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Media Release

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Governments must listen to child health experts - Physicians call for national agreement to raise the age of criminal responsibility

The Royal Australasian College of Physicians is calling on first law officers from all Australian governments to agree on raising the minimum age of criminal responsibility to at least 14 years of age at the Standing Council of Attorneys-General meeting on 1 December.

The Commonwealth, State, and Territory Attorneys-General previously agreed to provide the Standing Council with a position or update on the minimum age of criminal responsibility in their jurisdiction^[1], offering an important opportunity to modernise Australia's criminal justice system and improve health outcomes of Australian children and young people.

Dr Jacqueline Small, Paediatrician and president of the RACP, says "we urge all Attorneys-General to agree to raise the criminal age of responsibility to at least 14 years of age, without exception.

"Agreement this Friday is the best hope for nationally consistent reform to keep very young children out of the criminal justice system. All governments need to listen to health experts who have been sounding the alarm: 10 to 12 years as the threshold for criminal responsibility is too low.

"Some jurisdictions have made a step in the right direction. We praise the NT and the ACT especially, noting they have more to do, and the leadership from the Commonwealth. Friday's meeting is an historic opportunity for all states and territories to commit to reforming our criminal justice system and protecting children from harm.

"Paediatricians and physicians support at least 14 as the uniform, nationally consistent, minimum age of criminal responsibility.

“Aboriginal and Torres Strait Islander children are disproportionately represented in the criminal justice system, reflecting the ongoing health inequities they experience and reinforcing cycles of intergenerational trauma.

“This is a moment for optimism. Now is the time for governments across Australia to work together and show that they value the health and wellbeing of young Australians.

“Wrap-around social supports and community-supported alternatives can lead to better outcomes than putting our children in the criminal justice system.

“The RACP looks forward to contributing its health expertise to this important national reform, to break the cycle of intergenerational trauma, and to provide a better future for our children and young people.”

[1] Standing Council of Attorneys-Generals [Communiqué](#) (22 September 2023)

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