

# President's comments:

The issues associated with the Northern Territory intervention, justified by the Howard government in the name of fighting an epidemic of child abuse in Indigenous communities, provide the main focus for this issue of Australian Children's Rights News. The level and seriousness of child abuse in Indigenous communities across Australia has been well known for some years. The over-representation of Aboriginal and Torres Strait Islander children in the child protection system continues: in 2006 Indigenous children were almost 5 times more likely to be the subject of a substantiated report than other children, and they were over 7 times more likely to be in out-of-home care than other children across Australia (Australian Institute of Health and Welfare (2007), pp. 26, 57. In fact, these figures are likely to underestimate the overrepresentation because there is evidence that children's Indigenous status is not consistently recorded. For example, the *Non-Government Report* to the UN in 2005 stated, example, that "two recent audits concerning children on orders in Queensland and in the Australian Capital Territory, for example, found that some Indigenous children who had been wards of the state or in foster care arrangements for many years were not recorded as Indigenous."

Despite numerous inquiries, reports, and calls for action to redress the serious problems for Indigenous children over the last decade, there has been little action or federal leadership until the precipitous and contentious intervention in the Northern Territory in July this year. In its Concluding Observations in 2005, the UN Committee on the Rights of the Child urged the Australian government to "prioritise working with, and continue to work with Indigenous community leaders, agencies and communities to establish a range of best practice solutions for Indigenous children and young people". It also recommended that the Government "intensify its cooperation with indigenous community leaders and communities to find, within indigenous families, suitable solutions for indigenous children in need of alternative care." Clearly, the reaction of numerous Aboriginal women, in particular, is testament to the contravention of this recommended consultative approach. And Megan Davis provides a thoughtful analysis of attempts to silence the debate.

It doesn't have to be done this way – the *Little Children are Sacred* report that supposedly led to

the NT intervention did not recommend such action, and the *Bringing them Home* report had numerous recommendations for better approaches that have not been implemented. And other countries have done it differently, as Terri Libesman pointed out in a forum on the 10 year review of the *Seen and Heard: Priority for Children in the Legal Process* by the Australian Law Reform Commission and Human Rights and Equal Opportunity Commission (1997).

Barbara Rogalla's article 'Memories from the Darkside' provides a reminder of the impact of the shameful treatment of children and adults seeking asylum in Australia. As a nurse at Woomera, Barbara saw first-hand the conditions and difficulties these people underwent, now much more difficult to observe because asylum seekers are now kept "safely" off the mainland under the "Pacific solution". Her PhD study gave her the opportunity to analyse the policies and practice that underlay that experience.

Australia now has a chance to change the way it deals with such "problems" and to respond with concern for social justice and equity, with respect for Indigenous children and their kin, and those seeking asylum.

**Judy Cashmore**

**President, DCI Australia**

## IRAQ: Iraqi NGOs claim Child prisoners abused and tortured

Iraqi NGOs have raised concerns about the condition of children in local prisons, saying they are abused and tortured during interrogation. Children are being treated as adults in Iraqi prisons and our investigations have shown that they are being abused and tortured, according to a spokesman for the Prisoners' Association for Justice (PAJ), Khalid Rabia'a. Child prisoners between 13 and 17 are being accused of supporting insurgents and militias. Most were detained during Iraqi army military operations in the Baghdad neighbourhoods of Adhamiya, Latifiya, Alawi, Doura and Hay al-Adel

"Our investigation started after families brought their five sons to our organisation looking for psychological help for their children who were recently released from prison, and what we found out was shocking".

"The five children showed signs of torture all over their bodies. Three had marks of cigarette burns over their legs and one couldn't speak as the shock sessions affected his conversation," Rabia'a said. "It is against international law that protects children and we call for interventions in all Iraqi prisons to save the lives of these children."

At least 220 children are believed to be held in Iraqi prisons. IRIN requested permission to visit the prisons said to be holding child prisoners but the request was denied.

[Source: IRIN News; <http://www.irinnews.org>]

CRIN: [www.crin.org/resources/infoDetail.asp?ID=15271](http://www.crin.org/resources/infoDetail.asp?ID=15271)