

From Harm to Healing: A community services joint statement on the proposed *Pontville Youth Justice Facility*

Lutruwita / Tasmania's youth justice system requires urgent reform to better support and protect children, young people, their families, and communities. Our children, our communities, and our state cannot afford to repeat the mistakes of the past.

This joint statement raises collective concerns and recommendations from a group of impassioned organisations who believe in a safe and just future for all children and youth in Lutruwita/Tasmania.



Acknowledgement of Country

The signatories to this joint statement acknowledge the Palawa people as the Traditional Custodians of the lands and waters of Lutruwita/Tasmania. We recognise that sovereignty was never ceded, and that colonisation and genocide continue to cause profound and ongoing harm to Aboriginal communities. We pay our deepest respects to Elders past and present, and we particularly acknowledge the strength and leadership of Aboriginal youth who continue to face systemic racism and disproportionate incarceration within the criminal justice system.

Acknowledgement of Lived Experience

The signatories to this joint statement acknowledge all those who have lived experienced of harm within the youth criminal justice system, prisons, youth detention, and other forms of incarceration. We recognise the immense strength it takes to survive systems that are unjust, punitive, and dehumanising, and we acknowledge the profound and ongoing impacts these systems have on individuals, families, and communities. We commit to amplifying the voices of those most affected, challenging the systemic injustices of the criminal legal system, and standing in solidarity in the struggle for dignity, justice, and healing.

Contents

Contents	3
KEY POINTS AND RECOMMENDATIONS	4
Introduction.....	4
Key Points.....	5
Summary of Recommendations	6
SIGNATORIES	7
DISCUSSION PAPER	10
Introduction.....	10
1. Purpose of the facility.....	12
2. Location & Design.....	12
Environmental Triggers	13
Barriers to Family and Community Connection	14
Design Concerns	16
3. Inadequate Consultation Process in Decision-Making.....	16
4. Model of Care (MOC).....	19
A therapeutic, child-centred MOC.....	19
Open Access to Services: Avoiding a Closed Institution	21
5. Call for Review and Alternative Approaches	22
6. Conclusion	24

KEY POINTS AND RECOMMENDATIONS

Introduction

This joint statement, endorsed by 15 community service organisations, groups, and peak bodies, raises significant concerns about the Tasmanian Government's proposed Pontville Youth Justice Facility.¹ The signatories argue that the facility represents a missed opportunity for genuine youth justice reform and fails to uphold the Government's commitment to implement the recommendations of the Commission of Inquiry (Col) into the Tasmanian Government's Responses to Child Sexual Abuse in Institutional settings. The facility as currently planned also poses a violation of the government's duty of care, commitment to child safety, and obligations under the United Nations Convention on the Rights of the Child.

We support the Australian Human Rights Commission's view that almost all the underlying causes of youth offending lie beyond the reach of the justice system itself. We believe the proposed facility's location, design, and overall approach raise serious concerns and do not reflect the kind of reform needed to deliver safe, effective outcomes for children. Now is the time to embrace genuine change and build a youth justice system grounded in the rights and wellbeing of all children.

We urge the Tasmanian Government to shift its focus away from detention-based responses and instead invest in community-led, non-carceral alternatives grounded in healing, prevention, and early intervention. These approaches must prioritise the voices and leadership of Aboriginal and other marginalised communities who are over-represented in the criminal justice system, recognise the impacts of trauma, and work to address the social determinants that contribute to young people's involvement in the justice system.

Below we outline the key points which form our objections to the proposed Facility followed by our recommendations as endorsed by the signatories of this joint statement, listed following the recommendations. Below the signatories is a more extensive discussion paper expanding on these key points and recommendations, acknowledging that this is a complex issue which warrants considered unpacking.

¹ The original draft of this joint statement was compiled by Laurel House (Dr Lucy Mercer-Mapstone and Elise Whitmore) with contributions made subsequently from other signatories.

Key Points

1. Lack of Transformational Reform

- The facility misses the opportunity to break from the punitive, carceral model of Ashley Youth Detention Centre (AYDC) rather than delivering the therapeutic, trauma-informed model recommended by the Col.
- Environmental, geographical, and design flaws undermine multiple pillars of the *Youth Justice Model of Care*, where risks and limitations of the site and design are prohibitive in the provision of trauma-informed care, family and community connection, and cultural safety.

2. Flawed Site Selection

- Location at Pontville limits access to family, culture, and community, which are crucial for rehabilitation and wellbeing by putting onerous and often prohibitive travel requirements for families and communities in regions outside the south of Tasmania.
- Proximity to environmental triggers including gunfire from nearby rifle ranges and marijuana odours from a nearby medical marijuana production facility poses risks of adverse childhood events, traumatisation, re-traumatisation, and relapse for children.

3. Failure to Uphold Commitments to Implement Recommendations of the Col

- Many recommendations of the Col seek to reduce the number of children in youth detention and in contact with the criminal justice system through prevention initiatives and this \$150million investment in a new detention centre for youth negates those commitments.
- AYDC was meant to be closed by the end of 2024 as a matter of urgency. The Government's repeated assertion that the closure of AYDC is contingent upon the opening of this new facility is a fallacy with a range of alternative evidence-based models available as modelled in other jurisdictions.

4. Design and Operational Concerns

- Facility design does not reflect a child-friendly, therapeutic environment (e.g., clustered bedrooms, caged outdoor spaces).
- Risks creating a closed, isolating institution similar to AYDC, contrary to recommendations for openness, community integration, and accessibility.

