

Youth Justice Statistics in New Zealand: 1992 to 2006

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Foreword

This report is the first in a new series of annual reports presenting youth justice statistics. This new report explains the processes for dealing with young offenders and examines trends in apprehensions, prosecutions, convictions and sentencing of young people.

In previous years, young offender statistics were presented in chapter 7 of the annual report series titled 'Conviction and Sentencing of Offenders in New Zealand'. The 'Conviction and Sentencing' report is well established as a source of information on the criminal justice sector and is recognised as part of the Tier One statistics in Statistics New Zealand's official statistics programme. The conviction and sentencing statistics are available online and continue to be accessible through the Table Builder function on the Statistics New Zealand web site (www.stats.govt.nz).

The Ministry of Justice is committed to providing high quality policy advice on the youth justice sector. Reports such as this are therefore a critical cornerstone for future policy advice. Policy development also benefits from consultation and collaboration with individuals or groups who have an interest in the issue under investigation. For the public to be fully equipped to discuss policy proposals, it is essential that they are well informed. The Ministry can assist in this process and this report is one of the means by which the Ministry seeks to keep the public informed about trends and developments in the youth justice system.

The Youth Court deals with proceedings under the Children, Young Persons and Their Families Act 1989. This new series of youth justice statistics reports will support analysis of issues specific to these proceedings, and to Police processes for dealing with young offenders, providing the basis for expanding the scope of analysis in future years. We would welcome suggestions on how further improvements can be made to the information already presented in this report, or on what might be useful to be included in future reports.

Belinda Clark
Secretary for Justice

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Contents

Foreword	3
Acknowledgements	5
Tables	9
Figures	11
Executive Summary	13
1 Introduction	17
1.1 Background	17
1.2 Source of the data	18
1.3 Quality of the data	21
1.4 Comparability with previous reports	21
1.5 Youth justice work programme	22
1.6 Structure of this report	22
2 Youth justice statistics	25
2.1 Overview of the youth justice process	25
2.2 Population statistics	33
2.3 Police statistics	36
2.4 Court statistics	36
2.5 Average seriousness of all offences	37
3 Police apprehensions and resolutions	39
3.1 Introduction	39
3.2 Police youth apprehensions for non-traffic offences	39
3.3 Gender and ethnicity of youth apprehended	48
3.4 Police resolutions of youth apprehended	51
3.5 Police districts of youth apprehended	53
4 Outcomes of prosecutions	57
4.1 Introduction	57
4.2 Outcomes of prosecuted cases involving young people	58
4.3 Gender, age, and ethnicity of young people prosecuted	65
4.4 Court regions where cases were finalised in 2006	68
4.5 Types and seriousness of cases that were proved	70
5 Sentencing of young people	75
5.1 Introduction	75
5.2 Sentencing of proved cases involving young people	77
5.3 Final court of sentencing	81
Appendix A	91
References	93

Tables

Table 1.1	Differences in 2004 cases and convictions: LES vs CMS	20
Table 2.1	Estimated resident population of New Zealand, by age group, 1992 to 2006	35
Table 3.1	Number of Police apprehensions for non-traffic offences, by offence type and age group, 2006	40
Table 3.2	Police apprehension rates per 10,000 population for non-traffic offences, by offence type and age group, 2006	40
Table 3.3	Number of Police apprehensions of 14 to 16 year olds for non-traffic offences, by offence type, 1995 to 2006	43
Table 3.4	Police apprehension rates per 10,000 population of 14 to 16 year olds for non-traffic offences, by offence type, 1995 to 2006	44
Table 3.5	Number of Police apprehensions of 17+ year olds for non-traffic offences, by offence type, 1995 to 2006	47
Table 3.6	Police apprehension rates per 10,000 population of 17+ year olds for non-traffic offences, by offence type, 1995 to 2006	47
Table 3.7	Number of Police apprehensions of 14 to 16 year olds for non-traffic offences, by gender, 1995 to 2006	49
Table 3.8	Estimated resident population of 14 to 16 year olds, by gender, 1995 to 2006	49
Table 3.9	Number of Police apprehensions of 14 to 16 year olds for non-traffic offences, by ethnicity, 1995 to 2006	49
Table 3.10	Population projections of 14 to 16 year olds, by ethnicity, 2001 to 2006	50
Table 3.11	Number of Police apprehensions of 14 to 16 year olds for non-traffic offences, by resolution type, 1995 to 2006	52
Table 3.12	Percentage of each resolution type for Police apprehensions of 14 to 16 year olds for non-traffic offences, 1995 to 2006	52
Table 3.13	Number of Police apprehensions of 14 to 16 year olds for non-traffic offences, by Police district, 1995 to 2006	54
Table 3.14	Population projections of 14 to 16 year olds, by Police district, 2001 to 2006	55
Table 3.15	Number of Police apprehensions of 14 to 16 year olds for non-traffic offences, by resolution type and Police district, 2006	56
Table 4.1	Number of cases prosecuted involving young people for all offences except non-imprisonable traffic offences, by outcome, 1992 to 2006	60
Table 4.2	Percentage of cases prosecuted involving young people for all offences except non-imprisonable traffic offences, by outcome, 1992 to 2006	61
Table 4.3	Number of cases prosecuted for all age groups and all offences except non-imprisonable traffic offences, by outcome, 1992 to 2006	62
Table 4.4	Percentage of cases prosecuted for all age groups and all offences except non-imprisonable traffic offences, by outcome, 1992 to 2006	63
Table 4.5	Rate per 10,000 population of outcomes of cases prosecuted involving young people for all offences except non-imprisonable traffic offences, 1992 to 2006	64
Table 4.6	Outcomes of cases prosecuted involving young people for all offences except non-imprisonable traffic offences, by offence type, 2006	65

Table 4.7	Outcomes of cases prosecuted involving young people for all offences except non-imprisonable traffic offences, by gender, 2006	66
Table 4.8	Outcomes of cases prosecuted involving young people for all offences except non-imprisonable traffic offences, by age, 2006	67
Table 4.9	Outcomes of cases prosecuted involving young people for all offences except non-imprisonable traffic offences, by ethnicity, 2006	67
Table 4.10	Number of cases prosecuted involving young people for all offences except non-imprisonable traffic offences resulting in each outcome, and number finalised in the Youth Court, by court region, 2006	68
Table 4.11	Percentage of cases prosecuted involving young people for all offences except non-imprisonable traffic offences resulting in each outcome, and percentage finalised in the Youth Court, by court region, 2006	69
Table 4.12	Number of proved cases involving young people for all offences except non-imprisonable traffic offences, by offence type, 1992 to 2006	71
Table 4.13	Percentage of proved cases involving young people for all offences except non-imprisonable traffic offences, by offence type, 1992 to 2006	72
Table 4.14	Number of proved cases involving young people for all offences except non-imprisonable traffic offences, by level of offence seriousness and average seriousness of offences, 1992 to 2006	74
Table 5.1	Number of proved cases involving young people for all offences except non-imprisonable traffic offences, by sentence type, 1992 to 2006	79
Table 5.2	Percentage of proved cases involving young people for all offences except non-imprisonable traffic offences, by sentence type, 1992 to 2006	80
Table 5.3	Number of proved cases involving young people for all offences except non-imprisonable traffic offences, by supervision order outcome, 2004 to 2006	81
Table 5.4	Percentage of proved cases involving young people for all offences except non-imprisonable traffic offences finalised by court, 1992 to 2006	82
Table 5.5	Court where proved cases involving young people for all offences except non-imprisonable traffic offences were finalised, by offence type, 2006	83
Table 5.6	Number of proved cases involving young people for all offences except non-imprisonable traffic offences, finalised in each Youth Court by sentence type, 2006	85
Table 5.7	Number of proved cases involving young people for all offences except non-imprisonable traffic offences, finalised in each District or High Court by sentence type, 2006	88
Table A1	Outcomes of cases prosecuted involving young people for all offences except non-imprisonable traffic offences, by ethnicity, 2005	91

Figures

Figure 2.1	Process for dealing with child offenders aged 10 to 13	28
Figure 2.2	Process for dealing with youth offenders aged 14 to 16	31
Figure 2.3	Number of cases involving 14 to 16 year olds and average number of charges per case, 1980 to 2006	32
Figure 3.1	Police apprehension rates per 10,000 population for non-traffic offences by offence type and age group, 2006	42
Figure 3.2	Police apprehensions per 10,000 population of 14 to 16 year olds for non-traffic offences, by gender, 1995 to 2006	48
Figure 3.3	Police apprehensions per 10,000 population of 14 to 16 year olds for non-traffic offences, by ethnicity, 2001 to 2006	51
Figure 3.4	Police apprehensions per 10,000 population of 14 to 16 year olds for non-traffic offences, by Police district, 2006	55

Executive Summary

This report is the first in a new series of reports to be published annually presenting youth justice statistics. In previous years, young offender statistics were presented in the annual report series titled 'Conviction and Sentencing of Offenders in New Zealand'. This report examines trends in Police apprehensions of 14 to 16 year olds over the period 1995 to 2006. It also examines trends in prosecutions, convictions and sentencing of young people over the period 1992 to 2006.

This report presents information sourced from New Zealand Police and Statistics New Zealand. The report also uses data derived from the previous Law Enforcement System (LES) and the current Case Management System (CMS). The system changeover between 2003 and 2004 has changed how some information, notably case data, is defined and constructed. These changes may have affected some of the statistical trends, although not all of these effects can be identified and quantified.

Police apprehensions and resolutions

In 2006, there was a total of 30,451 Police apprehensions of 14 to 16 year olds. This equates to approximately one in seven of all apprehensions (30,451 apprehensions of this age group out of a total of 203,484 apprehensions across all groups). The total number of Police apprehensions of 14 to 16 year olds remained stable over the period 1995 to 2006 at around 31,000 apprehensions each year.

In 2006, over half of youth apprehensions were for property offences (18,828 apprehensions or 62%). On average, around 19,650 young people were apprehended for property offences each year over the period 1995 to 2006. In fact, in 2006, the 14 to 16 age group had the highest apprehension rate of any age group for property offences. Sixty-three per cent of youth apprehensions for property offences involved dishonesty offences (burglary, theft and motor vehicle conversion), compared to 70% in 1995 (from 14,589 in 1995 to 11,871 in 2006). Apprehensions for theft, the biggest contributor to property offences, fluctuated around an annual average of 7,700 over that period.

Good order offences comprise the next largest proportion (4,059 apprehensions or 13%), followed by violent offences (3,743 apprehensions or 12%), drug offences (1,312 apprehensions or 4%), miscellaneous offences (858 apprehensions or 3%), other against persons offences (847 apprehensions or 3%) and offences against justice (804 apprehensions or 3%).

There has been an increase in the number of youth and adult apprehensions for violent offences over the period 1995 to 2006. The number of youth apprehensions for violent offences increased from 2,690 to 3,743 (an overall increase of 39%), while for adults they increased from 25,375 to 31,010 (an overall increase of 22%). In 2006, the number of youth apprehensions for violent offences increased 9% from 2005. The increase was largely due to increases recorded in grievous/serious assaults (from 1,324 to 1,512) and minor assaults (from 1,345 to 1,392). In 2006, the adult apprehensions for violent offences increased 7%

from 2005. The number of youth apprehensions for homicides fluctuated between 1 and 12 over the 1995 to 2006 period, rising from 3 in 2005 to 8 in 2006.

The total population of 14 to 16 year olds in New Zealand has risen from 160,840 in 1995 to 191,450 in 2006 (a 19% increase). In 2006, the overall youth apprehension rate was the lowest recorded over the 1995 to 2006 period at 1,591 apprehensions per 10,000 population. More young males than females were apprehended; between 77% and 80% of apprehensions of young people over the period 1995 to 2006 were of males. When the population increase is taken into account, the apprehension rate for both young males and females actually declined over the period.

Most youth apprehensions are for NZ Europeans or Māori. Approximately the same number of each of these ethnic groups was apprehended each year between 1998 and 2003. Before 1998 and after 2003, there tended to be slightly more apprehensions of Māori youth than NZ Europeans. The percentage of 14 to 16 year olds apprehended who were Māori decreased from 1995 to 2002. From 2003 to 2005, however, Māori youth's proportion of the total rose from 45% to 48%. In 2006, 47% of 14 to 16 year olds who were apprehended were Māori. Pacific peoples were the next largest group of youth apprehensions, comprising between 6% and 9% of all youth apprehensions over the 1995 to 2006 period.

Similar numbers of Māori and NZ European young people aged 14 to 16 are apprehended each year by the Police for non-traffic offences. However, Māori youth comprise less of the New Zealand population than young NZ Europeans do. For this reason, the Māori apprehension rate is more than twice the Pacific peoples' apprehension rate and nearly three times that of the NZ European or other group. The apprehension rates for Māori and NZ European or other groups have fallen slightly in the 2001 to 2006 period. While the apprehension rates for Pacific peoples have fallen from 2001, the apprehension rate in 2006 shows a slight increase on 2005.

Of the 30,451 youth apprehensions recorded in 2006:

- 29% were prosecuted
- 39% were dealt with by Police Youth Aid
- 23% were issued with a formal warning
- 6% were referred to Child Youth and Family for an intention to charge Family Group Conference
- 3% were resolved by other means.

Outcomes of prosecutions

The number of prosecuted cases involving young people in 2006 increased 5% from 2004 (from 5,918 to 6,202). The proportion of young people convicted in the District or High Court (after the case was transferred for trial and/or sentencing) decreased, from 11% in 1992 to 6% in 2003. From 2004 to 2006, the proportion remained steady at 5%.

Over the period 1992 to 2003, the proportion of cases proved in the Youth Court fluctuated between 26% and 35%. In the 2004 to 2006 period, the proportion of cases resulting in this outcome decreased slightly from 30% to 27%. The proportion of cases resulting in section 282 discharges (of the Children, Young Persons and Their Families Act 1989) in the Youth

Court climbed from 19% in 1992 to 38% in 2003. In the 2004 to 2006 period, the proportion fluctuated between 34% and 35%.

Taking into account the effect of the increase in the 14 to 16 year old population over the period, there was an average of 220 cases prosecuted and an average of 68 cases proved in the Youth Court per 10,000 population over the period 1992 to 2003. In the period 2004 to 2006, the figures show that 2006 recorded the highest rate of 324 prosecuted youth cases per 10,000 population, with a rate of 88 cases proved in the Youth Court per 10,000.

The 2006 figures show that miscellaneous offences were the most likely to result in conviction (18%); of these convictions 73% involved minors breaching local liquor bans. Nearly half of all prosecuted cases in 2006 involve property offences, with over one-third resulting in a section 282 discharge (40%). Twenty-four per cent of all prosecuted cases involved violent offences (1,486 out of 6,202); 39% of these resulted in a not proved outcome, 27% resulted in Youth Court proved, 27% resulted in a section 282 discharge while the remaining 7% resulted in convictions.

From 1992 to 2003, on average, over half (53%) of proved cases against young people involved property offences. From 2004 to 2006 the figures were steady (54%, 51% and 50% respectively). Violent cases accounted for around one-quarter of proved cases involving young people each year from 1992 to 2003. From 2004 to 2006, violent cases consistently averaged 24%. Imprisonable traffic offences fluctuated between 8% and 14% from 1992 to 2003. The figures over the last three years continued to show that one in ten proved cases involved traffic offences (between 11% and 13%). In 2006, nearly half of the traffic cases involved driving with excess alcohol, under the influence of drugs or refusing to supply a blood specimen (49%) and around one in five cases involved reckless and dangerous driving (21%).

Sentencing of young people

The proportion of proved cases that resulted in any type of custodial sentence (i.e. imprisonment excluding corrective training) has remained steady at around 60 cases since 2001. The number of proved cases that resulted in Youth Court supervision orders (supervision, supervision with activity and supervision with residence) increased from 1992 to 2003, with an average of around 500 cases. From 2004 to 2006 there was an average of 715 supervision orders per year. In 2006, over one-third of proved cases (39%) resulted in supervision, supervision with activity or supervision with residence orders.

The proportion of cases resulting in a monetary penalty fluctuated between 11% and 19% over the period 1992 and 2003. From 2004 to 2006, the use of monetary penalties remained steady at an average of 16%.

Admonition involves the offender receiving a reprimand from a Youth Court judge (with no other sentence or order being imposed). Proved cases resulting in this outcome fluctuated between 52 and 295 cases (4% and 19%) over the period 1992 to 2003. In 2004, 472 proved cases resulted in this outcome. The figures remained steady in 2005 and 2006 (371 and 376 respectively). The proportion of proved cases resulting in an outcome of admonished decreased from 23% in 2004 to 19% in 2006.

1 Introduction

1.1 Background

This report is the first in a new series of reports to be published annually presenting statistics on young people aged 14 to 16 who are dealt with by Police and courts under the auspices of the youth justice system. In previous years, these statistics were presented in the annual report series titled 'Conviction and Sentencing of Offenders in New Zealand'. This new report presents Police statistics over the period 1995 to 2006 and courts statistics over the period 1992 to 2006¹. It also explains reasons for any changes in these statistics, where the reason is known.

Police apprehension statistics examine non-traffic offending overall, offences categorised into groups, the gender and ethnicity of youth apprehended and apprehensions by Police district. Police resolution statistics report on trends for prosecution, Youth Justice Family Group Conference (FGC), Police Youth Aid, warned/cautioned and 'other' outcomes.

The report also examines prosecution and conviction trends for Youth Court proved, section 282 discharge, discharge without conviction and not proved, by overall offending, offence groups, gender, age and ethnicity. Courts where cases were finalised and the types and seriousness of cases proved are also examined.

The grouped offence categories reported on are:

- violent offences
- other offences against the person
- property offences
- drug offences
- offences against good order
- offences against the administration of justice
- imprisonable traffic offences
- offences not otherwise classified (i.e. miscellaneous offences).

For each of the grouped offence categories, detail is provided on the offences that were most frequent, most serious, or thought to be of particular interest.

¹ Police apprehension statistics are available from 1995 onwards; Youth Court statistics are available from 1992 onwards.

1.2 Source of the data

1.2.1 Source of population data

The population data used to produce tables in Chapters 3 and 4 were sourced from Statistics New Zealand. See Section 2.2 for an overview of the population statistics used in this report.

1.2.2 Source of Police data

The Police apprehension statistics used to produce tables in Chapter 3 were sourced from New Zealand Police. Section 2.3 gives an overview of the Police apprehension statistics used in this report.

While Police apprehension statistics do provide an indication of trends in offending by young people, reporting and recording practices, and policy and legislative changes can significantly influence apprehension statistics and thereby distort offending trends. Children and young people are also generally less experienced at offending and often offend in groups and in public, which makes them more likely to be apprehended by Police.

Statistics New Zealand makes a number of Justice Sector datasets available on its website (www.stats.govt.nz). In referring to the New Zealand Police data on apprehensions statistics, as published on the Statistics New Zealand website, it was noted that:

In June 2005 Police replaced the aging Law Enforcement System (LES) with a newer National Intelligence Application (NIA)... The system change caused a step-increase in recorded crime statistics, coincident with the system replacement. This step-increase varied in magnitude between different crime-types and Police Districts. Caution should therefore be observed when making inferences from statistics in 2005 and 2006 about trends of the incidence of crime in New Zealand.

1.2.3 Source of Courts data

The data used to produce tables for 2004 to 2006 in Chapters 4 and 5 were sourced from the Case Management System (CMS) administered by courts. See Section 2.4 for an overview of the courts statistics used in this report.

Prior to 2004, unless otherwise specified, the figures in this report came from the Case Monitoring Subsystem of the Law Enforcement System (LES) on the former Wanganui Computer System. This subsystem recorded the court processing of charges.

During the second half of 2003, a new computer system for storing information about charges was brought online. The new system is known as Case Management System (CMS). Because information entered on CMS was electronically passed back to LES until LES was decommissioned in 2005, information for the whole of 2003 was available from LES. However, from the beginning of 2004, all courts were entering data only on CMS. The 2004 figures in this report are the first to be produced from a new database with data extracted from CMS.

CMS differs from LES and the changes may have affected the statistical trends. Some of the areas where this may have occurred are:

- the recording of appeals (see Section 1.2.3.1)
- identification of cases (see Section 1.2.3.2).

The changes that have affected this report are discussed in the next two sections.

1.2.3.1 Recording of appeals

The structure of the LES data meant that it was difficult to identify charges that had been appealed (particularly charges that were under appeal at the end of each year). In CMS charges under appeal, and outcomes and sentences that are the result of an appeal, are more clearly identified.

In the LES data, when a charge was under appeal at the end of a year, the same charge could appear in the data extract for the next year, often with a different outcome (i.e. a ‘not convicted’ outcome) or sentence. Duplicated charges were removed from the statistical database, and it was assumed that all of the duplicates were because of appeals. However, it was not possible to be certain that this was the case. Because of the improved recording of appeals on CMS, it is now possible to identify why duplicates have been produced in the data.

Because of the appeals process, some charges that were nominally resolved at the end of a calendar year get transferred to the following year. Each time these reports are issued², figures for all years are recalculated and, due to appeals, figures for cases resolved in the previous years may change slightly.

A minor effect of the better recording of information on charges that have been appealed is that some charges have the final court recorded as the Court of Appeal. Previously no cases or charges had the final court recorded as the Court of Appeal.

1.2.3.2 Identification of cases

Chapter 4 ‘Outcomes of prosecutions’ and Chapter 5 ‘Sentencing of young people’ are based on cases. Prior to 2004, cases were not explicitly identified in the database, so a method was developed to determine which charges would most likely belong to the same case. Charges against one person were combined to form a case if they had either the same first court hearing date or the same final court hearing date. Two charges without a first or a final court hearing date in common could, however, belong to the same case. This could occur if there was another charge with which one of the charges had the first court hearing date in common and the other charge had the final court hearing date in common, or where a charge was not proved (usually withdrawn) on the same day that proceedings for another charge were commenced in court.

² The statistics in this report were previously presented in Chapter 7 of the annual series titled ‘Conviction and Sentencing of Offenders in New Zealand’.

With the changeover to CMS, it is possible to join charges that belonged to the same case in the database. In theory, the need to estimate which charges belong to the same case has been eliminated. However, there are some issues with the way that cases are joined in CMS. While the definition of cases used in the 2004 to 2006 figures is based on the way that cases are joined in CMS, the following minor adjustments were made.

First, in CMS charges against different people may be joined into the same case. Since case-based statistics require that the charges in a case relate to the same person, charges for different people joined into the same case were not combined to form a case. Only charges for one individual were combined into a case.

Second, it is possible that not all charges that belong to a case are joined in CMS. The joining may improve over time as people entering data into the system gain more experience. Because it is unlikely that a person would receive two or more custodial or community-based sentences on the same day for different cases, a further refinement to the construction of cases has been added to take account of this situation. That is, if the associated charges were not joined into the same case on CMS when:

- a person received two or more custodial sentences on the same day
- a person received two or more community-based sentences on the same day
- a person received two or more supervision order sentences on the same day

then the associated charges were combined to form a case for the 2004 to 2006 figures in this report.

The different construction of cases for the 2004 to 2006 figures may have caused changes in the figures and trends that are observed up to and following 2004. Using 2004 data, Table 1.1 illustrates differences posted by the old method (prior to 2004) and the new method.

