

# **The Restorative Justice Of God In Luke's Gospel and its Relevance to The Victorian Criminal Justice System**

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## **Synopsis**

This essay sets out the key features of biblical justice as portrayed in Luke's Gospel that have relevance to the victims, offenders and general community associated with the Victorian Criminal Justice System. Drawing from key government documents and legislation, a summary of the intent and practice of Victoria's criminal justice system is identified in order to determine whether the system is consistent with the principles of biblical justice in Luke. A detailed exploration of the Lukan themes is then undertaken to discover how the principles of biblical justice and the Good News could helpfully inform a more just criminal justice system in Victoria.

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## **Introduction**

For most in our society, the criminal justice system is a given and unless we have personal experience, we assume that it is fair, protecting the vulnerable and dealing effectively, but humanely with those who break the law. Only as people have experience as a victim, offender or come to work in the system do they soon realise that it is often less than just. Police, lawyers, judges, corrections personnel and even politicians do the best they can. However, the criminal justice system in Victoria, like in similar western jurisdictions has inherent flaws which leaves both victims, offenders and their families and friends damaged for life; and consequently our society is diminished.

I have chosen Luke's Gospel as my primary text, which draws extensively from Israel's understanding of the justice of God as a continuum of salvation history shown in Jesus at Nazareth through to the early church in Jerusalem and beyond. As will be seen, Luke particularly addresses the affluent early Christians of his congregation, who because of that wealth are in danger of being unfaithful to their calling as Christians. Using the oral tradition and common sources to Mark and Matthew, Luke adds his unique source<sup>1</sup> to emphasise the imperative for justice, which he portrays in the teaching and life of Jesus.

In any society, the criminal justice system impacts more profoundly on the poor because the powerful have control of the process and the rules. This doesn't mean that the rich are "above the law", but that they are in a better position than the marginalised to change unjust systems. Yet as the gap between rich and poor grows, the wealthy are less likely to see or understand the plight of those who become more remote from their world view.

From Luke's portrayal of Jesus' mission at Nazareth where he promises good news to the poor, release to the captives, recovery of sight to the blind and freedom for the oppressed

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<sup>1</sup> Joseph A Fitzmyer, *The Gospel According to Luke*. 2 Volumes. (New York: Doubleday, 1981-1985), vii

we will examine Jesus' teaching and ministry to identify how the Victorian criminal justice system could be more just.

## **Key Features of Biblical Justice in Luke's Gospel**

### **Nazareth Manifesto Luke 4:16-30**

16 When he came to Nazareth, where he had been brought up, he went to the synagogue on the Sabbath day, as was his custom. He stood up to read,

17 and the scroll of the prophet Isaiah was given to him. He unrolled the scroll and found the place where it was written:

18 "The Spirit of the Lord is upon me, because he has anointed me to bring good news to the poor.

He has sent me to proclaim release to the captives and recovery of sight to the blind, to let the oppressed go free,

19 to proclaim the year of the Lord's favour."

20 And he rolled up the scroll, gave it back to the attendant, and sat down. The eyes of all in the synagogue were fixed on him.

21 Then he began to say to them, "Today this scripture has been fulfilled in your hearing."

22 All spoke well of him and were amazed at the gracious words that came from his mouth. They said, "Is not this Joseph's son?"

23 He said to them, "Doubtless you will quote to me this proverb, 'Doctor, cure yourself!' And you will say, 'Do here also in your hometown the things that we have heard you did at Capernaum.'" 24 And he said, "Truly I tell you, no prophet is accepted in the prophet's hometown. 25 But the truth is, there were many widows in Israel in the time of Elijah, when the heaven was shut up three years and six months, and there was a severe famine over all the land; 26 yet Elijah was sent to none of them except to a widow at Zarephath in Sidon. 27 There were also many lepers in Israel in the time of the prophet Elisha, and none of them was cleansed except Naaman the Syrian."

28 When they heard this, all in the synagogue were filled with rage. 29 They got up, drove him out of the town, and led him to the brow of the hill on which their town was built, so that they might hurl him off the cliff. 30 But he passed through the midst of them and went on his way.

### **Literary context**

The Nazareth Manifesto as it has come to be known is set following Jesus' Baptism and the Temptations, which are foundational events for his ministry. At his baptism (Luke 3:21-22) Jesus was anointed as Son by God (a privilege reserved for Kings in the Old Testament— who ruled on God's behalf) thereby granting authority for the ministry of declaring the reign of God. "Full of the Holy Spirit" Jesus was led into the wilderness where he was tempted and tested by the devil (4:1-13) in preparation for ministry. The

ministry commences in Galilee where he is well received as he teaches in the synagogue (4:14-15). This last point Luke<sup>2</sup> sets in contrast to the way Jesus will be ultimately received in his hometown of Nazareth.

### **Literary Form**

The narrative of Jesus' visit to Nazareth is used by Luke to declare the purpose and major themes of Jesus' ministry, which will be evident in his teaching and actions throughout the Gospel story. The initial welcome and subsequent rejection with the threat of death by Jesus' hometown neighbours, together with the ultimate "passing through" (4:30) also foreshadows the end of his ministry in Jerusalem and ultimate victory in resurrection.

The event is set in the "synagogue on the Sabbath as was his custom" (4:16), demonstrating that Jesus' practice and pronouncement were to be in continuity and the fulfilment of his Hebrew heritage. No individual in the crowd can be identified and for the most part they are silent. However the hostile reaction of the mob is murderous, outraged and similar to the mob before the Roman judge Pilate (23:13-25); which begs the question "What did he say that upset them so much?"

The pericope falls into three parts. The proclamation (18-19) with a chiasm (16-20) used to frame the crux of the Jesus' proclamation. The crowd's initial response (22), and finally Jesus' reaction and the crowd's final response (23-30).

### **Source Criticism**

Jesus' "Rejection at Nazareth" is recorded in the other synoptic gospels (Mark 6:1-66a, Mat.13:54-58), but only Luke places it at the beginning of the ministry, with detail of what he said and why he was rejected. As Luke indicates, Jesus' proclamation is sourced from Isaiah; however it is not "the place" (17b) as we know it, but drawn from Isaiah 61:1-2

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<sup>2</sup> I recognize that there may be dispute regarding who wrote Luke's Gospel. For simplicity however, I will refer to the writer as Luke.

and 58:6-7 with omissions. These changes appear deliberate, so that Luke can clearly proclaim and foreshadow the precise nature of Jesus' ministry.

### **Detailed Examination of the Passage**

To set the scene for an understanding of Luke's "biblical justice" and its relevance to the Victorian criminal justice system, the main focus of this analysis will be on Jesus' reading from Isaiah, as portrayed by Luke in verses 18-19.

