

Youth Offending Strategy

**Preventing and reducing offending and
re-offending by children and young people**

Te Haonga

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FOREWORD

This Strategy represents 18 months of collective effort across Government. It encompasses the recommendations made by the Ministerial Taskforce on Youth Offending in its Final Report. It outlines, in a very practical way, how Government plans to respond to youth offending.

The Strategy builds on the strengths of the existing youth justice system and addresses its shortcomings. It retains the foundations established by the 1989 Children, Young Persons, and Their Families Act, including the use of Police diversion whenever appropriate, Family Group Conferences (FGCs), and the separation of youth offenders from the adult criminal justice system as much as possible. It is these foundations that make New Zealand a world leader in youth justice.

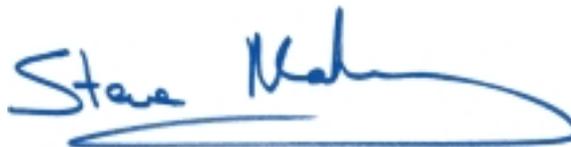
It is clear, however, that improvements are required. There is concern about cases of very serious offending by young people. There often seems to be an uncoordinated, or ad hoc approach, to addressing the multiple problems of youth offenders. And there is a need for more effective implementation of FGC plans to hold youth offenders accountable.

The Strategy makes a range of recommendations in these areas. New programmes and initiatives are being implemented to respond to serious recidivist youth offenders. We will be introducing Youth Offending Teams to ensure a co-ordinated approach to youth offending including, for the first time, the formal involvement of health and education agencies. And improvements will be made to FGC processes, including the consistent monitoring and implementation of FGC plans, and ensuring that those participating in FGCs, particularly victims of youth offenders, are well prepared and supported.

We would like to acknowledge the commitment and dedication demonstrated by many practitioners across the country to working with children and young people who offend. We would also like to express my thanks to the chair of the Ministerial Taskforce, Chief District Court Judge David Carruthers, Principal Youth Court Judge Andrew Becroft, and those youth justice practitioners and community groups who participated in the regional visits of the Ministerial Taskforce, for the significant contribution they have made towards developing this Strategy.



Hon Phil Goff
Minister of Justice



Hon Steve Maharey
Minister of Social Services and Employment

EXECUTIVE SUMMARY

The Youth Offending Strategy aims to prevent and reduce offending and re-offending by children and young people. It guides Government about where to focus its effort in youth justice policy, and helps co-ordinate the local delivery of youth justice services.

Key recommendations in the Strategy include:

- A new delivery mechanism (reflected and supported at the centre) for preventing and responding to offending by children and young people. This includes:
 - Local youth offending teams, comprising key practitioners from Child, Youth and Family, the Police, and the health and education sectors.
 - A Ministers Group and Senior Officials Group to oversee the performance of the local teams, and provide a co-ordinated and coherent national approach to the development of youth justice policy and services.
 - An independent Advisory Council comprising key youth justice personnel, including the Principal Youth Court Judge and government and community representatives.
- A range of measures to improve the delivery of, and support for, youth justice services by the core delivery agencies in the youth justice sector - Child, Youth and Family and the Police.
- The development of new comprehensive and intensive interventions for serious young offenders.
- Measures to improve the quality and robustness of information about offending by children and young people in New Zealand.



The Youth Offending Strategy strongly supports early intervention and prevention initiatives to promote the well-being of children and young people and their families and whānau. This includes working with families in the early years of a child's life, as well as providing interventions to children and young people as they grow older.

Officials have developed an action plan for Ministers. This sets out a process for implementing the Strategy's recommendations, including the identification of agency responsibilities (where these are not already identified in the Strategy) and proposed timeframes.

There are many recommendations in the Youth Offending Strategy that will have an impact on offending by Māori youth. Officials have also prepared a response to the report by Matua Matt Hakiaha, member of the Ministerial Taskforce on Youth Offending. The report, dated 19 November 2001, provides a Māori view regarding the work of the Taskforce.

INTRODUCTION

Most young New Zealanders make significant, positive contributions to their families/whānau, peer groups, schools and communities. It is important that these contributions are recognised so that children and young people feel included in and valued by society.

A significant proportion of children and young people also offend at some stage while they are growing up. The majority do so in a limited way, committing only minor offences infrequently that may not come to the attention of the Police. Often this is a sign, albeit unacceptable, of maturation and testing the boundaries. However, there is a small group (estimated to comprise fewer than 5% of under 17 year olds) who commit a significant amount of youth crime.¹ Experience indicates that children and young people in this group often come from backgrounds of disadvantage and have experienced abuse and instability.

There is widespread agreement among key agencies and practitioners that the framework for youth justice in New Zealand is fundamentally sound. In particular, the regime introduced in the Children, Young Persons, and Their Families Act 1989 is internationally recognised as an effective and progressive way of dealing with children and young people who offend. The innovative approach of New Zealand's youth justice system is attested to, in part, by the frequent visitors who come to New Zealand to learn about our system and investigate the potential for using it as a model in their own countries.

Despite strong foundations, concerns remain about our response to youth offending. There is a widely-held perception that the practice has not lived up to the promise of the 1989 reforms. This is partly because youth justice is seen as not having received the priority it requires from core youth justice agencies (Child, Youth and Family and the Police) and the support it requires from the health and education sectors.

The cost to Government and the community of not adequately addressing offending by children and young people remains significant, particularly if their offending becomes more frequent and/or serious. Of particular concern are the high rates of offending by young Māori. When these rates are looked at in light of the projected increase in the Māori youth population, it is apparent that the current situation concerning Māori in the youth justice system is destined to deteriorate further.



In August 2000, the Government established a Ministerial Taskforce on Youth Offending. The Taskforce, which commenced in October 2000, was chaired by Chief District Court Judge Carruthers, with support from Principal Youth Court Judge Becroft (since his appointment in June 2001), and included chief executives from relevant government agencies. The purpose of the Taskforce was to develop and drive through a package of initiatives to improve practice, processes and co-ordination between agencies in the youth justice sector.

Initiatives developed during the period of the Taskforce included a pilot “drug court” in Christchurch, an intensive programme for the most serious young offenders, and proposed work to support mentoring initiatives. The Ministerial Taskforce also conducted operational visits with youth justice practitioners (including Police Youth Aid, Child, Youth and Family workers, and community groups) to identify both local and national issues facing the youth justice sector. The Taskforce appreciated the energy and commitment demonstrated by many youth justice practitioners.

The Youth Offending Strategy is the key output of the Ministerial Taskforce. The Strategy guides Government about where to focus its effort in youth justice policy, and helps co-ordinate service delivery by those agencies working on the front line with children and young people who offend.

¹ See McLaren, K. (2000) *Tough is Not Enough - Getting Smart about Youth Crime: A review of what works to reduce offending by young people*. Ministry of Youth Affairs; Doolan, M. (2001) *Work with Young People who Offend*; Hema, L. (2000) *Risk and Strength Factors for Children and Young People who Offend or Re-offend: A Summary of the Literature*. Department of Child, Youth and Family Services.

PART 1: STRATEGIC FRAMEWORK

OVERALL OBJECTIVE

The objective of the Youth Offending Strategy is to prevent and reduce offending and re-offending by children and young people.

PRINCIPLES

Principles to guide activity in the youth justice environment are based on the youth justice provisions of the Children, Young Persons, and Their Families Act 1989, as well as recent research on what works to prevent and reduce offending by children and young people.

It is proposed that all activity in the youth justice sector should be consistent with the following set of principles:

1. Accountability

Children and young people who offend are to be held accountable for any offences they commit and encouraged to take responsibility for their behaviour.

2. Recognising the Interests of Victims

Measures for dealing with offending should consider the interests of any victims of the offending.

3. Early Intervention

Effective intervention should be directed at the earliest recognised point of a child or young person's development toward possible offending, wherever this is cost-effective and practicable. Early interventions should also be directed at key points in the youth justice process.

4. Protection

The vulnerability of children and young people entitles them to special protection during any investigation relating to the possible commission of an offence.

5. Age and Developmental Appropriateness

Interventions should be age-appropriate and recognise the child or young person's developmental level. Age is a mitigating factor in determining whether or not sanctions should be imposed on a child or young person.

6. Best Practice

Interventions should be based on research about what works, for whom and where, and on what doesn't work.

7. Consistency with the Treaty of Waitangi

Responses to offending by Māori children and young people should be consistent with the principles of the Treaty of Waitangi, and support the aims and aspirations of Māori.

8. Cultural Responsiveness

Responses to offending by children and young people should reflect the values, perspectives and cultures of the children and young people concerned and strengthen the relationship between the Government and the different communities it serves.

9. Youth Participation²

Young people should be provided with every opportunity to fully participate in the youth justice system. This will enable them to identify ways to provide redress to victims, as well as determine the most appropriate response to their offending.

10. Holistic Approach: Strengthening Families and Community Connections

Measures for dealing with offending by children and young people should involve and aim to strengthen the family/whānau. A child or young person who offends should be kept in the community where practicable, unless there is a need to ensure the safety of the public.

11. Limiting Involvement in the Formal Youth Justice System

Sanctions should take the least restrictive form appropriate in the circumstances. Criminal proceedings should not be brought if there is an alternative way of dealing with the offending (unless the public interest requires otherwise), or solely to provide assistance or services to advance the welfare of the child or young person, or their family/whānau.

² Youth participation is about involving young people in having a say in developing, evaluating and reviewing decisions that affect them. It is more than just consulting young people. (Ministry of Youth Affairs (2002) *Youth Development Strategy Aotearoa*.)

RELATIONSHIP TO OTHER STRATEGIES

A number of strategies are either being developed or have been implemented that are relevant to the Youth Offending Strategy.

Action for Child and Youth Development

The Action for Child and Youth Development brings the work programmes of the Agenda for Children and the Youth Development Strategy Aotearoa under one umbrella. Its focus is on improving policy and service planning and delivery by Government for the 0-24 inclusive age group. The Youth Development Strategy Aotearoa forms a platform for public sector agencies developing advice and initiatives for those aged 12-24 years.



Crime Reduction Strategy

The Crime Reduction Strategy acts as an umbrella strategy co-ordinating crime prevention and reduction initiatives across the justice sector. Reducing youth offending and re-offending is one of the seven key goals of the Crime Reduction Strategy.

Strategy to Reduce Offending by Māori and Pacific Youth

The Strategy to Reduce Offending by Māori and Pacific Youth (agreed by Cabinet in December 2000) encompasses:

- Effective interventions to prevent offending and re-offending.
- Building the capacity of Māori and Pacific communities to prevent and respond to offending by their children and young people.
- Effective service delivery by key operational agencies.
- Enhancing information about youth offenders and what works to reduce offending by Māori and Pacific children and young people.

The recommendations from this Strategy that are yet to be actioned are included in the Youth Offending Strategy.³

Department of Corrections' Youth Strategy

The Department of Corrections' Youth Strategy intersects with the Youth Offending Strategy at the point where serious young offenders are moving from the youth justice system into the adult criminal justice system. Both Strategies have a focus on early intervention and the prevention of youth offending.

Child, Youth and Family's Youth Justice Plan

As part of its "New Directions" programme, announced in June 2001, Child, Youth and Family developed a youth justice plan to improve the management and delivery of its youth justice services. This plan has informed the development of the Youth Offending Strategy but extends beyond the timeframe for the Strategy's completion.

³ Those recommendations that have been actioned include securing funding for community-based programmes such as the Māori community initiatives and Waipareira Trust's wraparound programme, and for intensive, holistic and community-based programmes delivered by Māori for medium-risk Māori youth and their families.

PART 2: YOUTH OFFENDING IN NEW ZEALAND

THE YOUTH JUSTICE SYSTEM

Key Features of the Youth Justice System

The youth justice system is complex. The way in which youth offenders are dealt with varies depending on their age and the nature of their offending, as well as on discretionary decisions made by police, social workers and judges at various points.

Key features of the youth justice system include:

- The legislative base - the Children, Young Persons, and Their Families Act 1989 (CYPF Act 1989).
- The use of diversion or other alternative action, particularly through Police Youth Aid.
- The use of restorative justice through Family Group Conferences.
- A separate court for young people - the Youth Court.

The Children, Young Persons and their Families Act 1989

Offending by children (10-13 years) and young people (14-16 years) is dealt with under the provisions of the CYPF Act 1989. Children cannot be prosecuted for alleged offending other than murder or manslaughter. Other offending by children can only be dealt with in the Family Court. Offending by young people is dealt with in the Youth Court.

The CYPF Act 1989 seeks to minimise the formal involvement of young offenders in the youth justice system, while holding them accountable for their offending behaviour. A further key feature of the Act is the involvement of those most affected by the offending (including the young person, their family or whānau and victim) in formulating an appropriate response to the offending.



Police Youth Aid

Most Police areas have at least one Police Youth Aid officer who has designated responsibility for dealing with children and young people who have been apprehended, or whose behaviour has been subject to Police attention. Children and young people referred to Police Youth Aid can be given a warning, diversion, or be referred to a Youth Justice Co-ordinator for a Family Group Conference. Diversion may involve the child or young person paying reparation to the victim, writing a letter of apology, undertaking community work, or participating in a relevant programme.

Family Group Conferences

Family Group Conferences (FGCs) were established by the CYPF Act 1989. There are both care and protection and youth justice FGCs. Within Child, Youth and Family, there are both Care and Protection Co-ordinators and Youth Justice Co-ordinators (YJCs) who are responsible for convening and facilitating FGCs. YJCs are able to convene both care and protection and youth justice FGCs.

A youth justice FGC involves the youth, his or her family, the victim (and a support person), the Police and others (such as a social worker, Police Youth Aid officer or person requested by the family). The FGC agrees on a plan for how the youth's offending is to be addressed. As with diversion, the plan may involve the youth making an apology or paying reparation to the victim, undertaking community work, or participating in a relevant programme. The YJC is responsible for ensuring that someone (a participant of the FGC, community representative or Child, Youth and Family) monitors the FGC plan.

Youth Court

The Youth Court (for young offenders aged 14-16) is separate from the adult criminal justice system and is strongly focused on the rehabilitation of young offenders. Young offenders are generally not convicted; instead, offences are either 'proved' or 'not proved'. The Youth Court does not sentence young offenders; rather, it imposes orders. In most cases, Youth Court judges will try to give effect to the recommendations of FGC plans. The most serious orders are either the supervision with activity order or the supervision with residence order. The latter is the only custodial option available to the Youth Court. The Youth Court can transfer very serious cases to the District Court for prosecution or sentencing, or in rare cases, the High Court. Murder and manslaughter are automatically transferred from the Youth Court to the High Court.

Key Players in the Youth Justice System

Police

The Police are the gatekeepers to the formal youth justice system, deciding what action should be taken when a child or young person commits an offence. Police Youth Aid deals with the majority of children and young people who are apprehended by Police, as well as working proactively with youth offenders or those at risk of offending. The Police also run a number of "Youth at Risk" programmes around the country, which have been successful in reducing offending by children and young people.⁴

Child, Youth and Family

Child, Youth and Family has statutory responsibility under the CYPF Act 1989 to respond to children and young people who are at risk of offending or re-offending. This includes responsibility for managing and implementing the FGC process, and supporting the Youth Court in providing interventions for serious young offenders. Child, Youth and Family also provides youth justice residential facilities and contracts with a wide range of community service providers to provide services to child and young offenders.

Courts

The most serious offending by young people is prosecuted in the Youth Court. Approximately 40 District Court Judges are designated as Youth Court judges, with one Principal Youth Court Judge. The Department for Courts provides administrative support and resources for the court and judicial process. This includes arranging and funding youth advocates (lawyers for young people), specialist reports, and lay advocates (who can appear in support of the young person in court).

The Social Services Sector: Health, Education and Child, Youth and Family

Agencies in the wider social services sector, in particular, health and education agencies and Child, Youth and Family's care and protection services, have a key role to play in preventing and responding to offending by children and young people. Wider social issues, including drug and/or alcohol abuse, literacy or numeracy issues, or problems within the family/whānau (eg. child abuse), often need to be addressed as part of the response to offending.

The Ministries of Health and Education develop national health and education policy. District Health Boards, other health providers, schools and alternative education centres are responsible for funding and/or delivering services to children, young people and their families/whānau at the local level. As with

⁴ See New Zealand Police (November 1999) *Youth at Risk Interim Monitoring Report* (internal document).

its youth justice services, Child, Youth and Family delivers its care and protection services through regional offices, which are supported by its national office.

National Policy Agencies: the Ministries of Justice and Social Development

The Ministries of Justice and Social Development are the lead agencies for national youth justice policy, developing strategic policy advice for their Ministers and providing advice on legislation. Operational agencies (eg. Child, Youth and Family or the Police) also provide strategic policy advice to their Ministers.

The Ministry of Social Development administers the CYPF Act 1989. It has operational responsibility for providing social assistance and employment placement and support services. The Ministry also has operational involvement in local service co-ordination, whānau development and community capacity building.

The Ministry of Justice has an operational role through the Crime Prevention Unit. The Crime Prevention Unit funds over 65 Safer Community Councils around New Zealand that provide a range of preventative and other programmes for youth offenders and children and young people at risk of offending.

The Community

The community has a key role to play in responding to youth offending. Local authorities and community groups provide children and young people with leisure and recreation services, which help to build positive links with the community and prevent offending. There is also a wide range of community-based service providers, a number of whom are funded by Government to provide programmes and services to children and young people at risk, including youth offenders. Agencies and individuals in the community may also be involved in implementing FGC plans (eg. supervising a youth offender doing community work).

