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PREFACE

This report is the first of several to be based on data obtained from the South Australian Department for Family and Community Services. The source of the data is the Young Offenders Data System which has been maintained by the Department since 1972. The design of this database makes it possible to trace the offending history of an individual over time, a feature which sets it apart from most sources of similar data.

The research described in this report compares two different groups, or cohorts, of youth: those born in 1962 and those born in 1972. They were chosen because they represent the earliest and latest groups in the database for which completed juvenile histories are available. The differences in levels of juvenile justice contact between these two groups should not be taken as an indicator of trends over time since there is no attempt in this report to include information on youth born between 1963 and 1971.

One strength of the study is its ability to identify the proportion of individuals in these groups who have appeared before a Children's Court or Children's Aid Panel over their entire juvenile age-span. For those youth who are recorded as offenders the report provides information on the frequency of appearances before courts or panels and the number of offences connected with each appearance. This cumulative view of offending supplements in an important way the regular sources of data which report the incidence of offending on an annual basis. The study documents the differences in appearance rates between boys and girls, and between Aboriginal and non-Aboriginal youth. This first report does not investigate the reasons for the different patterns of contact among these groups. However, it does provide useful information on whether or not a small group of offenders is responsible for a large fraction of all offences. The report also reveals age patterns of offending and explores whether youth persist in offending or whether they desist after one or two contacts with the processes of juvenile justice.

Special thanks go to staff of the Department for Family and Community Services. Dr. Andrew Duguid provided access to the data and he and Joy Wundersitz engaged in valuable discussions with the researchers about the interpretation of the data and assisted some decisions about the scope of the study, while Werner Buchheister and Len Wilkins assisted with questions about how data was recorded on the Young Offenders Data System.

Frank Morgan
Director
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May 1992

SUMMARY

- One in five South Australian children appeared before a Children's Court or Aid Panel during their adolescence.
- Of boys born in 1962, a quarter (25.6%) had court or panel appearances. Of boys born in 1972, this figure increased to three out of every ten (29%).
- Approximately one in ten girls appeared before an Aid Panel or Children's Court. Of girls born in 1962, 10.1% appeared and the figure rose to 12.6% for those born in 1972.
- More than half (55%) the Aboriginal youth population had contact with the juvenile justice system compared with 21% of the total youth population.
- The proportion of South Australian children who had contact *only* with an Aid Panel increased over time. The proportion who had some contact with a Children's Court declined.
- The majority of children (1962: 69%, 1972: 65%) had only one appearance before a court or panel.
- Of those who had at least one appearance, males appeared more frequently than females, and Aboriginals more frequently than non - Aboriginals.
- Approximately five percent of offenders were responsible for a third of the offences dealt with by an Aid Panel or Children's Court. Over 55% of young offenders had only one offence.
- Fourteen was the most common age for children to make their first court or panel appearance.
- Less than one percent of the juvenile population was involved in a serious crime of violence. There was an increase in crimes of violence between the two cohorts, from 0.2% of those born in 1962 to 0.6% of the 1972 population.

INTRODUCTION

This report provides information on the amount and types of contact that South Australian youth had with the justice system between 1972 and 1990. It is the first of several reports based on data from the Young Offenders Database of the Department for Family and Community Services. Before beginning this examination of the justice system, it is necessary to provide some explanations about the limitations and definitions of the data.

The Department for Family and Community Services (then the Department for Community Welfare) began a computer collection of data on young offenders on 1st July 1972. Records kept in this computer collection include children aged between 10 and 18 years who have appeared before either a Children's Court or a Children's Aid Panel. Using a unique identifier, the data has been merged into one data base associating all a child's appearances before a Children's Court or Aid Panel. Thus the pattern of appearances and reappearances of an individual over the years can be traced.

Because the data has been collected over a lengthy period, it is inevitable that changes to the law and its administration have occurred. At the start of the collection the *Juvenile Courts Act 1971* was in operation. On the 1st July 1979 the *Children's Protection and Young Offenders Act* came into operation. There have been subsequent amendments to this Act in 1980, 1982, 1984, 1985, 1986, 1988, 1989, 1990 and 1991. The main changes that influence our analysis are detailed below.

Although Aid Panels were in operation between 1972 and 1979, only youths aged under 16 years, who had not been arrested by police, were able to have their case heard before an Aid Panel. The *Children's Protection and Young Offenders Act* removed the age limit, making it possible for older youths to

appear before an Aid Panel, and not just children aged under 16 years. In addition, an arrest no longer disqualified a child from an Aid Panel hearing.

The *Children's Protection and Young Offenders Act* also created Screening Panels. The function of Screening Panels is to decide whether a child's case should be heard at an Aid Panel, at a Children's Court, or whether the child should be cautioned, or no further action taken on the matter. Screening Panels are composed of a police officer and an officer from the Department for Family and Community Services.

The range of penalties able to be imposed on young offenders also altered over the time of the data collection. Provisions in the 1979 Act enabled the court to impose periods of detention, and to suspend the detention period with the child entering into a good behaviour bond.

The population of young offenders examined in the following tables is a sub-set of the population of children who offend, not the total population of offenders. In the first place the child must be identified and located by the police. This will not occur if the offence is neither detected nor reported to police, or if the offender is not found. Then, after an alleged offender is located, the police exercise their discretion in deciding whether to lay charges against the individual. (This discretion is applied to everyone, adult or juvenile.) If the case proceeds formally the police officer completes a report and hands the matter on to a Screening Panel. A Screening Panel then decides if the case is heard before a court or panel, or whether a caution is most appropriate.

Therefore, the stage of the justice process examined in the following tables involves some filtering of cases, namely

those that have been identified and declared needing some action.

As mentioned above, the data has been obtained from eighteen and a half years of Family and Community Services young offender data, covering the years 1972/73 to 1989/90 and an additional six months in 1990. Any child can register one or more appearances before a Children's Court or Aid Panel. Appearances refer to the 'final appearance' for a particular matter. **In the case of the Children's Court only matters that have been proven are included.** In addition courts occasionally hear cases of a welfare nature to decide if the child is in need of care or protection. These cases, as well as truancy cases, have been excluded from our analysis and only those matters that involve a criminal offence are included.

Each appearance before a court or panel can involve one or several offences. These charges however, might not be the same as the original offence for which the child came to police attention. The police could lay several charges arising out of the one incident, for example break and enter, and possess break and enter implements. At the time of the court or panel appearance only one of these charges might proceed. Negotiation between the prosecution and a child's legal representative could see an original charge lessened if the child pleads guilty to the lesser charge. The practice of pre-trial negotiations in the South Australian juvenile justice system has been examined by Wundersitz and Naffine (1990). They found that charge bargaining was a relatively common practice, mainly dealing with the issue of duplicate or alternative charges.

Occasionally a child who is before an Aid Panel chooses to have their case heard before a court. A matter can also be transferred from a panel to a court if the child denies the allegation. If a matter has been transferred to a Children's Court only the court appearance is counted in our analysis.

Comparisons with existing data

The results reported in this bulletin are based on the same data-source as the statistics published in regular publications of juvenile justice statistics. The principal publications are the *Annual Report of the Department for Family and Community Services* and the annual *Crime and Justice in South Australia* reports published by the Office of Crime Statistics. Nevertheless, there appear to be large differences between some of the results reported here and those published in these standard publications. The results are entirely compatible with each other but it is useful to explore the different view of the data explored in this report.

