

## Law Council offers support for Royal Commission into abuse of children in detention in the NT, calls for:

- The Royal Commission to focus a culture that tolerates the abuse of minors and the over-incarceration of youths, 98 per cent of whom are Indigenous.
- Immediate closure of Don Dale Youth Detention Centre.
- Swift action to be taken against detention centre staff found to be engaging in abuse.
- NT Government to ensure complete compliance with recommendations of Children's Commissioner's earlier report into Don Dale Youth Detention Centre.

The Law Council of Australia today offered its full support for a Commonwealth Royal Commission into the abuse of children in detention in the NT, and called for it to examine an apparent culture that tolerates the abuse of minors and incarceration of youths at three times the rate of any other jurisdiction.

However, the Law Council has repeated its [October 2015](#) call for immediate action from the NT Government to intervene and prevent the abuse of children in detention, in light of the latest Four Corners report on the ABC.

Law Council Director, Arthur Moses SC, said the deeply disturbing footage aired by Four Corners last night underscored the need for immediate action.

"Don Dale Youth Detention Centre should have been shut down when the Children's Commissioner's report was first handed down, and it must be immediately shut down now," Mr Moses said.

"The NT Government must move swiftly to ensure complete compliance with the NT Children's Commissioner's recommendations, including proper recruitment and training of Youth Justice Officers, best practice standards around the use of restraints and support programs for juveniles in detention.

"It has also long been recognised that it is unacceptable for children to be kept in solitary confinement, let alone stripped by people purporting to act in the name of a government agency. The 1991 Royal Commission into Aboriginal Deaths in Custody recommended that it is highly undesirable to place Indigenous prisoners in segregation or isolated detention. This is exactly what has occurred in the NT."

Mr Moses said the Law Council stands ready to assist the Federal Government to establish appropriate terms of reference for the Royal Commission.

"We need to get to the bottom of what appears to be a deeply ingrained culture of accepting the abuse of children in detention," Mr Moses said.

"The Royal Commission must examine whether there is a culture of punitive action against juveniles in detention, rather than rehabilitation, and whether there is a broader culture of turning a blind eye to abuse.

"It must also examine the major problem of youth over-incarceration in the NT, particularly Indigenous youths.

"Nationally, Indigenous youths are over 24 times more likely to be in detention than non-Indigenous youths. In the NT, 98 per cent of youth detainees are Indigenous. More generally, the NT imprisons its population at three times the rate of any other jurisdiction.

"The Royal Commission should examine why alternative methods of rehabilitating young Indigenous offenders are not being implemented rather than just locking these young people up," Mr Moses said.

"This is a national crisis. While the Royal Commission may focus on the NT – and rightly so in view of these shocking revelations – other jurisdictions must now examine their youth detention practices for compliance with international standards to ensure that such conduct is not occurring in their institutions," Mr Moses concluded.

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