STATISTICS AND TRENDS

Introduction

There is a lack of robust information about the true extent of offending by children and young people in New Zealand. Caution is required when interpreting trends in the statistical information that is available. While increases in these statistics may reflect increased levels of offending, they may also reflect increased reporting, demographic changes, legislative changes and/or changes in police policy or practice.



There are also features of offending by children and young people that may result in their over-representation in offending statistics. They are generally less experienced at offending and are therefore more likely to be caught than adults. They also tend to offend in groups, and their offending is often unplanned, opportunistic and related to the use of public space, where it is more visible and easily detected.

These characteristics of youth offending, as well as deficiencies in information collection, make it difficult to determine the size of the youth offending problem and whether or not actual youth offending rates have changed.

Summary of Trends

- Police apprehensions of under 17 year olds as a proportion of all offender apprehensions have remained relatively stable since 1991, at between 21% and 23%.
- The number and rate of apprehensions of under 17 year olds has increased since 1991, as have the number and rate of apprehensions of those over 17.
- Dishonesty offences (eg. burglary, theft and motor vehicle conversion) are by far the most common offence for which children and young people are apprehended.
- The number of youth justice FGCs held each year has remained relatively stable since at least 1995 (approximately 6,200 to 6,800 per year) but there has been an increase in the number of court-directed FGCs since 1998.
- There has been an increase in prosecutions of young people since 1991 (from 2735 in 1991 to 4024 in 2000).
- Young people are most commonly prosecuted for property or violent offending.
- The majority of children and young people in the youth justice system are male (eg. 77-80% of apprehensions of under 17 year olds and 85-89% of proved court cases since 1991).
- Māori youth are significantly over-represented in youth offending statistics, comprising around half of youth in the youth justice system.
- Pacific youth are not over-represented in youth offending statistics except for violent offences.

Offending by Māori Children and Young People

Māori children and young people comprise around half of all youth apprehended by Police, having a youth justice FGC, or being prosecuted in court. Anecdotal reports gathered on the Ministerial Taskforce's operational visits suggest that in some regions, the rate of Māori youth offending is

⁵ For example, the Ministerial Taskforce heard estimates that Māori youth commit 70-80% of male youth offending and 50% of female youth offending in Rotorua, 85% of youth offending in Gisborne, and 70-75% of youth offending in Hamilton.

significantly higher, comprising 80-90% of total youth offending.⁵ These reports are confirmed by Youth Court statistics, which show that young Māori can comprise up to 90% of young people before the Court.⁶

In 1996, the proportion of under 17 year olds who were Māori was only 24%. Māori children and young people are therefore significantly over-represented in youth offending statistics.

In the first decade of this century the number of youth aged 10-16 will increase, which may bring with it an associated increase in the total amount of youth offending. In percentage terms, the population increases will be more pronounced among Māori and Pacific children and children in the Auckland urban area. By 2016, Māori are projected to constitute 27% of all New Zealanders under 17 (up 3% from 1996).⁷ Combined with continued disparity of outcomes in other areas (eg. social disadvantage, educational achievement), this may mean that Māori youth remain over-represented in offending statistics and that overall offending by young Māori increases.

Offending by Pacific Children and Young People

Pacific children and young people comprised 10% of those aged under 17 in 1996. Nationally, the proportion of young Pacific people who are apprehended, have a youth justice FGC or are prosecuted is roughly similar to this proportion (although there are some regional differences⁸). Therefore, Pacific children and young people are generally not over-represented in youth offending statistics. They are, however, over-represented in violent offences. In addition, unlike offending by other ethnic groups, where repeated offending tends to increase in seriousness, Pacific peoples seem more likely to commit a serious offence as their first offence and may not repeatedly offend.

By 2016, Pacific peoples are projected to constitute 13% of all New Zealanders under 17 (up 3% from 1996). As with young Māori, combined with continued disparity of outcomes in other areas (eg. social disadvantage, educational achievement), this may mean that Pacific youth have greater representation in youth offending, particularly violent offending.

Offending by Young Females

Being female is a significant protective factor.⁹ Notwithstanding this, concern has been expressed, particularly by practitioners such as the Police, that offending by young females is becoming more serious and violent.

Deficiencies in data collection mean it is difficult to verify this concern. Statistics on the number of young females having FGCs do not provide enough information to analyse whether there has been an increase or decrease in FGCs for young females who are offending. Anecdotal evidence does suggest, however, that young females who are referred for youth justice FGCs seem to be committing serious and/or violent offences.¹⁰

Data on police apprehensions and proved cases involving young females under 17 must be treated with some caution because the numbers of young females involved are relatively small. Apprehensions of

⁶ The highest proportions of young Māori before the Youth Court are in the Youth Courts of Kaikohe (92%), Gisborne (89%) and Rotorua (86%).

⁷ Department of Social Welfare (1999) *Social and Environment Scan*.

⁸ For example, Pacific young people comprised 31% of young people before Auckland's Youth Court, 34% in Otahuhu/ Manukau, 24% in Henderson, and 22% in Wellington.

⁹ See McLaren, K. (2000) *Tough is Not Enough - Getting Smart about Youth Crime: A review of what works to reduce offending by young people*. Hema, L. (1999) *Risk Factors for Offenders*. Department of Child, Youth and Family Services.

¹⁰ Hema, L. (2001) *Report to Ministerial Taskforce on Youth Offending - Female Offenders*. Department of Child, Youth and Family Services.

young females per 10,000 in the population have increased overall from 96 in 1994 to 108 in 2000.¹¹ In comparison, the apprehension rate per 10,000 in the population for young males in 2000 is similar to the rate in 1994 (361 in 1994 and 363 in 2000). Apprehensions for violent offences have increased at a higher rate for young females than young males,¹² but again these numbers are relatively small. Proved cases in the Youth Court involving young female offenders have remained relatively stable over the past ten years, with the exception of violent offences, which have increased from 23 proved cases to 88.¹³

Offending by Children

There is also a perception that youth offenders are beginning to offend at a younger age, and that this offending is becoming more serious. A 1994 study on child offenders aged 10-13 found that the number of children who could be readily identified as serious offenders (in terms of the magnitude and frequency of their offending) was likely to be about 150 at the most. While the most common serious offences these children committed were arson and assaults against children their own age, most of their offending involved property damage. Where less serious offences did involve harming other people, they usually involved minor assaults or threats against children of a similar age.¹⁴

Because of deficiencies in data collection, and because the number of apprehensions of under 14 year olds is small, it is difficult to come to any definitive conclusions regarding trends in offending by this age group. All that can be said is that apprehensions of under 14 year olds have generally increased since 1991.

However, these apprehensions have increased at about the same rate as apprehensions of 14-16 year olds, and at a much lesser rate than the increase in apprehensions of 31-50 year olds. Child, Youth and Family estimate that approximately 130 of the 6,200-6,800 youth justice FGCs held annually involve children.

Further information on statistics and trends concerning offending by children and young people is provided in Appendix Two.

¹¹ These figures mean that for every 10,000 young females in 1994, there were 96 offences for which an offender was apprehended. It does not mean that in 1994, for every 10,000 young females, 96 of them were apprehended (as one offender may be apprehended for several offences).

¹² Between 1994 and 2000, apprehensions of females under 17 years old for violent offences increased from 778 to 1,172 compared to an increase from 3,033 to 3,365 for young males.

¹³ By comparison, proved violent cases involving young male offenders increased at a lesser rate, from 176 to 304 over the same period.

¹⁴ Maxwell, G. and Robertson, J. (1995) *Child Offenders: A Report to the Ministers of Justice, Police and Social Welfare*. Office of the Commissioner for Children, Wellington.

CURRENT ISSUES FACING THE YOUTH JUSTICE SYSTEM

Current issues facing the youth justice system have been identified through previous reviews and reports,¹⁵ and through the regional visits of the Ministerial Taskforce on Youth Offending. The highest priority issues, which are addressed through the Youth Offending Strategy, are discussed below.

A shortfall in the resourcing and number of interventions. Interventions needed include community-based programmes for serious young offenders, culturally-appropriate and holistic programmes for young Māori, inter-sectoral programmes targeting multiple risks and needs, and the provision of specialist mental health services and staff.

Problems with the funding and quality of interventions. These include the inadequate development of service providers and inadequate length, intensity and follow-up of programmes to ensure lasting gains.

Improvements required in agency practices and priorities. Problems to be addressed include patchy co-ordination and collaboration between and among government agencies and service providers; poor practice and inconsistent standards across the country; and a lack of best practice guidelines for YJCs, FGCs, Police and Youth Aid Officers.



Over-representation of young Māori across the youth justice system. As young Māori comprise an increasing proportion of the youth population, there is potential for an even higher representation of young Māori across all offence types. There are gaps in effective programmes delivered by and for Māori, and insufficient information for Māori youth and whānau about what programmes are available.

Over-representation of young Pacific people in violence statistics. Demographic trends indicate that young Pacific people will comprise a greater proportion of the youth population, with potential for increased representation in youth offending statistics, particularly violent offences. There are not enough effective interventions, based on a Pacific framework, and there is little development of service providers to increase effectiveness.

Better data collection and data sharing across agencies required. There is a need for data collection systems that are consistent across agencies and are offender rather than apprehension based.

A lack of strategic overview for the youth justice system. This includes fragmentation and a lack of co-ordination and collaboration between youth justice agencies.

Significant gaps in research. Research gaps include risk factors for Māori and Pacific youth, and the impact of Police practices on youth offending (for example, on the extent to which warnings, cautions or diversion reduce re-offending).

¹⁵ Ministry of Justice (2000) *Review of Resourcing of the Youth Justice Sector: Responding to Offending*; Ministry of Social Policy (2000) *Effectiveness of Supervision Orders: Report on National Survey of Youth Justice Practitioners*; Te Puni Kōkiri (2000) *Whanake Rangatahi - Programmes and Services to Address Māori Youth Offending*.

PART 3: APPROACH OF THE YOUTH OFFENDING STRATEGY

The approach taken by the Youth Offending Strategy recognises that:

1. For the existing youth justice system and legislation to be effective, some modifications, primarily with regards to the delivery of services, are necessary.
2. Early intervention (both in a general sense and within the youth justice system) is critical to preventing and reducing youth offending over the short and long term.
3. Children and young people who offend can be distinguished according to their risk of continued offending.
4. The types of interventions delivered to children and young people should be based, in part, on their level of risk of continued offending.
5. There are key points in a child or young person's progression towards becoming a serious young offender where intervention is most effective and appropriate.

1. AN EFFECTIVE YOUTH JUSTICE SYSTEM

An effective youth justice system in New Zealand should reflect the following characteristics:

- Co-ordination and collaboration between key agencies.
- Competent practitioners.
- Appropriate and proportionate responses to children and young people who offend.
- Responsive to, and reflective of, communities (including the participation of Māori and Pacific peoples in all areas of youth justice practice).
- Adequately resourced interventions based on best practice (with some research showing the most effective interventions can reduce youth offending by up to 40%¹⁶).
- Streamlined and effective youth justice processes.

Many of these characteristics are evident in pockets of youth justice practice around New Zealand. Improvements to practices and processes are required so that these characteristics become part of the standard response of the youth justice system to children and young people who offend.

2. EARLY INTERVENTION

The benefits of intervening early in life in order to promote positive outcomes for children and young people are increasingly recognised.¹⁷ There is established evidence from a wide range of sources which demonstrates that the first few years of a child's life and the environment in which he or she spends those years, are crucial to the social, economic, educational and health outcomes experienced by that child later in life.¹⁸

¹⁶ Ministry of Justice (2000) *Review of Resourcing of the Youth Justice Sector: Responding to Offending*.

¹⁷ See United States Department of Justice (1996) *Combating Violence and Delinquency: The National Juvenile Justice Action Plan*. Co-ordinating Council on Juvenile Justice and Delinquency Prevention.

¹⁸ See Evans, P. (1995) *Children and Youth "At Risk". Our Children at Risk*. Centre for Education Research and Innovation, OECD; Fergusson, D. M. (1998) *The Christchurch Health and Development Study: An Overview of Some Key Findings*. Social Policy Journal of New Zealand. Issue 10, June.

Factors such as the impact of early experiences on the development of the brain, the long term effect of child abuse and neglect (including an increased risk of criminality), and the impact of socioeconomic disadvantage on health, literacy and numeracy, are well documented. There is also a growing amount of research on the role that positive circumstances in childhood (such as family stability and good parenting) can play in building strengths and resilience.¹⁹

Negative experiences in early childhood do not affect everyone in the same way. That someone is at risk of poor outcomes does not necessarily mean that poor outcomes will eventuate. Some children may grow up in relatively deprived circumstances but go on to lead productive lives. Others may grow up in stable and positive environments but experience poor outcomes in adulthood.

Interventions are most likely to be successful and effective if they occur before problem behaviours become entrenched. It is true, however, that early interventions are also less likely to be efficient. Inevitably, more people will receive assistance than actually require it to prevent later poor outcomes. The extent of intervention may also be greater than what is required. There are always trade-offs to be made, therefore, between the effectiveness of early interventions and the efficiency of later interventions.

Notwithstanding these concerns, early intervention initiatives can be seen as an investment by government and society to avoid the significantly higher costs and reduced effectiveness of intervening at a later stage. An early intervention approach allows all New Zealanders to have the opportunity and potential to contribute positively to society and have an enriched and well-adjusted life.

3. YOUTH OFFENDING AND RISK

Children and young people who offend are not a homogeneous group. They differ in both the seriousness of their offending, and the presence of risk and protective factors in their lives. Streaming children and young people into different groups based on these characteristics can facilitate more effective and appropriate interventions.

There is considerable debate about the accuracy and validity of such identification. Concerns include the possibility of inaccurate identification and inappropriate interventions being provided to a child or young person on this basis, as well as the negative effect on children and young people of stigmatisation or 'labelling'. On the other hand, youth justice practitioners already undertake some form of identification or assessment. This practice is not systematic, transparent or consistent and is often ad hoc and based on experience rather than reliable evidence. A number of jurisdictions (including New Zealand for adult offenders) are introducing risk identification and assessment tools as a way of targeting interventions and scarce resources in the most effective and efficient manner.

¹⁹ See Vimpani, Professor G. (December 2000) *Seminar: The Evidence Base for Early Intervention: Invest Now or Pay Later*; Fergusson, D. M. (1998) *ibid*.

Broadly then, children and young people who offend can be characterised into the following three groups²⁰:

Low-risk or minor offenders will not commit many offences, their offending is generally a part of their normal maturation process, and they will largely stop offending of their own accord. These children and young people generally do not have many risk factors and have a number of protective factors.²¹ For example, they may be achieving relatively well in education, and have a number of positive relationships, including with family and friends.

Medium-risk offenders tend to start offending after 13 years, and grow out of their offending by their mid-twenties. They may commit a number of offences and, although late starters, may make up for this by breaking laws of the same seriousness and frequency as high-risk offenders. Some may begin and end their offending careers quite abruptly. They may also behave anti-socially in some environments (such as with friends) and not in others (such as school). This group tends to exhibit two particular risk factors: substance abuse and anti-social peers. They will often have a number of protective factors (eg. family stability, educational achievement) and will be succeeding in other parts of their lives.

High-risk offenders (or serious young offenders) may comprise less than 5% of under 17 year olds, but they account for a large proportion of offences committed by children and young people.²² They engage in five to 20 times as much offending as lower-risk offenders. They begin offending early (before age 14 and as early as 10), offend at high rates and often very seriously, and are likely to keep offending into adulthood. They start their anti-social behaviour with minor problems in early childhood, move onto more serious problem behaviours, and then begin serious and/or repeat offending. As they continue offending, they commit serious offences along with numerous less serious offences. These young people are characterised by major personal, social and family disorder.

The three groups are not distinct and there can be considerable movement between children and young people in each group. In some cases, child and young offenders will move between different levels of risk, particularly if their offending is not adequately addressed. In other cases, child and young offenders may enter the youth justice system at a medium or high level of risk. There is potential to exit from the youth justice system at any time, irrespective of the level of risk.

4. TYPES OF INTERVENTION

The response to and expected outcome from intervening with children and young people in each of the three groups discussed above should be different. Medium-risk offenders will often respond best to processes that emphasise their accountability for the offending and provide reparation to their victims. High-risk offenders require a more sophisticated and intensive response which is multi-faceted and addresses the range of problems that are likely to exist in their lives.

The number of children and young people in each group decreases significantly as the risk increases and the interventions become more intense. However, the further a youth offender progresses through the



²² Estimated to be about 50% of all crime committed by this age group (Moffitt, 1999 in Hema, L. (2000) *Risk and Strength Factors for Children and Young People who Offend or Re-offend: A Summary of the Literature*. Department of Child, Youth and Family Services).

²⁰ The discussion on the characteristics of these three groups and the response to them has been drawn from: McLaren, K. (2000) *Tough is Not Enough - Getting Smart about Youth Crime: A review of what works to reduce offending by young people*. Ministry of Youth Affairs; Doolan, M. (2001) *Work with Young People who Offend*; Hema, L. (2000) *Risk and Strength Factors for Children and Young People who Offend or Re-offend: A Summary of the Literature*. Department of Child, Youth and Family Services.

