

Former youth prisoner at the UN calls out Turnbull Government for failing Indigenous children

Indigenous advocate, Keenan Mundine, a former youth prisoner and principal consultant of Inside Out Aboriginal Justice Consultancy, has travelled to Geneva to address the UN Human Rights Council about the Turnbull Government's failure to stop ten year old children being sent to prison.



“I have spent more than half of my life behind bars, and I want to make sure this will not be the same future for my children. Right now, children as young as ten are still being locked away in prisons across Australia. This year alone, around 600 children under the age of 14 were taken from their families and imprisoned. This injustice must end,” said Mr Mundine.

Two years after the ABC's Four Corners program exposed horrific abuse of children in the Don Dale prison, pressure is mounting on Australian state and territory governments to raise the age of criminal responsibility from 10 to 14 years.

Mr Mundine told the Council – the world's peak human rights body of which Australia is now a member – that the Turnbull Government must stop ignoring human rights abuses at home.

“I have travelled from across the world to address this Council because I want my sons to grow up in a country that treats them fairly. This one simple change to our laws, will make a very big difference. Indigenous children in Australia deserve what I was denied - equality and freedom,” said Mr Mundine.

“In joining this Council, the Australian Government promised to uphold human rights and champion Indigenous peoples' rights. For as long as Indigenous children are 25 times more likely to be sent to prison than non-Indigenous children, these will be hollow promises,” said Mr Mundine.

The Turnbull Government called for the Northern Territory Royal Commission into the horrors of Don Dale in 2016, but has failed to deliver a key recommendation for reform –

raising the age at which children can be charged, hauled before the courts and sent to prison.

Australia has one of the lowest ages of criminal responsibility in the democratic world. The average age in Europe is 14 years.

The National Aboriginal and Torres Strait Islander Legal Services, the Human Rights Law Centre, Amnesty International and other medical, Indigenous and human rights organisations have been pushing all Australian governments to commit to raising the age of criminal responsibility.

Cheryl Axleby, Co-Chair of the National Aboriginal and Torres Strait Islander Legal Services, said in addition to raising the age to 14 years, more support was needed for Indigenous-led programs.

“Australian youth prisons are institutional racism in action. Criminalising the behaviour of young, vulnerable children – who are mostly Aboriginal or Torres Strait Islander - creates further disadvantage and traps children in the criminal justice system. It’s time to raise the age to 14 and fund wrap-around Indigenous-led supports that keep kids strong in culture and community,” said Ms Axleby.



When seeking election to the Human Rights Council, the Turnbull Government pledged to put Indigenous rights front and centre and progress the realisation of human rights through the implementation of UN recommendations and resolutions.

In the last five years, the UN has demanded Australia uphold children’s rights and raise the age of criminal responsibility on numerous occasions.

Ruth Barson, a Director of Legal Advocacy at the Human Rights Law Centre, said children should be in classrooms not courtrooms.

“No child should be strip searched, hand cuffed, or locked in a prison cell. The Turnbull Government cannot defend human rights on the world stage, while allowing primary aged children to be sent to prisons at home. Raising the age is a simple reform that would make a world of difference. What we need is for our governments to show some leadership,” said Ms Barson.

Across Australia, Aboriginal and Torres Strait Islander children make up over 50% of the children locked away in youth prisons. Western Australia, the Northern Territory and South Australia have the highest Aboriginal and Torres Strait Islander youth imprisonment rates in the country.

Belinda Lowe, Indigenous Rights Campaigner at Amnesty International, said the criminal justice system is failing kids and it’s failing communities.

“Children thrive best with their families and in their communities. Let’s instead focus on prevention not detention. Let’s raise the age that kids can be put behind bars, and provide early support to children and their families who are facing difficulties in their lives, so children don’t offend in the first place,” said Ms Lowe.

This session of the Human Rights Council session will run until 6 July.

The Human Rights Law Centre will attend every day of the Council session and provide regular updates on the Australian Government’s actions.

Read: [Keenan Mundine’s statement here](#)

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