

**INQUIRY INTO INQUIRY INTO THE PROHIBITION ON  
THE PUBLICATION OF NAMES OF CHILDREN INVOLVED  
IN CRIMINAL PROCEEDINGS**

**Organisation:** Homicide Survivors Support, After Murder Group Incorporated  
**Name:** Mr Peter Rolfe  
**Position:** President  
**Date received:** 18/12/2007

---

# **HOMICIDE SURVIVORS SUPPORT AFTER MURDER GROUP INCORPORATED**

**“moving on with support.”**

16 Wongala Avenue Elanora Heights 2101  
Mob: 0415 619590  
Fax: 99139398  
Email: [homsurvivors@optusnet.com.au](mailto:homsurvivors@optusnet.com.au)

---

The Chair,  
Standing Committee on Law and Justice

Dear Madam,

RE: INQUIRY INTO THE PROHIBITION ON PUBLICATION OF NAMES OF  
CHILDREN INVOLVED IN CRIMINAL PROCEEDINGS

Thank you for the opportunity for members of the HOMICIDE SURVIVORS  
SUPPORT AFTER MURDER GROUP INC (HSSAMG) to make the following  
submissions.

Our members feel that Juvenile Offenders being dealt with “at law” between the ages of 16 years and 18 years should be named upon conviction. We feel that offenders of this age who enjoy social responsibilities such as age of consent, driving licences should also take responsibility for their actions similar to adults. We do not believe that their naming should be withheld at the discretion of the court.

Some of our members have suffered the loss of a child to Homicide by Juveniles. In one particular case their 16 year old son disappeared off the face of the earth and was missing for 3 years. There was enormous publicity but when 2 juveniles were arrested for his murder not only were the names of the Juveniles suppressed but also the names of the victim and the family. This caused great distress to the family particularly when years down the track people were asking whether their son or brother had ever been found.

In relation to 14-16 year olds who are convicted of a serious indictable crime, we believe that these offenders should be named, but we feel that if the court feels that there are compelling reasons why their names should be suppressed then those compelling reasons should be published and the suppression should be appealable. The sad thing is that we have Prisoners who were imprisoned as Juveniles, who years into their sentence refuse to take responsibility for their actions and hide behind anonymity. (Regina v Elliott and Blessington (2006) NSWCCA 305)

Members of HSSAMG also feel that offenders aged between 14 and 16 who have more than 2 previous convictions should have the publication of their names and details taken into consideration as it is obvious that the current situation of suppression is not working. This action would perhaps bring to the public’s attention the environment that the juvenile is currently living in and with this knowledge perhaps earlier intervention

could occur resulting in a reversal of the current trend of recidivism published in the latest BOSCAR figures.

The final submission we would like to make relating to the naming of Juveniles has been occurring at the Arraignment Hearings held monthly in the Supreme Court. This year there has been a trend to Closing the Court when a Juvenile appears before it. Previously there was a Suppression Order issued and everyone was asked to abide by it. This creates difficulties for organisations such as ours and others providing Court Support for families and friends of Victims as we have to leave the court and are not able to provide our friends with up to date information about their cases. We hope that this is also taken into consideration.

We trust that our Submissions will be helpful to the Inquiry and if there is any more information required please do not hesitate to contact me.

Yours Sincerely

Peter Rolfe  
PRESIDENT