

COMMUNITY SAFETY IN REGIONAL AND RURAL COMMUNITIES

Organisation: Raise the Age NSW

Date Received: 31 May 2024

Submission

Inquiry: Community safety in regional and rural communities (NSW)

Raise the Age NSW - A joint submission from 108 organisations and groups.

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Representatives of Raise the Age NSW will be available to give evidence.



The Raise the Age NSW Lead Group acknowledges and pay our respects to First Nations Peoples as the traditional owners of the lands on which we work.



Our ask - To deliver on community safety the NSW Government should:

1 RESOURCE AND SUPPORT ABORIGINAL COMMUNITY- CONTROLLED ORGS.

Resource and support Aboriginal Community-Controlled Organisations to work with First Nations children, families, and communities.

2 INVEST IN SERVICES AND PREVENT CRIME FROM THE START.

Invest in services that prevent crime from the start like public health, public education from early childhood and beyond, and community-based child, youth and family services.

3 FUND SERVICES THAT HELP KIDS DO BETTER, LEARN ACCOUNTABILITY IF THEY GO OFF TRACK.

Fund targeted services and interventions that help kids learn to be accountable, and do better, when they go off track.

4 BE GUIDED BY EVIDENCE RAISE THE AGE FROM 10 TO AT LEAST 14.

Be guided by evidence when it comes to children and contact with the police and justice system **and raise the minimum age of criminal responsibility from 10 to at least 14** without exception.

Who we are:

Raise the Age NSW is a [coalition of more than 100 organisations](#) across the non-government sector and civil society in NSW.

Guided by a lead group of thirteen key organisations, we are working together and calling on the NSW Government to raise the minimum age of criminal responsibility from 10 to at least 14.

We all want our communities to be safer. And we know that punitive approaches, particularly those directed at children, don't deliver.

The facts:

The evidence is clear - the younger a child encounters the police and the criminal system, the more likely it is that this contact will continue through their lifetimes.

Early contact with the criminal system too often sentences children, and their communities, to a lifetime stuck in cycles of offending and of missed opportunities.

By the time a child gets into serious trouble, it is often the case that a lot has already gone wrong in other parts of their life. Policing and locking up children causes more damage. It doesn't address the reasons why young kids are getting in trouble and it means kids get their life lessons from lock-up, not from positive people and school.

This doesn't work for anyone.

Children are harmed, families are separated, police and courts are frustrated, and significant amounts of public resources are wasted. We create more victims of crime and communities suffer.

In NSW, a growing list of organisations have joined together to tell the government to raise their hand and raise the age.

Raising the age of criminal responsibility to at least 14 is also supported by the United Nations, the Law Society of NSW, the NSW Bar Association, Doctors representative groups, Children's Guardians and Commissioners, and many experts from across Australia.

The Disability Royal Commission recommended raising the age to 14, finding it was 'the most effective way to prevent very young children from 'experiencing the trauma of detention'.

What we should do:

One way to reduce crime and increase community safety in regional and rural NSW (and across the state) is to limit the numbers of people, particularly children and young people, who come in to contact with the police and criminal justice system in the first place.

We need to invest in our communities – in regional and rural NSW and across the state.

Safe communities have infrastructure, resources and supports in place for all in the community.

Safe communities prevent crime by addressing its causes.

Safe communities work with young people and their families to stop kids offending or re-offending and limit the need for harmful contact with the police and criminal justice system.

To deliver on community safety the NSW Government should:

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2 INVEST IN SERVICES AND PREVENT CRIME FROM THE START.

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108 ORGANISATIONS AND GROUPS ARE SIGNATORIES

Aboriginal Legal Service
(NSW/ACT) Ltd
AbSec - NSW Child, Family and
Community Peak Aboriginal
Corporation
Accountable Futures Collective
Amnesty International Australia
Amnesty Newcastle
ANTAR
Anti-Poverty Week
Association of Children's Welfare
Agencies
Australian Centre for Disability
Law
Australian Lawyers Alliance
Australian Lawyers for Human
Rights
Australian Services Union NSW
ACT Services Branch
BackTrack
Bad Apples Music
Barnardos Australia
BEING Mental Health
Consumers
Blacktown Area Community
Centres Inc.
Brave Therapy Inc
CASPA Services Ltd
Central Tablelands and Blue
Mountains Community Legal
Centre
Centre 360
Centre for Criminology Law and
Justice

