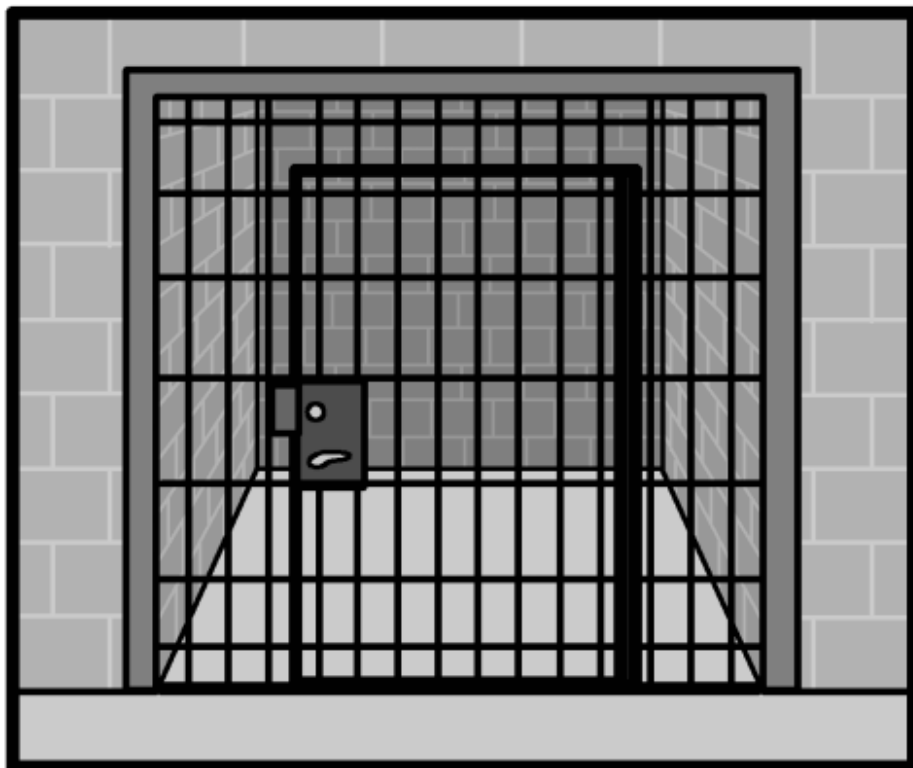


HUMAN
RIGHTS
WATCH

Deaths of people with disabilities in prisons in Western Australia



“He’s Never Coming Back.” People with Disabilities
Dying in Western Australia’s Prisons



Who we are

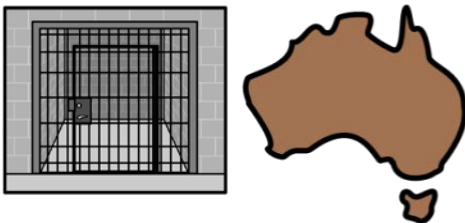


We are called Human Rights Watch.



We work to make sure that everyone in the world is treated fairly and gets their rights.

What is this report about?



This report is about people with disabilities in prison in the west of Australia.



It is about problems with mental health support for people with disabilities in prison.

People might need mental health support if they feel upset or scared a lot.



In 2019 and 2020 we looked at many problems where people had died in prison.

We looked at what happened to 7 people with disabilities in more detail.

We also spoke to people, like:



- People in prison
- Families of people who died in prison
- Prison staff
- People who support the rights of people with disabilities
- Lawyers who work in court



This report tells you what we found out.



We also wrote a report in 2018 about people with disabilities in prison in Australia.

The report is on our website at:

https://www.hrw.org/sites/default/files/accessible_document/australia0218_etr.pdf

What we found out



There are many people with disabilities in prison in Australia.

Many of them have mental health conditions.



Many people who have died in prison are people with disabilities.

This includes Aboriginal and Torres Strait Islander people with disabilities.



Aboriginal and Torres Strait Islander peoples are the first groups of people who lived in Australia.



They are often treated badly.

And they are sent to prison more than other people in Australia.



Bad things can happen to people with disabilities in prison.

This includes Aboriginal and Torres Strait Islander people with disabilities.



For example:

- Other people might hurt them or be mean to them
- They might try to hurt themselves or end their own lives



But many people with disabilities in prison do not get the mental health support they need.

Finding out what support people with disabilities need

Staff might not find out if people have a disability when they come to prison.

People with disabilities might not tell staff about their disability.

For example, because they are scared.



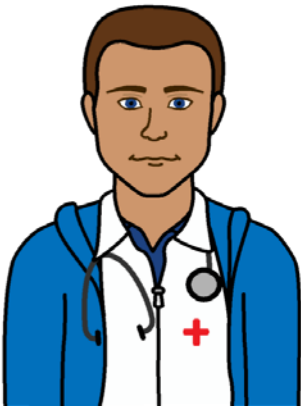


This means that many people with disabilities do not get the right support.

