



**MINISTRY OF SOCIAL  
DEVELOPMENT**  
TE MANATŪ WHAKAHIATO ORA

# **Offending by children in New Zealand**

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## **Disclaimer**

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# Executive summary

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Children who offend are a group who are under-researched in New Zealand. This research report aims to fill some key information gaps around the profile of child offenders in New Zealand and their patterns of offending and reoffending.

The findings from this research will inform future work under the cross-agency Youth Crime Action Plan in response to Government commitments made in September 2012 following the Social Services Select Committee's *Inquiry into the identification, rehabilitation, and care and protection of child offenders*.

Offending trajectories were examined for the 1995 to 1999 birth cohorts to the end of 2013, and child offenders aged 10 to 13 years in the period 2009 to 2013 were examined in some depth.

## Key findings

### **An estimated one in twenty New Zealand children offend before age 14**

An estimated 5% of children from the 1995 to 1999 birth cohorts<sup>1</sup> became known to Police in New Zealand for offending before reaching 14 years of age. Boys (7%) were twice as likely as girls (4%) to offend as children.

### **The number of child offenders has dropped considerably**

There has been a considerable drop (34%) in the number of children aged 10-13 years coming to the attention of Police for offending over the last five years (from 5,097 in 2009 to 3,374 in 2013). The rate of offending per 1,000 children aged 10-13 years resident in New Zealand dropped by almost the same amount (33%) between 2009 and 2013, implying that population changes are not a key driver of the decrease in child offenders.

### **Despite offending less, Māori children remain significantly over-represented**

Māori children were approximately three times more likely than non-Māori children to become known to Police as an offender by age 14. The difference was larger for girls than boys when comparing Māori versus non-Māori rates.

Māori accounted for just over half of the overall drop in child offenders. However, as this was off the highest base figure, proportionally the drop in numbers over the five year period (32%) was less than that seen for Pacific peoples and Europeans (both 40%). This meant that in 2013 Māori accounted for 59% of the child offenders coming to the attention of Police compared to 56% in 2009.

In terms of population-adjusted rates of offending by children aged 10-13 years, Māori children were six times more likely to have been apprehended in 2013 than European/Other children, and nearly five times more likely than Pacific children. These disparities have grown a little over the last five years.

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<sup>1</sup> Birth cohort rates were calculated for people 'ever present' in New Zealand. This was taken to be the total of people born in New Zealand, as well as permanent and long-term migrants from particular birth cohorts.

## **Large drop in shoplifting, and violent offending down**

Theft, particularly shoplifting, is the most frequent type of offence committed by children, followed by burglary and property damage. Theft showed the largest numerical decrease between 2009 and 2013 (898 or 43%). Violent offending by children has reduced over the last five years with robbery-related offences halving, while acts intended to cause injury reduced by 25%. Sexual offences were the only offence type not to reduce in number over the last five years.

## **Fewer children are becoming offenders**

The number of children aged 10-13 years coming to the attention of Police as first-time offenders dropped by 41% (1,344) between 2009 and 2013. This is a much larger drop than that seen in repeat offenders over the same period (21% or 379).

Over half the overall drop in first-time child offenders between 2009 and 2013 was due to 700 fewer children being apprehended for shoplifting as their first-ever offence.

With the largest decrease in offending occurring for offences towards the lower end of the seriousness spectrum, the average seriousness of all offences committed by children in 2013 was somewhat higher in 2013 than in 2009.

## **Early identification of persistent offenders is critical to reduce crime**

Although a minority of child offenders (20%) committed the majority of offences (57%) in the five year period 2009 to 2013, this is not a numerically small group (3,605 children who committed 22,444 offences). However, included in these figures are 820 children who between them committed over 11,000 offences, an average of 13 offences each. A small group (170) of these 820 children committed an average of 25 offences each, totalling nearly 4,200 offences.

These figures support the view that early identification and application of effective interventions with high-risk child offenders presents an opportunity to steer the children onto a more positive path, thereby preventing a large number of future crimes and a large number of people from becoming victims.

## **Police responses reflect changing patterns of offending**

Between 2009 and 2013 there was a decrease in the use of warnings and a concurrent increase in the use of Alternative Action (a form of diversion) by Police Youth Aid for all child offenders. In 2013, 39% of child offenders were warned and 53% of cases were resolved by Alternative Action, compared to 49% and 43% respectively in 2009. At least part of this trend is due to the changing nature of offences and offenders being apprehended over the five-year period, for example fewer first-time offenders being apprehended for offences of lower seriousness.

Each year around 6% to 7% of child offenders have their cases resolved by 'Family Group Conference (FGC) or prosecution'. For children this usually means that the Police made a referral to Child, Youth and Family for a child offender FGC because of concerns around their offending. Only a small number of children are formally charged in Court.<sup>2</sup>

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<sup>2</sup> Figures are not readily available on the number of children prosecuted each year.

## **A little over half of all child offenders reoffend within two years**

Just over one-third of child offenders in 2009 reoffended within 12 months of being apprehended by the Police, while a little over half reoffended within two years. Within four years of being apprehended in 2009, two-thirds of children had reoffended.

Boys are considerably more likely to reoffend than girls regardless of the follow-up period. The same is true for Māori children compared to all other ethnic groups. Reoffending rates are generally higher the older the child is. Children apprehended for burglary and robbery-related offences were the most likely to reoffend. Repeat child offenders were considerably more likely to reoffend than first-time offenders no matter what the follow-up period.

Of the children aged 10-13 years apprehended in 2012, 25% of those who were warned reoffended within 12 months compared to 36% of those dealt with by Alternative Action and 62% of those referred for a Youth Justice FGC. These differences in reoffending rates are likely to be, at least in part, a reflection of differing characteristics of the children that are dealt with in different ways by Police. For example, children who have more extensive offending histories are likely to get more serious sanctions applied, and we know that the more often people have offended in the past, the more likely they are to reoffend in the future.

## **Conclusions**

Offending by children aged 10-13 years has dropped in the last five years for both genders, across all ethnic groups and ages, across almost all offence types, and in all regions.

A falling youth crime rate is not unique to New Zealand, and the reasons for the fall are unclear and therefore subject to debate. It is likely due to the confluence of a number of factors such as: changes in police practice; better public and private security measures; more effective youth justice interventions; goods often subject to theft or burglary historically continuing to become affordable to more people; and a proliferation of smart phones and video gaming devices among youth which may prevent some opportunistic crimes through boredom. The factors behind the fall in crime may also differ for different types of crime.