The principal change is that this report follows the progress of two cohorts of children over eight years of exposure to juvenile justice. The result is a complete and cumulative view of juvenile offending. The standard publications provide a 'snapshot' of juvenile justice in a given year. They also cover all age groups - not a single cohort. They calculate rates of offending for the ten to seventeen age group and use an appearance at court or panel as the basic counting unit. This means that a first appearance is not distinguishable from a later appearance in the same year.

The DFACS annual report does produce some statistics on individual offenders and it is of interest to compare them with the results produced here. The first statistic comes from Table 21 of the 1990/91 *Annual Report* and shows that out of every thousand children aged ten to seventeen, fourteen appeared before a court and thirty one appeared before a panel. Adding the two figures suggests that about 4.5% of juveniles appear before a court or panel each year. The addition produces a crude estimate of the yearly prevalence of offending because it double-counts individuals who appear before both a panel and court in the same year. DFACS estimates that the true figure is 4 per

cent. This figure is compatible with the cumulative prevalence of 22 per cent for the second cohort reported here, given that there are eight years in which to build a record. The figure is not as high as 32 per cent (8 x 4) because there are a number of repeat offenders who complicate the calculation. *

Another statistic which is regularly published in the DFACS *Annual Report* is the number of children who have ever appeared before a panel and later appeared before a court. In 1990/91 (Table 22) the rate was 12.3 per cent. In other words 87.7 per cent of those who appeared before a panel never experienced a subsequent court appearance. In the two cohorts studied here it is possible to verify and extend this kind of figure. We note from Tables 9 and 10 that 69% of the first cohort and 65% of the second cohort made one appearance only. This shows that the recidivism of first offenders is low.

Tables 17 and 18 show, for each birth cohort, the reappearance rate for individuals who first appeared before a court or panel. Fewer of those in the 1962 cohort who first appeared before a court reappeared than those who first appeared before a panel. This may have been due to legislation prohibiting panel appearances for individuals aged sixteen or above. In the 1972 cohort, where there was no such prohibition, the reappearance rates were lower for those who first appeared before a panel, but in both cohorts the differences in reappearance rates were small. On the surface, this seems to show that courts and panels are of similar value in deterring future offending. However, there needs to be further analysis which controls for other factors that may influence rates of reoffending, before such a conclusion can be drawn.

When our cohort figures are compared with the DFACS annual report statistics they produce a slightly higher figure for individuals who first appear before a panel, and then appear before a court. The two cohorts have rates of subsequent court appearance of 21.5% and 20.6% respectively. This compares

with annual report cumulative statistics of approximately 13%. In both cases the rates of subsequent court appearance are low. The DFACS statistics do not necessarily distinguish between a first and later panel appearance but it seems advisable to focus on the first appearance if we are to assess the difference between a court or panel.

Previous research on long term involvement in crime

The current research uses the data contained in the Young Offenders Data System, maintained by the Department for Family and Community Services. This database is unusually comprehensive by Australian standards, capturing twenty consecutive years of appearances by South Australian youth before Aid Panels and the Children's Court. There are few computer-based data collections in the world that allow systematic follow-up of young offenders over such a time period. Since there is no other Australian data on the prevalence of offending over the full juvenile age span the current results must be compared with those from other countries. The projects outlined below were conducted in the United States, Britain, Sweden, New Zealand and Puerto Rico.

A path-breaking cohort study was conducted in the United States by Marvin Wolfgang, Robert Figlio and Thorsten Sellin. Their research collected information on all males born in 1945 who were residents of the City of Philadelphia from ages 10 to 18. The results of this research are reported in the book *Delinquency in a Birth Cohort* (Wolfgang M, Figlio R and Sellin T, 1972). The same research team conducted further research that enabled them to track the 1945 birth cohort until the age of 30 and also to study a fresh cohort that included females as well as males who were born in 1958. The results of this further research are reported in *From Boy to Man, from Delinquency to Crime* (Wolfgang M, Thornberry T, and Figlio R, 1987) and

Delinquency Careers in Two Birth Cohorts (Tracy P, Wolfgang M and Figlio R, 1990).

Another U.S. study was conducted in Racine, Wisconsin by Lyle Shannon and his associates. The research of Shannon has a particular focus on the relationship between delinquency patterns and the changing structure of the city. This approach is in the tradition of the Chicago school of sociologists (Park, Burgess and McKenzie, 1925). The results of the research are reported in *Criminal Career Continuity: Its Social Context* (Shannon, 1988) and *Changing Patterns of Delinquency and Crime: A Longitudinal Study in Racine* (Shannon, 1991).

The Office of Juvenile Justice and Delinquency Prevention (United States Department of Justice) analysed the juvenile court careers of youths born between 1962 and 1965 in Phoenix, Arizona and the State of Utah, *Court Careers of Juvenile Offenders* (Snyder, 1988). Unlike the birth cohort studies in Philadelphia and Racine the Office of Juvenile Justice and Delinquency Prevention study did not examine youth contact with the police. The study focused instead on cases which were brought before the juvenile courts.

Closer to home, Donnell and Lovell (1982) reported on offending patterns of a sample of over 25,000 New Zealand boys who were born in 1957 and were attending state primary schools in 1967. They traced the contact that these boys had with either juvenile courts or with the Police Youth Aid Section from the ages of nine to sixteen.

In Britain there are two widely quoted sources of information on long-term offending rates. The first is produced by the Home Office Statistical Department and provides information on the convictions recorded against persons born during four selected weeks in each of the years 1953, 1958 and 1963. The conviction history of these three cohorts is updated periodically and was reported in *Criminal and Custodial Careers of*

those Born in 1953, 1958 and 1963 (Home Office, 1989).

The second source is the longitudinal research carried out in the Cambridge Study in Delinquent Development. This ongoing study has so far examined the progress of 411 males from a working class area of London from age 8 to 32. The researchers interviewed children, teachers and parents on a number of occasions, examined school reports, and included self-reports of criminal activities, as well as official conviction records. The Cambridge Study in Delinquent Development is described in a series of books and articles by West (1969, 1982), West and Farrington (1973, 1977) and Farrington and West (1981).

A comprehensive Swedish longitudinal study of offending and other behaviour was conducted under the Project Metropolitan label. This study investigated the criminal contacts of a Stockholm age cohort between the ages of 13 and 26. A series of reports and journal articles describe the results of Project Metropolitan, in particular Wikstrom (1987) and Wikstrom (1991).

Another longitudinal study of a Puerto Rico birth cohort investigated criminal contact between the ages of 5 and 17. The results are reported in Nevares, Wolfgang and Tracy (1990).

The results of these studies cannot be compared directly with each other or with the South Australian results reported here. Nevertheless, they provide an important perspective on the local data. Figure 1 indicates, for each study, the proportion of juveniles with recorded contact with juvenile justice. For the first Philadelphia cohort, for example, 35% of boys registered a police contact in their juvenile years.

The degree of officially recorded contact with the criminal justice system can be expected to depend on a number of factors. These include:

- the composition of the cohort (males have greater contact than females)
- the measure of contact (police apprehension records will indicate greater contact than will records of juvenile agency contact or conviction records)
- the length of follow-up
- geographic area covered (youths living in large cities generally have more contact)
- laws concerning the age of criminal responsibility.

