

Media Release

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RACP calls on State and Territory Governments to immediately raise the age of criminal responsibility

The Royal Australasian College of Physicians (RACP) is urging all state governments to respond to the concerns of health experts and raise the age of criminal responsibility from 10 to 14 years. The release of [48 submissions](#) today highlights the urgency in raising the age of criminal responsibility and keeping children out of jail.

The RACP has repeatedly called for this as a member of the Raise the Age campaign steering group.

RACP spokesperson, Paediatrician and Adolescent Health Specialist Dr. Mick Creati, says “Around six hundred children under the age of fourteen are incarcerated annually. There is substantial evidence showing the detrimental effects youth incarceration has on their physical and psychological health and wellbeing.”

A 2018 study of 99 children in detention in Western Australia found that 89% had at least one severe neurodevelopmental impairment¹.

“Putting these vulnerable children through the justice system, for behaviours explained by their immature development and/or their disability, and then subjecting these children to practices such as prolonged isolation, further damages and traumatises some of already most traumatised children in Australia.

“In addition, of serious concern is the disproportionate effects and incarceration rates of Indigenous youths, accounting for around 65 per cent of children in prisons aged 13 years or younger.²”

The RACP’s concerns continue to grow following harrowing reports of the extreme physical conditions experienced by children as young as 10, including a lack of access to appropriate hygiene facilities and medical care.

“Urgent action by all state and territory governments is needed to raise the age of criminal responsibility. We need leaders to listen to expert recommendations which are based on evidence.

“Governments need to stop putting vulnerable children in gaol for behaviours that are a direct consequence of their young age, their disability or their earlier trauma and provide

these children with the care, support and treatment that they need and that preserves their dignity and human rights.”

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Sources:

1. Bower et al. 2018, Fetal alcohol spectrum disorder and youth justice: a prevalence study among young people sentenced to detention in Western Australia, <https://bmjopen.bmj.com/content/8/2/e019605>
2. Australian Human Rights Commission, Indigenous Deaths in Custody: Chapter 9 Juveniles, Part C - Profiles Analysis, <https://humanrights.gov.au/our-work/indigenous-deaths-custody-chapter-9-juveniles>