Centre for Excellence in
Therapeutic Care, Australian
Childhood Foundation
Change the Record
Community First Step
Community Legal Centres NSW
Community Restorative Centre
CREATE Foundation
Criminal Justice Cluster, Faculty
of Law, University of Technology
Sydney
Deadly Connections Community
& Justice Services Limited
Domestic Violence NSW
Empowering Parents In Crisis
(EPIC)
Fams
Food Education Australia | The
Big Feed
Harris Park Community Centre
Inc
Homelessness NSW
Hopeful Monsters
Human Nature Adventure
Therapy
Human Rights Law Centre
Humanity Matters
Hunter Community Legal Centre
ID. Know Yourself
In Films
Inner City Legal Centre
Jumbunna Institute for
Indigenous Education and
Research (Research Unit)
Just Reinvest NSW
Justice Reform Initiative

Karabi Community &
 Development Services Inc.
 KidsXpress Ltd
 Kinchela Boys Home Aboriginal
 Corporation
 Kingsford Legal Centre
 knowmore legal service
 Life Without Barriers
 Local Community Services
 Association
 Matana Foundation for Young
 People
 Mental Health Carers NSW Inc.
 Mental Health Coordinating
 Council
 Mercy Foundation
 Midjuburi Youth Resource Centre
 Milan Dhiiyaan
 Mission Australia
 NCOSS
 Network of Alcohol and other
 Drugs Agencies (NADA)
 NSW Aboriginal Education
 Consultative Group Inc.
 NSW Council for Civil Liberties
 NSW Council for Intellectual
 Disability
 NSW Teachers Federation
 Older Women's Network NSW
 Paul Ramsay Foundation
 Peninsula Lighthouse Ltd
 Peninsula Social Justice Alliance
 Phunktional Arts
 Public Interest Advocacy Centre
 Reconciliation NSW
 Redfern Legal Centre
 Redfern Youth Connect
 Refugee Advice and Casework
 Service
 Regional Youth Development
 Opportunities Network

Relationships Australia NSW
 Rev Bill Crews Foundation
 Save The Children + 54 Reasons
 Settlement Services International
 SHINE for Kids
 Southern Youth and Family
 Services
 SpeakOut - Immigrant Women's
 SpeakOut Association of NSW
 Inc.
 St Francis Social Services
 St Vincent de Paul Society NSW
 Streetwork Australia Limited
 The Parenthood
 The Shopfront Youth Legal
 Centre
 The Twenty Ten Association
 Uniting Church in Australia
 Synod of NSW and the ACT
 Uniting NSW.ACT
 UnLtd
 UNSW Centre for Criminology
 Law and Justice
 Voice from the Heart Alliance
 Weave Youth & Community
 Services
 Wesley Mission
 Western NSW Community Legal
 Centre
 Western Sydney Community
 Forum
 Western Sydney University
 Justice Clinic
 Women Up North Housing Inc
 Women's Health NSW
 Women's Legal Service NSW
 Womens Reconciliation Network
 Y Foundations
 Youth Action
 Youth Off The Street

Our signatories – where we work, what we do and who we work with.

Where we work

34 **NATIONAL
ORGANISATIONS**

47 **STATEWIDE
ORGANISATIONS**

29 **SPECIFICALLY
RURAL AND
REGIONAL**

38 **SYDNEY
METRO**

Organisations and groups were asked to select all that apply.

Where we work

28 WORK IN A
SINGLE LOCATION

35 WORK IN
FEWER THAN 10 LOCATIONS

29 WORK ACROSS
TEN TO FIFTY SITES

15 HAVE MORE THAN
FIFTY LOCATIONS

What we do

44 **FRONTLINE
COMMUNITY
SERVICES**

31 **PEAKS AND
MEMBER
ORGANISATIONS**

25 **ADVOCACY
POLICY AND
CAMPAIGNS**

9 **ABORIGINAL
COMMUNITY-
CONTROLLED**

**ARTS COMPANIES AND CREATIVES,
PHILANTHROPY GROUPS AND UNIVERSITY
INSTITUTES AND MANY MORE ALSO
SUPPORT THE SUBMISSION.**

Organisations and groups were asked to select all that apply.

Who we work with



Organisations and groups were asked to select all that apply.

Why we support Raise the Age – snapshots from signatories

“The evidence is overwhelming to show that criminalisation of children does not work. As a provider of therapeutic services, we see first-hand how kids can be supported to reduce the symptoms of trauma and increase their resilience and coping that ultimately reduces the likelihood of ongoing and increasing criminal justice intervention.”

“Because it’s ludicrous to send troubled young people to the one place they are guaranteed to get worse - jail.”

“We know that jailing children from the age of 10 only exacerbates harm to the young people, their families and their communities, sets them on a path of trauma, disconnection from culture and identity, and leads to reoffending.

Research has shown that we need the government to raise the age of criminal responsibility to at least 14 in line with international human rights standards, and adequately fund justice reinvestment programs that keep young people out of the criminal justice system.”

