

Submission into the Review of the Prosecution and Sentencing of Children for Commonwealth Offences as advertised in the Australian Newspaper.

The world is changing and not for the better and as a Nation we must remain active in prevention, detection and enforcement. I know that prosecution and sentencing of a child isn't what a society wants to see or hear occurring. But children in this changing world are used by radical elements and their own warped views to inflict harm and distress on society. It should not be tolerated by anyone and the full force of the law must apply irrespective of age or background. For once exemptions and allowances are given it becomes the norm to be exploited by their legal aid teams (paid by those the crimes were perpetrated against) to the detriment of society.

Recently on the news children aged under 12 were taken from Australia to assist their father fighting in the Taliban army. Pictures on the news showed them using guns, caring hunting knives and holding severed human heads and rants against the white infidels given. These children send a clear message of hate and intolerance against society to any other children that happen to have similar views. I understand that the father was recently killed in assisting the Taliban and the children and mother have returned to Australia. Now we have an indoctrinated and well trained new generation to spread fear and hatred to all that will listen. While I admit it wasn't the choice of the children to go to the war but once again society has to pick-up the shattered pieces of their childhood by the influences around them. So the point of this is if these children or those who aspire to follow their training and ideologues, the crimes they will commit will be at the higher end of unlawful actions. Laws and community actions against such intolerance and terrorism actions must also be at the higher end of lawful action.

There are many examples of crimes committed by children who expect and get leniency from the courts time after time. My brother in-law when he was 14 committed many crimes unknown to us in our local town. When arrested by the police he admitted he would continue his criminal activities unabated but would stop on his 18th birthday. For then he would be tried as an adult and as a child he had a free get out of jail card due to his age, a slap on the wrist was it. But he did continue after turning 18 and was sent straight to jail and we didn't feel sorry for him at all. In short if the penalties or threat of repercussions had been harsher the first time it might have prevented many more of his actions against society.

In NSW there is currently a crime spree where gangs of Sydney youths board a train in the afternoon heading for Newcastle. They rob houses through the night and have the loot picked up by an adult driver. If caught they only get a slap on the wrist being a child and the loot is transported back to Sydney for sale so no evidence of the crime. In the morning they board the train back to Sydney to rest before another night in a different suburb. Now you must ask what has that got to do with terrorism. The precedences have been set and a "I don't give a damn attitude" follows when ever weaknesses in the law are allowed to flourish. Again if the threat of decent repercussions exists we may be able to stem the tide of extremism that is coming to our shores.

Some examples of repercussions could be

(1) if terrorism actions are perpetrated by a child then they will be tried as an adult for the crime could be categorised as a high end of unlawful actions against the Commonwealth and it's citizens

(2) if convicted of terrorism and the children's family are not Australian by birth, the child and family will face deportation as undesirables to the Commonwealth by their actions or inactions to prevent children under parental control committing unlawful actions against the Commonwealth or it's citizens

(3) if convicted of terrorism all reasonable compensation steps undertaken including but not limited too the recouping of funds and assets to pay for the offence from the child and family

The reason the family is dragged into the children's offence is it is a great incentive for the family to watch their child's activities for fear of retribution against them. Recently my first born son committed a small crime (\$1200) against his employer and lost his job. Even though I had no obligation to do so I paid his employer the money he lost for my sons lack of moral judgement. It was the right thing to do even though I'm retired on a very low income thanks to the Commonwealth of Australia.

Many people come to Australia looking for a better life but bring all their baggage of hatred and years of conflicts with them. Having education to the effects of hate crimes against the Commonwealth and it's citizens spelled out at the start of their new life in Australia would be invaluable. At my last year of high school a local police officer spent only an hour talking to the class about the law and us. A small Law Guide book was given that I still have today, although it might be out of date as I'm now 63. It impressed me and I would like to see it still happening today to give some guidance and impress on our youth that "each action has an equal and opposite reaction through the Law"(apologies to Mr Einstein). People also expect on landing on our shores that bring the good life to me now for I'm here. This isn't so and like us all we must work through education and training to unable good jobs and pay to head our way.

On reading this submission do not thing it is all the immigrants of Australia that are at fault of terrorism. This is not so for we deferentially have some home grown Australian born terrorist waiting in the wings for a cause to vent their frustrations with the system. A system that isn't perfect but there to protect us all but only if the weight of the law is enacted and carried through for the betterment of us all.

Thank you

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