

## **Senate Select Committee on COVID-19**

### **ANSWERS TO QUESTIONS ON NOTICE**

#### **Australian Government's response to the COVID-19 pandemic**

#### **Prime Minister and Cabinet Portfolio**

**Department/Agency:** National Indigenous Australians Agency

**Topic:** Complaints regarding treatment in custody during the COVID-19 crisis

**Senator:** McCarthy

**Question reference number:** 0056

**Type of question:** Hansard, pages 18-19, 2 June 2020

**Date set by the committee for the return of answer:** Wednesday 17 June 2020

**Number of pages:** 2

#### **Question:**

**Senator McCARTHY:** Okay. Has the NIAA received any concerns or complaints about how the COVID-19 process has been carried out in relation to prisons?

**Mr Exell:** I'm not aware of any directed to us.

...

**Mr Exell:** It was actually I who answered your previous question about us having received any complaints from corrections. I have just been advised by our agency that we have received a complaint about treatment in custody, so I might take that on notice and come back to you with details.

**Senator McCARTHY:** So you have received a complaint about treatment in custody during the COVID-19 crisis?

**Mr Exell:** Correct. I have been made aware that we received at least one, so I will take that question on notice and come back to you with a comprehensive answer.

#### **Answer:**

As part of standard ministerial correspondence, the National Indigenous Australians Agency (NIAA) has had 11 items of correspondence regarding COVID-19 and prisons referred. The correspondence was received from individuals, organisations and wider lobby groups. Of the correspondence received, none are complaints regarding specific treatment of individuals.

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### **ANSWERS TO QUESTIONS ON NOTICE**

#### **Australian Government's response to the COVID-19 pandemic**

#### **Prime Minister and Cabinet Portfolio**

**Department/Agency:** National Indigenous Australians Agency

**Topic:** Funeral arrangements during the COVID-19 crisis

**Senator:** McCarthy

**Question reference number:** 0057

**Type of question:** Hansard, page 20, 2 June 2020

**Date set by the committee for the return of answer:** Wednesday 17 June 2020

**Number of pages:** 2

#### **Question:**

**Senator McCARTHY:** Can I go to some of the social-distancing and movement restrictions of funerals. I guess this is more a general question, knowing that these areas do come under each state and territory jurisdiction. Clearly, lots of communities were asked not to hold funerals. This would have been done through a lot of the land councils for fear of the spread of COVID. I would like to know if the NIAA or other agencies have received any feedback on the need to work with hospitals or morgues to ensure the burial or cremation of bodies. If so, how many areas are we looking at that may need attention immediately?

**Mr Griggs:** Again, I think it's a fairly mixed picture across the country. In a number of areas, we've seen funerals go ahead and we've seen live streaming of funerals. But, in other areas, we've seen very few funerals take place. The Tiwis, I think, is a good example of where families have decided that they wanted people who live in Darwin, for example, to be able to come up to the Tiwis for the funeral. So I think it's a bit of a mixed picture. It's hard to give you a nicely packaged answer on this one. I don't know if Mr Exell has got any other points.

**Senator McCARTHY:** Sorry—we know funerals have been postponed. I'd like to know if the agency or others are aware of the extent to which there are families who are waiting to bury their loved ones, given there are some concerns around overcrowding in morgues or the ability to keep those bodies appropriately kept until burial.

**Mr Exell:** I am aware that there are, in some locations, some pressures on those morgues, as you're saying. I'd have to take on notice the specific arrangements, practices or additional support that's being considered at the appropriate level on those. I'm sorry; I don't have the details on those arrangements.

**Answer:**

Arrangements for the keeping of deceased persons in morgues or other locations, and any associated support provided to remote communities, are the responsibility of state and territory governments.

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#### **Australian Government's response to the COVID-19 pandemic**

#### **Prime Minister and Cabinet Portfolio**

**Department/Agency:** National Indigenous Australians Agency

**Topic:** Early release of First Nations prisoners at risk of COVID-19

**Senator:** Siewert

**Question reference number:** 0059

**Type of question:** Hansard, page 22, 2 June 2020

**Date set by the committee for the return of answer:** Wednesday 17 June 2020

**Number of pages:** 1

#### **Question:**

**Senator SIEWERT:** Thank you. Could I go now to issues around justice. I know that we have touched on some of these issues but I would like to be clear. Is the agency considering any national strategy to enable early release of First Nations prisoners who are high risk but who, in particular, have chronic health issues—those on remand, those who are elderly, children and those at increased risk of COVID-19?

...

**Senator SIEWERT:** Yes. I'm asking about a national strategy to get a coordinated approach. We've got a national cabinet at the moment. Has there been any national approach or discussion around looking at a coordinated response or a national strategy to encourage the early release of, particularly, people with chronic health issues at risk from COVID who are a low risk to release?

**Mr Exell:** As I've said, that's a question for the Attorney-General's Department.

**Senator SIEWERT:** No—I asked you just then: have you been involved in any discussions? That's a question for you.

**Mr Exell:** I have not been involved in a direct discussion with the Attorney-General's Department.

**Senator SIEWERT:** Has the agency?

**Mr Exell:** I'll take that on notice.

#### **Answer:**

The National Indigenous Australians Agency has not held any discussions with the Commonwealth Attorney-General's Department as this is a jurisdiction matter.

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### **ANSWERS TO QUESTIONS ON NOTICE**

#### **Australian Government's response to the COVID-19 pandemic**

#### **Prime Minister and Cabinet Portfolio**

**Department/Agency:** National Indigenous Australians Agency

**Topic:** Complaints regarding police conduct in Tennant Creek

**Senator:** Siewert

**Question reference number:** 0060

**Type of question:** Hansard, pages 22-23, 2 June 2020

**Date set by the committee for the return of answer:** Wednesday 17 June 2020

**Number of pages:** 1

#### **Question:**

**Senator SIEWERT:** Have you been involved in, or have you looked at, the issue that occurred in Tennant Creek where local residents were complaining about intimidation from police in terms of travel restrictions and social distancing?

**Mr Exell:** Sorry—we've moved now from a corrections sort of question to a broad question around the implementation—

**Senator SIEWERT:** Yes, to a broader question.

**Mr Exell:** I'm not aware of the specific incident you're referring to.

**Mr Griggs:** Mr Jeffries might be.

**Mr Jeffries:** I'm not aware of the specific issue that you've raised. I can take that on notice and come back to you.

#### **Answer:**

The National Indigenous Australians Agency is a member of the Tennant Creek Local Area Command meetings hosted by the local police and are actively working with stakeholders to monitor the environment and facilitate solutions where possible. Enforcement of biosecurity arrangements are a matter for Northern Territory Government.