

## Ten Recommendations to Stop Deaths in Custody and One to Make them Illegal 2020

### 1. Stop incarcerating Aboriginal and Torres Strait Islander people.

The evidence proves this is dangerous and too often lethal.

### 2. Abolish the Suspect Target Management Plan (STMP).

Aboriginal people are 18 times more likely to be placed on the STMP than non-Indigenous people. First Nations youths under 15 years old are 33 times more likely to be placed on the plan than their non-Indigenous counterparts. It's clear that the STMP is targeting First Nations people, it needs to be terminated.

### 3. Release First Nations children and youths from juvenile detention immediately.

Every First Nations youth in prison should be referred to the elders of their nation for assessment and reintegration into their community instead.

### 4. Release all First Nations people on remand for nonviolent offences.

Bail conditions should be reviewed by an independent committee tasked with establishing bail conditions which are culturally appropriate.

### 5. Police and corrective services officers must be accountable to the law.

The same laws which apply to civilians should apply to police and corrective services officers in custody incidents. Corrective and law enforcement officers should be held to account if undue violence is used against a person in custody and charges should be brought if necessary. Furthermore, officers who bear witness to violent behavior and then fail to report it should face charges.

### 6. Class deaths in custody as criminal incidents.

The locations of these incidents should be treated as crime scenes and standard protocols should apply. At present, when a death occurs in custody the site is not treated as a crime scene which is leading to evidence being removed and the location being cleaned prior to any investigation taking place.

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**7. Establish an independent body which investigates deaths in custody.**

This investigative body must be completely independent of law enforcement agencies and corrective services in order to function the way it is supposed to.

**8. Review the coronial process and monitor how coroners operate.**

The review process should also assess how thoroughly the coroner engages the family's concerns. Furthermore, it should consider the burden placed upon families who must travel long distances to the Sydney suburb of Lidcombe and require accommodation close by during the inquiry.

**9. Remove Accident, Suicide or Police Operations as a cause of death category for Coronial Inquests into First Nations deaths in custody.**

Coroners should be encouraged to make more thorough and critical determinations on the causes of death which allow findings that reveal neglect of duty of care or mental health issues.

**10. Future savings produced by lower incarceration rates must be factored in when questions arise regarding the financing of these kinds of reforms.**

**11. The final recommendation concerns the longer project of resolving the fractured relations between First Nations communities and the Colonial system imposed by the settlers.**

The government needs to consider the systemic racism operating within the entire NSW State that permits the land interests of Aboriginal people to always come second to the interests of farmers, miners, corporations and political gain. Until the day the government seriously confronts racism within the policing, corrections and health systems and Police, Prison Officers, or Health officer, involved in Death in Custody been charged and taken to court, we won't see any real reduction in Aboriginal deaths in custody.