



NATSILS

National Aboriginal and
Torres Strait Islander Legal Services

TRUE JUSTICE FOR OUR PEOPLE



**Justice and
Equity Centre**

MEDIA RELEASE

Prime Minister has the power to ensure children are safe and protected. It's time for action.

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The National Aboriginal and Torres Strait Islander Legal Services (NATSILS) says the Prime Minister has the responsibility and legal backing to protect children from dangerous new laws being implemented by state and territory governments across the country.

Advice obtained from Senior Counsel by the Justice and Equity Centre makes clear that the Commonwealth has the Constitutional power to act on youth justice reform.

According to the advice, the Commonwealth has the power to legislate in line with its international obligations on children's rights. In particular, the Federal Government can set 14 as a national minimum age of criminal responsibility, and set minimum standards for the treatment of children by state and territory criminal legal systems.

Karly Warner, Chair of NATSILS, says this affirms what Aboriginal and Torres Strait Islander people have said time and time again.

"The Federal Government needs to address the human rights violations that our children are suffering as a result of state and territory government policies," Ms Warner says.

"This advice proves that safety, protection and justice for children is not just a matter for states and territories. This is a national crisis, and the Federal Government has the power to protect our children.

"The Prime Minister shouldn't need to be persuaded that [11-year-olds don't belong in watch-houses](#), or that bringing back [spit-hoods](#) is an extreme retrograde step.

"As community members – as Aboriginal and Torres Strait Islander people who are deeply impacted by dangerous laws that harm our communities – we believe the Prime Minister has a moral obligation to protect our children," says Ms Warner.

Jonathon Hunyor, CEO of the Justice Equity Centre, says, "the Commonwealth has power to make laws to protect children and hold states and territories accountable.

"The Commonwealth Government needs to raise the age of criminal responsibility to 14 across all jurisdictions and set minimum standards for the treatment of children in criminal legal systems.

“This advice makes clear that the Commonwealth has the power to keep our children safe – it is now up to the Prime Minister and his government to make it happen,” says Mr Hunyor.

NATSILS is urging the Prime Minister to listen to Aboriginal voices, by setting the national minimum age of criminal responsibility at 14 years, and setting minimum standards for the treatment and safety of children in criminal legal systems.

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