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Experts Warn NSW Opposition's Child Bail Bill May Spike Crime

August 7, 2025

– Categories: *Human Rights*



A coalition of legal and community organizations, including the NSW/ACT Aboriginal Legal Service (ALS), Aboriginal Health & Medical Research Council of NSW, AbSec – NSW Child, Family and Community Peak Aboriginal Corporation, First Peoples Disability Network, NSW Aboriginal Education Consultative Group, and Redfern Legal Centre, has condemned the New South Wales (NSW) Opposition's proposed Bail Amendment Bill, introduced on August 7, 2025. The bill, which seeks to tighten bail conditions for youths aged 14 to 18 charged with serious offenses like break-and-enter or motor vehicle theft, could lead to higher crime rates by increasing youth incarceration, according to a joint statement reported by ABC News.

The proposed legislation amends the Bail Act 2013 (NSW) by expanding the “show cause” requirement under section 16B, mandating that young offenders demonstrate why they should be granted bail for serious crimes committed while already on bail. The NSW Bureau of Crime Statistics and Research (BOCSAR) reported a 32% rise in youth detention in December 2024, with 225 children in custody, 60% of whom were Indigenous, following similar bail reforms. Critics argue this trend proves punitive measures fail to reduce crime. Karly Warner, ALS Chief Executive Officer, stated that the bill would “make communities more dangerous by locking up kids who need support,” as quoted by *The Guardian* on August 7, 2025.

Opposition Leader Mark Speakman defended the bill, arguing it targets repeat offenders to enhance community safety, per *NSW Liberal Party*. However, experts like Dr. Mindy Sotiri from the Justice Reform Initiative told *ABC News* that incarceration deepens youth involvement in the justice system, citing evidence that detained children are 33% more likely to reoffend. The NSW Law Society echoed this, noting the bill’s lack of expert consultation undermines effective crime prevention.

The organizations emphasized that community-based programs, such as the \$13.4 million Moree pilot program for youth support, are more effective than harsher bail laws. With NSW spending \$201 million annually on youth detention, per *Justice Reform Initiative*, critics argue resources should focus on rehabilitation, not punishment, to break the cycle of crime. The bill’s passage remains uncertain, but its potential to exacerbate youth crime has sparked heated debate.