



End the cruel transfers and inhumane treatment of people detained in police stations

Open letter to the Victorian Government

We write this letter to express our grave concern for the welfare and safety of people being detained in police cells and shuffled between police stations by Victoria Police, which is effectively overriding legal protections.

Without urgent action, we fear that a death in police custody is imminent.

Police stations were never meant to hold people in custody for longer than a few days and do not have the facilities required to meet the basic needs of people in custody for prolonged periods. But Victoria Police has been detaining hundreds of people in stations for weeks on end, beyond the Gazetted 14-day limit.¹ Victoria Police is moving people between police stations across Victoria, a practice they inappropriately refer to as ‘decanting’, which extends the length of time they can legally hold someone in police cells.

We are being told of police officers cramming people into overcrowded police cells smelling of sewage with broken toilets, denying people basic hygiene and clean clothes, denying people prescription medication and withdrawal medication packs, delaying calling ambulances for people suffering medical emergencies, failing to enable contact or visits with family, failing to afford basic privacy, failing to enable access to fresh air or sunlight, and failing to demonstrate appropriate care or concern for people in their custody.

The inhumane conditions that people are being subjected to in Victorian police cells are a direct result of regressive, knee-jerk policy decisions. Since the Allan Labor government began passing legislation last year worsening unfair and discriminatory bail laws, our organisations have been sounding the alarm about the horrific treatment of people in police custody. These warnings have been ignored, and we are now in a situation where the state is incapable of meeting the most basic human rights of individuals in custody.

People in prisons are entitled to bare minimum standards under the *Corrections Act* to medical care and treatment, access to open air, adequate and appropriate food, suitable clothing and to receive visits². However people in police custody – many of whom have not been found guilty of the charges laid – do not have these rights embedded in Victorian law. These are fundamental human rights for imprisoned people, and Victoria Police’s current practice is failing to meet the human rights standards set out in the *Charter of Human Rights and Responsibilities*³ and the *Mandela Rules*.⁴ This is a huge legal loophole that is enabling the mistreatment of people in police custody, and it must be urgently fixed.

¹ “[Victoria Police are failing their duty of care to Aboriginal people in their custody](#)” VALS Media Release, 23 February 2026.

² *Corrections Act 1986* (Vic) section 74.

³ *Charter of Human Rights and Responsibilities Act 2006* (Vic), s22.

⁴ UN General Assembly, *United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules)* (8 January 2016, adopted 17 December 2015).

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Since June last year, the Victorian Aboriginal Legal Service (VALS) has warned the Allan government that people will suffer deeply at the hands of police, corrections and court systems that are totally unprepared and ill-equipped to deal with the consequences of overly restrictive bail laws and surging numbers of people in custody. VALS warned Premier Allan that this was going to lead to someone dying a preventable death in police custody.⁵

Shockingly, the Victorian Police Association recently admitted that it is only a matter of time before someone dies in police cells as a result of overcrowding or extended stays in police cells.⁶ When even the Police Association recognises this issue, yet police members continue these inhumane practices, it is crucial that there be oversight and monitoring of people being mistreated in police cells by an independent statutory body like a Police Ombudsman.

It should not have to take emergency legal action⁷ in the Supreme Court of Victoria for people in police custody to be treated with dignity and to be transferred in a timely manner to corrections facilities.

We call for immediate action:

1. **Victoria Police must stop the practice of detaining people in police stations for longer than the 14-day legal limit,**
2. **Victoria Police must stop the practice of transferring people between police stations to override the 14-day legal limit,**
3. **The Victorian government must legislate the same basic rights for people in police custody as prison custody to stop enabling their mistreatment,**
4. **The Victorian government must reduce the legal limit that police are allowed to detain people in police stations from 14 days to 7 days, and**
5. **The Victorian government must establish a Police Ombudsman to provide independent oversight and monitoring of people being mistreated in police cell.**



Victorian
Aboriginal
Legal Service



KOORIE
YOUTH
COUNCIL



Aboriginal
Justice Caucus



FEDERATION
OF COMMUNITY LEGAL CENTRES VIC

Human
Rights
Law
Centre

⁵ [“Stop Tranche Two: Another unmitigated disaster waiting to happen”](#) VALS Media Release 25 June 2025.

⁶ [“The ‘decanting’ game: Inside Victoria’s ‘cruel’ prisoner shuffle”](#), The Age, 23 February 2026.

⁷ [“Victoria Police are failing their duty of care to Aboriginal people in their custody”](#) VALS Media Release, 23 February 2026.