Much of the drop in offending by children in New Zealand has been because fewer children are becoming offenders in the first place – a very positive finding.

It is encouraging that there was at least a third fewer child offenders from all ethnic groups apprehended in 2013 than in 2009. However, the decrease for Māori was smaller than that seen for European and Pacific children, with the consequence that the over-representation in the offender statistics of Māori children is exacerbated. This over-representation at the front-end of the youth justice system flows through to other parts of the system (i.e. Child, Youth and Family and the Youth Court).

It is important to understand and address the complex interplay of risk factors that lead to Māori children, both boys and girls, being apprehended at a greater rate than children from other ethnic groups. Broadly, attention needs to focus on two areas. Firstly, the rate of Māori children offending and entering the youth justice system in the first instance needs to be reduced. Secondly, for those children who do come in contact with

the system, there needs to be effective interventions to increase the likelihood that they do not reoffend.

A core of persistent child offenders committed very large numbers of offences over the five year period 2009 to 2013. This supports the view that early identification and application of effective interventions with high-risk child offenders presents an opportunity to steer the children onto a more positive path, thereby preventing a large number of future crimes and a large number of people from becoming victims.

Children who offend are a group who are under-researched in New Zealand. There would be benefit to further research in the following areas:

- The dynamics of offending by Māori children, and what effective interventions for this group would look like.
- Who are the high-risk child offenders, how can they be identified early, and what would effective interventions for this group look like?

# Part 1 – Introduction

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Children who offend are a group who are under-researched in New Zealand – particularly at a national level. Fergusson et al. (2000) examined offending trajectories for a little over 900 children from birth to age 18 using data gathered over the course of a longitudinal study.<sup>3</sup> The analysis identified four trajectory groups: non-offenders, moderate risk offenders, adolescent onset offenders, and chronic offenders. These groups were not even in size, comprising 55%, 31%, 8% and 6% of the cohort respectively. The wealth of information collected on individuals in the course of the longitudinal study is understandably not available solely from the administrative data used in this report.

This research aims to fill some key information gaps around the profile of child offenders in New Zealand and their patterns of offending and reoffending.

A child is defined in the Children, Young Persons, and Their Families Act 1989 (CYPF Act) as a boy or girl under the age of 14 years. A child of any age can be apprehended by the Police for an offence, but the actions that can be taken are different for different ages.<sup>4</sup>

Children aged under 10 years cannot be held criminally responsible for any type of offence. Therefore, the small numbers of such children apprehended by Police are warned or are dealt with informally by the Police Youth Aid Section.

Children aged 10 to 13 years can be convicted of an offence (or have their case proved in the Youth Court) only if the judge is satisfied that the child knew either that the act or omission was wrong or that it was contrary to the law. Children in this age group may be formally charged with murder or manslaughter. In addition, from 1 October 2010, 12- and 13-year-olds can be dealt with by the Youth Court if they are charged with an offence carrying a maximum term of imprisonment of 14 years or more, or if the child has previously offended and is charged with an offence carrying a maximum sentence of at least 10 years' imprisonment. Any other criminal offending is dealt with as a care and protection matter.

This report presents the results of analysis of Police apprehension data to answer the following questions, including whether there have been any changes over time:

1. What proportion of New Zealand children offend and come to the attention of Police?
2. What is the demographic profile of child offenders?
3. What actions do the Police take against child offenders?
4. What are the reoffending rates for child offenders?
5. How many child offenders commit serious offences, and when does this occur?

The findings from this research will inform future work under the cross-agency Youth Crime Action Plan in response to Government commitments made in September 2012

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<sup>3</sup> Fergusson, D. M., Horwood, L. J., and Nagin, D. S. (2000), 'Offending Trajectories in a New Zealand Birth Cohort', *Criminology*, 38/2: 525–51.

<sup>4</sup> An apprehension occurs when Police determine that a person is responsible for having committed an offence, and advise this person that s/he will be recorded as being responsible for the offence. Apprehension does not necessarily involve the arrest of the person.

following the Social Services Select Committee's *Inquiry into the identification, rehabilitation, and care and protection of child offenders*.<sup>5</sup>

The following chapter estimates the proportion of New Zealand children who become known to Police as offenders before age 14 years. Because children aged under 10 years are not often apprehended by the Police, and cannot be prosecuted, the focus for the remainder of the report is on child offenders aged 10 to 13 years.

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<sup>5</sup> The Social Services Select Committee's Inquiry report can be retrieved from: [http://www.parliament.nz/en-nz/pb/sc/documents/reports/50DBSCH\\_SCR5510\\_1/inquiry-into-the-identification-rehabilitation-and-care](http://www.parliament.nz/en-nz/pb/sc/documents/reports/50DBSCH_SCR5510_1/inquiry-into-the-identification-rehabilitation-and-care). The Government response report can be retrieved from: <http://www.beehive.govt.nz/release/government-responds-child-offending-report>.

## **Part 2 – An estimated one in twenty New Zealand children offend**

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It is valuable to estimate what proportion of New Zealand children become known to Police because of their offending. The approach used here was to examine the 1995 to 1999 birth cohorts to estimate how many children were apprehended at any age before turning 14-years-old. The 1999 birth cohort turn 14-years-old in 2013, but for the four earlier birth cohorts we can also track their offending to older ages. For example, up to their 18<sup>th</sup> birthday in 2013 for the 1995 birth cohort.

Police apprehension data includes people born overseas as well as those born in New Zealand, so this must be taken into account in analyses.

Given this, we can estimate a base birth cohort figure that represents the total number of children born in a particular year who were 'ever present' in New Zealand (excluding tourists). See Appendices A and B for further details on this methodology, including limitations.

It is difficult to place the figures below in any sort of context as to whether they are high or low internationally. There is little comparable data available, and international comparisons are fraught by issues such as differing definitions and counting rules.

### **Boys are twice as likely as girls to offend as children**

An estimated 5.4% of children in the 1995 to 1999 birth cohorts who were ever present in New Zealand became known to Police for offending before reaching 14 years of age. Boys (7.1%) are twice as likely as girls (3.5%) to offend before age 14.

