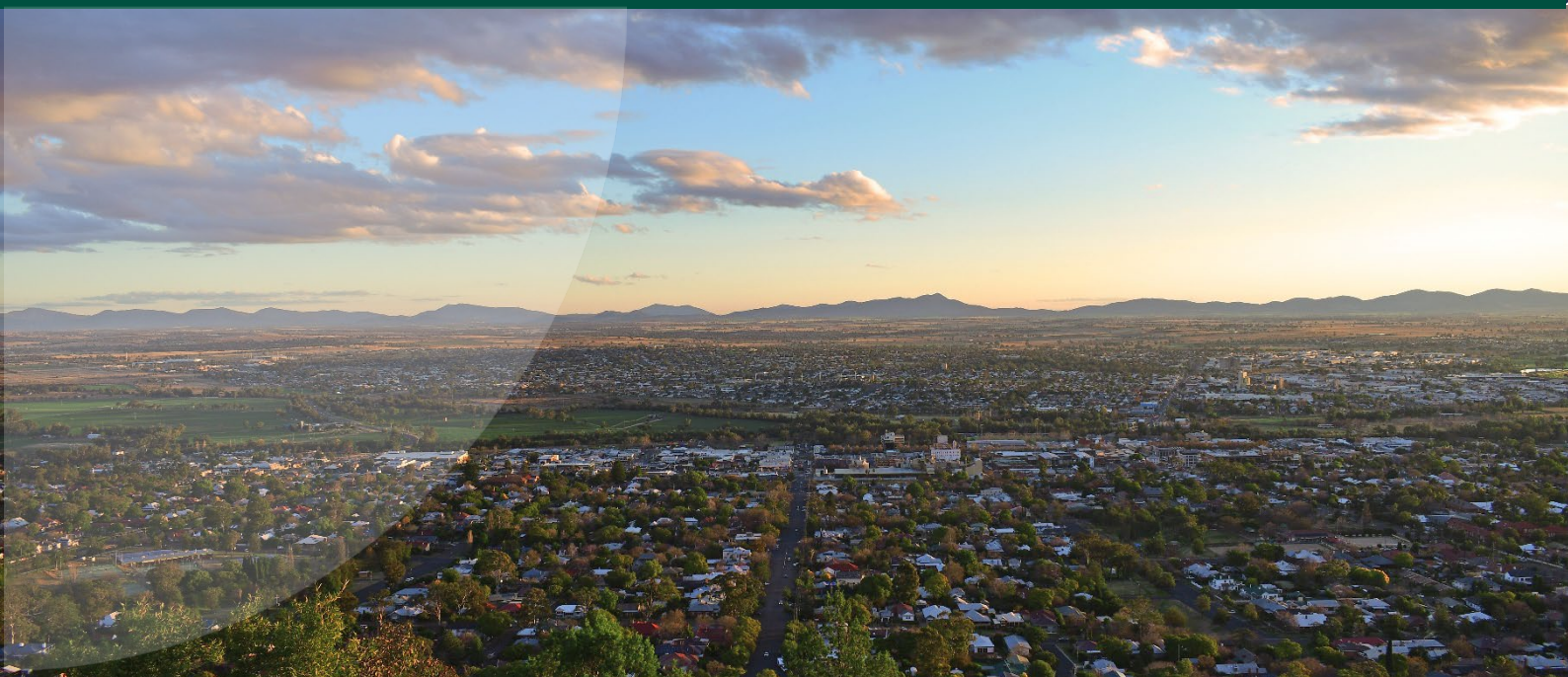


Committee on Law and Safety



LEGISLATIVE  
ASSEMBLY

Community safety in regional and  
rural communities  
Final report



Report 5/58 – March 2026

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Cover image: View of Tamworth, NSW, from the Oxley Scenic Lookout.

The motto of the coat of arms for the state of New South Wales is "Orta recens quam pura nites". It is written in Latin and means "newly risen, how brightly you shine".

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# Membership

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## Chair's foreword

Throughout the inquiry into community safety in regional and rural NSW, the Law and Safety Committee has visited ten regional towns. Members have heard from a broad range of stakeholders, including young people with experience of the criminal justice system, police, victims of crime, legal professionals, elected representatives, community sector workers, and First Nations community members and leaders.

We are grateful for their insight and candour.

Since tabling its interim report in May 2025, the Committee held public hearings in Tamworth and in Sydney, as well as informal community roundtables in Inverell, Moree and Dubbo.

We also visited the Orana Youth Justice Centre in Dubbo and valued the opportunity to hear directly from staff and young people about their experiences of the youth justice system.

At BackTrack in Armidale, the Committee was encouraged to witness first-hand how alternatives to criminal justice responses are enabling life-changing outcomes for young people. I thank Bernie Shakeshaft and his team for generously sharing their time, expertise and vision with the Committee, and for the outstanding work they do.

This is the final report of the inquiry. It includes an additional seven findings and 15 recommendations.

The first recommendation calls on the NSW Government to provide, within two years of the tabling of this report, a progress report to the Committee outlining the measures taken to implement the recommendations supported by the Government. In the 57th Parliament, the Committee on Law and Safety conducted an inquiry into the adequacy of youth diversionary programs in NSW. Many of the themes identified in that report were raised again by stakeholders in the current inquiry. Youth offending is a complex issue that requires long-term planning and sustained investment to address its underlying drivers. Regular progress reporting will help to promote accountability, ensure the effective use of public funds, and support a coordinated and long-term response to youth offending.

The Committee's interim report focused on addressing the drivers of youth crime through early intervention. In this report, we make further recommendations aimed at strengthening the community services sector and improving the delivery of early intervention and diversionary services for young people. These recommendations include, for example, that the NSW Government consider adopting a place-based commissioning model and establishing a mechanism to ensure better oversight of the funding and coordination of early intervention services in regional and rural communities.

Throughout the inquiry, we heard about the importance of, and need for place-based responses to youth offending. These should be co-designed with communities and young people, adequately and sustainably funded, and supported by service providers and agencies working collaboratively to provide effective, holistic wraparound support for at-risk young people. Local communities are best placed to identify and implement solutions to the challenges they face. Funding models should reflect and support this principle.

As I foreshadowed in my foreword to the interim report, this report discusses issues raised by inquiry participants about challenges police face in regional and rural NSW, and considers opportunities for improvement.

Since October 2024, the Committee has met with police as part of visits with regional and rural communities across NSW. The Committee is grateful to those officers who gave their time to discuss issues relevant to this inquiry with the Committee. Several senior officers from regional commands also gave evidence at public hearings, as did the Police Association of New South Wales. We also heard from the Police Aboriginal Community Liaison Officer in Kempsey. Their insights have informed recommendations in chapter 3 of this report.

In particular, the NSW Government must maintain a strong focus on filling police vacancies in regional areas to maintain adequate staffing levels. Also, responsibilities that fall outside of core policing duties – such as prisoner transfers or responding to mental health incidents – should be managed by other, more appropriate organisations or agencies. These activities impact the NSW Police Force's ability to respond to crime in regional areas, contribute to higher workloads, and worsen risk of burnout.

In addition, chapter 4 of the report makes several recommendations aimed at addressing issues raised by stakeholders regarding the youth justice system. The Committee considers there is a need for enhanced training for police officers and Local Court magistrates to ensure the objectives of the *Young Offenders Act 1997* are well understood and that diversions are applied consistently. Stakeholders also highlighted the need for targeted interventions for young people involved in reckless and highly dangerous driving offences; bail accommodation in certain regional communities; and improved pre- and post-release support for young people in Youth Justice custody. The Committee has put forward recommendations that aim to address these and other related concerns.

Finally, the report examines recent legislative changes, including amendments made following an independent review of the operation of *doli incapax* in NSW, as well as changes to the *Bail Act 2013*.

This has been a lengthy and complex inquiry that has drawn on the input and experience of hundreds of people. Over the past two years, we have heard the strong sense of urgency felt by many regional communities, who rightly expect practical and immediate action to address the level of crime they are experiencing. Crime has a profound and lasting impact on victims, their families, and the social fabric of regional communities.

We must recognise that the factors that contribute to youth offending are complex and multifaceted. An effective response requires ongoing commitment from governments, the non-government sector and communities. The Committee hopes that the work undertaken through this inquiry will contribute to meaningful and positive change for regional and rural NSW.

I thank my Committee colleagues for their thoughtful ideas and hard work throughout this inquiry. I also extend my appreciation to the Committee secretariat for their support.

**Edmond Atalla MP**  
Chair

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# Chapter One – The Committee's interim report and the NSW Government's response

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## Summary

To achieve meaningful and lasting improvements in community safety, investment in effective early intervention to prevent youth offending must be sustained, strategically planned, and closely monitored over the long term. Youth offending is a complex, multigenerational issue that cannot be remedied overnight.

## Overview of the inquiry

- 1.1 In May 2025, this Committee tabled its interim report on community safety in regional and rural NSW. The interim report focussed on the drivers of youth crime. These are the underlying social and economic factors that increase the risk of a young person coming into contact with the criminal justice system.<sup>1</sup> In the interim report, the Committee made eight findings and 15 recommendations.
- 1.2 Since the interim report was tabled, the Committee has conducted further site visits to communities across the New England and Orana regions. We held public hearings in Tamworth and Sydney, as well as several roundtables in regional communities, to hear from a range of stakeholders. More details of these activities are set out in the site visit reports at appendix 3 of this report.

## The NSW Government's response to the Committee's interim report

- 1.3 In November 2025, the Committee received the NSW Government's response to our interim report. In this response, the Government noted that, although there had been a notable lowering of crime rates in particular regional areas, there was still significant community concern about the issue.<sup>2</sup> Although the Government did not respond directly to the interim report's recommendations, it noted that they would 'consider each recommendation upon receipt of the final report of this inquiry'.<sup>3</sup>
- 1.4 The NSW Government also pointed to recent initiatives to address youth crime, including:
- legislative changes to give courts clearer guidance
  - expanded access to diversionary measures for children and young people

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<sup>1</sup> 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*, report 2/58, Parliament of New South Wales, May 2025, p v.

<sup>2</sup> NSW Government, [Government response to recommendations of the inquiry into community safety in regional and rural communities](#), 28 November 2025, p 1.

<sup>3</sup> NSW Government, [Government response to recommendations of the inquiry into community safety in regional and rural communities](#), 28 November 2025, p 4.

- targeted funding for place-based early intervention and prevention.<sup>4</sup>
- 1.5 The Committee also notes the passing of the Children (Criminal Proceedings) and Young Offenders Legislation Amendment Bill 2025. The amendments contained in this legislation were particularly significant to this inquiry, because they directly impact the treatment of younger children in the NSW criminal justice system.
- 1.6 The Act makes several amendments, most notably to reform the operation of the common law presumption of *doli incapax* in NSW. These amendments are discussed in more detail in chapter 5 of this report. The Bill was introduced by the Attorney General on 18 November 2025. It passed Parliament on 27 November 2025, and received assent on 3 December 2025.<sup>5</sup>

### Scope and content of the final inquiry report

- 1.7 This is the Committee's final report for the inquiry into community safety in regional and rural communities. As well as considering new evidence relating to issues canvassed in the interim report, this report mainly focusses on issues related to policing, young people's experiences of the justice system in NSW, and legislative frameworks.
- 1.8 Chapter 2 focuses on the critical role of community services in preventing and responding to ongoing challenges associated with youth crime. It discusses the benefits of coordinated service delivery, early intervention programs, and place-based responses in supporting at-risk children and communities. The Committee's interim report made several recommendations in this area. In this report, we make further recommendations aimed at improving the provision and oversight of funding for these services.
- 1.9 Chapter 3 outlines the key issues affecting police in regional and rural communities, including ongoing challenges in recruiting and retaining officers, and their impacts on community safety and officer well-being. Policing is not a substitute for early intervention and cannot prevent youth offending, but it is still a key part of community safety across NSW. We make several recommendations that we hope will help to address the challenges we heard police are facing.
- 1.10 Chapter 4 focuses on young people's experiences of the criminal justice system. It examines the diversionary provisions of the *Young Offenders Act 1997* and how they are applied, including the role of courts in supporting diversionary pathways. It discusses the bail accommodation and support service being developed in Moree; the need for a new offence-specific intervention program to address the risks of reckless and dangerous driving; and exit planning for young people leaving Youth Justice custody. In this chapter, we make several recommendations that aim to address issues raised by stakeholders in relation to the youth justice system.

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<sup>4</sup> NSW Government, [Government response to recommendations of the inquiry into community safety in regional and rural communities](#), 28 November 2025, pp 1-2.

<sup>5</sup> Parliament of NSW, [Children \(Criminal Proceedings\) and Young Offenders Legislation Amendment Bill 2025](#), accessed 9 December 2025.

- 1.11 Chapter 5 looks at recent legislative changes, including those implemented following an independent review of the operation of *doli incapax* in NSW. It also discusses the evidence the Committee received about amendments to the *Bail Act 2013*, made by the *Bail and Crimes Amendment Act 2024* and *Bail Amendment (Extension of Limitation on Bail in Certain Circumstances) Act 2025*. It also notes the status of a review of the *Young Offenders Act 1997*, commissioned by the previous government.

## Progress report to the Committee

### Recommendation 1

**That, within two years of the tabling of this report, the NSW Government provide a report to the Committee on Law and Safety outlining progress made in implementing the supported recommendations from this inquiry.**

- 1.12 Youth offending is a complex issue. Long-term planning and sustained funding are essential to addressing the drivers of youth crime. The Committee recommends that the Government provide a progress report on actions taken to implement this inquiry's recommendations, within two years of this report being tabled. We hope that this will support accountability, transparency, and help to ensure continued focus on this critical issue.
- 1.13 In 2018, the Committee on Law and Safety conducted an inquiry into the adequacy of youth diversionary programs in NSW. Many of the themes identified in that report were again identified as concerns in the current inquiry. For example, issues around service coordination and funding stability for non-government organisations remain relevant.<sup>6</sup> This points to possible shortcomings in policy implementation, which ultimately undermine progress in addressing identified issues for NSW communities.
- 1.14 We consider that transparent and regular reporting would help ensure executive accountability, clearly demonstrate whether recommendations are being acted upon, and avoid delays that risk entrenching young people's involvement in the justice system.
- 1.15 Stakeholders emphasised that action must be taken urgently.<sup>7</sup> Cr Russell Webb, of the Country Mayors Association, told us:

I'm just going to use a quote, if I may. A quote from John F. Kennedy, where he quoted the sayings of a great French marshal. He once asked his gardener to plant a tree. The gardener objected. The tree was too slow growing and wouldn't reach maturity for 100 years. The marshal replied, "If that is the case, then we must plant that tree today." Can I say to you that what I'm talking to you about today, we can't continue to talk about it and procrastinate. We need to take action today.<sup>8</sup>

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<sup>6</sup> Legislative Assembly Committee on Law and Safety, [Inquiry into the adequacy of youth diversionary programs in NSW](#), report 2/56, Parliament of New South Wales, September 2018, pp 181-188.

<sup>7</sup> See, for example, [Submission 96](#), One Vision Productions Pty Ltd, p 5; [Submission 114](#), Country Women's Association Far North Coast Group, p 1; [Submission 116](#), Justice Reform Initiative, p 6; [Submission 151](#), Youth Off The Streets, pp 11, 14.

<sup>8</sup> Cr Russell Webb, Executive Board Member, Country Mayors Association, [Transcript of evidence](#), 24 Feb 2025, p 7.

- 1.16 Funding and support for place-based initiatives are critical to addressing youth offending over the longer term. The Committee heard that it takes time for services to establish relationships with young people and build trust and confidence within communities. We also heard that, in some regional areas, current funding arrangements are not achieving their intended outcomes, and oversight is lacking.<sup>9</sup>
- 1.17 For these reasons, we consider that progress reporting is essential to promote accountability, ensure the effective use of public funds, and deliver a sustained, positive, and long-term response to youth offending.

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<sup>9</sup> Committee on Law and Safety, [Interim report: Addressing the drivers of youth crime through early intervention](#), p 81.

## Chapter Two – Building a more coordinated community services sector

### Oversight and funding of diversionary programs and early intervention initiatives

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#### Summary

A place-based funding approach could reduce service duplication and improve coordination, resulting in more targeted and effective support. Stronger oversight is needed to ensure services in regional NSW are effectively managed, accountable, and deliver value for public investment in addressing youth offending.

- 2.1 As outlined in the Committee's interim report, competitive, short-term grant funding has contributed to the siloing of community services. We emphasised the need for community services to collaborate and build partnerships that strengthen referral pathways and improve service efficiency. The interim report also highlighted the importance of mapping services in regional and rural communities to support collaboration and identify gaps where service expansion is needed.<sup>10</sup> The Committee makes further recommendations in this report to address structural issues related to funding and to encourage collaboration between regional services.

#### A place-based model to address youth offending

##### Recommendation 2

**That the NSW Government consider adopting a place-based commissioning model that allocates pooled funding across key agencies under a single regional plan, designed and delivered in partnership with local communities.**

##### Recommendation 3

**That the NSW Government consider a mechanism that guarantees more robust oversight of the funding and coordination of diversion programs and early intervention services in regional communities.**

- 2.2 The Committee recommends that the NSW Government considers a place-based funding and oversight model for service delivery. This could help to reduce service duplication and provide more focussed and effective care in regional communities.
- 2.3 Stronger oversight is needed to ensure services in regional NSW are effectively managed, accountable, and deliver value for public investment in addressing

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<sup>10</sup> 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](#), report 2/58, Parliament of New South Wales, May 2025, p 76.

youth offending. Service providers should be required to meet targets related to positive community outcomes, rather than just service outputs.<sup>11</sup>

- 2.4 The Committee was informed that a place-based funding and oversight model should include:
- development of a regional plan, in collaboration with community
  - pooled funding tied to regionally-specific key performance indicators (KPIs)
  - local oversight to ensure communities understand how funding is allocated and what outcomes it is delivering.<sup>12</sup>
- 2.5 Women's Shelter Armidale supports a place-based commissioning model and proposes that 'pooled or braided funding' could be used to link the Department of Communities and Justice, NSW Health, Housing, Education, and not-for-profit service providers to a shared set of regionally specific goals. Specifically, the organisation described a system in which all local service providers would have a set of shared KPIs embedded in their funding agreements. This approach would help to align incentives and improve collaboration.<sup>13</sup>
- 2.6 Legal Aid recommended that funding agreements be tied to successful engagement with other service providers in the community.<sup>14</sup>

### **Advantages of regional planning**

- 2.7 Stakeholders agreed on the need for regional coordination and accountability, underpinned by a strategic plan. The Committee heard that some community service providers were unclear about overarching targets. Justine Russell, from the Kempsey PCYC, for example, commented that 'a lot of the time there isn't a really clear idea of what outcomes we're actually trying to meet'.<sup>15</sup>
- 2.8 Strategic direction, supported by effective regional planning, was considered integral to achieving sustainable, long-term outcomes. The Oxley Police District told the Committee that, due to inadequate oversight, factors contributing to youth problems have remained unaddressed for generations.<sup>16</sup> When collaboration is guided by a comprehensive strategic plan, it can deliver better outcomes for young people and their communities. For instance, if a region faces specific issues with crime at night, a well-designed strategic plan can coordinate services to ensure they remain accessible outside standard office hours.<sup>17</sup>

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<sup>11</sup> Justine Russell, General Manager Youth Programs and Social Impact, PCYC Kempsey, [Transcript of evidence](#), 29 October 2024, pp 6-7.

<sup>12</sup> Women's Shelter Armidale, [Answers to supplementary questions](#), 10 October 2025, p 1; Winanga-li, [Answers to supplementary questions](#), 21 October 2025, pp 1-2.

<sup>13</sup> Women's Shelter Armidale, [Answers to supplementary questions](#), 10 October 2025, p 1.

<sup>14</sup> Legal Aid, [Answers to supplementary questions](#), 29 October 2025, p 1.

<sup>15</sup> Justine Russell, [Transcript of evidence](#), 29 October 2024, p 6.

<sup>16</sup> NSW Police Force, Oxley Police District, [Answers to supplementary questions](#), 17 October 2025, p 1.

<sup>17</sup> Superintendent Darren Beeche, Commander, Oxley Police District, NSW Police Force, [Transcript of evidence](#), 22 September 2025, p 3.

- 2.9 Winanga-Li Aboriginal Child and Family Centre, an Aboriginal Community-Controlled Organisation based in Gunnedah, suggested that success should be measured by tracking community outcomes rather than service outputs.<sup>18</sup> By incorporating meaningful metrics into a regional plan, funding can be more effectively targeted to achieve tangible results.

### **Strengthening oversight of funding for youth programs**

- 2.10 The Committee continued to hear concern from stakeholders that government funding was being allocated to programs that were not effective in reducing youth crime. Many advocated for greater transparency and stronger oversight to ensure resources achieve meaningful outcomes.<sup>19</sup>
- 2.11 Greg Brown, an Aboriginal Liaison Officer with the Northern Region Command of the NSW Police Force, told the Committee there was a need for responsible oversight:
- We need to be accountable, not only to Aboriginal people, but for the funding that's come into Kempsey. There's a lot of funding come in here, but we're not getting any results. There's no improvement at all in the crime.<sup>20</sup>
- 2.12 Tony Bear, from the Police Association of NSW, argued that financial investments in diversionary programs needed to be audited by the government. This would help ensure that providers are held accountable for how the funds are used.<sup>21</sup> Similarly, the New England Police District said that stronger government oversight is needed to ensure that services directly address the causes of regional youth crime.<sup>22</sup>
- 2.13 Winanga-Li recommended that oversight be embedded within the community itself, through the creation of 'regional coordination bodies' tasked with monitoring program outcomes against established goals. This would support 'outcomes-focused governance that centres Aboriginal leadership, self-determination, and community voice'.<sup>23</sup>
- 2.14 The Moree LGA Youth Crime Governance Group is one example of how a regional coordination model could work. This is explained in the box below.

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<sup>18</sup> Winanga-li, [Answers to supplementary questions](#), 21 October 2025, p 2.

<sup>19</sup> Tony Bear, Strategy and Relationships Manager, Police Association of NSW, [Transcript of evidence](#), 24 November 2025, p 6; David Lightowler, Manager, Community Safety and Wellbeing, Tamworth Regional Council, [Transcript of evidence](#), 22 September 2025, p 27; Cody Wilson, Youth Councillor, Tamworth Regional Youth Council, [Transcript of evidence](#), 22 September 2025, p 31.

<sup>20</sup> Greg Brown, Aboriginal Community Liaison Officer, Police District Commander's Aboriginal Leadership Group, NSW Police Force, [Transcript of evidence](#), 29 October 2024, p 5.

<sup>21</sup> Tony Bear, [Transcript of evidence](#), 24 November 2025, p 6.

<sup>22</sup> NSW Police Force, New England Police District, [Answers to supplementary questions](#), 21 October 2025, p 1.

<sup>23</sup> Winanga-li, [Answers to supplementary questions](#), 21 October 2025, p 2.

#### **Moree LGA Youth Crime Governance Group<sup>24</sup>**

The Moree LGA Youth Crime Governance Group is a place-based body empowered by the NSW Government to allocate and manage the \$13.4 million invested into Moree to target youth crime. The Group is responsible for designing and implementing a Youth Crime Action Plan for the Moree local government area, and managing the establishment of the Moree Bail Accommodation Program.

The group includes representatives from the NSW Government, Moree Local Aboriginal Land Council, local youth programs and Moree Plains Shire Council, as well as members of the local community.

- 2.15 Similarly, Women's Shelter Armidale suggested that each region be resourced to recruit an independent backbone team. These teams would oversee place-based resourcing, coordinate the regional plan, manage data, and drive continuous improvement. They also advocated for regular, publicly available reporting, including wait times, unsuccessful referrals, and supported referrals (warm handovers).<sup>25</sup>
- 2.16 Introducing metrics that encourage interaction between services, such as tracking warm handovers, was supported by stakeholders who attended the Committee's roundtable discussions in Inverell and Moree in September 2025.

### **Funding arrangements to promote integrated service delivery**

#### **Recommendation 4**

**That the NSW Government implement funding agreements that include clear cross-sector coordination requirements to align incentives and reduce siloed service delivery.**

- 2.17 The Committee recommends embedding cross-sector coordination requirements within funding agreements to minimise service fragmentation and promote more integrated, cohesive service delivery.
- 2.18 The Committee's previous report found that existing funding mechanisms were failing to deliver successful outcomes and recommended greater flexibility in funding contracts to enable organisations to respond more effectively to community needs.
- 2.19 In the second half of this inquiry, the Committee continued to hear that inadequate coordination among service providers was detrimental to local communities, with restrictive funding arrangements hindering efforts to address youth offending.
- 2.20 Winanga-li, for example, argued that current funding arrangements are not fit for purpose. The organisation told the Committee that services operate in siloes

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<sup>24</sup> NSW Government, [Moree place-based response](#), accessed 24 February 2026; NSW Government, [Moree LGA Youth Crime Governance Group, Terms of reference](#), accessed 24 February 2026.

<sup>25</sup> Women's Shelter Armidale, [Answers to supplementary questions](#), 10 October 2025, p 1.

because that is the nature of how they are funded. The current nature of funding contracts forces organisations to 'go alone to ensure they meet their KPIs'.<sup>26</sup>

- 2.21 The Salvation Army told the Committee that siloed services can be damaging to vulnerable families and young people:

In our experience, disconnected and siloed service systems, where therapists, programs and services take different approaches and have little or no communication with each other, significantly reduces the quality of care. Families and carers can become overwhelmed and disengage, especially those who face additional barriers to support.<sup>27</sup>

- 2.22 Currently, organisations are funded in short-term blocks of two to three years.<sup>28</sup> Cr Russell Webb, of the Country Mayors Association, explained that although service providers make every effort to collaborate, their work is constrained by these short-term funding cycles.<sup>29</sup> Service providers have to prioritise their own outputs, rather than local collaboration, to maintain funding into the future.

- 2.23 Some stakeholders reflected that the current system has led to a situation where several organisations run small-scale programs that achieve limited success and fail to produce meaningful, long-term outcomes.<sup>30</sup> Superintendent Shane Cribb, Mid North Coast Police District, said that lack of program coordination was a major issue. He told the Committee that his community was 'overindulged with programs' all 'running in isolation'.<sup>31</sup>

#### **Importance of inter-agency collaboration**

- 2.24 The Committee heard that government agencies need to continue to be part of collaboration efforts.<sup>32</sup> The Salvation Army, for example, advocated for a community-wide response to the drivers of regional youth crime, noting that it sees 'the benefit of multiagency approaches that include social workers, youth justice, health and mental health, education, parenting and cultural supports'.<sup>33</sup>
- 2.25 Youth Justice NSW has recognised the importance of working collaboratively with other government agencies and local organisations to the success of program delivery. Moreover, we heard the agency has developed a framework to support and encourage co-design principles, 'recognising that the success of programs depends on [Youth Justice NSW] working collaboratively with other agencies as well as the local community'.<sup>34</sup>

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<sup>26</sup> Winanga-li, [Answers to supplementary questions](#), 21 October 2025, p 2.

<sup>27</sup> The Salvation Army, [Answers to supplementary questions](#), 17 March 2025, p 3.

<sup>28</sup> Cr Russell Webb, Executive Board Member, Country Mayors Association, [Transcript of evidence](#), 24 February 2025, p 3; Kelly-Anne Stewart, Executive Director, Youth Justice NSW, [Transcript of evidence](#), 24 November 2025, p 14.

