

## Change the Record Coalition

### 30 years of inaction, over 470 lives lost

14 April 2021

This week marks 30 years since the Royal Commission into Aboriginal Deaths in Custody handed down its historic report with over three hundred recommendations to end Black deaths in custody. It is a national shame that in the three decades since, state, territory and Commonwealth governments have failed to implement the majority of those recommendations - and as a result our people are still dying at horrendous rates.

Leading human rights and legal organisations have reiterated their call for governments to **take six immediate steps** to end Black deaths in custody.

#### **Change the Record Coalition Co-Chair, Cheryl Axleby:**

“We have been calling on governments for the last three decades to take the deaths of our people seriously, and end the discriminatory laws, policies and practices that see our people die behind bars. It should be a source of deep national shame, and pain, that thirty years after the Royal Commission handed down its report, the vast majority of its recommendations have gone unheeded by state, territory and Commonwealth governments. If governments are serious about Closing the Gap, and if - as they say - our lives matter, then they must take urgent action to change the discriminatory practices that drive our people behind bars.”

#### **Change the Record Co-Chair and Chair of the Forum, Antoinette Braybrook:**

“Aboriginal and Torres Strait Islander women are being thrown into prison at ever increasing rates, our children are being ripped away from their mothers at stolen-generation levels, and still women are not being supported to escape family violence. 90% of Aboriginal and Torres Strait Islander women in prison have experienced family violence - they need our support, not punishment. We call on governments to invest in our communities, our services and Aboriginal and Torres Strait Islander leadership to build strong and safe futures for our women.”

#### **National Aboriginal and Torres Strait Islander Legal Services (NATSILS):**

“We need states to commit to action with us. Aboriginal and Torres Strait Islander Legal Services (ATSILS) are ready and willing to work with Government to improve prisoner safety and reduce incarceration; and we need to be recognised as equal partners for change. Aboriginal Justice Advisory Committees at the state and national level must be re-established to lead the dialogue.” - **Priscilla Atkins, NATSILS Co-Chair**

“The 30 year anniversary is an important opportunity to reflect on the crisis of Indigenous incarceration and deaths in custody. The RCIADIC knew that Aboriginal self-determination lies at the heart of the crisis and is the key to change. We call on all states and territories to properly ensure they are working with Indigenous people in a spirit of respect and partnership.” - **Dr. Hannah McGlade, NATSILS Executive Officer**

**Human Rights Law Centre, Legal Director, Meena Singh:**

“Almost thirty years ago the Royal Commission into Aboriginal Deaths in Custody found that the primary driver of Aboriginal deaths in custody was the mass incarceration of our people. That remains the case today. We are amongst the most incarcerated peoples on earth and have been waiting on real government action for too long.

“If governments believe that the lives of First Nations people matter, then they would take urgent steps to remove unjust laws and policies that contribute to this crisis of over-imprisonment. This starts with raising the age of criminal responsibility to keep young children out of prison, abolishing discriminatory and punitive mandatory sentencing and bail laws and implementing the recommendations of the 1991 Royal Commission into Aboriginal Deaths in Custody that are 30 years overdue.

“Nothing is stopping state, territory and the federal government taking action today.”

**SIX IMMEDIATE STEPS:**

1. End the mass imprisonment of Aboriginal and Torres Strait Islander peoples by repealing punitive bail laws; mandatory sentencing laws; and custodial sentences for minor offences;
2. Stop imprisoning Aboriginal and Torres Strait Islander children and raise the age of criminal responsibility from 10 to at least 14 years.
3. End racist policing and require police accountability by ending the practice of police investigating police, and legislating for independent investigations of deaths in custody and resourcing independent police oversight bodies.
4. Implement all recommendations from the Royal Commission into Aboriginal Deaths in Custody and the countless independent investigations, coronial inquests and reports that have been published in the three decades since.
5. Invest in family violence prevention and legal services to stop Aboriginal and Torres Strait Islander women who have survived family violence being forced into the criminal justice system.
6. End the abuse, torture and solitary confinement of Aboriginal and Torres Strait Islander people in police and prison cells through legislative safeguards and by urgently establishing independent bodies to oversee the conditions of detention and treatment of people; in accordance with our obligations under the Optional Protocol to the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT)

**Change the Record is Australia’s only national First Nations-led justice coalition. We are made up of 18 organisations with human rights, legal and criminal justice expertise.**

**Media Contacts:**

Change the Record: Sophie Trevitt, 0431 843 095, [sophie@changetherecord.org.au](mailto:sophie@changetherecord.org.au)

NATSILS: Lucy Brown, 0435 866 462, [lbrown@vals.org.au](mailto:lbrown@vals.org.au)

Human Rights Law Centre: Michelle Bennett, 0419 100 519, [michelle.bennett@hrlc.org.au](mailto:michelle.bennett@hrlc.org.au)