

Raise The Age: Take Action Toolkit



Who we are?

Social Reinvestment WA is an Aboriginal led coalition of almost 30 non-profits dedicated to ending the systemic over-representation of Aboriginal and Torres Strait Islander people in WA's justice system. We have been working collectively since 2014 with a vision for smart justice, healthy families, and safe communities through a social reinvestment approach.

Our work includes advocacy, policy and evidence base development, community engagement and development, storytelling and communications, relationship building. We are connectors, weavers, builders, and visionaries.

Previously SRWA campaigned successfully for fine default reform to end imprisonment for unpaid fines, coordinated COVID responses to protect people in the justice system, and in partnership has supported the establishment of WA's first Justice Reinvestment site, Olabud Doogethu in Halls Creek.

We are leading the state wide campaign to Raise the Age of Criminal Responsibility from 10 to at least 14, working in partnership with national Aboriginal led coalition Change the Record.

Change the Record are Australia's only national Aboriginal led justice coalition of legal, health and family violence prevention experts. Their mission is to end the incarceration of, and family violence against, Aboriginal and Torres Strait Islander people.

Find out more about SRWA on our website
www.socialreinvestmentwa.org.au

What is this Toolkit for?

Everybody wants their children to thrive. No child should be sent far away from their family, community, and culture. Instead, we should be supporting them. As a community we have a responsibility to care for everyone - especially children. When a young person is pushed into prison, it is because they have been let down. By raising the age we can ensure that young children get the support they need and are empowered to create their own future.

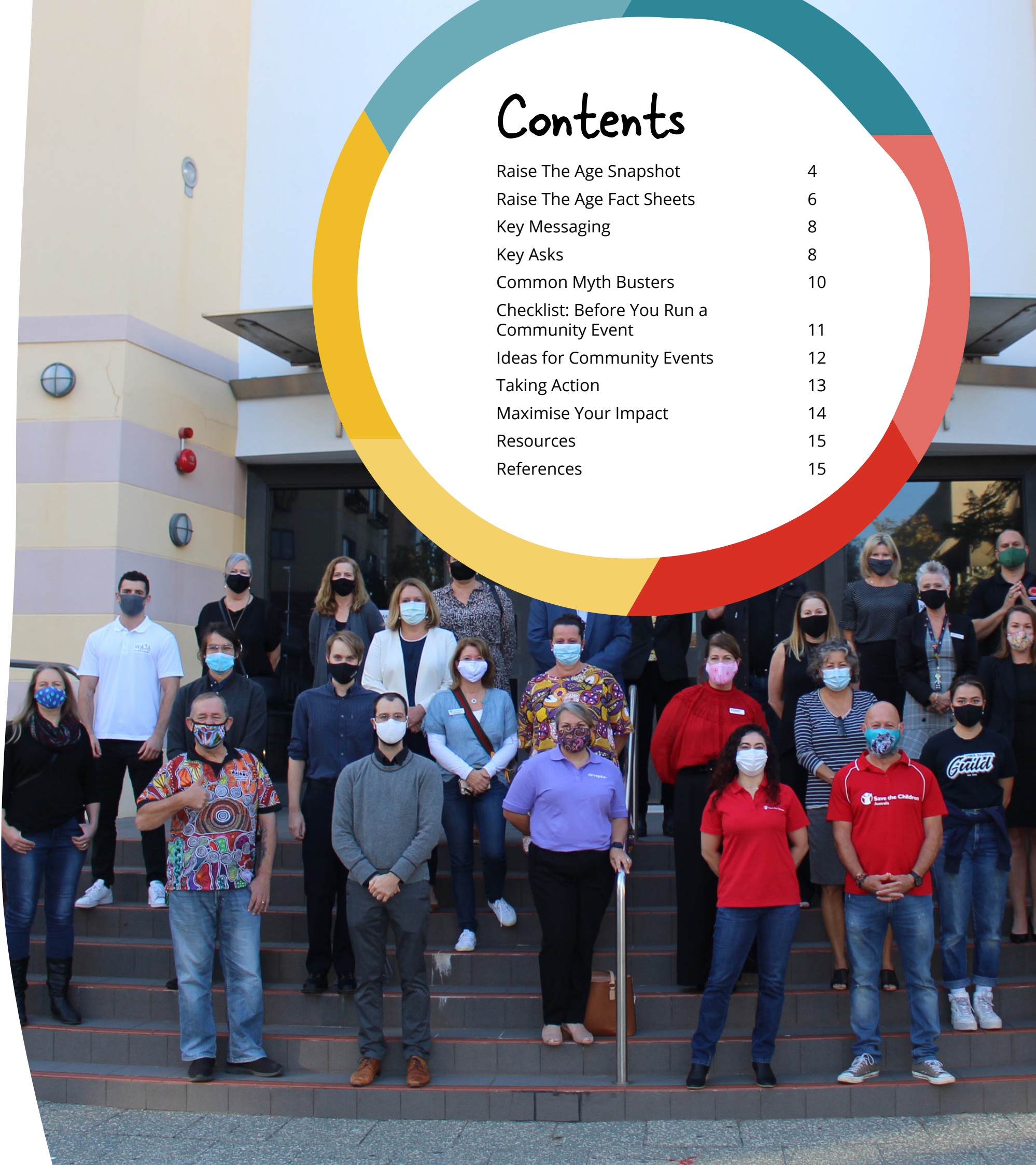
Western Australia has an opportunity to lead the nation in raising the minimum age of criminal responsibility to 14 years old. Australia's minimum age of criminal responsibility is out of step with the international community, recently receiving international condemnation from the United Nations. It also goes against the overwhelming evidence and science championed by medical and health experts around the world. Let's take action together and raise the age in Western Australia

