

Position Statement on

Justice Through the Legal System

God is the ultimate power and authority in the universe, so justice best occurs on Earth when power and authority are exercised in conformity with God's standards of moral excellence.

Injustice occurs when power is used wrongly to take from others what God has given them, namely their life, dignity, liberty or the fruits of their love and labour.

The Biblical concept of justice reflects special concern for protecting vulnerable people from victimization by the powerful. It brings judgment on the wrongdoer but also works to restore the victim, the offender and the community.

The openness of Christian love to the unlovely is a principle of behaviour cutting across the distinctions of society. Biblical justice combines affirmation of the worth of each person with sensitivity to his or her needs and is most concerned with those who are on the fringes of the community.

The Bible teaches that government, courts, law enforcement and other agencies of the state are expected to bear significant, though not exclusive, responsibility for justice.

The Salvation Army believes that:

- In a democracy, the state's responsibility for justice is legitimately determined through legislation, assessed by elected representatives, applied and interpreted by an independent judiciary. This does not mean that justice so determined is perfect, and therefore, citizens have a responsibility to work peaceably for improvements.
- Teaching the meaning and importance of justice is foundational to the development of healthy relationships and responsible citizenship.
- In all areas of law, a credible, transparent, adequately resourced, accessible, impartial and accountable justice system with an independent judiciary is essential for a healthy society.
- Legal Aid, Pro Bono services and legal insurance are needed for many people and must be preserved and expanded in our increasingly complex legal structures. Access to a complex legal system is extremely difficult without proper legal advice. Self-represented parties are faced with a daunting array of legislation, regulations, procedures and forms.
- In areas of **Civil Law**, creative alternatives to litigation such as a collaborative approach or mediation should be encouraged and a strong system of support for families, and especially

children, should be provided through the Family Courts to those involved in family and child protection matters.

- In **Criminal Law**, the establishment and maintenance of a just society requires the involvement of individuals, communities and the justice system working together to address issues of crime, conflict and marginalization.
 - ◆ A restorative approach to criminal justice, which seeks to hold the wrongdoer accountable while working to bring healing and wholeness to the victim, the offender and the affected community, is a more productive approach for all parties concerned than one based primarily on retribution.
 - ◆ Persons charged with criminal offences must be protected from wrongful conviction while respecting the interests of all affected parties including the community and victims.
 - ◆ Young persons charged with criminal offences are entitled to the same rights and protections as adults during the adjudication process and to have their unique needs addressed in sentencing through an adequately resourced youth justice system.
 - ◆ The development of special resources to deal with the issue of domestic violence is needed and encouraged.

The Salvation Army believes the challenge to all persons is:

- to practice justice in their dealings with others, respect the dignity of all, exercise power and authority over others judiciously, and work for improvements to the justice system when required;
- to work together with those of like mind to minister to the spiritual and personal needs of individuals, families and communities involved in or impacted by the justice system, and
- to facilitate community based involvement in preventing and addressing the consequences of crime, supporting families in crisis, and providing creative alternatives to resolve disputes in appropriate family and civil matters.



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