5. Inadequate Consultation Process

- Initial and follow-up consultations to decide on the location and the design were narrow, short, and lacked engagement with key stakeholders, including priority populations like children and young people, Aboriginal communities, and those in regional and remote Tasmania.
- Consultation found large a majority of consulted stakeholders rejected the location.
- The introduction (and later defeat) of the fast-tracking Youth Justice Facility Development Bill 2025 aimed to allow the development of the Facility to bypass due planning processes further eroded community trust.
- A development of state-wide significance deserves broad and deep consultation to support the legitimacy of decision made which has not been the case thus far.

Summary of Recommendations

- **Immediately close** the Ashley Youth Detention Centre.
- **Reject Pontville** as the location for the new youth justice facility.
- Prioritise youth justice responses that enable regular and meaningful **connection to family, culture and community**.
- Invest in **community-led, non-carceral alternatives** to detention, especially those grounded in Aboriginal self-determination and healing.
- Reallocate funding from this proposed development to support **primary and secondary prevention** initiatives to existing issues in the current system, including the high number of children on remand or held in police watchhouses.
- Explore and implement alternative models, using best-practice examples from other jurisdictions to guide reform.
- Ensure any new youth justice facilities in Lutruwita/Tasmania can comply **authentically with the Youth Justice Model of Care**.
- Guarantee access to comprehensive therapeutic services and ensure any facility serving children and young people in the justice system is open, community integrated, and accessible.
- Commit to **transparent, inclusive, and state-wide consultation** particularly with those likely to be impacted most by the decisions relating to the development.
- Become a national leader in child safety and justice and seriously reconsider the use of any youth incarceration in Lutruwita/Tasmania.

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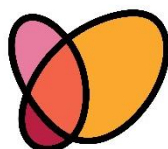
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(TOPCAT; *OPCAT Implementation Act*
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DISCUSSION PAPER

Introduction

Lutruwita / Tasmania has a significant opportunity to build changed systems and approaches to youth justice that will **support an end to the current cycles of disadvantage and harm** in Tasmania, while also leading the way for the nation.

The government is not in this alone – there is opportunity to more meaningfully seek the support from the community, expertise from the community sector, victim-survivors, children and young people, Tasmanian Aboriginal communities, propriety populations, and the new Commission for Children and Young People to **help to change the culture that has led to unforgivable outcomes over decades.**

This is our chance to start from the beginning rather than making insubstantial changes at the edges of a system that the *Commission of Inquiry into the Tasmanian Government's Responses to Child Sexual Abuse in Institutional Settings* (Col) told us is harmful. The Commissioners described hearing evidence from children in youth detention as harrowing, with **abuses that were “callous, cruel and degrading.”**³ We cannot let such abuses be repeated.

The proposed \$150 million⁴ Pontville Youth Justice Facility (the facility) represents a significant **missed opportunity for meaningful reform.** The facility is not fit-for-purpose and fails to provide a safe or appropriate response to the complex needs of children and young people in the justice system.

Investment in another high-cost detention centre **does not address the underlying causes of harm or the systemic failures** that contribute to young people’s involvement with the justice system. Such an approach focuses on the symptoms rather than the root causes, thus perpetuating cycles of disadvantage and harm.⁵ It is also our view, based on reviews of the current facility masterplan⁶ and consultations with the team

³ Commission of Inquiry into the Tasmanian Government’s Responses to Child Sexual Abuse in Institutional Settings. (2023). *Final report* (Vols. 1–6). Tasmanian Government. <https://www.commissionofinquiry.tas.gov.au/final-report>. Page 59 (7.4)

⁴ As allocated in the 2025-2026 Tasmanian State Budget released in May 2025

⁵ Consistent evidence is now available to demonstrate that adverse childhood experiences (ACEs)—a term to describe the cumulative effects of both maltreatment (physical, sexual and emotional abuse, and physical and emotional neglect) and household dysfunction (parental separation, domestic violence, mental illness, substance abuse and incarceration) before the age of 18—are prevalent in youth justice populations and that those with a higher number of ACEs are the most likely to engage in serious, violent and chronic offending (page 1): Australian Institute of Criminology. (2022, June). *Adverse childhood experiences and trauma among young people in the youth justice system* (Trends & Issues in Crime and Criminal Justice No. 651). Canberra, ACT: Australian Institute of Criminology. Retrieved from https://www.aic.gov.au/sites/default/files/2022-06/ti651_adverse_childhood_experiences_and_trauma_among_young-people.pdf.

⁶ Department for Education, Children and Young People. (n.d.). *New Tasmanian Youth Justice Facility*. Retrieved 2025, from <https://www.decyp.tas.gov.au/safe-children/youth-justice-services/youth-justice-reform-in-tasmania/tasmanian-youth-justice-facility/>

behind the development of the masterplan (June 2025) that the facility design does not yet reflect a trauma-informed, child rights-based approach capable of addressing the institutional failings identified by the Col.

We also **reject the Government's repeated assertion that the closure of Ashley Youth Detention Centre (AYDC) is contingent upon the opening of this new facility.**

Advocates arguing for the immediate closure of AYDC without waiting for a new detention facility have consistently highlighted a range of alternative approaches grounded in human rights, trauma-informed care, and evidence-based models of youth justice such as secure, non-custodial, community-based and therapeutic responses such as those implemented in other jurisdictions.

The government has historically weaponised delays to the closure of AYDC against any critiques of Pontville in ways which problematically seek to quash valid concerns. They also continue to cite advancement of planning processes for Pontville as a reason to proceed with a fundamentally flawed decision and project, **as if resources already invested in planning are good enough a reason to perpetuate future harms against children.** As Robert Benjamin AM SC, Tasmania's inaugural Child Safety Reform Implementation Monitor and previously one of three Commissioners for the Col, states:

*"Fixed time limitations should not undermine effective implementation of [Col] recommendations. For my part, I would prefer a reasonable delay with an effective outcome rather than complying with arbitrary deadlines and giving poor outcomes for children."*⁷

The Tasmanian Government's **funding commitment would be better directed towards establishing primary and secondary** prevention work, in tandem with additional community-led, non-carceral alternatives to youth detention, particularly those rooted in Aboriginal self-determination and healing.

