



# LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY

No. 304

## WRITTEN QUESTION

J Davis to the Minister for Corrections, Hon Gerard Maley MLA:

### **Youth Justice Act Amendments — Evidence and Consultation**

The Administrative Arrangements Order commenced 1 June 2026 allocates the *Youth Justice Act 2005*, other than Parts 3 and 4, and the areas of youth justice and youth detention, to the Minister for Corrections.

1. What Bills amending the *Youth Justice Act 2005* have been introduced since 25 August 2024? Please list each by title and date of introduction.
  1. Youth Justice Legislation Amendment Bill 2025 was introduced on 30 July 2025.
  2. Youth Justice and Criminal Code Amendment Bill 2026 was introduced on 13 May 2026.
2. For each such Bill, what evidence, research, modelling or departmental analysis did the Department consider in developing the amendments?
  - a. Was any modelling undertaken of the effect of the amendments on rates of youth offending and, if so, can it be tabled?
  - b. If no such modelling was undertaken, on what basis was the Department satisfied the amendments would achieve their stated objectives?

The amendments were developed primarily in response to operational issues identified through the administration of the youth justice system and were informed by departmental operational experience, agency expertise, identified legislative deficiencies, and cross-agency policy development involving relevant operational agencies.

The amendments within the youth justice framework affect:

- police investigations;
- youth detention practices;
- diversion arrangements;
- voluntary, medical and behavioural separation of detainees;
- transfer and intake arrangements;
- escort, search and use of force powers;
- protections for corrections and youth justice staff; and
- the management of detainees.

The Bills were informed by operational experience, agency expertise, identified legislative deficiencies, cross-agency policy development and expected improvements to youth justice administration and public safety outcomes rather than on formal modelling of youth offending rates.

**3. On 20 August 2026 a spokesperson for the Northern Territory Police Force stated that the lowering of the age of criminal responsibility from 12 to 10, which took effect in October 2024, together with a hardening of youth bail laws, “may have contributed to the increase in youth custody episodes recorded” between March and September 2025.**

- a. Before those amendments were introduced, did the Department estimate their effect on the number of young people who would be taken into police custody? If so, what was the estimate and in which document does it appear?**
- b. How does the number of young people taken into police custody since the amendments took effect compare with any estimate made?**
- c. Has the Department undertaken any review of the effect of the amendments since they took effect and, if so, can it be tabled?**
- d. If no estimate was made and no review has been undertaken, on what basis does the Department assess whether the amendments are achieving their stated objectives?**

This question does not fall within the responsibilities of the Minister for Corrections.

**4. For each such Bill, did the Department meet with the Office of the Children's Commissioner or the Office of the Anti-Discrimination Commissioner before the amendments were finalised?**

**a. On what dates did any such meetings occur?**

No meetings occurred before the amendments were finalised with the Office of the Children's Commissioner or the Office of the Anti-Discrimination Commissioner.

**b. Was written advice received from either office, and can it be tabled?**

**c. If neither office was consulted, why not?**

The amendments were developed primarily in response to operational issues identified through the administration of the youth justice system and were informed by departmental operational experience, agency expertise, identified legislative deficiencies, and cross-agency policy development involving relevant operational agencies. The focus of the reform process was to address legislative gaps, improve the effectiveness of youth justice administration, strengthen detention and community supervision arrangements, enhance the safety of staff and detainees, and support broader community safety objectives.

The Department did not consider that consultation with the Children's Commissioner or the Ombudsman was necessary for the purpose of identifying and addressing the operational and legislative issues that the amendments sought to resolve.

Notwithstanding this, the Department acknowledges the important oversight and advocacy functions performed by the Children's Commissioner and Ombudsman and continues to engage with oversight bodies where appropriate in relation to matters affecting youth justice services and detention operations.

**5. For each such Bill, which organisations outside government were consulted before the amendments were finalised, and on what dates?**

**a. If a record of consultation is not compiled for each Bill, in which system is consultation recorded?**

No organisations outside of government were consulted before the amendments were finalised.