Across the 1996 to 1999 birth cohorts, there has been a small (around 1%) percentage point decrease in the likelihood of both boys and girls becoming known to Police for offending before age 14 (Table 1).

### **Māori are considerably more likely than non-Māori to become child offenders**

Māori children were estimated to be around three times more likely than non-Māori children to have become known to Police as an offender by age 14 (Appendix C, Tables C1 and C2). The difference was larger for girls than boys when comparing Māori versus non-Māori rates.

### **By age 18, one in five males and one in eight females have offended**

For the 1995 birth cohort, we can track each person's offending until they turn 18-years-old in 2013. By the time they turned 18-years-old, an estimated 17% of the cohort were known to Police as offenders, with the figure being 21% for males and 12% for females.

Māori children (27%) were considerably more likely than non-Māori children (14%) to have become known to Police as an offender by age 18 (Appendix C, Tables C1 and C2). Māori girls were 2.3 times more likely than non-Māori girls to have offended by age 18. For boys, the difference was smaller, with Māori boys being 1.7 times more likely to offend than non-Māori boys by age 18.

**Table 1: Estimated percentage of all children in the 1995 to 1999 birth cohorts who had offended at least once before reaching each age<sup>1</sup>**

Gender & birth year	10 years	11 years	12 years	13 years	14 years	15 years	16 years	17 years	18 years
<b>Male</b>									
1995	0.2%	1.1%	2.4%	4.3%	<b>7.0%</b>	10.8%	14.3%	17.6%	21.4%
1996	0.7%	1.4%	2.6%	4.5%	<b>7.4%</b>	10.5%	13.4%	15.9%	n/a
1997	1.0%	1.8%	3.0%	5.1%	<b>7.5%</b>	10.3%	12.7%	n/a	n/a
1998	1.1%	1.8%	3.0%	4.7%	<b>7.1%</b>	9.4%	n/a	n/a	n/a
1999	1.0%	1.9%	3.0%	4.4%	<b>6.3%</b>	n/a	n/a	n/a	n/a
<b>Female</b>									
1995	0.0%	0.3%	0.8%	1.7%	<b>3.6%</b>	6.6%	9.0%	10.5%	12.1%
1996	0.2%	0.4%	0.9%	1.8%	<b>3.9%</b>	6.5%	8.5%	9.8%	n/a
1997	0.2%	0.4%	0.9%	1.9%	<b>3.6%</b>	5.8%	7.3%	n/a	n/a
1998	0.2%	0.4%	0.9%	1.9%	<b>3.4%</b>	5.2%	n/a	n/a	n/a
1999	0.3%	0.5%	0.9%	1.7%	<b>3.1%</b>	n/a	n/a	n/a	n/a
<b>Total</b>									
1995	0.1%	0.7%	1.6%	3.0%	<b>5.4%</b>	8.8%	11.8%	14.2%	16.9%
1996	0.4%	0.9%	1.8%	3.2%	<b>5.7%</b>	8.6%	11.0%	12.9%	n/a
1997	0.6%	1.1%	2.0%	3.5%	<b>5.6%</b>	8.1%	10.1%	n/a	n/a
1998	0.7%	1.1%	2.0%	3.3%	<b>5.3%</b>	7.4%	n/a	n/a	n/a
1999	0.7%	1.2%	2.0%	3.1%	<b>4.7%</b>	n/a	n/a	n/a	n/a

Notes:

1. Caution needs to be taken with the younger age figures, particularly for the 1995 and 1996 birth cohorts, as apprehension data are not reliable in the Police NIA computer system prior to July 2005. This means some offences committed by children from these birth cohorts when aged 10 or under may not have been recorded.
2. n/a = not available.

Source: Police offender apprehension data; Statistics New Zealand live births and permanent and long-term migrant data.

The over-representation of Māori children in apprehension statistics is likely due in part to higher base rates of offending than non-Māori. For example, the 2012 Youth Survey asked Year 9 to 13 school students: "In the last 12 months have you been in trouble with the police?". Self-report offending rates for Māori youth were significantly higher (around twice as high) than those of non-Māori youth (Table 2). It seems likely that similar results would be found for younger children.

**Table 2: Whether youths self-reported being in trouble with the Police in the last 12 months**

Ethnicity		Never	Not in the last year	Once	Twice or more	Total
<b>Māori</b>	Number	1,184	95	205	89	1,573
	Percentage	75.34	6.10	13.00	5.56	100
	95% CI	(72.27, 78.41)	(4.84, 7.36)	(10.83, 15.17)	(4.19, 6.93)	
<b>Non-Māori</b>	Number	5,683	257	443	144	6,527
	Percentage	87.09	3.91	6.79	2.21	100
	95% CI	(85.77, 88.42)	(3.38, 4.44)	(5.97, 7.61)	(1.82, 2.59)	

Source: Youth'12 National Health and Wellbeing Survey of New Zealand Secondary School Students, Adolescent Health Research Group, The University of Auckland, unpublished table provided by Dr Terryann Clark in email correspondence dated 15 September 2014.

## Part 3 – The number of child offenders has dropped

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Information is available on the number of apprehensions of child offenders aged 10–13 years through NZ.Stat on the Statistics New Zealand website.<sup>6</sup> However, that data is an over-count of distinct child offenders within each year by around 40-50% as an individual who is apprehended for say two offences will count as two apprehensions.

According to the data used for this report, in the 2013 calendar year there were 3,374 distinct child offenders apprehended for a total of 6,569 offences. Similarly, in 2009 there were 5,097 distinct child offenders apprehended for 8,935 offences. The information below relates to distinct individuals appearing in each calendar year. Individuals, can, however appear in more than one year.

### Number of child offenders is falling

#### One-third fewer child offenders were apprehended in 2013 than in 2009

There has been a considerable drop in the number of children aged 10 to 13 years coming to the attention of Police for offending over the last five calendar years (Table 3). The number has dropped by 34% from 5,097 in 2009 to 3,374 in 2013.

The overall rate of offending per 1,000 children aged 10 to 13 years has dropped from 21 to 14 over the last five years, a drop of 33%. This is a similar sized decrease to that seen in the raw numbers, implying population changes are not a key driver of the overall decrease in child offenders.<sup>7</sup> Refer to Appendix C, Table C3 which presents the figures above as rates per 1,000 children resident in New Zealand.

The decrease in the number of child offenders over the five-year period was marginally higher for girls (35%) than boys (33%). Changes in the population-adjusted rates of offending according to gender were similar.

