

## Editorial

Welcome back! We at the Principal Youth Court Judges' Chambers hope you had an enjoyable break. It's an exciting year for youth justice, with the Youth Crime Action Plan due to be released and the first national hui for those involved in the Rangatahi Courts (see p 7), to name just a couple.

At the end of last year, the Ministry released a progress report on the FreshStart reforms, summarising data from October 2010 (FreshStart's introduction) up till 31 October 2012. The report makes note firstly of key trends in the youth justice sector over the past two years. Notably, fewer youth justice FGCs are being held and the number of young people transferred to the District Court dropped by 63% over the last two years.

The report also charts the progress with some of the key policy changes which Fresh Start made, such as:

- Since Fresh Start introduced 12 and 13 year olds into the Youth Court, 31 have appeared
- Uptake of longer supervision with residence and supervision with activity orders has been high
- 57 young people have attended MAC Camps. Of the 31 who completed a MAC Camp and left the residence prior to April 2012, 39% had not reoffended in the first six months after finishing the camp. Of those who reoffended, 63% did so less seriously, and 63% less frequently than in the six months prior to attending the camp
- Of 187 young people who had spent a period of time remanded on supported bail as at 31 October 2012, 68% did not reoffend while on supported bail (FreshStart did not introduce, but increased, supported bail)
- Since FreshStart introduced a requirement for FGCs to consider attendance at parenting education, mentoring and alcohol and drug rehabilitation, and allowed the Court to make orders to attend these programmes:
  - 977 young people (and parents of young people) received a Parenting Education programme as part of their FGC plan, while 38 were subject to orders.
  - 1,251 young people received a mentoring programme as part of their FGC plan, while 122 were subject to orders.
  - 1,876 young people had alcohol and drug issues addressed in community placements, and an additional 177 were treated in AOD residential programmes. 18 received orders to attend community based programmes and 14 to attend residential programmes.



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Note: last year's regular "What do you Do" section of Court in the Act will be back for the next edition. Get in touch if you know someone who you think would be interesting to hear about!

The report itself contains a more detailed analysis of the effects of the changes that Fresh Start made, and is available here if you would like to read more: <[www.msd.govt.nz/about-msd-and-our-work/newsroom/media-releases/2012/fresh-start-reforms-in-operation.html](http://www.msd.govt.nz/about-msd-and-our-work/newsroom/media-releases/2012/fresh-start-reforms-in-operation.html)>

- Emily Bruce, Research Counsel to the Principal Youth Court Judge

# Special Report

## “Nobody Made the Connection: The Prevalence of Neuro-Disability in Young People who Offend”

Judge Andrew Becroft, Principal Youth Court Judge

This is the title to a challenging but disturbing report from the Children’s Commissioner of England regarding the nature, prevalence and proper response to young people with neuro-developmental disorders who break the law.

The highly readable and well structured report identifies the prevalence of neuro-development disorders in the population of young offenders in custody, the implications for the youth justice system and concludes by setting out a number of recommendations.

The Report is particularly helpful in giving a detailed summary of the currently accepted range of neuro-developmental disorders within young people. These include:

- Learning disabilities (IQ score less than seventy; significant difficulties with everyday tasks; onset prior to adulthood)
- Specific Learning Difficulties, e.g. dyslexia, dyspraxia and dyscalculia
- Communication Disorders (speech, language and hearing impairment)
- Attention Deficit Hyperactivity Disorder (ADHD) (often associated with the development of conduct disorder – not a neuro-disability)
- Autism Spectrum Disorder (ASD)
- Traumatic Brain Injury (TBI)
- Epilepsy
- Fetal Alcohol Spectrum Disorder (FASD)

There is significant evidence of co-morbidity of these distinct conditions.

If the overseas research is to be relied upon, the prevalence of neuro-developmental disorders is spectacularly higher amongst young people in custody. Table 1 from the report, set out as follows, makes the position clear.

In particular, there is a call for:

- Ensuring early identification through education and public health interventions
- Enabling effective early intervention
- Reforming the youth justice system
- Addressing gaps in research

The report concludes:

“Our findings call into question whether a criminal justice system that commits young people with neuro-disability to custody is a fair and just system if those young people are affected in such a way that they do not understand the consequences of their actions, nor have the cognitive capacity to instruct solicitors, and furthermore if their neuro-disability and their associated needs are not identified, recognised or responded to, such that interventions and sentences serve to further criminalise rather than to offer support”.

This report is very timely. In New Zealand, we have a somewhat fractured and disconnected approach to these issues, which often depends upon the energy and level of funding that is given to the various community agencies and interest groups that deal with these disorders.

