

Child and Youth Offending Statistics

An Overview of Child and Youth Offending Statistics in New Zealand: 1992 to 2008

STATISTICAL BULLETIN

April 2010

This statistical bulletin presents some of the key statistics in the Child and Youth Offending Statistics in New Zealand: 1992 to 2008 report. It examines trends in Police apprehension rates per 10,000 population for children aged 10 to 13, and youth aged 14 to 16, over 1995 to 2008 period. It also shows trends in prosecutions of, and orders and sentences imposed on, young people over the 1992 to 2008 period.

Police Apprehensions – Key Trends 1995 to 2008

- Child (10 to 13 year olds) and youth (14 to 16 year olds) apprehension rates declined over the 1995 to 2008 period, especially in the last three years.
- The child apprehension rate was highest in 1996 at 543 per 10,000 population, dropping to 336 in 2008. The youth apprehension rate was also highest in 1996 at 1,926 per 10,000 population, declining to 1,572 in 2008.
- Property offences consistently comprised the largest proportion of child and youth apprehensions over the 1995 to 2008 period. In 2008, 69% of child apprehensions and 61% of youth apprehensions were for property offences. Child and youth apprehension rates for property offences declined markedly over the period, with the lowest rates recorded in 2007 and 2008.
- The youth apprehension rate for violence has been increasing; the 2008 rate of 198 was 13% above the average for the 1995 to 2008 period. The violence apprehension rate for children remained relatively stable, with an average of 36 over the period.

Prosecutions, Orders and Sentences – Key Trends 1992 to 2008

- Section 282 discharges, where a charge is discharged by the Youth Court as if it had never been laid, are the most common Youth Court outcome. The rate of young people discharged under section 282 increased markedly over the 1992 to 2008 period, from a low of 28 per 10,000 population in 1992 to a high of 104 in 2008.
- The rate of young people with proved outcomes in the Youth Court generally increased over the 1992 to 2008 period, from a low of 41 per 10,000 population in 1992 to 65 in 2008.
- In 2008, 1,208 young people had a proved outcome resulting in a Youth Court order. The rate of young people who received Youth Court orders increased from a low of 41 per 10,000 population in 1992 to a high of 67 in 1999. The rate in 2008 was 64 per 10,000 population.
- The rate of young people who were convicted in the District or High Court decreased from a high of 23 per 10,000 population in 1997 to a low of 8 in 2008 (158 young people).

Note: See page 9 for notes about the Police apprehension and Court data in this statistical bulletin.

Introduction

This statistical bulletin presents some of the key Police apprehension and court statistics in the Child and Youth Offending Statistics in New Zealand: 1992 to 2008 report. This report is available on the Ministry of Justice website – www.justice.govt.nz.

Child and Youth Apprehensions

This section presents trends in Police apprehensions of children aged 10 to 13 and youth aged 14 to 16 over the 1995 to 2008 period.

Apprehension Numbers and Rates

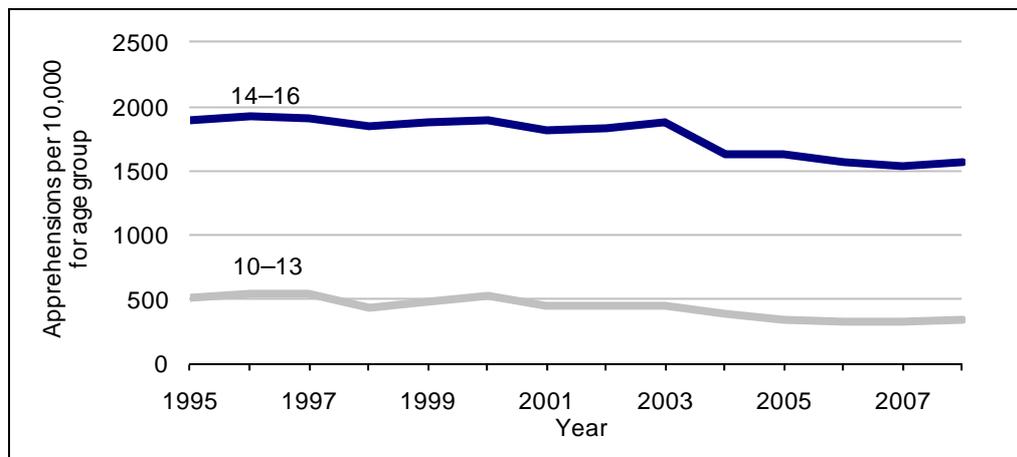
An apprehension is recorded when a person has been dealt with by the Police in some manner to resolve an alleged offence. An apprehension does not always involve an arrest and, due to the diversionary nature of the youth justice process, most youth apprehensions will not result in a prosecution. The majority of both child and youth apprehensions are dealt with by diversionary measures such as a warning or Police Youth Aid alternative action, without recourse to a youth justice family group conference (FGC) or (in the case of children) the Family Court.

