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18 July 2010

Office of Police Integrity
GPO Box 4676
Melbourne Australia

Dear Sir/Madam,

Response to the Call out for Public Submissions to the Inquiry into the Investigation of Deaths Associated with Police Contact

The Flemington & Kensington Community Legal Centre (the “Centre”) has an extensive history of working with the families of people killed following contact with the police. In 1992, the Centre published a book “Police Shootings in Victoria 1987-1989 You deserve to know the truth” with the families of four young men shot dead by the police. It also supported the families through the Inquests into the deaths.

The Centre continues to work with the surviving family members of these tragic events. The Centre also works closely with over 50 victims of police assaults, brutality and racial harassment.

The Centre is currently working with Shani Cassidy and Greg Taylor, the mother and step-father of 15 year old Tyler Cassidy who was shot dead by Victoria Police in 2008.

This submission to the Office of Police Integrity is made on behalf of Shani Cassidy and Greg Taylor. It is also made on behalf of Fay Spear and Rhonda Agland, the sisters of Graeme Jensen who was shot dead by Victoria Police in 1988. It is further informed by the Centre’s ongoing work with those whose lives have been shattered as a result of lethal and non-lethal police force.

The consistent and overwhelming theme in working with victims and family members of the Police use of lethal and non-lethal force are concerns with the failures of police investigating themselves.

1. Public perception: what are the concerns or issues associated with police investigating police that are involved in deaths associated with police contact?

Fay Spear stated in 1992:

“ The Coroner’s findings will not tell me or my family why Graeme is dead, not the real reason anyway, and this is because, the Police involved did not investigate my brother’s death. All we heard in court were cover-ups and frame-ups.”¹

Ms Spear stated that an “independent body should be set up to investigate police.”²

¹ FKCLC et al, “*Police Shootings in Victoria 1987-1989*” 1992, p 99.

² Ibid p 112.

The families' and Legal Centre's concerns in the early 1990s included:

- ❖ Lack of thorough and independent investigation;³
- ❖ Immediate support by Force Command for the actions of the Police;⁴
- ❖ Lack of caring and civil communication about the death with families;⁵
- ❖ The criminalization of the victim through the police investigation;⁶
- ❖ That the purpose, design and reality of the police investigation was to explain, mitigate and exonerate the police actions;⁷
- ❖ Coronial inquests do not remedy the failures of the initial police investigation.

The concerns of the families and Legal Centre as recorded in 1992 have not changed today. Shani Cassidy and the Legal Centre's concerns about the investigation of Tyler Cassidy's death reflects each of the concerns expressed above. Stunningly, nothing has changed.

In summary and in general terms only, the types of concerns facing Tyler Cassidy's family include:

- ❖ Lack of effective family involvement in the scope and direction of the initial investigation;
- ❖ Lack of institutional, hierarchical and practical independence between the investigators and the investigated;
- ❖ Absence of standard criminal investigation procedures into the death;
- ❖ Focus on the negative rather than positive aspects of the victim's history, without any attention to the perpetrators histories;
- ❖ Failure to obtain all relevant forensic information;
- ❖ Hostile and aggressive initial treatment of grief-struck and shocked family members;
- ❖ Failure to provide access to the family of basic rights, welfare assistance, counseling or explanation during the investigation;
- ❖ Failure to enable and facilitate an independent autopsy for the family or provide a written document of rights around the autopsy;
- ❖ Inexplicable delay in finalizing the brief of evidence;
- ❖ Police command support of the shooters actions before the outcome of the Inquest;
- ❖ Police providing information to the media that vilifies the victim;
- ❖ Suspect Police officers continue to serve the community during the investigation into their actions;

Mrs Cassidy states, "An independent body needs to be set up to independently investigate Police deaths in custody and see whether the Police action was justified. The police have been able to control Tyler's investigation by choosing whom to get statements from, and hone their questioning to suit their stance. We demand change because this system does not work at the moment."

The concerns of families in Victoria are shared by families, advocates and Inquires through-out Australia and other regions of the world.