The measurement of juvenile or adult contact with criminal justice authorities varies from study to study. In some projects contact is measured by arrest or apprehension and, in others, by court charges, convictions or findings of guilt. In the Young Offenders Data System contact is registered through an appearance before a Children's Aid Panel or an appearance before the Children's Court. The legal meaning of this contact varies over time in the Young Offenders Data System. Some of the changes in legislation are outlined above and are discussed by Naffine, Wundersitz and Gale (1990).

In order to facilitate the comparison of the various studies the prevalence of contact with criminal justice authorities is recorded in tabular format below.

Figure 1 serves to place the South Australian results in perspective. It seems clear that South Australian male juveniles have less contact with the juvenile justice system than males in Philadelphia or Racine and a similar rate of contact to New Zealand males. However, both males and females in South Australia have greater contact than youth in Puerto Rico. The British studies, which use a conviction for a 'standard list' offence as the measure of contact are probably most difficult to compare with the other studies since they exclude any record of diversionary action taken by police. There has been a significant increase in the number of police cautions issued by British police (Home Office, 1989 p6) but these cautions are not included in the contact rates calculated by Farrington and the Home Office. In the U.S. studies all police contacts were recorded whether or not arrest or conviction followed. In South Australia referral to an Aid Panel is recorded, even though no conviction can result from an Aid Panel appearance.

Figure 1: Prevalence of criminal contact in selected cohort studies

STUDY NAME	COHORT SIZE AND COMPOSITION	GEOGRAPHIC AREA	MEASURE OF CONTACT	FOLLOW-UP PERIOD	PREVALENCE OF CONTACT
Philadelphia birth cohort (1945).	Almost 10,000 males in the cohort, of whom 35% were 'delinquents'.	Large U.S. City.	Recorded police contact	Age 10 to 30	35% had contacts up to, and including, the age of 17. 47% had contacts up to the age of 30.
Philadelphia birth cohort (1958).	Over 27,000 males and females born in 1958, of whom 33% of males were 'delinquents'.	Large U.S. City	Recorded police contact	Age 10 to 17	33% of males had contact up to, and including, the age of 17. Female contact rates not published.
Racine birth cohorts (1942, 1949, 1955).	Over 6,000 males and females in the three cohorts.	Middle sized U.S. City (Population approx. 100,000).	Police contact.	Age 6 to 33 for the earliest cohort.	Up to and including age 17, the contact rates were: 1942 cohort 40% 1949 cohort 48% 1955 cohort 44%
Puerto Rico birth cohort (1970)	Over 24,000 males and females.	Greater San Juan, a predominately urban area of Puerto Rico with population 1.3 million.	Police contact.	Age 5 to 17.	Males 11.3% Females 2.3% All cohort members 6.8%
Project Metropolitan (1953)	Over 15,000 males and females.	Greater Stockholm urban area	Police apprehension.	Age 13 to 25.	Males 31% Females 6% All cohort members 19%

Figure 1 cont. Prevalence of criminal contact in selected cohort studies

STUDY NAME	COHORT SIZE AND COMPOSITION	GEOGRAPHIC AREA	MEASURE OF CONTACT	FOLLOW-UP PERIOD	PREVALENCE OF CONTACT
Cambridge Study in Delinquent Development	Sample of 411 males	London	Recorded convictions	Age 8 to 32	31% convicted by age 21 37% convicted by age 32
Home Office sample of three cohorts (1953, 1958, 1963).	176,000 males and females in all three cohorts.	England and Wales	Conviction for a 'standard list' offence	Age 8 to 30 for the earliest cohort.	<u>1953 cohort:</u> Males 33% by age 30 Females 7% by age 30 Males 13% by age 17 Females 2% by age 17 (Other cohorts exhibit similar results.)
New Zealand cohort (1957)	25,000 boys born in 1957 and attending state schools in 1967 (88% of the total school population).	New Zealand	Appearance before The Children's Court or referral to the Police Youth Aid Section.	Age 9 to 16.	<u>Whole Cohort:</u> 20% Maori boys: 42% Non-Maori boys: 17%
Office of Juvenile Justice and Delinquency Prevention (1962 - 1965)	206,800 males and females born between 1962 and 1965	Utah and Maricopa County (Phoenix)	Appearance before a juvenile court, 'status' and 'delinquent' offences.	Age 7 to 18	<u>Whole Cohort</u> 34% Males 46% Females 21%
Current South Australian Study (1962, 1972)	24,000 males and females born in 1962. Almost 23,000 born in 1972.	South Australia.	Aid Panel or Children's Court appearance.	Age 10 to 17 at time of offence.	<u>1962 cohort</u> Males 26% Females 10% Whole cohort 18% <u>1972 cohort</u> Males 29% Females 13% Whole cohort 21%

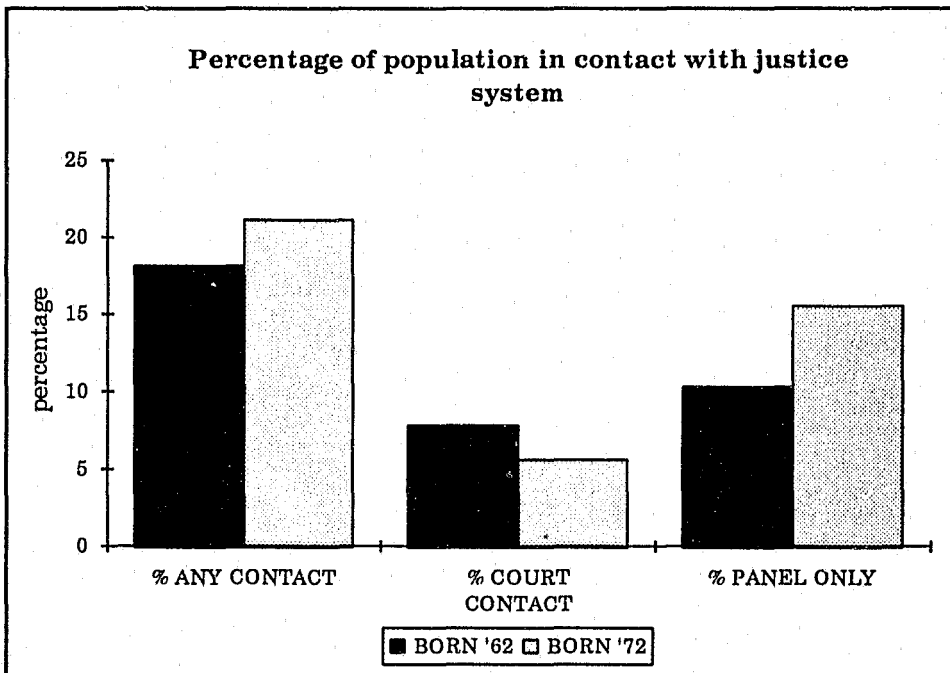
RESULTS

The following tables present information about two sets, or cohorts, of children. *Cohort 1* involves all children who were born in 1962. These children were 10 years old in 1972 and had reached the age of 18 years in 1980. *Cohort 2* involves all children who were born in 1972. They were 10 years old in 1982 and 18 years in 1990. The two cohorts to some extent reflect the differences in the South Australian Justice System. The first cohort appeared before the 1979 changes to the legislation, while the second cohort appeared after the changes. The difference between the two cohorts in the percentage of South Australian children appearing before an Aid Panel (Table 3) tells us as much about the change in the operation of Aid Panels as it does about differences in children over time.

