

We The People
Program 93
The Court of Injustice



The Emperor of Japan is the ceremonial monarch in Japan's system of constitutional monarchy and is the head of the Japanese Imperial Family. According to Japan's 1947 constitution, which dissolved the Empire of Japan, he is the symbol of the state and of the unity of the people. Now the talented Gilbert and Sullivan wrote the Emperor of Japan into history with their comical opera called the Town of Titipu or as we know it, the Mikado. The problem begins when the Mikado or emperor of Japan decrees that flirting is punishable by death. From here a condemned tailor is appointed Lord High Executioner to deliver the punishment but he cannot behead anyone until he beheads himself first. Unfortunately that same silly logic seems to exist in our own court system today but the Mikado assures us that the punishment must fit the crime and so that phrase entered the history books, ""let the punishment fit the crime"".

Now it seems to me that quite often we hear on the news that a dreadful deed occurs in society and the court rules a punishment which appears completely inadequate. In fact I believe the courts at times are so wide of the mark that the judicial Mikado is not living in the real world. Take the case of Bill Jaspers at Maroochydore on Father's Day where he was punched three times in the face by a driver enraged by having the horn tooted at him. The Maroochydore Magistrates Court found him guilty of grievous bodily harm and sentenced the assailant to 2 months gaol and then suspended the gaol time and he walked free. No community service and no anger management and no goal time and the bloke walks free. What does that say to the community and what does it say to young people and did the punishment fit the crime. No of course not.

Take the recent case of Christopher Gordon of Glanville who drove home after a party well over the blood alcohol limit and the drug ecstasy in his blood stream. He allowed his friend to ride unrestrained in the back of his ute and then lost control of the vehicle. His friend was taken off life support nine days later and died. His penalty was a suspended sentence and a good behaviour bond because the judge thought he was immature. Did the punishment fit the crime, well just ask the family of his dead friend.

Now just recently Roger Stapleford was attacked by two teenage girls on a train and abused physically and verbally and he suffered a deep cut to his head after they threw a can of soft drink at him. He resisted the urge to defend himself as he knew it could later be misrepresented and that alone says we are losing our rights. No one came to his aid at the time and finally the two girls got off the train. The incident was filmed and so let's watch and see if the punishments fits the crime or if they are just given a smack on the hand and let go. I think I know.

Now it's true to say only the judge can know all the facts and judges are magistrates are human and fallible but I'm also sure that's society demands order and proper justice and the sometimes lenient sentences being handed out for foolish reasons are no longer acceptable to thinking people. I blame minority groups and some academics constantly wailing about everything and how hardly done by the accused is and how disadvantaged they are. Well I don't wear it and while fair justice is essential I think our courts are out of touch at times. If you are responsible for the death of someone through your own negligence especially when drugs and alcohol are involved then you wear the consequences and the punishment must fit the crime. I believe the judicial system in Australia is often wrong in the penalties metered out and especially so in rape cases which I find to be heinous and despicable in the extreme. Light sentencing encourages some people to break the law because they don't fear the consequences and that's not good for Australia.

Until next time this is Kent Bayley.