



# NATSILS

National Aboriginal and  
Torres Strait Islander Legal Services

TRUE JUSTICE FOR OUR PEOPLE

**FOR IMMEDIATE RELEASE**

**25 January 2021**

**NATSILS Media Release: This Invasion Day, we call for the Prime Minister to meet with families whose loved ones have died in custody, 30 years since the Royal Commission**

January 26 is 'Invasion Day' for many Aboriginal and Torres Strait Islander people. Also known as 'Survival Day' or 'Day of Mourning,' January 26 is not a date for Aboriginal and Torres Strait Islander people to celebrate. This date marks the beginning of genocide, dispossession, stolen children and wages, systemic violence and racism toward our people. NATSILS supports Aboriginal and Torres Strait Islander communities exercising their democratic right to protest around the country, following precautions to be COVID-safe.

Since colonisation, the death penalty has never ended for our people. Aboriginal and Torres Strait Islander people are still suffering the horrifying and lasting effects of colonisation, particularly in regards to justice, with the over-incarceration we see of First Nations people. The Australian prison system has been designed to oppress and harm First Nations people since colonisation. For example one of the earliest prisons, Rottnest Island, is the largest Black deaths in custody site in Australia.

This Invasion Day, NATSILS stands in solidarity with 15 families whose loved ones have tragically and senselessly died in custody, who recently united together for the first time in a show of formidable strength and power. The families call for Prime Minister Scott Morrison to meet with them face to face this year for the 30 year anniversary of the Royal Commission into Aboriginal Deaths in Custody.

In their [petition](#), the families are seeking answers as to why the Federal Government will not take action to stop our people dying in custody, and demand a commitment to work with them to implement the Royal Commission recommendations that have so far been ignored, and to make sure no other family ever has to experience their pain.

“This Invasion Day, we urge the Prime Minister to stop failing our people, to meet and work with the families left behind and our Aboriginal organisations to stop our people dying in custody. This starts with implementing the recommendations of the Royal Commission - it has been 30 years without justice or accountability. Until Black Lives Matter, until our people no longer die in custody at horrific rates, until we raise the age of criminal responsibility to at least 14 years - January 26 is not a date to celebrate,” said Priscilla Atkins, NATSILS Co-Chair.

The shackles of our past are still around our necks, and racism is killing our people. NATSILS urges everyone to reflect this January 26, show support and respect for these courageous families by signing this important [petition](#).

In December, these families [made statements](#) calling for the Prime Minister to meet with them:

- “It’s time the government agree to a public and national commitment to Aboriginal people to stop Aboriginal deaths in custody entirely. Resolving

injustices and working toward a future where Aboriginal peoples lives are favoured over a system that renders us unworthy of being mourned needs to be a priority in every policy and legislative strategy. Wayne's life matters this much!" - Caroline Andersen, Mother of Wayne Fella Morrison. Wayne died in 2016 from causes including spithood and restraint asphyxia, with no CCTV footage of the transport van with 7 officers inside.

- "The system failed our dear Aunty Sherry's basic human rights. It'd be prudent to think the tyrannical nefarious systems of government in particular (QPS) can continue to dispel systemic racism & over policing as a myth, but Aunty Sherry was a victim of the very system that victimised her basic right to live. Truth & justice will prevail. Say her name "AUNTY SHERRY." - Troy J Brady, Nephew of Aunty Sherry Fisher-Tilberoo, a proud cultural Birigubba woman who died in September 2020 at the grasp of a system that failed her basic human rights, in a cold concrete cell.
- "Suzette Roe, Mother of Gareth Jackson Roe who suicided in 1997, a death in custody, stand in solidarity with all First Nations peoples to fight for justice in Australia. With the support of my sister Rosemary Roe, we vowed to make the Western Australian Police and all Government agencies accountable for any cruel and inhumane treatment of my 11 year-old son and nephew." - Aunty Suzette & Aunty Rosemary Roe on behalf of GJ Roe's family.
- "We want justice for our son, Raymond Noel Thomas, and those to be held accountable who persuade him for no crime committed." - Raymond Thomas on behalf of Raymond Noel Thomas' family.
- "Nathan should still be here today. It is critical that there is urgent systemic change - there must be justice and we must keep fighting so

this never happens to another person again.” - Makayla Reynolds on behalf of Nathan Reynolds’ family.

- “Our beautiful Tane, 22 year old Gomeri man was taken too soon. The system killed our son. We will continue to fight for justice to make change so we can stop Black deaths in custody. The pain never goes away, it’s still raw. Corrective services have that much power in Australia without being investigated, why do we need a Prime Minister? These deaths won’t stop until there is an independent body to investigate police and prisons.” - Statement from Tane Chatfield’s family.
- “30 years of deaths in custody and nothing much has changed. My son passed away, and then his daughter passed away, both at the hands of police. When they write out the recommendations from the coroner, it looks good on paper, but they need to put recommendations into action. Our kids are still dying in custody. Stop the cover ups and own up - they need to be held accountable for their wrong doings. I’ve lost two of my immediate family and it’s worn me down. They treat us like animals and nobody cares.” - Aunty Jennifer Clayton, mother of Wayne Cooper and grandmother of Cherdeena Wynne, on behalf of their family.
- “Police Officers at South Hedland left my granddaughter to die alone, 'shame' on them. The medical staff never listened to my granddaughter, she was moaning in pain and crying out for help, they never helped her, they left her to die. After 30 years plus the system is still killing our people and we need justice, my granddaughter died alone by herself. This breaks my heart everyday and I want it to stop.” - Aunty Carol Roe, grandmother of Ms Dhu, on behalf of their family.
- “The New South Wales jail system failed and as a result our Dunghutti Warrior, David Dungay Jnr died in custody aged 26 in December of 2015. After he refused to stop eating a packet of biscuits while safely secured in his cell. We demand that the NSW Parliamentary Inquiry into

Aboriginal deaths in custody that commenced this year is to implement an independent body to investigate Aboriginal deaths in custody also for Safe Work NSW to automatically investigate a death in custody for industrial manslaughter. Accountability means justice. We will continue the fight until those involved with David's deaths are criminally prosecuted and this corrupt system is changed." - Paul Silva, statement on behalf of David Dungay Jnr's family.

- "Our mum - Tanya Louise Day - was a proud Yorta Yorta woman and much-loved mother, grandmother and advocate. Three years ago, she died in police custody after she was locked up for falling asleep on a train. In the last 30 years, hundreds of Aboriginal people like our mum have died at the hands of the police, yet no police officer has ever been held criminally responsible. This is wrong and speaks volumes about racism and police impunity in this country. Aboriginal people will keep dying in custody until the legal system changes and police are held accountable for their actions." – Statement from the Day family.
- "If Joyce got the care she needed she would be here with us today. She left her son and family behind and we miss her." - Aunty Anne on behalf of Joyce Clarke's family.

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**END OF RELEASE**

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The petition is available at [natsils.org.au/SLM](https://natsils.org.au/SLM)