Apprehensions represent the number of alleged offences not the number of offenders, as people who are apprehended for more than one offence are counted once for each offence. Apprehension rates are population-adjusted (per 10,000 population for the corresponding age cohort) apprehension statistics. This takes into account the effect of any population change in the corresponding age cohort.

Figure 1 shows that child and youth apprehension rates declined over the 1995 to 2008 period, especially in the last three years.

The child apprehension rate was highest in 1996 at 543 per 10,000 population, dropping to 336 in 2008. The youth apprehension rate was also highest in 1996 at 1,926 per 10,000 population, declining to 1,572 in 2008.

Figure 1: Police apprehension rates per 10,000 population for non-traffic offences, by age group, 1995 to 2008



Apprehension Rates by Offence Category

Table 1 shows that in 2008, 14 to 16 year olds had the highest apprehension rate of any age group for property offences at 964 per 10,000 population, while 10 to 13 year olds had the lowest apprehension rate for all offence categories, except property. Since 1995, the lowest child and youth apprehension rates for property offences were recorded in 2007 and 2008.

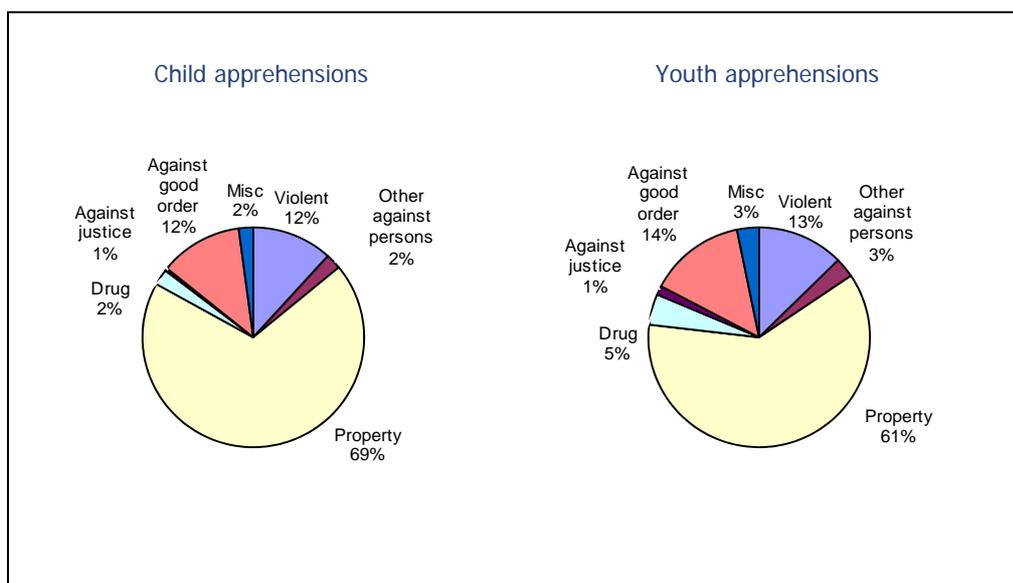
Property offences consistently comprised the largest proportion of child and youth apprehensions over the 1995 to 2008 period. In 2008, 69% of child apprehensions and 61% of youth apprehensions were for property offences (see Figure 2).

