
Young People and the Queensland Juvenile Justice System: Quantitative Modelling

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Outline of Presentation

- Literature
- Research questions
- Methodology
 - Data set
 - Discretionary stages within Juvenile justice system
 - Pathways to Detention
 - Pathway factors
 - Transitional probabilities
- Results

Literature

- Royal Commission into Aboriginal Deaths in Custody (1991)
- Juvenile Justice Act Qld (1992)
- Queensland Government and the Aboriginal and Torres Strait Islander Advisory Board (2000)

Research Questions

What is the nature of the pathways to detention taken by young people, through the juvenile justice system in Queensland? How does the juvenile justice system respond to these young people?

- 1. What is the sequence of discretionary stages that young people pass through as they progress through the criminal justice system to detention?**
- 2. Is this sequence of stages significantly different for young people, given varying individual characteristics?**
- 3. What is the most probable sequence of stages that these young people will pass through?**

Data Set

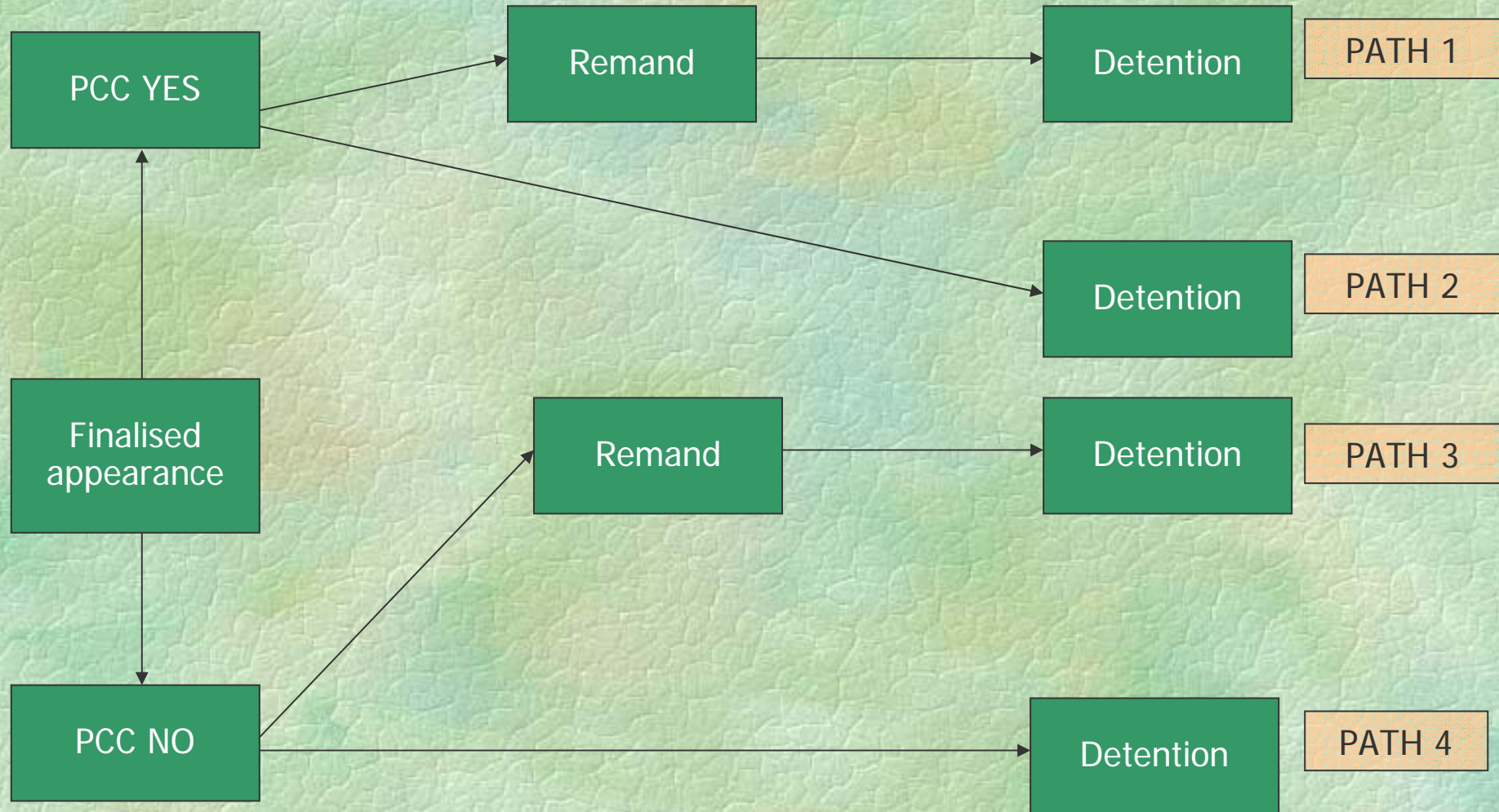
- **Cross-sectional retrospective data set – Dept Families**
- All finalised appearances between 1999-2003 with:
 - all of the unfinalised appearances for those finalised offences but ONLY during 1999-2003
 - for all young people who had finalised appearances during 1999-2003, all of their previous finalised appearances were included

Discretionary stages within juvenile justice system

Question 1: What is the sequence of discretionary stages that young people pass through as they progress through the criminal justice system to detention?

- Four discretionary stages:
 - Arrest
 - Pre-court custody
 - Remand by court
 - Sentencing - detention order

Pathways to detention



Pathway Factors

Question 2: Is this sequence of stages significantly different for young people, given varying individual characteristics?

Question 3: What is the most probable sequence of stages that these young people will pass through?