Table 1.1 Differences in 2004 cases and convictions: LES vs CMS

Comparison	Old	New	Variance	Comments on variance in terms of the proportion of cases
Cases	144,180	159,262	+15,082	+2% 'not proved' -3% convicted cases
Convicted cases	102,833	109,525	+6,692	+3% convicted and discharged -1% community work -1% monetary penalty +2% offence against justice -2% traffic offences

While there were differences found in cases and convicted cases in 2004, the 2004 values of the average seriousness for various sentences produced by each method were almost the same.

In summary, the system used to log cases was updated in 2004 (from LES to CMS). This may cause changes in the figures and trends that are observed up to and following 2004. In particular, any changes in the number of cases in 2004 may not represent a true change in offender patterns. Accordingly, extreme caution should be used when making inferences

based on any change between 2003 and 2004. Further, it should be noted that because the system used to log cases was updated in 2004, all case statistics that span the 2003 and 2004 period are reported across two time periods: 1992 to 2003 and 2004 to 2006 (in both tables and text).

1.3 Quality of the data

Neither CMS nor LES data can be regarded as absolutely accurate. It would be impossible to guarantee perfect accuracy even in the best of circumstances because of the enormous number of charges. Incorrect codes are occasionally entered on the computer, and duplicated records sometimes arise for a variety of reasons (e.g. appeals). Some of the data problems were corrected in the production of this report, and while there may be small errors in some of the figures shown, the data are certainly sufficiently accurate to indicate trends over time in apprehensions, prosecutions, convictions and sentencing.

Information is presented in the report on the gender, age and ethnicity of offenders. This data is usually recorded by the prosecuting authority (mostly the Police) at, for instance, the time of arrest. Data on the gender and date of birth (used to calculate the age) of offenders is generally accurate. Official Police practice is for ethnicity to be self-identified by the offender and then coded into the race categories. However, in practice, ethnicity is likely to be recorded by a mixture of self-identification and recorder judgement. Recording ethnicity by means other than self-identification can lead to people being classified in the wrong ethnic groups. Also, no allowance is made for people wanting to specify more than one ethnic group. Data on the ethnicity of offenders convicted in 2004 was available for 85% of cases. Cases where ethnicity was not recorded generally involved minor traffic offences or miscellaneous offences (for which the prosecuting authority is not usually the Police).

Offenders sentenced to a community work sentence can have their sentence reviewed if they have failed or are unable to comply with any condition or requirement of the sentence. This sometimes results in some other (possibly more serious) sentence being imposed. This type of resentencing is not usually recorded in the data used for this report.

Over the period 1992 to 2006 covered by this report there have been legislative changes which have affected the number of minor offences (both traffic and non-traffic) that were proceeded against by way of infringement notice. Therefore, sometimes a large change in the number of prosecutions, and thus proved cases and convictions, was due to the decriminalisation of an offence rather than a change in offending patterns. Where possible, this has been highlighted in the report.

1.4 Comparability with previous reports

The effects of the changes in the sources of the data used to produce this report have already been discussed above. One other change in this report means that some figures cannot be compared with those in previous publications³. In early 2005, the seriousness of offence scale

³ The statistics in this report were previously presented in Chapter 7 of the annual series titled 'Conviction and Sentencing of Offenders in New Zealand'.

(see Section 2.5) was updated; in this report all affected statistics, across all years, have been recalculated to take account of this change.

Since the Ministry's annual publications were first produced there have been a number of other changes made to the data reported in them.

- The way charges are formed into cases has changed.
- The methods used to group offences into the main offence categories and the offence subcategories have been modified.
- The Ministry's seriousness of offence scale was updated in 1995, 2000 and 2005.

The changes mean that the figures presented in the earlier publications in the series cannot always be directly compared with those in the current publication. Before comparing data in this report with data in a previously published report, consult the section in the previous report that corresponds to the section in this report containing the relevant data—the earlier section will outline the changes that have occurred in a particular year.

1.5 Youth justice work programme

The development of comprehensive and consistent youth justice data is central to targeting and implementing effective interventions, policy and practice. A lack of good quality information on offending and reoffending by children and young people has, however, been of concern to the New Zealand justice sector for several years. This report, the first in an annual series, represents a significant development in response to this concern. Future editions of the report will be enhanced as more youth justice data becomes available and the opportunities for greater trend analysis increase over time.

The development of the Youth Justice Dataset (YJD) is another significant response to the justice sector's concern about a lack of good quality youth justice data. Informed by the findings of the Ministry of Justice's 'Youth Justice Minimum Dataset (YJMD): Data Integration Pilot' report, the YJD will enhance the nature, extent and quality of youth justice data available. It is proposed that the YJD will contain Youth Court, Police and Child, Youth and Family youth justice data. Longer-term goals for the YJD include having shared unique identifiers across justice sector agencies, which will facilitate the tracking of (depersonalised) individuals through the youth justice system, and between the youth and adult systems. Work is progressing on assessing and addressing any privacy implications that impact on the development of the YJD.

1.6 Structure of this report

Chapter 2 examines the youth justice processes for dealing with children (10 to 13) and young persons (14 to 16) who offend. It describes the population and Police apprehension statistics used in Chapter 3, and the courts statistics used in Chapters 4 and 5. It also explains the offence seriousness scale used in Chapter 4.

Chapter 3 presents statistics on Police apprehensions of 14 to 16 year olds from 1995 to 2006. These figures give a better indication of overall trends in offending by young people than do court statistics, as many young offenders are dealt with by means other than formal

prosecution in court. It presents information for 2006 on the gender, age and ethnicity of Police apprehensions involving young offenders and youth apprehension rates per 10,000 population. To enable youth offending data to be examined in the broader context of trends in adult offending, apprehension statistics for people aged 17 and over are also presented. Finally, the chapter examines Police resolution trends and apprehensions by Police district.

Chapter 4 focuses on the types of offences for which young offenders were prosecuted in court between 1992 and 2006. The figures are presented for young people aged 14 to 16 who come before the Youth Court as well as those that were transferred to District or High Court for trials. It presents information for 2006 on the gender, age and ethnicity of cases prosecuted involving young offenders. It also examines changes in offence seriousness over the period for proved cases involving young offenders.

Chapter 5 looks at the types of sentences that the Youth, District and High Courts can impose on young people. It also examines trends in the sentences imposed for proved cases between 1992 and 2006.

Police apprehensions and selected conviction and sentencing datasets are accessible through the Table Builder function on the Statistics New Zealand website (www.stats.govt.nz). The online conviction and sentencing statistics provide some of the data now provided through the printed report. It is intended that the online conviction and sentencing statistics will be updated annually.

2 Youth justice statistics

2.1 Overview of the youth justice process

In New Zealand criminal responsibility begins at age 10; however, under the Children, Young Persons & Their Families Act 1989 (CYPF Act) children aged 10 to 13 cannot be prosecuted for offences other than murder and manslaughter. Young persons aged 14 to 16 can be formally charged and prosecuted for any offence⁴. Young people aged 17 or over are dealt with in the same manner as adults⁵.

The CYPF Act introduced major changes in the way children and young people who offend are dealt with in New Zealand and was considered ground-breaking legislation. It established a system of dealing with child offenders through the Family Group Conference (FGC) and Family Court, and with youth offenders through the FGC and Youth Court (excluding non-imprisonable traffic offences, which are usually dealt with in the District Court).

The object of the CYPF Act is to promote the well-being of children, young persons and their families/whānau. Where a child or young person offends, their well-being is to be promoted by holding them accountable for their offending and encouraging them to accept responsibility for their behaviour; and dealing with them in a way that acknowledges their needs and will give them the opportunity to develop in responsible, beneficial and socially acceptable ways.

The CYPF Act also contains several principles specific to youth justice, including that criminal proceedings should not be instituted against a child or young person if there is an alternative means of dealing with the matter; that criminal proceedings should not be used solely for welfare purposes; that measures for dealing with offending should strengthen the family/whānau and foster their ability to deal with offending by their children and young persons; that children and young people who offend should be kept in the community where this is practicable and consonant with ensuring public safety; and that due regard should be given to the interests of victims of offending.

The FGC lies at the heart of the youth justice system, which has a dual focus on accountability and rehabilitation. An FGC involves the child or young person, his or her advocate (where one has been arranged), family/whānau or family group members, the victim(s) or their representative, the Police and the Youth Justice Coordinator (YJC). The role of the FGC is to hold young people accountable for their offending and encourage them to take responsibility for their behaviour. To this end, the FGC formulates a plan for the child or young person making recommendations as it sees fit (which, for young persons, may

⁴ The CYPF Act defines a ‘child’ as a boy or girl under the age of 14 years and a ‘young person’ as a boy or girl of or over the age of 14 years but under 17 years; but does not include any person who is or has been married.

⁵ Offenders aged 17 or over may be offered diversion by the Police (first offenders) or be dealt with in the District Court or, if the offence is serious, the High Court.

include prosecution). Common elements of FGC plans include an apology, reparation, work for the victim or community, a donation to charity, curfews, counselling or training programmes. The FGC may also recommend that proceedings be discontinued or that a formal Police caution be issued.

2.1.1 Process for dealing with child offenders aged 10 to 13

Children aged 10 to 13 cannot be prosecuted except for the offences of murder and manslaughter. Where a child is alleged to have committed murder or manslaughter the preliminary hearing of the charge takes place before the Youth Court before being automatically transferred to the High Court for trial and sentencing. Children can be sentenced to imprisonment for murder or manslaughter and be detained in a Child, Youth and Family Youth Justice Residence under the custody of the Chief Executive of the Ministry of Social Development. Child offenders who are declared in need of care and protection can be detained in a Care and Protection Residence under the custody of the Chief Executive of the Ministry of Social Development.

Figure 2.1 outlines the Police and court processes for dealing with child offenders aged 10 to 13. For offences other than murder or manslaughter, children under 14 can, whether or not they have been arrested:

- have no action taken
- be issued a formal warning
- be referred to Police Youth Aid, who may arrange an alternative action (diversion) after consultation with victims, the young person and their family/whānau
- be referred to a Child, Youth and Family YJC for a Family Group Conference (FGC) if the number, nature or magnitude of their offence(s) give serious concern for their well-being⁶.
- be referred to the Family Court, where their offending may be proceeded against by way of a declaration that the child is in need of care or protection, provided the Court is satisfied that the child knew either that the offence was wrong or contrary to law.

Between initial contact and the decision to arrest, the Police have significant discretion in deciding how to proceed. The CYPF Act limits the use of arrest but this does not minimise the accountability of children and young people. Section 234 (c) states that following arrest a child (or young person) can be delivered into the custody of:

- any parent or guardian or other person having the care of the child or young person; or
- any Iwi Social Service or Cultural Social Service, with the agreement of the child or young person; or
- any other person or organisation approved by the Chief Executive or member of the Police for the purpose, with the agreement of the child or young person.

⁶ Please note that Child, Youth and Family and the Ministry of Social Development merged on 1 July 2006.

Where a child is referred to an FGC, it may recommend that proceedings be discontinued, that a formal Police caution be issued, that the child make reparation to the victim(s), and/or agree to some form of assistance (e.g. request a psychological assessment, referral to a rehabilitative programme). The FGC can also agree for an application to the Family Court for a declaration that a child is in need of care or protection where the number, nature or magnitude of the offending is such as to give serious concern for the well-being of the child. When the Family Court makes such a declaration, Section 83 Orders of Court on making of declaration include:

- discharge
- order that the child or parent come before the Court if called upon in two years
- counselling
- services
- restraining
- support
- custody
- appoint a guardian.

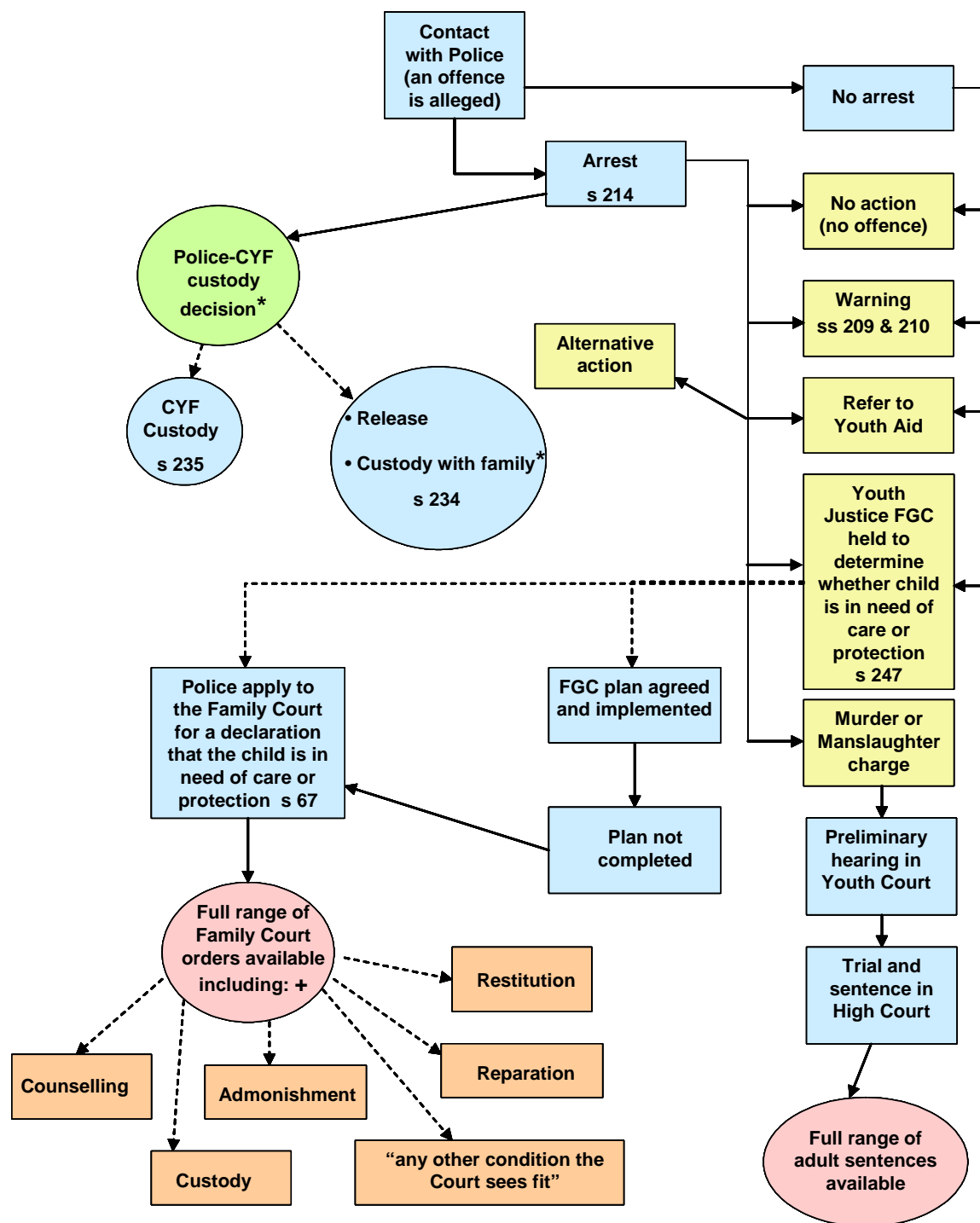
Other orders may also be made where a declaration is made on the grounds of a child's offending. Section 84 Power to make other orders where declaration made on grounds of child's offending include:

- admonish
- reparation
- restitution
- forfeiture.

Further, if a support order is made under sections 91 or 92, the Court has the power to impose additional conditions under section 96 including:

- if a declaration is made under section 14(1)(d) or (e): non-association; attend/remain at a Centre; any other conditions the Court thinks fit to reduce offending
- examination/treatment/counselling/therapy
- any other condition the Court sees fit.

Figure 2.1 Process for dealing with child offenders aged 10 to 13



Notes

* S 234 (c) states that a child or young person following arrest can be delivered into the custody of:

- o Any parent or guardian or other person having the care of the child or young person; or
- o With the agreement of the child or young person, any Iwi Social Service or Cultural Social Service; or
- o With the agreement of the child or young person, any other person or organisation approved by the chief executive or member of the Police for the purpose.

+ If the young person has not completed the plan, the FGC could be reconvened or the matter may be brought before the Youth Court.

Process for dealing with youth offenders aged 14 to 16

Young persons aged 14 to 16 can be formally charged and prosecuted for any offence. Where a young person is alleged to have committed murder or manslaughter the preliminary hearing of the charge takes place before the Youth Court before being automatically transferred to the High Court for trial and sentencing. Young persons aged 14 to 16 can be imprisoned for murder, manslaughter and purely indictable (jury trial only) offences. They can also be detained in a Child, Youth and Family Youth Justice Residence under the custody of the Chief Executive of the Ministry of Social Development.

Figure 2.2 outlines the Police and court process for dealing with youth offenders aged 14 to 16. For offences other than murder or manslaughter, the young person aged 14 to 16 can, whether or not they have been arrested:

- have no action taken
- be issued a formal warning
- be referred to Police Youth Aid, who may arrange an alternative action (diversion) after consultation with victims, the young person and their family/whānau
- be referred to a Child Youth and Family YJC for an intention to charge (ITC) FGC
- be arrested and have charges laid against them in the Youth Court.

Between initial contact and the decision to arrest, the Police have significant discretion in deciding how to proceed. The CYPF Act limits the use of arrest but this does not minimise the accountability of the child or young person, as follows.

Section 234 (c) states that following arrest a young person (or child) can be delivered into the custody of:

- any parent or guardian or other person having the care of the child or young person; or
- any Iwi Social Service or Cultural Social Service, with the agreement of the child or young person; or
- any other person or organisation approved by the Chief Executive or member of the Police for the purpose, with the agreement of the child or young person.

Where a young person is referred to an FGC and does not complete the plan, the FGC can be reconvened or the matter may be brought before the Youth Court. What happens then depends on the offence (see Figure 2.2):

- murder or manslaughter can only be finalised in the High Court
- for a purely indictable offence the Youth Court has the discretion to transfer proceedings to the District or High Court
- where a young person is charged with a non-purely indictable offence punishable by more than three months imprisonment, the young person may elect trial by jury and be committed for trial in the District or High Court. The Youth Court can, however, offer

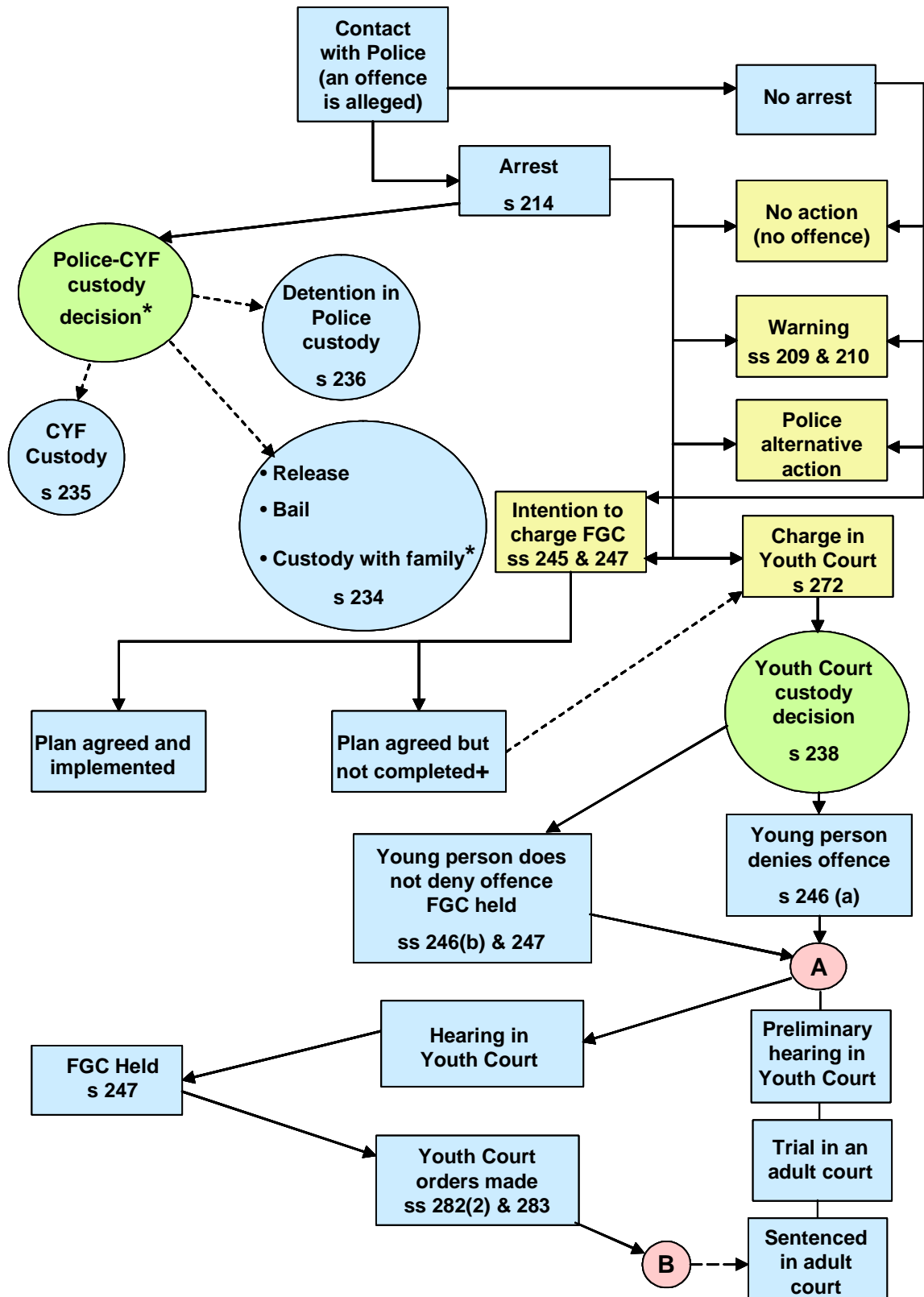
the young person the option of foregoing trial in the District or High Court, instead being dealt with in the Youth Court.

- Young people dealt with in the Youth Court will either be served with a Youth Court Order or discharged. The judge may order the offender to appear for sentence in the District Court.

The Youth Court is part of the District Court and deals with young persons who were aged 14 to 16 when they offended. If a young person's offending is serious (for example, arson and aggravated robbery) the case can be transferred to the District or High Courts (as noted above, where a young person is alleged to have committed murder or manslaughter the preliminary hearing of the charge takes place before the Youth Court before being automatically transferred to the High Court for trial and sentencing). It is also possible to transfer a case to the District Court after it has been proven in the Youth Court. However, most cases are resolved in the Youth Court, with the exception of non-imprisonable traffic offences, which are usually dealt with in the District Court. The CYPF Act provides the Youth Court with a range of sentencing options referred to as Youth Court orders (see section 5.1). Lower tariff orders include admonishment, fines, reparation and restitution. Higher tariff orders are supervision orders, community work, supervision with activity orders and supervision with residence orders. The supervision with residence order is the sole custodial order available to the Youth Court.

If a young person denies the charge in the Youth Court then there is a defended hearing. If the charges are proved, then a FGC is held. Similarly, if a young person does not deny the offence they are referred to an FGC. The FGC meets and decides a plan for holding the young offender accountable and encouraging them to take responsibility for their behaviour. This plan needs to be approved by the Youth Court judge. If the young person completes the plan then the charge is usually withdrawn or discharged.

