

A hand-painted Aboriginal flag carried in the Invasion Day march, Redfern, Sydney, 26 January 2018.
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Stonewalled: Australia Locks the UN Out of Its Child Prisons

In 2017 a UN expert walked into Cleveland Youth Detention Centre. In November 2026 Queensland and the Northern Territory have bolted the door, and almost every child locked behind is First Nations.

BY PHILIPPE FOUBERT, PHD · 31 OCTOBER 2026

In 2017 a United Nations expert walked into Cleveland Youth Detention Centre in Townsville. Victoria Tauli-Corpuz, then the UN Special Rapporteur on the rights of Indigenous peoples, met the children held there. “I visited Cleveland Youth Detention Centre in Townsville, Queensland, where Aboriginal and Torres Strait Islander children constitute 95% of the children detained,” she said. “I found meeting young children, some only 12 years old, in detention the most disturbing element of my visit.”[1]

Nine years later, the man who now holds her post cannot get past the gate.

On 30 October 2026 the UN human rights office announced that Dr Albert Barume, the current Special Rapporteur on the rights of Indigenous Peoples, will visit Australia from 2 to 13 November 2026. The same notice recorded his regret that meetings with government officials in Darwin, the Torres Strait

and Townsville, and visits to the youth detention centres at Holtze and Cleveland, “will not take place due to refusal by state governments of Northern Territory and Queensland, to engage with the mandate.”[2]

The two governments offered no scheduling clash and no paperwork excuse. They refused. Australians have a plain word for that conduct: stonewalling.

Who is behind the wall

Queensland’s own Inspector of Detention Services found that 97 per cent of the children held in Cleveland were Aboriginal or Torres Strait Islander. Staff shortages left those children routinely locked alone in their rooms, sometimes for more than 22 hours a day, which meets the UN definition of solitary confinement. On 21 October 2023, 42 of the 46 children in lockdown got no time out of their rooms at all.[3]

In the Northern Territory, the UN Working Group on Arbitrary Detention reported that the children detained at Holtze are essentially all First Nations.[4]



The fence of the Don Dale Juvenile Detention Centre at Berrimah, Darwin, February 2008. The Territory now holds its children at Holtze, the centre barred to the UN in November 2026.
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Across Australia, Aboriginal and Torres Strait Islander children make up 6.5 per cent of children aged 10 to 17, yet 65 per cent of the children locked up on an average day. Those aged 10 to 13 are almost 46 times more likely to be detained than other children.[5]

Strip away the language of "youth crime" and the facts stand bare. Governments cage First Nations children at rates that should shame any nation, and those same governments will not let the world see inside their cells.

Racism in plain sight



Parliament House, Brisbane, where the Adult Crime, Adult Time laws passed in December 2024 and May 2025.
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Call this racism and someone will object that the word goes too far. The UN body charged with judging exactly that question disagrees.

On 29 April 2026 the UN Committee on the Elimination of Racial Discrimination adopted a formal statement under its early warning and urgent action procedure, and published it on 5 May 2026. The Committee said it was "alarmed about the reported persistent overrepresentation of

Indigenous children in the criminal justice system as a result of systematic and structural racial discrimination against Indigenous communities in Australia." It condemned laws that "apply harsh adult penalties on Indigenous children, including life imprisonment in some cases". It told Australia to "repeal legislations with possible discriminatory effects" and to "guarantee that children are not prosecuted as adults."[6]

The statement answered an urgent complaint lodged in April 2025 by two of the country's leading Aboriginal legal scholars, Associate Professor Hannah McGlade, a Kurin Minang woman, and Professor Megan Davis, a Cobble Cobble woman. Their submission opens with a single sentence: "Racial discrimination is embedded throughout Australia's youth justice system – a system that targets and disproportionately impacts Indigenous children."[7]

