



Consultation on the Strategic Plan for Children and Young People 2027-2030 (NSW)

OFFICE FOR YOUTH

by the Community Restorative Centre (CRC)

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ACKNOWLEDGEMENT OF COUNTRY

CRC acknowledges the Traditional Custodians of the land on which we work and live. We recognise their continuing connection to land, water, and community. The offices of CRC stand on the lands of the Gadigal, Wangal, Bidjigal, Wiljkali, Baarkintji, Darug, Wiradjuri, Dharawal, Awabakal, and Worimi peoples. We pay respects to Elders, past and present.

The overrepresentation of First Nations people in the criminal legal system¹ across this continent is a national shame. We recognise the harm caused by these systems and the tireless advocacy of First Nations people to reduce the criminalisation of their communities. Ultimately, incarceration is not part of First Nations cultures, and First Nations people have had, and continue to have, systems of accountability outside of the colonial carceral system.

ABOUT COMMUNITY RESTORATIVE CENTRE

CRC is a lead NGO supporting people exiting prison in NSW. We have over 70 years of specialist experience supporting people involved with prison systems. All CRC programs aim to reduce recidivism, break entrenched cycles of criminal legal system involvement, and build pathways out of the criminal legal system. CRC works holistically to do this, addressing issues such as homelessness, drug and alcohol use, social isolation, physical and mental health, disability, employment, education, family relationships, financial hardship, and histories of trauma.

We run a variety of programs for cohorts transitioning to the community after prison. This includes a youth-focused program called Pathways Home. The program supports young people aged 10-24 who are exiting prison and would like support with their alcohol and other drug use in the greater Sydney metropolitan area.

INTRODUCTION

We thank the Office for considering this submission, which explores the need for the Strategy to meaningfully speak to the experiences and rights of children and young people who have been incarcerated, and who are at risk of it. In order to speak to the needs of children and young people with prison system involvement, the strategy should aim to meaningfully address the social drivers of young people's involvement with the prison system. These drivers include structural discrimination (like structural racism), homelessness, poverty, unmet mental health needs, alcohol and other drugs dependence,

¹ We use the term 'criminal legal system', as opposed to 'criminal justice system' to reflect that the 'justice system' in Australia has been imposed on First Nations communities without their consent through settler colonialism. The term 'criminal legal system' also highlights the way the system-including police, courts and prisons- frequently fail to deliver justice. These failures are part of a broader, ongoing problem. This is evident in the fact that First Nations people in Australia have the highest imprisonment rate in the world, are racially targeted by police, and experience a lack of accountability from the 'justice system' when First Nations people die in custody.



disability discrimination and the operation of the criminal legal system itself- for instance, through racist police profiling (Critical Resistance, 2011, p. 346; McCausland & Baldry, 2023). Specific demographics of children and young people face hyperincarceration in the prison system, including First Nations people, people with cognitive disabilities, people with unmet mental health needs, young people who've experienced early police contact, LGBTQ+ people and those experiencing homelessness. Thus, we are keen to see the Strategy speak to these young people's needs. We encourage engagement with children and young people with lived experience of the prison system in the development of this Strategy, and have included the perspectives and experiences of these cohorts in this submission.

RESPONSES TO THE CONSULTATION QUESTIONS

We have only included the questions we have responded to from the consultation paper in this section. We have not responded to all the questions.

Post-school pathways

Q1) What would make it easier for you to attend and do your best in school, work or university?

Work and study exclusions due to criminal records

Something children and young people with prison system contact experience is exclusion from work due to having a criminal record. In some sectors, employers conduct criminal record checks as a matter of course, when having a criminal record may not inhibit the capacity of the young person to competently and safely conduct the work. Clarence, a First Nations young man who accessed the Pathways Home program shared the difficulties of accessing work with a criminal record:

'outside of custody, not many people want to give us a chance to prove we can do better, like giving us a job. If more people cared and gave us opportunities, we could learn what it feels like to earn money the right way and support our families without breaking the law'.

