



NATSILS

National Aboriginal and
Torres Strait Islander Legal Services

TRUE JUSTICE FOR OUR PEOPLE

MEDIA RELEASE

More Aboriginal and Torres Strait Islander children behind bars without a sentence

30 July 2026

The Productivity Commission's Annual Data Compilation Report, released yesterday, shows Aboriginal and Torres Strait Islander young people continue to be locked up at disproportionate rates, the majority unsentenced.

According to the Report, the proportion of unsentenced young people in detention is consistently above 50 per cent in most states and territories, and the time spent in detention is increasing.

The National Aboriginal and Torres Strait Islander Legal Services (NATSILS) says the Prime Minister must lead a national response to the national youth justice crisis.

NATSILS General Manager, Nick Espie described the findings of the report as shameful, but unsurprising, given the sweeping trend of state and territory governments pursuing policies that make it easier to jail children.

Some key national figures from the report include:

- The average length of time spent in unsentenced detention was 57.2 days, with the highest average in Queensland at 96.3 days and Victoria at 81.1 days.
- On an average night between 2022-23, the proportion of unsentenced Aboriginal and Torres Strait Islander young people in detention was 76.8 per cent. This is up from 69.4 per cent in 2018-19.
- While there has been a decrease in the rate of Aboriginal and Torres Strait Islander young people in detention since 2023-24, recent increases have reversed these changes and therefore the trend shows no change from the baseline (2018-19).

"The data shows that yet again, Aboriginal and Torres Strait Islander children - who have had no finding of guilt against them - are being locked up at alarming rates and for alarming amounts of time," said Mr Espie.

"The evidence is clear that when a child spends time behind bars, it increases their likelihood of reoffending. Not only is this approach cruel and damaging to our children and their families, governments are spending almost \$3200 on locking up children, a measure we know makes communities less safe.

"Needless to say, Australia is not on track to meet its Closing the Gap target to reduce the rate Aboriginal and Torres Strait Islander children in detention by at least 30% by 2031, and without national leadership, that won't change. That's why we are calling on the Prime Minister to call a national emergency summit on youth justice. Decision-makers must listen to the voices of Aboriginal and Torres Strait Islander people about solutions that actually work.

"This is a national crisis, and it requires an urgent national response," said Mr Espie.

Media contact: Maria Kelly, 0432 049 034, or Catalina Casar 0421 547 75