#### Despite numbers of Māori child offenders falling, they remain over-represented

Māori accounted for just over half of the overall drop in child offenders between 2009 and 2013 (894 of the total 1,723 drop). However, this was off the highest base figure. Proportionally the drop in numbers over the five-year period (32%) was less than that seen for Pacific and European children (both 40%). This meant that Māori accounted for 59% of the children coming to the attention of Police in 2013, compared to 56% in 2009.

In terms of population-adjusted rates of offending, Māori children were six times more likely to have been apprehended in 2013 than European/Other<sup>8</sup> children, and nearly five times more likely than Pacific children (Appendix C, Table C3).<sup>9</sup> These disparities have grown a little over the last five years.

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<sup>6</sup> Note that crime figures published in NZ.Stat exclude traffic-related offences.

<sup>7</sup> The estimated total number of 10-13 year-olds resident in New Zealand was 1.4% lower in 2013 than in 2009.

<sup>8</sup> Rates could only be calculated for European children and children of 'Other' ethnicity (excluding Asian) combined.

<sup>9</sup> The number of Māori aged 10-13 years resident in New Zealand was marginally lower (0.4%) in 2013 than in 2009, while European/Other children decreased in number by 2%. In contrast, the number of Pacific children aged 10-13 years increased by 7% between 2009 and 2013.

**Table 3: Characteristics of child offenders, by calendar year apprehended<sup>1</sup>**

	2009	2010	2011	2012	2013	Overall % change
Number of child offenders	5,097	4,946	4,368	3,901	3,374	-34%
<b>Gender</b>						
Male	3,537	3,487	3,080	2,767	2,367	-33%
Female	1,560	1,459	1,288	1,134	1,007	-35%
<b>Ethnicity</b>						
Māori	2,836	2,751	2,505	2,244	1,942	-32%
European	1,686	1,610	1,372	1,229	1,017	-40%
Pacific peoples	404	403	319	271	241	-40%
Other	120	114	100	78	79	-34%
Unknown	51	68	72	79	95	-
<b>Age at time of offending</b>						
10 years	434	404	373	348	297	-32%
11 years	743	731	606	607	477	-36%
12 years	1,337	1,301	1,099	1,022	886	-34%
13 years	2,583	2,510	2,290	1,924	1,714	-34%
<b>Most serious offence<sup>2</sup></b>						
Theft-related	2,102	1,941	1,678	1,552	1,204	-43%
Burglary	696	663	663	549	554	-20%
Property damage	779	767	609	563	494	-37%
Injury causing acts <sup>3</sup>	501	552	530	433	374	-25%
Public order	362	377	353	306	288	-20%
Illicit drugs	154	162	137	100	103	-33%
Abduction & harassment	130	133	107	103	100	-23%
Weapons-related	136	141	100	112	95	-30%
Robbery-related	96	74	67	61	48	-50%
Sexual	47	50	55	55	48	+2%
Fraud & deception	33	32	27	29	26	-21%
Dangerous acts	21	24	15	10	17	-19%
Against justice	19	11	19	23	14	-26%
Other <sup>4</sup>	21	19	8	5	9	-57%
<b>Offender type</b>						
First-time offender	3,311	3,104	2,655	2,401	1,967	-41%
Repeat offender	1,786	1,842	1,713	1,500	1,407	-21%

Notes:

1. Figures in this table represent the number of distinct individuals coming to the attention of Police within each calendar year (individuals can, however, appear in more than one year). Around 30% of children commit more than one offence within a calendar year. For these people, all information was taken at the time when they committed their most serious offence within the year.
2. Minor traffic offences and minor non-traffic offences that can be dealt with as infringement offences were excluded from analysis in this report. See Appendix E for further information.
3. Includes a very small number of homicide-related offences.
4. Includes some 'non-minor' traffic offences not elsewhere included, as well as 'miscellaneous' offences.

Source: Police offender apprehension data.

## **Older children are more likely than younger children to offend**

In terms of population-adjusted rates of offending, 13-year-olds were over five times more likely to be apprehended in 2013 than 10-year-olds.

All of the individual years of age showed decreases in numbers and population-adjusted rates of offending of around one-third. The decrease for 10-year-olds was slightly less than that seen for the three older ages.

## **Large drop in shoplifting, and violent offending down**

Theft, particularly shoplifting, is the most frequent type of offence committed by children, followed by burglary and property damage (see Appendix D for a description of the most common offences within each offence division). Theft showed the largest numerical decrease between 2009 and 2013 (898 or 43%). All the other offence divisions, with the exception of sexual offences, also decreased in number over the five-year period. Violent offending by children has reduced over the last five years, with robbery-related offences halving from 96 in 2009 to 48 in 2013, while acts intended to cause injury reduced by 25%.

The number of children apprehended for sexual offences has remained relatively static over the last five years, numbering between 47 and 55 per annum. It is difficult to interpret trends in sexual offences as they have low reporting rates and numbers are therefore susceptible to changes in the likelihood of offences being reported to Police. Numbers are also affected by how soon after the offence it is reported to Police. Police official statistics for any given year include only offences that took place within the year and were reported/resolved within 14 days of the end of the year.

## **Fewer first-time child offenders**

The number of children coming to the attention of Police as first-time offenders dropped by 41% (1,344) between 2009 and 2013. This is a much larger drop than that seen in repeat offenders over the same period (21% or 379). This change meant that 42% of all child offenders in 2013 were repeat offenders compared with 35% in 2009. The changes above in first-time and repeat offenders were generally seen across both genders and all ethnic groups and ages (Appendix C, Tables C4 to C6).

Over half the overall drop in first-time child offenders between 2009 and 2013 was due to 700 fewer children being apprehended for shoplifting as their first-ever offence.

## **Rates of less serious crime are dropping faster than rates of more serious crime**

The majority of offending by children is towards the lower end of the seriousness spectrum. Offences of "Low-medium" seriousness are the most common offences by children and showed the largest decrease (42%) over the last five years (Table 4). The most common offence in this category is shoplifting, with the number of such offences almost halving in number from 1,462 in 2009 to 783 in 2013. As noted earlier, much of this was a drop in children being apprehended for shoplifting as their first-ever offence.

Offences of "High" seriousness decreased in number by 36% between 2009 and 2013, with the largest drops occurring for arson and burglary offences.

