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Big Law

Watch houses are no place for children – so why is the NT government seeking to make the problem worse?

Pouring fuel on a fire may be an accurate way to describe the Northern Territory government's proposed legislation to make an existing problem with young people in police watch houses so much worse, writes Dr Jacqueline Rule.

August 07, 2026 • [By Jackie Rule](#)

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The proposed legislation, which is set to be debated in NT Parliament later this year, seeks to extend the length of time that children as young as 10 years old can be kept in watch houses alongside adult detainees from 24 hours to 48 hours. If passed, it will also enable police to question young people without an adult present.



We know watch houses are dangerous environments, especially for children. Horrendous, unsanitary conditions with dangerous levels of overcrowding of detainee/police ratios, sleep deprivation with 24-hour fluorescent lighting, lack of access to toilet or shower facilities, adults under the influence of alcohol or drugs, physical violence, screaming, verbal aggression, and so on. And young people who are arrested (who are supposed to be regarded as innocent until proven guilty) are thrown headlong into this volatile mix.

It is also clear that the proposed changes will disproportionately impact First Nations youth who are already significantly over-represented in NT watch houses (a 2025 study conducted over a six-month period illustrated that 388 out of 402 children detained were Indigenous).

Moreover, while children placed in watch houses are meant to be kept physically apart from adult detainees, in practice, this is not always possible. Especially with the swelling numbers of prisoners in the NT system – a direct result of the implementation of the NT government's "Law and Order" focused electoral campaign.

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Overcrowding is a perennial bugbear in the Australian detention system, but that one has now been exacerbated to an unprecedented degree by the ballooning pipeline of new arrests flowing from the NT government's "tough on crime" rhetoric. The problem is that the actual infrastructure to implement these election promises has not yet been fully put in place. A domino-style effect has ensued – NT police watch houses are unable to cope with the sheer volume of arrests and the accompanying administrative processing of both young people and adult prisoners.

The already strained NT court system is logjammed with even more extended delays for hearings, while detention centres are stretched beyond capacity with Territorians being imprisoned at a rate of more than five times the national average. The NT Police Union have issued a warning that a death or serious incident in custody inside an NT watch house may be inevitable, due to conditions resulting from overcrowding. But such warnings remain unheeded, and an incarceration system that is stuck in its own destructive cycle now seems about to spiral further.

Rather than extending the length of time that children can be detained inside watch houses, the NT government would be better off trying to begin tackling some of the root causes of youth offending (such as poverty, homelessness, historical inequality, the ongoing and disproportionate removal of First Nations children, and intergenerational patterns of offending etc). But instead, they seem intent on upholding the insidious patterns of our colonial past by designing legislation that is thinly veiled as "applicable to all", when in practice it will almost exclusively steer more First Nations young people into the criminal justice system.

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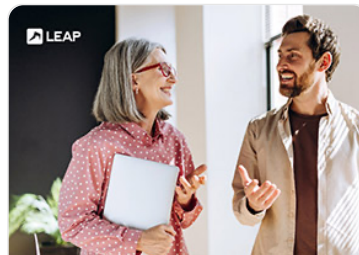
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This move aligns with other regressive breaches of children's human rights that disproportionately impact Indigenous youth, including the NT government's lowering of the age of criminal responsibility and the reintroduction of spit hoods despite expert evidence that neither actually works. In doing so, the NT government may be seeking to emulate the draconian approach of the Queensland government, which refuses to set any time constraints on how long children can be kept in watch houses in Queensland.

Yet watch houses are not designed for anything other than being very short-term stop-gaps while police undertake their administrative processing post-arrest. They are not fit for purpose to house young people for 24 hours and certainly not for 48 hours. As it stands, there are concerns that the 24-hour limit is not

always strictly adhered to in NT, with reports of children supposedly being held in Territory watch houses for days on end, reports which are further complicated by the NT police's erroneous data collection practices.

This latest political spectacle comes at a significant cost to vulnerable children and further enflames what is already a national human rights crisis. Instead of making genuine attempts to address the much harder, historically rooted issues that often inform youth offending, these proposed laws will heap trauma upon trauma on (predominantly First Nations) young people in NT who are accused of a crime. The majority of whom will never be found guilty.

If this NT legislation passes, one wonders how successive governments will unpick the mess when worsened youth justice outcomes inevitably present in future remand, incarceration and recidivism statistics? You don't need a crystal ball to see where the badly orchestrated, short-sighted youth justice law-making in our states and territories will lead. Tough on crime – yes. Effective? The long-term outcomes will speak for themselves.

Dr Jacqueline Rule is an Australian novelist with a background in 'Law and Literature' scholarship. Her debut novel, [The Leaves](#), explores historical trauma, injustice and the cruelty and dysfunction of Australia's out-of-home care and youth detention systems. She is admitted as a solicitor in NSW and spent several years supporting a specialist legal committee on youth detention in the criminal justice system.

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