

Australia's youth detention system punishes kids but fails to rehabilitate them

By Jacqueline Rule

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The punitive approach of our youth detention system only serves narrow, short-term political thinking, writes Dr [Jacqueline Rule](#)

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PRISONS, INCLUDING those for young offenders, are focused on penalty for wrongdoing. Punishment for bad actions goes without saying. However, incarceration, particularly when it comes to children, has another central purpose.

Youth detention centres in particular are meant to be places of consequence and rehabilitation — a chance for troubled kids to turn their lives around. Not least because the vast majority of incarcerated children in Australia are already disadvantaged before they enter the system. Many have a physical or mental disability, and most have suffered significant hardship and instability such as homelessness, poverty, trauma or abuse.

First Nations youth, who may have experienced significant intergenerational family trauma in light of Australia's cruel historical child removal practices, are disproportionately [over-represented](#) in both our youth and adult prison systems, in addition to the contemporary out-of-home care system.

In theory, rehabilitation is a recognised legal objective in sentencing intended to address root-cause issues and to remodel an offender's mindset and actions to make them want to "[renounce](#) their wrongdoing" and be able to reintegrate into society. In reality, it is difficult to see how this legal goal of rehabilitation can be practically realised in light of Australia's current youth justice framework.

The narrow punitive approach of our youth detention system illustrates only short-term and regressive political thinking, delivering maximum suffering and compounding trauma without providing the kind of rehabilitative services inside prisons that would actually help incarcerated children.

It is implausible to believe that a system can rehabilitate without resourcing and making available support services that could help kids work through the trauma, loss, displacement or abuse cycles that may have contributed to them landing "juvie" in the first instance.

Yet this infrastructure remains largely non-existent in our youth prisons, with a former

detainee in Tasmania's notorious Ashley Detention Centre [observing](#) that:

'...[t]here's no therapeutic help... no counselling, no therapies, nothing.'

There is a disjuncture between the State's rhetoric of rehabilitation and the dysfunctional environment inside youth detention centres, which is anything but rehabilitative. These "centres" in their current form are opaque and dehumanising spaces, devoid of basic dignity. The squalid conditions, overcrowding, systemic racism and lack of robust educational and support services set the scene for nightmarish occurrences and abuses of power.

Such toxic [environments](#) which have been likened to a "gladiator pit" and a "war zone" are counterproductive to rehabilitation. The growing over-use of solitary confinement for young people for extended periods of time magnifies the harm and the kinds of human rights abuses that have taken place in Don Dale in the Northern Territory or Banksia Hill in Perth or the Ashley detention centre in Tasmania can easily happen again.

Regardless of [increasing](#) concerns about the effectiveness and ability of detention itself to actually rehabilitate, the State continues to plod on with the same old approach. For example, despite former inmates of the Ashley detention centre alleging sexual abuse, serious physical abuse and false imprisonment, Government plans to permanently close Ashley have stalled once again, with the facility to now stay open until at least 2028.

Youth prisons are also hidden spaces, far removed from external oversight and essentially invisible to the outside world. It is telling that the Government recently denied entry to the UN Working Group on Arbitrary Detention into the notorious Unit 18 at Casuarina prison and also restricted their

access to Banksia Hill youth detention centre.

In addition to shutting down international oversight, the State clearly does not want the Australian public to glimpse inside these walls. Perhaps because it is the public's own (wasted) taxpayer dollars that continue to fund this flawed and dehumanising system, with research showing that [imprisoning](#) a single child costs around \$3,320 per day, which equates to around \$1.12 million a year per child.

What is the sense of an environment that intensifies the risk of acute mental and physical harm to children who are already being indirectly punished by the system for their very circumstances of disadvantage? How is the State's tough-on-crime jargon going to shift the mindsets of young offenders and make society safer?

In reality, it isn't. Instead, our current youth justice system is further entrenching disadvantage and setting children in difficult circumstances up to embark on a lifelong merry-go-round of recidivism. From young inmates with "[baby teeth](#)", youth offenders can be socialised into fully-fledged criminality by a detention system that seems primarily geared towards producing more adult [criminals](#).

Irrespective of differing political views on youth justice, it is illogical to keep pouring money into a redundant detention system that does not deliver benefits to the community by reducing re-offending rates. At the very least, redirecting financial resources to practical initiatives such as therapeutic support services inside youth prisons, increased investment in crime prevention programs in the community and enhanced support for young detainees post-release would provide more effective outcomes.

Unless there is significant systemic reform, our youth detention centres will keep failing at

the critical task of rehabilitation.

A change of approach is not only needed — it is ridiculously overdue. The Government's reliance on and continued ongoing investment in a broken youth incarceration system leaves Australia [lagging](#) far behind other international jurisdictions, including Scotland and Scandinavia, that are successfully tackling youth justice and its underlying causes.

To repair the system itself in a big picture sense will require a holistic jurisprudential rethink and a prioritising of rehabilitation as a key goal of youth incarceration, with infrastructure designed and implemented in practice around this principle.

If we could take this step forward, Australia's youth detention centres could begin to do the real rehabilitative work that prisons are intended for. In the process, it will make communities safer in a way that punishment alone cannot.

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