Primary Factors	<ol style="list-style-type: none">1. Indigenous status2. Gender
Secondary Factors	<ol style="list-style-type: none">1. Offence Seriousness2. Criminal history3. Court location - ARIA

Transitional Probabilities

Questions 2 & 3

- Simplest analysis providing probabilities of pathways through a system
- Conditional probabilities
- Forward progression, no feedback loops
- Separate matrixes based on primary and secondary factors

Transitional Probabilities

Questions 2 & 3

Model the transitional probabilities at three discretionary stages:

- Pre-court custody by police
- Pre-court custody → Remand by the court
- Remand by the court → Detention order

Results

Percent of finalised appearances (99-03) for:

Sex

Males	81.4%
Females	18.6%

Indigenous status

Indigenous	38.2%
Non-indigenous	61.8%

Results

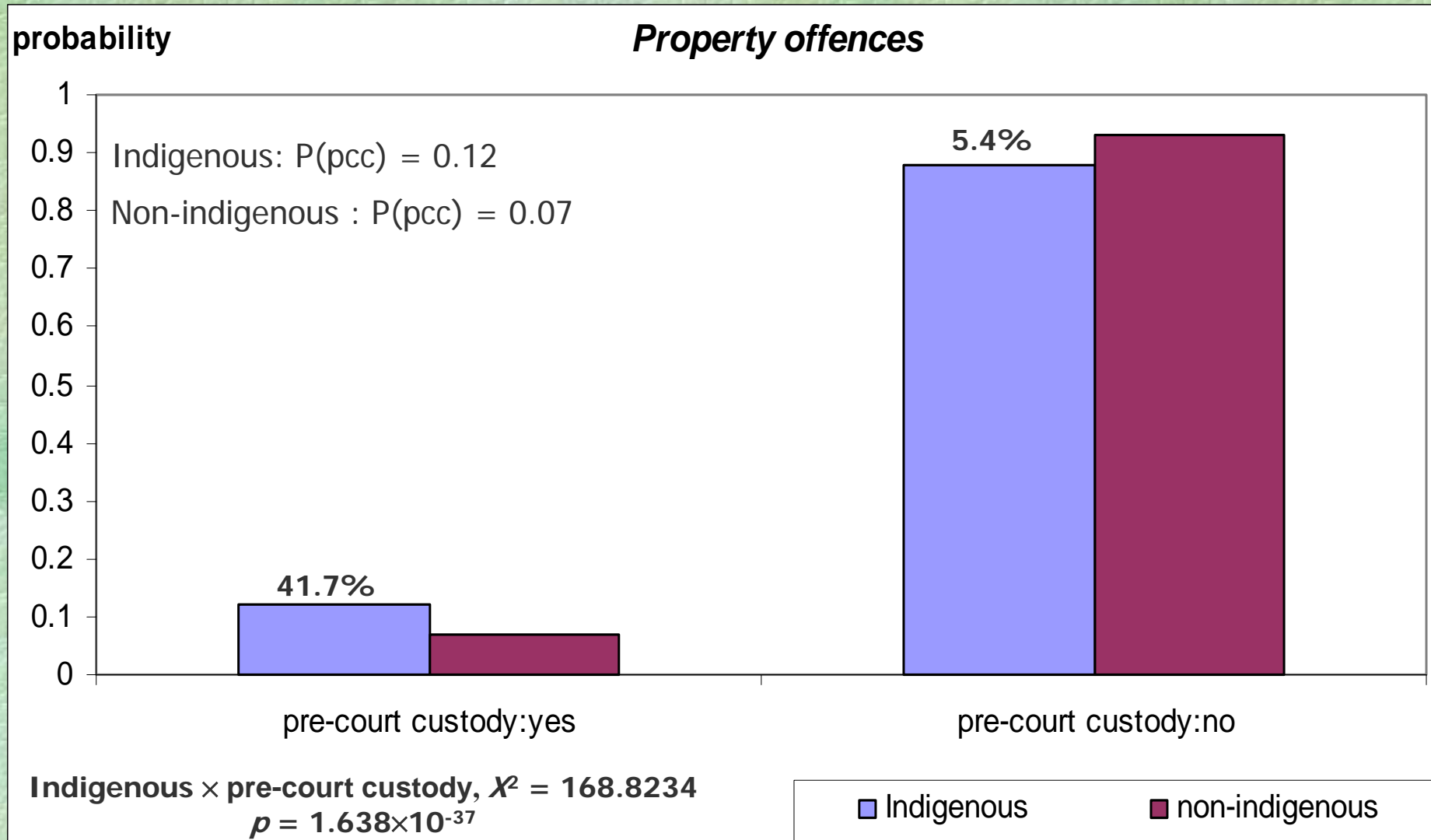
Indigenous males vs. non-indigenous males

