

CUSTODY NOTIFICATION SERVICE

314. Dr A.D. BUTI to the Attorney General:

What consideration is being given to the custody notification service that was recommended by the State Coroner last year and is there still an offer from the federal Minister for Indigenous Affairs, Nigel Scullion, that the federal government will fund a service for three years if Western Australia were to introduce the service?

Mr J.R. QUIGLEY replied:

The custody notification service refers to a service whereby an officer or the manager of the lock-up who takes into custody an Indigenous person who has been arrested will ring a designated number to advise that a person has been taken into custody. This was originally a recommendation of the Royal Commission into Aboriginal Deaths in Custody. In 2000, New South Wales and the Australian Capital Territory introduced a custody notification service for Indigenous and Torres Strait Islander people. Since the introduction of that service, there has not been a single death in custody. Following the death of Ms Dhu last year, Senator Nigel Scullion wrote to the former state government on 31 August last year offering to fund such a service in Western Australia for three years. On 22 September, barely three weeks later, the former Minister for Police and now Deputy Leader of the Opposition wrote back rejecting outright the offer of the federal government.

The Minister for Aboriginal Affairs and I have jointly written to the federal minister, Senator Scullion, to see whether the offer is still on foot and how much is on offer. Meanwhile, the director general of the Department of Justice and that department are working to scale up and see what it would cost in Western Australia and who could run it. In New South Wales, it costs \$533 000 a year and it is contracted out to the Aboriginal Legal Service. It is a 24-hour, seven-day-a-week service and there has not been a death in custody since the service has been running.

I conclude by saying that if the arresting officers in the Ms Dhu case had contacted a custody notification service and advised that they had just taken someone into custody on the non-payment of a fine, it is unimaginable that she would have languished for days in a cell in the condition that she was in. Similarly, in the case of Mr Gene Gibson in Broome, who did not have English as a first language, it is unimaginable that we would have had the tragedy in that case that we had—that is, the conviction and incarceration of an innocent person. The McGowan Labor government is actively working on looking at the feasibility of this in Western Australia. It is our ambition to do it but we want to negotiate with the federal government for the funding. We are looking forward to a positive response from Senator Nigel Scullion.

Several members interjected.

The SPEAKER: Members!

Mr C.J. Barnett interjected.

The SPEAKER: Member for Cottesloe, I am on my feet. I call you to order for the first time. Members, you have one question to go. Just relax.