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Urgent reforms needed to address abuse of children in custody, as reports of young Queensland boy left abused, naked and neglected

The RACP says the horrific reports of a young boy with an intellectual impairment being left naked in custody in a police watch house along with adults vindicates ongoing calls by physicians to reform the youth detention system.

RACP spokesperson and paediatrician Dr Mick Creati said that the shocking reports of neglect and abuse of a young boy in a Queensland watch house must prompt the Government and policy makers to act urgently to halt the systematic abuse experienced by young people in custody.

“While the response to date by the Queensland Government is a step in the right direction, much more must be done to protect young people from unacceptable treatment in the adult judicial and penal systems.

“There is clear evidence that children with disability and trauma histories are over represented in the youth justice system. Holding a child criminally responsible under these circumstances is highly ethically problematic.

“A study published last year of 99 children in detention in Western Australia found that 89% had at least one severe neurodevelopmental impairment^[1].

“The fact that this issue is disproportionately affecting Indigenous young people is of serious concern, reflecting the systemic racism inherent within the judicial systems.

“We must act now to reduce these incidences of children being harmed in custody

“All children in custody have the right to the equivalence in the standard of health care that would normally be provided to children in the community. Reportedly leaving a child isolated and naked in a cell in order to mitigate the risk of self harm, is not the standard of health care that would be expected to be provided to children in a community setting.

“There are far less restrictive ways and much more humane ways to assess and manage children where there are concerns of the risk self harm.

“Children in custody also need care that is appropriate for their development, care that is culturally appropriate and care that is trauma informed

“Police need support and training and resources to appropriately support young people with developmental and mental health problems.

“Raising the minimum age of criminal responsibility will also prevent many young children being pushed down the trajectory of continued involvement in the justice system.

“Until we see proper recognition of the fact that children under the age of 14 have less capacity than adults to process information, plan, recognise the consequence of their actions and minimal impulse control – we’ll continue to see very unjust and cruel outcomes.

“Adolescence is a critical time in a person’s development. Isolation and a lack of access to health services are damaging to the healthy development of a child.

“If we remove these children from families, schools and positive influence it becomes even more damaging – locking in a vicious cycle that is very hard to undo.

“The RACP wants all governments to move to raise the minimum age of criminal responsibility from 10 to 14 years, in line with the significant body of evidence on child brain development and United Nations recommendations.

“This tragic case in Queensland needs to be addressed with urgent action by the Government to ensure all young people in the care of the state are treated with dignity and have appropriate access to healthcare, support services and rehabilitation opportunities.” Dr Creati said.

The RACP is actively pursuing efforts to raise the age of criminal responsibility with state governments across Australia.

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About the Royal Australasian College of Physicians (RACP): The RACP trains, educates and advocates on behalf of more than 25,000 trainees and physicians across Australia and New Zealand.

RACP represents a broad range of medical specialties including general medicine, paediatrics and child health, cardiology, respiratory medicine, neurology, oncology, public health medicine, occupational and environmental medicine, palliative medicine, sexual health medicine, rehabilitation medicine, geriatric medicine and addiction medicine. Beyond the drive for medical excellence, the RACP is committed to developing health and social policies which bring vital improvements to the wellbeing of patients.

RACP offers 61 training pathways. These lead to the award of one of seven qualifications that align with 45 specialist titles recognised by the Medical Board of Australia or allow for registration in nine vocational scopes with the Medical Council of New Zealand.