Figure 2.2 Process for dealing with youth offenders aged 14 to 16



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Notes

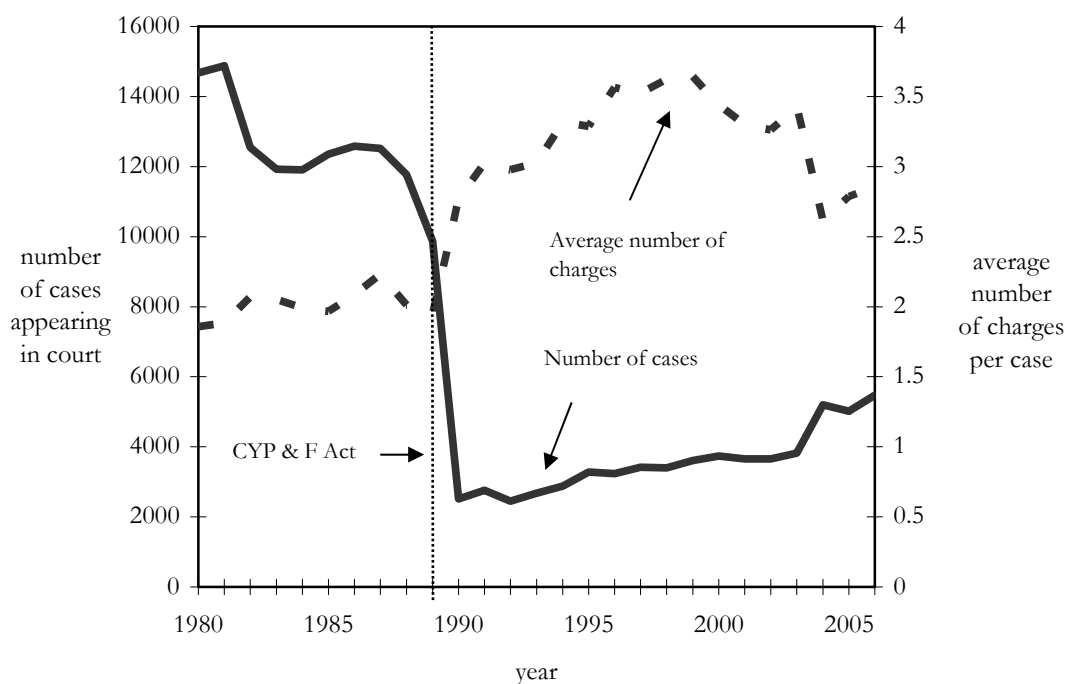
* S 234 (c) states that a child or young person following arrest can be delivered into the custody of:

- o Any parent or guardian or other person having the care of the child or young person; or
- o With the agreement of the child or young person, any Iwi Social Service or Cultural Social Service; or
- o With the agreement of the child or young person, any other person or organisation approved by the chief executive or member of the Police for the purpose.

+ If the young person has not completed the plan, the FGC could be reconvened or the matter may be brought before the Youth Court.

Figure 2.3 shows the number of cases and the average number of charges per case for those aged 14 to 16 on their last day in court (Youth, District or High Courts). The Youth Court deals with young people who were aged 14 to 16 when they offended, but not necessarily in that age group when they appeared in court. Because an offender's age when an offence was committed is not available prior to 1992, it is not possible to produce figures based on age at the time of the offence for the entire 1980 to 2006 period. However, it is clear that the CYPF Act led to a dramatic reduction in the numbers of young people dealt with in the court system after 1989 (see Figure 2.3). Also of note is the corresponding rise in the average number of charges per case as only more serious offending reached court.

Figure 2.3 Number of cases involving 14 to 16 year olds and average number of charges per case, 1980 to 2006^{1,2}



Notes

- 1 Data in this figure only counts those aged between 14 and 16 on their last day in court (Youth, District or High Courts). The Youth Court deals with young people who were aged 14 to 16 when they offended, but not necessarily in that age group when they appeared in court. Because an offender's age when an offence was committed is not available prior to 1992, it is not possible to produce figures based on age at the time of the offence for the entire 1980 to 2006 period.
- 2 The system used to log cases was updated in 2004 (from LES to CMS). This has caused changes in the figures and trends in cases that are observed up to and following 2004. In particular, any changes in the number of cases in 2004 may not represent a true change in offender patterns. Accordingly, extreme caution should be used when making inferences based on any change between 2003 and 2004. Please also note that any other changes in the above data are due to, for example, finalised appeals. See Section 1.2.3 for more detail.

2.2 Population statistics

This report uses two sets of New Zealand population statistics:

- population estimates dataset (see Section 2.2.1)
- population projections dataset (see Section 2.2.2).

The information about these population statistics is sourced from Statistics New Zealand website.

2.2.1 Population estimates

The population estimates dataset records annual estimates of population made in years between censuses. The estimated resident population of New Zealand is an estimate of all people who usually live in New Zealand at a given date. Visitors from overseas are excluded. It is based on the census usually resident population count and adjustments are made for residents temporarily overseas and for residents missed or counted more than once. The estimated resident population for the years 1995 to 2001 has been revised using results from the 1996 and 2001 Censuses of Population and Dwellings, while the estimates from 2001 onwards were obtained by updating the base population at 30 June 2001. The census resident population count at the 2001 Census was 3,737,278, with the resident population at 30 June 2001 total estimated at a little higher at 3,880,500.

This report uses population estimates for mean year ended 31 December. Information about the population estimates guides that for the calculation of rates when the numerators or "top lines" relate to data covering calendar years, mean year ended 31 December population estimates are appropriate as denominators or "bottom lines".

See Section 2.2.1.1 for population estimates dataset by age and Section 2.2.1.2 for population estimates dataset by gender.

2.2.1.1 Population estimates for age of populations

The population estimates by age group are sourced from Statistics New Zealand website. The estimates in this report cover the calendar years 1992 to 2006.

See Table 2.1 for the estimated resident population of New Zealand, by age group from 1992 to 2006. This shows that the estimated resident population in New Zealand increased by 17% over the period, rising from 3,533,030 in 1992 to 4,142,090 in 2006. Over the same period, the total population of 10 to 13 year olds rose by 16% (from 207,880 to 240,950), while the total population of 14 to 16 year olds rose by 21% (from 158,090 to 191,450).

The population estimates are used to calculate the Police apprehension rate information presented in Section 3.2 and the rates per 10,000 population for outcomes of cases prosecuted in Section 4.2.

2.2.1.2 Population estimates for gender of populations

The gender population estimates by age group are sourced from Statistics New Zealand website. The estimates in this report cover the calendar years 1995 to 2006.

The gender population estimates presented in Table 3.8 are used in Section 3.3 to calculate the Police apprehension rate for 14 to 16 year olds by gender.

2.2.2 Population projections

Population projections are estimates of the size and composition of the population at a future date. Projections are available for regional populations and various ethnic populations. The demographic projections are designed to meet both short-term and long-term planning needs, but are not designed to be exact forecasts or to project specific annual variation. These projections are based on assumptions made about future fertility, mortality, net migration and inter-ethnic mobility patterns of the population. Although the assumptions are carefully formulated to represent future trends, they are subject to uncertainty. Therefore, the projections should be used as guidelines and an indication of the overall trend, rather than as exact forecasts. The projections do not take into account non-demographic factors (e.g. war, catastrophes, major government and business decisions), which may invalidate the projections.

See Section 2.2.2.1 for population projections dataset by ethnicity and Section 2.2.2.2 for population projections dataset by Police districts.

2.2.2.1 Population projections by ethnicity

The ethnic population projections used in this report are provided by Statistics New Zealand from the 2001 Census and for year ended 30 June. The population projection statistics used in this report cover the calendar years 2001 to 2006.

The ethnic population projections presented in Table 3.10 are used in Section 3.3 to calculate the Police apprehension rate by ethnicity.

2.2.2.2 Population projections by Police districts

The population projections by Police districts are provided by Statistics New Zealand from the 2001 Census and for year ended 30 June. The projection statistics in this report cover the calendar years 2001 to 2006.

The population projections by Police districts presented in Table 3.14 are used to calculate the Police apprehension rate by Police districts in Section 3.5.

Table 2.1 Estimated resident population of New Zealand, by age group, 1992 to 2006

Age	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
0 to 9	555810	564200	572930	582310	590830	595890	595920	591170	585160	577000	573170	572390	572990	571260	571890
10 to 13	207880	208490	209720	211670	215840	220140	225860	231260	237630	243940	247990	250210	248260	244100	240950
14 to 16	158090	156940	157430	160840	162360	162670	162070	163300	165810	169060	174630	180210	186080	189940	191450
17 to 20	234080	227190	222290	217660	216090	216150	216020	216520	217540	221040	228740	235640	237680	239790	243220
21 to 30	570670	570400	569380	568290	568440	565100	555860	541880	528790	518180	519420	526880	533670	538000	544560
31 to 50	979850	1005170	1036220	1067460	1097140	1119760	1130670	1137490	1144190	1149880	1165790	1185230	1198350	1204340	1207460
51+	826650	841280	853610	867590	883150	902850	929400	955710	981050	1006890	1032390	1059080	1085420	1113160	1142560
Total	3533030	3573670	3621580	3675820	3733850	3782560	3815800	3837330	3860170	3885990	3942130	4009640	4062450	4100590	4142090

Note The data used to produce this table were sourced from Statistics New Zealand. Please note that 2006 estimates are provisional. See Section 2.2.1 for more detail on population estimates.

2.3 Police statistics

The information in Chapter 3 uses Police apprehension statistics from 1995 to 2006. These statistics record the number of offender apprehensions and how those apprehensions were resolved.

An ‘apprehension’ means that a person has been dealt with by the Police in some manner (e.g. a warning, alternative action, referral to youth justice FGC, prosecution) to resolve an offence. In some circumstances ‘dealt with by the Police’ may mean that the offender has been found to have a mental condition or is already in custody, so no further action is taken other than to document the offence. An apprehension represents the number of alleged offences but not the number of offenders (or distinct individuals), as people who are apprehended for more than one offence are counted once for each offence. For example, one offender apprehended for five burglaries is counted as five apprehensions. Also, apprehensions do not necessarily mean that an offender has been charged so they do not tell us the proportion of offences proven.

For consistency with the rest of the report, offences in Chapter 3 were grouped using the Ministry of Justice offence classification rather than the Police classification⁷. The miscellaneous category includes a small number of apprehensions that were classified as unknown.

2.4 Court statistics

The majority of offences committed by young people, in particular more minor offences, do not reach court. Therefore court statistics are more useful when examining serious offending by young people.

The youth justice system deals with children and young people (aged under 17) who offend differently from how the criminal justice system deals with older people. Under the provisions of the CYPF Act, many cases involving young offenders are dealt with without a formal court appearance (e.g. by Police Youth Aid or at an FGC).

The court statistics presented in this report are case-based. As outlined in Chapter 1, the system used to log cases was updated in 2004 (from LES to CMS). This may cause changes in the figures and trends that are observed up to and following 2004. In particular, any changes in the number of cases in 2004 may not represent a true change in offender patterns. Accordingly, extreme caution should be used when making inferences based on any change between 2003 and 2004. It should also be noted that the 2004 figures in this report differ from the 2004 figures in last year’s report, which were based on LES data. Other changes in the data from last year’s report are due to, for example, finalised appeals.

Court statistics in this report also examine the gender, age and ethnicity of young offenders.

For LES and CMS data, where a case involves more than one charge, the charge taken to represent the case is the one that resulted in the most serious penalty. If two or more charges result in the same type and length or amount of penalty, then the charge taken to represent

⁷ Police apprehensions statistics on the Statistics New Zealand website use the Police classification.

the case is the one where the type of offence committed has the highest seriousness score using the seriousness of offence scale described in Section 2.5.

See Chapters 4 and 5 for trends in convictions and sentencing from 1992 to 2006.

2.5 Average seriousness of all offences

A seriousness of offence scale was originally developed by the Policy and Research Division of the Department of Justice in 1991 (see Spier, Luketina, & Kettles 1991). The most recent update of the scale was conducted in 2005 by the Ministry of Justice. The updated scale gives imprisonable offences a score according to how serious judges have deemed each offence in terms of the use of custodial sentences over a specific time period. These scores enable offences to be ranked in terms of their relative seriousness, and can be used to examine whether offending that leads to conviction has become more serious over time (i.e. whether there has been an increase in the number of more serious offences relative to less serious offences over time). Conversely, it might show that imprisonment is being imposed for less serious offences than was previously the case.

The updated scale is based on court sentencing data for the period 2000 to 2004.⁸ The seriousness score assigned to each offence is the average number of days of imprisonment imposed on every offender convicted of that offence from 2000 to 2004, where the average is taken over both imprisoned and non-imprisoned offenders. For example, if from 2001 to 2004 there were 100 cases of offenders convicted of a particular offence, and 50 of these cases resulted in a custodial sentence, and the average length of the custodial sentences imposed on these offenders was 30 days, the seriousness score for this offence is $(30 \times 50/100)$, or 15.

Offences that became obsolete prior to 2000 were given the same score as any new similar offences, or a score was calculated based on sentencing data before 2000. Imprisonable offences for which there were convictions but no custodial sentences over the period 2000 to 2004, were given a seriousness rating slightly lower than the least of the offences already assigned a seriousness score (i.e. a score of 0.2). Non-imprisonable offences were assigned a seriousness score of zero.

Although seriousness scores are based on judges' determination of seriousness in terms of the use of custodial sentences, there is an upper constraint on scores—i.e. the maximum penalties prescribed in legislation. For example, the highest feasible seriousness score for an offence with a three month maximum penalty (assuming everyone convicted was imprisoned for the maximum term) is 90 (3×30 days), whereas for an offence with a maximum penalty of ten years, the highest feasible score is 3650 (10×365 days).

Because each offence has a seriousness score, the seriousness of offence scale can also be used to compare the seriousness scores of different offences. For example, the seriousness score for burglary where more than \$5,000 worth of goods is stolen is 369, while the score for

⁸ The previous scale was based on court sentencing data for the period 1995 to 1999. The lengths of custodial sentences imposed from 1995 to 1999 were generally shorter than those imposed from 2000 to 2004, so the value of the score for the same offence is likely to be higher on the new scale than on the old scale. Hence, in general, the average seriousness figures presented in this report are higher than the comparable figures presented in the annual series titled 'Conviction and Sentencing of Offenders in New Zealand'.

rape is 3,012. This means that, on average, judges consider the rape offence to be about eight times as serious as the burglary offence in terms of sentence imposed. This is quite a different indication of the relative seriousness of offences than is indicated by maximum penalties prescribed in legislation. For example, the maximum penalty for burglary is 10 years' imprisonment, while for rape, the maximum penalty is 20 years' imprisonment.

3 Police apprehensions and resolutions

3.1 Introduction

This chapter examines Police apprehensions of young persons aged 14 to 16 over the period 1995 and 2006. This includes an analysis of youth apprehensions compared to apprehensions for other age groups. The chapter also examines:

- the types of offences young persons commit
- youth apprehension rates per 10,000 population
- the gender and ethnicity of young persons apprehended
- how Police deal with apprehended youth (resolutions)
- youth apprehensions by Police district.

As discussed in Section 2.3, an apprehension means that a person has been dealt with by the Police in some manner to resolve an alleged offence (e.g. warning, alternative action, referral to youth justice FGC, prosecution). In some circumstances ‘dealt with by the Police’ may mean that the offender has been found to have a mental condition or is already in custody, so no further action is taken other than to document the offence. An apprehension represents the number of alleged offences but not the number of offenders (or distinct individuals), as people who are apprehended for more than one offence are counted once for each offence. For example, one offender apprehended for five burglaries is counted as five apprehensions. Also, apprehensions do not necessarily mean that an offender has been charged so they do not tell us the proportion of offences proven.

While Police apprehension statistics do provide an indication of trends in offending by young people, reporting and recording practices, along with policy and legislative changes, can significantly influence apprehension statistics and thereby distort offending trends. Children and young people are also generally less experienced at offending and often offend in groups and in public, which makes them more likely to be apprehended by Police.

3.2 Police youth apprehensions for non-traffic offences

Table 3.1 presents Police apprehension rates for all age groups for non-traffic offences in 2006. This shows that approximately one in seven apprehensions made by Police is of a 14 to 16 year old (30,451 apprehensions of this age group out of a total of 203,484 apprehensions across all groups). In 2006, approximately one in four Police apprehensions involved 17 to 20 year olds (49,627 of 203,484 apprehensions), while 21 to 30 and 31 to 50 year olds made up 27% (55,513 of 203,484 apprehensions) and 26% (53,015 of 203,484 apprehensions) respectively.

Table 3.1 Number of Police apprehensions for non-traffic offences, by offence type and age group, 2006

Offence type	0 to 9	10 to 13	14 to 16	17 to 20	21 to 30	31 to 50	51+	Total
Violent	48	719	3743	6352	10044	12942	1672	35520
Other against persons	7	168	847	2001	2735	3458	535	9751
Property	545	5735	18828	20314	19321	13845	1473	80061
Drug	8	178	1312	4167	6103	6569	545	18882
Against justice	3	28	804	2974	4480	4870	399	13558
Good order	52	941	4059	9534	9261	8832	1183	33862
Miscellaneous	54	121	858	4285	3569	2500	463	11850
Total	717	7890	30451	49627	55513	53016	6270	203484

Note: The data used to produce this table were sourced from New Zealand Police. For consistency with the rest of the report, offences were grouped using the Ministry of Justice offence classification rather than the Police classification. The miscellaneous category includes a small number of apprehensions that were classified as unknown. The figures in this table do not refer to distinct offenders, as people who are apprehended for more than one offence are counted once for each offence. See Section 2.3 for more detail on statistics sourced from New Zealand Police.

To take changing population size into account, Table 3.2 presents apprehension data as apprehension rates per 10,000 population (as noted in Section 2.2.1). As discussed in Section 3.1, Police apprehension figures count the number of alleged offences, not the number of offenders, so while Table 3.2 does not provide offender rates it does control for the changing population size.

Table 3.2 Police apprehension rates per 10,000 population for non-traffic offences, by offence type and age group, 2006^{1,2}

Offence type	0 to 9	10 to 13	14 to 16	17 to 20	21 to 30	31 to 50	51+	Over all ages
Violent	1	30	196	261	184	107	15	86
Other against persons	0	7	44	82	50	29	5	24
Property	10	238	983	835	355	115	13	193
Drug	0	7	69	171	112	54	5	46
Against justice	0	1	42	122	82	40	3	33
Good order	1	39	212	392	170	73	10	82
Miscellaneous	1	5	45	176	66	21	4	29
Over all offence type	13	327	1591	2040	1019	439	55	491

Notes

- 1 The data used to produce this table were sourced from New Zealand Police. For consistency with the rest of the report, offences were grouped using the Ministry of Justice offence classification rather than the Police classification. The miscellaneous category includes a small number of apprehensions that were classified as unknown. The figures in this table do not refer to distinct offenders, as people who are apprehended for more than one offence are counted once for each offence. See Section 2.3 for more detail on statistics sourced from New Zealand Police.
- 2 Rates per 10,000 have been calculated using population estimates in Table 2.1. See Section 2.2.1 for more detail on population estimates sourced from Statistics New Zealand.

Taking population size into account, Table 3.2 shows that in 2006, the 14 to 16 age group had an overall apprehension rate of 1,591 per 10,000, second only to the 17 to 20 age group at 2,040. In 2005, the 14 to 16 age group had an overall apprehension rate of 1,636 per 10,000,

with the 17 to 20 age group at 1,888⁹. Thus the apprehension rate for 14 to 16 year olds declined from 2005 to 2006, whereas the rate for 17 to 20 year olds increased.

Table 3.2 also shows that in 2006, the 10 to 13 age group had an overall apprehension rate of 327 per 10,000, compared to 353 recorded in 2005. In 2006, the 21 to 30 age group was apprehended at a rate of 1,019 per 10,000, while the 31 to 50 age group had an overall apprehension rate of 439 per 10,000. This compared to apprehension rates for those age groups of 958 per 10,000 and 418 per 10,000 in 2005 respectively. Thus from 2005 to 2006 the apprehension rates for the 21 to 30 and 31 to 50 age groups both declined.

The 17 to 20 age group has the highest apprehension rate for all offence types other than property. In 2006, the 14 to 16 year old age group had the highest apprehension rate of any age group for property offences, comprising 24% of all property offences (18,828 apprehensions out of a total of 80,061 apprehensions for all property offences).

Figure 3.1 presents information on Police apprehension rates per 10,000 for each age group¹⁰ and type of offence in 2006. This shows that the 10 to 13 age group has the lowest apprehension rate for all offence types other than property (see Figure 3.1).

Tables 3.3 and 3.4 present Police apprehensions for young persons aged 14 to 16 for non-traffic offences over the period 1995 to 2006, while Tables 3.5 and 3.6 present those for people aged 17 and over. This comparison enables offending by young people to be examined in the broader context of trends in adult offending.

Table 3.3 shows that the total number of Police apprehensions of 14 to 16 year olds remained stable over the period 1995 to 2006 at around 31,000 apprehensions each year. In 2006, the total number of youth apprehensions declined slightly, by 2%, from 2005—30,451 compared with 31,099. Table 3.5 shows the total number of adults apprehended each year over the period 1995 to 2006. In 2006, the figure for adults rose by 7% from 2005—164,426 compared with 153,127.

Table 3.3 shows that, in 2006, over half (18,828 apprehensions or 62%) of youth apprehensions were for property offences. Good order offences are the next largest, with 4,059 apprehensions or 13%, followed by violent offences (3,743 apprehensions or 12%), drug offences (1,312 apprehensions or 4%), miscellaneous offences (858 apprehensions or 3%), other against persons offences (847 apprehensions or 3%) and offences against justice (804 apprehensions or 3%).