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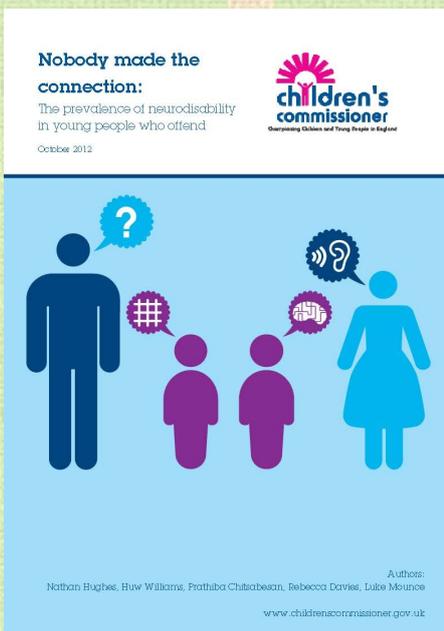


Table 1. The prevalence of neurodevelopmental disorders

Neurodevelopmental disorder	Reported prevalence rates amongst young people in the general population	Reported prevalence rates amongst young people in custody
Learning disabilities <sup>3</sup>	2 - 4% <sup>4</sup>	23 - 32% <sup>5</sup>
Dyslexia	10% <sup>6</sup>	43 - 57% <sup>7</sup>
Communication disorders	5 - 7% <sup>8</sup>	60 - 90% <sup>9</sup>
Attention deficit hyperactive disorder	1.7 - 9% <sup>10</sup>	12% <sup>11</sup>
Autistic spectrum disorder	0.6 - 1.2% <sup>12</sup>	15% <sup>13</sup>
Traumatic brain injury	24 - 31.6% <sup>14</sup>	65.1 - 72.1% <sup>15</sup>
Epilepsy	0.45 - 1% <sup>16</sup>	0.7 - 0.8% <sup>17</sup>
Foetal alcohol syndrome	0.1 - 5% <sup>18</sup>	10.9 - 11.7% <sup>19</sup>

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For instance, in recent years, this office has been persuasively approached by groups working with young people with Specific Learning Disabilities, Autism Spectrum Disorder, Fetal Alcohol Spectrum Disorder and most recently Communication Disorders. It seems clear that all these issues relate to and are causative of youth offending. There is now a statutory mandate that all those involved in responding to youth offending ensure that the causes of the offending are properly addressed. See s 208(fa) of the Children, Young Persons and their Families Act.

The real question is whether in New Zealand, as is clearly recommended by the Children's Commissioner of England, the time has come to provide a comprehensive health response to all these issues, with an emphasis on early identification and early intervention. At the same time, the Youth Court itself needs to be much better supported by appropriate experts and community groups who can identify these issues amongst young offenders and ensure that the response by the youth justice system is appropriate in all the circumstances. This is especially so given, what on the English figures, appear to be, the exceptionally high prevalence of neuro-disabilities amongst young offenders in custody.

The full report can be obtained from the [www.childrenscommissioner.gov.uk](http://www.childrenscommissioner.gov.uk) It is worth reading, but even more so, it demands our response.

## Ara Taiohi: What we Do

-Sonya Hogan, Executive Officer, Ara Taiohi

Tena koe,

Whakataka te hau ki te uru  
Whakataka te hau ki te  
tonga

Ki a mākinakina ki uta, ki a mātaratara ki tai  
E hii ake ana tē ata kura  
Hē tio  
Hē huka  
Hē hau hū rawa  
Tihēi Māuriora!  
Ki te motu whānui, tēna koūtu katoa.

We are Ara Taiohi, a membership-based organisation and the national youth sector peak body. Our whakapapa comes from a combined history from New Zealand Aotearoa Adolescent Health and Development (NZAHD) and the National Youth Workers Network Aotearoa (NYWNA), who came together in 2010 to create Ara Taiohi. 'Ara' means 'pathway to/for' and 'Taiohi' means 'young person', and we were created to support people who work with young people.

Our kaupapa 'mō te oranga o ngā taiohi me ngā kaitiaki e mahi ana mō rātou - for the wellbeing of taiohi and the people who support them' drives us, and we are guided by the principles of Te Tiriti o Waitangi and positive youth development and our membership of over 670 people informs our work.



We connect the youth sector through e-updates, regional and national hui, and support of regional and

issue-based caucuses and networks. We raise the standards through the sharing of research, information and training opportunities, our *Code of Ethics for Youth Work in Aotearoa New Zealand*, and our work towards establishing a professional body for youth workers. We champion youth development through our annual Youth Week campaign, which celebrates young people and distributes funding to community-based, youth-led events that do the same during Youth Week, and by providing effective leadership and a cohesive voice on issues affecting young people. We promote sustainability through effective management and strong partnerships with funders.

We have established 16 issue-based caucuses: Nga Kaihoe (Māori Caucus), Pacific, Youth Justice, Youth Work, Youth Health, Education, Research, Rural, Housing, Employment, Faith-Based, Queer/Trans, Disability, Refugee and Migrant, Human Rights and Young People Working With Young People. In 2012 our Youth Justice Caucus met regionally at 11 hui across Aotearoa during our Te Hautaki o Ara Taiohi tour. Several important recommendations came out of these hui, in particular around the need for greater

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greater connection and collaboration across organisations working with young people and up-to-date youth justice training for youth workers. Full details of the report will be available shortly on [www.arataiohi.org.nz](http://www.arataiohi.org.nz).

