



Save the Children

54 reasons

# National youth justice scorecard and reform priorities 2025

## Australia's youth justice systems are ineffective, discriminatory, and actively harmful – to children, young people and their communities.

Governments across Australia continue to rely heavily on incarceration and punishment, despite clear evidence this does not work. Early contact with youth justice and detention makes children more likely to reoffend. There is no evidence that the threat of harsher penalties has any deterrent effect.

Punitive responses violate children's rights and ultimately undermine community safety by causing increased offending and reoffending.

These systemic failings fall especially hard on Aboriginal and Torres Strait Islander children, who are almost 27 times more likely than non-Indigenous children to be in detention on an average day. The Uluru Statement from the Heart rightly calls these numbers "obscene".

This report and its accompanying scorecard reviews governments' overwhelming focus on how youth justice systems respond to crime, and highlights the harm this causes. At the same time, it is important to recognise

there has been progress in some states with evidence-based investment in prevention and early intervention, where a difference can really be made – with much more still needed.

In this context, national leadership by the Federal Government is needed – to drive a rights-respecting approach to youth justice and establish national youth justice standards.

A rights-respecting approach provides a comprehensive roadmap and clear standards to guide reform, grounded in international best practice.

A rights-respecting approach addresses root causes, prevents contact with youth justice, provides early and effective support and intervention, treats children with dignity, and responds to children's experiences and views with respect.

**By doing so, a rights-respecting approach transforms systems and lives.**

It's been **two years** since our major report, [Putting children first: A rights-respecting approach to youth justice in Australia](#)<sup>1</sup>:

- Shone a spotlight on systemic violations of children's rights in youth justice and the harm caused by punitive responses across Australia's youth justice systems
- Detailed a roadmap for state-by-state and national reform towards rights-respecting youth justice systems
- Called for enforceable national youth justice standards that align with human rights and child rights requirements.

The evidence of the need for **national leadership** and a **rights-respecting approach** has only mounted since.

- In 2024 – just over one year ago – the Australian Human Rights Commission’s landmark [Help way earlier!](#) report set out comprehensive and widely endorsed recommendations to transform child justice to improve safety and wellbeing.<sup>2</sup>
- In 2024-25, a cross-party Senate inquiry received [extensive evidence](#)<sup>3</sup> about the need for change to Australia’s youth justice and incarceration system – including [our submission](#)<sup>4</sup> – and urged Federal Parliament to prioritise the issue, with inquiry now continuing following the May 2025 election.
- In 2025, an expert group [raised the alarm](#) with the United Nations about the racially discriminatory nature of Australia’s youth justice systems and the persistent and severe breaches of rights in these systems.<sup>5</sup>
- All the while, children and young people themselves are [telling us](#) clearly that the current approach – punishing, criminalising and jailing children as young as 10 – is failing.<sup>6</sup>

A lot of the boys and young people are repeat offenders, because they don’t know how to live a life outside of detention. That’s where the system’s at fault. It’s a scary step going from being in lockup for so long to transferring into a society that has expectations of you.

Tough on crime isn’t doing anything, putting kids in [detention] with no support, that’s not doing anything. What needs to happen is for people to actually listen and work with the community to give these kids a purpose and to show them there’s a better path out there for them, like they did with me.

– Participant in 54 reasons youth justice program, 19 years old

The last two years have seen **further erosion of children’s rights** in youth justice and youth detention across the country.

- The Northern Territory Government has restricted access to diversion, strongly tilted the balance towards imprisonment, expanded use of force in detention centres, reintroduced spit hoods, and lowered the age of criminal responsibility back to 10.
- Successive Queensland Governments have backslid on children’s rights. The former Labor Government enacted multiple tranches of changes that required overriding its own Human Rights Act, while one of the current LNP Government’s first acts in office was legislating ‘adult crime, adult time’ laws.
- The Victorian Government has amended its bail laws to what it declares are the toughest in the country, and recently announced new ‘adult time for violent crime’ laws.
- The New South Wales Government has made its bail laws more restrictive.
- The South Australian Government is proposing harsh new bail and sentencing measures.

Over the same period, some meaningful new investments in early intervention have been made, notably in Queensland, with indications of intent elsewhere. These are much needed, and welcome. However, across Australia, the reliance on harshly punitive measures at other points of the system continues to erode outcomes for children and communities.

### It's time for the Federal Government to act.

- Now is the moment for national leadership – to demonstrate the Federal Government's commitment to upholding the human rights of children and young people where most needed, and change the story for children and communities across the country.
- Enforceable national youth justice standards should be a first step – based on international best practice and requirements enshrined in the United Nations Convention on the Rights of the Child and other human rights instruments.