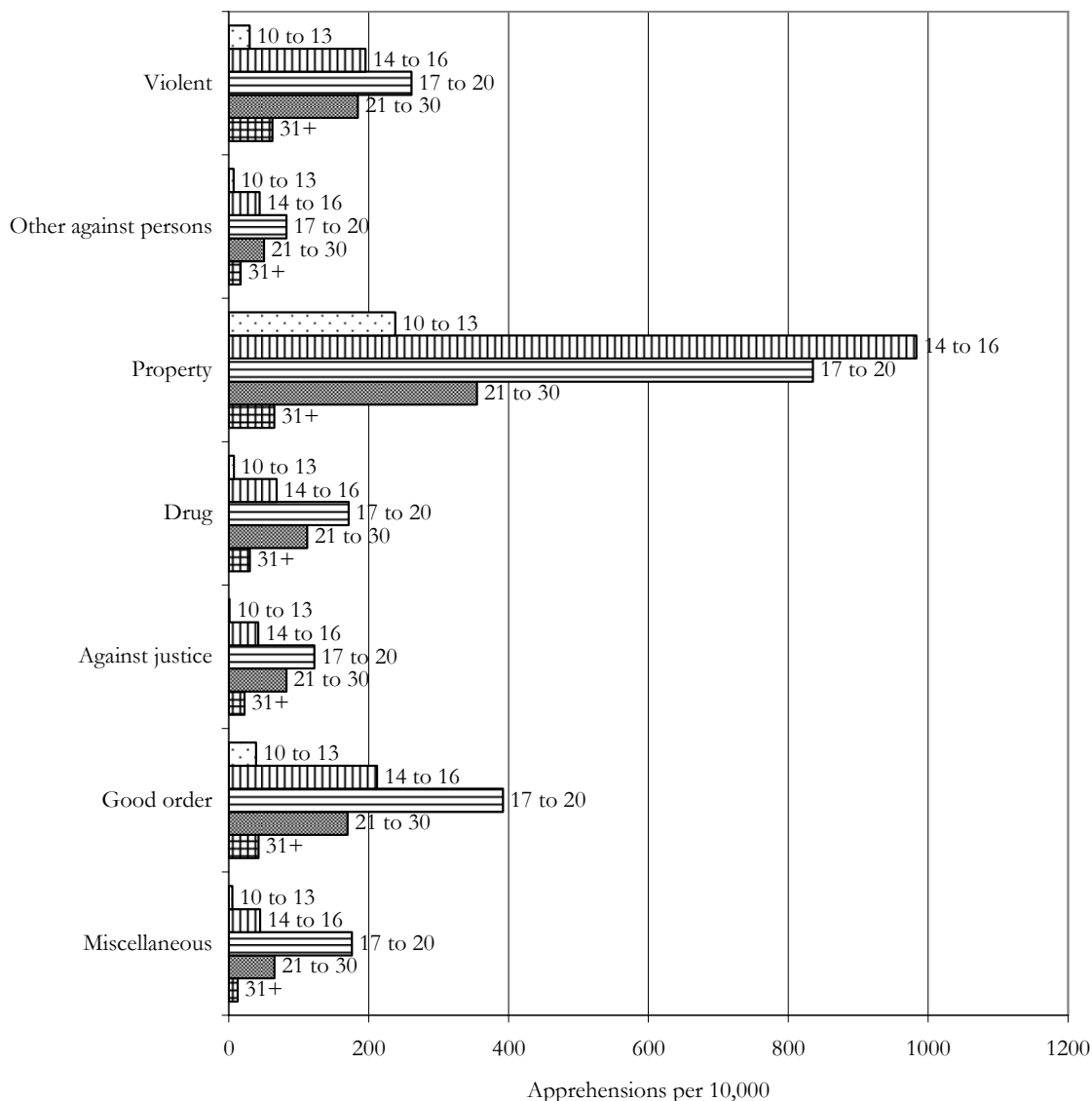
In 2006, 63% of youth apprehensions for property offences involved dishonesty offences (burglary, theft and motor vehicle conversion), compared to 70% in 1995 (from 14,589 in 1995 to 11,871 in 2006). On average, around 19,650 young people were apprehended for property offences each year over the period 1995 and 2006. Apprehensions for theft, the biggest contributor to property offences, fluctuated around an annual average of 7,700 over the period. While wilful damage and arson generally tracked upwards over the period 1995 and 2006, other crimes contributing to property offences (burglary, motor conversion and

⁹ Please note that 2005 Police youth apprehension statistics were presented in Chapter 7 of the annual series titled 'Conviction and Sentencing of Offenders in New Zealand: 1996 to 2005'.

¹⁰ The age group 0–9 years is not presented in this figure.

other property offences) trended downwards. In 2006, two in ten youth apprehensions for property offences were for wilful damage offences, compared to one in ten in 1995. By comparison, one in three adult apprehensions were for property offences in 2006, compared to 45% in 1995 (from 69,981 in 1995 to 54,953 in 2006).

Figure 3.1 Police apprehension rates per 10,000 population for non-traffic offences by offence type and age group, 2006^{1,2}



Notes

- 1 The data used to produce this figure were sourced from New Zealand Police. For consistency with the rest of the report, offences were grouped using the Ministry of Justice offence classification rather than the Police classification. The miscellaneous category includes a small number of apprehensions that were classified as unknown. The figures in this table do not refer to distinct offenders, as people who are apprehended for more than one offence are counted once for each offence. See Section 2.3 for more detail on statistics sourced from New Zealand Police.
- 2 Rates per 10,000 have been calculated using population estimates in Table 2.1. See Section 2.2.1 for more detail on population estimates sourced from Statistics New Zealand.

Table 3.3 Number of Police apprehensions of 14 to 16 year olds for non-traffic offences, by offence type, 1995 to 2006¹

Offence type	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Homicide ²	8	5	4	6	1	3	5	7	5	12	3	8
Violent sexual ³	89	99	88	102	69	91	89	127	127	130	82	125
Aggravated robbery	216	184	240	201	179	171	170	192	215	180	290	310
Robbery	138	138	118	94	87	139	94	128	111	106	177	185
Grievous/serious assault ⁴	862	858	815	840	953	980	987	1049	1097	1235	1324	1512
Minor assault ⁵	1231	1308	1209	1263	1250	1272	1394	1344	1412	1370	1345	1392
Other violent	146	149	156	152	169	173	146	188	199	197	223	211
Subtotal—Violent	2690	2741	2630	2658	2708	2829	2885	3035	3166	3230	3444	3743
Other against persons	409	459	448	495	477	578	571	666	701	687	689	847
Burglary	3721	3943	3750	3487	3430	4093	3514	3295	3529	3386	3516	3677
Theft	8608	8442	7123	7250	7722	7628	7308	8053	8185	7962	7766	6733
Motor vehicle conversion	2260	2218	2042	1681	1534	1347	1581	1720	1767	1527	1666	1461
Arson	142	159	153	197	175	227	193	138	227	226	211	254
Wilful damage	2528	2766	3248	2600	3269	3519	3552	3202	3714	3399	4040	4129
Other property ⁶	3481	3478	3347	3335	2835	2873	2753	3193	3535	2609	2562	2574
Subtotal—Property	20740	21006	19663	18550	18965	19687	18901	19601	20957	19109	19761	18828
Drug	1184	1492	1950	1851	1910	1977	1917	1829	1723	1315	1275	1312
Against justice	467	586	759	952	1018	1331	1308	1444	1240	1082	956	804
Good order	3412	3354	3839	3501	3720	3712	4127	4322	4560	4119	3950	4059
Miscellaneous	1487	1633	1738	1992	1867	1210	1082	1198	1647	958	1024	858
Total	30389	31271	31027	29999	30665	31324	30791	32095	33994	30500	31099	30451

Notes

- 1 The data used to produce this table were sourced from New Zealand Police. For consistency with the rest of the report, offences were grouped using the Ministry of Justice offence classification rather than the Police classification. The miscellaneous category includes a small number of apprehensions that were classified as unknown. The figures in this table do not refer to distinct offenders, as people who are apprehended for more than one offence are counted once for each offence. See Section 2.3 for more detail on statistics sourced from New Zealand Police.
- 2 Murder, manslaughter and attempted murder.
- 3 Sexual violation, attempted sexual violation and indecent assault.
- 4 Grievous and serious assaults, including assaults by males on females and assaults on children. Grievous assaults include assault with a weapon, wounding with intent and injuring with intent, but also include aggravated wounding or injury, disabling, doing a dangerous act with intent, acid throwing and poisoning with intent to cause grievous bodily harm. Serious assaults include common assault under the Crimes Act 1961, but also include assault with intent to injure, injuring by an unlawful act and aggravated assault (including assault on a Police officer or a person assisting the Police under the Crimes Act 1961).
- 5 Mainly common assault under the Summary Offences Act 1981.
- 6 Mainly unlawfully getting into or interfering with a motor vehicle, unlawfully taking a bicycle, receiving stolen property and fraud-related offences.

Table 3.4 Police apprehension rates per 10,000 population of 14 to 16 year olds for non-traffic offences, by offence type, 1995 to 2006^{1,2}

Offence type	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Homicide ³	0	0	0	0	0	0	0	0	0	1	0	0
Violent sexual ⁴	6	6	5	6	4	5	5	7	7	7	4	7
Aggravated robbery	13	11	15	12	11	10	10	11	12	10	15	16
Robbery	9	8	7	6	5	8	6	7	6	6	9	10
Grievous/serious assault ⁵	54	53	50	52	58	59	58	60	61	66	70	79
Minor assault ⁶	77	81	74	78	77	77	82	77	78	74	71	73
Other violent	9	9	10	9	10	10	9	11	11	11	12	11
Subtotal—Violent	167	169	162	164	166	171	171	174	176	174	181	196
Other against persons	25	28	28	31	29	35	34	38	39	37	36	44
Burglary	231	243	231	215	210	247	208	189	196	182	185	192
Theft	535	520	438	447	473	460	432	461	454	428	409	352
Motor vehicle conversion	141	137	126	104	94	81	94	98	98	82	88	76
Arson	9	10	9	12	11	14	11	8	13	12	11	13
Wilful damage	157	170	200	160	200	212	210	183	206	183	213	216
Other property ⁷	216	214	206	206	174	173	163	183	196	140	135	134
Subtotal—Property	1289	1294	1209	1145	1161	1187	1118	1122	1163	1027	1040	983
Drug	74	92	120	114	117	119	113	105	96	71	67	69
Against justice	29	36	47	59	62	80	77	83	69	58	50	42
Good order	212	207	236	216	228	224	244	247	253	221	208	212
Miscellaneous	92	101	107	123	114	73	64	69	91	51	54	45
Overall	1889	1926	1907	1851	1878	1889	1821	1838	1886	1639	1637	1591

Notes

- 1 The data used to produce this table were sourced from New Zealand Police. For consistency with the rest of the report, offences were grouped using the Ministry of Justice offence classification rather than the Police classification. The miscellaneous category includes a small number of apprehensions that were classified as unknown. The figures in this table do not refer to distinct offenders, as people who are apprehended for more than one offence are counted once for each offence. See Section 2.3 for more detail on statistics sourced from New Zealand Police.
- 2 Rates per 10,000 have been calculated using population estimates for the 14 to 16 age group in Table 2.1. See Section 2.2.1 for more detail on population estimates sourced from Statistics New Zealand.
- 3 Murder, manslaughter and attempted murder.
- 4 Sexual violation, attempted sexual violation and indecent assault.
- 5 Grievous and serious assaults, including assaults by males on females and assaults on children. Grievous assaults include assault with a weapon, wounding with intent and injuring with intent, but also include aggravated wounding or injury, disabling, doing a dangerous act with intent, acid throwing and poisoning with intent to cause grievous bodily harm. Serious assaults include common assault under the Crimes Act 1961, but also include assault with intent to injure, injuring by an unlawful act and aggravated assault (including assault on a Police officer or a person assisting the Police under the Crimes Act 1961).
- 6 Mainly common assault under the Summary Offences Act 1981.
- 7 Mainly unlawfully getting into or interfering with a motor vehicle, unlawfully taking a bicycle, receiving stolen property and fraud-related offences.

Tables 3.3 and 3.5 show that there has been an increase in the number of youth and adult apprehensions for violent offences over the period 1995 to 2006. The number of youth apprehensions for violent offences increased from 2,690 to 3,743 (an overall increase of 39%), while for adults they increased from 25,375 to 31,010 (an overall increase of 22%). In 2006, the number of youth apprehensions for violent offences increased 9% from 2005. The increase was largely due to increases recorded in grievous/serious assaults (from 1,324 to 1,512) and minor assaults (from 1,345 to 1,392). In 2006, the adult apprehensions for violent offences increased 7% from 2005. The number of youth apprehensions for homicides fluctuated between 1 and 12 over the 1995 to 2006 period, rising from 3 in 2005 to 8 in 2006.

The figures in Table 3.3 revealed that the proportion of youth apprehensions for violent offences rose from 9% (2,690 of 30,389 apprehensions) in 1995 to 12% (3,743 of 30,451 apprehensions) in 2006, while in Table 3.5, the figures for adult apprehensions for violent offences revealed that the proportion ranged from 16% (25,375 of 156,442 apprehensions) to 19% (31,010 of 164,426 apprehensions) over this period. In 2006, 41% of youth apprehensions for violent offences were recorded for grievous/serious assaults (1,512 of 2,690 apprehensions), followed by 37% for minor assaults (1,392 of 2,690 apprehensions).

Youth drug apprehensions peaked in 2000 at 1,977, while the numbers in 2005 and 2006 were significantly lower (1,275 and 1,312 respectively). Adult drug apprehensions also recorded a generally decreasing trend between 2000 and 2006, as shown in Table 3.5.

Youth apprehensions for offences against justice peaked at 1,444 in 2002. It is likely that this increase was due at least in part to a greater focus by Police on compliance with bail conditions after the Bail Act 2000 came into force on 1 January 2001. The figures for 2005 and 2006 for proportion of youth apprehensions for offences against justice remained steady at 3% (956 and 804). Around 7% to 8% of adult apprehensions were recorded as being for this offence in 2005 and 2006 (11,172 and 12,723).

Youth apprehensions for good order offences generally showed an upward movement from 1995, peaking at 4,560 in 2003. The figures for the last three years were 4,119, 3,950 and 4,059 respectively. Adult apprehensions show a similar upward trend in earlier years, peaking at 31,970 in 2003, with last three years figures at 29,484, 27,176 and 28,810.

Both youth and adult apprehensions for offences in the other against persons category generally trended upwards over the 1995 to 2006 period. Youth apprehensions for miscellaneous offences in 2006 declined on 2005 (1,024 to 858), while adult apprehension for this offence recorded an increase over these two years (from 9,744 to 10,817).

To take changing population size into account, Tables 3.4 and 3.6 present Police apprehension data for youth aged 14 to 16 years and for people aged 17 and over as apprehension rates per 10,000 population (as noted in Section 2.2.1).

Although 2003 had the highest total number of youth apprehensions over the period 1995 and 2006 at 33,994, Table 3.4 shows that the youth apprehension rate was highest in 1996 at 1,926 per 10,000 (compared to 1,886 in 2003). In 2006, the overall youth apprehension rate was the lowest recorded over the 1995 to 2006 period at 1,591 apprehensions per 10,000 population.

Table 3.4 illustrates that the youth apprehension rate for violent offences per 10,000 population shows a generally increasing trend from 1995 to 2006. The rate peaked in 2006 at 196, compared to 167 in 1995. Table 3.6 shows that the adult apprehension rate for this offence also peaked in 2006 at 99 per 10,000 population, with rates fluctuating between 84 and 99 from 1995 to 2006. The apprehension rates for adults were lower than for youth as the adult apprehension rates were calculated based on a much larger population group for people aged 17 and over.

The youth apprehension rate for property offences declined by 24% from 1995 to 2006 (from 1,289 to 983). Table 3.4 shows that in 2006 the rate was 983 apprehensions per 10,000 population, compared to 1,040 in 2005. Table 3.6 shows that the adult apprehension rate for property offences also shows a decreasing trend, from 257 in 1995 to 164 in 2005, however it rose a little to 175 in 2006.

The highest apprehension rate for drug offences for youth was recorded in 1997 (120 apprehensions per 10,000) and for adults in 1998 (83 apprehensions per 10,000). Tables 3.4 and 3.6 show that the 2006 figures recorded a slight increase on 2005 for both youth and adults, respectively.

Table 3.5 Number of Police apprehensions of 17+ year olds for non-traffic offences, by offence type, 1995 to 2006

Offence type	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Violent	25375	25350	24985	24842	23987	24908	25893	27087	28071	28265	29290	31010
Other against persons	5666	6165	5984	6548	6520	7356	7834	7967	8438	8116	8181	8729
Property	69981	59228	55791	52923	50157	54002	52994	54987	56706	53330	50845	54953
Drug	18584	19485	21857	23406	22389	21641	21300	20557	20535	18087	16719	17384
Against justice	5390	6379	7880	8606	8697	10034	10853	11087	11470	11029	11172	12723
Good order	23232	24387	24628	25014	24981	27224	28493	30029	31970	29484	27176	28810
Miscellaneous	8214	9384	9326	10421	8911	6428	5597	7106	10013	10737	9744	10817
Total	156442	150378	150451	151760	145642	151593	152964	158820	167203	159048	153127	164426

Note The data used to produce this table were sourced from New Zealand Police. For consistency with the rest of the report, offences were grouped using the Ministry of Justice offence classification rather than the Police classification. The miscellaneous category includes a small number of apprehensions that were classified as unknown. The figures in this table do not refer to distinct offenders, as people who are apprehended for more than one offence are counted once for each offence. See Section 2.3 for more detail on statistics sourced from New Zealand Police.

Table 3.6 Police apprehension rates per 10,000 population of 17+ year olds for non-traffic offences, by offence type, 1995 to 2006^{1,2}

Offence type	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Violent	93	92	89	88	84	87	89	92	93	93	95	99
Other against persons	21	22	21	23	23	26	27	27	28	27	26	28
Property	257	214	199	187	176	188	183	187	189	175	164	175
Drug	68	70	78	83	79	75	74	70	68	59	54	55
Against justice	20	23	28	30	30	35	37	38	38	36	36	41
Good order	85	88	88	88	88	95	98	102	106	97	88	92
Miscellaneous	30	34	33	37	31	22	19	24	33	35	31	34
Overall	575	544	537	536	511	528	528	539	556	521	495	524

Notes

- 1 The data used to produce this table were sourced from New Zealand Police. For consistency with the rest of the report, offences were grouped using the Ministry of Justice offence classification rather than the Police classification. The miscellaneous category includes a small number of apprehensions that were classified as unknown. The figures in this table do not refer to distinct offenders, as people who are apprehended for more than one offence are counted once for each offence. See Section 2.3 for more detail on statistics sourced from New Zealand Police.
- 2 Rates per 10,000 have been calculated using population estimates for the 17+ age group in Table 2.1. See Section 2.2.1 for more detail on population estimates sourced from Statistics New Zealand.

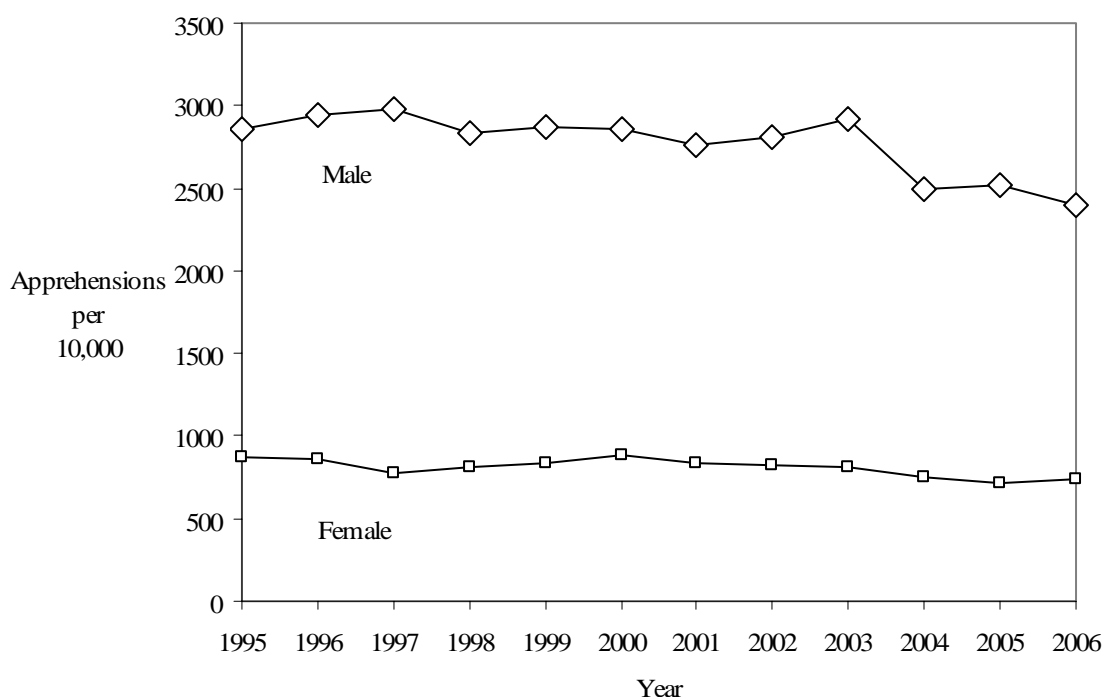
3.3 Gender and ethnicity of youth apprehended

Table 3.7 presents statistics on 14 to 16 year olds apprehended by Police for non-traffic offences over the period 1995 to 2006 by gender. Each year more young males than females were apprehended; between 77% and 80% of apprehensions of young people over the period 1995 to 2006 were of males.

Table 3.8 gives the breakdown by gender of 14 to 16 year olds from the estimated resident population (see Section 2.2.1) for 1995 to 2006. Each year the proportion of young males to females was consistently higher. The figures show that in 1995, males comprised 51.3% and females 48.7%. In 2006, the figures were 51.2% and 48.8% respectively.

To take changing population size into account, Police apprehension statistics are presented as apprehension rates per 10,000 population. Figure 3.2 shows the 14 to 16 year olds apprehension rates per 10,000 population, by gender from 1995 to 2006. When the population is taken into account, the apprehension rate for both young males and females declined over time.

Figure 3.2 Police apprehensions per 10,000 population of 14 to 16 year olds for non-traffic offences, by gender, 1995 to 2006^{1,2}



Notes

- 1 The data used to produce this figure were sourced from New Zealand Police. See section 2.3 for more detail on statistics sourced from New Zealand Police.
- 2 Rates per 10,000 have been calculated using population estimates of 14 to 16 year olds by gender in Table 3.8. See Section 2.2.1 for more detail on population estimates sourced from Statistics New Zealand.

Table 3.9 presents statistics on 14 to 16 year olds apprehended by Police for non-traffic offences over the period 1995 to 2006, by ethnicity.

Table 3.7 Number of Police apprehensions of 14 to 16 year olds for non-traffic offences, by gender, 1995 to 2006

Gender	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Male	23550	24526	24912	23554	24018	24135	23932	25078	26903	23700	24429	23586
Female	6839	6744	6112	6444	6647	7189	6859	7017	7087	6796	6668	6862
Other/Unknown	0	1	3	1	0	0	0	0	4	4	2	3
Total	30389	31271	31027	29999	30665	31324	30791	32095	33994	30500	31099	30451

Note The data used to produce this table were sourced from New Zealand Police. See section 2.3 for more detail on statistics sourced from New Zealand Police.

Table 3.8 Estimated resident population of 14 to 16 year olds, by gender, 1995 to 2006^{1,2}

Gender	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Male	82330	83500	83590	83030	83520	84620	86520	89430	92270	95090	96990	98200
Female	78510	78860	79080	79040	79770	81200	82550	85200	87950	90990	92950	93250
Total	160840	162360	162670	162070	163300	165810	169060	174630	180210	186080	189940	191450

Notes

- 1 The data used to produce this table were sourced from Statistics New Zealand. Please note that 2006 estimates are provisional. See Section 2.2.1 for more detail on population estimates sourced from Statistics New Zealand.
- 2 Due to rounding, individual figures in this table do not always sum to give the stated totals.

Table 3.9 Number of Police apprehensions of 14 to 16 year olds for non-traffic offences, by ethnicity, 1995 to 2006

Ethnicity	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
NZ European	12882	13540	14538	13813	14295	14603	13987	14778	15180	13235	13126	12882
Māori	14277	14511	13969	13810	14111	14175	13938	14436	15527	14240	14966	14382
Pacific peoples	2633	2639	1913	1826	1771	1997	2350	2190	2618	2312	2107	2284
Asian	272	288	282	251	197	205	166	270	224	303	218	207
Indian	167	106	116	107	96	88	89	131	120	104	119	139
Other	32	77	52	94	96	138	141	131	206	196	178	169
Unknown	126	110	157	98	99	118	120	159	119	110	385	388
Total	30389	31271	31027	29999	30665	31324	30791	32095	33994	30500	31099	30451

Note The data used to produce this table were sourced from New Zealand Police. See section 2.3 for more detail on statistics sourced from New Zealand Police.