“Too many young children are incarcerated instead of receiving the support and care they need in the community.”

“Just Reinvest NSW strongly supports the raising of the age of criminal responsibility to 14 years in NSW. The reasons for this support are detailed in the below paper but can be summarised as follows:

- Criminalising young people causes long term harm to them and their families through ongoing interaction with the criminal justice system that continues into adulthood and as such it does not make communities safer
- The financial cost alone does not make economic sense when reinvesting in community-based programs to address the underlying causes of offending would be a much more justifiable expenditure of public money and would in fact make communities safer
- It is at odds with the medical evidence that a young person’s brain has not developed to the level that it is acceptable to make them criminally responsible within this age range
- Criminalising young people between these ages is contrary to many developed countries throughout the world and even some other states in NSW who have already recognised this evidence

This is the basis for the Just Reinvest NSW policy position and our participation in the campaign to raise the age of criminal responsibility from 10 to 14 years and is further detailed below.

It should also be understood that Just Reinvest NSW sees the raising of the age of the age of criminal responsibility as just one component to reforms that need to be instituted across both child protection and criminal justice systems. Within this the underlying causes of young people's offending behaviour need to be addressed through culturally safe, wrap around services for both the young person and their families. These services need be driven by and accountable to the local Aboriginal communities they serve and where possible be owned by those communities who are best placed to address their own issues through place based, community led services."

"We accept advice from international human rights bodies on this issue, with the United Nations and the AHRC recommending a minimum age of 14 years."

"Our children are our future.

The systemic racism and police discrimination against First Nations children must end. Raising the minimum age of criminal responsibility (without exception) is a key way in which we can work towards this outcome.

All of the evidence is clear on this matter, criminal justice responses to youth offending only makes the situation worse.

Far from increasing community safety and wellbeing, 'tough on justice' approaches to 'youth offending', disregard the underlying social, emotional and environmental determinants of such behaviour. Rather than focusing on First Nations-led community-based supports and diversionary programs, which is what our children 'at risk' need, punitive criminal justice system responses simply drive our kids into detention at disgustingly disproportionate rates.

In failing to raise the age of minimum age of criminal responsibility from 10 to 14 (without exception), the NSW Government is simply further entrenching the intergenerational disadvantage that First Nations children experience as a result of systemic discrimination, and will pose even greater challenges to community safety and wellbeing in the long-term."

"It is illogical, cruel and financially irresponsible."

“SHINE for Kids work with thousands of children and young people affected by the criminal justice system, both in custody and in the community. We see every day the cycles of disadvantage and incarceration and have witnessed how cycles of offending in young people are perpetuated by imprisonment at an early age.”

We know from our practice and from the evidence that locking up children fails to address the root causes of offending, and only does more damage at both an individual and community level. What our communities need is holistic early-intervention and community-based supports, and a raising of the age from 10 to a minimum of 14 in NSW.”

“Jailing is failing young people. Earlier intervention, support and diversion are what's needed to enable young people to engage and participate and to leave cycles of disadvantage behind.”

“Mental Health Carers NSW advocates for the rights of families and carers of people who experience serious and persistent mental health issues. Many families and carers spend years seeking help for their loved ones, including young people, to get the assistance they need to prevent them from offending behaviour as a result of their mental health issues, yet they often fail, resulting in prosecution and often imprisonment.

Children are even more vulnerable if they are experiencing mental health issues, but are not fully responsible and need help from responsible adults not prosecution and we believe in principle that treatment and support should always be preferred to punishment when mental health is a driver of the disordered behaviour. Part of the solution is to better recognise and fund meaningful supports to realise all people's human rights, including the basic rights to housing, sustenance and education etc., and this obligation is even more compelling for children under 14 years.”

“My experience is that the earlier a child encounters the police and criminal justice system the less chance that child has to grow into a well-adjusted human being.”

“We see the devastating impact on children, young people, families and communities when children are criminalized instead of receiving support to address underlying issues. These include historic trauma, mental health issues, addiction or socio-economic disadvantage.

We want to see a re-investment in prevention and early intervention, education, housing, behaviour change programs, alcohol and other drugs rehabilitation and other programs that support young people to thrive.”

“Children's rights are at the centre of all that we do and we believe a rights respecting approach to youth justice includes raising the age.”

“NSW Council for Intellectual Disability (CID) is a systemic advocacy organisation that works to ensure all people with intellectual disability are valued members of the community. For over 65 years, NSWCID has been the peak advocacy group in NSW for people with intellectual disability.

