

Juvenile Justice Act review

Northern Territory Minister for Justice, Dr Peter Toyne, has announced a major review into the Juvenile Justice Act. Key stakeholders have helped to develop a discussion paper and the public has been invited to comment. Public submissions to the review are due on Friday 7 May 2004.

"Public comment is invited on any issue raised in the discussion paper or any other issue relevant to the terms of reference," Dr Toyne said.

"The discussion paper discusses problems that have been identified with the *Juvenile Justice Act* over the years and questions how the Territory could best resolve those problems.

"Comment is sought on important issues such as the objectives of the legislation, police powers, youth 'at risk', searches and interviewing of youth, diversionary programs, sentencing principles and options, and detention centres.

"Juvenile Justice is an issue close to many people's hearts, and now they have an opportunity to tell the Government what they think is the right way to go."

While the Juvenile Justice Act has been amended several times since it commenced in April 1984, it has not been reviewed since the late 1980s.

The *Juvenile Justice Act* covers:

- * the investigation, apprehension, charging and remand of juveniles for criminal offences;
- * the establishment of the Juvenile Court and its procedures;
- * the sentencing of juvenile offenders;
- * the management of juvenile detention centres; and
- * the transfer of juvenile offenders between the Territory and States.

The Working Party's terms of reference are to review the *Juvenile Justice Act*, including:

- * ensuring that the provisions of the Act provide for a full range of dispositional options for sentencing juveniles to ensure

flexibility in dealing with juvenile offences;

- * provision for clear sentencing guidelines that articulate the current sentencing philosophy on young people in the justice system;
- * consider whether a legislative basis for the juvenile diversion program should be included in the Act;
- * address the need for any legislative changes raised by recommendations made under the proposed Strategic Plan for Juvenile Detention;
- * whether appropriate dispositions for offenders under the age of criminal responsibility (ten years of age) need to be developed within the Juvenile Justice framework or whether the existing

framework created by the Community Welfare Act is adequate to deal with this problem;

- * ensuring that the Act complies with national standards and international conventions on detention of juveniles.

The Government has also stated that due regard must be given to the Government's commitment to address the over-representation of Indigenous offenders in the criminal justice system.

A copy of the discussion paper is available from the Department of Justice website (www.nt.gov.au/justice) or can be requested by telephoning 8999-7466. ①

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