Some of our work at the moment includes our Youth Work Association Working Group looking at establishing core competencies for people working with young people and a compliance process for our *Code of Ethics for Youth Work in Aotearoa New Zealand*, our Taiohi Māori Project, which aims to ensure that Māori are involved in a nationwide movement of people who work with Taiohi improving the application of the Treaty of Waitangi based on tikanga and kaupapa Māori, Youth Week 2013, the development of foundation training for people working with young people, compiling a research, resource and information clearinghouse and training database for the sector to be housed on our website.

We are just about to release our *Te Hautaki o Ara Taiohi Report*, which outlines, from feedback from 11 hui across the country, what the youth sector sees as priorities, and these will lead to exciting and important work for Ara Taiohi.

Members receive many benefits including:

- ✦ regular e-update, which includes current research, resources, training and employment opportunities, access to Youth Week grants [www.facebook.com/YouthWeek](http://www.facebook.com/YouthWeek),
- ✦ subsidised attendance at Ara Taiohi wananga and hui and training included within, membership of caucuses, and corresponding specific issue-based information and opportunities that come through Ara Taiohi, such as collaboration and connecting opportunities with other caucus members and Ara Taiohi members and partners (eg government agencies, funders), requests from media, training opportunities and research and best practice information.

Ara Taiohi is a young organisation with a rich history. We are driven by our members and at this point are over 670 strong, if you would like to help inform the progress of work with young people in Aotearoa and be supported by such a movement, check out our website [www.arataiohi.org.nz/JoinUpForm](http://www.arataiohi.org.nz/JoinUpForm) and join up!



Photo: Maria Koch, member of Ara Taiohi Research Caucus from Tracks in Takaka and Ara Taiohi Executive Officer Sonya Hogan reporting back at the Nelson Te Hautaki hui. Source: Ara Taiohi

# Research Corner

## Welcome to the research corner!

This is a new column celebrating staff and students in a variety of fields doing research which may have an impact on the youth justice system, and youth offending in general.



Source: <http://www.library.illinois.edu/eu/img/research.jpg>

## DNA Powers in Pre-Trial Process

-Dr Nessa Lynch (Victoria University of Wellington) and Dr Liz Campbell (University of Edinburgh) - Law

Dr Nessa Lynch of the Faculty of Law, Victoria University of Wellington and Dr Liz Campbell of the School of Law, University of Edinburgh, Scotland have received Law Foundation funding to examine the use of DNA powers in the pre-trial process in New Zealand. Although the project will look at both the adult and youth systems, there are strong implications for youth. The researchers are also particularly interesting in producing easy to understand information materials for children and young people to understand their rights and responsibilities in relation to the collection of DNA.

There is a pressing need for this project in an academic sense, and also in terms of policy development. There is little or no existing commentary on this topic from a New Zealand perspective, despite the principal legislation (*Criminal Investigations (Bodily Samples) Act*) having been in place since 1995, and powers having been significantly expanded through legislative amendment in 2009. Frontline Police have extensive powers to obtain genetic material where a person is a suspect, including use of reasonable force. A computerised profile obtained from this sample may be used to search the national DNA database for a match to unsolved crimes.

Internationally, despite consensus regarding the significance and value of genetic material in criminal justice, there is considerable divergence in terms of the populations from whom DNA may be collected and the length of time for which DNA may be retained. This is an area of law in flux: for example, England and Wales once had the most permissive scheme of DNA collection and retention, but this has been reined in by the decision of the European Court of Human Rights in *S and Marper v UK* (2008) and the Protection of Freedoms Act 2012. In addition, the United States Supreme Court is likely to accept a petition from the State of Maryland regarding the legality of pre-trial sampling. Given the dynamic nature of these laws globally, an analysis of the New Zealand scheme with reference to other jurisdictions allows aspects that may be problematic in terms of human rights or cultural norms to be identified and analysed carefully.

This project aims to enrich academic debate on this topic and also assist in informing future policy and legislative development. The projected outcomes of the project (which is due to run until 2015), will be a book and a number of articles. The researchers will also partner with JustSpeak to produce easy to understand information for children and young persons.

For readers of *Court in the Act*, the researchers would be interested in hearing from professionals and practitioners who have had experiences (positive and negative) with the use of the CIBS Act in the youth justice system. This can be on a confidential basis. We are also interested in any issues relating to DNA collection you think might be useful to cover in our research. Please contact [nessa.lynch@vuw.ac.nz](mailto:nessa.lynch@vuw.ac.nz) or at 04 463 6394.

# Research Corner

## "Protective factors from positive male role models in community sporting organisations"

- Murray Wilson, Honours Student, Criminology, Victoria University (supervisor: Fiona Hutton)

The subject of youth offending holds a central position in media-produced discourses that relate to criminal offending and the criminal justice system. A nexus consisting of politicians, law and order lobby groups and the New Zealand media have driven an increase in punitive attitudes (Pratt, 2008).