To appreciate which parts of Isaiah have been used and omitted by Luke it is helpful to set along side the Septuagint (LXX), Greek translation of the Hebrew scripture from which Jesus would most likely have read and the Lukan account. Brendan Byrne helpfully sets this out as follows:

#### **Luke 4:18-19**

18. The Spirit of the Lord is upon me,  
because he has anointed me  
he has sent me to bring good  
news to the poor

to proclaim release (aphesis) to  
the captives  
and recovery of sight to the blind,  
to let the oppressed go free (en aphesei),  
19. to proclaim a year of acceptance  
on the part of the Lord (eniauton  
kyriou dektion).

#### **Isaiah 61:1-2**

The Spirit of the Lord is upon me,  
because he has anointed me;  
he has sent me to bring good  
news to the poor,  
to bind up the broken hearted.  
to proclaim release (aphesis) to  
the captives  
and recovery of sight to the blind;

to proclaim a year of acceptance  
on the part of the Lord (eniauton  
kyriou dektion),  
and the day of vengeance of our  
God.<sup>3</sup>

Jesus quotes from Trito-Isaiah (Isaiah 55-66) which has expressions that reflect the Servant Song, who as God's servant will "bring forth justice to the nations"...who will care for the weak,...in order to "open the eyes that are blind, to bring the prisoners from the dungeon, from the prison those who sit in darkness." (Isaiah 42:1-7).

Luke excludes from Isaiah 61:1-2 "to bind up the broken hearted", but then adds "to let the oppressed go free" from Isaiah 58:5-6. These additions and exclusions serve to emphasise

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<sup>3</sup> Brendan Byrne, *The Hospitality of God: a Reading of Luke's Gospel*, (Strathfield: St Paul's Publications. 2000), 46-47

Luke's theme of liberation or release (aphesis), which drives throughout the Gospel. Verse 19 mirrors Isaiah 61:2a, but omits ".the day of vengeance of our God) (Isaiah 62:2b). It is the exclusion of the "day of vengeance" phrase, together with Jesus' stories of God's inclusion of Gentiles (25-27) which prompt the crowd's angry reaction and threat to kill him.

*"The Spirit of the Lord is upon me, because he has anointed me to bring good news to the poor. (18)*

Jesus' proclamation that "Today this scripture has this day been fulfilled" (22) is consistent with "The Spirit of the Lord being upon me [him]", following his Baptism (3:21-22), and John's and Simeon's foreshadowing (3:16 and 2:25-31 respectively). Sent by God as anointed prophet and Messiah, Jesus' ministry is a continuation and fulfilment of God's salvation plan for Israel. This would have been indeed "good news" for Jesus' synagogue audience; however as Luke's community came to understand, God's liberation is for the Gentiles too (4:24-27).

The poor (ptochoi) for Luke are the destitute, and economically deprived. Evidence that Luke is particularly talking about the economic rather than spiritual poor is demonstrated by comparing the Beatitudes. Matthew uses "Blessed are the poor in spirit" (Matthew 5:3) where as Luke simply says "Blessed are the poor" (6:20). This theme of God's concern for the economically poor, often contrasted with the rich, is reinforced and demonstrated throughout the Gospel (7:22; 14:13,21; 16:20,22; 18:22; 19:8; 21:3). Many commentators now agree that Luke's poor are not the "anawim"; the 'poor' humble and faithful remnant of the Old Testament, nor those 'open to God' of the New Testament.<sup>4</sup> In verse 18 "the poor" are associated with the "captives", the "blind" and the "oppressed; the neglected mass of humanity to whom Jesus proclaims release (aphesis).

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<sup>4</sup> Jerome Crowe, "Wealth and Poverty in Luke's Writings", *The Australian Catholic Record* LXIX (1992), 352

Through the literary device of the chiasm it could be suggested that the central point of Jesus' proclamation of his mission is "Recovery of sight to the blind". This would seem to be a strange differentiation when the "poor", the "captives" and the "oppressed" appear to be as much in need of good news and release. However it would seem that Luke's "blind" are not only those associated with the poor, but are also the proud and wealthy that "can't see". The Zacchaeus story (19:1-10) is an example of one who recovered his sight, which together with other examples suggest that Luke was writing particularly for the "upwardly mobile" and wealthy of his community.<sup>5</sup>

*To proclaim the year of the Lord's favour. (19)*

The "year of the Lord's favour" in Isaiah 61:2 is connected with the Jubilee requirements of Leviticus 25:8-54. Reflecting Yahweh's justice, these laws called for release from debt and rest for the land in order to restore a "level playing field" in a society which had limited resources. These laws included freedom of slaves, return of property to its original owners, the wiping of debts and allowing the land to lie fallow (Leviticus 25). Consequently Jesus is proclaiming that his ministry will usher in the inclusive Reign of God (4:43) which will demand the economic restructuring of society. This is good news to the poor, but disconcerting news to the wealthy and powerful.

The "year of the Lord's favour", is about bringing God's justice to resolving the complexities and hurts of daily life for individuals and community. Unlike the modern interpretation of "justice", which has grown to mean "punishment", biblical justice as shown in Luke is about the restoration of "right relationships" (Shalom). To achieve this,

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<sup>5</sup> This theme is supported by Crowe p.352 and will be explored further, under the heading of "The Blind" later in the essay.

God's justice demands the equality of opportunity (14:15-24) and wealth distribution (16:19-31, 19:1-10),

### **The Purpose and Practice of Victoria's Criminal Justice System.**

Victoria's Criminal Justice Law has its roots in English Law which aims to reflect the values and concerns of the community.<sup>6</sup> The Attorney General's "Justice Statement" of May 2004, sets out clearly the government's objectives for the Victorian Justice system.

The document commences with a statement by the Premier of the time:

The Bracks Government is committed to increasing community safety, protecting individual rights and providing safe, cohesive and fair communities for all Victorians<sup>7</sup>

Key aspects of the Victorian Sentencing Act, which judges must use when determining sentences is summarized below:

#### The purpose of the Act

To promote consistency of approach

To provide fair procedures

To prevent crime and promote respect for the law by:-

- a. Provide sentences which are intended to deter the offenders
- b. provide for sentences that facilitate the rehabilitation of the offender
- c. ..that will allow the court to denounce the type of conduct

To ensuring offenders are only punished to the extent justified

To promoting public understanding of sentencing practice and procedures

To ensure that victims of crime receive adequate compensation and restitution<sup>8</sup>

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<sup>6</sup> Karen Gelb, *Myths and Misconceptions: Public Opinion versus Public Judgement about Sentencing*, Victorian Sentencing Advisory Council, July 2006, v

<sup>7</sup> Steve Bracks, , *Justice Statement- Executive Summary*, Department of Premier, May 2004, page 1

<sup>8</sup> Victorian Sentencing Act 1991, Version No. 100 Parliament of Victoria (see Appendix A where the Introduction is reproduce in full)

Penalties for most offences require the payment of monetary fines or the imposition of community based orders which entail undertaking unpaid work. More serious offences require the imposition of prison sentences which aim to punish through deprivation of liberty.<sup>9</sup> Offenders are often encouraged whilst in prison, to undertake courses which address offending behaviour and assist their rehabilitation such as drug and alcohol abuse, sex offending, violence and cognitive skills. Additionally prisoners are encouraged to undertake educational courses which may equip them with trade certificates for employment on release.