We have a diverse membership of people with intellectual disability, family members, advocates, professionals and advocacy and service provider organisations. Our Board must have a majority of people with intellectual disability, and we actively involve people with an intellectual disability in all aspects of our work.

A number of our CID members have experienced the criminal justice system from their early teens. Young people with intellectual disability are particularly vulnerable to being caught up with the law. They experience high levels of homelessness and domestic violence plus once they are in the criminal justice system they can easily end up in prison unless they are supported by programs such as the Justice Advocacy Service and the Cognitive Impairment Diversion program. Raising the age to 14 is an important step in keeping these young people out of prison.”

“The statistical evidence speaks for itself.”

“We support the Raise the Age NSW campaign because it advocates for a more compassionate and developmentally appropriate approach to juvenile justice. The campaign emphasises that children under 14 lack the emotional, mental, and neurological maturity to fully comprehend the consequences of their actions, making arrest and incarceration both cruel and ineffective. Instead, it proposes evidence-based, therapeutic interventions that support children's growth and prevent future offenses.”

“We know that this is a human rights issue. We cannot keep jailing kids and expecting different results! We know prisons only do more harm.”

“Raising the minimum age of criminal responsibility to 14 years would improve justice outcomes for some of our most vulnerable children and honour this State's obligations to comply with Australia's international human rights law obligations.

The best interests of the child should be the primary consideration in determining the legislated age of criminal responsibility.

The expert United Nations Committee on the Rights of the Child has noted, when reporting on Australia's compliance with the Convention on the Rights of the Child, that 14 is the minimum age at which children should be held legally responsible."

"Children living in poverty and disadvantage are disproportionately impacted by the criminal justice system and being imprisoned under the age of 14."

"Locking kids up is never ok and 10-year-olds belong in the playground not in prison. Resources need to be directed to addressing the underlying issues that are leading kids to be in contact with the criminal justice system.

Community led, place-based solutions need to be funded. Families and communities need to be listened to about what they need. Holistic support that is culturally safe needs to be provided in a tailored way to address intergenerational trauma, systemic disadvantage and racism to promote healing and self-determination.

Kids and families need care, understanding and kindness, not punitive measures that do nothing more than make the problems worse and rob them of their precious childhoods. There is plenty of good work happening on the ground in communities that needs to be supported. As a society surely we can do better than locking kids up!"

"It is critical that we raise the age and instead develop effective diversionary programs to protect children and the community."

"Redfern Legal Centre supports raising the age to reduce the numbers of children, and in particular First Nations children, in the criminal justice system."

"NGO Alcohol and other drug services see firsthand the impact that criminal penalties have on young people. NADA supports investment in community driven responses for young people, families and local communities."

"At the Centre for Criminology Law and Justice we believe that this change is one that moves in a decolonial direction, recognising the

ongoing impacts of colonialism and its carceral logics, particularly on children.”

“HRLC is one of the founding members of the National Raise the Age campaign coalition and has long been advocating for children under 14 to be free from prison and receiving the support and care they need. No child belongs in prison, and we must continue to hold governments accountable to international human rights, medical and legal standards that tell us the absolute minimum age a child should ever come into contact with the legal system is 14.”

“As mental health professionals working with 14 to 18-year-olds presenting with moderate levels of mental ill health, we understand child development and neuroscience which provides evidence that the capacity for abstract reasoning is not fully developed in children aged 12 and 13.”

“The evidence is clear. Jailing children as young as 10 causes them irreversible harm and does not keep our communities safer by reducing youth crime.”

“Aboriginal and Torres Strait Islander children between the ages of 10 and 14 make up almost two thirds of the children in that age group locked away behind bars. This is a serious violation of their human rights and places them on a pathway of recidivism instead of connecting them to trauma informed support in their community.”

“Children aged between 10 and 14 need to be in community, with family and in school, playing and learning - not condemned to prison cells.”

“Experience and evidence tells us that the earlier a person comes in contact with the justice system, the less positive their life outcomes are likely to be. Aboriginal children, children in out-of-home care and children with disability are overrepresented in the cohort of children under 14 who have contact with the justice system, including police interactions.

Criminalising very young people will not increase community safety, which can only be addressed by properly committing to seeing why young people might be engaging in antisocial or unsafe behaviour and providing solutions.

LWB supports the increase of opportunities for work, education and leisure for children and young people in rural and regional areas and is curious as to whether investment in activities and services that operate for young people AFTER business hours might be a useful strategy.”

“The Society NSW supports reform to raise the minimum age of criminal responsibility in NSW, in particular to help reduce incarceration rates of First Nations children. Clearly, alternatives to incarceration and policing are needed as children do best when nurtured, loved and supported.”

