

Indigenous children 17 times more likely to go to jail than non-Indigenous youth

Advocates condemn 'aggressive tough-on-crime approach' to sentencing of Aboriginal children

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New data shows extent of imprisonment of Indigenous young people.

The rate of imprisonment of Aboriginal and Torres Strait Islander young people in the Northern Territory is 43 times the rate for non-Indigenous children and 17 times the rate nationally, according to new analysis released by the Sentencing Advisory Council of Victoria.

The next worst ratios are in Queensland (23 times), Western Australia (21 times) and South Australia (20 times).

“We have heard reports of Aboriginal children in out-of-home care as young as 12 years old being issued with fines for breaching social distancing orders,” Change the Record co-chair Cheryl Axleby said.

“This kind of aggressive, punitive ‘tough-on-crime’ approach to our extremely young children is both absurd and deeply harmful.”

Change the Record is the Aboriginal-led justice coalition including Amnesty Australia, the Law Council of Australia, the National Aboriginal and Torres Strait Islander Legal Services (Natsils) and National Aboriginal Community Controlled Health Organisations (Naccho), representing hundreds of services across Australia.

We need to go beyond empty gestures if we're going to end Aboriginal deaths in custody

“We are calling for every state and territory government to follow the unanimous medical recommendations of organisations like the Australian Medical Association, Royal Australasian College of Physicians and the Australian Indigenous Doctors Association and raise the age of criminal responsibility from just 10 years old to at least 14 years old,” Axleby said.

The Australian Indigenous Doctors’ Association (Aida) said “outdated” juvenile justice laws are “the framework supporting racist actions against our children”.

“The evidence is clear. During their most formative years our children are targeted by police and deprived of real justice,” the Aida president, Kris Rallah-Baker, said.

“Raising the age to at least 14 is the bare minimum that must be done.”

President of The Law Council, Pauline Wright, says: “Prison should not be a rite of passage for any child. The current low minimum age of criminal responsibility is out of step with international human rights standards and the most recent medical evidence on child cognitive development.

“Children who are forced into contact with the criminal justice system at a young age are less likely to finish school or find a job, and are more likely to die an early death.”