The recent *'Help way earlier!': How Australia can transform child justice to improve safety and wellbeing* report released by the Australian Human Rights Commission (AHRC) states that a **public health approach** may be better equipped to deal with the complex interaction of multiple factors in relation to children in the youth justice system⁸. Further, the report states that,

"Almost all the underlying causes of negative behaviour displayed by children lie beyond the reach of the youth justice system."

⁷ Courageous Conversations, Launceston, April 2025

⁸ Hollonds, A. (2024, August 20). *Help Way Earlier! How Australia can transform child justice to improve safety and wellbeing* (Report). Australian Human Rights Commission. Tabled in Federal Parliament August 20, 2024.
https://humanrights.gov.au/sites/default/files/document/publication/1807_help_way_earlier_-_accessible_0.pdf

Any such alternative approach should be **grounded in child rights, designed to address the drivers of harm, and focused on breaking the cycle of disadvantage.**

In the below sections we outline **issues relating to the purpose of the proposed facility at Pontville, the model of care, and the location and design of the facility**, making alternative recommendations for approaches that are grounded in child rights and designed to break the cycle of harm. These issues and recommendations are informed by consultations with Tasmanian state government and associated consultants, community services organisations, and victim survivors of sexual harm, child sexual abuse, and youth detention. These issues remain unresolved and were reiterated by landowners, businesses, Aboriginal people, and service providers in the most recent consultation on the facility Masterplan (May 2025), indicating a significant lack of support from broad stakeholders:

*Feedback from the broader community highlights concerns about the facility's location, accessibility, and design, questioning whether it will truly support rehabilitation.*⁹

1. Purpose of the facility

We hold serious concerns that the proposed Pontville facility fails to deliver the transformational reform necessary to ensure the safety, wellbeing, and dignity of children and young people in detention. While the closure of AYDC is both essential and long overdue, **the new proposal represents a missed opportunity to break from a punitive, carceral model – put simply, we don't need another Ashley.** Rather than offering a genuinely therapeutic and rights-based alternative, the current design risks entrenching outdated approaches under the guise of reform. The facility, as proposed, lacks a clear and purposeful vision centred on healing, care, and rehabilitation while also posing the potential to cause further disadvantage to children if not addressed.¹⁰ Further issues with the facility's location, design, and operational model are detailed in the following sections.

2. Location & Design

The proposed **location and design of the Pontville facility present serious and unacceptable risks to the safety, wellbeing, and recovery of children and young people.** Rather than supporting therapeutic outcomes, the facility's location and structural design entrench barriers to rehabilitation and compound the harm already experienced by many of these young people. The AHRC Help Way Earlier Report states that,

⁹ Tasmania Department for Education, Children and Young People. (2025, August). *Youth Justice Facility Masterplan – community consultation & feedback summary now available*. Retrieved from <https://www.decyp.tas.gov.au/2025/08/youth-justice-facility-masterplan-community-feedback-summary-available/>

¹⁰ Reviews suggest that youth justice detention centres can increase criminogenic behaviours and entrench further disadvantage. Australian Institute of Criminology. (2020, October). *Youth justice in Australia: Themes from recent inquiries* (Trends & Issues in Crime and Criminal Justice No. 605). Canberra, ACT: Australian Institute of Criminology. Retrieved from https://www.aic.gov.au/sites/default/files/2020-09/ti605_youth_justice_in_australia.pdf (page 7)

“a genuinely therapeutic and rehabilitative model should promote positive social connection with a child’s family, community and culture, and be focused on building connection and relationships.”¹¹

The facility’s location in Pontville will **significantly limit access to family connection, community supports, throughcare, and specialist services** - key elements in preventing abuse and promoting recovery. This directly contradicts Recommendation 14 of the *Help Way Earlier* report, which recommends that

“Australian Governments resource the redesign of services to be place-based and informed by evidence and local community priorities, in line with Priority Reforms 1 of the National Agreement on Closing the Gap.”¹²

Environmental Triggers

The proximity of the proposed facility to a medicinal marijuana production site (‘Tasmanian Botanicals’) poses a grave concern. Strong odours emitted during cultivation and harvesting are likely to be unavoidable entirely. While the government reports exploring improved disposal methods to reduce odours (composting rather than burning), we understand that marijuana odour will still be strong during harvesting which cannot be avoided. These **odours may act as potent triggers for young people recovering from substance use or those with lived experience of familial substance misuse**. This is particularly problematic given that research shows justice-involved youth experience high rates of substance use.¹³ **Exposure to such triggers undermines recovery and places these young people at risk of relapse, re-traumatisation, and further harm**, for example, exposure to such smells has been found to more than double the odds of future drug use or relapse.¹⁴

The **location near two seven-day-a week rifle ranges, where gunfire can be heard regularly, is wholly inappropriate for a facility intended to promote healing**. While we understand the government is currently undertaking research to mitigate this issue, we cannot imagine any solution will remove this sound pollution entirely other than

¹¹ Hollonds, A. (2024, August 20). *Help Way Earlier! How Australia can transform child justice to improve safety and wellbeing* (Report). Australian Human Rights Commission. Tabled in Federal Parliament August 20, 2024.

https://humanrights.gov.au/sites/default/files/document/publication/1807_help_way_earlier_-_accessible_0.pdf (page 76)

¹² Hollonds, A. (2024, August 20). *Help Way Earlier! How Australia can transform child justice to improve safety and wellbeing* (Report). Australian Human Rights Commission. Tabled in Federal Parliament August 20, 2024.

https://humanrights.gov.au/sites/default/files/document/publication/1807_help_way_earlier_-_accessible_0.pdf (page 75)

¹³ Zapolski, t. et al. (2019) Family and Peer Influences on Substance Attitudes and Use among Juvenile Justice-Involved Youth. *J Child Fam Stud*. 2019 February ; 28(2): 447–456. doi:10.1007/s10826-018-1268-0.