“Punitive approaches directed at children don’t deliver. A 10-year-old is a child; they are in either Grade 3 or Grade 4 at school.

The evidence is clear that the younger a child encounters the police and the criminal system, the more likely it is that this contact will continue through their lifetimes.

When children are forced through a criminal legal process, their health, wellbeing, and future are compromised. Imprisoning young people entrenches them in the criminal legal system and increases the likelihood of reoffending.

We can and must do better.”

“Criminalising children causes them harm. Every child should have the chance to grow up safe and sound, and learn from their mistakes.”

“Domestic and family violence services working in our communities see the impact of violence and trauma on children and young people every day. We strongly support keeping young children out of the legal system, and putting the focus on strengthening communities with specialist services for children that give them the opportunity to flourish and thrive.

Domestic Violence NSW is the peak body for frontline specialist domestic and family violence services in NSW. We have over 180 member organisations working in all communities across NSW.

Our members are representative of the diversity of specialist services supporting women, children, young people, families and communities impacted by domestic and family violence.

Our member organisations include crisis and refuge services, transitional accommodation and community housing providers, women's court support services, Aboriginal controlled organisations, specialist migrant and refugee organisations, men's behaviour change programs and networks, specialist women's legal support services, women and children's support services, women's health centres and Safe at Home program."

"Children shouldn't face the criminal justice system, they should be supported to access the help that they need."

"The Australian Services Union is the largest union representing workers throughout the community and disability services sectors across NSW.

ASU members work in almost every non-government organisation with any level of responsibility for the protection of children and young people: out of home care, refuges, housing, tenancy and homelessness services, community legal services, services for First Nations and LGBTIQ+ communities, health, mental health, family violence and sexual assault services, alcohol and other drugs and disability services.

ASU members are uniquely placed to understand the importance of this reform for children and young people, and for the community.

Our members believe that children should be supported so depriving young children of their liberty is depriving them of their childhood. We are failing our children and our community. It's time to raise the age of criminal responsibility."

"ID: Know Yourself believes raising the age of criminal responsibility recognises the unique needs and vulnerabilities of young children, particularly Aboriginal kids and aims to provide a more compassionate and evidence-based approach to juvenile justice."

"Placing children as young as 10 in the justice system is a human rights issue and it is an issue inextricably linked with homelessness. Children and young people in the justice system are more likely to become homeless, and children and young people who experience homelessness are more likely to become involved with the justice system.

- Young people in detention, particularly young women, are at high risk of becoming homeless.

- At least 54% of people who exit prison report that they are likely to be homeless upon release. Criminalising children makes it more likely that they will be among those who experience homelessness as adults.
- Those same young people who experience greater risks of criminalisation are those also facing the greatest risks of homelessness and poverty, removal from care of families, disconnection from education, mental illness, disability and various forms of discrimination. The solutions to homelessness are the same solutions to youth social injustice and inequality.
- Many unsentenced young people experiencing homelessness are detained because they cannot provide a bail address.
- Homelessness impacts young people's mental health, substance use and overall wellbeing, all factors that make a person more at risk of involvement in the justice system."

"BackTrack supports raising the legal age of locking up young people, this aligns with research showing that incarceration fails to work. Instead, it perpetuates cycles of crime. Diversionary and alternative approaches enable positive and long-term outcomes enabling young people to chase their hopes and dreams and become connected members of our communities."

"We are a community legal centre that works with victims of violence, including domestic and sexual abuse. These victims include children. it is common for children victims of violence to become committers of criminal offences. there is overwhelming medical evidence relevant to the development of a young child's brain and their inability to properly understand consequences of actions and the like. 10 is simply too young to be criminally liable."

"We believe that children need care, hearing, nurture and restorative processes, leading to healing, not exposure to the legal system."

"We should be keeping children out of the justice system and providing them and their families with support (not locking them up). Evidence shows once a child/young person enters the justice system they become more and more entrenched into that system and this will most likely continue into adulthood. Also, the statistics show that first nation young people are over represented in the criminal justice system and deserve better.

Every child deserves better from Government(s) and locking young people up does not solve underlying issues that young people face. Invest into support not into incarceration. Government(s) should stop politicising issues of young people and start addressing the supports that is needed to re direct young people away from the criminal justice system.”

“Because children deserve a chance to be supported, not incarcerated.”

“Multiple systems have failed the young people with a care experience who come into contact with the youth justice system. These failures have built a pipeline between the child protection system and youth justice that cycle through young people without addressing their needs for support in a meaningful way.

In NSW, 51.4% young people who had been under youth justice supervision in 2020–21 had an interaction with the child protection system in the 5 years from 1 July 2016 – 30 June 2021 (Table S2, AIHW, 2022).

