

FOR IMMEDIATE RELEASE

23 March 2020

JOINT STATEMENT: Aboriginal and Torres Strait Islander Legal Services call on the Prime Minister for early release from prison and other urgent measures to protect Aboriginal and Torres Strait Islander people from COVID-19 in the justice system

The National peak body for Aboriginal and Torres Strait Islander Legal Services (**NATSILS**) have held a meeting today to call for urgent action from the Prime Minister and State and Territory leaders for the safety and wellbeing of Aboriginal and Torres Strait Islander people in prisons and the justice system from COVID-19. NATSILS met with Minister Wyatt and representatives from the Attorney General's Department and discussed the Federal Government's response to COVID-19.

NATSILS members made the following statement:

"We, the Aboriginal and Torres Strait Islander Legal Services (**ATSILS**), are calling for national leadership from the Prime Minister, Attorney General and all levels of State and Territory Government to take immediate action to protect Aboriginal and Torres Strait Islander people in prison, including early release. Most of our people in prison have chronic health issues and are living with disability; they are most at risk. With the over-representation of our people in prison, our lives are on the line.

People in prison are extremely vulnerable to COVID-19. This is why we are calling for immediate early release, particularly people who are on remand, women who are victims of family violence and sentenced for lesser offences like fines and public order offences, young people and those most at risk of transmitting COVID-19, like elderly and people with health conditions. At all costs, we must prevent any Aboriginal deaths in custody from COVID-19.

Authorities must be transparent and avoid blanket lockdowns or solitary confinement, especially for young people. Our people must have safe access to their family and visitors, adequate medical care, COVID-19 testing and particularly legal support. More must be done to facilitate this, including access to video facilities. ATSILS are doing all we can to provide our vital services to our people during this time, whilst containing the spread of COVID-19.

Globally, governments are using early release to contain the virus, including Ireland's proposal to release prisoners with less than 12 months to serve, and elsewhere in the United States and United Kingdom.

We are concerned about the impact of policing, the closure and delay of courts during the COVID-19 pandemic. There must be more focus on alternatives to imprisonment, on diversion, and on providing communities the support that we need to survive this pandemic.

We are also concerned about the civil law impacts for our people, particularly on fines and tenancy, administrative proceedings, and the impact on child protection and law. There are measures such as freezing rental and rate increases that governments can take.

We discussed with Minister Wyatt the impact of COVID-19 in remote communities. Right now, our lives depend on having full access to social safety nets without any strings attached. Bush courts and circuit courts have now stopped, and ATSILS are working on ways to provide services without face to face contact to remote communities.

When courts resume, this will place unprecedented need on our legal services. We require urgent additional resources to adequately respond to this pandemic.

This pandemic will have a huge impact on our communities, our lives, and our services for many months to come. It is vital that the Prime Minister and all levels of Government act now to show leadership for First Nations people.”

END OF RELEASE

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NATSILS represent the following ATSILS around Australia:

- Aboriginal and Torres Strait Islander Legal Service Ltd (**ATSILS Qld**);
- Aboriginal Legal Rights Movement Inc. in South Australia (**ALRM**);
- Aboriginal Legal Service (NSW/ACT) (**ALS NSW/ACT**);
- Aboriginal Legal Service of Western Australia Ltd (**ALSWA**);
- North Australian Aboriginal Justice Agency (**NAAJA**);
- Tasmanian Aboriginal Community Legal Service (**TACLS**); and
- Victorian Aboriginal Legal Service Co-operative Limited (**VALS**).