Males vs. females

Property offences

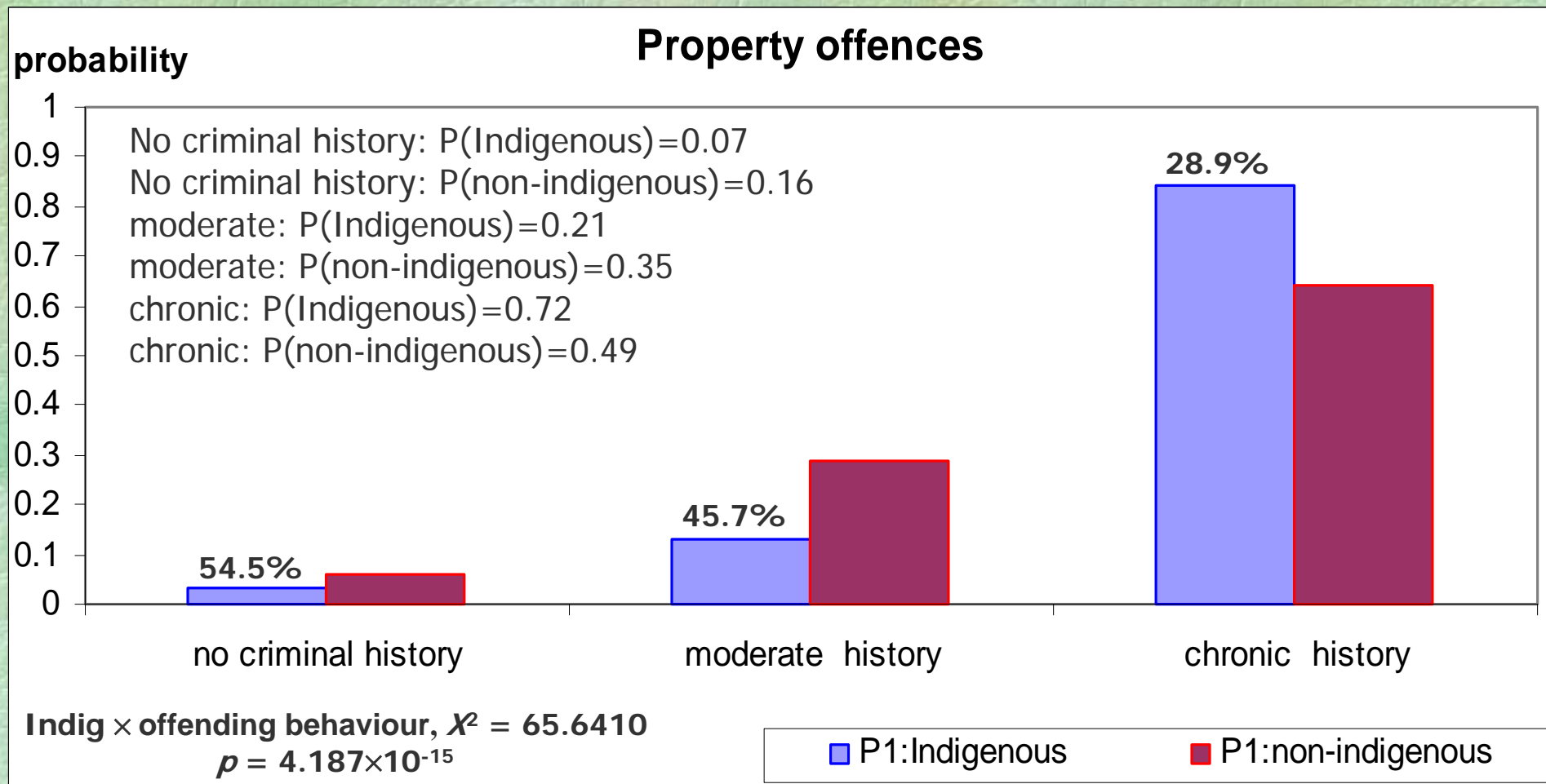
Results

What is the probability of pre-court custody?



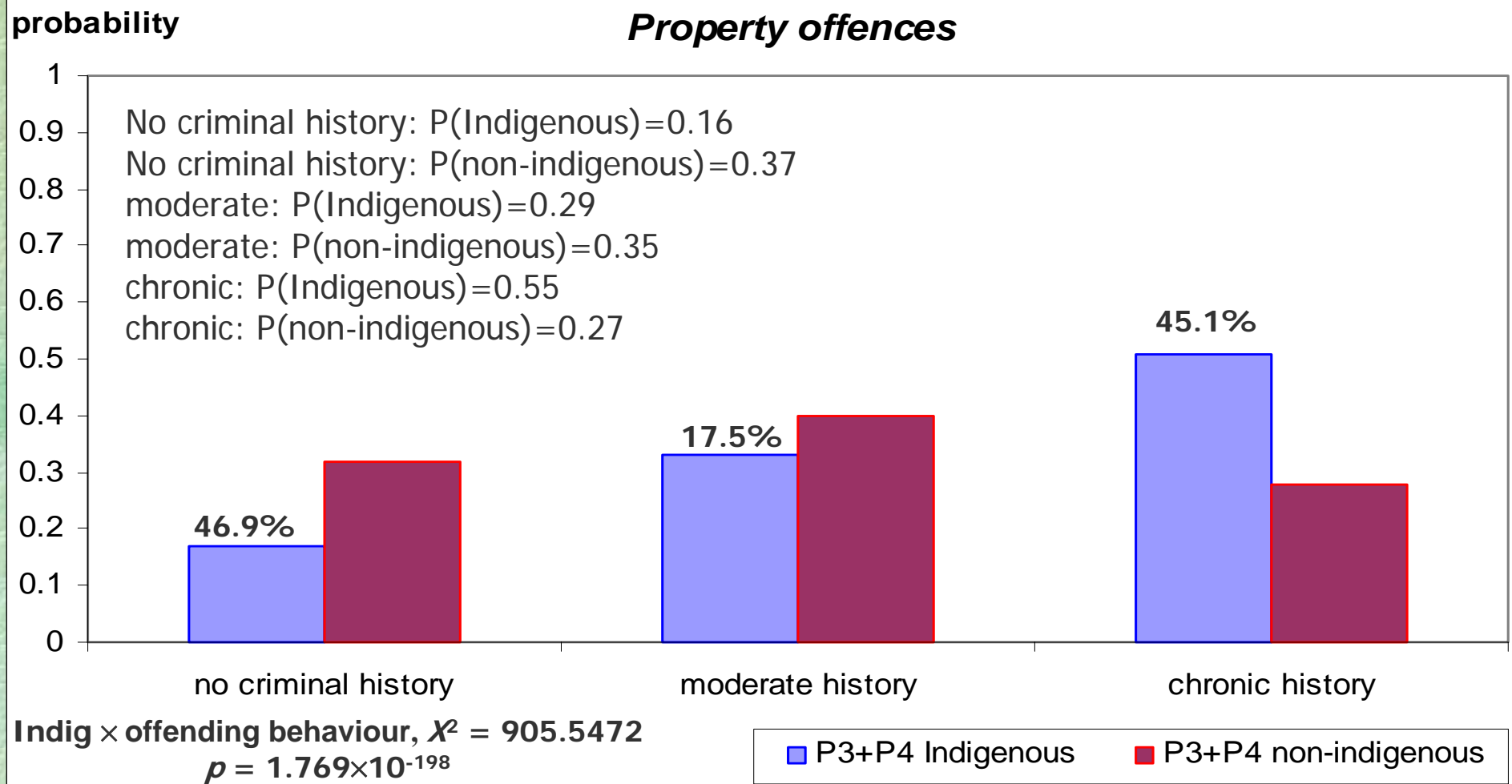
Results

Of those that had been in pre-court custody, what was the probability of being Indigenous?



Results

Of those that had not been in pre-court custody, what was the probability of being Indigenous?



Results

Indigenous: the pathway most likely taken:

