

# social justice newsletter

**National Social Responsibility and Justice**

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## Mandatory Sentencing: a Last Resort!

Mandatory Sentencing is a topical subject as we struggle to understand how Australia might respond to this humanitarian issue.

Not a new debate, the issue of Mandatory imprisonment was introduced into Western Australia for repeat violent offenders in 1992. In 1996 New South Wales introduced mandatory life sentences for adults convicted of murder. In 1995 and 1996 Western Australia and the Northern Territory introduced mandatory sentences for adults convicted of repeat property offences.

The Western Australian and Northern Territory jurisdictions have extended mandatory detention to juveniles, though in recent months there have been changes relating to offenders under 17 years.

The Western Australian legislation requires detention of at least 12 months for juveniles convicted of home burglaries who have been convicted of like offences on two previous occasions. A court may make further special orders and/or direct that the detention be served in a prison rather than a juvenile detention centre for those aged 16-18 years.

The Northern Territory system requires mandatory detention of at least 28 days for juveniles between 15 and 17 years previously convicted of a property offence. Property offences are widely defined and include theft, burglary, unlawful entry, assault with intent to steal, unlawful use of a motor vehicle, receiving stolen property or rewards from stolen property and criminal damage generally. A court may also impose further orders, including a punitive work order.

For adults, the Northern Territory requires detention of at least 14 days for a first property offence, 90 days for a second property offence and 12 months for a third offence. Juveniles over the age of 17 years are treated as adults for the purposes of sentencing and detention.

### Our concerns

- The Northern Territory and Western Australian laws have been criticised by the United Nations Committee on the Convention of the Rights of the Child (CROC Committee), the Human Rights and Equal Opportunity Commission and the Australian Law Reform Commission, the Joint Standing Committee on Treaties, and the Law Council of Australia. They have also been criticised in the Senate and by judges, non-government organisations and other commentators.
- Mandatory Sentencing disadvantages many members of the community, particularly those who are poor and from non anglo-saxon backgrounds.
- The Northern Territory Council of Churches has been working on this issue for the past three years.
- Mandatory Sentencing is being used as a “solution” and vote winner to address law and order issues. NO ACTION is currently being actively pursued to address the Australian criminal justice system.
- Mandatory Sentencing is a breach of human rights.
- Mandatory Sentencing disadvantages the already marginalised in the community, and may have racist overtones.
- Incarceration is not a deterrent to crime.

### What you can do?

Your Federal Member of Parliament needs to hear from your opposition to Mandatory Sentencing. With your help we can get effective and humane law and order in Australia.

- 1 Write to your Member of Parliament in the House of Representatives.
- 2 Write to your local paper.
- 3 Write to Leaders of Political Parties.
- 4 Pray for our government, for the Northern and Western Australian Synod, for those who are victims of mandatory sentencing legislation.

**in  
side:**

2 meet the new director of sr&j 3 tribute and farewell to Bernie Clarke as he moves into retirement 4 two great book reviews



*Appointed to the National Director's position with Social Responsibility and Justice in March 1999, Christine commenced in her new role, September 1999.*

## introducing... Christine Cargill

I came to National Social Responsibility and Justice as the National Director in September 1999 after three years with Gospel and Gender (previously the Commission on Women and Men), another Assembly agency.

Gospel and Gender is responsible for issues relating to gender, participation of women, challenging current power paradigms and advocacy in the life of the Uniting Church. During this time I worked with others on the Prevention of Sexual Misconduct in the life of the Church, the development of a Code of Ethics for Ministers, and members of the Uniting Church, a survey on the participation of women in the life of the Church; publication of *Colours True and Splendid*, and the development of networks for those involved in feminist and gender issues.

I originally trained as a teacher, working in a number of schools before becoming the youth worker with the Central West Presbytery in rural NSW under the Order of St Stephen.

This was a great learning experience, an experience which introduced me to issues of justice, injustice and the need to walk in solidarity with the marginalised. I later worked for the NSW Department of Community Services with people with disabilities, and later in policy development. And I recently completed a Master of Letters in Peace Studies through New England University.

### Justice: an expression of faith

I believe social justice is something which needs to be integrated with every part of our lives. It reflects the expression of our faith and the way we interact with our community, friends and family. It is about the values we have and the way we live them out. As we are confronted by the injustices of our society, and those things which do not reflect the gospel – we are called as a community of faith to action.

Out of this belief, and a passion for people, I was attracted to the National Social Responsibility and Justice position.

