

Michael Pettersson MLA

Minister for Business, Arts and Creative Industries

Minister for Children, Youth and Families

Minister for Multicultural Affairs

Minister for Skills, Training and Industrial Relations

Member for Yerrabi

RESPONSE TO QUESTION ON NOTICE**Questions on Notice Paper No 7****Friday, 16 May 2025****Question No. 452****MS BARRY:** To ask the Minister for Children, Youth and Families —

1. Given that the Productivity Commission *Report on Government Services 2025* shows a significant increase in the average daily rate of First Nations young people in detention in the ACT, that the average daily rate of rate per 10,000 individuals for
 - a. 2020-2021 was 18
 - a. 2021-2022 was 19.7
 - b. 2022-2023 was 28.4 and (d) 2023-2024 was 38.9 and the rate for non First Nations individuals was 2.7, why are young First Nations people more likely to be in youth detention than non First Nations youth?
2. Why has the rate of incarceration of First Nations young people been increasing so significantly over the last four years?

Michael Pettersson MLA - The answer to the Member's question is as follows:

1. There remains an over-representation of Aboriginal and Torres Strait Islander young people in the ACT youth justice system. However, as noted in the *Report on Government Services*, ACT trend information "should be interpreted with caution [due to the] relatively small numbers in detention".

The ACT Government is committed to self-determination and Closing the Gap for outcomes for Aboriginal and Torres Strait Islander Canberrans. The ACT Government is working with the Aboriginal and Torres Strait Islander community to support the development of sustainable Aboriginal and Torres Strait Islander community-controlled organisations.



The ACT Government has legislated to raise the minimum age of criminal responsibility (MACR) from 10 to 14 years. This progressive reform is fully effective from 1 July 2025 and is designed to divert children and young people away from the criminal justice system and into supportive, therapeutic, and culturally safe services.

This change is especially significant for Aboriginal and Torres Strait Islander children and young people, who are overrepresented in youth detention, often due to systemic inequalities such as intergenerational trauma, socio-economic disadvantage, and the ongoing impacts of colonisation. By raising the MACR, the ACT is taking a critical step toward disrupting cycles of over-policing and incarceration.

This reform represents a paradigm shift from punitive responses to healing and empowerment. It aligns with:

- International human rights standards
- Justice reinvestment principles
- Recommendations from Our Booris, Our Way, the Royal Commission into Aboriginal Deaths in Custody, and the National Closing the Gap Agreement.

By investing in community-led, culturally safe, and trauma-informed alternatives, the ACT Government is not only transforming its response to youth behaviour but also addressing the systemic drivers of inequality that disproportionately affect Aboriginal and Torres Strait Islander children.

2. Acknowledging the over-representation of First Nations young people in the ACT youth justice system, the average daily number of First Nations young people in detention in the ACT has not increased significantly in recent years. The average number daily number over the past four reporting years is as follows:

- 2020-2021 = 3
- 2021-2022 = 3
- 2022-2023 = 4
- 2023-2024 = 4

Approved for circulation to the Member and incorporation into Hansard.



Michael Pettersson MLA
Minister for Children, Youth and Families

Date: 20/6/25

This response required 15 mins to complete, at an approximate cost of \$20.97.