



17 November 2022

Statement

ROYAL COMMISSION 5 YEAR ANNIVERSARY

Today marks five years since the Royal Commission into the Protection and Detention of Children in the Northern Territory (Royal Commission) tabled its Final Report to the Australian Parliament. In response to the Royal Commission's findings, the Northern Territory (NT) Government committed to significant reform to the NT Youth Justice and Child Protection systems.

Half a decade on from this commitment, I ask if the outcomes being achieved are in line with the intent of the Royal Commission recommendations.

Whilst it is positive that the NT Government has invested in diversion programs and Aboriginal kinship carer services, and introduced legislation to raise the age of criminal responsibility to 12, there is still substantial work to be done:

- Don Dale Youth Detention Centre remains operational and the number of children detained in the NT has significantly increased following punitive bail reform laws in 2021. The NT continues to lock up children at a much higher rate than any other jurisdiction in Australia.
- OCC monitoring reports and investigations continue to identify inappropriate use of isolation and excessive force on children in NT detention facilities, with the potential to compound trauma and cause lasting psychological damage.
- Major child protection system reform is still needed, particularly in respect to responding to Aboriginal children and their families' needs in culturally appropriate ways, and increasing prevention and early intervention responses to vulnerable children and their families.

It is concerning that the NT Government Reform Management Office released a [report](#) in May 2022 noting Royal Commission recommendations as completed - when it is clear from the narrative in the report that many recommendations are either no longer supported, are underway, or in progress.

On reflection of the 5 years since the Royal Commission I am concerned that the treatment of children held in NT youth detention centres has not substantively improved in this time. The Royal Commission and the recommendations made do not appear to have had any momentous effect on achieving the system and practice reform required to reduce harm and achieve consistency in the treatment of vulnerable children.

There is an increased prevalence of fragmented funding to service providers to deliver required programs, which creates challenges for attaining cohesive practice. The 2020 Productivity Commission [report](#) on Expenditure on Children in The Northern Territory identified the need for longer term, more collaborative contracting with service providers. The current funding arrangements are inefficient, require children and families to engage with numerous service providers, and impact negatively on the achievable outcomes for vulnerable children.

5 years on from the Royal Commission we need to show that we have not forgotten these children, and that we are still committed to making our communities safer. We need a child protection and youth justice system that is culturally appropriate and supports children and families earlier to have their basic needs met.

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