The Uniting Church has a long and proud history of involvement in social justice. I come to a job where the foundations have been laid and much has been achieved. I feel lucky to have access to the knowledge and expertise of many others before and around me still – it's a great gift. My focus in the initial part of my appointment will be on networking –

## employment covenant

*“An effective National Strategy would include a political commitment to full employment, within a framework set by human rights obligations.”*

p.2, A covenant for employment

In September 1999 the National Council of Churches in Australia (NCCA) Executive approved for release a document prepared by the NCCA Social Justice Network – *A covenant for Employment.*

“In this statement the Churches call for a new, more comprehensive approach to unemployment. What is needed is a national strategy which is also a ‘national covenant for the common good’. We envisage a strategy that enables all levels of government, and also business, unions, workers, Churches and community groups to work cooperatively to reduce unemployment in an ethical and just way.”

p2, *A covenant for Employment.*

The position paper outlined the teachings and positions of each of the member churches on the issue of employment. Copies of this paper are available from National Social Responsibility and Justice, e-mail: <srj@nat.uca.org.au>.

## 9th Assembly

From the 15-22 July the National Assembly of the Uniting Church in Australia will meet in Adelaide. Some of the justice issues on the agenda are refugees and asylum seekers, mandatory sentencing, the environment, sexuality, and rural and remote issues. Watch the Assembly website: <<http://nat.uca.org.au>>.

developing strong links between all of those involved in social justice. I am aware many individuals, congregations, presbyteries and synods are doing much in the area of social justice, and I look forward to hearing of these experiences and encouraging others to hear them. This adds to our firm foundation.

In an era of limited financial resources we are challenged to look at the roots of our faith, and notice the greatest resource we have is ourselves, and so I hope through sharing our own experiences others may be encouraged. I trust this will help NSR&J continue to be proactive on issues of justice in the life of the Church and the community.

It is an exciting time to be alive and active in issues of justice in the Uniting Church and our wider community.

# Around the synods

Over the past 12 months there have been significant changes in the Social Responsibility and Justice staff around the country.

**In Victoria**, Rev David Parjeter was appointed as Director for Justice and Mission, with Mark Zirmsak appointed to the Social Justice Research position.

**In South Australia**, Rev Christine Ostle has been appointed as consultant to the Solidarity and Justice Unit.

**In Western Australia**, Rosemary Miller has been appointed as consultant on Social Justice.

**In Tasmania**, Rev Paul Chalson has been appointed as convenor of the Social Responsibility and Justice Committee.

**In Queensland**, Mark Young left his position after 12 years. Mark has moved to a position in the public sector

Ann Wansbrough, Anne Wharton and Deb Porter (Brown) continue to fulfil their respective roles in NSW, Northern Synod and the Assembly.

## new resource:

NSW has recently produced a useful pamphlet to distribute to congregations entitled "Supporting Social Justice through Prayer". It's available from the NSW Board for Social Responsibility or through their website, <<http://nsw.uca.org.au/bsr/>>.

## on the web

National Social Responsibility and Justice is proud of its new website and invites you to visit us at <http://nat.uca.org.au/NSRJWeb.html>. The site provides a key entry point for issues of social responsibility and justice in the life of the national Church.

While outlining the work of NSR&J, it also provides links to resources such as:

- the NSR&J Newsletter;
- Worship resources, including Social Justice Sunday liturgies for 1998, 1999 and 2000;
- Update on Infant Formula Manufacturers;
- Rights of Nature and Rights of Future Generations;
- A Call for Justice Concerning Employment;
- Industrial Relations, Work and the Work Place;
- Social Justice Resolutions of the UCA;
- Key Social Justice Documents of the UCA;
- Uniting Faith & Justice – A Bibliographic Essay;
- Bibliography of UCA Social Justice publications;
- SR&J Library coming soon;
- UCA Statement to the Nation 1977, 1988 and 1997;
- Links to other social justice sites including Uniting Network, Fair Wear, Mineral Policy Institute – Principles for the Conduct of Company Operations within the Minerals Industry.

We welcome your feedback and suggestions on other resources you think should be made available on the website. We are very grateful for Deb Porters' (Brown) creativity and work in establishing this site.

# A Tribute to Bernie Clarke knowledge, understanding and compassion

Even as we walked towards the Pilgrim Church Hall for his surprise farewell gathering, Bernie Clarke thought we were going to a Solidarity and Justice Committee meeting.

The surprise on Bernie's face as we entered the hall said it all – before him were people from different parts of his life, all joined for one purpose – to honour and celebrate his work.

About 80 people gathered over a shared meal, broken every ten minutes by the opportunity for someone to share a story about a great mentor and friend. It was a wonderful evening, and as the stories were shared, it was clear Bernie had had an impact on people from all over the country in many ways.

National Social Responsibility and Justice will miss Bernie, his wisdom and friendship. We know he is only retiring and will continue to be around for a chat now and then.

What follows is an extract from "Worthwhile":

"In December, Bernie Clarke retires as Consultant to the Solidarity and Justice Unit. Bernie has brought to this position knowledge, understanding and compassion for marginalised people.

