



## Media Release

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### **#RaiseTheAge: Governments must stop locking up 10 year old kids**

A coalition of Aboriginal and Torres Strait Islander organisations, medical and human rights legal experts have launched a campaign calling on all Australian governments to change laws that can lead to 10 year old kids being sent to prison.

In just one year across Australia close to 600 children aged 10 to 13 years were locked up and many more were hauled through the criminal legal system. Aboriginal and Torres Strait Islander children are disproportionately impacted, accounting for 70% of these younger children as a result of differential treatment and the criminalisation of disadvantage.

On July 27 Australian lawmakers will have a historic opportunity at the Council of Attorneys-General Meeting to change these outdated laws by voting to raise the age of legal responsibility from 10 to 14 years. This simple change would bring Australia in line with international child rights law and medical evidence on child brain development.

The criminal legal system does not hold the answers to strengthening and supporting Aboriginal and Torres Strait Islander children and families, the solutions lie within families, communities, Country and culture.

#### **Associate Professor Kris Rallah-Baker, President of the Australian Indigenous Doctors' Association:**

"All Australian children deserve to grow up in safe and fair environments. For Aboriginal and Torres Strait Islander children this includes having strong connections to family, culture and Country. Locking up Indigenous kids is traumatising and severely impacts their health and wellbeing. It is time to end the cycle of disadvantage by properly supporting communities and addressing laws and practices that unfairly impact Aboriginal and Torres Strait Islander kids."

#### **Shahleena Musk, Senior Lawyer with the Human Rights Law Centre:**

"If Australian governments were serious about reducing the number of Aboriginal people being locked away in prisons, then they would take the logical step to ensure Aboriginal children are

kept out of this cruel, broken system in the first place. Children need care, love and support so they can reach their full potential. Not handcuffs and bars. Too often Aboriginal children are ripped from their homes, their families and community because of unjust laws and policies. Closing the gap on Indigenous justice outcomes must start with closing off prisons and police cells for children.”

**Dr Tony Bartone, President of the Australian Medical Association:**

“The criminalisation of children in Australia is a nationwide problem that disproportionately impacts Aboriginal and Torres Strait Islander children. Criminalising the behaviour of young and vulnerable children creates a vicious cycle of disadvantage. The AMA wants the Commonwealth and State and Territory Governments to support developmentally and culturally appropriate health, education, and rehabilitative-based alternatives to the criminal justice system.”

**Cheryl Axleby, Co-Chair of Change the Record:**

“Locking children up can cause lifelong harm. Separating Aboriginal children from their families, country and culture just compounds their trauma. The medical evidence is clear - kids are still developing at 10, 12 and 13 years old and need to be in school, at home and with their peers, not behind bars.

“Aboriginal children are being taken from their families and thrown into detention centres at far higher rates than the rest of the population. If governments are being honest when they say they want to end the overrepresentation of Aboriginal people in prisons, and end deaths in custody, then they must raise the age of criminal responsibility to 14 and stop the criminalisation of our kids.”

**Nerita Waight, Co-Chair of National Aboriginal and Torres Strait Islander Legal Services:**

“Governments across Australia need to commit to raising the age to at least 14 years of age. The health research is clear. The human rights principles are clear. It’s common sense. It’s time for governments to reimagine archaic laws that lock children as young as 10 years old up. Raising the age and investing in community led solutions will drastically improve the course of the lives of children in our communities, and provide them with the opportunity to learn and grow with culturally appropriate support.”

**Dr Mick Creati The Royal Australasian College of Physicians spokesperson and paediatrician:**

“The RACP wants all governments to move to raise the minimum age of criminal responsibility from 10 to 14 years, in line with the significant body of evidence on child brain development and United Nations recommendations. Children experiencing significant neurological development can’t be held responsible in the same way as adults – it’s not just unjust it is not supported by evidence. Until we see proper recognition of the fact that children under the age of 14 have less

capacity than adults to process information, plan, recognise the consequence of their actions and minimal impulse control – we'll continue to see very unjust and cruel outcomes.

“The fact that this issue is disproportionately affecting Aboriginal and Torres Strait Islander young people is of additional and serious concern. If we then remove these children from families, schools and positive influence it becomes even more damaging – locking in a vicious cycle that is very hard to undo.”

**Terry Slevin, CEO of Public Health Association Australia:**

“Criminalising the behaviour of children as young as 10 might in itself be considered a systemic crime. It helps no-one. Instead it leads to devastating and lifelong health impacts via years of involvement with the criminal justice system. We must do better.

“We need to support these children and their families, to get them back to school, not expose them to the trauma of being locked up. Public health is all about prevention, and the best way to prevent lifelong harms to a child is to recognise and support their needs. Raising the age of criminal responsibility to 14 is a vitally important way to do so.”

See here for more information: [www.raisetheage.org.au](http://www.raisetheage.org.au)

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