

NATIONAL ABORIGINAL AND TORRES STRAIT ISLANDER LEGAL SERVICES FORUM (NATSILS)

MEDIA STATEMENT

14 April 2011

NATSILS CALL FOR A FAIR GO

Twenty years after the Royal Commission into Aboriginal Deaths in Custody (RCIADIC) report was released on 15 April 1991, a significant number of recommendations remain unimplemented and people continue to die needlessly in custody.

“It is unacceptable that governments in this country continue to fail to prioritise or address the ongoing deaths of Aboriginal and Torres Strait Islander peoples in custody and that little has changed in the twenty years since the RCIADIC” said Mr. Shane Duffy, Chairperson of the National Aboriginal and Torres Strait Islander Legal Services Forum (NATSILS).

The NATSILS are alarmed by the ongoing deaths in custody and say it is crucial for all 339 RCIADIC recommendations to be implemented immediately. National statistics show that in the land of the ‘fair go’ an Aboriginal or Torres Strait Islander person is 14 times more likely to be incarcerated than a non-Aboriginal or Torres Strait Islander person. Addressing the over-representation of Aboriginal and Torres Strait Islander peoples in custody is a crucial step in achieving the aims of the RCIADIC, yet there continues to be an overwhelming lack of effective policies aimed at diverting Aboriginal and Torres Strait Islander peoples from the criminal justice system.

The NATSILS would like to congratulate Senator Rachel Siewert, Australian Greens spokesperson on Aboriginal and Torres Strait Islander issues for her Notice on Motion (passed by the Senate on 24 March 2011) calling on the Australian Government to:

- *“Consider the outcomes of current reviews underway into the implementation of the recommendations of the Royal Commission, undertake to report on progress and gaps, and map out further action; and*
- *Work with the States and Territories to undertake an audit of standards and independent monitoring of places of detention and consider options to promote consistency across jurisdictions”.*

The NATSILS fully support Senator Siewert’s motion and are currently involved in several projects that would greatly assist governments in complying with its recommended actions:

- Contributing to a special edition of the Indigenous Law Review dedicated to the RCIADIC and where it sits today;
- The Aboriginal Legal Service (NSW/ACT) is leading a National Survey on the implementation of RCIADIC recommendations in all States and Territories;

- Ongoing involvement in Inquest Alliance, an alliance formed by numerous NGOs and individual advocates across Australia dedicated to national coronial reform and the establishment of a National Inquest Clearing House; and
- The Aboriginal Legal Service of Western Australia and the Deaths in Custody Watch Committee (WA) are leading a Public March to Parliament on 15 April 2011 in Perth calling for the full implementation of recommendations and remembering all of those who have died in custody.

By continuing to undertake such work the NATSILS hope to further engage with relevant stakeholders, including governments, to collaboratively work towards achieving the full implementation of RCIADIC recommendations and the prevention of further needless deaths in custody.

The NATSILS call upon all governments to fully co-operate with the National Survey being undertaken by Aboriginal Legal Service (NSW/ACT) and commit to using its results in the development of State, Territory and Commonwealth action plans that map out steps that will be taken to achieve the full implementation of RCIADIC recommendations.

The NATSILS further call on governments to significantly increase their efforts to reduce the over-representation of Aboriginal and Torres Strait Islander peoples in custody through commitment to policies that will divert Aboriginal and Torres Strait Islander peoples from the criminal justice system and provide alternatives to incarceration so as to ensure that incarceration is only used as a last resort.

The NATSILS hope that the 20 year commemoration of the final report of the RCIADIC will mark a turning point in the full implementation of its recommendations and the NATSILS look forward to working with all Australian governments to achieve this outcome.

MEDIA ENQUIRIES to Rachel O'Brien, National Legal Secretariat Officer, on 07 3205 1253 or rachel.obrien@atsils.org.au.



Aboriginal Legal Rights Movement Inc.



Aboriginal Legal Service of Western Australia



Victorian Aboriginal Legal Service Co-operative Limited



Aboriginal Legal Service (NSW/ACT) Limited



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