

Torture prevention bodies raise concerns about the state of youth justice in Australia

Members of the Australian National Preventive Mechanism (NPM) have made a submission to the Senate Legal and Constitutional Affairs References Committee's *Inquiry into Australia's youth justice and incarceration system*.

The submission reiterates the Australian NPM's previous concerns with youth detention in Australia, including:

- detaining children in adult facilities
- the isolation of children in detention
- the significant number of children held on remand in detention
- the detention of Aboriginal and Torres Strait Islander children.

Iain Anderson, Commonwealth Ombudsman and Coordinator of the Australian NPM, states:

"We observe that various factors have come together to compound risks of ill treatment in youth detention, which ultimately also exacerbate issues in the wider community. Failures in youth detention and the broader youth justice system create profoundly poor outcomes for children and young people themselves, but also mean community safety is worse rather than better."

The submission includes suggested recommendations for the Committee, including that all Australian jurisdictions raise the minimum age of criminal responsibility to 14 years, without exceptions, as well as implement adequately supported diversionary and preventive alternatives to detention.

Under the *Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment* (OPCAT), the Australian NPM has a mandate to regularly visit places of detention and make recommendations towards preventing torture and ill treatment in detention.

The Australian NPM is made up of separate monitoring bodies across Australia. However, Australian governments are yet to properly implement OPCAT: the Australian NPM is incomplete, and not yet adequately resourced to meet its full oversight mandate.

The submission is available via the Commonwealth Ombudsman website [here](#).

For further enquiries please contact us at media@ombudsman.gov.au.