### **Degree of congruence between principles of Biblical Justice and the Victorian Criminal Justice System**

At first glance there is a fair degree of congruence between the objectives of Bracks Government Statement & the Victorian Sentencing Act and what we might think are the Principles of Biblical Justice. The Premiere's statement demonstrates a desire for a harmonious society where all live in safety and individual's rights are protected. The Sentencing Act calls for rehabilitation of offenders, fair and proportionate sentences, consistent with the crime with compensation and restitution for victims.

Both the criminal justice system and biblical justice aim for "reconciliation" between the victim, offender and the community, which has also been "hurt" by a breaking of the peace. However the means of achieving reconciliation are quite different, which results in the criminal justice system being "unjust" for many. In an effort to be impartial the criminal justice process, whose objective is to prove guilt or innocence, uses systems, impartial judges and lawyers to represent the parties. Consequently the process is devoid of real relationships as victim and offender are not permitted to even talk to each other. By its combative nature the process ensures that there are "winners" and "losers". Because the

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<sup>9</sup> A list of the maximum penalties for a number of serious offences are included at Appendix B

Crown brings actions against offenders for the “breaking of the Law”, the offence becomes something done to a system, not another person. Sentencing so that offenders have “respect for the law”, rather than respect for others, will severely diminish the chances of building cohesive communities. Penalties for crimes, particularly imprisonment, neither rights the wrong, nor provides restitution for victims, but tends to alienate offenders, diminishing their chances of becoming effective community members. In contrast Biblical Justice encapsulates the notion of “Shalom”. As Zehr suggests “Shalom” is a rich concept which incorporates physical and material prosperity with the absence of physical threats like illness, poverty and war together with “right relationships” with God and with each other as well as a common integrity in dealing with each other in community.<sup>10</sup> “Shalom” has its roots in Israel’s covenant history with laws which for the most part aimed at “restoring the victim” rather than “punishing the offender” (Exodus 21:26-36). Similarly themes of restoration, inclusion and release are hallmarks of the “reign of God” (Basileia) providing covenant continuity and fulfilment in the ministry of Jesus as described by Luke (4:18-21)

Although the Victorian criminal justice system may at first appear fair and consistent with biblical justice, because of the actual practice or “outcomes” as well as because of the principles on which it is based, it fails to provide “safe, cohesive and fair communities”. True Justice is not about “punishment” but about restoration of “right relationships”. The Nazareth Manifesto (4:18-29) helpfully highlights the members of Luke’s community and our Victorian community who are in need of restoration, inclusion and change (metenoia). These are the Poor, the Captives, the Blind, and the Oppressed. These will be addressed in the next section of the essay, with reference to Jesus’ teaching and ministry throughout the Gospel.

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<sup>10</sup> Howard J Zehr, *Changing Lenses –A New Focus for Crime and Justice* ( Scottsdale :Herald Press, 1995), 131

## **In what ways does Luke's Gospel shed light on what's wrong with the Victorian Criminal Justice System and what would make it more just ?**

### **The Poor**

The plight of the poor, often contrasted with the affluence of the rich is a major theme for Luke, who demonstrates the injustice of how economic need excludes the poor from enjoying acceptance and the benefits of society. (16:19-31, 18:35-43)

In Victoria in 2003 it was shown that 25% of the prison intake came from only thirteen of the six hundred and forty seven state postcodes.<sup>11</sup> Tony Vinson's reports showed similar results in 1999 and in 2007,<sup>12</sup> demonstrating that despite nearly ten years of unprecedented economic growth, the poor are over represented in our prisons. Indicators of social disadvantage which correlated with imprisonment included long term unemployment, unskilled work, low mean taxable income confirmed child maltreatment, criminal convictions, domestic violence, low computer use / access to internet, non-attendance at preschool, early school leaving, low family income, rental stress, home purchase stress, lone person households, low birth-weight, childhood injuries, deficient immunization, disability / sickness support above average, mortality (life expectancy), mental health issues and suicide.<sup>13</sup>

The poor who are the recipients of God's Good News (4:18) are referred to extensively throughout Luke's Gospel. In the Magnificat Mary declares God's revolutionary action which will scatter the proud, bring down the powerful from their thrones, lift up the lowly, fill the hungry and send the rich away empty (1:47-53). In the Beatitudes the poor are called blessed, the hungry will be filled (6:21, 22) and the rich who have their consolation now are warned that they will be hungry (6:25). John the Baptist is told that the evidence of Jesus' "being the one" (7:20) is that he has brought good news to the poor (7:22). When

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<sup>11</sup> Tony Vinson *Community Adversity and Resilience* Jesuit Social Services, 2004

<sup>12</sup> Tony Vinson *Unequal in Life* Jesuit Social service, 1999, Tony Vinson *Dropping off the Edge: the distribution of disadvantage in Australia*, Jesuit Social Services and Catholic Social services Australia 2007

<sup>13</sup> *Dropping of the Edge*, Executive summary page x

Jesus went to dinner at the home of a leading Pharisee he encouraged him to invite the poor, the crippled and lame instead of the wealthy who could reciprocate (14:12-14) and reinforced the status of the poor and oppressed in the Kingdom of God in the story of the Great Banquet (4:21). The blessing of the poor and severe condemnation of the rich is spelt out graphically in the parable of the Rich Man and Lazarus (16:19-31). Wealth is shown by Luke to be an impediment to inheriting eternal life in the story of the Rich Ruler who couldn't give all he owned to the poor. (18:18-25). Conversely Zacchaeus is the recipient of salvation because he is able to share his wealth (19:1-10). The "poor widow" is celebrated because of her generosity when compared with the rich, who gave out of their abundance (21:1-4).

From this extensive list of references it is clear that Luke is concerned about the economic plight of the poor, particularly in the light of the wealthy who have more than enough. Among the rich are those who feast daily in purple and fine linen, oblivious to the poor at their gate (16:9). A similar contrast can be experienced in Melbourne by viewing the apartments at Docklands and the Housing Commission Flats of Flemington or Fitzroy; or by comparing household incomes in Kew and Braybrook.<sup>14</sup> Jesus told the parable of the Rich Fool who thought that happiness lay in the abundance of possessions (12:16-21). Although many Australians would agree that "money doesn't buy happiness", it would appear that many continue to accumulate wealth as though it does.

