



ENOUGH IS ENOUGH

ANTI-VIOLENCE MOVEMENT INCORPORATED

P.O. Box 24
Jannali, NSW 2226
Tel: (02) 9542 4029
Fax: (02) 9542 7009
Mob: 0418 461 199

Submission 94

August 20th, 2002.

Ms Catherine Cornish
Secretary, House of Representatives
Parliament House
Canberra ACT 2600

RECEIVED
26 AUG 2002
BY: *John A. Moore*

Dear Catherine

Thank you for the opportunity to supply information to the standing committee on legal and constitutional affairs.

Background

The Enough Is Enough organisation was formed in late 1994 following the murder of my son Michael and so began our journey.

Our original focus was on creative victims support and we have been very successful in that area, receiving international recognition for our work and the documentary film 'Facing the demons'.

The areas of our work then spread into schools, juvenile justice and into prisons where we run regular programs.

This puts us in a unique position in seeing crime through two different sets of eyes, the aftermath and the prevention side with a different perspective to most.

I have just returned from Minnesota, USA where as a representative of NSW Attorney Generals Victim Advisory Board I attended an international conference on restorative circles and practices.

Terms of Reference

I would be able to put together a physical presentation including victims, offenders and bureaucrats covering all aspects of your terms of reference, in the meantime I wish to offer information on the following:

850

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Email: team@enoughisenough.org.au • Website: www.enoughisenough.org.au

*ENOUGH IS ENOUGH is a long term anti-violence program
based on personal responsibility and reform by education.*

i (c) Fear of crime in the community

It is my understanding that 70% + of the community is educated by media, TV, newspaper, talk back radio, magazines etc., where serious crime is sensationalised creating the fear that major crime is out of control – this is not the case!

This fear is compounded by the frustration with the legal system which appears to be letting all offenders off lightly.

The end result is the community is fearful and therefore defensive and cynical towards those preventing crime from happening in the first place.

Although it is my belief that we live in an offender friendly society where the needs of offenders are seen as more important than those of the victims.

* This can be greatly expanded to include youth, race and elderly issues.

Solutions:

- *Media responsibility*
- *Real statistics promoted without sensation*
- *Acknowledgment of community fears*
- *"Responsibility" to become a religion*
- *Overhaul of legal profession*

ii (d) The impact of being a victim of crime and the fear of crime

When a person is impacted by crime, violence and anti social behaviour the results may be very traumatic leaving people devastated the following introduction into the legal system can further victimise those persons.

Also a victim takes on board what has happened as personal when in most cases it is not! The damage is done as a means to an end.

Thoughts of –

Why me?

Will it happen again?

Is/are they coming back?

Is/are they following me?

This thinking expands the fear.

Most counselling models are about listening not giving direction. Our counselling model 'Victim, Survivor, Thriver the Journey' is outcome focused; working on the basis that victim hood is a temporary status and encouraging people to take back their life.

The legal profession attitude towards victims is get them money and let them heal themselves, when in fact the biggest single issue for victims is justice, which is supposed to be free (HA!).

The lack of concern for victims of crime within the legal system is appalling.

Solutions:

- *Acknowledgement of victims needs*
- *Expanding of victims services*
- *Overhaul of the legal system*
- *Judicial education programs*
- *Use of cooperative justice practices*
- *Use of positive counselling models*

iii (g) Effectiveness of sentencing

As a result of our current sentencing procedures and types of sentences, home, community services, periodic and full time gaol the repeat offending rates are over 70% of current inmate population "*If we continue to do what you have always done you will continue to get what you have always got*".

What we are doing is not working!

These are basic principles that can be adopted and with training of personnel involved will work and change gaol culture.

Solutions:

We are currently writing a paper on "*Sentencing can have positive outcomes for all*".

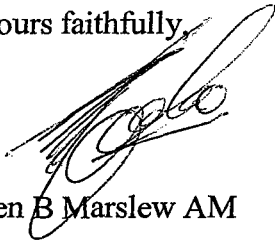
- *Appropriate sentences – right sentence for the right offender (Judges)*
- *Introduction the community in prison programs and inmate support*
- *Overhaul the legal system*

There is much, much more to be said about these issues, my concern is that it will be all said and nothing happen at any level.

I would love to become more involved in this initiative if I was sure there would be some action.

You will find enclosed literature on some of the work we do across the community, should you wish to discuss any aspect of our work please contact me.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Ken B Marslew', written in a cursive style.

Ken B Marslew AM