a slight increase in 2003–04 to 2004–05.\(^{10}\)

**Care and protection orders**

Children and young people may be placed on a care and protection order for a variety of reasons, including the child being the subject of a child protection substantiation and there having been a serious and irretrievable breakdown in the relationship between the child and his or her parents.

As of 31 March 2006 there were 3044 children and young people aged 10–17 on care and protection orders in Victoria. Of these, 11 per cent were Indigenous young people.

Figure 5.13 and table 5.6 shows the rates of children and young people aged 10–17 admitted to care and protection orders annually from 2002 to 2006 for all children and for Indigenous children.

The figure shows that the rates of admission to care and protection orders are consistently higher for Indigenous children and young people and, unlike the general population, these have shown an increase in the past year.

**Figure 5.13: Rate of children and young people aged 10–17 admitted to care and protection orders in Victoria, Indigenous and all children and young people**

![Graph showing rate of children and young people aged 10–17 admitted to care and protection orders in Victoria, Indigenous and all children and young people.](image)

Source: Department of Human Services calculation based on data from CRIS and the ABS

**Table 5.6: Rate of children and young people aged 10–17 admitted to care and protection orders in Victoria, Indigenous and all children and young people**

<table>
<thead>
<tr>
<th>Year</th>
<th>All children/young people</th>
<th>Indigenous children/young people</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
<td>Rate per 1000</td>
</tr>
<tr>
<td>2002–03</td>
<td>781</td>
<td>1.2</td>
</tr>
<tr>
<td>2003–04</td>
<td>864</td>
<td>1.3</td>
</tr>
<tr>
<td>2004–05</td>
<td>959</td>
<td>1.4</td>
</tr>
<tr>
<td>2005–06</td>
<td>982</td>
<td>1.5</td>
</tr>
</tbody>
</table>

Source: Department of Human Services calculation based on data from CRIS and the ABS

**Children and young people in out-of-home care**

Children and young people may need to be accommodated in out-of-home care when they are not able to live with their parents. Most, but not all of these children will be on care and protection orders and be placed in foster care, with relatives and kin, or in residential care. The majority will eventually return to live with their own family.

Across Australia, Indigenous children and young people are much more likely to be in out-of-home care than other children and young people; their national rate is more than seven times the rate for other children (AIHW 2007b). In

\(^{10}\) The small number of Aboriginal young people people should be noted as small fluctuations can result in large percentage changes. It should be noted that there are some young people who have had substantiated child abuse/harm/neglect for whom Aboriginal status is unknown.
Victoria, Indigenous children and young people are significantly overrepresented in out-of-home care.

As table 5.7 shows, at 30 June 2006 there were 2502 children and young people aged 10-17 in out-of-home care in Victoria (1552 aged 10-14 and 950 aged 15-17). Of those 2502 young people in out-of-home care, 263 were identified as Indigenous (representing a rate of 33.1 per 1000 for Indigenous young people and 3.7 per 1000 for all young people).

### Table 5.7: Children in out-of-home care, by age, states and territories, as at 30 June 2006

<table>
<thead>
<tr>
<th>Age</th>
<th>NSW</th>
<th>Vic.</th>
<th>QLD</th>
<th>WA</th>
<th>SA</th>
<th>Tas.</th>
<th>ACT</th>
<th>NT</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>&lt;1</td>
<td>256</td>
<td>149</td>
<td>224</td>
<td>67</td>
<td>45</td>
<td>25</td>
<td>8</td>
<td>38</td>
<td>812</td>
</tr>
<tr>
<td>1–4</td>
<td>1882</td>
<td>949</td>
<td>1507</td>
<td>488</td>
<td>317</td>
<td>132</td>
<td>76</td>
<td>114</td>
<td>5465</td>
</tr>
<tr>
<td>5–9</td>
<td>3238</td>
<td>1194</td>
<td>1685</td>
<td>598</td>
<td>430</td>
<td>221</td>
<td>99</td>
<td>87</td>
<td>7552</td>
</tr>
<tr>
<td>10–14</td>
<td>3389</td>
<td>1552</td>
<td>1731</td>
<td>562</td>
<td>497</td>
<td>199</td>
<td>139</td>
<td>83</td>
<td>8152</td>
</tr>
<tr>
<td>15–17</td>
<td>1128</td>
<td>950</td>
<td>729</td>
<td>253</td>
<td>208</td>
<td>106</td>
<td>66</td>
<td>30</td>
<td>3470</td>
</tr>
<tr>
<td>Unknown</td>
<td>3</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>3</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>9896</strong></td>
<td><strong>4794</strong></td>
<td><strong>5876</strong></td>
<td><strong>1968</strong></td>
<td><strong>1497</strong></td>
<td><strong>683</strong></td>
<td><strong>388</strong></td>
<td><strong>352</strong></td>
<td><strong>25,454</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Age</th>
<th>&lt;1</th>
<th>1–4</th>
<th>5–9</th>
<th>10–14</th>
<th>15–17</th>
<th>Unknown</th>
<th><strong>Total</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Number</strong></td>
<td>2.6</td>
<td>19.0</td>
<td>32.7</td>
<td>34.3</td>
<td>11.4</td>
<td>3</td>
<td><strong>3.2</strong></td>
</tr>
<tr>
<td><strong>Percent</strong></td>
<td><strong>10.8</strong></td>
<td><strong>32.4</strong></td>
<td><strong>52.0</strong></td>
<td><strong>29.7</strong></td>
<td><strong>8.5</strong></td>
<td><strong>13.6</strong></td>
<td><strong>100.0</strong></td>
</tr>
</tbody>
</table>

