Re-incarceration among young people in custody in NSW

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Operational Support
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Funding Bodies
- Juvenile Justice, NSW Health (Centre for Aboriginal Health)

Participants and Families
Juvenile Justice in Australia (2010-2011)

- On an average day 7,265 young people under juvenile justice supervision
  - 86% community based supervision
  - 82% male
  - 39% Indigenous

- 14% detention
  - 92% male
  - 48% Indigenous

- 57% stay up to 1 week
- 17% stay >1 week to < 1 month
- 21% stay >1 month to < 6 months
- Only 5% stay > 6 months

Juveniles in detention (number) by state, 30 June 2008

<table>
<thead>
<tr>
<th>State</th>
<th>Indigenous</th>
<th>Non-Indigenous</th>
</tr>
</thead>
<tbody>
<tr>
<td>NSW</td>
<td>191</td>
<td>177</td>
</tr>
<tr>
<td>WA</td>
<td>118</td>
<td>39</td>
</tr>
<tr>
<td>QLD</td>
<td>81</td>
<td>45</td>
</tr>
<tr>
<td>VIC</td>
<td>22</td>
<td>66</td>
</tr>
<tr>
<td>SA</td>
<td>21</td>
<td>23</td>
</tr>
<tr>
<td>TAS</td>
<td>16</td>
<td>17</td>
</tr>
<tr>
<td>NT</td>
<td>23</td>
<td>5</td>
</tr>
<tr>
<td>ACT</td>
<td>6</td>
<td></td>
</tr>
</tbody>
</table>

Background: defining recidivism

- Recidivism = repetitious criminal activity

- Methodological issues:
  - sample selection
  - definitions
  - counting rules
  - observation period

Source: Payne (2007); Mbuba & Grenier (2008)
Background: Prevalence of recidivism

- 50% of juveniles in detention in Australia have a prior history of custody
- More than half reconvicted within 6 months
- 80% of juvenile detainees released will be subject to supervision within 7 years; 50% will be imprisoned as an adult
- Juvenile detainees reconvicted of new offences much sooner than adult prisoners
- 1/3 with court appearance, reconvicted by age 18; 2/3 early adulthood

Source: Payne (2007)

Background: Correlates of recidivism

- **Age** (risk greatest 17 to 21 years old)
- **Gender** (male)
- **Criminal history** (young age initiation, prior imprisonment)
- **Offence type** (seriousness, robbery/property)
- **Psychological disorder and drug use**
- **Family and social factors** (unemployment, education, family / childhood problems)
- **Post-release difficulties**

Source: Payne (2007); Cottle et al (2001)
Study aims

1. To examine the rate of re-incarceration among young people in custody in NSW;

2. To explore the characteristics associated with re-incarceration.

Methods: 2009 Young People in Custody Health Survey (YPICHS)

- Conducted Juvenile Justice (primary funder) and Justice Health
- Baseline interview, follow-ups at 3, 6 and 12 months
- Ethics approval granted from: Justice Health, Juvenile Justice, Corrective Services NSW and AHMRC
- Informed consent provided for each component of study (parental consent sought if under 14 years)
- Baseline: paid $10 and provided with lunch and snacks;
  Follow-ups: paid $10 for each follow-up in custody and movie vouchers if followed up by telephone in community
2009 YPICHS Baseline Survey

- N=361 overall participants; 87% male, 48% Aboriginal origin
- Most young people invited to participate (excluded some units due to insufficient time)
- Response rate: 80% all young people; 95% among those invited to participate; N=21 refusals (2003 survey: 85%)
- N=331 face-to-face baseline health interviews
- 10 weeks (August – October 2009)
- 8 juvenile justice centres and 1 juvenile correctional centre
- Each participant 1 day to do all components of the study
- Health questionnaire nearly identical to 2003 Survey

2009 YPICHS Baseline Survey Parts

1. **Health questionnaire** - demographics, education/occupation, family history, health status, disability, medication, asthma, dental, injury, smoking, alcohol, drugs (including SDS), drug treatment, mental health, SF12, sexual health, diet, K10, etc

