

## SUMMARY

# With us, not against us

Systemic inquiry to learn from the experiences of children who entered the criminal justice system before 14

**JULY 2026**

The With us, not against us inquiry seeks to improve long-term outcomes for children, families and communities through prioritising prevention, early support and tailored responses that address children's needs, culture and context.

When children get the support they need at the right time, communities are stronger and safer.

## About our inquiry

Our inquiry looked at the experiences of children who entered the criminal justice system before they turned 14. The report was tabled in Victorian Parliament on 30 July 2026.

As part of our inquiry we:

- consulted with 41 children who had been involved in the criminal justice system when they were under the age of 14
- completed a targeted file review for 26 children who were under Youth Justice supervision in 2023–24 and 2024–25 for offences committed or allegedly committed when they were under 14
- consulted with community organisations and professionals that work with children and their families, and researchers with expertise in this area
- analysed data and information from the Department of Justice and Community Safety, Department of Families, Fairness and Housing, Department of Education, Crime Statistics Agency and Victoria Police.

## What were children's lives like before contact with the criminal justice system?

*'Kids don't do nothing for no reason.'* (Jay, Aboriginal, 14)

Children and young people spoke to us about wanting a safe home, a loving family and good prospects for the future.

They told us they love music, cooking, sport and animals. They have dreams to travel, to build families, have nice homes, or give back to the community as youth workers or counsellors.

They have also experienced significant vulnerability and disadvantage, impacting their life options and making even modest aspirations difficult to achieve.

All 26 children in our file review were known to Child Protection and were collectively subject to 250 reports over the course of their lives. Over half of the children (58 per cent) were the subject of reports before turning five, with over a third the subject of a report before turning one. Family violence was the most common protective concern raised in the reports overall featuring in nearly one in every two reports.

Most of the children in our file review were chronically absent from school, with an average of 79 per cent absence since 2022. They also experienced a higher suspension rate, at an average of 27 per cent per year between 2019 and 2025 compared to Victoria's average of three per cent.

Nineteen children in the file review had some experience of living in out-of-home care with 12 having lived in residential care.

When children and young people experience trauma early in their lives followed by instability and limited support – at home, in care and at school – it has lasting effects on their development, wellbeing, sense of self, and behaviour.

These conditions increase the risk of children and young people coming into contact with the criminal justice system, particularly when their sense of belonging is undermined and they seek connection in unsafe environments.

## What are children's experiences of the criminal justice system?

### Harmful experiences of police

*'They think "if we treat them like shit and rough them up then they won't want to do crime." But it just fucks us up even more.'* (Jimmy, 13)

Most children and young people we heard from spoke about their experiences with police, describing interactions that were often violent, excessive, and harmful. They reported being stopped, questioned, or monitored in ways that were racist, disproportionate, and that, in some instances, escalated situations rather than resolved them.

### Youth justice supervision

*'Can't go to classes regularly here, only one literacy and maths class a week. Only been to one maths class since I've been here. They are not offering it regularly.'* (Chris, 16)

A small number of children aged under 14 come under Youth Justice supervision. Some groups of children are more likely to be under Youth Justice supervision. Of the 26 children in our file review, 27 per cent identified as Aboriginal and 42 per cent were from multicultural backgrounds.

All the children in our file review who experienced custody under 14 did so on remand. Remand is widely recognised as the most damaging part of the system: it can severely disrupt a child's development and access to education, family and community connections, compound trauma and health issues, expose children to unsafe environments and unhealthy peer influences, and increase the likelihood of entrenching offending behaviour.

### Harms in custody

*'Entered custody at 14. Made me go down the wrong path even more...'* (Cameron, Aboriginal, 16)

Children and young people are exposed to significant and compounding harms in youth justice custody, undermining their capacity for positive and sustained changes.

These findings sit alongside concerns held by the Commission about growing pressures in Victoria's youth justice custodial centres that undermine children and young people's safety and their prospects for rehabilitation and reducing offending.

### A largely ineffective response

*'Going through the juvenile system that young changes how you see yourself. You start identifying as a criminal. It changes the direction of your life. Instead of rehabilitation, you're thrown in with other kids who reinforce that lifestyle.'* (Archer, 25)

Exposing children to the criminal justice system at a young age increases the likelihood of offending behaviour becoming more serious and continuing into adulthood.

## What are the solutions?

*'What would actually help is simple: work with us, not against us... Sit down with us...'*  
(Sean, Aboriginal, 19)

Children and young people told us what would make a positive difference to their lives. They spoke about having access to more activities, programs and services; support from friends, families and mentors; and care and understanding from their teachers and Child Protection and Youth Justice workers. Ultimately, they told the Commission they want to be heard and listened to.

Building on existing evidence, *With us, not against us* sets out 15 recommendations about how systems can respond earlier, collectively and more effectively so Victoria can better support children, prevent future harm, and build safer and stronger communities.

Our recommendations call for the Victorian Government to:

- work across systems to improve outcomes for children and prioritise prevention and early support to keep children out of the criminal justice system
- improve responses when a child engages in offending behaviour, so they are timely, evidence-based, therapeutic and right for their age and development
- raise the age of criminal responsibility to 14 years and provide an alternative service response
- make custody safer, more effective and rehabilitative for young people to reduce the likelihood of future offending.

Visit the [Commission website](#) to read the full report.