

STATISTICAL BULLETIN

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AN OVERVIEW OF

Child and Youth Offending Statistics in New Zealand: 1992 to 2007

This bulletin presents some of the key statistics in the Child and Youth Offending Statistics in New Zealand: 1992 to 2007 report. It examines trends in Police apprehensions of children aged 10 to 13 and youth aged 14 to 16 over the period 1995 to 2007. It also looks at trends in prosecutions of, and orders and sentences imposed on, young people over the period 1992 to 2007.

Police Apprehensions – Key Trends 1995 to 2007

- Child and youth apprehension rates for 2006 and 2007 were the lowest since 1995. The rates for children were 320 and 333 per 10,000 population aged 10–13 respectively, while the rates for youth were 1,571 and 1,540 per 10,000 population of the relevant age groups.
- Child and youth apprehension rates for property offences in 2007 were the lowest since 1995.
- Over the 1995 to 2007 period, population-adjusted violence apprehensions increased for children and youth, as they did for all age groups, with children recording the lowest increase.

Prosecutions, Orders and Sentences – Key Trends 2004 to 2007

- From 2004 to 2007 the number of prosecuted cases involving young people (excluding non-imprisonable traffic offences) fluctuated, increasing overall by 1.9% (from 5,932 to 6,044).
- A Section 282 discharge, which means that the charge is deemed never to have been laid, was the most common outcome for prosecutions involving young people in the last four years.
- Overall the number of cases proved in the Youth Court has decreased in the last four years.

Note: Please refer to data notes on the last page for definitions of 'apprehensions' and 'cases'.



Introduction

The first report was titled 'Youth Justice Statistics in New Zealand'. With the inclusion of child offending statistics, the report series has been retitled 'Child and Youth Offending Statistics in New Zealand'. This year's full report (titled Child and Youth Offending Statistics in New Zealand: 1992 to 2007) can be accessed on the Ministry of Justice website.

This bulletin comprises three main sections that discuss Police apprehensions, prosecution outcomes, and orders and sentences trends.

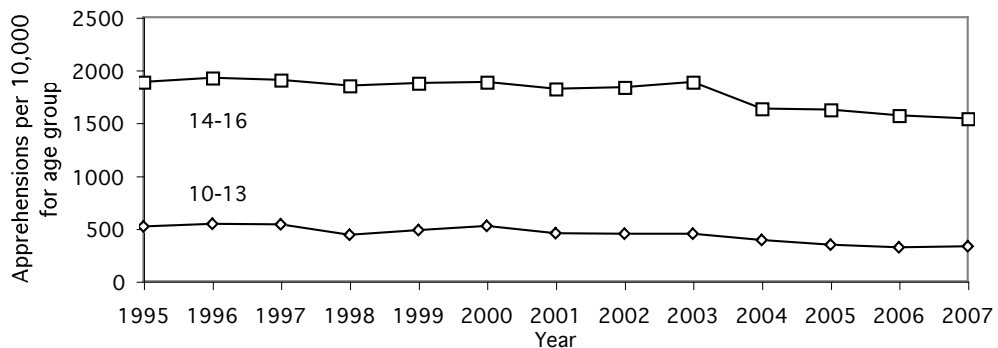
Child and Youth Apprehensions

This section reports on the trends in Police apprehensions of children aged 10 to 13 and youth aged 14 to 16 during the 1995 to 2007 period.

Apprehensions Rates and Numbers

An apprehension is recorded when a person has been dealt with by the Police in some manner to resolve an alleged offence. Apprehensions represent the number of alleged offences but not the number of individuals, as people who are apprehended for more than one offence are counted once for each offence. An apprehension does not always involve an arrest, and, due to the diversionary nature of the youth justice process, most youth apprehensions will not result in a prosecution. Similarly, most child offending apprehensions are dealt with without recourse to the Family Court.

Figure 1: Police apprehension rates for non-traffic offences, by age group, 1995 to 2007



The figures show that 2006 and 2007 had the lowest child (10 to 13 year old) and youth (14 to 16 year old) apprehension rates since 1995; the rates for children were 320 and 333 respectively per 10,000 population aged 10 to 13, while the rates for youth were 1,571 and 1,540 respectively per 10,000 population aged 14 to 16.

Overall, child apprehension rates and numbers generally declined over the 1995 to 2007 period. Youth apprehension rates trended steadily downward over the same period, while youth apprehension numbers have remained stable (averaging around 31,000 annually).