As Jesus proclaims the Good News to the poor it is not because there is any virtue in poverty but because God's justice requires that those who are oppressed and powerless are provided for. God's justice can only be realized and the reign of God be fulfilled when all are equally the beneficiaries of the world's abundance. This means that the rich and powerful must "change the rules". "Justice" is restoring right relationships so that all

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<sup>14</sup> Australian Bureau of Statistics 2006 Census data shows the median household income in Kew was \$1850 per week, compared to \$575 pw in Braybrook.. The extent of the income gap is further demonstrated in that in Kew 1264 of households (23%) had an income of > \$3000 per week, compared to only 12 in Braybrook (0.7%). See Appendix C

receive equally. This is in contrast to the “benevolence” of the rich who give out of their abundance (21:4) or those who suggest that “the market” will ensure the poor will have enough through the “trickle down effect” from others’ wealth.

It seems clear that Luke places so much emphasis on God’s concern for the poor and condemnation of the rich, because of a growing gap between these two groups within the community for which he was writing. As Jerome Crowe points out, some scholars are reluctant to identify “the rich” with members of Luke’s community, suggesting they are more likely to be outsiders or the elite, who are controlled by the social and economic system.<sup>15</sup> However he persuasively points out, and Gillman agrees,<sup>16</sup> that it would be hardly logical to devote so much space to the rich if there were none in the audience! Similarly it may be difficult to believe that God could be addressing “church going Christians” in Victoria. Nevertheless, the “Dropping off the Edge Report” shows that its a relatively small percentage of postcodes that are severely disadvantaged, demonstrating that the majority of Victorians are comparatively well off.

### **The Captives**

Jesus’ mission to “set the captives free” (4:18) was part of the Messianic hope expressed in Isaiah (61:1), which was demonstrated throughout Jesus’ ministry and teaching. Prisoners, by definition are excluded and deprived of their liberty to go wherever they wish, when compared to rest of the community. Although we have no record of Jesus “springing people from prison”, we have many examples of his releasing captives who are excluded from the community through sin (7:36-50), illness (13:10-17), disease (5:12-14) and nationality (17:11-19). As an ally who intercedes on their behalf he shows that acceptance and inclusion is the key to salvation. On the other hand deprivation of liberty

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<sup>15</sup> Jerome Crowe. “Wealth and Poverty in Luke’s Writings” P353

<sup>16</sup> John Gillman “Poverty, Riches, and the Challenge of Discipleship” *The Bible Today* November 1997 P356

and proportionate retribution is the antithesis of God's saving work for Jesus and his followers. Fittingly in Luke's second volume of salvation history we have a number of examples of the early Christians being released from prisons through divine intervention (Acts 5:19, 22-23; 12:6-11; 16:25-26), demonstrating that Luke intends readers to realise that he indeed came to "set the captives free". Prison sentences commensurate with the offence underpin the Victorian criminal justice system. Although intended to be a deterrent and appropriate humane punishment, Christopher Marshall describes prison as "that most despicable and violent of all modern institutions".<sup>17</sup> The following section will discuss, from a biblical perspective the appropriateness of proportionate prison sentences and why imprisonment is despicable. Aspects of Jesus' ministry in Luke are then highlighted to demonstrate a more effective way to respond to "those who have hurt us".

### An Eye for an Eye

*Anyone who maims another shall suffer the same in return: fracture for fracture, eye for eye, tooth for tooth; the injury inflicted is the injury to be suffered. (Lev.24:19-20)*

Victoria's Sentencing Act and list of imprisonment penalties for various crimes (appendix B) appears to be consistent with the biblical principle of "lex talionis"<sup>18</sup> as shown here in Leviticus. Yet on closer examination these biblical laws were more concerned about restoration and redemption than about punishment and retribution. In Israel, vengeance wasn't sanctioned (Lev.19:18) and the lex talionis actually provided a limit to the destructive effects of retribution especially with family blood feuds. Consequently the lex talionis would be understood as "*only an eye for an eye and no more*". In addition this

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<sup>17</sup>Christopher D Marshall. *Beyond Retribution- A New Testament Vision for Justice and Punishment* , , (Grand Rapids Eerdmans 2001), 13

<sup>18</sup> Definition from The Concise Oxford Dictionary for "lex talionis" is "law of retaliation (whereby punishment resembles offence committed, in kind and degree)"

principle served as a means of providing equitable restitution, which was most often paid in money.<sup>19</sup>

How does the lex talionis principle of proportionate penalties align with Jesus' teaching about "love for enemies" and not paying back but offering more? (Luke 6:27-36). As Marshall suggests Jesus was inviting his hearers to respond to wrongdoing in ways that transcend the principle of equivalence and to emulate the gratuitous goodness of God.<sup>20</sup> Many victims of crime would understandably argue that to "let the offender off" without consequences would be unfair, doubling the offence against them. This is a complex area and there are no easy answers. It is not suggested that offenders should not be held accountable. However there is good work being done in various jurisdictions in finding more productive ways which don't do more harm, in the name of justice.<sup>21</sup> Jesus parable of the Prodigal Son, (15:11-32) demonstrates clearly the tension between "wanting revenge" and "welcoming home" in the responses of the older son and the father. The outcome may seem "unfair", yet treating others as God treats us, with no pay backs, would appear to hold hope for humanity as demonstrated by the Truth and Reconciliation Commission of South Africa following Apartheid<sup>22</sup>. Our prison system is, as we shall see a clear demonstration of the failure of retributive justice and holding people captive.

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<sup>19</sup> Marshall, *Beyond Retribution -A New Testament Vision for Justice, Crime and Punishment*, 81-83. Marshall argues that money or equivalent was paid for most non capital crimes. He maintains however that "a life for a life" retained its literal meaning (84). As capital punishment is no longer an option in Victoria, I haven't addressed this issue. Marshall has however a very thorough chapter which seriously looks at whether capital punishment can be justified from a biblical perspective; concluding that it depends on your hermeneutic. (201)

<sup>20</sup> Marshall, p85

<sup>21</sup> Howard J Zehr, *Changing Lenses -A New Focus for Crime and Justice*. This book deals extensively with the theory and practice of Restorative Justice, demonstrating how this paradigm provides much more effective and humane outcomes for Victims, Offenders and the Community than Retributive Justice as practiced in most jurisdictions including Victoria.

