

It is surely extraordinary it took a Four Corners program, excellent as it was, to force the attention of Northern Territory and federal politicians on to the scandal of the NT detention system when most of the evidence had been before their eyes for a long time.

The tear-gassing, “hooding” with “spit masks”, holding of juveniles in solitary confinement and a lot else about events at the Don Dale Youth Detention Centre in August 2014 were set out in [a report to the NT government in August 2015](#)

. The detail was widely ventilated in the media.

The Law Council of Australia and Amnesty International had plenty to say after the report. An ABC story reported: “Of particular concern to the Law Council is the indiscriminate use of hoods and handcuffs, the solitary confinement of young people in breach of the NT’s Youth Justice Act, and the use of tear-gas in favour of a meaningful attempt to negotiate a peaceful outcome in response to last August’s unrest” at the centre.

The self-initiated report by the Children’s Commissioner was condemned at the time by then NT Corrections Commissioner Ken Middlebrook as shallow and one-sided.

The shocked reactions on Tuesday of the NT Chief Minister, Adam Giles, about to face an election, and federal Indigenous Affairs Minister Nigel Scullion therefore have to be viewed with some scepticism.

With the heat on him Giles, declaring the Four Corners vision was new to him, leapt in with a detailed response, including removing responsibility for corrective services from his minister and the promise of a new detention facility.

He claimed: “I think there’s been a culture of cover up going on for many a long year.” His comments were all over the place: he referred to withheld footage from 2010-12 but then said it may have been public at the time.

Evidence of NT detention centre abuse was there for all to see

Written by Michelle Grattan, Professorial Fellow, University of Canberra

Turnbull was alerted to the Four Corners program on Monday night by Indigenous Liberal MP Ken Wyatt. He immediately watched it on iView. Turnbull rang Scullion, who hadn't seen the program. Scullion said Turnbull, who was "fairly agitated", told him "you better go home and see it". Turnbull also spoke to Attorney-General George Brandis and to Giles. By Tuesday morning the Prime Minister had announced a royal commission.

But why hadn't Scullion homed in last year? Apart from his ministerial duties, he is a senator from the NT. The stories were all over the local news in Darwin. One would also presume his bureaucrats keep an eye out for what might be happening in the NT.

Scullion said on Tuesday "The facts of the matter were I didn't know, I had never seen the vision, it hadn't come to my attention, hadn't piqued my interest sufficiently". He said there'd been some media commentary last year but he assumed the NT government was taking care of things.

Announcing that the federal government, in co-operation with the NT, would set up a royal commission into the Don Dale Youth Detention Centre, Turnbull and Brandis seemed confused.

They said in a statement that previous inquiries conducted within the NT into the centre "failed to identify the nature and extent of the behaviour highlighted by Four Corners".

Well, the inquiry that came out last year gave a pretty clear and vivid picture, and it was not the only reporting.

They also said: "This needs to be a thorough inquiry which exposes what occurred and why it remained concealed for so long."

Except that it didn't remain concealed. Turnbull was wrong when he said "These events at the Don Dale Centre ... were not widely known - they were not known to Australians or widely known".

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A great deal was known to anyone who cared to know. But those politicians whose business it was to know didn't look too closely.

Turnbull has done the right thing by announcing the royal commission, although initially it seemed this might be cast narrowly around the Don Dale centre

But Brandis said on Tuesday night the terms of reference "will be broad enough to examine abuses and practices across the juvenile detention system in the Northern Territory".

"The commission will have terms of reference sufficiently wide and sufficiently penetrating to get to the bottom of the conduct that was revealed last night and the broader question of the extent to which it is systemic conduct in the Northern Territory system," Brandis said.

Turnbull and Brandis said in their statement that "it is important that the causes and failures at the Don Dale Youth Detention Centre are identified to provide lessons to other correctional institutions in Australia to ensure they are never repeated".

Inevitably there is now pressure to make the examination of juvenile detention national. But the government's preference is for an inquiry that is specific and speedy.

The equally important issue of how to prevent so many young Indigenous people getting into the justice system goes to the heart of Aboriginal affairs policy.

It crosses jurisdictions and requires a much better effort at the federal level. Bill Shorten canvassed it in the run up to the election.

There are now several high profile Indigenous MPs in federal parliament including Labor's Pat Dodson, Linda Burney, and Malarndirri McCarthy (a former NT minister for children and families) as well as Wyatt.

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Their experience, links into Indigenous communities, and commitment should be mobilised into a bipartisan policy effort to try to find ways of reducing the incarceration rate for Indigenous youth across Australia.

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