

common ownership of the *Age* newspaper and Station HSV 7 in Melbourne. Fairfax acquired HSV 7 after the proposed changes to the legislation were announced and was therefore not protected as having an existing interest. United Telecasters will have to sell the Brisbane station TV 0 since the Broadcasting Act does not permit it to own two stations in Brisbane. It will also be necessary for Mr Robert Holmes a Court's Bell group to sell its Perth television station TVW 7 or the *West Australian* newspaper unless a special amendment to the law is made, as has been suggested by 'government sources' (*National Times on Sunday*, 9 August 1987). The legislation has also caused changes in ownership for economic rather than strictly legal reasons. Mr Stokes and his companies have sold the Perth, Adelaide and Canberra stations which formed part of the 10 network to Westfield Capital Corporation's Northern Star Holdings which already owned Channel 10 in Sydney and Melbourne. Mr Stokes commented:

In my opinion it was always a matter of getting big or getting out. And, I suppose, we didn't get big enough quick enough (*National Times on Sunday*, 9 August 1987).

Northern Star Holdings, for its part, will have to sell the Western Australian regional network, Golden West, also acquired from Mr Stokes, in order not to breach the 60% audience reach rule (*Weekend Australian*, 8-9 August 1987).

further reform. The Government is proposing to introduce further legislation to reform the Broadcasting Act. One important matter to be addressed is the difference between prescribed interests for newspapers and radio stations and those for television stations

(*Sydney Morning Herald*, 4 June 1987). In the former case, the prescribed interest is 15% while in the latter case it is 5%. Prior to the recent election, the Labor Party also promised substantially to reform the Broadcasting Act, to simplify it and make it easier to administer while lightening the burdens to which licensees are currently subject (*Australian Financial Review*, 24 June 1987). The proposal to simplify the Broadcasting Act will be welcomed by all who have had occasion to read it. Future amendments to the Act may also reform radio ownership laws along the same lines as the changes to the television ownership laws. At present, licensees are limited to one radio station in a capital city, four capital city licences nationally, four licences in any one State and a total of eight licences nationally. The managing director of Hoyts Media, Mr Glenn Wheatley has called for changes to the radio ownership rules along the same lines as the reform to the television rules — a percentage of the overall market rather than the eight station limit (*Australian Financial Review*, 5 June 1987).

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sentencing of young offenders

And therefore I summon age
To grant youth's heritage.

Robert Browning, *Rabbi ben Ezra*

young offender law reforms. The law and practice relating to young offenders has received considerable attention in the last decade. The ALRC's *Child Welfare* Report, released in 1981, was a major contributor to debate. Many legislative proposals and initiatives have followed. The ALRC's recommendations were largely adopted in

the Northern Territory in 1983, and recently in the ACT in 1986. Comprehensive legislation has recently been enacted in NSW. Similarly, comprehensive reforms are under preparation in Victoria, following the substantial work of the Child Welfare Practice and Legislation Review Committee (Carney Report). Attention is also currently being paid to existing legislation in Tasmania and Queensland.

changed philosophy. These changes reflect significant philosophical and structural changes in the juvenile justice area.

Those changes include a trend, in relation to procedural aspects, to enhanced due process and, particularly, to promotion of participation by young offenders and comprehensible procedures in court. At a general level there is a greater differentiation of welfare and criminal matters. The ambit of legislation applying specifically to juvenile offenders appears also to be broadening in scope, to cover more aspects of the investigative and prosecution process, especially in relation to diversion. Finally, there are moves in relation to sentencing toward greater specificity and determinacy of sanctions, and toward stricter guidance to sentencers, through express principles and limitations, and hierarchies of sanctions. These measures have apparently resulted from a concern about real and potential abuses of old 'welfare' models, for dealing with juvenile justice.

oya/alrc project. Early in 1987, the Australian Law Reform Commission (ALRC) was approached by the Office of Youth Affairs (OYA), of the Department of the Prime Minister and Cabinet, with a view to conducting a study of sentencing issues and practices with particular application to young

offenders. With funding from OYA, the study is being conducted under the auspices of the ALRC's sentencing reference. The project is to result in a research paper to be released later this year. Arie Frieberg and Richard Fox, of the Faculty of Law, Monash University, have been engaged as principal research consultants to the project. Michael Hogan, formerly of the NSW Department of Youth and Community Services, has also been engaged as a research consultant.

The study will analyse the legislation around the country in the light of, particularly, the stated objectives of recent reforms, the standards set out in various US and UN documents, and other criteria such as proposed reforms in relation to adult offenders. In this context the role of the Commonwealth in relation to young offenders will be canvassed, with particular regard to the human rights aspirations of the Commonwealth.

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let them live it down

Youth is a blunder; Manhood a struggle;
Old Age a regret.

Benjamin Disraeli, *Coningsby*

report tabled. The Australian Law Reform Commission's Report, *Spent Convictions*, (ALRC 37) was tabled in federal Parliament on Wednesday 3 June 1987. The Report is a further stage in the Commission's review of sentencing of Commonwealth and ACT offenders. The Commission recommended mechanisms which would in most situations