In line with hardening attitudes, the prison population has rapidly expanded over the past decade from 4,736 prisoners in 1996 to 8,000 in 2006 (Pratt, 2008). The demand for increasingly punitive punishments for young men, such as boot camps, are a popular refrain. However the imprisonment rate for young people (age 14-17) in NZ has remained stable at around 50 per year since 2001 (Becroft, 2009).

My research has, as its primary aim, the investigation of intervention in the lives of New Zealand youth, particularly males under the age of 18. It argues that the lives of youth can be improved when the availability of protective factors, supplied through positive male role models in sporting organisations, is taken up. It aims to investigate any link between positive male role models, protective factors, sporting organisations and improved outcomes in the lives of young men. The principal focus of this research is the Naenae Boxing Academy (NBA) and the impacts and influences that this organisation brings to the lives of the boys/young men who attend.

The objectives of the project are to identify best practices in leadership roles in developing a sense of identity, belonging and self worth in boys/young men at risk of criminal offending. The question of whether modelling pro-social behaviour creates opportunities for positive outcomes in the lives of the NBA membership is investigated. Furthermore, how feelings of attachment, commitment, involvement and belief create a social bond that acts as a protective factor from the risk of criminal offending is also explored (Hirschi, 1969).

The NBA operates under the auspices of the Naenae Charitable Trust, and was established by Billy Graham in 2005. The stated aim of the NBA is to turn young boys into healthy young men. To achieve this, the boys/young men are encouraged to work on their attitude, to learn self control, to motivate themselves to be the best they can at school, to respect their family and the people around them, to understand their body and how to make it strong and healthy,



Naenae Boxing Academy students. Source: [www.mylotto.co.nz](http://www.mylotto.co.nz)

and to understand nutrition and the value of healthy food. They also teach the boys/young men about how to make appropriate personal judgements in different situations (NBA, 2011).

The holistic approach employed by Billy Graham and the NBA is in keeping with the work of Caldwell and Smith (2006, as cited in France & Homel 2006: 289) who put forward "leisure as a context for youth development and the prevention of delinquent acts. Additionally, the work of Benson, Scales, Hamilton and Sesma (2011, as cited in Dennison 2011: 56) claims that there are three potential points for intervention to promote positive youth development: "Firstly, increasing the developmental-attentiveness of contexts. Secondly, enhancing the skills and competencies of youth. Thirdly, creating processes and opportunities to invite youth to actively exercise and utilize their capacity". The practices employed by the NBA reflect these strategies. The work of Liu (2009) focuses on the holistic approach for community intervention. Liu (2009) outlines his recommendations for community interventions as being, holistic and integrated services, 'no one size fits all' in service delivery and the need for capabilities building so the people delivering services can be flexible in their

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engagement with different communities and individuals. This prescription may offer the best method for engaging the most at risk families in NZ society (Liu 2009).

## Method

My research employs qualitative methods. Included are observations made by the author, who occupies a position as a supporter and father of an active member of the NBA. Research interviews were conducted face to face with Billy Graham, Head Trainer Graham Clifford and Principal Youth Court Judge Andrew Becroft. This allowed for the identification of key themes which emerged consistently across all three interviews. Ethics approval was granted by the Victoria University ethics committee.

## Results

The first key theme to emerge was commitment. The NBA requires high levels of commitment from the members and trainers. The strategy of bringing the boys/young men through the programme together builds a sense of belonging through creating an equal footing for the new intake. The rules, values and expectations of the NBA are explained during the orientation period. The grouping of new entrants together strengthens friendships from the perception of having done the hard work together. This is in keeping with Hirschi's (1969) theory of the Social bond. Hirschi (1969 as cited in as cited in Shoemaker, 2005: 176) argues that commitment results from the cost-benefit approach to delinquency. Meaning "it describes the investments accumulated in terms of conformity to conventional rules such as time, effort, money and status as opposed to the assumed costs, or losses that are associated with non-conformity".

The second key theme to emerge was that "NBA is more than a boxing club" This is evidenced by events run by the NBA such as 'Naenae's got talent', a community inclusive talent quest. A further example is the co-operation between the Royal NZ Police College and the NBA which includes reciprocal visits between the two groups. The involvement of the wider community increases the effectiveness of the NBA's ability to bring change to the lives of its members.

The important aspect of role modelling also emerged as a key theme. The 'setting of standards', such as the ability of Billy Graham to connect with the boys/young men who attend, is a strong driver of the NBA's ongoing success. The style of mentoring employed by Billy is emancipatory mentoring, Pitts (2009:30) describes this as being "where the mentor has made the journey themselves and helps the mentee navigate



A young person trains, watched by police recruits on a visit.  
Source: Naenae Boxing Academy

their path through the hazardous social and economic environment" This allows for a strong connection to be developed between the mentor and mentee (Pitts, 2009). The key theme of the NBA providing its membership with the opportunity for engaging in a legitimate outlet of physicality was explained by Judge Becroft as a way to learn how to lose and win in a gracious manner. Furthermore, Judge Becroft brought into focus the discipline one develops as a boxer or when one participates in a team sport. Central to this is the ability to put the ethics of the Academy or team first, by the yielding of self interest for the betterment of the team (Becroft, 2012).