¹⁴ Vafaie N, Kober H. Association of Drug Cues and Craving With Drug Use and Relapse: A Systematic Review and Meta-analysis. *JAMA Psychiatry*. 2022;79(7):641–650. doi:10.1001/jamapsychiatry.2022.1240

closure of these rifle ranges which we understand is an unlikely outcome. We also question why such mitigation studies are being done at this late stage, rather at the point of site selection when they surely would have led to a decision to rule out Pontville as an unsafe option for children.

For children and young people recovering from trauma, the sound of gunfire will be profoundly distressing, impeding any attempt to provide a safe and therapeutic environment. Indeed, **evidence indicates that exposure to sounds of gunfire can result in anxiety, depression, hyperarousal, flashbacks, dissociation, and PTSD especially for those with historical exposure to violence^{15,16, 17} and researchers argue that youth exposure to sounds of gunfire should be included as an Adverse Childhood Experience (ACE) alongside child maltreatment and domestic violence.¹⁸**

The youth in detention are highly likely to have experienced multiple forms of ACEs prior to incarceration and adding to these by placing them in an environment that guarantees further ACEs in a facility designed to keep them safe is an entirely unacceptable decision and **violation of the government's duty of care, commitment to child safety, and obligations under the United Nations Convention on the Rights of the Child** Article 19 to be protected from harm.

Barriers to Family and Community Connection

A NSW government report found that maintaining family and community contact while in custody has been shown to reduce isolation, alleviate depressive symptoms, and support reintegration outcomes for detained youth.¹⁹ The Tasmanian Government also reiterated the importance of family and community connection, stating in a recent report that:

Keeping young people connected to family and community, is vital.²⁰

¹⁵ Harper, F. W. K., Neubauer, D. N., Hanratty, B., & Vanderpool, R. (2021).

The impact of hearing gunshots on youth: Urban vs. non-urban differences in psychological outcomes. *Current Psychology*, 42, 10538–10549. <https://doi.org/10.1007/s12144-021-02141-4>

¹⁶ Nogueira-Arjona, R., Sherman, M. C., Smith, A. K., & Lieberman, A. F. (2021).

Exposure to gun violence and posttraumatic stress symptoms in young children. *Journal of Traumatic Stress*, 34(2), 323–331. <https://doi.org/10.1002/jts.22466>

¹⁷ van der Kolk, 2014 *The body keeps the score: Brain, mind, and body in the healing of trauma*. Viking.

¹⁸ Rajan, S., et al. (2019) Youth exposure to violence involving a gun: evidence for adverse childhood experience classification. *J Behav Med* (2019) 42:646–657 <https://doi.org/10.1007/s10865-019-00053-0>

¹⁹ Office of the Inspector of Custodial Services. (2015, January 30). *Making connections: Providing family and community support to young people in custody* (Report No. 98). Government of Western Australia. <https://www.oics.wa.gov.au/reports/making-connections-providing-family-and-community-support-to-young-people-in-custody/>

²⁰ Tasmania Department for Education, Children and Young People. (2025, August). *Youth Justice Facility Masterplan – community consultation & feedback summary now available*. Retrieved from <https://www.decyp.tas.gov.au/2025/08/youth-justice-facility-masterplan-community-feedback-summary-available/>

The neuroscience of developmental trauma ^{21,22,23} makes clear: recovery is driven by repeated, safe, and nurturing relational experiences. Accessibility for family and significant safe adults is not a 'soft' consideration — it is a clinical necessity. When young people maintain strong connections to family and community, baseline arousal levels decrease, self-worth improves, self-sabotaging behaviours reduce, and capacity for trust and emotional regulation increases.

The location presents **insurmountable challenges for families, particularly those living in regions that are geographically isolated from the South of Lutruwita / Tasmania**. An eight-hour round trip by car which would be required from many of these locations places regular, meaningful family and community contact beyond reach for most families—further isolating children and young people and compromising their recovery and wellbeing. This is especially disadvantageous in North-West Tasmania, as 5.7% of households do not have access to a motor vehicle, and the number of single-parent families with children under the age of 15 is significantly higher than the State average.²⁴

This issue is particularly important for Aboriginal young people who we know are overrepresented in justice systems.²⁵ The Aboriginal and Torres Strait Islander Child Placement Principle (ATSICPP) is a nationally recognised framework in Australia designed to promote the rights, safety, wellbeing, and cultural identity of Aboriginal and Torres Strait Islander children in child protection systems.²⁶ It originated as a response to the harm caused by past child removal policies, including the Stolen Generations, and aims to ensure that Aboriginal and Torres Strait Islander children remain connected to family, community, and culture wherever possible. The inaccessibility of the location makes this incredibly difficult and will, in many cases, **reduce Aboriginal children's connection to family, community, and culture, thereby negatively impacting their identity and wellbeing**. We know that Aboriginal and Torres Strait Islander people represent 8.4% of the North-West population (State average 5.4%).²⁷ This reiterates calls from Aboriginal communities and services in Lutruwita / Tasmania for community-

²¹ van der Kolk, 2014 *The body keeps the score: Brain, mind, and body in the healing of trauma*. Viking.

²² Perry, B.D. (2006). *The neurosequential model of therapeutics*. Reclaiming Children and Youth, 14(3), 38–43.

²³ Siegel, D. (2012). *The Developing Mind: How Relationships and the Brain Interact to Shape Who We Are*. New York: Guilford Press.

