



After conviction – what next?

Options for the courts

After a young person has been to the Children's Court and pleaded guilty, or been found guilty by the court, the magistrate or judge has a choice of penalties. The most serious offenders and repeat offenders face the most serious penalties.

The choice of options include:

- **referral to Juvenile Justice Team**
- **no punishment and no conditions**
- **no punishment, but with conditions.** The court may decide not to punish if it is satisfied the offender or his or her parents will make sure the undertakings (promises) they make to the court will be carried out.
- **Fines and Costs, Restitution** (putting back, or repairing something) and compensation (paying money for the damage or hurt done).
 - Against the responsible adult: The court may order that the offender's parents, or another responsible adult, pay some or all of the fine and costs, compensation and restitution. If they don't pay, action may be taken against the adult as if they had been found guilty of the crime carried out by the young person.
 - Against the young person: the court may fine the young person up to \$2,000 and order them to pay the court costs. The prosecutor may also ask the court to order compensation or restitution.
- **Responsible Adult Bond:** an adult promises to make sure the offender will stay out of trouble for a set time. If they don't, the adult has to pay money to the court.
- **Good behaviour bond.** The young person undertakes (promises) that he or she will stay out of trouble for a set time, usually several months or up to a year. If the offender breaks the bond, he or she must go back to court and may have to pay the amount of money decided by the court, or convert the amount of money to unpaid community work.
- **Youth Community-Based Order.** This order is supervised by a juvenile justice officer and may include going to a rehabilitation centre or a course. The order can also include doing unpaid community work for between 10 and 100 hours and the work is supervised and must be done within three months.

If the order includes supervision conditions, the offender must report to his or her Juvenile Justice Officer and follow instructions. If they don't pay, action may be taken against the adult to recover the monies outstanding.



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- **Intensive Youth Supervision Order.** This order can be made with or without detention. If the order is made without detention, it is supervised by a juvenile justice officer and the young offender may be ordered to a rehabilitation centre or a course.

The order can also include doing unpaid community work for between 10 and 100 hours. The work must be done within three months and must be supervised.

If the order includes supervision conditions, the offender must report to his or her juvenile justice officer up to three times a week and follow instructions.

When the order is made with detention, it is also known as a Conditional Release Order. Under this order, there's no limit to the number of times the offender may be ordered to report to their juvenile justice division officer. If the offender doesn't follow the rules set down in the order, it can be cancelled by the court and the young person sent to detention.

- **Adult Community Based Order or Adult Intensive Supervision Order.** These penalties may be used if the offender is 17 and over, and are supervised by Community Based Services staff.
- **Custodial Sentences** (Imprisonment/detention). Young offenders can be sent to a juvenile detention centre. Once over 18, they go to an adult prison.

Rights and Responsibilities of Parents

The Department of Corrective Services believes that an important part of growing up is the way a young person acts as a responsible citizen. (This means the way they behave with other people and stay away from trouble.)

The Department believes responsible citizenship begins and grows in the family. Even though a young person has come into contact with the justice system parents still have first responsibility for the way their child grows up.

The Department has two jobs. It must help parents make sure their child becomes a responsible citizen and that any court orders are carried out. Parents have an important job when their child goes to court. They can support their child and give information to the court. They should talk to a lawyer as soon as possible. When a child goes before the court, parents should tell the police or court staff if they want to speak to the court.

If the court wants a report on the child from the juvenile justice officer, the parents should also go to the interview so they know what is happening and can talk about their child. Our staff want to help parents with their child's ongoing development and will seek parents' help in carrying out court orders.