

JUSTICE

ATTORNEY GENERAL, POLICE & EMERGENCY SERVICES, CORRECTIONS
VICTORIA
AUSTRALIAN DEMOCRATS

2006

OUR ELECTION COMMITMENT

While justice is essential for all Victorians, it has been under attack by recent Liberal and Labor State Governments.

Recently the Labor Government has covertly sought to influence the judiciary, through intervention in discretionary powers, and less scrutiny of Government. Premier Bracks' support of Federal terrorism laws has undermined fundamental civil liberty tenets.

After six years the Government still applies a band-aid to law and order, such as \$59m spent on the LEAP database and new police stations, but little money for police to staff them.

The Democrats commitment is to:

Rights

- Support a Victorian Human Rights Charter to guide justice within legislation that embraces ideals of the UN's Universal Declaration of Human Rights, International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights.
- Confirm the Rule of Law and presumption of innocence by outlawing trial by media.
- Strengthen bullying, harassment, stalking and intimidation legislation.
- Introduce Survivors of Crimes centres offering advice and counseling.

- Introduce legislation along the lines of the Dying With Dignity Victoria charter that recognises the right of terminally and incurably ill people with profound suffering to choose to die with dignity in a manner acceptable to themselves and not be compelled to suffer beyond their wishes.

This charter recognizes that no individual or group shall be compelled against their will to either participate or not participate in an assisted or supported death of a sufferer. It requires sufficient safeguards to be in place to prevent abuse of the process.

- Eliminate discrimination, particularly against minorities on the basis of gender, race, religion, sexual orientation and preference and all other forms of individuality.
- Remove abortion from criminal laws.
- Recognise same sex partnerships.



THIS TIME

AN UPPER HOUSE THAT WORKS

The DEMOCRATS VISION for Victoria's justice system is one in which:

- the highest standards of human rights are guaranteed,
- the civil liberties of Victorians are safeguarded,
- a truly independent judiciary acts without fear or favour,
- our police are better resourced and corruption is rooted out,
- our prisons are focused on rehabilitation and a justice system that seeks to keep people out of jail who are not a danger to society,
- people are not incarcerated in general prisons as a consequence of their mental illness,
- the presumption of innocence is strengthened, and
- protection is afforded to whistle-blowers.

Judiciary

- Advocate the discretionary power of judges, by not introducing mandatory sentencing and maintaining suspended sentencing, but require a framework for rehabilitation such as supervision, treatment and community orders.

A U S T R A L I A N TM
DEMOCRATS

This election commitment was updated on November 17, 2006
All our election commitments are available online at
www.vic.democrats.org.au

JUSTICE



- Move to establish a framework between the Justice Dept and the judiciary that reviews sentencing with punishment, deterrence, rehabilitation, denunciation, and protection considerations, including customary law.

Terrorism and Organised Crime

- Re-establish an equivalent to the Purana Task-Force Unit to investigate organised crime with necessary project enforcement powers.
- Specify the maximum periods for remand detention and reasonable conditions which excludes solitary confinement.
- Replace the newly introduced Federal terrorism and ASIO laws with project specific investigative powers.
- Coordinate investigations into terrorism by the AFP, ASIO, Victorian Task-Forces and Victorian Police.

Law and Order

- Regulate to minimise the ownership, marketing and use of guns and hunting knives.
- Support victims/ survivors of crime to participate in sentencing, if they so choose and protect them from undue stress in court hearings and processes by equipping courtrooms with more video links for testimonies and permitting testimonies to be made once only even if a retrial is necessary.
- Maintain sufficient police numbers/ diversity and establish an external review of professionalism with resourcing for addressing weaknesses, such as equipping police to assist people with mental illness.

See also our commitment on mental health:

www.vic.democrats.org.au

- Improve the police response to family violence, including elder abuse, and ensure the perpetrator is removed from the family home rather than the victims being forced to find alternative accommodation.
- Increase safety of public transport travelers through mobile police officers using enhanced communication technology, procedures and accompanying officers.
- Recruit male and female multicultural police, augmented with specialised training.
- Protect privacy through strict control of an improved police database system.
- Encourage COAG to consider establishing a National Missing Person's Register.

- Appropriate measures to greatly reduce workplace accidents and road offences.
- Prohibit duck shooting and empower the RSPCA to better police and enforce the humane treatment of animals.
- Tighten firearms laws to make licenses conditional on guns being used for only specific approved purposes, stored in a secure, off-site armory. Firearms to be permitted in rural areas only unless stored at a firing range with breech/barrel, firing pin/bolt and ammunition stored separately.

Courts and Jails

- Oppose capital punishment for all crimes in all circumstances.
- Oppose the torture and abuse of criminal suspects.
- Establish a 'Special-Circumstance Court' to deal with juveniles or persons with mental illness relating to offences such as drug use and street prostitution through rehabilitation and without criminal sentencing.
- Return prisons to State Government ownership and management and ensure that treatment of all prisoners is humane and that they have a reasonable level of counseling, education and other support to facilitate rehabilitation, plus better training and retraining of prison officers.
- Assist VACRO and other community groups to assist former prisoners with their transition to accommodation and employment.