The toolkit is aimed at individuals and organisations who are interested in engaging the public to promote Raise the Age campaign. The toolkit is used to raise awareness within the community which includes raising the age to 14, ensuring a fair youth justice system, emphasising alternatives, clear medical analysis of neurodevelopment and cognitive challenges, global comparison and other related factors.



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Raise The Age Snapshot



RAISE THE AGE WA: SOCIAL REINVESTMENT WA SNAPSHOT

MAY 2021

WA is sending children as young as 10 to prison. Here are the facts:

In Western Australia we send primary school aged children as young as 10 to prison.

143
children aged 10 to 13 spent time in unsentenced detention during 2018-19.

In WA the minimum age of criminal responsibility is 10 years old.

Globally the median age of criminal responsibility is 14 years old.

Our justice system is filled with our communities most vulnerable children; who need care and support to thrive.



90% of children in Banksia Hill Detention Centre were found to have significant cognitive impairments, including Foetal Alcohol Spectrum Disorder (FASD).



72% of the young people incarcerated in Western Australia in 2019-20 were Aboriginal or Torres Strait Islander young people, despite making up just 5% of the population.



50% of children in the criminal justice system in Australia have also been involved in the Child Protection System.

Why we need to raise the age to 14: The evidence



WA needs to meet International standards when it comes to safeguarding children.

The United Nations Committee on the Rights of the Child recommended in 2019 that the minimum age of criminal responsibility should be at least 14 years of age globally.



Scientific and medical evidence tells us we should raise the age to 14.

Overwhelming medical and scientific consensus suggests that children should not be held criminally responsible. Full cognitive function does not finish developing until people reach their early 20's.

Children and adolescents are incapable of fully comprehending the consequences of their actions. The Australian Medical Association and Royal College of Paediatricians both call for the MACR to be raised to at least 14 years.



Prison fails to rehabilitate and causes children long term harm.

Our juvenile detention system fails to effectively rehabilitate and reintegrate young people. 55% of children in Banksia Hill in 2019/2020 had been imprisoned previously.

Children forced into contact with the criminal justice system are less likely to complete their education and are separated from the communities, further preventing them from developing and grow into thriving adults.

2017-18 Banksia Hill experienced at least an attempted suicide or self-harm once every two days in.



Juvenile detention is the most expensive option

It costs \$1,339 per day to detain one child in Banksia Hill in 2019-20, roughly equivalent to \$488,735 per child for one year.

In comparison, the most expensive boarding school in the world, Le Rosey in Switzerland, costs on average \$182,000 per year.

Youth-work-based programs have been proven to reduce youth recidivism by half, with an annual cost of just \$1,680 per person.

