

Young students have all sorts of views on prisoners' rights



Second prize winner Tim Gibson receives his prize from Joh Kirby of the Victoria Law Foundation and Melissa Castan



Emily Rutherford receives third prize in the Essay Competition

It's official. Just like their adult counterparts, Victorian year 10-12 students hold widely varying opinions on whether 'criminals don't deserve the same human rights as everyone else', the topic of this year's Writing for Human Rights Essay Competition. One may be deceived into believing that young people cannot appreciate the 'complexities' of such a topic, however it was clear that the 250 young students who submitted essays to the competition had a strong understanding of the conflicting issues surrounding prisoners' rights, and could concisely and clearly set out their opinions in writing.

On one side of the debate, some students argued, for example, that the purpose of incarceration was to protect society, and that rights should only be limited where they help to achieve that goal. A common theme of many entries was the concept of rehabilitation, and particularly the idea of educating prisoners to ensure that they could function in society after their release. Some students also stated that criminals were still human and thus deserved that all their rights be upheld.

At the other extreme were those students who argued that criminals such as paedophiles deserve to have their rights taken away because of the heinous nature of their crimes, or that anyone who commits a crime against society has taken for granted their rights as a member of that society and should therefore forfeit them. Some students even took the opportunity to advocate for the reintroduction of the death penalty in Australia.

While there were many outstanding submissions, the winner of the 2010 competition and \$1200 prize was Anna Gruen from Melbourne Girls Grammar School. Anna argued that a criminal's rights should only be restricted in so far as to punish him or her and protect society. Otherwise, their rights should be the same as everyone else. Her essay is reproduced following this article.

Second prize and \$800 went to Tim Gibson from Woodleigh School, recipient of a certificate of commendation in last year's competition. In his essay, Tim used a hypothetical narrative to add a human dimension to the essay topic. His critique of the criminal justice system and the impact of the removal of criminals' rights led him to the conclusion that criminals are human and entitled to the same human rights as everyone else. Emily Rutherford from Buckley Park College received third prize and \$400. Emily argued that the severity of a crime should dictate the consequences, and in some cases the restriction of human rights will be necessary.

Due to the high quality of the submissions received, six Certificates of Commendations were awarded. The recipients were Yini Chong of Melbourne Girls Grammar School, Virginia Holdenson also of Melbourne Girls Grammar School, Naomi Ipsen of GippsTAFE, Mikaela Bott of Kyabram P-12 College, Tom Posa of Melbourne High School and Jessica Hart of Mount Lilydale Mercy College.

Melbourne Girls Grammar School also received the Schools Prize for the overall quality of its submissions and \$2000. Lilydale High School placed second in the Schools Prize and received a certificate of commendation.

The winners were presented with their awards at a ceremony following the annual Great Law Week Debate, hosted by the Monash Law Faculty. The students and their families had the opportunity to hear a great line up of speakers, including David Galbally QC and former Port Phillip mayor Dick Gross, debate the same topic that they had written on.

The 2010 Essay Competition was supported with a General Grant from the Victoria Law Foundation –
www.victorialawfoundation.org.au