

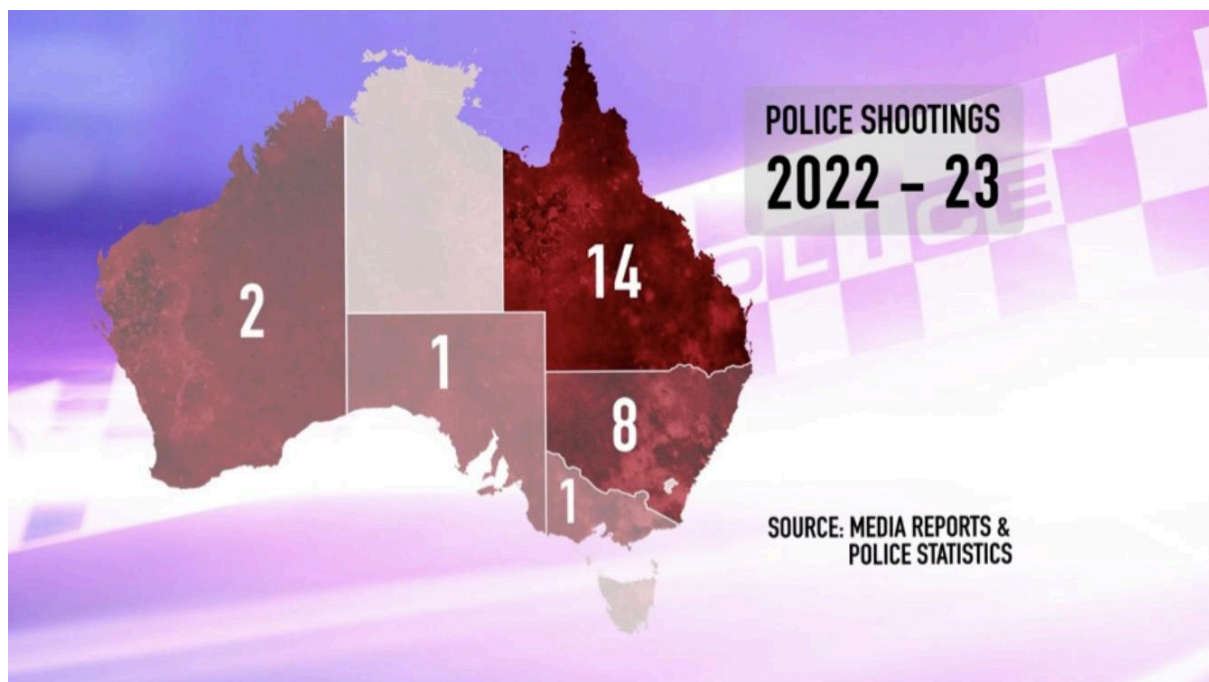
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4th April 2024

RE: EXCESS MORTALITY and Measurement Matters ¹

1. EXCESSIVE FORCE

*“The following ABS Cause-Specific Mortality analysis is based only on doctor certified deaths (i.e. **coroner referred deaths are not included**). Any changes in patterns of coroner referral could affect counts of doctor certified deaths. Some conditions have higher coroner referral rates (ischaemic heart disease, cerebrovascular diseases and to a lesser extent, respiratory diseases and diabetes) so counts for those conditions are more likely to be affected by such changes.” ^{2 3}*



Queensland had the majority of police shootings in 2022 and 2023. (ABC News/7.30) ⁴

¹ Excess Deaths in Australia: Frequently Asked Questions – Parliament of Australia
[https://www.aph.gov.au/About_Parliament/Parliamentary_departments/Parliamentary_Library/pubs/rp/rp2324/ExcessDeathsAustraliaFAQ#:~:text=Excess%20mortality%20is%20defined%20as.%2C%20COVID%2D19%20pandemic\).](https://www.aph.gov.au/About_Parliament/Parliamentary_departments/Parliamentary_Library/pubs/rp/rp2324/ExcessDeathsAustraliaFAQ#:~:text=Excess%20mortality%20is%20defined%20as.%2C%20COVID%2D19%20pandemic).)