Sending a child to Banksia Hill is the most expensive form of youth justice. It is only \$93 a day for community-based supervision and/or diversion methods.

How do we Raise the Age?

We can immediately reform Western Australian legislation to raise the age of criminal responsibility to 14 years by amending section 29 of the Criminal Code (WA).

- Police already divert children under 10 to alternatives such as Department Communities.
- Improving socio-economic factors, such as increased household income, has been proven to be more effective in reducing crime, in comparison to harsher punishments.

We have an opportunity to improve the system – these children do not receive the support and care they need long before they have contact with the youth justice system.

We must focus on early identification, and adequately investing into evidence-based, targeted programs that respond to the social causes of crime.



There are programs that already work

Olabud Doogethu is a community designed and led justice reinvestment initiative supported by the Shire of Halls Creek. Its culturally secure Aboriginal Youth Engagement Night Officer Team saw a 58% reduction in burglaries, a 36% reduction in stolen vehicles, and a 28% reduction in stealing in their first year of operation.

Our focus should be on:

- Justice reinvestment, redirecting our resources to early intervention, prevention, diversion, and rehabilitation that resolves the underlying causes of offending.
- Collaboration for culturally secure programs designed by, with, and for Aboriginal and Torres Strait Islander people and communities.
- Holistic support services that recognise and respond to the unique circumstances and complexity of vulnerable individual's experiences, engage the whole family, and can be accessed through 'no wrong door.'
- Placed-based programs co-designed with the communities they seek to engage.
- Ensuring our youth justice system is fair, transparent, and accountable.



Take action

Together, we can take a step forward to build safer communities, and a better future for Western Australia's most at-risk young people by raising the minimum age of criminal responsibility to 14 years old.

- 1 Sign the petition and sign up to our campaign
- 2 Listen to our Podcast Stories from the Inside Season 2
- 3 Follow and share on social media
- 4 Become a Raise the Age Champion in your local community

Find out more
[socialreinvestmentwa.org.au/
raise-the-age](https://socialreinvestmentwa.org.au/raise-the-age)



Raise The Age Fact Sheets

Why 14?

MEDICAL SCIENCE SHOWS CHILDREN ARE NOT COGNITIVELY CAPABLE SO THEY CANNOT BE CRIMINALLY CULPABLE

The medical evidence is clear that children have not experienced sufficient neurological development by 12 or 13 to have the capacity to form the type of criminal intention you need to be found criminally responsible, or to predict the reaction or consequence of an action before it occurs. Medical Peak Bodies including the Australian Medical Association, the Royal Australian College of Physicians all call for the age to be raised to at least 14 as well as the Law Council of Australia.

14 IS THE MOST COMMON AGE AROUND THE WORLD AND WA IS LAGGING BEHIND

The most common age of criminal responsibility around the world is 14 (the median average.) WA is lagging behind countries including Germany, Denmark, Sweden, Japan, Italy, Spain, Russia, and Sierra Leone. 14 is also the age recommended by the UN Committee on the Rights of the Child.

THE EARLIER YOU 'CRIMINALISE', THE MORE LIKELY YOU ARE TO CAUSE A LIFETIME OF HARM

Research finds that early contact with the youth legal system increases the likelihood of:

- Poor Future Justice Outcomes: being held on remand (in custody prior to trial or sentencing) rather than bailed; further offending; and potential life-long involvement with the youth legal system.
- Interruption to Education: Children in the criminal justice system are less likely to complete their education, and thus less likely to thrive into the future.
- Trauma and Mental Illness: Incarceration and criminalisation causes documented long term impacts on mental health, often compounding pre-existing trauma. There was a suicide of self-harm attempt every 2 days in Banksia Hill in 2017/18.

ALTERNATIVES TO DETENTION ARE MORE COST EFFECTIVE

It would be cheaper and more effective to support every young child in juvenile detention with a one on youth worker 365 days a year than to incarcerate them in Banksia Hill.

COST COMPARISON YOUTH JUSTICE

	Juvenile Detention	Community Supervision	Youth Worker (One on One)
Avg. Cost Per Day	\$1339	\$93	\$282
Avg. Cost Per Year	\$488,735	\$33,945	\$102,766

IN WA THE AGE YOU CAN...