²⁴ Public Health Information Development Unit. (2025, June). *Social health atlases of Australia: Local government areas (Tasmania, 2021)* [Data set]. Torrens University Australia. <https://phidu.torrens.edu.au/social-health-atlases/data#social-health-atlases-of-australia-local-government-areas>

²⁵ Australian Institute of Health and Welfare. (2024, December 13). *Youth detention population in Australia 2024: First Nations young people*. Canberra, ACT: AIHW.

²⁶ SNAICC – National Voice for our Children. (2017). *Understanding and applying the Aboriginal and Torres Strait Islander Child Placement Principle: A resource for legislation, policy, and program development*. Melbourne, VIC: SNAICC. https://www.snaicc.org.au/wp-content/uploads/2017/07/Understanding_applying_ATSICPP.pdf

²⁷ Public Health Information Development Unit. (2025, June). *Social health atlases of Australia: Local government areas (Tasmania, 2021)* [Data set]. Torrens University Australia. <https://phidu.torrens.edu.au/social-health-atlases/data#social-health-atlases-of-australia-local-government-areas>

led, non-carceral alternatives to youth detention, rooted in Aboriginal self-determination and healing.

The Help Way Earlier Report quotes “Elija,” a young person in detention, speaking about the impact of not being able to see their family while in youth detention,

“But once you’re locked up ... if you don’t have a good family behind you, someone to visit you, someone to call – you lose your mind in there²⁸.”

Based on consultations with Tasmanian state government, it is our belief that current plans do not make adequate provision for transport, funding subsidies, accommodation, or public transport access that would enable families and community members to maintain these vital connections. Even with comprehensive planning around such provisions, the onus for families to travel such distances - meaning being away from their own homes, communities, work, and family obligations - would be **barrier enough to make the kind of frequent connection required for beneficial outcomes highly inaccessible.**

Design Concerns

The current design of the facility fails to prioritise the creation of a safe, supportive, and home-like environment. The masterplan shows small, closely clustered bedrooms within buildings that **do not foster comfort, privacy, or a sense of belonging**. This configuration risks escalating tension and conflict among residents, while offering little opportunity for retreat or respite.

Moreover, the inclusion of **caged mesh outdoor areas** associated with these living spaces contradicts any intended therapeutic benefit of the facility’s touted ‘natural surroundings.’ To promote healing and wellbeing, the design must provide private, spacious, and thoughtfully planned areas that support personal space, privacy, and connection with nature—none of which are achieved under the current proposal.

3. Inadequate Consultation Process in Decision-Making

The consultation process undertaken to inform the original decision to locate the new facility at Pontville was narrow in scope, poorly targeted, and inadequate in both depth and duration. For a project with profound implications for vulnerable children and young people across the state, we believe **the consultation failed to meet a basic standard of meaningful, inclusive engagement.**

Publicly available information details that the formal consultation period ran for just six weeks, from 23 March to 4 May 2023. During this time, public engagement activities were overwhelmingly focused on communities within close proximity to only three

²⁸ Hollonds, A. (2024, August 20). *Help Way Earlier! How Australia can transform child justice to improve safety and wellbeing* (Report). Australian Human Rights Commission. Tabled in Federal Parliament August 20, 2024.

https://humanrights.gov.au/sites/default/files/document/publication/1807_help_way_earlier_-_accessible_0.pdf (page 7)

southern-based proposed sites: Dowsing Point, Risdon, and Pontville.²⁹ This geographic restriction **excluded the broader Lutruwita / Tasmanian public from having a meaningful say on an issue of state-wide significance**, particularly those in the North and North-West.

Of submissions received, the vast majority of those that commented on the Pontville site expressed strong opposition: **100 submissions against compared to just 10 in favour**. Concerns raised included the site's proximity to the Lark Distillery and Tasmanian Botanicals, the audible gunfire from two nearby rifle ranges, heritage protections, the nearby schools, a lack of public transport, and the site's high visibility—factors that are fundamentally incompatible with a therapeutic, trauma-informed facility.

The consultation also failed to meet accessibility and inclusion standards. We understand written submissions were the only formal mechanism outside of regionally restricted drop-in sessions, which is problematic given the low rates of literacy in Lutruwita / Tasmania.³⁰ Consultation with Tasmanian community services indicates that **no sufficient targeted engagement appears to have been undertaken with children and young people** including those with lived experience of detention and their families, Aboriginal communities, or other priority groups—many of whom require more time and alternative methods to meaningfully engage in such processes.

Further, the underlying site selection criteria, which required the facility to be located within reasonable driving distance of Nipaluna / Hobart CBD, must be questioned on equity grounds. Lutruwita / Tasmania's youth justice system serves the entire state. Locating the only secure facility in the South **entrenches geographic disadvantage** for children and families further afield, who already face significant structural barriers to accessing services, support, and representation.

In addition to issues regarding consultation for the site, there are also deficiencies in relation to a lack of consultation with children and young people. Despite assurances made to communities and community service organisations that children and young people have been consulted, there remains a **lack of transparency** regarding the number of individuals engaged, the methods used for their involvement, and the extent to which their feedback has shaped the outcomes of this work, across the continuum from prevention and early intervention to youth detention.

The Youth Justice Blueprint (2024-2034) (the Blueprint) includes **a commitment to involve children and young people in youth justice reform efforts** and states, “A *children and young person's consultation strategy will be developed for all individual*

²⁹ Tasmanian Department of Education. (n.d.). *Community engagement outcomes report: New youth detention facility site options*. Hobart, TAS. Retrieved 2025, from <https://publicdocumentcentre.education.tas.gov.au/library/Shared%20Documents/Community-Engagement-Outcomes-report-New-Youth-Detention-Facility-Site-Options.pdf>

³⁰ Tasmanian Council for Adult Literacy. (2021, February). *A road map to a literate Tasmania* (Roadmap). Hobart, TAS: Tasmanian 100% Literacy Alliance.

actions.”³¹ This is to ensure that young people are consulted throughout development and implementation processes. Further, the Blueprint refers to the Col recommendation for the development of an empowerment and participation strategy for children and young people in detention. The Youth Justice Reform Taskforce Action Plan 2024-25 doesn't refer to a consultation strategy, the empowerment and participation strategy, or any specific actions to engage young people, despite children and young people being identified as partners next to each action area.³² While we understands work has progressed on the participation and empowerment strategy, this strategy is not expected to refer to youth engagement activity for individual youth justice actions.

