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# **Understanding the Risks: A Parent's Guide to Youth Behaviour, the Law, and Early Support**

## Introduction

As a parent, there are few things more confronting than the possibility of your child becoming involved with the criminal justice system. Whether through peer pressure, lack of understanding, or simply a poor decision, young people, particularly young men, can find themselves in serious legal trouble before they fully understand the consequences.

This guide is written for parents who want to stay informed, proactive, and prepared. It explores the types of offences most commonly committed by school aged boys, the legal processes that follow, and how early education around the law can help prevent offending in the first place. Drawing on current data from the NSW Bureau of Crime Statistics and Research (BOCSAR), the Australian Bureau of Statistics, and our experience as criminal defence lawyers, we outline the key risks, explain how the justice system handles youth matters, and provide practical guidance on what to do if your child is being investigated by police.

Our goal is to equip parents with the knowledge to support their children, foster respectful relationships, and promote long term positive outcomes.



## What trends and statistics are observed regarding offending among young men in school settings?

It is difficult to obtain accurate statistics for the amount of offending actually being committed in a school, as opposed to, offending by young men of school age generally. A recent report by the NSW Bureau of Crime Statistics and Research BOSCAR examines data over the last 10 years to March 2025. It shows that the number of young people dealt with by NSW police over the last decade has remained relatively consistent each year, with there being 11,261 young persons charged by the police between March 2014 - and March 2025. 10,026 young persons were dealt with by way of diversionary schemes through the same period.

In the last 12 months, the most common offending for young people where police have laid charges is for stalking, intimidation or harassment (by a fairly significant extent). This is followed by assaults, breaking and entering, and thefts. Other common charges are those involving drugs, robbery and sexual offending.

Recently published data from the Australian Bureau of Statistics indicates across Australia in the 2023-2024 financial year, that over two-thirds (69%) of youth offenders were male.

The data is consistent with our experience on the ground as to the biggest risks for school age young men, being:

- “Cyber bullying” and other intimidation/harassment type offences;
- Assaults;
- Drugs;
- Thefts; and
- Sexual offences.

## How could early legal education help with prevention of youth crime rates, foster respectful relationships, and create a culture of responsibility among young men?

Early legal education is critical for young persons. Knowledge is power. In particular, it is critical for young persons to have an understanding of healthy and respectful relationships, and when some kinds of school yard or online bullying might actually stray into the territory of criminal offending.

It is not uncommon for some kinds of behaviour to become normalised in some settings, to the extent that the young persons involved in it do not have a proper appreciation of the seriousness of the conduct. This is of course why there is a defined “age” of criminal responsibility. In NSW, if you are less than 10 years old, you are incapable of committing a criminal offence. If you are between 10 and 14 years old, there is a presumption that you are incapable, but it can be rebutted by the prosecution calling evidence to establish that the child knew that what they were doing was seriously wrong. From 15 upwards a child is presumed to have the ‘capacity’ to commit a criminal offence, as an adult is.

As a community, we have an obligation to be doing better to teach people how to have respectful relationships and what this looks like in practice. The Courts can be a blunt and ineffective tool in creating the widespread social change that is needed to prevent these issues in young people. By the time people are charged and go through the court system, the conduct has already been engaged in (if it is proven). Education is aimed at preventing the conduct from occurring in the first place. We cannot expect the Justice System to be the driving factor in correcting behaviour before it starts, when the involvement of the justice system only occurs after alleged conduct. It needs to start with education and it needs to start early.

Of course, this kind of education is not just about preventing youth crime but all crime. The lessons learnt in childhood transfer into adulthood. Further, it's also about making positive changes in the way people deal with and interact with one another.

Young men navigating relationships remain one of the highest categories of offenders. In particular, offending within relationships is a real problem—domestic assaults, harassment/intimidation and sexual offences are too common. Whilst the numbers of sexual assaults are not as high as domestic violence related assaults, the consequences for victims are significant, if not catastrophic and can adversely affect the course of one's life. For those accused, being charged with a sexual assault can similarly be catastrophic.

Even for people with no prior offending, being found guilty will almost inevitably lead to gaol time. Some of these areas of law (for example, about consent) are incredibly complicated to navigate, even for lawyers who are experts in the area.

It's also critical for parents of children to understand how to best support their child if they find themselves in a situation involving police. Most people never “plan” on needing a criminal lawyer – let alone for their children. Not making the right decisions from the very moment the issue arises can cause significant detriment to the case.



## How do parents support and educate their children?

Parents play a vital role in guiding their children through the challenges of adolescence, including understanding the boundaries of lawful and respectful behaviour. Open and honest communication is essential, creating a safe space where your child feels comfortable discussing their experiences, concerns, and questions without fear of judgment. Educating your child about the law, including what behaviours may have serious consequences, helps them develop a clear understanding of right and wrong.

It is equally important to teach and model respectful relationships, emphasizing empathy, consent, and personal responsibility. Encouraging your child to think critically about the influence of peers, social media, and online interactions can reduce risks related to bullying, harassment, and other offences.

Parents should also be proactive in seeking early support if they notice troubling behaviours, or if their child is involved with the police or school disciplinary processes. Accessing expert legal advice early can prevent misunderstandings and help protect your child's rights. Finally, engaging with schools and community programs that provide legal education and social support can strengthen your child's awareness and resilience.

By staying informed, involved, and supportive, parents can significantly reduce the likelihood of offending, and help their children make positive choices that benefit their futures.

Key areas for education should be:

- Drug related offending;
- Assaults (both domestic violence and non domestic violence related);
- Sexual offending (including sexting/distribution of intimate images); and
- Bullying, harassment and intimidation.



## How do the courts handle youth crime, navigating police investigations?

Broadly speaking, there are three ways that matters might progress involving young persons:

1. Through a diversionary scheme;
2. Through the Children's Court; or
3. For serious offending, in the District Court of NSW where children are tried in the same way as adults.

It's really critical that children (and their parents) have early, expert advice on a matter when children are being investigated for a crime.

There is some complexity in the kinds of matters that can be dealt with by diversions such as cautions, and in particular, there are some categories of offences (for example, aggravated sexual assaults) where young people will be tried in the same way as an adult in the District Court.

In circumstances where children are being investigated for criminal offences it is often the case that lawyers are only contacted after that investigation is already part way through, or as an afterthought.



## Moving Forward with Confidence: Contact our Criminal Lawyers

If you have concerns about your child's behaviour or if they are involved in a legal matter, it is important to seek expert advice as early as possible. Navigating the complexities of youth crime and the legal system can be overwhelming, but you don't have to do it alone. Speak to one of our experienced criminal lawyers at Armstrong Legal today for tailored guidance and support to protect your child's rights and help you make informed decisions. We are here to assist you every step of the way.

Disclaimer: This guide is for informational purposes only and does not constitute legal advice.

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