Young people with a care experience in contact with the youth justice system deserve wrap around support that can hold them by addressing their needs and dismantling the pipeline. At the heart of the statistics are young people’s stories and as such we urge the NSW Government, sector, the media and community to see beyond a surface level understanding that the statistics present. For young people with a care experience, contact with the youth justice system can exacerbate existing trauma responses, as complex needs are often left unsupported.

CREATE views raising the age of criminal responsibility to 14 as a key first step that should be part of broader systemic change to move the youth justice system to become more child and needs focused. This would be in line with calls from the Australian Human Rights Commission (2021) and Committee on the Rights of the Child (2019) which call on Governments across Australia to raise the age of criminal responsibility to an internationally accepted level of 14.”

“We believe that NSW should be the child-friendliest place in the world and it’s not that at the moment.”

“We see the "system" failing our children & families over and over again. Children and families are being traumatised and destroyed by punitive interventions that do further harm to everyone and fail to make our communities safer. We seek real justice for our people and the broader community.

Real justice looks like investing in redressing the disadvantage and eliminating the systemic racism that children and families face. Real justice looks like investing in families with First Nations organisations and communities in the lead, directing the change for our communities to our holistic healing, health and wellbeing.

Restoring the harm that has been done to First Nations families will take a significant investment and our First Nations organisations and communities have the leadership capacity to deliver a better future for our children and people in a way that keeps everyone safe.”

“Children belong in their homes, in schools and in playgrounds, not in prisons. Raising the age of legal responsibility is the right thing to do for children and communities, and a critical step towards Closing the Gap for Aboriginal children.”

“We support raising the age to 14 for many reasons. We have decades of international evidence showing that jailing children does not work to reduce crime, in fact it has the opposite effect of continuing and increasing interactions with the criminal system.

Reconciliation is about improving these five dimensions: race relations, equality and equity, institutional integrity, unity and historical acceptance, all of which affect the causes that lead to Aboriginal and Torres Strait Islander children are overpoliced, why they come into contact with the criminal system in the first place, why they don't get a fair go in sentencing, why they re-offend, and why they die in custody at rates that are an internationally shameful.

We work with all levels and sectors of society to build more cohesive communities: more reconciled, just and equitable communities. Part of making communities better for ALL is making sure that children and families have wrap around supports to ensure children are not put in jail. We know that the best programs are those that are Aboriginal led.”

“The evidence clearly shows those detained as children are often imprisoned as adults. Aboriginal and Torres Strait Islander people remain the most incarcerated people on Earth. If the New South Wales Government is serious about Closing the Gap it must raise the age.”

“Relationships Australia NSW works with families and individuals in distress and through this experience, we understand that children

involved in criminal activity do so as a result of complex systemic, familial, social and interpersonal factors.

We therefore do not support children being held solely accountable for systemic and societal failures that we are all responsible for; nor do we see it as developmentally appropriate to do so.

We believe a range of social, community, health and educational supports will be more likely to achieve a different trajectory for a child in trouble, than a criminal justice intervention. We hold this position for the early teen years collectively.”

“We have Indigenous elders in our group who have had lived experience of the impact of the criminal justice system. For over 30 years WRN have supported Indigenous women who want to improve their lives.’

“We know locking up more children is not the answer. Diverting children from the criminal justice system is a longer-term solution and we understand that if children are incarcerated it leads to more interactions with the criminal justice system.

We wish to see more early intervention and preventative measures put in place to reduce children in the criminal justice system and this will have a better influence over our more disadvantaged children and communities.”

‘Children and young people should not be in contact with punitive approaches that don't work, and do not belong in jail. For young people to end up in contact with the criminal justice system, so many systems around them have already failed. We want systems to stop harming successive generations of young people: as a community we should care about children and support them.”

“Children experiencing vulnerability need to be supported through education, health and allied services, not locked away and treated as criminals. Evidence shows us that the earlier a child has contact with the justice system, the more likely it is that this will continue throughout their lifetime.

Governments and communities have a responsibility to ensure that children are cared for and nurtured, given guidance and kept from harm.

We wholeheartedly support raising the age of criminal responsibility and call for greater investment in early supports for children, young people and their families who need them.”

“Barnardos Australia supports this important issue as we see so many vulnerable children who are already disadvantaged, being the ones that are impacted by the backward laws of the criminal justice system in NSW. Children that may have already experienced trauma and vulnerability in their lives are not best served by being considered criminally responsible at 10 years old!”

“Our organisation deals every day with children and young people caught up in the criminal justice system. When children are forced through a criminal legal process, at such a formative time in their development, they can suffer lifelong harm to their health, wellbeing and future.