2. **Physical health exam** - height, weight, blood pressure, eyesight, peak flow, audiometry, ear exam, dental exam, blood/urine samples (BBV/STI, etc)

3. **Psychometric testing** – IQ testing (WISC, WAIS, ABAS), mental illness (K-SADS-PL), abuse/neglect (CTQ), self-reported offending behaviour
2009 YPICHS Follow-up

- Face to face interviews if in custody or via telephone if in the community at 3-, 6-, and 12-months post baseline
- Re-incarceration measured at 18-months post baseline using data from the Juvenile Justice Client Information Management System
- Data excluded for 12 young people who were continuously in custody for 18-months since the baseline interview
- n=331 completed baseline
  - n=250 (76%) 3-month
  - n=171 (52%) 6-month
  - n=157 (47%) 12-month

2009 YPICHS Participants/Non-participants

<table>
<thead>
<tr>
<th>Characteristic</th>
<th>Participants N = 361 (80%)</th>
<th>Non-Participants N = 91 (20%)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Gender</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Male</td>
<td>319 (88%)</td>
<td>76 (84%)</td>
</tr>
<tr>
<td>Female</td>
<td>42 (12%)</td>
<td>15 (17%)</td>
</tr>
<tr>
<td><strong>Ethnicity</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Aboriginal</td>
<td>174 (48%)</td>
<td>31 (34%)</td>
</tr>
<tr>
<td>Non-Aboriginal</td>
<td>187 (52%)</td>
<td>60 (66%)</td>
</tr>
<tr>
<td><strong>Mean age</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>years + SD</td>
<td>17.0 (1.5)</td>
<td>16.9 (1.5)</td>
</tr>
<tr>
<td><strong>Custodial Centre</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rural</td>
<td>94 (26%)</td>
<td>10 (11%)</td>
</tr>
<tr>
<td>Urban</td>
<td>267 (74%)</td>
<td>81 (89%)</td>
</tr>
</tbody>
</table>

p<0.05
### 2009 YPICHS Participant Characteristics

#### Social determinants:  
N=331  
88% male  48% Aboriginal  
mean age 17.0 years (47% <17 years old)  
37% attending school  27% placed in care <16 years old  
45% either parent ever in custody  

#### Tobacco, alcohol, illicit drug use:  
73% daily tobacco smokers  
78% risky alcohol use  
25% used illicit drugs (other than cannabis) at least weekly  
34% problematic cannabis use  

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#### Mental health:  
N=331  
70% psychological disorder (excluding SUD)  
60% exposed child abuse or trauma  
46% possible ID/borderline ID  

#### Group differences:  
Young women: younger, more likely to smoke cigarettes, report child abuse/trauma, be diagnosed with a mental illness.  
Aboriginal young people: higher rates for almost all demographic and psychosocial characteristics  
Non Aboriginal young people: higher rates of violent offending
### Offending & re-incarceration by Aboriginality

<table>
<thead>
<tr>
<th></th>
<th>Aboriginal (N=160)</th>
<th>Non-Aboriginal (N=171)</th>
<th>Total (N=331)</th>
</tr>
</thead>
<tbody>
<tr>
<td>3+ prior admissions to custody</td>
<td>67.5</td>
<td>44.4</td>
<td>55.6</td>
</tr>
<tr>
<td>Mean age (SD) first incarcerated</td>
<td>13.6 (1.9)</td>
<td>14.9 (1.9)</td>
<td>14.3 (2.0)</td>
</tr>
<tr>
<td>Violent offence baseline episode</td>
<td>68.8</td>
<td>90.6</td>
<td>80.1</td>
</tr>
<tr>
<td>Robbery or theft baseline episode</td>
<td>40.5</td>
<td>27.5</td>
<td>33.8</td>
</tr>
<tr>
<td>12 months or longer in custody (cumulative time)</td>
<td>26.3</td>
<td>32.7</td>
<td>29.6</td>
</tr>
<tr>
<td>Any re-incarceration (juvenile or adult) over 18-month FU^</td>
<td>57.7</td>
<td>41.7</td>
<td>49.5</td>
</tr>
<tr>
<td>Self-reports any offending charges at any FU^</td>
<td>78.7</td>
<td>60.8</td>
<td>70.2</td>
</tr>
</tbody>
</table>

p<0.05

^ excludes n=12 continuously in custody FU

### Self-reported charges in follow-up

- Property crime (33%-49%)
- Assault (26-30%)
- Breach bail or parole (2%-11%)
- Driving offences (3%-9%)
- Affray (4%-9%)

