



**AMA CALLS FOR AGE OF CRIMINAL RESPONSIBILITY TO BE
 RAISED TO 14 YEARS OF AGE**

The AMA is calling for the age of criminal responsibility to be raised to 14 years of age.

The new policy was passed at the AMA Federal Council meeting in Canberra last week.

The age of criminal responsibility is the age at which a child is considered capable of being dealt with by the criminal justice system. Currently, children aged 10 can be charged, prosecuted, and imprisoned.

AMA President, Dr Tony Bartone, said today that raising the age of criminal responsibility will prevent the unnecessary criminalisation of vulnerable children.

“Australia has one of the lowest ages of criminal responsibility in the world,” Dr Bartone said.

“The criminalisation of children in Australia is a nationwide problem that disproportionately impacts Aboriginal and Torres Strait Islander children.

“Most children in prison come from backgrounds that are disadvantaged. These children often experience violence, abuse, disability, homelessness, and drug or alcohol misuse.

“Criminalising the behaviour of young and vulnerable children creates a vicious cycle of disadvantage. and forces children to become entrenched in the criminal justice system.

“Children who are forced into contact with the criminal justice system at a young age are also less likely to complete their education or find employment, and are more likely to die an early death.

“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,” Dr Bartone said.

Background:

- Around 600 children below the age of 14 are locked away in youth jails each year, with Aboriginal and Islander children constituting 70 per cent of this cohort.
- Around 9,000 children below the age of 14 are dealt with in the broader criminal justice system each year.
- Overall, Aboriginal and Torres Strait Islander children constitute around 5 per cent of the youth population, yet close to 60 per cent of children in prisons.
- The United Nations Committee on the Rights of the Child has consistently said that countries should be working towards a minimum age of 14 years or older. The Special Rapporteur on the Rights of Indigenous peoples urged Australia to increase the age of criminal responsibility, saying that children ‘*should be detained only as a last resort, which is not the case today for Aboriginal and Torres Strait Islander children*’.

- Australia has been repeatedly criticised by the United Nations, most recently by the Committee on the Elimination of Racial Discrimination, for failing to reform the current minimum age.
 - Raising of the age of criminal responsibility is supported by many other organisations, including The Royal Australian College of Physicians (RACP), the Australian Indigenous Doctors' Association (AIDA), The National Aboriginal and Torres Strait Islander Legal Services, the Lowitja Institute, the Human Rights Law Centre (HRLC), Amnesty International, and UNICEF.
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