Vote in an election : 18
Drive a Car : 16
Get your first Job : 13
Get sent to prison : 10

CHILDREN VERY RARELY COMMIT SERIOUS CRIMES

The majority of crimes (about 55 per cent) committed by juveniles are theft, burglary and property related crimes. Other crimes include public order, drugs and traffic offences, and fraud. Just over 20 per cent are acts intended to cause injury. Very serious offences (such as homicide and sexual offences) are rarely perpetrated by juveniles, and very rarely by extremely young children under the age of 14.

We have an opportunity to change the lives of hundreds of WA's children and their families. By raising the age to at least 14, and providing interventions and support instead of juvenile detention, we can give these young people a chance to thrive and grow to their full potential. Young people need help not harm. Primary school children do not belong in prison.

A New Approach

What do we do with children instead of the justice system?

We can immediately reform Western Australian legislation to raise the age of criminal responsibility to 14 years by simply amending section 29 of the Criminal Code (WA).

Police already divert children under 10 to alternatives such as Department Communities, the same can be done for 11, 12, and 13 year old children.

Legislation takes time to write and pass parliament, and we can use this opportunity to improve and redesign parts of the system that aren't working to divert or prevent children from marginalised communities ending up in the justice system.

We have an opportunity to improve the system – and support these children to reach their potential and thrive. These children often have been failed by the system long before they have come into contact with police. Improving socio-economic factors, such as increased household income, has been proven to be more effective in reducing crime, in comparison to punitive measures.

The alternative is a Social Reinvestment approach to Youth Justice that prioritises Children's Wellbeing and Building Safer Communities. Redirecting our funding and focus to early identification, prevention, intervention and rehabilitation rather than punitive band aid reactions. Supporting programs developed in partnership that respond to the underlying causes of offending to create safer communities. Strengthening the cultural, social, and emotional wellbeing of all families.

Key Messaging

A Summary of the Key Arguments for Raising the Age:

In Western Australia we still arrest, trial, and imprison children as young as 10.

Children and young people need help, not harm. The McGowan Government needs to Raise the Minimum Age of Criminal Responsibility to at least 14.

Around the world the median average age of criminal responsibility is already 14; and 14 is the minimum age set to ensure the rights of children are upheld by the United Nations.

Overwhelming scientific and medical consensus demonstrates that many key stages of brain development are not adequately formed in children. This lack of cognitive development means medical experts maintain that children should not be held criminally responsible.

The children in WA's justice system need our help, and politicians have the power to do this.

There is a better way. We can create safer and healthier communities for everyone by responding to the underlying causes of offending, and improving the social, emotional, and cultural wellbeing of young people. We need to invest in early intervention, diversion, rehabilitation, and connection.

There are proven and successful options for supporting young people to get the support they need, as alternatives to the justice system, such as Olabud Doogethu in Halls Creek and the Youth Partnership Project in Armadale and Gosnells.

We know the WA government is currently considering this issue, which is why we need you to take action right now and hold your political representatives to account here: bit.ly/RTA-MP

Key Asks

We are asking Government to

- 1 The McGowan Government to Raise the Minimum Age of Criminal Responsibility to at least 14 years old**
- 2 To work with communities, non-profits, and experts to reform our youth justice system to meet the social and emotional needs of children, and support creation of healthier families and safe communities.**

We are asking Members of the Public too:

- 1 Email their MP: bit.ly/RTA-MP**
- 2 Run a Raise the Age event in their community**
- 3 Learn more, and raise awareness with their family, friends and colleagues**

When talking about Raising the Age Focus on:

- Raise awareness that children under 14, and as young as 10 are in our justice system.** Only 7% of Australians correctly identified that children as young as 10 are currently criminalized. 51% believed it was already over 14. Most commonly guessed ages between 14 and 16. Using comparisons to other legal ages made intuitive sense to members of the public, who made their guesses based on other age dependent milestones.
- Emphasise what the Alternatives are:** Public has little knowledge of responses available for dealing with children who have offended. Two thirds supported raising MACR but “those that wanted the age to remain at 10 years cited it was an opportunity to intervene and expressed concern that children’s offending behaviour would not be addressed if the age was raised from 10.”
- Global Comparisons** to other countries, WA is lagging behind the global median, which is 14. Give people the impression we are doing worse than the basic standards.
- Give clear actions and tools to allow those educated to spread awareness.** Those informed identified a clear need for the public to be made aware, and believed change could be activated through social justice movements.
- Sharing personal stories, and lived** experience is the best way to humanise and build empathy in an audience, to care about the issue.