Offences of "Very high" seriousness by children are almost all aggravated sexual assault or aggravated robbery offences. The number of such offences was 22% lower in 2013

than in 2009, with this drop mostly being due to a decrease in the number of aggravated robbery offences.

There was no clear pattern to the size of the decreases in offence counts between 2009 and 2013 according to seriousness levels. The numerically largest seriousness category (“Low-medium”) showed the largest decrease (42%) between 2009 and 2013. This contributed to the average seriousness of all offences that children were apprehended for increasing a little between these years.

**Table 4: Number of offences with each level of seriousness and average seriousness of offending by children, by calendar year apprehended<sup>1</sup>**

Seriousness level	2009	2010	2011	2012	2013	Overall % change
Low	1,347	1,394	1,152	1,035	953	-29%
Low-medium	2,046	1,890	1,681	1,578	1,189	-42%
Medium	494	499	432	376	347	-30%
Medium-high	702	646	619	468	549	-22%
High	419	432	388	361	267	-36%
Very high	89	85	96	83	69	-22%
Average seriousness	115	114	122	131	125	+9%

Note:

1. Seriousness scores were taken from the 2013 version of the Justice Sector Seriousness Scale produced by the Ministry of Justice. See Appendix E for information on measuring offence seriousness.

Source: Police offender apprehension data.

## Regional decreases in offending by children differ

All regions experienced decreases in the number of child offenders apprehended over the five-year period examined (Table 5). However, the size of the decrease varied considerably from 17% in Northland to 52% in Wellington.

**Table 5: Region where offending by children occurred, by calendar year apprehended<sup>1</sup>**

Region	2009	2010	2011	2012	2013	Overall % change
Northland	275	227	246	214	227	-17%
Auckland	993	988	926	745	709	-29%
Waikato	510	469	486	402	380	-25%
Bay of Plenty	650	643	525	489	373	-43%
Eastern <sup>2</sup>	427	518	434	387	336	-21%
Central <sup>3</sup>	521	522	511	412	384	-26%
Wellington	507	424	311	327	245	-52%
Tasman <sup>4</sup>	281	221	212	215	171	-39%
Canterbury	574	600	435	390	335	-42%
Southern <sup>5</sup>	354	331	277	320	212	-40%

Notes:

1. The table excludes 15 cases where the location of the offence was not recorded in the data.

2. Gisborne and Hawke’s Bay regions combined.

3. Manawatu-Wanganui and Taranaki regions combined.

4. Marlborough, Nelson, Tasman and West Coast regions combined.

5. Otago and Southland regions combined.

Source: Police offender apprehension data.

The largest decreases in population-adjusted rates of offending between 2009 and 2013 occurred in Wellington (51%) and Bay of Plenty (40%), while the smallest decrease (13%) occurred in Northland (Table 6).

**Table 6: Estimated rates of apprehension per 1,000 children aged 10 to 13 years in each region, by calendar year apprehended**

Region	2009	2010	2011	2012	2013	Overall % change
Northland	29	24	26	23	25	-13%
Auckland	13	12	12	10	9	-28%
Waikato	21	20	21	17	16	-23%
Bay of Plenty	40	40	32	31	24	-40%
Eastern	34	42	36	32	29	-15%
Central	27	28	27	23	22	-20%
Wellington	21	17	13	14	10	-51%
Tasman	32	26	24	25	20	-37%
Canterbury	20	21	16	15	13	-37%
Southern	25	24	20	23	15	-38%

Notes: See the notes to the previous table.

Source: Police offender apprehension data; Statistics New Zealand subnational population estimates for 10-14 year-olds, adjusted to remove 14-year-olds based on 2006 and 2013 Census data by region and single year of age.

The Auckland and Wellington regions had the lowest population-adjusted rates of child offending in 2013 (9 and 10 per 1,000 children respectively), while the Eastern, Northland and Bay of Plenty regions had rates that were more than twice as high. Given the significant over-representation of Māori in child offender statistics, these higher rates may be a reflection of proportionally larger populations of Māori children. While Auckland has the largest number of Māori children of any region, because of its large ethnically diverse population, these children comprise the lowest proportion of the total number of children of any North Island region.

## A minority of child offenders commit the majority of crime by children

Reference is sometimes made in literature to the notion that a small group of offenders account for a large proportion of all crime committed. Whether this holds true for child offenders was investigated for the period 2009 to 2013.

A total of 39,245 offences came to the attention of Police over this five-year period and resulted in the apprehension of 17,588 children.<sup>10</sup>

Looking at the highest frequency child offenders between 2009 and 2013:

- 1% (170) of the children committed 11% (4,196) of all offences
- 5% (820) of the children committed 28% (11,031) of all offences
- 10% (1,690) of the children committed 41% (16,027) of all offences
- 20% (3,605) of the children committed 57% (22,444) of all offences.

<sup>10</sup> This (17,558) is the number of distinct children apprehended between 2009 and 2013, only counting each person once. In earlier tables in this chapter, individuals could appear in more than one calendar year.

Although a minority of child offenders (20%) did commit the majority of offences (57%) in the five-year period, this is not a numerically small group (3,605 children). However, included in these figures are 820 children who between them committed over 11,000 offences (an average of 13 offences each). A small group (170) of these 820 children committed an average of 25 offences each (totalling nearly 4,200 offences).

The small group of 170 high-frequency child offenders committed 11% of all offences by children over the five-year period. Three-quarters of the nearly 4,200 offences committed by these children were theft-related (32%), burglary (23%) or property damage (21%). Six percent of offences by this group were violent offences.

The figures above support the view that early identification and application of effective interventions with high-risk child offenders presents an opportunity to steer the children onto a more positive path, thereby preventing a large number of future crimes, and a large number of people from becoming victims.<sup>11</sup>

## **The majority of violent crimes committed by child offenders are one-off acts**

A similar analysis to above was undertaken to see if a small group of child offenders accounted for a large proportion of violent crime committed by children. For this analysis, violent crime was limited to the two ANZSOC offence divisions “acts intended to cause injury [including homicide]” and “robbery-related offences”.

The vast majority (81%) of the total 17,588 child offenders between 2009 and 2013 did not commit a violent offence during this period. The remaining 19% (3,288) of children did commit a violent offence, with just over three-quarters (2,580) committing a single violent offence, and the remaining 708 committing more than one violent offence.

