

'Relentless': Aboriginal advocates demand action after third death in custody in a week

Australian governments 'are standing by while Aboriginal people are dying under their watch', Indigenous leaders say



Gunnai Gunditjmara woman and Greens senator Lidia Thorpe at an Invasion Day rally on 26 January. She says governments have failed to act while Aboriginal people continue to die in custody.

Lorena Allam
Thu 11 Mar 2021

Aboriginal justice advocates have expressed their devastation following a third Indigenous death in custody in a week and demanded the Australian prime minister urgently meet with bereaved families to progress reforms.

National Aboriginal and Torres Strait Islander Legal Services (Natsils) representatives from across the country, who met on Thursday, said they were "horrified and deeply upset".

"We are extremely concerned that while our people continue to die in custody at alarming rates, federal, state and territory governments have had the answers to end this injustice for 30 years but have chosen not to act," they said in a statement.

"Our people have marched, we have raised our voices, we have participated in inquiry after inquiry, we have shared our stories and developed solutions. Yet governments are standing by while Aboriginal and Torres Strait Islander people are dying under their watch, in their prisons, police cells and during police pursuits."

Natsils said it supported the 15 families whose loved ones had died in custody behind a petition “urging prime minister Scott Morrison to meet with them face to face for the 30 year anniversary of the Royal Commission into Aboriginal Deaths in Custody”.

Victorian Greens senator Lidia Thorpe described the justice system as “deeply racist” following news that an Aboriginal man died in Victoria’s Ravenhall Correctional Centre on Sunday 7 March.

In New South Wales, a man in his 30s and a woman in her 50s also died in custody in the past week, but their deaths were only revealed under questioning during a state parliamentary hearing two days ago.

“This is relentless and traumatising for our people,” Thorpe said. “The system is broken. Thirty years on since the royal commission, how is it possible that our people are still dying in custody and not a single person or institution has been held to account? When will we have peace?”

Thorpe said Morrison was refusing to meet with grieving families to explain how the deaths were possible. “That’s how little this government cares about anyone except themselves.”

The Victorian man’s death was reported to the coroner. Corrections Victoria said his family had been notified and a smoking ceremony arranged.

“We recognise that all deaths in custody have impacts on family members, friends, corrections staff and the Aboriginal community and we’re working to ensure they are provided with the support they need,” Corrections Victoria said in a statement.

First Peoples’ Assembly of Victoria co-chair Geraldine Atkinson said the solution to preventing deaths in custody had been known since the 1991 royal commission.

“For 30 years, governments have failed to act on these recommendations – inaction that has cost the lives of over 450 Aboriginal and Torres Strait Islander people,” Atkinson, a Bangerang and Wiradjuri woman, said.

“In Victoria, Aboriginal people are imprisoned at rates 12 times higher than the rest of the population. We are dying 10 years younger. This system is killing our people and it has to stop.”

News of the Victoria death came on Thursday as the findings of the inquest into the death of 36-year-old Anaiwan-Dunghutti man Nathan Reynolds were released in Sydney.

Reynolds, who died on the floor of prison having an asthma attack in 2018, was deprived of “at least some chance” of surviving by the “confused, uncoordinated and unreasonably delayed” response to his emergency by prison guards and health staff, the NSW coroner said.

“These failures were due both to numerous system deficiencies and to individual errors of judgement,” Elizabeth Ryan said.

She said it took more than 11 minutes for correctional officers to reach his side, 13 minutes for a nurse to be summoned, 22 minutes before a nurse arrived at his side and 47 minutes before ambulance paramedics attended him.

Outside the court, Reynolds' family expressed their solidarity with the families of the three people who had died in custody in the past week.

"People should not die in prisons away from their loved ones," Makayla Reynolds said. "Last week another two people died in NSW prisons. This morning we were advised of another death in Victoria. Our thoughts and support go to their families. No family should ever have to go through this."

The two prison deaths in NSW only came to light when a bureaucrat was questioned in a parliamentary hearing by Greens MP David Shoebridge.

It was "not appropriate" to advise the public of deaths without any detail and "cause a lot of anger, a lot of angst and a lot of grief", the Corrective Services NSW commissioner, Peter Severin, said Tuesday.

But the NSW Aboriginal Legal Service disagreed. "The NSW government has an obligation to let people know things that are in the public interest, and this includes when there has been a death in their care," its chief executive, Karly Warner, said.

The hearing on Tuesday was also told hanging points were still present in Tamworth correctional centre despite a coronial recommendation to remove them after the 2017 death in custody of Tane Chatfield.

"It is well past time for real accountability," Warner said. "The NSW government, including Corrective Services and police, must operate with transparency and be answerable to families and the public."