

JOINT MEDIA RELEASE

NATIONAL POLICE ACCOUNTABILITY NETWORK (NPAN)



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Coronial report highlights systemic flaws

Responding to the release of the coronial report into the death of Kwementyaye Briscoe, ANTaR and the National Police Accountability Network highlight the need for major changes to prevent future deaths in custody.

“The coronial report highlights the fact that, 20 years after the Royal Commission’s report, its key recommendation that arrest should be a measure of last resort is still being ignored. Too many people are being taken into protective custody too often, with tragic consequences.”

“Far from providing protection, Kwementyaye Briscoe died in custody hours after his arrest after “multiple failings” by police, who showed extraordinary neglect and callousness towards a very sick and vulnerable man,” said Jacqueline Phillips.

The Coroner found the number of Aboriginal people taken into protective custody in the NT to be a “national shame”. At 235,000 people in the last five years, the number exceeds the NT population.

“Protective custody is an inappropriate response to the problem of excessive alcohol consumption with police ill-equipped to provide the care and protection needed for extremely vulnerable and acutely ill people.

“We call on all governments to work together to ensure that there are adequate, safe alternatives to protective custody for intoxicated persons, including sobering up and other services,” said Ms Phillips

The Coroner’s report made strong findings of “multiple failings” by NT Police, including an ‘utter dereliction of duty’ which resulted in Kwementyaye Briscoe’s death. He also found that police had used unnecessary force in their handling of Mr Briscoe. Despite this, no referral for criminal investigation was made.

“The Coroner’s findings raise serious questions of criminal neglect and abuse that must be criminally investigated,” said Tamar Hopkins.

“More broadly, we are concerned that the Coroner missed an opportunity to make stronger recommendations to prevent future deaths in custody, ” said Ms Hopkins

Kwementyaye Briscoe’s tragic death again highlights the need for regular independent inspections of police and custodial facilities

“Regular inspections of the Alice Springs Watch House would have identified flaws in staffing, policies and procedures and could well have prevented Kwementyaye Briscoe’s death.”

“It is clear, given the history of inaction, that relying on undertakings by police to improve conditions and practices is simply not enough,” said Tamar Hopkins

We urge Federal, State and Territory Governments to work together to ensure the rapid ratification and implementation of the Optional Protocol to the Convention Against Torture, which requires the establishment of a national independent inspections system as well as inspections by international agencies.

“We also call on the NT Police Force to increase its public accountability by committing to regular reporting of progress against the Coroner’s recommendations and findings,” said Ms Hopkins

“Governments cannot, once again, ignore the lessons of another death in custody.”

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