

**Submission
No 62**

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

Name: Ms Erin Hodge

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Good morning,

I am writing today to express concern over the ongoing crisis of Aboriginal deaths in custody and demand that action be taken in regard to issues of overpolicing of Aboriginal communities and a lack of independent inquiry into deaths in custody when they occur.

Overpolicing 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 overrepresentation of First Nations people in prisons.

Families deserve to know that if their loved one dies 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 told of the progress of this inquiry.

As a resident of New South Wales, I believe independent investigations into deaths in custody are a bare minimum in delivering government accountability and transparency and keeping our community safe. In our current system, where Police and Corrections conduct internal investigations and compile the evidence that is presented in Coronial inquests into deaths in custody, our community cannot trust the results of these proceedings because of the blatant conflict and bias that exists. This is unacceptable and needs to change.

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.

I would also like to take the time to discuss the age of criminal responsibility in New South Wales. There is no social benefit to criminalising and incarcerating children as young as 10 years old, as this only acts to further negatively impact children's development. The age of criminal responsibility needs to be raised to at least 14 and welfare and diversionary responses need to be utilised to prevent children of all ages entering the criminal justice system.

Thank you for taking the time to consider my submission.

Kind regards

Erin Hodge