Table 1: Police apprehension rates per 10,000 population for non-traffic offences, by offence category and age group, 2008

| Offence category | 0 to 9 | 10 to 13 | 14 to 16 | 17 to 20 | 21 to 30 | 31 to 50 | 51+ | Over all ages |
|-----------------------|--------|----------|----------|----------|----------|----------|-----|---------------|
| Violence | 1 | 39 | 198 | 305 | 225 | 127 | 18 | 101 |
| Other against persons | 0 | 8 | 46 | 90 | 60 | 34 | 6 | 27 |
| Property | 8 | 232 | 964 | 836 | 355 | 119 | 15 | 192 |
| Drug | 0 | 8 | 71 | 189 | 120 | 59 | 6 | 49 |
| Against justice | 0 | 1 | 21 | 121 | 87 | 44 | 4 | 33 |
| Against good order | 1 | 41 | 221 | 390 | 172 | 71 | 12 | 82 |
| Miscellaneous | 0 | 7 | 50 | 222 | 77 | 25 | 5 | 35 |
| Overall | 10 | 336 | 1572 | 2153 | 1097 | 478 | 66 | 519 |

Over the 1995 to 2008 period, violence apprehension rates increased for youth and adults, while children's rate remained relatively stable. The 2008 child apprehension rate for violence of 39 per 10,000 population (see Table 1) was only slightly above the average for the period of 36.

Figure 2: Percentage of Police apprehensions for non-traffic offences, by offence category, 2008



The youth apprehension rate for violence has been increasing; the 2008 rate of 198 per 10,000 population (see Table 1) was 13% above the average for the period.

Apprehensions by Gender and Ethnicity

Since 1995 apprehension rates for both sexes have trended down for children and youth; however the decline has been more gradual for females. As a result a greater proportion of apprehensions is now attributable to females although their actual rate has changed little.

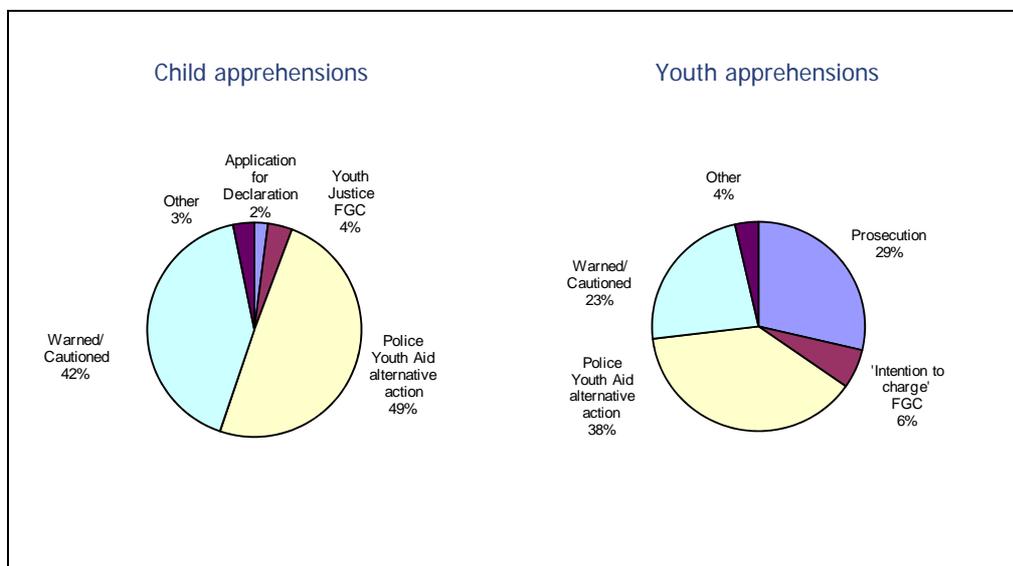
Māori children's apprehension rate is more than five times that of Pacific or NZ European children, while Māori youth's apprehension rate is more than three times that of Pacific or NZ European youth.

Police Resolutions of Child and Youth Apprehensions

There has been a marked decline in child and youth apprehensions dealt with by Police Youth Aid alternative action, particularly in the last three years, with a small upswing for children from 149 per 10,000 population in 2007 to 166 in 2008; and for youth from 572 in 2007 to 605 in 2008. Figure 3 shows that in 2008, 49% of child and 38% of youth apprehensions were resolved by Police Youth Aid alternative action.

Warnings and cautions of children and youth declined over the 1995 to 2008 period. For children the highest rate was 166 per 10,000 population in 1995, down to 140 in 2008; for youth the highest rate was 405 in 1997, down to 366 per 10,000 population in 2008. Figure 3 shows that in 2008, 42% of child and 23% of youth apprehensions were resolved by warnings and cautions.