<sup>22</sup> Desmond Tutu *No Future Without Forgiveness* (London, Random House, 1999)

## Prisons

There are about 4,200 members of the Victorian community held in 13 prisons across the state. Although Victoria has lowest level of incarceration per head of population in Australia and one of the lowest in the world, numbers continue to grow.<sup>23</sup> This increase has occurred not because of an increase in crime, but because of tougher sentencing laws which are said to reflect “community expectations”. Recidivism rates of around 62% demonstrate that prison terms are not a deterrent. The economic cost of \$75,000<sup>24</sup> per annum per prisoner is high, but insignificant when compared to the human cost when family relationships are severed and offenders are removed from the community. By mixing with “more experienced” offenders, first time offenders learn how to do more advanced crimes and soon find this group are their only friends. The institutional environment creates dependency where people learn anti social skills which work against them being contributing members of the community on release. Reintegration to the community is very difficult with a scarcity of employment, housing and “good” friends to keep you out of trouble. As Mark Olson observes, “To think that slamming people behind bars, breaking their spirits, and destroying their souls could do anything other than lead to more evil is the ultimate naiveté”.<sup>25</sup> When people are locked away we do them retaliatory violence. In Victoria, as in other democratic communities, this violence is done with our sanction and on our behalf. Walter Wink suggests that in Jesus’ teaching (6: 27-36) we see a “third way”, which is neither violent nor passive, but which seeks to transform the relationship of oppression that dehumanizes both the aggressor and the victim. This is “a

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<sup>23</sup> The Victorian prison population has grown by 19.5%, from 3550 in March 2005 to 4243 in September 2007. Having opened two new prisons housing an additional 900 in 2006, temporary beds have since been installed and a new prison and prison extensions are planned. Source: Corrections Victoria unpublished internal reports 2005 & 2007.

<sup>24</sup> Source :Victorian Department of Justice website- Research & statistics page Website [<http://www.justice.vic.gov.au>]

<sup>25</sup> Mark Olsen, “The God Who Dared”, *The Other Side* 26, no.3 (1990):15.

way of fighting evil with all one's power without being transformed into the very evil we fight. It is a way of not becoming what we hate"<sup>26</sup>. Finally as Marshall points out

“His [Jesus] teaching was primarily for his own disciples and was not meant to be enforced legislatively in a mixed society. Nonetheless, the way in which Jesus places relationships and the restoration of relationships above the dictates of strict legal justice, and his recognition that evil can never be overcome by more evil but can be defeated only by reversing the violent payback mechanism of evil, do have considerable relevance for the public legal system”<sup>27</sup>.

The practice of imprisonment stereotypes people into “Good” and “Bad”; creating a false distinction which breaks a sense of community. The majority think “Bad people are in prison-I’m not in prison- Therefore I mustn’t be bad, like those people”. As Jesus points out however we are all capable of both good and bad and there is danger of hypocrisy in judging others (6:39-42; 18:9-14). Jesus encountered similar stereotyping by Simon the Pharisee with the Sinful Woman (7:36-50). Social exclusion, which was similar to imprisonment, for sin or through illness (13:10-17) was common in Jewish culture. Jesus responded to this exclusion by being an ally and inviting the outcast back, showing that they are welcomed by God. “And ought not this woman, a daughter of Abraham whom Satan bound for eighteen long years, be free from this bondage on the Sabbath day?”(13:16).In the same way, we as a society will have safer and more cohesive communities if we respond to the outcasts with inclusion that builds trust and a sense of belonging.

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<sup>26</sup> Walter Wink “Neither Passivity nor Violence: Jesus’ Third Way (Matt.5:38-42par).” *In The Love of Enemy and Nonretaliation in the New Testament*, ed W. M. Swartly, 102-25, 133-36. Louisville, Ky: Westminster John Knox, 1992

<sup>27</sup> Marshall, *Beyond retribution- a New Testament Vision for Justice, Crime and Punishment*, page 92

## **The Blind**

As mentioned earlier, it would be easy to think of Jesus' ministry in Luke of "recovery of sight to the blind"(4:18) to be restricted to physical healing as in the blind beggar near Jericho (18:35-43) or to those who should be included in association with the poor (14:13; 14:21). However in the story of Zacchaeus, who "was trying to see Jesus" (19:3) we celebrate the recovery of spiritual sight, demonstrated by his response to Jesus' welcome and Jesus' declaration that "Today salvation has come to this house" (19:9). Zacchaeus' new found vision is portrayed in stark contrast to "All those who began to grumble and said 'He has gone to be a guest of one who is a sinner'"(19:7), whom Luke shows are the truly blind. Jesus declares Zacchaeus a "son of Abraham" (19:9, "one of us- our community" as he does of the sinful woman (7:36-50), to those blind critics who would stereotype and exclude without really knowing the person. Similar blindness, and exclusion by stereotyping is demonstrated in Jesus' parable of the Pharisee and the Tax Collector ('God I thank you that I am not like other people: thieves, rogues and adulterers, or even like this tax collector') (18:11). Jesus declaration of "Today salvation has come to this house" (19:9) demonstrates that the inbreaking reign of God begins immediately. Luke uses the same "Today" in Jesus' inaugural speech at Nazareth (4:21) and to the criminal hanging beside him on the cross (23:43).<sup>28</sup>

## The Community as the Blind

In broad terms members, the Victorian Community are "the Blind" in their response and understanding of the criminal justice system. Prisons by their nature are closed and what happens behind the walls or the stories of the people involved are hidden, apart from what the public reads in the media. "Newsworthy" stories are those which are the most violent

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<sup>28</sup> For helpful discussion on the "the mumbling, criticizing They" in Luke, see Brendan Byrne, *The Hospitality of God in Luke*, page 151.

or horrifying, because the media knows that people generally want to read or hear that which will reinforce their beliefs, particularly their prejudices. This selective media coverage reinforces community fear and stereotyping of criminals as those who are “different from the rest of the community”. This process dehumanises people who are then defined by the criminal justice system and society not as *anybody’s* daughter or son ; but by their crime. The media often refers to particular criminals in large headlines as “Monsters”, which reinforces the public perception that all prisoners deserve this title; when in fact this group probably only represent 2% of the prison population.<sup>29</sup>

In light of this public fear it is understandable that the community wants an effective criminal justice system to protect the innocent and punish the guilty so that they can live peacefully. Consequently governments being “poll driven” legislate, setting laws, institutions and sentences to reflect community expectations. Although politicians responsible for justice are generally well informed about the detrimental effects of imprisonment, their own fear of the electoral consequences of appearing to be “soft on crime” seems to prevent them from informing the community of the real cost; both economic and human of continuing this way. The collusion to believe the system is modern and works is demonstrated by such terms as “humane containment”, “duty of care”, and calling the responsible government department “Corrections Victoria”, when in general, offenders come out worse. In a pluralist society the government determines that prison sentences should reflect the “community expectations”.<sup>30</sup> However if the

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<sup>29</sup> In light of Luke’s Gospel its hard to believe that anybody should be described as less than human. However there is a small cadre of offenders for whom the media reserves this title.

<sup>30</sup> According to a recent report by the Victorian Sentencing Advisory Council ,research in Canada, the United States and the United Kingdom shows that 1. The public thinks sentences are too lenient, 2. People tend to think about violent and repeat offenders when reporting that sentencing is too lenient,3. People have very little accurate knowledge of crime and the criminal justice system, 4.The mass media is the primary source of information on crime and justice issues, 5.When people are given more information, their levels of punitiveness drop dramatically. Source: Karen Gelb *Myths and Misconceptions: Public Opinion versus Public Judgment about Sentencing*, Sentencing Advisory Council, July 2006

community is essentially blind about the criminal justice system and the people involved, then it would appear that the system is becoming unduly punitive for the wrong reasons.