Clarence's comment highlights that when work opportunities are accessible to people with criminal legal system involvement, these opportunities can support them to live their lives free of the prison system.

Recognising that irrelevant criminal records can exclude young people from work, CRC has advocated to the NSW Law Reform Commission for 'irrelevant criminal record' to be a new protected attribute in the *Anti-Discrimination Act 1977 (NSW)* (Community Restorative Centre, 2025, p. 18). This would help ensure young people like Clarence are not unnecessarily excluded from work opportunities due to a criminal history that is irrelevant to the role.

The necessity of addressing the school-to-prison nexus

Combating the 'school-to-prison nexus' would make it easier for young people to maintain schooling. The school-to-prison nexus is a phenomenon that refers to the way exclusion and expulsion from school can lead to criminalised behaviour (Thomas & Hand, 2025, p. 9). As noted in the consultation paper, Aboriginal children, those with disabilities, and those



involved with the out-of-home care system are subject to a higher risk of exclusion (Office for Youth, 2026, p. 12). Data on children and young people in prison highlights the link between school exclusion and imprisonment- as researcher Archie Thomas and Worimi/Biripi scholar Samara Hand note, ‘data on NSW youth prisoners shows over half had been expelled from school, while data on the Australian adult prison population shows two-thirds had an education level of Year 10 or below’ (Thomas & Hand, 2025, p. 6). This is concerning, given school suspensions in NSW are rising, and research shows a lack of evidence that school exclusion addresses the behavioural issues of students (Thomas & Hand, 2025, p. 5). A young Aboriginal person involved with Mounity Yarns, a storytelling project platforming Aboriginal young people from Mt Druitt with lived experience of the criminal legal system, shared that, ‘I wish instead of just suspending me all the time, they could have helped me, because the more they suspended me the more I didn’t care’ (Mounity Yarns, n.d.). This quotation highlights the ineffectiveness and negative impacts of relying on school suspension for fostering changed behaviour amongst students. An impact of relying on incarceration to manage the behaviour of young people is that the inequities of the school-to-prison nexus go unaddressed.

Clarence’s story

A young person whom Pathways Home supported, Clarence, experienced difficulties throughout his schooling. He struggled at school, was often suspended, and disengaged from mainstream schooling in year 6. During periods of suspension, he was rarely provided with suspension support, which led to early contact with police. His family faced disadvantage on varying levels, and school reports noted that he would often come to school unkempt and unfed.

Clarence’s school disengagement was also contextualised by disability. Clarence was diagnosed with Attention Deficit Hyperactivity Disorder (ADHD) and treated with medication. However, he was diagnosed with further conditions whilst in youth custody. This occurred after advocacy for assessment from a Pathways Home worker. Such assessments led to a diagnosis of Fetal Alcohol Spectrum Disorder (FASD), severe language impairment and cognitive disability for Clarence. The delayed identification of these disabilities meant that, for many years, Clarence’s disability-related behaviours were responded to through criminal legal system pathways, rather than therapeutic and disability-informed supports. Clarence’s story clearly highlights the path and effects of the school-to-prison nexus on a young person.

Recommendation 1: Schools collecting and publicly reporting on demographic data of young people who are expelled or suspended, to monitor its impact on minoritised and disadvantaged children. Such data should also include the reasons for student expulsion or suspension (Thomas & Hand, 2025, p. 22).

Recommendation 2: Shifting investment away from behaviour models which focus on exclusion and punishment, to support systems in schools that ensure teaching staff and students are better supported (Thomas & Hand, 2025, p. 19). This includes shifting funds from youth custody to evidence-based prevention and post-incarceration programs for students in schools, increasing the number of culturally sensitive and inclusive counsellors



available in schools, and funding independent research to examine the impact of this work (Thomas & Hand, 2025, p. 19).

Recommendation 3: Developing a discipline policy in NSW that makes children staying in school a priority, and which ceases, 'zero tolerance-style policies that assume exclusion changes behaviour' (Thomas & Hand, 2025, p. 20).