²¹ Risk factors are aspects of an individual's characteristics, family and social circumstances that correlate with a greater probability of the individual becoming a serious or persistent offender. Protective factors contribute to the lessening of the risk.

youth justice system, the higher the costs to both the youth justice and social services sectors. While a diversionary response for a low-risk offender (either through a warning or referral to Police Youth Aid) has been estimated to cost up to \$1,100 per young person, the most expensive court order (two to three months custody in a Child, Youth and Family residence) has been estimated to cost over \$27,000.²³

The costs of failing to halt a young person's progress into the adult criminal justice system are even more considerable. It costs at least \$50,000 per year on average to keep one person incarcerated in a New Zealand prison. The indirect costs of losing a young person's positive participation in society and the impact on future generations are much more difficult to quantify but no less significant.

Resources should be focused towards children and young people who are demonstrating a strong risk of becoming, or have become, serious and recidivist offenders (the high-risk group). This will ensure that those youth offenders who have greater and more complex needs receive the most intensive and comprehensive interventions, while scarce resources are not inappropriately directed at those who require only a minimal intervention (although some resources will always need to be targeted at the lower-risk groups).

5. KEY POINTS OF INTERVENTION

Five key points of intervention have been identified where effective interventions are most likely to prevent and reduce youth offending and re-offending.

These key points are:

- **With the family** (birth to 4 years of age inclusive). Interventions are likely to be focused on addressing problems such as family instability or social disadvantage.
- **At school** (particularly when a child first begins school). Interventions are directed more towards the child or young person, within the context of their wider environment, including the school and family/whānau.
- **The first contact with the Police** after committing an offence or when other behaviour comes to their attention.
- **The first Family Group Conference.**
- **The first Youth Court prosecution.**

The Youth Offending Strategy emphasises the importance of intervening at the earliest stages of a child or young person's development. The development of interventions with the family and at school is primarily the responsibility of the wider social, health and education sectors. Strengthening co-ordination between the delivery of social services and the response of the youth justice sector to children and young people at risk is a key aim of the Strategy.

Interventions within the youth justice system generally become less effective the more times a child or young person goes through them. This may be related to the child or young person's increased familiarity with the process, or their negative perceptions of the process due to past experiences of its ineffectiveness. The first time a child or young person encounters these processes is therefore critical.

²³ Ministry of Justice (1999) *Review of Resourcing of the Youth Justice System: Mapping the Current Distribution of Financial Resources Allocated to the Delivery of Youth Justice Services across the Government Sector: A Report to Justice Sector Chief Executives.*

6. KEY FOCUS AREAS

Key Focus Areas for the Youth Offending Strategy have been developed based on the approach to the Strategy discussed above.

The Key Focus Areas are:

Supporting the System

1. **Co-ordination and Leadership:** Establish a delivery mechanism (reflected and supported at the centre) to co-ordinate the prevention of, and response to, offending by children and young people.
2. **Information:** Develop consistent and comprehensive information about offending by children and young people to support effective interventions, policy and practice.

Prevention Before Offending

3. **Early intervention:** Pro-actively create well-being in families and whānau through the provision and support of appropriate interventions.
4. **Children and young people at risk:** Pro-actively create well-being in children and young people through interventions targeting children and young people at risk.

Response After Offending

5. **First contact with Police:** Provide an appropriate and proportionate response when offending by children and young people first comes to the attention of the Police, including diversion away from the formal youth justice system wherever possible.
6. **Family Group Conferences:** Provide an appropriate and effective response to children and young people at the Family Group Conference in order to prevent the likelihood of further offending.
7. **Serious Young Offenders:** Provide a comprehensive, effective and intensive response to serious young offenders in order to reduce the likelihood of re-offending.

PART 4: ACTION

KEY FOCUS AREA 1: CO-ORDINATION AND LEADERSHIP

Objective: To establish a delivery mechanism (reflected and supported at the centre) to co-ordinate the prevention of, and response to, offending by children and young people.

Outcomes: Desired outcomes include improved co-ordination and collaboration between key agencies, a coherent national approach to service delivery, effective service delivery, and the prevention of youth offending.

Why is this a Focus Area?

The Youth Offending Strategy recognises that the existing legislative base and framework for the youth justice system must be supported by best practice. It is clear that current practice needs to improve.

Concerns that have consistently been raised include:

- The lack of priority youth justice receives in key agencies.
- Problems with how youth justice is delivered locally.
- The ad hoc involvement of agencies from key sectors such as health and education.

Local and national fragmentation inhibits effective youth justice practice and the achievement of positive outcomes for children, young people, their families and whānau, and victims.

Current Response



Police and Child, Youth and Family are the key operational agencies in the youth justice sector. The Department for Courts and the Department of Corrections are involved at particular points in the youth and adult justice systems. Other agencies, for example, from the health and education sectors, are involved on an ad hoc and often contractual basis as and when the need arises.

The Ministries of Justice and Social Development are the lead policy agencies for the youth justice sector. They co-lead a number of policy projects (including the development of the Youth Offending Strategy), and co-convene forums such as the Youth Justice Senior Officials Group (YJSOG). Other policy agencies, including the Ministries of Youth Affairs and Pacific Island Affairs, and Te Puni Kōkiri, provide input into policy advice to the Government on particular youth justice issues.

YJSOG was established in mid-1999 to co-ordinate policy and purchase advice. It functions well as an information-sharing mechanism, but has less input into delivery at a local level, and into monitoring cross-sectoral performance. The Ministerial Taskforce on Youth Offending, established in August 2000, has assisted with co-ordination and collaboration between agencies, and developing links between the wide range of government agencies that can play a role in responding to youth offending.

Concerns with Current Response

Overall concerns with current practice in the youth justice sector relate to:

- Intra-agency issues - issues internal to individual agencies that impact on their delivery of services to children and young people who offend.
- Inter-agency issues - issues relating to co-ordination and collaboration between key agencies in the youth justice sector.
- National leadership - issues relating to co-ordination and leadership at the centre.

Intra-Agency Issues

Intra-agency issues include both local service delivery and internal issues particular to individual agencies. These are discussed in detail in other parts of the Strategy (in particular, Key Focus Areas 5 and 6).

A key intra-agency issue is the placement of youth justice within Child, Youth and Family. There is a strong view, held by some youth justice practitioners, as well as some members of the judiciary, that the functions of Youth Justice Co-ordinators (YJCs) should be taken from Child, Youth and Family and either placed in another existing agency (for example, the Department for Courts) or in a new stand-alone department. The primary basis for this view is that the urgency of care and protection cases means that care and protection will always take priority over youth justice. A parallel concern exists about the priority given to Youth Aid within Police, and the movement of Youth Aid staff to other more pressing duties.

Inter-Agency Issues

Inter-agency issues primarily relate to a lack of co-ordination and collaboration at a local level. Relationships between agencies are not always good. This may be due to immediate work pressures taking priority over the less urgent need to network and build relationships. It may also reflect differences between individuals or a lack of confidence in another agency's ability to deliver. Poor relationships have a consequential impact on the system's ability to provide effective youth justice services and achieve positive outcomes for all concerned.

The Youth Offending Strategy recognises the important role that agencies from the health and education sector can play in responding to children and young people who offend. The current involvement of these agencies is often ad hoc. A school teacher or principal may attend a Family Group Conference (FGC), or an educational assessment may be undertaken at the request of the court. There is no formal relationship between health and education agencies and key youth justice agencies.

National Co-ordination and Leadership

National co-ordination and leadership is problematic. There is a plethora of policy and operational agencies involved in youth justice. This creates difficulties in providing consistent and coherent advice to Government that adequately reflects policy concerns and operational realities. National guidelines and policies are not always adhered to locally. There is also a concern that the Wellington bureaucracy is inward looking and, for example, does not take adequate account of community interests in youth justice.

The Youth Offending Strategy makes a number of recommendations to address youth justice practice. A mechanism is needed to monitor progress against these recommendations and ensure that the momentum generated through the Strategy and Ministerial Taskforce is not lost.

Proposals

It is recommended that:

1. Intra-agency issues (discussed further in Key Focus Areas 5 and 6):

- (a) Police and Child, Youth and Family take steps to ensure that Youth Aid Officers and YJCs are properly supported within their respective agencies, and that these key practitioners perform at a consistently high level across the country. This includes:
 - Police - reviewing the number, mix and status of Police Youth Aid officers, as well as Police Youth Aid recruitment and retention policies, to ensure that Police Youth Aid is sufficiently

resourced and that Police Youth Aid officers are sufficiently supported; improving representation of Māori, Pacific peoples and females among Police Youth Aid officers; ongoing education of Police internally about the role of Police Youth Aid officers, the provisions of the CYPF Act 1989 and dealing with youth offenders; ongoing training for Police Youth Aid officers; and developing a support structure for Police Youth Aid at a national level.

- Child, Youth and Family - ensuring that sufficient YJCs are available in each locality and that, as far as practicable, the number of YJCs in each region is commensurate with their workload; reviewing the current qualification requirements for YJCs and the way YJC jobs are currently evaluated; developing a best practice model for YJCs; and ensuring that YJCs receive regular training.
- (b) Child, Youth and Family ensure that YJCs undertake adequate planning before a FGC. This includes ensuring and facilitating proper attendance at a FGC; and that, where care and protection concerns are identified, these are addressed within the FGC convened to address the offending.
- (c) Child, Youth and Family ensure that FGC plans are consistently implemented and monitored. This includes making a decision at the FGC about who will be responsible for monitoring the FGC plan, and establishing a tagged or 'ring-fenced' budget to be used specifically on implementing FGC plans.

2. Inter-agency issues:

- (a) Local youth offending teams are established to co-ordinate service delivery at a local level.

It is proposed that the teams comprise Child, Youth and Family (the YJC), Police Youth Aid, and representatives from the health and education sector. The teams will co-ordinate service delivery to youth offenders, including a health and educational/vocational needs assessment for some youth offenders before their first FGC. The teams will also facilitate a co-ordinated approach with other youth justice providers (eg. the local court and community groups). The Senior Officials Group (below) should monitor the teams' performance based on reports received from the teams. The designated manager of the teams should be either the YJC or the Police Youth Aid officer.

- (b) Other measures are taken to improve co-ordination and collaboration between key practitioners (discussed further in Key Focus Areas 5 and 6). These measures strongly relate to the development of local teams and include:
 - Regular, focused, joint training and meetings between Police Youth Aid officers, YJCs and other key practitioners as appropriate.
 - Aligning Police and Child, Youth and Family boundaries.
 - Strengthening relationships with community providers.

3. National Co-ordination and Leadership: Mechanisms are established at a national level to oversee youth justice service delivery and the implementation of the Youth Offending Strategy.

The mechanisms are:

- (a) **A Ministers Group** - the Ministers Group will receive quarterly reports from the Senior Officials Group (below) on the performance of the local teams and progress towards implementing the Youth Offending Strategy. The core Ministers Group should comprise the Ministers of Justice

and Social Services and Employment, and include the Ministers of Police, Courts, Education, Health, Māori Affairs, Pacific Island Affairs and Youth Affairs as appropriate.

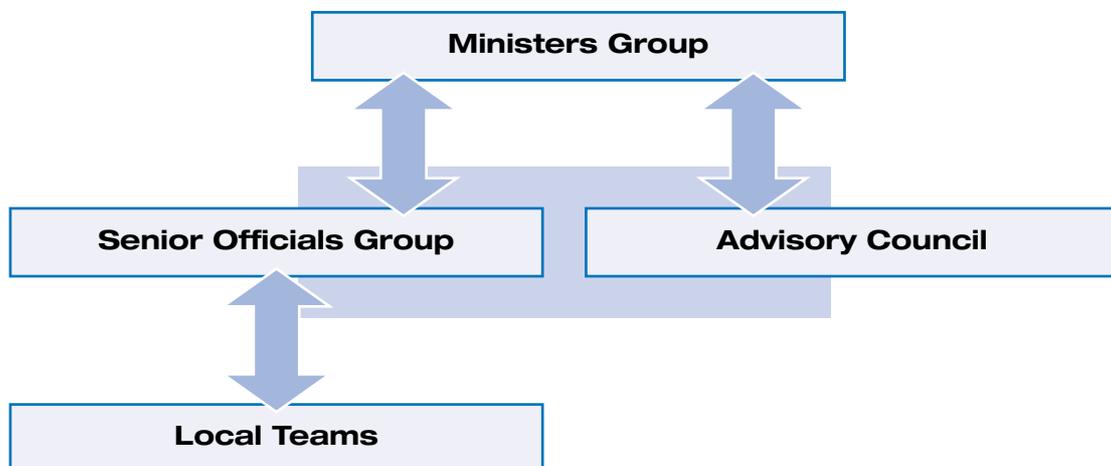
- (b) **A Senior Officials Group** - the Senior Officials Group (a reconstituted YJSOG with new terms of reference, a tighter membership and increased responsibility) will monitor and report quarterly to the Ministers Group on the performance of the local teams and the implementation of the Youth Offending Strategy. The Senior Officials Group should comprise representatives from both policy and operational agencies, including the Ministries of Justice, Social Development, Health and Education, and Child, Youth and Family, Police, and the Department for Courts. The Senior Officials Group would meet regularly (both separately and with the Advisory Council).
- (c) **An Independent Advisory Council** - the Advisory Council will provide advice to the Ministers Group and Senior Officials Group. It should comprise key youth justice personnel, including the Principal Youth Court Judge (chair), government representatives and community representatives, including youth advocates and Māori and Pacific representatives. The community representatives should be appointed by the Ministers Group. The Council would have a direct advisory line to Ministers and meet regularly (both separately and with the Senior Officials Group).

In summary, it is proposed that co-ordination and collaboration be established between key agencies on a formal basis, both locally and nationally. A mechanism is also established to formally and regularly involve key practitioners in youth justice policy development.

It is not proposed to remove youth justice from Child, Youth and Family. The disruption caused by further restructuring would be detrimental to both the agency and the delivery of its youth justice services. While some separation between youth justice and care and protection is warranted, there are still significant links between the two areas. Placing youth justice in a separate agency would make building and maintaining these links difficult. There are also links between the contracting services of Child, Youth and Family and the role of YJCs through the formulation of FGC plans. If implemented, the recommendations of the Youth Offending Strategy should significantly improve Child, Youth and Family’s delivery of youth justice services.



The proposal has been agreed to in principle by those agencies most affected (Child, Youth and Family, Police, and the Ministries of Justice, Social Development, Health and Education). Further work is required over the next six months before the new arrangements can be implemented.



Proposal to Improve Co-ordination and Leadership in the Delivery of Services to Children and Young People Who Offend.

KEY FOCUS AREA 2: INFORMATION

Objective: To develop consistent and comprehensive information about offending by children and young people to support effective interventions, policy and practice.

Outcome: Desired outcomes include the ability to track a child or young person's progress through the youth justice system, compatibility of data between agencies and between the youth and adult justice systems, and regular and high quality evaluation of the response to youth offenders to inform youth justice practice.

Why is this a Focus Area?

Interventions, practice and partnership need to be supported by good information. Significant deficiencies in information collection mean that the true nature and extent of youth offending is unclear. Effective responses by operational agencies to offending by children and young people are hindered and there are consequential implications for the quality and robustness of policy advice provided to government.

Current Response

Police and Child, Youth and Family collect some information about their response to youth offenders who come to their attention. Limited information is also collected through the Law Enforcement System about those youth offenders who are prosecuted in the Youth Court.

The Ministry of Social Development, with input from other sector agencies, has begun work on the development of a minimum youth justice data set for the youth justice sector. Stage 1 of this project (a scoping exercise) was completed in 2001. The project will now be advanced through the Justice Sector Information Strategy, led by the Ministry of Justice.



Child, Youth and Family has begun analysing historical data to analyse trends relating to youth offenders, including previous contacts with care and protection, and the operation of the FGC process. Data from the Police and possibly the Department of Corrections will be used to gain some understanding of the flow-through of children and young people through the entire youth justice system.

The Police have also begun a data project to improve the quality and consistency of data collected by Police Youth Aid officers.

The Department for Courts is introducing a new Case Management System that will contain all the personal detail and charge information currently passed on by Police, along with criminal history information. It should provide better information about Youth Court hearings and about youth cases held in the District and High Courts, as well as provide improved access to the data.

Research has been undertaken on particular aspects of the youth justice system and on specific programmes. Most recently, a significant research project was commissioned to identify factors associated with successful outcomes in the youth justice system, including a reduction in re-offending. This research, "Achieving Effective Outcomes in Youth Justice", is due for completion in 2002. The Ministry of Social Development is evaluating the Youth Services Strategy and an evaluation is also nearing completion on the use of Police diversion with young people.²⁴

More generally, the research and information dimension of the Action for Child and Youth Development aims to identify key gaps in knowledge about children and young people, provide a rationale and framework for identifying priority data needs, and foster research by organisations and individuals on relevant issues.

²⁴ Institute of Criminology Research Team (2001) *Police Youth Diversion*. Draft Final Report: Prepared for New Zealand Police and Ministry of Justice.

Concerns with Current Response

Information deficiencies that have been identified by agencies and in a number of recent reports²⁵ include:

- A lack of consistent data collection and recording about offenders or individuals (rather than offences) between agencies.
- An inability to follow an offender through the youth justice system or identify recidivist offenders and their characteristics.
- A lack of statistical information, particularly by region and ethnicity, to analyse and target responses to youth offending.
- A lack of information transmission between the youth justice and adult criminal justice systems (partly related to legislative restrictions).
- A lack of information on how youth offending is dealt with, particularly through the use of informal Police procedures.
- Inadequate monitoring of programme effectiveness.
- A lack of information about the risk and protective factors for specific groups, such as young women and Māori and Pacific youth, and about what works to reduce offending by these groups.

