



Australia's youth justice and incarceration system

Supplementary submission to
the Legal and Constitutional
Affairs References Committee

18 December 2025

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About Knowmore

Our service

Knowmore Legal Service (Knowmore) is a nation-wide, free and independent community legal centre providing legal information, advice, representation and referrals, education and systemic advocacy for victims and survivors of child abuse. Our vision is a community that is accountable to survivors and free of child abuse. Our aim is to facilitate access to justice for victims and survivors of child abuse and to work with survivors and their supporters to stop child abuse.

From 2013 to 2018, our service assisted people who were engaging with or considering engaging with the Royal Commission into Institutional Responses to Child Sexual Abuse (the Royal Commission). From 1 July 2018, Knowmore has delivered legal support services to assist survivors of institutional child sexual abuse to access their redress options, including under the National Redress Scheme (NRS). Knowmore also delivers financial counselling services to people participating in the NRS, and works with other services in the NRS support network to support and build their capability. Since 2022, Knowmore has also been assisting survivors who experienced child sexual abuse in non-institutional settings, and providing legal and financial counselling support to people engaging with the Territories Stolen Generations Redress Scheme (Territories Redress Scheme).

Knowmore uses a multidisciplinary model to provide trauma-informed, client-centred and culturally safe legal assistance to clients. Knowmore has offices in Sydney, Melbourne, Brisbane, Perth, Adelaide and Darwin. Our service model brings together lawyers, social workers and counsellors, Aboriginal and Torres Strait Islander engagement advisors and financial counsellors to provide coordinated support to clients.

Knowmore is funded by the Commonwealth Government, represented by the Departments of Attorney-General and Social Services and the National Indigenous Australians Agency.

Our clients

In our Royal Commission-related work, from July 2013 to the end of March 2018, Knowmore assisted 8,954 individual clients. The majority of those clients were survivors of institutional child sexual abuse. Almost a quarter (24%) of the clients assisted during our Royal Commission work identified as Aboriginal and/or Torres Strait Islander peoples.

Since the commencement of the National Redress Scheme for survivors of institutional child sexual abuse on 1 July 2018 to 31 October 2025, Knowmore has received 232,179 calls to its 1800 telephone line and has completed intake processes for, and has assisted or is currently assisting, 24,149 clients. Almost 2 in 5 clients (37%) identify as Aboriginal and/or Torres Strait Islander peoples. About 1 in 10 clients (10%) are classified as priority clients due to advanced age and/or immediate and serious health concerns including terminal cancer or other life-limiting illness.

100% of client we assist with the Territories Redress Scheme identify as Aboriginal and/or Torres Strait Islander peoples.

Knowmore has a significant client base in all Australian states and territories. We therefore have a strong interest in laws, policies and practices relevant to children and victims and survivors of child abuse in all parts of Australia.

Many of our clients experienced sexual abuse as children while in prison. We therefore also have a strong interest in keeping children out of prison and ensuring that children are safe in all places.

For many of our clients, contributing to systemic change is an important part of their healing journey. Our clients do not want current or future generations of children to have the same experiences of abuse that they did. Advocating for systemic change to prevent child sexual abuse is an important part of standing with our clients and honouring their experiences.

Knowmore's supplementary submission

In our primary submission to the inquiry into Australia's youth justice and incarceration system (the inquiry) in October 2024, we commented:

... we have been concerned to see Australian governments pursuing laws, policies and practices that are not supported by evidence, breach the human rights of children and place children at heightened risk of experiencing child sexual abuse. We are especially concerned by the severe, disproportionate impact of these issues on First Nations children, and the broader implications of this injustice for reconciliation and healing.¹

We are appalled that, since October 2024, Australian governments have largely doubled down on this disastrous approach to offending by children. Our primary submission makes detailed comments about this approach, which we do not seek to repeat here. In this supplementary submission, we first address the accelerating trend of punitive approaches to offending by children, building on the concerns raised in our primary submission – in particular, about the heightened risk of child sexual abuse for children in prison.² We then address evidence about approaches to offending by children that prioritise child safety and wellbeing, noting the Australian Human Rights Commission's supplementary paper on this subject, published in October 2025.³

We note that the updated terms of reference for the inquiry include for the Committee to 'engage with and seek input from young people with lived

¹ Knowmore, *Submission on Australia's youth justice and incarceration system* (Knowmore's Primary Submission), 14 October 2024, p 5, <www.knowmore.org.au/wp-content/uploads/2024/10/submission-inquiry-into-Australias-youth-justice-and-incarceration-system-cth.pdf>.