Improving inclusion and cultural safety in schooling

Improving the inclusivity and cultural responsiveness of schooling would support children's engagement with education. Aboriginal young people involved with the Mounty Yarns project shared that more teacher aides, in addition to access to Elders and cultural mentors, would improve their educational experience (Mounty Yarns, n.d., pp. 48–49). They also shared that improved cultural awareness amongst staff, staff training to address challenging student behaviours and more access to cultural programs were important to them. Another way to address educational exclusion is through legislative reform to anti-discrimination law. In NSW, it is legally permissible for private educational institutions to expel LGBTQ+ students and fire LGBTQ+ teachers simply for their identities. This is a legal loophole in the *Anti-Discrimination Act 1977* (NSW) that should be removed. Improving the inclusivity and cultural safety of schools would help foster children and young people's educational engagement.

Recommendation 4: more First Nations cultural content in education (Mounty Yarns, n.d. p.48).

Recommendation 5: increasing the cultural safety of school staff through training about First Nations histories, cultures and the continued effects of colonisation (Mounty Yarns, n.d., p. 48).

Recommendation 6: continued efforts to bolster the recruitment of First Nations teachers.

Recommendation 7: Legislative reform to the *Anti-Discrimination Act NSW (1977)* to remove exemptions that allow religious and private schools to discriminate against LGBTQ+ teachers and students, which precipitates educational exclusion for these cohorts.

Providing alternatives to school

Alternatives to mainstream schooling, which still include an emphasis on literacy and numeracy, can also support young people to better engage in the education process (Mounty Yarns, n.d., p. 49).

Q2) What do you think would help to:

• improve school engagement.

Please refer to the recommendations in our response to question 1 above.

• reduce cost of living pressures

Reducing cost of living pressures can be supported through making Centrelink payments more accessible or introducing a basic income in Australia. Notably, when the Australian



Human Rights Commission interviewed children and young people for research on keeping children out of prison, they identified that barriers to income for young people included children needing to be 16 years or older to access Centrelink payments, and the requirement that they have an address (Australian Human Rights Commission, 2024, p. 34). Centrelink could be made more accessible to this cohort.

Additionally, alternatives to the welfare system, like a basic income in Australia, would help people navigate cost-of-living pressures. Considering alternatives to the welfare system for young people and families is important, as the welfare system is contextualised by policies like robodebt, inaccessible mutual obligations, and the racist cashless welfare card (Cummins, 2024), which can lead to distrust in, and harm from, the system. One alternative to the system is the universal basic income, which social work and law scholars, amongst others in Australia, have encouraged consideration of (Boyd, n.d.; Ewenson, 2024, p. 58; Lehmann & Sanders, 2018). There are varying models for the universal basic income (Lehmann & Sanders, 2018, p. 222). One example, suggested by the Greens, is a regular, non-means-tested payment for everyone, which is not associated with specific obligations (Boyd, n.d.). The amount would cover essentials like housing, food and electricity. This would mean people are not deprived of the essentials, which can occur under the current welfare system, and people do not feel forced into unworkable mutual obligation arrangements. Notably, the universal basic income has been trialed successfully in many contexts, like Canada (Cox, 2020; Lehmann & Sanders, 2018, p. 222). A well-known trial from the 1970s in Mincome, Canada, found the universal basic income helped keep young people in school, which led to them qualifying for jobs later in life that they would otherwise not be eligible for (Lehmann & Sanders, 2018, p. 222). Improving the accessibility of welfare for young people, and considering a universal basic income, are two options to address poverty, which is a driver of prison system involvement (McCausland & Baldry, 2023, pp. 45–46).

Recommendation 8: The government investigates a universal basic income in Australia to address poverty.

Community Connection

Q1) What would help you to feel more connected to your community, family or culture?

Raising the minimum age of criminal responsibility in NSW

Children can still be gaoled as young as 10 years old, and raising the age of criminal responsibility to at least 14 would strengthen the capacity of children to maintain connections to community, their family and culture. Raising the age is widely supported (Cunneen, 2020), would bring NSW into alignment with the international standard (UN General Assembly, 2026, pp. 16–17), and keep apace with other jurisdictions like the ACT and Victoria, which are raising the age.