Children do not belong in prisons. They belong at home, at school, playing with their friends. They deserve a chance to learn from their mistakes and they deserve the help that they need to overcome disadvantage.”

“Exposing 10-year-olds to the justice system at such an early age is damaging and counter-intuitive.”

“First Nations children are disproportionately impacted by the current age of criminal responsibility and are nine times more likely to be in custody than non-Indigenous children.

The current system is utterly failing First Nations children. Incarcerating children causes irreparable harm, particularly for those with complex health and social needs. We support the raising of the age of criminal responsibility to 14 years as well as the implementation of an Indigenous model of care that provides culturally appropriate and safe care for our children.”

“The Synod of NSW and the ACT seeks to advocate for the self-determined aspirations and needs of Aboriginal peoples and communities in NSW and the ACT, and we are aware of the urgent call to reduce the overrepresentation of Aboriginal children in custody. We believe raising the age of criminal responsibility is an important factor in reducing such

overrepresentation, and generally that children under the age of 14 should be cared for appropriately, rather than being criminalised.”

“Prisons only cause harm to young people as they take them away from their families, communities, and other support and push them down a path that often leads to adult prison.

Streetwork delivers community-led, early intervention alternatives to prisons in Sydney's Northern Region. Our program empowers high-risk young people who have come in contact with the youth justice system to set goals that address the risk factors impacting them.

Streetwork acts as the 'bridge' organisation that ensures that high-risk young people find, access, and attend the specialist youth services they need to turn their lives around. We assist them in overcoming barriers to accessing the right services at the right time to the right person.

“No child should be in prison.”

“Women's Health NSW believes support and education are a better way forward. Providing holistic and trauma informed services to women and children who themselves are affected by poverty, trauma and systemic abuse, we know that the provision of specialised support and knowledge can enhance life affirming growth and change.”

“Because the current system does not work and negatively impacts the young people and communities for generations to come. There are organisations (many are the charities we work with) that have proven better programs for young people and we want to see them funded and empowered to provide better outcomes for children and young people.”

“State and Federal Funders all look at child age ranges as 0 - 12years, a child under 14ears does not have the cognitive function to understand the short/ long term, consequences of their decision making, a child under 14 years is not able to process the impact that will occur facing the legal system or as a result of incarceration, this will directly impact all aspects of their lives both current and in the future.

A child's contact with the legal or justice system, impacts the course or their lives, their families lives and the communities' lives. We have seen children as young as 9 years become perpetual offenders resulting in constant and sometimes long-term incarcerations.

The impacts can affect the child in such a way that they do not have a future free of consequence or wellbeing.”

“We are concerned by the interconnection of children and young people entering the criminal legal system, children and young people in out-of-home care and homelessness of children and young people and the disproportionate impact on First Nations children and young people and families. There must be a greater focus on resourcing and supporting Aboriginal Community-Controlled Organisations to work with First Nations children, families, and communities; prevention; and strengths-based early support for children and young people.”

About our Lead Group:

The Raise the Age NSW Lead Group formed in 2023. The purpose of the group is to have the NSW Government raise the age of criminal responsibility in NSW from 10 to at least 14 without exception.

Our Lead Group guides the work of the campaign we make decisions together and work collaboratively, respectfully and with purpose.

Lead Group members are available to give evidence.

[Aboriginal Legal Service \(NSW/ACT\) Ltd \(ALS\)](#)

The ALS has been fighting for justice and equity for Aboriginal and Torres Strait Islander peoples for more than 50 years. Born out of a protest movement, it is the primary legal service for Aboriginal people in NSW and the ACT, delivering free and culturally appropriate legal advice, representation, information and referrals for thousands of people each year.

As a peak body and proud Aboriginal community-controlled organisation, the ALS speaks out to combat injustice, reform discriminatory laws, and demand accountability from public institutions. It is recognised nationally for its strong advocacy and law reform work.

ALS NSW/ACT has 26 offices across NSW, with the majority in regional and rural locations.

[AbSec - NSW Child, Family and Community Peak Aboriginal Corporation \(AbSec\)](#)

AbSec is the peak organisations for Aboriginal children and families in NSW. We work to empower Aboriginal children, young people, families and communities impacted by the child protection system, as well as support a quality Aboriginal community-controlled child and family sector to deliver much-needed support to Aboriginal communities across the state.

ABSEC has 24 Aboriginal member organisations and more than fifty non-Indigenous member organisations.

[Amnesty International Australia](#)

Amnesty International is an organisation that defends human rights around the world. In Australia, we have an Indigenous Rights team made up of Indigenous rights cultural advisor, Uncle Rodney Dillon, and First Nations campaigners. In order to improve outcomes for First Nations communities, we engage with communities to investigate and research issues, lobby the government to make legislative reforms and funding commitments, amplify First Nations voices, and mobilise our supporters to become active allies.