Unfortunately, the consultation undertaken in May 2025 on the facility Masterplan (as outlined in the consultation summary report³³) repeated all the failures of the original consultation in 2023 as outlined above. Consultation was restricted to three weeks, focussed disproportionately on community members in close proximity to the site thus excluding those everywhere else in the state, and as far as is discernible in public material, did not target priority populations impacted by the proposal beyond Aboriginal communities.

In addition to the lack of consultation, we also note the introduction of the *Youth Justice Facility Development Bill 2025* (the Bill) which sought to fast-track the development of the new youth justice facility by bypassing standard planning procedures. The Bill was defeated in the Legislative Council on 5 June 2025 by a vote of 8 to 6. Those opposed to the Bill cited concerns about the **erosion of democratic planning processes, the removal of appeal rights and community input, and the undermining of transparency, accountability, and natural justice.**

The Bill's defeat reflects broader concerns about the government's failure to properly consult the public on the youth detention facility, and their motivation to circumvent genuine input and consultation. This was emphasised by the Leader of the Government in the Legislative Council, Jo Palmer, who said, “*The likelihood of appeal is high, with a number of interested parties, including residents in the surrounding area, indicating their intention to seek legal and planning advice,*”³⁴ This indicates that the government knew there were high levels of community concern, and took steps to attempt erode the public's right to object to the development. Independent Member of the Legislative Council expressed concerns that this was an attempt to circumvent planning laws,

³¹ Department for Education, Children and Young People. (2023, December). *Youth Justice Blueprint 2024–2034* [PDF]. Tasmanian Government. Retrieved July 22, 2025, from <https://publicdocumentcentre.education.tas.gov.au/library/Shared%20Documents/Youth-Justice-Blueprint.pdf>

³² Department of Premier and Cabinet. (2024). *Youth Justice Reform Taskforce Action Plan 2024–2025* [PDF]. Tasmanian Government. https://assets.keepingchildrensafe.tas.gov.au/media/documents/Youth_Justice_Reform_Taskforce_Action_Plan_2024-25.PDF

³³ Tasmania Department for Education, Children and Young People. (2025, August). *Youth Justice Facility Masterplan – community consultation & feedback summary now available*. Retrieved from <https://www.decyp.tas.gov.au/2025/08/youth-justice-facility-masterplan-community-feedback-summary-available/>

³⁴ Killick, D. (2025, June 10). *No fast-track for the Ashley replacement*. The Mercury. Retrieved from <https://megwebb.com.au/article-no-fast-track-for-the-ashley-replacement/>

stating, “this is a pattern of behaviour from this government and every time they are successful in doing it, it becomes another precedent they can point to, to justify doing it again.”

A decision of this magnitude demands transparent, inclusive, and well-resourced engagement with the communities most affected. The process undertaken does not meet this standard, and thus the legitimacy of the site selection remains in question.

4. Model of Care (MOC)

A therapeutic, child-centred MOC

*Australian children have few legal rights and in the context of youth justice, community safety tends to be prioritised over the best interests and wellbeing of children. “Tough on crime” approaches to youth justice law and policy have been influenced by penal populism, whilst the voices of practitioners who work with young people who commit offences remain largely ignored.*³⁵

Save the Children Australia & 54 Reasons, in their report *Putting Children First: A Rights-Respecting Approach to Youth Justice in Australia* argue for embedding a rights-centred perspective into youth justice systems. They emphasize this approach should place **children’s dignity, safety, and wellbeing at the system’s core, not be an afterthought.**³⁶

We commend the Department of Premier and Cabinet (DPAC) in the development of the Tasmanian Youth Justice Model of Care (YJMOC), which was released in December 2024.³⁷ The YJMOC aspires towards a transformative approach to youth justice, prioritising the inherent dignity, safety, and wellbeing of children, and moving towards a framework that is therapeutic, trauma-informed, and culturally safe. However, we hold **concerns that the YJMOC will not be successful in implementation if issues set out in this statement are not adequately addressed.**

We are concerned that the YJMOC will be moulded to “fit” the facility design, rather than the other way around, risking replicating issues seen at AYDC. The MOC cannot be separated from other concerns set out above, such as location, accessibility, and

³⁵ Walsh, T., & Fitzgerald, R. (2022). Youth Justice, Community Safety and Children’s Rights in Australia. *The International Journal of Children's Rights*, 30(3), 617-643. <https://doi.org/10.1163/15718182-30030009>

³⁶ Save the Children Australia & 54 Reasons. (2023, April). *Putting children first: A rights-respecting approach to youth justice in Australia*. https://www.savethechildren.org.au/getmedia/4befc9d7-c9de-4088-b591-547714fc8673/Putting-children-first-A-rights-respecting-approach-to-youth-justice-in-Australia_April-23.pdf

³⁷ Tasmanian Government, Department of Premier & Cabinet. (2024, December). *Youth Justice Model of Care*. Keeping Children Friendly Tasmania. Retrieved July 17, 2025, from https://assets.keepingchildrensafe.tas.gov.au/media/documents/Youth_Justice_Model_of_Care.pdf

sensory stimuli. These all **negatively impact on the effectiveness of any therapeutic treatments.**³⁸

