MAKING PEOPLE RESPONSIBLE FOR THEIR ACTIONS

The Criminal Code will be changed so people are held fully responsible for violent crimes, including rape even if they are drunk or high on drugs.

In the most significant reform to occur since its inception, the NT Criminal Code will be amended to make it easier to prosecute for manslaughter.

The Bill will be introduced by the Attorney-General Dr Peter Toyne in next week’s Parliamentary sittings.

This is another crime fighting tool which can be used to tackle the causes of crime and build on the extra 100 police on our streets.

Dr Toyne said having cut property crime in half we are now increasing our focus on reducing crimes of violence in our community.

“This reform will send a strong message to violent offenders – you have to take responsibility for your actions,” Dr Toyne said.

“For example, as the law stands now, someone who is drunk or high on drugs may not be convicted of manslaughter when that would be the appropriate result.”

“Instead offenders are often convicted of the lesser offence of “dangerous act” under Section 154 of the NT Criminal Code with a 14 year maximum sentence – the maximum sentence for manslaughter is life.

“To put an end to that we are going to get rid of the offence of “dangerous act” (Section 154) – and bring the Northern Territory in line with the rest of Australia,” Dr Toyne said.

“It will be replaced with a more modern range of new offences targeted at specific criminal behaviour including:

- recklessly endangering life
- recklessly or negligently causing serious harm and,
- dangerous driving causing death or serious harm.

Dr Toyne said each of these new offences will attract penalties which are appropriate to the level of harm inflicted and will ensure violent offenders receive the kinds of gaol sentences they deserve.
“The amendment to the criminal responsibility provisions (Section 31) of the Criminal Code will also make it easier to successfully prosecute rape offences,” Dr Toyne said.

“At the moment, the prosecution must prove that the accused actually intended to have sexual intercourse without consent to secure a rape conviction.

“This can be very difficult if the accused gave no thought to the question of consent because they were too intoxicated.

“Following these reforms the fact that the accused may have not have bothered to turn their mind to the question of consent will be no excuse.

“The amendment to Section 31 and the repeal of Section 154 will mean that victims of crime and their families will get justice.

The reforms also address concerns about our Criminal Code which have been raised by the judiciary and law experts for nearly three decades.”

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