<sup>29</sup> Cr Russell Webb, [Transcript of evidence](#), 24 February 2025, p 3.

<sup>30</sup> Cr Russell Webb, [Transcript of evidence](#), 24 February 2025, p 3.

<sup>31</sup> Superintendent Shane Cribb, Commander, Mid North Coast Police District, NSW Police Force, [Transcript of evidence](#), 29 October 2024, p 5.

<sup>32</sup> [Submission 179](#), Community Industry Group, p 4; [Submission 184](#), Advocate for Children and Young People, p 5.

<sup>33</sup> The Salvation Army, [Answers to supplementary questions](#), 17 March 2025, p 3.

<sup>34</sup> Kelly-Anne Stewart, [Transcript of evidence](#), 24 November 2025, p 10.

- 2.26 The Committee has seen the benefits of inter-agency collaboration during this inquiry. In Tamworth, the Committee heard about the Yilaan.gaal Dhina ('Fresh Footprints') program – an example of place-based inter-agency collaboration.

**Tamworth Justice Collaborative – Yilaan.gaal Dhina Fresh Footprints<sup>35</sup>**

Yilaan.gaal Dhina – or Fresh Footprints – is a diversionary program for young people aged 15-19 at risk of entrenched justice system involvement. The program combines intensive case management, mentoring, referrals, and paid on-the-job training to help participants move into mainstream employment. Nine people have participated, with strong outcomes, including reduced police contacts, even among those described as youth crime ringleaders.

The program was developed by the Tamworth Local Aboriginal Land Council in conjunction with the Tamworth Justice Collaborative (TJC) and was co-designed with young offenders. The TJC is comprised of 14 partner agencies from government and NGOs, and backed by community in Tamworth. It receives federal funding from the National Indigenous Australians Agency (NIAA) and the Attorney-General, and philanthropy helps to cover the young people's wages. Referrals to the program come from Youth Justice.

The program is designed to disrupt patterns of regular criminal behaviour. For the five young people who were part of the 2024 pilot program, participation in the program reduced their criminal activity to zero. By the end of the first month, three were offered an external work placement.

Program participants highlighted the importance of the structure and sense of community that the program provides. One told the Committee that he is motivated by 'coming to work with the boys every day'.

## Crime prevention through early intervention

### Summary

Very early intervention aimed at young families and small children can be an effective tool to prevent offending behaviour later in life. Wraparound support, including parenting education, can help create a positive home environment that improves young people's wellbeing and life outcomes.

### Finding 1

**There is a need for targeted interventions aimed at parents and very young children, as early support helps prevent challenges from escalating. Early intervention is also critical to preventing ongoing inter-generational trauma.**

- 2.27 The Committee's interim report discussed many of the challenges faced by at-risk young people who come into contact with the criminal justice system. The report advocated for sustained and flexible funding for early intervention and

<sup>35</sup> Fiona Snape, CEO, Tamworth Local Aboriginal Land Council, [Transcript of evidence](#), 22 September 2025, pp 42-43; Tamworth Local Aboriginal Land Council, [Answers to supplementary questions](#), 14 October 2025, pp 1-2.

diversionary programs. The report specifically recommended that programs be place-based and co-designed with local community and ACCOs.<sup>36</sup>

### Early intervention for young children to prevent later youth justice involvement

- 2.28 The interim report noted stakeholders called for early intervention programs to be available for children under the age of ten.<sup>37</sup> There is broad agreement around the need for very early intervention targeting at-risk young children, including those whose siblings or parents have had prior involvement with the criminal justice system.<sup>38</sup>
- 2.29 Early intervention programs for younger children help to reduce the risk of future criminal behaviour by addressing developmental and environmental risk factors at an early stage. The Kempsey PCYC noted that early intervention is able to 'have a really profound impact' on children aged eight to 12.<sup>39</sup>
- 2.30 Save the Children and 54 reasons commented that ages six to 12 are a 'vital window for early intervention' for at-risk children.<sup>40</sup> Cr Russell Webb, Country Mayors Association, agreed that services and interventions needed to start earlier for at-risk children: 'We should start it as early as, perhaps, birth, in many cases'.<sup>41</sup>
- 2.31 Early intervention for younger children may help to 'fix the problem for the next generation'.<sup>42</sup> Stakeholders also noted that intervention programs for older children, particularly those who have already begun to engage in offending behaviour, are more intensive and require more resources.<sup>43</sup> Superintendent Cribb told the Committee that:
- diversion programs need to be done at a very early age. It's no good going up and trying to fix the problems when they're 11-, 12-, 13-, 14-, 15-year-olds. They've already got into that mould of crime. We need to be going back a lot earlier, and engaging them, and trying to get them out of that headspace at a very young age.<sup>44</sup>
- 2.32 The Committee heard that many early intervention programs are for young people aged 10 and above.<sup>45</sup> Given that children under 10 in parts of regional and rural NSW are coming into contact with police and the criminal justice system, this represents a critical gap in service delivery.

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<sup>36</sup> Committee on Law and Safety, [Interim report: Addressing the drivers of youth crime through early intervention](#), pp 83-84, 88-89.

<sup>37</sup> Committee on Law and Safety, [Interim report: Addressing the drivers of youth crime through early intervention](#), p 39.

<sup>38</sup> Superintendent Shane Cribb, [Transcript of evidence](#), 29 October 2024, p 5; Justine Russell, [Transcript of evidence](#), 29 October 2024, p 7.

<sup>39</sup> Justine Russell, [Transcript of evidence](#), 29 October 2024, p 7.

<sup>40</sup> [Submission 112](#), Save the Children and 54 Reasons, p 6.

<sup>41</sup> Cr Russell Webb, [Transcript of evidence](#), 24 February 2025, p 2.

<sup>42</sup> Cr Russell Webb, [Transcript of evidence](#), 24 February 2025, p 2.

<sup>43</sup> Jeff Budd, Deputy Mayor, Tamworth Regional Council, [Transcript of evidence](#), 22 September 2025, p 27.

<sup>44</sup> Superintendent Shane Cribb, [Transcript of evidence](#), 29 October 2024, p 5.

<sup>45</sup> For program examples, see [Submission 96](#), One Vision Productions Pty Ltd, p 5; [Submission 112](#), Save the Children and 54 Reasons, p 1; [Submission 118](#), The Law Society of New South Wales, pp 13-15; [Submission 195](#), NSW Government, p 9.

### Wraparound family support and stability for young people

- 2.33 Wraparound supports for families helps to promote prosocial behaviour in children.<sup>46</sup>
- 2.34 Stakeholders in Bourke commented that they see the dysfunction in young people's home lives as a key driver of offending behaviour, and stressed the importance of support for families. They also noted that it is difficult to engage at-risk young people in early intervention or other programs when they are affected by 'what happens behind closed doors' at home.<sup>47</sup>
- 2.35 Support should be accessible and adapted to families' needs. BackTrack said that there is a need to provide support for young people and their families 'where they're at'. Formal settings, such as offices, may not be appropriate.<sup>48</sup> The Justice Reform Initiative noted that family services should be provided in different settings, such as by home visits, and supported playgroups and counselling services in a community setting.<sup>49</sup>
- 2.36 The Advocate for Children and Young People told the Committee that families of young people at risk often have multiple complexities, and have often been failed by multiple government systems. She said that people are generally trying to be good parents, but lack the necessary support.<sup>50</sup>
- 2.37 Professor Ross Homel submitted that 'preventative interventions early in life, for families with children under five years of age, can be particularly effective in laying a solid foundation for children's positive development'. Professor Homel's work on an early intervention study in Queensland saw that a program of comprehensive family support reduced offending and antisocial behaviours in the approximately 1,500 children who participated.<sup>51</sup>
- 2.38 Sydney-based Deadly Connections, an Aboriginal community-led organisation, runs a program for parents with children up to the age of five who are in contact with the child protection system. Its focus is keeping the family together by ensuring parents have their basic needs met, and are supported in their interactions with DCJ.<sup>52</sup> Importantly, the program facilitates the creation of a 'circle of care to provide support to the parent/s and family for as long as required'.<sup>53</sup>
- 2.39 James Clifford, of the Aboriginal Legal Service, said he sees 'a lot of' teenage parents coming through the Youth Koori Court. He reflected that these young people receive parenting-related support as part of their participation in the

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<sup>46</sup> [Submission 198](#), Triple P International, p 4.

<sup>47</sup> Vivianne Prince, Caseworker, Bourke Youth Justice Community Office, [Transcript of evidence](#), 1 October 2024, p 29; Rozaria Suckling, Club Manager, PCYC Bourke, [Transcript of evidence](#), 1 October 2024, p 9.

<sup>48</sup> BackTrack, [Answers to supplementary questions](#), 9 December 2025, p 6.

<sup>49</sup> [Submission 116](#), Justice Reform Initiative, p 11.

<sup>50</sup> Zoë Robinson, Advocate for Children and Young People, [Transcript of evidence](#), 24 February 2025, p 53.

<sup>51</sup> [Submission 172](#), Professor Ross Homel, p 2.

<sup>52</sup> Professor Thalia Anthony, Professor of Law, Deadly Connections Community and Justice Services, [Transcript of evidence](#), 24 November 2025, p 32.

<sup>53</sup> Deadly Connections Australia, [Deadly Families Project](#), accessed 17 February 2026.

Youth Koori Court process. This support enables the young person to care for their child. He said:

So we have a lot of children that otherwise would end up in the out-of-home care system, when we know the flow-on effects that that has, the huge cost, and the recidivism that can flow from criminalised kids in care. We can see that get broken, because that kid is now actually staying at home with a family who are able to support and care for them, because they've got that support themselves.<sup>54</sup>

- 2.40 Early interventions that provide support and stability for young children offer a highly effective, holistic investment in long-term crime prevention. Importantly – and as was noted in the Committee's interim report – services and programs for Aboriginal people should be designed in conjunction with Aboriginal organisations and communities.<sup>55</sup>
- 2.41 Deadly Connections observed that a lack of culturally safe services for parents and young families had produced a culture of disengagement in some Aboriginal communities. As a result, expectant mothers are not accessing pre- or post-natal care, possibly due to fear of intervention by child protection services. Professor Thalia Anthony, a member of the Deadly Connections Advisory Board, noted that when early intervention is missed due to fear, it becomes significantly more difficult to re-engage families after a child is born.<sup>56</sup>
- 2.42 Deadly Connections recommended that NSW Health prioritise referrals to community-based programs like theirs to provide initial support to mothers before any involvement from DCJ. They noted that such settings are safer for Aboriginal mothers.<sup>57</sup>

#### *Parenting support programs*

- 2.43 The Committee acknowledges that parenting may be challenging for parents who are themselves impacted by intergenerational cycles of trauma.
- 2.44 Inquiry participants pointed out that there is a real need for support services and programs that work with parents and carers to develop parenting skills.<sup>58</sup> The Justice Reform Initiative, for example, commented that reviews of parenting programs in Australia and internationally have estimated they have resulted in about 40 per cent reduction in 'problematic child behaviour', which is linked to offending.<sup>59</sup>
- 2.45 According to Triple P, an international parenting program provider, offending behaviour in later childhood and teenage years is strongly linked to the 'type and

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<sup>54</sup> James Clifford, Managing Solicitor, Statewide Children's Criminal Law Practice, Aboriginal Legal Service, [Transcript of evidence](#), 2 October 2024, p 34.

<sup>55</sup> Professor Thalia Anthony, [Transcript of evidence](#), 24 November 2025, p 35; Blake Cansdale, National Director, ANTA, [Transcript of evidence](#), 24 February 2025, p 18.

<sup>56</sup> Professor Thalia Anthony, [Transcript of evidence](#), 24 November 2025, p 37.

<sup>57</sup> Professor Thalia Anthony, [Transcript of evidence](#), 24 November 2025, p 38.

<sup>58</sup> [Submission 137](#), The Salvation Army, p 25; Gail Cheers, Community member, [Transcript of evidence](#), 29 October 2024, pp 13-14; Anika Malcolm, Community Development Worker, Benevolent Society, [Transcript of evidence](#), 29 October p 30; [Submission 119](#), St Vincent de Paul Ballina, p 1.

<sup>59</sup> [Submission 116](#), Justice Reform Initiative, p 12.

quality of parenting' a young person experiences. They commented that children who experienced adversity in their family environment, such as poverty, abuse, or neglect, are at greater risk of offending behaviour and disengagement from education.<sup>60</sup>

#### **Triple P – Positive Parenting Program<sup>61</sup>**

The Triple P – Positive Parenting Program, developed at the University of Queensland, is an evidence-based parenting support system designed to improve child and family outcomes. The United Nations regards Triple P as the world's most extensively researched parenting program. The World Health Organisation identifies it as one of only two parenting programs proven to prevent child maltreatment.

Parents and carers participating in Triple P learn about the factors that influence child behaviour. They gain strategies from the program to improve their parenting, manage their own emotions and behaviours, and create a safe environment for their children. Ultimately, this gives children a foundation to develop strong relationships, self-regulation, and social and emotional wellbeing.

- 2.46 Triple P delivered a two-year parenting program in Queensland which saw a 25 per cent reduction in substantiated child maltreatment within the targeted communities. In that period, demographically similar communities in NSW saw a three percent increase.<sup>62</sup>
- 2.47 Parenting programs are effective when embedded into other family support services. Carol Markie-Dadds from Triple P International provided an example from Queensland where Triple P worked with a live-in residential drug and alcohol rehabilitation service accommodating whole families to embed structured parenting support. Practitioners were upskilled so that they could help parents apply positive parenting strategies in daily routines such as shared mealtimes. The approach empowered families to promote their child's development and respond to challenges through careful planning.<sup>63</sup>
- 2.48 In Western Australia, Triple P is integrated into universal services and training is offered to parents as part of the school enrolment process for both primary and secondary schools.<sup>64</sup>
- 2.49 Triple P also has a program that has been adapted for First Nations parents. Triple P for First Nations Families is a culturally responsive parenting program co-designed with Elders and communities to support children up to 12 years in growing strong in culture, identity, and community. Triple P has dedicated

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<sup>60</sup> [Submission 198](#), Triple P International, p 4.

<sup>61</sup> [Submission 198](#), Triple P International, p 6; Triple P International, [Answers to supplementary questions](#), 9 December 2025, p 3.

<sup>62</sup> Carol Markie-Dadds, Country Director, Australia, Triple P International, [Transcript of evidence](#), Monday 24 November, p 32.

<sup>63</sup> Carol Markie-Dadds, [Transcript of evidence](#), Monday 24 November, p 33.

<sup>64</sup> Carol Markie-Dadds, [Transcript of evidence](#), Monday 24 November, p 34.

Cultural Consultants who work directly with, and are led by, First Nations communities, including Elders, leaders and organisations.<sup>65</sup>

- 2.50 The Committee also notes that support and training programs for First Nations parents and families must be culturally sensitive. Professor Anthony said that support needs to be adaptive to different cultural models of parenting, and are not 'imposing Western assumptions around parenting and families' on Aboriginal people.<sup>66</sup>

## The BackTrack model

### Summary

BackTrack is an example of an effective wraparound model for youth crime diversion. Based in Armidale, it brings together a range of supports in one location to respond to the needs of at-risk young people. The model emphasises independence, responsibility, and belonging.

Through the BackTrack Network, BackTrack connects with organisations in other regional communities to support the development of place-based initiatives. It assists them to adapt and apply BackTrack's methods and principles in ways that reflect local needs and priorities.

- 2.51 BackTrack delivers a holistic, wraparound model of support for at-risk young people, addressing mental health, education, crime prevention, life-skills, employment, and housing needs. Based in Armidale and in operation for almost twenty years, the initiative is widely respected by stakeholders and has achieved considerable success.<sup>67</sup>
- 2.52 The organisation's core philosophy is guided by the 'Circle of Courage' model developed by First Nations peoples in Canada. The model assumes that when young people have the qualities of mastery, independence, generosity and belonging in balance, they are able to thrive. By offering young people a safe place to belong, learn and grow, the program helps to reduce reoffending.<sup>68</sup>
- 2.53 The BackTrack model operates as an integrated and coordinated support system centred on the needs of the young person. Its 'one-stop-shop' approach enables young people to access timely, flexible assistance where and when it is needed.<sup>69</sup>
- 2.54 At BackTrack's Armidale base, a small number of young people live on-site, receiving practical life skills training and continuous support from youth workers in a safe, home-like environment.<sup>70</sup> Young offenders can be bailed to BackTrack if

<sup>65</sup> Triple P International, [Answers to supplementary questions](#), 9 December 2025, pp 2-3.

<sup>66</sup> Professor Thalia Anthony, [Transcript of evidence](#), 24 November 2025, p 35.

<sup>67</sup> For example, Legal Aid, [Answers to questions on notice](#), 29 October 2025, pp 2-3; 4; [Submission 49](#), ANTA, pp 27-28, [Submission 116](#), Justice Reform Initiative, p 14; [Submission 134](#), Narrabri Shire Council, p 5; Cr Russell Webb, [Transcript of evidence](#), 24 February 2025, p 4.

<sup>68</sup> Bernie Shakeshaft, Founder and Director, BackTrack, [Transcript of evidence](#), 24 November 2025, pp 39, 41-42; [Submission 176](#), BackTrack, pp 1-2.

<sup>69</sup> BackTrack, [Answers to supplementary questions](#), 9 December 2025, p 2.

<sup>70</sup> BackTrack, [What We Do](#), accessed 19 February 2026.

their home environment is not safe or suitable. In November 2025, BackTrack had six young people bailed to the site, who would otherwise be incarcerated.<sup>71</sup>

- 2.55 Bernie Shakeshaft, BackTrack's Founder and Director, told the Committee that continuing to incarcerate young offenders does not represent a sound investment, noting that youth detention costs around \$1.2 million per child per year, compared with \$150,000 per child to attend BackTrack.<sup>72</sup> This disparity is particularly significant given that young people who take part in BackTrack are much less likely to reoffend.
- 2.56 Most of BackTrack's funding comes from philanthropic contributions. It does not have consistent and ongoing state government funding.<sup>73</sup>
- 2.57 Young people at BackTrack are offered alternative education pathways, on-the-job training and pathways to employment through its social enterprise, BackTrack Works.<sup>74</sup> BackTrack staff have forged deep and enduring relationships with program participants. This demonstrates the multi-generational impact a program like BackTrack can have.
- 2.58 Recently, former BackTrack participants have helped design and implement a Night Crew program, aimed at preventing youth offending during night-time hours. Further information is provided in the case study below.

#### **BackTrack's 'Night Crew' program<sup>75</sup>**

The Night Crew program targets night-time youth crime in Armidale by engaging, supporting, and diverting at-risk young people away from the streets between 8pm and 7am. This involves physically driving children to a safe house and offering them dinner.

Initiated in response to an increase in aggravated break and enter, motor vehicle theft, and performance crime offending, the program has seen promising results in Armidale. In the three months since its launch in February 2025, break and enter figures were down by 75 per cent and motor vehicle theft was reduced to 'almost nothing'.

Many of the Night Crew staff have been through BackTrack's programs. Staffing the program with past participants makes it more effective, as the young people are more likely to engage with someone who has 'been through what they're going through'.

In October 2025 the NSW Premier announced a one-off grant of \$120,000 to cover staffing and operational costs to continue delivery of the Night Crew program.

<sup>71</sup> Bernie Shakeshaft, [Transcript of evidence](#), 24 November 2025, p 39

<sup>72</sup> Bernie Shakeshaft, [Transcript of evidence](#), 24 November 2025, p 39

<sup>73</sup> BackTrack, [Answers to supplementary questions](#), 9 December 2025, pp 1-2, 4-5.

<sup>74</sup> BackTrack, [Answers to supplementary questions](#), 9 December 2025, p 3.

<sup>75</sup> Steph Olsen, [Transcript of evidence](#), 24 November 2025, p 40; Zoë Robinson, [Transcript of evidence](#), 24 February 2025, p 56; Bernie Shakeshaft, [Transcript of evidence](#), 24 November 2025, p 39; BackTrack, [Annual Report 2025](#), November 2025, p 21; Premier, Minister for Police and Counter-terrorism, and the Minister for Youth Justice, [Armidale's BackTrack Night Crew Gets \\$120K Boost](#), media release, 7 October 2025, accessed 19 February 2026.

## Support for the BackTrack Network

### Recommendation 5

**That the NSW Government support community-led, place-based initiatives through sustained investment in the BackTrack Network to allow regional communities to adapt and apply BackTrack’s methods and principles in ways that respond to local needs.**

- 2.59 The Committee was impressed with the work of BackTrack and the positive impact it has on young people. We recommend that the Government invest in and support the expansion and outreach of the BackTrack Network, enabling more communities to access its proven approach. By applying these principles locally, communities can reduce youth crime and offer young people a clear pathway to positive outcomes and lasting success.
- 2.60 Mr Shakeshaft told the Committee he is committed to helping other communities understand BackTrack’s approach and apply its principles in their own local contexts.<sup>76</sup> This support has taken shape as a formal network, through which the BackTrack team collaborates with other grassroots youth organisations to share and embed the BackTrack methodology.<sup>77</sup>
- 2.61 Mr Shakeshaft emphasised that there are already individuals in communities working with at-risk young people, and the goal of the BackTrack Network was to support and empower them.<sup>78</sup> This approach is more effective than attempting to expand BackTrack across the state. By supporting local, grassroots organisations, BackTrack is able to support communities beyond Armidale, without adversely impacting its own service capacity.<sup>79</sup>

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<sup>76</sup> Bernie Shakeshaft, [Transcript of evidence](#), 24 November 2025, p 41

<sup>77</sup> BackTrack, [Answers to supplementary questions](#), 9 December 2025, pp 1, 5.

<sup>78</sup> Bernie Shakeshaft, [Transcript of evidence](#), 24 November 2025, p 41

<sup>79</sup> BackTrack, [Annual Report 2024](#), December 2024, pp 23-24; BackTrack, [The Network](#), accessed 19 February 2026.

## Chapter Three – Issues related to policing

### Police recruitment and retention in regional and rural NSW

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#### Summary

Police shortages are affecting community safety, especially in regional and rural areas. Limited police resources are further strained by the need to cover large areas. Shortages also contribute to burnout, making it harder to recruit and retain officers.

The NSW Government has introduced measures to drive police recruitment, including the 'You Should Be a Cop in Your Hometown' campaign, paid study for Student Police Officers at the NSW Police Force Academy, and a 12-month Cadet Traineeship Program for school leavers and young adults.

- 3.1 The Committee recognises the pivotal role police play in keeping communities safe. Since October 2024, the Committee has met with police as part of our visits with regional and rural communities across NSW. These officers gave their time to discuss issues relevant to this inquiry with the Committee. Several senior officers from regional commands also gave evidence at public hearings, as did the Police Association of New South Wales.
- 3.2 Most stakeholders agreed that regional youth crime is not a problem we can 'police our way out of'.<sup>80</sup> This is why the Committee's interim report focused on community-based primary prevention and early intervention. This is where meaningful and lasting benefits for young people and their communities are most likely to be achieved.
- 3.3 However, it is also important that police are properly resourced and supported to fulfil their core function of keeping communities safe. They must be able to provide effective responses when offending happens. This chapter outlines key issues raised by inquiry participants about challenges facing police in regional communities, and considers opportunities for improvement.

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<sup>80</sup> For example, Cr Russell Webb, Executive Board Member, Country Mayors Association, [Transcript of evidence](#), 24 February 2025, p 5; Dr Mindy Sotiri, Executive Director, Justice Reform Initiative, [Transcript of evidence](#), 24 February 2025, p 8; Mr Jonathan Hall Spence, Principal Solicitor, Justice and Equity Centre, [Transcript of evidence](#), 24 February 2025, p 25.

## Workforce shortages

### Finding 2

**Attracting and retaining police officers in regional and rural communities remains a significant challenge.**

### Recommendation 6

**That the NSW Government maintain a strong focus on filling police vacancies in regional areas to ensure appropriate staffing levels and maintain wellbeing.**

- 3.4 In September 2025, the Minister for Police and Counter-terrorism, the Hon Yasmin Catley MP, reported that the NSW Police Force (NSWPF) had an authorised strength of 18,398 positions. At that time, there was a headcount of 15,926 NSWPF officers. There were 1,286 officers out of the workplace due to being on a workers compensation claim, and 410 officers out of the workforce due to illness.<sup>81</sup>
- 3.5 The Police Association told the Committee that these workforce shortages are having a significant impact on community safety. They noted that this disproportionately impacts regional and rural parts of NSW, because the significant distances officers need to cover place strain on limited police resources.<sup>82</sup>
- 3.6 The Committee recommends that the NSW Government continue prioritising initiatives with proven effectiveness in driving police recruitment and retention, particularly in regional and rural areas. Making sure that vacancies are filled in these communities will help facilitate timely responses to serious incidents, and allow officers to focus on proactive crime prevention strategies.
- 3.7 In June 2025, the New South Wales Auditor-General published a report on the mental health and wellbeing of NSWPF officers. The report found that in 2024-2025 the NSWPF was operating with significant workforce shortages. It noted that the overall vacancy rate of 11 per cent 'does not give the full picture of workforce shortages', because long-term sick leave further limits operational capacity. Around seven per cent of police officers were on long-term sick leave in 2023-2024.<sup>83</sup>
- 3.8 As a result of these shortages, police in small regional stations are performing single-person patrols and call-outs. This may expose them to greater risk. For example, in the Orana Mid-Western Police District in November 2024, there were a total of 243 authorised staff positions, and 47 were vacant. Some smaller police stations in this district were at 50 per cent capacity, and other stations had no

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<sup>81</sup> Hon Yasmin Catley MP, Minister for Police and Counter-terrorism, [Transcript of evidence](#), Legislative Council Budget Estimates, 3 September 2025, pp 9, 48.

<sup>82</sup> Police Association of New South Wales, [Answers to supplementary questions](#), 9 December 2025, p 2.

<sup>83</sup> Audit Office of New South Wales, [The mental health and wellbeing of NSW police](#), Performance audit, 11 June 2025, p 21.

police personnel. This is in contrast to some outer metropolitan commands in greater Sydney which were at 83 per cent capacity.<sup>84</sup>

- 3.9 The Police Association said that the number of vacancies is now so high that shortages in units responsible for responding to urgent calls cannot be covered by other duty types. As a result, in regional communities, officers are further away when urgent calls for assistance are made. The Committee heard that smaller stations are the most significantly impacted, because officers are redirected to larger 24-hour stations to fill vacancies. This leaves the smaller stations unmanned. Calls for assistance that would normally be handled locally are instead being managed by stations in neighbouring communities, which can be 40 to 50 minutes away.<sup>85</sup>
- 3.10 Assistant Commissioner Dave Waddell, Northern Region Commander, told the Committee that 'resourcing is a challenge'. As at October 2024, the Northern Region was operating at about 73 per cent capacity, taking into account long-term sick leave and existing vacancies. When factoring in officers on short-term sick leave who are not expected to return, as well as those on restricted duties, actual capacity was likely below 70 per cent. Some commands were possibly operating with capacity percentages 'in the low sixties'.<sup>86</sup>
- 3.11 The Western Region command reported 75 per cent capacity at the time of the Committee's public hearing in Broken Hill in October 2024.<sup>87</sup>
- 3.12 Workforce shortages not only limit the range and quality of services available to communities, but also increase the risk of burnout among officers. Burnout ultimately undermines both retention and recruitment efforts.<sup>88</sup> Assistant Commissioner Andrew Holland, Western Region command, said that although his officers 'are doing a fantastic job maintaining... current work performance levels' he is concerned for their health, welfare, and safety because of the ongoing strain caused by workforce shortages.<sup>89</sup>
- 3.13 The Auditor-General's June 2025 report highlighted that around 4.5 per cent of all sworn police officers exited the workforce for medical reasons in 2023–2024. An average of 93 per cent of medical exits each year from July 2019 to June 2024 were attributed to psychological injury. Medical separations continually outnumber all other forms of workforce departure, including resignation and retirement. From July 2019 to July 2024, 2,495 police officers left the NSWPF for medical reasons. Psychological injury accounted for 2,348 of these exits.<sup>90</sup>
- 3.14 These high levels of psychological injury and medical separation reflect the sustained pressures placed on police, particularly in communities where they are

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<sup>84</sup> Audit Office of New South Wales, [The mental health and wellbeing of NSW police](#), p 22.