## Conclusion

The NBA's programme is high quality and is well supported by both the corporate world and the Lower Hutt community. The topic of boxing may cause some consternation in some areas. However it is how the NBA is run and not the sport at its heart that needs to be taken into consideration. The holistic approach and the inclusive aspect employed by the management of the NBA is in keeping with the methods of best practice for community intervention put forward by Liu (2009). There is a great need for more programmes of this type to be introduced into communities. Changing governmental policy towards youth who are the future of NZ is of the highest priority. New Zealand has an opportunity to institute social policy that will truly support the young and allow for an equitable situation to develop over time.

(Bibliography on next page)

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## Bibliography (Murray Wilson)

- Pratt, J. (2008). When Penal Populism Stops: Legitimacy, Scandal and the Power to Punish in New Zealand. *Australian & New Zealand Journal of Criminology*, 41(3), 364-383.
- Becroft, A. (2009). Are There Lessons to be Learned from the Youth Justice System? In G. Maxwell (Ed.), *Addressing the Causes of Offending - What is the Evidence?* Wellington: Victoria University Press.
- Hirschi, T. & Stark, R. (1969). "Hellfire and Delinquency." *Social Problems*, 17, 202-213.
- Naenae Boxing Academy. (2011). Naenae Boxing Academy. Retrieved from: [naenaeboxingacademy.co.nz](http://naenaeboxingacademy.co.nz). 1 June 2011.
- France, A. & Homel, R. (2006). Pathways and Prevention: Concepts and Controversies. *Australian & New Zealand Journal of Criminology*, 39, 287-294.
- Dennison, S. M. (2011). Developmental and Life- Course Criminology Theories, Research & Policy Implications. In A. Stewart & T. Allen (Eds.), *Evidence Based Policy & Practice in Youth Justice*. Sydney: Federation Press.
- Becroft, A. (2012, 14 July). Education and Youth Offending: Introductory Notes. From New Zealand School Trustees' Association.
- Liu, J. (2009). *Summary and Reflections on the Causes of Offending. Addressing the Causes Of Offending*. Institute of Policy Studies School of Government. Victoria University of Wellington.
- Shoemaker, D. J. (2005). *Theories Of Delinquency - An Examination if Explanations of Delinquent Behavior*. (5th Ed.). New York: Oxford University.

### Upcoming: International Colloquium on Children's Voices

- Faculty of Law, University of Auckland

On 25 March 2013, an international Colloquium on children's voices takes place at the University of Auckland. The Colloquium marks the 20<sup>th</sup> anniversary of Aotearoa/New Zealand's ratification of the UN Convention on the Rights of the Child in April 1993.

International experts from Australia, Canada, Scotland, South Africa and USA will present information on how legal proceedings in their jurisdictions listen to children's voices. The purpose of the Colloquium is to hear about best practice on mechanisms that allow children and young people to express their views and to have those views taken into account in legal matters affecting them.

Youth Justice is one of the Colloquium topics. Alison Cleland and Khylee Quince will discuss the place of children and young people's views in Aotearoa/New Zealand's youth justice family group conferences. Helen Pryde, a children's legal representative in Scotland's children's hearing system, will provide a comparative youth justice perspective.

The Colloquium will allow critical analysis of how well Aotearoa/New Zealand is fulfilling its international obligation to give children and young people a voice in youth justice proceedings.



# Research Corner

## Who are Violent Female Youth?

### *An Exploration of Females Referred to the Regional Youth Forensic Service*

- Stacey Lim, Department of Psychology, University of Auckland (supervisor: Associate Professor Ian Lambie)

This research was conducted in partial fulfilment of the requirements for the Doctorate of Clinical Psychology degree at the University of Auckland.

#### **Sample:**

A consecutive sample of 106 female youth offenders referred to the Regional Youth Forensics Service in Auckland between 2005 and 2011. These youth were charged with a violent offence.

**Study Aims:** To describe the sample of violent female youth

- To investigate if violent female youth are a heterogeneous population by exploring the demographic, psychosocial and offence-related correlates of:
- Violence motivation: *Instrumental and reactive aggression* (Instrumental aggression refers to deliberate acts that are directed toward obtaining desired goals, and reactive aggression refers to angry, often emotionally dysregulated, responses to perceived offences or frustrations).
- Victim-offender relationship: *Family and community victims*
- Ethnicity: *Māori and Pakeha youth*

A deeper understanding of the links between aggression and different profiles of violent youth offenders could indicate if they have diverse treatment needs, and help develop more effective and targeted prevention and intervention strategies.

#### **Methodology:**

A clinical file audit was utilised to collect variables from the following domains: demographic details, mental health, substance use, family background, maltreatment history, school and peer background, developmental background, and violent offence details. Chi square analyses and logistic regression analyses were used to determine if the variables of interest were able to predict/were associated with violence motivation, victim offender relationship, and ethnicity.

