

From: Ben Fordham [REDACTED]
Sent: Thursday, 4 April 2019 11:15 AM
To: NSW_LRC
Subject: Submission - Open Justice Review - Ben Fordham

Hello, this is an official submission to the NSW government's Open Justice Review.

Specifically this submission is in relation to the below terms of reference:

d) The appropriateness of legislative provisions prohibiting the identification of children and young people involved in civil and criminal proceedings, including prohibitions on the identification of adults convicted of offences committed as children.

I have been campaigning on my radio show to reveal the names of serious juvenile offenders who are now adults. I'm not talking about juveniles convicted of minor offences - I'm talking about offences which attract a maximum sentence of 10 years or more. Things like sexual assault, rape, grievous bodily harm and murder.

I can see no reason as to why a criminal who commits a horrible crime at age 16 or 17, should be able to remain anonymous for the rest of their lives. In many cases the only person you're protecting by allowing them to remain anonymous is the criminal themselves - not the victim.

If a juvenile commits a serious crime - I can understand why they'd have their name suppressed until they turn 18, but not afterwards.

The case which brought this issue to my attention is the murder of Tania Burgess in 2005. She was 15 when she was stabbed 48 times by a 16 year old boy on the Central Coast, as she walked home from the bus stop.

Because her murderer was under 18 at the time - he's never been named, and is still to this day he is known as "DL" despite being 29 years old and eligible for parole. It is not acceptable that this killer has reached his parole eligibility period, and the public has no idea who he is.

Mandy Burgess has started a petition to name DL - and it has more than 118,000 signatures.

This week I have not been able to find a legal expert who disagrees with me on this issue. Sam Macedone from Macedone Legal, and Peter Lavac a prominent criminal barrister could not understand why criminals like DL, the Ashfield gang rapists who are all known by pseudonyms, and even 2 members of the Skaf gang are still protected by anonymity.

Other people to publicly support my campaign are former Prime Ministerial Chief of Staff Peta Credlin, former Labor Senator Graham Richardson, One Nation NSW leader Mark Latham, Victim's Advocate Howard Brown, and of course Mandy Burgess herself.

I am not asking for juvenile offenders convicted of minor crimes to be named, they should not have their reputations tarnished for a mistake. And I'm not asking to name offenders which would risk identifying their victim.

I'm asking for serious offenders to not have their identities kept secret - when the only person benefiting from that protection is the criminal themselves.

Regards,

Ben Fordham

Presenter - Sydney Live with Ben Fordham



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