

ISSUES PAPER: Issues Facing Young Australians 2011: CRIME

Current Australian Climate

While only a minority of young people do the wrong thing and endanger the safety of others and their property,¹ some repeatedly exhibit harmful, anti-social, unacceptable behaviour.

There is a well documented peak in juvenile offending in mid adolescence.

Early intervention and improved relations with police and authority is an important step in helping to eliminate repeatedly exhibited anti-social tendencies and reduce cost to Government.²

Diversions programs should be targeted at young people most at risk of coming into contact with the juvenile justice system. The aim of such programs should be to divert anti-social behaviours as early as possible. In reference to the data below we know that by doing so we will improve health, education and employment opportunities and reduce crime and incarceration rates of young people.

Young People and the Juvenile Justice System

In 2008, young people (those aged 18–24 years) accounted for 20% of the total prison population in Australia.³

Around 1 in every 200 young people aged 10–17 years was under supervision, either in the community or in detention, at some time during 2008.⁴

- 83 % of these young people were male and 53% of these juveniles under supervision were Indigenous. The report found that an Indigenous young person was 14 times as likely to be under supervision as someone of the same age who wasn't Indigenous.⁵
- The majority of these young people received a non-custodial sentence, which includes community-based orders and good behaviour bonds; however 43% experienced some form of detention.⁶
- Those convicted of offences before the age of 16 are more likely to be convicted as adults than those convicted of a first offence after the age of 16.⁷
- Youth aged 10-14 years at their first appearance had significantly more court appearances over the next eight years than those over 14 years of age.
- Criminal matters in Children's Courts accounted for 7% of all criminal court matters in Australia.⁸
- Of the matters in Children's Courts, 19% were for deception and related offences (defined as those

offences aimed at dishonestly obtaining property, services or other advantage, including fare evasion), 13% were for theft and related offences and 13% were for acts intended to cause injury.⁹

- Over the past decade, the number of matters in Children's Courts has declined. However, hearings overwhelmingly resulted in conviction (96%).¹⁰

Young People as Victims of Crime

In 2007, Australian statistics on recorded crime indicate that young people are at the highest risk of becoming victims of assault.

- Young people are more likely to become victims of some violent crimes (including sexual offences and assaults) and are less likely to report a violent crime.¹¹
- Being a victim of crime places some young people at greater risk of later victimising others.¹²
- Experiencing victimisation impacts negatively on the educational outcomes and mental health of young people.¹³

Family Violence

As most incidences of domestic violence often go unreported, it is difficult to measure the true extent of the problem. Recent data is lacking but current reporting suggests that the rates are significantly under-reported.

According to the Australian Bureau of Statistics, approximately one-quarter of young people aged 12 to 20 from all States and Territories have witnessed parental violence against their mother or step-mother.¹⁴ Other major findings were that young people of lower socioeconomic status were about one and a half times more likely to be aware of violence towards their mothers or fathers than those from upper socioeconomic households. Indigenous youth were significantly more likely to have witnessed physical violence.

Child abuse is more likely to occur in families experiencing domestic violence.¹⁵ Children of victims are also at risk of continuing the violence with their own children and partners and at heightened risk of alcohol and drug abuse and delinquency in later life. 49% of men and women who experienced violence by a current partner reported that they had children in their care and 27% said that these children had witnessed the violence. Of the people who had experienced violence from a previous partner, 61% reported that they had children in their care at some time during the relationship.¹⁶

Impacts can also extend to people not directly experiencing victimisation. Effects can flow on to other children not from families experiencing domestic violence, for example, the effects of bullying or aggression by children of victims, not only broadening the impact but also increasing the risk of normalising the behaviour. Domestic violence, as with any other form of crime or violence, can also extend to the wider community, for example, by contributing to increased fear of crime domestic violence amongst their parents or parents' partners.¹⁷

Need for Early Intervention

Early intervention plays an important part in preventing crime.¹⁸

Engaging in anti-social and criminal activity during adolescence has obvious negative impacts on a person's education and employment outcomes in adulthood, and therefore income, housing and health.

For this reason, early intervention is critical to prevent poor outcomes in adulthood.

Programs designed to divert young people from offending behaviour and entering juvenile detention¹⁹ can not only be more effective than putting a young person in custody²⁰ but up to 50 times cheaper.²¹ Mission Diversionary programs designed to keep young people from re-offending can cut rates by more than half and reduce serious offences by close to two-thirds.²²

In assessing the needs of communities for early interventions to help prevent juvenile offending, local indicators of risk include: high rates of detected youth offending; a high proportion of young people who leave school before the end of year 12; a high proportion of unemployed young people; engagement in high levels of substance abuse; and a lack of structured and supervised youth activities.

Potential Impacts of Midnight Basketball

A large proportion of Midnight Basketball tournaments operate in government designated priority areas where the rate of crime is relatively high.

Given the prison population figures above, Midnight Basketball aims to prevent youth from becoming part of these statistics and provide positive pathways for young people.

Public order and safety are key issues in every local community and Midnight Basketball aims to effect positive change among young people who are the most vulnerable.

Often this requires early²³ and community based intervention. Strengthening early intervention with young Australians helps to prevent many problems from deteriorating and can address a range of complex and inter-related social problems, such as crime –related behaviours.

Diversionary activities such as Midnight Basketball may decrease or prevent risk-taking behaviours. To be most effective however, participation is most beneficial when structured and coordinated with other locally based services. Midnight Basketball has an important role in identifying and engaging youth with local service providers, thereby increasing the potential for issues to be addressed over the longer term and influence the young person's behaviour.

