



# **Raising the Minimum Age of Criminal Responsibility**

**MACR in Victoria  
10 years of age**

**Each of these children  
is old enough to be:**

- **arrested**
- **held in a police cell**
- **brought before a magistrate  
and**
- **incarcerated**

# RCH NATIONAL Child Health POLL



The Royal Children's  
Hospital Melbourne

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## Car seat safety: **Are Australian children safe?**

15 May, 2019

Children are safest  
in a booster seat  
until they reach  
**145cm tall**

**10 year old boy**  
**Average height= 138cm**

**Average weight= 30kg**

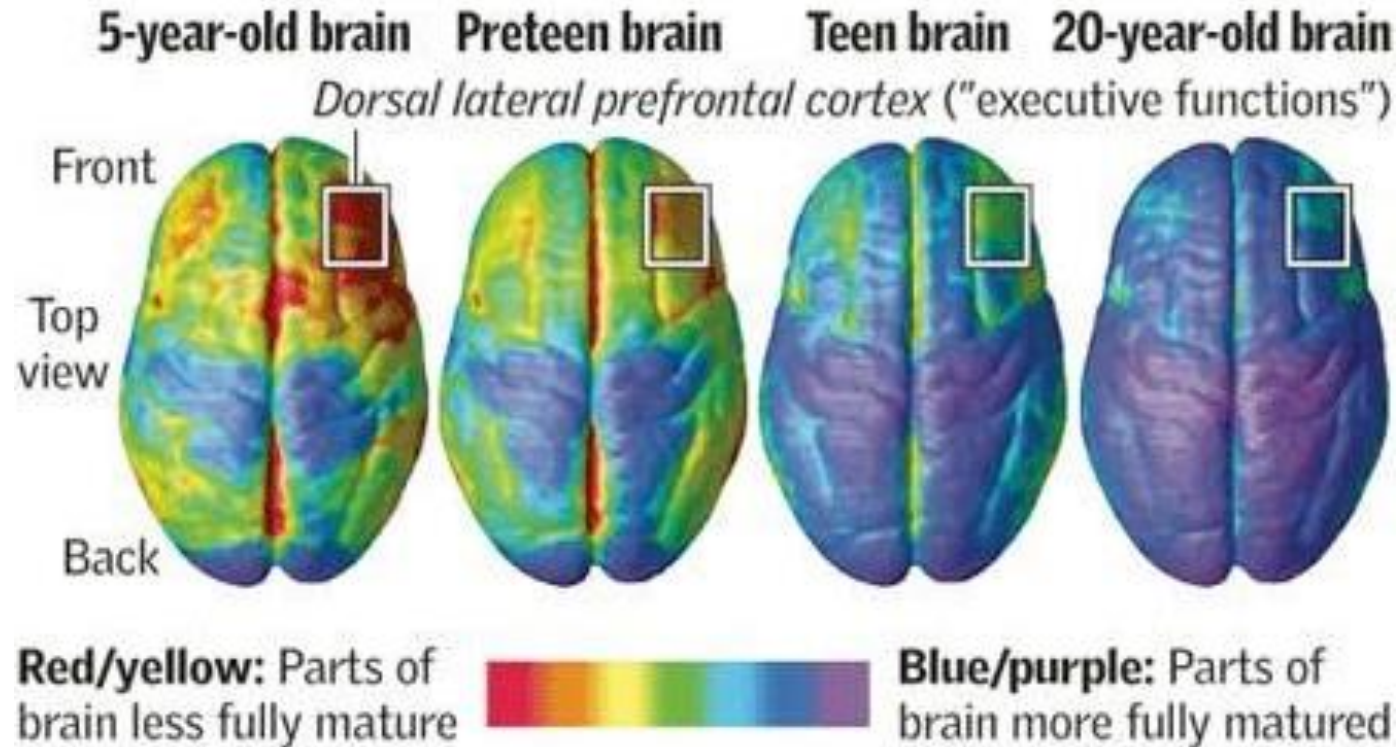
**10 year old girl**  
**Average height = 136cm**

**Average weight= 30kg**

# Neuro-Cognitive Development

## Judgment last to develop

The area of the brain that controls "executive functions" — including weighing long-term consequences and controlling impulses — is among the last to fully mature. Brain development from childhood to adulthood:



Sources: National Institute of Mental Health; Paul Thompson, Ph.D., UCLA Laboratory of Neuro Imaging

Thomas McKay | The Denver Post



It's paramount to always supervise children closely around water, with ...children under **10 years of age** must be kept within supervisor's line of sight.



Research shows that children under **12 years of age** do not have the skills and experience to be safe in traffic



Qantas considers a child under **12 years of age** to be an unaccompanied minor if the child is travelling without supervision.. your child may be denied travel at the airport.



Facebook requires everyone to be at least **13 years old** before they can create an account (in some jurisdictions, this age limit may be higher).

# **Neuro-Developmental and Mental Health Profile of Children in Youth Justice Detention in Western Australian**

**Of 99 children in detention in Western Australia found that  
89% had at least one severe neurodevelopmental impairment**

[Ref: \[mjopen.bmj.com/content/8/2/e019605\]\(https://mjopen.bmj.com/content/8/2/e019605\)](https://mjopen.bmj.com/content/8/2/e019605)

**FASD**

**ADHD**

**Depression**

**Learning Difficulties**

**Intellectual Disability**

**Trauma / Attachment**

**Anxiety**

**Speech and Language Disorders**

# Trauma Profile of Children in Youth Justice System in Victoria

**The younger children are at first sentence, the more likely they are to be known to Child Protection: i.e. more likely to have experienced trauma**

Of the 438 children aged 10 to 13 years at first sentence or diverted:

- **1 in 2** were the subject of a report to child protection
- **1 in 3** were the subject of a child protection order
- **1 in 3** experienced out-of-home care
- **1 in 4** experienced residential care

Ref: Crossover Kids: Vulnerable Children In The Youth Justice System  
<https://www.sentencingcouncil.vic.gov.au/publications/crossover-kids-vulnerable-children-youth-justice-system>

27 June 2019,

**At present, we have laws in Victoria that allow children who are:**

- **Physically vulnerable**
- **Neuro-developmentally immature**  
(poor impulse control, poorly developed capacity to plan and foresee consequences)

**and have typically have:**

- **Significant neuro-developmental impairment**
- **Significant past trauma in the form of abuse or neglect**

**to enter the Justice System**

**The younger children enter the Justice System  
the more likely they are to stay in the Justice System**

**Should children between under 14 years of age receive**

**CARE, SUPPORT AND PROTECTION**

**OR**

**PUNISHMENT ?**

**Raising the Minimum Age of Criminal Responsibility**

**from 10 years to 14 years**

**and providing these children with the care and support they need**

**can prevent children**

**going down a trajectory towards lifelong criminality**