Figure 3: Percentage of Police apprehensions for non-traffic offences, by resolution type, 2008



Referrals to youth justice FGCs for children have declined overall, with the highest rate of 26 per 10,000 population in 1997, declining to 12 in 2008. Figure 3 shows that in 2008, 4% of child apprehensions were resolved in this way. Youth referrals to 'intention to charge FGCs' have also declined markedly from 175 per 10,000 population in 1995 to 95 in 2008. Figure 3 shows that in 2008, 6% of youth apprehensions were resolved in this way.

Prosecutions of 14 to 16 year olds have increased sharply, particularly in the last four years; the rate climbed to 371 per 10,000 population in 2005 before reaching period highs of 450 in 2006 and 2008. Figure 3 shows that in 2008, 29% of youth apprehensions were resolved in this way.

Prosecution Outcomes

This section presents the outcomes for young people coming before the courts (Youth, District and High Courts) over the 1992 to 2008 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, aggravated robbery) the case can be transferred to the District or High Court for trial and/or sentencing. The statistics in this section include charges eligible to be heard before the Youth Court (including those later transferred to the District or High Court), for all people who were:

- 10 to 13 years old and charged with murder or manslaughter offences, or
- 14 to 16 years old at the time of the alleged offences, and
- under 18 years old at the time their charges were laid; and
- under 25 years old when their charges were finalised.

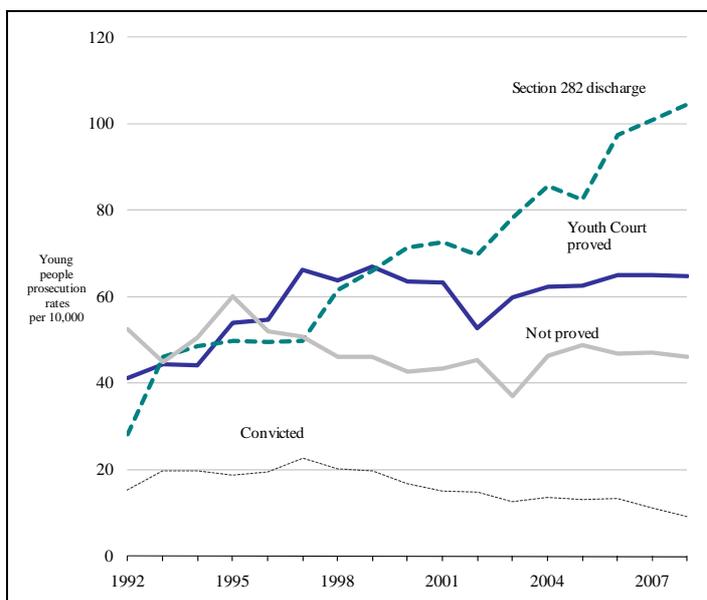
'People-based' statistics are derived from the raw number of young people prosecuted in a calendar year. Sometimes one person may appear in court several times within a year. That person is only counted once in these statistics. Within a calendar year, the most serious charge (with the most serious outcome or penalty) is used to denote that person. This results in an undercounting of minor charges.

Prosecution Numbers and Rates

In 1992, 2170 young people (137 per 10,000 population) were prosecuted in the Youth Court (including those later transferred to the District or High Court). In 2008 the figure was 4,271 young people (225 per 10,000 population).

Section 282 discharges, where a charge is discharged by the Youth Court as if it had never been laid, are the most common Youth Court outcome. Nearly half (46%) of all prosecuted young people received section 282 discharges in 2008 (1,983 young people). Figure 4 shows that the rate of young people with section 282 discharges increased markedly over the 1992 to 2008 period, from a low of 28 per 10,000 population in 1992 to a high of 104 in 2008.

Figure 4: Young people's prosecution rates per 10,000 population for all offences except non-imprisonable traffic offences, by outcome category, 1992 to 2008



Twenty-nine percent of all prosecuted young people had proved outcomes in the Youth Court in 2008 (1,228 young people). Figure 4 shows that the rate of young people with proved outcomes in the Youth Court generally increased over the 1992 to 2008 period, from a low of 41 per 10,000 population in 1992 to 65 in 2008.