Prevalence of appearance

It has been previously estimated that approximately 4% of children appear before a Children's Court or Aid Panel in South Australia in any one year. The following tables show the percentage of children who have *ever* appeared - not just those in a single year. Table 1 shows the number of children in South Australia that had some contact with the juvenile justice system between the ages of 10 and 18 years. About one in five children appeared before a Children's Court or Aid Panel during their adolescence. A slightly higher percentage of the cohort born in 1972 was exposed to a court or panel compared with the cohort born in 1962.

Table 2 shows the proportion of children who had some contact with the Children's Court. As this option is considered more serious than appearing before an Aid Panel, it is



not surprising that fewer children (less than 10%) are exposed to this section of the justice system.

Table 3 shows the number of children who had contact only with an Aid Panel. These children did not appear before a court. The two cohorts differ in the percentage of children appearing before a panel or court. The cohort born in 1962 appeared at a greater rate before a Children's Court than did the cohort born in 1972 (7.8% compared to 5.6%). However the pattern is reversed for panel contact. A greater percentage of children in the 1972 cohort appeared only before an Aid Panel (15.5% compared to 10.3%).

Changes to the juvenile justice system occurred in 1979. The age limit on Aid Panel appearances was removed and Screening Panels were introduced. The effects of these changes seem to be reflected in the figures shown below. The proportion of South Australian children who had contact only with an Aid Panel has increased since the changes, and the proportion who had any contact with a Children's Court has declined.

Table 1: Children who had some contact with juvenile justice

	Number	Percentage*
1962	4389	18.1
1972	4788	21.1

*This percentage is based on the number of 13 year olds. The total number of 13 year olds in 1975 was 24,219 and in 1975 was 22,667.

Table 2: Children who had some contact with the children's court

	Number	Percentage
1962	1893	7.8
1972	1279	5.6

Table 3: Children who had contact only with an aid panel

	Number	Percentage
1962	2496	10.3
1972	3509	15.5

Although one in five children had some contact with the justice system, this figure increases for appearances by boys. A quarter of boys born in 1962 had some contact with the justice system. Of boys born in 1972, this figure increased to three out of every ten (29%). Girls do not have the same degree of contact with the juvenile justice system as do boys.

Approximately one in ten girls appeared before an Aid Panel or Children's Court. Like the boys however, the proportion increased between the two cohorts, from 10.1% of those born in 1962, to 12.6% of those born in 1972.

Table 4: Males who had some contact with juvenile justice

	Number	Percentage *
1962	3188	25.6
1972	3363	29.0

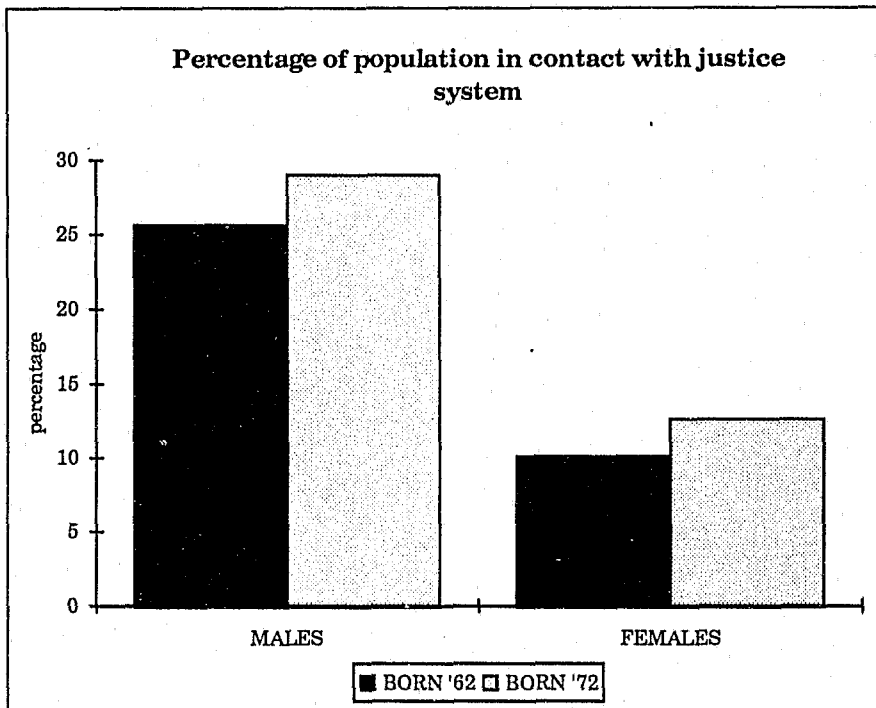
* Male population aged 13 in 1975 (12,436), male population aged 13 in 1985 (11,607)

Table 5: Females who had some contact with juvenile justice

	Number	Percentage*
1962	1189	10.1
1972	1391	12.6

*Female population aged 13 in 1975 (11,783), female population aged 13 in 1985 (11,061)

It is difficult to establish the proportion of Aboriginals who had contact with the justice system. These difficulties are caused by the lack of information on the Aboriginal population. There were improvements in collection and processing for the 1986 Census, as well as an awareness campaign, to capture more effectively the Aboriginality of respondents. A combination of these factors and the increase willingness of Aboriginals



and Torres Strait Islanders to identify themselves as such, led to a 45% increase in the recorded Aboriginal population between the 1981 and 1986 Census, compared to a 5% increase for the total population. For these reasons it has been decided to calculate the proportion of Aboriginal youth in contact with the justice system for the second cohort only. These children would have been 14 years old at the time of the 1986 Census.

Within these constraints it is estimated that 55% of Aboriginal youth had contact with the juvenile justice system during their adolescence (compared with 21% of the total youth population). Nearly seven out of ten Aboriginal boys and four out of ten Aboriginal girls appeared before an Aid Panel or Children's Court.

As mentioned previously, the percentage of young offenders who never appear before a Children's Court increased between the two cohorts. This increase was

particularly noticeable for Aboriginal youth. Of the Aboriginal young offenders born in 1962, just over a quarter (26.1%) had no court appearances. This increased to 47.1% of the Aboriginal young offenders born in 1972. Although the proportion of Aboriginal young offenders who only appeared before an Aid Panel nearly doubled between the two cohorts it was still substantially less than for non - Aboriginal young offenders, three quarters (74.6%) of whom had no court appearance.

Few female young offenders had contact with the Children's Court. Of the female young offenders born in 1962, three quarters (75.4%) appeared only before an Aid Panel: this percentage increased to 85% for female young offenders born in 1972.

The proportion of young offenders involved in violent crimes is shown in Table 8. Although the figures are small there has been an increase in the proportion of violent young offenders between the two cohorts. Of

the children born in 1962, 1.3% of the offenders were involved in at least one crime of violence. This figure doubled to 2.7% of the young offenders born in 1972. These figures represent less than one percent of the relevant population. Of the estimated 24,219 young South Australians in the 1962 cohort 0.2% had appeared for a violent offence, and of the estimated 22,667 children in the 1972 cohort 0.6% had appeared for a violent offence.