Youth justice agencies are not able to systematically or consistently identify the risk of youth offenders re-offending, or the factors to be addressed to reduce that risk. Without this screening, youth offenders may receive either too much or too little intervention. There is limited ability to identify those children and young people who are at high risk of progressing to adult offending and who may require a more comprehensive intervention.

Proposals

It is recommended that:

1. The Ministry of Justice advance the development of a minimum youth justice data set, with support and assistance from other agencies in the youth justice sector, through the Justice Sector Information Strategy (see Key Focus Area 5 also).
2. Child, Youth and Family, in consultation with other relevant agencies, develop a screening and assessment mechanism for use at key intervention points in the youth justice sector.

The Ministry of Social Development, in consultation with the Police, will also investigate the feasibility of an assessment tool for community/family/whānau members or Police Youth Aid officers, to aid in assessments at the informal end of the youth justice system (see Key Focus Area 5 also).

3. Continued research and evaluation into interventions with children and young people who offend is supported by youth justice agencies.

While there are a number of valuable evaluations underway, more research and evaluation of the youth justice system is needed. An evaluation component should be built into any new programmes that are developed. Existing programmes should be evaluated and research into the operation of the youth justice system should be actively supported.

²⁵ See Ministry of Justice (2000) Review of Resourcing of the Youth Justice Sector: Responding to Offending; McLaren, K. (2000) *Tough is Not Enough - Getting Smart about Youth Crime: A review of what works to reduce offending by young people*. Ministry of Youth Affairs; Te Puni Kōkiri (2000) *Whanake Rangatahi: Programmes and services to address Māori youth offending*.

KEY FOCUS AREA 3: EARLY INTERVENTION

Objective: To pro-actively create well-being in families and whānau through the provision and support of appropriate interventions.

Outcomes: Desired outcomes include the healthy development and socialisation of young children, preventing risk factors from accumulating and interacting cumulatively, strengthening protective factors, preventing youth offending, and cost efficiencies.

Why is this a Focus Area?

Promoting and facilitating the health and well-being of children is not only critical to their healthy development and socialisation, but fundamental to the prevention of poor life outcomes, including youth offending. Among the strongest predictors of youth offending are inadequate or inappropriate parenting, child abuse and neglect, early childhood cognitive or behaviour problems, and family poverty.²⁶ It is vital that these key risk factors are addressed early to prevent them from accumulating and interacting cumulatively, and to inhibit a child's progression towards offending and other poor outcomes. Protective factors, such as developing positive relationships in childhood, also need to be supported and reinforced.

Current Response

There are a wide range of programmes in the health and education sectors that provide support for families/whānau with young children, including those who are experiencing multiple disadvantages.

These programmes focus on age-appropriate responses for healthy child development within the family/whānau, school, peer group and community contexts. While not directly addressing or targeting youth offending, these programmes address key risk factors and reinforce key protective factors identified in studies on offending.

Programmes include the provision of health, education and welfare services; life skills development; home visiting; parenting skills; supporting the personal development of parents; and adult education, training and job assistance. There are also programmes addressing the behavioural and cognitive problems of children, child health care and immunisation services, and abuse prevention programmes. Further information on these programmes is included in Table 1 of Appendix 3.



Current government initiatives include the Ministry of Education's development of an overarching framework for children and young people at risk of educational underachievement. This includes early intervention strategies for families and whānau with children aged 0-5 years, a long-term plan for the early childhood sector, and an inter-agency review of Parent Support and Development Services. The Ministry of Health is implementing the Primary Health Care Strategy which has a priority area of reducing barriers to health services and improved health.

The Family Start programme is a key early intervention initiative for families/whānau and children at risk and has recently been extended to facilitate additional referrals.

Concerns with Current Response

There is a long-standing concern that the need to respond to immediate and tangible problems, including youth offending, takes priority over the need to intervene early in children's lives. This is particularly where the benefit of that intervention may not be immediately apparent and the identification of that child or family may be difficult. A balance is required between responding to the needs of children and

²⁶ Brown, M. (1999) *Preventing Youth Offending: Review of Literature of What Works, What Does Not Work and What Looks Promising*. Ministry of Social Policy.

young people who offend and improving the provision of services at the early developmental stages of childhood. The importance of early intervention initiatives needs to be supported and reinforced by the youth justice sector.

There is a lack of culturally-appropriate, accessible and effective services for both Māori and Pacific families and whānau experiencing multiple disadvantages, especially young parents. This may be one reason for the low participation of Māori and Pacific peoples in key preventive services, for example, early childhood education.

There is an ongoing need to ensure that all programmes are high quality, service providers are properly trained, and effective supervision and accountability mechanisms are put in place. The need for monitoring and evaluation of both new and ongoing services is increasingly recognised in New Zealand. There has also been a number of recent initiatives to strengthen and develop the capacity of service providers, particularly Māori and Pacific providers.

As with other key areas, increased co-ordination and collaboration between government agencies and with the community is required to improve consistency of funding and programme objectives, identification of gaps in services, and appropriate assessment and referrals of families/whānau and their young children.

Proposals

The Youth Offending Strategy emphasises the need for improved infrastructures of support for all families/whānau, including child health, early childhood education, parenting programmes and child poverty reduction strategies. Initiatives to achieve these objectives include:

1. Continuing to ensure that the needs of young children (0-4 inclusive) receive high priority within the social, health and education sectors.
2. The provision and support of culturally-responsive services for both Māori and Pacific families and whānau experiencing multiple disadvantages, especially young parents.
3. Ensuring that family support and skills development programmes are provided by trained providers, are high quality and have effective supervision and accountability mechanisms in place.
4. Increased co-ordination and collaboration between government agencies and with the community to improve consistency of funding and programme objectives, identification of gaps in services, and appropriate assessment and referral of young children.
5. Continuing efforts to increase the participation, particularly of Māori and Pacific peoples, in key preventive services, for example, early childhood education.

KEY FOCUS AREA 4: CHILDREN AND YOUNG PEOPLE AT RISK

Objective: To pro-actively create well-being in children and young people through interventions targeting children and young people at risk.

Outcomes: Desired outcomes include the healthy development and socialisation of children and young people, preventing the accumulation of risk factors, strengthening protective factors, preventing youth offending, and cost efficiencies.

Why is this a Focus Area?

As children (5-13 years) and young people (14-16 years) grow older, other factors outside the family/whānau, such as peers and community, begin to have a greater impact on their lives. Risk factors (for example, doing poorly at school, drug and alcohol abuse) have been identified that, if addressed, could assist to prevent poor outcomes. As with early intervention, protective factors such as ensuring success at school and developing friendships with pro-social peers also need to be supported and reinforced. Intervening early in the lives of children and young people at risk is not only desirable for their healthy development and socialisation, but may also result in significant fiscal and social cost efficiencies and have long-term benefits for children, young people and their families/whānau.

Current Response

Effective programmes to prevent poor outcomes, including youth offending, for children and young people are primarily delivered by agencies outside the justice sector. Their focus is on addressing risk factors such as poor attendance or under-achievement at school, anti-social behaviour, lack of parental support or lack of pro-social peers.

Programmes include Social Workers in Schools, anti-bullying programmes, specialist education services, drug and alcohol abuse education and treatment, alternative education, community-based recreational/leisure activities, life skills development, counselling, and mentoring. Further information on these programmes is provided in Table 1 of Appendix 3.

Concerns with Current Response

As with early intervention, there is a long-standing concern that responding to immediate and tangible problems, including youth offending, takes priority over intervening with children and young people at risk. This is a particular risk when the benefit of an intervention with a child or young person may not be immediately apparent. There needs to be a balance between responding to the needs of children and young people who offend and improving the provision of services to children and young people at risk. This includes funding initiatives focused on preventing a range of poor outcomes, including youth offending.

There is a consistent call from Māori that services to address the needs of Māori children and young people need to be Māori designed and delivered, holistic, community-based, and targeting a wide variety of needs. There is currently a lack of such programmes.²⁷

There is also a need for Pacific-designed and run programmes that are responsive to Pacific needs and issues. While there are some programmes of this nature (eg. Pacific-run programmes for Pacific students not achieving in mainstream education), these programmes need to be further funded, supported and evaluated.

The general school-based programmes (eg. Social Workers in Schools) have good coverage and many have been evaluated and demonstrated positive effects. However, there is concern about the incidence of truancy and the number of young people, particularly Māori young people, being suspended from school.

²⁷ Te Puni Kōkiri (2000) *Whanake Rangatahi - Programmes and Services to Address Māori Youth Offending*.

The Ministry of Education's Suspensions Reduction Initiative is currently working with 86 schools that have a history of high suspensions of Māori students. A further critical issue concerns anecdotal reports (for example, from the Ministerial Taskforce operational visits) of a number of young people not enrolled in school.

While alternative education programmes (for those students who have become alienated from attending regular school) are of a high standard in some areas, they are not working as well in others. The Ministerial Taskforce also heard concerns about a perceived lack of such programmes and the tight criteria for entry. As noted previously, the Ministry of Education is currently assessing how the overall school system can better respond to the needs of all students at risk of educational underachievement.

Deficiencies in the provision of specialist services for children and young people at risk include an identified shortage of mental health services (especially alcohol and drug programmes) and skilled staff, and significant pressure on Child, Youth and Family's care and protection services. Mental health services for children and young people are a focus of the Blueprint for Mental Health Services in New Zealand and a major workforce development strategy to increase and improve the quality of mental health workers. Child, Youth and Family's "New Directions" programme aims to significantly improve the agency's response to care and protection cases.

Two further issues consistently raised on the Ministerial Taskforce regional visits were the effect on young people of cannabis use (including the possible decriminalisation of cannabis) and the lowering of the legal drinking age to 18 years. Both issues are part of wider policy work currently underway. Parliament's Health Committee has been undertaking a review of cannabis over 2001. The Ministry of Justice is currently reviewing the consequences of lowering the drinking age and the enforcement of the age limit.

Evidence suggests that effective mentoring services can make a useful contribution to reducing and preventing youth offending. While there is a diverse range of mentoring initiatives available, their development has been ad hoc, and it is not clear all are equally effective. Work is needed to determine how Government can best support mentoring initiatives (including Māori and Pacific mentoring practices), and what sort of initiatives and practice will best promote Government's youth development aims.

Inadequate development of service providers' training, knowledge, skills and infrastructure is also a concern. Insufficient emphasis is placed in agency funding criteria on the provision of evidence-based practice and services. There is a lack of readily-accessible national information on programme quality and effectiveness.

As with other key areas, better co-ordination and collaboration is required to ensure consistency of funding and programme objectives, identification of gaps in services, and appropriate assessment and referral of individual children and young people at risk. Another long-standing issue is funding fragmentation and compliance costs for community agencies because of different contract requirements between government agencies. Contracting practices need to align or respond more to local service requirements. Many of these issues are being considered by the Community and Voluntary Services Working Party, which has been established to, among other things, improve funding and accountability arrangements and strengthen the community sector.

Proposals

It is recommended that:

1. The social services sector (including the Ministries of Health, Education and Social Development, and Child, Youth and Family), in conjunction with Te Puni Kōkiri, provide and support Māori-designed and delivered services for Māori children and young people at risk, and their whānau.

This includes:

- (a) Researching, piloting and evaluating Māori programmes for Māori children and young people at risk and their whānau.
- (b) Ongoing funding being secured for Māori community-based programmes that have already demonstrated effectiveness with Māori children and young people at risk.

2. The social services sector (including the Ministries of Health, Education and Social Development, and Child, Youth and Family), in conjunction with the Ministry of Pacific Island Affairs, provide and support Pacific-designed and delivered services for Pacific children and young people at risk, and their families.

This includes:

- (a) Researching, piloting and evaluating Pacific programmes for Pacific children and young people at risk and their families.
- (b) Ongoing funding being secured for Pacific community-based programmes that have already demonstrated effectiveness with Pacific children and young people at risk.

3. The Ministry of Education take steps to raise the educational achievement of children and young people at risk.

This includes:

- (a) Reducing truancy and suspension levels, including improved school management of unjustified absences.
- (b) Improvements to the provision and quality of alternative education services.
- (c) Improvements to the information on, and the response to, children and young people not enrolled in school.

4. There is greater provision and support of research-based specialist services for children and young people at risk.

This includes:

- (a) The Ministry of Health focusing the planned increases in mental health services, especially drug and alcohol programmes, on children and young people at risk.
- (b) Child, Youth and Family continuing to make improvements to the delivery of its care and protection services through the “New Directions” programme.

5. The Police complete a literature review on the effectiveness of programmes designed to assist at-risk young people in addressing drug and alcohol use (which has already commenced as part of the work of the Ministerial Taskforce).

6. Programmes targeting children and young people at risk are provided by trained service providers, are known to key agencies and the wider community, and are of high quality.

This applies to all agencies that directly deliver services or fund community providers, including the Ministries of Health and Education, Child, Youth and Family, Police and Crime Prevention Unit. It includes:

- (a) Service providers receiving regular and focused training to ensure they have the skills and knowledge to deliver high quality services.
 - (b) Agency funding criteria emphasising the provision of evidence-based practice and services (ie. being clear which interventions produce what outcomes, under what conditions and in which context).²⁸
 - (c) Providing better information to agencies, children and young people at risk and their families/whānau about the availability of programmes (including information on sources of funding for community providers).
 - (d) Improved monitoring and evaluation of programmes to ensure high quality outputs and desired effective outcomes.
 - (e) Programmes receiving sufficient funding to facilitate the delivery of high quality services.
 - (f) Promotion and use of the youth development approach, as outlined in the Youth Development Strategy Aotearoa, in the delivery of programmes and services for young people.
7. Co-ordination and collaboration between government agencies and the community is facilitated and encouraged, to improve the consistency of funding and programme objectives, the identification of gaps in services, and appropriate assessment and referral of children and young people at risk.

This applies to agencies such as Child, Youth and Family, the Ministry of Health and Crime Prevention Unit and includes:

- (a) Joint development of common service providers.
 - (b) Developing joint service contracts between one service provider and more than one funder or government department.
 - (c) Strengthening relationships between government and community service providers by, for example, having joint training between government and community providers.
 - (d) Ensuring that contracting practices align with local service requirements.
8. The social services sector, in conjunction with Te Puni Kōkiri, the Ministries of Youth and Pacific Island Affairs, Crime Prevention Unit and Police, investigate options for the further provision of best practice mentoring services for young people at risk of offending and other poor outcomes.

This includes:

- (a) Government working with the community and providers to determine and promulgate best practice in mentoring.
- (b) Government facilitating a co-ordinated approach to developing the supply of mentoring programmes.
- (c) Consistency in monitoring and evaluating mentoring initiatives against accepted best practice standards.



²⁸ Crawford, A. (1998) *Crime Prevention and Community Safety - Politics, Policies and Practices*. Longman, London.

KEY FOCUS AREA 5: FIRST CONTACT WITH POLICE

Objective: To provide an appropriate and proportionate response when offending and other behaviour by children and young people first comes to the attention of the Police, including diversion away from the formal youth justice system wherever possible.

Outcomes: Desired outcomes include offending behaviour ceasing, and positive development in a range of other areas, including school achievement and linking with pro-social peers and activities.

Why is this a Focus Area?

An appropriate and effective response by Police to children and young people who offend may reduce the level of offending Police have to respond to in the future. The majority of children and young people who come to the attention of Police (approximately 80%) commit minor offences that may be 'one-off'. Research has shown that over-intervening with these young people can have negative impacts, including increasing the risk of re-offending.²⁹ An appropriate and proportionate response is therefore required for this group, which is not excessively costly or interventionist. At the same time, children and young people who may progress to more serious offending need to be identified as early as possible, and be provided with an appropriate and effective intervention. Generally, the younger a child or young person is when they are first apprehended for offending, coupled with a pattern of offending, the more likely they are to go on to commit further and more serious offences.

Current Response

Approximately 80% of children and young people who offend are dealt with by Police Youth Aid, either by way of a warning or by alternative action (diversion).

There is a strong emphasis on diversionary measures in the youth justice principles of the Children, Young Persons, and Their Families Act 1989 (CYPF Act 1989). Young people are to be kept out of the criminal justice system as much as possible and be protected from excessive use of the court system. The high number of youth offenders who are diverted from the formal youth justice system is a significant achievement of the Act and should be maintained and increased where possible. It is also recognition that most youth offending is not serious and often opportunistic.

It is thought that only about 25% of total offending by children and young people comes to the attention of Police.³⁰ A significant proportion of youth offending is therefore either not detected, is considered to be misbehaviour rather than offending, or is dealt with informally within the community or by families/whānau. A community or family/whānau response may be the most appropriate response to these children and young people. It also frees Police resources to deal with more serious offending. It is important, however, that families and the community are adequately supported in this role, and have enough knowledge to deal effectively with the child or young person's behaviour.

Concerns with Current Response

Preliminary conclusions from an evaluation of police youth diversion are that Police have developed effective methods of working with children and young people that are nationally and internationally recognised. However, this work needs to be supported by experienced staff with support at a senior level and by National Office.³¹

29 McLaren, K. (2000) *Tough is Not Enough - Getting Smart about Youth Crime: A review of what works to reduce offending by young people*. Ministry of Youth Affairs.

30 Lovell, R. and Norris, M. (1990) *One in Four: Offending from age 10 to 24 in a cohort of New Zealand males*. Department of Social Welfare.

