



Joint Statement

United opposition to unfair and dangerous mandatory sentencing laws

Thursday 21 June 2018 – for immediate release

We, as leaders of Victoria's community, family violence, youth, drug and alcohol and community legal sectors, unanimously oppose the introduction of mandatory sentencing laws by the Andrews Government.

We provide services to families who are in crisis. We know first-hand these laws will impact ordinary Victorians. The laws are wide reaching, requiring a prison sentence for anyone who injures an emergency worker, police, protective service officer and prison officer, no matter how minor the injury.

We strongly support measures that build greater safety for our dedicated emergency service workers, however these new laws will not achieve this.

We are concerned that these laws have been drafted without any input from our community and the people we represent. These laws are far reaching. They have the potential to impact all Victorians, particularly those most vulnerable and people in distress. The laws will change the way community services call on emergency services in times of crisis. For the safety of the community, these laws need to be stopped now.

In particular, we are extremely concerned about the impact on Victorian families, who when their children are experiencing a crisis, will be too afraid to call for help. When people and families in our community are in distress, they need to trust that they can call emergency services for help, and not face sending their traumatised children to jail.

We believe these laws will undermine extensive investment and efforts to support family violence victim-survivors. Instead of making it easier to report family violence, the threat of mandatory jail time means many women will fear calling for help.

If the Andrews Government was serious about its' agenda to end the disproportionate number of Aboriginal and Torres Strait Islander people in prison, this legislation would have been better thought through. Every day we work with people who live with the consequences of over-policing and racial profiling and we know that these laws will result in more prison time for Aboriginal people.

Our message to the Premier is simple: the Government does not understand the impact of these laws – they place people at serious risk. We call on Premier Andrews to halt the changes before they become law.

"The Royal Commission into Family Violence has seen important changes made for the safety of women and children. Our focus needs to continue to be on providing greater support for victim-survivors. For some victim-survivors however, the new laws may impact their decision to seek help. We must also ensure that parents who are seeking support with children committing violence are able to do so without the fear of criminalisation of their children. Family violence can be extremely complex and courts must retain their ability to make decisions based on specific factors relevant to each individual case."

Fiona McCormack, CEO, Domestic Violence Victoria (DVVIC)

"These changes mean people in crisis will not get the support they need, putting them at greater risk. People who are unwell with complex drug and alcohol issues often end up in crisis situations. They need support not prison. Family members will be forced to face the cruel dilemma between their own safety and the needs of their loved ones."

Sam Biondo, CEO, Victorian Alcohol and Drug Association (VAADA)

"We have a history of over-policing of Aboriginal and Torres Strait Islander people. Because of this, there can be ongoing antagonism, in situations involving Aboriginal people, police and prison wardens which is why these laws are so concerning. What these laws do is reverse all of the investment and effort in ending over-incarceration. Ultimately these new laws will mean yet more Aboriginal people in jail"

Wayne Muir, CEO, Victorian Aboriginal Legal Service (VALS)

"All workers have a right to feel safe at work. But mandatory sentencing will compromise the working relationships that are necessary between professionals at critical incidents. Community workers shouldn't have to worry that a call for support in times of crisis will result in the person they are trying to help ending up in prison"

Emma King, CEO, Victorian Council of Social Service (VCOSS)

"Our children and young people need better options than a mandatory prison sentence, which has profound and lifelong consequences. Removal of provisions to provide young people with alternatives to prison means we are exposing our young people to harm instead of rehabilitation."

Julie Edwards, CEO, Jesuit Social Services (JSS)

"This type of punitive action only further entrenches violence by not addressing the root cause of the issue. Mandatory sentencing does not prevent crime, it only exposes people to a path of crime. We need to make sure punishment is proportionate and most importantly, effective. Rehabilitation programs and community corrections orders give opportunity to set someone on the right path so they can contribute to the community."

Claudia Fatone, Executive Officer, Fitzroy Legal Service (FLS)

"The proposed laws are disproportionate and unfair. The legislation – which we have seen only late this morning – confirms mandatory sentencing for intentionally or recklessly causing injury, not just serious injury. This will be far reaching, capturing hundreds of Victorians who have never committed an offence or are experiencing a time of crisis, condemning them to prison where their lives will be unalterably derailed."

Serina McDuff, CEO, Federation of Community Legal Centres (FCLC)

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