The Comparative Youth Penalilty Project

The Comparative Youth Punality Project (CYPP) is an ARC Discovery Project led by Professor Chris Cunneen, Professor Eileen Baldry, Emeritus Professor David Brown, Melanie Schwartz and Professor Barry Goldson (University of Liverpool).

The CYPP is an international comparative study of youth punishment in Australia (focusing on NSW, Victoria, Queensland and WA) and in England and Wales. The project aims to analyse developments in the punishment of children and young people over the last 30 years. This is the first in-depth analysis of Australian youth penalty and the first comparative study of youth punishment across these jurisdictions.

The Project seeks to answer the following questions:

● What are the defining features of contemporary juvenile justice penalty?
● How has youth penalty changed since the early 1980s across the jurisdictions that are the subject of this project?
● How have changing approaches to youth penalty impacted upon particular social groups, including racial minorities, Indigenous youth, young women, and young people with mental and cognitive disabilities?
● What, if any, jurisdictional differences are to be found in discourses on community safety, the nature of childhood and youth (including child welfare and protection), the appropriateness of rehabilitation and the character of punishment practices for youth?
● How has the development of a human rights framework impacted on penal law, policy and practice as applied to youth? What impact, if any, has a children’s rights framework had on differentiating youth justice from adult penal systems?
This newsletter provides stakeholders with an update on the progress of the CYPP. It also lists some of the latest news and research in the field of youth penalty. For more information please visit our website or contact CYPP Research Associate, Sophie Russell.

**CYPP News**

**Inquiries into Australian youth detention**

In July, ABC’s *Four Corners* aired ‘*Australia’s Shame*’: a documentary detailing the mistreatment of children detained in the Don Dale youth detention centre in the Northern Territory. The documentary shows a young Indigenous boy, Dylan Voller, being strapped to a restraint chair with a spit-hood placed over his head while he is left in isolation for a number of hours. His mother revealed Dylan has a cognitive disability for which she sought assistance when he was 11 years old, only for Dylan to be taken away by the police. Children with disability enmeshed in the criminal justice system is one of the concerns the CYPP is examining.

Following the ABC program, Prime Minister Malcolm Turnbull announced a Royal Commission into the child protection and youth detention systems in the Northern Territory. CYPP researchers featured in several news reports regarding the events at Don Dale and the announcement of the Royal Commission. Professor Chris Cunneen wrote an article for *The Conversation* Abuse in youth detention is not restricted to the Northern Territory; Chris and Melanie Schwartz wrote an opinion piece for the ABC Is a Royal Commission the best response to the NT juvenile justice crisis? And Professor Eileen Baldry spoke on a Lateline panel with Jonathan Hunyor and Shayleen Solomon which examined what the Royal Commission will achieve.

In August, ABCs 7:30 and Lateline programs aired CCTV footage documenting excessive force and brutality in restraining children detained at the Cleveland Youth Detention Centre in Townsville. The programs showed images of a 17-year-old boy being held face down by five adults before he was handcuffed, ankle-cuffed, stripped naked and left alone in isolation for over an hour. Other images included a girl in a swimming pool being threatened by private security guards with an unmuzzled dog. Following the two programs, Queensland Attorney-General Yvette D’Ath ordered an independent review of the Queensland youth detention centres. A report released by Amnesty International Heads Held High: Keeping Queensland kids out of detention, strong in culture and community was discussed by Chris Cunneen on 98.9 FM.

**South Australian Disability Justice Plan Update Forum**

On 3 August, Professor Eileen Baldry travelled to Adelaide to participate in the South Australian Disability Justice Plan Symposium hosted by the Attorney General’s department.
The symposium gave participants an update on how the plan is benefitting people with disabilities and their families in South Australia.

Eileen presented research on young people with mental and cognitive disabilities in the juvenile justice system, highlighting the damning profile of those in our youth detention centres: 54% are Indigenous; 87% have mental health issues; 50% have a low IQ; 64% are substance abusers; and 60% have been victims of child abuse or neglect.

**European Society of Criminology Conference 2016**

In September CYPP researchers Chris Cunneen, Eileen Baldry and Barry Goldson travelled to Munster, Germany to present a panel on youth justice at the European Society of Criminology Conference 2016. The panel was titled *Comparing Juvenile Justice Regimes in the Twenty First Century.*

**News (Australia & UK)**

**Australia**


*Footage from inside Brisbane prison shows teen confronted by seven prison officers and put in spit mask*, David Murray, *Courier Mail*, 30 August 2016.


