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No excuses left – raise the age of criminal responsibility to 14 says AMA

The AMA has welcomed the release of a government report which recommends raising the age of criminal responsibility from 10 to 14 years of age, with no exceptions.

AMA President Professor Steve Robson said the AMA and other groups have been calling for the report, the *Draft Final Report, 2020 - Council of Attorneys-General Age of Criminal Responsibility Working Group*, to be released to the public for two years.

“After two years of requests for the report to be made public being denied I welcome its release,” Professor Robson said.

“Now the AMA calls on the Attorneys-General to immediately act on the report’s primary recommendation to raise the age of criminal responsibility to 14 years of age, with no exceptions.”

The report, prepared in 2020, was informed by more than 90 public submissions, including the AMA and other Aboriginal and Torres Strait Islander, health, legal and human rights organisations and experts.

“The medical evidence that jailing children under the age of 14 years is harmful to health, wellbeing and development has never been in doubt,” Professor Robson said.

“The AMA calls on all governments to urgently take the steps towards the necessary legislative reforms to ensure Australia stops locking up children.

“Current laws disproportionately impact Aboriginal and Torres Strait Islander children around the country. The AMA supports government initiatives which target prevention, early intervention and education to ensure all children are given the best possible opportunities in life.

“We understand there is scope to strengthen community-led support programs to develop culturally appropriate and trauma-informed diversionary programs and are pleased to see this is recognised in the report.

“The AMA would be pleased to be a part of ongoing consultations with governments to support this important legislative reform.”

The age of criminal responsibility is 10 years of age in all jurisdictions across the country except for the Northern Territory where legislation to raise the age of criminal responsibility from 10 to 12-years-of age was passed last month.

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