The figures show that most youth apprehensions are for NZ Europeans or Māori. Approximately the same number of each of these ethnic groups was apprehended each year between 1998 and 2003. Before 1998 and after 2003, there tended to be slightly more apprehensions of Māori youth than NZ Europeans. The proportion of young NZ Europeans apprehended shows a general downward trend, from 47% of all youth apprehensions in 1997 to 42% in 2006. The percentage of 14 to 16 year olds apprehended who were Māori decreased from 1995 to 2002. From 2003 to 2005, however, Māori youth's proportion of the total rose from 45% to 48%. In 2006, 47% of 14 to 16 year olds who were apprehended were Māori. Pacific peoples were the next largest group of youth apprehensions, comprising between 6% and 9% of all youth apprehensions over the 1995 to 2006 period.

Table 3.10 provides ethnic population projections for 14 to 16 year olds between 2001 and 2006 (as noted in Section 2.2.2). To take changing ethnic population size into account, Figure 3.3 shows Police apprehension statistics by ethnicity presented as apprehension rates per 10,000 population for 2001 to 2006.

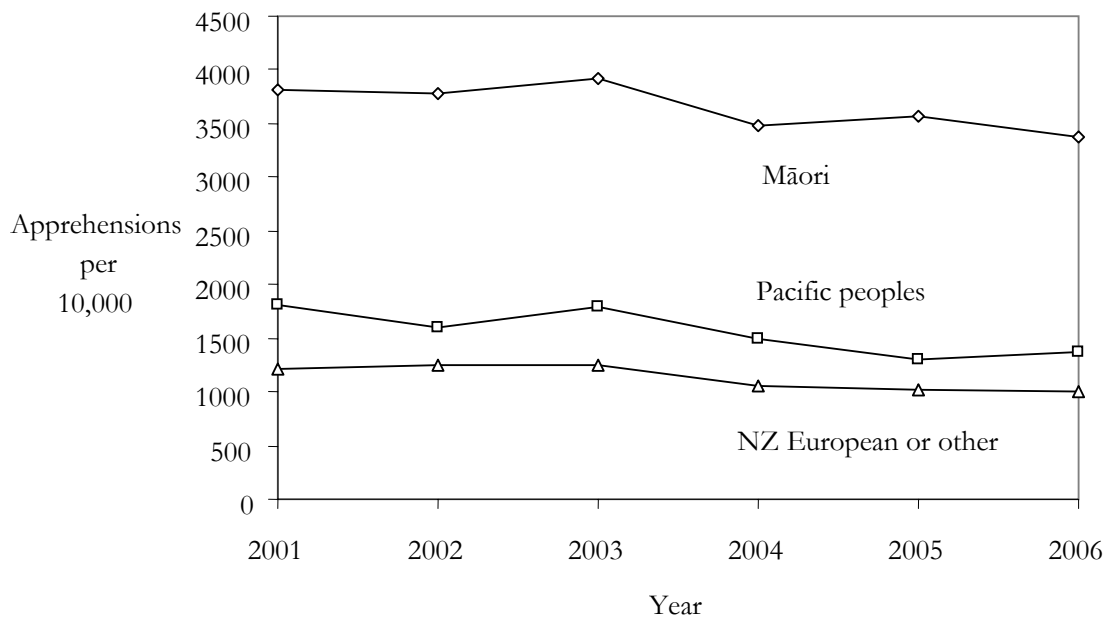
Table 3.9 shows that similar numbers of Māori and NZ European young people aged 14 to 16 are apprehended each year by the Police for non-traffic offences. However, Māori youth comprise less of the New Zealand population than young NZ Europeans do. For this reason, when the population is taken into account, Figure 3.3 shows that the Māori apprehension rate is more than twice the Pacific peoples' apprehension rate and nearly three times that of the NZ European or other group. The apprehension rates for Māori and NZ European or other groups have fallen slightly in the 2001 to 2006 period. While the apprehension rates for Pacific peoples have fallen from 2001, the apprehension rate in 2006 shows a slight increase on 2005.

Table 3.10 Population projections of 14 to 16 year olds, by ethnicity, 2001 to 2006

Ethnicity	2001	2002	2003	2004	2005	2006
Māori	36541	38196	39636	40896	41986	42571
Pacific peoples	12996	13631	14531	15496	16271	16601
NZ European or other	118936	123386	126721	130626	133566	134631
Total	168473	175213	180888	187018	191823	193803

Note The data used to produce this table were sourced from Statistics New Zealand. See Section 2.2.2 for more detail on ethnic population projections sourced from Statistics New Zealand.

Figure 3.3 Police apprehensions per 10,000 population of 14 to 16 year olds for non-traffic offences, by ethnicity, 2001 to 2006^{1,2}



Notes

- 1 The data used to produce this figure were sourced from New Zealand Police. See section 2.3 for more detail on statistics sourced from New Zealand Police.
- 2 Rates per 10,000 have been calculated using the ethnic population projections of 14 to 16 year olds in Table 3.10. Each person was included in only one ethnic group, according to the following rules. If a person stated Māori as one of their ethnic groups, they were included in the Māori category. If a person stated a Pacific peoples ethnic group as one of their ethnic groups, but not Māori, they were included in the Pacific peoples group. All other people (including NZ Europeans) were included in the other category. See Section 2.2.2 for more detail on population projections sourced from Statistics New Zealand.

3.4 Police resolutions of youth apprehended

Tables 3.11 and 3.12 present statistics on how the Police dealt with young people apprehended for non-traffic offences over the period 1995 to 2006. Of the 30,451 youth apprehensions recorded in 2006:

- 29% were prosecuted (note, only a portion of these prosecutions would result in the charge proven or a conviction)
- 39% were dealt with by Police Youth Aid
- 23% were issued a formal warning
- 6% were referred to Child Youth and Family for an ITC FGC
- 3% were resolved by other means.

Police Youth Aid may choose to refer young people apprehended to a youth justice coordinator for a youth justice FGC (see section 2.1). Therefore the number of apprehensions recorded as being resolved through an ITC FGC may undercount the number finally resolved in this manner.

Table 3.11 Number of Police apprehensions of 14 to 16 year olds for non-traffic offences, by resolution type, 1995 to 2006

Resolution type ¹	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Prosecution	4026	4325	4426	4778	4854	5145	5251	5159	5655	5241	7098	8727
Youth Justice FGC ²	2814	2878	2585	2361	1856	1497	1198	1340	2219	1303	1607	1855
Police Youth Aid ³	16673	16728	16576	16340	17366	17991	16870	17947	18534	16808	14398	11772
Warned/Cautioned ⁴	5916	6393	6592	5863	5772	5881	6432	6757	6521	6189	6352	7073
Other ⁵	960	947	848	657	817	810	1040	892	1065	959	1644	1024
Total	30389	31271	31027	29999	30665	31324	30791	32095	33994	30500	31099	30451

Notes

- 1 Resolution is the method by which Police deal with an offender. It does not provide information on the number of convictions.
- 2 Refers to intention to charge (ITC) FGCs. There are two types of FGCs: ITC FGCs ordered by Police and those arising from charges laid in the Youth Court once the young person admits they committed the offence or it has been proven.
- 3 Refers to alternative actions (diversion), often after consultation with victims, the young person and their family/ whānau.
- 4 Police issue a formal warning.
- 5 The resolution category of 'Other' indicates that the offence was resolved, but none of the specified resolution actions are recorded as having occurred. This could be for a variety of reasons, such as death of the alleged offender, the mental condition of the alleged offender, or the offender already being in custody for a more serious offence.

Table 3.12 Percentage of each resolution type for Police apprehensions of 14 to 16 year olds for non-traffic offences, 1995 to 2006

Resolution type ¹	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Prosecution	13.2	13.8	14.3	15.9	15.8	16.4	17.1	16.1	16.6	17.2	22.8	28.7
Youth Justice FGC ²	9.3	9.2	8.3	7.9	6.1	4.8	3.9	4.2	6.5	4.3	5.2	6.1
Police Youth Aid ³	54.9	53.5	53.4	54.5	56.6	57.4	54.8	55.9	54.5	55.1	46.3	38.7
Warned/Cautioned ⁴	19.5	20.4	21.2	19.5	18.8	18.8	20.9	21.1	19.2	20.3	20.4	23.2
Other ⁵	3.2	3.0	2.7	2.2	2.7	2.6	3.4	2.8	3.1	3.1	5.3	3.4
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

Notes

- 1 Resolution is the method by which Police deal with an offender. It does not provide information on the number of convictions.
- 2 Refers to intention to charge (ITC) FGCs. There are two types of FGCs: ITC FGCs ordered by Police and those arising from charges laid in the Youth Court once the young person admits they committed the offence or it has been proven.
- 3 Refers to alternative actions (diversion), often after consultation with victims, the young person and their family/ whānau.
- 4 Police issue a formal warning.
- 5 The resolution category of 'Other' indicates that the offence was resolved, but none of the specified resolution actions are recorded as having occurred. This could be for a variety of reasons, such as death of the alleged offender, the mental condition of the alleged offender, or the offender already being in custody for a more serious offence.

Table 3.12 shows that in 2006 the proportion of youth apprehensions resolved by a prosecution increased to 29%, compared to 13% in 1995. The proportion of young persons apprehended who were sent directly to an FGC fell over the period 1995 to 2006, from 9% to 6%. The proportion of apprehended youths warned or cautioned was at its highest in 2006 at 23%; from 1995 to 2005 the proportion was relatively steady at around 20%. Over half of 14 to 16 year olds (between 53% and 57%) were dealt with by Police Youth Aid prior to 2005, decreasing to 46% in 2005 and 39% in 2006. The proportion of 14 to 16 year olds dealt with in 'other' ways has stayed fairly stable at around 3% of apprehensions.

3.5 Police districts of youth apprehended

Table 3.13 examines youth apprehensions for non-traffic offences by Police district¹¹ over the period 1995 to 2006.

Although the number of youth apprehensions for all of New Zealand has remained very stable across the period, Table 3.13 shows that some Police districts have experienced increases in youth apprehensions, while some have experienced decreases. The Waitemata Police District had the largest proportional increase in the number of youth apprehensions over the period 1995 to 2006, from 2,128 to 3,185 (50%), followed by Tasman District with 1,192 to 1,643 (38%). In contrast, Auckland had the largest fall in apprehensions, with a decrease from 2,071 to 1,471 (29%) over this period.

Table 3.14 provides population projections by Police district between 2001 and 2006 (as noted in Section 2.2.2). To account for the different numbers of young people living in each Police district, Figure 3.4 shows the youth apprehension rates per 10,000 population for each Police district in 2006.

Figure 3.4 shows that there are substantial differences between the districts, with Southern Police District recording the highest rate at 2,097, with Auckland the lowest at 877 youth apprehensions per 10,000 population.

Table 3.15 examines how Police dealt with young people apprehended in different Police districts in 2006. In 2006, the Canterbury Police District dealt with the highest number of youth apprehensions (4,244), and Northland the lowest number (1,209). Other notable trends in 2006 include:

- The highest rates of youth prosecutions were reported by Waitemata, Southern and Auckland Police Districts (40%, 37% and 36% respectively), while Tasman recorded the lowest (11%).
- The Northland and Bay of Plenty Police Districts have the highest proportion of youth apprehensions sent directly to an FGC (12% and 11% respectively), while Counties/Manukau and Eastern recorded the lowest (2% and 1% respectively).
- Tasman has the highest proportion of 14 to 16 year olds dealt with by Police Youth Aid at 58% of youth apprehensions, compared to 25% recorded by Waitemata Police district.

¹¹ Readers should note that the Northshore-Waitakere District has been renamed as the Waitemata District in 2006.

Table 3.13 Number of Police apprehensions of 14 to 16 year olds for non-traffic offences, by Police district, 1995 to 2006

Police district	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Northland	978	1275	1106	1097	1219	1623	1744	1559	1276	1151	1249	1209
Waitemata	2128	2511	2254	2380	2139	2782	3120	3313	3180	2831	2782	3185
Auckland	2071	2527	1715	1889	1741	1874	1705	1731	1813	1421	1611	1471
Counties/ Manukau	2599	3070	3049	2721	2690	3025	3110	2723	3411	2719	2321	2804
Waikato	2985	3179	3069	2813	3070	2783	2640	2580	2684	2405	2641	2563
Bay of Plenty	2811	2607	2826	2910	2764	2796	2441	2742	3221	3256	3255	2975
Eastern	2025	1963	2052	1853	1816	1969	1931	2211	2010	1754	2482	2047
Central	3434	3003	3513	3474	3316	3283	3008	2893	3405	2830	2480	2879
Wellington	3234	3285	2996	2820	2636	3177	3272	3568	3594	3181	3342	2742
Tasman	1192	1120	1096	1063	1317	1459	1326	1740	1767	1971	1846	1643
Canterbury	4016	3743	3667	3845	4893	4060	3898	4255	3822	4262	4216	4244
Southern	2916	2988	3684	3134	3064	2493	2596	2780	3811	2719	2874	2689
Total	30389	31271	31027	29999	30665	31324	30791	32095	33994	30500	31099	30451

Note The data used to produce this table were sourced from New Zealand Police. See section 2.3 for more detail on statistics sourced from New Zealand Police.

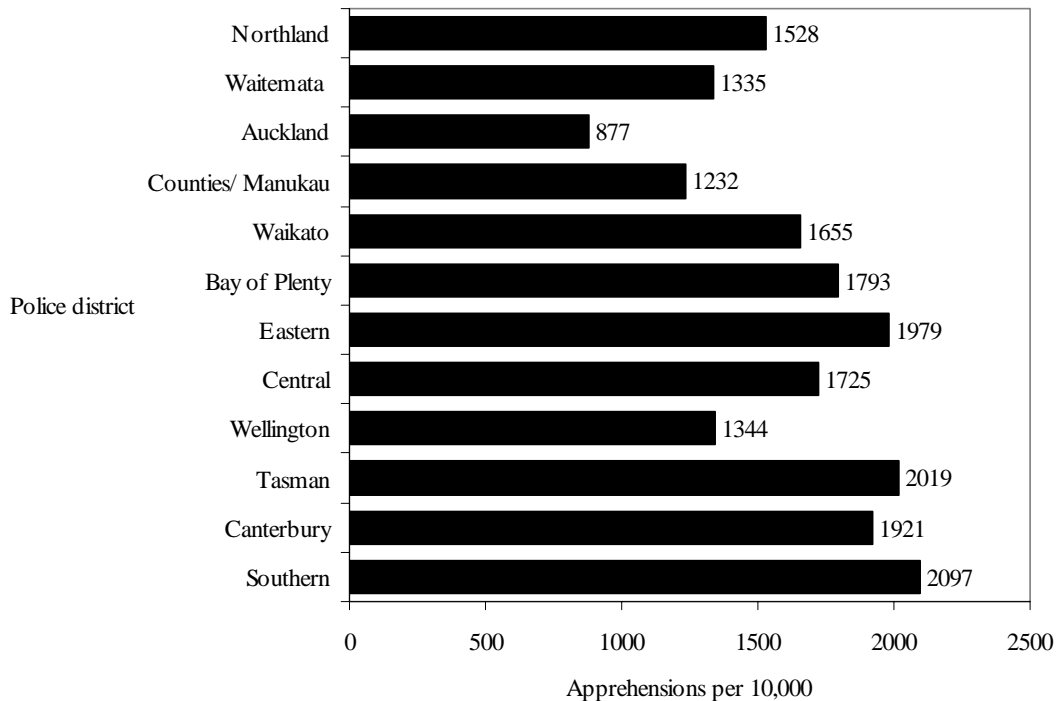
- Youth apprehended by the Police in Wellington are two and a half times more likely to be warned or cautioned compared to youth apprehended in Auckland.

Table 3.14 Population projections of 14 to 16 year olds, by Police district, 2001 to 2006

Police District	2001	2002	2003	2004	2005	2006
Northland	6245	7315	7540	7690	7850	7910
Waitemata	19060	20040	21095	22255	23305	23840
Auckland	13670	14470	15370	16030	16690	16760
Counties/Manukau	18670	19530	20555	21635	22315	22755
Waikato	13915	14235	14475	14935	15255	15485
Bay of Plenty	14565	14930	15485	15880	16385	16585
Eastern	9355	9645	9945	10180	10300	10340
Central	15605	16200	16415	16780	16810	16685
Wellington	17515	18210	18925	19745	20325	20395
Tasman	7090	7335	7555	7795	8000	8135
Canterbury	19950	20445	20745	21250	21730	22090
Southern	12833	12858	12783	12843	12858	12823
Total	168473	175213	180888	187018	191823	193803

Note The data used to produce this table were sourced from Statistics New Zealand. See Section 2.2.2 for more detail on population projections sourced from Statistics New Zealand.

Figure 3.4 Police apprehensions per 10,000 population of 14 to 16 year olds for non-traffic offences, by Police district, 2006^{1,2}



Notes

- 1 The data used to produce this figure was sourced from New Zealand Police. See section 2.3 for more detail on statistics sourced from New Zealand Police.
- 2 Rates per 10,000 have been calculated using the population projections of 14 to 16 year olds by Police district in Table 3.14. See Section 2.2.2 for more detail on population projections sourced from Statistics New Zealand.

Table 3.15 Number of Police apprehensions of 14 to 16 year olds for non-traffic offences, by resolution type and Police district, 2006

Police district	Prosecution		Youth Justice FGC		Police Youth Aid		Warned Cautioned		Other		Total	
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
Northland	407	34	149	12	404	33	213	18	36	3	1209	100
Waitemata	1260	40	310	10	794	25	635	20	186	6	3185	100
Auckland	531	36	65	4	585	40	189	13	101	7	1471	100
Counties/ Manukau	896	32	68	2	1300	46	391	14	149	5	2804	100
Waikato	500	20	131	5	1315	51	554	22	63	2	2563	100
Bay of Plenty	869	29	324	11	928	31	686	23	168	6	2975	100
Eastern	670	33	25	1	823	40	498	24	31	2	2047	100
Central	570	20	207	7	1130	39	843	29	129	4	2879	100
Wellington	785	29	94	3	921	34	911	33	31	1	2742	100
Tasman	185	11	53	3	956	58	416	25	33	2	1643	100
Canterbury	1061	25	171	4	1894	45	1041	25	77	2	4244	100
Southern	993	37	258	10	722	27	696	26	20	1	2689	100
Total	8727	29	1855	6	11772	39	7073	23	1024	3	30451	100

Note The data used to produce this table were sourced from New Zealand Police. See section 2.3 for more detail on statistics sourced from New Zealand Police.

4 Outcomes of prosecutions

4.1 Introduction

This chapter examines the outcomes of cases involving young people coming before the courts. It also examines:

- rates per 10,000 population of outcomes of cases prosecuted involving young people
- outcomes of cases by young people's gender, age and ethnicity
- the court regions where cases were finalised
- the types and seriousness of proved cases against young people.

The court statistics presented in this chapter are case-based as noted in Section 2.4. The system used to log cases was updated in 2004 (from LES to CMS). Analysis of outcomes of cases involving young people takes account of the possibility that changes between the time up to and following 2004 stem from the change in systems rather than a change in offending patterns.

Young people aged 14 to 16 who come before the courts are generally prosecuted in the Youth Court. However, in some circumstances the case may be transferred to the District or High Court for trial and/or sentencing. The information in this section includes cases eligible to be heard before the Youth Court, 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 olds at the time their cases were laid, but who offended when they were aged under 17 (regardless of their age at case finalisation).

Cases involving non-imprisonable traffic offences have been excluded from the statistics as they are not usually dealt with under the provisions of the CYPF Act.

Table 4.1 shows the outcomes of all cases prosecuted in court involving young people. All offences except non-imprisonable traffic offences are included.

The outcomes of court cases fall into six categories:

- convicted
- discharged without conviction
- Youth Court proved
- discharged under section 282 of the CYPF Act
- not proved
- other.

Cases that result in a conviction or discharge without conviction have been finalised in the District or High Courts, while cases proved in the Youth Court or discharged under section 282 are specific to the Youth Court. The not proved and other outcomes can occur in all courts. A not proved final outcome does not always mean that the court determined that the defendant was not guilty. When a young person admits an offence in the Youth Court, the case is adjourned for an FGC to be convened, and if agreement is reached at the conference, the case may be withdrawn (one of the not proved outcomes).

4.2 Outcomes of prosecuted cases involving young people

Tables 4.1 and 4.2 present information on outcomes of cases involving young people coming before the courts. Figures on outcomes of cases involving all people coming before the courts are presented in Tables 4.3 and 4.4, which enables youth prosecution data to be examined in the broader context of trends in all prosecutions.

The number of prosecuted cases involving young people in 2006 increased 5% from 2004 (from 5,918 to 6,202), as shown in Table 4.1. The number of prosecuted cases for all age groups in 2006 recorded a 2% increase on 2004 (from 139,802 to 142,638), as shown in Table 4.3.

Table 4.2 shows the proportion of young people convicted in the District or High Court (after the case was transferred for trial and/or sentencing) decreased, from 11% in 1992 to 6% in 2003. From 2004 to 2006, the proportion of young people convicted in the District or High Court remained steady at 5%¹². When compared to cases prosecuted for all age groups, Table 4.3 shows that conviction is the most frequent outcome of a prosecution. The proportion of all prosecutions resulting in a conviction for all age groups has decreased from 75% to 73% over the period 1992 to 2003. From 2004 to 2006, the proportion increased slightly from 68% to 71% (see Table 4.4).

The number of cases proved in the Youth Court between 1992 and 2003 ranged from 779 (in 1992) to 1,341 (in 1999). The number of cases proved in the Youth Court in 2004, 2005 and 2006 was 1,759, 1,611 and 1,677 respectively (see Table 4.1). Over the period 1992 to 2003, the proportion of cases resulting in this outcome fluctuated between 26% (in 1994) and 35% (in 1997). In the 2004 to 2006 period, the proportion decreased slightly from 30% to 27% (see Table 4.2).

Under section 282 of the CYPF Act, the Youth Court can discharge a charge laid against a young person so that in effect the charge is deemed never to have been laid. In most cases, the young person would have admitted the offence, been sent to an FGC, and complied with the recommendations made at the conference. The percentages in Table 4.2 show that since 2000 this is the most common outcome for prosecutions involving young people. In the 2004 to 2006 period, the number of cases resulting in this outcome were 2,078, 1,903 and 2,194 respectively, with the proportion fluctuating between 34% and 35%.

¹² Percentages commented in the report are rounded.

Table 4.1 also shows that the number of cases recorded as not proved dipped to 949 cases in 1993, then increased to 1,325 in 1995, the figures averaging around 1,100 cases before levelling to 979 in 2003. In the 2004 to 2006 period, the number of cases resulting as not proved increased from 1,778 to 2,037. There were no cases recorded as 'Other' in 1992 and 1993, and the figures ranged from one case (in 2002) to 15 (in 1996) over the period 1992 to 2003. In the 2004 to 2006 period, there were three cases resulting in this outcome in 2004 and 2006, and none were recorded in 2005 (see Table 4.1).

To take changing population size into account, apprehension and case data is presented according to apprehension rates per 10,000 population, as noted in Section 2.2.1.1. Table 4.5 presents the outcomes of cases prosecuted involving young people as a rate per 10,000 population between 1992 and 2006 (all offences except non-imprisonable traffic offences are included). This takes into account the effect of the increase in the 14 to 16 year old population over the period. Although the court statistics include some youth over 16, as explained at the start of this section, the 14 to 16 population has been used as they account for most of the cases shown. Table 4.5 shows that over the period 2004 to 2006, 2006 recorded the highest rate of prosecuted youth cases at 324 cases per 10,000 population, with a rate of 88 cases proved in the Youth Court per 10,000. Over the period 1992 to 2003 there was an average of 220 cases prosecuted and an average of 68 cases proved in the Youth Court per 10,000 population.