² Knowmore's Primary Submission, pp 16–18.

³ Australian Human Rights Commission, *Evidence-based approaches to child justice Supplementary paper to 'Help way earlier!': How Australia can transform child justice to improve safety and wellbeing* (Supplementary paper to Help Way Earlier Report), October 2025, <www.humanrights.gov.au/?a=71852>.

experience in the youth justice system'.⁴ We welcome this term of reference and urge the inquiry to give great weight to the perspectives of people who have experienced the impacts of the criminal legal system as children.⁵ Human rights law recognises that all children have the right to participate in matters that affect them.⁶ In our view, mechanisms to ensure that the voices of children meaningfully inform decision making must be embedded at all levels of government.

As noted on page 4, for many of the victims and survivors of child sexual abuse, contributing to systemic change is an important part of their healing journey. We see the immense value of relevant lived experience of individuals and communities in informing inquiries to shape system reform, as it puts the experiences of those impacted at the centre of decision-making and helps to ensure that service systems are fit for purpose.⁷ As Australia's former National Children's Commissioner Anne Hollonds has recognised, children and families 'are experts in their own lives and understanding the complexity of issues through their insights is critical'.⁸ We refer the Committee to the insights shared in our primary submission by one of our clients, an Aboriginal man with experiences of abuse and incarceration during childhood.⁹

As in our primary submission to the inquiry, we have generally used the terminology of 'legal responses to offending by children', rather than 'youth

⁴ Australian Parliament, Legal and Constitutional Affairs References Committee, *Australia's youth justice and incarceration system*, Terms of Reference, accessed 9 December 2025, <www.aph.gov.au/Parliamentary_Business/Committees/Senate/Legal_and_Constitutional_Affairs/YouthJustice2025/Terms_of_Reference>.

⁵ See, for example, the experiences of many children shared in Australian Human Rights Commission, *Keeping kids safe and well – Your voices*, December 2021, <www.humanrights.gov.au/_data/assets/pdf_file/0020/25283/ahrc_keeping_kids_safe_and_well_2022-1.pdf>.

⁶ Convention on the Rights of the Child, entry into force 2 September 1990, article 12, <www.ohchr.org/sites/default/files/crc.pdf>.

⁷ See Knowmore, *Helping survivors advocate for change*, accessed 5 December 2025, <www.knowmore.org.au/leading-change/supporting-survivors/>; Australian Human Rights Commission, 'Help way earlier!': *How Australia can transform child justice to improve safety and wellbeing*, 21 June 2024, p 53, <www.humanrights.gov.au/_data/assets/file/0030/47289/1807_help_way_earlier_accessible.pdf>.

⁸ Australian Human Rights Commission, *Keeping kids safe and well – Your voices*, p 8.

⁹ Knowmore Primary Submission, pp 5 and 22.

'justice', recognising that the legal system has often failed to deliver justice and has often exacerbated injustice.¹⁰

The accelerating trend of punitive approaches to offending by children

Since our primary submission in October 2024, Knowmore has been particularly concerned to see an acceleration in the trend of state and territory governments implementing punitive approaches to offending by children. This has included passing many further laws that will have the effect of increasing the number of children in prison, despite the evidence (noted in our primary submission) that shows that punitive responses to offending by children often undermine community safety and put children at significant risk of harm.¹¹ We have been particularly concerned to see laws of this nature coincide with the Productivity Commission's report that Australian governments are not on track to meet their targets under the National Agreement on Closing the Gap.¹² This includes Target 11, which aims to end the overrepresentation of Aboriginal and Torres Strait Islander young people in the criminal legal system and significantly reduce their imprisonment.¹³

Recent laws of concern include:

- Queensland's 'adult crime, adult time' law¹⁴ and Victoria's 'adult time for violent crime' law,¹⁵ which allow courts to sentence children as adults for certain offences

¹⁰ Knowmore's Primary Submission, p 6.

¹¹ Knowmore's Primary Submission, pp 16–21.

