

Australian Government Doing Nothing About Aboriginal Youth Being Abused and Tortured

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The Northern Territory has the highest rate of youth detention in the country, six times the national average. Of those detained in the juvenile justice system 97% are Aboriginal youth.

There have been a number of reports and investigations in the past two years into the treatment of Aboriginal youth in custody. They show that by deliberate design and policy Aboriginal youth are treated in a barbarous, inhumane and illegal way.

Multiple incidents have been [reported](#) of handcuffing, gassing, shackling, spit hooding and solitary confinement for 22 out of 24 hours, lasting from 7 to 17 days, and being forced to eat their meals with their hands.

The Human Rights Law Centre's senior lawyer, Ruth Barson, said the recent case of a 17-year-old boy being hooded and strapped to a chair for close to two hours suggests there is a pattern of mistreating young people in the Northern Territory's Don Dale Youth Detention Centre.

"It is deeply concerning that yet another case of a child having their human rights violated has emerged," [she said](#). "The Northern Territory must once and for all commit to treating children in detention humanely. These types of punitive practices must end."

In January last year [a review](#) of the Northern Territory Youth Justice system conducted by Michael Vita found there was a "lack of understanding and coordination of how risk assessment, case management, classification, pro-social modelling and the incentive scheme should work together to provide an environment that is conducive to stability, harmony, safety and security".

He [found](#) the juvenile detention system's management is incompetent, staff is under trained, operational practices are haphazard and overly-punitive and there have been cover-ups when things go wrong. The system is also doing nothing to rehabilitate the young people it locks up.

Another report by NT children's Commissioner Howard Bath looked into the practices occurring at the Don Dale Youth Detention Centre found evidence of inappropriate reactions from staff employed in these facilities. An example was the tear gassing of six teenagers while they were sitting in their cells playing cards. The report also made a list of recommendations including addressing the lack of accountability, training of employees and improving the facilities.

Late last year the Human Rights Law Centre sent a request to the UN Special Rapporteur on Torture for intervention, with a view to ensuring the NT government comply with its international human rights law obligations.

Barson said: “You have to question whether the NT government is taking its obligations under the Convention on the Rights of the Child seriously.

“If it’s genuinely committed to the wellbeing of vulnerable children in its care, it needs to seriously rethink the way it’s treating them. It is clear that the Northern Territory’s youth justice system needs a thorough overhaul.”

Amnesty International Julian Cleary said: “Young people are fundamentally different to adults and must be treated in a way that prioritises their best interests.

“Evidence shows that the best way to keep our community safe in the long run is to focus on the rehabilitation and education of children. The Northern Territory’s current youth justice system is failing these children and the wider community.”

In November the NT Government announced that all children detained in Alice Springs Youth Detention Centre would be transferred to Darwin. This means children as young as 10 would be taken thousands of kilometres away from their families and communities.

In 2014, all children detained in Darwin were moved from the former Don Dale Youth Detention Centre to the Berrimah adult prison, which has since been renamed Don Dale.

Barson said: “We have received reports that children are being locked down for up to 15 hours per day in prison cells that have no air conditioning, and that are reaching temperatures of 35 degrees Celcius. A decommissioned, run-down, adult prison is clearly not an appropriate facility for children.”

The unjust treatment of Aboriginal youth in custody is not accidental, but a by-product of the continued systematic racism towards Indigenous Australians. The punitive and inhumane policies against Aboriginal children is a disgrace and a blight on the entire Australian legal system. It has to end immediately.

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