Table 4.1 Number of cases prosecuted involving young people for all offences except non-imprisonable traffic offences, by outcome, 1992 to 2006¹

Outcome	LES												CMS		
	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Convicted ²	273	347	376	358	359	412	380	369	314	289	292	254	278	272	277
Discharge without conviction ³	3	6	10	9	8	13	5	12	11	11	13	7	22	12	14
Youth Court proved ⁴	779	828	840	1033	1072	1296	1249	1341	1307	1267	1103	1291	1759	1611	1677
Section 282 discharge ⁵	502	828	875	930	927	926	1110	1238	1318	1351	1354	1556	2078	1903	2194
Not proved ⁶	1037	949	1088	1325	1146	1105	1062	1112	1055	1084	1135	979	1778	1804	2037
Other ⁷	0	0	3	7	15	4	2	7	11	9	1	5	3	0	3
Total	2594	2958	3192	3662	3527	3756	3808	4079	4016	4011	3898	4092	5918	5602	6202

Notes

- 1 The system used to log cases was updated in 2004 (from LES to CMS). This has caused changes in the figures and trends in cases that are observed up to and following 2004. In particular, any changes in the number of cases in 2004 may not represent a true change in offender patterns. Accordingly, extreme caution should be used when making inferences based on any change between 2003 and 2004. Please also note that other changes in the above data are partly due to, for example, finalised appeals. See Section 1.2.3 for more detail.
- 2 Convicted in the District or High Court.
- 3 Discharge without conviction in the District or High Court under section 19 of the Criminal Justice Act 1985 or section 106 of the Sentencing Act 2002, after the offender is found guilty or pleads guilty.
- 4 Cases proved in the Youth Court. These cases are not recorded as convictions, but as proved cases.
- 5 Section 282 of the CYPF Act allows the Youth Court to discharge a complaint laid against a young person, so that the complaint is deemed never to have been laid. In the vast majority of such cases, the young person would have admitted the offence, been sent to an FGC, and complied with the recommendations made at the conference, before having the case discharged by the court.
- 6 Cases that were withdrawn, dismissed, discharged (excluding cases discharged under section 282 of the CYPF Act), struck out, not proceeded with, or acquitted.
- 7 Includes cases where there was a stay of proceedings. Also includes cases where the person was found to be under disability or was acquitted on account of insanity, and an order was made under section 115 of the Criminal Justice Act 1985 and sections 24 & 25 of the Criminal Procedure (Mentally Impaired Persons) Act 2003.

Table 4.2 Percentage of cases prosecuted involving young people for all offences except non-imprisonable traffic offences, by outcome, 1992 to 2006¹

Outcome	LES												CMS		
	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Convicted ²	10.5	11.7	11.8	9.8	10.2	11.0	10.0	9.0	7.8	7.2	7.5	6.2	4.7	4.9	4.5
Discharge without conviction ³	0.1	0.2	0.3	0.2	0.2	0.3	0.1	0.3	0.3	0.3	0.3	0.2	0.4	0.2	0.2
Youth Court proved ⁴	30.0	28.0	26.3	28.2	30.4	34.5	32.8	32.9	32.5	31.6	28.3	31.5	29.7	28.8	27.0
Section 282 discharge ⁵	19.4	28.0	27.4	25.4	26.3	24.7	29.1	30.4	32.8	33.7	34.7	38.0	35.1	34.0	35.4
Not proved ⁶	40.0	32.1	34.1	36.2	32.5	29.4	27.9	27.3	26.3	27.0	29.1	23.9	30.0	32.2	32.8
Other ⁷	0.0	0.0	0.1	0.2	0.4	0.1	0.1	0.2	0.3	0.2	0.0	0.1	0.1	0.0	0.0
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

Notes

- 1 The system used to log cases was updated in 2004 (from LES to CMS). This has caused changes in the figures and trends in cases that are observed up to and following 2004. In particular, any changes in the number of cases in 2004 may not represent a true change in offender patterns. Accordingly, extreme caution should be used when making inferences based on any change between 2003 and 2004. Please also note that other changes in the above data are partly due to, for example, finalised appeals. See Section 1.2.3 for more detail.
- 2 Convicted in the District or High Court.
- 3 Discharge without conviction in the District or High Court under section 19 of the Criminal Justice Act 1985 or section 106 of the Sentencing Act 2002, after the offender is found guilty or pleads guilty.
- 4 Cases proved in the Youth Court. These cases are not recorded as convictions, but as proved cases.
- 5 Section 282 of the CYPF Act allows the Youth Court to discharge a complaint laid against a young person, so that the complaint is deemed never to have been laid. In the vast majority of such cases, the young person would have admitted the offence, been sent to an FGC, and complied with the recommendations made at the conference, before having the case discharged by the court.
- 6 Cases that were withdrawn, dismissed, discharged (excluding cases discharged under section 282 of the CYPF Act), struck out, not proceeded with, or acquitted.
- 7 Includes cases where there was a stay of proceedings. Also includes cases where the person was found to be under disability or was acquitted on account of insanity, and an order was made under section 115 of the Criminal Justice Act 1985 and sections 24 & 25 of the Criminal Procedure (Mentally Impaired Persons) Act 2003.

Table 4.3 Number of cases prosecuted for all age groups and all offences except non-imprisonable traffic offences, by outcome, 1992 to 2006¹

Outcome	LES												CMS		
	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Convicted ²	84386	89360	91255	91032	91589	84928	87735	85869	80866	81636	80813	85496	95516	96064	101329
Discharge without conviction ³	1200	1481	1798	1859	1994	2170	2273	2512	2402	2262	2309	2758	5112	3925	3754
Youth Court proved ⁴	801	836	844	1040	1078	1306	1264	1352	1316	1278	1114	1297	1790	1629	1696
Section 282 discharge ⁵	516	845	884	949	937	937	1124	1249	1331	1381	1363	1570	2093	1922	2213
Not proved ⁶	25423	22325	24533	27610	26554	24832	24273	24482	24313	24385	24928	26070	35170	32893	33536
Other ⁷	34	53	50	135	104	113	86	103	127	134	128	175	121	129	110
Total	112360	114900	119364	122625	122256	114286	116755	115567	110355	111076	110655	117366	139802	136562	142638

Notes

- 1 The system used to log cases was updated in 2004 (from LES to CMS). This has caused changes in the figures and trends in cases that are observed up to and following 2004. In particular, any changes in the number of cases in 2004 may not represent a true change in offender patterns. Accordingly, extreme caution should be used when making inferences based on any change between 2003 and 2004. Please also note that other changes in the above data are partly due to, for example, finalised appeals. See Section 1.2.3 for more detail.
- 2 Convicted in the District or High Court.
- 3 Discharge without conviction in the District or High Court under section 19 of the Criminal Justice Act 1985 or section 106 of the Sentencing Act 2002, after the offender is found guilty or pleads guilty.
- 4 Cases proved in the Youth Court. These cases are not recorded as convictions, but as proved cases.
- 5 Section 282 of the CYPF Act allows the Youth Court to discharge a complaint laid against a young person, so that the complaint is deemed never to have been laid. In the vast majority of such cases, the young person would have admitted the offence, been sent to an FGC, and complied with the recommendations made at the conference, before having the case discharged by the court.
- 6 Cases that were withdrawn, dismissed, discharged (excluding cases discharged under section 282 of the CYPF Act), struck out, not proceeded with, or acquitted.
- 7 Includes cases where there was a stay of proceedings. Also includes cases where the person was found to be under disability or was acquitted on account of insanity, and an order was made under section 115 of the Criminal Justice Act 1985 and sections 24 & 25 of the Criminal Procedure (Mentally Impaired Persons) Act 2003.

Table 4.4 Percentage of cases prosecuted for all age groups and all offences except non-imprisonable traffic offences, by outcome, 1992 to 2006¹

	← LES												CMS →		
Outcome	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Convicted ²	75.1	77.8	76.5	74.2	74.9	74.3	75.1	74.3	73.3	73.5	73.0	72.8	68.3	70.3	71.0
Discharge without conviction ³	1.1	1.3	1.5	1.5	1.6	1.9	1.9	2.2	2.2	2.0	2.1	2.3	3.7	2.9	2.6
Youth Court proved ⁴	0.7	0.7	0.7	0.8	0.9	1.1	1.1	1.2	1.2	1.2	1.0	1.1	1.3	1.2	1.2
Section 282 discharge ⁵	0.5	0.7	0.7	0.8	0.8	0.8	1.0	1.1	1.2	1.2	1.2	1.3	1.5	1.4	1.6
Not proved ⁶	22.6	19.4	20.6	22.5	21.7	21.7	20.8	21.2	22.0	22.0	22.5	22.2	25.2	24.1	23.5
Other ⁷	0.0	0.0	0.0	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

Notes

- 1 The system used to log cases was updated in 2004 (from LES to CMS). This has caused changes in the figures and trends in cases that are observed up to and following 2004. In particular, any changes in the number of cases in 2004 may not represent a true change in offender patterns. Accordingly, extreme caution should be used when making inferences based on any change between 2003 and 2004. Please also note that other changes in the above data are partly due to, for example, finalised appeals. See Section 1.2.3 for more detail.
- 3 Convicted in the District or High Court.
- 3 Discharge without conviction in the District or High Court under section 19 of the Criminal Justice Act 1985 or section 106 of the Sentencing Act 2002, after the offender is found guilty or pleads guilty.
- 4 Cases proved in the Youth Court. These cases are not recorded as convictions, but as proved cases.
- 5 Section 282 of the CYPF Act allows the Youth Court to discharge a complaint laid against a young person, so that the complaint is deemed never to have been laid. In the vast majority of such cases, the young person would have admitted the offence, been sent to an FGC, and complied with the recommendations made at the conference, before having the case discharged by the court.
- 6 Cases that were withdrawn, dismissed, discharged (excluding cases discharged under section 282 of the CYPF Act), struck out, not proceeded with, or acquitted.
- 7 Includes cases where there was a stay of proceedings. Also includes cases where the person was found to be under disability or was acquitted on account of insanity, and an order was made under section 115 of the Criminal Justice Act 1985 and sections 24 & 25 of the Criminal Procedure (Mentally Impaired Persons) Act 2003.

Table 4.5 Rate per 10,000 population of outcomes of cases prosecuted involving young people for all offences except non-imprisonable traffic offences, 1992 to 2006^{1,2}

Outcome	LES												CMS		
	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Convicted ³	17	22	24	22	22	25	23	23	19	17	17	14	15	14	14
Discharge without conviction ⁴	0	0	1	1	0	1	0	1	1	1	1	0	1	1	1
Youth Court proved ⁵	49	53	53	64	66	80	77	82	79	75	63	72	95	85	88
Section 282 discharge ⁶	32	53	56	58	57	57	68	76	79	80	78	86	112	100	115
Not proved ⁷	66	60	69	82	71	68	66	68	64	64	65	54	96	95	106
Other ⁸	0	0	0	0	1	0	0	0	1	1	0	0	0	0	0
Overall	164	188	203	228	217	231	235	250	242	237	223	227	318	295	324

Notes

- 1 The system used to log cases was updated in 2004 (from LES to CMS). This has caused changes in the figures and trends in cases that are observed up to and following 2004. In particular, any changes in the number of cases in 2004 may not represent a true change in offender patterns. Accordingly, extreme caution should be used when making inferences based on any change between 2003 and 2004. Please also note that other changes in the above data are partly due to, for example, finalised appeals. See Section 1.2.3 for more detail.
- 2 Rates per 10,000 have been calculated using population estimates in Table 2.1. See Section 2.2.1 for more detail on population estimates sourced from Statistics New Zealand.
- 3 Convicted in the District or High Court.
- 4 Discharge without conviction in the District or High Court under section 19 of the Criminal Justice Act 1985 or section 106 of the Sentencing Act 2002, after the offender is found guilty or pleads guilty.
- 5 Cases proved in the Youth Court. These cases are not recorded as convictions.
- 6 Section 282 of the CYPF Act allows the Youth Court to discharge a complaint laid against a young person, so that the complaint is deemed never to have been laid. In the vast majority of such cases, the young person would have admitted the offence, been sent to an FGC, and complied with the recommendations made at the conference, before having the case discharged by the court.
- 7 Cases that were withdrawn, dismissed, discharged (excluding cases discharged under section 282 of the CYPF Act), struck out, not proceeded with, or acquitted.
- 8 Includes cases where there was a stay of proceedings. Also includes cases where the person was found to be under disability or was acquitted on account of insanity, and an order was made under section 115 of the Criminal Justice Act 1985 and sections 24 & 25 of the Criminal Procedure (Mentally Impaired Persons) Act 2003.

Table 4.6 shows the outcomes of cases involving young people prosecuted in court in 2006, according to the type of offence. All offences except non-imprisonable traffic offences are included.

Table 4.6 Outcomes of cases prosecuted involving young people for all offences except non-imprisonable traffic offences, by offence type, 2006

Offence type		Convicted	Discharge without conviction	Youth Court proved	Section 282 discharge	Not proved	Other	Total
Violent	No.	100	1	404	405	576	0	1486
	%	7	0	27	27	39	0	100
Other against persons	No.	2	0	17	34	36	1	90
	%	2	0	19	38	40	1	100
Property	No.	75	8	897	1203	831	0	3014
	%	2	0	30	40	28	0	100
Drug	No.	2	0	20	29	33	0	84
	%	2	0	24	35	39	0	100
Against justice	No.	14	0	59	45	103	0	221
	%	6	0	27	20	47	0	100
Good order	No.	11	1	84	151	200	0	447
	%	2	0	19	34	45	0	100
Imprisonable traffic ¹	No.	58	0	192	311	214	1	776
	%	7	0	25	40	28	0	100
Miscellaneous	No.	15	4	4	16	44	1	84
	%	18	5	5	19	52	1	100
Total	No.	277	14	1677	2194	2037	3	6202
	%	4	0	27	35	33	0	100

Note

1 Cases involving traffic offences that are not punishable by imprisonment are not usually dealt with under the provisions of the CYPF Act, thus cases relating to non-imprisonable traffic offences have been excluded from the above figures.

The 2006 figures show that miscellaneous offences were the most likely to result in conviction (18%); of these convictions 73% involved minors breaching local liquor bans. Nearly half of all prosecuted cases in 2006 involve property offences, with over one-third resulting in a section 282 discharge (40%). Twenty-four per cent of all prosecuted cases involved violent offences (1,486 out of 6,202); 39% of these resulted in a not proved outcome, 27% resulted in Youth Court proved, 27% resulted in a section 282 discharge while the remaining 7% resulted in convictions.

4.3 Gender, age, and ethnicity of young people prosecuted

The information presented in this section describes the outcomes of cases by gender, age, and ethnicity of young people prosecuted. Table 4.7 shows the outcomes of cases involving young people prosecuted in court in 2006 according to gender. The figures show that, in 2006, most of the cases prosecuted against young people involved males (84%). In 2006, a section 282 discharge was the most common outcome for males at 34% (1,769 of 5,191

cases), followed by cases resulting in not proved at 33% (1,702 of 5,191 cases) and 28% for Youth Court proved (1,459 of 5,191 cases). A section 282 discharge was also the most common outcome in 2006 for females at 42% (424 of 1,004 cases), followed by cases resulting in not proved at 33% (331 of 1,004 cases) and 22% for Youth Court proved (217 of 1,004 cases).

Table 4.7 Outcomes of cases prosecuted involving young people for all offences except non-imprisonable traffic offences, by gender, 2006

Outcome		Male	Female	Unknown	Total
Convicted	No.	249	27	1	277
	%	90	10	-	100
Discharge without conviction	No.	9	5	0	14
	%	64	36	-	100
Youth Court proved	No.	1459	217	1	1677
	%	87	13	-	100
Section 282 discharge	No.	1769	424	1	2194
	%	81	19	-	100
Not proved	No.	1702	331	4	2037
	%	84	16	-	100
Other	No.	3	0	0	3
	%	100	0	-	100
Total	No.	5191	1004	7	6202
	%	84	16	-	100

Note Row percentages are calculated excluding cases where gender was not known. A dash '-' indicates that percentages are not calculated for the gender category 'Unknown'.

Table 4.8 presents the outcomes of cases involving young people prosecuted in 2006 by age. It includes people over 16 as the youth justice system includes those aged 17 and over when the case was laid if they were under 17 when they offended. The figures show that 16 year olds accounted for the largest proportion (43%) of cases prosecuted involving young people in 2006. Nine per cent of cases involved a young person aged 14 when the case was finalised. In 2006, the most common outcome of prosecution cases involving young persons aged 14 to 16 years was not proved (1,695 of 4,782), while the most common outcome for people aged 17 and over was a section 282 discharge (524 of 1,420).

Table 4.9 shows the outcomes of cases involving young people prosecuted in court in 2006 according to ethnicity. All offences except non-imprisonable traffic offences are included. The figures show that about half of the cases finalised in 2006 for which the ethnicity was known involved Māori (53%). Of the remainder, 34% involved NZ Europeans, 12% Pacific peoples and 2% offenders of other ethnicity.

Of those cases resulting in a section 282 discharge in 2006, the figures show that Māori had the highest proportion at 50%, compared to 40% for NZ Europeans and 8% for Pacific peoples.

Table 4.8 Outcomes of cases prosecuted involving young people for all offences except non-imprisonable traffic offences, by age¹, 2006

Outcome		14 years	15 years	16 years	17 years ²	18 years ³	19+ years ⁴	Total
Convicted	No.	3	20	86	150	17	1	277
	%	1	7	31	54	6	0	100
Discharge without conviction	No.	0	2	4	7	1	0	14
	%	0	14	29	50	7	0	100
Youth Court proved	No.	108	426	766	365	11	1	1677
	%	6	25	46	22	1	0	100
Section 282 discharge	No.	234	533	903	515	7	2	2194
	%	11	24	41	23	0	0	100
Not proved	No.	240	530	925	300	19	23	2037
	%	12	26	45	15	1	1	100
Other	No.	0	0	2	1	0	0	3
	%	0	0	67	33	0	0	100
Total	No.	585	1511	2686	1338	55	27	6202
	%	9	24	43	22	1	0	100

Notes

- 1 Age of the person when the case was finalised.
- 2 People aged 17 at the time the case was finalised who were under 17 when they offended.
- 3 People aged 18 at the time the case was finalised who were 17 or under when the case was laid, but were under 17 when they offended.
- 4 People aged at least 19 years at the time the case was finalised who were 17 or under when the case was laid, but were under 17 when they offended.

Table 4.9 Outcomes of cases prosecuted involving young people for all offences except non-imprisonable traffic offences, by ethnicity, 2006^{1,2}

Outcome		NZ European	Māori	Pacific peoples	Other	Unknown	Total
Convicted	No.	77	128	30	4	38	277
	%	32	54	13	2	-	100
Discharge without conviction	No.	8	4	2	0	0	14
	%	57	29	14	0	-	100
Youth Court proved	No.	513	906	173	27	58	1677
	%	32	56	11	2	-	100
Section 282 discharge	No.	830	1041	168	28	127	2194
	%	40	50	8	1	-	100
Not proved	No.	570	987	310	29	141	2037
	%	30	52	16	2	-	100
Other	No.	2	0	0	0	1	3
	%	100	0	0	0	-	100
Total	No.	2000	3066	683	88	365	6202
	%	34	53	12	2	-	100

Notes

- 1 Row percentages are calculated excluding cases where ethnicity was not known. A dash '-' indicates that percentages are not calculated for the ethnicity category 'Unknown'.
- 2 Note the comments in Section 1.3 on how ethnicity data is collected and the implications this has for data quality.

Of those cases resulting in not proved in 2006, the figures show that Māori had the highest proportion at 52%, compared to 30% for NZ Europeans and 16% for Pacific peoples. The figures also show that Māori had the highest proportion of cases resulting in Youth Court proved in 2006 (56%), compared to 32% for NZ Europeans and 11% for Pacific peoples.

Table A1 in Appendix A shows outcomes of prosecuted cases involving young people for all offences except non-imprisonable traffic offences in 2005, by ethnicity¹³.

4.4 Court regions where cases were finalised in 2006

Tables 4.10 and 4.11 look at outcomes by court region in 2006, and the number and proportion of cases finalised in the Youth Court for each region. All offences except non-imprisonable traffic offences are included.

Table 4.10 Number of cases prosecuted involving young people for all offences except non-imprisonable traffic offences resulting in each outcome, and number finalised in the Youth Court, by court region, 2006

Court region	Convicted	Discharge without conviction	Youth Court proved	Section 282 discharge	Not proved	Other	Total	Finalised in the Youth Court Total
Whangarei	21	0	79	127	139	0	366	311
North Shore	6	2	35	88	71	0	202	183
Waitakere	7	1	67	172	172	0	419	381
Auckland	22	1	116	110	231	0	480	421
Manukau	38	0	230	224	345	0	837	758
Tauranga	27	3	132	125	95	1	383	329
Hamilton	18	0	132	128	68	0	346	301
Rotorua	14	0	103	115	104	0	336	298
New Plymouth	7	1	38	82	38	0	166	154
Palmerston North	13	2	46	103	82	0	246	209
Napier	24	0	116	79	48	0	267	228
Gisborne	9	0	20	55	40	0	124	98
Wellington	18	3	90	176	231	0	518	450
Nelson	13	0	52	69	69	0	203	164
Christchurch	17	0	280	284	202	0	783	738
Timaru	0	0	38	53	24	0	115	107
Dunedin	18	1	29	103	47	1	199	168
Invercargill	5	0	74	101	31	1	212	192
Total	277	14	1677	2194	2037	3	6202	5490

Table 4.10 shows that a total of 6,202 prosecuted cases involved young people in 2006. Of these, 5,490 cases were finalised in the Youth Court, while 712 were finalised in the District or High Court. Gisborne recorded the lowest number of cases finalised in the Youth Court,

¹³ Problems with the electronic transfer of 2005 ethnicity data were identified last year where a larger proportion of defendants had unknown ethnicity in their records than in previous years. While the problems were under investigation, the 2004 ethnicity data were presented in the 2005 report titled 'Conviction and Sentencing of Offenders in New Zealand: 1996–2005'.

at 98 cases, and Manukau the highest at 758. Table 4.11 shows that approximately nine out of ten cases involving young people were finalised in the Youth Court in 2006 (89%).

Table 4.11 shows other key trends in outcomes of cases prosecuted in 2006 involving young people for all offences except non-imprisonable traffic offences, including:

- The highest proportion of cases finalised in the Youth Court was recorded in Christchurch (94%) and the lowest in Gisborne (79%).
- Napier and Dunedin had the highest conviction rate (9%), while Timaru recorded the lowest (0%).
- Napier had the highest Youth Court proved rate (43%), while Dunedin recorded the lowest (15%).
- Dunedin recorded the highest number of cases prosecuted resulting in a section 282 discharge (52%) and Auckland the lowest (23%).
- Auckland Youth Court recorded the highest number of cases prosecuted resulting in not proved (48%), while Invercargill recorded the lowest (15%).