¹² Productivity Commission, *Closing the Gap Annual Data Compilation Report*, July 2025, p 3, <www.assets.pc.gov.au/2025-10/closing-the-gap-annual-data-compilation-july2025.pdf?VersionId=9X7LLZW8iMzuSBI2bw8hb1QodXZD108C>.

¹³ Closing the Gap, *Closing the Gap targets and outcomes*, accessed 16 December 2025, <www.closingthegap.gov.au/national-agreement/targets>; Productivity Commission, *Closing the Gap Annual Data Compilation Report*, p 9.

¹⁴ *Making Queensland Safer Act 2024* (Qld).

¹⁵ *Justice Legislation Amendment (Community Safety) Act 2025* (Vic).

- the Northern Territory lowering the minimum age of criminal responsibility from 12 to 10 years¹⁶ and by preventing the court from referring children to diversionary options for certain offences¹⁷
- New South Wales weakening the presumption of *doli incapax*,¹⁸ which will result in more 10- to 14-year old children being convicted of criminal offences – we note that this change is contrary to the relevant recommendation of the NSW Government's recent independent review of *doli incapax*¹⁹
- the Northern Territory and Victoria removing the principle of detention as a last resort when sentencing children –²⁰ as noted in our primary submission, Queensland had removed this principle in 2024, despite the opposition of many community-based organisations²¹
- the tightening of bail laws across most states and territories, making it harder for children to be released on bail.²²

¹⁶ *Criminal Code Amendment Act 2024 (NT)*.

¹⁷ *Youth Justice Regulation 2006 (NT)*, regulation 3A and *Youth Justice Act 2005 (NT)*, section 64, as amended by the *Youth Justice Legislation Amendment Act 2025 (NT)*.

¹⁸ *Children (Criminal Proceedings) Act 1987 (NSW)*, section 5(7), as amended by the *Children (Criminal Proceedings) and Young Offenders Legislation Amendment Act 2025 (NSW)*. See also, Aboriginal Legal Service (NSW/ACT), *NSW Government youth justice bill gives with one hand and takes with the other*, 19 November 2025,

www.alsnswact.org.au/nsw_government_youth_justice_bill_gives_with_one_hand_and_takes_with_the_other; New South Wales Bar Association, *Statement on proposed doli incapax reforms*, 20 November 2025, www.nswbar.asn.au/uploads/pdf-documents/submissions/NSWBA_-_Statement_on_proposed_doli_incapax_reforms_-_FINAL.pdf.

¹⁹ See The Hon. Geoffrey Bellew SC and Mr Jeffrey Loy, *Review of the operation of doli incapax in NSW for children under 14*, August 2025, p 55, recommendation 2,

www.dcj.nsw.gov.au/documents/legal-and-justice/laws-and-legislation/final-report-doli-Incapax-Review-29-August-2025.pdf

²⁰ For example, see *Youth Justice Act 2005 (NT)*, sections 4 and 81, as amended by the *Youth Justice Legislation Amendment Act 2025 (NT)*; *Youth Justice Act 1992 (Qld)*, section 150, as amended by *Making Queensland Safer Act 2024 (Qld)*; *Bail Act 1977 (Vic)*, section 3B, as amended by the *Bail Amendment Act 2025 (Vic)*.

²¹ Knowmore, Primary Submission, pp 17-18.

²² For example, see *Bail Amendment (Extension of Limitation on Bail in Certain Circumstances) Act 2025 (NSW)*; *Bail Amendment Act 2025 (Vic)*; *Making Queensland Safer Act 2024 (Qld)*; *Bail and Youth Justice Legislation Amendment Act 2025 (NT)*; *Statutes Amendment (Recidivist Young Offenders) Act 2025 (SA)*.

We are also appalled by the reintroduction of spit hoods in Northern Territory prisons.²³ The use of spit hoods breaches the human rights of children,²⁴ and can pose a risk of asphyxiation and death, with injuries and deaths of people in custody linked to the use of spit hoods.²⁵

In addition, Knowmore is concerned by the continued operation of some notorious children's prisons. For example, Knowmore has recently signed an open letter calling for the Western Australian Government to immediately close Unit 18,²⁶ a youth prison located in the adult maximum-security Casuarina Prison. This follows the recommendation of the coronial inquest into the death of Cleveland Dodd,²⁷ a 16-year-old boy imprisoned in Unit 18 who died by suicide.²⁸ The Western Australian Coroner described the experience of imprisonment for children in Unit 18 in the following terms:

No child in detention deserves to be treated in the way Cleveland and the other young persons in Unit 18 were treated at the time he decided to end his life. Prolonged periods in solitary confinement, isolation, intense boredom, eating all their meals by themselves, and lack of access to mental health services, education and even running water had sadly become the norm for Cleveland and his fellow detainees.²⁹

²³ Youth Justice Regulations 2006 (NT), regulation 70(1), as amended by Youth Justice Legislation Amendment Act 2025 (NT).

