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TOUGH NEW YOUTH CRIME LAWS IN FORCE

Attorney-General Michael Atkinson warned serious repeat youth offenders and adults who expose young people to their criminal activities that they face the prospect of much harsher penalties from the courts under new laws that come into force from today.

Mr Atkinson says the new laws will in, clearly defined circumstances, allow the very worst of the youth repeat offenders to be tried as adults and allow the courts to consider crimes as aggravated if an adult commits them in the company of a child.

‘For some of these offenders the implications of these new laws are very serious indeed, but we need to protect the public from this kind of offending,’ Mr Atkinson says.

In his report *To Break the Cycle*, published last year, Social Inclusion Commissioner Monsignor David Cappo noted that there is a hard-core of serious repeat offenders responsible for a disproportionate amount of crime.

He also acknowledged that for some offenders, the only way to deal with them is to make sure they are taken off the streets to be rehabilitated.

Mr Atkinson says the laws coming into force will give the courts the power to take offenders such as these out of circulation, if necessary, for a very long time.

‘It is clear to us that there are some young people who fail to respond to the cautionary and diversionary measures that characterise the youth-justice system. They go on offending heedless of warnings and consequences and present a serious risk to public safety.

‘It is also wrong to involve children in crime either as witnesses or participants. It also harms children if the adults that surround them and to whom they look for guidance send a message that crime is acceptable. It’s not and they will pay a heavier price for involving children,’ Mr Atkinson says.

Specifically the new *Statutes Amendment (Young Offenders Act 2007)* allows:

- The Director of Public Prosecutions the authority to refer a major indictable offence alleged to have been committed by a serious repeat youth offender directly to the Magistrates Court where the youth would be tried as an adult. In such a case the offender will face the far harsher penalties that can be handed down by an adult court.
- A court to consider an offence as an aggravated offence where an adult aids, abets, counsels, conspires or procures a child to commit a crime, or commits a crime in the company of a child. An aggravated offence carries a substantially harsher penalty; for example a robbery committed in the company of a child has a potential maximum penalty of life as an aggravated offence.