



AUSTRALIAN
LAWYERS
FOR
HUMAN RIGHTS

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MEDIA RELEASE

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Human Rights Lawyers condemn Andrews Government: Victoria now lone wolf in arcane abuse of children in adult prisons

Australian Lawyers for Human Rights (ALHR) has condemned Premier Daniel Andrews' decision to send 40 children to adult jails in Victoria, stating there are no circumstances that justify the placement of children in the adult prison system.

ALHR Vice-President Kerry Weste said, "This regressive step will make Victoria a lone wolf in its abuse of children in adult jails. It will be the only state in Australia to be moving children **into** the adult prison system. This is deeply disappointing given the Queensland Parliament has just passed a Bill to remove 17-year-olds from adult jails, after recognising it is entirely inconsistent with Australia's international human rights obligations, the safety of children and is wholly counterproductive to positive outcomes in the juvenile justice system."

"Not only is the imprisonment of children in adult jails in clear contravention of Australia's obligations under the *UN Convention on the Rights of the Child (CRC)* and the *International Covenant of Civil and Political Rights (ICCPR)*, but it is also contrary to everything the available research tells us we should be doing to reduce rates of recidivism and rehabilitate young people."

"The available data irrefutably evidences that placement of children in adult prisons exposes them to a drastically increased risks of irreversible psychological harm, physical abuse, sexual abuse, suicide and recidivism when released back into the community. This is precisely why the juvenile justice system was developed a century ago. It is clear that housing young offenders within adult prisons is both self- destructive and self-defeating."

"Further, children are not little adults. Their behavior is different because their brains are different. That Victoria now wishes to treat 17-year-old child offenders as adults, does not in fact transform that child into an adult. Scientists know that the adolescent brain is still developing. Recognising that children are different to adults does not mean that young people are not dealt with for the offences they commit. Regardless of what they have done, a 17-year-old child is still a child. Incarcerating them in adult prisons is in fundamental breach of Australia's human rights obligations and will lead to breaches of the Victorian Charter of Rights," Ms. Weste said.

"ALHR is calling on Premier Andrews and the Victorian Government to reflect on the trauma and damage it will cause the 40 children they intend to transfer to adult jail. This is an arcane and populist move. Placing these children in the adult correctional system will do a damage so profound and irreversible that it may entrench within them a criminal mindset and create a pathway for an adult life of crime. This benefits no one."

To arrange an interview with ALHR President Benedict Coyne or ALHR Vice President

Kerry Weste, please contact Matt Mitchell on 0431 980 365 or media@alhr.org.au

For more information on Australian Lawyers for Human Rights, go to www.alhr.org.au

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NOTES

In 2013, then Victorian Ombudsman George Brouwer was scathing in a 2013 [report](#) of a request by the Department of Human Services to incarcerate five children in the Charlotte Management Unit at Port Phillip Prison between July and August 2012. In his report, Mr Brouwer revealed human rights abuses against children, such as one 16-year-old Aboriginal boy who was kept in solitary confinement for several months with only one hour in the exercise area each day during which time he was handcuffed.

The practice of keeping children in solitary confinement is in breach of Victoria's Charter of Human Rights and Responsibilities, contrary to advice from the Equal Opportunity and Human Rights Commissioner and a violation of Australia's international legal obligations.

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