Source: AIHW 2007b

### Placement in out-of-home-care

The vast majority of children and young people in out-of-home care in Victoria were in home-based foster care or in home-based care with relatives (as at 30 June 2006) (see table 5.8). Older young people (aged 14-17) were more likely to be in residential care than the younger age group (10-13).

### Table 5.8: Placement type of children and young people (aged 10-17) in out-of-home care in Victoria, by age group, at 30 June 2006

<table>
<thead>
<tr>
<th>Placement type</th>
<th>10 to 13 years</th>
<th>14 to 17 years</th>
<th>Total number (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential care</td>
<td>76</td>
<td>229</td>
<td>305 (12.2)</td>
</tr>
<tr>
<td>Home-based care: relatives</td>
<td>372</td>
<td>311</td>
<td>683 (27.3)</td>
</tr>
<tr>
<td>Home-based care: foster care</td>
<td>677</td>
<td>624</td>
<td>1301 (52.0)</td>
</tr>
<tr>
<td>Home-based care: other</td>
<td>70</td>
<td>113</td>
<td>183 (7.3)</td>
</tr>
<tr>
<td>Independent living</td>
<td>0</td>
<td>30</td>
<td>30 (1.2)</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>1195</strong></td>
<td><strong>1307</strong></td>
<td><strong>2502 (100)</strong></td>
</tr>
</tbody>
</table>

Source: Department of Human Services Funded Agency Client Transaction System database (FACTS)
Placement in accordance with the Aboriginal Child Placement Principle (ACPP)

The ACPP is a nationally agreed standard used in determining the placement of Aboriginal children in out-of-home care. The principle aims to enhance and preserve Aboriginal children's sense of identity by ensuring that they maintain strong connections with their family, community and culture. The principle has been endorsed by the Secretariat of National Aboriginal and Islander Child Care Agencies (SNAICC) and is now included in the Children Youth and Families Act (CYFA). This means that practitioners in Child Protection, community service organisations and the Children's Court must take account of the ACPP (s.13 CYFA) when placing an Aboriginal child in out-of-home care. The principle defines the process for ensuring that Aboriginal representatives are consulted in decision making regarding out-of-home placements for Aboriginal children.

Figure 5.14 shows that nearly half (47.9 per cent) of Aboriginal children and young people aged 10–17 were placed in accordance with the ACCP, at 30 June 2006.

The proportion of Aboriginal children and young people who are placed in accordance with the ACCP has risen noticeably since 2005 and shows an increasing trend over the four-year period between 2003 and 2006 (see figure 5.14).

Figure 5.14: Percentage of Aboriginal children and young people aged 10–17 who are in care and placed in accordance with the Aboriginal Child Placement Principle

The ACCP compliance measurements record the placement outcome and not the steps that have been taken to explore the placement options in order of priority (Department of Human Services 2006).

Placement stability

Research points to some clear differences in the experiences of those young people leaving care who achieve positive outcomes and those whose outcomes are negative. Many of the factors that are associated with positive outcomes concern the stability of children and young people's care and education arrangements (Centre for Excellence in Child and Family Welfare 2005).

102 The ACCP compliance measurements record the placement outcome and not the steps that have been taken to explore the placement options in order of priority (Department of Human Services 2006).
Placement instability is an area of concern for out-of-home care service systems worldwide. This instability reflects a number of factors, including the complex needs of children in care and the difficulties carers and services face in meeting these needs. The out-of-home care service system in Victoria is investing in various programs to assist in improving stability for young people – therapeutic foster care and Take Two are both programs which target this issue. Recent additional investment on home based care services was also targeted at ensuring carers receive adequate levels of support – thus strengthening their ability to maintain placements when significant challenges arise. A major thrust of our legislative reforms has also been to improve children’s stability, with the stability planning provisions of the new legislation and associated practice advice and training emphasising the need for all staff involved in these services to focus efforts on achieving stability in timely ways.

