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Governments must prioritise raising the age

National Children's Commissioner, Anne Hollonds and Aboriginal and Torres Strait Islander Social Justice Commissioner, June Oscar AO have urged all Australian governments to raise the age of criminal responsibility as a matter of priority.

A report commissioned by a meeting of Attorneys-General in July last year recommended that all jurisdictions raise the age and ensure younger teenagers are not held in detention.

[Reports today](#) have suggested that Australian Attorneys-General are considering raising the age from 10 to 12. The UN Committee on the Rights of the Child recommends raising the age of criminal responsibility to 14-years-old as a minimum.

As we mark 30 years since the Royal Commission into Aboriginal Deaths in Custody handed down its report, it's important to acknowledge that Indigenous children account for 58% of young people being held on remand and 48% of young people in sentenced detention.

Commissioner Hollonds said: "The evidence is clear that placing children in detention is not an effective deterrent, it does not rehabilitate them, and the younger children are when they enter the criminal justice system, the more likely they are to reoffend.

"Children living with disadvantage, disabilities, violence or trauma need our support. Punitive 'tough on crime' approaches to misbehaviour should not replace effective systems to support the wellbeing and development of children.

"Imprisonment has severe, life-long negative impacts on children's health, development, education, and on their mental and emotional wellbeing.

"Other countries have found ways to support the welfare of children instead of imprisoning them. Australia needs to make our children a national priority."

Commissioner Oscar said: "Our children and young people do not belong in prison. We must implement alternatives to youth detention and support our kids, many of whom have been impacted by trauma and need care, not punishment.

"These alternatives include healing programs, time on country and with elders, wrap around family supports that include counselling and culturally safe forms of case-management and mentoring, diversionary programs and justice reinvestment initiatives.

"The detention of children should only ever be a measure of last resort, and no child should be held on remand. Too often in Australia, First Nations children are detained on remand or for minor offences.

"We know that putting children in detention creates a lifetime cycle of imprisonment. The evidence also clearly shows how damaging the lasting traumatic impact of imprisonment is to a child's development. It further entrenches generational trauma and disadvantage for First Nations communities, and it must stop."

For further information or to arrange an interview, contact the Australian Human Rights Commission via media@humanrights.gov.au or on (02) 9284 9700.