<sup>85</sup> Police Association of New South Wales, [Answers to supplementary questions](#), 9 December 2025, pp 2-3.

<sup>86</sup> Assistant Commissioner Dave Waddell, Northern Region Commander, NSW Police Force, [Transcript of evidence](#), 29 October 2024, p 7.

<sup>87</sup> Assistant Commissioner Andrew Holland APM, Western Region Commander, NSW Police Force, [Transcript of evidence](#), 2 October 2024, p 10.

<sup>88</sup> Police Association of New South Wales, [Answers to supplementary questions](#), 9 December 2025, p 3.

<sup>89</sup> Assistant Commissioner Andrew Holland, [Transcript of evidence](#), 2 October 2024, p 15.

<sup>90</sup> Audit Office of New South Wales, [The mental health and wellbeing of NSW police](#), p 20.

often required to fill service gaps beyond core duties. In its interim report, the Committee noted the lack of funded programs and services operating 'after hours' (outside 9am–5pm) in many regional communities. This is a major driver of offending behaviour in these communities. As such, we recommended an increase in funding and support for community organisations to deliver services and activities for young people at night.<sup>91</sup> This would also help lessen the burden on police, who are often the only service providers available after hours.

- 3.15 Assistant Commissioner Holland suggested that non-government agencies funded to deliver services that support police or community, could have their hours extended. He said this is a 'definite opportunity to relieve some of the duties on police'.<sup>92</sup>
- 3.16 The Committee acknowledges concerns voiced by police officers during this inquiry – including during our informal meetings – that there is an over-reliance on them to solve youth issues in their communities.<sup>93</sup>

#### *You Should Be a Cop in Your Hometown*

- 3.17 The Committee heard that regional policing has its benefits, in particular the opportunity for officers to build strong connections with their local communities. Superintendent David Cooper, District Commander of the Barrier Police District, identified this as a key distinction between regional and metropolitan policing:

The police are the public and the public are the police. I'm very passionate about that. When something happens in our town, it really does affect us all. Each time someone gets their house broken into, I take it absolutely personally. I've worked in Sydney—albeit many years ago—and, unfortunately, because of the nature of the policing down there, you... don't ever actually get to really engage with those victims more than just writing their name in your notebook and following up with them in a few days' time.<sup>94</sup>

- 3.18 Similarly, Robert Tickner, Chair of the Justice Reform Initiative, described growing up in Foster, where the local police officer was seen as 'such an integral part of the community'. This is common to many regional communities.<sup>95</sup>
- 3.19 According to Assistant Commissioner Holland, small, single-officer police stations are generally easy to staff, as they are considered a 'prize'. Officers are drawn to them for the opportunity to engage with the local community, build relationships, and develop their skills and experience.<sup>96</sup>
- 3.20 The Committee recognises that, despite the attractions of regional policing, there are barriers that prevent police taking roles in regional and remote locations.

<sup>91</sup> Committee on Law and Safety, *Community safety in regional and rural communities*, [Interim report: Addressing the drivers of youth crime through early intervention](#), report 2/58, Parliament of New South Wales, May 2025, p 54.

<sup>92</sup> Assistant Commissioner Andrew Holland, [Transcript of evidence](#), 2 October 2024, p 15.

<sup>93</sup> Oxley Police District, [Answers to supplementary questions](#), 17 October 2025, p 2.

<sup>94</sup> Superintendent David Cooper, District Commander, Barrier Police District, NSW Police Force, [Transcript of evidence](#), 2 October 2024, p 16.

<sup>95</sup> Robert Tickner, Chair, Justice Reform Initiative, [Transcript of evidence](#), 24 February 2025, p 11.

<sup>96</sup> Assistant Commissioner Andrew Holland, [Transcript of evidence](#), 2 October 2024, p 14.

These include the standard, availability and cost of housing, and limited access to child care and health services.<sup>97</sup>

3.21 In July 2024, the NSWPF launched the 'You Should Be a Cop in Your Hometown' campaign. This campaign aimed to boost recruitment in 12 regional areas. It allowed recruits from regional NSW to begin their careers serving in or near their home communities after graduating from the Goulburn Police Academy. Target areas include:

- Albury Police Station
- Bathurst Police Station
- Coffs-Clarence Police District
- Dubbo/Wellington Police Station
- Griffith Police Station
- Hunter Valley Police District
- Mid North Coast Police District
- Moree Police Station
- Nowra Police Station
- Richmond Police District
- Tamworth Police Station
- Wagga Wagga Police Station.

Although there is a specific focus on these 12 areas, the program allows the possibility that any regional recruit can be given a placement in their home town.<sup>98</sup>

3.22 The Committee heard evidence from the Northern Region Command outlining local recruitment efforts as part of the 'Be a Cop in Your Hometown' initiative, including:

- engaging 40 high school students in Port Macquarie
- conducting outreach at Ballina Fair shopping centre
- strengthening connections with the First Nations community in Lismore
- holding fitness demonstrations in Coffs Harbour, which attracted 12 applicants

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<sup>97</sup> [Submission 138](#), Police Association of NSW, pp 28-31, 33-34.

<sup>98</sup> New South Wales, Legislative Assembly, [Questions and Answers No 106](#), 6 May 2025, (Mr Roy Butler to the Minister for Police and Counter-terrorism, and Minister for the Hunter), question 4653.

- holding an expo in Muswellbrook to strong interest from visitors.<sup>99</sup>
- 3.23 The Command also promoted the campaign at community events such as NAIDOC celebrations, family fun days and fetes. Officers delivered presentations on 'Be a Cop in Your Hometown' at Police Aboriginal Consultative Committee meetings in Kempsey, Nambucca Valley, and Port Macquarie.<sup>100</sup>
- 3.24 Superintendent Chris McKinnon, Commander of the New England Police District, observed that several students and new probationers who originate from the New England region have requested placements there. He noted that a high proportion of constables graduating from the NSW Police Force Academy are receiving their preferred postings. This may also help retain police officers in the area for longer than the three-year tenure period.<sup>101</sup>
- 3.25 In June 2025, the Minister for Police and Counter-terrorism told the House the 'Be a Cop in Your Hometown' initiative is seeing 'significant success'. The Minister said there was 'a great uptick' in young people taking advantage of the opportunity to serve in communities to which they have a connection.<sup>102</sup>
- 3.26 The Police Association, however, contend that positive recruitment outcomes through 'Be a Cop in Your Hometown' are not sufficient to mitigate the significant shortages affecting the NSWPF across the state. The Association said the campaign's impact was not being felt on the frontline.<sup>103</sup>
- 3.27 The Committee notes that the NSWPF currently provides a range of incentives to attract and retain staff in regional and remote areas. These include subsidised housing, reduced mandatory tenure periods, extra annual leave in some locations, and a fortnightly living allowance for remote postings. There is also an allowance structure that provides for a lump sum payment to officers attached to particular locations, every year for five years. The amount is adjusted according to the remoteness of the posting.<sup>104</sup>

#### *Increasing number of police recruits*

- 3.28 The Committee notes that from November 2024 to December 2025, an additional 1,255 new recruits joined the NSWPF. This is more than double the number of recruits in the previous 12-month period. Of the 341 recruits from Class 367 in December 2025, 50 took advantage of the 'Be a Cop in Your Hometown' initiative.<sup>105</sup>
- 3.29 Since March 2024, Student Police Officers are able to be paid to study at the NSW Police Force Academy. They are employed as Clerk Grade 1/2 administrative

<sup>99</sup> Northern Region Command, [Answers to supplementary questions](#), 19 November 2024, p 2.

<sup>100</sup> Northern Region Command, [Answers to supplementary questions](#), 19 November 2024, p 2.

<sup>101</sup> Superintendent Chris McKinnon, Commander, New England Police District, NSW Police Force, [Transcript of evidence](#), 22 September 2025, p 6.

<sup>102</sup> New South Wales, Legislative Assembly, [Parliamentary Debates](#), 4 June 2025 (Yasmin Catley, Minister for Police and Counter-terrorism).

<sup>103</sup> Police Association of New South Wales, [Answers to supplementary questions](#), 9 December 2025, p 3.

<sup>104</sup> New South Wales Police Force, [Regional Incentives](#), accessed 12 December 2025.

<sup>105</sup> Hon Yasmin Catley MP, Minister for Police and Counter-terrorism, [Police recruitment hits new high as third record-breaking class attests in Goulburn](#), media release, 12 December 2025, accessed 12 December 2025.

employees on a temporary fixed term contract, receiving a total salary of around \$30,984 over the 16-week study period (as at October 2023). The scheme was designed to encourage more people to take up a career in the NSWPF. It also aims to increase access for a more diverse range of recruits, including mature age students, and students from low-income households who cannot afford to leave work for the 16-week training period.<sup>106</sup>

- 3.30 The NSW Government has also announced a 12-month Cadet Traineeship Program to give school leavers and young adults experience and exposure to police work. Cadets will complete 12 months of field-based learning, including short placements in general duties, the Traffic and Highway Patrol Command, the detectives unit, and the crime prevention unit. At the completion of the program, cadets will obtain a Certificate III in Business and can apply to undertake further training at the Academy. The program will begin in April 2026 as a pilot in two metropolitan commands.<sup>107</sup>
- 3.31 In November 2024, NSW Police officers voted to accept the NSW Government's four-year pay agreement, which included increased base pay and accelerated pay scales.<sup>108</sup>

## Engagement with young people and First Nations communities

### Summary

Community engagement is a core part of policing. It helps to reduce crime, improve perceptions of safety, and build trust in police. The NSW Police Force has a Youth Strategy and Aboriginal Strategic Direction to inform their engagement with these cohorts.

Aboriginal Community Liaison Officers (ACLOs) are employed in police districts with higher populations of Aboriginal people. ACLOs are responsible for providing support to Aboriginal people, and cultural guidance to the NSWPF.

- 3.32 As part of this inquiry, the Committee was interested in the work of the NSWPF in engaging with young people, particularly those at risk of offending, and with First Nations people in regional and rural communities.
- 3.33 Community engagement is a fundamental principle of policing. It contributes to crime reduction, enhances perceptions of safety, increases police legitimacy and public confidence, and reduces complaints, among other benefits.<sup>109</sup> Community engagement activities can draw on insights from across the NSWPF and be tailored to address specific local issues.<sup>110</sup>

<sup>106</sup> The Premier; Minister for Police and Counter-terrorism, [Police recruitment breakthrough – trainees will be paid to become officers](#), media release, 31 October 2023, accessed 12 December 2025.

<sup>107</sup> Minister for Police and Counter-terrorism, [Historic new cadet traineeship program launched to encourage young people to join the NSW Police Force](#), media release, 27 November 2025, accessed 12 December 2025.

<sup>108</sup> Minister for Industrial Relations; Minister for Police and Counter-terrorism, [Historic award agreement accepted by NSW Police officers](#), media release, 26 November 2024, accessed 15 December 2025.

<sup>109</sup> NSW Police Force, [Framework for Community Engagement](#), October 2020, p 4.

<sup>110</sup> NSW Police Force, [Framework for Community Engagement](#), p 5.

**Youth Strategy 2023-2025 and initiatives to engage with young people**

- 3.34 The NSWPF has developed a Youth Strategy that outlines its intended approach to policing issues that impact young people aged 10-17.<sup>111</sup>
- 3.35 Police play a key role in identifying young people at risk, but they have limited ability to help them get the support they need to avoid contact with the criminal justice system. The Youth Strategy underscores the importance of building relationships with other agencies and community organisations to make sure young people can be connected with the support services they need.<sup>112</sup>

*Youth Action Meetings*

- 3.36 A key community partnership used by the NSWPF to support at-risk young people are Youth Action Meetings (YAMs). YAMs bring together multiple agencies and services to develop coordinated action plans for young people at risk of becoming offenders or victims of crime. The aim is to ensure they are referred to appropriate support services. YAMs are led by the NSWPF.<sup>113</sup>
- 3.37 In its submission to the inquiry, the NSW Government reported that from July 2024, there would be 20 YAM Coordinators responsible for facilitating YAMs across 22 Police Area Commands.<sup>114</sup>
- 3.38 The Committee heard positive feedback from stakeholders about the effectiveness of YAMs. Tony Bear, Strategy and Relationships Manager at the Police Association, said that 'any situation where we have police and the local community all getting together is a step forward' and this is what YAMs help to achieve. Local communities are best placed to understand their own needs.<sup>115</sup>
- 3.39 Youth Off The Streets submitted that YAMs, along with other community engagement initiatives such as Police and Community Youth Clubs (PCYCs), have already shown 'significant positive impacts on community safety' and outcomes for young people. This is especially the case in First Nations communities, and across regional and rural NSW.<sup>116</sup> Youth Action noted that youth workers view YAMs as a positive model for collaboration and information sharing.<sup>117</sup>
- 3.40 While YAMs have potential to secure good outcomes for young people, Youth Action reports that youth sector representatives believe these can be improved. They suggest including young people more in the process, so that they can have input into decisions that affect them. It is important that participants are trauma-informed and understand principles of youth engagement.<sup>118</sup>

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<sup>111</sup> NSW Police Force, [NSW Police Force Youth Strategy](#), 2023, p 5.

<sup>112</sup> NSW Police Force, [NSW Police Force Youth Strategy](#), pp 10-11.

<sup>113</sup> NSW Police Force, [NSW Police Force Youth Strategy](#), p 11.

<sup>114</sup> [Submission 195](#), NSW Government, p 10.

<sup>115</sup> Tony Bear, Strategy and Relationships Manager, Police Association of NSW, [Transcript of evidence](#), 24 November 2025, p 8; see also Committee on Law and Safety, [Interim report: Addressing the drivers of youth crime through early intervention](#), pp 43-44.

<sup>116</sup> [Submission 151](#), Youth Off The Streets, p 10.

<sup>117</sup> [Submission 189](#), Youth Action, p 40.

<sup>118</sup> [Submission 189](#), Youth Action, p 44.

- 3.41 The Aboriginal Legal Service raised the issue of young people's lack of involvement in the YAMs process. James Clifford, Managing Solicitor of the Statewide Children's Legal Service at the Aboriginal Legal Service, said that involving young people and families in discussions about the supports they receive would help overcome service silos.<sup>119</sup> Dominic Holles, a Deputy Principal Solicitor at the Aboriginal Legal Service, told the Committee that, because YAMs are coordinated by police, they effectively start from an enforcement approach rather than a therapeutic one. He described this approach as 'fundamentally flawed'.<sup>120</sup>

#### *Specialist Youth Officers*

- 3.42 The Youth Strategy highlights the NSWPF's commitment to divert minor offenders. Diversion reduces the risk of reoffending and helps to avoid unnecessary contact with the criminal justice system.<sup>121</sup> This is also a core objective of the *Young Offenders Act 1997* (YOA).
- 3.43 Specialist Youth Officers (SYOs) are NSWPF officers who work to ensure that the rights of young people are upheld and that relevant legislation, including the YOA, is applied correctly. SYOs receive additional training to support informed decision-making, and to determine the most appropriate response under the YOA. Increasing the number of SYOs and establishing processes to ensure their knowledge remains current and aligned with best practice are NSWPF strategic objectives.<sup>122</sup>
- 3.44 The Committee heard that SYOs are also 'heavily involved' in the youth justice conference process under the YOA, as well as the issuing of cautions. They also work closely with YAM Coordinators and Aboriginal Community Liaison Officers. SYOs also attend the Children's Court to engage with young people, their families, and government agencies.<sup>123</sup>
- 3.45 However, we were concerned to hear that, in the New England Police District, SYOs are called upon at times to fulfil first response requirements because of staff shortages. At October 2025, New England had two SYOs, one based in Armidale, and one in Moree, and a SYO position vacant in Boggabilla.<sup>124</sup>
- 3.46 The Law Society suggested that all NSWPF officers would benefit from improved training on the YOA and the appropriate use of diversions. In the past, instruction was provided by specialist children's lawyers from Legal Aid to trainee officers at the NSW Police Force Academy.<sup>125</sup> This is discussed further in chapter 4.

<sup>119</sup> James Clifford, Managing Solicitor, Statewide Children's Criminal Law Practice, Aboriginal Legal Service, [Transcript of evidence](#), 2 October 2024, p 36.

<sup>120</sup> Dominic Holles, Deputy Principal Solicitor, Western NSW, Aboriginal Legal Service, [Transcript of evidence](#), 2 October 2024, p 36.

<sup>121</sup> NSW Police Force, [NSW Police Force Youth Strategy](#), p 19.

<sup>122</sup> NSW Police Force, [NSW Police Force Youth Strategy](#), pp 9, 22.

<sup>123</sup> New England Police District, [Answers to supplementary questions](#), 21 October 2025, pp 1-2.

<sup>124</sup> New England Police District, [Answers to supplementary questions](#), 21 October 2025, p 1.

<sup>125</sup> Law Society of NSW, [Answers to supplementary questions](#), 16 December 2025, p 1.

## Outreach to Aboriginal communities

### Finding 3

**Aboriginal Community Liaison Officers (ACLOs) perform an important role in establishing connections and supporting positive relationships between police and Aboriginal people. It is important that ACLOs are adequately supported and resourced.**

- 3.47 ANTAR submitted that First Nations young people in regional and rural areas experience compounded disadvantage due to institutional and systemic racism, which remains a significant problem within law enforcement. Because of this, ANTAR argues that police initiatives to deploy officers to remote and 'special remote' communities (where those officers may lack important local and cultural knowledge) are 'inappropriate and potentially dangerous'.<sup>126</sup>
- 3.48 The Committee acknowledges these concerns and recognises the need for continued improvement in this area. We were encouraged, though, by examples of initiatives across NSW to foster positive, respectful, and constructive relationships between police and Aboriginal communities.
- 3.49 For example, Assistant Commissioner Holland described the Yindyamarra Buwanha program in the Far West. Yindyamarra Buwanha was a short-term collaboration between NSWPF, the Australian Literacy and Numeracy Foundation, and the NSW Department of Education. It was designed to enhance cultural connection for Aboriginal young people, and strengthen the relationship between police and the community. The program was delivered as an eight-week immersive arts program that enabled Aboriginal young people to explore and express their identity through storytelling and performance, guided by experienced Aboriginal artists. It concluded in 2025.<sup>127</sup>
- 3.50 The Committee also heard about a short-term remand pilot in Wagga Wagga, led by the NSWPF and the Children's Court of NSW. The pilot is delivered in close collaboration with the Wollundry Dreaming Youth Hub, to make sure services and support for at-risk young people are culturally safe and appropriate. Both the short-term remand pilot and the Wollundry Dreaming Youth Hub are discussed in the Committee's interim report.<sup>128</sup>

#### *NSW Police Force Aboriginal Strategic Direction*

- 3.51 The *NSW Police Force Aboriginal Strategic Direction (ASD)* identifies opportunities for police to strengthen and sustain partnerships with Aboriginal communities and key agencies, with the aim of overcoming barriers and improving relationships between police and Aboriginal people.<sup>129</sup>
- 3.52 The Committee understands that the ASD, together with other key strategic documents such as the *Youth Strategy*, are widely referenced and shared in the

<sup>126</sup> [Submission 49](#), ANTAR, pp 22-23.

<sup>127</sup> Assistant Commissioner Andrew Holland, [Transcript of evidence](#), 2 October 2024, p 11.

<sup>128</sup> Committee on Law and Safety, [Interim report: Addressing the drivers of youth crime through early intervention](#), pp 78-79.

<sup>129</sup> NSW Police Force, [The NSW Police Force Aboriginal Strategic Direction](#), January 2024, p 5.

NSWPF's engagement with communities, such as during Police Aboriginal Consultative Committee (PACC) meetings.<sup>130</sup>

- 3.53 PACCs are an important element of proactive policing, an approach set out by the ASD. They are led by the NSWPF and meet four times a year. PACCs aim to support ongoing dialogue between local police and Aboriginal communities. Their purpose is to address issues relating to crime, crime prevention, and community safety, in a manner consistent with the objectives of the ASD. Meetings can be held as part of an Aboriginal community event or through Yarning Circles, and all members of the local Aboriginal community are welcome to attend.<sup>131</sup>
- 3.54 PACCs can provide a meaningful forum through which communities can raise issues that are important and specific to them with senior police officers. They contribute to 'mutually respectful relationships' between communities and police. They also provide a platform for police to educate the community on important and relevant information, including updates on new legislation.<sup>132</sup>
- 3.55 However, the Committee was concerned by evidence from Aboriginal witnesses that PACC meetings are either not properly advertised,<sup>133</sup> or overly controlled by police. This results in key community issues and concerns not being raised or addressed.<sup>134</sup> The NSWPF should prioritise acting on this feedback to ensure that PACCs operate in a manner consistent with strategic objectives.
- 3.56 The Committee also heard about the important work of Police Aboriginal Community Liaison Officers (ACLOs). ACLOs are civilian employees of the NSWPF, meaning they are not sworn officers. They are employed in Police Districts with higher populations of Aboriginal people, and are responsible for providing support to Aboriginal people, and cultural guidance to the NSWPF.<sup>135</sup>
- 3.57 The role of an ACLO can include:
- encouraging partnerships between Aboriginal communities and police to minimise crime and address Closing the Gap targets and priorities
  - raising awareness among Aboriginal and broader communities about the ASD, as well as the role, purpose, and responsibilities of the ACLO position
  - helping to set up and support Aboriginal groups that assist Aboriginal people in custody or victims of crime.<sup>136</sup>
- 3.58 Michael Kennedy, Chairman of the Wilcannia Local Aboriginal Land Council, described the important and demanding role ACLOs play in communities:

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<sup>130</sup> NSW Police Northern Region Command, [Answers to supplementary questions](#), 19 November 2024, p 4.

<sup>131</sup> NSW Police Force, [The NSW Police Force Aboriginal Strategic Direction](#), p 12.

<sup>132</sup> NSW Police Western Region, [Answers to supplementary questions](#), 4 November 2024, p 1.

<sup>133</sup> Pania Tahu, Chairperson, Bourke Community Working Party, [Transcript of evidence](#), 1 October 2024, p 21.

<sup>134</sup> Michael Kennedy, Chairman, Wilcannia Local Aboriginal Land Council, [Transcript of evidence](#), 2 October 2024, p 25.

<sup>135</sup> NSW Police Force, [The NSW Police Force Aboriginal Strategic Direction](#), p 31.

<sup>136</sup> NSW Police Western Region, [Answers to supplementary questions](#), 4 November 2024, p 2.

I know one of the blokes that actually worked as a Liaison Officer here would go above and beyond to help people after hours. He'll get up at three or four in the morning to go and help a young one that's feeling suicidal, or in a bit of trouble with family, and then he'll turn around and get up at 7.30 in the morning and go to work.<sup>137</sup>

Mr Kennedy recognised, however, that ACLOs are 'limited with what they can do'.<sup>138</sup>

- 3.59 Superintendent Chris McKinnon advised that there are five ACLOs in the New England Police District. He commended the 'wonderful work' they do in supporting both police and the local Aboriginal community. He also noted that ACLOs represent a relatively limited resource and suggested that broader deployment would be beneficial.<sup>139</sup> Similarly, Superintendent Darren Beeche said the Oxley Police District has 'a wonderful ACLO', and it would be beneficial to have more resources to support him.<sup>140</sup>
- 3.60 In contrast, Pania Tahu, from the Bourke Community Working Party, told the Committee the current ACLO has 'never engaged' with the Aboriginal community in Bourke, saying 'he just doesn't interact with us'.<sup>141</sup>

## Police responsibilities beyond core policing duties

### Summary

Frontline police are increasingly required to perform duties outside their core role, such as escorting people to hospitals, helping NSW Ambulance at incidents, and transporting prisoners. This adds to already heavy workloads and increases the risk of burnout.

### Finding 4

**Police are often called to deal with prisoner transfers, mental health incidents and truancy, but these matters would be more appropriately managed by other organisations or agencies.**

- 3.61 Frontline police are increasingly required to perform duties outside their core role. These duties include escorting people to hospitals, assisting NSW Ambulance staff at incidents, and prisoner transfers. These activities fall outside core policing responsibilities, contribute to higher workloads, and worsen risk of burnout.<sup>142</sup>

<sup>137</sup> Michael Kennedy, [Transcript of evidence](#), 2 October 2024, p 25.

<sup>138</sup> Michael Kennedy, [Transcript of evidence](#), 2 October 2024, p 25.

<sup>139</sup> Superintendent Chris McKinnon, [Transcript of evidence](#), 22 September 2025, p 8.

<sup>140</sup> Superintendent Darren Beeche, Commander, Oxley Police District, NSW Police Force, [Transcript of evidence](#), 22 September 2025, p 8.

<sup>141</sup> Pania Tahu, [Transcript of evidence](#), 1 October 2024, p 22.

<sup>142</sup> Audit Office of New South Wales, [The mental health and wellbeing of NSW police](#), p 19.

3.62 In line with evidence the Committee heard throughout this inquiry, the Acting NSWPF Commissioner Peter Thurtell told a NSW Legislative Council Committee that:

...it's fair to say over the last 40-odd years or something the police have started to creep into every single nook and cranny because we're the only 24/7 organisation that can assist in things. We are relied upon heavily by a lot of organisations to do things. We're trying to back out of those sorts of things, particularly areas where it is somebody else's responsibility.<sup>143</sup>

3.63 The Committee was informed that there are two particular areas that significantly impact the NSWPF's ability to respond to crime in regional areas: prisoner transfers, and mental health incidents.<sup>144</sup> These are discussed in more detail below.

### Prisoner transfers

#### Recommendation 7

**That the NSW Government urgently implement a strategy to handover responsibility for prisoner transport from the NSW Police Force to Corrective Services NSW.**

3.64 The Committee heard from the Police Association of NSW that they have been working for around 15 years to transfer responsibility for prisoner management and transport to Corrective Services NSW.<sup>145</sup> We recommend that the NSW Government take urgent action to facilitate this outcome. The current arrangements are unsustainable, and do not support police in performing their core functions effectively.

3.65 The New England Police District reported that transporting prisoners who have been refused bail by a court to Youth Justice facilities, where they are held on remand, can involve more than five hours' travel. A lot of this transport is carried out on overtime in order to minimise the impact on policing responses, but this is not always possible.<sup>146</sup>

3.66 For example, Assistant Commissioner Holland explained that transporting prisoners who are refused bail from Gunnedah to the correctional centre in Grafton is a four-hour journey each way. He noted that most of these transfers are undertaken on overtime, or by officers covering additional shifts. This places further strain on an already under-resourced workforce, and contributes to officer fatigue.<sup>147</sup>

3.67 In addition to the time spent transporting individuals in Corrective Services custody, police resources must also be dedicated to supervising these prisoners. Using the Central North Police District as an example, Corrective Services delivers

<sup>143</sup> Acting Commissioner Peter Thurtell, NSW Police Force, [Transcript of evidence](#), Legislative Council Budget Estimates, 3 September 2025, p 73.