Table 4.11 Percentage of cases prosecuted involving young people for all offences except non-imprisonable traffic offences resulting in each outcome, and percentage finalised in the Youth Court, by court region, 2006

Court region	Convicted	Discharge without conviction	Youth Court proved	Section 282 discharge	Not proved	Other	Total	Finalised in the Youth Court Total
Whangarei	5.7	0.0	21.6	34.7	38.0	0.0	100.0	85.0
North Shore	3.0	1.0	17.3	43.6	35.1	0.0	100.0	90.6
Waitakere	1.7	0.2	16.0	41.1	41.1	0.0	100.0	90.9
Auckland	4.6	0.2	24.2	22.9	48.1	0.0	100.0	87.7
Manukau	4.5	0.0	27.5	26.8	41.2	0.0	100.0	90.6
Tauranga	7.0	0.8	34.5	32.6	24.8	0.3	100.0	85.9
Hamilton	5.2	0.0	38.2	37.0	19.7	0.0	100.0	87.0
Rotorua	4.2	0.0	30.7	34.2	31.0	0.0	100.0	88.7
New Plymouth	4.2	0.6	22.9	49.4	22.9	0.0	100.0	92.8
Palmerston North	5.3	0.8	18.7	41.9	33.3	0.0	100.0	85.0
Napier	9.0	0.0	43.4	29.6	18.0	0.0	100.0	85.4
Gisborne	7.3	0.0	16.1	44.4	32.3	0.0	100.0	79.0
Wellington	3.5	0.6	17.4	34.0	44.6	0.0	100.0	86.9
Nelson	6.4	0.0	25.6	34.0	34.0	0.0	100.0	80.8
Christchurch	2.2	0.0	35.8	36.3	25.8	0.0	100.0	94.3
Timaru	0.0	0.0	33.0	46.1	20.9	0.0	100.0	93.0
Dunedin	9.0	0.5	14.6	51.8	23.6	0.5	100.0	84.4
Invercargill	2.4	0.0	34.9	47.6	14.6	0.5	100.0	90.6
Overall	4.5	0.2	27.0	35.4	32.8	0.0	100.0	88.5

4.5 Types and seriousness of cases that were proved

This section focuses on proved cases against young people—those that resulted in a conviction in the District or High Court, or that had a final outcome recorded as proved in the Youth Court. Table 4.12 shows the types of offences committed by young people for proved cases over the period 1992 to 2006, while Table 4.13 shows the percentages of offences committed by young people for proved cases over the same period. All offences except non-imprisonable traffic offences are included. Table 4.14 shows the number of proved cases involving young people with each level of offence seriousness and the average seriousness of these offences for each of the years 1992 to 2006.

Table 4.12 shows that the number of proved cases involving a violent offence fluctuated between 235 to 468 cases between 1992 and 2003. The figures increased from 457 cases in 2004, to 466 cases in 2005, to 504 cases in 2006. This represents a percentage increase of 10% from 2004 to 2006.

The number of aggravated robbery cases proved against young people increased from 75 cases in 1992, climbed to 153 cases in 1998, and averaged around 118 cases over the period 1999 to 2003. In the 2004 to 2006 period, the figures increased from 125 to 164 cases. The number of grievous or serious assault cases proved against young offenders shows a strong upward trend from 58 cases to 156 cases between 1992 and 2003. Over the period 2004 to 2006, there were 175, 143 and 169 cases respectively.

There were 28 robbery cases proved against young people in 1992, the figures climbed to 62 cases in 1998 before decreasing to 55 cases in 2003. From 2004 to 2006, the robbery figures increased from 49 to 74 cases. The number of cases for other violent offences proved against young offenders climbed from 17 cases in 1992 to 45 cases in 1998, before levelling off to 20 cases in both 2002 and 2003. In the 2004 to 2006 period, there were 36, 25 and 33 cases respectively. Because the numbers are small, significant percentage changes between these years were recorded for these offences.

Between 1992 and 2003 proved cases against young people involving property offences fluctuated between 612 and 940 cases. There were 1,091 cases in 2004. The figures in 2005 and 2006 remained steady (959 in 2005 and 972 in 2006). Proved cases involving young offenders for burglaries fluctuated between 1992 and 2003 (from 335 to 494 cases). In the period 2004 to 2006, the number of proved cases of burglary fluctuated between 453 and 493. Proved cases against young people for theft fluctuated between 64 and 130 cases over the period 1992 and 2003. From 2004 to 2006, there were 177, 150 and 129 theft cases respectively.

Proved cases involving young offenders for arson fluctuated between 1992 and 2003 (from 13 to 33 cases), recording the lowest level at 13 cases in 1999. The figures remained steady over the period 2004 to 2006 at 35, 38 and 37 arson cases respectively. Proved cases involving young offenders for wilful damage offences trended upwards between 1992 and 2003 (from 15 to 46 cases). There were 63 cases in 2004 and 73 cases in 2005, before levelling off to 72 cases in 2006.

Table 4.12 Number of proved cases involving young people for all offences except non-imprisonable traffic offences, by offence type, 1992 to 2006^{1,2}

Offence type	← LES												CMS →		
	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Homicide	7	2	4	3	3	6	3	1	4	4	11	3	7	3	4
Violent sexual	17	29	29	39	38	31	30	38	22	38	31	38	37	46	39
Aggravated robbery	75	76	89	115	95	138	153	135	144	121	93	98	125	168	164
Robbery	28	43	54	48	54	56	62	50	42	56	44	55	49	54	74
Grievous/serious assault	58	78	78	112	141	138	146	124	132	145	124	156	175	143	169
Minor assault	33	26	27	33	31	31	29	23	29	21	24	20	28	27	21
Other violent	17	19	26	26	36	27	45	29	27	41	20	20	36	25	33
Subtotal—Violent	235	273	307	376	398	427	468	400	400	426	347	390	457	466	504
Other against persons	9	13	12	9	16	14	20	18	15	9	16	14	19	15	19
Burglary	335	355	345	427	410	462	402	483	494	418	352	392	487	453	493
Theft	64	66	74	74	72	85	96	130	119	105	88	76	177	150	129
Motor vehicle conversion	112	94	100	122	143	160	112	147	115	105	125	125	158	134	121
Arson	16	26	27	14	21	21	24	13	33	27	17	32	35	38	37
Wilful damage	15	31	27	26	33	38	29	38	41	44	36	46	63	73	72
Other property	70	99	73	102	97	130	117	129	102	90	75	80	171	111	120
Subtotal—Property	612	671	646	765	776	896	780	940	904	789	693	751	1091	959	972
Drug	15	15	21	15	15	23	24	36	29	23	13	18	27	23	22
Against justice	24	27	50	35	45	78	84	58	74	61	50	79	136	100	73
Good order	28	21	28	33	38	44	41	54	38	49	54	47	65	71	95
Drive E.B.A. ³	75	67	81	77	71	103	89	91	81	100	105	127	110	99	122
Drive while disqualified	17	21	16	14	16	27	22	17	13	11	19	24	24	21	34
Reckless/danger. Driving ⁴	16	16	13	27	19	35	34	34	23	21	40	35	51	59	53
Other imprisonable traffic	9	17	9	13	13	24	16	13	22	20	21	26	35	42	41
Subtotal— Imprisonable traffic⁵	117	121	119	131	119	189	161	155	139	152	185	212	220	221	250
Miscellaneous	12	34	33	27	24	37	51	49	22	47	37	34	22	28	19
Total	1052	1175	1216	1391	1431	1708	1629	1710	1621	1556	1395	1545	2037	1883	1954

Continued on next page

Notes

- 1 The system used to log cases was updated in 2004 (from LES to CMS). This has caused changes in the figures and trends in cases that are observed up to and following 2004. In particular, any changes in the number of cases in 2004 may not represent a true change in offender patterns. Accordingly, extreme caution should be used when making inferences based on any change between 2003 and 2004. Please also note that other changes in the above data are partly due to, for example, finalised appeals. See Section 1.2.3 for more detail.
- 2 The numbers in this table cannot be compared directly with the apprehensions that resulted in prosecution in Table 3.3 because of different counting rules, and the fact that the year a case is finalised is not necessarily the same year the offender was apprehended.
- 3 Driving with an excess blood or breath alcohol level, under the influence of drugs, or refusing to supply a blood specimen.
- 4 Reckless or dangerous driving.
- 5 Cases involving traffic offences that are not punishable by imprisonment are not usually dealt with under the provisions of the CYPF Act; thus cases relating to non-imprisonable traffic offences have been excluded from the above figures

Table 4.13 Percentage of proved cases involving young people for all offences except non-imprisonable traffic offences, by offence type, 1992 to 2006¹

Offence type	LES												CMS		
	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Violent	22.3	23.2	25.2	27.0	27.8	25.0	28.7	23.4	24.7	27.4	24.9	25.2	22.4	24.7	25.8
Other against persons	0.9	1.1	1.0	0.6	1.1	0.8	1.2	1.1	0.9	0.6	1.1	0.9	0.9	0.8	1.0
Property	58.2	57.1	53.1	55.0	54.2	52.5	47.9	55.0	55.8	50.7	49.7	48.6	53.6	50.9	49.7
Drug	1.4	1.3	1.7	1.1	1.0	1.3	1.5	2.1	1.8	1.5	0.9	1.2	1.3	1.2	1.1
Against justice	2.3	2.3	4.1	2.5	3.1	4.6	5.2	3.4	4.6	3.9	3.6	5.1	6.7	5.3	3.7
Good order	2.7	1.8	2.3	2.4	2.7	2.6	2.5	3.2	2.3	3.1	3.9	3.0	3.2	3.8	4.9
Imprisonable traffic ²	11.1	10.3	9.8	9.4	8.3	11.1	9.9	9.1	8.6	9.8	13.3	13.7	10.8	11.7	12.8
Miscellaneous	1.1	2.9	2.7	1.9	1.7	2.2	3.1	2.9	1.4	3.0	2.7	2.2	1.1	1.5	1.0
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

Notes

- 1 The system used to log cases was updated in 2004 (from LES to CMS). This has caused changes in the figures and trends in cases that are observed up to and following 2004. In particular, any changes in the number of cases in 2004 may not represent a true change in offender patterns. Accordingly, extreme caution should be used when making inferences based on any change between 2003 and 2004. Please also note that other changes in the above data are partly due to, for example, finalised appeals. See Section 1.2.3 for more detail.
- 2 Cases involving traffic offences that are not punishable by imprisonment are not usually dealt with under the provisions of the CYPF Act; thus cases relating to non-imprisonable traffic offences have been excluded from the above figures.

Imprisonable traffic offences increased steadily between 1992 and 2003 (from 117 to 212). In the 2004 to 2006 period, there were 220, 221 and 250 cases respectively. Nearly half of the traffic cases in 2006 involved driving with excess alcohol, under the influence of drugs or refusing to supply a blood specimen (49%), while around one in five cases involved reckless or dangerous driving (21%).

Table 4.13 shows that violent cases accounted for around one-quarter of proved cases involving young people each year from 1992 to 2003. From 2004 to 2006 violent cases consistently averaged 24%. From 1992 to 2003, on average, over half (53%) of proved cases against young people involved property offences. From 2004 to 2006 the figures were steady (54%, 51% and 50% respectively). Imprisonable traffic offences fluctuated between 8% and 14% from 1992 to 2003. The figures over the last three years continued to show that one in ten proved cases involved traffic offences (between 11% and 13%).

Table 4.14 shows the number of proved cases involving young offenders with each level of offence seriousness and the average seriousness of these offences for each of the years 1992 to 2006 (the seriousness scale is described in Section 2.5). The table includes all cases proved in the Youth, District or High Court against young offenders. All offences except non-imprisonable traffic offences are included.

From 1992 to 2003 the average seriousness of proved cases involving young people fluctuated with an average of 253. In 2004, the average dipped to its lowest, of 218, before returning to around 250 in the last two years. In the 2005 report titled 'Conviction and Sentencing of Offenders in New Zealand: 1996–2005', Table 2.5 showed that the average seriousness of all cases resulting in conviction in the District or High Court in 2005 was 42. The much higher average seriousness figure for young people dealt with in the Youth Court (250 in 2005) is an indication that this court primarily deals with more serious youth offending. Most of the less serious offences committed by young people are dealt with by some form of alternative action (diversion) rather than the formal court process.

Table 4.14 Number of proved cases involving young people for all offences except non-imprisonable traffic offences, by level of offence seriousness and average seriousness of offences, 1992 to 2006^{1,2}

Seriousness score	LES												CMS		
	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
0-1	113	150	168	141	144	203	179	198	163	217	214	242	260	256	311
>1-10	160	146	145	179	141	217	211	204	214	189	205	188	308	280	244
>10-50	100	114	101	127	138	158	164	191	151	142	110	128	249	177	190
>50-100	148	159	181	189	243	281	270	266	237	213	221	233	300	271	245
>100-500	407	465	457	556	563	610	557	637	650	576	464	550	703	627	695
>500	124	141	164	199	202	239	248	214	206	219	181	204	217	272	269
Overall average	239	241	251	278	262	261	264	233	251	257	249	253	218	250	252

Notes

- 1 The system used to log cases was updated in 2004 (from LES to CMS). This has caused changes in the figures and trends in cases that are observed up to and following 2004. In particular, any changes in the number of cases in 2004 may not represent a true change in offender patterns. Accordingly, extreme caution should be used when making inferences based on any change between 2003 and 2004. Please also note that other changes in the above data are partly due to, for example, finalised appeals. See Section 1.2.3 for more detail.
- 2 The seriousness of offence scale was updated in 2005. The figures for each year in this table are calculated using the new scale. They may differ from figures in earlier publications presented in Chapter 7 of the annual report series titled 'Conviction and Sentencing of Offenders in New Zealand'

5 Sentencing of young people

5.1 Introduction

This chapter examines the sentencing of proved cases involving young people. It also presents information on proved cases involving young people by supervision order outcome and the final courts of sentencing.

The range of sentences available to the Youth Court differs from those that the District or High Court can impose. The Youth Court cannot impose the Sentencing Act 2002 community-based sentences of community work and supervision (nor previously the community-based sentences under the Criminal Justice Act 1985 of periodic detention, community programme, community service and supervision) or imprisonment sentences (including the now abolished corrective training for 16 to 19 year olds). These sentences can only be imposed in the District or High Court, and where a person is convicted, result in a conviction.

The Youth Court can, however, make a range of orders under the CYPF Act, which ensure that young people are held accountable and are encouraged to accept responsibility for their offending. Where a case against a young person is proved in the Youth Court it results in a proved case, not a conviction.

The Youth Court orders, generally in ascending order of seriousness, are:

- Discharge as if Information never laid (s282)
- Discharge without further order (s283(a))
- Admonishment (s283(b))
- Order to come up for further action if called on (s283(c))
- Fine (s283(d))
- Contribution to costs (s283(e))
- Reparation (s283(f))
- Restitution (s283(g))
- Forfeiture of property (s283(h))
- Disqualification from driving (s283(i))
- Confiscation of motor vehicle (s283(j))
- Supervision order (s283(k))
- Community work order (s283(l))
- Supervision with activity (s283(m))
- Supervision with residence (s283(n))
- Conviction and transfer to the District Court for sentencing (s283(o)).

This chapter examines sentences imposed on young people in the District or High Court and many of the orders made under section 283 of the CYPF Act, including:

- Corrective training (abolished from 30 June 2002)
- Other imprisonment
- Adult community (i.e. periodic detention, community programme, community service or supervision before 30 June 2002, and community work or supervision thereafter)
- Supervision order (order placing the young person under the supervision of the Chief Executive of the Department administering the CYPF Act. This includes all supervision orders, that is, supervision, supervision with activity and supervision with residence)
- Community work order
- Monetary
- Driving disqualification
- Deferment (to come up for sentence if called upon, or a suspended prison sentence before 30 June 2002)
- Admonished (where a case is proved, the Youth Court judge can admonish (reprimand) the young person)
- Discharged (cases finalised in the District or High Court where the offender was convicted and discharged, and cases where the final outcome in the Youth Court was proved, but no court order was made)
- Other sentences.

A supervision order places a young person under the supervision of the Chief Executive of the Ministry of Social Development, which administers the CYPF Act, or under the supervision of any other specified organisation for a period not exceeding six months. A supervision with activity order requires the offender to undertake a specified activity or programme for a period of up to three months. The court may order a period of supervision for up to three months to follow an activity order. Supervision and supervision with activity orders have standard conditions; however, the court may also impose additional conditions. Standard conditions include the young person reporting to the supervisor when required to do so, not residing at an address the supervisor has directed the young person not to reside at and/or not associating with specified persons. Additional conditions include a contribution to costs or reparation, undergoing a specified medical examination and treatment or psychological or psychiatric examination, counselling and therapy, and/or any other conditions the court thinks fit to reduce the likelihood of reoffending. A supervision with residence order, the most serious of the three supervision orders, places a young person in the custody of the Chief Executive of the Ministry of Social Development for a period of three months (served in a youth justice residence). The court must also order a period of supervision for up to six months to follow a residence order.

A community work order requires the young person to undertake work in the interests of the community for not less than 20 and not more than 200 hours, within a period not exceeding 12 months. This work is performed under the supervision of a social worker or some other approved person or organisation.

Young people can also be convicted and transferred to the District Court for sentencing once a case has been proved. For certain offences, young people may, after a preliminary hearing in the Youth Court, be tried in the District Court or High Court. If a case is finalised in the District or High Court then any of the full range of penalties available to these courts can be imposed on the young person.

Section 258(e) of the CYPF Act allows an FGC to ‘consider how the young person should be dealt with for [an] offence, and to recommend to the Court accordingly.’ Information on decisions of FGCs is not recorded in the data used to produce this report. In some cases where a young offender had only a minor sentence imposed by the court, he or she may have undertaken some particular action or activity as a result of an FGC decision. For example, it could be that an FGC decided that a young person should undertake some work as compensation to the victim of an offence, and the court awarded a deferred sentence so the offender could be brought back to court if the work was not completed.

5.2 Sentencing of proved cases involving young people

Tables 5.1 and 5.2 show the number and percentage of proved cases involving young people resulting in each sentence over the period 1992 to 2006. Only the most serious sentence imposed in each case is shown in these tables. All offences except non-imprisonable traffic offences are included. Table 5.3 shows the number of proved cases involving young people resulting in each type of supervision order sentence over the period 2004 to 2006.

As described earlier, an imprisonment sentence or an adult community-based sentence can only be imposed on a young person if that person has been transferred to the District or High Court for trial and/or sentencing. Table 5.1 shows that the number of proved cases that resulted in any type of custodial sentence (i.e. other imprisonment) has remained steady at around 60 cases since 2001.

Table 5.1 shows that the number of proved cases resulting in Youth Court supervision orders (supervision, supervision with activity and supervision with residence) increased from 1992 to 2003, with an average of around 500 cases. From 2004 to 2006 there was an average of 715 supervision orders per year. Table 5.2 shows that in 2006, over one-third of proved cases (39%) resulted in supervision, supervision with activity or supervision with residence orders.

Table 5.3 shows the number of cases resulting in a supervision order over the period 2004 to 2006. The figures show that, on average, half of these proved cases resulted in a social welfare supervision order, while a third resulted in supervision with residence orders. Supervision with activity orders accounted for an average of 15% of Youth Court supervision orders from 2004 to 2006.

Proved cases resulting in an adult community-based sentence were 120 in 1992, peaked at 170 cases in 1996, then declined to 99 cases in 2003. Over the period 2004 to 2006, the figures remained steady averaging 100 cases each year. Table 5.2 shows that from 1992 to 2003, the proportion of proved cases involving young people that resulted in an adult community-based sentence generally declined from 11% in 1992 to 6% in 2003. In the period from 2004 to 2006, the figures remained consistent (5%).

Proved cases resulting in community work orders also trended downwards from 130 to 71 cases (12% to 5%) over the period 1992 to 2003. The figures show that a community work order was made for 126 cases in 2004 and 106 cases in 2005 (6% both years), and then dropped to 78 cases in 2006 (4%).

Over the period 1992 to 2003, there were 120 proved cases resulting in a monetary penalty in 1992, the figures peaked at 286 cases in 1997 before levelling off to 281 cases in 2003. In the period 2004 to 2006, there were 334, 305 and 317 cases respectively. Table 5.2 shows that the proportion of cases resulting in a monetary penalty fluctuated between 11% and 19% over the period 1992 to 2003. From 2004 to 2006, the use of monetary penalties remained steady at an average of 16%.

Proved cases resulting in a driving disqualification fluctuated between 42 and 117 cases (4% and 8%) over the period 1992 to 2003. From 2004 to 2006, the figures increased from 116 (6%) to 141 cases (7%).

The proportion of cases resulting in a deferred sentence in 1992 was 12% (or 130 cases). The figures steadily declined to 65 cases or 4% in 2003. They have remained steady at 5% over the period 2004 to 2006.

Admonition involves the offender receiving a reprimand from a Youth Court judge (with no other sentence or order being imposed). Proved cases resulting in this outcome fluctuated between 52 and 295 cases (4% and 19%) over the period 1992 to 2003. In 2004, 472 proved cases resulted in this outcome. The figures remained steady in 2005 and 2006 (371 and 376 cases respectively). The proportion of proved cases resulting in an outcome of admonished decreased from 23% in 2004 to 19% in 2006.

On average, 2% of proved cases resulted in an outcome of discharged over the period 1992 to 2003. From 2004 to 2006, the proportion remained steady at 2%.

Table 5.1 Number of proved cases involving young people for all offences except non-imprisonable traffic offences, by sentence type, 1992 to 2006¹

Sentence ²	LES												CMS		
	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Corrective training ³	71	64	65	68	66	56	43	54	19	13	3	-	-	-	-
Other imprisonment	26	28	45	51	64	97	78	60	81	60	63	58	59	57	65
Adult community ⁴	120	163	163	157	170	166	161	143	141	111	106	99	98	98	101
Supervision order ⁵	342	371	402	447	471	552	568	595	591	538	492	590	700	693	752
Community work order	130	117	94	125	102	116	97	107	98	80	58	71	126	106	78
Monetary	120	170	186	206	229	286	257	251	233	275	267	281	334	305	317
Driving disqualification	42	58	66	76	62	112	86	81	60	74	93	117	116	125	141
Deferment ⁶	130	98	101	101	109	108	88	117	97	75	69	65	97	89	91
Other	0	0	0	1	0	0	0	0	0	1	0	0	0	0	0
Admonished ⁷	62	79	52	136	136	160	224	264	273	295	220	247	472	371	376
Discharged ⁸	9	27	42	23	22	55	27	38	28	34	24	17	35	39	33
Total	1052	1175	1216	1391	1431	1708	1629	1710	1621	1556	1395	1545	2037	1883	1954

Notes

- 1 The system used to log cases was updated in 2004 (from LES to CMS). This has caused changes in the figures and trends in cases that are observed up to and following 2004. In particular, any changes in the number of cases in 2004 may not represent a true change in offender patterns. Accordingly, extreme caution should be used when making inferences based on any change between 2003 and 2004. Please also note that other changes in the above data are partly due to, for example, finalised appeals. See Section 1.2.3 for more detail.
- 2 Sentence in this table refers to sentences imposed in the District or High Court, and orders made by the Youth Court under section 283 of the CYPF Act.
- 3 Corrective training was abolished from 30 June 2002.
- 4 Adult community-based sentence—i.e. periodic detention, community programme, community service or supervision before 30 June 2002, and community work or supervision thereafter.
- 5 Order placing the young person under the supervision of the Chief Executive of the Department administering the CYPF Act. This includes all supervision orders, that is, supervision, supervision with activity and supervision with residence. As noted in section 1.2.4, cases are joined together if an individual has more than one case that finishes on the same day and results in the same sentence. For sentencing statistics previously published in Chapter 7 of the annual report series titled 'Conviction and Sentencing of Offenders in New Zealand', such case joining was not extended to supervision orders. However, due to the large number of cases that may qualify, the joining of cases has been extended to supervision order cases in this annual report series. As a result the numbers in this table may differ from those previously presented in Chapter 7 of 'Conviction and Sentencing of Offenders in New Zealand'.
- 6 To come up for sentence if called upon, or a suspended prison sentence (before 30 June 2002).
- 7 Where a case is proved, the Youth Court judge can admonish (reprimand) the young person.
- 8 Cases finalised in the District or High Court where the offender was convicted and discharged, and cases where the final outcome in the Youth Court was proved, but no court order was made.