² Provisional Mortality Statistics, Jan - Dec 2023 | Australian Bureau of Statistics
<https://www.abs.gov.au/statistics/health/causes-death/provisional-mortality-statistics/latest-release>

³ Tragic police shooting that shocked Australia_Under Investigation
<https://youtu.be/4Wc-2pNJksA?si=GCSHGqJPdrFhJz67>

⁴ Data shows Queensland Police shot more people last year than police in the rest of Australia combined - ABC News
<https://www.abc.net.au/news/2023-08-04/queensland-police-shootings-730/102686276>

Could there be a more disrespectful, undignified way to systematically discriminate against someone who has died by the use of State excessive force or negligence? How does delaying accounting for diagnosis of cause of fatal bullet or taser wounding serve society? What scars on our nation does the burying of inconvenient data into single state isolated graves leave behind?

Does this mean a person killed by police shooting or tasering, whose death at an aged care facility would otherwise have been predictable and included in ABS numbers, (ie the tasering of 95-year-old Clare Nowland), are not afforded a doctor's death certificate in spite of known physical and medical means of death, just because culpability is in question? ^{5 6 7 8 9}

This numbers and categories reporting barrier to a sensitive group of victims justice and seeming breach of international monitoring obligations under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment needs to be addressed. ¹⁰

The purpose and aim of this inquiry is to close the gap between expected and actual deaths to provide early indications of the people and institutions most at risk in an emergency (such as the COVID-19 pandemic) and support better targeting of interventions and resources.

EXCESSIVE FORCE Mortality in Custody or Care situations is a missed opportunity dating back to the Royal Commission into Aboriginal Deaths in Custody (RCIADIC) (1987–1991), the Royal Commission into Aged Care Quality and Safety (2018 - 2021), and the recent Violence, Abuse, Neglect and Exploitation of People with Disability Royal Commission (2019 - 2023). ^{11 12 13}

These people's deaths matter. The measurement of these people's deaths reflects sharply on our society. In the words of Mahatma Gandhi, "the true measure of any society can be found in how it treats its most vulnerable members." This submission argues that the measure of vulnerability is inclusive of state restrictive practices and situational circumstances faced leading to death. ¹⁴

⁵ NSW police officer Kristian White charged with manslaughter over taser death of Clare Nowland at nursing home - ABC News <https://www.abc.net.au/news/2023-11-29/nsw-nowland-charges-taser-death-upgraded-police-kristian-white/103163824>

⁶ Inquiry after 93-year-old man with one leg dies after being Tasered by police | Police | The Guardian <https://www.theguardian.com/uk-news/2022/aug/04/sussex-police-officers-investigated-over-death-of-man-93-after-being-tasered>

⁷ POLICE KILLINGS IN AUSTRALIA <https://blogs.griffith.edu.au/gci-insights/2022/03/29/police-killings-in-australia/>

⁸ National Library _ 1960s book Police Killings in Australia. Authored by Richard Harding <https://catalogue.nla.gov.au/catalog/2670393>

⁹ When COVID-19 and guns meet: A rise in shootings - PMC <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7825997/>

¹⁰ Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment | OHCHR <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-against-torture-and-other-cruel-inhuman-or-degrading>

¹¹ The Royal Commission into Aboriginal Deaths in Custody (RCIADIC) (1987–1991) https://en.wikipedia.org/wiki/Royal_Commission_into_Aboriginal_Deaths_in_Custody

¹² Aged Care Quality and Safety | Royal Commissions <https://www.royalcommission.gov.au/aged-care>

¹³ Violence, Abuse, Neglect and Exploitation of People with Disability | Royal Commissions <https://www.royalcommission.gov.au/rounds/violence-abuse-neglect-and-exploitation-people-disability>

¹⁴ Australia had a record number of police shootings in the past year. Should we be concerned? | Bond University | Gold Coast, Queensland, Australia <https://bond.edu.au/news/australia-had-a-record-number-of-police-shootings-past-year-should-we-be-concerned>

The public are not a default training ground for police to trial their increasingly paramilitary resources, techniques and training . Officers' actions endangering themselves thereby potentially endangering their own colleagues and setting off an unstoppable chain of events that ends the life of a person vulnerable in that situation should never fade from our view; ¹⁵

"The Victorian Coroner who investigated 11 of these fatal shootings said [police] had developed a 'culture of the gun', as he called it, where police officers exposed themselves to dangers that they shouldn't have if they were using only proportionate and minimum force.

"They put themselves in the situation where using their firearm would be considered legal because it was a shoot or be shot situation – but it was against the ethics of policing in that those shootings were not necessary; and they could have been avoided using less confrontational tactics," Monash University Emeritus Professor Jude McCulloch is an academic specialising in the militarisation of Australian policing.

¹⁵ Why police pay nothing for military equipment
<https://www.cnn.com/2020/07/09/why-police-pay-nothing-for-military-equipment.html>