The total number of violent offences committed by children was 4,493 over the five-year period. With 2,580 children committing a single offence, this means the remaining 708 children committed 1,913 violent offences between them. This is 43% of all violent offences by child offenders over the five-year period.

In summary, the majority of acts of violence by children leading to apprehension by Police in the period examined are one-off by a reasonably large group (2,580 children). However, there was a group of 708 child offenders who after their first apprehension for a violent offence, committed a further 1,205 violent offences between them. Further investigation would be needed to determine whether there are opportunities to reduce repeat violent offending. This has the potential to save a large number of people from becoming victims of violence.

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<sup>11</sup> See for example: <https://www.msd.govt.nz/about-msd-and-our-work/publications-resources/research/conduct-problems-best-practice/effective-programmes-for-adolescents.html>.

## Part 4 – Police responses reflect changing patterns of offending

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### Police actions that can be taken in response to offending by children

There are a number of actions Police can take to deal with children aged 10 to 13 years who come to their attention for offending. These are grouped in this report into the four method of proceeding categories outlined below.

#### Warning<sup>12</sup>

- Issue a warning to the child, followed as soon as practicable by written notice of the warning.

#### Alternative Action

- The Police Youth Aid Section can arrange an informal diversionary response known as Alternative Action.<sup>13</sup>

#### Family Group Conference (FGC) or Prosecution<sup>14</sup>

- Arrest the child and lay charges in the Youth Court.<sup>15</sup> This method of proceeding is uncommon for children.
- Refer the child to Child, Youth and Family for a child offender FGC if the Police believe the child is in need of care or protection because of their offending.<sup>16</sup> This may lead to an application to the Family Court that the child is in need of care and protection based on the grounds specified in s14(1)(e) of the CYPF Act.

#### Other

- An offence may be resolved for 'Other' reasons than those specified above, eg the child is already in custody or no action will be taken against the child because of their mental condition.

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<sup>12</sup> Children can also be formally cautioned by Police, but this is very rare given that it can only occur if a FGC decides that a formal caution is the appropriate way to deal with the offending.

<sup>13</sup> Alternative Action plans may involve elements such as: a letter of apology to the victim; reparation to the victim; a donation to a nominated charity; community work; attending a programme or counselling; re-enrolling in school or a training course; a curfew; or commitments not to associate with negative peers.

<sup>14</sup> Investigation in the CYRAS database of a small sample of records where the method of proceeding was recorded in the Police data as "Youth Justice FGC" or "Prosecution" showed that for both categories, the vast majority of cases involved the referral of the child to Child, Youth and Family for a child offender FGC.

<sup>15</sup> The Government's Fresh Start reforms included legislative changes from 1 October 2010 that widened the jurisdiction of the Youth Court to allow prosecution of 12- and 13-year-olds accused of serious offences other than just murder and manslaughter, or who commit repeat offences.

<sup>16</sup> The child is considered to be in need of care and protection on the grounds of having committed an offence or offences the number, nature, or magnitude of which is such as to give serious concern for their well-being.

## Changes in Police responses reflect changes in offence seriousness

Over the last five years there has been a decrease in the use of warnings for child offenders from 49% in 2009 to 39% in 2013 (Table 7). In contrast, the use of Alternative Action by the Police Youth Aid Section has increased from 43% in 2009 to 53% in 2013. These changes are likely a reflection of changes in the types of offences and offenders being apprehended over the five-year period examined, particularly with the largest decreases occurring at the lower end of the seriousness spectrum.

**Table 7: Police method of proceeding against child offenders aged 10 to 13 years, by calendar year apprehended<sup>1</sup>**

Method of proceeding <sup>2</sup>	2009 (n=5,097)	2010 (n=4,946)	2011 (n=4,368)	2012 (n=3,901)	2013 (n=3,374)
Warning	48.6%	45.9%	43.4%	40.0%	39.4%
Alternative Action	42.8%	46.5%	47.5%	51.6%	53.3%
FGC or Prosecution	6.3%	5.3%	6.8%	6.7%	6.7%
Other	2.3%	2.3%	2.3%	1.8%	0.5%
Total	100.0%	100.0%	100.0%	100.0%	100.0%

Notes:

1. If a child was apprehended more than once within a calendar year, only the method of proceeding associated with the most serious offence is shown.
2. The method of proceeding recorded in the Police data may not always accurately reflect the final resolution of the case. See Appendix E for further information.

Source: Police offender apprehension data.

In 2013, children who were first-time offenders were considerably more likely to be warned than repeat offenders (47% compared to 29%), and much less likely to have their offence resolved by the use of Alternative Action by the Police Youth Aid Section (49% compared to 60%). Refer to Appendix C, Table C7.

Only a small number of 10- to 13-year-olds are formally charged in Court.<sup>17</sup> It is much more common for the Police to pursue a declaration in the Family Court that the child is in need of care or protection because of concerns around their offending. This is preceded by a referral to Child, Youth and Family for a child offender FGC to be convened, where the appropriate course of action will be discussed. Over the five years examined, 6% of all apprehensions of children have been resolved by 'FGC or Prosecution'.

Each year around 3% of first-time child offenders have their cases resolved by 'FGC or Prosecution'. For repeat child offenders, between 10% and 13% of cases annually are resolved this way.

<sup>17</sup> In April 2014, Insights MSD examined 34 cases involving children aged 12- or 13-years-old who had appeared in the Youth Court between 1 October 2010 and 30 June 2013. One case involved murder and was transferred to the High Court, with the 33 other cases involving offences which could have only been prosecuted under the widened jurisdiction of the Youth Court enacted from 1 October 2010. Of the 33 cases under the widened jurisdiction, CYRAS records indicated that eight were "proved" in the Youth Court; 11 cases received s282 discharges; two cases were dismissed; and one case was still in progress. The other 11 cases were "pushed back" to the Family Court to be dealt with as care and protection cases.

## **Younger children and first-time offenders are least likely to be referred for a Family Group Conference**

Of the 3,732 children from the 1995 birth cohort who came to the attention of Police for offending before they turned 14, 9% (333) had been referred to Child, Youth and Family for a FGC to be convened by a youth justice co-ordinator. Most often (71% of cases) these children were 13-years-old when they were first referred, with 20% being referred at age 12 and 7% at age 11.