Twenty per cent of all prosecuted young people had not proved charges in 2008 (875 young people). Figure 4 shows that the rate of young people with not proved outcomes (ie, charges that were acquitted, withdrawn, dismissed or discharged (excluding s282 discharges)) declined overall, from a high of 60 per 10,000 population in 1995 to 46 in 2008.

Four percent of all prosecuted young people were convicted in the District or High Court in 2008 (174 young people). Figure 4 shows that the rate of young people convicted in the District or High Court generally declined over the 1992 to 2008 period, peaking at 23 per 10,000 population in 1997 before trending downward to a period low of 9 in 2008.

Prosecutions by Gender and Ethnicity

More males than females appear in court. The number of males who appeared in the Youth, District or High Court in 2008 (3,432) was 4.1 times greater than the number of females (836).

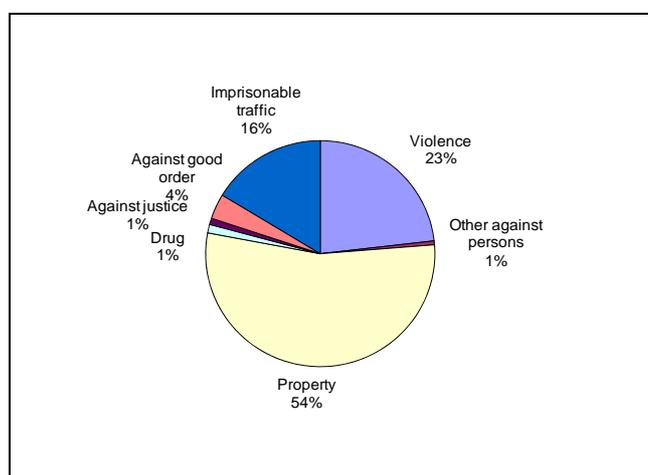
As in other parts of the criminal justice system, Māori are over-represented in the youth justice system. The number of Māori who appeared in the Youth, District or High Court in 2008 (2,147) was 1.6 times greater than the number of NZ European (1,349) and 4.9 times greater than the number of Pacific young people (438). By comparison, in 2008 the estimated number of NZ European 14 to 16 year olds was 3.3 times greater than their Māori cohort, while the estimated population of Pacific 14 to 16 year olds was about half that of Māori.

Proved Outcomes by Offence Category

A charge 'proved' and finalised in the Youth Court is recorded as a Youth Court proved outcome not a conviction. Figure 5 shows that the number of young people with proved outcomes for property offences (664) comprised over half (54%) of all proved outcomes in 2008. This is consistent with property offences comprising over half (61%) of youth apprehensions in 2008.

Figure 5 shows that the number of young people with proved outcomes for violence offences (284) comprised 23% of all proved outcomes in 2008. The number of young people with proved outcomes for imprisonable traffic offences (200) comprised 16% of proved outcomes in 2008.

Figure 5: Percentage of young people prosecuted for all offences except non-imprisonable traffic offences, by offence category, 2008



Orders and Sentences Imposed on Young People

This section examines Youth Court orders and District or High Court sentences imposed on young people in 2008. Youth Court proved outcomes and District or High Court convictions may result in multiple orders or sentences; only the highest tariff order or sentence imposed on each person is presented. Thus, less serious orders or sentences are under-represented in the statistics.

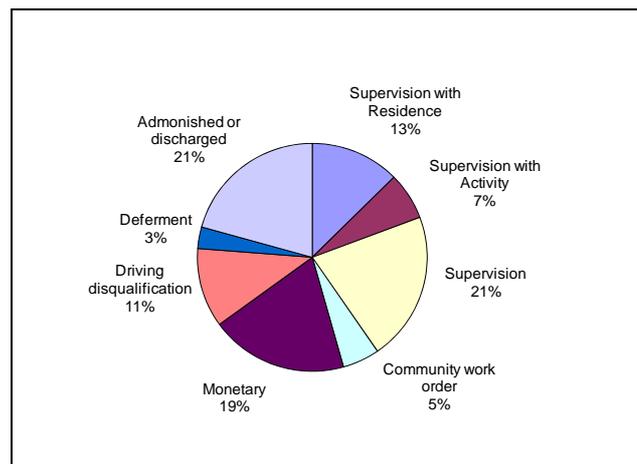
Youth Court Order Trends

Figure 6 shows that in 2008, a supervision order (either supervision (21%), supervision with residence (13%) or supervision with activity (7%)) was the most commonly imposed Youth Court order, totalling 41% of all Youth Court orders (imposed on 488 young people).

