



MEDIA RELEASE | Thursday 22 August 2019

Tireless advocacy by the Day family leads to decriminalisation of public drunkenness

The Victorian Aboriginal Legal Service (VALS) welcomes the announcement of the Attorney-General to decriminalise public drunkenness and replace it with a health-based response.

The announcement comes just days before the Coronial Inquest into the death of Tanya Day, a proud Yorta Yorta woman who tragically passed away in December 2017 after being arrested for public drunkenness whilst asleep on a train. Tanya Day sustained a fatal head injury whilst in a police cell and passed several weeks after.

The family of Tanya Day have been tireless in their advocacy efforts, to ensure that other families do not suffer the loss of a mother or grandmother. The family welcomes the decision to decriminalise public drunkenness, whilst also acknowledging that the reforms should have come decades earlier.

Multiple recommendations to decriminalise public drunkenness have been issued over the last 30 years, including by the Royal Commission into Aboriginal Deaths in Custody in 1991. Since then, approximately 514 Aboriginal and Torres Strait Islander people have died in custody nationally.

VALS looks forward to working with the Victorian Government as part of the Expert Reference Group, to ensure that the offence of public drunkenness is repealed and replaced with an effective and culturally safe health-based response as soon as possible.

Quotes attributable to Nerita Waight, CEO of VALS and Co-Chair of the National Aboriginal and Torres Strait Islander Legal Services (NATSILS).

“The Attorney-General’s decision to repeal the offence of public drunkenness shows the strength of the tireless advocacy of Tanya Day’s family, while they have been grieving,”

“The Victorian Government must move quickly to finalise these critical changes and put in place a co-designed, public health response, so no more families endure this pain.”

“VALS extends their support to the Day family throughout the Coronial Inquest over the coming weeks. We support the family’s call for accountability, independent investigations into deaths in custody and eradicating systemic racism from the criminal justice system,”

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