

# Australia: Footage reveals brutal prison murder of young Aboriginal man

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23 August 2018

The family of David Dungay Jr, a 26-year-old Aboriginal killed at Sydney's Long Bay jail in 2015, have stepped-up their campaign for justice after footage was played at the New South Wales Coroner's Court last month revealing the violent assault that led to his tragic death.

The video was played in the course of an ongoing coronial inquest into Dungay's killing. It showed that in the moments before he died five immediate action team (IAT) prison officers stormed Dungay's cell, restraining him and smothering him face-down on a bed. Dungay could be heard crying out 12 times that he "couldn't breathe."

The guards attacked Dungay because he allegedly refused to stop eating biscuits. After being smothered Dungay was hauled into another cell. Multiple officers once again forced him face-down on the bed to prevent him from struggling.

Dungay was administered an injection of midazolam, a powerful sedative that also produces anterograde amnesia. A few minutes later he had stopped breathing. The officers were still holding him down.

Dungay reportedly suffered severe mental health issues. Medical reports detailed that he experienced auditory and visual hallucinations. He had been diagnosed with schizophrenia and had been suffering from psychosis at the time of his death. He had been admitted to the mental health unit in the month before.

Many prisoners with psychosis and mental health issues are targeted by prison authorities. Cuts to health services have created conditions where people in need of serious medical attention are shunted into prison.

A corrective services investigation team found no criminal negligence in Dungay's death. Like other internal "investigations" it was a whitewash.

Leetona Dungay, David's mother reported that the

assault her son suffered was so brutal she could not recognise him. "It didn't even look like my son's body," she said. "His face was caved in, bruises all around, stitches here and there ... I had a feeling then, I knew that over-aggressive force was used on my son by the correctional services officers."

At the coronial hearings, a detective sergeant tasked with investigating the death reported "that five of the six IAT officers were untrained in the risks of positional asphyxiation." The corrections officer who was at the scene of David's death stated that she was not aware of positional asphyxiation and had no training on the dangers of sudden death from improper physical restraint.

Monash health associate professor of psychiatry Dr Peg LeVine raised the issue of criminal liability and medical malpractice, stating: "If indeed a nurse was instructed to inject 10mg of midazolam to a man positioned on his stomach with officers sitting on him, and knew there was no way to monitor their patient and they complied, then all medical people in attendance of this behaviour are reportable to the Australian Health Practitioner Regulation Agency and it requires an investigation."

Hugh Grantham, a professor of paramedics at Flinders University raised that "midazolam's common side effects may be exacerbated by prone physical restraint." Another expert testified that the combination could be able to kill someone. The death of William Wallace in 2008 in a South Australian prison was attributed to a combination of midazolam and improper restraint.

Questions have also been raised over the failure of prison staff to provide external cardiac massage to restart Dungay's heart after he stopped breathing. Testimony revealed that there was no consistent or

effective attempt at resuscitation from Dungay's cardiac arrest before the arrival of an ambulance crew.

The Dungay family's legal representative probed the disproportionate force employed by the guards. Officers attempted to justify the cell raid by declaring that there were concerns over Dungay's blood sugar levels. His medical history indicated that he had low blood sugar levels that were characteristic of medical episodes. Medical reports on the day show, however, that he had high blood sugar levels.

The killing is the latest in a series of violent incidents in which guards have attacked defenceless inmates.

A 2018 report from the Australian Institute of Criminology detailed that between July 2013 and June 2015 there were 115 deaths in prison custody and 34 deaths in police custody. The increasing use of violence has coincided with the dramatic growth of the prison population.

The response of successive Labor and Liberal-National governments, at the state and federal level, to a deepening social crisis caused by their pro-business policies has been to impose "tougher" sentencing laws and to expand restrictions on bail. At the same time, they have dramatically increased police numbers and powers to prepare for the violent repression of social opposition from the working class.

According to June 2018 figures from the Australian Bureau of Statistics, the national prison population increased by 38 percent from March 2013 to March 2018, with the number of inmates growing by 11,646. Many had not been convicted or were awaiting sentencing.

Aborigines, as the most oppressed section of the working class, have been hard hit by the build-up of police powers and the growth in incarceration.

A May report by Creative Spirits noted that since 2004 the number of indigenous people incarcerated has increased by 88 percent. In December 2017, of every 100,000 adult aboriginals, 2,440 were incarcerated, the highest rate for any ethnic group in the world.



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