

Thank you. As a servant to the many different people who make up our one QLD community, I speak against Senator Shoebridge's motion endorsing the ACT's recent increase in the age of criminal responsibility from 10 years of age to 12. And then 2025 to 14.

The ACT is not the only jurisdiction taking this action. The Northern Territory recently increased the age of criminal responsibility to 12. Tasmania increased their minimum age for detention to 14.

For the Greens, age is a problematic concept.

In greens-land a child of 13 cannot be held legally responsible for their actions. Yet a child of that age can choose their gender and read instruction manuals in adult sexual practices – years before they are legally old enough to engage in that activity.

Indeed in greens-land a child of any age can do those things.

A 10 year old can.

An 8 year old can.

It's perplexing to see the Greens suggesting a child under the age of 14 is not mature enough to be held accountable for their own actions.

This issue comes down to a simple legal principle, do they know the distinction between right and wrong and can they apply that distinction to their own actions.

As long as there is no factor other than age that impacts on their capacity they are criminally liable.

Those factors would include autism, alcohol foetal syndrome or drugs.

There's merit in the idea that a child of that age is better diverted than convicted.

I agree, diversion programs should be the first option for any child coming to the attention of the police or the courts.

I have issue with children being held accountable for the sins of the parent, and so many of the children that come to the attention of law enforcement at this age are there because their parents have failed.

There must be a point though, where the person is responsible for their own actions.

A young person can use a bad start as an excuse for the rest of their lives, or they can use a bad start as motivation to succeed.

This legislation allows the excuses. One Nation supports helping a child succeed.

Karly Warner, CEO of the Aboriginal Legal Service (NSW/ACT) made the following comment on the legislation, quote:

"In the extremely rare instances when a child does something seriously wrong, it's because they've been let down and need our help. By failing to raise the age to 14, the ACT Government is failing Aboriginal children who are over-represented at every stage of the system, from police to court to prison. The ACT imprisons Aboriginal children at 12 times the rate of non-Indigenous children. It's Aboriginal kids and families who will be most harmed by the government's refusal to fully accept the evidence about what works."

I agree with Karly's data and I also agree that support for the family, support to keep children out of institutions is essential to break the cycle of offending.

One Nation always has and always will support diversion programs.

Mind you, the Greens may not like our idea of a diversion program, let me give you some examples.

Torin O'Brien in Rockhampton ran a very successful diversion taking kids into his Muay Thai gym and teaching them respect for their bodies, self-defence and self-discipline. Voluntarily.

Later, when he stood as a One Nation candidate, the QLD Labor Government promptly stopped his funding.

ALP care more about political advantage than they do about troubled children.

I donated to an intervention program called OzAdventures Hard Yakka, which takes children through a cadet style boot camp learning respect, positive attitude, trust & self-discipline.

We should not be scared to use tough love to advance the welfare of children who have not learnt life lessons they need to succeed.

My question on the ACT legislation is simple: what happens if a child walks away from intervention, and refuses to learn how to take care of themselves, how to apologise to people they offend and the other measures that make for an adult.

Under the ACT legislation – nothing.

And there's the problem.

By the time the child reaches 14 years of age they're probably a lost soul. Intervention must start earlier and must be backed up with some measure of compulsion, or as One Nation would consider it, tough love.

I acknowledge the ACT legislation retains criminal accountability for serious criminal offences.

I advocate the ability to legally intervene in a lower range offence would prevent the child progressing to a more serious offence.

That's exactly the outcome from drug dependence – escalating violence and criminal behaviour and refusal to help themselves until forced to do so.

One Nation believes a child should be cared for in their home and where necessary diversion services and in-home services provided to correct a child's trajectory.

We believe that even at 10 years of age some children need a much stronger intervention for safety.

- For their safety, the child's safety
- For their families' safety
- For the public's safety
- For the community's safety.

We have one flag, we are one community and we are one nation.