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MEDIA RELEASE

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Mounting pressures in Kurlana Tapa creating serious concerns for detainees

For the second year in a row, the Training Centre Visitor (TCV) report has identified that conditions in Kurlana Tapa Youth Justice Centre are taking a serious toll on the health and rehabilitation of the children and young people detained there.

The report details the TCV's increased efforts in 2021-2022 to monitor the prevalence of rolling lockdowns and isolation practices, as well as young people's inhibited access to education, rehabilitative programs and health treatment. The report notes the persistent lack of staff on shift undermines Kurlana Tapa's capacity to support the young people – approximately 90% of whom have disability related needs, and many with backgrounds of trauma and abuse.

Concerned about the impacts of Covid-19 protocols and staffing shortages, the TCV monitored incidents of children and young people self-harming, or at risk of self-harming. This rate doubled over the course of the monitoring period, to a point where we believe that nearly 2 in 5 incidents at the centre involved a young person who self-harmed or was at risk of doing so.

"I have serious concern for the young people in Kurlana Tapa, who told us that most of their time in the centre was spent locked in rooms with limited rehabilitative support or access to recreation," Training Centre Visitor," Shona Reid said.

"I acknowledge that operating and managing a service and care model in a youth detention centre is complex and challenging, but as a community we expect better than this. Vulnerable, isolated, lonely and often traumatised children and young people deserve better. We should expect that the government looking after detained children and young people provides the care that best serves their rehabilitation, so when they re-join the community there is hope and opportunities that lead them away from further offending," Ms Reid said.

The report also raised concerns about access to both preventative and urgent health treatment, with examples including young people requiring surgery due to serious infections or not seeing a nurse or doctor after they suffered potential head injuries.

"The primary purpose of youth detention is to promote rehabilitation. But if basic expectations relating to safety, health and mental health are not being met, how can rehabilitation occur? How can we say that youth detention does provide a distinctly different function than an adult prison?" Ms Reid said.

As with the previous year, there are serious concerns about the overrepresentation of children and young people who are under guardianship orders at their time of admission, with this cohort accounting for well over a third of all individual admissions. Alarming, there was nearly a 25% rise in the number of First Nations children and young people who were detained over the course of the year, compared to a 14% increase overall.

"We need to be working towards reducing the number of First Nations children and young people in youth detention. Current strategies are clearly not working, another reason to contemporise and rethink the rehabilitative model at Kurlana Tapa," Ms Reid said.

OGCYP's *Final Report on the South Australian Dual Involved (SADI) Project*, which was released in July this year by the then Guardian and Training Centre Visitor, Penny Wright, looked into children and young people caught up in both child protection and youth justice systems. It found that on more than 2,000 occasions (over the course of one year) children and young people were held in police cells. In some locations, 100% of those detained were First Nations children and young people.

"What is concerning about this, is that South Australia currently has no child specialist independent monitoring in place for detention facilities that hold children and young people outside Kurlana Tapa. These settings can cause irreparable harm, especially if these locations are designed and run for adult detainees, not for the safety and wellbeing of children and young people," said Ms Reid.

Australia signed up to the *United Nations Optional Protocol Against Torture* (OPCAT) in 2017, which will come into effect on 20 January 2023, requiring South Australia (along with the rest of the country) to monitor and inspect places of detention to prevent human rights breaches. This includes places where children and young people are held.

"As the Training Centre Visitor, my role is to ensure young people caught up in youth justice are treated in a safe, humane and dignified manner," Ms Reid said. "OPCAT will extend my functions beyond the walls of Kurlana Tapa to places and spaces where I currently have no line of sight and will provide a different and distinctly more formal 'preventive' approach to inspecting facilities that deprive children and young people of their liberty."

Noting the Attorney General's recent comments in Parliament about the need to implement OPCAT requirements from January 2023, Ms Reid referred to discussion in the TCV Annual Report (pages 38-39) and said –

"It is unacceptable that some 10 weeks out from commencement of this major new human rights commitment (and some 5 years since local discussions began) the government is still not prepared to reveal what it proposes for South Australia. Vulnerable people in detention, including children, deserve better. As someone nominated for an OPCAT implementation role, I am dismayed with the lack of progress and waning commitment to what should be a basic human rights matter."

Ms Reid noted that "It is important to remember that children and young people in police cells and in Kurlana Tapa are often held for their next court appearance, in many cases they haven't even been found guilty of a crime. It is incumbent upon us to ensure any facility that holds a child or young person is fit for occupation by children as young as 10, because that is the current minimum age of criminal responsibility."