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**Time for states to show true leadership and #RaiseTheAge:
Jesuit Social Services**

The Federal Government's decision to refer decision making about raising the age of criminal responsibility back to states and territories – after years of debate – will condemn more vulnerable children to unnecessary contact with the criminal justice system, says Jesuit Social Services.

“We are deeply disappointed that, despite a wealth of evidence from Australia and abroad showing that children under 14 years do not possess the neurological maturity to form criminal intent, the Council of Attorneys-General has ultimately handballed responsibilities about this issue back to State Governments,” says Jesuit Social Services CEO Julie Edwards.

“This means that primary school aged children as young as 10 years will continue to be incarcerated across Australia, despite our low age of criminal responsibility being out of touch with international standards and against the United Nations' recommendations.”

Jesuit Social Services has long advocated for the age of criminal responsibility to be raised from 10 to 14 years across all Australian jurisdictions.

While the ACT will introduce a bill to raise the age of criminal responsibility this year, and the landmark Royal Commission into the Protection and Detention of Children in the Northern Territory recommended that the NT Government also raise the age, other states are yet to follow. The failure to include raising the age as an agenda item at the Council of Attorney General meeting will impede efforts to ensure a consistent national approach and belies the urgent action required.

Ms Edwards says that the profile of children in prison is one of disadvantage, and that supporting children in the community can prevent a lifetime of contact with the criminal justice system.

“Many children who have contact with the justice system at a young age are themselves victims of trauma, abuse and mental illness. A snapshot of children and young people in Victoria's Parkville and Malmsbury youth justice centres found that almost three-quarters [68 per cent] had been expelled or suspended from school and that close to half [48 per cent] had a mental health issue.

“On top of this, it is estimated that children who are arrested before they turn 14 are three times more likely to re-offend as adults than children arrested after they turn 14. These laws also disproportionately impact Aboriginal and Torres Strait Islander children, who are sadly 22 times more likely to be in detention than non-Indigenous children.

“Jailing kids is failing kids. Instead of locking up vulnerable children, our political leaders must commit to supporting them in the community, keeping them connected with family and school, and giving them every opportunity to get their lives back on track.”

“Every day that passes means more incarcerate vulnerable children who are in need of support. We urge political leaders across the country to help, not further harm, vulnerable children.”

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