31 Institute of Criminology Research Team (2001) *Police Youth Diversion*. Draft Final Report: Prepared for New Zealand Police and Ministry of Justice.

Pressures on the current system may also impact on the ability to maintain or increase the 80% diversion rate. This includes, for example, an increase in apprehensions of children and young people, or pressure on Police Youth Aid officers to perform front-line duties.

Statistics show evidence of significant variations between Police Districts in how youth offending is resolved. For example, in 2000/01, the proportion of children and young people diverted ranged from 69% to 91%³² and the proportion prosecuted in the Youth Court ranged from 7% to 24%.³³ These variations may be due to a range of factors, including different recording practices or differences between Districts in how offending by children and young people is addressed.

The relationship between Police and Māori of all ages has attracted considerable attention. Both positive and negative relationships between Police and Māori youth have been reported. Concern has been expressed about the lack of respect and trust between Police and Māori youth, as well as a general dissatisfaction with the response by Police to Māori youth offending and victimisation.³⁴ However, in some areas of New Zealand, Police Youth Aid officers appear well-respected by Māori youth and their whānau. Although there is no formal evidence of similar issues for Pacific youth, anecdotal evidence suggests that they share some of the experiences of Māori youth.

The Ministerial Taskforce heard observations that the role of Police Youth Aid officers is sometimes viewed within Police as less important when compared to other Police duties. There is a concern that, due to time constraints or a heavy workload, there is often little opportunity for Police Youth Aid officers to do pro-active work with children and young people in the community. Concern was also expressed about the lack of support for Police Youth Aid at a national level and the lack of a career structure for Police Youth Aid officers. An additional issue is that Police Youth Aid officers do not always receive adequate supervision or training. Supervision of Police Youth Aid officers needs to be by sergeants with training in the CYPF Act 1989 themselves.

In some cases, there is a lack of co-ordination between key agencies, particularly Police Youth Aid officers and Child, Youth and Family YJCs, but also between government agencies and community providers. Generally, when agencies are working well together, the youth justice system functions more effectively and youth justice outcomes for young people and their victims improve.

There are concerns that community and family/whānau members and, to some extent Police Youth Aid officers, do not always have the information they need when dealing with youth offenders. Furthermore, it is not known whether community and family/whānau members are fully recognising and responding appropriately to the needs of the child or young person and seeking the right assistance from government agencies.

Proposals

It is recommended that:

1. Police ensure that Police Youth Aid officers are properly supported within Police, and take steps to facilitate consistent Police Youth Aid practice across the country (see Key Focus Area 1 also).

This includes:

- (a) Reviewing (with particular attention to the concerns expressed during the Ministerial Taskforce's operational visits) the number, mix and status of Police Youth Aid officers, as well

³² Auckland District (69%) and Counties-Manukau (91%).

³³ Waikato, Central and Counties-Manukau (7%); Auckland (24%).

³⁴ Te Puni Kōkiri (2000) *Whanake Rangatahi: Programmes and services to address Māori youth offending*; Hakiaha, M. (2000) *Report from Matua Matt Hakiaha Regarding the Ministerial Taskforce on Young Offenders: A Māori View*.

as Police Youth Aid recruitment and retention policies, to ensure that Police Youth Aid is sufficiently resourced and that Police Youth Aid officers are sufficiently supported. The Police will report to joint Ministers by 30 June 2002 with an action plan as to how the Commissioner intends to implement the findings of the review (subject to Ministerial approval where appropriate).

- (b) Improving the representation of Māori, Pacific and female Police Youth Aid officers, so that Police Youth Aid officers are representative of the youth they are working with.
 - (c) Ongoing education of Police officers about the role of Police Youth Aid officers, the provisions of the CYPF Act 1989, and dealing with youth offenders.
 - (d) Ongoing training for Police Youth Aid officers (for example, about the provisions of the CYPF Act 1989 and working with youth) to ensure consistent and high quality practice across the country.
 - (e) Developing a support structure for Police Youth Aid at a national level.
2. Co-ordination and collaboration between key practitioners is improved (see Key Focus Areas 1 and 6 also).

This includes:

- (a) Regular, focused, joint training and meetings between Police Youth Aid officers, YJCs and other key practitioners as appropriate.
 - (b) Aligning Police and Child, Youth and Family boundaries.
 - (c) Strengthening relationships with community service providers (eg. joint training between government and community youth justice practitioners).
3. Decision-making at the informal end of the system is supported by good information for community/family/whānau members about the available resources and the needs of the child or young person who is offending and, for Police Youth Aid officers, decision-making is supported by good information about a child or young person's prior contact history.

This includes:

- (a) Developing, regularly disseminating and promoting a community/family/whānau information resource on the assistance available for dealing with children and young people who offend, when they should be referred to a government agency, and to whom.
- (b) The Ministry of Social Development, in consultation with Police, investigating the feasibility of an assessment tool for community/family/whānau members or Police Youth Aid officers, to aid in assessing the needs of a child or young person who is offending (see Key Focus Area 2 also).
- (c) The Ministry of Justice advancing the development of an integrated youth justice data set, with support and assistance from other agencies in the youth justice sector, through the Justice Sector Information Strategy (see Key Focus Area 2 also).

KEY FOCUS AREA 6: FAMILY GROUP CONFERENCES

Objective: Provide an appropriate and effective response to children and young people at the FGC in order to prevent the likelihood of further offending.

Outcomes: Desired outcomes include preventing graduation into the Youth Court system, offending decreasing in severity and/or frequency, educational improvement, links being made with pro-social peers and activities, and the youth and family/whānau taking responsibility for the offending and participating in the process of victim restoration.

Why is this a Focus Area?

Many children and young people who offend and are apprehended by Police will attend at least one FGC. FGCs provide an individualised response appropriate to the youth and their offending. They are particularly appropriate for those youth who need to be held accountable for their offending, but who are succeeding in other parts of their lives and have few other problems that require any intervention (the medium-risk group identified earlier).³⁵ Most serious young offenders will also have at least one FGC (usually directed through the Youth Court).



Current Response

The New Zealand FGC process is often viewed as a model for other countries. It has the potential to hold youth offenders accountable, provide an effective and appropriate response to the offending, and involve the victim in deciding how the offending should be dealt with. Because of its restorative elements, and emphasis on the involvement of the family/whānau, FGCs are also considered an appropriate response to Māori and Pacific youth (although there may be other responses to Māori and Pacific youth that are just as or more appropriate).

Concerns with the Current Response

FGCs are not always implemented as envisaged by the CYPF Act 1989. Current concerns with the FGC process include:

- The role and status of the YJC. YJCs are essential to a well-functioning FGC and are key participants in the FGC process. However, YJCs can be hindered in their role because of a heavy workload (which varies significantly across the country), a lack of support or recognition of the importance of their role within Child, Youth and Family, and a lack of training. The ability and performance of YJCs also varies widely throughout the country.
- A lack of planning before the FGC. Pre-planning and the preparation and attendance of key participants (in particular, family/whānau and victims) are essential to an effective FGC. Concerns include a lack of attendance of family members, victims and others such as teachers, and insufficient attention to addressing issues that may be contributing to the youth's offending (eg. poor literacy or mental health). Factors relevant to a lack of attendance, particularly of family and whānau members, include competing family responsibilities, isolation and a lack of transportation.
- A lack of follow-up after the FGC. Implementation and monitoring of FGC plans is essential to holding youth offenders accountable, and maintaining the integrity of the youth justice and FGC

³⁵ See McLaren, K. (2000) *Tough is Not Enough - Getting Smart about Youth Crime: A review of what works to reduce offending by young people*. Ministry of Youth Affairs; Doolan, M. (2001) *Work with Young People who Offend*. An approach that emphasises accountability and appropriate reparation to victims is considered to be most effective for this group.

process. However, in many cases, FGC plans are not implemented (possibly because of a lack of resources), and are not monitored. It is often not clear who has the responsibility for monitoring a plan, and what this involves.

- Youth offenders attending repeat FGCs. It is generally agreed that the more FGCs held for a youth offender, the less effective they become. As well as providing an inadequate response to the offending, ineffective FGCs undermine the youth justice system. Repeat FGCs may be due to further offending, the original FGC plan not being implemented, or the plan failing to address some of the youth's needs relevant to their offending.
- A lack of co-ordination and collaboration between agencies in the youth justice sector and with the community. While practitioners in some regions work together well, in other regions, the relationships between key agencies (in particular, Child, Youth and Family and Police) are not good. Other relevant agencies, particularly from the health and education sectors, may be unsure of their role and not fully utilised. YJCs do not always identify or develop relationships with relevant community providers.

Proposals

It is recommended that:

1. Child, Youth and Family ensure that YJCs are properly supported within Child, Youth and Family, and perform at a consistently high level across the country (see Key Focus Area 1 also).
This includes:
 - (a) Ensuring that sufficient YJCs are available in each locality and that, as far as practicable, the number of YJCs in each region is commensurate with their workload.
 - (b) Reviewing the current qualification requirements for YJCs and the way their jobs are evaluated, to ensure that YJCs are appropriately ranked and remunerated and to recognise, among other things, their sector management role.
 - (c) Developing a best practice model for YJCs.
 - (d) Ensuring that YJCs receive regular training, and establishing a tagged or 'ring-fenced' budget for this purpose.
2. Child, Youth and Family ensure that YJCs undertake adequate planning before a FGC and that the FGC addresses all the needs of the child or young person relevant to their offending (see Key Focus Area 1 also).
This includes:
 - (a) The YJC ensuring and facilitating proper attendance at a FGC, including:
 - The victim and their support person/people.
 - As many members of the offender's family/whānau as possible and appropriate.
 - Those significant to the youth (who may not be the same people significant to the family/whānau).
 - (b) The development of a new process for joint educational/vocational and health assessments prior to some youths' first FGC, followed by appropriate intervention from both sectors to address identified needs. This proposal will be progressed by health, education and youth justice agencies over the coming year.

- (c) YJCs ensuring that care and protection concerns are addressed within the FGC convened to address the offending. At the least, a decision should be taken at the time a youth justice FGC is being convened as to whether a care and protection FGC is also required (in conjunction with recommendation 2(d)).
 - (d) Upskilling YJCs so they are able to convene both youth justice and care and protection FGCs (in conjunction with recommendation 2(c)).
3. Child, Youth and Family ensure that FGC plans are consistently implemented and monitored (see Key Focus Areas 1 and 5 also).

This includes:

- (a) Requiring a decision to be made at the FGC about who is responsible for monitoring the plan, to whom and why. The majority of FGC plans, except those for serious young offenders, should be monitored by FGC participants (eg. family/whānau members). FGC plans for serious young offenders should be monitored by Child, Youth and Family.
 - (b) Establishing a tagged or 'ring-fenced' budget to be used specifically on implementing FGC plans.
4. Co-ordination and collaboration between key practitioners is improved (see Key Focus Area 1 also).

This includes:

- (a) Regular, focused, joint training and meetings between Police Youth Aid officers, Youth Justice Co-ordinators and other key practitioners as appropriate.
- (b) Aligning Police and Child, Youth and Family boundaries.
- (c) Strengthening relationships with community service providers (eg. joint training between government and community youth justice practitioners).

KEY FOCUS AREA 7: SERIOUS YOUNG OFFENDERS

Objective: To provide comprehensive and intensive interventions to serious young offenders in order to reduce the likelihood of re-offending.

Outcomes: Desired outcomes include preventing graduation into the adult system, decreasing severity and/or frequency of offending, maintaining young people within their family/whānau/hapū/iwi, and the youth and family/whānau taking responsibility for the offending and participating in the process of victim restoration.

Why is this a Focus Area?

Serious (or high risk) young offenders should be the focus of efforts in the youth justice system. They offend at high rates, often very seriously, and will keep offending into adulthood if their offending is not addressed. They require the most intensive and sophisticated interventions, including both residential and community-based interventions, and are unlikely to stop offending without specific, high-quality interventions.³⁶ Serious young offenders may also pose a risk to the safety of the public and victims and have a negative influence on other young offenders. There is continuing concern that the youth justice system does not effectively respond to this group of offenders.

Current Response

Most serious young offenders (aged between 14 and 16 years) will have progressed through the various stages of the youth justice system (in particular, diversion and the FGC process) and appeared before the Youth Court and, in the most serious cases, the District or High Court. Many will have begun their offending career at a young age. A few will have committed a first offence, which is so serious in nature that it warrants prosecution in the Youth Court. Approximately 12% of young people apprehended by Police in 2000/01 were prosecuted in the Youth Court. As serious young offenders who appear before the Youth Court are still required to have a FGC, the discussion on FGCs in Key Focus Area 6 also applies to this group.

A range of community- and residential-based rehabilitative programmes are available and can be attached to Youth Court orders or included in a plan formulated by a court-directed FGC. Further information on these programmes is provided in Table 2 of Appendix 3.

Little New Zealand information is available on the extent to which programmes and interventions for serious young offenders can reduce re-offending. However, the most effective programmes reported overseas, in particular, Multisystemic Therapy³⁷, have been shown to reduce offending by as much as 40%. While these programmes are not currently used for youth offenders in New Zealand, they do provide a benchmark to compare New Zealand interventions against.³⁸

A number of recent key initiatives have been developed to respond to serious young offenders. Child, Youth and Family has developed the Youth Services Strategy to provide packages of funding for individualised programmes for young people at high risk and with multiple needs. Packages of funding are also available through the Māori Youth Contestable Fund for Māori youth who are at high risk of re-offending and of being placed in an out-of-whānau or residential placement. The Department of

³⁶ See McLaren, K. (2000) *Tough is Not Enough - Getting Smart about Youth Crime: A review of what works to reduce offending by young people*. Ministry of Youth Affairs; Doolan, M. (2001) *Work with Young People who Offend*.

³⁷ Multisystemic Therapy (MST) is an intensive family and community-based treatment developed to address the multiple determinants of serious antisocial behaviour in young offenders. The MST approach views individuals as being nested within a complex network of interconnected systems that encompass individual, family and extra-familial (peer, school, neighbourhood) factors.

³⁸ Ministry of Justice (2000) *Review of Resourcing of the Youth Justice Sector: Responding to Offending*.

Corrections has established four youth units in prisons across the country (and has plans for a further three), for inmates aged under 17 and vulnerable inmates between 17 and 19. Serious young offenders have often offended as children. The Child Offenders Manual was published in 1999 to provide information and guidance to practitioners on appropriate responses to serious offending by children aged between 10 and 13 years.

Concerns with the Current Response

Research has shown that custodial sentences and orders alone are ineffective in reducing re-offending by this group, and that holistic programmes addressing risk factors and delivered in the community tend to be more cost-effective.³⁹ Effective community-based programmes could potentially divert serious young offenders from prisons and residences and prevent re-offending later in life (although public safety considerations must also be taken into account).

Reviews over the last few years have reported programme gaps (between 150-200 placements) for serious young offenders. These include intensive community-based programmes as an alternative to custodial or residential sentences and orders. Many serious young offenders are serving sentences and orders with little or no programme content. Where programmes are available, many do not reflect best practice for reducing offending, or have not been in place long enough to be fully evaluated.⁴⁰

Particular programme gaps have been identified (eg. by the Strategy to Reduce Offending by Māori and Pacific Youth) for serious young Māori offenders appearing before the Youth Court, young Pacific offenders who commit serious and/or violent offences, and programmes targeting young female offenders. There are also gaps in the specialist services required by serious offenders, for example, mental health, drug and alcohol services, and forensic services.

An issue has also arisen over the sufficiency of residential accommodation for young offenders either subject to a supervision with residence order, or remanded in custody by the Court. The judiciary has raised concerns about apparent increases in the number and length of placements of young offenders in Police cells, due in part to a lack of Child, Youth and Family beds. Child, Youth and Family residential capacity has generally proved adequate in recent years. However, there is no spare capacity to cope with sharp increases in the number of young offenders requiring placements. There have been significant difficulties in establishing new youth justice facilities because of the requirements of the Resource Management Act 1991. The level of youth justice accommodation is being addressed through Child, Youth and Family's Residential Services Strategy.

Many serious young offenders will have a number of agencies (both government and community) working with them and their families. Currently, agencies do not always work together effectively and some relationships at a local level are poor. There are also long-standing issues about government contracting practices with community service providers, in particular, the compliance costs placed on these providers due to differing contract requirements between government agencies. There has also been a lack of focus on provider and workforce development for relevant service providers (some community providers may not be skilled enough to work effectively with serious young offenders).

At a governmental level, the fragmentation of the youth justice sector means that agencies may be working towards different objectives or have different priorities (this may also apply to the community sector). It is important, for example, for Child, Youth and Family and the Department of Corrections to

³⁹ McLaren, K. (2000) *Tough is Not Enough - Getting Smart about Youth Crime: A review of what works to reduce offending by young people.*

⁴⁰ Ministry of Justice (2000) *Review of Resourcing of the Youth Justice Sector: Responding to Offending.*



work closely together, as those serious young offenders whose offending is not addressed through the youth justice system are likely to progress to the adult criminal justice system.

Young people who are prosecuted in court need to be properly supported by family/whānau and community members where appropriate. Although court is necessarily more formal than the diversion or FGC processes, it is important that family and whānau members are able to participate in these processes to the greatest extent possible.

Some difficulties have also arisen in relation to processes and procedures in the Youth Court. Some of these can be addressed through changes in practice.⁴¹ Others require legislative amendment to the CYPF Act 1989.