The Legal Centre, with the Indigenous Social Justice Association (Sydney & Melbourne) is supporting the mother of indigenous youth, TJ Hickey in NSW, Australia. The police investigation into his death

3 Ibid p 100, 101.

4 Ibid p 104,105.

5 Ibid p 109, 112.

6 Ibid p 112.

7 Ibid p 100.

was highly problematic. TJ Hickey's mother Gail Hickey and the Legal Centre allege:

- ❖ It failed to obtain evidence from witnesses who are alleged to have seen the police chase and ram Mr Hickey.⁸
- ❖ It failed to obtain mobile phone records of police involved in the operation during which Mr Hickey died that may have established whether or not the pursuit of Mr Hickey was deliberate and planned.
- ❖ It failed to examine why the police rescue van, which could have provided trained medical assistance to Mr Hickey, was turned away by the police at the scene of the incident.
- ❖ It failed to investigate (at least two) witnesses who observed police "patting him down" after they reached Mr Hickey's body.
- ❖ It failed to explore allegations that an involved Redfern Police Officer had on previous occasions assaulted Mr Hickey.
- ❖ It failed to obtain evidence of the alleged threats by the police against the community the day after the incident.

In 2010, Gail Hickey, the mother of TJ Hickey said, "[A]n internal police investigation was inherently incapable of finding the truth. It provided no incentive for vulnerable and threatened witnesses to come forward. The riot in response to my son's death is a clear indication of the despair and lack of trust felt by our people of the State's capacity to provide justice to us."

We refer you to Chapters 3,4,5 & 6 of the attached Report, "*Effective Investigation of Complaints Against Police*" for further details of the problems associated with police investigations of themselves.

In the Legal Centre's opinion, and that of the families we work with, police investigations of deaths in custody will never be accepted by the community. Not only is this a tragedy for the families involved fighting for the truth about what has happened to their loved one: it is a tragedy for the whole community – as lessons that could have been learnt to prevent future deaths are obscured.

2. Definition of deaths associated with police contact: what type of deaths should be considered "police-related" and investigated accordingly?

In our view all deaths that occur following police contact or where police involvement is suspected should be independently and effectively investigated. This includes:

- ❖ Deaths following detention in police custody (for example the death of the man who died on 13 May 2010 in Hospital following detention at the Dandenong Police station);
- ❖ Deaths resulting from police pursuits;
- ❖ Deaths that occur during and in the vicinity of police operations; (TJ Hickey).
- ❖ Deaths where police or former police are suspected of being involved;
- ❖ Deaths during custody (including searches, questioning, arrests, transport, apprehensions under the Mental Health Act, in police cells etc).
- ❖ Deaths following police transport (Paul Carter).
- ❖ Suicides following or during police contact (Ronald Veenstra).
- ❖ Serious injuries (near deaths) following police custody or contact that could have resulted in death, including injuries by firearms and tasers.

In addition to these circumstances, human rights case law supports the proposition that where allegations are made that police have engaged in cruel, inhumane or degrading treatment or

⁸ Neal Funnel, "Non Lethal Intelligence" 2005 ILB 17
<http://austlii.law.uts.edu.au/au/journals/ILB/2005/17.html>

punishment, such allegations require independent and effective investigation.⁹ Indeed it is our view and the view of the families we work with that all human rights abuses by police should be independently and effectively investigated.

3. Current Victoria Police policy and process: what are the strengths and weaknesses of the current process used by Victoria Police? What is the reality of the policy in practice?

In our opinion improving existing Victoria police investigation policies will not solve our concerns. Extraordinarily, death custody investigations, despite the intense public interest in their effectiveness, are not handled well by any standards. Rather than the exception, failure to conform to high quality homicide investigative standards is consistent practice.

On 12 February 2009, the Davis Commission into the death of Frank Paul 2009 involving the Vancouver Police:¹⁰

Having concluded that the current practice of a home police department conducting criminal investigations of police-related deaths is fundamentally flawed due to conflict of interest, it follows that no amount of tinkering with the current practice can eliminate that underlying conflict of interest. The challenge lies in developing a new system for the investigation of police-related deaths.¹¹

4. Investigative responsibility: who should conduct investigations into police related deaths?

Investigations into police related deaths must be conducted by an organisation that is institutionally, hierarchically and practically independent from the police. Furthermore, this body must be culturally and politically independent from the police so that it is not subject to regulatory capture or beholden to Governments. It should not use seconded police.¹² Its staff must be fully civilian.¹³ At least 75% of its staff should come from non-policing backgrounds.¹⁴ When former police are involved, they should not investigate their former force.¹⁵ It must employ staff from effected communities (for example Aboriginal, ethnic and religious minorities).

