

FOR IMMEDIATE RELEASE – MAY 10, 2019

## **AIHW youth justice data highlights urgent need to raise the age of criminal responsibility: Jesuit Social Services**

A [new report from the Australian Institute of Health and Welfare](#) (AIHW) which reveals the stark over-representation of Aboriginal and Torres Strait Islander people in the youth justice system must be the catalyst for urgent reform, including raising the age of criminal responsibility, says Jesuit Social Services.

“It is positive to note that the number and rate of young people under youth justice supervision – meaning both young people in detention and under community-based supervision – has declined over the past five years,” says Jesuit Social Services CEO Julie Edwards.

“This pales into insignificance, though, when we realise that young Aboriginal and Torres Strait Islander people are 17 times more likely to be under youth justice supervision than non-Indigenous young people, and that this gap is continuing to widen.

“We are clearly failing these children when almost half (49 per cent) of children and young people under youth justice supervision are Aboriginal and Torres Strait Islander, despite Aboriginal and Torres Strait Islander young people only comprising five per cent of the 10 to 17 year old population across Australia.”

The AIHW report also shows that Aboriginal and Torres Strait Islander children tend to have contact with the justice system at an earlier age than non-Indigenous children. Almost 40 per cent of Aboriginal and Torres Strait Islander children under supervision in 2017-18 were first supervised between the ages of 10 to 13 compared with 15 per cent of non-Indigenous children.

“Children belong in school – not in prison – and it is time that Australia raises the age of criminal responsibility from 10 to 14 years to stop primary school aged children from being imprisoned,” says Ms Edwards.

“Australia lags behind many other countries including Canada, Scotland, Germany and Japan – none of whom imprison children as young as 10. We know that when children between the ages of 10 to 14 have contact with detention they are more likely to have sustained and frequent justice involvement throughout their lives. International research also shows that young children have not developed the social, emotional and intellectual maturity necessary for criminal responsibility.”

Ms Edwards says that intergenerational trauma and disadvantage play crucial roles in shaping the behaviour of children and young people, and that new and culturally-specific responses are needed to keep people on positive pathways.

“As a nation, we must address these alarming statistics and give our Aboriginal and Torres Strait Islander children and young people opportunities to flourish by taking a restorative and therapeutic approach to address a child’s anti-social behaviour and supporting them to connect with family, culture, education and community.”

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