

## Why we should honour the humanity of every person who dies in custody

Written by The Conversation USA

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It's now 25 years since the Royal Commission into Aboriginal Deaths in Custody [tabled its final report](#). The anniversary will undoubtedly be marked by analysis and commentary, as well as reflections on statistics, key trends and issues relating to Aboriginal and Torres Strait Islander incarceration and death.

But in the midst of all this, we mustn't lose sight of the human dimensions of this important social justice issue.

Sometimes, the language of statistics and level of analysis used to discuss deaths in custody make us lose sight of something more fundamental. We are talking about people – people with families and friends, people who loved and were loved, people who may have died prematurely or in brutal circumstances.

To start redressing this oversight, let me share with you the story of a beautiful 22-year-old Yamatji girl arrested for overdue fines two years ago, who died in police custody soon afterwards. She is just one of many hundreds, each of whom deserves our attention.

### Remembering Ms Dhu

Ms Dhu was born in Geraldton, Western Australia, in 1991. Her family describe her as “happy-go-lucky” and “always with a smile on her face”. She was caring, full of love and cheer, with a fierce sense of loyalty to friends and family. In her spare time, she liked to paint and make artwork. She dreamed of travelling one day.

She is dearly missed by her parents, Della Roe and Robert Dhu, by her grandmother Aunty Carol Roe, by her uncle, Shaun Harris, her brothers, sisters and extended family.

Ms Dhu died on August 4, 2014, at 1.39pm of septicaemia and pneumonia while in police custody for outstanding fines of A\$3,622. Under Western Australian law, [fine defaulters can be jailed](#) and “pay down” their fines at a rate of A\$250 per day in custody.

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Ms Dhu died because she was unable to convince those around her – largely officers of the law and medical staff – that she was in a state of medical emergency. She died not surrounded by loved ones but by people who, until her last breaths, didn't believe her cries of pain were real.

You may have read about her death, but you probably haven't read much about what kind of person she was in life.

When a non-Indigenous person dies, we might read something in the mainstream media about what this person was like – that she had an [infectious sense of humour](#), for instance. But this honouring of the deceased is

[rarely afforded to someone who dies in custody](#)

, especially

[when they happen to be Indigenous](#)

## Changing the record, challenging the narrative

You may have read about the circumstances of Ms Dhu's death because it was recently the subject of a high-profile coronial inquest.

You may have read how the nurse on duty described her behaviour and symptoms as “unremarkable” and gave her a triage score of four, the second lowest. And how [the medical notes tendered in the inquest](#) describe a patient who had presented for “behavioural gain”.

You may have read about how the doctor on duty described her physical symptoms, which included being hunched over and limping, as “[a little bit attention-seeking](#)”. Or about how officers on duty thought Ms Dhu was “

[pretending to faint to get quicker medical treatment](#)

”.

These are harsh indictments of how trained professionals perceived and reacted to a woman dying of what are largely preventable and certainly treatable illnesses. But, again, they tell us very little about Ms Dhu herself; they speak only of how others perceived her.

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Such details are haunting not only because of the stark nature of their content, but for what they represent: a complete denial of human compassion and dignity, and a national failure.

They speak of a failure to learn from past mistakes, including a failure to implement the 339 recommendations of the Royal Commission into Aboriginal Deaths in Custody. That [could have prevented Ms Dhu's death](#) (recommendation 120 explicitly called for an amnesty on warrants for unpaid fines) since these were based on the much longer history of Aboriginal deaths, [each as tragic and as preventable](#).

Indeed, reading through the reports of the 99 deaths investigated by the royal commission gives a damning sense of déjà vu.

Consider the story of the [41-year-old mother of five](#) who was distressed, hysterical and crying before her death, unable to convince authorities that she needed medical attention.

The story of the [38-year old mother of two](#) who died in a watch-house from pneumonia after being arrested for unpaid fines, for failing to lodge an income tax return ten years earlier.

The story of a woman from Ceduna who died while in police custody, arrested for outstanding fines.

The story of a [22-year-old](#) found hanged in a single cell at Midland Police Station in Perth, shortly after being arrested on a warrant for outstanding fines.

The royal commission heard 95 other such stories. And then there are the dead whose stories we will never know, as well as [the many "near misses"](#).

## Fighting for justice

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To [change the record](#) on Indigenous deaths in custody, we must first change the narrative. This starts with honouring the lives of those who died in custody.

Ms Dhu was arrested for unpaid fines. Was this crime worth her life?

We need to think about this so-called crime in light of the broader social context. We should remember not just how she was treated by medical staff who showed no compassion and by the state police who failed to follow procedure.

But we also need to ask what kind of society believes jailing fine defaulters is a humane policy. We need to consider why our fellow citizens continue to see Aboriginality, not in terms of an identity of proud and diverse peoples, but in terms of criminality and [deficiency](#) .

Most importantly, we should think about the families waking up every day, adjusting to life without their daughters, sons, brothers and sisters; without their granddaughters and grandsons; without their nieces and nephews. We must think not only of the grief and anger they feel, but of their strength in fighting this battle on the ground.

The standard you walk past is the standard you accept. A lot of people walked past Ms Dhu – and all the others who have died dreadful deaths while under the “care” of the state. And so on this day we must ask ourselves: what standard are we willing to accept?

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**Read more** <http://theconversation.com/why-we-should-honour-the-humanity-of-every-person-who-dies-in-custody-57272>