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Australian Institute of Criminology

National Deaths in Custody Program Steering Group

Minutes of the third meeting

Thursday 18 August 2022, 14:00-15:00 via Microsoft Teams

Present entities

NDICP	Australian Institute of Criminology (Chair)
New South Wales	NSW Police Force
	Corrective Services NSW, Department of Communities and Justice
Victoria	Victoria Police
	Department of Justice and Community Safety
Queensland	Queensland Corrective Services
Western Australia	Western Australia Police Force
	Department of Justice
South Australia	South Australia Police
	Department for Correctional Services
Tasmania	Tasmania Police
	Tasmania Corrective Services, Department of Justice
Northern Territory	Department of Territory Families, Housing and Communities
Australian Capital Territory	ACT Coroner's Court (ACT Policing)
	ACT Corrective Services, Justice and Community Safety Directorate
Commonwealth	National Indigenous Australians Agency
	Attorney-General's Department
Community	National Aboriginal and Torres Strait Islander Legal Services

Apologies

Queensland	Queensland Police Service
South Australia	Youth Justice, Department for Human Services
Northern Territory	NT Police, Fire and Emergency Services
	NT Correctional Services



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1.1 Welcome and apologies

The Australian Institute of Criminology (AIC) Deputy Director, Dr Rick Brown (Chair) opened the meeting.

The Chair acknowledged the traditional custodians of the land on which the AIC stands, the Ngunnawal people, and welcomed members to the third National Deaths in Custody Program (NDICP) Steering Group meeting.

The Chair thanked members for their contribution to increasing the timeliness of NDICP reporting, resulting in the release of the *Deaths in Custody* dashboard on 7 June 2022.

The Chair **noted** attendance and apologies for the meeting.

1.2 Confirmation of minutes and actions arising from the second meeting

The Chair reminded the Group that minutes from the second meeting were confirmed with members via email in the weeks following the meeting, and were then published online.

The Chair acknowledged the seven action items from the first meeting and outlined progress to date.

1.2a Action item 1: The AIC to include an agenda item on definition and recording of Indigenous status for meeting 3

The AIC has included a discussion of the definition and recording of Indigenous status at agenda item 3.

1.2b Action item 2: The AIC to include an agenda item on NDICP and state/territory authority definitions of a death in custody for meeting 3

The AIC has included a discussion of definitions of a death in custody at agenda item 3.

1.2c Action item 3: The AIC to request death in custody definitions from Steering Group members prior to the third meeting

The AIC made a request to Steering Group members to forward legislative definitions of a death in custody prior to the August 2022 meeting, for discussion at agenda item 3.

1.2d Action item 4: The Chair to discuss the concerns raised with policy colleagues and provide members of the Group with an update on the resolution

The Chair noted concerns previously raised by members about increasing the frequency of reporting. The Chair stated this item would be discussed at agenda 3.

1.2e Action item 5: The AIC to send out a document to all data providers to determine which of the proposed data items can be reported and in what timeframe

The AIC sent a document to data providers following the February 2022 meeting to determine (a) which of the proposed data items could be provided for quarterly reporting and (b) to indicate the preferred timeframe for data preparation and verification i.e. one month or two months after end of reporting quarter. These responses informed the production of the Deaths in custody dashboard released in June.



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1.2f Action item 6: The AIC to include an agenda item on the notification form for the third meeting.

The AIC has included discussion on further revisions to the notification form at agenda item 4.

1.2g Action item 7: The AIC will invite a representative of the National Coronial Information System to become a member of the Group.

The Chair noted that this item will be carried over to the next meeting.

2. Deaths in custody dashboard and annual report

The Chair thanked the members for their efforts in progressing the dashboard to a point where quarterly reporting could occur and noted how the second quarter of data will be released at the end of the month.

The AIC provided the group with an update on how the dashboard has been received using website analytics. The AIC discussed the timeline for quarters 3 and 4 data updates and noted that the annual report is due to be released with the quarter 3 data update.

The AIC noted the Steering Group agreed at the July 2021 meeting that the frequency of reporting would be revisited in July 2023. The AIC further noted there was continued interest to move towards monthly report. The AIC presented a proposed timeframe for monthly reporting that would retain the two-month data provision and verification process. Data would still be presented in three-monthly blocks but provided monthly to the AIC. It was noted by the AIC that this would result in an increase from four to 12 data provision and verification cycles during the 12-month period.

Several members indicated the proposed data provision/verification cycle would be difficult to meet, due to limited resources available and internal process for the collation, verification and sign-off of data provided to the AIC. A monthly cycle may risk the accuracy and completeness of data. The Chair noted these concerns and stated that the AIC would follow up with members to discuss their ability to incorporate more frequent reporting.

The reason for monthly reporting was also requested. A member noted that increased frequency of reporting would allow advocates and policymakers timely information to inform effective responses.

Action item 1: The AIC to follow up with data providers about their ability to accommodate more frequent reporting before the February 2023 meeting.

A member raised the possibility of adding variables to the dashboard, such as cause of death and most serious offence. The AIC indicated expansion of the dashboard may be looked at in the future. The Chair further noted the annual report contains this additional detail on deaths in custody.

A member also suggested that dashboard data are disaggregated by state and territory. Members did not support the proposal as it increased risk of identifiability.

3. NDICP definitions

The AIC reiterated that two of the action items from the February 2022 meeting were to revisit the recording of Indigenous status and examine definitions of a death in custody used by custodial authorities.

The AIC discussed the application of the Indigenous status coding rule that was proposed at the July 2021 meeting and noted it had been working well. The AIC stated they will contact data



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providers before the next meeting to gain further understanding of how Indigenous status is identified by each custodial authority.

Action item 2: The AIC to contact data providers to discuss their process of identifying Indigenous status.

The AIC thanked members who had provided their custodial authorities' definition of a death in custody prior to the meeting. The AIC then discussed the current definitions used by the NDICP for a death in prison custody and a death in police custody and custody-related operations. The AIC noted that of the definitions received, most aligned with the current NDICP definitions and called for the remaining definitions to be emailed to the AIC to ensure that all applicable deaths are being reported.

Action item 3: The AIC to follow up data providers to obtain remaining death in custody definitions.

4. NDICP notification forms and data transfer

The AIC discussed the current process of receiving data from data providers, with most data providers sending individual death notification forms. The AIC noted data providers had provided feedback on the forms during the development of the dashboard and asked whether further revisions were needed to assist verification purposes. It was suggested that notification forms have an option to include a Master Name Index, or equivalent identifier.

The AIC also discussed the possibility of using alternate secure data transfer programs for future reporting. The current system largely relies on email transfer of password protected Excel spreadsheets. The AIC is currently investigating options but welcomed members views on current data provision arrangements or a preference to move to a new system.

Action item 4: The AIC will seek further feedback on the notification forms.

Action item 5: The AIC will seek members views on the current data transfer system.

5. Other business and next meeting

5a. A member raised the possibility of increasing the length of the meetings to 90 minutes. The Chair agreed.

Action item 6: The AIC will increase the length of future meetings to 90 minutes.

5b. The next meeting will be held in February 2023. Members will be contacted with potential dates.

5c. The AIC will look to expanding the membership of the Group to include a representative from the National Coronial Information System.

Action item 7: The AIC will invite a representative of the National Coronial Information System to become a member of the Group.

No other business was raised.

The Chair once again thanked members for their contribution to the NDICP and attending today's meeting.

The meeting closed at 15:00.