An admonishment or discharge was the second most common Youth Court order in 2008, imposed on 250 young people, which comprised just over a fifth (21%) of all Youth Court orders in 2008.

A monetary penalty was the third most common Youth Court order in 2008, imposed on 234 young people, which comprised nearly a fifth (19%) of all Youth Court orders in 2008.

Figure 6: Percentage of young people with proved outcomes in the Youth Court for all offences except non-imprisonable traffic offences, by order type, 2008



One hundred and thirty-six young people received driving disqualifications in the Youth Court in 2008, which comprised 11% of all Youth Court orders in 2008. Youth Court community work and deferments were the least common Youth Court orders in 2008, comprising 5% and 3% of Youth Court orders, respectively.

District and High Court Sentencing Trends

Figure 7 shows that in 2008, adult community-based sentences (including home detention)¹ were the most commonly imposed District or High Court sentence, imposed on 87 young people, which comprised over half (55%) of all District or High Court sentences imposed on young people in 2008.

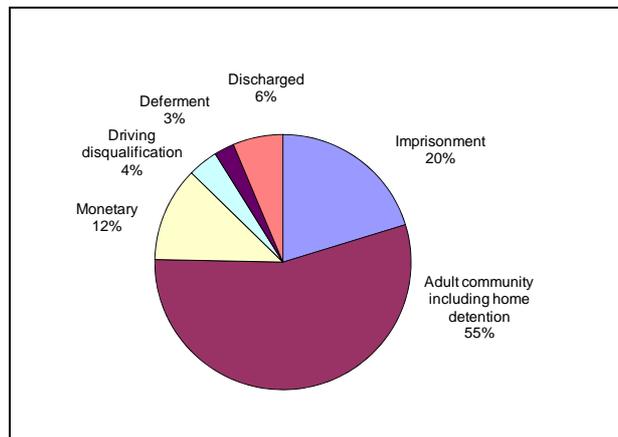
Imprisonment was the second most common District or High Court sentence imposed on young people in 2008, at 32 young people, which comprised a fifth (20%) of all District or High Court sentences imposed on young people.

¹ Adult community-based sentences (including home detention) include periodic detention, community programme, community service or supervision before 30 June 2002, community work or supervision after 30 June 2002, and intensive supervision or community detention from 1 October 2007).

A monetary penalty was the third most common District or High Court sentence imposed on young people, at 19 young people, which comprised 12% of all sentences imposed on young people.

The remaining 13% of young people sentenced received convictions and discharges, driving disqualifications and deferments.

Figure 7: Percentage of young people convicted in the District or High Court for all offences except non-imprisonable traffic offences, by sentence category, 2008



Notes about the data

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

Police apprehension statistics provide an indication of trends in recorded offending by children and young people. Changes in reporting and recording practices, policy, legislation and Police practice can significantly influence apprehension statistics and distort offending trends. In addition, children and young people are generally less experienced at offending and 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 and geographic locations. Charge and prosecution numbers can also be affected by legislative or 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 prosecutions processed by the courts do not necessarily reflect real changes in the volume of criminal behaviour. Despite this, they are often used as a proxy.

Each offence committed by a person may result in a charge being laid in court. Sometimes one incident may lead to several charges (for example, people accused of fraud often face a number of charges.) Each charge will have a separate outcome and sentence.

'People-based' statistics are derived from the raw number of young people prosecuted in a calendar year. Sometimes one person may appear in court several times within a year. That person is only counted once in these statistics.

People are counted and identified by an identifier issued by the Police or the Courts. Within a calendar year, the most serious charge (with the most serious outcome or penalty) is used to denote that person. This results in an undercounting of minor charges.

It is possible that a particular person may have multiple identities and aliases. Such people could be counted more than once in these statistics within a calendar year.

Where offender and apprehension numbers and rates are small, minimal increases or decreases in these numbers result in large percentage changes. Caution is also advised in making inferences about changes in numbers or rates over short time periods, for example, one or two years, as longer time periods are needed to establish whether 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 available on the Ministry of Justice website – <http://www.justice.govt.nz/publications>

- 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).