#### **Results:**

Overall, violent female youth in this sample had complex needs characterised by high rates of mental health problems (76%) and victimisation experiences (90%). Over 60% had a history of being in the care of Child Youth and Family at some point in their lives, and 90% evidenced behaviour problems at school, with half having been excluded from school. Overall the findings indicated that violent female youth offenders often come from chaotic backgrounds, where antisocial behaviour is embedded in their social landscapes and often modelled to them by close others.

#### ***Violence motivation: Instrumental and reactive aggression***

The findings indicated that a history of perpetrating bullying, having parents who abuse illicit drugs, and having siblings also involved in criminal activity were associated with increased likelihood of the youth having used instrumental violence in their offence. They were also more likely than the reactively violent youth to have had peers involved in their offence, and to perpetrate violence against community members (opposed to family members). Māori youth were more likely to use instrumental violence, and Pakeha youth were more likely to use reactive violence, often against family members.

#### ***Victim-offender relationship: Family and community victim***

A number of factors distinguished between those who victimised family members and those who victimised community members. Community violent youth were associated with Māori ethnicity, diagnoses of conduct disorder and oppositional defiant disorder, sibling criminality, parental incarceration, school exclusions, gang involvement, perpetrating bullying and involvement with antisocial male romantic partners. They were more likely to have peers involved in their offence, use instrumental violence, and target child/youth aged victims. On the other hand, family violent youth were associated with Pakeha ethnicity, diagnoses of ADHD, a history of sexual abuse, and experiences of being victim to bullying. The nature of their violence was more likely to be reactive, and they

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targeted adult-aged victims (opposed to child/youth-aged victims).

## **Ethnicity: Māori and Pakeha youth**

Unique needs also emerged for Māori and Pakeha youth. Substance use was a problem for young Māori females in this sample. They were more likely to have been diagnosed with a substance disorder, more likely to have experimented with a higher number, and variety of illicit drugs, and to have been intoxicated at the time of their offending. They were also more likely to have witnessed domestic violence, have siblings involved in crime, and be involved in a gang. They were also more likely to perpetrate violence in the community (opposed to in the family). Pakeha youth were associated with diagnoses of ADHD, and more often described as having poor social skills and anger problems. They were more likely to have victimised family members.

## **Discussion:**

Overall the findings of this study concluded that violent female youth are a heterogeneous population, with different factors influencing the development and manifestation of their aggressive behaviour. This highlights the need for individualised treatment programmes.

Youth who utilised instrumental aggression and youth who perpetrated violence in the community, portrayed a similar profile. Their aggression appears to be embedded in a contextual background of antisocial behaviour that is endorsed and reinforced by family and peers. These youth may need more extensive and multisystem interventions. For these youth it may be important to maximise opportunities to establish friendships with prosocial peer groups (such as mentoring by same-aged peers) and foster involvement in prosocial activities. Teaching effective parenting skills such as monitoring, to prevent youth engaging with antisocial peers may also be helpful. Given their likelihood of bullying others, these youth may benefit from interventions focused on building empathy, and understanding the impact of their behaviour on others. School exclusions may serve as a catalyst for escalation in a young person's antisocial behaviour, so assisting youth to stay in school, or find an appropriate course/alternative education option may be important.

There were also overlaps between youth who used reactive violence, youth who were violent towards their family members, and Pakeha ethnicity. The findings suggest that routine screening for abuse and

particularly sexual abuse may be important, as well as addressing their victimisation experiences. It appears that abusive experiences in the home and school (bullying) may have impacted on their ability to regulate their emotions, and predisposed them to use reactive aggression. Given these emotion regulation difficulties and their abusive histories, adapting Dialectical Behaviour Therapy (DBT) or aspects of DBT may benefit this group. DBT integrates skills training, problem solving, and validation to support participants to decrease their impulsive, aggressive and self-destructive behaviours, and has shown promising results with similar groups of adolescents in overseas programmes. For youth who are violent towards family members, family therapy, such as functional family therapy (or other therapies designed to improve family interactions, so that disruptive behaviour is no longer functional for the youth) may be effective.

This study also indicated that Māori female youth have complex needs, and their propensity for substance disorders may impact on their engagement and treatment responsivity – treatment programs may benefit from smaller caseloads and higher resourcing, as well as enhanced training and professional development for clinicians working with Māori youth. For these youth, integration of psychoeducation about alcohol and drugs, exploration of the individual's alcohol and drug use, and how this may effect their propensity for aggression may be important. Findings from this study also support the need for whānau ora approaches, and early intervention strategies that target high risk families.

**Acknowledgements:** Many thanks to the Regional Youth Forensics Service for their cooperation and support for this project. Also thanks to Professor Fred Seymour for his valuable contributions and to Jessica Thomas and Associate Professor Suzanne Barker-Collo for their statistical advice.

Do you, or someone you know, have a contribution that might add to this column? Give Emily an email on [emily.bruce@justice.govt.nz](mailto:emily.bruce@justice.govt.nz). We'd love to hear from you!