Figure 5.15 shows the percentages of Indigenous and non-Indigenous young people exiting care who have had three or more placements between 2002–03 and 2005–06. Overall, Indigenous young people are less likely than non-Indigenous young people to have had three or more placements. That is, Indigenous young people are more likely to have more stable placements. The proportion of young people (from both groups) who had three or more placements increased in 2004–05, but has fallen in 2005–06.

Figure 5.15: Proportion of Indigenous and non-Indigenous young people (aged 12–18) exiting care who have had three or more placements, Victoria, 2002–03 to 2005–06

Source: Department of Human Services FACTS

Young people in residential care in Victoria
A 2006 Department of Human Services survey of 342 children and young people (on an order) in residential care provides information about the type of substantiated abuse necessitating current orders.

Consistent with children under 12 years, the types of abuse substantiated for young people (over 12) are predominantly and (approximately) equally spread between physical abuse, emotional abuse and neglect. A small proportion of children and young people have been the subject of substantiations involving sexual abuse (2 per cent of children under 12 years and 7 per cent of young people 12 years and over).

The same survey shows that of all the children and young people placed in residential care, 49 per cent (164 young people) first entered care when they were between 10 and 17 years old.

66 per cent of the children and young people surveyed in residential care had been in care in this episode for one year or more.

• 42 per cent had been in care for two years or longer.
• 29 per cent had been in care for three years or longer.
• 19 per cent had been in care for five years or longer (see figure 5.16).

The children and young people in care had experienced an average of 5.5 different placements since their first entry to care (see figure 5.17). An ‘episode of care’ can involve multiple and different placement types.

Placements in care are defined by a ‘change of address.’
Children and young people with a disability were overrepresented among the out-of-home care group. Around 14 per cent of the children and young people were identified by regional and placement support as having a disability; and of these around 11 per cent (37) were registered as eligible for disability services.

Children and young people with a disability were more likely than those without a disability to have entered care because of physical abuse or neglect, rather than emotional abuse.

More than a quarter (10) of the children and young people with a disability had been in care for more than five years.

Abuse and young people with a disability

Children with a disability are known to be at a higher risk of abuse. However, no population-based Australian studies have ever been conducted on these children. Two American national surveys underline the importance of this gap in Australian data. Crosse, Kaye and Ratnofsky (1995) found that children with a disability were 1.7 times more likely to be maltreated and Sullivan and Knutson (2000a, 2000b) reported that these children were 3.4 times more likely to be maltreated than other children.

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185 This part of the analysis is based on the 37 children and young people who were registered as eligible for disability services.

186 This proportion (around 27 per cent) compares with a proportion of 19 per cent for the total out-of-home care population in the analysis. However, comparisons should be made with caution here as the total number of young people with a disability is small.
Family violence

Family violence occurs when a family member, partner or ex-partner attempts to physically or psychologically dominate, harm or threaten the other. This encompasses not only physical injury but (direct or indirect) threats, sexual assault, emotional and psychological torment, economic control, property damage, social isolation and behaviour that causes a person to live in fear (Victorian Women’s Safety Strategy 2002).

While child abuse and family violence are often considered separately, it is important to recognise that they often co-exist, with violence frequently being directed towards both women and children. It is also a form of psychological child abuse, if a child hears or witnesses violence directed towards their mother or a sibling, even if that child is not a primary victim (Victorian Women’s Safety Strategy 2002).

As many incidents of family violence are not reported, police records tend to underestimate the actual scale of family violence. The 2005 ABS Personal Safety Survey (ABS 2006b) found that only 36 per cent of women who had been a victim of physical assault by a male perpetrator in the past year had reported the incident to police. Those who had experienced a sexual assault were even less likely to report it (19 per cent).

In Victoria in 2005–06 there were 28,301 family violence incidents reported to police across the state. Of these reports, 21.8 per cent of victims were male and 77.4 per cent were female. Conversely, 80.4 per cent of offenders were male and 18.3 per cent were female.¹⁹⁷

Nearly a quarter (23 per cent) of victims of reported incidents of family violence were aged 10–24 (see figure 5.18). Young people aged 10–24 represented 24 per cent of offenders.¹⁹⁸

Figure 5.18: Victims of incidents of family violence reported to police in 2005–06 in Victoria by age of victim

Source: Victoria Police 2006

Figure 5.19 illustrates the relationship between the victim and other party involved in all reported incidents of family violence. The figure shows that most family violence incidents occurred between de facto couples, followed by disputes between parents and children and then married couples.

