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FRIDAY 20 MARCH 2020

Limited release of prisoners may prevent COVID-19 break out

Criminal law experts are recommending the limited release of elderly, young and minor offenders from Australian jails and detention centres to avoid a preventable COVID-19 outbreak.

Professor Lorana Bartels from The Australia National University and Professor Thalia Anthony from the University of Technology Sydney coordinated an open letter to state and territory governments calling for urgent reforms to protect the prison population from the global health pandemic. More than 340 legal experts signed the letter.

“Australian prisons and detention centres will become epicentres for the transmission of COVID-19, if governments don’t act now,” said Professor Bartels, Program Leader of the ANU Criminology Program.

“Among a range of recommendations, we’re calling for the early release of vulnerable prisoners and detainees who are at high risk of harm from COVID-19.”

This includes those with pre-existing health conditions, the elderly and very young, those detained for summary offences such as unlawful driving, property crimes and those who are likely to be released in the next six months.

Professor Anthony said urgent measures, including the release of prisoners, have been taken in response to the COVID-19 emergency in the United States, the United Kingdom, Southeast Asia and the Middle East.

“Australian governments must provide a coherent approach to protect prison populations here in Australia” she said.

“It is only a matter of time before COVID-19 breaks out in our prisons and youth detention centres. This will then have a substantial flow-on effect to the community.”

Professor Bartels said justice reforms to protect the health of prisoners and the broader community were essential.

“Prisoners have an acute risk of experiencing the severe and critical consequences of COVID-19 due to pre-existing health issues, and the lack of testing and treatment in prisons,” she said.

Professor Bartels said most people who enter prison are un-sentenced and nearly a third are

expected to serve less than 12 months.

“Tens of thousands of people are likely to be released into the community by the end of the year, making them potential carriers of Coronavirus back into communities,” she said.

*** A copy of the open letter and signatures is provided as an attachment below.**

FOR INTERVIEW:

Professor Lorana Bartels

College of Arts & Social Sciences

Australian National University

T: +61 2 6125 1279

M: +61 4139 92523

E: lorana.bartels@anu.edu.au

Professor Thalia Anthony

College of Law

University of Technology Sydney

M: +61 413 992 523

E: thalia.anthony@uts.edu.au

For media assistance, contact the ANU Media Team on +61 2 615 7979 or at media@anu.edu.au

