

## **NATIONAL REVIEW OF YOUTH JUSTICE NEEDED**

The Aboriginal Family Law Services (WA) (“AFLS”) supports the Prime Minister’s call for a Royal Commission into Northern Territory Juvenile Detention. We prefer however that the terms of reference of the commission extend to include a state by state review of systemic issues in the juvenile justice system. We believe this is not an issue specific to Don Dale Detention Centre or even the Northern Territory. There have already been three inquiries into Don Dale, suggesting something more extensive is required.

It is our experience that similar violence is perpetrated on Aboriginal people in many situations - in their homes, in institutional care, in the general community. This violence is embedded in the way Aboriginal children are treated in school, while playing sport or on the street. Simply put, racism exists in our society and is a vital consideration in the exploration of the Australian youth justice system.

Services around Australia who also deliver Family Violence Prevention Legal Services (FVPLS) will also attest to the structural disadvantage experienced by Aboriginal children well before they are involved in the juvenile justice system. For many child protection issues mar their early childhood, resulting in removal from their family and country. Intergenerational trauma becomes their legacy, compounded by the distress and damage caused by their individual circumstances of neglect and abuse.

As a provider of legal, education and support services to victim-survivors of family and sexual violence, the AFLS and our sister FVPLS providers witnesses daily the trajectory of Aboriginal men, women and children towards incarceration. For many this trajectory is in some ways predetermined, and inevitable. The factors that contribute to this path are well known and to us, easily identified.

Our call to the Prime Minister is that his government understand that much is known about the ‘why’, it’s time to put this knowledge into action. This includes acknowledgement of the structures that reinforce racism and disadvantage, and the dire need to replace these structures with self-determination and meaningful representation. We endorse Mick Gooda’s call for a bipartisan approach, and an end to practices that “shoot the messenger, discredit the report and demonize these kids”.

“The response to the Four Corners report has been overwhelmingly sympathetic to the boys’ suffering while at Don Dale. We ask that people, especially parents, remember the next time they disparage an Aboriginal person to their child, or resend a racist post on social media, they consider how small changes can transform the lives of Aboriginal children in our schools and communities”, said Corina Martin, Acting/CEO for AFLS. “We all have the power to stop this happening to other children.”

The AFLS also recommends a shift in the approach of the youth justice system from a punitive to a therapeutic one. As already demonstrated in child protection spheres, children who receive trauma informed care have the potential to achieve better life outcomes. After all, isn’t this what we want for all children?

