

ADVOCATES FOR PEOPLE IN PRISONS FEAR COVID DEATH SENTENCES

September 2021

Advocates for people in prisons have grave fears that the current outbreaks in NSW prisons will be a death sentence for people serving prison sentences and on remand. NSW has recorded over 125 cases in NSW prisons and youth detention centres. Only 25% of the prison population has been vaccinated, according to Acting NSW Corrections Commissioner Kevin Corcoran on 31 August 2021. Families have reported that loved ones have not been offered the vaccine and fear for their lives.

Deadly Connections Aboriginal community justice organisation has raised alarm about looming Aboriginal deaths in custody. Keenan Mundine has cited the lack of care in people in NSW prisons who are locked down for up to 23 hours per day in cells that lack ventilation.

There can be no COVID safety in over-crowded prisons where people are detained in large numbers. This letter calls for the rights to life and health of people in prison and youth detention centres to be respected by the release of people and the provision of safe housing and suitable post-release services.

In 2020, advocates, Aboriginal organisations and legal professionals penned three open letters to governments with thousands of signatories. They warned ministers of the especially acute threat to life that COVID poses to people in prisons.

These letters were ignored except for legislating powers that enabled the NSW Corrections Minister to release people from prison in the event of a COVID outbreak. Not one person has been released under these powers. Other safeguards outlined in the letters were not heeded.

Advocates urgently call for:

- Safe release of people in prisons and youth detention centres, beginning with First Nations people and people with physical and mental health conditions
- Release supported with safe transportation, quarantining where necessary and safe accommodation, access to financial and health support and First Nations cultural support through resourcing Aboriginal community controlled organisations
- Safe and informed access to COVID-19 vaccinations
- Publication of data on vaccination rates in prisons and youth detention centres
- No new admissions to prisons
- No prison transfers

- Increased access to telephone and video communications for people in prisons to regularly contact loved ones and professional support people, in response to cessation of visits
- Testing before release and proper health care when people return to community
- Cessation of whole-of-prison lockdowns as a control strategy
- Transparent reporting of prison lockdown conditions including use of solitary confinement, and measures taken to attend to wellbeing
- Community-based hospital care for people infected with COVID-19 in prisons
- Rapid antigen testing and mandatory vaccination for prison staff
- Sentence remissions for people in prison lockdowns to reflect excessive punishment
- Independent review of NSW Corrections COVID-19 prevention and planning strategies undertaken by the Inspector of Custodial Services or Ombudsman to ensure current measures are appropriate, proportionate and informed by both health and human rights.

Signed by:

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