¹⁹⁷ The gender of the remaining victims and offenders was unknown.
¹⁹⁸ Of those processed by police for offences arising from family incidents, 11.2 per cent were female and 87.8 per cent were male. With regards to offenders, 1 per cent were aged 10–14, 8 per cent were aged 15–19 and 13 per cent were aged 20–24.
5.5 Young offenders and the criminal justice process

During the course of their childhood and adolescence some young people become involved in criminal activities: the majority are involved in one-off, relatively minor events. However, a very small proportion of young people engage in more serious and persistent crime.

Young people under the age of 25 years are, nevertheless, overrepresented as perpetrators (as well as victims) of crime. Victims of crime may also be offenders, with the experience of multiple disadvantage being common in both groups (Pitman et al. 2003).

Risk factors for involvement in crime include parenting experiences (such as a lack of parental supervision and involvement), truancy, the influence of peers and unemployment and substance abuse (AIHW 2005). Young people who repeatedly offend are often socioeconomically disadvantaged and may have experienced physical abuse and childhood neglect, with neglect being one of the strongest predictors of youth offending (AIHW 2007a).

Victorian Police crime statistics (Victoria Police 2006) show that although young people aged 10–24 make up 21 per cent of the population, in 2005–06 they represented more than 46 per cent of offenders processed. However, it is important to note that although youth are overrepresented as offenders, most young people never offend or come into contact with the criminal justice system and a small number of individuals commit the majority of offences recorded by police. In 2005–06 only 3 per cent of the total youth population were processed as distinct offenders. Within the group of offenders processed in 2005–06 young males were significantly overrepresented with young females much less likely to offend.

With regards to the type of offences committed by young offenders, Victoria Police statistics show that 72,176 young offenders were processed by police in 2005–06 with the majority processed for property offences (56 per cent), followed by other crime (18 per cent), crimes against the person (17 per cent) and drug offences (7 per cent).

Figure 5.20 shows the rate of alleged offending 2005–06 per 100,000 population by age group.

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199 Child neglect is more common in families living in poor socioeconomic areas and these areas also experience higher levels of youth crime. Research suggests that it is not poverty itself that leads to criminal activity, but that social and economic stresses impact on the quality of parenting and in turn increases the vulnerability of young people to peer group influence. (Weatherburn & Lind 1998, cited in Pitman et al. 2003).
Figure 5.20: Rate of alleged offending 2005-06 per 100,000 population by age group (based on ABS preliminary estimate populations 2005)

Source: Victoria Police 2006

Figure 5.21 presents the method of processing young alleged offenders. The figure shows that 40 per cent of alleged offenders aged 10–14 were issued with a caution compared with 20 per cent of 15–17 year olds and 4 per cent of 18–24 year olds. The figure also shows that 18 per cent of 10–14 year olds, 28 per cent of 15–17 year olds and 46 per cent of 18–24 year olds were arrested by police.

Figure 5.21: Alleged young offenders by method of processing and by age

Source: Produced by Corporate Statistics, Victoria Police. Data extracted from LEAP on 18 July 2007

Young people who are found guilty of criminal offences by the children’s or adult court systems are processed either through the youth justice system (if they are aged 10–21 years) or through the adult correctional system (from age 18 onwards).

About the youth justice system in Victoria

The Victorian Youth Justice program is based in the Department of Human Services. The program provides a statewide service through three metropolitan and five rural community-based regional youth justice units and three custodial centres.

In Victoria, young offenders aged 10–18 are tried and sentenced by the Children’s Court under the Children, Youth and Families Act 2005. The Act sets out the sentencing hierarchy and judicial processes that result in entry to the youth justice program. The Act outlines matters that must be taken into account by a magistrate when passing sentence on a young offender and specifies that the developmental needs of young people must be considered in the court process.

The youth justice system in Victoria has a strong emphasis on the diversion of young people away from the formal criminal justice system. This emphasis is reflected in the legislation and in the approach taken to working with young people from the initial point of contact with the police through to completion of any order imposed by the court.

The age of criminal responsibility in all Australian states and territories is 10 years, meaning that 10 is the youngest age at which a child may enter the criminal justice system for having committed an offence (AIHW 2006).
In addition, in the adult court young people aged 18–20 may be sentenced to a youth justice custodial centre (YJC) through Victoria's unique ‘dual track’ system. Almost half of all young people in custody during 2006–07 financial year were aged 18 years or over and sentenced to a YJC order through the adult court.

The Youth Justice program has undergone significant changes over the past four years. The main legislative change has been the raising of the age jurisdiction in the Children's Court from 17 to 18 years from July 2005. Other legislative or programmatic changes have been the program name change from Juvenile Justice to Youth Justice, the enactment of enabling legislation for the Youth Justice Group Conferencing program, the development of the Children’s Koori Court and the implementation of the Victorian Offender Needs Indicator for Youth (VONIY), a tool to assess risk of reoffending of young people within the system.

