



ALS

Aboriginal Legal Service (NSW/ACT) Limited

Media Release: 1 April, 2019.

GOVERNMENT MUST CONFIRM FUNDING FOR LIFE-SAVING CUSTODY NOTIFICATION SERVICE

On the eve of the Budget, peak body Aboriginal Legal Service (NSW/ACT) is calling on the Federal Government to urgently commit to ongoing funding for the crucial Custody Notification Service (CNS) – a key recommendation of the Royal Commission into Aboriginal Deaths in Custody.

The CNS is an important, 24-hour legal service and RU OK phone line for Aboriginal people who are taken in custody. ALS solicitors provide legal advice; respond to concerns about self-harm, injuries and access to checks by health professionals. ALS Field Officers can make contact and follow up with family as required.

Importantly, CNS solicitors notify the custodial officer on duty to ensure they undertake the appropriate duty of care to safeguard the fundamental legal rights of Aboriginal people and their health and well-being is attended to whilst they are in custody.

The current CNS model was established in 2000 in response to NSW legislation implementing recommendations of the Royal Commission, that police should notify the ALS whenever they take an Aboriginal person into custody. On average, the CNS receives over 300 calls a week in NSW and the ACT. Last year the ALS responded to over 18,631 calls.

The ALS' current funding for the CNS expires on 30 June, and despite raising its concerns with the office of the Minister for Indigenous Affairs Nigel Scullion, the ALS hasn't received confirmation that the Federal Government will continue to fund the service.

ALS Chairperson Bunja Smith said the future of the CNS is in doubt.

"The CNS is not just a phone line, it's a lifeline for Aboriginal people who are taken into custody," Chairperson Smith said.

"The CNS is an essential tool in curbing deaths in custody and last year alone, the ALS acted on 18,631 calls, and we're extremely disappointed that the Federal Government has turned its back on the ALS and the Aboriginal communities of NSW and the ACT by not bothering to let us know whether the CNS will continue to be funded.

"We're calling on Minister Scullion to provide us with an urgent update, as we will now be obliged to communicate with our key stakeholders, on whether the CNS will cease operations on 1 July:

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- The NSW Parliament and ACT Legislative Assembly will be advised that the CNS will need to cease operations, in contravention of their respective legislation;
- NSW and ACT Police Commissioners will be advised that the CNS will cease operations from 1 July;
- ALS solicitors and support staff working on the CNS will be advised that their roles have not been funded;
- The broader Aboriginal community will be advised of the cessation of the CNS as a result of a lack of funding from the Federal Government.

“Without any response from the Government, it’s now critical that the ALS commence contingency plans to secure ongoing CNS funding for the Aboriginal communities of NSW and the ACT.”

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