Queensland's law-making shows the mechanism at work. Under "Adult Crime, Adult Time", 13 offences began attracting adult penalties for children in December 2024[5]. In May 2025 parliament added 20 more[8], so children as young as 10 now face adult sentences for 33 offences, up to and including life imprisonment[4]. The government's own human rights statement, signed by Attorney-General Deb Frecklington, admitted that the laws "will lead to sentences for children that are more punitive than necessary to achieve community safety", and conceded a "direct conflict with international law standards."[9]

When parliament expanded the laws, its committee recorded that the government's own statement "acknowledges that the Bill will likely have a disproportionate impact on Aboriginal and Torres Strait Islander children". The Minister answered that the penalties "apply equally to all children", so no discrimination arose.[10]

The government knew who would pay the price. It wrote that knowledge into the parliamentary record. Then it sheltered behind "applies equally to everyone", the oldest defence of indirect discrimination in the law books, and passed the Bill anyway.

The Northern Territory lowered the age of criminal responsibility from 12 back to 10, deleted the principle that children should be detained only as a last resort[4], and brought back spit hoods[5]. A government that passes such laws, where nearly every child in detention is Aboriginal, knows whose children will fill the cells.

None of it hides. Statute books record it, ministers defend it at press conferences, the UN's racial discrimination watchdog condemns it, and now a locked door guards it.

Stonewall after stonewall



The Human Rights Council chamber at the Palais des Nations, Geneva, where UN experts report on the countries they visit.
Photo: Ludovic Courtès, via Wikimedia Commons, CC BY-SA 3.0

The pattern stretches back years.

In October 2022 the UN Subcommittee on Prevention of Torture arrived to inspect places of detention. Australia accepted that treaty body's inspections voluntarily when it ratified the Optional Protocol to the Convention against Torture in 2017. Queensland and New South Wales then "denied access to both closed psychiatric facilities and closed forensic facilities in the State of

Queensland and to all places of detention, except for federal immigration detention centres, in the State of New South Wales." The Subcommittee reported "a discourteous, and in some cases hostile, reception", and described public remarks by officials as "amounting to what the Subcommittee would qualify as a smear campaign". The official list of detention sites it received "included neither correct addresses nor statistics".[11] The Subcommittee suspended the visit, then terminated it in February 2023 because "unrestricted access to all places of deprivation of liberty in two states has not yet been resolved."[12]

In December 2025 the UN Working Group on Arbitrary Detention arrived. The Northern Territory refused it access to every place of detention in the jurisdiction[4]. NT Corrections Minister Gerard Maley cited "operational capacity, safety and workforce resourcing priorities".[13] In the same period, the Territory's Corrections Department admitted officials from the United Arab Emirates and representatives of the Port Adelaide Football Club.[14]

A Gulf monarchy and an AFL club walked through the gate. The UN stood outside it.

The Working Group called it a "complete lack of cooperation" that "deprives detainees of access to independent international protection"[4]. Its chair, Ganna Yudkivska, told reporters that in more than 30 years of UN detention monitoring worldwide, it was "the first time an entire region of the country had completely refused co-operation."[14]

Western Australia kept the same inspectors out of Banksia Hill and out of Unit 18, the youth wing inside the adult maximum-security Casuarina Prison, where Aboriginal teenager Cleveland Dodd fatally harmed himself in October 2023. The coroner later called his confinement inhumane and urged the unit's urgent closure.[4, 15]

In November 2026 Queensland and the Northern Territory went further. They will not even sit in the same room, and Queensland's refusal extends to meeting the UN's Indigenous rights expert in the Torres Strait, a homeland of the very peoples his mandate exists to protect.[2]

Each time the wall rises higher.

They told us what they think

The attitude needs no guessing. The ministers put it on the record.