Table 1: Police apprehension rates per 10,000 population for non-traffic offences, 2007

Offence category	0 to 9	10 to 13	14 to 16	17 to 20	21 to 30	31 to 50	51+	Over all ages
Violent	1	40	194	281	214	122	17	96
Other against persons	0	8	50	94	57	33	5	27
Property	9	232	927	838	349	114	14	189
Drug	0	8	63	164	111	55	5	45
Against justice	0	1	35	125	87	43	4	34
Good order	1	36	220	400	174	71	11	82
Miscellaneous	1	7	51	207	73	22	4	32
Overall	12	333	1540	2109	1066	460	60	505

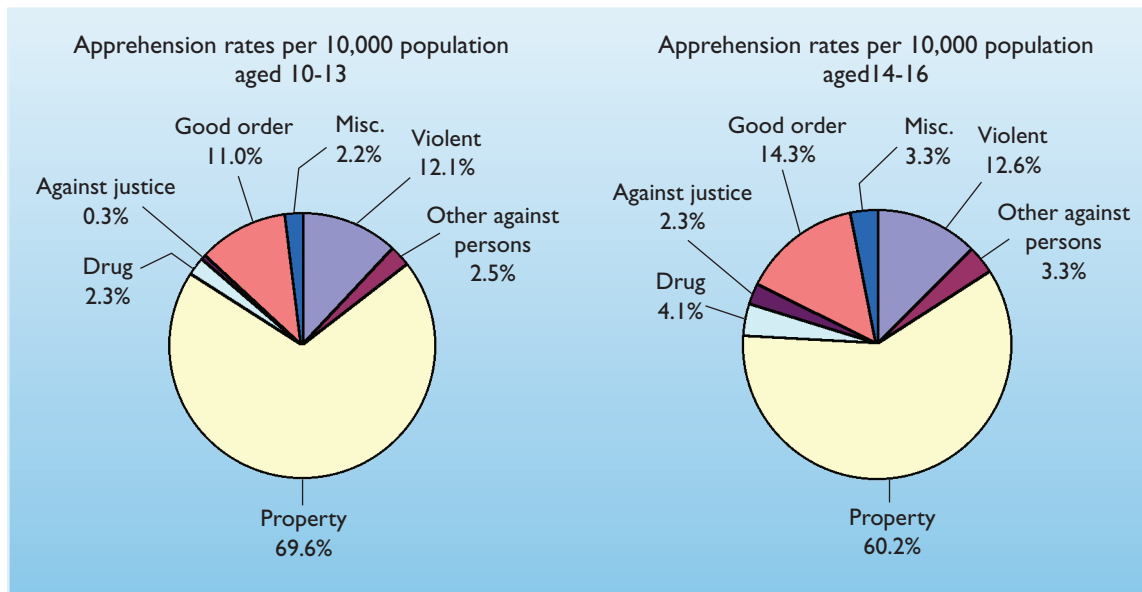
Apprehension Rates by Offence Category

Child and youth apprehension rates for property offences in 2007 were the lowest since 1995. Property offences consistently comprised the largest proportion of child and youth apprehensions over the 1995 to 2007 period, but this rate has been dropping over time. In 2007, 69.6% of child apprehensions and 60.2% of youth apprehensions were for property offences compared with 79.3% and 68.2% respectively in 1995.

Over the 1995 to 2007 period, population-adjusted violence apprehensions increased for children and youth, as they did for all age groups, with children recording the smallest increase. The child apprehension rate for violent offences fluctuated over the 1995 to 2007 period; 2002 had the highest rate at 41 per 10,000 population aged 10 to 13, while 2007 recorded an increase from the lowest rate of 29 in 2006, to the second equal highest at 40 per 10,000 population of this age group.

The youth apprehension rate for violent offences generally trended upwards from 1995 to 2007; the rate peaked at 194 per 10,000 population aged 14 to 16 in 2007, compared to 167 in 1995.

Figure 2: Police apprehension rates for non-traffic offences, by offence category, 2007



Apprehensions by Gender and Ethnicity

Since 1995 apprehension rates for males have trended down for children and youth, while those for females have been relatively stable. As a result a greater proportion of apprehensions is now attributable to females although their actual rate has changed little.

The apprehension rate for Māori children is more than five times that of Pacific and NZ European or other children, while the apprehension rate for Māori youth is more than three times that of Pacific youth and NZ European or other youth.