# Upcoming

## National Rangatahi Courts' Hui

Orakei Marae will be hosting a world first in March of this year: the first ever national hui for everyone who works in and/or provides services to the Rangatahi and Pasifika Courts, as well as those involved in the policy and operational side of the courts within government departments.

The hui provides a unique and exciting opportunity to bring together representatives who work in and/or provide services to the Rangatahi and Pasifika Courts, as well as those involved in the policy and operational side of the courts within government departments to:

- Share best practice information on the Rangatahi Courts and formulate best practice guidelines;
- Raise awareness of providers who can service the Rangatahi Courts;
- To energise attendees and renew the vision for the Rangatahi Courts; and
- To share, and where possible, begin the process for implementing, the recommendations of the recent evaluation of the Rangatahi Courts. The evaluation is available here: <http://www.justice.govt.nz/publications/global-publications/r/rangatahi-court-evaluation-of-the-early-outcomes-of-te-kooti-rangatahi/publication>

The hui is free—there is no registration fee and food and accommodation on the marae is provided. The sole cost to attendees will be transport.

Included below is the draft programme (subject to some changes)



### PROGRAMME

#### **RANGATAHI COURT CONFERENCE AT ORAKEI MARAE, AUCKLAND, THURSDAY 7 MARCH 2013**

9.30 am	<i>Powhiri at Orakei Marae</i>
10.30 am	<i>Morning tea and collect Registration Packs</i>
11.00 am	<i>Opening address Minister Borrows Whakawhanaungatanga Each Court to have one speaker to introduce that Court</i>
12.00 pm	<i>Tikanga – Ko wai au, No hea au Dr Apirana Mahuika Introduction and Opening remarks: Principal Youth Court Judge Becroft</i>
1.00 pm	<i>Lunch</i>
2.00 pm	<i>Best Practice in the Rangatahi Courts Lisa Davies and John Whaanga, Kaipuke Consultants Ltd (authors: Evaluation of the Early Outcomes of Nga Kooti Rangatahi) Introduction: Judge Taumaunu</i>



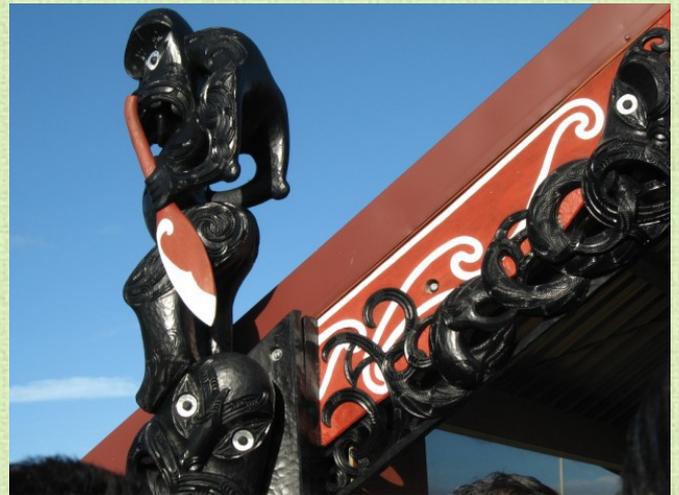
Orakei marae (also featured in top right hand column)

# Upcoming

- 2.30 pm *Break out groups discussion on Best Practice*  
Judges, Youth Advocates, Lay Advocates, Police, Social Workers, Pasifika Elders, Kaumatua
- 3.30 pm *Afternoon tea*
- 4.00 pm *Report back facilitated by Principal Youth Court Judge Becroft*
- 5.00 pm *Close of day*
- 6.00 pm *Evening meal*
- After dinner Speaker: Justice Joseph Williams*  
Introduction: Judge O'Driscoll

## FRIDAY 8 MARCH 2013

- 7.30 am – 8.30 am *Breakfast*
- 9.00 am *Role of Rangatahi Courts Liaison Officer*  
Tony Fisher, General Manager, District Courts, Ministry of Justice  
Introduction: Judge Taumaunu
- 9.30 am *Pasifika Courts – The Way Forward*  
Judge Malosi and a graduate from Pasifika Court
- 10.00 am *Programme Presentations*  
Representative from Te Poho Rawiri Rangatahi Court – Tikanga Maori Programme  
Representative from Hoani Waititi Rangatahi Court – Tikanga Maori Programme  
Representatives from MRT – Moral Recognition Therapy  
Ted Jarvis – Silver Fern Motor Sport Charitable Trust, West Auckland
- 11.00 am *Morning Tea*



One of the amo (legs) on Tumutumuhenua, the wharenui at Orakei Marae

- 11.30 am *Perspective on the Rangatahi Court: A Panel Discussion – Lay Advocate, Youth Advocate, Police and Child Youth & Family*
- 12.00 pm *Kaumatua and Kuia Perspectives on the Rangatahi Courts: A Panel discussion – Kaumatua and Kuia*
- 12.30 pm *Adolescent Development of Maori: Professor Chris Cunningham, Massey University*  
Introduction: Judge Clark
- 1.30 pm *Lunch*
- 2.30 pm *Roundup and Future Direction for Rangatahi Courts* Principal Youth Court Judge Becroft
- 3.00 pm *Poroporoaki and Close of hui*