The organisation must be set up from first principles on human rights standards:

- ❖ Independence;
- ❖ Effectiveness, with capacity for its investigations to result in prosecutions and disciplinary outcomes;
- ❖ Promptness (capacity to arrive within 60 minutes of a death occurring);
- ❖ Transparency; open to public scrutiny
- ❖ Effective family participation and involvement in investigatory mechanisms;

⁹ *Gafgen v Germany* 22978/05 [2010] ECHR 759 (1 June 2010), *Bati & Ors v. Turkey*, (Applications nos. 33097/96 and 57834/00) ECHR 3 June 2004

¹⁰ “*Cold and Alone*” Davis Commission Inquiry (BC Canada) into the Death of Frank Paul page 223, available at <http://www.frankpaulinquiry.ca/>.

¹¹ At page 218.

¹² See for example the Special Investigations Unit, Ontario, Canada.

¹³ Ibid.

¹⁴ See the Police Ombudsman of Northern Ireland.

¹⁵ See Special Investigations Unit, Ontario Canada and Police Ombudsman of Northern Ireland.

❖ State initiated (not reliant on the family to initiate the investigation).¹⁶

Ideally in Australia, we would recommend a Federal Independent Investigation Commission with offices capable of acting immediately in each state and territory. This ensures that the body is not impacted by State politics and the interests of local police agencies.

5. Management of police officers involved in the incident: how should police be managed in these cases – for example as witnesses or suspects? Should they be cautioned? How should police statements be recorded? Should police be treated the same as members of the public involved in a criminal investigation?

Investigations should be conducted as criminal investigations first and foremost, and secondly as disciplinary investigations. Police officers and Victoria Police as whole should be investigated for all offences including OH&S offences¹⁷. Police should be separated, immediately drug and alcohol tested, cautioned, and interviewed on video-recordings as in any homicide investigation.

Suspect police should be given the rights of criminal suspects. Police who have actively participated in a death, should be suspended from duty during the investigation.¹⁸ Non-suspect police should be mandated to co-operate in the criminal investigation.

Following a criminal investigation, where police have exercised their right to silence, police should be compelled to immediately participate in an administrative investigation where failure to participate is a disciplinary offence and grounds for dismissal, but where evidence obtained is inadmissible in criminal proceedings against them.

Investigations should focus on criminal and disciplinary breaches by individuals and the Victoria Police as a whole, but should extend to all issues that may have contributed to the death including policies, equipment, training and procedures.

6. Level of internal and external oversight – what should the respective roles and responsibilities of internal and external oversight units be?

Investigations should be conducted entirely by an independent investigative body. Disciplinary hearings should also be conducted independently, enable victim participation and have their decisions on the public record¹⁹. An internal unit should be in charge of implementing any recommendations that result from the investigation. There should be ongoing and effective internal and external mechanisms to ensure recommendations are implemented.

7. Human rights and independence – what satisfies the obligations under the Victorian Charter of Human Rights and Responsibilities? What constitutes an ‘independent and effective’ investigation into police related deaths? Does this mean a separate organisation should conduct the investigation or can independence and effectiveness be realised by other means?

¹⁶ See Tamar Hopkins “*The Effective Investigation of Complaints Against Police*,” 2009, VLF (attached with this submission).

¹⁷ See for example the prosecution of the Metropolitan Police in London for the death of Jean Charles de Menezes in 2005.

¹⁸ *Gafgen v Germany* 22978/05 [2010] 2010 ECHR 759 (1 June 2010), paragraph 125.

¹⁹ See for example, the Law Enforcement Review Agency in Manitoba Canada and the Office of Police Complaints in Washington DC, USA.

Police conduct that impacts on sections 9, 10 and 22 of the *Charter of Human Rights and Responsibilities Act 2006* must be independently and effectively investigated. We refer to Chapter 2 of the "Effective Investigations of Complaints Against Police" Report attached to this submission for further details.

Oversight of an investigation by the Victoria Police is not sufficient to meet human rights standards. The European Court of Human Rights has held that:

"Supervision [of the police investigation] by another authority, however independent, has been found not to be a sufficient safeguard for the independence of the investigation²⁰"

Nor can coronial oversight be relied on to cure defects: In Australia, the Royal Commission into Aboriginal Deaths in Custody noted:

The breadth and quality of the coronial inquest often "reflected the inadequacies of perfunctory police investigations and did little more than formalise the conclusions of police investigators". The Report emphasised the "general inability of coroners to control the quality of preliminary police investigations which lay the foundation for the subsequent coronial inquest" (RCIADIC 1991, Vol. 1, p. 130)²¹.