²⁴ See Australian Human Rights Commission, *Commission welcomes banning of spit hoods by AFP*, April 2023, <<https://humanrights.gov.au/about-us/media-centre/search-listing-media-releases/media-releases/commission-welcomes-banning-spit-hoods-afp>>.

²⁵ Office of the Children's Commissioner Northern Territory, *Use of spit hoods and restraint chairs on children, position paper*, June 2023, p 23, <www.occ.nt.gov.au/_resources/documents/occ-publications/other-reports/occ-Position-Paper-Use-of-Spit-Hoods-and-Restraint-Chairs-on-Children.pdf>.

²⁶ Social Reinvestment WA, *We can't wait until 2028, to close Unit 18*, accessed 15 December 2025, <socialreinvestmentwa.good.do/WeCantWaitUntil2028/Close_Unit_18/>.

²⁷ Coroner's Court of Western Australia, *Inquest into the Death of Cleveland Keith DODD*, 28 November 2025, p 364, recommendation 17, <https://www.coronerscourt.wa.gov.au/l/inquest_into_the_death_of_cleveland_keith_dodd.aspx?uid=8279-796-6947-8774>.

²⁸ Coroner's Court of Western Australia, *Inquest into the Death of Cleveland Keith DODD*, p 65, paragraph 259.

²⁹ Coroner's Court of Western Australia, *Inquest into the Death of Cleveland Keith DODD*, p 376, paragraph 1651.

The Tasmanian Government has also repeatedly delayed the closure of the Ashley Youth Detention Centre, despite the relevant recommendation of the Commission of Inquiry into the Tasmanian Government's Responses to Child Sexual Abuse in Institutional Settings.³⁰ Although the Tasmanian Government had originally planned to close the youth prison by the end of 2024, the relevant Minister has since stated that early 2028 'would be first the opportunity' to close the youth prison.³¹

A rare positive came from the Australian Capital Territory, which in July 2025, became the first jurisdiction in Australia to raise the minimum age of criminal responsibility to 14 years for most offences.³² As noted in our primary submission, raising the minimum age of criminal responsibility to at least 14 years aligns with international human rights standards and is important for protecting children from harm.³³ Although the Australian Capital Territory is now the leading jurisdiction on this issue, we remain concerned by exceptions to the reform, which continue to place 12- and 13-year old children at risk of criminalisation, imprisonment and abuse.³⁴

Governments have often rushed through laws that will increase the imprisonment of children without appropriate, or often any, public consultation. For example, the Victorian Government rushed the 'adult time for violent crime' law through the Victorian Parliament in just 2 days, without any public consultation. This law was opposed by over 100 community organisations, including Knowmore, in an open letter to the Premier of Victoria.³⁵ The Australian and New Zealand Children's Commissioners, Guardians and Advocates First Nations Caucus also

³⁰ Commission of Inquiry into the Tasmanian Government's Responses to Child Sexual Abuse in Institutional Settings, *Who was looking after me? Prioritising the safety of Tasmanian children: volume 5, children in youth detention*, September 2023, p 11, recommendation 12.1, <www.commissionofinquiry.tas.gov.au/report/listing/volume-5>.

³¹ Clancy Balen, *Ashley Youth Detention Centre closure delayed again, to 2028, as replacement master plan unveiled*, 5 May 2025, <www.abc.net.au/news/2025-05-05/tas-ashley-youth-detention-centre-closure-change/105252698>.

³² *Justice (Age of Criminal Responsibility) Legislation Amendment Act 2023* (ACT).

³³ Knowmore's Primary Submission, pp 22-24.

³⁴ See *Criminal Code 2002* (ACT), section 25(2), as amended by the *Justice (Age of Criminal Responsibility) Legislation Amendment Act 2023* (ACT).