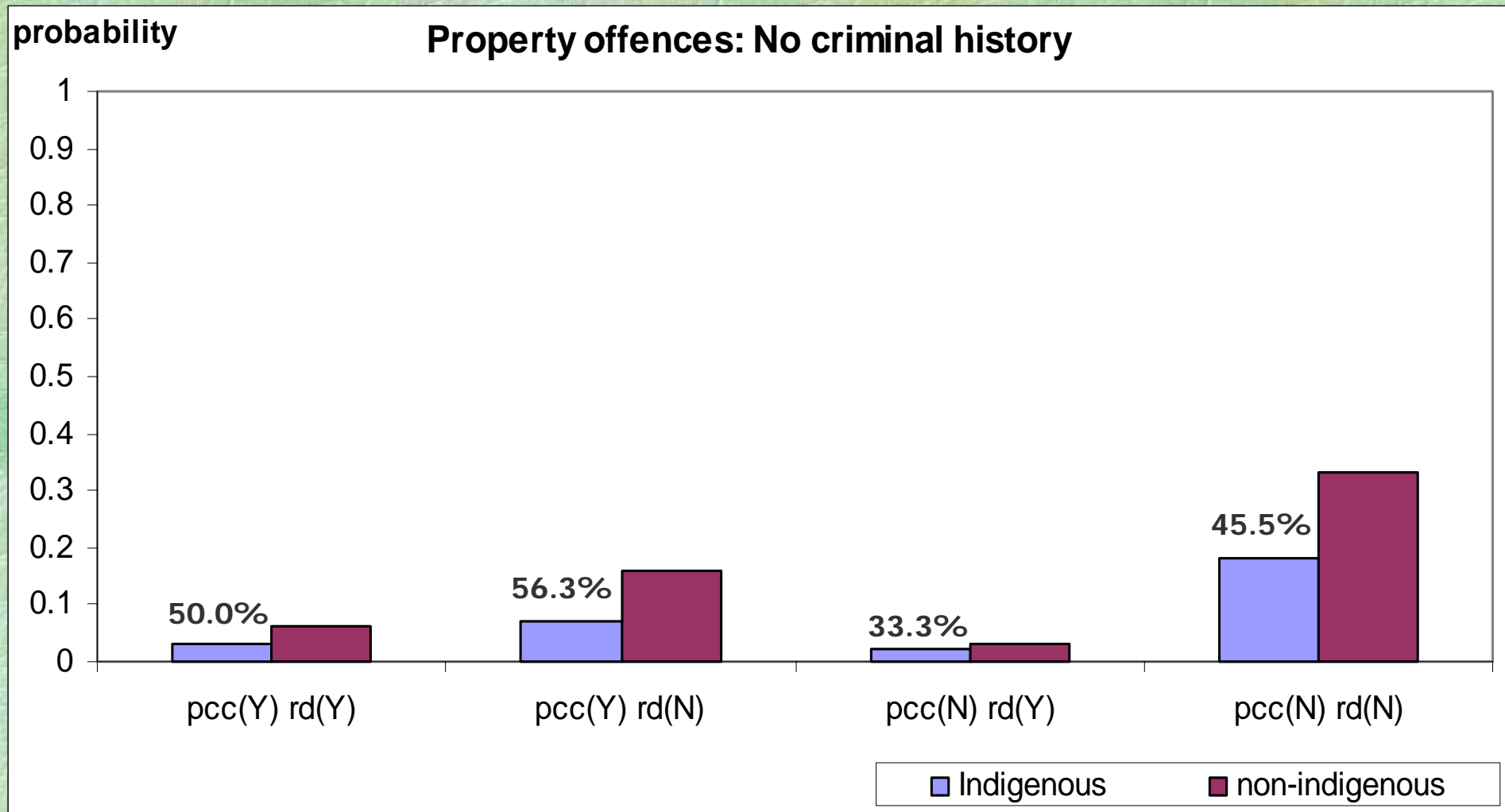
No criminal history	= pcc (no)	P3+4
Moderate history	= pcc (no)	P3+4
Chronic history	= pcc (yes)	P1+2

Non-indigenous: the pathway most likely taken:

No criminal history	= pcc (no)	P3+4
Moderate history	= any pathway	P1+2+3+4
Chronic history	= pcc (yes)	P1+2

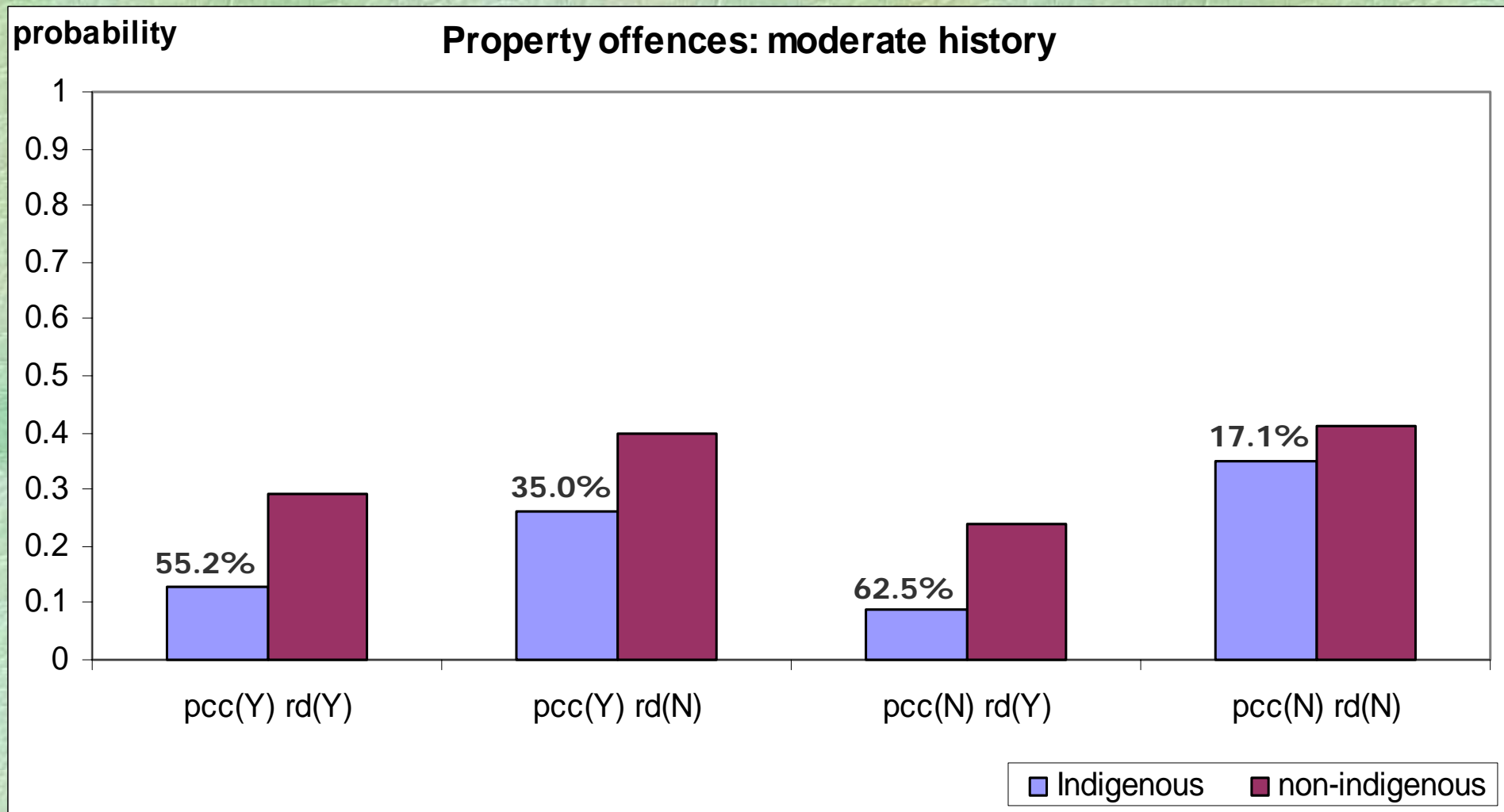
Results

Pre-court custody → Remand: No criminal history - What was the probability of being Indigenous for each pathway?