We echo the concerns of the Commissioner for Children and Young People Tasmania, in her feedback to the Stakeholder Engagement Team for the MOC project, that detention can be inherently harmful to children and young people, and therefore there needs to be a robust, evidence-based, and “*transformative*” MOC to adequately respond to their needs.³⁹ However, while a robust MOC is necessary, it is not sufficient. We highlight below some of the **concerns we hold in relation to whether the YJMOC can be successfully implemented.**

There are nine key principles underpinning the YJMOC (the Principles). These are:

1. Child, young person and family focused
2. Participation, agency and voice of children and young people
3. Therapeutic and strengths based
4. Trauma-informed
5. Social and community-based approaches
6. Throughcare and collaboration
7. Aboriginal culturally responsive and safe
8. Safety and wellbeing
9. Evidence-informed

While we endorse these as worthy principles, we are concerned that the issues raised above pose direct barriers to effective implementation of numerous of these principles.

The MOC cannot be **trauma informed, therapeutic, or safe** if children in detention are exposed to ACEs which result in anxiety, depression, or PTSD by proximity to frequent sounds of gunshots.

The MOC cannot promote the **safety and wellbeing** of children in detention when exposing them to harmful olfactory stimuli which may trigger traumatic childhood experiences or promote substance abuse.

The MOC cannot be **child, young person and family focused** (where access to families is explicitly named up on the YJMOC), **therapeutic and strengths based** (where strengthening **family and community** support networks is identified in the YJMOC as necessary for positive behavioural change), or enact **social and community-based approaches** when the facility is isolated in access and located up to eight hours away from children’s families, communities, and cultures, noting that the YJMOC states

³⁸ AHRC “Help Way Earlier” report 2024 reiterates the importance of families and community in delivering therapeutic, trauma-informed programs, and providing holistic work with families and caregivers (page 53)

³⁹ Commissioner for Children and Young People (Tas.). (2025, May 30). *Feedback on Youth Justice Facility Masterplan* [PDF]. Hobart, Tas.: Author. Retrieved July 17, 2025, from <https://childcomm.tas.gov.au/wp-content/uploads/2025/06/2025-05-30-CCYP-Feedback-on-Youth-Justice-Facility-Masterplan.pdf>

technology should not replace face-to-face services or connections where this is not in the child's best interests or doesn't effectively meet their needs.⁴⁰

The MOC cannot be **culturally responsive and safe for Aboriginal people** with no clear solutions for providing meaningful connection to country, identity, family and community across disparate regions for Aboriginal youth in detention.

These issues **limit the effective implementation of the YJMOD, and therefore the rights, dignity, and safety of children and young people are compromised**. The only evaluated model of care in Australia shown to yield sustained positive outcomes for justice-involved young people is the trauma-informed therapeutic care framework, as demonstrated in the Victorian evaluation of therapeutic residential care by Verso Consulting (2011).

The Verso (2011) evaluation found that therapeutic residential care led to significant reductions in challenging behaviours, improved placement stability, greater engagement with education, and enhanced relationships between young people and safe adults. **These results were achieved through highly relational, neuroscience-based, and culturally responsive approaches that address the underlying neurobiological disruptions caused by early trauma** — particularly impairments in emotional regulation, executive functioning, and attachment security.

For young people with histories of trauma, sensory triggers can provoke dysregulation, impulsivity, and aggression. The proposed Pontville site is in proximity to two such triggers as outlined above. **A truly trauma-informed model of care requires minimising environmental triggers, not embedding them into the daily sensory landscape of a custodial setting.**⁴¹

Open Access to Services: Avoiding a Closed Institution

A key factor contributing to the harmful culture at AYDC is its status as a closed institution, which the Col described as creating an “*alternative moral universe*”⁴² that fostered child sexual abuse and other dangerous practices. To break this cycle, any new facility **must be open and accessible to families, community supports, and service providers, and must allow children and young people to periodically leave the facility as part of their treatment**. This openness is especially vital for Aboriginal children, who need opportunities to connect with Country and Culture as part of their healing and recovery.

Access to essential therapeutic and support services remains severely limited at AYDC, despite repeated requests from community organisations like Laurel House to provide

⁴⁰ Tasmanian Department of Education, Children and Young People. (2024, December). *Youth Justice Model of Care* [PDF]. Hobart, TAS. Retrieved 2025, from https://keepingchildrensafe.tas.gov.au/documents/44/Youth_Justice_Model_of_Care.pdf (page 31)

⁴¹ Friedrich, S. (2025) Managing Director, Knightlamp Consulting & Psychology.

⁴² Commission of Inquiry into the Tasmanian Government's Responses to Child Sexual Abuse in Institutional Settings. (2023, September). *Volume 1: Summary, recommendations and findings* (Vol. 1, p. 49). Hobart, TAS.

services there. Given the Col's findings that the risk of child sexual abuse and harmful sexualised behaviour remains high in detention settings, **unrestricted access to trauma-informed counselling and protective services is crucial**. These services not only mitigate ongoing risks of child sexual abuse within the detention but also provide vital support to children who have experienced child sexual abuse prior to their arrival. The YJMOC identifies that working collaboratively with agencies and other providers is crucial, and that the Principles cannot be implemented alone.⁴³

5. Call for Review and Alternative Approaches

The signatories of this joint statement **call for a review of the proposed Pontville facility and recommend a redirection of the funding commitment towards a genuinely transformative alternative**. While we acknowledge the urgency to close AYDC, there is no sense replacing AYDC with a facility that is marred by the numerous issues articulated above which we assert pose an unacceptable risk of harm to Tasmanian children and young people and their families. As stated above, we also **reject the Government's repeated assertion that the closure of AYDC is contingent upon the opening of this new facility** with many viable alternatives available, some of which are listed below

The scope of this joint statement cannot include a fully developed alternative proposal, the creation of which would require more time and resources than are available to community service organisations and would ultimately fall within the remit of the State Government. We do, however, wish to highlight alternative models for consideration in an effort to provide opportunities to **engage Government, relevant Ministers, and decision-makers in solutions-focussed dialogue** as a result of this collective document.