<sup>144</sup> NSW Police New England District, [Answers to supplementary questions](#), 21 October 2025, p 1.

<sup>145</sup> Tony Bear, [Transcript of evidence](#), 24 November 2025, p 2.

<sup>146</sup> NSW Police New England District, [Answers to supplementary questions](#), 21 October 2025, p 1.

<sup>147</sup> Assistant Commissioner Andrew Holland, [Transcript of evidence](#), 2 October 2024, p 13.

prisoners with pending court appearances to police stations on a Monday, Wednesday, and Friday rotation. If a prisoner is required for a court appearance on Wednesday, Corrective Services brings the prisoner to either Walgett or Bourke on the Monday before. Police are then responsible for supervising the prisoner for the two days leading up to the court appearance.<sup>148</sup>

- 3.68 In June 2025, the Police Association directed its members to suspend prisoner transfers, which were placing a significant strain on a force operating at 4,500 officers below authorised strength.<sup>149</sup> In July 2025, the Police Association and Corrective Services agreed that police would continue doing regional transfers for 18 months. This period was to allow Corrective Services time to develop an appropriate model for prisoner transfers, and to recruit staff, to ensure a smooth transition of responsibility. As part of that agreement, Corrective Services assumed responsibility for prisoner transfers within the Sydney metropolitan area.<sup>150</sup>
- 3.69 The Committee understands that the Department of Communities and Justice and Corrective Services 'are committed to putting a business case forward for additional resources and funding for them to reach further into regional areas... to do those prisoner transportations and court guarding'.<sup>151</sup>
- 3.70 The Committee heard, however, that 'Corrective Services have not kept their end of that agreement up'.<sup>152</sup> This may be due to the fact Corrective Services are struggling to recruit enough staff, particularly in regional areas.<sup>153</sup>

## Mental health response model

### Recommendation 8

**That the NSW Government prioritise implementing a mental health response model that ensures police resources are used efficiently and that people with mental health needs receive appropriate, trauma-informed support.**

- 3.71 The NSWPF recently undertook a review of the role and responsibilities of police in responding to mental health incidents in the community. In April 2024, it published the findings of that review, with a key recommendation that NSWPF work with NSW Health to develop a model for responding to mental health incidents. The recommendation stated that the approach should be consistent with the overarching principles of the United Kingdom's 'Right Care, Right Person' model.<sup>154</sup> The two agencies have established an executive-level steering

<sup>148</sup> Assistant Commissioner Andrew Holland, [Transcript of evidence](#), 2 October 2024, p 13.

<sup>149</sup> J Hanrahan, [Locked and overloaded](#), *The Daily Telegraph*, 24 November 2025, accessed 15 December 2025.

<sup>150</sup> Tony Bear, [Transcript of evidence](#), 24 November 2025, p 2.

<sup>151</sup> Acting Commissioner Peter Thurtell, [Transcript of evidence](#), 3 September 2025, p 73.

<sup>152</sup> Tony Bear, [Transcript of evidence](#), 24 November 2025, p 2.

<sup>153</sup> Acting Commissioner Peter Thurtell, [Transcript of evidence](#), 3 September 2025, p 75.

<sup>154</sup> NSW Police Force, [Summary Internal Review of the NSW Police Force response to mental health incidents in the community](#), April 2024, p 2.

committee to develop a response model for the NSW Government's consideration.<sup>155</sup>

- 3.72 The Committee recommends that the NSW Government prioritise implementation of a health-led model for responding to mental health-related incidents. Ultimately, the model needs to ensure individuals experiencing a mental health crisis are attended by an appropriate professional as soon as possible. Police resources should not be deployed where a police response might not be necessary, or could result in adverse outcomes.
- 3.73 In September 2025, NSWPF Deputy Commissioner David Hudson stated that a proposed model was out for consultation, and feedback was being sought from clinicians and other stakeholders.<sup>156</sup>
- 3.74 The Police Association told us in December 2025 that there had not yet been any frontline implementation. However, all stakeholders are in agreement, and are working towards the shared goal of ensuring that NSW Health is the primary response agency for mental health incidents. Ideally, the NSWPF would only become involved where there is an immediate risk to the safety of those involved.<sup>157</sup>
- 3.75 The NSWPF attends a mental health incident every nine minutes.<sup>158</sup> In 2019-2020, NSW police responded to 216,430 welfare and mental health support call-outs. This figure increased to 265,430 in 2023-2024. Police also spend many hours at hospitals with patients experiencing mental health crises.<sup>159</sup> In regional areas, police are still required to transport people with mental illness long distances in vehicles that are not suitable for this purpose.<sup>160</sup> This places significant demands on already limited police resources.
- 3.76 Assistant Commissioner Holland said:
- In circumstances with mental health patients, [police officers] are going to locations to deal with mental health patients, and then we are the people scheduling those people into the hospitals. We're then conveying those people to hospitals. We're then acting as security at hospitals till they get assessed and then... those people are beating police out the door back into the community and we're... bringing them back before the hospital within a short space of time.<sup>161</sup>
- 3.77 The NSWPF's internal review found that the use of police as primary responders to mental health crises can increase the risk of adverse outcomes for people

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<sup>155</sup> NSW Police Force, [Review of the NSW Police Force response to mental health incidents in the community](#), accessed 16 December 2025.

<sup>156</sup> Deputy Commissioner David Hudson, NSW Police Force, [Transcript of evidence](#), Legislative Council Budget Estimates, 3 September 2025, p 18.

<sup>157</sup> Police Association of New South Wales, [Answers to supplementary questions](#), 9 December 2025, p 5.

<sup>158</sup> NSW Police Force, [Summary Internal Review of the NSW Police Force response to mental health incidents in the community](#), p 4.

<sup>159</sup> Audit Office of New South Wales, [The mental health and wellbeing of NSW police](#), p 19.

<sup>160</sup> Police Association of New South Wales, [Answers to supplementary questions](#), 9 December 2025, p 5.

<sup>161</sup> Assistant Commissioner Andrew Holland, [Transcript of evidence](#), 2 October 2024, p 15.

experiencing mental illness. The presence of police uniforms, sirens, and firearms can be perceived as threatening, and may unnecessarily escalate situations.<sup>162</sup>

3.78 Under the *Mental Health Act 2007*, police involvement may be justified where a person has committed an offence, or where it is probable that the person may attempt to kill, or cause serious physical harm to, themselves or another person.<sup>163</sup>

3.79 The Police Association acknowledged it will take time to establish procedures to allocate incidents to the appropriate agencies, and to ensure that the necessary resources are available to provide a health-led response to mental health incidents. It is important that this work remains a priority for all involved agencies.<sup>164</sup>

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<sup>162</sup> NSW Police Force, [Summary Internal Review of the NSW Police Force response to mental health incidents in the community](#), p 6.

<sup>163</sup> *Mental Health Act 2007* (NSW), [s 22\(1\)\(a\)](#).

<sup>164</sup> Police Association of New South Wales, [Answers to supplementary questions](#), 9 December 2025, p 5.

## Chapter Four – Young people's experience of the NSW justice system

### Diversions pathways under the *Young Offenders Act 1997*

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#### Summary

The *Young Offenders Act 1997* sets out diversionary pathways for young people. These pathways, which aim to divert young people from the criminal justice system, and from custody, are not applied consistently across NSW.

#### Finding 5

**Stakeholders generally agreed that diversion is a more appropriate and effective response to youth offending than formal criminal justice system processes.**

#### Recommendation 9

**That the NSW Government enhance training for all police officers and Local Court magistrates to ensure the objectives of the *Young Offenders Act 1997* are clearly understood and appropriate diversions are applied.**

- 4.1 Chapter 3 of the Committee's interim report considered the need for early intervention to prevent young people coming into contact with the justice system. However, even with more effective and coordinated early intervention, a small cohort of young people are still likely to come into contact with the justice system.
- 4.2 Stakeholders across NSW consistently emphasised that diversion at the earliest stage possible is the most effective and most appropriate response for these young people.<sup>165</sup> As the Committee has previously noted, contact with the criminal justice system increases criminalisation and entrenches cycles of offending, incarceration, and disengagement from school and community.<sup>166</sup>
- 4.3 The Committee recommends that the NSW Government enhance training on the *Young Offenders Act 1997* (YOA) for police and Local Court magistrates to ensure its consistent application across NSW. While clear diversionary pathways for young offenders already exist under the YOA, the Committee heard concerns from a range of stakeholders that the YOA is not being applied consistently across

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<sup>165</sup> [Submission 49](#), ANTAR, pp 20-21, 4 (recommendation 5); [Submission 116](#), Justice Reform Initiative, p 6; [Submission 118](#), Law Society of New South Wales, pp 11-12; [Submission 134](#), Narrabri Shire Council, p 4; [Submission 135](#), Raise the Age NSW, pp 14, 15, 17; [Submission 136](#), Legal Aid NSW, pp 42, 50; [Submission 137](#), The Salvation Army, p 5; [Submission 143](#), Redfern Legal Centre, p 7; [Submission 151](#), Youth Off The Streets, p 9; [Submission 175](#), New South Wales Bar Association, pp 7-9; [Submission 180](#), NSW Council of Social Service, p 16; [Submission 193](#), Youth Action, pp 40, 47; [Submission 194](#), Aboriginal Legal Service NSW/ACT, pp 5-6.

<sup>166</sup> 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*, report 2/58, Parliament of New South Wales, May 2025, p 33.

the state. This issue is discussed in more detail in the following section. It is vital that young people have equitable access to diversionary pathways regardless of where they live in NSW.

#### **Diversionary pathways under the *Young Offenders Act 1997***

The YOA sets out three diversionary pathways for a young person accused of an offence:

- warnings
- cautions
- youth justice conferences.

These diversions can be applied by police, the DPP, and by the Children's Court. They provide alternatives to a matter being dealt with through the criminal justice system.

Section 7 of the YOA also enshrines a set of principles guiding the operation of the Act, which relevantly include:

- (7)(a) The least restrictive type of sanction possible should be used against a young person.
- (7)(c) Criminal proceedings should not be commenced against a young person if there's an appropriate alternative way to deal with a matter.
- (7)(d) Criminal proceedings shouldn't be used to provide assistance or service delivery to address welfare issues.
- (7)(e) Young offenders should be dealt with in their communities where possible, to strengthen and keep their connection to family and community.
- (7)(h) The over-representation of First Nations young people in the criminal justice system should be addressed by using diversions under the YOA.

4.4 Although stakeholders recognised positive aspects of the YOA as a legislative framework,<sup>167</sup> the Committee heard mixed evidence about how it operates. In particular, we heard concerning evidence that there is wide variation in how diversions are used in regional areas,<sup>168</sup> and that diversions are less likely to be used for Aboriginal young people.<sup>169</sup>

4.5 Improving training on the YOA for police and Local Court magistrates would help to address this issue. Importantly, it would help to make sure diversionary pathways under the YOA are used wherever possible.

<sup>167</sup> [Submission 154](#), Shellharbour City Council, p 11; [Submission 175](#), New South Wales Bar Association, p 13.

<sup>168</sup> [Submission 136](#), Legal Aid NSW, p 51; [Submission 194](#), Aboriginal Legal Service NSW/ACT, p 5.

<sup>169</sup> [Submission 175](#), New South Wales Bar Association, pp 13-14; [Submission 193](#), Dharrriwaa Elders Group, p 10; [Submission 49](#), ANTAR, pp 17-18; [Submission 136](#), Legal Aid NSW, p 40; [Submission 194](#), Aboriginal Legal Service NSW/ACT, p 50; Professor Thalia Anthony, Professor of Law, Deadly Connections Community and Justice Services, [Transcript of evidence](#), 24 November 2025, p 31.

### The NSW Police Force's use of YOA diversions

- 4.6 The Committee received evidence that police use diversions inconsistently.<sup>170</sup> Legal Aid NSW has observed 'significant variations in NSWPF diversion across regional Local Area Commands' and suggests these variations could be due to 'different attitudes towards youth diversion' in different parts of the state.<sup>171</sup>
- 4.7 Similarly, the Law Society of NSW said its members have reported a 'widespread misunderstanding and misapplication' of 'fundamental principles' in the YOA by police, and that these issues are compounded by 'a lack of experience and/or training' in junior officers. Interactions with police are normally the first point of contact that a young person has with the criminal justice system. The Law Society commented that, as such, 'day-to-day policing decisions and interactions with young people' are 'pivotal'.<sup>172</sup>
- 4.8 The Bar Association also said that police 'need to have a clear understanding' of the YOA's provisions and objectives to ensure appropriate diversions are applied.<sup>173</sup>
- 4.9 The Committee believes that this need could be addressed by enhancing training provided to police.
- 4.10 During this inquiry, the Committee met and spoke with police officers from commands across regional NSW. Officers recognised the importance of diversion, and spoke about the need to support young people in their communities.
- 4.11 However, police also said it can be challenging to manage community expectations, particularly that young people should face punitive consequences for their actions.<sup>174</sup> Superintendent Shane Cribb, Commander of the Mid North Coast Police District, said that there is strong community expectation that young people will be punished through the courts for offending behaviour.<sup>175</sup> He also said that it is a 'very fine challenge' for police to balance the need to apply diversions with the need for appropriate penalties.<sup>176</sup>
- 4.12 Anecdotal evidence from our discussions with communities across the state also drew out the position of police and judges in balancing the need to support at-risk young people with the need to meet community expectations of justice.

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<sup>170</sup> [Submission 136](#), Legal Aid NSW, p 7; [Submission 118](#), Law Society of New South Wales, p 7.

<sup>171</sup> [Submission 136](#), Legal Aid NSW, p 51.

<sup>172</sup> [Submission 118](#), Law Society of NSW, p 7.

<sup>173</sup> NSW Bar Association, [Answers to supplementary questions](#), 10 December 2025, p 1.

<sup>174</sup> Assistant Commissioner Dave Waddell, Northern Region Commander, NSW Police Force, [Transcript of evidence](#), 29 October 2024, p 5.

<sup>175</sup> Superintendent Shane Cribb, Commander, Mid North Coast Police District, NSW Police Force, [Transcript of evidence](#), 29 October 2024, p 5.

<sup>176</sup> Superintendent Shane Cribb, [Transcript of evidence](#), 29 October 2024, pp 4-5.

4.14 In making this recommendation, we acknowledge evidence from the NSW Police Association that:

...access to training is a problem currently, because training means time away from performing frontline duties. With so many shortages, the ability for police workplaces to free up time for officers to attend training is limited. Public safety and urgent response is prioritised over access to training.<sup>177</sup>

4.15 As amendments to the YOA will commence in the near future, the Committee considers that this provides an opportunity for implementing this recommendation. The NSW Government must work with the NSW Police Force to ensure officers are supported to understand available pathways for diversion, and to apply them consistently and appropriately.

### **Improving the use of YOA diversions by Local Court magistrates**

4.16 Some diversionary pathways in the YOA can be applied by magistrates in the Children's Court. We heard evidence that there is inconsistency in the way YOA diversions are applied between specialist Children's Court magistrates, and non-specialist Local Court magistrates (who are presiding over Local Courts sitting as Children's Courts).

4.17 The box below summarises how the Children's Court operates in regional NSW. It is important that, where appropriate, YOA provisions are applied for all children and young people in NSW.

#### **Children's Court sittings in regional and rural NSW<sup>178</sup>**

There are currently 16 specialist Children's Court magistrates in NSW. There are four specialist Children's Court courthouses, at Parramatta, Surry Hills, Broadmeadow, and Woy Woy.

Specialist Children's Court magistrates also hold Children's Court sittings in Local Courts at Campbelltown and Sutherland, Port Kembla, Nowra, and Wyong.

For areas outside Greater Sydney, the Children's Court conducts circuits. A circuit means that magistrates travel between towns within a region on a set schedule to hear cases.

The current regional Children's Court circuits are:

- Hunter circuit (Batemans Bay, Goulburn, Port Kembla, Nowra, and Sutherland)
- Mid-North Coast circuit (Port Macquarie, Kempsey, and Taree)
- New England circuit (Tamworth and Moree)
- Northern Rivers circuit (Ballina, Coffs Harbour, Grafton, Lismore, and

<sup>177</sup> Police Association of NSW, [Answers to supplementary questions](#), 9 December 2025, p 5.

<sup>178</sup> Children's Court New South Wales, [Court structure](#), last updated 26 June 2025, last accessed 20 January 2026; Children's Court New South Wales, [Children's Court Listing and Sitting Arrangements from February 2026](#), last updated 23 February 2026, accessed 4 March 2026.

Tweed Heads)

- Riverina circuit (Albury, Griffith, and Wagga Wagga)
- Western circuit (Bathurst, Dubbo, and Orange).

To manage caseloads, in some locations Children's Court sittings coincide with the Local Court and are conducted by a Local Court magistrate.

- 4.18 Stakeholders suggested that regular training for non-specialist Local Court magistrates (who preside over Children's Court proceedings) would help to ensure that all magistrates hearing children's matters use appropriate diversions.<sup>179</sup>
- 4.19 Legal Aid NSW submitted that their lawyers see 'very different' outcomes for children who are appearing before a specialist Children's Court magistrate and children appearing before a Local Court magistrate. Legal Aid NSW contends that specialist Children's Court magistrates are more likely to apply YOA diversions than Local Court magistrates.<sup>180</sup>
- 4.20 Additionally, we heard that long court lists in regional Local Courts may limit the capacity of Local Court magistrates to understand and refer children to specialised early intervention and diversionary services in a regional community. Legal Aid commented that this is particularly because they are only dealing with a comparatively small number of children.<sup>181</sup>
- 4.21 The Law Society said that it is preferable that specialist Children's Court sittings are expanded, instead of Local Courts sitting as a Children's Court. Non-specialist magistrates are 'often less familiar with the YOA and associated children's legislation'.<sup>182</sup> Similarly, the Aboriginal Legal Service argued that all Aboriginal children before the Children's Court in NSW 'should have the opportunity to access' the Youth Koori Court.<sup>183</sup>

#### Recent legislative amendments affecting YOA diversions

- 4.22 Stakeholders generally indicated support for the objectives and frameworks established by the YOA. There were, however, some concerns raised about specific aspects of the YOA, including:
- a requirement for admission of guilt (sections 19(b), 23(b), 31(b), 36(b), 40(1)(b) and 40(1A)(b))<sup>184</sup>

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<sup>179</sup> Legal Aid NSW, [Answers to questions on notice](#), 29 October 2025, p 1; NSW Bar Association, [Answers to supplementary questions](#), 10 December 2025, p 1; Law Society of NSW, [Answers to supplementary questions](#), 16 December 2025, p 2.

<sup>180</sup> [Submission 136](#), Legal Aid NSW, pp 47, 51.

<sup>181</sup> [Submission 136](#), Legal Aid NSW, p 47.

<sup>182</sup> Law Society of NSW, [Answers to supplementary questions](#), 16 December 2025, p 2.

<sup>183</sup> [Submission 194](#), Aboriginal Legal Service NSW/ACT, p 17.

<sup>184</sup> Nicholas Broadbent SC, Member, Bar Council, NSW Bar Association, [Transcript of evidence](#), 24 November 2025, p 20; Superintendent Chris McKinnon, Commander, New England Police District, NSW Police Force, [Transcript of evidence](#), 22 September 2025, p 4.

- limits on the types of offences eligible for YOA diversion (section 8)<sup>185</sup>
- limits on the number of cautions a young person can be given (section 20 (7)).<sup>186</sup>

4.23 Some of these aspects were addressed by amendments made to the YOA as part of the *Children (Criminal Proceedings) and Young Offenders Legislation Amendment Act 2025*, passed in November 2025. The form and content of these amendments are discussed in more detail in chapter 5.

4.24 While stakeholders supported the amendments to the YOA passed by the NSW Government, several advocated for further amendments.<sup>187</sup> The Bar Association commented that the 'application of the YOA is overly restricted', and that further amendments are needed to make sure young people are appropriately diverted.<sup>188</sup>

## Court based support for young people

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### Summary

There is a pilot program running at the Surry Hills Children's Court to support young people in out-of-home care, who are over-represented in children's criminal proceedings. Legal stakeholders also pointed out that courts have a range of powers that can be used to engage support and case management for young people.

### Recommendation 10

**That the NSW Government review the outcomes of the Surry Hills Children's Court Cross Over Pilot program and consider funding the program in Children's Court locations across NSW.**

### Surry Hills Children's Court Cross Over Pilot

4.25 The Surry Hills Children's Court Cross Over Pilot was developed by Legal Aid in response to the over-representation of young people in out-of-home care in children's criminal proceedings, and in the criminal justice system generally.<sup>189</sup>

#### Surry Hills Children's Court Cross Over Pilot<sup>190</sup>

The Surry Hills Children's Court Cross Over Pilot program (the Pilot) is a temporary referral pilot based in the Surry Hills Children's Court (SHCC) in Sydney.

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<sup>185</sup> NSW Bar Association, [Answers to supplementary questions](#), 10 December 2025, p 2; Law Society of NSW, [Answers to supplementary questions](#), 16 December 2025, p 3

<sup>186</sup> NSW Bar Association, [Answers to supplementary questions](#), 10 December 2025, p 2; Law Society of NSW, [Answers to supplementary questions](#), 16 December 2025, p 3.

<sup>187</sup> NSW Bar Association, [Answers to supplementary questions](#), 10 December 2025, p 2; Law Society of NSW, [Answers to supplementary questions](#), 16 December 2025, pp 2-3.

<sup>188</sup> NSW Bar Association, [Answers to supplementary questions](#), 10 December 2025, p 2.

<sup>189</sup> Law Society of NSW, [Answers to supplementary questions](#), 16 December 2025, p 4.

<sup>190</sup> Law Society of NSW, [Answers to supplementary questions](#), 16 December 2025, p 4; Magistrate Keisha Hopgood, [Answers to written questions](#), 23 December 2025, p 3.

Practitioners from Legal Aid's Family Litigation team provide advice on care and protection to young people who are appearing before the SHCC Crime List. The Crime List is the schedule for criminal matters that are to be heard in the Children's Court.

In the Pilot, Legal Aid care solicitors attend the Crime List. They are available to provide 'on-the-spot' care advice to the young person. This can be in the court cells, meeting rooms, 'or at any alternative time or location' that is convenient for the young person.

Support can include:

- advice, provided face-to-face, by telephone, or by audio-visual link
- minor assistance
- extended legal assistance
- casework assistance (where legal aid has been granted)
- referrals (where appropriate) to other Legal Aid teams for advice on civil matters (like Centrelink, housing, victims compensation).

Legal Aid noted that common issues the Pilot provides advice about include care placements, schooling, health, access to services and benefits, contact with family members and with former foster families, care and protection proceedings and final orders, restoration, and leaving care plans.

- 4.26 The Committee supports the aims of the Pilot program. Young people in out-of-home care are a particularly vulnerable cohort at higher risk of justice system involvement.<sup>191</sup> Because of this, we recommend that the NSW Government review the outcomes of the Pilot, and consider funding the program in Children's Court locations across NSW. We also note the Law Society's view that there is a need for greater awareness of the Pilot program among practitioners.<sup>192</sup>
- 4.27 The Law Society noted that it would also be appropriate for the Aboriginal Legal Service to be funded to deliver a similar program for their clients.<sup>193</sup> As we have previously noted, there is significant over-representation of Aboriginal young people in the criminal justice system and out-of-home care cohorts.<sup>194</sup>
- 4.28 In discussing the Pilot program, the Law Society emphasised that timely legal advice about care matters 'can make a significant difference to the safety, welfare and well-being' of a young person.<sup>195</sup> Magistrate Keisha Hopgood, a Children's Court and Youth Koori Court magistrate who has used the Pilot program in proceedings she has presided over, commented that the 'real time'

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<sup>191</sup> Committee on Law and Safety, [Interim report: Addressing the drivers of youth crime through early intervention](#), p 52 (para 3.78).

<sup>192</sup> Law Society of NSW, [Answers to supplementary questions](#), 16 December 2025, p 4.

<sup>193</sup> Law Society of NSW, [Answers to supplementary questions](#), 16 December 2025, p 4.

<sup>194</sup> Committee on Law and Safety, [Interim report: Addressing the drivers of youth crime through early intervention](#), pp 34-35.

<sup>195</sup> Law Society of NSW, [Answers to supplementary questions](#), 16 December 2025, p 4.

referral of young people for care and protection advice and assistance has been beneficial.<sup>196</sup>

#### *Courts' coercive powers*

- 4.29 Throughout this inquiry, regional communities have told us that it can be challenging to access and engage with service providers. Some communities, particularly those serviced by outreach or by 'hub-and-spoke' models from a larger regional centre, face significant barriers accessing services. These issues were discussed in the Committee's interim report.<sup>197</sup>
- 4.30 For young people engaged with processes in the justice system, engagement with service providers is crucial. It may also be a condition of bail, a youth justice conference outcome plan, or other sentencing outcome. It is important that barriers to access and engage with services are removed where possible to make sure YOA diversions and other referrals operate effectively.
- 4.31 As such, we were interested to hear evidence that courts have coercive powers that they can use to promote effective case management and engagement with services.<sup>198</sup>
- 4.32 Nicholas Broadbent SC from the NSW Bar Association suggested that relevant legislation could be amended to 'allow the court to consider all manner of creative options' when making a bail or sentencing decision. He said that the Bar Association believes courts should be permitted to use their coercive powers to 'ensure that children receive the services they need'. This could potentially include referrals to a wider variety of services, including sports and creative programs.<sup>199</sup> Mr Broadbent also advocated for longer-term case management to better support young people.<sup>200</sup>

## Targeted intervention for reckless or dangerous driving

### Summary

There is a cohort of young people who engage in reckless and extremely dangerous driving behaviours in regional NSW. A targeted intervention program is needed to address this specific type of offending, particularly to provide education. This program should be delivered by Youth Justice.

### Recommendation 11

**That the NSW Government develop a targeted intervention program for young people charged with reckless or dangerous driving offences.**

<sup>196</sup> Magistrate Keisha Hopgood, [Answers to written questions](#), 23 December 2025, p 3.

<sup>197</sup> Committee on Law and Safety, [Interim report: Addressing the drivers of youth crime through early intervention](#), p 50.

<sup>198</sup> [Submission 180](#), NSW Council of Social Service, p 16; Nicholas Broadbent SC, [Transcript of evidence](#), 24 November 2025, pp 20, 22, 24.

<sup>199</sup> Nicholas Broadbent SC, [Transcript of evidence](#), 24 November 2025, pp 23-24.

<sup>200</sup> Nicholas Broadbent SC, [Transcript of evidence](#), 24 November 2025, p 24.

- 4.33 The Committee recommends that a targeted intervention program is developed for young people charged with reckless or dangerous driving offences. This type of offending carries a significant risk to the lives of young people and other road users. The existing Traffic Offenders Intervention Program, which is designed for adult participants, could be adapted for delivery to young people.

#### **Traffic Offenders Intervention Program<sup>201</sup>**

The Traffic Offenders Intervention Program (TOIP) aims to 'provide offenders with the information and skills necessary to develop positive attitudes towards driving and develop safer driving behaviours'.

TOIP can be delivered online or in person. There are a number of service providers across NSW who facilitate TOIP in communities. There is a cost to participants.

Anyone can voluntarily apply to complete TOIP. A Local Court judge or a person's legal representatives can make an order for a person to participate.