³⁵ Youthlaw, *Open Letter to the Premier From Smart Justice for Young People and community organisations across Victoria and Australia*, 25 November 2025, <www.youthlaw.asn.au/open-letter-to-the-premier/>.

strongly opposed the law, criticising the Victorian Government for announcing reforms that will disproportionately harm First Nations children the day after signing Treaty.³⁶

State and territory law-makers are aware that at least some of the punitive laws noted above conflict with the human rights of children, including under domestic law. For example, the Victorian Attorney-General acknowledged in parliament that the 'adult time for violent crime' law is incompatible with the human rights set out in Victoria's human rights law and imposes 'significant limits on the fundamental rights of children who are by their nature a vulnerable cohort'.³⁷ Likewise, Queensland's 'adult crime, adult time law' includes a legislative override of Queensland's human rights law.³⁸ The Queensland Attorney-General acknowledged that the 'adult time, adult crime' law was incompatible with the human rights of children, would disproportionately impact Aboriginal and Torres Strait Islander children, and even have negative impacts that were likely disproportionate to legitimate aims:

... the negative impact [of the law] on the rights of children likely outweighs the legitimate aims of punishment and denunciation. The amendments will lead to sentences for children that are more punitive than necessary to achieve community safety. This is in direct conflict with international law standards ... which provides that sentences for a child should always be proportionate to the circumstances of both the child and the offence ...³⁹

Overall, the time since our primary submission has revealed a worsening failure by state and territory governments to keep children safe from harm. In our primary submission, we emphasised the responsibility of the

³⁶ Australian and New Zealand Children's Commissioners, Guardians and Advocates First Nation's Caucus, *Victorian youth justice reforms fail everyone*, 13 November 2025, <www.ncatsicyp.gov.au/news/anzccga-first-nations-caucus-victorian-youth-justice-reforms-fail-everyone>; *Statewide Treaty Act 2025* (Vic).

³⁷ See Victorian Parliament, Legislative Assembly, *Hansard*, 2 December 2025, p 3, <<https://www.parliament.vic.gov.au/parliamentary-activity/hansard/hansard-details/HANSARD-2145855009-33608>>; *Charter of Human Rights and Responsibilities Act 2006* (Vic).

³⁸ *Making Queensland Safer Act 2024* (Qld), section 15.

³⁹ *Making Queensland Safer Bill 2024: statement of compatibility*, pp 2-5.

Australian Government to provide national leadership.⁴⁰ This has only become more urgent since October 2024.

Approaches to offending by children that prioritise child safety and wellbeing

We note that the updated terms of reference for the inquiry include for the Committee to 'seek evidence of effective alternative approaches to incarceration for young people, including diversionary programs'.⁴¹ Before making further comments in response to this term of reference, we wish to emphasise that imprisonment should never be seen as the default response to offending by children. Under international human rights law, children should only be imprisoned 'as a measure of last resort and for the shortest appropriate period of time'.⁴² The Royal Commission into Institutional Responses to Child Sexual Abuse adopted this standard, noting the heightened risk of child sexual abuse for children in prison.⁴³ This standard continues to be required by domestic law in some Australian jurisdictions,⁴⁴ and was only removed recently and with significant controversy in others (see our comments about this on page 8).

In light of the above, we consider that approaches to offending by children that prioritise child safety and wellbeing should not be regarded as 'alternative' to incarceration, but rather the default response. In our primary submission, we expressed our support for the evidence-based recommendations from the Australian Human Rights Commission's landmark *Help way earlier* report,⁴⁵ noting that 'a significant theme of these recommendations is that Australian governments need to increase

⁴⁰ See Knowmore's Primary Submission, pp 10–12.

⁴¹ Australian Parliament, Legal and Constitutional Affairs References Committee, *Australia's youth justice and incarceration system, Terms of Reference*.

⁴² Convention on the Rights of the Child, article 37(b).

⁴³ Royal Commission into Institutional Responses to Child Sexual Abuse, *Final report: volume 15, contemporary detention environments*, December 2017, p 21,

[⟨www.childabuseroyalcommission.gov.au/contemporary-detention-environments⟩](http://www.childabuseroyalcommission.gov.au/contemporary-detention-environments); See also, Knowmore's Primary Submission, pp 16–18.

⁴⁴ See, for example, *Youth Justice Act 1997* (Tas), section 5(1)(g); *Children and Young People Act 2008* (ACT), section 94(1)(f). See also *Young Offenders Act 1997* (NSW), section 7(a).

