

## NT Government must take further action following Children's Commissioner's Don Dale report

The Law Council of Australia has expressed concern over the recently released Northern Territory Children's Commissioner's [report](#) into incidents in the Behaviour Management Unit at the Don Dale Youth Detention Centre between 4 and 21 August 2014.

That report made findings that child detainees were subject to:

- Hoods and handcuffs being used indiscriminately
- Solitary confinement in breach of the *Youth Justice Act*
- Tear-gas being used with no meaningful attempt to negotiate a peaceful outcome

The Report makes a number of recommendations, including properly training correctional services staff on how to deal with juvenile detainees as well as implementing policies and procedures to ensure compliance by corrective services staff.

Law Council Director Arthur Moses SC said he is deeply concerning that the NT Government has yet to state whether it accepts the findings of the report or whether it will implement the recommendations.

"If these findings are true, the inhumane management of the Don Dale incident is a blight against Australia's human rights profile," Mr Moses said.

"It's important to remember that more than 90 per cent of youth detainees in the Northern Territory are Indigenous. Children are, of course, the most vulnerable group in the Australian community and it is critical the NT Government takes swift and effective action to implement the findings of this report. If it fails to do so, the Federal Government should intervene to deal with the situation.

"While the Law Council commends the Department of Correctional Services "[Vita Report](#)" further action is needed to ensure both the conduct of the staff who acted inappropriately is properly investigated and appropriate disciplinary action is taken," Mr Moses added.

"The treatment of our children in detention centres must not only comply with our domestic and international legal obligations, it also serves as a moral gauge. A nation is judged by how it treats its most vulnerable and these findings say we should be judged harshly. The conduct, which is the subject of the report, cannot be said to assist in the rehabilitation of children, many of whom who have been incarcerated for offences that have been committed in part because of the circumstances they have found themselves in," Mr Moses concluded.

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