

FOR IMMEDIATE RELEASE

'Empty commitment' does nothing to help our most vulnerable children and young people

Yfoundations calls on the NSW Attorney General to raise the age of criminal responsibility to 14, not 12

New South Wales, 17 November 2021: Yfoundations strongly condemns the decision of the Meeting of Attorneys General to “support developing a proposal to increase the minimum age of criminal responsibility from 10 to 12 including with regard to any carve outs, timing and discussion of implementation supports” as empty, inadequate and failing to improve the lives of our most vulnerable children and young people.

Data from the Australian Institute of Health and Welfare (AIHW) shows that this proposal would not change the situation for more than 90% of children under 14 in prison.

This is an empty announcement that does nothing to change the lives of children who are dragged into the criminal justice system. The medical evidence is clear: governments should raise the age of criminal responsibility to 14 years old as a bare minimum.

If the NSW Government only raises the age of criminal responsibility to 12, then **99 out of the 105 children under 14-year-olds who were incarcerated last year would remain behind bars.**¹

Yfoundations' recently released report, **Young, in trouble and with nowhere to go: Homeless adolescent's pathways into and out of detention in NSW** highlights six key recommendations to prevent homelessness among young people exiting detention, and also endorses raising the age of criminal responsibility to 14.

"Suggesting raising the age of criminal responsibility to 12 is unacceptable," said Pam Barker, CEO of Yfoundations, the peak body for youth homelessness in NSW. "The NSW Government must commit to raising the age to 14. Children should not be held in detention or criminalised."

The Attorneys General committed to a similar 'proposal' to explore options to raise the age three years ago - except this time, it does not even meet the bare minimum standard that legal and medical experts like the Law Council and Australian Medical Association say is necessary: to raise the age to at least 14 years old.

The evidence is clear: incarcerating children is always harmful, but 14 is the absolute youngest age at which a child should be subjected to the criminal justice system.

¹ Data from the Australian Institute of Health and Welfare's 'Youth justice in Australia 2019-20 report' - <https://www.aihw.gov.au/reports/youth-justice/youth-justice-in-australia-2019-20/data>

For further media information contact:

Pam Barker
ceo@yfoundations.org.au
0425 228 758

About Yfoundations

Yfoundations is the peak body for youth homelessness in NSW. It represents young people at risk of and experiencing homelessness in NSW, and also represents the services that provide direct support to children and young people.

Since it was founded as the Youth Refuge Action Group in 1979, Yfoundations has been supporting young people who are at risk of and experiencing homelessness and works collaboratively with members, NGOs, government departments and community members, to provide policy and structural advocacy, services for young people, health projects, and research and sector development.

Yfoundations believes that with access to mechanisms that support the development and attainment of each foundation, a young person is more likely to enter adulthood with the skills, interests, competencies and healthy behaviours necessary to build a productive and bright future.
yfoundations.org.au

About Pam Barker, Chief Executive Officer, Yfoundations

Pam Barker is the CEO of Yfoundations. She brings extensive experience across the not-for-profit sector. She sits on the board of My Foundations Youth Housing, WayAhead Mental Health Association, and Australian Youth Affairs Coalition: AYAC. Her experience includes youth services, homelessness prevention, mental health programs, and reform.