



10th June 2021

Parliament of Victoria
Legislative Council, Legal and Social Issues Committee
Inquiry into Victorian Justice System
Parliament House,
Spring Street,
East Melbourne 3002
Vic

Subject: Justice / Legislative overkill.
Division 9 - Victorian Crimes Act
Driving Offences connected with Motor Vehicles

Dear Sir / Mesdamme,

I here with enclose copy of correspondence forwarded to the Chief Justice of Victoria Hon. Justice Ms Anne FERGUSON.

It is a comprehensive overview of an incident involving my sister, a [REDACTED] female pensioner, with absolutely no criminal history or traffic convictions. Having been involved in a motor vehicle accident whereby two pedestrians were injured, one seriously for which she accepted full responsibility. With forty years driving experience on Victorian and Queensland Roads not having previously been involved in an accident of any kind. My sister was sentenced to a non-parole period of six months gaol.

Whilst I feel for the injured persons and relieved they are recovering, with optimistic results and a positive future, are being fully compensated by Vic Roads Trauma.

However my sister having realized her actions and the resultant consequences has subsequently triggered anxiety and trauma, to the extent her health has seriously deteriorated. Having experienced other personal tragedies beyond normality her personal Psychologists, a Forensic Psychologist appointed by Legal Aid and her General Practitioner concurred that incarceration could initiate dire outcomes.

Having observed the complete proceedings it appeared the truth of the circumstances was conspicuous by its absence having become lost within the preferred contemporary Inquisitorial methodology.

Having retired after forty-seven years of law enforcement I believed it was incumbent upon justice to seek the truth. However in this case the truth was seemingly overwhelmed by a subjective Judge ostensibly focused on the gravest scenario, where other plausible alternatives existed, and the principle of beyond reasonable doubt apparently abandoned.

It appears for some time Victorians have experienced an imbalanced Judicial System where objectivity and common sense is also conspicuous by its absence.

Accordingly I ask, is this Justice?

Cheers