Police Resolutions of Child and Youth Apprehensions

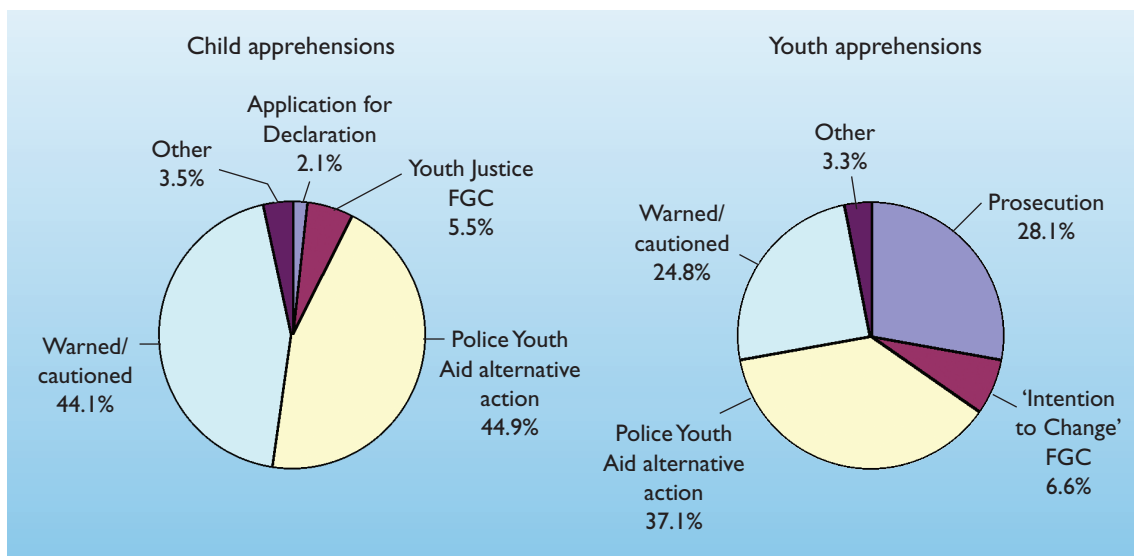
Prior to 2006, over half of child apprehensions were dealt with by Police Youth Aid alternative action, decreasing to 44.9% in 2007. Prior to 2005, over half of youth apprehensions were resolved this way, decreasing to 37.1% in 2007.

In 2007 the proportion of child and youth apprehensions resolved by warning or caution was at its highest over the 1995 to 2007 period at 44.1% and 24.8%, respectively. Referral to youth justice family group conferences for children has risen over the last four years from 2.3% to 5.5%, while the proportion of youth apprehensions resolved by 'intention to charge' family group conferences declined overall from 9.3% to 6.6% from 1995 to 2007.

Youth prosecutions are trending upwards. The proportion of youth apprehensions resolved by prosecution increased from 13.2% in 1995 to 28.1% in 2007.

A small proportion (2.1%) of child apprehensions was referred to the Family Court for a declaration of being in need of care and protection on the basis of the child's offending behaviour.

Figure 3: Percentage of Police apprehensions for non-traffic offences, by resolution type, 2007



Prosecution Outcomes

This section reports on the prosecution outcome trends involving young people during the 1992 to 2007 period.

Young people aged 14 to 16 who come before the courts are generally prosecuted in the Youth Court. However, if a young person's offending is serious (for example, arson and aggravated robbery), the case can be transferred to the District or High Court for trial and/or sentencing. The statistics presented in this report are those cases eligible to be heard before the Youth Court (including those who were later transferred to higher courts), for all who were:

- 10 to 13 years old and charged with murder or manslaughter offences
- 14 to 16 years old when their cases were finalised
- 17 years old at the time the charges were laid, but who offended when they were aged under 17 (regardless of their age at case finalisation).

Prosecution Outcome Trends

Charges prosecuted within a case may result in multiple outcomes. Only the most serious outcome is selected to represent a case in this report series.

Since 2000, a Section 282 discharge from the Youth Court has been the most common outcome of prosecuted cases involving young people. From 2004 to 2007, the number of prosecuted cases involving young people fluctuated, increasing by 1.9% overall (from 5,932 to 6,044). The rate of cases prosecuted per 10,000 population aged 14 to 16 also fluctuated, decreasing overall by 1.6% (from 318 to 313).

