



# Bandyup Action Group

a subcommittee of the Deaths in Custody Watch Committee (WA) Inc.

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## **DEPARTMENT KEEPS QUIET ON FEMALE DEATHS IN CUSTODY**

### **Still no official statement on the death in custody at Bandyup on Monday**

THE Department of Corrective Services still has not released an official statement regarding a woman's death in custody at Bandyup Women's Prison at the start of the week.

Four deaths in police or prison custody (excluding custody-related police operations) have occurred in WA in the last 12 months, including the passing of Ms Dhu in South Hedland on August 4. It is striking that the department immediately issued news releases for the two male deaths in custody, but has not made any official statements about the two women that have died.

On Monday, 15 June 2015, a 50-year-old woman was found dead at Bandyup prison. The Deaths in Custody Watch Committee extends its condolences to the woman's family and will provide support if requested. The committee is attempting to obtain details of the circumstances surrounding her death.

The Bandyup Action Group will be holding a snap action at Wesley Church on Saturday 20 June from 12pm to raise awareness of the overcrowding at Bandyup and the risk that this poses to prisoners and to staff. DICWC will also be there with Ms Dhu's cousin Shaun Harris to campaign for the coronial inquest into her death to be held mid-year, as promised by Premier Barnett to her family. The state coroner is yet to set a date for the inquest.

While the state government remains quiet about yet another death in its care, Senator Sue Lines rose in Federal Parliament this week to say, 'All of this should lead to a compassionate government taking serious stock of what is happening to its citizens and why it is happening.'

DICWC chair Marc Newhouse says, 'What is happening shows that they are achieving the results they expect. How many deaths are acceptable to the government before change happens? When do deaths in custody become a public issue?'

The DICWC believes that one death in custody is one too many. Immediate action is required to address the overcrowding at Bandyup:

- release all women in prison for fine default and minor offences
- accommodate bail for women on remand and provide legal resources for them
- release minimum-security prisoners to home detention, or release on parole where possible

This would immediately reduce the population of Bandyup to a manageable size. The women inside Bandyup cannot wait any longer.

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## Glossary

**Coronial inquest:** a public hearing into a death conducted by a coroner.

**Death in custody:** The Royal Commission (RCIADIC 1991) established the following definition that has been used since 1992 as the official definition to monitor Australian deaths in custody.

- The death wherever occurring of a person who is in prison custody or police custody or detention as a juvenile;
- The death wherever occurring of a person whose death is caused or contributed to by traumatic injuries sustained, or by lack of proper care while in such custody or detention;
- The death wherever occurring of a person who dies or is fatally injured in the process of police or prison officers attempting to detain that person; and
- The death wherever occurring of a person who dies or is fatally injured in the process of that person escaping or attempting to escape from prison custody or police custody or juvenile detention.

**Decarceration:** An active process that sees incarceration as a socially harmful and ineffective means of addressing social problems. It stresses the need to build communities, not prisons. By strengthening social and cultural institutions that foster individual and community wellbeing, the number of people being jailed will diminish.

## Background and statistics

Bandyup prison has a design capacity of 183. In December last year, there were 348 women at Bandyup. More than one-third (n=121, 35%) of these women were on remand.

Maximum security: 32 (9%), including 13 on remand

Medium security: 253 (73%), including 93 on remand

Minimum security: 63 (18%), including 15 on remand

'Bandyup is by far the biggest releasing prison for women in the state, releasing a total of 864 women in 2013' (OICS 2014: 75). Of these numbers, 406 women were sentenced. More than half the women released from Bandyup that year were unsentenced. This could mean they were released without a sentence, were found not guilty of the charges against them, or had the charges withdrawn.

Indigenous people as a percentage of the population: Nationally: **2.5%** In WA: **3.8%**

Indigenous people as a percentage of people in custody: Nationally: **26.1%** In WA: **38.5%**

Indigenous women as a percentage of all women in custody: Nationally: **29.3%** In WA: **51.5%**

## Sources

Office of the Inspector of Custodial Services, *Report of an announced inspection at Bandyup Women's Prison*, Report 93, OICS, Perth, 2014.

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WA Parliament, Hansard LC, 3 December 2014.