

Effectiveness of criminal justice system in dealing assignment

Law



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Evaluate the effectiveness of the criminal Justice system in dealing with young offenders with respect to two issues studied in this chapter. The Young Offenders Act has been well received by commentators. It embraces the welfare model in relation to Juvenile Justice and promotes the rehabilitation of young offenders over traditional means of punishment and dealing with crime. The Act uses diversionary measures to find solutions to Juvenile offending.

The model of such Act can be applied to the rights of children and young people when interrogated and arrested by police, and under the Law Enforcement (Powers and Responsibilities) Act 2002 (INS) there are conditions protecting children and young offenders that must be fulfilled in this process. Police must know or believe on reasonable grounds that the person has committed or is about to commit an offence, police must have a warrant for that person's arrest and certain other conditions, relating to people who are on bail conditions, must be adhered to.

People under 18 are defined as "inalienable people" and are given special protection when arrested and detained for questioning. Regulation requires that a child or young person has a parent, guardian or solicitor present at the interview. Also, any fingerprints, DNA samples or photos taken of the child or young person, with admission from the court, must be destroyed if the matter is not proved in court.

Another practice at federal level is that children and young people must not be detained for longer than two hours. These practices protect the rights and safety of the child or young offender and are ideal as there is an adult

present for almost every stage of the process- meaning that the child or young person has someone to explain things to them and greater detail, help them through the process and be there as a support system and to make sure the child or young person doesn't say or do anything incriminating.

Because of a child's limited knowledge on the criminal Justice system and little life experience to draw on, it can be concluded that this is a fair and effective model of dealing with young offenders when questioning and arresting them as they receive some guidance and have opportunities to rehabilitate and have greater prospects of good future - keeping them out of Jail and saving government and public money. Penalties available for children are listed under section 33 of the Children's (Criminal Proceedings) Act 1987 (INS).

These include; dismissal, conviction, adjournment, good behavior bonds, youth Justice conference, fines, probation, community service orders, control orders and suspended control orders. Rehabilitation and reintegration into the community is of prime importance, and for the majority of young offenders this is the reality. However, the more severe crimes will definitely entail punishment of some sort as it may have devastating effects on the victim for which the offender must take some level of responsibility for.

In these regards, the Effectiveness of criminal justice system in dealing with Young Offenders (Australia) By Galway first priority so these negative behaviors aren't carried with them into their adult life- reducing the risk of harm to themselves and others. However, the Seen and Heard report noted that the courts needed to pay more attention to social factors such as

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homelessness, family circumstances, educational needs and other requirements of children and young people.

An example of this is in relation to fines and that courts should assess the child or young offender's ability to pay the fine and the effect of the fine on their chances of rehabilitation. So, in this regard, a child or young offender's should definitely be taken into consideration and worked so they achieve the best outcome possible in rehabilitation and that the courts come to a fair decision.