Perhaps Luke's most stunning portrayal of the difference between the way of Jesus and the way of "the blind", is seen in the stories of "the Lost" (15:1-32); which is appropriate in the context of how we treat prisoners. In the first two parables of the lost sheep and the lost coin Jesus begs the question "Which one of you" (15:4) and "Or what woman" (15:8), would leave ninety nine sheep behind or search diligently to find the lost *one* ; and then throw a party to celebrate. As Brendan Byrne helpfully suggests, the answer is probably "None of us" would go to so much trouble over *one*.<sup>31</sup> The generosity of the Loving Father is contrasted in the final parable with the Older Son who demands vengeance (15:28-30). In the same vein, the community through ignorance, complacency or desire for retribution seems unwilling to want to search out and save the lost, in contrast to God who will not even let *one* go

### **The Oppressed**

Victims of crime are the oppressed of the criminal justice system. For those who experience personal attack such as rape, victims struggle with feelings of shame and blame. They continue to grapple with fear, a sense of vulnerability and helplessness, together with possible guilt as to how they could have contributed, and naturally anger at the violation. Families and friends will be secondary victims. "Victimization by another person generates a series of needs which, if met, can assist in the recovery process. For the unattended victim however, healing may be very difficult and incomplete."<sup>32</sup>

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<sup>31</sup> Byrne, *The Hospitality of God in Luke's Gospel*, page 128

<sup>32</sup> Zehr, *Changing Lenses- a New focus for crime and Justice*, page 29

Considering this, it would seem appropriate that the victim would be an essential player in the justice process, having a say in the charges to be laid and eventual outcome. However as the Crown prosecutes the case and the offence is seen as breaking of the law, rather than an offence against the victim, victims often have little involvement, other than to appear as a witness. Victim impact statements have helped judges and offenders understand the effect of the offence, however the legal process tends to leave the victims feeling powerless and dehumanized, compounding the injury. Failure to take victims seriously leaves a legacy of fear, suspicion, anger and guilt because of the lack of closure, which in turn leads to demands for vengeance. As Howard Zehr powerfully states about victims:

We do not listen to what they have suffered and what they need.  
We do not seek to give them back what they have lost.  
We do not help them recover.  
We may not even let them know what has transpired since the offence!<sup>33</sup>

It is understandable that they are recognised as the Oppressed. Because of these feelings of powerlessness and denial of justice, “The Coalition of Crime Victims” was formed in Victoria in 1992. A visit to their website, particularly where members can post comments, reveals the considerable anger and feelings of powerlessness caused by the oppressive nature of the criminal justice system.<sup>34</sup>

From a biblical justice perspective, it is extremely difficult to know how to respond to victims of crime. Those who have never experienced a victim’s pain, should tread warily lest their plight is trivialized, through answers that are too glib and prescriptive to be ‘good news’. However the tender care which Jesus portrays for the victim of crime in the parable of the Good Samaritan (10:25-37) indicates a response consistent with the ushering in of the messianic age. The parable makes no mention of consequences for the offender, but

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<sup>33</sup> Zehr, *Changing Lenses- a New focus for crime and Justice*, page 32

<sup>34</sup> Noel McNamara, Crime Victims Support Association Incorporated, CVSA Online Discussion Forum, [<http://www.cvsa.asn.au/>] Accessed 8/11/2007 See appendix D

Jesus describes the Samaritan's actions as merciful (10:37). Maybe if Victoria's criminal justice system seemed as merciful to victims of crime, then by knowing that their hurt has been taken seriously, they may in time move from being "victims of crime" to "survivors of crime" .

## **Conclusion**

### **The Day of the Lord's favour**

When Jesus declared "The day of the Lord's favour" (4:19), he encapsulated all of the saving actions of the of the Messianic age, the Jubilee provisions for restorative justice and the inbreaking of the reign of God. Having stated his mission at Nazareth, Jesus in his life and teaching demonstrated what this meant in practice.

For the Poor, the "Good News" was that their plight was recognised along with the need to establish a "level playing field." Like the Jubilee requirement to return the land to its rightful owner we, the powerful, wealthy majority of Victorians must address the disadvantaged of those seventeen postcodes. This will require equality of opportunity from birth, including support for young parents, maternal health care, general health care, mental health care, adequate drug and alcohol rehabilitation, good housing, education, mentoring so that kids are parented well and complete their secondary education as well as adequate income. Dollars spent here will reduce the need to spend \$75,000 per year to incarcerate each prisoner when they grow up.

Jesus brought release to the Captives, who were excluded from society because of their sin, health or social status. In Jubilee terms Jesus' inclusion and acceptance was like the "cancellation of debts", as we saw in his relationship with Zacchaeus, which brought salvation and generosity in his restitution. Similarly when we as a Victorian society replace retributive imprisonment, and impersonal judicial processes with restorative

relationships which aim to enable rather than punish offenders, then we are more likely to see the “safer and more cohesive community”; which the government is wishing for .

For Jesus, “the Blind” Pharisees, scribes and wealthy, were the hardest to reach and the most resistant to his message of freedom. In Jubilee terms, it was like trying to get the busy and wealthy to stop for a year and let their land lie fallow. Fear of continuing to amass wealth, or “lose production” , was paramount and prevented them from seeing the impact that their wealth making had on those at the margins of society. Similarly for the majority of Victorians, stopping and seeing the plight of the poor, imprisoned, and victims together with the unjust outcomes of our criminal justice system, will be very difficult. This group will be the hardest to reach; however although they are the silent majority, they hold the key to real justice.

The victims of crime are the most Oppressed in the criminal justice system because of their powerlessness. Having experienced criminal assault through no fault of their own, their pain is doubled by having no real place to be heard. Feelings of anger, resentment and vengeance are understandable outcomes which may last for life. In Jubilee terms Jesus came to give release to this type of slavery. In his ministry characterised by acceptance, care and compassion, he showed mercy similar to that demonstrated in the parable of the Good Samaritan. The implementation of a more compassionate Restorative Justice system in Victoria would hold offenders more accountable, allow victims to be heard and reparation to be made for all, including the community.<sup>35</sup>

Perhaps the greatest difference between biblical justice and Victoria’s criminal justice system is that the former is built on relationships rather than systems. Criminal justice aims to restore the balance for what has been done through punishment that inflicts pain.

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<sup>35</sup> See appendix E for comparison of Biblical Justice along Restorative lines when compared with the Criminal Justice system.

Biblical justice hopes for a better future through inclusion, which brings restoration and healing. Let us continue to work for the better way.