### Reasons for re-offending in any follow-up

- Was intoxicated (D&A) (39%)
- Other (bored, provoked, angry, multiple responses) (25%)
- Impulsive/habit (20%)
- Didn’t do it (10%)
- Needed money for D&A (6%)
- Needed money to survive (1%)
## Correlates of re-incarceration (unadjusted)

<table>
<thead>
<tr>
<th></th>
<th>Aboriginal</th>
<th>Non-Aboriginal</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Baseline survey</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Not working, school or TAFE</td>
<td>NS</td>
<td>2.26 (1.13-4.55)</td>
<td>1.64 (1.02-2.66)</td>
</tr>
<tr>
<td>prior to custody</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3 or more previous admissions</td>
<td>NS</td>
<td>NS</td>
<td>1.57 (1.01-2.46)</td>
</tr>
<tr>
<td>to custody</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ever diagnosis of major</td>
<td>NS</td>
<td>NS</td>
<td>X²(2)=8.41</td>
</tr>
<tr>
<td>depressive episode</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ever PTSD diagnosis</td>
<td>X²(2)=6.14</td>
<td>NS</td>
<td>NS</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Follow-up survey</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>No support or contact</td>
<td>2.45 (1.05-5.77)</td>
<td>NS</td>
<td>2.21 (1.25-3.91)</td>
</tr>
<tr>
<td>with family / friends</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Self-rated fair or poor</td>
<td>6.60 (1.45-30.05)</td>
<td>NS</td>
<td>3.55 (1.55-8.14)</td>
</tr>
<tr>
<td>health</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Alcohol use (6+ drinks, 3+</td>
<td>3.12 (1.00-9.87)</td>
<td>NS</td>
<td>2.77 (1.26-6.09)</td>
</tr>
<tr>
<td>times p/week)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Used any illicit drug</td>
<td>4.84 (2.29-10.24)</td>
<td>4.50 (2.10-9.64)</td>
<td>4.92 (2.90-8.35)</td>
</tr>
</tbody>
</table>

## Correlates of re-incarceration (adjusted)

**Whole sample:**
Excessive alcohol use in follow-up
(p<0.05, OR 3.96, 95% CI 1.39-11.31)

**Aboriginal young people:**
Excessive alcohol use in follow-up
(p<0.05, OR 4.57, 95% CI 1.14-18.29)

**Non-Aboriginal young people:**
Used illicit drugs in follow-up
(p<0.001, OR 5.10, 95% CI 2.09-12.46)

All associations remained after controlling for time at risk (i.e., cumulative time incarcerated at 18-month follow-up)
Summary

NSW incarcerated youth:

- Highly disadvantaged
- Aboriginal over-representation
- Re-incarceration common

Discussion

- Aboriginal young people:
  - First incarcerated younger age
  - 3+ prior admissions to custody
  - Re-incarceration
- Not engaged work/school, psychological disorder, prior custodial episode – each linked to re-incarceration
- Post release difficulties important
Study limitations

- Only 40 young women participated in the study so was not able to conduct the analysis by gender
- Difficult to determine the temporal relationship of events.
- There may be other confounding variables not accounted for which may be associated with re-incarceration.
- Not all psychometric instruments were validated for use in Aboriginal young people so results must be interpreted with caution.

Where to from here?

- Time at risk variable only a proxy measure
- Longer observation period might be informative
- Broader picture of offending - data on cautions and YJC for example
- Data on types of offences in follow-up period, and dates of subsequent charges
Thank you

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