

EDITORIAL NOTE: CHANGES MADE TO THIS JUDGMENT APPEAR IN [SQUARE BRACKETS].

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**IN THE YOUTH COURT
AT WHANGAREI**

**I TE KŌTI TAIOHI
KI WHANGĀREI-TERENGA-PARĀOA**

**CRI-2019-227-000021
[2020] NZYC 241**

**CHIEF EXECUTIVE OF ORANGA TAMARIKI—MINISTRY FOR
CHILDREN
NEW ZEALAND POLICE
Prosecutors**

v

**[DK]
Young Person**

Hearing: 14 May 2020

Appearances: A Lusk; Ms Cooper-Croft; Mr McGregor for the Chief Executive (via telephone)
Senior Constable Cameron for the Prosecutor New Zealand Police
C Cull for the Young Person (via AVL)

Judgment: 14 May 2020

NOTES OF JUDGE G L DAVIS ON BAIL APPLICATION

[1] [DK] is before the Court today. The appearance is as a result of the minute that I dictated on 11 May 2020. Appearing is Senior Constable Cameron. On the phone: Ms Cull via video link. Mr Lusk, Ms Kopa-Croft and Mr McGregor for Oranga Tamariki, each on the phone and most importantly, [DK] and his sister, [GB], also by way of telephone.

[2] On 11 May I raised some concerns about the supports that had been promised or put in place for [GB] and [DK], if [DK] were to be granted bail and I, in a rather forthright manner, invited the professionals to discuss with [GB] the supports that may be required. Today I am very grateful to Ms Kopa-Croft and her team for a comprehensive seven-page report that I have received. What appears to have happened is that the professionals have met with [GB] to discuss practical supports that she may require to ensure that bail for [DK] at her address is going to be a short-term and long-term success.

[3] Initially, [GB] seemed to suggest that she had most things that were needed to support her brother whilst he was on bail. However, after the meeting it appears that some of the practical issues such as clothes and shoes and bedding and beds and that were needed. Those have been approved by Oranga Tamariki and I am told that Ms Kopa-Croft and her team will discuss the specifics of that with [GB] and [DK] after this Court sitting and the beds, and so on, should be available tomorrow or Monday at the latest. Again, I express my thanks to them for that.

[4] The next issue that I considered appropriate to discuss was the mental health and drug and alcohol addiction supports that were in place for [DK]. Te Roopu Kimiora, and in particular, Ms Kirbishy have met already with [DK] and they are going to continue to meet on Tuesdays and Thursdays while we are at COVID Alert Level Two. Those meetings may be kanohi-ki-te-kanohi - face-to-face meetings. Again, I am grateful for that. The psychiatrist referral apparently has already occurred.

[5] As for mentoring, that is a little bit more problematic in my view. At best, Te Rūnanga o Te Rarawa clinician, [HR], cannot meet with [DK] (kanohi-ki-te-kanohi) until the latter stages of COVID-19 Alert Level Two. Quite what that means is very unclear to me. We might be at COVID-19 Alert Level Two for a considerable period of time. How one will know what the latter stages of that will look like or when that will be is very unclear. I invite Mr McGregor to push [HR] and Te Rūnanga o Te Rarawa as hard as they can to get the practical supports in place for [DK] which would extend beyond simply telephone calls or Zoom meetings or something of that nature.

[6] Another issue that has emerged that was not in the report is [GB] working with her brother to get him back into school. Ms Cull has pointed out there will be some issues with that and has asked that Ms Paul from the Ministry of Education be kept in the loop with that. She is likely to be able to help.

[7] All of the other issues in Ms Kopa-Croft's report are really care and protection issues and part of the longer-term strategy that needs to be developed and maintained for [DK]. I am very grateful, as I have signalled earlier, to everybody for the efforts that they have put in for [DK] over the course of the last couple of days and I just remind everybody that they need to continue for this whānau.

[8] I am satisfied that the report is appropriate, and the supports will be kept or put in place. On that basis, I am receiving the report and I am going to remand [DK] with bail to continue to 5 June 2020 in the crossover Court. The purpose of that is to receive the family group conference report that I have directed is to occur and be held at the earliest possible opportunity.

Judge GL Davis
Youth Court Judge

Date of authentication: 18/05/2020

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