The 333 children had committed an average of three offences before referral. However, included in this figure were just over a third of the children who were referred to Child, Youth and Family for a Youth Justice FGC on their first offence.

## **Part 5 – A little over half of all child offenders reoffend within two years**

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This section examines patterns of reoffending over the next four years for children who came to the attention of Police as offenders in 2009. One-year reoffending rates are also examined for children apprehended in the years 2009 to 2012 according to the method of proceeding by Police.

Just over one-third of child offenders in 2009 reoffended within one year of being apprehended by the Police, while a little over half reoffended within two years (Table 8). Within four years of being apprehended, two-thirds of children had reoffended.

Boys are considerably more likely to reoffend than girls no matter what the follow-up period is.

Similarly, Māori children are more likely to reoffend than all other ethnic groups no matter what the follow-up period. Pacific children are slightly more likely to reoffend than European children.

Reoffending rates at one-, two- and three-year follow-up are higher the older the child was at apprehension. However, by the four-year follow-up period, the rates for each of the four ages are closer.

Children apprehended for burglary and robbery-related offences were the most likely to reoffend, no matter what the follow-up period. While theft-related offences are the most common offence type committed by children, the reoffending rate for this offence is lower than the rates for other common offence types. This is due in part to a reasonably large number of children who shoplift as their first-ever offence, but after being dealt with by the Police don't reoffend.

Repeat child offenders were considerably more likely to continue to reoffend than first-time offenders no matter what the follow-up period.

**Table 8: Proportion of child offenders in 2009 who reoffended over the next four years, by characteristic**

	Reoffending follow-up period			
	1 year	2 years	3 years	4 years
<b>Gender</b>				
Male	39.1%	55.9%	65.6%	71.0%
Female	26.7%	43.0%	50.8%	56.0%
<b>Ethnicity</b>				
Māori	41.1%	60.4%	69.4%	73.9%
European	28.4%	42.0%	51.8%	58.2%
Pacific peoples	32.9%	47.3%	56.7%	63.1%
Other	18.3%	27.5%	35.0%	37.5%
<b>Age at time of offending</b>				
10 years	24.2%	40.3%	51.2%	57.1%
11 years	25.2%	44.3%	58.8%	64.2%
12 years	31.3%	50.2%	60.1%	66.5%
13 years	42.2%	57.0%	64.0%	68.5%
<b>Most serious offence</b>				
Theft-related	29.3%	45.9%	55.1%	59.7%
Burglary	59.8%	73.1%	80.3%	83.8%
Property damage	32.7%	51.7%	61.7%	67.5%
Injury causing acts	36.1%	52.5%	62.5%	67.9%
Public order	29.0%	45.3%	55.2%	62.2%
Illicit drugs	26.6%	44.2%	50.6%	59.1%
Abduction & harassment	36.9%	53.1%	63.8%	73.8%
Weapons-related	34.6%	51.5%	62.5%	70.6%
Robbery-related	63.5%	81.3%	85.4%	88.5%
Sexual	21.3%	38.3%	51.1%	59.6%
Fraud & deception	24.2%	45.5%	54.5%	63.6%
Dangerous acts	23.8%	33.3%	52.4%	52.4%
Against justice	21.1%	42.1%	52.6%	63.2%
Other	23.8%	47.6%	57.1%	66.7%
<b>Offender type</b>				
First-time offender	22.8%	38.9%	49.1%	55.3%
Repeat offender	58.5%	76.1%	83.3%	86.9%
<b>All offenders</b>	<b>35.3%</b>	<b>51.9%</b>	<b>61.1%</b>	<b>66.4%</b>

Source: Police offender apprehension data.

## Reoffending rates are higher following more serious interventions

One-year reoffending rates differ considerably according to the method of proceeding (Table 9). For example, 25% of the children apprehended in 2012 who were warned reoffended within one year, compared to 36% of those dealt with by Alternative Action and 62% of those referred for a FGC or prosecuted. The size of the differences in reoffending rates between the methods of proceeding remained fairly constant over the four years examined. These differences in reoffending rates are not necessarily an indication that more serious interventions are less effective than less serious

interventions. Differences are, at least in part, a reflection of differing characteristics of the children that are dealt with in different ways by Police. For example, children who have extensive offending histories are more likely to get severe sanctions applied than low-level or first offenders, and we know that the more often people have offended in the past, the more likely they are to reoffend in the future.

**Table 9: Proportion of child offenders who reoffended within one year, by method of proceeding and year of apprehension**

Method of proceeding	2009	2010	2011	2012
Warning	28.0%	24.9%	25.8%	25.0%
Alternative Action	39.3%	36.8%	37.3%	35.5%
FGC or Prosecution	65.4%	62.7%	68.0%	61.7%
Other	33.9%	25.4%	39.0%	33.3%
Total	35.3%	32.5%	34.4%	33.0%

Source: Police offender apprehension data.

In every year, first-time offenders were less likely to reoffend than repeat offenders, regardless of the method of proceeding (see Appendix C, Table C8).

One-year reoffending rates have been slightly lower in general since 2010 compared to those seen in 2009.

## **Part 6 – Only a small minority of children commit serious offences**

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### **Offence seriousness can be ranked using the Justice Sector Seriousness Scale**

Defining what is 'serious' offending or 'minor' offending or anything in-between is not straightforward. The actual level of seriousness can differ for two offences of the same type, let alone between two different types of offences. Seriousness also means different things for different types of offences, eg it may be the level of physical and/or emotional harm inflicted, whether weapons were involved, the value of goods stolen, or the class of drug etc. Administrative data systems rarely allow us to measure the seriousness of specific individual offences. Seriousness is, therefore, often measured as some sort of an average across all offences of the same type.

The Justice Sector Seriousness Scale was developed by the Ministry of Justice as a way of comparing the seriousness of different types of offences based on actual court sentencing data (see Appendix E for further information). However, even with such a tool available, it is still somewhat arbitrary to draw a line in seriousness scores above which offences can be regarded as 'serious' or below which offences can be regarded as 'minor'.

For child offenders in the period 2009 to 2013, a seriousness score of 365 was used as the arbitrary reference point above which to examine whether or not child offenders committed 'serious' offences (referred to earlier in the report as offences of 'high' or 'very high' seriousness). The most common such offences committed by children are:

- burglary (where the stolen goods were valued at least \$500)
- arson
- robbery
- aggravated robbery
- indecent assault
- unlawful sexual connection
- selling/supplying cannabis.