⁴⁵ Knowmore's Primary Submission, p 12.

access to services that address the root cause of children's offending, including health, education, income support and housing'.⁴⁶

We welcome the Australian Human Rights Commission's supplementary paper on evidence-based approaches to child justice, published in October 2025 (the supplementary paper).⁴⁷ In Knowmore's view, the supplementary paper is a valuable addition to the evidence about effective approaches to offending by children that prioritise child safety and wellbeing.

In summary, the supplementary paper:

... shows how primary prevention, early intervention, integrated services and therapeutic community-based approaches that emphasise family and cultural connections can transform outcomes for children.

[It] also show[s] that sustained and collective commitment to reform across the health, education, welfare and justice sectors is crucial to success.⁴⁸

The supplementary paper identifies 12 evidence-based practices,⁴⁹ which Knowmore broadly supports. We note that these evidence-based practices align with many of the recommendations from our primary submission. For example, the evidence-based practices include:

- 'positioning children and families at the centre of decision-making in policy and service design and delivery'
- 'aligning legislation and government policies with a human rights framework, with the best interests of children the primary consideration'.⁵⁰

⁴⁶ Knowmore's Primary Submission, p 20.

⁴⁷ Australian Human Rights Commission, Supplementary paper to Help Way Earlier Report.

⁴⁸ Australian Human Rights Commission, *Evidence-based approaches to child justice: summary*, October 2025, accessed 11 December 2025, <humanrights.gov.au/resource-hub/by-resource-type/publications/evidence-based-approaches-to-child-justice>.

⁴⁹ Australian Human Rights Commission, Supplementary paper to Help Way Earlier Report, p 9.

⁵⁰ Australian Human Rights Commission, Supplementary paper to Help Way Earlier Report, p 9.

This aligns with our recommendations for the Australian Government to pass a National Children's Act and an Australian Human Rights Act, and for all state and territory governments to pass comprehensive human rights laws to better protect the human rights of children and victims and survivors of child sexual abuse.⁵¹

Similarly, the evidence-based practices include:

- 'investing in reform of upstream service systems for primary prevention and early intervention'
- 'integrating multi-agency collaboration across health, education, justice, and social services to meet the needs of children and their families'
- 'using holistic and therapeutic responses to address underlying causes of offending (trauma, poverty, disability) through integrated services'.⁵²

This aligns with the recommendation from our primary submission that:

*The Australian Government should lead work with all state and territory governments to ensure that children, their families and their communities have adequate access to support services in all parts of Australia. This should involve significant increases in funding for services that support children to remain safely with their families and communities, and to avoid contact with or divert contact from the criminal legal system.*⁵³

We repeat this recommendation. We would add that service design and delivery should be informed by the evidence-based practices identified in the supplementary paper. Australian governments should recognise the existing expertise of many community-based organisations in providing evidence-based support. For example, our primary submission shares key features of our multidisciplinary service model, which represent best

⁵¹ Knowmore's Primary Submission, p 7, recommendations 2 and 3.

⁵² Australian Human Rights Commission, Supplementary paper to Help Way Earlier Report, p 9.

⁵³ Knowmore's Primary Submission, p 21, recommendation 5.

practice for providing legal and related support to people who have experienced trauma.⁵⁴

Approaches to offending by children that prioritise child safety and wellbeing not only reduce offending – they also have flow-on benefits for the community and economy, including ‘re-engagement in education’ and ‘improved health and wellbeing’.⁵⁵ In contrast, the imprisonment of children is extremely expensive and does not effectively address offending (see page 7). The Productivity Commission’s latest report on government services, published in January 2025, shows that government spending on the imprisonment of children was \$1 billion in 2023–24.⁵⁶ The average cost of imprisoning a child in 2023–24 was \$3,320 per day.⁵⁷ A significant reinvestment of this spending in approaches to offending by children that prioritise child safety and wellbeing could significantly improve outcomes, without additional spending.

The New South Wales Parliament’s inquiry into community safety in regional and rural communities recently identified that the effectiveness of early intervention initiatives was undermined by ‘service “gaps”, inefficiencies in referral processes, and limitations around government funding’.⁵⁸ Further, children across Australia have indicated that they are far more likely to access support services within their local community and that services need to be free, low cost or subsidised in order to be

⁵⁴ Knowmore’s Primary Submission, p 33. See also Knowmore, *Submission to the audit of the Department of Social Services’ management of the National Redress Scheme*, June 2025, pp 124–126, <knowmore.org.au/wp-content/uploads/2025/06/submit...-management-national-redress-scheme-cth.pdf>.

