
SA elections show politicians use fear tactics to win power at all costs

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“South Australia’s looming state election shows how low politicians are prepared to stoop to win power,” the Australian Lawyers Alliance said today.

“Basing an election campaign on fear is incredibly irresponsible, but the incumbent government keeps choosing to do this – rolling out laws that stab at the heart of everyone’s civil rights and plead to a primal fear of violence,” Alliance South Australian president, Tony Kerin said.

Mr Kerin said already freedom of association was being curbed under the dupe of “anti-bikie” legislation; the common-law right to personal injury compensation had been removed; and police were being given greater powers to pursue and apprehend with the latest being a cannon that shoots a tracking system on to vehicles police are pursuing.

The ALP’s platform also includes prison terms of up to five years for hoon driving and a lifetime ban for drivers who have maimed or killed someone.

He said the latest vote-winning attempt, announced yesterday, was the plan to strengthen the admissibility of circumstantial evidence in court to the point where whole histories of defendants may be used to prejudice a trial.

“This means more innocent people are going to be sent to jail and just prison terms will be served in fewer situations - not to mention that more of the guilty will remain on the street if justice is not properly served,” Mr Kerin said.

“The Director of Public Prosecutions (DPP) can already apply to the judge to include circumstantial evidence where the value of the evidence of past prior offences outweighs any potential prejudicial influence on the jury,” he said.

Mr Kerin said there had always been provision in the law to apply for the admission of prior convictions, in special circumstances, but this had been found to prejudice presumption of innocence and so was used infrequently.

He said just having such histories presented in court, equated to a near lay-down misere to the DPP as it was a subliminal signal of guilt to the jury.

“We should be scared – really scared, but not about crime in our streets, rather the ethics of politicians and the likely effect it will have on people’s lives,” Mr Kerin said.

He said it was okay for us to feel cosy and somehow above such deliberations, but the reality was that such draconian laws would affect our civil rights and presumption of innocence at some point.

The best way to protect a democracy and to stop crime is for governments to spend money on support structures that stop the pressures in the first place: poverty, drug addiction and family problems.

Instead, we have a government with a rack 'em, pack 'em and stack 'em attitude that is turning South Australia into a combative state.

This is despite recent research in tough jurisdictions such as Texas where they are rethinking some laws because one in 100 Americans is now behind bars," Mr Kerin said.

"Too often it is government policy that relies on fear to secure re-election that robs people of their rights and a future. They do this under the guise of protection, but in reality it is all self-serving, and it is increasingly happening on both sides of politics," he said.

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