



NATSILS
National Aboriginal and
Torres Strait Islander Legal Services
TRUE JUSTICE FOR OUR PEOPLE

FOR IMMEDIATE RELEASE

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NATSILS MEDIA RELEASE: NATSILS supports Tanya Day's family's calls for accountability: "Police must stop investigating police for true justice"

The National Aboriginal and Torres Strait Islander Legal Service (NATSILS) support the family of Tanya Day in renewed calls for police accountability and the end of police investigating police, following the decision made by the Director of Public Prosecutions (DPP) not to charge the two police officers involved in her death.

"There have been over 439 victims of the system since the Royal Commission Into Aboriginal Deaths in Custody in 1991, and not a single police officer has been convicted for an Aboriginal death in custody - despite a global movement for Black Lives Matter," said NATSILS co-chair Cheryl Axleby.

"This needs to end, and it needs to end now. Until police stop investigating police, there will be no accountability. Until there is accountability there will be no true justice, and our people will continue to die. There have been at least three confirmed Black deaths in custody in the past two months. We demand independent investigations of Black deaths in custody and support the Day's family's calls for justice."

In 2017, Ms Day boarded a V/Line train to Melbourne to visit her youngest daughter. Upon failing to produce a ticket, and appearing confused and disorientated, the conductor called the police. Rather than taking her to the hospital, police took her to Castlemaine Police Station where she was locked up in a cement cell under Victoria's public drunkenness laws.

Ms Day proceeded to hit her head several times while in the cell causing a bleed on the left temporal side of her brain, and suffered hemiparesis as a result. She later died in hospital, just days before Christmas.

The Coroner found that the train conductor's unconscious bias was a factor in her being removed from the train, "she was not treated with humanity", that the police failed to check on her in accordance with procedure, and referred the case to the Department of Public Prosecutions (DPP) for criminal investigation on the basis that an indictable offence may have been committed.

On Wednesday the DPP announced that no charges would be laid, after considering reasonable prospects for conviction, and whether or not their prosecution was in the public interest.

"We support the family's statement that it is in the public interest for all of our mob - and we say, for our whole nation - that police be held accountable for their actions. Police must stop investigating police

for true justice. The Royal Commission recommendations must be implemented immediately, working with the families, to avoid any more devastation of our lives and communities” said Nerita Waight, NATSILS co-chair.

NATSILS stands with the family of Aunty Tanya Day, and the family of every other victim of an Indigenous death in custody, in their calls for justice and police accountability.

END OF RELEASE

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