



29 November 2022

Statement

NORTHERN TERRITORY RAISE THE AGE OF CRIMINAL RESPONSIBILITY

The Office of the Children's Commissioner (OCC) commends the Northern Territory Government on becoming the first jurisdiction in Australia to raise the age of criminal responsibility to 12 years of age.

The facts are clear that the earlier in life a child is introduced to youth detention, the more likely they are to become entrenched in the youth detention system. A shift in focus to local early intervention, family support and diversion, in the Northern Territory can better support the children engaging in risk-taking and challenging behaviours. This would result in safer communities for everyone.

The OCC continues to call for the Northern Territory to go even further in this approach, and raise the age of criminal responsibility to 14, consistent with the United Nations absolute minimum benchmark, as well as legal, medical and child rights experts in Australia and internationally. The 2017 Royal Commission recommended that no child under the age of 14 serve time in detention, except in cases of the utmost criminal seriousness.

Quotes attributable to Nicole Hucks, A/ Children's Commissioner NT:

- This is a step in the right direction that must be implemented with place based early supports for children and their families.
- A majority of the children finding themselves in detention have experienced trauma and grappled with living below the poverty line. More meaningful responses are needed to support children and their families to have their basic needs like housing and food security met.
- Due to the continued over-representation of Aboriginal children in NT youth detention centres, I call on the NT Government to develop an Aboriginal Youth Justice Strategy in partnership with Aboriginal leaders, communities and young people. This strategy would provide agreed actions, targets and accountability measures.
- Introducing children to the detention environment does not address the causes of their offending behaviour. There are more effective alternatives that hold children accountable and help prevent them from engaging in these behaviours.
- Ensuring that everyone in our community is healthy and supported will result in increased community safety.

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