## **BIBLIOGRAPHY**

### **BOOKS**

- Byrne, Brendan. *The Hospitality of God: A Reading of Luke's Gospel*. Strathfield: St Paul's Publications, 2000.
- Concise Oxford Dictionary*, Oxford: Clarendon, 1984.
- Culpepper, R. Alan. "The Gospel of Luke Introduction, Commentary and Reflection.", *The New Interpreter's Bible*. Vol.9. Leander E. Keck et al (eds). Nashville: Abingdon, 1995, 1-490
- Fitzmyer, Joseph A, *The Gospel According to Luke*. 2 Volumes. New York: Doubleday, 1981-1985.
- Marshall, Christopher D. *Beyond Retribution- A New Testament Vision for Justice and Punishment*, Grand Rapids, Eerdmans, 2001.
- Ringe, Sharon H. *Luke*, Louisville: Westminster, John Knox, 1995
- Tutu, Desmond, *No Future Without Forgiveness*, London, Random House, 1999
- Wink Walter "Neither Passivity nor Violence: Jesus' Third Way (Matt.5:38-42par)." *In The Love of Enemy and Nonretaliation in the New Testament*, ed W. M. Swartly, 102-25, 133-36. Louisville, Ky: Westminster John Knox, 1992.
- Zehr Howard J , *Changing Lenses –A New Focus for Crime and Justice* Scottsdale :Herald Press, 1995.

### **ARTICLES & REPORTS**

- Bracks, Steve , *Justice Statement- Executive Summary*, Department of Premier, May 2004
- Crowe, Jerome, "Wealth and Poverty in Luke's Writings", *The Australian Catholic Record* LXIX (1992), 343-355.
- Gelb, Karen, *Myths and Misconceptions: Public Opinion versus Public Judgement about Sentencing*, Victorian Sentencing Advisory Council, July 2006.
- Gillman, John "Poverty, Riches, and the Challenge of Discipleship" *The Bible Today* November 1997, 356-362.
- Olsen, Mark, "The God Who Dared", *The Other Side* 26, no.3 (1990):11-15.
- Vinson, Tony, *Unequal in Life*, Jesuit Social Service, 1999.
- Vinson, Tony, *Community Adversity and Resilience* Jesuit Social Services, 2004.
- Vinson, Tony, *Dropping off the Edge: the distribution of disadvantage in Australia*, Jesuit Social Services and Catholic Social Services Australia, 2007.

### **LEGISLATION**

- The Victorian Sentencing Act 1991, Version No. 100, Parliament of Victoria.

### **WEBSITES**

- Australian Bureau of Statistics, Census Data by Postcode, 2006, [<http://www.abs.gov.au>], Accessed on 12/11/07.
- Crime Victims Support Association Incorporated, Noel McNamara, CVSA Online Discussion Forum, [<http://www.cvsa.asn.au>] Accessed 8/11/2007.
- Department of Justice Victoria, Prisons - Research & statistics page [<http://www.justice.vic.gov.au>] Accessed on 12/11/07.
- Sentencing Advisory Council of Victoria, "Sentencing Options- List of the maximum penalties for a number of serious offences" [<http://www.sentencingcouncil.vic.gov.au>], Accessed on 5/8/07.

Appendix A



## Sentencing Act 1991 - SECT 1

### PART 1 PRELIMINARY

#### Purposes

##### 1. Purposes

The purposes of this Act are-

- (a) to promote consistency of approach in the sentencing of offenders;
- (b) to have within the one Act all general provisions dealing with the powers of courts to sentence offenders;
- (c) to provide fair procedures-
  - (i) for imposing sentences; and
  - (ii) for dealing with offenders who breach the terms or conditions of their sentences;
- (d) to prevent crime and promote respect for the law by-
  - (i) providing for sentences that are intended to deter the offender or other persons from committing offences of the same or a similar character; and
  - (ii) providing for sentences that facilitate the rehabilitation of offenders; and
  - (iii) providing for sentences that allow the court to denounce the type of conduct in which the offender engaged; and
  - (iv) ensuring that offenders are only punished to the extent justified by-
    - (A) the nature and gravity of their offences; and
    - (B) their culpability and degree of responsibility for their offences; and
    - (C) the presence of any aggravating or mitigating factor concerning the offender and of any other relevant circumstances; and
- (v) promoting public understanding of sentencing practices and procedures;
- (e) to provide sentencing principles to be applied by courts in sentencing offenders;

\* \* \* \* \*

- (g) to provide for the sentencing of special categories of offender;
- (h) to set out the objectives of various sentencing and other orders;
  - (i) to ensure that victims of crime receive adequate compensation and restitution;
- (j) to provide a framework for the setting of maximum penalties;
  
- (k) to vary the penalties that may be imposed in respect of offences under the [Crimes Act 1958](#);
- (l) generally to reform the sentencing laws of Victoria.

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## Appendix B

### Sentencing Options

The Parliament of Victoria has created a range of sentence types that can be imposed on people who have been convicted of criminal offences in Victoria. It is up to the judge or magistrate to determine the most appropriate order to give and the length or amount of the order.

#### Maximum Penalties

The maximum penalty that can be imposed for an offence is determined by Parliament, and can be found in the Act with the particular offence. Most serious offences can be found in the *Crimes Act 1958*. Some offences are set out in other legislation such as the *Drugs, Poisons and Controlled Substances Act 1981* (drug offences) and the *Road Safety Act 1986* (driving offences).

Judges and magistrates have the discretion to impose a sentence less than the maximum penalty.

Following is a list of the maximum prison term that can be given for some serious offences:

#### Level 1 – Maximum term - Life

Murder  
Treason  
Trafficking in a drug of dependence (large commercial quantity)

#### Level 2 – Maximum term - 25 years

Rape  
Sexual penetration of child < 10  
Armed Robbery  
Aggravated Burglary  
Arson causing death

#### Level 3 – Maximum term - 20 years

Manslaughter  
Intentionally causing serious injury  
Culpable driving causing death

#### Level 4 – Maximum term - 15 years

Recklessly causing serious injury  
Handling stolen goods  
Trafficking in a drug of dependence (not a commercial quantity)  
Arson

#### Level 5 – Maximum term - 10 years

Intentionally causing injury  
Threats to kill  
Stalking

Indecent assault

Theft

**Level 6 – Maximum term - 5 years**

Recklessly causing injury

Negligently causing serious injury

Child stealing

Possession of a drug of dependence

**Level 7 – Maximum term - 2 years**

Possession of child pornography

Going equipped for stealin

**Level 8 – Maximum term - 1 year**

Loitering near schools etc (sex offenders)

Cultivation of a narcotic plant (not for any purpose related to trafficking)

Possession of a drug of dependence (not for a purpose related to trafficking)

Ref <http://www.sentencingcouncil.vic.gov.au>

## Appendix D



## Member Meeting

A Cordial Invitation to Every One in the State of Victoria to attend, come one, come all.

