

Criminal Responsibility (Age Reduction) Amendment Bill 2025

The Parliament of Square Country enacts as follows:

1. Title

This Act is the **Criminal Responsibility (Age Reduction) Amendment Act 2025**.

2. Commencement

- (1) This Act comes into force on **1 July 2026**, except as provided in subsection (2).
- (2) The Minister of Justice may, by notice in the *Square Gazette*, bring any provision of this Act into force on an earlier date if the Minister is satisfied that the justice system and associated agencies are prepared for its implementation.
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3. Purpose

The purpose of this Act is to amend the *Criminal Responsibility Act 1993* in order to—

- (a) reduce the age at which an offender can be charged and tried as an adult from 18 years to 14 years;
 - (b) strengthen accountability for serious offending among younger individuals;
 - (c) promote early intervention, rehabilitation, and personal responsibility; and
 - (d) ensure consistency between the *Criminal Responsibility Act 1993* and other relevant statutes relating to sentencing, detention, and correctional management.
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4. Interpretation

In this Act, unless the context otherwise requires—

“principal Act” means the *Criminal Responsibility Act 1993*;

“youth offender” means an individual aged 14 years or over but under 18 years at the time an offence is alleged to have been committed.

5. Section 6 replaced

Replace section 6 of the principal Act with:

6. Age of adult criminal responsibility

- (1) Every person who is **14 years of age or older** shall be deemed to have full criminal responsibility for their actions and may be charged, tried, convicted, and sentenced as an adult.
 - (2) A person under the age of 14 years shall not be charged with an offence except as provided under section 7.
 - (3) Nothing in this section shall prevent the court from considering the maturity, comprehension, and capacity of an offender to understand the nature and consequences of their actions.
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6. New Section 7 substituted

Replace section 7 of the principal Act with:

7. Youth offenders: judicial considerations

- (1) Where an offender is 14 years of age or older but under 18 years, the sentencing court must, in determining the appropriate sentence, take into account—
 - (a) the degree of the offender’s maturity and understanding;
 - (b) the circumstances leading to the offence;
 - (c) the availability of rehabilitation and educational opportunities; and
 - (d) the best interests of the community in relation to deterrence and public safety.
- (2) A youth offender may be sentenced under the same provisions as adult offenders, but the court retains discretion to apply modified sentences where special circumstances justify such consideration.

(3) Nothing in this section shall be construed as limiting the sentencing powers of the court.

7. Section 8 inserted (Special detention provisions for offenders aged 14 to 17)

Insert after section 7:

8. Special detention provisions for offenders aged 14 to 17

(1) Where a youth offender is sentenced to a term of imprisonment, the Minister of Corrections must ensure that—

- (a) the offender is detained separately from adult prisoners where practicable; and
- (b) the conditions of detention include access to education, counselling, and rehabilitation services appropriate to their age and maturity.

(2) Nothing in this section prevents the transfer of a youth offender to an adult facility if required for security, discipline, or welfare reasons, provided that the reasons are recorded in writing and approved by the Secretary for Corrections.

8. Section 9 amended (Burden of proof for incapacity due to age)

In section 9(1), replace “eighteen years” with “fourteen years”.

In section 9(2), replace “eighteen years” with “fourteen years”.

9. Transitional and savings provisions

(1) This Act does not apply to offences committed before its commencement date.

(2) Any person who was under 18 years of age at the time of the offence but whose trial commenced prior to this Act coming into force shall continue to be tried under the previous provisions.

(3) Any references in other enactments to “18 years” as the age of criminal responsibility shall, on the commencement of this Act, be read as references to “14 years”.

(4) The Minister of Justice may, by regulations made under this Act, make such transitional or savings provisions as are necessary to give full effect to this section.

10. Consequential amendments

The following enactments are amended as indicated:

(a) *Juvenile Justice Act 2001* —

Replace every reference to “18 years” with “14 years”.

(b) *Corrections Management Act 2010* —

Amend section 15 to provide for separate management of offenders aged 14 to 17.

(c) *Sentencing and Parole Reform Act 2014* —

Amend section 27 to ensure youth offenders remain eligible for parole consideration consistent with this Act.

(d) *Crimes (Procedural Fairness) Regulations 1995* —

Replace “18” with “14” wherever it appears in Part 2.

11. Review of the Act

(1) The Minister of Justice must, within **3 years** after the commencement of this Act, initiate a review of its operation and effectiveness.

(2) The review must examine—

(a) the impact of the reduced age on rates of youth offending;

(b) the adequacy of rehabilitation and reintegration measures; and

(c) any unintended social or legal consequences arising from the implementation of this Act.

(3) The Minister must present a report of the review to Parliament within 6 months after the review’s completion.

12. Repeals and revocations

Any provision of law inconsistent with this Act is hereby repealed to the extent of the inconsistency.

SCHEDULE 1 — CONSEQUENTIAL AMENDMENTS

Enactment	Amendment
<i>Criminal Responsibility Act 1993</i>	Replace “18” with “14” wherever it appears
<i>Juvenile Justice Act 2001</i>	Amend definition of “juvenile” to mean a person under 14 years of age
<i>Corrections Management Act 2010</i>	Insert new Part 4A — “Youth detention management”
<i>Sentencing and Parole Reform Act 2014</i>	Add provision for parole hearings to consider developmental maturity

EXPLANATORY NOTE

(This note is not part of the Bill but is intended to indicate its general effect.)

This Bill lowers the age at which offenders in Square Country may be charged, tried, and sentenced as adults from **18 to 14 years**.

The Bill reflects growing concern over rising rates of violent and repeat offending among persons aged 14 to 17, and seeks to ensure earlier accountability and deterrence.

It maintains judicial discretion for sentencing young offenders, ensuring that the courts may still consider age, maturity, and potential for rehabilitation. The Act also requires separate detention for offenders under 18 and provides for a statutory review after three years to assess its impact.