Language to Use:

- All children, every child, children as young as 10, child/ young person. We want to avoid an ‘us and them’ narrative of bad kids emerging.
- Politicians must raise the age to give every child a chance to grow and thrive. This makes the ‘agent’ clear- Politicians are the decision makers not the “system” and also hold the key to the solution.

Language to Avoid:

- **Avoid dehumanising** children and young people by using terms such as youth, juvenile detainees, offenders, etc.
- **Avoid** calling children criminals at all costs; or using frames like “locking up children doesn’t keep the community safe.” When we negate our opponent’s negative frames and use their terminology, we actually reinforce the ideas.
- **The economic cost argument** is likely to prime public audiences to use negative frames of perception (security etc). While it can be useful when discussing cost savings of alternatives, be careful when putting a price on children in the justice system. This issue is about a positive future for young people, not cheapening the service system.

Common Myth Busters

If we don't imprison them, what's the alternative? What can we do with them instead?

It's not 'prison or nothing'. Marginalised young people at risk of offending do need to be responded to - it's just the best way to respond to these young people is not in a prison cell. There are some great existing alternatives and programs that have been proven to work to intervene early, divert, and rehabilitate young people and children as opposed to criminalising them.

Check out programs that work here:
<https://www.socialreinvestmentwa.org.au/raise-the-age-1>

Also check out WA's first justice reinvestment site Olabud Doogethu here:
<https://olabuddoogethu.org.au/>

If we don't have harsh penalties, what will discourage children from breaking the law?

Globally, there is overwhelming evidence that harsh criminal penalties don't discourage people from committing crimes in the first place. In fact, it has been found that the severity of punishment has no real deterrent effect nor does it prevent the likelihood of re-offending (also known as 'recidivism'). Further, improving socio-economic factors, such as increased household income, have been proven to be more effective in reducing crime, in comparison to harsher punishments. If we want to prevent crime from happening, then we need to focus on supporting communities to thrive while focusing on children and family's well-being.

Shouldn't parents be responsible for their children?

Undoubtedly all parents want the best possible future for their children. However, some families are faced with systemic disadvantage such as poverty and inter-generational trauma. Research shows that children whose parents have been incarcerated are more likely to suffer from a multitude of health, social, and welfare disadvantages and end up in the criminal justice system themselves. As a community, we should all stand behind families to thrive and ensure that they are given the best tools, guidance and support in life to guide their children to the best possible future.

In addition to this, a majority of Australians (65%) prefer the government to spend money on social services, rather than sending children into detention while nearly half (45%) believe that sending children away into detention actually makes their communities less safe. Breaking the cycles of inter-generational trauma and incarceration is difficult, but it is possible if we can invest in culturally-appropriate and community-led services and solutions

Shouldn't children know right from wrong?

The global scientific and medical consensus states that children's ongoing neurological development continues until their early twenties. This means that children's rational decision-making, ability to communicate, regulate emotion and more are still developing. In addition to this, children who often come from traumatic backgrounds also are neurodevelopmentally diverse and face complex challenges, such as Foetal Alcohol Spectrum Disorder (FASD). It is no surprise then that 90% of children were found to have neuro-disabilities in Banksia Hill.

Medical peak bodies from around Australia including the Australian Medical Association and Royal Australian College of Physicians have called for us to Raise the Age to at least 14.

Children are not cognitively capable of comprehending 'right from wrong' so cannot be held criminally responsible.

Checklist: Before You Run a Community Event

The purpose of Raise the Age Events in a community should generally be to build support for Raising the Age. You might be trying to change the perspectives of the community, raise awareness on the issue, or engage the community to take action as part of the campaign.

