

Australian governments exposed for human rights violations on youth detention

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26 January 2025

Global NGO Human Rights Watch (HRW) has in its World Report 2025 slammed Australian state and territory governments for human rights violations including the treatment of children in the criminal justice system.

Governments in Australia have adopted a “tough on crime” stance to counter a supposed youth “crime wave.”

In reality, youth crime is on the decrease and the policies of governments to incarcerate young people—particularly those from impoverished backgrounds—are part of a wholesale assault on the democratic rights of working-class people.

The age of criminal responsibility is just 10 in New South Wales, Queensland, South Australia, Tasmania, Western Australia (WA) and the Northern Territory (NT). In August, the Victorian Labor government abandoned plans to raise the age of criminal responsibility to 14. Instead, it has raised it to just 12.

The only jurisdiction in the country with a criminal age of responsibility of 14 years is the Australian Capital Territory. That is the minimum recommended by the UN. Children younger than the age of criminal responsibility cannot be charged or prosecuted.

According to the Australian Institute of Health and Welfare, more than 700 children between 10 and 17 years old were in detention in 2022–2023. That number has likely ballooned further. About 60 percent of the children imprisoned across the country are indigenous.

Among the detained youth are many who are kept in adult jails.

The WA government has detained children in Unit 18—a wing of the maximum-security Casuarina Prison. In September 2023, a 17-year-old Aboriginal boy, Cleveland Dodd, committed suicide after being incarcerated at Unit 18 and the Banksia Hill youth

detention centre. He was regularly subjected to solitary confinement.

The situation in the NT is the most shocking.

There, the prison population has skyrocketed to more than 2,600 this month. The prison population has nearly doubled since 2012 when it was 1,413. The number of people in NT prisons is more than 1 percent of the territory’s population which is about 255,000.

Around 89 percent of the prison population in NT is indigenous. This is despite the territory’s indigenous people only making up 26 percent of the total population. This is the outcome of the centuries-long oppression of Aboriginal people under Australian capitalism. Many live in poverty with little to no access to healthcare, education and social welfare. They are the most oppressed section of the working class.

If the Northern Territory were a separate country, it would have the second highest incarceration rate in the world—behind only El Salvador—according to the World Population Review.

This extraordinary situation is the responsibility of both Labor and conservative governments. Labor held office from 2016 until last August, as the incarceration rate consistently increased, before suffering a major election defeat, substantially resulting from popular anger over the massive cost-of-living and social crisis.

The next highest imprisonment rate in Australia is WA which has 0.2 percent of its population behind bars.

Across the NT’s prisons and work camps, there are 2,177 beds. This means that there is an overflow of hundreds of prisoners currently being held in police watch houses. Australian Human Rights Commissioner Lorraine Finlay also found that rising prisoner overcrowding and overheating—problems across the country—are acute in the NT.

The government has begun work to add up to 1,000 new beds to NT prisons by 2028. This includes reopening the Don Dale youth detention centre as the Berrimah adult jail to house 200 adult prisoners by March. Done Dale was exposed in 2014 as a site where children were tortured and inhumanely treated, shocking workers and youth across the country.

Earlier this month, NT chief minister Lia Finocchiaro claimed that more arrests meant “safer streets.”

Legal advocates have slammed the “tough on crime” policies of NT and other governments.

“Law and order posturing about punishment, power and control has never worked before and it won’t work now,” National Aboriginal and Torres Strait Islander Legal Services chair Karly Warner said in September.

A report in September 2022 by the Justice Reform Initiative found that nearly three-quarters of people in the NT’s prisons have been in prison before.

In other words, incarceration is in no way an effective means of rehabilitating young people and workers. The response of governments to the social crisis confronting the working class is to punish workers and youth rather than investing in education, housing and welfare services to prevent the resort to crime.

Immense resources are being used to bolster the police and prison system in the Northern Territory.

According to Productivity Commission data, the NT government spent more than \$270 million on prisons and community corrections facilities in 2022–23. Across Australia, the figure is about \$7 billion.

In its 2024–25 budget, the NT government pledged a further \$325 million between 2023 and 2027 and a further \$120 million every year from 2027 to review the territory’s police force and recruit an additional 200 officers. It also includes a further \$15 million per year between 2023 and 2026, and then \$10 million every year from 2026, to meet “correctional services demand.” An additional \$30 million will also be put into establishing youth detention camps between 2024 and 2026.

All of this comes amid a broader crackdown in Australia and internationally against the social rights of ordinary workers and young people who are increasingly angry about mounting social crisis, the rising cost of living and explosion of imperialist militarism abroad.

As the social opposition mounts, governments are

moving to criminalise opposition to the policies of war and austerity.

Over the course of the ongoing Gaza genocide, protesters against the war crimes committed by Israel and supported by the imperialist powers including Australia have been arrested.

The expansion of the prison system, police powers and legal frameworks to punish workers and youth must be seen as a warning. As social tensions grow, governments are attempting to prevent an explosion of opposition in the working class. The focus on funding prisons and police is intended to keep the working class suppressed to facilitate the further enrichment of the wealthy capitalist class and the expansion of the military, while diverting funds from social infrastructure.



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