Table 2: Cases prosecuted involving young people for all offences except non-imprisonable traffic offences, 2004 to 2007

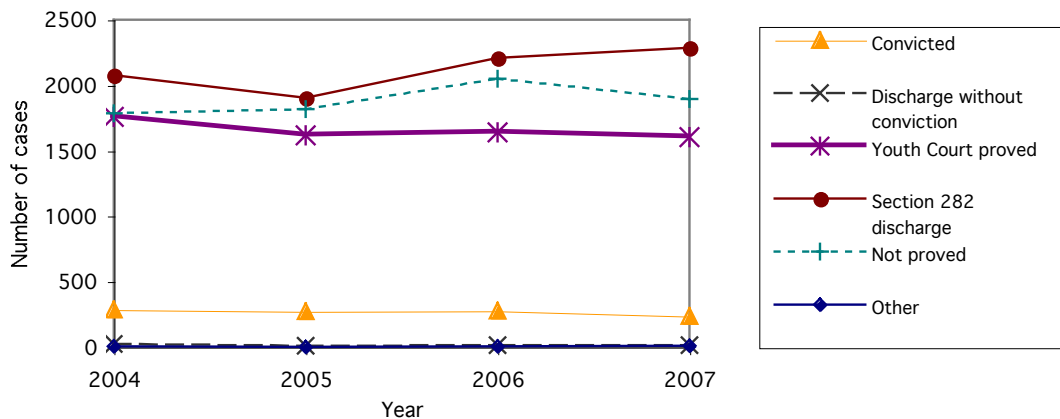
Court	Outcome	2004	2005	2006	2007
Adult Court	Convicted	285	271	278	238
	Discharge without conviction	24	11	14	13
Youth Court	Youth Court proved	1760	1617	1641	1604
	Section 282 discharge	2076	1905	2209	2285
	Not proved	1784	1815	2050	1896
	Other	3	0	3	8
Total		5932	5619	6195	6044

From 2004 to 2007, the number of not proved cases fluctuated, increasing overall by 6.3%, from 1,784 to 1,896. The rate of not proved cases also fluctuated, increasing overall from 96 per 10,000 population aged 14 to 16.

Of the 6,044 prosecuted cases involving young people in 2007:

- 26.5% were proved in the Youth Court
- 37.8% resulted in a discharge as if the charge had never been laid under Section 282 of the CYPF Act
- 31.4% were not proved in the Youth Court
- 3.9% resulted in a conviction in the District or High Court.

Figure 4: Number of cases prosecuted involving young people for all offences except non-imprisonable traffic offences, by outcome, 2004 to 2007



In 2007, nearly half (46.6%) of all prosecuted cases involving young people were for property offences (2,816 out of 6,044); 25.1% (1,516 cases) were for violence offences. Of the 1,516 prosecuted cases involving violence offences, 37% were not proved, 28% were proved in the Youth Court, while 6% resulted in a conviction in the District or High Court.

Prosecutions by Gender and Ethnicity

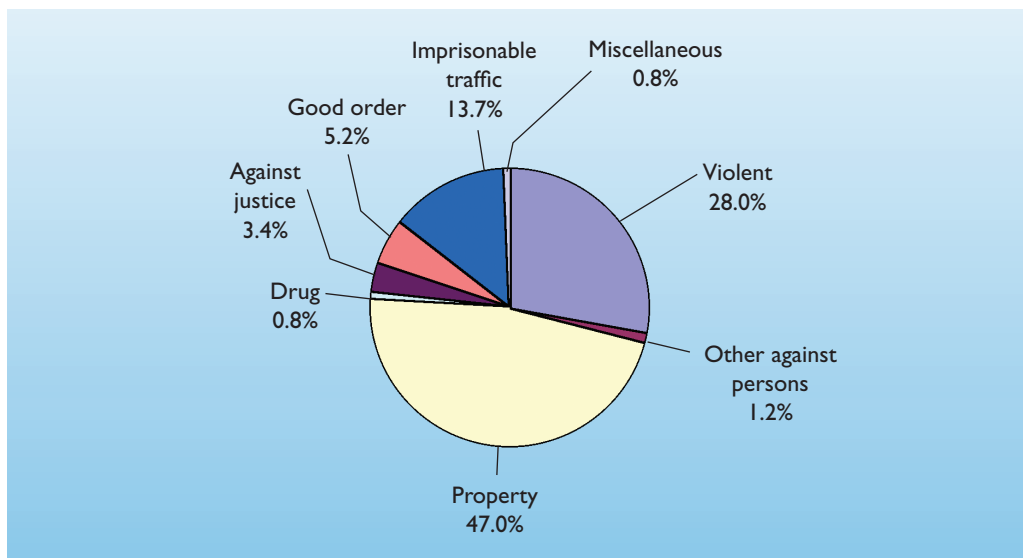
Most of the cases prosecuted against young people in 2007 involved males (83%) and, where ethnicity was known, over half of the cases involved Māori (53%).