- 1 During community events we encourage you to learn** which country you are on (Perth – Whadjuk Noongar) and give an Acknowledgment of Country or invite an appropriate Aboriginal person to give a Welcome to Country.
- 2 Demonstrating an understanding of the community** that the event is being held with will ensure your event has more influence and engagement, and will help you to get them on board to change. Do some research on the community, what matters to them, what their interests are, and how they align with Raising the Age. Find out how much this community support raising the age from 10 to 14, and consider why they might become supportive.
- 3 Consider that your audience might be new** to the issue or already aware of the Raise the Age campaign, and make sure your info and communication is relevant.
- 4 Decide how to Take Action. Beyond raising awareness,** the best events also gather the people there to take further action, check out our suggestions on **Page 13** and prepare what action you will get people to take.
- 5 Plan how to promote your event and maximise your Impact.** Inviting your local MP (even if they say no!), telling SRWA you're holding an event, documenting the event (photography, video, write ups) and sharing on social media or even with the press are all key steps to having an increased impact. **See more on page 14**



Ideas for Community Events



Film Screening

Organise a film screening for the community to gain insight on the Raise the Age campaign. There are two significant films that have been released associated with the campaign [In My Blood It Runs](#) and [Incarceration Nation](#). Film screenings can range from small to large, from a room/lecture viewing to a cinema viewing. Screenings can be used as fundraisers or informative nights so that the community are more informed and engaged about the idea of raise the age.

In My Blood it Runs

www.inmyblooditruns.com

Incarceration Nation

<https://incarcerationnation.com.au/>



Panel

Host a panel with a variety of speakers examining the reasons why the WA Government needs to raise the age. Coordinate a panel discussion with experts for the community to gain an insight on the different matters that affect children going into incarceration. The panel can explain the underlying issues that happen to children and why they are either entering the system and the cause of recidivism.



Guest Speaker

SRWA can help you organise either a staff member or a lived experience ambassador to speak at your event. A lived experience ambassador is able to story tell about their life and the challenges and circumstances they faced, as well as their experiences of going through the justice system. SRWA member can talk about the facts and alternative solutions that can be used, to change the overall outlook for a brighter future for children.



Hosting Open Conversations/Yarning Circles

Lead an open discussion of the issues and challenges about Raise the Age- a great option for existing community groups like school classes, offices, or clubs. Give the community a chance to express their views, learn new things, and challenge each other with their knowledge and understanding. Make sure you create an open conversation in a safe space so no one feels left out, and 'no question is a dumb question.'



Insert a Round into a Quiz Night

Educate the community through a quiz night, adding a round of raise the age facts. Make specific questions to query the public of their own knowledge about the incarceration and possibilities children face. Quiz nights are also a great opportunity for fundraising for the case.



Myth busting Game/ Teaching and Learning

Facilitate teaching and learning sessions through games and interaction. Using facts sheets and your knowledge of Raising the Age, challenge people to think about what beliefs they hold, and investigate if these are correct. Types of questions could make the community dwell further upon: Who ends up in the justice system? Why does this happen?



Letter Writing Lunch

Host small letter writing lunch can involve people at work, university, friends, family and communities. During lunch talk over why it's important to Raise the Age, while sharing food, and together write letters to key decision makers such as your local MP, the Attorney General, or Premier. As an alternative the group could write one letter to send forth with everyone attending the lunch signed on.

Taking Action

After a successful community event it's critical we get people attending to join the cause, and mobilise them to take action right there and then. Events aren't just for show but key opportunities to engage the community and help us make change. There are a variety of actions you can use below, focus on one or combine several different actions as part of your event.

Donate/ Fundraise for SRWA

Fundraise or Donate to Social Reinvestment WA to help us lead the Raise the Age campaign in WA. Our coalition has campaigned for smart justice reforms, and social reinvestment approaches that address the underlying causes of crime, building healthy families and safe communities for half a decade.

Donate here

<https://chuffed.org/project/srwa>

Sign the petition

Sign the national Raise the Age petition as a way to add your name to the movement for change. Petition signatures show national and state support that the public want to Raise the Age.

Sign the petition

www.raisetheage.org.au/change therecord

Post and Share a Me at 10

Through social media share a picture of yourself at 10,11,12, or 13 and calling for people to Raise the Age- as children this young do not belong in prison. Tag @social.reinvestment.wa, and use the hashtags **#RaiseTheAge** and **#MeAt10**.

You can also send a photo of yourself with consent to SRWA to share your image on our social media. We are sharing a picture every day until WA changes the law.

