

Spotlight on Australian justice

Aboriginal teenagers jailed, prison suicides treble

Cheryl McDermid
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17-year-old jailed for stealing biscuits

A 17-year-old Aboriginal boy was sentenced last month to one year's jail for stealing a \$3.50 packet of biscuits in Australia's Northern Territory. He will be incarcerated under laws passed in 1998 stipulating mandatory prison sentences for all adult property offences, ranging from two weeks' jail for a first offence to one year for the third offence.

Under Northern Territory law, 17-year-olds are classified as adults. Juveniles aged either 15 or 16 years are given warnings for a first offence and a minimum one-month term in an institution for a second offence.

Aboriginal youth are convicted of a disproportionately high number of minor property offences, and they are six to eight times more likely to be jailed than others. So many Aborigines have been jailed under the new laws that many are being transported to Alice Springs, some 1,500 kilometres away. Jails in Darwin, the Northern Territory's capital, are full.

One Aboriginal youth was jailed for stealing a \$2.50 cigarette lighter and four others for the theft of \$1.60 worth of petrol. A 29-year-old homeless Aborigine was sentenced to a year in prison for stealing a towel; a 27-year-old mother was jailed for two weeks for stealing a \$2.50 can of beer; and a 27-year-old non-Aboriginal teacher was imprisoned for two weeks for pouring water over a shop cash register after complaining about a hot dog she had been served.

Magistrate identifies 16-year-old convicted of drink driving

A magistrate in the rural city of Wagga Wagga allowed the publication of the name and photograph of a 16-year-old Year 11 student whom the magistrate

convicted of drink driving.

Under New South Wales state criminal law, no-one can publish the identity of juvenile offenders (aged 10-17), their families or their convictions. This is meant to facilitate the rehabilitation of young people, and ensure that childhood offences do not affect them throughout their lives. However, this protection only pertains to breaches of the Crimes Act. In cases covered by the Traffic Act, the young person does not appear before a Children's Court but is dealt with as an adult.

Magistrate Andy O'Donoghoe declared that if people were old enough to have permits or driving licences, they would be dealt with in the Local Court for traffic matters. "I presume (the names of) juveniles can be reported," he said.

The boy's lawyer intends to take the matter to the state Labor government's Attorney General, Jeff Shaw. But Shaw's spokesman commented: "Even though he was charged with the criminal offence of drink driving, it comes under the Traffic Act so he is treated in open court and can be named."

The naming of this young person is part of a wider agenda. The Murdoch-owned newspaper that reported the case has called for a discussion on whether juvenile offenders should be identified generally. Successive state governments, both Liberal and Labor, have raised the issue of overturning the ban on naming teenagers convicted of criminal offences.

Prison suicides treble since 1980

A national study by the Australian Institute of Criminology has revealed that suicide is the leading cause of death in Australia's correctional institutions, increasing by 240 percent between 1980 and 1998. Ten prisoners committed suicide in 1980, while last year 34

prison suicides were recorded.

Research analyst Vicky Dalton stated: "While prison populations have doubled in this period, suicides have tripled, far outstripping the community suicide rate." Suicides represented 46 percent of all prison deaths. Half of the suicide deaths occurred while prisoners were on remand, waiting for trial.

Of the prisoners who committed suicide, 96.5 percent were male and 14.4 percent were Aborigines. While the average age was 29, some 80 percent were teenagers—aged 17 to 19. Three states accounted for 80 percent of prison suicides, with 11 in New South Wales, 10 in Western Australia and 6 in Victoria.

Police killing of Roni Levi to be investigated

The New South Wales Police Integrity Commission has been forced to launch an inquiry after receiving information that the two policemen who shot and killed 33-year-old Roni Levi on Sydney's Bondi Beach two years ago were present at early morning drug parties a few hours prior to his death. The Commission will also examine allegations of "corruption or misconduct" by police in the coronial investigation.

Levi's wife, Melinda Dundas, discovered the new evidence. She lodged a detailed submission through the Newcastle Legal Centre, uncovering alleged flaws in the police investigation.

On Sunday June 28, 1997, Levi ran onto Sydney's Bondi Beach before 7am, holding a knife. Friends told police he was suicidal. In a disturbed mental state, he had sought help from St Vincents Hospital the previous night, but had left before seeing a doctor.

A tourist's photograph showed him on a deserted beach with his back to the sea, surrounded by six police officers pointing revolvers at him. After a 30-minute stand-off, two policemen, Rodney Podesta and Anthony DiLorenzo, fired two shots each into Levi, witnessed by dozens of horrified people on the promenade.

It was the third police shooting in the state of New South Wales in eight weeks. Between 1990 and 1996, police killed 36 people in Australia, 19 of them in the neighbouring state of Victoria.

Police chiefs immediately endorsed Levi's shooting without waiting for any inquiry. Bondi patrol commander Chief Inspector Dick Baker declared the killing to be "perfectly justified". He claimed that the police had "feared for their lives" because Levi had

lunged toward them with a knife. Baker said the two officers had just completed a mandatory training program on the use of firearms, where they were taught to fire in volleys of two, aimed at "the immediate centre of the person's body mass"—that is, the chest.

Podesta and DiLorenzo were not asked for urine samples to enable drug testing, nor were they interviewed separately. Yet the Director of Public Prosecutions decided last year not to lay charges against them, on the basis that they were acting in self-defence.

There is now evidence that both policemen were linked to drug dealers in the Bondi area. Police Internal Affairs arrested DiLorenzo during a drug raid, while Podesta has since been arrested and charged with drug offences.



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