Born in Papua, he moved to Mogumber Mission when 13, attended Wesley College Perth, studied for the Methodist Ministry in Adelaide as well as Social Studies. He completed Anthropology studies in Sydney.

"The Record states that "Anyone who can read between the lines...will glimpse... the breath of vision, the strength of spirit and the depth of commitment to the mission of Christ which has motivated and sustained Bernie during these past 40 years. He is highly respected and loved by his peers, a person whose opinion, wise counsel, capacity to understand and generous availability is often sought and valued. We are glad that by... retirement... he will be able to work at a pace more appropriate for a devoted grandfather, and on projects directly related to his special interests."

Thank you Bernie for your willingness to share your ministry with Solidarity and Justice. We wish you and Carlene, who has been your supportive and loving companion through your extensive ministry, a happy, healthy and creative retirement."

YOUR RESPONSE

**This is the first Social Responsibility and Justice newsletter for 2 years. You have received this copy because you are on our mailing list.**

**Please help us update our records!**

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Address:.....

.....Postcode:.....

I would like to  / not like to  continue receiving *Social Justice Newsletter*.

I would like to receive this newsletter via e-mail

My e-mail address is.....

Send your response to: **SRJ, PO Box A2266 Sydney South NSW 1235 or e-mail: <[srj@nat.uca.org.au](mailto:srj@nat.uca.org.au)>**.

*Please pass this newsletter on to other people who might be interested. This newsletter is also available on our*

**Christi-Anarchy** – Struggles of an inclusive evangelical

**Author:** Dave Andrews

**Publisher:** Lion Publishing, Oxford, 1999

**Reviewed by:** Mark Young

The late Anglican Bishop Ralph Wicks used to say in the midst of his three hour Good Friday services that “Christianity is not a religion, it is a relationship”. This is a hardy seed of an idea: an idea, which has taken root in Dave Andrews’ third book *Christi-Anarchy*.

In reviewing this book, I feel as though I’m introducing the man himself. Dave identifies strongly with his worldview, to say the least. He takes his religion very personally - in fact he is, to put it simply and I hope politely, fixated with Christ.

This is the essence of the theme of *Christi-Anarchy*: that Christianity as a religion has been distorted by its neglect of the actual figure and teachings of Christ.

This is hardly a new message, as there are many reformers who strive to reclaim the original and central personality of Christianity. But Dave is not trying to reform an ailing system. Like his political counterparts, the anarchists, he is trying to practise a new system within (or alongside) the shell of the old. Which explains, partly, Dave’s capacity to irritate even the most sympathetic church bureaucrat. My only worry (apart from being a church bureaucrat myself) is that in trying to evangelise the evangelicals, liberate the liberals and ferment the fundamentalists, Dave risks trying to ‘out-Jesus’ Jesus. There is a thin line between devout disciple and messianic mischief-maker.

For what it’s worth, I can vouch for Dave’s presence on the right side of this line. More importantly, however, so can hundreds (if not thousands) of people from the slums of India to the boarding houses of Brisbane - in other words, the experts on such matters in the Upside-Down Kingdom. Dave lives a Gospel story in friendship with his Lord through the gift of community. He is an open-minded absolutist who errs on the side of compassion in any situation, based upon an informed imagination of where Christ is in today’s world.



**Coming Out Alive** –

Life affirming perspective's on homosexuality, justice and the Church

A 20 page collection of articles, stories and resources, including contributions from Dorothy McRae- McMahon; David Bromell, Rod Pattenden, and Robert Stringer.

Copies available for \$3 from Uniting Network, PO Box 379, Paddington 2021.

Dave’s other genius is that he upholds deep-seated tolerance while adhering to a central claim of Truth. Gleaned from years of service in the multi-religious and caste-based society of India, Dave has a firm grasp of pluralism and how its neglect has (at times inadvertently) turned many Christians into racial supremacists, on the one hand, and other-worldly quietists, on the other.

Dave also knows what buttons religion pushes in the Australian psyche. He has obviously argued with evangelicals and liberal Christians alike, challenging each with the unique counter-characteristics of Jesus. The final synthesis of this argument is a discomforting and compassionate faith which maintains open boundaries around a central (and hard-) core of belief. Dave writes out of his current experience in innercity Brisbane within “the Waiters Union”, a network of creative community workers who have befriended local refugees of all kinds - from persecution, society, the church and the dominant consumer culture.

I found *Christi-Anarchy* engaging, perceptive and provocative. It includes some meaty sources, for those wanting to devour further, from a smorgasbord of writers, activists and radical movements. More importantly, it provides the basis for practical action by local Christian groups, as well as those who have been stung, bitten or crushed by the institutional excesses of the faith. This is a truly offensive book and the writer should be commended.

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