- 4.34 Police from commands across regional NSW have seen a trend of young people stealing cars and driving recklessly, particularly 'goading' police into pursuits. We heard that this offending is often driven by boredom, disengagement, or the pursuit of excitement or thrills.<sup>202</sup>

### **Profile of driving offences**

#### **Driving offences**

The Bureau of Crime Statistics and Research uses 'driving offences' as a major offence category. It groups the following offences:

- speeding, registration, and vehicle standards offences
- unsafe and reckless driving
- drink and drug driving
- driving without a licence, or while licence disqualified/suspended
- driving while using a mobile device
- failure to use safety equipment (such as seatbelts, helmets, and car seats/capsules)
- driving causing death or serious injury.

Motor vehicle theft is a separate major offence category.

<sup>201</sup> Department of Communities and Justice, [Traffic offender intervention program](#), last updated 30 September 2025, last accessed 16 December 2025; Department of Communities and Justice, [Factsheet: Traffic Offenders Intervention Program](#), no date, last accessed 16 December 2025.

<sup>202</sup> Rozaria Suckling, Club Manager, PCYC Bourke, [Transcript of evidence](#), 1 October 2024, p 10; Gregory Hill, General Manager, Central Darling Shire Council, [Transcript of evidence](#), 2 October 2024, p 5; Superintendent Shane Cribb, [Transcript of evidence](#), 29 October 2024, p 4; Assistant Commissioner Andrew Holland, Western Region Commander, NSW Police Force, [Transcript of evidence](#), 2 October 2024, p 12; Law Society of NSW, [Answers to supplementary questions](#), 16 December 2025, p 5.

4.35 Data published by BOCSAR lists driving offences as the fourth highest-ranking major offence category proceeded against young people in regional NSW in the 12 months to September 2025. During this period, 787 young people in regional NSW were proceeded against by police for driving offences. Of these, 551 proceeded to court, and 236 were diverted under the YOA.<sup>203</sup> Between 700 and 800 young people are proceeded against for driving offences in regional NSW each year, as shown in Table 1 below.

**Table 1 – Number of young people proceeded against by NSW Police for driving-related offences by year, and yearly rank of driving-related offences<sup>204</sup>**

Year (12 months to Sept)	Number of young people proceeded against for driving offences	Offence category ranking	Number of young people proceeded against for motor vehicle theft	Offence category ranking
2025	787	#4	540	#9
2024	803	#6	723	#8
2023	735	#7	761	#6
2022	835	#5	673	#6
2021	834	#5	366	#14

4.36 Additionally, a report published by the Bureau of Crime Statistics and Research in June 2023 found that young people were largely responsible for the increase in motor vehicle theft offences in regional NSW between 2019 and 2023. It noted that vehicle recovery rates in regional NSW suggested these thefts are commonly opportunistic and primarily for 'joyriding and transport purposes'.<sup>205</sup>

4.37 In line with these statistics, the Committee received substantial evidence from stakeholders throughout this inquiry about young people engaging in motor vehicle theft and 'joyriding' across regional NSW. Stakeholders also raised concerns about young people goading police pursuits and engaging in other reckless or dangerous driving behaviours.<sup>206</sup>

4.38 A report published by the Bureau of Crime Statistics and Research in 2023 also noted it is clear that there is a significant cohort of young people who engage in

<sup>203</sup> NSW Bureau of Crime Statistics and Research, [Youth crime](#), Long term trends in youth crime, Number of young people proceeded against by NSW Police by year (all legal proceedings, regional NSW, offence type: driving offences), data dashboard, last updated 12 December 2025, last accessed 29 January 2026.

<sup>204</sup> Data sourced from NSW Bureau of Crime Statistics and Research, [Youth crime](#), Long term trends in youth crime, Number of young people proceeded against by NSW Police by year (all legal proceedings, regional NSW, offence type: driving offences), data dashboard, last updated 12 December 2025, last accessed 30 January 2026.

<sup>205</sup> A Cook, [The increase in motor vehicle theft in NSW up to March 2023](#), NSW Bureau of Crime Statistics and Research, Crime and Justice bulletin no 166, June 2023, accessed 9 February 2026, p 10.

<sup>206</sup> For example: Rozaria Suckling, [Transcript of evidence](#), 1 October 2024, p 10; Leonie Brown, General Manager, Bourke Shire Council, [Transcript of evidence](#), 1 October 2024, p 3; [Submission 187](#), Bourke Shire Council, pp 5-6; [Submission 138](#), Police Association of NSW, p 9; Gregory Hill, [Transcript of evidence](#), 2 October 2024, p 5; Cody Wilson, Youth Councillor, Tamworth Regional Youth Council, [Transcript of evidence](#), 22 September 2025, p 32.

high-risk driving behaviour. For this reason, the Committee considers there is a need for an offence-specific program.

*Reckless driving is a high-risk behaviour*

- 4.39 Transport for NSW statistics show that younger licensed drivers account for almost a quarter of annual road fatalities in NSW, although they represent around 15 per cent of all licence holders.<sup>207</sup> There is no data available for unlicensed drivers, or ineligible drivers (under 16). The Australasian College of Road Safety noted that young people are commonly involved in road trauma, both as drivers and victims of fatal and serious road crashes.<sup>208</sup>
- 4.40 We also heard informal evidence from community members and police that unlicensed or ineligible young drivers are at high risk of being involved in serious incidents causing injury and death.
- 4.41 Anecdotally, the Committee heard that many young people committing driving offences in regional areas are unlicensed, or ineligible for a licence (due to age). We also heard evidence that young people struggle to access learner driving lessons and programs in regional areas.<sup>209</sup> They often do not have anyone who can supervise or teach them, or access to a vehicle.<sup>210</sup> As such, these young people may not have received any driver education or road safety training.
- 4.42 Magistrate Hopgood commented that, in her experience as a Children's Court magistrate, young people who engage in reckless or dangerous driving often lack an appreciation of the responsibilities and risks associated with driving. Her Honour noted that they frequently fail to understand the serious dangers to themselves and to others that are inherent in this type of offending.<sup>211</sup>
- 4.43 It is important that young people engaging in these offences receive targeted support and education to understand the specific risks associated with this behaviour. An offence-specific program would be an effective way to meet this need.

**The need for an offence-specific program**

- 4.44 Police drew our attention to the significant risks involved in dangerous driving offences. Superintendent Darren Beeche, Commander of the Oxley Police District, said:

You have examples of kids stealing cars, doing incredible speeds of over 200 kilometres an hour, and we know that, because they'll film it. At what speed do they need to be protected from themselves?<sup>212</sup>

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<sup>207</sup> Transport for NSW, [2026 Road Safety Action Plan](#), 5 July 2023, p 27.

<sup>208</sup> [Submission 131](#), Australasian College of Road Safety, p 3.

<sup>209</sup> YOUth Speak, [Answers to supplementary questions](#), 15 November 2024, pp 3-4

<sup>210</sup> Nicky Sloan, Chief Executive Officer, Community Industry Group, [Transcript of evidence](#), 24 February 2025, pp 44, 45.

<sup>211</sup> Magistrate Keisha Hopgood, [Answers to written questions](#), 23 December 2025, p 1.

<sup>212</sup> Superintendent Darren Beeche, Commander, Oxley Police District, NSW Police Force, [Transcript of evidence](#), 22 September 2025, p 3.

- 4.45 The NSW Police Association supports a targeted intervention program, recognising the serious nature of this type of offending.<sup>213</sup> The Law Society also supports a targeted driving offence program. They noted that it should be available to children of all ages, including those who are not old enough to legally hold a driver licence.<sup>214</sup>
- 4.46 Magistrate Hopgood said that she believes there is 'a need for a tailored program' to address this type of offending behaviour. Her Honour stated that she has referred some young people to the Traffic Offenders Intervention Program (TOIP), and 'anecdotally it has been useful'. However, Her Honour noted that the TOIP is designed for 'adults of licensable age' and has a 'prohibitive monetary cost for young people'. Referrals have required funded support.<sup>215</sup>
- 4.47 The Law Society said that the YOA would need to be amended in order to facilitate such a program effectively. Currently, young people over the age of 16 who are charged with driving offences are excluded from YOA diversions.<sup>216</sup> The Law Society also commented that this type of program would be most effective when delivered alongside other wraparound support addressing the specific needs of the young person.<sup>217</sup>
- 4.48 Magistrate Hopgood suggested that referral pathways for the program should include:
- Court referral
    - as a condition of a good behaviour bond or probation order
    - in the context of an order for an adjournment pursuant to section 33(1), clause 2 of the *Children (Criminal Proceedings) Act 1997* (deferring sentence of the young person for the purpose of allowing the young person to demonstrate that rehabilitation has taken place)
  - Youth Justice referral
    - as part of court-ordered supervision in the community
    - through a custodial intervention program
    - through the development of a youth justice conference outcome plan
  - Police referral
    - where a young person is identified (such as at a Youth Action Meeting) as being at risk of engaging in this type of behaviour, and they voluntarily agree to participate in the program.<sup>218</sup>

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<sup>213</sup> Police Association NSW, [Answers to supplementary questions](#), 9 December 2025, p 6.

<sup>214</sup> Law Society of NSW, [Answers to supplementary questions](#), 16 December 2025, p 5.

<sup>215</sup> Magistrate Keisha Hopgood, [Answers to written questions](#), 23 December 2025, p 1.

<sup>216</sup> Law Society of NSW, [Answers to supplementary questions](#), 16 December 2025, p 5.

<sup>217</sup> Law Society of NSW, [Answers to supplementary questions](#), 16 December 2025, pp 5-6.

<sup>218</sup> Magistrate Keisha Hopgood, [Answers to written questions](#), 23 December 2025, pp 1-2.

### *Role of Youth Justice in program delivery*

- 4.49 Youth Justice is well placed to develop and deliver an offence-specific program for young people charged with reckless or dangerous driving offences. Youth Justice currently runs a number of offence-specific programs for young people through Youth Justice Community Offices, including for domestic violence (My Journey, My Life; Safe Space) and offending linked to alcohol and other drug issues (Dthina Yuwali, X-Roads).<sup>219</sup>
- 4.50 Magistrate Hoppood held this position, noting that program design and delivery should also involve Aboriginal Community-Controlled Organisations, TAFE NSW, PCYC, and local organisations.<sup>220</sup> The Law Society agreed, and additionally suggested that this program could be delivered as part of youth justice conferencing. As noted above, this would require amendments to the YOA to allow the broader cohort of young people charged with these offences to access this diversionary pathway.<sup>221</sup>
- 4.51 Youth Justice is currently looking at developing a program for young people who commit reckless driving offences, particularly goading chases.<sup>222</sup>

## **Bail accommodation**

### **Summary**

The bail accommodation and support service planned for Moree is expected to reduce the number of young people in Moree remanded in custody. It is expected to begin operating in 2026. As other communities have similar youth crime profiles to Moree, the NSW Government should consider if a similar accommodation and support model could benefit other towns in regional NSW.

### **Recommendation 12**

**That the NSW Government consider a bail accommodation program for other regional towns with demonstrated need, informed by an evaluation of the Moree facility once it is operational.**

### **Recommendation 13**

**That the NSW Government consider adopting a mandatory diversion program for young people bailed to the Moree bail accommodation and support service, modelled on effective, evidence-based frameworks such as BackTrack.**

- 4.52 The Committee's first report noted the NSW Government's investment in a proposed bail accommodation and support service (BASS) in Moree.<sup>223</sup> The Committee has since visited Moree, and met with stakeholders and community representatives involved in the BASS project. It was encouraging to see strong

<sup>219</sup> Youth Justice, [Offence-focused intervention programs](#), last accessed 9 February 2026.

<sup>220</sup> Magistrate Keisha Hoppood, [Answers to written questions](#), 23 December 2025, p 2.

<sup>221</sup> Law Society of NSW, [Answers to supplementary questions](#), 16 December 2025, p 5.

<sup>222</sup> Carol Thomas, Director, Policy and Practice, Youth Justice NSW, [Transcript of evidence](#), 24 November 2025, p 14.

<sup>223</sup> Committee on Law and Safety, [Interim report: Addressing the drivers of youth crime through early intervention](#), p 14.

collaborative partnerships between Youth Justice and local stakeholders involved in the BASS project's design and delivery.

- 4.53 At the time of the Committee's visit (September 2025), work was underway to secure a property for the project. We were concerned to hear about difficulties in obtaining a suitable property, and that that this had delayed the expected opening of the Moree BASS.<sup>224</sup> The Committee was therefore pleased to note that the project had secured a property in December 2025. Youth Justice anticipates the BASS will be operational in early 2026.<sup>225</sup>

#### **Moree Bail Accommodation and Support Service project<sup>226</sup>**

The Moree Bail Accommodation and Support Service (MBASS) project will deliver accommodation for young people in Moree who have been granted bail by police or by a magistrate but cannot be supported at home or who otherwise need accommodation to satisfy bail conditions.

The MBASS project is being delivered by a consortium of three local Aboriginal community-controlled organisations (Miyay Birray Youth Service, Pius X Aboriginal Medical Service, and SHAE Academy) in partnership with the Department of Communities and Justice.

The MBASS is envisioned as a short-term accommodation centre. It is particularly aimed at avoiding short-term remand admissions to custodial centres, and to give authorities higher confidence that a young person bailed to the centre will not reoffend while legal proceedings are in progress.

- 4.54 The Committee's interim report discussed the Bourke community's call for on-Country accommodation and the need for alternative education pathways. This highlighted an urgent need for bail accommodation with wraparound supports.<sup>227</sup> This need was further reinforced during our informal roundtable meetings, with other communities identifying similar gaps. Many of the people we spoke to informally were aware of the BASS project.
- 4.55 Because of this, and because we consider that there may be a need in other communities, the Committee recommends that the NSW Government consider a BASS program for other regional towns with demonstrated need. This should be informed by an evaluation of the Moree BASS once it is operational. Co-design with community, as in the Moree BASS project, should be key to the delivery of any similar projects in NSW.

<sup>224</sup> New South Wales, Legislative Assembly, Questions & Answers paper no 122, 5 August 2025 (Brendan Moylan to the Premier), [question 5393](#).

<sup>225</sup> Youth Justice NSW, [Answers to supplementary questions](#), 10 December 2025, p 2; L Roberts, 'Site finally selected for delayed youth bail house', *The Northern Daily Leader*, 3 December 2025, accessed 16 December 2025.

<sup>226</sup> Department of Communities and Justice, [More than \\$2 million in additional funding for Moree as Youth Justice NSW marks milestones](#), media release, 7 February 2025, accessed 6 February 2026; buy NSW, [Moree Bail Accommodation Program – Expression of Interest – prj-5473](#), accessed 5 February 2026; New South Wales, Legislative Assembly, Questions & Answers paper no 101, 20 March 2025 (Brendan Moylan to the Premier), question [4437](#).

<sup>227</sup> Committee on Law and Safety, [Interim report: Addressing the drivers of youth crime through early intervention](#), pp 63-64.

- 4.56 Additionally, the Government should consider adopting a mandatory diversion program for young people bailed to the Moree BASS. This program could be modelled on evidence-based frameworks and programs used by organisations such as BackTrack (see chapter 2). However, such a program must be developed in consultation with community and young people to ensure it meets the needs of young people in Moree.

## Supporting young people before and after they are released from Youth Justice custody

### Summary

Although some programs are in place currently, there needs to be improved exit planning for young people who are leaving Youth Justice custody. In particular, there needs to be consideration for young people who are a long way from their home communities, and young people who are only in custody for a short period of time.

### Recommendation 14

**That the NSW Government improve pre- and post-release support for young people in Youth Justice custody, by:**

- (1) starting exit planning as soon as they enter a Youth Justice centre**
- (2) creating structured mentoring programs that link them with positive role models and community services.**

### Snapshot of young people in Youth Justice custody<sup>228</sup>

On 24 November 2025, Youth Justice advised that there were 227 young people in custody across six Youth Justice centres. Of these 227 young people:

- 15 were young women
- 127 were First Nations young people
- 77 per cent were on remand (unsentenced).

Approximately 60 per cent of young people admitted to custody remained in custody less than 24 hours.

- 4.57 Over the course of this inquiry, the Committee received considerable evidence about early intervention and diversion, which was discussed in detail in our interim report and elsewhere in this report. We also received evidence about the need to support young people who do enter custody. In particular, the Committee heard there is a real need for better exit planning before a young person is released from Youth Justice custody. This planning should involve pre- and post- release supports, wherever possible, including structured mentoring programs to link young people with services and positive role models in their communities.

<sup>228</sup> Kelly-Anne Stewart, Executive Director, Youth Justice NSW, [Transcript of evidence](#), 24 November 2025, p 9.

- 4.58 Stakeholders told us at hearings and during informal roundtables that the extent and quality of exit planning can vary.<sup>229</sup> It is impacted by several factors, including the length of the young person's admission to custody, the services available in their community, their engagement with services and systems, their personal circumstances, their age, and the resourcing and capacity of services.
- 4.59 Exit planning directly impacts the trajectory of young people's lives after leaving custody. In particular, it influences their reintegration with their community, and their risk of engaging in future offending behaviour.<sup>230</sup> The Advocate for Children and Young People reported that interviews with young people exiting custody highlighted the importance of having something in the community that provides a 'sense of belonging, or a sense of purpose' as key to succeeding after release.<sup>231</sup> Stakeholders emphasised that connections and relationships must be built before young people leave custody.<sup>232</sup>

#### Current approaches to exit planning

- 4.60 Youth Justice currently works with service providers to deliver exit planning, as outlined below. However, the Committee considers that, based on the evidence received during this inquiry, there is scope for improvement.

##### Current Youth Justice exit planning and mentorship programs

**Stand As One**<sup>233</sup> is delivered by SHINE for Kids, and is offered to young people in the Cobham and Frank Baxter Youth Justice Centres (both in Sydney, but which receive admissions from across NSW). It is a mentoring program that aims to support young people who are leaving custody. Mentors help young people to enrol in education/training and with practical life skills such as getting a Medicare card, and finding work and housing after they are released from custody.

**Ngudjoong Billa**<sup>234</sup> (the Aboriginal Reintegration and Transition Program) is delivered in partnership between the South Coast Medical Services Aboriginal Corporation and Youth Justice. It provides additional support and exit planning for First Nations young people in the Shoalhaven region, and focuses on building cultural identity, resilience, connection, and wellbeing.

The **Joint Support Program**<sup>235</sup> is delivered in partnership between Youth Justice and the South Coast Medical Services Aboriginal Corporation. It provides casework support to Aboriginal and non-Aboriginal young people aged 12-18 in the Eurobodalla, Bega Valley, and Southern Tablelands areas.

The **Casework Support Program**<sup>236</sup> is a Youth Justice program, delivered by community service providers at Youth Justice Community Offices across NSW.

<sup>229</sup> Robyn Bust, Regional Manager (Northern NSW) Youth and Education, The Salvation Army, [Transcript of evidence](#), 24 February 2025, p 50; Charlie Chubb, Head of Northern & Western NSW, Uniting NSW.ACT, [Transcript of evidence](#), 24 February 2025, p 50; Dr Tom McClean, Head of Research and Social Policy, Uniting NSW.ACT, [Transcript of evidence](#), 24 February 2025, p 50.

<sup>233</sup> Youth Justice, [Mentoring Program](#), last accessed 2 February 2025; SHINE for Kids, [Stand As One](#), last accessed 2 February 2026.

<sup>234</sup> Youth Justice, [Aboriginal Reintegration and Transition Program \(Ngudjoong Billa\)](#), last accessed 2 February 2026; South Coast Medical Service Aboriginal Corporation, [Justice Support](#), last accessed 2 February 2026.

It is not specifically designated as an exit planning program, but does work with young people who are exiting custody into Youth Justice community supervision. The Program aims to help young people achieve goals set out in their case plans, and achieve reintegration outcomes.

- 4.61 The Committee asked Youth Justice staff about how they work to support young people exiting custody. Kelly-Anne Stewart, Executive Director of Youth Justice NSW, said that exit planning starts from the moment a young person enters custody. Staff at Youth Justice Community Offices also do exit planning for young people serving supervised orders in the community.<sup>237</sup>
- 4.62 Carol Thomas, Director Policy and Practice, Youth Justice NSW, said that exit planning is also dependent on whether or not a young person leaves custody to continue a supervised order in the community. Caseworkers will continue to work with a young person if they are still on an order after leaving custody. This often depends on their court outcome: if they have received bail, a control order, or a supervised order.<sup>238</sup>
- 4.63 Youth Justice caseworkers in Bourke noted that, as part of exit planning, they try to collaborate with community-based services to try to connect a young person with programs following their release from custody.<sup>239</sup> Samara Milgate, a caseworker at the Bourke Youth Justice Community Office, said they 'try to do a case plan prior to the young person being released to put supports in place'.<sup>240</sup>
- 4.64 For young people who are not on supervised orders after they leave custody, there are a number of options for exit planning and support. Youth Justice pointed to programs run in partnership with community organisations that work with young people leaving custody (as outlined in the information box above). They also noted programs like the Casework Support Program and Youth on Track.<sup>241</sup>

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<sup>232</sup> Zoë Robinson, [Transcript of evidence](#), 24 February 2025, p 54; Robyn Bust, Transcript of evidence, [Transcript of evidence](#), 24 February 2025, p 50; Anthony Hayward, Transition Worker, Far Western NSW, Community Restorative Centre, [Transcript of evidence](#), 2 October 2024, pp 20-21.

<sup>233</sup> Youth Justice, [Mentoring Program](#), last accessed 2 February 2025; SHINE for Kids, [Stand As One](#), last accessed 2 February 2026.

<sup>234</sup> Youth Justice, [Aboriginal Reintegration and Transition Program \(Ngudjoong Billa\)](#), last accessed 2 February 2026; South Coast Medical Service Aboriginal Corporation, [Justice Support](#), last accessed 2 February 2026.

<sup>235</sup> South Coast Medical Service Aboriginal Corporation, [Justice Support](#), last accessed 2 February 2026.

<sup>236</sup> Youth Justice, [Casework Support Program](#), last accessed 2 February 2026.

<sup>237</sup> Kelly-Anne Stewart, [Transcript of evidence](#), 24 November 2025, p 11.

<sup>238</sup> Carol Thomas, [Transcript of evidence](#), 24 November 2025, p 11.

<sup>239</sup> Vivianne Prince, Caseworker, Bourke Youth Justice Community Office, [Transcript of evidence](#), 1 October 2024, p 25.

<sup>240</sup> Samara Milgate, Caseworker, Bourke Youth Justice Community Office, [Transcript of evidence](#), 1 October 2024, p 30.

<sup>241</sup> Candice Neilson, Director Strategy and Engagement, Youth Justice NSW, [Transcript of evidence](#), 24 November 2025, p 13; Carol Thomas, [Transcript of evidence](#), 24 November 2025, p 12.

- 4.65 However, as noted in the Committee's interim report,<sup>242</sup> we received evidence that, in many regional locations, programs like Youth on Track operate at capacity, with long waiting lists, and they may only run for short periods.<sup>243</sup> This means that they may be unable to meet the complex needs of young people exiting custody.
- 4.66 We also asked service providers and community organisations about how exit planning currently works. Representatives from Uniting NSW/ACT said that, in their experience working in Youth Justice centres, there is no systematic program of exit planning across NSW Youth Justice. There is, however, occasional collaboration between services and Youth Justice in some centres.<sup>244</sup>
- 4.67 Charlie Chubb, Head of Northern and Western NSW for Uniting NSW/ACT, said they work with the Acmena Youth Justice centre in Grafton, and sometimes with Youth Justice caseworkers, as part of 'discharge work' for a young person. This is not common, though. Most of Uniting's work is done 'in the pre-custodial area'.<sup>245</sup> Similarly, Robyn Bust, Regional Manager (Northern NSW) Youth and Education, The Salvation Army, noted that they try to meet with young people in custody where they can, but that does not happen in every centre.<sup>246</sup>
- 4.68 Nicholas Broadbent SC summarised stakeholders' concerns about placing young people in custody and the need for exit planning:
- [What] is proposed by putting a child into custody is to solve, allegedly, a very immediate problem. But what then? What happens when the child is released without support, without the benefit of an ongoing commitment to education, without the benefit of the possibility of real change, insofar as employment prospects are concerned or treatment of disabilities is concerned and the like?<sup>247</sup>
- 4.69 While we recognise that some exit planning does currently occur, the Committee considers that it needs to be improved and available to more young people.

### **Supporting young people far from home through exit planning**

- 4.70 As discussed in the Committee's interim report, young people from regional and rural NSW often enter custody far from their home.<sup>248</sup> This has a significant impact for young people from western and north-western NSW.<sup>249</sup>

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<sup>242</sup> Committee on Law and Safety, [Interim report: Addressing the drivers of youth crime through early intervention](#), pp 38-39.

<sup>243</sup> Jasmine Smith, Team Leader, Youth on Track, Mission Australia, [Transcript of evidence](#), 29 October 2024, pp 43-44; PCYC Kempsey, [Answers to supplementary questions](#), 20 November 2024, p 4; [Submission 49](#), ANTAR, p 21.

<sup>244</sup> Dr Tom McClean, [Transcript of evidence](#), 24 February 2025, p 50.

<sup>245</sup> Charlie Chubb, [Transcript of evidence](#), 24 February 2025, p 50.

<sup>246</sup> Robyn Bust, [Transcript of evidence](#), 24 February 2025, p 50.

<sup>247</sup> Nicholas Broadbent SC, [Transcript of evidence](#), 24 November 2025, p 24.

<sup>248</sup> See Committee on Law and Safety, [Interim report: Addressing the drivers of youth crime through early intervention](#), paras 3.26-3.27, pp 36-37.

<sup>249</sup> James Clifford, Chair, Children's Legal Issues Committee, Law Society of NSW, [Transcript of evidence](#), 24 November 2025, p 21.

- 4.71 Ongoing connection with role models, community, culture and Country are strong protective factors for young people. They help to prevent recidivism.<sup>250</sup> Where possible, local service providers should be involved in planning a young person's transition from custody back into the community. The Committee encourages Youth Justice to consider further developing its engagement with service providers in communities across NSW for the benefit of young people exiting custody.
- 4.72 Youth Justice Community Office caseworkers in Bourke noted that the PCYC was able to attend Orana Youth Justice Centre (in Dubbo) to continue engagement with 'a couple' of young people while they were in custody.<sup>251</sup> This is a distance of approximately 360 km from Bourke town. Other support is provided over the phone by the Save our Sons & Save our Sisters (SOS) program, run by Maranguka.<sup>252</sup>
- 4.73 The Committee heard informal evidence from community stakeholders across regional NSW that local service providers and community organisations are not always contacted when a young person enters or exits Youth Justice custody. This limits the ability of service providers to support young people in their communities. People also pointed out that the distances involved (often more than three hours' drive one-way) make physically attending a Youth Justice centre to meet with a young person before release very difficult.
- 4.74 Stakeholders emphasised that this is a complex issue linked to funding, staffing, and communication issues impacting communities in regional NSW. Youth Justice also recognised the impact of these factors on service availability and delivery in regional areas.<sup>253</sup> It is clear that improvements to service availability, coordination, and program access would help to improve support for young people in regional NSW.

#### **Supporting young people admitted to custody for short periods**

- 4.75 Kelly-Anne Stewart, Executive Director at Youth Justice NSW, told the Committee that 'the churn and the traffic through our system' is a significant challenge for Youth Justice.<sup>254</sup> As mentioned above, as at 24 November 2025, approximately 60 per cent of young people admitted to custody remained in custody less than 24 hours, which is known as 'short-term remand'.<sup>255</sup> There is significant and increasing<sup>256</sup> overrepresentation of Aboriginal young people in custody statistics, including short-term remand.<sup>257</sup>

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<sup>250</sup> Committee on Law and Safety, [Interim report: Addressing the drivers of youth crime through early intervention](#), p 47.