The injustice of a biased and collusive investigation compounds the pain of a family affected by a death in custody. An effective, thorough independent investigation is critical to allay suspicions of impropriety and collusion.

In *R v Secretary for the Home Department ex parte Amin*,²² Lord Bingham said:

The purposes of [an independent] investigation are clear: to ensure so far as possible that the full facts are brought to light; that culpable and discreditable conduct is exposed and brought to public notice; that suspicion of deliberate wrong doing (if justified) is allayed; that dangerous practices and procedures are rectified; and that those who have lost their relative may at least have the satisfaction of knowing that lessons learned from his [or her] death may save the lives of others. (emphasis added).

8. The relationship between Victoria Police and the State Coroner: what is the reality of the relationship between the investigative unit and the State Coroner in police related deaths? Who is ultimately responsible for the investigation and what are the respective roles and authority of police and the State Coroner? What could/should OPI's role be?

Under current practice, the Coroner obtains the police brief well after the investigation and has little role in its creation. Furthermore delays, unseen in homicide investigations involving civilian suspects are tolerated.

Police investigators of the police shooting of a civilian are more likely to pursue lines of enquiry that exonerate police and source internal and external witnesses that are supportive of the organization

²⁰ *Ramsahai v The Netherlands* [2007] ECHR 393, (15 May 2007) para 337. *Bati v Turkey* [2004] ECHR (3.6.2004) para 135.

²¹ Quoted from Bronia Halsted, November 1995, Australian Deaths in Custody, No. 10 Coroners' Recommendations and the Prevention of Deaths in Custody: A Victorian Case Study.

<http://www.aic.gov.au/publications/dic/dic10.html>

²² [2003] UKHL 51 at para [31].

overall and the individual police than are willing to critique them. The Coroner, being wholly dependent on the police to investigate the matter is placed in difficult position in making findings that are freed from the bias in the evidence produced by the investigation or that are critical of the bias, direction or inadequacy of that investigation. This is problematised further by the fact that the Coroner is forced to continue to rely on the police in future investigations. Without independent investigators, the Coroner faces serious difficulties ensuring a full, thorough and independent inquiry is capable of being conducted.

One solution is for Parliament to amend section 39 - 42 of the *Coroners Act 2008* to permit the Coroner to authorize an independent investigative agency to investigate a death relating to police.

Alternatively and in addition, the OPI already has the power to conduct a criminal/administrative investigation into a death in custody. It then could provide its report into the investigation to the Coroner.

The best solution would be to legally empower the independent agency to conduct investigations for criminal, disciplinary and coronial purposes.

In England Wales and Northern Ireland, an independent civilian body prepares the brief for the coroner as well as briefs to the Office or Public Prosecutions and the Police for disciplinary proceedings.

In addition to the Coroner's power to direct the Independent investigators down a direction they may have missed, the family too should have the opportunity to make suggestions to the independent investigators. The family will have insights and concerns that other parties may miss. Their involvement is critical in ensuring the thoroughness of the investigation.

The police should be mandated to protect the scene until the arrival of the Independent Investigators and then to co-operate with them. The independent investigators should then separate and interview police and witnesses and collect all forensic evidence. They should also ensure that the family of the victim is provided with acute and chronic psychological support, referrals to legal, medical support and other supports as well as ongoing briefing for the family on the investigation.

9. Other models for investigating police related deaths: what type of models are used in other jurisdictions – interstate and overseas?

There are no effective and independent investigation models in Australia for death in custody investigations. However, on 14 May 2010, Brian Hine, Deputy Chief Magistrate, following his inquiry into the death of Mulrunji Doomagee in Palm Island, Queensland stated:

I recommend that the future investigation of deaths in police custody, which exhibit indicia of unnatural causes or which have occurred in the context of police actions or operations be undertaken solely or primarily by the CMC, as the specialist misconduct and anti-corruption body for the State of Queensland. To enable this to occur, I recommend that the CMC be resourced and empowered [by legislative fiat] to undertake the role.²³

The following contains some examples and recommendations from other parts of the world:

²³ http://www.courts.qld.gov.au/Mulrunji_Inquest_-_Findings.pdf accessed on 16 May 2010.