Key policy directions for the Youth Justice program were outlined in the Government's reform agenda ‘A balanced approach to Juvenile Justice in Victoria’ (2000). The three-pronged approach outlined in this document focuses on:

- diverting young people from entering the youth justice system, or progressing further into a life of crime
- providing better rehabilitation of high-risk young offenders
- expanding pre-release, transition and post-release support programs for custodial clients to reduce the risk of reoffending.

Key programs and practices that meet the policy directions in the Victorian youth justice system are summarised in the text box below.

1. Diverting young people from entering the youth justice system, or progressing further into a life of crime is supported by:

   - the Children, Youth and Families Act and the increased age jurisdiction of the Children's Court to include 17 year olds
   - providing court advice to the children's and adult court systems and advocacy programs such as the Central After Hours Assessment and Bail Placement Service (CAHABPS)
   - the intensive bail support program for Koori young people
   - introducing diversionary programs such as group conferencing.

2. Providing better rehabilitation of high-risk young offenders

   The Victorian youth justice system carried out a review of the rehabilitation programs provided to clients in 2003. From this review, improved assessment and intervention practices to reduce offending have been introduced including:

   - a comprehensive client assessment and planning process (CAP), which includes the VONIY
   - introducing a targeted model of intervention matching the level of intervention to the level of risk displayed by the offender
   - providing offender focussed and offence specific programs such as CHART (Changing Habits And Reaching Targets)
   - reducing violence/anger management programs such as BravE (Being Real About Violence), and RavE (Relationships and Violence).

3. Expanding pre-release, transition and post-release support programs for custodial clients to reduce the risk of reoffending through:

   - providing transitional support services to reintegrate young people into the community such as the Transitional Housing Management Youth Justice Housing Pathways Initiative that assists young people at risk of homelessness on release from custody
   - introducing community-based custodial programs that allow clients to test their ability to live in the community in a supervised setting
   - Koori intensive parole support program.
Another policy goal of the youth justice system is to introduce programs and policies that address the overrepresentation of Indigenous young people within the system. This is being done through the continued development of approaches that address systemic institutions that further draw young Indigenous people into the justice system.

An example of the initiatives under way is the development of the Children's Koori Court, which was created with the objective of ensuring greater participation of the Koori community in the diversion of young Koori people from the youth justice and criminal justice system. Other initiatives include the further development of the Koori Youth Justice Program that provides assistance to young Aboriginal offenders by providing dedicated Koori youth justice workers to develop Aboriginal cultural support plans for Indigenous clients as well as providing assistance to other youth justice workers and practical support to both clients and their families.

**Young people under Youth Justice supervision: Victoria and Australia 2005-06**

As table 5.11 shows, Victoria has the lowest rate of young people under youth justice supervision across Australia with a rate of 2.6 per 1000. This compares favourably with states such as New South Wales where there is a rate of 4.3 per 1000 and the ACT with 6.2 per 1000 (see table 5.9).

Table 5.9: Rates of young people aged 10-17 under youth justice supervision, per 1000, by sex, states and territories, 2005-06

<table>
<thead>
<tr>
<th>Sex</th>
<th>NSW</th>
<th>Vic.</th>
<th>QLD</th>
<th>WA</th>
<th>SA</th>
<th>Tas.</th>
<th>ACT</th>
<th>NT</th>
<th>Australia</th>
</tr>
</thead>
<tbody>
<tr>
<td>Male</td>
<td>2644</td>
<td>1139</td>
<td>1983</td>
<td>1999</td>
<td>776</td>
<td>298</td>
<td>161</td>
<td>265</td>
<td>9265</td>
</tr>
<tr>
<td>Female</td>
<td>489</td>
<td>232</td>
<td>467</td>
<td>475</td>
<td>174</td>
<td>83</td>
<td>55</td>
<td>22</td>
<td>1997</td>
</tr>
<tr>
<td>Unknown</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>3</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>3133</td>
<td>1371</td>
<td>2450</td>
<td>2477</td>
<td>950</td>
<td>381</td>
<td>216</td>
<td>287</td>
<td>11,265</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Sex</th>
<th>Male</th>
<th>Female</th>
<th>Unknown</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of young people</td>
<td>7.0</td>
<td>1.4</td>
<td>1.4</td>
<td>4.3</td>
</tr>
<tr>
<td>Rate per 1000 young people</td>
<td>7.0</td>
<td>4.1</td>
<td>2.1</td>
<td>4.3</td>
</tr>
</tbody>
</table>

Notes:
1. Australian rates do not include unknowns.
2. Age is calculated as at first date of supervision during 2005-06.