[ANTAR](#)

ANTAR is a national advocacy organisation dedicated to achieving rights, justice and respect for the First Nations Peoples of Australia.

ANTAR has been working with Aboriginal and Torres Strait Islander leaders, organisations and communities since 1997. We are a nongovernment, not-for-profit, independently funded and community-based organisation.

We engage in advocacy across policy and social justice issues impacting First Nations Peoples, including treaties, truth-telling and voice, cultural heritage protection; justice reinvestment, overincarceration and raising the age of criminal responsibility; anti-racism, native title and land rights, and closing the life equality gap.

[Australian Services Union NSW ACT Services Branch](#) (ASU)

The Australian Services Union (ASU) is the largest union representing workers throughout the community and disability services sectors across NSW.

ASU members work in almost every non-government organisation with any level of responsibility for the protection of children and young people: out of home care, refuges, housing, tenancy and homelessness services, community legal services, services for First Nations and LGBTIQ+ communities, health, mental health, family violence and sexual assault services, alcohol and other drugs and disability services.

[Community Legal Centres NSW](#) (CLCNSW)

Community Legal Centres NSW is the peak representative body for 41 community legal centres across New South Wales.

Community legal centres support tens of thousands of people experiencing financial hardship, social disadvantage, housing issues, domestic or family violence, discrimination, and other legal and social issues every year.

CLCNSW also advocate for law reform and social justice, so that our society and laws are just, fair and inclusive.

[Just Reinvest NSW](#) (JR NSW)

Just Reinvest NSW (JR NSW) supports Aboriginal communities to develop their own solutions for change, making them safer and more just. Our goal is to reduce Aboriginal People's interactions with the criminal justice system.

JR NSW works in Sydney and regional and rural communities in NSW.

[Justice Reform Initiative](#) (JRI)

The Justice Reform Initiative (JRI) is an alliance of people who share long-standing professional experience, lived experience and/or expert knowledge of the justice system, who are further supported by a movement of Australians of goodwill from across the country and across the political spectrum.

JRI believes jailing is failing and that there is an urgent need to reduce the number of people in Australian prisons. They believe that the overuse of prisons is fundamentally harmful to those in prison, their family and friends, and the broader community.

JRI believes that prisons are ineffective as a deterrent, ineffective at reducing crime, and ineffective at addressing the drivers of criminal justice system involvement.

[NSW Council of Social Services](#) (NCOSS)

The NSW Council of Social Service (NCOSS) works with and for people experiencing poverty and disadvantage, and those organisations that support them, to achieve positive change in NSW.

They believe that all people, communities and the community services sector should be supported and empowered to prosper in our state.

NCOSS is also the peak body of community services in NSW and has hundreds of member organisations.

[NSW Council for Civil Liberties](#) (CCLNSW)

Founded in 1963, the NSW Council for Civil Liberties (CCLNSW) is one of Australia's leading human rights and civil liberties organisations.

CCLNSW monitor and fight against infringement of our rights and liberties and the abuse of power by government, its agencies and others. They also work to influence public debate and secure amendments to laws or changes in policy to strengthen our democratic rights and liberties.

[NSW Teachers Federation](#) (The Federation)

The Federation is the registered trade union representing the interests of teachers in public education workplaces in NSW. The union's political strength is rooted in the collective power of our members, created by their participation in Federation's campaign activities and forums.

We protect and improve teachers' working conditions and salaries, within the public education system. We fight for a strong public education system with a well-qualified and supported teaching profession, free from political interference.

[Public Interest Advocacy Centre](#) (PIAC)

PIAC is an independent, non-profit organisation that works with people and communities who are marginalised and facing disadvantage. We build a fairer, stronger society by helping to change laws, policies and practices that cause injustice and inequality.

PIAC's work combines: legal advice and representation, specialising in test cases and strategic casework; research, analysis and policy development; and advocacy for systems change and public interest outcomes.

PIAC is the host organisation for Raise the Age NSW.

Youth Action

Youth Action is a member based peak body with young people, youth sector, and organisational members from across NSW. Our work helps build the capacity of young people, youth workers and youth services, and we advocate to see positive change on issues affecting these groups.

We give a particular focus to regional young people, First Nations young people, those doing it tough, those with disability, LGBTIQ+ and young people from culturally and linguistically diverse communities, including migrants and refugees. Youth Action uses a rights-based lens to focus on programs, policy and advocacy that achieve meaningful outcomes, embed strengths-based approaches and are informed by data and evidence.