<sup>251</sup> Samara Milgate, [Transcript of evidence](#), 1 October 2024, p 30.

<sup>252</sup> Samara Milgate, [Transcript of evidence](#), 1 October 2024, p 30; Maranguka Community Hub, [What we do](#), last accessed 5 February 2026.

<sup>253</sup> Kelly-Anne Stewart, [Transcript of evidence](#), 24 November 2025, p 11.

<sup>254</sup> Kelly-Anne Stewart, [Transcript of evidence](#), 24 November 2025, p 11.

<sup>255</sup> Kelly-Anne Stewart, [Transcript of evidence](#), 24 November 2025, p 9.

<sup>256</sup> [Submission 175](#), NSW Bar Association, p 9.

<sup>257</sup> Department of Communities and Justice, [Reducing contact with the justice system](#), last updated 27 August 2025, last accessed 6 February 2026.

- 4.76 This timeframe is clearly too short to provide any meaningful support or training to address risk factors driving re-offending. Youth Justice staff told us informally that admissions can be so short they cannot complete a full medical examination. For young people with repeat admissions, staff generally attempt to build assessments, including medical and education checks, over each admission. Ms Stewart commented that short-term admissions are a 'frustration' for Youth Justice, but that staff 'do their best' to work with young people while they are in custody.<sup>258</sup>
- 4.77 The Committee also heard informal evidence during conversations with Youth Justice staff that they see many young people enter periods of cyclical re-entry and exit from custody. These cycles of repeated short-term admissions to custody are often linked to issues around bail decisions and compliance.<sup>259</sup>
- 4.78 Carol Thomas, Director Policy and Practice, Youth Justice NSW, told the Committee that as at November 2025, Youth Justice was preparing to roll out Bail Support Officer positions in identified higher-risk locations across regional NSW. The Bail Support team aims to help young people who are not on a supervised order to meet their bail conditions. This includes linking them with wraparound support services in their community. This is aimed at addressing the rates of repeated short-term remand admissions, and reducing young people's contact with the justice system.<sup>260</sup>

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<sup>258</sup> Kelly-Anne Stewart, [Transcript of evidence](#), 24 November 2025, p 12.

<sup>259</sup> James Clifford, Managing Solicitor, Statewide Children's Criminal Law Practice, Aboriginal Legal Service, [Transcript of evidence](#), 2 October 2024, p 29; [Submission 136](#), Legal Aid NSW, pp 42-43, and case study on p 18; [Submission 161](#), Greens NSW, p 3; Assistant Commissioner Dave Waddell, Northern Region Commander, NSW Police Force, [Transcript of evidence](#), 29 October 2024, p 3.

<sup>260</sup> Carol Thomas, [Transcript of evidence](#), 24 November 2025, p 12; [Submission 175](#), New South Wales Bar Association, p 20.

## Chapter Five – Legislative reform and the operation of doli incapax in NSW

### Doli incapax

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#### Summary

Doli incapax is a common law presumption that a child under the age of 14 is not sufficiently developed intellectually and morally to form criminal intention. A 2016 decision by the High Court of Australia clarified the common law in relation to doli incapax.

The NSW Government announced an independent review of the operation of doli incapax in NSW in 2025. Later that year, the NSW Parliament enacted legislation implementing several of the review's key recommendations.

- 5.1 In NSW, children younger than 10 cannot be held criminally liable for an offence. For those aged 10 to 13 (inclusive), the common law presumes they are not capable of committing a crime because they are 'not sufficiently intellectually and morally developed to appreciate the difference between right and wrong and thus [lack] the capacity for mens rea [the mental element of a crime]'.<sup>261</sup> This presumption is known as doli incapax.

#### Definition: doli incapax<sup>262</sup>

Doli incapax is the name for the legal presumption that a child under 14 years old is not sufficiently developed to understand the difference between right and wrong to be held criminally responsible for an offence. In NSW, it has historically operated as a common law presumption, meaning it has not explicitly been set out in legislation, and is automatically assumed to apply unless it is rebutted (proven to be false).

- 5.2 Doli incapax can be rebutted. The onus is on the prosecution to rebut the presumption beyond reasonable doubt. This means the prosecution must prove that the child knew what they did was 'seriously wrong as a matter of morality', not just naughty. Evidence of the child doing the act is not enough to meet the standard to rebut the presumption of doli incapax.<sup>263</sup>
- 5.3 This standard was clarified in a 2016 decision of the High Court of Australia in *RP v The Queen* [2016] HCA 53. In this case, the High Court considered an appeal seeking to overturn convictions for child sex offences allegedly committed when

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<sup>261</sup> [RP v The Queen](#) [2016] HCA 53 [8].

<sup>262</sup> Judicial Commission of New South Wales, Local Court Bench Book, Children's Court, [\[38-020\] Criminal procedure generally, Doli incapax](#), accessed 8 December 2025.

<sup>263</sup> Judicial Commission of New South Wales, Local Court Bench Book, Children's Court, [\[38-020\] Criminal procedure generally, Doli incapax](#), accessed 8 December 2025.

the appellant was under 14 years old. The convictions had been upheld by the NSW Court of Criminal Appeal.<sup>264</sup>

- 5.4 In *RP v The Queen*, the High Court ruled that the prosecution needed to prove beyond reasonable doubt that the child knew it was 'morally wrong' to engage in the offending conduct, not 'merely naughty or mischievous'. Knowledge of moral wrongness could not be proved just because the offending conduct is generally understood to be wrong, 'no matter how obviously wrong' the act may be.<sup>265</sup>

### The impact of the High Court's decision in *RP v The Queen*

#### Finding 6

**After the High Court's decision in *RP v The Queen*, the number of 10-13 year olds found guilty of offences by the Children's Court of NSW declined significantly.**

- 5.5 In 2025, the NSW Bureau of Crime Statistics and Research (BOCSAR) published a research paper examining the trends in court appearances for 10-13 year olds between 2016 (following the decision in *RP v The Queen*) and 2023.
- 5.6 The paper found there had been a dramatic decline in the proportion of court appearances for 10-13 year olds that resulted in a proven offence (meaning they entered a guilty plea, or were found guilty by the court). This decrease could not be explained by changes to the types of offences being committed by 10-13 year olds, increases in the number of specialist magistrates, or demographic changes in the 10-13 year old cohort.<sup>266</sup>
- 5.7 The decrease was also associated with an increased number of matters where prosecutors withdrew all charges, and with a decline in the proportion of 10-13 year olds who entered a guilty plea.<sup>267</sup>
- 5.8 The paper noted that the decision in *RP v The Queen* did not appear to have any impact on the volume of finalised court appearances for 10-13 year olds,<sup>268</sup> or the severity of any penalties imposed for matters with a proven offence.<sup>269</sup> This, in turn, suggested that the evidence required to rebut *doli incapax*, as established by *RP v The Queen*, 'likely reduced the number of young people aged 10-13 found guilty of a criminal offence'.<sup>270</sup>
- 5.9 BOCSAR noted that the increase in legal proceedings against 10-13 year olds, contrasted with the sharp decline in proven offences, indicated there 'appears to

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<sup>264</sup> J Gu, [Did a High Court decision on \*doli incapax\* shift court outcomes for 10-13 year olds?](#), NSW Bureau of Crime Statistics and Research, Crime and Justice Bulletin no 268, May 2025, p 2.

<sup>265</sup> [RP v The Queen](#) [2016] HCA 53 at [9].

<sup>266</sup> NSW Bureau of Crime Statistics and Research (BOCSAR), [Summary: Did a High Court decision on \*doli incapax\* shift court outcomes for 10-13 year olds?](#), last updated 29 May 2025, accessed 13 February 2026.

<sup>267</sup> J Gu, [Did a High Court decision on \*doli incapax\* shift court outcomes for 10-13 year olds?](#), p 19.

<sup>268</sup> J Gu, [Did a High Court decision on \*doli incapax\* shift court outcomes for 10-13 year olds?](#), p 7.

<sup>269</sup> BOCSAR, [Summary: Did a High Court decision on \*doli incapax\* shift court outcomes for 10-13 year olds?](#), last updated 29 May 2025, accessed 13 February 2026.

<sup>270</sup> BOCSAR, [Summary: Did a High Court decision on \*doli incapax\* shift court outcomes for 10-13 year olds?](#), last updated 29 May 2025, accessed 13 February 2026..

be a widening gap in how doli incapax is applied' by police officers and police prosecutors.<sup>271</sup>

- 5.10 Nicholas Broadbent SC, representing the NSW Bar Association, commented that 'the position as set out in *RP* is a satisfactory and entirely appropriate approach to take in respect of doli incapax'.<sup>272</sup> Doli incapax recognises that, at a young age, a child's brain is still developing. They consequently lack the maturity to understand fully the consequences of their actions. The Bar Association maintains that doli incapax is an important safeguard for this cohort, in the absence of raising the age of criminal responsibility to 14.<sup>273</sup>

### Independent review of the operation of doli incapax in NSW

- 5.11 In the context of increasing community concern about youth crime and the BOCSAR findings discussed above, the NSW Government announced a review of the operation of doli incapax in May 2025. The Honourable Geoffrey Bellew SC, former Justice of the Supreme Court of New South Wales, and Mr Jeffrey Loy APM, former Deputy Commissioner of the New South Wales Police Force, were appointed to undertake the review. The overarching aims of the review were to look at how doli incapax operates in NSW, and to recommend a framework to enable the enactment of doli incapax in NSW legislation.<sup>274</sup>
- 5.12 The review's terms of reference also set out some specific matters for consideration, including the form of the recommended legislation, the practical operation of doli incapax in legal proceedings, how doli incapax interacts with other legislation, and the impact of doli incapax on options for intervention.<sup>275</sup>
- 5.13 The review made seven recommendations, including:
- providing additional training and guidance to police about doli incapax
  - enacting legislation to enshrine the common law presumption of doli incapax
  - removing barriers preventing 10-13 year olds accessing diversion processes under the *Young Offenders Act 1997*<sup>276</sup> and the *Mental Health and Cognitive Impairment Forensic Provisions Act 2020*<sup>277</sup>

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<sup>271</sup> J Gu, [Did a High Court decision on doli incapax shift court outcomes for 10-13 year olds?](#), p 20.

<sup>272</sup> Nicholas Broadbent SC, Member, Bar Council, NSW Bar Association, [Transcript of evidence](#), 24 November 2025, p 18.

<sup>273</sup> NSW Bar Association, [Statement on the review of the operation of doli incapax in NSW for children under 14](#), media release, 27 October 2025, accessed 8 December 2025.

<sup>274</sup> New South Wales, Legislative Assembly, [Parliamentary Debates](#), 18 November 2025 (Michael Daley, Attorney General); Attorney General, [Review of doli incapax for young offenders under 14](#), media release, 8 May 2025, accessed 13 February 2026.

<sup>275</sup> Communities and Justice, [Review of operation of doli incapax in NSW for children under 14](#), 25 October 2025, accessed 9 December 2025.

<sup>276</sup> Hon G Bellew SC and J Loy APM, [Review of the operation of doli incapax in NSW for children under 14](#), August 2025, pp 67-69.

<sup>277</sup> Hon G Bellew SC and J Loy APM, [Review of the operation of doli incapax in NSW for children under 14](#), pp 69-70.

- introducing a 'voluntary alternative intervention pathway' for children in contact, or at risk of contact, with the justice system<sup>278</sup>
  - introducing court orders to mandate a child's engagement with therapeutic treatment in appropriate circumstances.
- 5.14 In particular, the review found that there are misunderstandings of aspects of the test for rebutting the presumption of doli incapax. These are 'best addressed by the introduction of legislation' that reflects the current common law test as set out in the decision in *RP v The Queen*.<sup>279</sup>
- 5.15 The report relevantly states that, in NSW currently, criminal justice processes (like conditional bail, or short-term remand) are used as a temporary circuit breaker or de-escalation tool. This approach is often used because there is a lack of alternative options, and because it seeks to address community safety concerns. However, it is unproductive, and fails to 'provide a meaningful, long-term solution for the child and the community'.<sup>280</sup> The reviewers comment that:
- Instead of exposing a child to the criminal justice process, we consider that diverting them from that process, and engaging them in diversion processes or therapeutic interventions, could provide a more constructive and cost-effective approach.
- ...
- In our view, engaging the child in targeted therapeutic interventions may be more effective in addressing the root causes of their behaviour, such as unmet support or health needs.<sup>281</sup>
- 5.16 This view was reflected in the evidence the Committee received during this inquiry, as discussed in chapter 3 of the interim report.<sup>282</sup>
- 5.17 The amending legislation introduced by the NSW Government in response to the independent review is discussed in the next section.
- 5.18 The Committee acknowledges that it was not within the review's terms of reference to consider raising the age of criminal responsibility to 14. We note, however, evidence to this inquiry from the Raise the Age campaign – a coalition of 175 organisations and groups working to support young people and build stronger, safer communities in NSW. Jonathon Hunyor from Raise the Age NSW suggested that raising the age of criminal responsibility to 14 would '[shift] our focus to real solutions and how we can do better for children, communities and the budget bottom line'.<sup>283</sup>

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<sup>278</sup> Hon G Bellew SC and J Loy APM, [Review of the operation of doli incapax in NSW for children under 14](#), pp 79-81.

<sup>279</sup> Hon G Bellew SC and J Loy APM, [Review of the operation of doli incapax in NSW for children under 14](#), p 2.

<sup>280</sup> Hon G Bellew SC and J Loy APM, [Review of the operation of doli incapax in NSW for children under 14](#), p 3.

<sup>281</sup> Hon G Bellew SC and J Loy APM, [Review of the operation of doli incapax in NSW for children under 14](#), p 3.

<sup>282</sup> Committee on Law and Safety, [Interim report: Addressing the drivers of youth crime through early intervention](#), ch 3.

<sup>283</sup> Jonathon Hunyor, Representative, Lead Group, Raise the Age NSW, [Transcript of evidence](#), 24 November 2025, p 26.

### ***Children (Criminal Proceedings) and Young Offenders Legislation Amendment Act 2025***

- 5.19 In November 2025, the NSW Attorney General, the Hon Michael Daley MP, introduced the Children (Criminal Proceedings) and Young Offenders Legislation Amendment Bill 2025. It implemented recommendations 2, 3, and 4 of the doli incapax review. The Attorney General said that the Government was considering the review's other recommendations 'carefully' and work would 'develop further in coming months'.<sup>284</sup>
- 5.20 The Bill passed Parliament in November 2025, and received assent in December.<sup>285</sup> The Act is to commence by proclamation.<sup>286</sup> As at February 2026, its provisions had not commenced.
- 5.21 The key provisions of the Act and stakeholder feedback are discussed below.

#### *Amendments to the Children (Criminal Proceedings) Act 1987*

**Schedule 1 item 1** of the *Children (Criminal Proceedings) and Young Offenders Legislation Amendment Act 2025* amends section 5 of the *Children (Criminal Proceedings) Act 1987* to implement recommendation 2 of the doli incapax review by codifying the presumption of doli incapax in NSW, including:

- the threshold for rebutting the presumption of doli incapax (section 5(3)) and matters that must be considered by the court (section 5(5)-(7))
- guidance for determining if a child knew their conduct was 'seriously wrong' (section 5(4)), including that this cannot be inferred 'merely from the fact' that the child engaged in the relevant acts (section 5(4)(b))<sup>287</sup>

- 5.22 The new provisions under section 5 legislate the current common law test. In the second reading speech, the Attorney General recognised that these amendments also reflect 'strong support among many criminal justice stakeholders' for retaining the current test and standard required to rebut the presumption.<sup>288</sup> This was a finding of the doli incapax review.<sup>289</sup>
- 5.23 Inquiry participants, however, expressed reservations about certain aspects contained in the proposed amendments to section 5. Mr Broadbent told the Committee that, firstly, an issue arises at section 5 (5)(b) of the Bill, which sets out an example of circumstances surrounding the commission of the alleged offence. A court must consider these circumstances in determining whether the presumption has been rebutted. Specifically, the example given is 'the child taking steps to plan the conduct, including equipping themselves for the conduct or

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<sup>284</sup> New South Wales, Legislative Assembly, [Parliamentary Debates](#), 18 November 2025 (Michael Daley, Attorney General).

<sup>285</sup> Parliament of NSW, [Children \(Criminal Proceedings\) and Young Offenders Legislation Amendment Bill 2025](#), accessed 9 December 2025.

<sup>286</sup> Children (Criminal Proceedings) and Young Offenders Legislation Amendment Bill 2025, [cl 2](#).

<sup>287</sup> *Children (Criminal Proceedings) and Young Offenders Legislation Amendment Act 2025*, [sch 1, item 1](#).

<sup>288</sup> New South Wales, Legislative Assembly, [Parliamentary Debates](#), 18 November 2025 (Michael Daley, Attorney General).

<sup>289</sup> Hon G Bellew SC and J Loy APM, [Review of the operation of doli incapax in NSW for children under 14](#), pp 48-49.

to avoid detection'.<sup>290</sup> These examples, Mr Broadbent said, focus on factual circumstances of the conduct in question, rather than the moral quality of that conduct.<sup>291</sup>

- 5.24 Secondly, Mr Broadbent pointed out that section 5 (7) 'permits the court to determine... that the presumption has been rebutted based on evidence of the alleged conduct and the surrounding circumstances without or despite evidence of the child's intellectual or moral development'. This bypasses the 'fundamental consideration in *RP*'; that is, the moral quality of the conduct in question. Mr Broadbent suggested that subsection (7) should be removed to ensure more accurate codification of the decision in *RP*.<sup>292</sup>
- 5.25 James Clifford, Chair of the Children's Legal Issues Committee, Law Society of NSW, shared Mr Broadbent's concerns about sections 5 (5) and 5 (7). He noted that although the Bill's amendments to the *Young Offenders Act 1997* (YOA) were 'very positive', that positive change risked being undermined by problematic aspects of the Bill.<sup>293</sup>
- 5.26 The NSW Parliament's Legislation Review Committee also commented on these subsections in its analysis of the Bill, noting that:
- by potentially reducing the evidentiary threshold for rebutting the presumption, the Bill may undermine an important and longstanding criminal law safeguard that is designed to shield children from criminal responsibility.<sup>294</sup>
- 5.27 The doli incapax review recommended that the legislation enacting doli incapax include a provision requiring a statutory review within 3-5 years of the legislation's commencement. The NSW Government has opted for a shorter time frame of 18 months after the commencement of the Bill for a review of the amendments to the *Children (Criminal Proceedings) Act 1987* to be undertaken. The Attorney General has said an interagency working group, led by the Department of Communities and Justice, would be tasked with ongoing monitoring and reporting on the legislation's operation.<sup>295</sup>
- 5.28 The Committee trusts that the concerns raised during this inquiry will be thoroughly examined as part of the statutory review.

#### *Amendments to the Young Offenders Act 1997*

- 5.29 Consistent with the recommendations contained in the doli incapax review, the amendments to the YOA are designed to improve opportunities to divert young

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<sup>290</sup> Children (Criminal Proceedings) and Young Offenders Legislation Amendment Bill 2025 [First Print], [sch 1, item 1, inserting s 5\(5\)\(b\)](#).

<sup>291</sup> Nicholas Broadbent SC, [Transcript of evidence](#), 24 November 2025, p 18.

<sup>292</sup> Nicholas Broadbent SC, [Transcript of evidence](#), 24 November 2025, pp 18-19.

<sup>293</sup> James Clifford, Chair, Children's Legal Issues Committee, Law Society of NSW, [Transcript of evidence](#), 24 November 2025, p 19.

<sup>294</sup> Legislation Review Committee, [Legislation Review Digest](#), report 40/58, Parliament of New South Wales, February 2026, p 30.

<sup>295</sup> New South Wales, Legislative Assembly, [Parliamentary Debates](#), 18 November 2025 (Michael Daley, Attorney General).

people away from the criminal justice system, in instances where it is safe and appropriate to do so.<sup>296</sup>

**Schedule 2, item 9** changes the threshold for accessing diversion, from an admission of guilt, to a 'non-denial statement', and specifies that a non-denial statement cannot be used to rebut doli incapax. This implements recommendation 4(1) and (4) of the doli incapax review.<sup>297</sup>

5.30 The YOA requires a young person to admit to an offence before they are eligible to receive a caution or youth justice conference diversion. The doli incapax review noted that this threshold is a 'key barrier to diversion' in the YOA.<sup>298</sup>

5.31 The 2025 Amendment Act changes the requirement for admission of guilt to a statement of non-denial. The amended provision also includes an avoidance of doubt clause stating that non-denial statements do not show that a child 'knew, at the time of the offence, that it was seriously wrong to engage in the conduct'.<sup>299</sup> This means non-denial statements cannot be used to rebut doli incapax.<sup>300</sup>

**Schedule 2 clause 39** codifies the Protected Admissions Scheme currently operated by NSW Police. This supports the implementation of recommendation 4 of the doli incapax review.<sup>301</sup>

5.32 The Protected Admissions Scheme is currently operated by NSW Police. It is designed to allow a young person to admit to an offence while preserving their right not to provide self-incriminating evidence. In this way, they can be eligible for a court alternative, such as a caution or a youth justice conference.<sup>302</sup>

5.33 The amendment clarifies that an investigating official may offer a young person the opportunity to make a *non-denial* statement, if they believe that doing so would allow the young person to be diverted.<sup>303</sup>

**Schedule 2 clauses 13, 15, 18, 22, 25, 29, and 33** introduce a three-year expiry for cautions under the YOA. This implements recommendation 4(2) of the doli

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<sup>296</sup> New South Wales, Legislative Assembly, [Parliamentary Debates](#), 18 November 2025 (Michael Daley, Attorney General).

<sup>297</sup> Children (Criminal Proceedings) and Young Offenders Legislation Amendment Bill 2025, [sch 2, item 9](#); Hon G Bellew SC and J Loy APM, [Review of the operation of doli incapax in NSW for children under 14](#), pp 67-69.

<sup>298</sup> Hon G Bellew SC and J Loy APM, [Review of the operation of doli incapax in NSW for children under 14](#), p 64.

<sup>299</sup> Children (Criminal Proceedings) and Young Offenders Legislation Amendment Bill 2025, [cl 9 \(6\)](#).

<sup>300</sup> New South Wales, Legislative Assembly, [Parliamentary Debates](#), 18 November 2025 (Michael Daley, Attorney General).

<sup>301</sup> Children (Criminal Proceedings) and Young Offenders Legislation Amendment Bill 2025, [sch 2, item 39](#); Hon G Bellew SC and J Loy APM, [Review of the operation of doli incapax in NSW for children under 14](#), pp 67-69.

<sup>302</sup> New South Wales Police Force, [Protected Admissions: Young Offenders Act 1997](#), November 2015, pp 2, 5, accessed 9 December 2025.

<sup>303</sup> New South Wales, Legislative Assembly, [Parliamentary Debates](#), 18 November 2025 (Michael Daley, Attorney General).

incapax review. As suggested by the doli incapax review, the overall cap of three 'active' cautions at one time remains in place.<sup>304</sup>

5.34 The 2025 Amendment Act introduces a three-year expiry for cautions, while maintaining a limit of three 'active' cautions for a young person at a time. Previously, a young person could only receive a total of three cautions under the YOA across their life. The Children's Court told the doli incapax review that the limit on cautions meant lawyers would advise a young person to proceed to court if the young person was likely to be acquitted. This approach would therefore avoid using up a young person's diversionary options.<sup>305</sup>

5.35 The Attorney General said expanding the cap on cautions would 'reduce the risk that children will use up their cautions if they engage with the YOA at a younger age'.<sup>306</sup>

A number of clauses in **schedule 2** expand the list of offences for which a young person can be dealt with under the YOA, to include less serious domestic and personal violence offences, minor drug offences, graffiti offences, and minor larceny offences. This implements recommendation 4(3) of the doli incapax review.<sup>307</sup>

5.36 Some offences were originally excluded from eligibility for diversion under the YOA. The 2025 Amendment Act expanded the list of offences that are eligible for diversion to include:

- under the *Crimes (Domestic and Personal Violence) Act 2007*, stalking and intimidation with intent to cause fear of physical or mental harm (section 13), and contravening apprehended violence order (section 14)<sup>308</sup>
- under the *Drug Misuse and Trafficking Act 1985*, self-administration of prohibited drugs (section 12), possession of equipment for administration of prohibited drugs (section 11), and offences under part 2 division 1 that involve not more than the Act's proscribed 'small quantity' of a prohibited drug
- offences under the *Graffiti Control Act 2008*
- minor larceny offences (value or property amount does not exceed \$300) under section 117 of the *Crimes Act 1900* that could be dealt with by a

<sup>304</sup> Children (Criminal Proceedings) and Young Offenders Legislation Amendment Bill 2025, [sch 2, items 13, 15, 18, 22, 25, 29, 33](#); Hon G Bellew SC and J Loy APM, [Review of the operation of doli incapax in NSW for children under 14](#), pp 67-69.

<sup>305</sup> Hon G Bellew SC and J Loy APM, [Review of the operation of doli incapax in NSW for children under 14](#), p 64.

<sup>306</sup> New South Wales, Legislative Assembly, [Parliamentary Debates](#), 18 November 2025 (Michael Daley, Attorney General).

<sup>307</sup> Children (Criminal Proceedings) and Young Offenders Legislation Amendment Bill 2025, [sch 2](#); Hon G Bellew SC and J Loy APM, [Review of the operation of doli incapax in NSW for children under 14](#), pp 67-69.

<sup>308</sup> Section 14 offences are only eligible for diversion by police if the breach did not involve committing a personal violence offence. Breaches involving personal violence offences can only be diverted by the Director of Public Prosecutions and the court.

penalty notice under schedule 4 section 2 of the *Criminal Procedure Regulation 2017*.<sup>309</sup>

- 5.37 It is important to note that including these offences may *enable*, but does not *guarantee* diversion. Police will still have discretion to pursue criminal proceedings where appropriate – for example, in the case of more serious or repeat offending.<sup>310</sup>
- 5.38 Legal stakeholders indicated support for the YOA amendments, while noting scope for further reform. For example, the Law Society of NSW said that the 2025 Amendment Act 'has remedied several previously identified constraints with the YOA's functionality'.<sup>311</sup> The Bar Association similarly noted that the Amendment Act included 'some meritorious amendments to the YOA', although further reform is needed.<sup>312</sup>

## ***Bail and Crimes Amendment Act 2024***

### **Summary**

The *Bail and Crimes Amendment Act 2024* introduced a new, time-limited 'bail test' for 14-17 year olds under section 22C of the *Bail Act 2013*. Police have noted a reduction in certain types of offending since the bail test was introduced. However, not all stakeholders support the stricter bail test.

### **Finding 7**

**The NSW Police Force has reported a reduction in some types of violent and 'post-and-boast' offending following the commencement of section 22C of the *Bail Act 2013*. Not all stakeholders support the stricter bail test.**

- 5.39 The Committee's interim report discussed the *Bail and Crimes Amendment Act 2024* and the *Bail Amendment (Extension of Limitation on Bail in Certain Circumstances) Act 2025*.<sup>313</sup> The Committee is particularly interested in the impact of the new 'bail test' under section 22C of the *Bail Act 2013*.
- 5.40 The test under section 22C applies to young people aged 14-18 who are alleged to have repeatedly committed break and enter and motor vehicle theft offences. These offences are sometimes referred to as 'Soteria-type' offending, because it is being targeted under the NSW Police Operation Soteria in regional NSW.<sup>314</sup>

<sup>309</sup> New South Wales, Legislative Assembly, [Parliamentary Debates](#), 18 November 2025 (Michael Daley, Attorney General).