Table 8: Proportion of young offenders involved in at least one serious crime of violence *

	Number	Percentage of offenders	Percentage of population
1962	57	1.3	0.2
1972	127	2.7	0.6

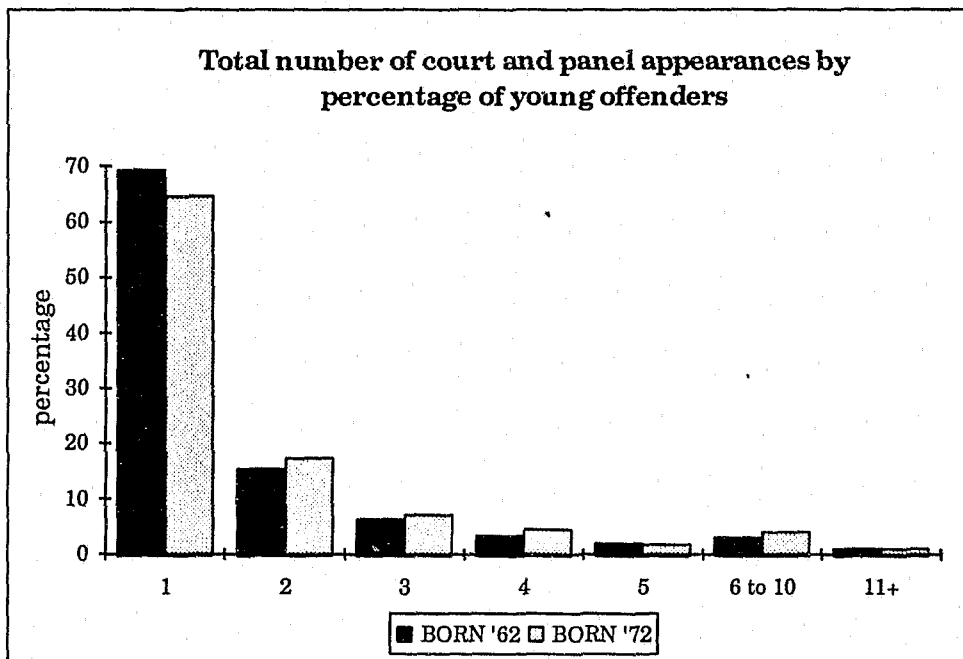
* Serious crime of violence defined as one of the following: murder, attempted murder, manslaughter, cause death by dangerous driving, malicious wounding, grievous bodily harm, assault occasioning actual bodily harm, rape, attempted rape, robbery, assault with intent to rob, demand money with menaces.

Table 6: Sex of young offenders who had contact only with an aid panel: percentage

	Males	Females
1962	50.1%	75.4%
1972	68.6%	85.0%

Table 7: Race of young offenders who had contact only with an aid panel: percentage

	Aboriginal	Non - Aboriginal
1962	26.1%	57.9%
1972	47.1%	74.6%



Frequency of appearance

For the majority of children there was only one appearance before either a court or panel. Nearly 70% of the 1962 cohort, and 65% of the 1972 cohort had a single appearance. Very few children had more than five appearances (3.8% for the 1962 cohort, 4.7% for the 1972 cohort). There were some children with a large number of appearances. Three children born in 1962 had more than 20 appearances each, as did three children born in 1972.

Males made more appearances than did females. For the 1962 cohort 37.1% of males had more than one appearance compared to 12.9% of females. The 1972 cohort saw both males and females increase the number of their appearances: 40.3% of males and 22.3% of females had more than one appearance.

Aboriginals had more appearances than did non-Aboriginals. Just over 20% of Aboriginal youth had more than five appearances compared to 4% of non-Aboriginals.

Table 9: Total court and panel appearances: cohort born 1962

Number of appearances*	Children	Percentage
1	3042	69.3
2	675	15.4
3	276	6.3
4	144	3.3
5	85	1.9
6	40	0.9
7	38	0.9
8	23	0.5
9	23	0.5
10 - 14	36	0.8
15 - 22	7	0.2
TOTAL	4389	100.0

*Mean number of appearances = 1.7

Table 10: Total court and panel appearances: cohort born 1972

Number of appearances*	Children	Percentage
1	3093	64.6
2	827	17.3
3	342	7.1
4	215	4.5
5	86	1.8
6	57	1.2
7	49	1.0
8	27	0.6
9	25	0.5
10 - 14	52	1.1
15 - 24	15	0.3
TOTAL	4788	100.0

*Mean number of appearances = 1.9

Table 11: Total court and panel appearances by sex: percentage

Number of appearances	Males 1962	Males 1972	Females 1962	Females 1972
1	62.9	59.7	87.1	77.7
2	17.8	18.0	8.2	13.7
3	7.9	8.3	2.1	4.5
4	4.0	5.6	1.3	1.9
5	2.5	2.2	0.4	0.9
6 - 10	3.9	4.7	0.7	1.2
11 - 20	0.9	1.4	0.3	0.1
21+	0.1	0.1	0.0	0.0
TOTAL	100.0 (N = 3188)	100.0 (N = 3363)	100.0 (N = 1189)	100.0 (N = 1391)
Mean number of appearances	1.93	2.09	1.25	1.41

Table 12: Total court and panel appearances by race: percentage

Number of appearances	Aboriginal 1962	Aboriginal 1972	Non-Aboriginal 1962	Non-Aboriginal 1972
1	39.6	39.9	70.4	66.0
2	11.2	13.9	15.3	17.1
3	6.7	11.1	6.3	7.0
4	9.7	7.2	3.1	4.4
5	10.4	6.3	1.7	1.6
6 - 10	10.4	14.4	2.8	3.1
11 - 20	10.4	6.7	0.4	0.8
21+	1.5	0.5	0.0	0.0
TOTAL	100.0 (N = 134)	100.0 (N = 208)	100.0 (N = 4244)	100.0 (N = 4555)
Mean number of appearances	4.36	3.74	1.66	1.81

Table 13: Total court appearances: cohort born 1962

Court Appearances	Children	Percentage
1	1230	65.0
2	305	16.1
3	146	7.7
4	65	3.4
5	41	2.2
6	30	1.6
7	20	1.1
8	15	0.8
9	10	0.5
10 - 14	25	1.3
15 - 22	6	0.3
TOTAL	1893	100.0

Children made more court appearances than panel appearances. The maximum number of court appearances for both cohorts was 22. The maximum number of Aid Panel appearances was 6 appearances for the 1962 cohort and 9 appearances for the 1972 cohort.

**Table 14: Total court appearances:
cohort born 1972**

Court Appearances	Children	Percentage
1	665	52.0
2	256	20.0
3	129	10.1
4	59	4.6
5	51	4.0
6	30	2.3
7	22	1.7
8	15	1.2
9	12	0.9
10 - 14	34	2.7
15 - 22	6	0.5
TOTAL	1279	100.00

**Table 16 : Total panel appearances:
cohort born 1972**

Panel Appearances	Children	Percentage
1	3450	76.3
2	795	17.6
3	221	4.9
4	37	0.8
5	10	0.2
6	5	0.1
7	2	0.0
8	0	0.0
9	1	0.0
TOTAL	4521	100.00

**Table 15: Total panel appearances:
cohort born 1962**

Panel Appearances	Children	Percentage
1	2682	82.3
2	447	13.7
3	104	3.2
4	24	0.7
5	2	0.1
6	1	0.0
TOTAL	3260	100.00

Table 17 : First appearance by subsequent appearance: cohort born 1962

First Appearance	Any Subsequent Appearance			
	None	Children's Court	Aid Panel	
Children's Court	861 (71.2%)	310 (25.6%)	65 (5.4%)	1209
Aid Panel	2199 (69.2%)	684 (21.5%)	561 (17.6%)	3180

Table 18 : First appearance by subsequent appearance: cohort born 1972

First Appearance	Any Subsequent Appearance			
	None	Children's Court	Aid Panel	
Children's Court	236 (64.1%)	124 (33.7%)	26 (7.1%)	368
Aid Panel	2997 (67.8%)	911 (20.6%)	904 (20.5%)	4420

Frequency of offending

Tables 19 and 20 examine the number of offences that were dealt with by the justice system for the two cohorts. These offences will not be the same as the number of offences on police records. Reasons for this include: the removal of some children (and consequently their offences) through cautions or no further action; negotiations on charges taking place before a court hearing; and the exclusion of any charges that were not proven from the data base.