Source: AIHW 2007c

**Young Indigenous people**

Young Indigenous people are overrepresented in the youth justice system across Australia. This remains a serious concern although this overrepresentation is less marked in Victoria than in all other states and territories with the exception of the Northern Territory and Tasmania (see table 5.10).
Table 5.10: Rates of young people aged 10–17 under youth justice supervision, per 1000, by Indigenous status, states and territories, 2005–06

<table>
<thead>
<tr>
<th>Indigenous status</th>
<th>NSW</th>
<th>Vic.</th>
<th>QLD</th>
<th>WA</th>
<th>SA</th>
<th>Tas.</th>
<th>ACT</th>
<th>NT</th>
<th>Australia</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Number of young people)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Indigenous</td>
<td>1091</td>
<td>159</td>
<td>1171</td>
<td>1539</td>
<td>287</td>
<td>68</td>
<td>41</td>
<td>236</td>
<td>4592</td>
</tr>
<tr>
<td>Non-indigenous</td>
<td>1789</td>
<td>1070</td>
<td>1279</td>
<td>899</td>
<td>612</td>
<td>251</td>
<td>175</td>
<td>51</td>
<td>6126</td>
</tr>
<tr>
<td>Unknown/not recorded</td>
<td>253</td>
<td>142</td>
<td>-</td>
<td>39</td>
<td>51</td>
<td>62</td>
<td>-</td>
<td>-</td>
<td>547</td>
</tr>
<tr>
<td>Total</td>
<td>3133</td>
<td>1371</td>
<td>2450</td>
<td>2477</td>
<td>950</td>
<td>381</td>
<td>216</td>
<td>287</td>
<td>11,265</td>
</tr>
<tr>
<td>(Rate per 1000)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Indigenous</td>
<td>34.7</td>
<td>23.8</td>
<td>39.8</td>
<td>106.6</td>
<td>51.4</td>
<td>17.7</td>
<td>44.2</td>
<td>21.2</td>
<td>44.4</td>
</tr>
<tr>
<td>Non-indigenous</td>
<td>2.6</td>
<td>2.0</td>
<td>3.0</td>
<td>4.2</td>
<td>3.9</td>
<td>4.9</td>
<td>5.1</td>
<td>3.5</td>
<td>2.9</td>
</tr>
<tr>
<td>Unknown/not recorded</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Total</td>
<td>4.3</td>
<td>2.6</td>
<td>5.3</td>
<td>10.8</td>
<td>5.8</td>
<td>6.9</td>
<td>6.2</td>
<td>11.2</td>
<td>5.0</td>
</tr>
</tbody>
</table>

Notes:
1. The Department of Health and Human Services, Tasmania has reported that the Indigenous data for Tasmania may not be reliable due to limitations in the reporting capabilities of the information system.
2. Calculation of rates excludes unknown/not recorded.
3. Age is calculated as at first date of supervision during 2005–06.

Source: AIHW 2007c

Youth justice supervisory orders

The two main types of supervision for young people within the youth justice system are community-based and custodial orders.

- Community-based orders are those where the conditions of the order mean that the young person continues to reside in the community during the order (e.g. probation). The level/intensity of supervision by youth justice staff depends on the level of order imposed by the court.
- Custodial orders are those orders where a young person is sentenced to a period of detention in a youth justice or youth residential centre.

Youth justice community-based orders

Table 5.11 shows the total number of young people on community-based orders including those identifying as Aboriginal or Torres Strait Islander (ATSI), as at 30 June 2003 to 2006.\(^{221}\) The number of young people on these orders decreased from 837 in 2003 to 696 in 2005 and increased to 916 in 2006.

This increase is likely to be linked to the increase in age jurisdiction of the Children’s Court, resulting in the inclusion of orders received by 17 year olds from July 2005.

Table 5.11 also shows that Indigenous young people account, on average, for around 10 per cent of young people on community-based orders.

Table 5.11: Total number of young people on community-based orders, as at 30 June, 2003–06

<table>
<thead>
<tr>
<th>30 June</th>
<th>Total number</th>
<th>ATSI acknowledged</th>
<th>ATSI as percentage of total</th>
</tr>
</thead>
<tbody>
<tr>
<td>2003</td>
<td>837</td>
<td>80</td>
<td>9.6</td>
</tr>
<tr>
<td>2004</td>
<td>763</td>
<td>81</td>
<td>10.6</td>
</tr>
<tr>
<td>2005</td>
<td>696</td>
<td>67</td>
<td>9.6</td>
</tr>
<tr>
<td>2006</td>
<td>916</td>
<td>102</td>
<td>11.1</td>
</tr>
</tbody>
</table>

Source: Department of Human Services Youth Justice

\(^{221}\) This statistic can be quite volatile as it is based upon the number of young people on community-based orders at one point in time.
Victoria’s rate of young people under community supervision is consistently lower than in the other states and territories across the four-year period 2002–03 to 2005–06 (see table 5.12). The rate of community supervision in Victoria is 2.5 per 1000 of the youth population compared with a national rate of 4.2 per 1000 (excluding ACT).