How do I register? Email Anne Molloy ([anne.molloy@justice.govt.nz](mailto:anne.molloy@justice.govt.nz)) for a registration form. Registrations will be accepted until 5pm, Thursday 22 February

# Stop Press

## Latest Articles, Reports, Books and More!

### Books

**"Youth Justice in New Zealand" - Dr Nessa Lynch (Thomson Reuters, 2012)**



*Youth Justice in New Zealand* is the first and only book to comprehensively address the law, theory and practice behind the New Zealand youth justice system. This long awaited analysis extensively discusses the principles, legislation and policies governing the operation of the youth justice system, as well as exploring practice and procedure in the distinctive Youth Court jurisdiction.

The book also critiques the recent major reforms to the system, including the new powers to prosecute children and the new and expanded Youth Court orders, breaking down the changes and providing current guidance. For more more information and to order: <[www.thomsonreuters.co.nz/catalogue/youth-justice-new-zealand/](http://www.thomsonreuters.co.nz/catalogue/youth-justice-new-zealand/)>.

**"The Making of Travis"** (fictional novel from Tauranga youth advocate David Bates): <[www.polygraphianz.com/site/ViewItem.aspx?pageModuleItemId=1947068](http://www.polygraphianz.com/site/ViewItem.aspx?pageModuleItemId=1947068)>

### New Zealand:

**"Children"** (The Journal of the Office of the Children's Commissioner) Summer 2012 edition: <[www.occ.org.nz/\\_\\_data/assets/pdf\\_file/0011/10172/CC\\_Children82\\_2012.pdf](http://www.occ.org.nz/__data/assets/pdf_file/0011/10172/CC_Children82_2012.pdf)>

**Children's Commissioner's Expert Advisory Group on Solutions to Child Poverty**  
**"Solutions to Child Poverty in New Zealand: Evidence for Action"** (December 2012)  
<[www.occ.org.nz/\\_\\_data/assets/pdf\\_file/0007/10150/Child\\_Poverty\\_Report\\_Web.pdf](http://www.occ.org.nz/__data/assets/pdf_file/0007/10150/Child_Poverty_Report_Web.pdf)>

### International:

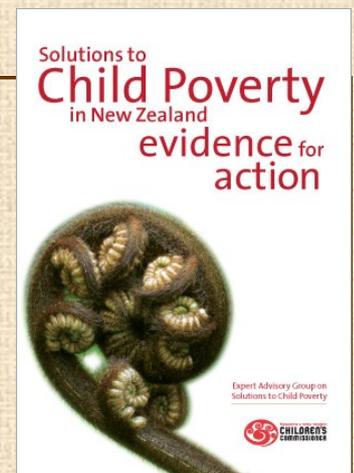
American Civil Liberties Union and Human Rights Watch **"Growing up Locked Down: Youth in Solitary Confinement in Jails and Prisons Across the United States"**(October 2012) <[www.aclu.org/criminal-law-reform/growing-locked-down-youth-solitary-confinement-jails-and-prisons-across-united](http://www.aclu.org/criminal-law-reform/growing-locked-down-youth-solitary-confinement-jails-and-prisons-across-united)>- note that this site also features a video of young people talking about their experiences in solitary confinement:

Criminal Justice Joint Inspection (HMI Probation, Ofsted and Estyn) **"Looked After Children: An inspection of the work of Youth Offending Teams with children and young people who are looked after and placed away from home"**(December 2012) <[www.hmcpai.gov.uk/documents/reports/CJJI\\_THM/OFFM/Looked\\_After\\_Children\\_Thematic\\_Report\\_ENG.pdf](http://www.hmcpai.gov.uk/documents/reports/CJJI_THM/OFFM/Looked_After_Children_Thematic_Report_ENG.pdf)>

National Research Council (United States) **"Reforming Juvenile Justice: A Developmental Approach"** (November 2012) <[www.prisonpolicy.org/scans/14685.pdf](http://www.prisonpolicy.org/scans/14685.pdf)>

Office of Juvenile Justice and Delinquency Prevention **"Transfer of Adolescents to Adult Court: Effects of a Broad Policy in One Court"** (December 2012) <[www.ojjdp.gov/pubs/232932.pdf](http://www.ojjdp.gov/pubs/232932.pdf)>

Report of the Attorney-General (United States)'s National Task Force on Children Exposed to Violence **"Defending Childhood: Protect, Heal, Thrive Report of the Attorney General's National Task Force on Children Exposed to Violence "** (December 2012) <[www.justice.gov/defendingchildhood/](http://www.justice.gov/defendingchildhood/)>



Please note that if you know of recent research (be it articles, papers , books or visual/spoken media) that you think may be of interest to the youth justice sector, we would love to hear from you. Please email Emily: [emily.bruce@justice.govt.nz](mailto:emily.bruce@justice.govt.nz) .