
Politicians' thirst for power is putting innocent people in overcrowded jails across Australia

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More innocent people are being crammed into overcrowded jails around Australia as governments continue to legislate to increase their power, and that of police, the Australian Lawyers Alliance said today.

The Alliance, *'Lawyers for the people'*, fears the wave of tough-on-crime laws flowing across the country is threatening the fabric of our justice system as police are given more discretionary powers while judges are losing the ability to assess individual cases.

Just yesterday, a confidential NSW juvenile justice report by Canberra consultants, Noetic Solutions, found the NSW government's tough-on-crime agenda was putting more youth behind bars for minor matters such as breaching strict bail conditions.

It also found that \$350 million would be needed in the next two years to pay for 123 new places to house young offenders in NSW.

Meanwhile, South Australia and Tasmania politicians are both using 'tough on crime' election strategies to secure power with talk of introducing mandatory sentencing for assault on police officers in their states if they win power. Queensland Liberals are also proposing the idea.

Yet in Western Australia, where mandatory sentencing for assaults on police officers and the stop-and-search laws were recently introduced, the full ramifications are now being felt.

Alliance WA director, Tom Percy QC said while the latest statistics showed overall crime was down, since the introduction of mandatory sentencing, assaults had actually increased.

"So much for the deterrent effect of mandatory sentencing," Mr Percy said.

Police were also able to water down most "bodily harm" charges that came up, so that the mandatory provisions were not being brought into force.

"They are just charging bodily-harm cases as simple assaults, even when there is clearly bodily harm. This means the police are now issuing incorrect charges and taking the place of the judiciary - deciding who goes to jail and who doesn't," Mr Percy said.

Mr Percy said a total breakdown of the separation of powers, the fundamental basis on which our democracy operated, was now coming into effect.

National president, Mark Blumer, agreed:

“Without judicial discretion, unjust sentencing will result, innocent people will be jailed and the guilty will walk free.

And all this is happening at a time when other countries are learning from similar mistakes,” Mr Blumer said.

“South Carolina has just adopted a bill in the Senate to reduce sentences for less violent crimes and put more money into rehabilitation of inmates. Texas is also considering similar procedures with one in 100 Americans now behind bars,” he said.

“This Australian tough-on-crime political gravy train that seems to be moving from state to state needs to be halted in its tracks and sensible programs introduced to fight crime contributors such as drug addiction, poverty and family problems.”

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