The tables that follow show that the majority of children appearing before a court or Aid Panel had only one offence during their entire contact with the juvenile justice system. The two cohorts are very similar in the number of offences dealt with. While the majority of children had only one offence, there are a few children who were responsible for a large number of offences. In the 1962 cohort 5 children had more than 50 offences each, while in the 1972 cohort 8 children had more than 50 offences. Approximately 5 percent of offenders had been responsible for a third of the offences dealt with by an Aid Panel or Children's Court. The 1962 cohort had 5.2% of offenders responsible for 33% of offences, 5.4% of males responsible for

32.5%, 4.2% of females responsible for 25.7%. The 1972 cohort showed a similar pattern with 4.8% of offenders responsible for 34.3% of offences, 5.3% of males responsible for 36%, and 5.2% of females responsible for 26.5%.

Table 19: Total number of offences: cohort born 1962

Number of offences *	Children	Percentage
1	2395	54.6
2	720	16.4
3	443	10.1
4	229	5.2
5	127	2.9
6 - 10	269	6.1
11 - 15	108	2.5
16 - 20	32	0.7
21 - 25	34	0.8
26 - 30	10	0.2
31 - 35	10	0.2
36 - 40	4	0.1
41 - 50	3	0.1
51 - 71	5	0.1
TOTAL	4389	100.00

*Mean number of offences was 2.9.

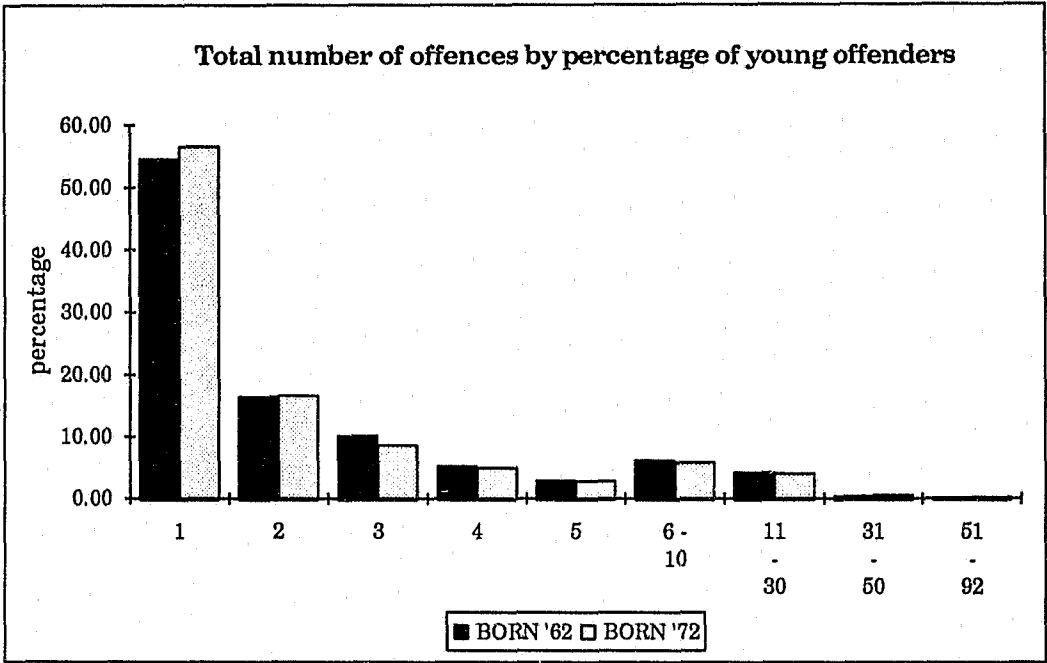


Table 20: Total number of offences : cohort born 1972

Number of offences *	Children	Percentage
1	2707	56.5
2	794	16.6
3	410	8.6
4	234	4.9
5	132	2.8
6-10	280	5.8
11-15	108	2.3
16-20	45	0.9
21-25	23	0.5
26-30	14	0.3
31-35	16	0.3
36-40	10	0.2
41-50	7	0.1
51-70	5	0.1
71-92	3	0.1
TOTAL	4788	100.00

* Mean number of offences was 2.9.

Age patterns of offending

Most children made their first appearance before a court or panel at the age of 14 years (19.2% 1962, 18.9% 1972). Over half made their first appearance between the ages of 13 and 15 years.

Table 21: Age first appearance court or panel: cohort born 1962

Age	Number	Percentage
9	11	0.3
10	96	2.2
11	173	3.9
12	361	8.2
13	705	16.1
14	844	19.2
15	830	18.9
16	580	13.2
17	680	15.7
18+	109	2.5
TOTAL	4389	100.0

Table 22: Age first appearance court or panel: cohort born 1972

Age	Number	Percentage
9	1	0.0
10	115	2.4
11	252	5.3
12	424	8.9
13	717	15.0
14	907	18.9
15	838	17.5
16	727	15.2
17	703	14.7
18	104	2.2
TOTAL	4788	100.00

Tables 21 and 22 show the age at which children *first* came into contact with the juvenile justice system. The next two tables show how much contact (first or subsequent) children had at each age. For example, although 19.2% of young offenders had their first contact at age 14, nearly a quarter(24%) of all young offenders aged 14 came into contact with the justice system. The table also shows what percentage of the population had contact at that age. Using the above example, 4.4% of the whole cohort population had some contact at age 14.