⁵⁵ Justice Reform Initiative, *Australia now spends \$1 billion a year locking up children—it’s time for a smarter approach*, 31 January 2025, <www.justicereforminitiative.org.au/australia_now_spends_1_billion_a_year_locking_up_children_it_s_time_for_a_smarter_approach>.

⁵⁶ Productivity Commission, *Report on Government Services 2025: Part F, Community services*, 30 January 2025, p 179, <www.pc.gov.au/ongoing/report-on-government-services/2025/community-services/>.

⁵⁷ Productivity Commission, *Report on Government Services 2025: Part F, Community services*, pp 205–206; Justice Reform Initiative, *Australia now spends \$1 billion a year locking up children—it’s time for a smarter approach*.

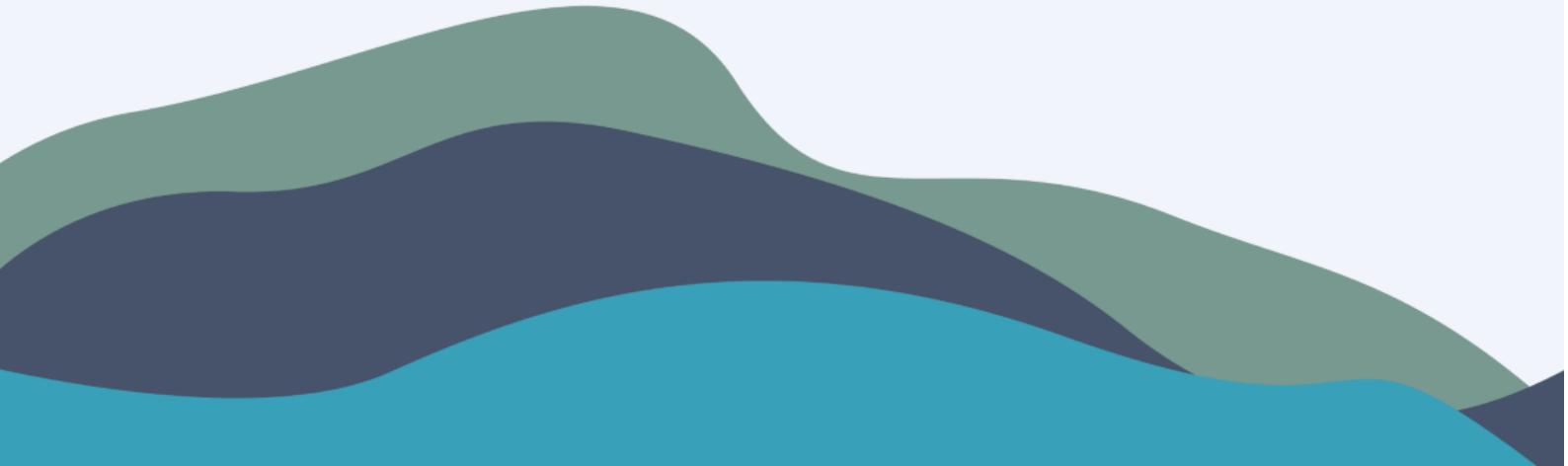
⁵⁸ NSW Legislative Assembly, Committee on Law and Safety, *Community safety in regional and rural communities Interim report: Addressing the drivers of youth crime through early intervention*, p v.

accessible.⁵⁹ This reinforces the importance of community- and place-based approaches to offending by children, as highlighted in the supplementary paper.⁶⁰ Alongside the need for significant increases in funding for services that support children to remain safely with their families and communities (see page 14), we also emphasise the importance of accessible, independent and free trauma-informed legal assistance and related support for children navigating the legal system, including specialist support for victims and survivors of child abuse.⁶¹

⁵⁹ Australian Human Rights Commission, *Keeping kids safe and well – Your voices*, pp 40-41.

⁶⁰ Australian Human Rights Commission, Supplementary paper to Help Way Earlier Report, p 9.

⁶¹ See Knowmore's Primary Submission, pp 31-33.



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