



## NSW ELECTIONS 2007 POLICY THE LAW, POLICE, PRISONS AND CRIME

Nothing shows the bankruptcy of Labor and the Coalition in New South Wales more than their race to prove who's "tougher on crime and terrorism".

Since former premier Bob Carr turned "tough on crime" and tightened sentencing guidelines the prison population has increased by 50%.

Carr's successor Morris Iemma continues a fine ALP tradition—sticking new jails in marginal electorates. Wellington has one and Nowra is to get one.

The impact on crime statistics of Labor's approach has been very small, but the rise in human misery, bitterness, racism (Cronulla) and discrimination against communities has been huge.

The Socialist Alliance approach is the exact opposite of this Lib-Lab law-and-order populism.

We say *reduce poverty, reduce crime*. Only a sustained attack on long-term unemployment and low income and the provision of decent services in housing, health and education can start to turn the crisis around—particularly for Indigenous communities.

Every person in NSW presently contributes \$90 a year to maintaining its unjust and counterproductive prison system. Let's start dismantling it now and turn our money to better use.

How will we know when we're making serious headway against real crime in NSW? When 20% of the prison population is not made up by Indigenous people but by employers responsible for workplace deaths and accidents and by corporate swindlers like Rodney Adler.

### Anti-terrorism laws

- **Repeal NSW anti-terrorism legislation.** There are enough powers under existing criminal law to protect against potential terrorist attack. Specific anti-terrorism laws make it more likely that innocent people will be convicted and punished—if only to prove that the laws are needed. This looks possible in the case of Faleem Khalid Lodhi, sentenced to 20 years jail in 2006. Anti-terrorism law also increases the possibility that people will be criminalised or punished for "thought crimes", or found guilty on confessions extracted by torture or on the basis of secret "evidence".
- **End NSW collaboration with federal police and military authorities until federal anti-terrorism law is repealed.**

### The police

- **End zero-tolerance, military style policing.** This hasn't reduced violence and "anti-social behaviour"—it's just been driven indoors and turned into strife within families and increasing self-harm, including suicide, among young people.
- **Dissolve the Middle Eastern and South East Asian crime squads.** In Arab-Australian and Muslim communities (where unemployment rates are three to five times the average), police harassment reinforces discrimination, racism and divisions within the community.
- **Dissolve the riot squad.** The Iemma government is boosting the riot squad, equipping it with water cannon and taser guns. This simply increases the possibility of serious injury or even death when the squad is used against protestors.
- **No use of police in industrial disputes.**
- **End police harassment of young people.** Checking young people for drugs with sniffer dogs at events like the Big Day Out is harassment and a complete waste of time. It's also often racially motivated.
- **End special police powers to "lock down and take command" of an area.** Under this power police are free to harass entire communities.
- **Start reducing police numbers.** Overseas studies show that a dollar spent on crime prevention programs can save up to \$11 in spending on jails, police and compensation of victims. Start shifting an increasing part of NSW's record \$2.2 billion police budget to prevention programs.

### The jails

- **No new jails.** The jails are schools of crime, and imprisonment should be the very last resort in sentencing, especially for those guilty of victimless crimes and on remand (over 50% of the total in NSW). Jails don't rehabilitate, wreck families, entrench violence in relationships and among communities, teach crime skills, punish the innocent, reinforce mental illnesses, make it harder for prisoners to get out of debt, breed drug addiction and stigmatise people for life. They are also an enormous waste of money (weekly "rent" for an open custody inmate in

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NSW is over \$1100).

- **Close the High Risk Management Unit at Goulburn Jail.** The HRMU is NSW's own Guantánamo. Abusive treatment of prisoners has been reported over a long time, and it sounds very like prison regimes elsewhere in the "war on terror".
- **Transfer prisoners suffering from mental illness from the jail system to places where they can get proper attention.**
- **Reverse jail privatisations.** Under Labor the jail system is becoming a private "industrial complex" as in the US.
- **No use of prisoners as cheap labour**
- **Restore full voting rights to prisoners**

## Indigenous Australians in jail

Indigenous Australian make up less than 2% of the NSW population, but 20% of its jail population.

In the words of the 1991 Royal Commission into Aboriginal Deaths in Custody: "The most significant contributing factor to incarceration is the disadvantaged and unequal position of Aboriginal society in every way."

Until this massive injustice is tackled it is vain to hope that Indigenous jail rates will fall much.

However, in addition to its program for the rights of Indigenous people and for an emergency attack on poverty the Socialist Alliance stands for:

- **Full implementation of the recommendations of the Royal Commission into Aboriginal Deaths in Custody**
- **Boosted funding to Aboriginal Legal Aid**
- **Thorough training of court officials, police and prison officers in Indigenous culture and values**
- **Proper representation of Indigenous communities on law reform bodies**
- **Greater Indigenous representation on juries**
- **Indigenous community policing**
- **Greater use of suspended sentences**

## The law

- **For an independent commission to vet NSW law against international standards.** NSW law could well be in breach of international conventions in the areas of police search powers, rights of accused people to bail, presumption of innocence, the right to silence and the equal treatment of witnesses by defence and prosecution.
- **No move to mandatory sentencing, roll back the tightening of bail conditions.** These eliminate or restrict any discretion on the part of judges and magistrates.
- **No majority verdicts for jury trials, no preventative detention without trial**
- **Reduce the penalties for "riot" and "affray".** Under Labor these were increased from five to 15 and 10 years respectively, increasing the possibility of long prison sentences for protestors against police crimes like the death of Redfern teenager T. J. Hickey.
- **Decriminalise personal drug use.** This should be treated as a social or health issue, not a crime.
- **Make the law accessible to all.** Increase funding to legal aid and community legal centres.

## Prevention not punishment

- **Make greater use of community-oriented rehabilitation schemes.** These have been shown to reduce rates of re-offending.
- **Boost special developmental programs.** Around Australia there are a number of developmental crime prevention programs, covering early childhood support, special health care, literacy, job skills, sport and self-esteem training. These should be boosted in NSW, with provision to meet the special needs of women and gay, lesbian, bisexual and transsexual prisoners.
- **Implement alternatives to imprisonment like restorative justice and circle sentencing.** Restorative justice is concerned with repairing the harm caused by criminal behaviour to both victim and offender. Circle sentencing, which involves taking the sentencing court to a community setting, aims to build greater involvement from Indigenous people in the sentencing process.

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Authorised by Dick Nichols, 23 Abercrombie Street, Chippendale NSW 2008. Printed by New Course Publishing, 23 Abercrombie Street Chippendale NSW 2008.

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