Email #MeAt10 pictures

srwa@wacoss.org.au
ronald@wacoss.org.au

Write to the Minister or your local MP

Personalised letters to local MP's build momentum and pressure on politicians to commit to Raising the Age. Personalised letters or emails are more likely to receive a personal reply.

Support letters and invitations from the community to Raise the Age events lets your representative know there is community support and backing for this issue- which means they'll be more likely to stand up for it.

Emailing your Member of Parliament:

Just like writing to your MP, emailing helps build momentum and demonstrate public support for the campaign. SRWA have developed a handy portal to make this easy for you and for large crowds. Personalising the auto filled message will get better results.

Email Portal
bit.ly/RTA-MP

Share Young Peoples Stories from the Inside

You can play or share SRWA's Stories from the Inside to promote the voices and stories of people with lived experience in the youth justice system. Listening to the podcast series gives deep insight into the struggles of young people, and how easy it is to become trapped in the cycle.

Stories from the Inside Podcast

www.socialreinvestmentwa.org.au/stories

Maximise Your Impact



Inviting Your Local MP:

Inviting your local MP to an event engages and creates awareness for them by building their understanding of the issue; Demonstrates to the local MP that there is community support from the voters in their area to Raise the Age; And can encourage local MP's to advocate for and drive the WA Government to amend section 29 of the criminal code (WA).

- There is one local State Member for each Electorate in the Lower House (Legislative Assembly), and a few Members for each region in the Upper House (Legislative Council.)
- You should invite all your local representatives (even if they say no!) as it makes them aware of community support in your area.
- We would suggest you ring their office and invite them, as well as sending a letter of invitation via post or email.
- You can find your local Members of Parliaments contact details here:
<https://www.parliament.wa.gov.au/parliament/memblast.nsf/WAMembers>

Writing to the local Media about your Event:

Do a write up of the event with photos or videos for the media to raise awareness of Raise the Age. Either your own write up or an interview to the local media to explain why it's crucial that the WA Government raises the age from 10 to 14. More coverage means more awareness in the general public. More awareness leads to more conversation about the issue within communities, leading to more support and events within the community and surroundings. The more community support, the more likely WA Government will be to Raise The Age.

Find a helpful guide on writing to your local media here:
<https://www.amnesty.org.au/wp-content/uploads/2020/05/307-how-to-engage-with-the-media.pdf>

Promoting Your Event:

Event promotion is key to Raise the Age awareness and support. Creating engaging promotions helps draw the community to the event. By drawing attention of new audiences to the event, you help spread awareness of Raise the Age across different communities and WA.

- Using social media (Instagram, Facebook), the media (newspaper) and event sites (Event Brite) help promote the community event.
- An easy to use, free, online graphic design site called Canva assists to create posts and posters for all different sizes. (<https://www.canva.com/>)
- You can find the Raise the Age WA logo here:
www.socialreinvestmentwa.org.au/s/RTAWA_LOGO.png

Resources

Reports and Info

Social Reinvestment WA's Webpage

You can access/download resources directly from our webpage at www.socialreinvestmentwa.org.au/resources

Including the resources below;

- [Raising the Minimum Age of Criminal Responsibility: A Pathway to a Brighter Future for Western Australia's most at risk children](#): Social Reinvestment WA Policy Paper: Raising the Age of Criminal Responsibility to 14
- [Raise The Age WA: Social Reinvestment WA Snapshot](#) (See Page 4 - 5 of this toolkit)
- [Submission to the Council of Attorneys-General on Raising the Age](#): Social Reinvestment WA's Submission to the Age of Criminal Responsibility Working Group Council of Attorneys-General February 2020

Olabud Doogethu

Have a look at this video of an alternative project that's working here <https://olabuddoogethu.org.au/>

Stories from the Inside Podcast

These stories are a call to action to all Western Australians, to rethink the way we approach vulnerable and marginalised people. Building a better system requires investment in new approaches to develop Healthy Families, implement Smart Justice and build Safe Communities.

We have developed a [Podcast](#), [Video Series](#), and a [Storybook](#).

We encourage all of our supporters to like and share these from our social media in order to spread the word about Social Reinvestment alternatives and educate Western Australians about the realities of our justice system.

References

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