



**5 August 2021**

**To: Shane Rattenbury MLA, ACT Attorney-General**

**Submission: Raising the minimum age of criminal responsibility**

## **INTRODUCTION**

Northside Community Service (Northside) is pleased to provide a submission to the ACT Government's current consideration of raising the minimum age of criminal responsibility (MACR) in the ACT from 10 years of age to 14 years of age.

Northside is a not-for-profit, community-based organisation. We've been supporting our community in North Canberra – and beyond – since 1976. We're a progressive and modern community organisation that embraces diversity, social justice and advocacy for those in our community whose voices are often unheard.

Northside supports young children through our high-quality early education services, children and young people through our youth programs and family support services, older citizens through our aged care services and support programs, and the wider community through our housing, community development, outreach and volunteer programs.

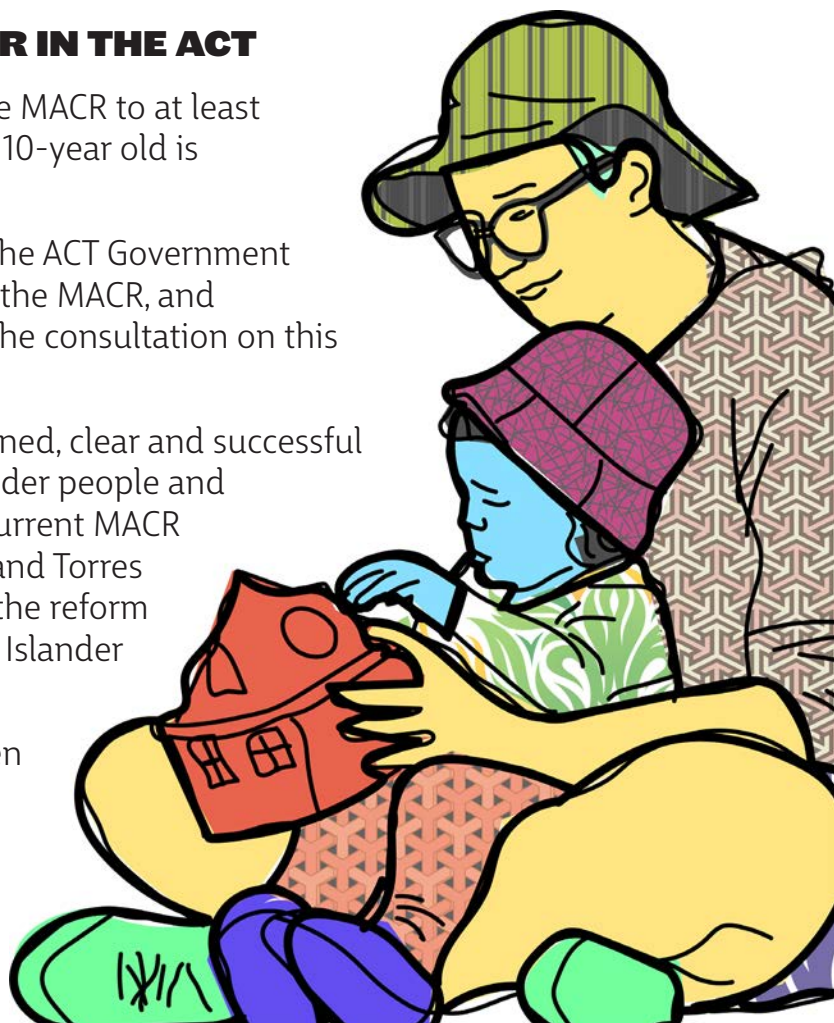
## **SUPPORT FOR RAISING THE MACR IN THE ACT**

Northside strongly supports the raising of the MACR to at least 14, with no exceptions or carve-outs. When a 10-year old is imprisoned - we have all failed.

Northside acknowledges and congratulates the ACT Government in leading the national discussion on raising the MACR, and appreciate the opportunity to contribute to the consultation on this important and critical reform.

We also acknowledge and support the sustained, clear and successful advocacy of Aboriginal and Torres Strait Islander people and organisations in calling for this reform. The current MACR disproportionately affects young Aboriginal and Torres Strait Islander people, and the leadership of the reform call rightly comes from Aboriginal and Torres Strait Islander people.

The research is clear that imprisoning children as young as 10 is detrimental to their health and wellbeing, creates lifelong trauma, and does not reflect an evidence-based understanding of children's development.



The current MACR is also in direct opposition to Australia's international obligations under the United Nations Convention on the Rights of the Child (UNCRC). At the recent Universal Periodic Review, the UN Human Rights Council called on Australia to meet its human rights obligations by raising the MACR to at least 14.

The current MACR disproportionately affects Aboriginal and Torres Strait Islander children and young people. It embeds and extends the continuing detrimental impacts of colonisation, and directly works against shared efforts to Close the Gap. The voices and lived experiences of Aboriginal and Torres Strait Islander people must be heard and acknowledged in this reform.

The imprisonment of children aged between 10 and 14 is evidence that social support systems must be improved and made more accessible. We know that early experiences of trauma and disadvantage can dramatically affect the life course, and we also know that Australia has the ability to ensure that every child grows up in a community that provides support and help when it is needed – from birth.

Locking up a child does nothing to address the trauma they have experienced, and in fact only perpetuates it. Addressing the social systems that keep our community safe improves everyone's lives.

Raising the MACR also provides the Territory, and the nation, with the opportunity to to review and improve all of the systems that support children and young people in our community. We know there are successful examples of community-owned and led initiatives that work.

## **SUMMARY**

**We call on the ACT Government to implement this critical reform as soon as possible, and with no exceptions or carve-outs. We also call on the ACT Government to continue advocating for the raising of the MACR in every jurisdiction in Australia.**



**Anna Whitty**

Chief Executive Officer  
Northside Community Service

[northside.asn.au](http://northside.asn.au)