<sup>310</sup> New South Wales, Legislative Assembly, [Parliamentary Debates](#), 18 November 2025 (Michael Daley, Attorney General).

<sup>311</sup> Law Society of New South Wales, [Answers to supplementary questions](#), 16 December 2025, p 2.

<sup>312</sup> NSW Bar Association, [Answers to supplementary questions](#), 10 December 2025, p 2.

<sup>313</sup> Committee on Law and Safety, [Interim report: Addressing the drivers of youth crime through early intervention](#), pp 15-16.

<sup>314</sup> New South Wales, Legislative Assembly, [Parliamentary Debates](#), 19 March 2025 (Yasmin Catley, Minister for Police and Counter-terrorism).

- 5.41 The section 22C test restricts the granting of bail unless a bail authority has a high level of confidence the young person will not commit a serious indictable offence while on bail. The Attorney General stated that the bail test was 'purposefully designed as a 'circuit breaker' to address repeat offending.<sup>315</sup>
- 5.42 Some inquiry participants expressed support for the stricter bail test, or supported stricter bail laws in principle.<sup>316</sup> Others opposed the bail test, or raised concerns about the way it operates.<sup>317</sup>
- 5.43 Police told the Committee that they see section 22C is having an impact. Superintendent Chris McKinnon, Commander of the New England Police District, said that the bail test, along with the introduction of a performance crime offence, appears to be working.<sup>318</sup> Superintendent McKinnon told the Committee that:
- Some 18 months ago around 75 per cent of our offenders were on bail at the time for a similar type of offending. I think that has dropped to around the 30 per cent mark... and that is no doubt due to the changes in 22C.<sup>319</sup>
- 5.44 Superintendent Darren Beeche, Commander of the Oxley Police District, told us that section 22C is having an effect, but not 'the extent of effect that it was designed to have'. He said that there are still 'serious violent predators being continually released on bail'.<sup>320</sup>
- 5.45 James Clifford, a Managing Solicitor at the Aboriginal Legal Service (ALS), expressed concern that the bail changes would result in young people not accessing therapeutic supports they need to address the underlying causes of their behaviour. Mr Clifford described his experience of working with a young person whose repeated bail breaches were linked to substance misuse issues. The young person was accepted into a residential rehabilitation program. Despite his eligibility for that program, the magistrate was unable to grant bail to allow him to attend the rehabilitation centre because of the high threshold set out in section 22C. Ultimately, the young person was unable to take up the available bed at the rehabilitation facility. This meant they missed a crucial opportunity that could have helped to mitigate a major cause of their repeat offending behaviour.<sup>321</sup>

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<sup>315</sup> New South Wales, Legislative Assembly, [Parliamentary Debates](#), 19 February 2025 (Michael Daley, Attorney General).

<sup>316</sup> For example, [Submission 52](#), Country Mayors Association of NSW, p 29; [Submission 55a](#), Inverell Shire Council, p 3; [Submission 57](#), Gunnedah Shire Council, p 13; [Submission 145](#), Border Regional Organisation of Councils, p 4; [Submission 187](#), Bourke Shire Council, pp 9-10.

<sup>317</sup> For example, [Submission 49](#), ANTA, p 4; [Submission 112](#), Save the Children and 54 reasons, p 7; [Submission 118](#), Law Society of NSW, p 11; [Submission 136](#), Legal Aid NSW, p 57; [Submission 175](#), NSW Bar Association, p 17; [Submission 194](#), Aboriginal Legal Service (NSW/ACT) Limited, p 10.

<sup>318</sup> Superintendent Chris McKinnon, Commander, New England Police District, NSW Police Force, [Transcript of evidence](#), 22 September 2025, pp 2-3.

<sup>319</sup> Superintendent Chris McKinnon, [Transcript of evidence](#), 22 September 2025, p 6.

<sup>320</sup> Superintendent Darren Beeche, Commander, Oxley Police District, NSW Police Force, [Transcript of evidence](#), 22 September 2025, p 3.

<sup>321</sup> James Clifford, Managing Solicitor, Statewide Children's Criminal Law Practice, Aboriginal Legal Service, [Transcript of evidence](#), 2 October 2024, p 29.

- 5.46 Isha Caulfield, a member of the Children's Legal Issues Committee at the Law Society of NSW, said that the 'practical reality' of the section 22C bail test means that a young person is only refused bail for a short time. This results in short remand admissions where a young person is put 'in custody for a week'. Risk factors, such as disengagement from education, family breakdown, or issues in an out-of-home care placement are not being satisfactorily addressed. The section 22C amendment does not 'adequately address those issues' driving offending behaviour.<sup>322</sup>
- 5.47 The Aboriginal Legal Service also noted that section 22C imposes a higher burden on children seeking bail than would apply to adults. This raises significant concerns. Long or repetitive periods in custody will increase the risk that a young person will continue to offend in the future.<sup>323</sup>

## **Review of the *Young Offenders Act 1997* and the *Children (Criminal Proceedings) Act 1987***

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### **Summary**

In 2019 the former NSW Government commenced a review of the *Young Offenders Act 1997* and the *Children (Criminal Proceedings) Act 1987*, and invited submissions from stakeholders. A formal response to that review does not appear to be publicly available.

### **Recommendation 15**

**That the NSW Government finalise, publish and notify stakeholders of its response to the review of the *Young Offenders Act 1997* and the *Children (Criminal Proceedings) Act 1987*.**

- 5.48 The Committee understands that a review of the *Young Offenders Act 1997* and the *Children (Criminal Proceedings) Act 1987* (the 2019 review) was undertaken by the Department of Communities and Justice, with the NSW Police Force. Youth Justice NSW stated that the review formed part of the previous government's response to the Law and Safety Committee's 2018 inquiry into the adequacy of youth diversionary programs in NSW.<sup>324</sup> As at February 2026, a formal government response to that review has not been published.
- 5.49 We recommend that, for clarity, the NSW Government publishes its response to the 2019 review of the YOA, and informs stakeholders who participated in that review.
- 5.50 Among other things, the review was to consider:
- whether the policy objectives and principles of the legislation remain valid

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<sup>322</sup> Isha Caulfield, Member, Children's Legal Issues Committee, Law Society of NSW, [Transcript of evidence](#), 24 November 2025, pp 20-21.

<sup>323</sup> Dominic Holles, Deputy Principal Solicitor, Western NSW, Aboriginal Legal Service, [Transcript of evidence](#), 2 October 2024, pp 29-30.

<sup>324</sup> Youth Justice NSW, [Answers to supplementary questions](#), 10 December 2025, p 1.

- the implementation of the legislation in practice
- what amendments to the legislation, if any, may be needed
- how the legislation can be used more effectively in practice.<sup>325</sup>

- 5.51 Youth Justice NSW told this Committee that the recommendations of the 2025 doli incapax review closely align with proposals developed by the Department of Communities and Justice, Youth Justice NSW, and the NSW Police Force in response to the 2019 review. Youth Justice also advised that the *Children (Criminal Proceedings) and Young Offenders Legislation Amendment Act 2025* amends the YOA to implement both the recommendations of the 2025 doli incapax review and the proposals developed in response to the 2019 review.<sup>326</sup>
- 5.52 However, the NSW Government does not appear to have clearly communicated to stakeholders that the recent legislative amendments form part of its response to the review of the YOA. For example, in 2025, the NSW Bar Association recommended to this Committee that the 'review of the YOA be finalised and tabled in both Houses of Parliament.'<sup>327</sup>
- 5.53 The Committee recognises that recent amendments to the YOA, particularly in response to the recent doli incapax review, may go some way to addressing issues identified by the 2019 review. However, the published consultation paper indicates that the review had a broader scope. Given the critical role of these pieces of legislation in safeguarding communities and promoting the diversion of young offenders, the review warrants a full and timely response from the NSW Government.

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<sup>325</sup> Department of Attorney General and Justice, [Review of the Young Offenders Act 1997 and the Children \(Criminal Proceedings\) Act 1987: Consultation Paper](#), October 2011, p 2, accessed 8 December 2025.

<sup>326</sup> Youth Justice NSW, [Answers to supplementary questions](#), 10 December 2025, p 1.

<sup>327</sup> NSW Bar Association, [Answers to supplementary questions](#), 10 December 2025, p 2.

## Appendix One – Terms of reference

That the Committee on Law and Safety inquire into and report on:

- a) the drivers of youth crime across regional and rural NSW, particularly since the COVID pandemic;
- b) how a whole of government approach can reduce the drivers and root causes of youth crime in regional and rural NSW;
- c) the wraparound and diversionary services available for youth and families in the regions and rural areas and how they can be better matched to individuals, measured, improved and integrated into a coordinated approach to divert youth from crime, having regard to the NSW Government's commitment to working in partnership with Aboriginal people;
- d) staffing levels and workforce issues, including police staffing, in regional and rural areas and how services can be improved to reduce youth crime in these areas;
- e) recidivism rates in regional and rural areas, and related impacts on the community, services and law enforcement;
- f) the range of functions being performed by NSW police officers, including mental health assistance and youth welfare, on behalf of other agencies in regional and rural areas, and the supports required to assist police; and
- g) any other related matter.

## Appendix Two – Conduct of inquiry

The inquiry into community safety in regional and rural communities was self-referred on 20 March 2024. The terms of reference for the inquiry are at Appendix One.

On 29 May 2025, the Committee tabled an interim report titled *Community safety in regional and rural communities - Interim report: addressing the drivers of youth crime through early intervention*. This interim report is available on the inquiry's [webpage](#).

Two hearings were held during the second half of the inquiry, in:

- Tamworth, on 22 September 2025
- Parliament House, Sydney, on 24 November 2025.

At these hearings, the Committee heard from a range of stakeholders, including service providers and non-government organisations, Aboriginal Elders and community representatives, young people, local government, Youth Justice, advocacy and policy groups, and NSW Police.

A list of witnesses who appeared at these hearings is at Appendix Four, and the transcripts of evidence taken at the hearings are available on the inquiry's [webpage](#).

The Committee conducted additional site visits across NSW, in Armidale, Inverell, Moree, and Dubbo, as well as three roundtables with community members and other representatives.

The Committee also held two informal meetings with local NSW Police commands. Information about these visits is detailed in Appendix Three.

## Appendix Three – Site visit reports

We undertook several further site visits and roundtable discussions following the tabling of our interim report in May 2025. The Committee visited:

- Tamworth Police Station
- BackTrack, Armidale
- Community members and stakeholders in Inverell
- Moree Police Station
- Community members and stakeholders in Moree
- Orana Youth Justice Centre, Dubbo
- Clontarf Academy, Dubbo College South Campus
- Community members and stakeholders in Dubbo.

Details of earlier site visits and roundtable discussions for this inquiry are set out in appendix 3 to the interim report.

### **Tamworth Police Station 22 September 2025**

At Tamworth Police Station, we met with Superintendent Darren Beeche, and Detective Inspector Tom Aylett, Crime Manager.

We discussed:

- policing issues in the region
- the need for a whole of government response to youth crime, including coordinated out of hours programs
- role models and mentors
- responsibilities of police and community expectations
- the impact of bail on community trust in police.

We extend our thanks to Superintendent Beeche, Detective Inspector Aylett, and the staff at Tamworth Police Station for their time and contributions.

### **BackTrack, Armidale 23 September 2025**

At BackTrack, we met with Bernie Shakeshaft, Founder and Director; Marcus Watson, CEO; Paula Thompson, Head of Funding; BackTrack staff, volunteers, Youth Advisory Group members, and young people; and staff from BackTrack Network organisations.

BackTrack is an intervention and diversion program in Armidale, NSW, established in 2006. It works with young people to address the reasons driving offending behaviour. BackTrack provides wraparound support to young people, including education, housing, mental health, and employment. They have also established the BackTrack Network, for similar organisations in other communities, to share information and support.

We discussed:

- BackTrack's programs, their design and outcomes, including the Circle of Courage concept
- development and organisation of the BackTrack Network
- developing intervention and diversionary programs that work for young people
- funding mechanisms
- the importance of community support
- creating networks across communities, particularly for small community organisations to learn from and support each other

During our visit, we were given a tour of the BackTrack site and had the chance to speak with staff members and volunteers, and with young people participating in BackTrack. We are very grateful to everyone who shared their thoughts, experiences, and stories with us.

We met a number of staff members who had participated in BackTrack as young people, and who generously shared their personal stories and experiences of BackTrack. We heard about the positive impact that BackTrack and the BackTrack community has on program participants.

We commend the work being done by BackTrack and organisations in the BackTrack Network. Their care for and commitment to the young people in their communities was very clear to us.

We would also like to thank Donna at Backtrack for her help in organising our visit.

### **Community roundtable, Inverell 23 September 2025**

In Inverell, we met with councillors, youth workers, and Inverell community members to discuss issues related to the inquiry. Stakeholders shared their experiences and concerns with us, and their perspectives on responses to manage youth offending.

We discussed:

- cohort needs, including early intervention, alternative education pathways, care and protection
- out-of-home care as a risk factor for youth offending
- funding and accountability
- the role of police
- community opinions about bail and custody for young people, the role of magistrates, Children's Court systems, and effectiveness of programs

We extend our thanks to participants for their time and contributions, and for sharing their experiences and opinions with us.

### **Moree Police Station 24 September 2025**

At Moree Police Station, we met with Superintendent Chris McKinnon.

We discussed:

- the drivers of and trends in youth offending in the region
- police-community relationships
- Youth Action Meetings
- coordination and relationships between government agencies and non-government organisations
- community perception of youth offending in Moree area

We extend our thanks to Superintendent McKinnon and the staff at Moree Police Station for their time and insightful contributions.

### **Community roundtable, Moree 24 September 2025**

In Moree, we held a community roundtable with councillors, Youth Justice NSW, local Aboriginal organisations and youth service providers, and other community stakeholders.

We discussed:

- progress on the Moree Bail Accommodation Service project, including co-design and proposed service delivery
- funding issues and coordination of service providers
- the impact of media and social media discourse and community perceptions, particularly racism and community division
- design and delivery of early intervention projects
- education and training, including needs for work readiness and employment skills
- bail and custody, and the role of police and magistrates
- Youth Action Meetings
- the operation of legislation, including the *Young Offenders Act 1997*
- support for parents and carers
- alcohol and other drug treatment and access to health services.

We thank all the stakeholders who took the time to speak with us and shared their insights, concerns, and experiences. We would particularly like to acknowledge the work of the project team involved in the Moree Bail Accommodation and Support Service project.

### **Orana Youth Justice Centre, Dubbo 27 October 2025**

At Orana Youth Justice Centre, we met with:

- Centre staff, including
  - Jason Coyle, A/Centre Manager
  - Lizette Mcintosh, Assistant Manager
  - Julienne Millington, A/Assistant Manager
  - Renae Norton, Principal, Lincoln Education and Training Unit
  - Cindy Wilson, Manager, Nurse Unit
  - James Stanley, Unit Manager

- Young people in custody
- Staff from Youth Justice NSW, including
  - Kelly-Anne Stewart, Executive Director, Youth Justice
  - Leonie Bender, Director Community & Regional Custody
  - Greg Edwards, Far West Area Manager
  - Kimble Appleyard, Central West Area Manager
  - Jason Phillips, Aboriginal Practice Officer
  - Lesley Toomey, Aboriginal Practice Officer

The Committee was given a tour of the centre. In addition to the programs and facilities of the centre, we discussed:

- the profile of young people in custody
- education and training needs and opportunities for young people in custody
- short-term remand
- bail and the impacts of recent legislative change on young people
- drivers of offending behaviour and recidivism
- behavioural management and support
- support and mentoring for young people in custody, especially cultural mentoring
- health and medical care needs, including mental, sexual, and dental health, and disability diagnosis and support

During our visit, we had the opportunity to speak with the young people in custody and share a meal. We thank these young people for sharing their experiences with us.

We also met staff across the centre, including youth cultural mentors, staff at the Lincoln Education and Training Unit, health clinic staff, and Youth Justice centre officers. We would like to thank them for their time and insight.

We would also like to thank Murray, Jason, and Kelly-Anne for helping to organise the Committee's visit.

### **Clontarf Academy, Dubbo College South Campus 27 October 2025**

The Clontarf Academy program supports young First Nations men and boys to participate in school and develop skills and self-confidence. They primarily use a range of sports to engage young First Nations men. Clontarf operates academies in over 170 schools across Australia. Each Academy runs out of a dedicated room within the school, and works with the school and school community. Clontarf staff run programs based on focus areas: education, leadership, employment, wellbeing, life skills, and sport.

At the Dubbo College South Campus Clontarf Academy, we met with Max Harvey and Clontarf Academy staff.

We discussed:

- how the Clontarf program operates
- reengaging young people in education
- the importance of positive role modelling

- program outcomes.

During our visit, we met with some Clontarf students, who spoke with us about their experiences of the program and its impact. We extend our grateful thanks to these young people for speaking with us and generously sharing their thoughts and experiences.

We would also like to thank Clontarf staff for their time and their contributions, and for their assistance in arranging our visit.

### **Community roundtable, Dubbo**

**28 October 2025**

In Dubbo, we held a community roundtable with local councillors, representatives from the Children's Court and community legal services, local Aboriginal organisations and the Dhubu-Gu Local Aboriginal Land Council, service providers, and community members.

We discussed:

- how to encourage accountability and engagement from service providers
- Children's Court processes and outcomes, including the Youth Koori Court, as well as the powers of the court
- how community legal services approach providing legal assistance and advice to young people
- operation of the *Young Offenders Act 1997* and the Protected Admissions Scheme
- reckless and dangerous driving offending behaviour and how this could be addressed
- community perceptions of crime, policing, and court outcomes
- staffing and funding of services
- bail and custody.

We would like to thank all the participants for sharing their insights, experience, expertise, and knowledge with us. We acknowledge and commend their ongoing work and dedication to supporting young people and community in Dubbo and the surrounding areas.

## Appendix Four – Submissions

<b>No.</b>	<b>Author</b>
1	Miss Hannah Jackson
2	Mr Jamie Skeet
3	Mr Stewart MacDonald
4	Mrs Nicola Littlewood
5	Mr Daniel Norris
6	Mrs Kerry Chick
7	Confidential
8	Mr Simon Waller
9	Mr Roger Neader
10	Mr Jason Bush
11	Confidential
12	Ms Wendi Hobbs
13	Mr Logan Smith
14	Mr Andrew Johns
15	Mr Greg McDonald
16	Confidential
17	Mr Stephen Carpenter
18	Confidential
19	Mrs Marion Kenny
20	Mrs Susanne Donoghue
21	Miss Sophie Berghout
22	Name suppressed
23	Hangry
24	Confidential
25	Name suppressed
26	Miss Erika-Lee O'Reilly
27	Ms Angela Martin
28	Mr Ronald Lundstrom
29	Mr Timothy Brooks
30	Mr John Hamparsum
31	Albury Netball Association
32	Confidential

<b>No.</b>	<b>Author</b>
33	Ms Amanda Chalmers
34	Mrs Janell Wheelock
35	Confidential
36	Confidential
37	Ms Amber Martin
38	Mrs Bev Kleinschafer
39	Mr Barry Baldwin
40	Confidential
41	Mr Garry Irwin
42	Confidential
43	Confidential
44	Cr Mark Rodda
45	Confidential
46	Dr Angela Pattison
47	Ms Elly Jurd
48	Ms Fiona Lovelock
49	ANTAR
50	Uniting NSW.ACT
51	Coolamon Shire Council
52	Country Mayors Association of NSW
53	Mr Brian Jeffrey
54	Confidential
55	Inverell Shire Council
55a	Inverell Shire Council
56	Confidential
57	Gunnedah Shire Council
58	Confidential
59	Confidential
60	Confidential
61	Confidential
62	Confidential
63	Mr Shannon Radcliffe
64	Confidential
65	Mr John Philpott
66	Confidential

<b>No.</b>	<b>Author</b>
67	Mrs Gabrielle Geyer
68	Mr Trevor Giblin
69	Ms Bronwyn Elliott
70	Confidential
71	Confidential
72	Mr James Ewan
73	Mr Kenneth Gentle
74	Mrs Sarah Martin
75	Confidential
76	Mr Bryan Keough
77	Ms Joanne Merley
78	Confidential
79	Ms Eleanor Leleu
80	Confidential
81	Confidential
82	Ms Mary Louise White
83	Byron Youth Service Inc.
84	Mrs Julie Coburn
85	Ms Marie Woolnough
86	Narrandera Shire Council
87	Mr Gordon Popple
88	Confidential
89	Ms Jane Mari
90	Ms Barbara Finch
91	Ms Patsy Asch
92	Miss Philippa Morris
93	Mr Jaxon Swift
94	Mr Glen Crump
95	Ms Robin Ritchie
96	One Vision Productions
96a	One Vision Productions
97	Mr Eric Reading
98	Ms Karen Smith
99	Institute of Public Affairs

<b>No.</b>	<b>Author</b>
100	Ballina Shire Council
101	Bega Valley Shire Council
102	Confidential
103	The Hon. Kevin Anderson
104	Name suppressed
105	Ellerslie Flowers
106	Confidential
107	Safer Coonamble Group
108	ANTAR-Armidale
109	SHINE for Kids
110	Mr Peter Bignell
111	Port Macquarie Hastings Council
112	Save the Children and 54 reasons
113	Confidential
114	Country Women's Association Far North Coast Group
115	Lake Macquarie City Council
116	Justice Reform Initiative
117	Mr Sam Woods
118	The Law Society of New South Wales
119	St Vincent de Paul Ballina
120	Texas and District Crime Watch
121	Mrs Stephanie Matthews
122	Mrs Michelle Scott
123	Ms Lynne Hosking
124	Confidential
125	Ms Marian Formosa
126	Dr Diana Eades
127	Mr Peter Brunskill
128	Mrs Colleen Fuller
129	Dr Kerry Dunne
130	Mr Mike Blake
131	Australasian College of Road Safety
132	Country Women's Association of NSW
133	Mr Michael Kemp MP

<b>No.</b>	<b>Author</b>
134	Narrabri Shire Council
135	Raise the Age NSW
136	Legal Aid NSW
137	The Salvation Army
138	Police Association of NSW
139	Tweed Shire Council
140	Confidential
141	Confidential
142	Mr Dave Layzell
143	Redfern Legal Centre
144	HealthWISE
145	Border Regional Organisation of Councils
146	Social Futures
147	New South Wales Council for Civil Liberties
148	Dubbo Regional Council
149	Shoalhaven City Council
150	Ms Marjorie Henzell
151	Youth Off The Streets
152	Mr Adam Fuller
153	Women's Shelter Armidale
154	Shellharbour City Council
155	Ms Elizabeth O'Hara
156	Confidential
157	Mr Matthew Sykes
158	Confidential
159	Mr John Kearns
160	Gunnedah Community Roundtable
161	Greens NSW
162	Maranguka Ltd
163	Ms Miriam Purkiss
164	Mr Peter Gill
165	Fair Treatment for Tamworth Region Campaign
166	Ms Barbara Beatson
167	Mrs Susan C. Dunn

<b>No.</b>	<b>Author</b>
168	Mr Tadeusz (Tad) Kiemski
169	Cr Joshua Black
170	NSW Farmers' Association
171	Mrs Heather Fogarty
172	Professor Ross Homel
173	Confidential
174	Just Reinvest NSW
175	New South Wales Bar Association
176	BackTrack
177	Public Interest Advocacy Centre
178	Dr Chris Krogh, Associate Professor Penny Buykx and Ms April Dimmock
179	Community Industry Group
180	NSW Council of Social Service
181	Confidential
182	Australian Language and Culture Classes at Gunnedah Anglican Church
183	Name.Narrate.Navigate
184	Office of the Advocate for Children and Young People
185	Lachlan Shire Council
186	Local Government NSW
187	Bourke Shire Council
188	Name suppressed
189	Youth Action NSW
190	Domestic Violence NSW
191	Mr Andre Els
192	Cr Debra McGillan
193	Dharriwaa Elders Group
194	Aboriginal Legal Service (NSW/ACT) Limited
195	NSW Government
196	Mr Greg Edwards
197	Kylie Selig
198	Triple P International

## Appendix Five – Witnesses

**22 September 2025**

**Tamworth Community Centre, Tamworth, NSW**

<b>Witness</b>	<b>Position and Organisation</b>
Superintendent Darren Beeche	Commander, Oxley Police District, NSW Police Force
Superintendent Chris McKinnon	Commander, New England Police District, NSW Police Force
Matthew Spicer	Crime Practice Manager, Legal Aid Tamworth
Sueling Ahoy	Support Worker, Pathfinders Youth Refuge
Amber Stackman	Support Worker, Pathfinders Youth Refuge
Heidi Burton	CEO, Trackside (Women's Shelter Armidale)
Sam Davis	Manager, PCYC Armidale
Cr Jeff Budd	Deputy Mayor, Tamworth Regional Council
David Lightowler	Manager Community Safe Council and Wellbeing, Tamworth Regional Council
Haley Fenn	Team Leader – Youth Development, Tamworth Regional Youth Council
Olivia Fitzpatrick	Youth Councillor, Tamworth Regional Youth Council
Cody Wilson	Youth Councillor, Tamworth Regional Youth Council
Lisa Green	Caseworker, Casework Support Program Tamworth, Winanga-Li Aboriginal Child and Family Centre
Tara Small	Community Engagement Coordinator, Youth Services Gunnedah, Winanga-Li Aboriginal Child and Family Centre
Fiona Snape	CEO, Tamworth Local Aboriginal Land Council
Jerraki Cochrane	Youth representative, Tamworth Local Aboriginal Land Council
Matty-Ray Walford	Youth representative, Tamworth Local Aboriginal Land Council
Brad Moore	Project Coordinator, Tamworth Local Aboriginal Land Council
Brad Michie	Business Development Manager, Tamworth Local Aboriginal Land Council

**24 November 2025****Parliament House, Macquarie Room, Sydney, NSW**

<b>Witness</b>	<b>Position and Organisation</b>
Mr Kevin Morton	President, Police Association of NSW
Mr Tony Bear	Strategy and Relationships Manager, Police Association of NSW
Ms Kelly-Anne Stewart	Executive Director, Youth Justice NSW (NSW Government)
Ms Candice Neilson	Director Strategy & Engagement, Youth Justice NSW, (NSW Government)
Ms Carol Thomas	Director Policy & Practice, Youth Justice NSW, (NSW Government)
Mr James Clifford	Chair, Children's Legal Issues Committee, Law Society of NSW
Ms Isha Caulfield	Member, Children's Legal Issues Committee, Law Society of NSW
Mr Nicholas Broadbent SC	Member, Bar Council, New South Wales Bar Association
Mr Jonathon Hunyor	Representative, Lead Group, Raise the Age NSW
Ms Emily Mayo	Campaign Manager, Raise the Age NSW
Ms Carol Markie-Dadds	Country Director, Australia, Triple P International
Professor Thalia Anthony	Professor of Law, Deadly Connections
Mr Bernie Shakeshaft	Founder and Director, BackTrack
Mr Steph Olsen	Night Crew Coordinator, BackTrack

## Appendix Six – Extracts from minutes

### MINUTES OF MEETING NO 15

10.02 am, 26 May 2025

Room 1136 and videoconference

#### Members present

Mr Atalla (Chair), Dr McDermott (Deputy Chair), Adjunct Professor Smith, Mr Toole (via videoconference), and Mr Vo (via videoconference).

