



The Royal
Australian &
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College of
Psychiatrists



AMA

5 May 2021

Open Letter to Hon Natasha Fyles (NT Minister for Health); Hon Selena Uibo (NT Attorney General); Hon Nicole Manison (Minister for Police) and Hon Kate Worden (Minister for Territory Families and Urban Housing)

Dear Ms Fyles, Ms Uibo, Ms Manison and Ms Worden,

We write in urgent concern regarding the Northern Territory Government's youth justice reforms that will see more young people being denied access to diversion, refused bail and remanded in NT youth detention centres. We understand these amendments were introduced 'on urgency' in the Parliamentary sittings today, with no opportunity for consultation.

As child and adolescent health practitioners, researchers and experts, we are deeply concerned about the impact these reforms will have on the health and wellbeing of young people in contact with the NT's justice system. We note that this is a demographic that is almost entirely made up of Aboriginal and Torres Strait Islander children and children with a disability.

It is well known that young people in the justice system experience a range of complex health, mental health and developmental needs. The Senate Report on effective approaches to prevention, diagnosis and support for Fetal Alcohol Spectrum Disorder (**FASD**), released only last month, found that there is a high prevalence of FASD among young people in detention centres. The report found that "conventional sentencing and correctional facilities are often inappropriate for people with FASD" and recommended the need to invest in "diversionary programs and alternative therapeutic facilities".

Detention centres in the NT do not contain the therapeutic, trauma-informed or rehabilitative environments needed to properly respond to these complex health concerns. Due to a lack of Medicare funding in detention, there is a limit to comprehensive primary health care and medical and therapeutic services that are so direly needed. Young people in detention therefore often fail to receive the proper care and treatment needed to cater to their high needs, and often suffer as a result. Increasing the amount of young people in detention would only exacerbate the strain on the medical services provided in detention and worsen these conditions.

Even short periods of detention can have a severe and long-lasting impact on the developmental trajectory of a young person. As we know, children's brains and patterns of behaviour are still developing throughout their formative years. Incarcerating children in these crucial years can increase their risk of mental health issues, poor emotional development and educational outcomes. It is also known that an overwhelming number of young people in detention have backgrounds of neglect and trauma, and the experience of detention often threatens to increase the risk of re-traumatisation.

These reforms pose a significant threat to the health and wellbeing of an already vulnerable cohort of young people. Punitive legislation does not rehabilitate young offenders or keep communities safe.

We know there are evidence-based alternatives that will improve young people's long-term outcomes and community safety, including victim offender conferencing, youth diversion programs and early intervention health strategies. Despite being proven effective, these alternatives are increasingly being defunded and restricted. It is time the NT government responded humanely and responsibly by addressing the real causes of youth offending and investing in these evidence-based approaches.

Signed:

Aboriginal Medical Services Alliance NT (AMSANT)

Australian Medical Association Northern Territory (AMA NT)

Australian Medical Association (AMA)

Central Australian Aboriginal Congress Aboriginal Corporation (Congress)

Danila Dilba Health Service (DDHS)

Royal Australian and New Zealand College of Psychiatrists (RANZCP)