Table 5.2 Percentage of proved cases involving young people for all offences except non-imprisonable traffic offences, by sentence type, 1992 to 2006¹

Sentence ²	LES												CMS		
	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Corrective training ³	6.7	5.4	5.3	4.9	4.6	3.3	2.6	3.2	1.2	0.8	0.2	-	-	-	-
Other imprisonment	2.5	2.4	3.7	3.7	4.5	5.7	4.8	3.5	5.0	3.9	4.5	3.8	2.9	3.0	3.3
Adult community ⁴	11.4	13.9	13.4	11.3	11.9	9.7	9.9	8.4	8.7	7.1	7.6	6.4	4.8	5.2	5.2
Supervision order ⁵	32.5	31.6	33.1	32.1	32.9	32.3	34.9	34.8	36.5	34.6	35.3	38.2	34.4	36.8	38.5
Community work order	12.4	10.0	7.7	9.0	7.1	6.8	6.0	6.3	6.0	5.1	4.2	4.6	6.2	5.6	4.0
Monetary	11.4	14.5	15.3	14.8	16.0	16.7	15.8	14.7	14.4	17.7	19.1	18.2	16.4	16.2	16.2
Driving disqualification	4.0	4.9	5.4	5.5	4.3	6.6	5.3	4.7	3.7	4.8	6.7	7.6	5.7	6.6	7.2
Deferment ⁶	12.4	8.3	8.3	7.3	7.6	6.3	5.4	6.8	6.0	4.8	4.9	4.2	4.8	4.7	4.7
Other	0.0	0.0	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.1	0.0	0.0	0.0	0.0	0.0
Admonished ⁷	5.9	6.7	4.3	9.8	9.5	9.4	13.8	15.4	16.8	19.0	15.8	16.0	23.2	19.7	19.2
Discharged ⁸	0.9	2.3	3.5	1.7	1.5	3.2	1.7	2.2	1.7	2.2	1.7	1.1	1.7	2.1	1.7
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

Notes

- 1 The system used to log cases was updated in 2004 (from LES to CMS). This has caused changes in the figures and trends in cases that are observed up to and following 2004. In particular, any changes in the number of cases in 2004 may not represent a true change in offender patterns. Accordingly, extreme caution should be used when making inferences based on any change between 2003 and 2004. Please also note that other changes in the above data are partly due to, for example, finalised appeals. See Section 1.2.3 for more detail.
- 2 Sentence in this table refers to sentences imposed in the District or High Court, and orders made by the Youth Court under section 283 of the CYPF Act.
- 3 Corrective training was abolished from 30 June 2002.
- 4 Adult community-based sentence—i.e. periodic detention, community programme, community service or supervision before 30 June 2002, and community work or supervision thereafter.
- 5 Order placing the young person under the supervision of the Chief Executive of the Department administering the CYPF Act. This includes all supervision orders, that is, supervision, supervision with activity and supervision with residence. As noted in section 1.2.4, cases are joined together if an individual has more than one case that finishes on the same day and results in the same sentence. For sentencing statistics previously published in Chapter 7 of the annual report series titled 'Conviction and Sentencing of Offenders in New Zealand', such case joining was not extended to supervision orders. However, due to the large number of cases that may qualify, the joining of cases has been extended to supervision order cases in this annual report series. As a result the numbers in this table may differ from those previously presented in Chapter 7 of 'Conviction and Sentencing of Offenders in New Zealand'.
- 6 To come up for sentence if called upon, or a suspended prison sentence (before 30 June 2002).
- 7 Where a case is proved, the Youth Court judge can admonish (reprimand) the young person.
- 8 Cases finalised in the District or High Court where the offender was convicted and discharged, and cases where the final outcome in the Youth Court was proved, but no court order was made.

Table 5.3 Number of proved cases involving young people for all offences except non-imprisonable traffic offences, by supervision order outcome, 2004 to 2006

Sentence ¹	2004	2005	2006
Supervision with Residence	219	255	238
Supervision with Activity	115	107	97
Supervision	366	331	417
Total	700	693	752

Note

- 1 Sentence in this table refers to orders placing the young person under the supervision of the Chief Executive of the Department administering the CYPF Act (made under section 283 of the CYPF Act). This includes all supervision orders, that is, supervision, supervision with activity and supervision with residence.

5.3 Final court of sentencing

Table 5.4 shows the percentage of proved cases involving young offenders that were finalised in each type of court over the period 1992 to 2006. All offences except non-imprisonable traffic offences are included.

Between 1992 and 2003, an average of 77% of proved cases involving young offenders were finalised in the Youth Court. In the 2004 to 2006 period, an average of 85% of proved cases were finalised in the Youth Court. The remaining 15% of cases were nearly all finalised in the District Court. In 2006, only twelve of the 1,954 proved cases were finalised in the High Court (0.6%).

Table 5.4 Percentage of proved cases involving young people for all offences except non-imprisonable traffic offences finalised by court, 1992 to 2006¹

	LES												CMS		
Final court	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Youth Court	74.0	70.5	69.1	74.3	74.9	75.9	76.7	78.4	80.6	81.4	79.1	83.6	85.6	85.6	84.5
District or High Court	26.0	29.5	30.9	25.7	25.1	24.1	23.3	21.6	19.4	18.6	20.9	16.4	14.4	14.4	15.5
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

Note

¹ The system used to log cases was updated in 2004 (from LES to CMS). This has caused changes in the figures and trends in cases that are observed up to and following 2004. In particular, any changes in the number of cases in 2004 may not represent a true change in offender patterns. Accordingly, extreme caution should be used when making inferences based on any change between 2003 and 2004. Please also note that other changes in the above data are partly due to, for example, finalised appeals. See Section 1.2.3 for more detail.

Table 5.5 shows the court where proved cases were finalised in 2006, by the type of offence. All offences except non-imprisonable traffic offences are included. In 2006, offences most likely to be finalised in the Youth Court were property and drug offences (91% respectively). Miscellaneous offences were the least likely to be finalised in Youth Court (21%).

Correspondingly, the 2006 figures show that 79% of miscellaneous offences were proved in the District or High Court, while 9% of property offences and drug offences were finalised in the District or High Court.

Table 5.5 Court where proved cases involving young people for all offences except non-imprisonable traffic offences were finalised, by offence type, 2006

Offence type	Youth Court		Final Court		Total	
	No.	%	No.	%	No.	%
Violent	402	80	102	20	504	100
Other against persons	15	79	4	21	19	100
Property	880	91	92	9	972	100
Drug	20	91	2	9	22	100
Against justice	57	78	16	22	73	100
Good order	81	85	14	15	95	100
Imprisonable traffic ¹	193	77	57	23	250	100
Miscellaneous	4	21	15	79	19	100
Total	1652	85	302	15	1954	100

Note

1 Cases involving traffic offences that are not punishable by imprisonment are not usually dealt with under the provisions of the CYPF Act, thus cases relating to non-imprisonable traffic offences have been excluded from the above figures.

Table 5.6 shows the number of proved cases that were finalised in each Youth Court in 2006, by sentence type. All offences except non-imprisonable traffic offences are included. Table 5.7 shows the number of proved cases that were finalised in each District or High Court in 2006, by sentence type. All offences except non-imprisonable traffic offences are included. Courts are listed geographically from north to south, rather than alphabetically.

Table 5.6 shows that there were 1,652 proved cases finalised in the Youth Court, with Christchurch recording the highest case level at 247 cases, followed by Manukau with 178 cases. Due to small numbers of cases, some court locations have not been used for comparison; however, some of the key trends in Table 5.6 include:

- Of courts with more than 10 cases, Waitakere Youth Court recorded that over two-thirds (69%) of the proved cases resulted in supervision orders (45 of 65 proved cases).
- Invercargill recorded that nearly a third (32%) of proved cases resulted in a monetary penalty (20 of 62 proved cases).
- Over half (58%) of proved cases resulted in an outcome of admonished in New Plymouth Youth Court (15 of 26 proved cases).

Table 5.7 shows that in 2006 there were 302 proved cases involving young people finalised in the District or High Court. In locations where there is both a District and High Court, the proved cases figures have been combined. Of the 302 proved cases finalised in 2006, 290 cases (96%) were finalised in the District Court and 12 cases (4%) in the High Court. Table 5.7 also shows that Manukau recorded the highest case level at 33 cases, followed by Auckland with 26 cases. Due to small numbers of cases, some court locations have not been used for comparison; however, some of the key trends in Table 5.7 include:

- Rotorua recorded that five of fourteen proved cases resulted in other imprisonment (36%).
- Hamilton recorded that over half (56%) of the proved cases resulted in adult community-based sentence (9 out of 16 proved cases).
- Auckland recorded that eleven of the twenty-six proved cases (42%) resulted in a monetary penalty.

Table 5.6 Number of proved cases involving young people for all offences except non-imprisonable traffic offences, finalised in each Youth Court by sentence type, 2006

Court location	Sentence ¹																			
	Other imprisonment		Adult community		Supervision order		Community work order		Monetary		Driving disqualification		Deferment		Admonished		Discharged		Total	
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
Kaitiaia	0	0	0	0	0	0	0	0	0	0	1	50	0	0	0	0	1	50	2	100
Kaikohe	0	0	0	0	12	43	2	7	2	7	0	0	2	7	10	36	0	0	28	100
Whangarei	0	0	1	2	14	33	1	2	9	21	1	2	3	7	14	33	0	0	43	100
Dargaville	0	0	0	0	4	44	0	0	2	22	0	0	2	22	1	11	0	0	9	100
Auckland	0	0	0	0	48	43	13	12	17	15	1	1	1	1	31	28	1	1	112	100
Waitakere	0	0	0	0	45	69	3	5	3	5	2	3	0	0	12	18	0	0	65	100
North Shore	0	0	1	3	11	31	1	3	3	8	5	14	2	6	13	36	0	0	36	100
Manukau	0	0	0	0	88	49	5	3	20	11	15	8	10	6	40	22	0	0	178	100
Papakura	0	0	0	0	6	32	1	5	0	0	6	32	3	16	3	16	0	0	19	100
Pukekohe	0	0	0	0	15	48	0	0	0	0	4	13	0	0	12	39	0	0	31	100
Thames	0	0	0	0	1	17	0	0	1	17	0	0	0	0	4	67	0	0	6	100
Huntly	0	0	0	0	1	20	0	0	1	20	3	60	0	0	0	0	0	0	5	100
Waihi	0	0	0	0	1	20	0	0	3	60	0	0	0	0	1	20	0	0	5	100
Morrinsville	0	0	0	0	8	42	0	0	1	5	5	26	4	21	1	5	0	0	19	100
Hamilton	0	0	0	0	47	49	2	2	13	14	6	6	14	15	14	15	0	0	96	100
Te Awamutu	0	0	0	0	0	0	0	0	0	0	1	50	0	0	1	50	0	0	2	100
Tauranga	0	0	1	1	32	33	7	7	18	18	6	6	11	11	23	23	0	0	98	100
Whakatane	0	0	0	0	16	62	3	12	2	8	3	12	0	0	2	8	0	0	26	100
Opotiki	0	0	0	0	0	0	0	0	0	0	1	100	0	0	0	0	0	0	1	100
Tokoroa	0	0	0	0	6	40	0	0	3	20	0	0	0	0	6	40	0	0	15	100
Rotorua	0	0	1	2	21	37	6	11	7	12	5	9	1	2	15	26	1	2	57	100
Te Kuiti	0	0	0	0	1	100	0	0	0	0	0	0	0	0	0	0	0	0	1	100
Taupo	0	0	0	0	8	32	1	4	0	0	2	8	7	28	7	28	0	0	25	100
Gisborne	0	0	0	0	7	54	3	23	0	0	2	15	0	0	1	8	0	0	13	100

Continued on next page

Court location	Sentence ¹																			
	Other imprisonment		Adult community		Supervision order		Community work order		Monetary		Driving disqualification		Deferment		Admonished		Discharged		Total	
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
Wairoa	0	0	0	0	1	17	0	0	0	0	0	0	2	33	3	50	0	0	6	100
Taumarunui	0	0	0	0	1	100	0	0	0	0	0	0	0	0	0	0	0	0	1	100
New Plymouth	0	0	0	0	9	35	0	0	2	8	0	0	0	0	15	58	0	0	26	100
Napier	0	0	0	0	27	64	0	0	9	21	1	2	3	7	2	5	0	0	42	100
Hastings	0	0	3	4	41	59	2	3	5	7	5	7	2	3	12	17	0	0	70	100
Hawera	0	0	0	0	4	33	0	0	5	42	1	8	0	0	2	17	0	0	12	100
Wanganui	0	0	0	0	3	60	1	20	1	20	0	0	0	0	0	0	0	0	5	100
Waipukurau	0	0	0	0	5	100	0	0	0	0	0	0	0	0	0	0	0	0	5	100
Feilding	0	0	0	0	2	100	0	0	0	0	0	0	0	0	0	0	0	0	2	100
Palmerston North	0	0	0	0	15	63	0	0	2	8	1	4	0	0	6	25	0	0	24	100
Levin	0	0	0	0	7	50	1	7	2	14	3	21	0	0	1	7	0	0	14	100
Masterton	0	0	0	0	3	27	0	0	2	18	4	36	0	0	2	18	0	0	11	100
Porirua	0	0	0	0	7	28	4	16	2	8	2	8	1	4	9	36	0	0	25	100
Upper Hutt	0	0	0	0	2	22	1	11	2	22	1	11	0	0	3	33	0	0	9	100
Lower Hutt	0	0	0	0	20	57	0	0	2	6	2	6	4	11	7	20	0	0	35	100
Wellington	0	0	0	0	2	22	2	22	2	22	0	0	2	22	1	11	0	0	9	100
Nelson	0	0	0	0	5	20	0	0	7	28	3	12	1	4	9	36	0	0	25	100
Blenheim	0	0	0	0	11	44	0	0	7	28	2	8	1	4	4	16	0	0	25	100
Westport	0	0	0	0	1	20	0	0	1	20	0	0	0	0	3	60	0	0	5	100
Greymouth	0	0	0	0	3	38	1	13	1	13	0	0	1	13	2	25	0	0	8	100
Kaikoura	0	0	0	0	0	0	0	0	0	0	1	100	0	0	0	0	0	0	1	100
Christchurch	1	0	0	0	112	45	8	3	41	17	21	9	4	2	60	24	0	0	247	100
Rangiora	0	0	0	0	2	13	0	0	1	7	6	40	0	0	6	40	0	0	15	100
Ashburton	0	0	0	0	5	50	1	10	3	30	0	0	1	10	0	0	0	0	10	100
Timaru	0	0	0	0	10	48	0	0	5	24	4	19	0	0	2	10	0	0	21	100
Oamaru	0	0	0	0	2	33	0	0	2	33	0	0	0	0	2	33	0	0	6	100

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Court location	Sentence ¹																				
	Other imprisonment		Adult community		Supervision order		Community work order		Monetary		Driving disqualification		Deferment		Admonished		Discharged		Total		
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	
Queenstown	0	0	0	0	1	33	2	67	0	0	0	0	0	0	0	0	0	0	0	3	100
Dunedin	0	0	2	7	8	29	0	0	10	36	2	7	2	7	4	14	0	0	28	100	
Gore	0	0	0	0	3	60	0	0	2	40	0	0	0	0	0	0	0	0	0	5	100
Balclutha	0	0	0	0	1	33	0	0	1	33	0	0	0	0	1	33	0	0	3	100	
Invercargill	0	0	0	0	28	45	5	8	20	32	8	13	0	0	1	2	0	0	62	100	
Total	1	0	9	1	733	44	76	5	242	15	136	8	84	5	368	22	3	0	1652	100	

Note

1 Sentence in this table refers to sentences imposed in the Youth Court, and orders made under section 283 of the CYPF Act. Note that there are a small number of cases recorded as finalised in the Youth Court by 'other imprisonment' and 'adult community', which are District Court sentences.

Table 5.7 Number of proved cases involving young people for all offences except non-imprisonable traffic offences, finalised in each District or High Court by sentence type, 2006

Court location	Sentence ¹																			
	Other imprisonment		Adult community		Supervision order		Community work order		Monetary		Driving disqualification		Deferment		Admonished		Discharged		Total	
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
Kaitiaia	0	0	2	33	0	0	0	0	2	33	0	0	0	0	0	0	2	33	6	100
Kaikohe	0	0	3	50	0	0	0	0	2	33	0	0	1	17	0	0	0	0	6	100
Whangarei	1	17	2	33	0	0	0	0	2	33	0	0	0	0	0	0	1	17	6	100
Warkworth	0	0	1	50	0	0	0	0	1	50	0	0	0	0	0	0	0	0	2	100
Auckland	7	27	2	8	1	4	1	4	11	42	0	0	0	0	1	4	3	12	26	100
Waitakere	1	11	1	11	0	0	0	0	4	44	0	0	0	0	1	11	2	22	9	100
North Shore	0	0	0	0	0	0	0	0	3	100	0	0	0	0	0	0	0	0	3	100
Manukau	11	33	4	12	1	3	0	0	9	27	1	3	0	0	2	6	5	15	33	100
Papakura	0	0	2	67	0	0	0	0	1	33	0	0	0	0	0	0	0	0	3	100
Pukekohe	2	50	2	50	0	0	0	0	0	0	0	0	0	0	0	0	0	0	4	100
Waihi	0	0	0	0	0	0	0	0	1	100	0	0	0	0	0	0	0	0	1	100
Morrinsville	0	0	0	0	2	67	0	0	1	33	0	0	0	0	0	0	0	0	3	100
Hamilton	3	19	9	56	0	0	0	0	3	19	0	0	0	0	0	0	1	6	16	100
Te Awamutu	0	0	0	0	1	100	0	0	0	0	0	0	0	0	0	0	0	0	1	100
Tauranga	1	6	4	22	2	11	0	0	7	39	1	6	0	0	1	6	2	11	18	100
Whakatane	2	20	6	60	0	0	0	0	0	0	0	0	0	0	0	0	2	20	10	100
Rotorua	5	36	2	14	1	7	1	7	2	14	0	0	0	0	2	14	1	7	14	100
Te Kuiti	0	0	0	0	0	0	0	0	1	100	0	0	0	0	0	0	0	0	1	100
Taupo	0	0	1	17	1	17	0	0	1	17	0	0	3	50	0	0	0	0	6	100
Gisborne	4	50	2	25	0	0	0	0	2	25	0	0	0	0	0	0	0	0	8	100
Wairoa	0	0	0	0	1	50	0	0	0	0	0	0	1	50	0	0	0	0	2	100
Taumaranui	0	0	1	50	0	0	0	0	1	50	0	0	0	0	0	0	0	0	2	100
New Plymouth	0	0	3	50	0	0	0	0	2	33	0	0	0	0	0	0	1	17	6	100
Taihape	0	0	0	0	0	0	0	0	1	100	0	0	0	0	0	0	0	0	1	100
Napier	7	58	4	33	0	0	0	0	0	0	0	0	1	8	0	0	0	0	12	100

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Court location	Sentence ¹																				
	Other imprisonment		Adult community		Supervision order		Community work order		Monetary		Driving disqualification		Deferment		Admonished		Discharged		Total		
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	
Hastings	1	10	6	60	2	20	0	0	1	10	0	0	0	0	0	0	0	0	0	10	100
Hawera	0	0	1	100	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	100
Wanganui	3	75	0	0	0	0	0	0	1	25	0	0	0	0	0	0	0	0	4	100	
Dannevirke	0	0	1	100	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	100	
Palmerston North	1	25	1	25	0	0	0	0	1	25	0	0	0	0	0	0	1	25	4	100	
Levin	0	0	2	100	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	100	
Masterton	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	100	2	100	
Porirua	0	0	1	33	1	33	0	0	1	33	0	0	0	0	0	0	0	0	3	100	
Upper Hutt	0	0	1	100	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	100	
Lower Hutt	1	25	1	25	0	0	0	0	1	25	1	25	0	0	0	0	0	0	4	100	
Wellington	3	33	2	22	0	0	0	0	2	22	0	0	0	0	0	0	2	22	9	100	
Nelson	1	11	5	56	0	0	0	0	3	33	0	0	0	0	0	0	0	0	9	100	
Blenheim	1	17	2	33	0	0	0	0	1	17	0	0	1	17	0	0	1	17	6	100	
Westport	0	0	0	0	1	50	0	0	0	0	1	50	0	0	0	0	0	0	2	100	
Christchurch	6	35	5	29	1	6	0	0	4	24	0	0	0	0	0	0	1	6	17	100	
Rangiora	0	0	2	100	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	100	
Timaru	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	100	0	0	1	100	
Alexandra	0	0	1	50	0	0	0	0	1	50	0	0	0	0	0	0	0	0	2	100	
Dunedin	1	8	8	62	0	0	0	0	1	8	1	8	0	0	0	0	2	15	13	100	
Gore	0	0	0	0	2	100	0	0	0	0	0	0	0	0	0	0	0	0	2	100	
Balclutha	0	0	1	100	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	100	
Invercargill	2	29	1	14	2	29	0	0	1	14	0	0	0	0	0	0	1	14	7	100	
Total	64	21	92	30	19	6	2	1	75	25	5	2	7	2	8	3	30	10	302	100	

Note

1 Sentence in this table refers to sentences imposed in the District or High Court. Note that there are a small number of cases recorded as finalised in the District or High Court by Youth Court sentences.

Appendix A

Table A1 Outcomes of cases prosecuted involving young people for all offences except non-imprisonable traffic offences, by ethnicity, 2005^{1,2}

Outcome		NZ		Pacific peoples	Other	Unknown	Total
		European	Māori				
Convicted	No.	69	133	19	4	47	272
	%	31	59	8	2	-	100
Discharge without conviction	No.	4	3	1	0	4	12
	%	50	38	13	0	-	100
Youth Court proved	No.	457	849	181	24	100	1611
	%	30	56	12	2	-	100
Section 282 discharge	No.	663	847	178	31	184	1903
	%	39	49	10	2	-	100
Not proved	No.	532	857	220	30	165	1804
	%	32	52	13	2	-	100
Total	No.	1725	2689	599	89	500	5602
	%	34	53	12	2	-	100

Notes

- 1 Row percentages are calculated excluding cases where ethnicity was not known. A dash '-' indicates that percentages are not calculated for the ethnicity category 'Unknown'.
- 2 Note the comments in Section 1.3 on the way ethnicity data is collected, and the implications this has for data quality.

References

Ministry of Justice Youth Court of New Zealand website: www.justice.govt.nz/youth/.

Soboleva, N., Kazakova, N. & Chong, J. (2006) *Conviction and Sentencing of Offenders in New Zealand: 1996 to 2005*, Ministry of Justice, Wellington.

Spier, P., Luketina, F. & Kettles, S. (1991) *Changes in the Seriousness of Offending and in the Pattern of Sentencing: 1979 to 1988*, Department of Justice, Wellington.

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