Proved Cases by Offence Category

In the interests of brevity, the term 'proved cases' is used to refer to both cases proved in the Youth Court and convictions in the District and High Court, as proved cases comprise the vast majority of cases.

While proved cases for property offences comprise the greatest proportion of proved cases, from 2004 to 2007 the percentages declined from 53.5% to 47.0%. Proved cases involving violence offences have increased since 2004. These trends follow the same pattern as the overall trends for youth apprehensions involving property and violence offences.

Figure 5: Percentage of proved cases involving young people for all offences except non-imprisonable traffic offences, by offence category, 2007



Orders and Sentences Imposed on Young People

This section reports on the trends in orders and sentences imposed during the 1992 to 2007 period. Proved cases may result in multiple orders or sentences. Only the most serious order or sentence is presented for each proved case in this report series.

Youth Court Order Trends

Supervision with residence and supervision with activity are the top tariff orders available for proved cases in the Youth Court. In 2007, supervision with residence was imposed for 13.4% of proved cases and supervision with activity for 4.5% of proved cases. An order of supervision alone was imposed for 20.5% of proved Youth Court cases. For 14.9% of proved cases in the Youth Court, the most serious order imposed was a monetary sanction.

Sentencing Trends

In 2007, 23.0% of young persons' convictions in the District or High Court resulted in imprisonment and 29.4% in an adult community-based sentence. A monetary sanction was the most serious sentence imposed in 20.4% of convicted cases in 2007.

Important notes about the data

The data was sourced from New Zealand Police, Statistics New Zealand and the Ministry of Justice.

While Police apprehension statistics provide an indication of trends in recorded offending by children and young persons, changes in reporting and recording practices, policy and legislation, and police practice can significantly influence apprehension statistics and thereby distort offending trends. In addition, children and young people often offend in groups and in public, which makes them more likely to be apprehended by Police.

It is not possible to precisely determine the relationship between the total number of offences committed and the number of offences coming to police attention or prosecuted in court. Not all offences committed are discovered by, reported to, or recorded by the Police.

In addition, not all offences that come to Police attention result in a prosecution, and there are significant differences between the resolution/clearance rates and prosecution rates for different types of offences. Charge and case numbers can also be affected by legislative and administrative changes, technical adjustments to the collection and enumeration of offence data, as well as alterations in the availability and prioritisation of police resources for detecting and investigating offences. For these reasons, changes in the number of criminal charges and cases processed by the courts do not necessarily reflect real changes in the volume of criminal behaviour.

In 2003, the previous Law Enforcement System (LES) was replaced with the current Case Management System (CMS). Because courts data were drawn from LES and CMS, caution should be exercised when interpreting changes in the number of court cases across the system transition period.

For the purpose of courts statistical reporting, a 'case' aggregates charges against the same individual and may involve multiple charges (one for each offence), laid in court at the same or proximate point of time. Since each case may have more than one charge, the charge taken to represent the 'case' is the one that resulted in the most serious penalty. This is calculated using a hierarchy. A 'case' is therefore a way of approximating the number of persons prosecuted. Because the most serious outcome is selected to represent a case, less serious outcomes are under-represented in case statistics.

Where case numbers, apprehension numbers and rates are small, small increases or decreases in these numbers result in large percentage changes. In addition, caution is advised in making inferences about increases or decreases in apprehension/case numbers or rates over short time periods, for example, one or two years, as longer time periods are needed to establish whether any changes represent a trend.

Other Annual Statistical Reports Available

The Research, Evaluation and Modelling Unit within the Ministry of Justice carries out regular statistical reporting in a number of areas. The annual statistical reports listed below are currently available at the Ministry of Justice website – <http://www.justice.govt.nz/pubs/reports>

- Conviction and Sentencing of Offenders in New Zealand
- Family Court Statistics in New Zealand
- Child and Youth Offending Statistics in New Zealand (formerly titled Youth Justice Statistics in New Zealand)