Recommendation 9: Raise the age of criminal responsibility to at least 14 in NSW.

Q3) What activities or programs would you like that are not available now?

We are keen to see the genuine, large-scale movement of government funds away from the



youth prison system to more long-term, inclusive and culturally appropriate community supports for children and young people. The effectiveness of diversion and prevention initiatives can be inhibited through being pilot-based, receiving short-term funding or no government funding (see also Lawrence, 2026, p. 40). We encourage the reinvestment of funds away from the prison system to long-term, sustainable, place-based prevention and diversion projects. Such initiatives should be flexible, outreach-based, inclusive and culturally appropriate for young people. We particularly recognise the need to prioritise youth-led and First Nations-led initiatives in this space.

Projects like the Maranguka Justice Reinvestment Project and the Dharriwaa Elders Group highlight the benefits of better supporting Aboriginal community-led projects, rather than funnelling funds into prisons. The Maranguka Justice Reinvestment Project operated in Bourke, NSW, and was a place-based initiative that has since ended. The initiative employed a ‘life course’ approach and addressed factors that were likely to put Aboriginal people at risk of criminal legal system involvement across one’s lifespan (Just Reinvest NSW, n.d.). It included on-Country programs and supported access to healthcare, housing and education (Holland et al., 2024, p. 13). An evaluation of the project showed it had numerous positive outcomes, which included:

- Year 12 retention increasing by 31% (KPMG, 2018, p. 6)
- Reductions in family violence (KPMG, 2018, p. 6)
- A reduction in the days adults spent in custody by 42% (KPMG, 2018, p. 6)
- \$2.5 million in savings to government and the community over 1 year in 2017 when it was in operation (KPMG, 2018).

The project has since ended, but it demonstrates the benefit of reinvesting funds away from prisons to place-based, Aboriginal-led community initiatives.

The work of the Dharriwaa Elders Group, in partnership with UNSW, demonstrates the same. The Group, in partnership with UNSW, deliver group-based recreational and educational activities for children and young people in Walgett, NSW. Activities of the group have included painting, dance workshops, creating frog habitats, recognising native vegetation, which is facilitated by a local Elder, cooking and weaving. An evaluation of the program showed a significant decrease in Aboriginal children and young people appearing in the local Children’s Court (Dharriwaa Elders Group and Yuwaya Ngarra-li Partnership, 2026, p. 7). Excellent qualitative feedback from participants included them reporting that they, ‘want to come every day’, that, ‘2 hours is too short’ and that they, ‘want to stay until 7pm’ (Dharriwaa Elders Group and Yuwaya Ngarra-li Partnership, 2026, pp. 7–8). We advocate for government support for initiatives like the Dharriwaa Elders Group, and their partnership with UNSW, over the continued, large-scale investment in child prisons.

Recommendation 10: the diversion of funds away from the youth prison system to long term, flexible, culturally appropriate and inclusive prevention and diversion initiatives.

The growth of ‘third places’

We also encourage the continued growth of inclusive and culturally safe ‘third places’ for children and young people, particularly those which are free, to provide them with meaningful activities and keep them connected to community. By ‘third places’ we are



referring to places outside of the home, work and school (Littman et al., 2024). These include drop-in centres, recreational centres, libraries, and parks. We particularly support the growth of such initiatives in rural and regional areas, where youth crime tends to be higher.

Q4) What are the main barriers to joining in or participating?

Cost

We mirror the statement made in the consultation paper that cost is a primary barrier to young people's participation in community (Office for Youth, 2026, p. 10). This can be amplified for children and young people with prison system involvement, who are disproportionately more likely to experience poverty (McCausland & Baldry, 2023, pp. 45–46) and can face exclusion from work opportunities due to having a criminal record.