Participation in Midnight Basketball provides the opportunity for disadvantaged youth to address the following:

- To be acknowledged for their commitment and self determination to voluntarily attend the program.²⁴
- For both local law enforcements and youth agencies to witness and experiences the strengths and talents of these participants.
- The opportunity to have positive contact and develop mentoring relationships and positive relationships with local Police and other law enforcement individuals/organisations.
- Provide an environment for this contact where the youth feel safe and comfortable.
- To develop trust in adults that might otherwise not be present.
- Decrease overall drug and alcohol consumption and therefore crime related behaviour on Friday and/or Saturday nights due to being involved in a diversionary supervised sporting activity that strictly enforces no drinking, drugs, or smoking while attending the program.
- Provide a diversion through participation in a structured, inclusive, non judgemental sporting program.
- Participate in educational workshops that allow for discussion about crime related issues and find positive solutions to problems. These include workshops on topics such as the effects of drug and alcohol as well as those that discuss life-skill related topics such as anger management, Code of Conduct and civic participation.
- Build respect, improve relations, reduce misunderstanding and increase the understanding of the purpose and benefits of policing and local laws in their community.
- Build an understanding of the benefits of being a functioning and respected member of their local community.

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- ¹ Cost of graffiti removal in Syd, Newcastle, Central Coast and Wollongong: \$25.3M
Source: unidentified media release, cited in Matruglio T (2008) *Graffiti Vandalism in NSW*. Crime Prevention Issues No. 3. NSW Attorney General's Department.
Available: [http://www.lawlink.nsw.gov.au/lawlink/cpd/ll_cpd.nsf/vwFiles/AGD448_CrimeBulletin_Issue3.pdf/\\$file/AGD448_CrimeBulletin_Issue3.pdf](http://www.lawlink.nsw.gov.au/lawlink/cpd/ll_cpd.nsf/vwFiles/AGD448_CrimeBulletin_Issue3.pdf/$file/AGD448_CrimeBulletin_Issue3.pdf)
- ² Cost of criminal damage in Australia, including but not limited to graffiti, is \$1.5b
Source: Rollings K (2008) *Counting the costs of crime in Australia: a 2005 update*. Research and public policy series no. 91. Canberra: Aust Institute of Criminology.
Available: http://www.aic.gov.au/publications/current_series/rpp/81-99/rpp91.aspx
- ³ Australian Institute of Health and Welfare (AIHW)(2010) *Juvenile Justice in Australia 2007-2008*, Canberra
- ⁴ Ibid
- ⁵ Ibid
- ⁶ Ibid
- ⁷ Research by the NSW Bureau of Crime Statistics and Research tells us of those who appeared in Children's Court for the first time in 1995, 68% had reappeared in a NSW criminal court at least once within the next eight years.
- ⁸ Richards, Kelly (2009) 'Juveniles' contact with the criminal justice system in Australia' Australian Institute of Criminology Monitoring Reports 07. Canberra: AIC.
- ⁹ Ibid
- ¹⁰ Ibid
- ¹¹ Ibid
- ¹² Lauritsen JL, Sampson RK & Laub JH, The link between offending and victimisation, *Criminology*, vol. 29, no.2, 1991, pp. 265–92, cited in AIHW, Making progress, p. 114.
- ¹³ Australian Institute of Health and Welfare, Australia's welfare 2007, AIHW, Canberra, cited in AIHW, Making progress, p. 114.
- ¹⁴ Australian Bureau of Statistics (2006) *Personal Safety Survey 2006*. Cat No 4906.1. Canberra: ABS.
- ¹⁵ Ibid
- ¹⁶ Ibid
- ¹⁷ Lesley Laing and Natasha Bobic 2002. *The Economic Costs of Domestic Violence* Australian Domestic and Family Violence Clearinghouse, University of New South Wales.
- ¹⁸ Cost of graffiti removal in Syd, Newcastle, Central Coast and Wollongong: \$25.3M
Source: unidentified media release, cited in Matruglio T (2008) *Graffiti Vandalism in NSW*. Crime Prevention Issues No. 3. NSW Attorney General's Department.
Available: [http://www.lawlink.nsw.gov.au/lawlink/cpd/ll_cpd.nsf/vwFiles/AGD448_CrimeBulletin_Issue3.pdf/\\$file/AGD448_CrimeBulletin_Issue3.pdf](http://www.lawlink.nsw.gov.au/lawlink/cpd/ll_cpd.nsf/vwFiles/AGD448_CrimeBulletin_Issue3.pdf/$file/AGD448_CrimeBulletin_Issue3.pdf)
- ¹⁹ Cost of a bed in juvenile detention is approximately \$589 per day Source: NSW Treasury, Dept of Premier and Cabinet 'Request for Proposal – Social Impact Bonds Pilot' 2010, p.6.
- ²⁰ Estimated cost of Juvenile Justice for 2005 was \$416m, Cost of police time relating to crime (Australia wide in 2005) is \$4,480m Court costs (Supreme, District/County, Magistrates, Children's) for criminal matters in 2005 \$466m, Cost of corrective services for 2005 was \$2,405m (large increase since 2000-01), Total cost of criminal justice \$9,808m, victim assistance \$1,073m (in 2005)
Source: Rollings K (2008) *Counting the costs of crime in Australia: a 2005 update*. Research and public policy series no. 91. Canberra: Aust Institute of Criminology.
Available: http://www.aic.gov.au/publications/current_series/rpp/81-99/rpp91.aspx
- ²¹ <http://www.missionaustralia.com.au/news/1200-australias-approach-to-juvenile-justice-must-change>
- ²² Ibid
- ²³ Ibid
- ²⁴ 95% of Midnight Basketball participants stated it was their decision to enrol voluntarily in the program. Based on evaluation reports 2007-2010