Table 5.12: National rates of young people under juvenile justice community supervision, aged 10–17 years, per 1000 young people, 2002–03 to 2005–06

<table>
<thead>
<tr>
<th>Year</th>
<th>NSW</th>
<th>Vic.</th>
<th>Qld</th>
<th>WA</th>
<th>SA</th>
<th>Tas.</th>
<th>ACT</th>
<th>NT</th>
<th>Australia (excl. ACT)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2002–03</td>
<td>3.5</td>
<td>2.8</td>
<td>5.5</td>
<td>6.5</td>
<td>6.6</td>
<td>5.7</td>
<td>0.0</td>
<td>7.4</td>
<td>4.3 (4.4)</td>
</tr>
<tr>
<td>2003–04</td>
<td>3.3</td>
<td>2.7</td>
<td>5.2</td>
<td>6.5</td>
<td>5.8</td>
<td>6.0</td>
<td>7.6</td>
<td>9.7</td>
<td>4.3 (4.2)</td>
</tr>
<tr>
<td>2004–05</td>
<td>3.2</td>
<td>2.4</td>
<td>5.1</td>
<td>6.9</td>
<td>5.4</td>
<td>5.9</td>
<td>6.8</td>
<td>10.4</td>
<td>4.2 (4.1)</td>
</tr>
<tr>
<td>2005–06</td>
<td>3.4</td>
<td>2.5</td>
<td>5.1</td>
<td>7.7</td>
<td>5.0</td>
<td>6.5</td>
<td>5.7</td>
<td>9.7</td>
<td>4.2 (4.2)</td>
</tr>
</tbody>
</table>

Source: AIHW 2007c

Youth justice custodial orders

Table 5.13 shows the total number of young people on custodial orders as at 30 June 2003 to 30 June 2006. The number of young people on these orders has decreased overall from 162 in 2003 to 123 in 2006. Indigenous young people account, on average, for around 11 per cent of young people on custodial orders.202

Table 5.13: Total number of young people on custodial orders, as at 30 June, 2003–06

<table>
<thead>
<tr>
<th>30 June</th>
<th>Total number</th>
<th>ATSI acknowledged</th>
<th>ATSI as percentage of total</th>
</tr>
</thead>
<tbody>
<tr>
<td>2003</td>
<td>162</td>
<td>12</td>
<td>7.4</td>
</tr>
<tr>
<td>2004</td>
<td>137</td>
<td>16</td>
<td>11.7</td>
</tr>
<tr>
<td>2005</td>
<td>154</td>
<td>24</td>
<td>15.6</td>
</tr>
<tr>
<td>2006</td>
<td>123</td>
<td>13</td>
<td>10.6</td>
</tr>
</tbody>
</table>

Source: Department of Human Services

The total number of offences that received a custodial sentence reduced by approximately 35 per cent over the four years, in line with the reducing numbers of young people in custody on the snapshot date.

Victoria’s rate of young people in sentenced detention is lower than in the other states and territories. The rate of sentenced detention in Victoria is 0.5 per 1000 of the youth population compared with a national rate of two per 1000 (excluding ACT) (see table 5.14). The rate (of sentenced detention) in Victoria is also consistently lower than in the other states and territories from 2002–03 to 2005–06 (see table 5.14), with the exception of ACT which had a rate of 0.0 in 2002–03.

Table 5.14: National rates of young people in juvenile justice detention, aged 10–17 years, per 1000 young people, 2002–03 to 2005–06

<table>
<thead>
<tr>
<th>Year</th>
<th>NSW</th>
<th>Vic.</th>
<th>Qld</th>
<th>WA</th>
<th>SA</th>
<th>Tas.</th>
<th>ACT</th>
<th>NT</th>
<th>Australia</th>
</tr>
</thead>
<tbody>
<tr>
<td>2002–03</td>
<td>2.4</td>
<td>0.6</td>
<td>2.0</td>
<td>3.4</td>
<td>3.8</td>
<td>1.5</td>
<td>0.0</td>
<td>4.7</td>
<td>2.1</td>
</tr>
<tr>
<td>2003–04</td>
<td>2.3</td>
<td>0.5</td>
<td>2.1</td>
<td>3.9</td>
<td>3.2</td>
<td>1.4</td>
<td>3.6</td>
<td>4.9</td>
<td>2.1</td>
</tr>
<tr>
<td>2004–05</td>
<td>2.4</td>
<td>0.4</td>
<td>1.4</td>
<td>3.8</td>
<td>3.1</td>
<td>1.5</td>
<td>3.2</td>
<td>4.8</td>
<td>1.9</td>
</tr>
<tr>
<td>2005–06</td>
<td>2.6</td>
<td>0.5</td>
<td>1.5</td>
<td>3.8</td>
<td>2.7</td>
<td>2.0</td>
<td>3.6</td>
<td>5.5</td>
<td>2.0</td>
</tr>
</tbody>
</table>

Source: AIHW 2007c

A combination of enabling legislation, early intervention and active diversion by the police, courts and Youth Justice program are the main reasons for the low rate in Victoria of detention and of community supervision.