1.1 Northern Ireland

Since 2000, the Police Ombudsman of Northern Ireland (“PONI”) has investigated all deaths where Police appear to be involved or implicated.²⁴ PONI investigators are fully independent from the Police Service of Northern Ireland.²⁵ PONI investigators take charge of an investigation from the moment they arrive on the scene, collecting forensic evidence and interviewing witnesses including police.²⁶ PONI conducts investigations for the purpose of determining whether any criminal or disciplinary offences have occurred as well as to prepare a brief for the coronial proceeding and make recommendations to this inquiry.²⁷ 75% of PONI’s investigators are civilian and its former police officers do not come from Northern Ireland.

1.2 England and Wales

Since 2004, deaths in police custody or where police are implicated in England and Wales are investigated by the Independent Police Complaints Commission, (“IPCC”).²⁸ The IPCC has had to expand its investigative functions in response to right to life determinations by the ECHR and domestic courts.²⁹ The IPCC prepares the brief for the Coronial inquest.³⁰

1.3 Ontario, Canada

“The Special Investigations Unit, the (“SIU”) is a civilian law enforcement agency, independent of the police, that investigates circumstances involving police and civilians which have resulted in serious injury, including sexual assault, or death.”³¹ The SIU conducts criminal investigations and the police are obliged to fully co-operate with its investigations. None of its staff are serving police officers and 50% of its investigative staff have never been police officers.³²

1.4 British Columbia, Canada

On 12 February 2009, the Davis Commission into the death of Frank Paul 2009 made recommendations that the British Columbia establish an independent investigation commission to investigate police involved deaths involving the Vancouver Police:³³

Having concluded that the current practice of a home police department conducting criminal investigations of police-related deaths is fundamentally flawed due to conflict of interest, it follows that no amount of tinkering with the current practice can eliminate that underlying conflict of interest. The challenge lies in developing a new system for the investigation of police-related

²⁴ <http://www.policeombudsman.org/modules/investigation_reports/index.cfm/investigation_report_type/5> accessed on 16 May 2010.

²⁵ <<http://www.policeombudsman.org/modules/faq/faq.cfm/#10>> accessed on 16 May 2010.

²⁶ Interview with Jane Graham, senior complaints officer, and Paul Holmes, significant inquiries team, Police Ombudsman of Northern Ireland on 28 November 2008 by Tamar Hopkins, Victorian Law Foundation Fellow 2008-2009.

²⁷ Ibid at note 3.

²⁸ <http://www.ipcc.gov.uk/>

²⁹ Report of the Comptroller and Auditor General, National Audit Office, London 12 November 2008, p5. http://www.nao.org.uk/publications/0708/police_complaints_commission.aspx

³⁰ See for example the IPCC investigated the Jean Charles de Menezes death on 22 July 2005 and gave evidence to the coroner of this investigation on 24 September 2008,

http://www.stockwellinquest.org.uk/hearing_transcripts/index.htm accessed on 16 May 2010.

³¹ <http://www.siu.on.ca/about.html>

³² Gareth Jones 2009, “Conducting Administrative, Oversight & Ombudsman Investigations” Canada Law Book Company, p 356.

³³ “*Cold and Alone*” Davis Commission Inquiry (BC Canada) into the Death of Frank Paul page 223, available at <http://www.frankpaulinquiry.ca/>.

1.5 Manitoba, Canada

In October 2008, Commissioner Roger Salhany QC appointed to head the *Taman Inquiry* in Manitoba Canada, an inquiry into the police investigation of the death of a civilian by a police officer found that in situations where police are potentially implicated in a criminal matter, in this case, the death of a civilian, there existed a compelling need for an independent (non-police) investigation.³⁵ He stated:

"Based on my findings in the case, it graphically demonstrated that internal police investigations are ill-advised in criminal cases. Regardless of how prevalent the practice may be nationally, this case epitomizes why it is simply a bad, if not an intolerable, idea"³⁶.

1.6 Quebec, Canada

On 16 February 2010, Raymonde Saint-Germain, Quebec's Ombudsman tabled a report in the provinces' National Assembly recommending the establishment of an independent civilian bureau to investigate deaths, life-threatening injuries, or injuries involving firearms or tasers during a police intervention or detention.³⁷

The Ombudsman concludes:

"After analysing the existing process in Quebec for investigating serious incidents involving police officers, the Quebec Ombudsman believes that charges are necessary. The status quo is neither acceptable nor in the interest of police officers, citizens or sound governance."³⁸

1.7 RCMP, Canada

The Royal Canadian Mounted Police is the national police force in Canada. It operates as contracted by Provincial as well as Federal Governments. The RCMP has recently come under scrutiny as a result of the death of Robert Dziekanski who was tasered by RCMP officers at Vancouver Airport on 14 October 2007. On 4 February 2010, the RCMP Commissioner William Elliot is reported to have stated:

"In cases where the RCMP has been involved in the serious injury or death of an individual, or if an RCMP employee is suspected of contravening the criminal code, the investigation will be referred to a provincially or federally established independent agency....The best solution is to take those investigations out of the hands of the police, as has been done in Ontario, but unless and until governments take the step to do that, we have to do the best we can with the tools available to us." ³⁹

1.8 United Nations, Human Rights Committee

In its concluding observation on Australia in 2009, the Human Rights Committee noted:

"21. The Committee expresses concern at reports of excessive use of force by law enforcement officials against groups, such as indigenous people, racial minorities, persons with disabilities, as well as young people; and regrets that the investigations of allegations of police misconduct are carried out by the police itself.It should in particular: a) establish a mechanism to carry out independent investigations of complaints concerning excessive use of force by law

34 At page 218.

35 <http://www.tamaninquiry.ca/>

36 *Taman Inquiry*; p 13. Also see the Davies Commission into the Death of Frank Paul 12 February 2009, Vancouver, Canada.

37 Report of the Quebec Ombudsman 2010 "The Quebec Investigative Procedure for Incidents Involving Police Officers" at p 9.

38 *Ibid* at p 11.

39 <http://www.cbc.ca/canada/british-columbia/story/2010/02/04/william-elliott-rcmp.html>

enforcement officials; b) initiate proceedings against alleged perpetrators..."⁴⁰ (emphasis added).

2. Using another police force to investigate- Different approaches

2.1 UK

The Stephen Lawrence Inquiry in the United Kingdom recommended in 1999:

"That the Home Secretary, taking into account the strong expression of public perception in this regard, consider what steps can and should be taken to ensure that serious complaints against police officers are independently investigated. Investigation of police officers by their own or another Police Service is widely regarded as unjust, and does not inspire public confidence."⁴¹

2.2 Canada

The Frank Paul Inquiry Commission 12 February 2009 notes:

Given that the RCMP polices 70 percent of British Columbia's population and has the largest police force in the province, it would seem to make sense to assign police-related death investigations to that force, as an alternative to using other municipal forces. On the issue of independence, however, I question whether the level of public confidence would increase significantly if the criminal investigation of police-related deaths were assigned to the RCMP rather than to another municipal police department—it is still the police investigating themselves. Though the RCMP has a well-earned reputation for competence in serious crime investigations, and though it has the capacity to respond immediately and has access to specialized services, I have deep reservations about making such a recommendation.⁴²

2.3 Australia, South Australia

Following his inquiry into the death in custody of Colin Sandbury concluding on 12 July 2007 State Coroner Mark Frederick Johns stated:

I recommend that the Attorney General raise with his State and Commonwealth counterparts the proposal that the States and the Commonwealth enter into an arrangement with each other such that a death in the custody of the police force of a particular jurisdiction is investigated by or under the supervision of police from another jurisdiction, including the Federal Police.⁴³

10. Options for improving the current system in Victoria: how can the current system in Victoria be improved?

We refer you to our response to Term of Reference No. 4 and the "Effective Investigations of Complaints Against Police" report attached where detailed recommendations for reform have been made.

The Legal Centre and the families we support have made recommendations for independent investigations of police involved fatalities and police misconduct since the late 1980s.

⁴⁰ Concluding observations of the Human Rights Committee 3 April 2009 Australia, para 21.

<http://www2.ohchr.org/english/bodies/hrc/hracs95.htm>

⁴¹ See the Recommendations at paragraph 58. <http://www.archive.official-documents.co.uk/document/cm42/4262/4262.htm>

⁴² "Cold and Alone" Davis Commission Inquiry into the Death of Frank Paul page 223 <http://www.frankpaulinquiry.ca/>

⁴³ <http://www.courts.sa.gov.au/courts/coroner/index.html>

Tyler Cassidy's family have appealed to the Coroner and the OPI for an independent investigation of their son's death.

It is now over 20 years since the families the Centre has worked with have been calling for independent investigation. There are now good examples in Northern Ireland ("PONI") and Ontario, Canada, ("SIU") of civilian investigations of deaths in custody. We are hopeful that the present inquiry will result in much needed transformation here in Victoria.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'T. Hopkins', written over a horizontal line.

Tamar Hopkins
Principal Solicitor
Flemington & Kensington Community Legal Centre