## Recommendations for all Australian Governments to guide reform

We are calling on all Australian Governments to:

1. Commit to all reform being in line with child rights and human rights standards, with the aim of establishing rights-respecting youth justice systems in Australia.
2. Enable Aboriginal and Torres Strait Islander peoples' exercise of the collective right to self-determination, as recognised in the United Nations Declaration on the Rights of Indigenous Peoples.
3. Take children's and young people's views seriously in all decisions affecting them in youth justice, in line with children's participatory rights as enshrined in the United Nations Convention on the Rights of the Child (CRC), including:
  - a. Ensure government policy and legislation is meaningfully informed by the views and perspectives of children and young people with relevant experiences of the system
  - b. Ensure all services working with children and young people in justice apply rights-based practices that enable children and young people to have a real say in decisions that affect them.
4. Ensure appropriate oversight of all settings where children are imprisoned and detained, to meet Australia's obligations under the Optional Protocol to the Convention against Torture.

We also encourage Australian Governments to fully adopt the recommendations in the Australian Human Rights Commission's *Help way earlier!* report. As an initial step, we encourage the Federal Government to formally respond to the report.



Photo: Stock image

## Recommendations for the Federal Government to provide national leadership

To fulfil its responsibilities to uphold children's rights as required by international human rights law, we are calling on the Federal Government to:

1. **Provide national leadership by driving a rights-respecting approach to national youth justice reform, including as initial priorities:**
  - a. Develop a 10-year strategy to guide national youth justice reform, with accompanying policy and investment commitments and action plans
  - b. Develop enforceable national youth justice standards that fully reflect child rights and human rights requirements
  - c. Ensure the minimum age of criminal responsibility is raised to 14 across Australia for all offences.
2. **Fill the gaps in Australia's commitments to international human rights standards:**
  - a. Remove Australia's reservation to Article 37(c) of the CRC, which prohibits the detention of children in the same facilities as adults or in adult facilities
  - b. Ratify the Third Optional Protocol to the CRC, which enables children to directly bring complaints about violations of their rights to the United Nations.
3. **Embed children's rights in the institutions of government:**
  - a. Appoint a Cabinet Minister for Children
  - b. Create a Federal Ministerial Council for children and young people
  - c. Develop a comprehensive National Children's Plan
  - d. Legislate to incorporate the CRC into Australian law.



Photo: Stock image

## Recommendations for State and Territory Governments to reform systems

To reform the youth justice systems they manage, we are calling on State and Territory Governments to:

1. Address root causes of harm, including the effects of intergenerational trauma and disadvantage, systemic racism, and poverty.
2. Focus systems on meeting children's unmet needs, including for safety, education, healthcare and connection, to address individual and community-level factors driving contact with youth justice.
3. Shift system focus and investment to prevention, early intervention and diversion, including:
  - a. Ensure holistic, trauma-informed responses that are child-centred and integrated across services
  - b. Prioritise family support, educational engagement and connection to culture as protective factors
  - c. Invest in community-based and culturally appropriate early intervention and diversionary programs.
4. Directly focus on systemic and individual responses to end the persistent crossover between statutory child protection, out-of-home care and youth justice contact.
5. Embed effective therapeutic and trauma-informed support for children and young people at every point of the system. Priorities include:
  - a. Integrated support for children experiencing violence and maltreatment, including exposure to domestic and family violence
  - b. Effective support for adolescents using violence in the home
  - c. Rights-compliant bail support, throughcare and post-detention services, including ensuring children and young people can sustain connection to family, community and culture while in justice settings
  - d. An adequately resourced strategy to ensure rights-compliant youth justice workforces.
6. Raise the minimum age of criminal responsibility to 14 for all offences, accompanied by adequate investment in alternatives to criminalisation.
7. Bring policy, law and practice on imprisonment of children in Australia into line with minimum child rights requirements. This includes:
  - a. Ensure bail laws and practices comply with child rights and human rights requirements, including ensuring arrest, detention and imprisonment are used only as a last resort and for the shortest appropriate period of time
  - b. Ensure policies, conditions and practices in detention settings are compliant with child rights and human rights requirements, including:
    - *Children must never be detained with adults, except in the very limited circumstances where this is in the child's best interests*
    - *Children must never be detained in adult facilities*
    - *Solitary confinement must never be used*
    - *Restraint or force may be used only when a child poses an imminent threat of injury to themselves or others, and only when all other means of control have been exhausted*
  - c. Commit to ending the current model of imprisonment of children
  - d. Set a timeframe to establish child-centred, therapeutic, non-punitive and trauma-informed alternatives to current youth detention facilities.
8. Appoint a Cabinet Minister for Children.
9. Develop a comprehensive State or Territory Children's Plan.