Proposals

It is recommended that:

1. Continued training and implementation of the Child Offenders Manual be supported by all relevant agencies (particularly the Police and Child, Youth and Family).
2. A package of programmes is developed and funded to meet the identified gap in programme provision for serious young offenders. These programmes should be individually-based, holistic (working in the four settings of family, peer group, school and the community), and community and locally-based where possible. It is expected that programmes developed in line with this approach will go some way towards meeting the gap in programmes for Māori and Pacific young people.

Two proposals include:

- (a) YF8 (Youth Focus Eight): An intensive programme proposed by Youth Court Judge Carolyn Henwood is in the process of being developed (development began through the Ministerial Taskforce). The programme would target young men and women who are currently eligible for a significant period of imprisonment, have a history of previous offending, and are at high risk of re-offending. The programme would be supportive of an approach that is based on a best practice therapeutic model, holistic, individualised, community-based, involving the family/whānau, and with a graduated and supported return to the local community.
 - (b) Day Reporting Centres: The Department of Corrections and Child, Youth and Family propose to establish four Day Reporting Centres (DRCs) as a community-based case management and service provision option for high risk young offenders aged between 14 and 19 years. Multisystemic Therapy will be used as the key intervention through the programme. DRCs are a key component to the Department of Corrections' Youth Strategy.
3. Co-ordination and collaboration between government agencies and the community is facilitated and encouraged. This includes, where possible, further co-ordination and collaboration between Child, Youth and Family and the Department of Corrections.⁴²

⁴¹ For example, in response to concerns raised through the Ministerial Taskforce operational visits, one Youth Court Judge has been assigned to organise every Youth Court in the country.

⁴² Work on provider development and funding arrangements with service providers is already underway in a range of areas within government. However, it is envisaged that the initiatives identified above would have a particular youth justice focus.

4. Links between the young person and their community are facilitated.

This includes:

- (a) Continuation and extension (to Māori and other sites) of the Youth Court Pacific Liaison Service operating at Manukau Youth Court. (Feedback on this service, which began in 2000, is that the service is working very effectively with significantly higher levels of support and assistance for young Pacific peoples appearing in the Youth Court.)

- (b) Encouraging the greater use of lay advocates.

5. A pilot is conducted of an assessment process for serious young offenders with serious drug and alcohol problems prosecuted in the Youth Court.

A Youth Drug Court will be piloted in the Christchurch Youth Court in 2002. Young offenders who meet the agreed threshold for drug and alcohol problems, and who agree to the process, will be referred for a full assessment by a trained clinician, and if necessary for treatment and further intervention. Operational agencies (eg. the Ministries of Health and Education, and Police) will provide services to support the recommendations made by the youth drug court judge and co-ordination of activities will be undertaken by a Child, Youth and Family social worker.

A formative evaluation of the pilot is currently being undertaken by the Ministry of Justice.

The Ministry will also undertake a process and formative evaluation in conjunction with the pilot.

6. The Ministry of Health explore options for increasing the provision of youth-appropriate forensic services for serious young offenders with severe mental health problems.
7. The Ministry of Youth Affairs develop a Youth Services Corps for serious young offenders, based on the approach used in the existing Conservation and Youth Services Corps.
8. The Ministry of Social Development report to the Ministers of Justice and Social Services and Employment by 30 September 2002 on those legislative amendments indentified in Tables 8 and 9 of Appendix 1.

APPENDIX ONE

SUMMARY OF RECOMMENDATIONS

Officials have developed an action plan for Ministers. This sets out a process for implementing the Strategy’s recommendations, including the identification of agency responsibilities (where these are not already identified in the Strategy) and proposed timeframes.

SUPPORTING THE SYSTEM

TABLE 1: CO-ORDINATION AND LEADERSHIP

1 Intra-agency Issues	Police and Child, Youth and Family take steps to ensure that Youth Aid Officers and YJCs are properly supported within their respective agencies, and that these key practitioners perform at a consistently high level across the country (see Tables 5 and 6).
	Child, Youth and Family ensure that YJCs undertake adequate planning before a FGC (see Table 6).
	Child, Youth and Family ensure that FGC plans are consistently implemented and monitored (see Table 6).
2 Inter-agency Issues	Local youth offending teams are established to co-ordinate service delivery at a local level.
	Other measures are taken to improve co-ordination and collaboration between key practitioners (see Tables 5 and 6).
3 National Co-ordination and Leadership	Three mechanisms are established at a national level to oversee youth justice delivery and the implementation of the Youth Offending Strategy:
	A Ministers Group will receive quarterly reports from the Senior Officials Group (below) on the performance of the local teams and progress towards implementing the Youth Offending Strategy.
	A Senior Officials Group will monitor and report quarterly to the Ministers Group on the performance of the local teams and the implementation of the Youth Offending Strategy.
	An Advisory Council will provide advice to the Ministers Group and Senior Officials Group.

TABLE 2: INFORMATION

- 1 The Ministry of Justice advance the development of a minimum youth justice data set, with support and assistance from other agencies in the youth justice sector, through the Justice Sector Information Strategy (see Table 5 also).
- 2 Child, Youth and Family, in consultation with other relevant agencies, develop a screening and assessment mechanism for use in the youth justice sector (see Table 5).
- 3 Continued research and evaluation into interventions with children and young people who offend is supported by youth justice agencies.

PREVENTION BEFORE OFFENDING

TABLE 3: EARLY INTERVENTION

The Youth Offending Strategy emphasises the need for improved infrastructures of support for all families/whānau, including child health, early childhood education, parenting programmes and child poverty reduction strategies. Initiatives to achieve these objectives include:

- 1 Continuing to ensure that the needs of young children (0-4 inclusive) receive high priority within the social, health and education sectors.
- 2 The provision and support of culturally-responsive services for both Māori and Pacific families and whānau experiencing multiple disadvantages, especially young parents.
- 3 Ensuring that family support and skills development programmes are provided by trained providers, are high quality and have effective supervision and accountability mechanisms in place.
- 4 Increased co-ordination and collaboration between government agencies and with the community to improve consistency of funding and programme objectives, identification of gaps in services, and appropriate assessment and referral of young children.
- 5 Continuing efforts to increase the participation, particularly of Māori and Pacific peoples, in key preventive services, for example, early childhood education.

TABLE 4: CHILDREN AND YOUNG PEOPLE AT RISK

<p>1 The social services sector (including the Ministries of Health, Education and Social Development, and Child, Youth and Family), in conjunction with Te Puni Kōkiri, provide and support Māori-designed and delivered services for Māori children and young people at risk, and their whānau.</p>	<p>Researching, piloting and evaluating Māori programmes for Māori children and young people at risk and their whānau.</p> <p>Ongoing funding being secured for Māori community-based programmes that have already demonstrated effectiveness with Māori children and youth at risk.</p>
<p>2 The social services sector (including the Ministries of Health, Education and Social Development, and Child, Youth and Family), in conjunction with the Ministry of Pacific Island Affairs, provide and support Pacific-designed and delivered services for Pacific children and young people at risk, and their families.</p>	<p>Researching, piloting and evaluating Pacific programmes for Pacific children and youth at risk and their families.</p> <p>Ongoing funding being secured for Pacific community-based programmes that have already demonstrated effectiveness with Pacific children and youth at risk.</p>
<p>3 The Ministry of Education take steps to raise the educational achievement of children and young people at risk.</p>	<p>Reducing truancy and suspension levels, including improved school management of unjustified absences.</p> <p>Improved provision and quality of alternative education services.</p> <p>Improvements to the information on, and response to, children and young people not enrolled in school.</p>
<p>4 There is greater provision and support of research-based specialist services for children and young people at risk.</p>	<p>The Ministry of Health focusing the planned increases in mental health services, especially drug and alcohol programmes, on children and young people at risk.</p> <p>Child, Youth and Family continuing to make improvements to the delivery of its care and protection services through the “New Directions” programme.</p>
<p>5 The Police complete a literature review on the effectiveness of programmes designed to assist ‘at risk’ young people in addressing drug and alcohol use (which has already commenced as part of the work of the Ministerial Taskforce).</p>	
<p>6 Programmes targeting children and young people at risk are provided by trained service providers, are known to key agencies and the wider community, and are of high quality. This applies to all agencies that directly deliver services or fund community providers, including the Ministries of Health and Education, Child, Youth and Family, Police and Crime Prevention Unit.</p>	<p>Service providers receiving regular and focused training to ensure they have the skills and knowledge to deliver high quality services.</p> <p>Agency funding criteria emphasising the provision of evidence-based practice and services (ie. being clear which interventions produce what outcomes, under what conditions and in which context).</p> <p>Providing better information to agencies, children and young people at risk and their families/whānau about the availability of programmes (including information on sources of funding for community providers).</p>

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	<p>Improved monitoring and evaluation of programmes to ensure high quality outputs and effective outcomes. Programmes receiving sufficient funding to facilitate the delivery of high quality services.</p>
	<p>Promotion and use of a youth development approach, as outlined in the Youth Development Strategy Aotearoa, in the delivery of programmes and services for young people.</p>
<p>7 Co-ordination and collaboration between government agencies and the community is facilitated and encouraged, to improve the consistency of funding and programme objectives, the identification of gaps in services, and appropriate assessment and referral of children and young people at risk. This applies to agencies such as Child, Youth and Family, Ministry of Health and Crime Prevention Unit.</p>	<p>Having joint development of common service providers. Developing joint service contracts between one service provider and more than one funder or government department. Strengthening relationships between government and community service providers by, for example, having joint training between government and community providers. Ensuring that contracting practices align with local service requirements.</p>
<p>8 The social services sector, in conjunction with Te Puni Kōkiri, the Ministries of Youth and Pacific Island Affairs, and Police, investigate options for the further provision of best practice mentoring services for young people at risk of offending and other poor outcomes.</p>	<p>Government working with the community and providers to determine and promulgate best practice in mentoring. Government facilitating a co-ordinated approach to developing the supply of mentoring programmes. Consistency in monitoring and evaluating mentoring initiatives against accepted best practice standards. Expanding the number of best practice-based mentoring initiatives available.</p>

RESPONDING AFTER OFFENDING

TABLE 5: FIRST CONTACT WITH POLICE

<p>1 Police ensure that Youth Aid officers are properly supported within Police, and steps are taken to facilitate consistent Youth Aid practice across the country (see Table 1 also).</p>	<p>Reviewing (with particular attention to the concerns expressed during the Ministerial Taskforce’s operational visits) the number, mix and status of Police Youth Aid officers, as well as Police Youth Aid recruitment and retention policies, to ensure that Police Youth Aid is sufficiently resourced and that Police Youth Aid officers are sufficiently supported (report to joint Ministers by 30 June 2002).</p> <p>Improving the representation of Māori, Pacific and female Police Youth Aid officers so that Police Youth Aid officers are representative of the youth they are working with.</p> <p>Ongoing education of Police officers about the role of Police Youth Aid officers, the provisions of the CYPF Act 1989, and dealing with youth offenders.</p> <p>Ongoing training for Police Youth Aid officers (for example, about the provisions of the CYPF Act 1989 and working with youth) to ensure consistent and high quality practice across the country.</p> <p>Developing a support structure for Police Youth Aid at a national level.</p>
<p>2 Co-ordination and collaboration between key practitioners is improved (see Tables 1 and 6 also).</p>	<p>Regular, focused, joint training and meetings between Police Youth Aid officers, YJCs and other key practitioners as appropriate.</p> <p>Aligning Police and Child, Youth and Family boundaries.</p> <p>Strengthening relationships with community service providers (eg. joint training between government and community youth justice practitioners).</p>
<p>3 Decision-making at the informal end of the system is supported by good information (see Table 2 also).</p>	<p>Developing, regularly disseminating and promoting a community/family/whānau information resource on the assistance available for dealing with children and young people who offend, when they should be referred to a government agency, and to whom.</p> <p>The Ministry of Social Development, in consultation with Police, investigating the feasibility of an assessment tool for community/family/whānau members or Police Youth Aid officers, to aid in assessing the needs of a child or young person who is offending.</p> <p>The Ministry of Justice advancing the development of an integrated youth justice data set, with support and assistance from other agencies in the youth justice sector, through the Justice Sector Information Strategy.</p>

TABLE 6: FAMILY GROUP CONFERENCES (see Table 1 also)

<p>1 Child, Youth and Family ensure that YJCs are properly supported within their agency, and perform at a consistently high level across the country.</p>	<p>Ensuring that sufficient YJCs are available in each locality and that, as far as practicable, the number of YJCs in each region is commensurate with their workload.</p> <p>Reviewing the current qualification requirements for YJCs and the way their jobs are currently evaluated, to ensure that YJCs are appropriately ranked and remunerated within the Child, Youth and Family structure and to recognise, among other things, the sector management role of YJCs.</p> <p>Developing a best practice model for YJCs.</p> <p>Ensuring that YJCs receive regular training, and establishing a tagged or ‘ring-fenced’ budget for this purpose.</p>
<p>2 Child, Youth and Family ensure that YJCs undertake adequate planning before a FGC and that the FGC addresses all the needs of the child or young person relevant to their offending behaviour.</p>	<p>The YJC ensuring and facilitating proper attendance at a FGC, including:</p> <ul style="list-style-type: none"> • The victim and their support person/people. • As many members of the offender’s family/whānau as possible and appropriate. • Those significant to the youth (who may not be the same people significant to the family/whānau). <p>The development of a new process for joint educational/vocational and health assessments prior to some youths’ first FGC, followed by appropriate intervention from both sectors to address identified needs. This proposal will be progressed by health, education and youth justice agencies over the coming year.</p> <p>YJCs ensuring that care and protection concerns are addressed within the FGC convened to address the offending. At the least, a decision should be taken at the time a youth justice FGC is being convened as to whether a care and protection FGC is also required.</p> <p>Upskilling YJCs so they are able to convene both youth justice and care and protection FGCs.</p>
<p>3 Child, Youth and Family ensure that FGC plans are consistently implemented and monitored.</p>	<p>Requiring a decision to be made at the FGC about who is responsible for monitoring the plan, to whom and why.</p> <p>Establishing a tagged or ‘ring-fenced’ budget to be used specifically on implementing FGC plans.</p>
<p>4 Co-ordination and collaboration between key practitioners is improved (see Tables 1 and 5 also).</p>	<p>Regular, focused, joint training and meetings between Police Youth Aid officers, YJCs and other key practitioners as appropriate.</p> <p>Aligning Police and Child, Youth and Family boundaries.</p> <p>Strengthening relationships with community service providers (eg. joint training between government and community youth justice practitioners).</p>

TABLE 7: SERIOUS YOUNG OFFENDERS

<p>1 Continued training and implementation of the Child Offenders Manual to be supported by all relevant agencies (particularly the Police and Child, Youth and Family).</p>	
<p>2 A package of programmes is developed and funded to meet the identified gap in programme provision identified for serious young offenders.</p>	<p>Two programmes are proposed:</p> <p>YF8 (Youth Focus Eight): An intensive programme proposed by Youth Court Judge Carolyn Henwood is in the process of being developed (development began through the Ministerial Taskforce). The programme is targeted at young men and women who are currently eligible for a significant period of imprisonment, have a history of previous offending, and are at high-risk of re-offending. The programme is supportive of an approach that is based on a best practice therapeutic model, holistic, individualised, community-based, involves the family/whānau, and has a graduated and supported return to the local community.</p> <p>Day Reporting Centres: The Department of Corrections and Child, Youth and Family propose to establish four Day Reporting Centres as a community-based case management and service provision option for high risk young offenders aged between 14 and 19 years. Multisystemic Therapy will be used as the key intervention through the programme.</p>
<p>3 Co-ordination and collaboration between government agencies and the community is facilitated and encouraged. This includes, where possible, further co-ordination and collaboration between Child, Youth and Family and the Department of Corrections.</p>	
<p>4 Links between the young person and their community are facilitated.</p>	<p>Continuation and extension (to Māori and other sites) of the Youth Court Pacific Liaison Service operating at Manukau Youth Court.</p>
<p>5 A pilot is conducted of an assessment process for serious young offenders with serious drug and alcohol problems prosecuted in the Youth Court.</p>	<p>Encouraging the greater use of lay advocates.</p> <p>A youth drug court will be piloted in the Christchurch Youth Court in 2002. Young offenders who meet the agreed threshold for drug and alcohol problems, and who agree to the process, will be referred for a full assessment by a trained clinician, and if necessary for treatment and further intervention.</p>
<p>6 The Ministry of Health explore options for increasing the provision of youth-appropriate forensic services for serious young offenders with severe mental health problems.</p>	
<p>7 The Ministry of Youth Affairs develop a Youth Services Corps for serious young offenders, based on the approach used in the existing Conservation and Youth Services Corps.</p>	
<p>8 The Ministry of Social Development report to Ministers of Justice and Social Services and Employment by 30 September 2002 on those legislative amendments identified in Tables 8 and 9 of Appendix 1.</p>	

