

## Intermediate B, Quarter Finals

*“That we should never imprison anyone under eighteen”*

### 1. Type of Topic

This is a normative debate. This means that the Affirmative should propose a ‘model’ (a policy on how this idea would be implemented). This model should be clearly described to outline what changes the Affirmative team will make to the status quo, and how these changes will be enacted. The Negative team can either support the status quo or propose a counter-model. This counter-model must be different from the status quo, but also different from the model the Affirmative team is suggesting. The Negative team should ensure they clearly identify whether they are supporting the status quo or proposing a counter-model.

### 2. Background / Context

- Currently, the age of criminal responsibility in Australia is 10 years old. This means that anyone older than 10 can face criminal charges.
- The reason typically given to support children younger than 10 not being able to face criminal charges is that they are unable to fully understand that what they did was wrong.
- This debate is not about whether the age of criminal responsibility should be lowered, but rather whether those who can be held criminally responsible but are under the age of 18 should be able to be imprisoned.
- If a person under the age of 18 is imprisoned, they are often imprisoned in a juvenile detention centre, which is a prison that only has prisoners who are under the age of 18 as inmates.
- This debate requires you to examine the harms and benefits of the imprisonment of minors to determine if we should ever imprison anyone under the age of 18.

### 3. Specific Questions for consideration

- What are the harms of going to prison?
  - What are the harms for the person who’s been imprisoned?
  - What are the harms for society more broadly?

- What are the benefits of imprisonment?
  - How might society benefit from the use of prisons?
  - How might an inmate benefit from imprisonment?
- Is it moral to imprison people under the age of 18?
- What role does imprisonment serve as part of the criminal justice system?
- What would happen to people under the age of 18 who break the law if they can't be imprisoned?
  - What are other ways the criminal justice system currently punishes people?
  - What happens to people who break the law but are under the age of criminal responsibility?
- What is the role of retribution in the criminal justice system? How does imprisonment achieve this?
- Why do people commit crimes?
  - Are the reasons different for different age groups?
- Does imprisonment help to prevent crimes? If so, how? If not, does it exacerbate crime?
  - How else can crime be prevented?
- How does the criminal justice system work as a whole?
  - What is the role of police?
  - What is the role of the courts?

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