

# Australia: Questions emerge over another Aboriginal death in custody

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9 October 2017

Lawyers for the family of Tane Chatfield, a 22-year-old Aboriginal man who died last month at the Tamworth Correctional Centre in New South Wales (NSW), aired allegations on Thursday which cast doubt on the assertions of prison and police authorities that his death was “not suspicious.”

Chatfield was found unresponsive in his prison cell on the morning of September 20. He did not regain consciousness and was pronounced dead at hospital two days later.

Like many Aboriginal young men in jail, Chatfield, the father of a three-year-old girl, had not been convicted of any crime. He had been incarcerated on remand for two years. When he died, his lawyers were conducting a vigorous defence against robbery charges, to which he pled not guilty in the Armidale District Court.

Police and NSW Correctional Services officials declared last month that Chatfield’s death was a suicide. Chatfield’s family said he was not suicidal and launched a public campaign. His father and other relatives stated they believe Chatfield was murdered.

Around 200 people participated in a protest outside Tamworth prison on September 22. The “hashtag” #JusticeForTane has been shared thousands of times on social media.

On Thursday, the lawyer for Chatfield’s family, Peter Kemp, and the young man’s sister, Maria Chatfield, told SBS National Indigenous Television (NITV) of a number of suspicious circumstances surrounding the death.

Chatfield was taken to hospital on the night of September 19, after allegedly suffering a seizure. According to his family, he appeared to have sustained major injuries.

Maria Chatfield told NITV: “[He had] bruising on his

hands, cuts on his knuckles, bruising on his wrists, bruising on his legs, lumps in his head, behind his ears, a gash in his lip, bruising on the inside of his lip, bruises on the arms, it looked like someone hit his nose ... he had blood underneath his fingernails.”

NITV reporters said they were shown photographs, taken by Chatfield’s family, which documented his injuries.

Chatfield was returned to jail the next morning. According to Kemp, prison authorities removed his cellmate shortly before Chatfield died. Officials allegedly claimed that this was the result of a “court order” but Kemp said it did not exist.

Chatfield was kept in the cell, while other inmates were let out into the jail yard. This would contravene requirements for Aboriginal inmates, and inmates returning from hospital, not to be left alone in a cell.

Kemp said another inmate told him Chatfield “was heard screaming and swearing before he was reported by a sweeper (who discovered him unresponsive).”

The lawyer also noted it took an ambulance 25 minutes to arrive at the scene, and the Police Investigation Unit, responsible for investigating deaths in custody, apparently had not interviewed any inmates.

NSW Corrective Services Commissioner Peter Severin restated claims that the death was “not suspicious,” but refused to comment on the allegations made by Chatfield’s family.

The circumstances, however, point to criminal neglect at the very least, and raise the possibility of foul play. A series of tragic deaths in custody has underscored the brutal conditions in prisons across the country.

In August 2014, Ms. Dhu, a 22-year-old Western Australian Aboriginal woman, died in police custody after being imprisoned for unpaid fines. Dhu died of

staphylococcal septicaemia and pneumonia, which spread widely throughout her body but is easily preventable with antibiotics. Officers repeatedly denied her medical treatment, saying she was “faking” her illness.

In July 2016, Rebecca Maher, 36, died in a police station cell in Maitland, NSW after being detained for alleged intoxication. Her family queried police claims.

In July this year, Eric Whittaker, 35, died of a brain haemorrhage at western Sydney’s Parklea Prison, where he was held for alleged parole violations. According to his family, police and NSW Correctional Services gave conflicting accounts of a fall they claimed caused the injury.

Many other deaths have occurred since the 1991 Royal Commission into Aboriginal deaths in custody. The federal Labor government of Bob Hawke convened that inquiry after widespread opposition to a wave of 99 deaths in custody between 1980 and 1989. The royal commission was a whitewash. It did not result in a single prosecution of police or prison officers.

Ten Aboriginal deaths in custody were recorded in 1991, when the report was released, with the figure rising to 22 the following year. The most recent Australian Bureau of Statistics figures show another rise in indigenous deaths in custody, with 15 in 2008–09 and 21 in 2011–2012.

While there is undoubtedly racism directed against Aboriginal inmates, non-indigenous prisoners also suffer high rates of death in custody. Some 73 non-indigenous prisoners died in 2008, with figures showing a comparable proportion of deaths for both Aboriginal and non-Aboriginal inmates.

In NSW, where Chatfield died, State Coroner data show a dramatic increase in total deaths in custody. Forty-three people died while being held by police, prison and immigration authorities in 2013, the highest figure recorded since 1997. An average of 37 detained individuals died annually in NSW from 2009 to 2013, up from 28 a year over the previous period.

In addition to acts of outright abuse and negligence, prisoners are subjected to overcrowded and unsafe conditions, and limited medical care for complex health problems, often associated with lifetimes of poverty and oppression.

Prison numbers across the country have skyrocketed. An average of more than 40,500 people were held in

Australian prisons each day in the first half of 2017, up from around 26,000 ten years ago. Aborigines, who are among the most oppressed sections of the working class, have been particularly targeted. Rates of incarceration for indigenous women rose by over 58 percent between 2000 and 2010, and by more than 35 percent for Aboriginal men.

The increase is in part the result of punitive legislation, passed by state and federal governments, Labor and Liberal-National alike, aimed at boosting custodial sentences for theft and other crimes of poverty, including drug addiction, while imposing harsher bail laws.

The number of prisoners on remand, awaiting trial, has grown by 87 percent from 2012 to 2017. They now account for at least a third of the total prison population. Legal experts have noted that individuals denied bail for extended periods have had their fundamental legal rights, such as the presumption of innocence, effectively abrogated.

The soaring prison population and tragic incidents such as Chatsfield’s death are part of a broader build-up of the repressive state apparatus, which increasingly will be directed toward the suppression of growing opposition to social inequality and poverty in the working class.



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