



MEDIA RELEASE

For immediate release

Thirty five years since the Royal Commission and our people are still dying in custody

The status quo is killing us. 35 years ago, 14% of the prison population was made up of our people and this was considered a crisis. Now we represent over 35% of the prison population. Our young people represent 95% of children in detention in places like the Northern Territory. This is a human rights catastrophe and failure of government and the justice system.

Since the Royal Commission in 1991, 630 Aboriginal and Torres Strait Islander people have died in custody. This year alone, 12 First Nations deaths have been recorded, recently including two young men in Darwin.

These deaths have a profound impact on families and communities across the country. We have no sense of safety and no sense of justice. Our people keep dying in these systems and our families are left devastated. And the numbers continue to rise. In 2024-25, Australia recorded the highest number of Aboriginal deaths in custody in four decades. This is unconscionable.

We die in custody because we are overrepresented and targeted in every part of the justice system – police responses, bail laws and custodial sentences.

Racism and systemic inequality, denial of basic human rights and government policy prioritise punishment and fail to invest in prevention. Lack of access to housing, health care, education and essential services increases the risk of entering custody.

We are amongst the most incarcerated people in the world. As of 2025, First Nations adults are imprisoned at a rate more than sixteen times that of non Indigenous adults. On an average day, 62% of all children imprisoned across Australia are First Nations.

Governments continue to expand investment in prisons and youth detention, with more than one billion dollars spent each year on imprisoning children.

The Royal Commission set out 339 recommendations to address the causes of deaths in custody and the overrepresentation of First Nations people in the criminal legal system. The conditions identified continue to drive incarceration and deaths in custody today.

We need to raise the age of criminal responsibility and stop locking up 10 year old children. Governments must invest in Aboriginal led, community based solutions that keep children safe and out of detention. Ongoing inaction is driving these outcomes, with governments continuing to refuse support for approaches that prevent incarceration.

Quotes attributable to Evelyn Schaber, Co-Chair of Children's Ground

"Our people are living without the basics. Housing, health care, education and essential services are not reaching our communities in the way they should. That places people in a position where contact with the system becomes more likely."

"These are the same issues our people were facing when the Royal Commission handed down its findings. They continue to shape why our people are ending up in custody today."

"The situation is dire. People are expected to live without basic human rights and then held accountable when those conditions lead to actions that are criminalised."

"Government must be accountable for the deaths that continue to happen. Our people deserve the same rights, the same access and the same protection as anyone else in this country."

Quotes attributable to William Tilmouth, Co-Chair of Children's Ground

"Thirty five years ago, the Royal Commission set out what needed to change but our people continue to die in custody while those changes sit unfulfilled.

"This country continues to invest in systems that punish our people instead of supporting them. That approach is driving more people into custody and keeping them there. Our children are being prescribed a future instead of having the opportunity to determine their own.

"Jailing First Nations people has become an industry. Our people are treated as a commodity. All communities suffer when the poorest are continuously targeted by police and authorities meant to protect us all."

Systems that are meant to protect must be safe for everyone. This systemic racism has to stop."

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