

Position Brief: Opposition to the Death Penalty

Call to action

The AASW calls on the Federal Government to continue their campaign to:

- Strongly oppose the execution of Myuran Sukamaran and Andrew Chan

The Death Penalty is a Human Rights Issue

The integrity of human life and well-being are among the highest values to which a society aspires. The death penalty is a violation of human rights that belong to every human being, even those who have committed crimes. The UN Declaration of Human Rights unequivocally endorses the right of every human being not to be killed and not be subjected to torture or to cruel, inhuman or degrading treatment or punishment. This is a declaration to which Australia is a signature.

Capital punishment is not a deterrent to crime; the death penalty is a form of torture. Prisoners on death row agonise emotionally and psychologically about their impending fate. Amnesty International defines torture as an extreme physical and mental assault on a person who has been rendered defenceless. There are some fundamental rights for human beings such as the right not to be killed or tortured that everyone, including governments must respect.

The moral foundations of societies erode if governments treat fundamental non-negotiable human rights as a privilege, which can be dispensed for good behaviour or withdrawn for bad. State executions give the dangerous message that serious problems can be solved by killing people.

The Death Penalty has historically discriminated against the poor

The death penalty is fundamentally 'unfair' because it has always been and continues to be differentially applied to people who are poor, disadvantaged, or with limited mental or intellectual capacity, and people from ethnic or racial minority groups. Approximately 90 per cent of people facing the death penalty cannot afford their own legal representation.

The Role of Social Work

According to our AASW's Code of Ethics social work is committed to the pursuit and maintenance of human well-being. Social work aims to maximize the development of human potential and the fulfilment of human needs. Thus, social work as a profession is not confined to just working in social services or community development but rather it is a profession with radical and activist connotations. It is concerned with bringing about social change, leading movements for social justice and human rights as well as leading opposition to prevalent forms of bureaucratic and political domination. Therefore, by this very definition social workers are human rights workers. Human rights based social work is important in all the work we do, but perhaps more so in the case of the two young Australian men on death row.

As a global profession, social workers are well equipped by experience and education to play a pivotal role in death penalty mitigation teams, a concept in place in the US states where the death penalty remains. They offer expertise in researching complete social histories, providing for people under threat of execution, and helping those individuals cope with that threat. The social worker's primary role is to develop the client's story through an extensive empirical inquiry into the person's life.

Conclusion

The AASW believes that the application of the death penalty is a breach of basic human rights that too often discriminates against the poor. The two young men have a right to life and therefore should not be executed.