

**AMNESTY  
INTERNATIONAL**



3 September 2014

Hon Adam Giles MLA  
Chief Minister  
Hon John Elferink MLA  
Attorney General and Minister for  
Corrective Services  
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Dear Chief Minister and Attorney,

### **Use of tear gas against children at the Don Dale Detention Centre**

On behalf of Amnesty International Australia's 408,000 supporters I am writing to express grave concern about the use of tear gas against children at the Don Dale Detention Centre on 21 August 2014.

Amnesty International is aware that six boys, aged between 14 and 17, participated in an incident at the facility which reportedly saw the teenagers arming themselves with pieces of glass and modified domestic items, resulting in injury to a prison officer. We understand that the six boys were subdued with tear gas deployed by members of the riot-trained Immediate Action Team, while a police dog and handler remained on standby throughout the disturbance. Amnesty International is deeply concerned by these reports, as the deployment of tear gas, specialist riot police and the presence of a police dog represent extreme use of force by authorities against juveniles.

Amnesty International calls for an immediate and independent investigation into the conditions and circumstances in the Don Dale Detention Centre which triggered the incident on 21 August. The subsequent use of extreme force in subduing the children must also be independently investigated and measured against territory, federal and international human rights norms for dealing with juvenile detainees. We also call for the findings of the investigation to be made public.

Amnesty International expresses further concern that the children detained at the Don Dale facility have now been transferred to facilities that may not be appropriate for juvenile detainees. The transfer of the children to the Complex Behaviour Unit of the new Darwin Correctional Precinct must be a temporary solution only. We understand that there are currently no adults at the facility but, given adults are to be transferred there shortly we highlight that it is contrary to international standards for children to be housed alongside adult offenders.

The impending transfer of the juvenile detainees to the Berrimah prison, formerly an adult prison, raises additional concerns about the wellbeing and rehabilitation prospects of these children should they be detained in a non-purpose built facility. Amnesty International calls on the Northern Territory government to develop, as a matter of urgency, an appropriate long-term strategy to accommodate juvenile detainees in suitable facilities and facilitate rehabilitation in order to reduce recidivism.

Amnesty International further calls on the Northern Territory Government to implement youth justice strategies which focus on prevention, early intervention and diversion, and consider a Justice Reinvestment framework.

Longer term, Australia needs to ratify the Optional Protocol to the Convention Against Torture and set up a National Preventative Mechanism that will allow the United Nations to inspect all places of detention. This is especially relevant for the Northern Territory which does not have an independent overseer like the Office of the Inspector of Custodial Services in Western Australia

Yours sincerely,

Privacy

A large black rectangular redaction box covers the signature area, obscuring the name and any handwritten notes or dates.

Claire Mallinson  
National Director  
Amnesty International