

CRIMINAL RESPONSIBILITY — MINIMUM AGE

409. Hon Dr BRIAN WALKER to the parliamentary secretary representing the Attorney General:

I refer the parliamentary secretary to previous responses that he has given in the chamber on proposals to raise the age of criminal responsibility to 14 years and the McGowan government's position on that issue, most notably its response to question without notice 472.

- (1) What time frame, if any, is the Attorney General working to in relation to this matter?
- (2) What, if anything, is stopping the McGowan government from acting unilaterally in this matter and allowing Western Australia to lead the way amongst the various states and territories of the Federation as the first jurisdiction to make such a groundbreaking move?

Hon MATTHEW SWINBOURN replied:

I thank the member for some notice of the question. I provide the following response based on the information provided to me by the Attorney General.

- (1)–(2) At the meeting of Attorneys General held on 12 November 2021, all state Attorneys General supported the development of a proposal to increase the minimum age of criminal responsibility from 10 years to 12 years, including with regard to carve outs, timing and discussion of implementation requirements. It was agreed by all Attorneys General that a national approach was needed. Any changes would require resources and careful consideration to ensure that the small number of children who exhibit serious offending at a young age can be properly managed outside the criminal justice system. The WA government already diverts young people away from the criminal justice system when reasonable.