

Australian state government's "law and order" response to Melbourne car killings

By Patrick Kelly
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The state Labor government in Victoria has seized on the tragic deaths of five people in central Melbourne last Friday, run over by a car driven by a drug-affected and mentally-ill man, to advance its reactionary "law and order" agenda.

In recent months, the government has unveiled an unprecedented multi-billion dollar expansion of the police force, boosted the number of officers by 20 percent, imprisoned children in adult maximum security prisons in defiance of court rulings, and seized on an alleged Christmas Day "terror" plot to cultivate an atmosphere of crisis.

Backed by the police, Liberal Party opposition and the media, the government of Premier Daniel Andrews wasted little time exploiting last Friday's terrible events. Andrews announced a "top to bottom" review of the bail system, foreshadowing a drastic curtailment of the democratic right to bail.

Details are still emerging of the events leading up to the deaths of five people when a car drove through a pedestrian shopping precinct on Bourke Street, in Melbourne's central business district. Those killed include 33-year-old Matthew Si, 22-year-old Jess Mudie, 10-year-old Thalia Hakin, a yet unnamed 25-year-old Japanese student, and three-month-old baby Zachary Bryant. Fifteen others remain in hospital, including two in a critical condition.

A 26-year-old man, Dimitrious Gargasoulas, was shot in the arm and arrested by police after allegedly driving through the crowd. He has since been charged with five counts of murder, with additional charges expected to be laid.

According to media accounts, less than 24 hours before the incident, Gargasoulas was refused entry to a pub after appearing to be on drugs. He reportedly has a history of addiction to methamphetamines (ice).

Afterwards, Gargasoulas allegedly stabbed his brother and then took his girlfriend hostage, driving with her erratically through several inner Melbourne suburbs. She managed to flee the vehicle shortly before Gargasoulas arrived in the city's central business district, driving in circles and blocking traffic outside a train station, before driving toward Bourke Street with police following him.

By the time of the killings, Gargasoulas was being followed by multiple police vehicles and a police helicopter. The alleged perpetrator was well known to police. He faced outstanding warrants on more than 20 charges, mostly relating to dangerous driving, theft and drug possession, and was granted bail on January 14.

While seizing on the fact that he was on bail to justify tougher laws, the government has all but ignored the lack of medical treatment which played a significant role in creating the conditions for this tragedy.

Gargasoulas's social media postings portray a deeply unwell and disoriented individual. In recent months, he posted multiple diatribes apparently inspired by Christian fundamentalism about the Illuminati, Scientology and the police. Posts last week became increasingly frenzied and threatening.

According to a *Herald Sun* report: "Friends have revealed failed attempts to get Mr Gargasoulas help for drug and mental health issues—and how those who advocated for intervention were shunned."

Mental health experts condemned the government in the aftermath of the tragedy. Psychiatrist Dr Helen Schultz told the *Age*: "Acute mental health services in this state have been decimated and these types of things will happen more and more. This guy should have been treated way before it got to this."

In a joint statement, University of Melbourne Professor Patrick McGorry and Associate Professor

Rosemary Purcell commented on the impact of the “mainstreaming” of mental health care in the 1990s, with facilities shut down and the number of hospital beds majorly reduced.

“The fundamental problem is that the capacity of the Victorian public clinical mental health system has been declining for well over a decade and is overwhelmed,” they said. “Public mental health services, particularly in the growth corridors, have retreated from community care, overwhelmed by acute demand. In the northwest of Melbourne we have seen population growth of 50 percent in the past decade and yet no more resources for mental health.

“Previously in our services, suicides were rare. Now they are a regular occurrence. And for the first time we have seen a spate of homicides committed by patients who could not get timely access to sufficient expert care.”

Seeking to cover up the social crisis underlying the mental health epidemic, as well as his government’s responsibility for starving the public health system of the necessary resources, Premier Andrews rushed to declare the Bourke Street killings as an “evil, criminal act.”

The media likewise did its utmost to spread confusion and alarm. Within an hour of the incident on Friday afternoon, reports promoted the remarks of extreme right-wing parliamentarian Pauline Hanson, who declared it a “terrorist attack” and “all terrorist attacks in this country have been by Muslims.” The *Daily Mail* posted an article falsely reporting that Gargasoulas was Muslim, largely based on an incoherent social media post in which he falsely claimed to be Kurdish.

Had Gargasoulas’s mental illness taken the form of a stated allegiance to Islamic fundamentalism or ISIS, federal and state authorities would no doubt have declared a national security emergency.

That is precisely what happened in response to the Lindt café incident in central Sydney in December 2014. The hostage taker, Man Haron Monis, was an isolated individual with significant mental health problems, yet his disoriented actions were used to manufacture a national “terrorism” crisis that saw the activation of the entire counterterrorism apparatus across Australia.

While unable to connect the Bourke Street deaths to the bogus “war on terror,” the state Labor government

has used it to prepare far more stringent bail laws. This is paving the way for a significant expansion in the state’s prison population, which has already skyrocketed by nearly 70 percent in the past decade, even though crime rates have remained largely steady.

“No expense will be spared to get this right,” Andrews declared in announcing a rapid review of the bail system, to be completed by April 3. The premier added that the system of bail justices determining out-of-business-hours bail applications for those charged by police would be scrapped in favour of magistrates working in a new “night court.”

The Murdoch press and Liberal Party opposition are agitating for the junking of the important legal principle of the presumption of bail. Multiple editorials in the *Herald Sun* tabloid in recent days declared that “bail should never be considered a right.” The police association demanded the reversal of the burden of proof on police and prosecutors to demonstrate that people accused of serious crimes present a public safety risk if released on bail. Police want Victoria to emulate the New South Wales system of allowing the imprisonment of those charged until a magistrate is available to consider the case.

The government’s moves are aimed at overturning the right to bail, which is inextricably tied to the presumption of innocence, which was established in Britain during the 17th century through the struggle against the absolutist monarchy and arbitrary imprisonment. Like other essential democratic rights, these conceptions are being torn up by the Australian ruling elite to strengthen the repressive powers of the state as it anticipates escalating mounting social and political unrest.

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