We will be hosting a Protest on the steps of Parliament House, Melbourne on October 15, 2006 at **1pm** it will be known as the Protest of the Coalition of Victims of Crime and the Public.

The aim is to send a clear message to the Judiciary and the Parliamentary Parties contesting the coming State Elections that Enough is Enough let balance up the Scales of Justice that so now favor the criminal in our society. The main points of this protest are  
Set Minimum Sentence 50% of the maximum. E.G: Murder max. is now 30 years, minim.  
Bench Mark for Judges 15 years, and for all crimes of violence that has a maximum.

More Police, the elderly are living in fear in there homes, now and to frightened to go to an ATM, or even into a bank on pension day.

Double Jeopardy 800 year old law pass it use by date.  
No Home Detention for Violent Criminals, E.G.: Considered non- violent Crimes by the Government and Judiciary.

Juries to be part of the sentencing process.

For more information regarding the Protest, please contact me on 0419 897 615 or 9758 4512

Regards

Noel McNamara  
CEO  
Coalition of Crime Victims

## The **IMBALANCE** of **JUSTICE**

### **THE PROTEST**

SUNDAY 15 OCTOBER 2006 - 12.00 NOON

On the steps of Parliament House  
Spring & Bourke Sts., Melbourne

### **EVERYONE WELCOME**

Send a message to the judicial system because they are out of touch with public opinion.

1. More police = Less Crime
2. Abolish Double Jeopardy!
3. Set minimum sentences (let the punishment fit the crime) "Truth in Sentencing"
4. No Home Detention for Violent Offences, like Culpable Driving and Hit & Run
5. Youth offenders that commit violent crimes to be sentenced as adults

Contact Noel McNamara CEO 9758 4512 or 0419 897 615

Organized by the Coalition of Crime Victims  
LAST CHANCE FOR A PUBLIC VOICE

## Welcome;

Welcome to our Internet site. Many of us struggle to make sense of losing a loved one to homicide or culpable driving as we try day by day to come to terms with this loss and cherish the memories of happy times.

Added to our grief, the other pain is that many of us feel the hurt of injustice, after our loved ones are cheated of the opportunity of a full life.

When a loss of life happens as a result of violence, the deviate name is always remembered while the victims are forgotten as the focus is placed on the perpetrator.

Our site is presently under construction and we welcome suggestions from victims of traumatic criminal acts. We will be implementing a discussion board to allow you to post topics for discussion as well as publishing a "mongrel of the week".

Here we will come back to focus on these most horrible crimes of murder, culpable driving and all crimes of violence. We aim to provide a facility for victims to seek help, ask questions as well as to give and receive advice.

Your suggestions can be e-mailed to us at [info@cvsasn.au](mailto:info@cvsasn.au)

Be sure to return to our site in the next few weeks to check on our development!

## About Us;

C.V.S.A is run by victims of crime to assist any person or persons who becomes a victim of any criminal act in the State of Victoria.

To advocate for victims with relevant Government and Non-Government agencies.

To service and assist victims with all aspects of the impact of a crime and aims to ensure that needs and rights of victims are heard and acted on by the Government and Community.

To hold meetings of parents of murdered children, and culpable driving and of siblings and friends that is about equipping by meeting with other victims of the heinous crime of murder and vehicular manslaughter and to build up a kindred spirit and to realise they are not alone.

We also believe we have a lot to offer the Criminal Justice System, and indeed we met with the previous Attorney General Mrs Jan Wade on several occasions and she listened very intently to what we had to say in regards to Un-Sworn Statements that she later abolished, Victim Impact Statements, that she later introduced, also the Victim Referral and Advice Services and The Witness Assistance Service.

We are yet to meet with the incumbent Attorney General as yet 31<sup>st</sup> October 2001 but have met with several of his representatives.

We provide support for our people when their court case comes up, as there is no more intimidating place for a person to be than the Supreme Court even when you're on the right side of the law and your only experiences have been a parking ticket or the likes.

We are a non-profit association with a number of truly dedicated people who have worked without

financial reward, and indeed with no expectation whatever of receiving such recognition since we started in 1992, and they have worked in conditions somewhat less than luxurious, at most time with considerable discomfort, yet have managed to provide at all times, that caring comforting confidential shoulder so desperately sought by those victims of crime in our society.

We work on a "shoe-string budget" with most expenses met with the taking around of the proverbial hat.

## Sponsors;

Crime Victims Support Association Inc. Would like to thank our Sponser on our Honor Board and urge out member and supporters to use their services .

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- Norms Gormay Meats Village shopping Centre Station Ask Craig for the best BBQ sausages in Victoria
- Station Street Ferntree Gully Telephone 97582818
- Upper Gully Junior Football Club President David Beilken Telephone 0408 336 642
- Future Technix feel safe in your home with the best in home security, Chubb Home Security contact Brendan Truesdale on 9840 6644 or 0438 885 555
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### **Crime Victims Support Association Incorporated To make Justice a Right Not a Privilege**

*Justice will not be done until those not injured by crime feel as indignant as those who are*  
King Solomon 635 BC

**We want Murderers, Rapists and Paedophiliacs locked up and the key thrown away.**

**Disclaimer:** The points of view expressed and the statements made on the Crime Victims Support Association website are not necessarily those of the Crime Victims Support Association. Members and supporters of the C.V.S.A. are free to submit articles on this site however; the editor reserves the right to remove items that may be offensive, libellous or likely to reflect poorly on the organisation. Please note that all articles posted on the C.V.S.A. site cannot be reprinted or rewritten without the permission of the author or C.V.S.A.

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**<http://www.cvsa.asn.au>**

**Concepts of Justice, Biblical and Modern**

<b>Contemporary Justice</b>	<b>Biblical Justice</b>
1. Justice divided into areas, each with different rules	1. Justice seen as integrated whole
2. Administration of justice as an enquiry into guilt	2. Administration of justice as a search for solutions
3. Justice tested by rules of procedure	3. Justice, defined by outcomes, substance
4. Focus on infliction of pain	4. Focus on making right
5. Punishment as an end	5. Punishment in context of redemption, shalom
6. Rewards based on just desert, "deserved"	6. Justice based on need, undeserved
7. Justice opposed to mercy	7. Justice based on mercy and love
8. Justice neutral, claiming to treat all equally	8. Justice both fair and partial
9. Justice as maintenance of the status quo	9. Justice as active, progressive, seeking to transform status quo
10. Focus on guilt and abstract principle	10. Focus on harm done
11. Wrong as violation of rules	11. Wrong as violation of people, shalom

Source : Zehre Howard J, *Changing Lenses- a New Focus for Crime and Justice*, Scottsdale, Herald Press, 1995, p151 (partial)