

We The People
Program 74
The Price of Justice



Wisdom resides in many places but to tap into that knowledge you have to question and think about all that happens around you and I marvel at how some people can take ordinary every day words and weave them into a phrase, verse or narrative which cast their light across the ages. Such a person was Thomas Jefferson who penned these immortal words about our immutable rights.

We hold these truths to be self-evident: that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty and the pursuit of happiness.

There are so many people who live under the regime of despots, dictators and corrupt governments and fear for their life and freedom every day. Millions of folk are persecuted and can't speak publically for fear of retribution or gaol and perhaps losing all they have because of some selfish so called head of state. The path to civil loss and destruction of freedom may be a slow one with small steps over time that gradually takes our freedom just like the frog which slowly boils to death. It doesn't notice the rising heat until it's too late. Democracy and freedom are rightly touted as fundamental in Australia and so they should be. We are a free people. We have rights and privileges and the law is there to protect us. Well, perhaps not because I believe the current judicial trend is taking us away from these noble ideals at an ever increasing rate, yet many seem not to notice or care.

The law and legal system in Australia is based on British law and common law while the latter is derived from custom and judicial precedent. Nevertheless the reasonable or common person stands at the base of our law and implies the even handed application of fair and equitable laws to help govern society. The more complex the legal system the less real justice is dispensed even though judges and magistrates may well be properly motivated they too are becoming prisoners of the justice system they admire. I have the view that Australian law is now so complex and the courts and legal system so incomprehensible to the common person that we are no longer able to count on the system to be fair or just. For all the words written and for all the pomp, ceremony and elitism and for all the money and power we are not free any more. Justice is either for the very rich or the very poor in Australia. The vast middle ground have no hope and history is littered with good Australians losing all they have fighting the legal system and those bottom dwellers that rely on its dark places to seek a living by ambush and cunning.

Lawyers and barristers promote the adversarial approach in court which burns up time and money at the expense of the common man. We may well lose all we have as the legal system incises our assets from us with the precision of a surgeon. Who listening can deny this and who listening is ashamed because they made it so. Today's legal system is the bearer of bad news for we the people as we cannot rely on it for accessible justice anymore because there are those who want us to be the slaves of an unaffordable legal process. The job of the justice system is to seek the truth but that truth appears to be connected directly to the bank accounts of the legal fraternity and so is beyond the reach of the average person. Who can argue with this and who can deny it and the law is indeed an ass hence the adjective asinine. It's time for a peaceful revolution in Australia....a time to put things right and a time to return the land to the common man and common sense. For many with a just cause we give up because of the fear we will lose all we have in court and that isn't justice when justice is beyond our reach and fear prevails.

Until next time this is Kent Bayley.