



28 November 2025

Committee Secretary

Legislative Council Legal and Social Issues Committee

By email: [publicschoolfundinginquiry@parliament.vic.gov.au](mailto:publicschoolfundinginquiry@parliament.vic.gov.au)

Dear Committee Secretary

### **Submission to the Legislative Council Legal and Social Issues Committee on the Inquiry into Public School Funding**

We welcome the opportunity to provide feedback on the inquiry in Public School Funding. Youthlaw is Victoria's statewide specialist community legal service for young people under 25. We assist school aged children in Ballarat, particularly children in State care, as well as children who are respondents in intervention orders. In 2024/2025, 14% of Youthlaw's clients who were experiencing legal problems were of school age. This gives us a unique insight into how public school funding can impact vulnerable children. Youthlaw is also a co-convenor of Smart Justice for Young People.

Our submission focuses on how the Victorian Government's decision to delay raising Victoria's public school funding to 75% of the Schooling Resource Standard until 2031 will negatively impact:

- the **quality of education** being provided to children across the state;
- the ability of Victorian public schools to **purchase educational resources, teaching materials, equipment**; and
- the ability of Victorian public schools to **maintain school grounds and buildings**.

This will negatively impact children by:

- increasing the number of children who **disengage from school** which will contribute to the drivers which lead to children and young people engaging in criminal activity;
- impacting existing programs that facilitate children's **access to justice**; and
- putting further **pressure on schools** and **increase reliance on the criminal legal system** to deal with school-related issues.

**Recommendation:** We recommend that the Victorian Government raise public school funding to 75% of Golski's Schooling Resource Standard by 2028.

### **School as early intervention and crime prevention**

Dropping out before year 12 and poor attendance at school correlate with poverty, disadvantage and mental health issues. These factors are significant drivers of youth crime. For example, in 2019, 68 per cent of children in custody were recorded as having been suspended or expelled from

school.<sup>1</sup> The Victorian public school retention rate of students from years 7/8 to year 12 in 2024 was 79.5%, compared to 87.9% in 2018.<sup>2</sup> This is in stark contrast to the 90.9% retention rate of Victorian private school students from years 7/8 to year 12 in Victoria. This trend among public schools means more children are becoming at greater risk of disadvantage.

Public school funding is critical for effective early intervention tools. Inadequate school funding increases the probability of children becoming disengaged and at risk of disadvantage and criminalisation.

Public schools will be unable to purchase materials or maintain their buildings and grounds to the standard required to engage students and encourage them to attend school. With retention rates already dropping, this trend is likely to continue if schools are not given the funding to create an environment that is inviting for children. This disengagement poses a danger to increase the number of at-risk students and threatens to lead more children to have earlier engagement with the criminal justice system. The younger children are introduced to the criminal justice system, the harder it is to break the cycle of criminality. More funding should be funnelled into public schools to prevent the drivers of crime before they appear.

### **School lawyer programs**

School lawyer programs have become staples in a few schools across the state. By embedding a lawyer in the school network, it aims to create a positive relationship between the lawyers and the students, parents, guardians and teachers. It can be difficult for children to access legal assistance without the aid of their parents and if a child wants to access legal advice without their parents, the school lawyer can improve access to justice for children.

It is also an important tool to help educate children on pertinent topics such as sexting, cyber bullying, online safety, criminal law, etc. Organisations such as Westjustice, after seeing a lot of success with their school lawyer programs, have expanded it to trial a 'transient youth clinic' that aims to re-engage and support students who have disengaged from and/or left the school.

Withholding promised funding from public schools is likely to impact schools' abilities to fund these programs, which in turn will have an impact on engagement and access to justice for children.

### **Overuse of intervention orders and the criminalisation of children**

One of the recurring issues we see in our family violence practice is the use of intervention orders as a tool to manage behavioural issues and issues such as bullying at school, with many parents being given the advice by schools to seek intervention orders for children as young as 10. In our experience, children are often unable to understand not only the conditions of the intervention order, but the criminal justice consequences should the intervention order not be followed.

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<sup>1</sup> [Working Together Action Plan](#), October 2023, Smart Justice for Young People.

<sup>2</sup> [Report on Government Services 2025](#), Productivity Commission.

Criminalisation of children can have long-lasting impacts on their lives, including future engagement with school, employment and further criminal activity. It is preferable for schools to be able to deal with issues between students without resorting to the justice system, and delaying additional school funding is going to further hamper schools' abilities to do so.

### **Smart Justice for Young People Action Plan**

Although out of scope for this inquiry, we wanted to draw the Committee's attention to the Action Plan to reduce overrepresentation of particular cohorts in the criminal justice system prepared by Smart Justice for Young People. We want to echo the education-based recommendations from the Action Plan which would require funding from the Victorian Government for implementation:

- Ask 1: Ending education practices that lead to criminalisation and increase school inclusion.
- Ask 4: Ensure services are adequately funded to enable deep collaboration and collective impact, including Education.
- Ask 25: Commit to ending police as first respondents for young people. Instead health, education and community services respond to young people by providing therapeutic, practical and social supports to ensure all young people can engage in civic life pro-socially.
- Ask 45: Develop a whole of government plan to engage over-represented cohorts in meaningful education and training opportunities by recognising and facilitating the provision of timely and tailored support to all primary and secondary students when needed.
- Ask 46: The Department of Education introduce culturally safe and inclusive restorative justice in school settings with a presumption against suspension/expulsion.

### **Case study: Peter's story**

Youthlaw's case study demonstrates the danger that reducing school funding and further hampering the school's ability to deal with internal issues can have on a student's further education.

#### **Inadequate school support to resolve conflict leads to legal intervention and school disengagement**

Peter,<sup>3</sup> a 16 year old attending a public school, was accused by a fellow student of making threats against that student's girlfriend, Dana\*. Dana felt unsafe being around Peter following this incident, although Peter denied the allegations and had no contact with Dana at school.

Dana took her concerns to the school and no further action was taken by the school. This led Dana to seek police assistance and an interim IVO was put in place against Peter. Following the

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<sup>3</sup> Not real names. This client story has been deidentified to protect the confidentiality of our client.

issuing of the IVO, Peter ceased attending school because of the stress he was feeling around the accusations and the requirements to comply with the IVO while attending school with Dana. Peter did not receive any support from the school with respect to attending school and adhering to the IVO.

Peter has since enrolled in a different school which has necessitated his family to move from their current location to enable this change. He has not attended the final term at his current school and will start anew at the new school in the new year.

Youthlaw would be interested in providing further evidence as a witness to any public hearings the Committee is organised, to highlight the flow-on consequences around inadequate public school funding and elevated risks of school disengagement and children experiencing legal problems.

We recommend that the Victorian Government raise public school funding to 75% of Golski's Schooling Resource Standard by 2028.

Please feel free to contact me at [lee@youthlaw.asn.au](mailto:lee@youthlaw.asn.au) if you have any questions.

Yours faithfully,



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(they/them)  
CEO