On 2 April 2025 Queensland Premier David Crisafulli told parliament: “I say to the United Nations with the greatest respect that this place will govern its laws, this place will determine how we keep Queenslanders safe and this place will be accountable to Queenslanders, not United Nations boffins.”[16]

A month later Barume and the UN Special Rapporteur on torture, Alice Jill Edwards, formally warned Australia that its youth justice systems were in crisis[5]. Crisafulli replied: “Here’s my message to the United Nations, ‘You don’t control me, and I don’t answer to you, I answer to Queenslanders’.”[17]

On 12 June 2026, the day after youth detention staff stopped work across Queensland, Deputy Premier Jarrod Bleijie blamed lockdowns on “some juvenile grub” and offered the children confined to their cells no sympathy. “Is it rough for a young kid in a detention centre? No,” he said.[18]

In the Territory, Maley’s line runs: “if you do the wrong thing, we will find you a bed”[13]. His Corrections Commissioner, Matthew Varley, said he saw no need for UN scrutiny.[14]

Barume’s request caught neither government off guard. Both have built the wall for years, and both boast of it.

Canberra's convenient shrug



Aboriginal, Torres Strait Islander and Australian flags outside Parliament House, Canberra, during NAIDOC Week, July 2016.
Photo: Nick-D, via Wikimedia Commons, CC BY-SA 4.0

Each refusal follows the same choreography. Canberra invites the UN, a state or territory slams the door, and Canberra pleads federalism and looks at its shoes.

Since 7 August 2008 Australia has extended a standing invitation to every UN human rights expert to visit at any time[19]. The UN's terms for those visits expect "contacts with central and local authorities of all branches of government" and "access to all prisons, detention centres and places of interrogation as considered necessary by the mandate holder."[20]

The federal government knows the terms. On 13 October 2026 the Minister for Indigenous Australians, Senator Malarndirri McCarthy, "encouraged states and territories to engage with" Barume at a meeting of Indigenous affairs ministers. Queensland's minister attended that meeting; the Northern Territory sent officials. Both governments ignored her.[21] On 15 September 2026, when Australia answered the Working Group's report at the UN Human Rights Council, its statement praised the Working Group's

“constructive engagement with Australian governments, recognising the shared responsibilities within Australia’s federal system of government.” It never mentioned the locked doors. Eight days later, Australia told the same Council that it would “engage constructively and transparently” with Barume’s visit.[22]

So a country stonewalls the UN while pretending to welcome it. Canberra signs the treaties and sends the invitations, the states and territories hold the keys, and every government points at another while the children stay out of sight.

Meanwhile Australia campaigns for a seat on the UN Security Council for 2029 and 2030, a bid the Prime Minister launched on 21 September 2026[23] and Indigenous voices have called hypocrisy[24]. A nation that asks to help run the international system cannot treat that system’s human rights machinery as a pest.

Tear down the wall

International law has no army. It works through daylight, pressure, and people who refuse to avert their eyes. If governments will not open the doors, the rest of us must make the closed doors the story.

1. **Make Canberra own it.** The Commonwealth holds the power to legislate Australia’s treaty obligations into national law, and its grants fund the states and territories that defy them.

   Demand that the Prime Minister, the Foreign Minister and the Attorney-General commit the Commonwealth to legislate guaranteed access for UN inspectors to every place of detention, and to tie Commonwealth funding to compliance. Doing nothing must become politically unaffordable.

2. **Hang it on the Security Council bid.** Every time a minister talks up Australia’s UN credentials, ask in public why the UN cannot get into Cleveland or Holtze, and why the UN’s racial discrimination

committee had to issue an urgent statement about Australian children.

3. **Watch 13 November 2026.** Barume delivers his preliminary findings in Sydney that day. Make sure the stonewalling leads every report. Then send his office evidence from the communities he could not reach: his full report goes to the UN Human Rights Council in September 2027.[2]
4. **Back the people already inside the fight.** SNAICC, NATSILS and the Aboriginal legal services do this work every day. Fund them, share their findings, and turn up when they call.
5. **Demand independent inspection at home.** Queensland, New South Wales and Victoria still have not appointed the independent detention inspectors Australia promised the UN when it ratified the Optional Protocol.[25] Make every state election candidate answer for the delay.

The children in Cleveland and Holtze cannot speak to the UN this month. Their governments have made sure of that.

So the rest of us must speak, loudly and relentlessly, until the wall falls.

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