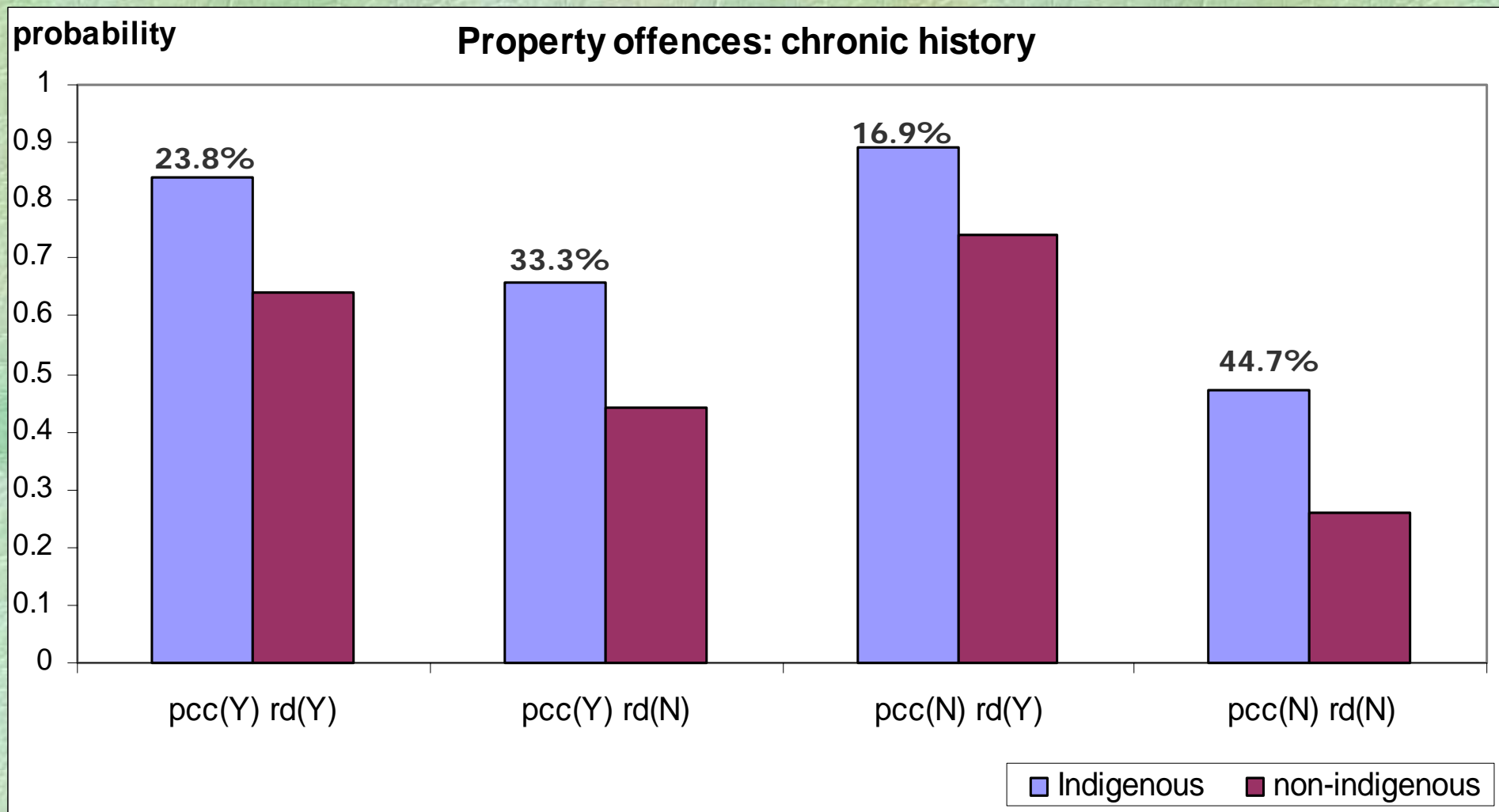
Results

Pre-court custody → Remand: Moderate history - What was the probability of being Indigenous for each pathway?



Results

Pre-court custody → Remand: Chronic history - What was the probability of being Indigenous for each pathway?



Results

Pre-court custody → Remand: whether Indigenous or non-indigenous, the pathway most likely taken:

