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MEDIA RELEASE

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SAFEGUARDING INDIGENOUS PEOPLE IN CUSTODY

The NSW Government is providing stronger protection for Aboriginal and Torres Strait Islander people in police custody by implementing reforms following the inquest into the tragic death of Rebecca Maher.

Attorney General Mark Speakman and Minister for Aboriginal Affairs Don Harwin said the Government has moved swiftly to expand the Custody Notification Service (CNS), an initiative run by the Aboriginal Legal Service (NSW/ACT) Limited (ALS) to provide 24-hour legal advice and an R U OK phone line for Aboriginal and Torres Strait Islander people taken into police custody.

“NSW Police are obliged to notify the ALS after taking an Aboriginal or Torres Strait Islander person into custody in connection with an offence to ensure they get appropriate support. This reform expands the CNS, so police must now also call the service if an Aboriginal or Torres Strait Islander person is taken into protective custody for intoxication,” Mr Speakman said.

“The NSW Government is grateful for the ALS’s ongoing delivery of the CNS and to the Federal Minister for Indigenous Australians Ken Wyatt for providing the necessary funding to support this important expansion.”

Mr Wyatt said the Morrison Government was proud to support this critical service.

“We are investing \$1 million to support the delivery of the CNS in 2019-20 – almost twice as much funding compared with 2018-19 levels,” Mr Wyatt said.

Mr Harwin said this is a necessary reform in response to the findings of State Coroner Magistrate Teresa O’Sullivan in July this year.

“The 2016 death of Aboriginal woman Rebecca Maher at Maitland Police Station is a terrible tragedy. We don’t want to see these horrific circumstances repeated, which is why we are acting to provide better protection for First Nations people,” Mr Harwin said.

The CNS was formally established in 2000 in response to recommendations of the Royal Commission into Aboriginal Deaths in Custody. Ms Maher was the first Aboriginal death in a NSW police cell since the introduction of the CNS. Under the system, trained lawyers carefully respond to welfare concerns including threats of self-harm, access to medication, notification of injuries and ensuring police provide a duty of care.

CEO of the ALS Karly Warner said the CNS provides a critical health and legal lifeline for more than 18 000 Aboriginal people every year.

“Aboriginal men, women and children in custody trust the ALS because they know our lawyers will advocate strongly for their legal, health and family welfare. We welcome the NSW Government’s reforms in this area, and the Federal Government’s support to expand the CNS.” Ms Warner said.