PROPOSED AMENDMENTS TO THE CYPF ACT 1989

TABLE 8: PROPOSALS AGREED IN PRINCIPLE

<p>1 Remove age limit in s283(o) so that young offenders under 15 may be transferred to the District Court for sentence.</p>	<p>Current provisions can result in an anomaly with 14 year olds being dealt with more severely than older young people, or being placed at a procedural disadvantage for offending of a similar seriousness (eg. 14 year olds being prosecuted in the District Court in the first instance, because they cannot be transferred for sentencing after a case being proved in the Youth Court).</p>
<p>2 Restrict further offending being dealt with in the Youth Court or through a FGC once a young offender has had prior offending dealt with in the District Court.</p>	<p>This amendment should apply to two situations only: where a young person who has previously appeared in the adult jurisdiction has been charged for a purely indictable offence, or for a breach of a community-based sentence imposed in the adult jurisdiction.</p>
<p>3 Simplify s248 of the Act relating to the power to waive FGCs.</p>	<p>This provision has been drafted in a complex and convoluted manner. It is complicated and difficult for practitioners to follow.</p>
<p>4 Extend the circumstances in which FGCs can be waived.</p>	<p>Some discretion should be introduced to allow FGCs to be waived in certain cases (for example, where a young offender has repeated FGCs which fall just outside the current time limit for FGCs being waived of 6 weeks (s248(3)(a)).</p>
<p>5 Allow charges to be laid in the Youth Court without holding a FGC in situations where a young offender re-offends during an adjournment or pending a court appearance.</p>	<p>This proposal addresses procedural and administrative difficulties that arise when a young offender is subject to (possibly multiple) FGCs and Youth Court appearances in respect of different offences.</p>
<p>6 Empower the Youth Court to send all related charges to the High Court for trial, provided they are offences for which jury trial may be elected.</p>	<p>This will enable all charges related to the same incident to be heard together. This may lead to administrative efficiencies and have benefits for victims (through not having to attend multiple proceedings relating to the same incident).</p>
<p>7 Amend s290 of the Act to enable young people who are nearing 17½ years old to be transferred to the District Court for sentencing.</p>	<p>Currently, orders imposed in the Youth Court expire when the young person reaches 17½ years old. This places limitations on the Youth Court’s ability to impose an appropriate order.</p>
<p>8 Introduce a power to arrest a young person who breaches a supervision order.</p>	<p>Difficulties are created for Police in relation to breaches of supervision orders (which require a declaration from the court to be served on the young person and their parent/guardian/caregiver). This proposal will allow Police to arrest in cases where young people breach orders (subject to current restrictions on arrest in the CYPF Act 1989).</p>

<p>9 Amend the provisions in the Act regarding reparation so they are consistent with proposed changes to reparation in the Sentencing and Parole Reform Bill.</p>	<p>Provisions relating to reparation should be consistent between the youth and adult jurisdictions. The proposed amendment will ensure the CYPF Act 1989 is consistent with proposed changes to reparation in the Sentencing and Parole Reform Bill (subject to select committee consideration of the Bill).</p>
<p>10 Amendments to the principles of the CYPF Act 1989:</p> <ul style="list-style-type: none"> • Amending the Act to recognise the central role of victims and victim reparation. • Incorporating the principles of early intervention into the CYPF Act 1989. • Incorporating the principle of ‘reducing the likelihood of re-offending’ into the CYPF Act 1989. 	<p>These proposals have strong symbolic value, and may strengthen and direct practice in these areas. Strengthening the current principle relating to victims of crime emphasises the important role that victims have in the youth justice system. Child, Youth and Family has asked for the principle of early intervention to be incorporated into the CYPF Act 1989 to clarify the chief executive’s responsibilities in this area. A principle to reduce the likelihood of re-offending clarifies that young people should not only be held accountable for their behaviour but that interventions with young people should be aimed at reducing the risk of re-offending.</p>

TABLE 9: PROPOSALS REQUIRING FURTHER WORK

<p>1 Allow Youth Advocates to represent young people at non-Court directed FGCs.</p>	<p>Further work is required to clarify current practice, determine whether an amendment to the Act or regulations is required, identify funding implications, and consider whether an alternative response can be provided (eg. young people receiving legal advice before, but not at, the FGC).</p>
<p>2 Extend the length of supervision with residence orders.</p>	<p>Further work is required to identify resource implications for Child, Youth and Family and the proposal’s practicality given current residential bed shortages.</p>
<p>3 Clarify s214(b) relating to Police power to arrest when conditions of bail are required or when a breach of bail occurs.</p>	<p>Further work is required to clarify the exact nature of the problem and the appropriateness of Police being able to arrest in these situations given the principles of the CYPF Act 1989 (s208(h) relating to special protection for a young person during any investigation relating to the commission or possible commission of an offence).</p>
<p>4 Remove requirement for joint certification under section 236 (relating to detention of arrested young person in Police custody).</p>	<p>This proposal relates to whether Police should receive a dispensation for the production of a joint certification in cases where young people have been put into Police custody over the weekend or on a public holiday. Further work is required to determine whether a dispensation is justifiable.</p>

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<p>5 Provide Police with the right of appeal against sentence.</p>	<p>Further work is required to determine whether the introduction of this right would negatively interfere with the importance attached to the FGC plan agreed by all FGC participants. It should also be determined why this provision was not included when the Act was passed.</p>
<p>6</p> <ul style="list-style-type: none"> • Amend time limits in the Summary Proceedings Act 1957 as they apply to the youth justice system, particularly the Youth Court. • Allow Police bail to be granted following arrest for a purely indictable offence. • Extend power of the Court to order detention in Police custody. • Clarify effect of a discharge under section 282 of the CYPF Act 1989. • Credit length of time on remand against a term of imprisonment imposed for the offence. 	<p>These five amendments, targeted towards repeat offenders, were included in a CYPF Amendment Bill before Parliament in 1998. The Bill was deferred because of other Government priorities. Further work is required to ensure that the issues the amendments were to address are still valid and the amendments are still required.</p>

APPENDIX TWO

STATISTICS AND TRENDS

Police Apprehensions¹

As illustrated by Figure 1, the number of apprehensions by Police of under 17 year olds increased in the 1990s. In 1991, there were 32,457 apprehensions of under 17 year olds compared to 45,522 in 2000. As illustrated in Figure 2, the rate of apprehensions (for non-traffic offences) of this age group per 1000 in the population is higher than that for over 17 year olds, and has increased since 1998. However, apprehensions of under 17 year olds as a proportion of all offender apprehensions have still remained relatively stable since 1991, at between 21% and 23%.

The majority of children and young people apprehended by Police over the last decade were between 14 and 16 years of age (69% of youth apprehensions in 2000), and were male (77% in 2000). Since the early 1990s, young Māori have made up almost half of Police apprehensions of children and young people, and are over-represented in apprehension statistics in relation to the total population. Young Pacific peoples are not over-represented in youth offender apprehensions, except for apprehensions for violent offences.

Apprehensions of children 13 years and under have increased at a similar rate to apprehensions of 14 to 16 year olds. The actual number of apprehensions in the under 13 age group is still significantly less than for 14-16 year olds.²

Children and young people are most often apprehended in relation to dishonesty offences (eg. burglary, theft and motor vehicle conversion). The number of youth apprehensions for these offences has declined since 1996, but is still 11% higher than 1991. The number of youth apprehensions for violent offences has steadily increased since 1991, and was highest in 2000. Apprehensions for violent offences have also increased in all other age groups, notably the 31-50 and 51-99 age groups.

The majority of youth apprehensions are resolved by a warning or referral to Police Youth Aid. A small percentage of cases are resolved through a FGC or prosecution in the Youth Court. Statistics show considerable variation between Police districts in how offending is resolved,³ which may be related to a combination of factors including different recording practices, and differences between Districts in how offending by children and young people is dealt with.

¹ Apprehension data does not relate to distinct individuals, but to distinct offences. If an individual commits several offences during one event, their characteristics will be entered several times, once against each offence.

² For example, there were approximately 1000 apprehensions of children under 13 for both violent and drugs/anti-social offences, compared to approximately 3,000-4,000 for young people aged between 14 and 16 for these same offences.

³ For example, in 2000/01, Counties-Manukau referred 80% of Police youth apprehensions to Police Youth Aid compared to 47% in Canterbury. 7% of Police apprehensions were prosecuted in the Youth Court in Central, Waikato and Counties-Manukau compared to 24% in Auckland.

Figure 1: Number of apprehensions of under 17 year olds: All apprehensions, apprehensions for dishonesty offences, and apprehensions for violent offences, 1991-2000

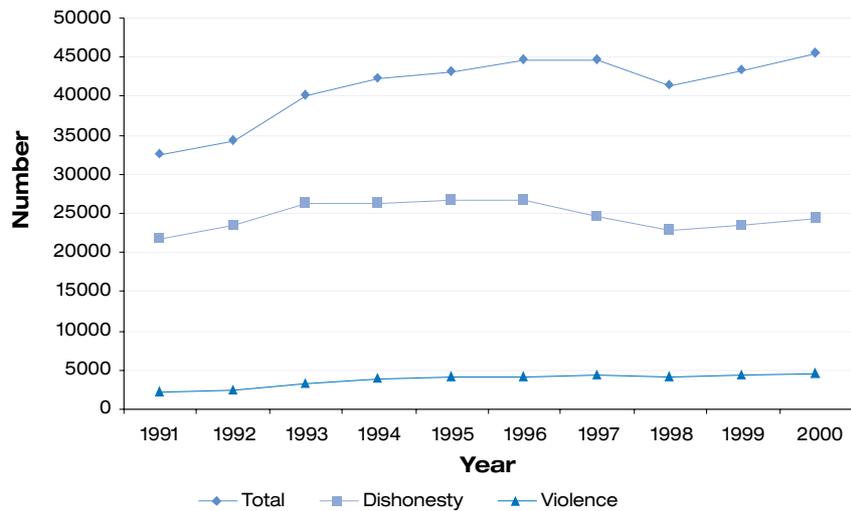
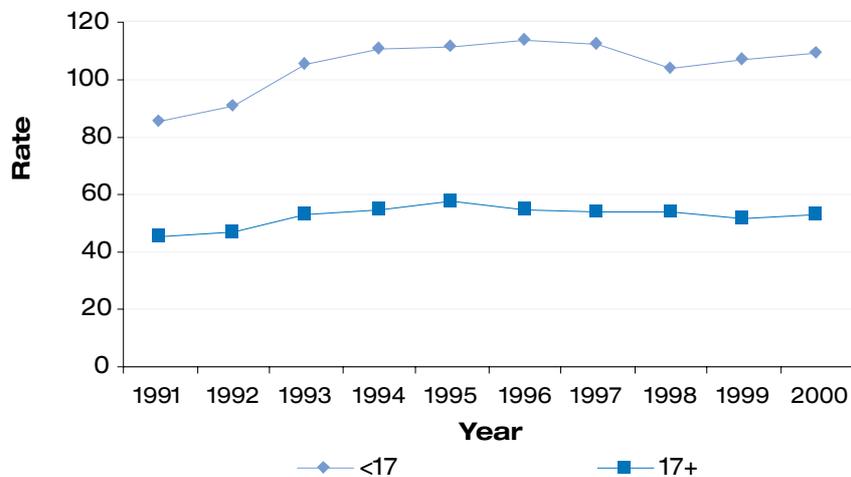


Figure 2: Apprehension Rate (Non-Traffic) per 1000: Under 17 year olds and those over 17, 1991-2000⁴



Family Group Conferences

Over 6,000 youth justice FGCs for 10-16 year olds are held each year. In 2000, there were 6,759 youth justice FGCs. Since 1998, there has been an increase in the number of FGCs that are convened at the direction of the Youth Court and a decrease in the number of FGCs that are convened before a young person is prosecuted in the Youth Court. This may be related to the decreasing number of referrals by Police to FGCs and the rise in the number of prosecutions in the Youth Court.

As with Police apprehensions, most clients of youth justice FGCs are between 14 and 16 years of age and are male. Māori are significantly over-represented, making up about half of all FGC clients each year. There are approximately 130 youth justice FGCs annually for children aged between 10 and 13.

Court Statistics on Young Offenders⁵

As illustrated in Figure 3, throughout the 1990s there has been an increase in the number of cases prosecuted in court involving young people. In 1991, there were 2,735 prosecutions of young people for all offences except non-imprisonable traffic offences, compared to 4,024 in 2000.⁶

⁴ The apprehension rate has been calculated for 10-16 year olds rather than under 17 year olds, as most offenders are aged 10-16 years, rather than under 10 years.

⁵ From Spier, P. (2001) *Conviction and Sentencing of Offenders in New Zealand: 1991-2000*. Ministry of Justice.

⁶ Even allowing for this increase, the rate of prosecutions involving young people each year is considerably lower than the years before the introduction of the CYPF Act 1989.

Over half of prosecutions involving young people since 1991 have resulted in an outcome of “not proved”, with around one third of prosecutions resulting in an outcome of “proved”.⁷

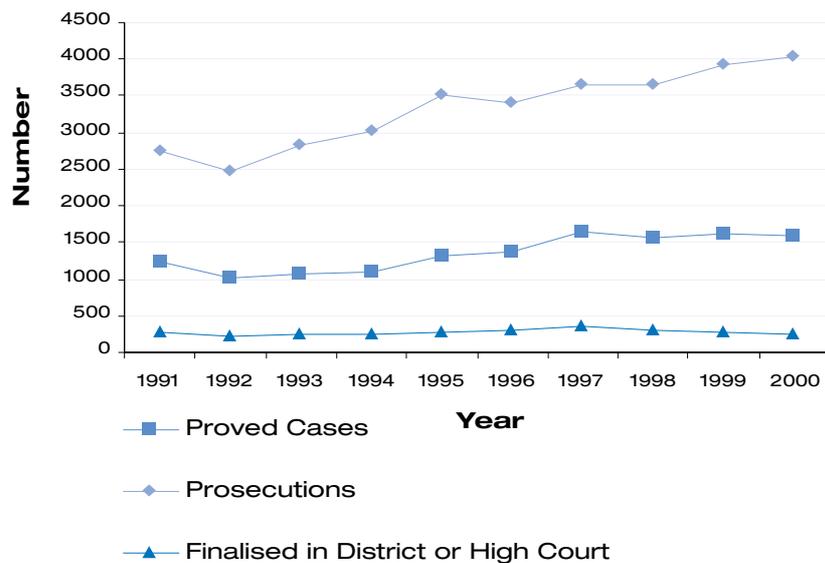
Property and violent offences account for the majority of proved cases involving young people. In 2000, property offences accounted for over half of proved cases and violent offences accounted for about a quarter of proved cases.

As with other youth offending statistics, the majority (at least 85% since 1991) of proved cases in the Youth Court in the 1990s involved males. Females are under-represented in the Youth Court (in 2000, there were only 221 proved cases involving female offenders in the Youth Court compared to 137 in 1991).

Māori young people are over-represented in court cases involving young people, with over half of proved cases dealt with in 2000 involving Māori. Pacific young people are not over-represented overall, but are slightly over-represented in proved cases involving violent offending.

Most proved cases involving young people are finalised in the Youth Court. The most common order throughout the 1990s was a supervision order. The next most frequently-imposed orders were a monetary penalty or an admonishment. A few cases (260 of over 1500 proved cases in 2000), usually involving serious violent or property offending, were finalised in the District or High Court. This was on the basis that a more serious sanction, such as a sentence of imprisonment, may be a more appropriate response to the offending.

Figure 3: Prosecutions, proved cases, and proved cases finalised in the District or High Court involving young people for all offences except non-imprisonable traffic offences, 1991-2000



⁷ A “not proved” outcome does not necessarily mean that the young person was “not guilty” of an offence, but may mean that the case was resolved at a FGC and the charge was subsequently withdrawn.

APPENDIX THREE

PROGRAMMES AND SERVICES

TABLE 1: PROGRAMMES AND SERVICES FOR FAMILIES, CHILDREN AND YOUNG PEOPLE AT RISK

FAMILIES, CHILDREN AND YOUNG PEOPLE AT RISK				
Programme	Description	Coverage	Vote	Comment
Family Support Programmes and Services				
Family Start	Wraparound programme providing intensive, home-based support to the 15% highest risk families from the time of a child's birth.	Operates in 16 sites around NZ.	Votes Health, Education, CYF, \$6m.	Based on best practice. Joint agency evaluation of Family Start programme is underway and due to be completed by August 2003.
Strengthening Families	Case management and inter-agency co-ordination at a local level between health, welfare and education sectors for at-risk families.	There are local management groups in 69 locations.	Baseline funding.	Run in collaboration with Child, Youth and Family, the Ministries of Education, Health and Social Development and other central govt and non-govt providers.
Community-based family support programmes	Includes education and advice; education and prevention; emergency, special purpose housing; family wellbeing; counselling/rehabilitation; strengthening providers and communities.	950 providers across the six categories.	Vote CYF, \$79.9m.	
Stronger Communities Action Funds	3 year pilot for communities to develop local solutions to locally-prioritised issues.	7 communities.	Vote CYF, \$1.6m.	
Programmes for child victims of domestic violence under the Domestic Violence Act 1995	Programmes to assist children to deal with domestic violence. Available to children of applicants for protection orders under the DVA.	35 programmes available nationally.	Vote Courts, \$883,111.	An outcome and process evaluation was funded by the Ministry of Justice and Department for Courts. This will be published in early 2002.

FAMILIES, CHILDREN AND YOUNG PEOPLE AT RISK cont.

Programme	Description	Coverage	Vote	Comment
Family Support Programmes and Services cont.				
Whānau Development Project	Whānau development, whānau mentoring and whānau facilitation pilots.	6 centres around NZ.	Vote Social Development, \$1m.	
Well-child	Aimed at children from birth to five years of age. It includes health surveillance and screening, family care/support and referral on to appropriate agencies, health education and health promotion.	Universal. Currently contracted out to 78 providers.	Vote Health.	Following a review in 2000, a new framework is being developed to improve the process.
Family Service Centres	‘One stop shop’ delivering early childhood education, well-child health services and family support services to families with pre-school aged children from disadvantaged communities.	Operates in 6 sites.	Votes CYF, Health, Education.	