Police run initiatives

Police run initiatives, such as PCYCs, can inhibit participation of young people who have a past and current experience of being targeted by the police, such as First Nations young people. For instance, a young Aboriginal person who contributed to the Mounty Yarns storytelling project shared discomfort with police-run programs:

'no-one wants to go to a police run PCYC...if it was a community run one, young kids might rock up and feel safer. I remember as a kid going to PCYC and they'd question me about my brothers all the time. I'm not here for you to question me about my brothers, I'm here to play the games or work out' (Mounty Yarns, 2023).

Another young person involved with Mounty Yarns shared their unease around police, stating, 'whenever police see me, they just see a suspect' (Mounty Yarns, n.d.).

Some young people see police-led initiatives as an extension of police surveillance (Aboriginal Legal Service NSW/ACT, 2026, p. 9). We thus support the recommendation by the ALS (NSW/ACT) that funding for police-run prevention and diversionary initiatives should not be prioritised in NSW, given these initiatives may not be accessible to First Nations young people in particular (Aboriginal Legal Service NSW/ACT, 2026, p. 9).

Q5) What do you think would help to:

• improve transport access

Free public transport is one way transport access could be improved (Mounty Yarns, n.d.). It could also help address some children and young people's fear about interactions with authority figures like ticket inspectors, which can be linked to their histories of being targeted by other authority figures like police (Mounty Yarns, 2023). Free public transport could also help alleviate cost-of-living pressures for children, young people and families (for instance, with regards to fuel prices). Research shows that when free bus and tram travel was introduced for children in London, UK, it had benefits like increased opportunity for traveling independently, and improved social inclusion and belonging (Green et al., 2014, p. vi).



- **encourage anti-racism and prevent discrimination in all its forms**

We support the implementation of the Anti-Racism Framework by the Australian Human Rights Commission to encourage anti-racism. This framework was released in 2024 but has not been implemented by government, or received funding for this to occur. We also support the implementation of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) in Australia. This was endorsed by Australia in 2009, though it has not been implemented by the Australian government.

We also see a focus on decarceration as crucial to anti-racism work, particularly recognising the hyperincarceration of First Nations children and young people.

Supported and safe

Q2) What would make it easier to ask for and/or get help when things aren't going well?

More prevention and diversion options for children and young people that address the social drivers of incarceration (particularly in rural and regional areas) would help support them when things aren't going well. CRC's Pathways Home Program is one example of such a program, and this program could be expanded. When we asked young people we support what would help to keep them out of prison, one said, 'More programs like Pathways Home to work with young people in custody and help them get their shit together in the community'. Being outreach-based and flexible, Pathways staff meet children and young people outside of institutional spaces like shopping centres and parks, supporting them where they are at in the community. The program also successfully works with young people in the months leading up to them exiting prison to build relationships and enable post-prison planning. Positive outcomes of the work of Pathways indicates the value of programs that are outreach-based and support children and young people with multiple and intersecting needs when things are not going well. Survey data from young people's experiences of the program also showed its impact. One young person shared: '[Worker's name] is amazing. Without [worker's name], I would still be in jail and probably dead'. Another shared: 'With the support, I have managed to maintain my parole and stay out of trouble'. Additionally, between July-December 2025, 49% of young people who accessed the service experienced a reduction in their AOD use and 74% of people reported an improvement in their quality of life, which demonstrates the benefits of programs like Pathways, which could be expanded.

Q3) What do you think would help children and young people:

- **while in the youth justice system**

We preface our response to this section by highlighting that CRC does not believe children belong in prisons, and we support the diversion of funds from the prison system to appropriate prevention and diversionary programs. While youth prisons still exist, CRC supports minimising the harms of such facilities through some of the actions listed below.



Improved programs in prison

Young people who have accessed CRC's Pathways Home program shared that they'd like to see:

- 'more meaningful programs in custody about important stuff like drugs, DV, families and gangs'
- '[Youth Detention Centre] program staff to ask us what we want more of, instead of assuming they know what programs are good for us'
- 'more money in programs and groups run by people who have been in prison and know what it's like to be stuck in a cell, or have lived a life similar to the boys in here'.

