



Aboriginal Legal Rights Movement Inc

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ALRM Media Release

Recent Aboriginal Death in Custody - raises serious concerns about SAPOL treatment of Aboriginal people

The ALRM is deeply concerned that there has been yet another Aboriginal death in custody in South Australia. Our full support and condolences are with the family of the community member who died in Police custody at his Parafield Gardens address in the early hours of this morning 26 May 2017.

In particular, the ALRM is gravely concerned about statements which have been made by the family about the man's treatment by Police before and during his arrest, and the response to his immediate needs for medical attention. This case like many others highlights the continuing importance of the Recommendations of the Royal Commission into Aboriginal Deaths in Custody (RCIADC) including Recommendation 60 condemning violent treatment and verbal or racist abuse by Police officers; Recommendation 87 that Police officers should respect and apply the principle of arrest as a last resort; Recommendation 133 regarding Police awareness of the health status of Aboriginal people; Recommendation 158 on the need for immediate provision of resuscitation by Police; and Recommendation 161 on the need for immediate medical assistance if there is any doubt about a detainee's medical attention. These recommendations are particularly pertinent given the statements that have been made by family about the immediate need that the man had for provision of medication.

The incident also highlights the urgent need for an effective, properly funded, and legislatively-enforceable Custody Call Notification Service in South Australia, as called upon by the national Indigenous Affairs Minister Nigel Scullion to State governments. New South Wales remains the only State with a legal requirement for Police to place a call to lawyers at an Aboriginal Legal Service upon an Aboriginal person being taken into custody, as was recommended by the RCIADC over 25 years ago. Immediate access to legal assistance is vital to ensure that Aboriginal people are properly protected when they come into contact with the criminal justice system. The ALRM does not currently receive funding for 24/7 on-call services by criminal lawyers, and there is no legislatively enforceable requirement for the ALRM to be notified of arrests.

We call for legislative reform which requires immediate notification of the arrest or detention of any Aboriginal or Torres Strait Islander person to the ALRM, and the provision of timely and accurate information of any death in custody to enable us to provide immediate support and legal assistance to the family at this critical time.

The concerns that have been raised as to treatment by Police and delays as to the provision of medical and emergency services assistance will be the subject of a full and comprehensive enquiry by the State Coroner, and the ALRM offers its full support to the family throughout that process.

ALRM further calls upon the media to please respect the family during their time of grieving.

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