Parent Support and Education Programmes and Services

Intensive home visiting	A direct home-visiting programme with a focus on integrating and co-ordinating existing health and social services.	Pilots in Tokoroa and South Auckland.	Vote Health.	Evaluations of the initiative are planned.
Parents as First Teachers	Home-based support and links to other services for families with children aged 0-3.	Almost national provision (with some exceptions in West Coast).	Vote Education, \$9m.	Initial evaluations showed minimal impact but changes have since been made to the programme.
Āwhina Mātua	Home visiting by community workers who are matched in terms of background with clients.	For 500 families nationally.	Vote Education, \$0.5m.	Anecdotal evidence suggests the programme gets hard to reach families that other programmes (eg. PAFT) do not reach.
HIPPY	Demonstration in the home of instructional activities for parents to undertake with children aged 4-5.	Run out of the Family Service Centres and in 14 ‘stand-alone’ sites.	Vote CYF, \$0.8m.	Evaluation has demonstrated programme benefits.

FAMILIES, CHILDREN AND YOUNG PEOPLE AT RISK cont.

Programme	Description	Coverage	Vote	Comment
Parent Support and Education Programmes and Services cont.				
Whānau Toko i te Ora	For Māori whānau with an emphasis on those with children under five.	Operates in three centres.	Vote Education, \$1.2m.	
Anau Ako Pasifika	Monthly home visiting, parent development and creation of links with early childhood education for Pacific peoples.	Operates in two centres.	Vote Education, \$0.5m.	Positive evaluations.
Teen Parent Education Projects	Assistance for support groups, eg. the employment of extra staff to help teen parents access welfare entitlements, stay involved with education to some extent, and obtain access to childcare.	For approximately 110 teen parents in three centres.	Vote Education.	

Parenting Skills for Prison Inmates

Parent Education Training for Prison Inmates.	Ten module programme and follow-up using a multi-dimensional approach.	Being trialled in Christchurch.	Vote Corrections.	
Atawhinga Te Pa Harakeke	Three-month programme based on Māori concepts.	Being trialled in Rimutaka and New Plymouth prisons.	Vote Corrections.	
Reintegrative services for prisoners and their families	Pilot of comprehensive home-based support for high-risk inmates who have families with high needs.	Christchurch and Auckland.	Vote Corrections, \$1m.	An evaluation of the project is underway and will be completed by 30 September 2002.

School-Based and Educational Programmes and Services

Social Workers in Schools	Social work services within primary and intermediate schools to improve service access, encourage seamless early intervention services and facilitate referrals to community/statutory services.	Approximately 185 schools involved.	\$4.7m.	An evaluation of Social Workers in Schools is underway and due to be completed by July 2002.
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FAMILIES, CHILDREN AND YOUNG PEOPLE AT RISK cont.				
Programme	Description	Coverage	Vote	Comment
School-Based and Educational Programmes and Services cont.				
Health Promoting Schools	A WHO initiative adapted for NZ. Promotes the health and wellbeing of students, staff, parents and whānau, by involving them in school health initiatives.	Approximately 200 schools.	Vote Health.	Two evaluations have been completed in recent years. The effectiveness of the programme has been endorsed by these programmes and international research.
Special Education Services (SES)	Individualised special education services for children with special needs.	Nationwide.	Vote Education.	
Police School-Based Programmes	Work with groups of children in the school environment as well as outside the school, using a goal-focused approach.	One programme in Avondale, Auckland.	Vote Police.	Comprehensive evaluation report shows a good reduction in youth offending.
District Truancy Services (DTS)	Co-ordinated by a committee comprising schools in the district, their SCC, Iwi and/or Pacific representatives, and Police. Acts as a backup to schools' work on absenteeism.	120 provide coverage for all New Zealand schools.	Vote Education.	An evaluation has shown these services to be very effective in reducing truancy and to possibly have a preventative effect.
Non-Enrolment Truancy Service (NETs)	Service that locates children and young people under 16 years of age who are not enrolled in a school, to assist them in enrolling in a new school or continuing in other education.	Nationwide.	Vote Education	
Activity Centres	For secondary school children experiencing problems with schooling and needing alternative options.	14 Centres nationwide.	Vote Education.	
Alternative Education Programmes	For students (aged 13 to 16 years) who have become alienated from attending regular school.	1,400 places (around 50% of participants expected to be Māori).	Vote Education.	

FAMILIES, CHILDREN AND YOUNG PEOPLE AT RISK cont.

Programme	Description	Coverage	Vote	Comment
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School-Based and Educational Programmes and Services cont.

Māori Students Suspensions Reduction Programme	Works with principals in areas where suspension rates of Māori students are highest.	Targeted areas - currently working in 86 schools.	Vote Education.	
Full Service Education Pilot in the AIMHI Secondary Schools	Supports community-based social services support in schools (eg. health workers and social workers) to improve educational outcomes, wider health and well-being outcomes, and reduce serious adverse outcomes in young people.	South Auckland, Porirua.	Vote Education.	
Study Support Centres (Homework Centres)	Encourages primary-aged students in decile 1, 2 and 3 schools who are at risk of underachievement to develop good study habits.	Nationwide.	Vote Education.	
Innovations Pool	A contestable pool of funding available to schools, clusters of schools, and to non-school providers working in co-operation with schools, for innovative proposals to improve the educational outcomes for students at risk of failure.	Nationwide.	Vote Education.	

Vocational and Training Programmes and Services

Gateway	Programme which allows secondary school students to participate in work-based learning. Integrated into the general school curriculum.	Being piloted in 21 decile 1-5 high schools around NZ.	Vote Skills NZ.	
Modern Apprenticeships	Apprenticeship programme for 16-21 year olds in over 24 industries.	Currently 1200 apprentices.	Vote Skills NZ.	Target of 3000 apprentices by April 2002.

FAMILIES, CHILDREN AND YOUNG PEOPLE AT RISK cont.				
Programme	Description	Coverage	Vote	Comment
Vocational and Training Programmes and Services cont.				
Youth Training	Alternative stream of education and training experiences for young people who have left school with no or very low qualifications, to assist them to move into further education, training or employment.	Nationwide. 2000: 13,000 young people, 1033 courses.	Vote Skills NZ, \$67,000,000.	65% of trainees who left Youth Training in 2000 moved on to employment or further education or training within 2 months of leaving. Around 9,800 youth trainees achieved credits on the National Qualifications Framework.
Health Programmes and Services				
Youth One Stop Shops	Provide a range of clinical and non-clinical/peer support type services to youth, with the majority of their work on sexual and reproductive health.		Vote Health.	
Kia Pika te Ora o te Taitamariki	Community development project focusing on improving health and social outcomes for Māori youth.		Vote Health.	
Family Violence Guidelines	Guidelines and training packages to assist health providers to better assess family violence and improve the safety of children, women and their elderly.		Vote Health.	
Health Camps	Provided for 5-12 year olds with complex needs across more than one sector.		Votes Health and Education.	
Child and Adolescent Mental Health Services (CAMHS)	Assessment and treatment services for children and young people with moderate to severe mental health problems.		Vote Health	Some mental health problems in children and young people (eg. ADHD, conduct disorder) have direct links with criminality in some subgroups.

FAMILIES, CHILDREN AND YOUNG PEOPLE AT RISK cont.

Programme	Description	Coverage	Vote	Comment
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Health Programmes and Services cont.

Drug and alcohol services.	Drug and alcohol services are either provided by CAMHS, or by drug and alcohol services, depending on the contract in individual areas.		Vote Health.	
Drug and alcohol residential programmes (eg. Odyssey House, Queen Margaret)	Residential drug and alcohol treatment programmes for young people, some of who are offenders.	72 placements.	Vote CYF, within baseline.	
GAIN programmes	Drug and alcohol programmes designed to provide young people and their families with practical skills to build stronger family relationships.	3 programmes.	Vote Justice, \$0.1m.	

Māori Programmes and Services

Māori Youth at Risk programmes	Community-based programmes for Māori youth which provide holistic services (based on tikanga Māori) to Māori children and young people at risk of offending.	4 programmes, 200 children and young people.	Vote CYF, \$315,000.	
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Youth Development Programmes and Services

Community-Based Youth Development Fund	Aims to reduce the incidence of youth suicide and self-harm in high-risk communities by strengthening skills within those communities to provide adequate social and other support for youth. Focuses particularly on development opportunities for Māori and Pacific youth.	Kaitaia, Opotiki, Lower Hutt, Kaikoura, Papakura.	Vote Internal Affairs, \$473,000.	
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FAMILIES, CHILDREN AND YOUNG PEOPLE AT RISK cont.				
Programme	Description	Coverage	Vote	Comment
Youth Development Programmes and Services cont.				
Community Organisations Grants Scheme (COGS)	Priority groups for COGS include youth. The scheme is delivered through 41 local Distribution Committees on which approximately 400 volunteers serve.	Nationwide.	Vote Internal Affairs, \$10,295,000.	
Mentoring Programmes	Adult volunteers are matched with 'at risk' youth, to provide an appropriate role model.	Two programmes in Dunedin and one in Nelson.	Vote Police.	Comprehensive evaluation reports have been completed on all programmes. Significant reductions in youth offending have been shown.
Crime Prevention Youth Workers	Aims to reduce youth offending by strengthening community support and services to youth. Funding is targeted to areas of high youth crime.	Christchurch, Kaikohe, Gisborne, Otago and Hamilton.	Vote Internal Affairs, \$207,000.	The youth worker positions are established and monitored under the existing Community Project Workers Scheme
Neighbourhood-Based Safety programmes	A set of activities in areas of high social and economic disadvantage which aims to improve neighbourhood safety and prevent crime.	10 programmes nationally.	Vote Justice, \$0.28m.	
Youth at Risk programmes	Includes mentoring, youth development projects, and a sports-based youth project.	12 programmes nationally.	Vote Justice, \$0.2m.	
Activities-based programmes	Use a combination of activities-based youth initiatives for 'at risk' youth.	Three programmes.	Vote Police.	Comprehensive evaluation reports completed on two of the programmes. Showed significant reductions in youth offending.
Community Project Workers Scheme	Project activities for young people aged 15-25. Includes long-term intensive work with small numbers of young people, to broader recreation and life skills-based activities with larger numbers.	19 locations nationwide.	Vote Internal Affairs, \$980,000.	

FAMILIES, CHILDREN AND YOUNG PEOPLE AT RISK cont.

Programme	Description	Coverage	Vote	Comment
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Youth Development Programmes and Services cont.

Conservation and Youth Service Corps.	Youth development programmes for 16-25 year olds which combine conservation and community work projects with education activities.	Nationwide, approximately 2000 per annum.	Vote Youth Affairs, \$6.1m (CC), \$0.96m (YSC).	On average, 70-75% of participants move into work or further education and training within six months of leaving programme. In 2000/01, 15% of the young people who participated in a Corps programme were also involved in the justice system.
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Sports programmes

Junior Sport.	A range of programmes for children and young people that develop skills and positive attitudes through involvement in sport and active leisure.	Nationwide.	Hillary Commission, \$4,050,000.	
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Case management

Care and protection services.	Social work, care and protection FGCs, individual planning and service provision work for children and young people in need of care and protection.	22,800 of total notifications had further action required by CYF.	Vote CYF, \$184m.	
Waipareira Trust Wraparound Services.	Individualised services and support through case management, therapeutic care, advocacy and 24-hour crisis management to children and young people who are at risk and referred by a range of service providers, schools and families/whānau.	100 young people per year South Auckland	Vote CYF, \$950,000.	

TABLE 2: PROGRAMMES FOR YOUTH OFFENDERS

YOUTH OFFENDERS				
Programme	Description	Coverage	Vote	Comment
Community-Based Programmes and Services				
Life Skills Programmes (eg. Whakapakari, Choices Trust, Kauri Trust).	Community-based life skills and confidence building programmes for young people with a range of problem behaviours, including offending.	200-300 young people per year.	Vote CYF, within baseline.	
Treatment/ Rehabilitation services.	As part of FGC plans. Includes counselling, anger management etc.	Approximately 1500 individuals.	Vote CYF, total cost unknown.	
Community-based sex offenders treatment programmes.	For children and young people at low or moderate risk of sexual re-offending.	Local contracts with 3 major community-based teams or on a case by case basis.	Vote CYF, between \$8,000 and \$15,000 per offender. Most costs absorbed within baseline.	
Court-based programme for Māori youth at risk.	The Department for Courts and the Te Runanganui o Taranaki Whanui ki te Upoko o Te Ika a Maui (a community-based group of local Hutt Valley Māori) are developing a court-based programme to encourage early intervention and support for Māori youth at risk.		Vote Courts.	
Conservation and Youth Service Corps.	Youth development programmes for 16-25 year olds which combine conservation and community work projects with practical education and challenging education activities.	Nationwide, approximately 2000 per annum.	Vote Youth Affairs, \$6,161,000 (CC), \$959,000 (YSC)	On average, 70-75% of Corps participants move into work or further education and training within six months of leaving a programme. In the 2000/01 financial year, 15% of the young people who participated in a Corps programme were also involved in the justice system.

YOUTH OFFENDERS cont.				
Programme	Description	Coverage	Vote	Comment
Community-Based Programmes and Services cont				
Community-based Sex Offenders Treatment.	Provides intensive treatment for high-risk young sex offenders within a community-based setting.	36 places nationwide.	Vote CYF, \$1.3m.	
Community Approach Programmes.	Wraparound programme working with recidivist youth offenders and their families/whānau. A holistic approach focusing on crucial areas of a young person's life, eg. family, school, employment, community, culture etc. Police are the lead agency, but work with other agencies/community groups.	22 programmes around NZ.	Vote Police.	Comprehensive evaluation reports have been completed on 11 programmes over a four year period. These have shown significant reductions in youth offending by the clients on the programmes. Other programmes are at the initial evaluation stages.
Youth Services Strategy rehabilitation programmes.	For a range of young people at high risk and with multiple needs including, but not limited to, high-risk offenders. Packages of funding provide individualised programmes addressing needs and building on strengths.	400 places, Auckland, Hamilton, Wellington, Christchurch.	Vote CYF, \$2.6m.	The Ministry of Social Development are evaluating the effectiveness of the various components of the YSS.
Māori Youth Contestable Fund.	Māori youth at high risk of re-offending and/or being placed in an out-of-whānau or residential placement. Packages of funding, through which Māori youth at high risk of re-offending, and their whānau, receive a range of services by local Māori service providers.	200 places.	Vote CYF, \$2.7m.	The evaluation of the Māori Youth Contestable Fund programmes, is due for completion in July 2003. Depending on the results of these evaluations the programme may require modification and/or altered roll-out.

YOUTH OFFENDING STRATEGY

YOUTH OFFENDERS cont.

Programme	Description	Coverage	Vote	Comment
Community-Based Programmes and Services cont				
Other programmes	Programmes include cognitive skills (Straight Thinking), alcohol and drug treatment, violence prevention, basic literacy and numeracy skills (and general education as required by law), treatment for driving offenders, and work training and experience.		Vote Corrections.	
are provided to young offenders according to their assessed need eg. Straight Thinking.				
Youth Court Pacific Island Liaison Officer and Pacific Community Resource Panel.	Case management of young Pacific people in court, and liaison service with Pacific communities and families.	Manukau.	Vote Courts, \$148,000 in 2001/02.	Evaluation will commence in the year 2001-02. Consideration will be given to potential extension of the service.
Strategy for Children and Young People with High and Complex Needs.	Provides inter-sectoral management of children and young people with high and complex needs through three systems of care.	Nationwide.		

Programmes and Services for Young People in Residences and Prison Inmates

Residential Treatment for Sex Offenders.	For high-risk sex offenders. Provides intensive treatment for young sex offenders within a residential setting. Most reside in the Unit for at least 12 months.	12 beds.	Vote CYF, \$1.8m.	A number of evaluations of programmes for high risk offenders are currently underway, eg. the evaluation of Te Poutama Arahi Rangatahi residential programme for sex-offenders, which is due for completion in 2007.
Youth Horizons Trust.	A residential and therapeutic programme for children and young people with conduct disorder who are unable to remain within their families/whānau.	29 placements, Auckland.	Vote CYF, \$2.9m.	

YOUTH OFFENDERS cont.				
Programme	Description	Coverage	Vote	Comment
Programmes and Services for Young People in Residences and Prison Inmates cont.				
Youth Justice Residences.	Residential units that provide education, and life skills programmes for children and young people on remand and/or sentenced to Supervision with Residence.	75 beds.	Vote CYF, within baseline.	
Conservation Corps for Prison Inmates.	Aims to improve the employment prospects and reduce re-offending by participants by them learning conservation skills, good work habits, communication and team work	Piloted in Invercargill, Rolleston and Rimutaka prisons with 40 inmates.	Vote Youth Affairs.	While further funding was not available to mainstream the programme beyond the four-year pilot period, it did achieve good results. The recidivist and re-conviction levels of the participants were lower than those of the general youth inmate prison population.
Youth Units in prisons.	There are four youth units in prisons, with plans for a further three. All inmates under age 17 are placed in these units, as well as 'vulnerable' inmates aged 17 to 19. Inmates participate in the EQUIP programme which has been developed to lessen the likelihood of re-offending on the basis of international best practice.	240 male inmates, Hawkes Bay, Waikeria, Rimutaka and Christchurch prisons.	Vote Corrections.	