No criminal history = pcc(no) rd(no) P4

Moderate history = pcc(no) rd(no) P4

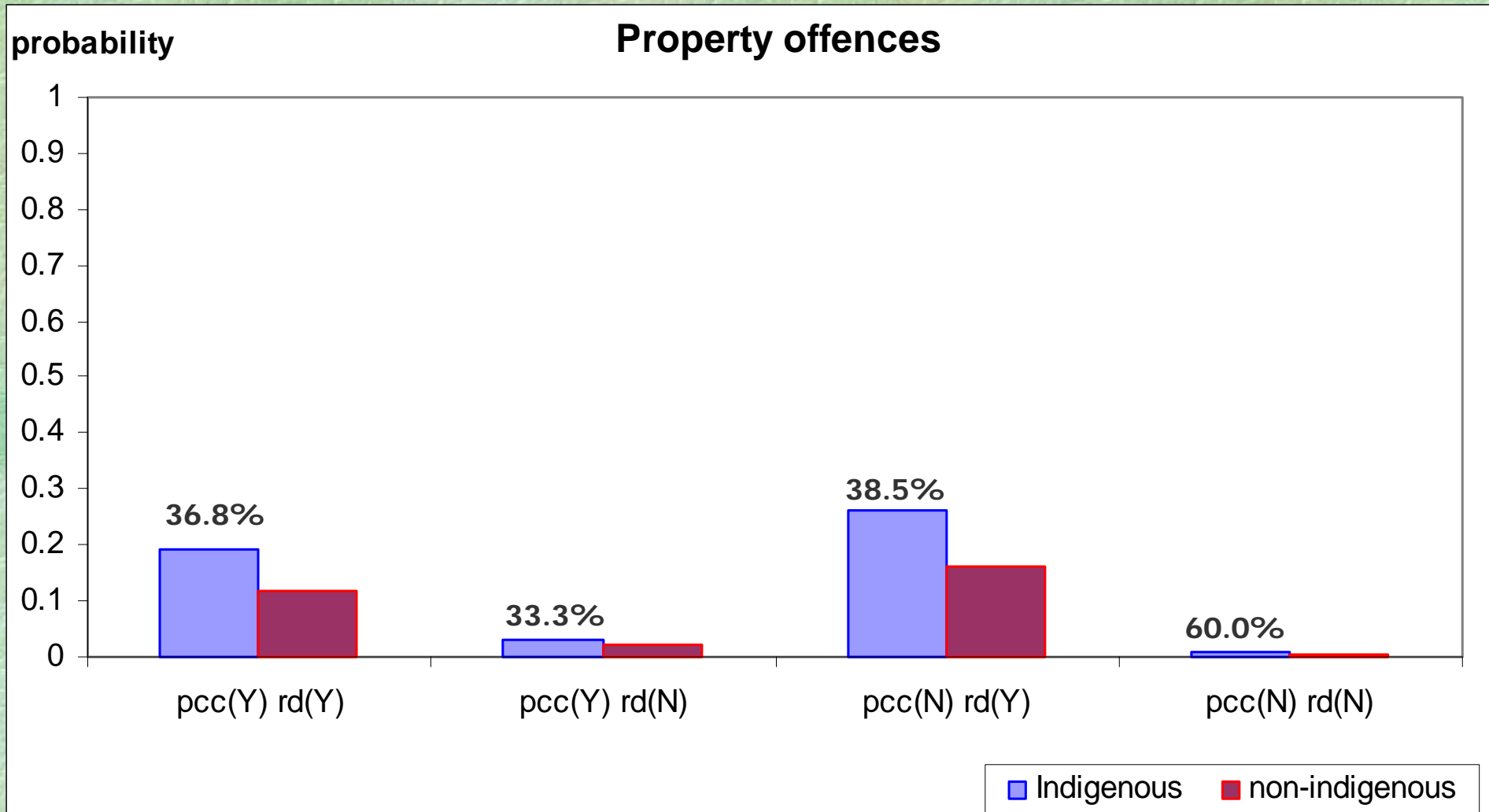
Chronic history = pcc(no) rd(yes) P3

Results

- If the offender had a chronic history and had been remanded into custody, the probability of being Indigenous was greater than the probability of not being Indigenous, regardless of the pathway taken
- The probability of being Indigenous was greatest when the offender with a chronic history had been remanded

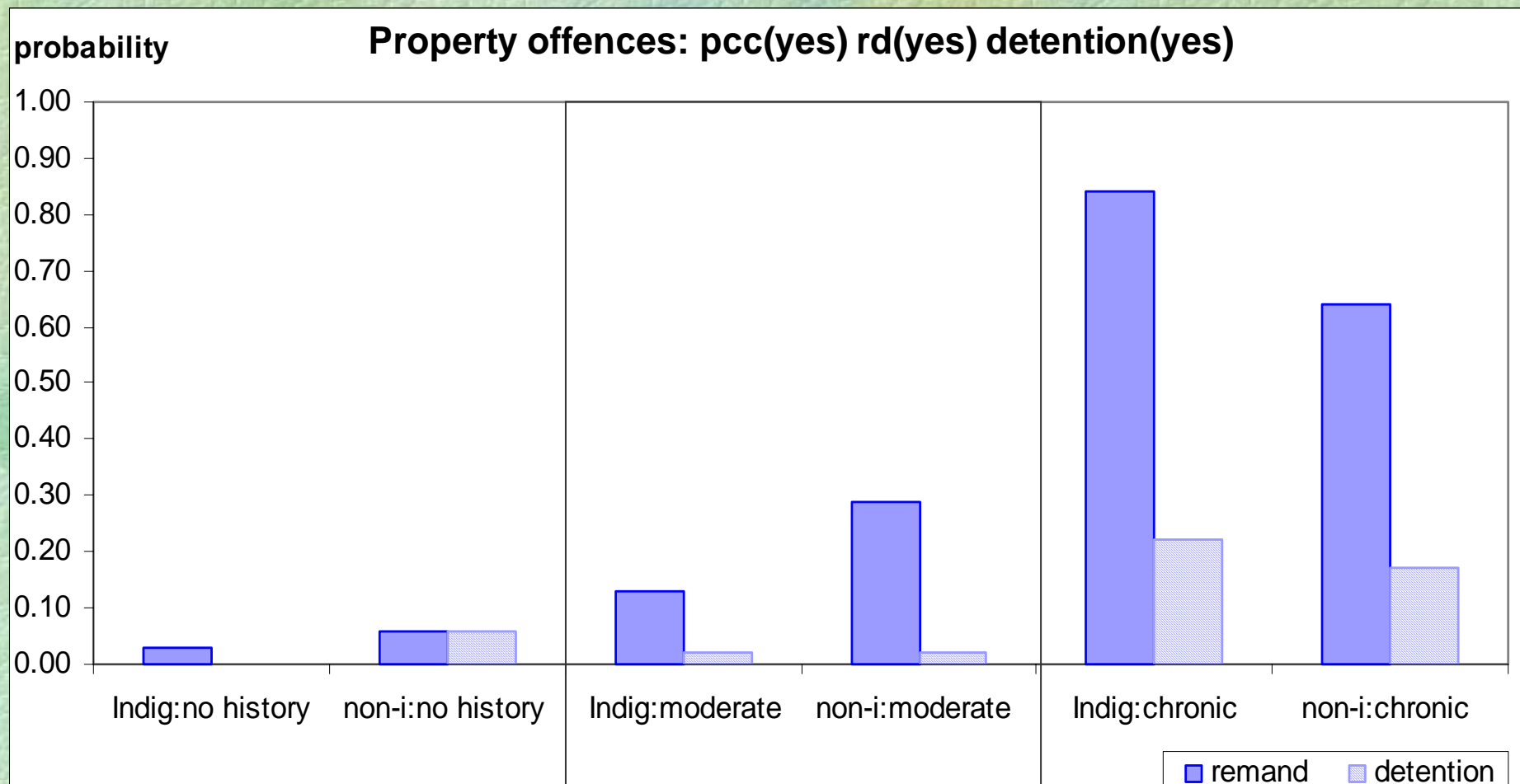
Results

Remand → Detention: If the offender was given a detention order, what was the probability of being Indigenous for each pathway?



