

## **Sydney Institute of Criminology / August 5, 2020**

As Australia's Council of Attorneys-General defers making a decision until 2021, **Professor Judith Cashmore** of the Sydney Institute of Criminology outlines five urgent reasons why we must raise the age of criminal responsibility from 10 to 14 now. "It's time to make the change," she says.

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### **5 reasons why the age of criminal responsibility should be raised now**

#### **Judith Cashmore**

##### **1. It should be a public health (not a criminal justice) response**

The vast majority of children involved in offending behaviour from age 10 to 14 are either children who will 'grow out of it' with proper support and without being brought into the juvenile justice system, or those who have a difficult personal, family or community background who need a public health response, not a criminal justice response.

##### **2. The younger the child enters the criminal justice system the more likely they will reoffend**

Bringing children into the juvenile justice system has a criminogenic effect; that is the younger a child is at their first contact with the criminal justice system, the greater their chances of future offending.

##### **3. Indigenous children are disproportionately affected**

Most importantly, Aboriginal and Indigenous children are highly over-represented in this group of children so positive, culturally and age-appropriate responses are critical for these children to reduce this over-representation.

##### **4. It is expensive**

It is extremely costly to bring children into juvenile detention – that money urgently needs to go into therapeutic justice re-investment.

##### **5. It would be in line with the rest of world**

Raising the age to 14 would bring Australia in line with the UN Convention on the Rights of the Child. The UN Committee has repeatedly recommended and most recently expressed its regrets at Australia's lack of implementation of its previous recommendations, and remains seriously concerned about the very low age of criminal responsibility and the enduring over-representation of Aboriginal and Torres Strait Islander children and their parents/carers in the justice system.

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