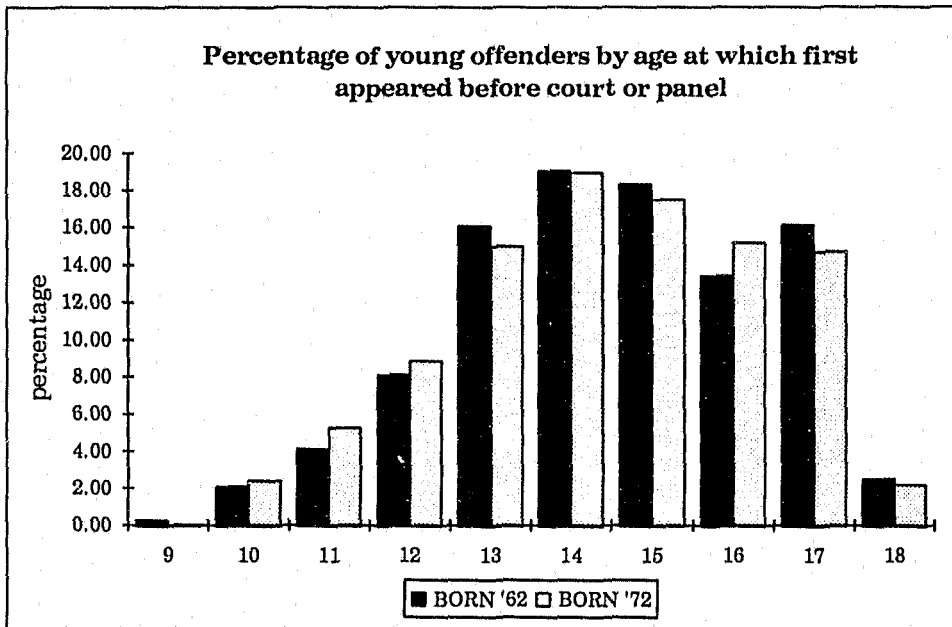


Table 23: Contact with court or panel at various ages: cohort born 1962

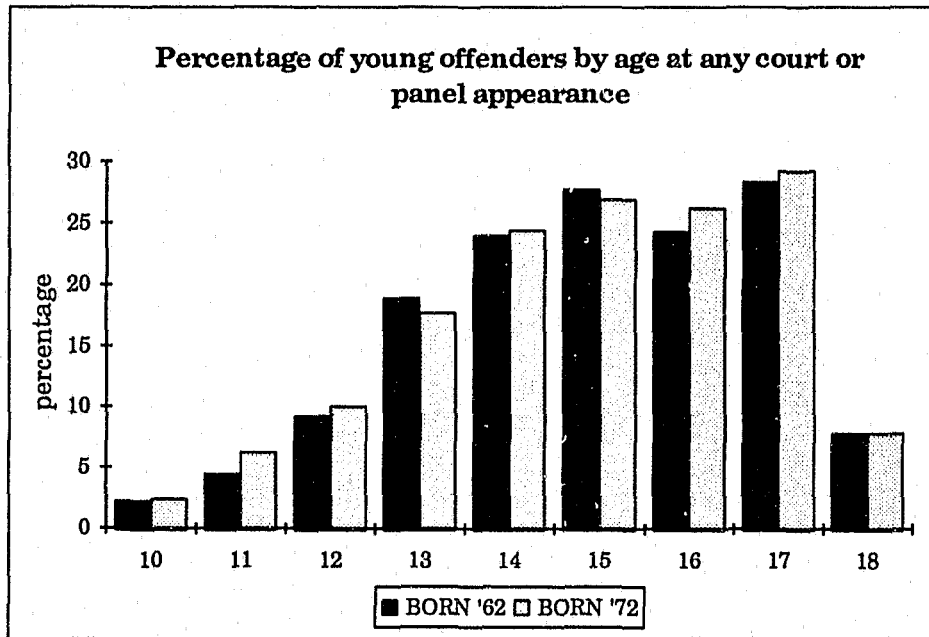
Age made contact*	Number of individuals	Percentage of cases	Percentage of population
10	98	2.2	0.4
11	194	4.4	0.8
12	403	9.2	1.7
13	829	18.9	3.4
14	1055	24.0	4.4
15	1215	27.7	5.0
16	1066	24.3	4.4
17	1240	28.3	5.1
18	343	7.8	1.4

* Contact with either court or panel, first or any subsequent appearance

Table 24: Contact with court or panel at various ages: cohort born 1972

Age made contact*	Number of individuals	Percentage of cases	Percentage of population
10	115	2.4	0.5
11	272	6.2	1.2
12	479	10.0	2.1
13	846	17.7	3.7
14	1168	24.4	5.0
15	1288	26.9	5.5
16	1253	26.2	5.4
17	1400	29.2	6.0
18	374	7.8	1.6

* Contact with either court or panel, first or any subsequent appearance



Over two thirds of children who made their first appearance at the age of ten years, reappeared at a later date. The older children were before they made their first appearance the less likely they were to have a reappearance. In part this is because they had less time in which to reoffend than the children who had their first appearance at a younger age. In other words a ten year old has seven to eight years in which to reappear, while a sixteen year old has only one or two years.

Table 25: Age at first appearance by reappearance: cohort born 1962

Age at first appearance	Number with at least one reappearance	Percentage *
9	8	72.7
10	62	64.6
11	79	45.7
12	140	44.0
13	252	35.7
14	275	32.6
15	268	32.3
16	136	23.4
17	99	14.6
18	9	8.3
TOTAL	1347	30.7

* Percentage of children who first appeared at that age

Table 26: Age at first appearance by reappearance: cohort born 1972

Age at first appearance	Number with at least one reappearance	Percentage *
9	1	100.0
10	73	63.5
11	137	54.4
12	202	47.6
13	290	40.4
14	327	36.1
15	303	36.2
16	217	29.8
17	137	19.5
18	8	7.7
TOTAL	1695	35.4

* Percentage of children who first appeared at that age

CONCLUSIONS

This report has been able to examine the cumulative appearance records of individual offenders in two cohorts of youth, whose age difference is ten years. Appearance patterns within both cohorts were similar, however a greater proportion of the second cohort came into contact with juvenile justice because of panel rather than court appearances. The cumulative view of juvenile offending taken here enabled the analysis to distinguish between single and repeated appearances, a distinction of considerable interest in examining the offending patterns of different offender subgroups. Differences between male and female appearance rates are due mainly to the higher proportion of males having an appearance before a court or panel (males were two and one half times more likely to record an appearance). For males and females who did record an appearance, however, the mean number of appearances was less significant (male to female ratio of 1.5)

Panel appearances recorded in the database should not be interpreted as a perfect indicator of offending behaviour. A chain of decisions leads to the final result of a court or panel appearance and this sequence of events may affect sub-groups of offenders in different ways. The type of decisions involved include: the reporting of an offence by a victim; the ability of police to detect an offender; and the decision by police, and willingness of victim, to designate the event as a crime and apprehend the offender. It is likely that the comparative involvement of Aboriginal offenders is particularly affected by this chain of decisions. The high rate of involvement of Aboriginal youth may make the detection of further offences more straightforward.

Black (1971) presented an analysis of the factors involved in police decisions to arrest in Boston, Chicago and Washington. There was no evidence that police discriminated on the basis of

race as such. Nevertheless, black Americans were arrested at a higher rate because blacks were more often disrespectful to police and disrespect was important in the decision to arrest for both blacks and whites. This result is likely to hold true for Aboriginal Australians although the database is limited in the insight it can add to this issue. Previous research using the Young Offenders database (Gale, Bailey-Harris and Wundersitz, 1990), has shown that Aboriginal youth by comparison with non-Aboriginals are more likely to be arrested than reported and that there is a cumulative process working within juvenile justice which leads to increasing representation. Aboriginals who appear are more likely to be referred to a court than a panel and are then more likely to experience detention rather than less severe sanctions. The issue of legal reaction to Aboriginal youth was also discussed by the Royal Commission into Aboriginal Deaths in Custody (Volume 2 of National report Ch. 14). The cumulative process described by Gale and others is likely to commence prior to the actual court or panel appearance.

Whatever mechanisms are involved it is clear that Aboriginal youth have an extraordinary level of contact with juvenile justice. The degree of Aboriginal involvement with juvenile justice lays a foundation for high rates of contact with adult courts and to more severe penalties because of an extended criminal record. An offending record will also impact on other life prospects such as employment.