Mental health support for people with disabilities in prison

There are many problems with mental health support in prison.

For example:



There might be too many people in prison.

There might not be enough mental health staff.

There might be some mental health support in prison. But not much.



For example, staff might just give people medicine instead of helping them.

Or just check they are not hurting themselves.



People with disabilities can find it hard to get other mental health support, like:

- People who can help them with their mental health
- Good support if they are very upset and need help quickly

Support for Aboriginal and Torres Strait Islander people with disabilities

Many Aboriginal and Torres Strait Islander peoples find it hard to get the right mental health support in prison.

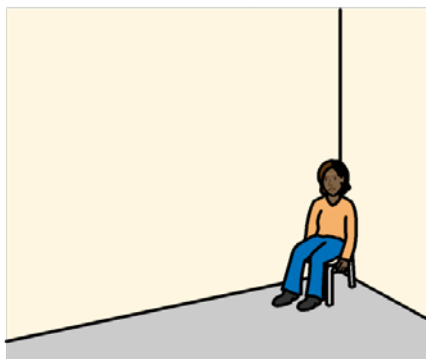


This might be because:

- There are not enough prison staff who understand them and what they need
- Some prison staff might think bad things about Aboriginal and Torres Strait Islander peoples



Keeping people on their own



People with disabilities might be kept in a room on their own for a while.

For example, if prison staff think they have done something bad.

Or if they might hurt themselves.



Some people with disabilities might spend most of the day on their own.

This can make them very upset and scared

It can make their problems worse.

Training for prison staff



Prison staff might not know much about disability and mental health.

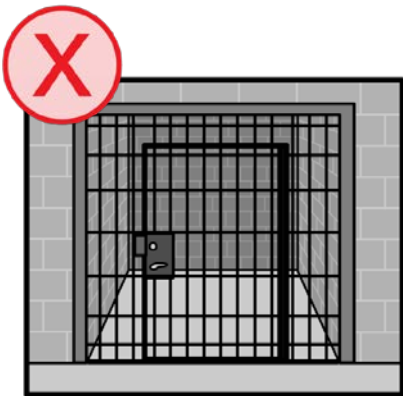
For example, they might think that someone with a disability is behaving badly.

But the person might just be very upset.

What Australia should do next



This work is for all governments in Australia and some other groups to do.



Stop sending so many Aboriginal and Torres Strait Islander peoples to prison when they should not be sent to prison.

This includes children under 14 years old. They are too young to go to prison



This means changing unfair laws.

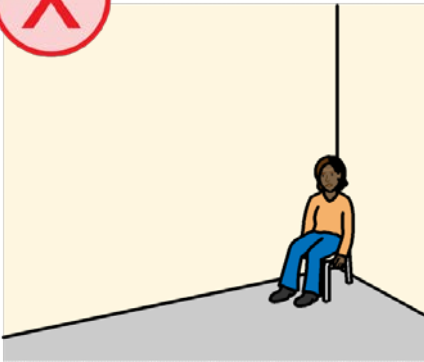


Make sure the police treat Aboriginal and Torres Strait Islander peoples fairly.

They should not be treated worse than other people.



Stop Aboriginal and Torres Strait Islander peoples being hurt and treated badly in prison and police cells.



Stop people with disabilities in prison being kept in a room on their own for a long time.



Keep checking how people with disabilities are treated in prisons and police cells.

Look into problems where people with disabilities are treated badly or die in prison.

People who do not work for the police or prisons should check this.



Make sure staff ask people who come to prison if they have a disability.

Make sure people in prison get the right support if they have a disability.

Give people with disabilities better mental health support in prison.

For example:



There should be more mental health staff with the right training.

The mental health support should be good.



Staff should think about what mental health support people need.

For example, they should look at what happened to people before they came to prison.

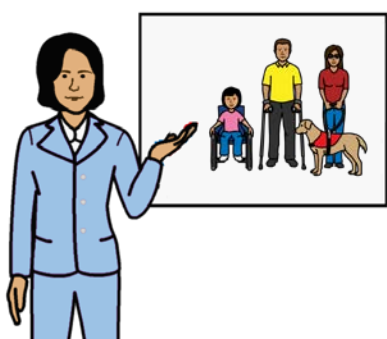
People might need help for that as well.



Prison and health staff should share better information about what people with disabilities need.



There should be more Aboriginal and Torres Strait Islander staff in prisons.



Prison staff should get lots of training about how to support people with disabilities and Aboriginal and Torres Strait Islander peoples.

People with disabilities should help to:



- Make sure mental health support in prisons is right for people with disabilities
- Make information for prison staff, police and judges about how to support people with disabilities

Aboriginal and Torres Strait Islander peoples should be part of this work.