

Kyle Horace treated worse than a Terrorist

Paul Maley reports in *The Australian*, July 12, 2018, page 5, “Porter Bans Parole For Terror Teen”, that the Attorney-General Christian Porter has refused to let out a juvenile terrorist locked up in a youth detention centre. The youth was 17 at the time of his arrest for terrorist offences. He was 19 in July 2018.

Maley reports that the number of terrorist offenders in juvenile custody is at its highest. He writes: “Their growing numbers have created a problem for authorities who have struggled to reconcile the principles of youth justice with the need to contain and isolate extremist inmates whomay radicalise others...Mr Porter declined to say why he had rejected the youth's request to be let out, but confirmed he had refused to release 'a juvenile offender whose identity is suppressed by the courts'.”

The same case was reported in *The Weekend Australian*, December 24-25, 2016, page 18, considered by Justice Lasry “at the apex” of seriousness under commonwealth law. However, Justice Lex Lasry had recommended authorities avoid holding the youth in an adult prison. Gerard Henderson commented in an opinion piece, “Sure, at the time of his crime, MHK was under 18 and, consequently, a juvenile ... However, it is not clear that a sentence of 5¼ years minimum, all of which may be served in the juvenile detention system, is much of a deterrent.” **Comment: It appears the justice system has more concern for the rights of a youth who had pleaded guilty to planning to detonate two pressure-cooker bombs, along with seven steel pipe explosive in Melbourne, than an Aboriginal juvenile whose trial had been delayed for 3½ years, apparently due to the sickness of the police officer handling the case. Kyle Horace was almost 19 by the time of his trial, and there was no consideration of youth detention or the suppression of his name. Kyle served his full sentence of 7 years in the notorious “Berrimah Correction Centre”, an adult prison on the outskirts of Darwin. As an Aboriginal youth in the Northern Territory, Kyle Horace was treated worse than a terrorist.**

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Porter bars parole for terror teen

EXCLUSIVE

PAUL MALEY
NATIONAL SECURITY EDITOR

Attorney-General Christian Porter has refused to let out a juvenile terrorist offender locked up in a youth detention centre, arguing the teenager poses an unacceptable risk to the public if released.

In what is understood to be the first case of its kind, Mr Porter quietly rejected the teenager's application last week following advice from security authorities that the boy — who cannot be named for legal reasons — posed a “high risk” of reoffending.

The youth, who was 17 at the time of his arrest but is 19 now, was charged with commonwealth terrorist offences, for which the federal Attorney-General had sole discretion as to whether or not to grant parole.

The number of terrorist offenders in juvenile custody is at its highest, swollen by Islamic State's youth-oriented propaganda pitch. Their growing numbers have created a problem for authorities who have struggled to reconcile the principles of youth justice with the



Porter

need to contain and isolate extremist inmates who may radicalise others.

In February the NSW government announced a \$6 million package aimed at countering the growing threat of Islamic extremism inside the youth justice system.

Under the changes, extremist inmates would be slapped with a national security designation, allowing authorities to monitor their phone calls and correspondence and obliging the offenders to speak English during their interactions with visitors.

They would also be required to participate in deradicalisation programs.

The changes mirror many of the conditions that apply to adult terrorist offenders.

‘I can confirm that my decision was informed by advice from ... authorities (who) recommended against parole’

CHRISTIAN PORTER
FEDERAL ATTORNEY-GENERAL

There are five juvenile detainees charged with terrorist offences, up from zero in 2015.

Insiders say the problem of Islamic radicalisation has grown worse, with extremist inmates exerting a disproportionate sway over other youths.

Mr Porter declined to say why he had rejected the youth's request to be let out, but confirmed he had refused to release “a juvenile offender whose identity is suppressed by the courts”.

“Given the suppression order, it's not appropriate that I go into reasons for my decision,” Mr Porter told *The Australian*.

“However, I can confirm that my decision was informed by advice from relevant authorities, all of which recommended against (him being let out).”