

Media Release

1 August 2016

Complacency has no role in protecting children in youth detention

The recent revelation of the brutalisation of children in the care of the Northern Territory Government at the Don Dale Youth Detention Centre gives cause to reflect on the notion that just because youth detention in Western Australia is operating at a satisfactory level does not mean that it cannot suddenly go horribly wrong like it did in January 2013. We cannot afford to be complacent. Satisfaction breeds complacency, and complacency breeds failure. Indeed, we are a long way from excellence in how we value children, especially the most vulnerable in our community. The need for vigilance, independent oversight and accountability is critical to the prevention of the systemic mistreatment of children in youth detention.

In Western Australia, indigenous young people aged between 10 to 17 years are 52 times more likely to be incarcerated than non indigenous young people. In Western Australia 1 in 9 indigenous boys spent time in detention or community based supervision in the 2013/14 financial year.¹ These figures are a blight on Western Australia and require the application of rigorous treatment to overcome their debilitating effects on our indigenous children. Some of whom have deeply entrenched social problems stemming from a history of dispossession and mistrust in addition to the special disadvantages experienced by families living in remote areas.

¹ (Australia Institute of Health and Welfare Youth Justice in Australia Report, 2015)

Recently, Dr Dot Goulding of Curtin University describes the need to raise awareness of young people about the law and legal processes, and to address in some meaningful way the over-representation of indigenous young people in the criminal justice system as important crime prevention activities. (Goulding, 2015)² For these young people, there is a unique opportunity to influence knowledge, skills, attitudes, behaviours and beliefs of young offenders during their incarceration. Research indicates that children and young people who have been in custody are at greater risk of re-offending and therefore these young people must be provided with the necessary resources to prevent recidivism. Given that the cost of incarcerating a young person is \$868 per day, or about \$316,820 per year in detention³, the least we can expect from this investment is strong focus on rehabilitation and crime prevention activities.

Notwithstanding the specific rehabilitation needs, there is also a requirement that we be mindful of not re-victimising young people who are already suffering from racism, marginalisation, poverty, and violence. The prevention of re-victimisation is reliant upon the recruitment, training and professionalism of humane staff that can work in complex situations and who have a willingness to engage with damaged children, as naturally the standard of care for incarcerated children will be higher than those in the community. As evidenced at Don Dale, children who are not engaged in an active and positive regime become restless and frustrated, as do children who are confined to their cells and/or strip searched on a frequent basis.

We have been extremely fortunate in this State to have an Inspector of Custodial Services to provide accountability for corrections and assurance to the community that our children are not subjected to the atrocities evidenced at Don Dale, however, there are outstanding recommendations from the Inspector's Reviews of Banksia Hill that require attention. There is no scope for complacency if we are to have humane and rehabilitative youth detention.

For more information contact
Cheryl Cassidy-Vernon, Director
cheryl@youthlegalserviceinc.com.au
M) 0413 889 494

² Goulding, Dot. (September 2015). Legal Needs of Young People in Western Australia. Centre for Aboriginal Studies, Curtin University: Perth.

³ 2015, Department of Corrective Services, Annual Report.