A CRC worker with a background in supporting young people at risk of criminal legal system involvement also expressed an interest in improved programming in youth prisons. He was keen to see the programs move beyond a clinical, primary focus on behaviour change and risk management, to be more relational, therapeutic and focused on addressing the social determinants of young people's criminalised behaviour. The worker was also keen to see programming that better set children and young people up for when they exited prison.

Additionally, a report by the Inspector of Custodial services from 2025 reported on the need for more cultural programs in prison that include a focus on First Nations histories (Inspector of Custodial Services, 2025, p.7-8). The Inspector additionally recommended that Youth Justice NSW establish an Elders program in youth prisons (Inspector of Custodial Services, 2025).

More disability-related support

CRC workers who support young people have recommended:

- Better screening of young people for co-morbidity (that being, the simultaneous existence of two or more medical conditions) in detention
- Increased use of the adverse childhood experiences (ACEs) screening on young people, which can elucidate the way emotional stressors and trauma impact young people's wellbeing and behaviour in detention. Using the tool involves inquiry about the emotional stressors impacting the young person's health. The score generated through the tool is important information that should inform treatment planning (Watson, 2019) to support young people's health and wellbeing in detention.
- The NSW government should prioritise funding for the diagnosis of cognitive disabilities and mental health support for people with cognitive disabilities in detention.
- a need for more access to NDIS assessments for children in custody, recognising there can be many undiagnosed children in prison.

Improving links to non-government services following prison

CRC Pathways Home workers have indicated a need for increased government effort to learn about, develop relationships with, and refer children to non-government services in preparation for their release from detention.



Free phone calls in prisons

Improving connectivity between children and their loved ones (such as parents) in prison is crucial. One way this can be facilitated is by the government supporting free and unlimited phone calls in NSW prisons. CRC supports a campaign by Yung Prodigy, a youth-led organisation, to bring about this change in NSW (Yung Prodigy, n.d.), which will help maintain relationships between children, young people and their loved ones. In addition to such connectivity promoting wellbeing, it has also been shown to reduce recidivism rates.

Ending strip searches on children in prison

Strip searches are still carried out on young people in youth detention, which is an affront to their dignity and human rights, and should be ceased (Human Rights Law Centre & Flat Out, 2026, pp. 9, 27). Over the course of just 1 month in April 2022, 127 children were strip-searched by adults in 2 prisons in NSW, and only 3 of these searches revealed items (Human Rights Law Centre & Flat Out, 2026, p. 7). In NSW, youth justice officers are legally only meant to conduct partial strip-searches – meaning children in detention cannot be searched while naked. However, there exists a memorandum of understanding between Corrective Services NSW and Youth Justice, which allows for this legal rule to be circumvented during a ‘riot or disturbance’ at detention facilities. Whilst the NSW Ombudsman has recommended closing this legal loophole (Ombudsman NSW, 2022), this recommendation has not been implemented by state government (McGowan, 2022).

Strip searches have a range of harmful effects on young people. They can cause shame, trauma, embarrassment, and a fear of law enforcement (Lee & Raj, n.d., p. 6). One Aboriginal young person involved with Mounty Yarns shared the following about entering Cobham Youth Justice Centre in NSW and being strip-searched:

‘I remember the first time I went to Cobham, I was so scared. A thousand things were going through my mind. Getting strip searched, it feels like all your dignity gets left there. I never felt more scared and powerless’ (Mounty Yarns, n.d., p. 17).

Additionally, Michael Grewcock and Vicki Sentas, legal academics at the University of NSW, explain:

‘strip searching has been found to trigger prior experiences of trauma and abuse and can generate harmful psychological conditions including PTSD. For young people and those who have suffered trauma, the long term impacts of strip searching on identity formation and wellbeing can be significant’ (Grewcock & Sentas, 2019, p. 16).

We recommend NSW employ alternative strategies for detecting contraband on youth only when necessary, such as risk assessments or body scanners (Commonwealth of Australia, n.d., p. 46). As the Human Rights Law Centre and Flat Out, a Victorian advocacy service for communities who have been criminalised also note, ‘alternative search methods [like wands and scanners] should remain a last resort and should not be used as punishment or for any other improper purpose’ (Flat Out and Human Rights Law Centre, 2024, p. 17). CRC supports the call for a ban on strip searches and to instead use alternative means like



scanners only when required.

