

## The Aftermath of Sentencing: Naming and Shaming of Indigenous Youth in the Northern Territory

### ABSTRACT

Juveniles have long-standing protection against identification in the justice system including publication of their names and identifying features in the mass media. This has been a practice recognised internationally for decades and is supported, among other places, by the UN Convention on the Rights of the Child which Australia ratified in December 1990. In addition, the UN Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules) renders severe restrictions on the publication of any information allowing identification of youth found guilty of a criminal offence. Reflecting these principles all Australian jurisdictions, with the exception of the Northern Territory, have in place legislative provisions to protect the privacy of young people. However, in very recent times, there have been proposals to remove these protections in a number of jurisdictions (QLD, WA and NSW).

Against this background this paper presents findings from a research project designed to obtain information regarding the impact upon indigenous young people of being named and shamed in public media fora within the NT. The research canvasses the views of stakeholders (judiciary, legal representatives, politicians, media personnel, indigenous community members, and so on). The research is intended to inform public policy and law reform concerning an issue which has special relevance to the judiciary, given their role within the juvenile justice system in upholding or rejecting the provisions of youth justice legislation with respect to the relevant naming provisions. The effects of public identification clearly have implications for adult offenders and for victims of crime and thus the broader implications from this research study will also be addressed.