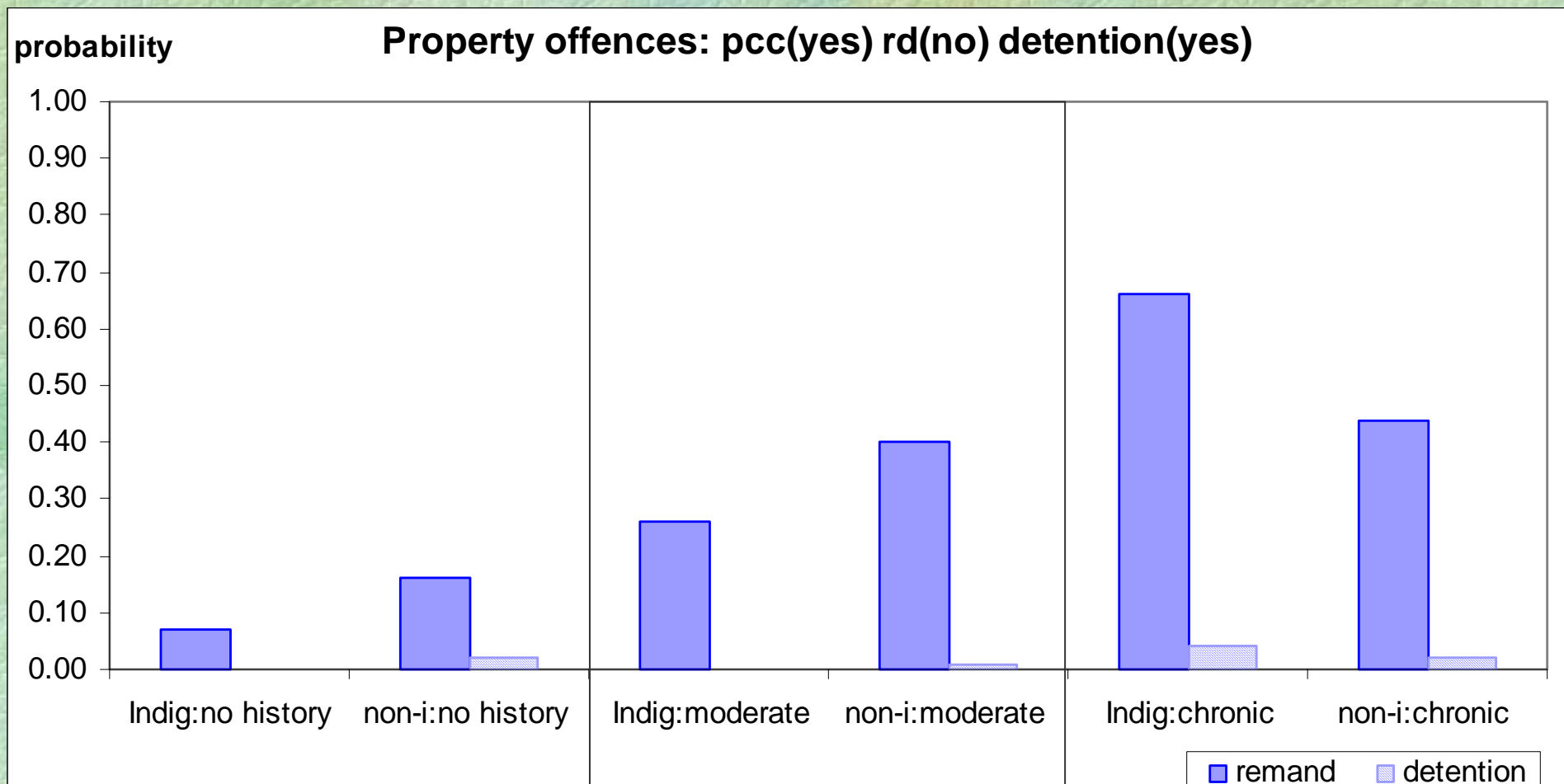
Results

Remand → Detention: What was the probability of being Indigenous for pcc (yes) remand (yes)? Detention (yes)? P1