*Former Queensland youth detention worker ‘took abuse concerns to government in April’*, Alexandra Blucher and Sharnie Kim, *ABC*, 20 August 2016.

Worker at Ashley Youth Detention Centre stood down amid inquiry, Blair Richards, Mercury, 18 August 2016.

Cleveland detention centre: Former inmate tells of frequent bashings, racial abuse by guards, Ben Millington and Tierney Bonini, ABC, 18 August 2016.

Images emerge of alleged mistreatment at Townsville’s Cleveland Youth Detention Centre, Michael Atkin and Sarah Whyte, ABC, 18 August 2016.


Families, funding and Four Corners failed the kids of Don Dale, Marcia Langton, The Australian, 5 August 2016.

Nigel Scullion ‘should consider quitting’ over Don Dale, Rosie Lewis and Jared Owens, The Australian, 4 August 2016.

Nigel scullion admits receiving official briefing on Don Dale abuse claims last year, Peta Donald, ABC, 4 August 2016.

Rethinking youth justice: there are alternatives to juvenile detention, Jodie O’Leary, The Conversation, 4 August 2016.

Protestors confront Nigel Scullion over Don Dale response as Tom Calma calls for his resignation, Anna Henderson, ABC, 4 August 2016.


Should we be locking people up in prisons at all? Rob Hulls, The Conversation, 1 August 2016.

The tough-on-crime rhetoric led to cruel abuse in the Northern Territory, Peter O’Brien, Sydney Morning Herald, 1 August 2016.

Youth offender Dylan Voller caught in vicious cycle, Verity Edwards, The Australian, 1 August 2016.

How young is too young? Charged, tried and imprisoned at the age of 10, Kate Fitz-Gibbon and Wendy O’Brien, The Guardian, 1 August 2016.
Shane Stone – as the blame game escalates, do we really need a Royal Commission? Shane Stone, *Crikey*, 1 August 2016.


NT juvenile detention; commission needs indigenous input, Dodson says, Rachael Baxendale, *The Australian*, 31 July 2016.


Thousands take part in rallies across Australia calling for end to abuse of children in detention centres after shocking footage revealed teenage inmates being tear-gassed and stripped naked, Peter Devlin, *Daily Mail Australia*, 30 July.


Bill Shorten calls for changes to NT juvenile justice royal commission, Damien Murphy, *Sydney Morning Herald*, 30 July 2016.


Brian Martin QC: Meet the man who will head the NT youth detention royal commission, *ABC*, Michael Coggan, 29 July 2016.

The NT royal commission: it’s a good start but more leadership is needed, Wendy O’Brien, *The Conversation*, 29 July 2016.
Grattan on Friday: Turnbull should move to add justice to Closing the Gap targets, *The Conversation*, 29 July 2016.

Profile: NT inquiry head Brian Martin is no stranger to the toughest cases, Calla Wahlquist, *The Guardian*, 29 July 2016.

Four Corners: why did the two previous investigations have no impact on changing this abuse? Brian Stout, *The Conversation*, 26 July 2016.


United Kingdom


Should all victims of crime have the right to meet the perpetrator? Ian Paylor, *The Conversation*, 1 September 2016.

Raise the age of criminal responsibility is powers are devolved, *BBC News*, 29 August 2016.

I was a child in care. We needed love, not chemicals, David Akinsanya, *The Guardian*, 23 August 2016.


Research


Phoenix, J. 2016 Against Youth Justice and Youth Governance, for Youth Penalty, The British Journal of Criminology, 56(1), 123 – 140.


Events

The American Society of Criminology Conference will be held from 16 – 19 November in New Orleans. The theme for 2016 is The Many Colors of Crime and Justice.

The Australia and New Zealand Society of Criminology Conference will be held 29 – 2 December in Hobart, Tasmania. The theme for 2016 is Horizon Criminology. Looking over the horizon there are challenges for criminology and criminal justice requiring innovative interpretations and creative responses to the past, present and future.

The Youth, Health and Practical Justice Conference will be held 4 – 5 December in Sydney. The interdisciplinary conference is for those working to promote young people’s wellbeing and health, in education, health service, community and youth work settings.

The Applied Research in Crime and Justice Conference will be held 15 – 16 February 2017 at the Dockside Function Centre, Darling Harbour, Sydney. The conference will showcase high
quality Australian and international research in the areas of policing, offender rehabilitation, situational crime prevention, corrections, early-intervention and criminal justice administration.