

The Hon Barry House MLC
President of the Legislative Council
Parliament House
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Dear Mr President,

Aboriginal People in Custody

I am writing to express my deep concerns about the over representation of Indigenous people in jail. It is inconceivable that in the 25-plus years since the 1991 Royal Commission into Aboriginal Deaths in Custody, the bulk of the Commission's 339 recommendations remain unimplemented or only partially implemented. As a nation there are now double the number of Aboriginal people in jail than there were in 1991, and the situation is worst in WA. In a 2015 report, Amnesty International found that in WA, Indigenous children are 53 times more likely to be jailed than non-Indigenous children and adults are 17 times more likely. Aboriginal women are also massively over-represented in the WA prison system.

I am concerned about the lack of safety for prisoners and the harm that they suffer in our over-crowded prisons. I am also concerned about the imprisonment of fine defaulters and about the insufficient health care and medical supervision provided to those in custody.

I therefore ask the Legislative Council to support action including:

1. Legislation and funding for a mandatory 24-hour Custody Notification Service and R U OK phone line, in accordance with the recommendation in the WA Parliamentary Report, 'In Safe Custody'. WA's extension, in February 2016, of a prison Aboriginal Visitor Scheme to cover people in police custody is a reductionist version of a CNS – weak, ineffective and falling well below the national standard of protection.
2. An end to imprisonment for fine default in Western Australia, in line with the recommendations of the 1991 Royal Commission into Aboriginal Deaths in Custody and consistent with practices in other States. The WA's proposal in September 2016 to amend sentencing legislation to allow for suspended fines and expanded Conditional Release Orders will not eliminate imprisonment for unpaid fines.
3. Funding for a 24-hour on-call medical service at all lock-ups in metropolitan and regional WA.

It is unacceptable to me that Aboriginal people in Australia represent only 3% of the total population, yet more than 28% of Australia's prison population are Aboriginal. It is also unacceptable to me that the rate of Indigenous imprisonment in WA is far greater than it is in any other part of the country.

I call on the Government of Western Australia to work urgently with not-for-profit agencies to find innovative ways of reducing the rate of Indigenous incarceration in this state.

Yours faithfully,

Name: _____

Address: _____

Date: _____