1. Across Australia, a child under 10 years of age cannot be prosecuted for a criminal offence (minimum age of criminal responsibility). A rebuttable presumption, known as *doli incapax*, exists for children between 10 and 14 years of age. In Queensland, the presumption requires the prosecution to prove, beyond a reasonable doubt, that the child had the capacity to know that the child ought not commit the offence.
2. The minimum age of criminal responsibility has been subject to national discussion and will be further discussed at the next Meeting of Attorneys-General.
3. There is significant evidence from a variety of disciplines, including medical and scientific evidence relating to child cognitive development, the weight of international policy direction and a number of reports conducted locally and internationally, which demonstrate that the minimum age of criminal responsibility should be raised from 10 years.
4. Several Australian jurisdictions have committed to raising the minimum age of criminal responsibility from 10 years.
5. Cabinet approved Queensland providing ‘in-principle’ support for working towards raising the minimum age of criminal responsibility from 10 years to 12 years, as part of a national approach, at the next Meeting of Attorneys-General.
6. *Attachments*:
* Nil.