

Royal Commission into the Detention of Children in the Northern Territory

Plain English version of the Letters Patent

Inquire into:

1. Failings in the child protection and youth detention systems of the Government of the Northern Territory during the period since the commencement of the Northern Territory *Youth Justice Act* 2005 (the relevant period).
2. The treatment, during the relevant period, of children and young persons detained at youth detention facilities administered by the Government of the Northern Territory (the *relevant facilities*), including the Don Dale Youth Detention Centre in Darwin.
3. Whether any such treatment may have constituted:
 - a. a breach of a law of the Commonwealth or Northern Territory; or
 - b. a breach of a duty of care, or any other legal duty, owed by the Government of the Northern Territory to persons detained at the relevant facilities; or
 - c. an inconsistency with or be contrary to a human right or freedom that:
 - i. is embodied in a law of the Commonwealth or of the Northern Territory; and
 - ii. is recognised or declared by an international instrument; or
 - d. a breach of a rule, policy, procedure, standard or management practice that applied to any or all of the relevant facilities.
4. What, if any, oversight mechanisms and safeguards were in place during the relevant period at the relevant facilities to ensure that the treatment of children and young persons detained is appropriate, and whether those oversight mechanisms and safeguards have failed, or are failing, to prevent inappropriate treatment, and if so, why.
5. Whether there were deficiencies in the organisational culture, structure or management in, any or all of the relevant facilities.
6. Whether more should have been done by the Government of the Northern Territory to take appropriate measures to prevent the recurrence of inappropriate treatment of children and young persons detained at the relevant facilities and, in particular, to act on the recommendations of past reports and reviews, including:
 - a. the Review of the Northern Territory Youth Detention System Report, of January 2015; and
 - b. the Report of the Office of the Children's Commissioner of the Northern Territory about services at Don Dale Youth Detention Centre, of August 2015.
7. What measures should be adopted by the Government of the Northern Territory, or enacted by the Legislative Assembly of the Northern Territory, to prevent inappropriate treatment of children and young persons detained at the relevant facilities, including:
 - law reform

- reform of administrative practices
 - reform of oversight measures and safeguards
 - reform of management practices, education, training and suitability of officers; and
 - any other relevant matters.
8. What improvements could be made to the child protection system of the Northern Territory, including the identification of early intervention options and pathways for children at risk of engaging in anti-social behaviour.
9. The access, during the relevant period, by children and young persons detained at the relevant facilities, to appropriate medical care, including psychiatric care.