Children should be protected, not placed in handcuffs and prison cells

The Public Health Association of Australia (PHAA) is highly disappointed by the decision of the Council of Attorneys-General today to maintain the age of criminal responsibility at 10 years old instead of raising it to 14 years old.

The decision is an abject failure to protect children from the unnecessary trauma of incarceration and the lifetime of disadvantage that often follows.

It is also out of step with other countries and recommendations by health, medical, legal and human rights experts.

PHAA CEO Terry Slevin said, ‘A law that allows children as young as ten to be handcuffed, placed in a cell and processed through the criminal justice system is not only cruel and archaic, but also ineffective.

‘The fact is that early incarceration doesn’t work to halt criminal behaviour - it actually has the opposite effect of kickstarting more interactions with the legal system and leads to more years in prison, not fewer.

‘This all amounts to an increase in serious health effects for the children affected; notably in alcohol and drug use, mental health issues and higher rates of suicide – all tragic outcomes for Australian kids that can be prevented.

‘It is also a serious issue of racial discrimination – almost two thirds of children in prison are Aboriginal and Torres Strait Islander children who are already victims of extreme disadvantage.

‘We cannot say we are genuinely working as a nation to Close the Gap while we continue to put Aboriginal and Torres Strait Islander kids in prison from the tender age of ten.

‘Without a commitment to raise the age of criminal responsibility, we will continue to watch young and vulnerable Australians languish in the justice system instead of being nurtured and supported to lead fuller, healthier, more productive lives.

‘We urge individual Australian jurisdictions to listen to the evidence and raise the age of criminal responsibility to 14.

‘We just can’t continue to have hundreds of children being placed in prison each year – it is a serious public health issue and a human rights issue,’ Mr Slevin concluded.

For further information/comment:
Karina Martin, PHAA Media Manager 0450 522 762 kmartin@phaa.net.au