

**Submission
No 30**

**INQUIRY INTO HIGH LEVEL OF FIRST NATIONS
PEOPLE IN CUSTODY AND OVERSIGHT AND REVIEW OF
DEATHS IN CUSTODY**

Name: Miss Ashleigh Stower

Date Received: 6 August 2020

What we need to move to is a system where we support those children, and a really important first step is making that age of criminal responsibility higher, so there is more of a chance to intervene before children become institutionalised. This means more investment in prevention, rehabilitation and community-based programs. The punitive approach is failing, and this is seen in those very high Indigenous incarceration rates.

Over policing of Aboriginal communities is an ongoing problem, and leads to high levels of unnecessary contact with the criminal justice system. Aboriginal young people are targeted for just hanging out in parks or in shopping centres and face serious penalties for offences which their non-Aboriginal peers would receive only a warning. All of this contributes to over representation of First Nations people in prisons. Families deserve to know of their loved one does in prison they will be heard and a proper independent investigation will occur, including inspection of where their family member died, interviews of all witnesses including fellow inmates, and that they will be kept up to date with the progress of the inquiry. Independent oversight is needed of all Aboriginal deaths in custody to ensure those responsible face justice. Not a single Police officer or prison officer has ever been held responsible for a single one of the more than 435 deaths in custody since the Royal Commission, or the thousands of deaths before that time. Police officers or prison officers are NOT above the law and I believe this is unacceptable.