

Dr Caleb Armstrong
fyi-request-7443-9d0299f2@requests.fyi.org.nz

Dear Dr Armstrong

Regarding your request under the Official Information Act 1982 for information on numbers of young people appearing in court

I refer to your request of 13 March 2018, under the Official Information Act 1982, for all information held by the Ministry of Justice regarding:

“How many 17 year olds were dealt with by the District Court over the last three years? Is it expected that a similar number of offenders will be dealt with in the Youth Court in future? By way of comparison, how many offenders between 12-16 were dealt with by the Youth Court over the last three years?”

For your information, please see the following data.

- 1) Over the last three financial years, the numbers of 17-year-olds prosecuted in the District/High Court were:
 - 2014/15 - 2,726
 - 2015/16 - 2,566
 - 2016/17 - 2,477
- 2) On 1 July 2019, the implementation of the Oranga Tamariki reforms to include 17-year-olds in the Youth Court will commence. In preparation for this, the Ministry of Justice has used Police proceedings and courts data for 15, 16 and 17-year-olds to calculate the estimated numbers of 17-year-olds who will:
 - remain in an adult court;
 - appear in the Youth Court;
 - receive an intention to charge family group conference (ITC FGC)¹ or;
 - receive a warning or be referred to Police Youth Aid (alternative action)².

¹ Where the Police believe that the institution of criminal proceedings against the young person is required in the public interest, instead of formally laying the charge in the Youth Court, they can make a referral to Oranga Tamariki—Ministry for Children to convene an ITC FGC. An FGC is convened involving a number of parties, and if the young person admits the offending and an agreed diversionary plan can be put in place and completed, that is the end of the matter.

² An alternative action is an informal youth diversionary response run by NZ Police. If the child or young person admits the offending, and an alternative action plan is agreed to and completed, that is the end of the matter.

The Ministry of Justice modelling estimates that in 2019/20:

- 263 17-year-olds will remain in an adult court;
- 820 17-year-olds will appear in the Youth Court;
- 365 17-year-olds will receive an ITC FGC and;
- 903 17-year-olds will receive alternative action.

The above estimated numbers were based on modelling that assumes a 5% overall reduction in the total number of 17-year-olds who would have been prosecuted between 2016/17 and 2019/20 (from 2,477 to 2,351). If the Oranga Tamariki reforms to include 17-year-olds in the Youth Court were not implemented, all 2,351 17-year-olds would appear in an adult court.

- 3) Over the last three financial years, the following numbers of 12 to 16-year-olds were heard by the Youth Court:
- 2014/15 - 1,810
 - 2015/16 - 1,782
 - 2016/17 - 1,880

There is more information about New Zealand's youth justice system on the Youth Court's website here: <https://www.youthcourt.govt.nz/>.

I trust this information is useful to you.

Yours sincerely



Brendan Gage
General Manager, Criminal Justice