#### Apologies

Ms Stuart and Mr Donato.

#### Officers present

Kieran Lewis, Patrick Glynn, Janelle Taouk, Ilana Chaffey, and Nicolle Gill.

#### Agenda item

##### 1. Confirmation of minutes

Resolved, on the motion of Dr McDermott, seconded by Adjunct Professor Smith: That the minutes of the meeting of 25 February 2025 be confirmed.

##### 2. Resolution permitting recording of meeting

Resolved, on the motion of Adjunct Professor Smith, seconded by Dr McDermott: That the Committee agrees to record the meeting for the purposes of committee staff preparing the minutes and report amendments, and that the recording be deleted when the report is tabled.

##### 3. \*\*\*

##### 4. Inquiry into community safety in regional and rural communities

###### 4.1. Correspondence

The Committee noted the following correspondence:

###### Sent

- Letter from Chair to Andrew Connolly, dated 6 March 2025, regarding the CWA's interest in attending a future public hearing.
- Letter from Chair to Roy Butler MP, dated 6 March 2025, regarding late submissions to the community safety inquiry.
- Letter from Chair to Joe McGirr MP, dated 17 March 2025, regarding the Committee's site visit to Wagga Wagga.
- Letters from Chair to roundtable stakeholders, dated 17 March 2025, regarding the Committee's site visit to Wagga Wagga.
- Letter from Chair to Brendan Moylan MP, dated 17 March 2025, regarding ANTAR's request that the Committee visit Moree and Armidale.
- Letter from Chair to Aileen MacDonald MLC, dated 17 March 2025, regarding ANTAR's request that the Committee visit Moree and Armidale.

Received

- Email from Aileen MacDonald MLC on behalf of ANTAR, dated 26 February 2025, regarding ANTAR's request that the Committee visit Moree and Armidale. Chair's reply to this correspondence noted above.
- Letter from Brendan Moylan MP on behalf of ANTAR, dated 5 March 2025, requesting that the Committee visit Moree and Armidale as part of its inquiry. Chair's reply to this correspondence noted above.
- Email from the Advocate for Children and Young People, dated 20 March 2025, providing a copy of 2020 report on children and young people's experiences in Youth Justice Centres.
- Email from Natalie Riley, Burrun Dalai, dated 25 March 2025, declining to provide answers to the Committee's written questions.

**4.2. Submission – Change of publication status**

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Resolved, on the motion of Adjunct Professor Smith, seconded by Dr McDermott: That the publication status of submission 125 be changed from 'public' to 'confidential', as requested by the individual who made the submission.

**4.3. Publication of answers to questions on notice and supplementary questions**

Resolved, on the motion of Mr Vo, seconded by Dr McDermott: That the Committee accept and publish on its website the following responses to the questions taken on notice at the public hearing on 24 February 2025 and responses to the supplementary questions.

Questions taken on notice

- ANTAR – received 17 March 2025
- TAFE NSW – received 17 March 2025
- Advocate for Children and Young People – received 18 March 2025
- Youth Action – received 24 March 2025

Supplementary questions

- NSW Council for Civil Liberties – received 13 March 2025
- Justice Reform Initiative – received 14 March 2025
- ANTAR – received 17 March 2025
- Justice and Equity Centre – received 17 March 2025
- The Salvation Army – received 17 March 2025
- Uniting NSW.ACT – received 17 March 2025
- Youth Off The Streets – received 17 March 2025
- TAFE NSW – received 17 March 2025
- Name.Narrate.Navigate – received 17 March 2025
- Advocate for Children and Young People – 18 March 2025
- Country Mayors Association – received 24 March 2025

- Just Reinvest NSW – received 24 March 2025
- Youth Action – received 24 March 2025
- NSW Council of Social Service – received 25 March 2025
- Community Industry Group – 25 March 2025
- Department of Education – 31 March 2025

#### **4.4. Clarification of evidence**

The Committee considered Alison McGaffin's correspondence of 7 March 2025, clarifying evidence given at the public hearing on 24 February 2025.

Resolved, on the motion of Adjunct Professor Smith, seconded by Mr Vo: That the Committee:

- accept and publish Ms McGaffin's correspondence clarifying evidence given at the public hearing on 24 February 2025 under 'Other Documents' on the inquiry webpage
- inserts a footnote providing a link to the published correspondence at the relevant section of the transcript.

#### **4.5. Publication of document provided by Wagga Wagga police**

Resolved, on the motion of Mr Toole, seconded by Dr McDermott: That the Committee accept and publish the document about Showcasing, Learning About Youth Supports (SLAYS), provided by NSW Police during the Committee's visit to Wagga Wagga, under 'Other Documents' on the inquiry webpage.

#### **4.6. Consideration of Chair's draft report**

Resolved, on the motion of Adjunct Professor Smith: That the Committee consider the Chair's draft report chapter by chapter starting with recommendations and findings.

##### Findings and recommendations

- Dr McDermott proposed that, in Recommendation 1:
  - the words 'considers further investment' be inserted following 'NSW Government'.
  - the word 'proven' be inserted following 'mental health programs'.
- Adjunct Professor Smith proposed that, in Recommendation 5: the words 'including young women' be inserted following 'at risk of offending behaviour'.
- Adjunct Professor Smith proposed that, in Recommendation 9, the words 'on track' be omitted and replaced by the words 'receive ongoing support'.

Discussion ensued.

Resolved, on the motion of Dr McDermott, seconded by Adjunct Professor Smith: That the findings and recommendations as amended stand as part of the report.

##### Chapter 1

- Adjunct Professor Smith proposed that the following be inserted following paragraph 1.7: The statistical data indicates that while Aboriginal young people make up approximately 8 per cent of NSW's population aged 10-17, they make up

57 per cent of young people proceeded against by police, and 57 per cent of young people in custody.

- Adjunct Professor Smith proposed that, under the subheadings 'Individual risk factors' and 'Family-based risk factors', a bullet point be added reading 'socio-economic disadvantage and poverty'.
- Mr Toole proposed that, the following paragraph be inserted after paragraph 1.54: 'NSW Police have provided evidence in regards to police resourcing, particularly prisoner transfers, mental health, and replacement of officers on extended leave and its impact on policing. The Committee intends to explore this further in its final report for this inquiry.'
- Adjunct Professor Smith proposed that the information box under paragraph 1.55 be moved to follow paragraph 1.54.

Discussion ensued.

Resolved, on the motion of Dr McDermott, seconded by Mr Vo: That chapter 1 as amended stand as part of the report.

## Chapter 2

- Adjunct Professor Smith proposed that, in paragraph 2.26:
  - The word 'they' be omitted and replaced by the word 'facilitators' following 'Although such groups are helpful'.
  - The words 'and government support' be omitted.
  - The words 'and therapeutic benefit.' be inserted, following 'sustainability'.

Discussion ensued.

Resolved, on the motion of Adjunct Professor Smith, seconded by Mr Toole: That chapter 2 as amended stand as part of the report.

Mr Vo left the meeting at 10.58am.

## Chapter 3

- Adjunct Professor Smith proposed that, in paragraph 3.14, the words 'of a young person's' be inserted following 'can impact many'.
- Adjunct Professor Smith proposed that, in paragraph 3.27:
  - The words 'and Country' are added following 'from their community and family'.
  - That the words 'For young women in regional areas placed in Reiby Youth Justice Centre in Sydney, this is a particular concern.' be added following 'without having been convicted of an offence.'
- Adjunct Professor Smith proposed that, in paragraph 3.36:
  - The word 'some' is inserted before 'youth service providers'.
  - The word 'struggle' is omitted and replaced with 'feel ill-equipped'.

Discussion ensued.

Resolved, on the motion of Mr Toole, seconded by Dr McDermott: That chapter 3 as amended stand as part of the report.

#### Chapter 4

Resolved, on the motion of Dr McDermott, seconded by Adjunct Professor Smith: That chapter 4 stand as part of the report.

#### Chapter 5

- Adjunct Professor Smith proposed that, in paragraph 5.1, the words 'as well as gaps in services.' are inserted, following 'responsiveness to community needs'.

Discussion ensued.

Resolved, on the motion of Dr McDermott, seconded by Adjunct Professor Smith: That chapter 5 as amended stand as part of the report.

Resolved, on the motion on of Adjunct Professor Smith, seconded by Dr McDermott:

1. That the draft report as amended be the report of the Committee and that it be signed by the Chair and presented to the House.
2. That the Chair and Committee staff be permitted to correct stylistic, typographical and grammatical errors.
3. That, once tabled, the report be published on the Committee's webpage.

#### **4.7. Report cover**

Resolved, on the motion of Mr Toole, seconded by Dr McDermott: That the proposed image circulated in the meeting papers be used on the cover of the Committee's tabled report and that the report be subtitled 'Interim report: Addressing the drivers of youth crime through early intervention'.

#### **4.8. Future inquiry activity**

Resolved, on the motion of Adjunct Professor Smith, seconded by Dr McDermott: That, as part of its inquiry into community safety in regional and rural communities, the Committee conduct regional public hearings and site visits in the New England and Central West and Orana regions, and a public hearing at Parliament House, and authorises the Chair and Committee staff to make arrangements.

#### **4.9. Terms of reference**

Resolved, on the motion of Mr Toole, seconded by Dr McDermott: That the terms of reference for the Committee's inquiry into community safety in regional and rural communities be amended by omitting the words '30 November 2025' and replacing them with 'early 2026.'

#### **5. Next meeting**

The meeting adjourned at 11.25am until a date and time to be determined.

### MINUTES OF MEETING NO 16

1.32 pm, 7 August 2025

Meeting room 1043

#### **Members present**

Mr Atalla (Chair), Mr Donato, Adjunct Professor Smith, Ms Stuart, Mr Toole and Mr Vo.

### **Apologies**

Dr McDermott.

### **Officers present**

Kieran Lewis, Patrick Glynn, Ilana Chaffey, Janelle Taouk, Nicolle Gill and Hugh Duffield.

### **Agenda item**

#### **1. Confirmation of minutes**

Resolved, on the motion of Dr McDermott, seconded by Adjunct Professor Smith: That the minutes of the meeting of 25 February 2025 be confirmed.

#### **2. Correspondence**

The Committee noted correspondence received on 22 July 2025 from the Minister for Police and Counter-terrorism acknowledging correspondence from the Clerk relating to the Committee's interim report, Community safety in regional and rural communities: Addressing the drivers of youth crime through early intervention.

#### **3. Inquiry into community safety and in regional and rural communities**

##### **3.1. Publication of late submission**

The Committee considered a late submission from Triple P International, dated 22 July 2025.

Resolved, on the motion of Ms Stuart, seconded by Mr Toole: That the Committee publishes Triple P International's submission in full with standard redactions.

##### **3.2. Proposed visit to New England region**

The Committee discussed and agreed to the proposed itinerary for the visit to the New England region in September 2025.

##### **3.3. Proposed visit to Dubbo**

The Committee discussed and agreed to the proposed itinerary for the visit to Dubbo in October 2025.

#### **4. General business**

The Chair advised that he would be visiting Warakirri College, Campbelltown, with the Member for Campbelltown on 11 August 2025. The Chair explained that the college supports young people disconnected from mainstream education to achieve their Year 10 Record of Student Achievement (RoSA) and Higher School Certificate (HSC).

#### **5. Next meeting**

The meeting adjourned at 1.44pm until a date and time to be determined.

### **MINUTES OF MEETING NO 17**

9.52 am, 22 September 2025

Tamworth Community Event Centre, Darling Street, Tamworth

### **Members present**

Mr Atalla (Chair), Mr Donato, Adjunct Professor Smith, Ms Stuart, Mr Toole and Mr Vo.

### **Apologies**

Dr McDermott.

### **Officers present**

Kieran Lewis, Patrick Glynn, Ilana Chaffey, Janelle Taouk, Nicolle Gill and Hugh Duffield.

## Agenda item

### 1. \*\*\*

### 2. Confirmation of minutes

Resolved, on the motion of Dr McDermott, seconded by Adjunct Professor Smith: That the minutes of the meeting of 25 February 2025 be confirmed.

### 3. Inquiry into community safety in regional and rural communities

#### Pre-hearing deliberative meeting

#### 3.1. Witnesses

Resolved, on the motion of Mr Donato, seconded by Ms Stuart: That the Committee invites the witnesses listed in the notice of the public hearing for 22 September 2025 to give evidence to the inquiry into community safety in regional and rural communities.

#### 3.2. Media orders for public hearing

Resolved, on the motion of Adjunct Professor Smith, seconded by Mr Vo: That the Committee authorises the audio-visual recording, photography and broadcasting of the public hearing on 22 September 2025 by committee staff and media organisations, in accordance with the Legislative Assembly's resolution of 9 May 2023; and the Assembly's guidelines for coverage of proceedings for parliamentary committees administered by the Legislative Assembly.

#### 3.3. Questions on notice and supplementary questions

Resolved, on the motion of Ms Stuart, seconded by Mr Donato:

- That the Committee adopt the following process in relation to supplementary questions and answers to questions taken on notice:
  - Members to email any proposed supplementary questions for witnesses to the secretariat by 4pm Wednesday 1 October;
  - Secretariat to then circulate all proposed supplementary questions to the Committee, with members to lodge any objections to the questions by 4pm Friday 3 October.
- That witnesses be requested to return answers to questions taken on notice and any supplementary questions within 14 days of the date on which questions are forwarded to witnesses.

The Chair adjourned the deliberative meeting at 9.55 am.

Mr Toole joined the meeting at 9.55 am.

#### 3.4. Public hearing

Damon Goolagong, Aboriginal Liaison Officer, Parliament of NSW, gave an Acknowledgement of Country.

Witnesses were admitted. The Chair opened the public hearing at 10.00am and made a short opening statement.

The following witnesses were admitted:

Superintendent Darren Beeche, Commander, Oxley Police District, NSW Police Force, sworn and examined.

Superintendent Chris McKinnon, Commander, New England Police District, NSW Police Force, sworn and examined.

Evidence concluded and the witnesses withdrew.

The following witness was admitted:

Matthew Spicer, Crime Practice Manager, Legal Aid Tamworth, affirmed and examined.

Evidence concluded and the witness withdrew.

The following witnesses were admitted:

Sueling Ahoy, Support Worker, Pathfinders Youth Refuge, affirmed and examined.

Amber Stackman, Support Worker, Pathfinders Youth Refuge, sworn and examined.

Heidi Burton, CEO, Trackside (Women's Shelter Armidale), sworn and examined.

Sam Davis, Manager, PCYC Armidale, sworn and examined.

Evidence concluded and the witnesses withdrew.

The following witnesses were admitted:

Councillor Jeff Budd, Deputy Mayor, Tamworth Regional Council, affirmed and examined.

David Lightowler, Manager Community Safety and Wellbeing, Tamworth Regional Council, sworn and examined.

Evidence concluded and the witnesses withdrew.

The following witnesses were admitted:

Haley Fenn, Team Leader – Youth Development, Tamworth Regional Youth Council, affirmed and examined.

Olivia Fitzpatrick, Youth Councillor, Tamworth Regional Youth Council, affirmed and examined.

Cody Wilson, Youth Councillor, Tamworth Regional Youth Council, affirmed and examined.

Evidence concluded and the witnesses withdrew.

The following witnesses were admitted:

Lisa Green, Caseworker, Caseworker Support Program Tamworth, Winanga-Li Aboriginal Child and Family Centre, sworn and examined.

Tara Small, Community Engagement Coordinator, Youth Services Gunnedah, Winanga-Li Aboriginal Child and Family Centre, sworn and examined.

Evidence concluded and the witnesses withdrew.

The following witnesses were admitted:

Fiona Snape, CEO, Tamworth Local Aboriginal Land Council, affirmed and examined.

Jerraki Cochrane, Youth representative, Tamworth Local Aboriginal Land Council, sworn and examined.

Matty-Ray Walford, Youth representative, Tamworth Local Aboriginal Land Council, affirmed and examined.

Brad Moore, Project Coordinator, Tamworth Local Aboriginal Land Council, sworn and examined.

Brad Michie, Business Development Manager, Tamworth Local Aboriginal Land Council, sworn and examined.

Evidence concluded and the witnesses withdrew.

The public hearing concluded at 3.34 pm.

#### **Post-hearing deliberative meeting**

The Chair resumed the deliberative meeting at 3.36 pm.

#### **3.5. Publication orders**

Resolved, on the motion of Mr Donato: That the corrected transcript of public evidence given today be authorised for publication and uploaded to the Committee's webpage.

#### **4. Proposed site visit - Warakirri College, Campbelltown**

The Chair provided an update to the Committee on his visit to Warakirri College, Campbelltown, on 11 August 2025.

#### **5. Next meeting**

The meeting adjourned at 3.36 pm.

### **MINUTES OF MEETING NO 18**

8.36 am, 24 November 2025

Macquarie Room and videoconference

#### **Members present**

Mr Atalla (Chair), Dr McDermott (Deputy Chair), Mr Toole (all in-person) Mr Donato, Ms Stuart, and Mr Vo (all via videoconference).

#### **Apologies**

Adjunct Professor Smith

#### **Officers present**

Helen Minnican, Monica Loftus, Kate McCorquodale, Kieran Lewis, Patrick Glynn, Elizabeth Hawken, Ilana Chaffey, Hugh Duffield, and Nicolle Gill.

#### **Agenda item**

##### **1. Confirmation of minutes**

Resolved, on the motion of Mr Vo: That the minutes of the meeting of 22 September 2025 be confirmed.

##### **2. Inquiry into community safety in regional and rural communities**

###### **2.1. Briefing note: Summary of doli incapax and bail processes for children in NSW**

The Committee noted the briefing note on doli incapax and bail processes for children in NSW.

**2.2. Publication of answers to questions on notice and supplementary questions**

Committee to consider the following responses to supplementary questions and questions taken on notice at the public hearing on 22 September 2025:

**2.3. Questions taken on notice**

- Legal Aid NSW – 29 October 2025

**2.4. Supplementary questions**

- Women's Shelter Armidale – 10 October 2025
- Tamworth Local Aboriginal Land Council – 14 October 2025
- Tamworth Youth Council – 14 October 2025
- Oxley Police District, NSWPF – 17 October 2025
- New England Police District, NSWPF – 21 October 2025
- Winanga-Li – 21 October 2025
- Legal Aid NSW – 29 October 2025

Resolved, on the motion of Dr McDermott, seconded Mr Vo: That the Committee accept and publish the responses to the questions taken on notice at the public hearing on 22 September 2025 and the responses to the supplementary questions, as listed in the agenda, and publish them on its website.

**Pre-hearing deliberative meeting****2.5. Witnesses**

Resolved, on the motion of Dr McDermott, seconded Mr Vo: That the Committee invites the witnesses listed in the notice of the public hearing for 24 November 2025 to give evidence to the inquiry into community safety in regional and rural communities.

**2.6. Media orders for public hearing**

Resolved, on the motion of Mr Vo, seconded Dr McDermott: That the Committee authorises the audio-visual recording, photography and broadcasting of the public hearing on 24 November 2025, in accordance with the Legislative Assembly's resolution of 9 May 2023, and the Assembly's guidelines for coverage of proceedings for parliamentary committees administered by the Legislative Assembly.

**2.7. Questions on notice and supplementary questions**

Resolved, on the motion of Dr McDermott, seconded Ms Stuart:

- That the Committee adopt the following process in relation to supplementary questions and answers to questions taken on notice:
  - Members to email any proposed supplementary questions for witnesses to the secretariat by 4pm Thursday 27 November;
  - Secretariat to then circulate all proposed supplementary questions to the Committee, with members to lodge any objections to the questions by 4pm Monday 1 December.
- That witnesses be requested to return answers to questions taken on notice and any supplementary questions within 7 days of the date on which questions are forwarded to witnesses.

The Chair adjourned the deliberative meeting at 8.41 am.

Mr Toole joined the meeting at 8.47 am.

## **2.8. Public hearing**

Witnesses were admitted. The Chair opened the public hearing at 8.51 am and made a short opening statement.

The following witnesses were admitted:

Kevin Morton, President, Police Association of NSW, affirmed and examined.

Tony Bear, Strategy and Relationships Manager, Police Association of NSW, sworn and examined.

Evidence concluded and the witnesses withdrew.

Mr Donato joined the meeting at 10.08 am.

The following witnesses were admitted:

Kelly-Anne Stewart, Executive Director, Youth Justice NSW, affirmed and examined.

Candice Neilson, Director Strategy & Engagement, Youth Justice NSW, affirmed and examined.

Carol Thomas, Director Policy & Practice, Youth Justice NSW, affirmed and examined.

Evidence concluded and the witnesses withdrew.

The following witnesses were admitted:

James Clifford, Chair, Children's Legal Issues Committee, Law Society of NSW, affirmed and examined.

Isha Caulfield, Member, Children's Legal Issues Committee, Law Society of NSW, affirmed and examined.

Nicholas Broadbent SC, Member, Bar Council, NSW Bar Association, affirmed and examined.

Evidence concluded and the witnesses withdrew.

The following witnesses were admitted:

Jonathon Hunyor, Representative, Lead Group, Raise the Age NSW, affirmed and examined.

Emily Mayo, Campaign Manager, Raise the Age NSW, affirmed and examined.

Evidence concluded and the witnesses withdrew.

The following witnesses were admitted:

Carol Markie-Dadds, Country Director, Australia, Triple P International, affirmed and examined.

Professor Thalia Anthony, Professor of Law, Deadly Connections, affirmed and examined.

Evidence concluded and the witnesses withdrew.

Mr Toole left the meeting at 1.02 pm.

The following witnesses were admitted:

Bernie Shakeshaft, Founder and Director, BackTrack, affirmed and examined.

Steph Olsen, Night Crew Coordinator, BackTrack, affirmed and examined.

Evidence concluded and the witnesses withdrew.

The public hearing concluded at 1.51 pm.

**Post-hearing deliberative meeting**

The Chair resumed the deliberative meeting at 1.54 pm.

3. \*\*\*

**4. Next meeting**

The meeting adjourned at 2.12 pm until a date and time to be confirmed.

**MINUTES OF MEETING NO 19**

5.03 pm, 22 December 2025

LA Clerk's Room and videoconference

**Members present**

Mr Atalla (Chair), Dr McDermott (Deputy Chair), Mr Donato, Adjunct Professor Smith (via videoconference), Ms Stuart, Mr Toole and Mr Vo.

**Officers present**

Helen Minnican, Sam Griffith, Carly McKenna, Naomi Parkinson, Natasha Moir and Karena Li.

**Agenda item**

The Committee noted that the minutes of the meeting of 24 November 2025 will be adopted at the Committee's next meeting.

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**3. Next meeting**

The meeting adjourned at 5.28 pm until 2.00 pm, 13 January 2026.

**MINUTES OF MEETING NO 20**

12.33 pm, 13 January 2026

Room 814, Room 1254 and videoconference

**Members present**

Mr Atalla (Chair), Dr McDermott (Deputy Chair), Mr Donato (by videoconference), Adjunct Professor Smith (by videoconference), Ms Stuart (by videoconference), Mr Toole (by videoconference), and Mr Vo (by videoconference).

**Officers present**

Helen Minnican, Sam Griffith, Monica Loftus, Kate McCorquodale, Carly McKenna, Natasha Moir, Naomi Parkinson and Art Bae.

### Agenda item

#### 1. Confirmation of minutes

Resolved, on the motion of Mr Vo, seconded by Dr McDermott: That the minutes of the meetings of 24 November and 22 December 2025 be confirmed.

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#### 7. Next meeting

The meeting adjourned at 3.33 pm until 29 January 2026.

### UNCONFIRMED MINUTES OF MEETING NO 26

11.06 am, 16 March 2026

Meeting room 1254 and videoconference

#### Members present

Mr Atalla (Chair), Dr McDermott (Deputy Chair), Mr Donato, Adjunct Professor Smith, Ms Stuart, Mr Toole and Mr Vo (all via videoconference).

#### Officers present

Kieran Lewis, Monica Loftus, Patrick Glynn, Jerson Balaton, Ilana Chaffey, Elizabeth Hawken, and Nicolle Gill.

### Agenda item

#### 1. Confirmation of minutes

Resolved, on the motion of Ms Stuart, seconded by Mr Vo: That the minutes of the meetings of 18 and 19 February 2026 be confirmed.

2. \*\*\*

3. \*\*\*

#### 4. Inquiry into community safety in regional and rural communities

##### 4.1. Publication of answers to questions on notice and supplementary questions

Resolved, on the motion of Mr Donato, seconded by Mr Vo: That the Committee accept and publish answers to questions taken on notice at the public hearings on 24 November 2025 and responses to supplementary questions received from the following:

##### Questions taken on notice

- Raise the Age NSW – received 4 December 2025
- Triple P International – received 9 December 2025.

##### Supplementary questions

- Police Association NSW – received 9 December 2025

- Triple P International – received 9 December 2025
- BackTrack – received 9 December 2025
- Youth Justice NSW – received 10 December 2025
- NSW Bar Association – received 10 December 2025
- Law Society – received 16 December 2025
- Deadly Connections – received 27 January 2026.

#### **4.2. Publication of answers to written questions**

Resolved, on the motion of Ms Stuart, seconded by Adjunct Professor Smith: That the Committee accept and publish Magistrate Keisha Hopgood's responses to written questions, dated 23 December 2025, on its website.

#### **4.3. Clarification of evidence**

The Committee noted the following item of correspondence received:

- Letter, received from Jonathon Hunyor, dated 4 December 2025, concerning a correction to evidence given on 24 November 2025.

Resolved, on the motion of Mr Donato, seconded by Adjunct Professor Smith: That the Committee publishes the letter, dated 4 December 2025, from Jonathon Hunyor concerning a correction to evidence given on 24 November 2025, and that a footnote and link to the published letter be inserted at the relevant section of the transcript.

#### **4.4. Resolution permitting recording of meeting**

Resolved, on the motion of Mr Vo, seconded by Mr Toole: That the Committee agrees to record the meeting for the purposes of committee staff preparing the minutes and report amendments, and that the recording be deleted when the report is tabled.

#### **4.5. Consideration of Chair's draft report**

Resolved, on the motion of Dr McDermott, seconded by Ms Stuart: That the Committee consider the Chair's draft report chapter by chapter.

Resolved, on the motion of Ms Stuart, seconded by Dr McDermott: That Chapter One stands as part of the report.

Resolved, on the motion of Mr Donato, seconded by Dr McDermott: That Chapter Two stands as part of the report.

Resolved, on the motion of Ms Stuart, seconded by Dr McDermott: That Chapter Three stands as part of the report.

Resolved, on the motion of Mr Vo, seconded by Adjunct Professor Smith: That Chapter Four stands as part of the report.

Adjunct Professor Smith left the meeting.

Resolved, on the motion of Dr McDermott: That Chapter Five stands as part of the report.

Adjunct Professor Smith joined the meeting.

Resolved, on the motion of Mr Donato, seconded by Dr McDermott:

- That the draft report be the report of the Committee and that it be signed by the Chair and presented to the House.

- That the Chair and committee staff be permitted to correct stylistic, typographical and grammatical errors.
- That, once tabled, the report be published on the Committee's webpage.

**5. General business**

The Chair expressed his appreciation to the Committee and Committee secretariat and thanked them for their work on the inquiry.

**6. Next meeting**

The meeting adjourned at 11.26 am until a date and time to be confirmed.