This initial report has not dealt with regional variations in the prevalence of Aboriginal contact with juvenile justice, a matter which will be examined in later stages of the research. However prior research by Gale, Bailey-Harris and Wundersitz (1990, Ch 3), using the same database, found wide regional variations in the rate of Aboriginal appearances - a variation which they attributed to differing levels of prejudice against local Aboriginal communities.

There has been much discussion of a so called 'hard core' of juvenile offenders who are allegedly responsible for a large fraction of all juvenile offences. These initial results reveal that some juveniles are indeed held accountable for a disproportionate number of cleared offences. Nevertheless, the South Australian results do not reveal as high a concentration of offending as found in some other studies. For example the Philadelphia first cohort (Wolfgang et al., 1972) revealed that the most active six per cent of male offenders were linked to over one half of cleared offences. In both South Australian cohorts the most active five per cent of male offenders appeared in connection with one third of offences.

The research has yet to analyse offence patterns but one should not assume that there is necessarily a concentration of

serious offences amongst the offences committed by frequent offenders. Other longitudinal studies have produced conflicting results on the connection between seriousness and frequency. Finally one should recall that the results here are retrospective. They look back on a completed history of juvenile offending. At younger ages where juvenile offending patterns are still emerging, offences will be less concentrated in a small number of individuals. Prediction of high frequency offenders will not necessarily be easy. This point is emphasised by the results relating to age at first appearance. Over half of juvenile offenders make their first appearance at age fifteen or later and age seventeen is the most prevalent age for appearances regardless of whether the offending is by first timers or recidivists.

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APPENDIX I

Issues in measuring juvenile justice contact between the ages of 10 and 17

There are some special difficulties which arise in attempting to measure the contact of individuals with the juvenile justice system over an extended time span. Young people may leave South Australia for other places, arrive here from elsewhere or, in a small number of cases, die. Some of the difficulties associated with measurement are connected with the database of young offenders itself, while others relate to the base population of all young people from which they are drawn.

The young offenders database contains the contact records of individuals, the majority of whom have been resident in South Australia continuously between the ages of 10 and 17. It also contains the records of individuals with recorded contact who have not been resident in the State for all of their juvenile years. Some may have recorded early contact and then migrated elsewhere. Others will have come to South Australia between the ages of 10 and 17. The relatively small number of individuals in these groups may therefore have missing information about contact with interstate justice authorities or justice authorities in other countries. To this extent the database will tend to

underestimate the number of criminal justice contacts - the *frequency* of offending.

The database will not necessarily underestimate the *prevalence* of offending - the proportion of the cohort who have at least one juvenile justice contact. This figure depends on the base population with which the offenders are compared. In this study the base is taken as all those individuals who were resident in South Australia at the age of 13 and were born in the years 1962 and 1972. The Australian Bureau of Statistics estimates the population in single year age groups at June 30 each year (catalog number 3201.0). In order to estimate the number of 13 year-olds at December 31 of a year it was necessary to average the June 30 estimates for two successive years. For the 1962 cohort this was an average of the June 30 estimate of 13 year-olds in 1975 and 1976. For the 1972 cohort the years were 1985 and 1986.

The reason for choosing the State population at age 13 as the base number for each cohort is that net migration and, to a minor extent, deaths affected each cohort differently. The number of 10 year-olds in 1972 was 256 lower than the number of 17 year-olds in 1979. On the other hand the number of 17 year-olds in 1989 exceeded the number of 10 year-olds in 1982 by 424. The selection of a 13 year-old base reduces the relative impact of migration on the estimated size of the two cohorts.

APPENDIX II

Publications list of the Office Of Crime Statistics

Series A: Statistical Reports

- No. 1 to 23 Odd numbered reports cover 6 monthly statistics from Courts of Summary Jurisdiction (from 1 January 1981). Even numbered reports cover 6 monthly Crime and Justice in South Australia (from 1 July 1981).
- No. 24 Crime and Justice in South Australia 1987
- No. 25 Crime and Justice in South Australia 1988
- No. 26 Crime and Justice in South Australia 1989
- No. 27 Crime and Justice in South Australia 1990

Series B: Research Bulletins

- No. 1 Shoplifting in South Australia (September 1982)
- No. 2 Law and Order in South Australia, An Introduction to Crime and Criminal Justice Policy (Second Edition) (October 1986)
- No. 3 Bail Reform in South Australia (July 1986)
- No. 4 Decriminalising Drunkenness in South Australia (November 1986)
- No. 5 Criminal Injuries Compensation in South Australia (February 1989)
- No. 6 Juvenile Justice I (May 1992)

Series C: Research Reports

- No. 1 Sexual Assault in South Australia (July 1983)
- No. 2 Evaluating Rehabilitation: Community Service Orders in South Australia (May 1984)
- No. 3 Victims of Crime: An Overview of Research and Policy (November 1988)
- No. 4 Cannabis: The Expiation Notice Approach (July 1989)
- No. 5 Victims and Criminal Justice (April 1990)

Series D: Social Issues Series

- No. 1 Random Breath Tests and the Drinking Driver (November 1983)
- No. 2 The Impact of Parole Legislation Change in South Australia (August 1989)

**Series 1: Crime and Justice in South Australia
- Quarterly Reports (Discontinued)**

- Vol. 1 Report for the period ending 31 December 1978 (February 1979)
- Vol. 1 Report for the period ending 31 March 1979 (June 1979)
- Vol. 1 Report for the period ending 30 June 1979 (September 1979)
- Vol. 2 Report for the period ending 30 September 1979 (December 1979)
- Vol. 2 Report for the period ending 31 December 1979 (March 1980)
- Vol. 2 Report for the period ending 31 March 1980 (July 1980)
- Vol. 2 Report for the period ending 30 June 1980 (September 1980)
- Vol. 3 Report for the period ending 30 September 1980 (December 1980)
- Vol. 3 Report for the period ending 31 December 1980 (May 1981)
- Vol. 3 Report for the period ending 31 March 1981 (July 1981)
- Vol. 3 Report for the period ending 30 June 1981 (September 1981)

**Series 11: Summary Jurisdiction and Special Reports
(Discontinued)**

- No. 1 Homicide in South Australia: Rates and Trends in Comparative Perspective (July 1979)
- No. 2 Law and Order in South Australia: An Introduction to Crime and Criminal Justice Policy (First Edition) (September 1979).
- No. 3 Robbery in South Australia (February 1980)
- No. 4 Statistics from Courts of Summary Jurisdiction: Selected Returns from Adelaide Magistrate's Court: 1 January - 30 June 1979 (March 1980)
- No. 5 Statistics from Courts of Summary Jurisdiction: Selected Returns from South Australian Courts: 1 July - 31 December 1979 (September 1980)
- No. 6 Statistics from Courts of Summary Jurisdiction: Selected Returns from South Australian Courts: 1 January - 30 June 1980 (December 1980)
- No. 7 Statistics from Courts of Summary Jurisdiction: Selected Returns from South Australian Courts: 1 July - 31 December 1980 (September 1981)
- No. 8 Statistics from Supreme Court and District Criminal Courts: 1 July 1980 - 30 June 1981 (November 1981)
- No. 9 Homicide and Serious Assault in South Australia (November 1981)