

# Beyond raising the age of criminal responsibility, African youth need more culturally aware support

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African youth, most notably those of South Sudanese heritage, are [over-represented](#) in the criminal justice system in Victoria. In 2024, African

youth account for about 50% of young people in custody in Victoria, up from 4% in 2012.

After introducing a 1,000-page [Youth Justice Bill](#) into parliament in June, Victoria was set to become the first state in Australia to raise the age of criminal responsibility to 12 (2024), and then 14 (2027).

However, Victorian Premier Jacinta Allan has retreated from an earlier commitment to raise the age to 14. Victoria Police are [backing the premier's decision](#). The government will keep its promise to raise the age of criminal responsibility to 12.

The Youth Justice Bill includes an amendment to raise the age of criminal responsibility from 10 to 12. The bill has [passed](#) the Victorian parliament's upper house. It will be discussed in the lower house later this month before becoming law.

The reforms include a new crime of committing a serious offense while on bail. Police have been given greater power to revoke bail, especially for repeat offenders.

Critics say the decision not to raise the age to 14 is [politically motivated](#). The decision is seen as allowing Labor to portray itself as "tough on crime" leading into the next state election.

Raising the age of criminal responsibility will affect African Australian youth involved in the justice system. While there is outrage about the decision not to raise the age of criminal responsibility to 14, the absence of evidence-based and culturally responsive services would leave African youth at risk of exploitation by criminal and youth gangs.

Subsequently, this change means there will be a greater need for culturally responsive services and supports to prevent engagement in the

[criminal justice system](#).

## **African youth, the justice system, and challenges.**

Australian [studies](#) have [found](#) that African youth and their families experience high levels of acculturation stress. The post-settlement challenges some African youth experience include underemployment and unemployment, disrupted schooling leading to poor education outcomes, family disconnection and neglect, peer-group delinquency, [mental health issues](#) and alcohol and substance abuse.

The decision not to raise the age of criminal responsibility to 14 has [received backlash](#) from youth justice advocates, Indigenous and legal groups. The state government should not have abandoned plans to raise the age to 14, but rather considered a delayed and revised approach.

Any changes in the age of criminal responsibility require alternative evidence-based, culturally responsive, early intervention services, which are yet to be developed. Within these services we need to ensure vulnerable cohorts receive appropriate support.

## **How will raising the age affect African Australian youth?**

Why are culturally responsive programs so important? They look at the culturally specific reasons young people are getting into trouble with the law, and what might be done to prevent it.

Risk factors noted above will not disappear without the provision of culturally responsive programs that address the factors leading to increasing over-representation within Victoria's youth justice centers.

So, what does such a program look like?

## **Black Rhinos: An example of primary prevention**

We [examined](#) how a culturally responsive, sport-based, youth development program assisted African-Australian young people (aged 8–14) and their families to connect with services that support physical and mental health and well-being. In the process, they deter young people from youth crime.

The [Junior Rhinos program](#) is [designed](#) in conjunction with the African community in Melbourne's south-east, not-for-profit organization [Afri-Aus Care](#) and RMIT University researchers. [VicHealth](#) funds the [program](#).

Some African [youth](#) lack pro-social role models, experience low parental monitoring and limited parental support with school. We found mentors from a similar background can support young people's ability to engage in pro-social activities and deter them from crime. These findings are [evident](#) in our impact data, and echoed by staff, teachers, mentors and students.

The study highlighted the importance of having mentors for young people at the ages of 8-14 to support their positive social development.

Our study found culturally responsive, early intervention programs that provide wraparound support for African Australian [young people](#) are essential for ensuring they can live pro-social lives.

Such programs lead to increased engagement, better school education outcomes, improved physical health and mental well-being, and reduced likelihood of anti-social behaviors.

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