## References

- 1 Save the Children and 54 reasons, 2023, *Putting children first: A rights-respecting approach to youth justice in Australia*, [https://www.savethechildren.org.au/getmedia/4befc9d7-c9de-4088-b591-547714fc8673/Putting-children-first-A-rights-respecting-approach-to-youth-justice-in-Australia\\_April-23.pdf](https://www.savethechildren.org.au/getmedia/4befc9d7-c9de-4088-b591-547714fc8673/Putting-children-first-A-rights-respecting-approach-to-youth-justice-in-Australia_April-23.pdf)
- 2 Australian Human Rights Commission, 2024, 'Help way earlier!': How Australia can transform child justice to improve safety and wellbeing, <https://humanrights.gov.au/our-work/childrens-rights/publications/help-way-earlier>
- 3 Senate Legal and Constitutional Affairs Committee, Parliament of Australia, 47th Parliament, Inquiry into youth justice and incarceration, [https://www.aph.gov.au/Parliamentary\\_Business/Committees/Senate/Legal\\_and\\_Constitutional\\_Affairs/Incarceration47/Submissions](https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Legal_and_Constitutional_Affairs/Incarceration47/Submissions)
- 4 Save the Children and 54 reasons, 2024, *Youth justice and incarceration in Australia: A national responsibility*, Submission to inquiry into youth justice and incarceration, <https://www.aph.gov.au/DocumentStore.ashx?id=86bfab6f-296e-4d91-becf-3fc408e425d0&subId=767896>
- 5 Hannah McGlade and Megan Davis, 2025, *International Convention on the Elimination of All Forms of Racial Discrimination – Early Warning and Urgent Action submission*, [https://www.hrlc.org.au/app/uploads/2025/04/United-Nations-CERD-complaint\\_youth-justice-in-Australia.pdf](https://www.hrlc.org.au/app/uploads/2025/04/United-Nations-CERD-complaint_youth-justice-in-Australia.pdf)
- 6 Save the Children and 54 reasons, 2025, *Missing pieces: Young people's search for connection and belonging*, Youth justice consultation: summary report, <https://www.54reasons.org.au/missing-pieces-report>

### About Save the Children and 54 reasons

Save the Children is the world's largest independent organisation focused on children and their rights. 54 reasons is Save the Children's Australian identity, dedicated to advancing children's rights through quality services and fearless advocacy. Our educational engagement and youth justice early intervention, bail support, throughcare (in-detention) and transition from detention programs are part of a wider suite of rights-respecting services for children, young people and their families delivered in every State and the Northern Territory. We are Australia's leading child rights organisation.

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# Australian jurisdictions' compliance with child rights standards

	ACT	NSW	NT	Qld	SA	Tas	Vic	WA
Policing	●	●	●↓	●↓	●	●	●↓	●
Bail and remand	●	●↓	●↓	●↓	●↓	●↑	●↓	●
Diversion	●	●	●↓	●	●	●↑	●	●
Court processes	●	●	●	●	●	●	●	●
Sentencing practices	●	●	●↓	●↓	●↓	●	●↓	●
Minimum age of criminal responsibility	●↑	●	●↓	●	●	●↑	●↑	●
Detention	●	●	●↓	●	●	●	●	●
Oversight of youth detention facilities	●	●	●	●	●	●	●	●
OVERALL TREND	↑	↓	↓	↓	↓	↑	↓	=

**KEY:** ● = High alignment    ● = Medium alignment    ● = Low alignment

Arrows show significant changes since 2023. In some cases, overall level of alignment remains the same – e.g. where there was already low alignment shown as red that has since significantly worsened, shown as a red arrow.

This scorecard is accurate as at November 2025. Assessment is primarily based on current law and practice. Where jurisdictions have indicated a clear intent to implement specific reforms in future, this is taken into account but given less weight than the current situation.

## Not assessed

**Prevention and early intervention:** Not assessed due to lack of comparable information. In general, requires significant further focus, although meaningful investments made by some jurisdictions since 2023.

**Youth justice workforces (including capabilities, workforce culture, staffing levels and support structures):** Not assessed due to lack of publicly available information. In general, requires significant further focus.



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