

28 November 2017

MEDIA RELEASE: UN grills Australia over low age of criminal responsibility

The UN expert committee on racial discrimination has demanded to know why Australia is out of step with the rest of the world in criminalising primary school aged children. All Australian states and territories currently have laws that allow children as young as ten years to be charged, brought before the courts, sentenced and imprisoned.

The UN experts on racism specifically asked why Australia is “arresting 10 year olds in the street” and were appalled to note that Aboriginal and Torres Strait Islander children are 25 times more likely to be imprisoned than non-Indigenous children.

Wayne Muir, Co-Chair of the National Aboriginal and Torres Strait Islander Legal Services, said that Australian governments are failing Aboriginal and Torres Strait Islander children and that all states and territories should raise the age of criminal responsibility to at least 14 years.

“Removing children as young as ten from their families and forcing them into the criminal justice system takes away their basic rights as children to learn, grow and thrive. We should be helping children to succeed in life, not syphoning them into child prisons,” said Mr Muir.

Each year across Australia, around 600 children under the age of 14 are locked away in prison cells and put in danger. Close to 70 per cent of these children are Aboriginal and Torres Strait Islander.

Ruth Barson, Director of Legal Advocacy at the Human Rights Law Centre, said that the median age of criminal responsibility in Europe is 14 years and that it is inexcusable that Australia is failing to protect the human rights of children.

“Each year, hundreds of children who should be in grades 4, 5 or 6 are being locked away behind bars and denied a childhood. When we harm children, we harm the community. Entangling children in the criminal justice system at such a young age puts their future at risk,” said Ms Barson.

Two weeks ago, the Northern Territory Royal Commission also recommended raising the age of criminal responsibility.

“The United Nations has told us, the Royal Commission has told us – now is the time for all states and territories to raise the age of criminal responsibility. Australia should be a human rights leader, not a human rights laggard,” said Ms Barson.

For interviews or further information please call:

Michelle Bennett, Human Rights Law Centre, 0419 100 519

Karly Warner, National Aboriginal and Torres Strait Islander Legal Services, 0423 610 587