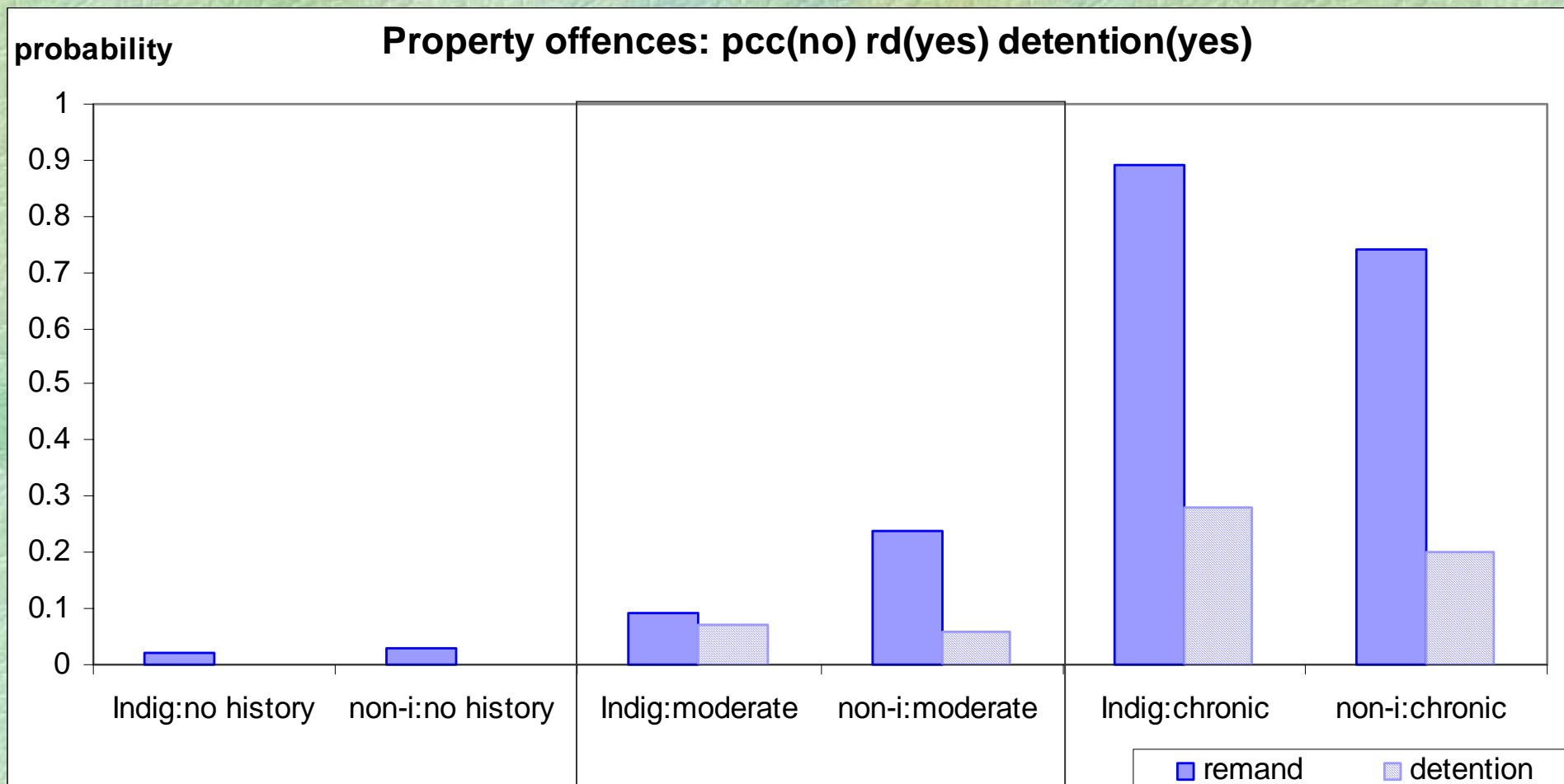
Results

Remand → Detention: What was the probability of being Indigenous for pcc (yes) remand (no)? Detention (yes)? P2



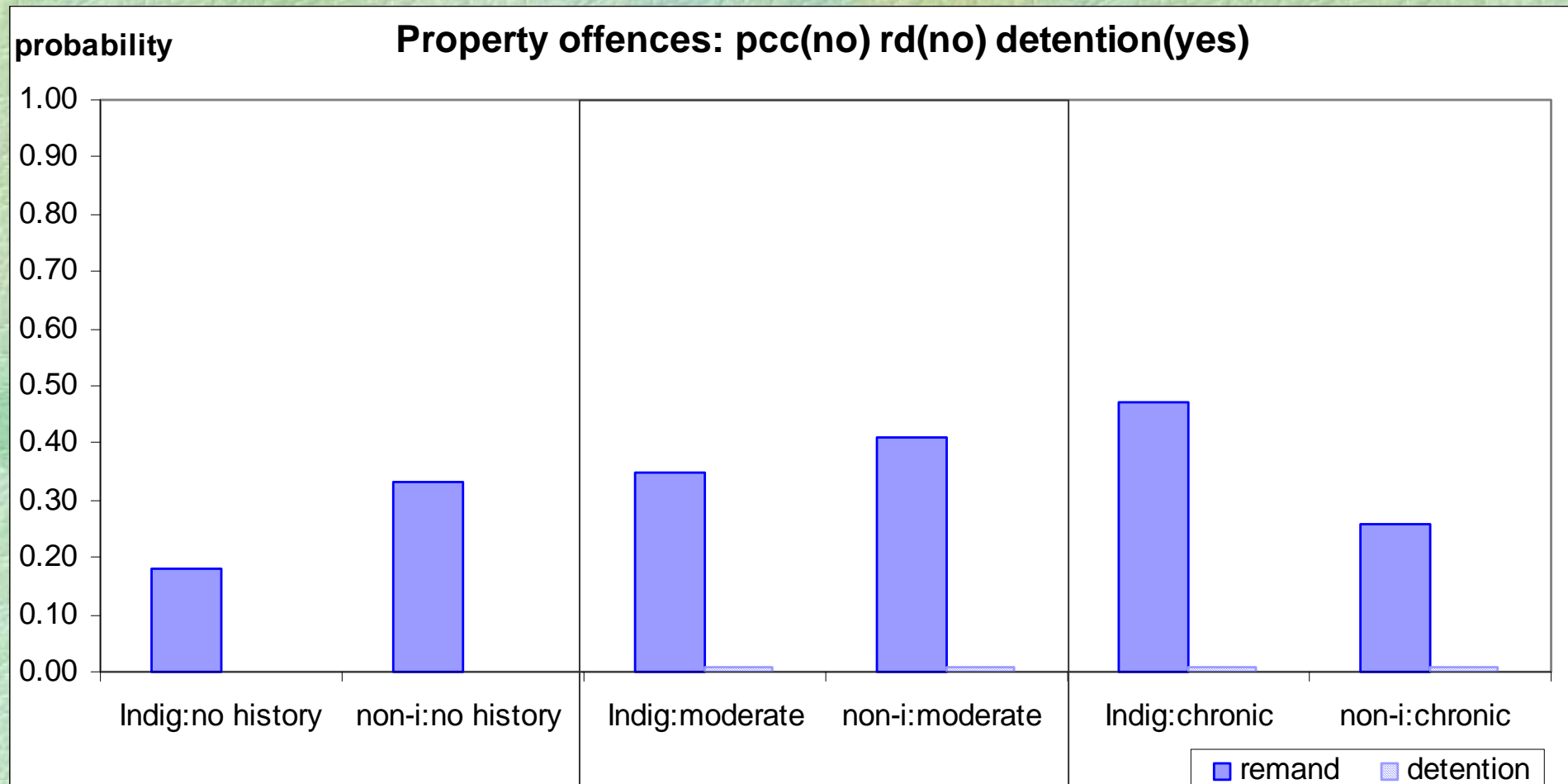
Results

Remand → Detention: What was the probability of being Indigenous for pcc (no) remand (yes)? Detention (yes)? P3



Results

Remand → Detention: What was the probability of being Indigenous for pcc (no) remand (no)? Detention (yes)? P4



Results

- Pre-court custody had a minimal influence on detention
- Remand had the greatest influence on detention
- In all pathways except pcc(no) remand(no), given a chronic history and a detention order, the probability of being Indigenous was greater than the probability of not being Indigenous.

To conclude:

How do we reduce the number of Indigenous juveniles in detention situations ?

Believe:

1. The system responds differently towards Indigenous offenders,
 - Remand by the Courts (chronic history)
2. Indigenous juveniles offend more often,
 - Child neglect
 - Substance abuse
 - Unemployment (Weatherburn, 2003)