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## **MANDATORY MINIMUM SENTENCING DECISION A SAD DAY FOR VICTORIA'S JUSTICE SYSTEM**

Today the Baillieu Government has undermined the ability of Victoria's justice system to create a safe community with its decision to proceed with a mandatory minimum sentencing regime.

Jesuit Social Services Chief Executive Officer, Julie Edwards, said that the Attorney-General's response to the Victorian Sentencing Advisory Committee's report on mandatory minimum sentencing was a clear sign that the Government is turning its back on the evidence and pursuing a counter productive 'tough on crime' agenda.

"This takes away a fundamental and vital principle of our justice system, the discretion of judges in sentencing - every crime is different and the circumstances of the case must be taken into consideration when sentencing," Ms Edwards said.

The government acknowledged the inherent injustice of mandatory minimum sentencing through opting to consult further on impacts for juveniles before mandatory sentencing for young people is introduced. "Excluding 16-17 year olds from automatic imprisonment is welcome but needs to be permanently endorsed" said Ms Edwards. Other young people, those 18 to 20 years old, however, will still be caught in the mandatory net and vulnerable to a cycle of reoffending.

"Victorian law recognises that the developing maturity of young people entitles them to special legal protections" Ms Edwards said. "Up until now, this has meant that young people from 18 to 20 years old who are given a sentence of two years or less are able to do their time in a youth justice centre away from the corrupting and dangerous influence of adult prisons.

"The Attorney-General has closed this door today by mandating that these young people will receive a minimum four year sentence, sending these young people into an adult prison where they are more likely to become entrenched in a life of crime," Ms Edwards said.

Research shows that typically around two out of every three young people who have been in custody re-offend within two years. "Nor is there any evidence that locking people up stops adults from re-offending" said Ms Edwards "Do you think people feel 7 times safer in US cities where the incarceration rate is 7 times that of Victoria?

"We're very concerned that the Baillieu Government seems determined to pursue a tough on crime approach that overlooks the wealth of evidence about what really makes for a safe community such as effective rehabilitation and diversion".

Opening the recent Jesuit Social Services National Justice Symposium, Minister McIntosh, the Minister for Corrections and Crime Prevention, said over-crowding in Victorian prisons jeopardised such rehabilitation programs and puts at risk Victoria's proud track record of the lowest recidivism rates of the major states.

"We call on Minister McIntosh to heed his own warning and not inundate our prisons, that are already bursting at the seams, with more and more inmates through mandatory sentences" said Ms Edwards. "It is an abuse of human rights to lock people up without adequate facilities or health care."

In the keynote address of the same National Justice Symposium, former Victorian Supreme Court Judge, Frank Vincent AO QC described prisons as “inherently damaging institutions.

“I know from nearly 50 years working in the criminal justice system that detention in a youth facility or an adult prison even for a very short period can have profound impact on the lives of young people.”

Ms Edwards concluded “We fear that in years to come, the government will be faced with another apology for shattered lives through its administration of harsh and punitive laws that ignore human rights and undermine rather than protect community safety”

**MEDIA INTERVIEWS -: Jesuit Social Services Chief Executive Officer, Julie Edwards**

**MEDIA ENQUIRIES -: Stephanie De Campo (Media) 0432 828 004**