Recommendation 11: That NSW pass law to ‘expressly prohibit’ strip searches on people in prison.

Voice and influence

Q1) What words would you use to describe the future you want for children and young people in NSW?

Care, empathy, community, decarceration, inclusion, cultural safety.

Q2) Do you have any ideas on how the NSW Government could help children and young people be heard?

We encourage a targeted push to access children and young people in prison, and those who have lived experience of the prison system, to inform this Strategy. The importance of listening to and valuing the perspectives of young people at risk of criminal legal system contact was emphasised by a young participant in the Mounty Yarns Project:

‘there’s always something stopping you from doing right. Whether...you don’t have the education, don’t have the paperwork...I don’t feel like my voice is heard at all to be honest’.

Approaches that would support consultation in custody include:

- trauma-informed, culturally safe and inclusive engagement
- flexibility in how the young person can contribute (for instance, representing themselves or being represented by an appropriate third party, like a caseworker)
- ensuring the young person has the option of a support person (such as a caseworker)
- seeking privacy for the young person when consulting with them, and
- avoiding being extractive in the consultation process. This can be facilitated through a focus on relationship building, checking your interpretation of the consultation with the young person, and aftercare associated with the sharing experiences- for instance, ensuring the young person has someone to debrief with.

Q3) How would you like to be informed and engaged in an informal or ongoing way?

Via email, please.

SUMMARY OF RECOMMENDATIONS

Recommendation 1: Schools collecting and publicly reporting on demographic data of young people who are expelled or suspended, to monitor its impact on minoritised and disadvantaged children. Such data should also include the reasons for student expulsion or suspension (Thomas & Hand, 2025, p. 22).

Recommendation 2: Shifting investment away from behaviour models which focus on exclusion and punishment, to support systems in schools that ensure teaching staff and



students are better supported (Thomas & Hand, 2025, p. 19). This includes shifting funds from youth custody to evidence-based prevention and post-incarceration programs for students in schools, increasing the number of culturally sensitive and inclusive counsellors available in schools, and funding independent research to examine the impact of this work (Thomas & Hand, 2025, p. 19).

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Recommendation 7: Legislative reform to the *Anti-Discrimination Act NSW* (1977) to remove exemptions that allow religious and private schools to discriminate against LGBTQ+ teachers and students, which precipitates educational exclusion in NSW for these cohorts.

Recommendation 8: The government investigates a universal basic income in Australia to address poverty.

Recommendation 9: Raise the age of criminal responsibility to at least 14 in NSW.

Recommendation 10: the diversion of funds away from the youth prison system to long term, flexible, culturally appropriate and inclusive prevention and diversion initiatives.

Recommendation 11: That NSW pass law to ‘expressly prohibit’ strip searches on people in prison.

| CONCLUSION

We encourage a focus on the needs and rights of children and young people with criminal legal system involvement in the Strategy, particularly those who experience hyperincarceration, like First Nations young people. Such cohorts have multiple and intersecting needs, and service system responses should cater to these needs through culturally safe, inclusive, outreach-based approaches.

We close with the words of Jamie Hicks, a writer who contributed a poem called ‘Wonder’ to the CRC-supported publication *Paperchained*, which platforms the writing of people with lived experience of the prison system:



*'I wonder if you ever knew
Of what these kids are going through
I wonder if you ever cared
Or how your life to theirs compared
I also wonder what would you do
If this kid asked for help in turn would you
Would you turn your back on this little kid
And not even care of the things they did
Or would you try and help them out of this situation
And try bring healing to our world and nation'* (Hicks, 2026, p. 9).

Jamie's words speak powerfully to the need to hear the experiences and needs of children and young people at risk of prison system involvement. The development of the Children and Young People Strategy provides a ripe opportunity to meaningfully perform this work.



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