

RAISING THE AGE OF CRIMINAL RESPONSIBILITY TO 12

**A statement from Anne McLeish, Director Kinship
Carers Victoria**

GPV/KCV welcomes the decision made by the Victorian Cabinet on Monday to lift the age of criminal responsibility from 10 to 12.

As GPV/KCV has campaigned for this issue for some time, we are disappointed with the mystifying decision to wait another few years before lifting the age limit to 14.

However, equally mystifying and disappointing are the views being expressed suggesting that lifting the age of criminal responsibility will mean children are not held accountable. These views come from a narrow band of thinking about the most effective ways to hold children responsible for their actions. As a society we need to do so without creating a lifelong tag for children as criminals that may prevent them from becoming the citizens in adulthood we all would want.

It can only be hoped that in the interim the courts continue to do what they can to make use of the doli incapax provisions in law which describe the inability of children under the minimum age of criminal responsibility to form criminal intent. If a child is aged over 10 years but under 14, there is a common law presumption of doli incapax.

Anne McLeish OAM, Director GPV/KCV