

13 September 2023

The Hon Roger Jaensch
Minister for Education, Children and Youth
Level 5 Salamanca Building
4 Salamanca Place
HOBART TAS 7000

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Dear Minister,

RE: URGENT RELOCATION OF CHILDREN HELD AT ASHLEY YOUTH DETENTION CENTRE

We represent a group of civil society organisations working to promote and protect the rights of all Tasmanians, including children involved in the youth justice system and those currently held in detention.

We are writing to respectfully request the Government release all children currently detained at Ashley to appropriate community-based facilities, to ensure they are not subject to further human rights violations and to promote their safety. We also echo the recommendations of the Commissioner for Children and Young People, who has been calling for the establishment of a specialist team of practitioners to work with the children currently detained at Ashley, to provide child-centred solutions for their care and safe transition into the community.

We already know the closure of Ashley will be a recommendation in the final report of the Commission of Inquiry. We therefore request the release of all children currently detained at Ashley by 26 September 2023 (the date the final report will be made public).

We understand there are currently around 14 children held at Ashley Youth Detention Centre, and that six of those children identify as Aboriginal. All these children are currently on remand.

Considering the evidence presented at the Commission of Inquiry into the Tasmanian Government's responses to Child Sexual Abuse in Institutional Settings, and what we already know about the Commission's findings and recommendations, we are extremely concerned at the risk presented by the continued detention of these children.

We recognise the efforts of the Tasmanian Government in committing to the closure of Ashley, and to implement a therapeutic approach to youth justice to ensure all children are provided with the care and support they need. However, we are concerned at the lack of concrete timelines for the implementation of these changes, and conscious of the disproportionate impact of any delay on those children who are currently imprisoned within an institution in which Tasmanian children have experienced such significant and lasting harm.

We have prepared a media release for publication on Friday, 15 September, which highlights the same concerns raised in this letter in relation to the safety and wellbeing of children at Ashley Youth Detention Centre.

It is our view that this is an emergency, and that the Government must act now to uphold the rights of all Tasmanian children and ensure they are safe.

We look forward to hearing from you and would welcome the opportunity to meet in person to present our views in more detail.

Yours faithfully,

Pat Burton, Advocacy and Campaign Coordinator, Justice Reform Initiative (TAS)

Dr Charlie Burton, Acting CEO, TasCOSS

Don McCrae, CEO JusTas Inc

Sara Maynard, SEWB Coordinator, Tasmanian Aboriginal Centre

Rowena Macdonald, Tasmania President & Director, Australian Lawyers Alliance

Emeritus Distinguished Prof Rob White and Dr Val Kitchener, Tas OPCAT Network

Ben Bartl, Policy Officer, Community Legal Centres Tasmania

Greg Barns SC, Prisoners Legal Service

Richard Griggs, Convenor of the Tasmanian Human Rights Act Campaign Committee

Prof. Nicole Asquith, Director Tasmanian Institute of Law Enforcement Studies