The Justice Reform Initiative (JRI), in their submission to the Youth Justice Reform Committee inquiry into youth justice reform in Queensland, provide information about several alternative models to youth detention, including:⁴⁴

- **The Kailasha Youth and Family Wellness Centre in Hawai'i** is a trauma-informed, community-based facility that provides culturally grounded support, education, and rehabilitation services for at-risk and justice-involved youth.
- **The Diagrama Foundation in Spain** is a nonprofit organisation that provides care, education, and rehabilitation services for vulnerable and justice-involved children, adolescents, and adults through a rights-based and therapeutic approach.

⁴³ Tasmanian Department of Education, Children and Young People. (2024, December). *Youth Justice Model of Care* [PDF]. Hobart, TAS. Retrieved 2025, from https://keepingchildrensafe.tas.gov.au/documents/44/Youth_Justice_Model_of_Care.pdf (page 17)

⁴⁴ Justice Reform Initiative. (2024, January 10). *Youth Justice Reform: Submission to the Select Committee inquiry into youth justice reform in Queensland* [PDF]. Retrieved from https://assets.nationbuilder.com/justicereforminitiative/pages/335/attachments/original/1707172438/Youth_Justice_Reform_Select_Committee_inquiry_into_youth_justice_reform_in_QLD.pdf?1707172438

- **The Missouri Model in the United States** is a rehabilitative youth justice approach that emphasises small, secure, treatment-oriented facilities focused on therapy, education, and positive youth development rather than punishment.
- **The Youth Hub (Bamaga, Queensland)** and **Sevty7 Youth Hangout Centre (Inala, Queensland)** are community-led spaces that provide culturally safe, supportive environments for young people to access mentoring, recreational activities, and essential services aimed at prevention and early intervention.

The AHRC report also outlines **international examples of alternative detention models that take a broad holistic approach to healing** and resulted in reductions in recidivism, increased engagement in education, improved mental health outcomes, greater family and community connection, facility repurposing of facilities (away from detention), and cost saving and reinvestment in prevention.⁴⁵

Rather than replicating a correctional or punitive environment, any new approach should prioritise safety, protective family bonds and family, cultural, and community connection, recovery and rehabilitation, and provide a developmentally appropriate, rights-based response to children in crisis. We are concerned that these priorities cannot be fully implemented within the proposed Pontville facility. Further, we believe that implementation of these priorities is not possible while youth detention remains centralised in a single carceral institution. A genuine commitment to children's safety and wellbeing requires **moving away from custodial, prison-like models, and investing instead in smaller, therapeutic, community-integrated alternatives that keep children connected to care, culture and country.**

We echo the recommendation made by TasCOSS in their submission to the inquiry into Australia's youth justice and incarceration system, urging the Government to seriously consider whether the incarceration of children and young people is ever justified.⁴⁶ TasCOSS makes this recommendation based on the following considerations:

"...in light of the demonstrated negative impacts of incarceration on children and families, the ongoing concerns relating to child rights and wellbeing within detention facilities across the country, the calls from Aboriginal leaders and communities to remove Aboriginal children from custodial settings, the recent tragic deaths of two young people in youth detention, and the lack of any concrete evidence that time in youth detention is beneficial for children or their communities."

In addition to these factors, and the significant cost associated with the development of a new youth justice facility, we recommend funds be redirected into early intervention and prevention initiatives. Examples of these models have been set out above, and many other intervention and prevention programs have been detailed in the Justice

⁴⁵ Hollonds, A. (2024, August 20). *Help Way Earlier! How Australia can transform child justice to improve safety and wellbeing* (Report). Australian Human Rights Commission. Tabled in Federal Parliament August 20, 2024.

https://humanrights.gov.au/sites/default/files/document/publication/1807_help_way_earlier_-_accessible_0.pdf

⁴⁶ TasCOSS. (2024, October). **Australia's Youth Justice and Incarceration System [Submission to the Legal and Constitutional Affairs References Committee]. TasCOSS.** Retrieved from <https://tascoss.org.au/wp-content/uploads/2024/10/TasCOSS-Submission-Australias-Youth-Justice-and-Incarceration-System-.pdf>

6. Conclusion

Ultimately, the Pontville proposal **must go beyond “rebranding detention”** and deliver a genuine shift towards a therapeutic, trauma-informed model that upholds children’s rights and fosters healing, safety, and connection. Addressing the critical flaws in approach, purpose, location, design, and access is essential to ensure any facility (or facilities) provides meaningful opportunities for healing, rehabilitation, and recovery.

If the Tasmanian Government is committed to breaking the cycle of youth offending, it must commit to a true trauma-informed therapeutic care framework as the foundation of any custodial or non-custodial intervention. To proceed without these principles at the core and without eliminating environmental triggers, maximising family access, and ensuring cultural safety will be to **repeat the failings of the past under a new name**.

Without bold, rights-based reform, the proposal risks perpetuating the very harms it seeks to address and misses the chance to **create a system that truly supports the wellbeing and future of Lutruwita / Tasmania’s children and young people and their families and communities**.

⁴⁷ Sotiri, M., Schetzer, L., & Kerr, A. (2024, November). *Children, Youth Justice and Alternatives to Incarceration in Australia* [Position paper]. Justice Reform Initiative. Retrieved from https://assets.nationbuilder.com/justicereforminitiative/pages/441/attachments/original/1733879393/Dec_2024_YOUTH_JUSTICE.pdf?1733879393