202 This statistic can be quite volatile as it is based upon the relatively small number of young people on custodial orders at one point in time.
The Young Offenders Policy Framework

The Department of Human Services (Youth Justice) and the Department of Justice (Corrections Victoria) are working with government and other stakeholders to develop the Young Offenders Policy Framework. The focus of the framework is young people (aged 18–21) receiving a sentence that can be managed by either the youth justice or adult correctional systems (the dual track system).

The framework will identify a shared policy context and evidence base to strengthen current young offender management programs and practices and will underpin any future investment.

Young people (aged 18–24) in the Victorian adult correction system

As of 22 May 2007 there were 546 young people aged 18–24 in Victorian prisons, with young prisoners making up 13 per cent of the total prison population. The vast majority of these young people (96 per cent) were male.

Figure 5.22: Number of prisoners in Victoria by age and gender as of the 22 May 2007

Source: Data available on request from Corrections Victoria, Department of Justice (2007)

Figure 5.23 shows the most serious crime that young male prisoners were convicted of which resulted in their imprisonment. Of all prisoners 16.8 per cent were convicted for assault, 15 per cent for robbery and 13.4 per cent for burglary.

Figure 5.23: Percentage of young male prisoners (aged 18–24) convicted of particular offences, leading to imprisonment

Source: Data available on request from Corrections Victoria, Department of Justice (2007)
Of all young prisoners (as at 22 May 2007):

- 22 per cent of females and 10 per cent of males were of Aboriginal or Torres Strait Islander background.
- 43 per cent of females and 71 per cent of males had a history of drug and alcohol addiction.
- 9 per cent of females and 3 per cent of males had an intellectual disability.
- 13 per cent of females and 6.3 per cent of males had a history of psychiatric admission.

Around one in six (16 per cent) of prisoners were serving a sentence of between one and two years and a similar proportion (15 per cent) had sentences of between five and 10 years. A total of 28 per cent of young prisoners were unsentenced and awaiting trial (see figure 5.24).

**Figure 5.24: The maximum sentence length of male prisoners aged 18–24 in Victoria as at 22 May 2007**

Source: Data available on request from Corrections Victoria, Department of Justice

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### Programs for young prisoners run by Corrections Victoria

The Metropolitan Remand Centre opened in May 2006 and has a 32-bed unit (The Chartwell Unit) for young adult remandees aged 18–24 who have issues relating to vulnerability, poor coping skills and/or high anxiety levels. Chartwell continues the work undertaken through Port Phillip’s remand unit Alexander South, which was previously in operation for eight years.

One of the units of the Fulham Correctional Centre in Sale, is the Nalu Unit which is a 68-bed facility that commenced operation in June 2003 and focuses on young first-time offenders (aged 18–26) at risk of reoffending who participate in intensive therapy, life and work skill development and adventure-based challenge programs.

The Alexander South Unit at Port Phillip Prison targets vulnerable sentenced young offenders aged 18–25.

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203 It is not possible to provide a detailed analysis of sentence length for females owing to the small number of female prisoners. However, as of 22 May 2007, the majority of young female prisoners were serving a maximum prison sentence of less than two years.
Case study

Group conferencing
A new approach to dealing with young Victorians who commit crimes is making a major difference in the lives of both the young offenders themselves, and those that have been affected by crime.

Since it began in 2002, the program – which operates around Melbourne as well as in a number of regional areas – has targeted young people aged 10-18 who are not charged with serious violent offences, with impressive results.

Based on the principles of restorative justice and community reintegration, the group conferencing model brings victims and offenders together before the case is heard by the Children’s Court.

In the process, the program aims to address the issues that led to the young person offending and divert them from a custodial sentence. One of the key elements of the program involves the victim describing their experience, in order to make the young offender aware of the impact their actions have had on others.

In more than 80 per cent of cases, victims or their representatives have agreed to take part in the group conference – which is vital, because the program achieves much better outcomes when victims are involved.

Of the young offenders who participate, nearly 90 per cent received a good behaviour bond rather than a conviction or supervised sentence. And, after a year, only 16 per cent of participants had reoffended, compared with a 40 per cent reoffending rate among those who did not take part.

Evaluation has also found that where participants do reoffend, their offences tend to be less serious.