### **A small minority of children commit serious offences**

It is relatively rare for New Zealand children to commit 'serious' offences, with less than 1% of all individuals from the 1999 birth cohort committing such an offence before their 14<sup>th</sup> birthday (Table 10).

In terms of the 3,167 children from this birth cohort who came to the attention of Police for any type of offending before age 14, 14% (431) had committed a serious offence. For 51% of the 431 children it was their first offence, for 20% it was their second offence, for 8% it was their third offence, and it was their fourth or subsequent offence for the remaining 21%.

**Table 10: Whether individuals from the 1999 birth cohort committed a 'serious' offence before turning 14-years-old, by age at first such offence**

Age at first serious offence	Number who first committed a serious offence at each age	Estimated percentage of birth cohort ever present at each age	Percentage of known offenders (n=3,167)
10 years or under	90	0.1%	2.8%
11 years	63	0.1%	2.0%
12 years	104	0.2%	3.3%
13 years	174	0.3%	5.5%
Total	431	0.7%	13.6%

Source: Police offender apprehension data.

## Part 7 – Conclusions

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Offending by children has dropped in the last five years for both genders, across all ethnic groups and ages, across almost all offence types, and in all regions.

A falling youth crime rate is not unique to New Zealand, and the reasons for the fall are unclear and therefore subject to debate. It is likely due to the confluence of a number of factors such as: changes in police practice; better public and private security measures; more effective youth justice interventions; goods often subject to theft or burglary historically continuing to become affordable to more people; and a proliferation of smart phones and video gaming devices among youth which may prevent some opportunistic crimes through boredom. The factors behind the fall in crime may also differ for different types of crime.

Much of the drop in offending by children in New Zealand has been because of a drop in first-time child offenders. This is a very positive finding.

It is encouraging that there was at least a third fewer child offenders from all ethnic groups apprehended in 2013 than in 2009. However, the decrease for Māori was smaller than that seen for European and Pacific children, with the consequence that the over-representation in the offender statistics of Māori children is exacerbated. This over-representation at the front-end of the youth justice system flows through to other parts of the system (i.e. Child, Youth and Family and the Youth Court).

It is important to understand and address the complex interplay of risk factors that lead to Māori children, both boys and girls, being apprehended at a greater rate than children from other ethnic groups. Broadly, attention needs to focus on two areas. Firstly, the rate of Māori children offending and entering the youth justice system in the first instance needs to be reduced. Secondly, for those children who do come in contact with the system, there needs to be effective interventions to increase the likelihood that they do not reoffend.

Although a minority (20%) of child offenders committed the majority (57%) of offences by children over the five-year period 2009 to 2013, this was not a small group (around 3,600 children). Within these figures there were 820 children who committed around 11,000 offences, including 170 children who committed nearly 4,200 offences. These figures support the view that early identification and application of effective interventions with high-risk child offenders presents an opportunity to steer the children onto a more positive path, thereby preventing a large number of future crimes and a large number of people from becoming victims.

Children who offend are a group who are under-researched in New Zealand. There would be benefit to further research in the following areas:

- The dynamics of offending by Māori children, and what effective interventions for this group would look like.
- Who are the high-risk child offenders, how can they be identified early, and what would effective interventions for this group look like?

## Appendix A – Methodology

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The base data used for analysis in this report comprised all individuals born in the 1995 to 2003 calendar years who were apprehended by New Zealand Police up to the end of 2013. These years were chosen because:

- the 1995 to 1999 birth cohorts offending as children can be tracked up to age 14
- earlier birth cohorts are adversely affected by the apprehension data recorded in the National Intelligence Application (NIA) being reliable only from July 2005
- when examining characteristics of children aged 10 to 13 years apprehended by Police between 2009 and 2013, all of these children were born in one of the years from 1995 to 2003.

Most of the children apprehended by Police are born in New Zealand, but some are born overseas. This must be taken into account when estimating the base population for particular birth cohorts to use in calculations.

Clearly only using the number of births in New Zealand in a particular year would understate the base population and therefore overstate the offending rates. Similarly, using an age-based resident population figure at a particular date would not take into account the fact that children from the same birth cohort were present in the country at earlier ages, but had since left New Zealand.

Therefore, the approach taken here for the 1995 to 1999 birth cohort analysis was to estimate the size of birth cohorts 'ever present' in New Zealand.<sup>18</sup> This used Statistics New Zealand data on live births and permanent and long-term migrants. See Appendix B for further details.

Apprehension data were supplied to the Ministry of Social Development by Police under an information sharing agreement that allows data to be shared for statistical/research purposes.

Further details on this data and how offending measures were calculated can be found in Appendix E.

The types of offences committed by child offenders were categorised according to the offence divisions of the Australian and New Zealand Standard Offence Classification (ANZSOC), 2011. Examples of the more detailed types of offences committed by children within each of the offence divisions can be found in Appendix D.

Minor traffic offences and minor non-traffic offences which can be dealt with as infringement offences were excluded from analyses. This was to avoid categorising children as 'offenders' or 'repeat offenders' if these were the only offences they committed. See Appendix E for further details.

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<sup>18</sup> This was a similar approach to that used in *Children's contact with MSD services*, October 2012, Ministry of Social Development. See: <http://www.msd.govt.nz/about-msd-and-our-work/publications-resources/research/childrens-contact-with-msd-services/index.html>. That report discusses some sensitivity-testing done around this versus other approaches.

## Appendix B – Estimating the numbers from each birth cohort ‘ever present’

An estimate of the number of children born in each calendar year ‘ever present’ in the New Zealand population and potentially able to have contact with Police as an offender before selected ages was calculated as the total of:

- the number of live births in New Zealand in a calendar year
- an estimate of the number of children born in that calendar year who entered New Zealand as permanent or long-term (PLT) migrants at each age up to but not including the selected age (not including New Zealanders who were returning after more than 12 months absence).

For example, the total number of children born in 1995 and potentially able to have contact with Police at some time before age 14 is calculated as:

(A) all live births in 1995	57,671
+ (B) estimated number of PLT migrants born in 1995 who entered at or before age 13, and who were not returning New Zealanders	11,553
= (C)	69,224

where (B) is approximated by the sum of the shaded cells in Table A1.

This estimation approach will overstate the number of individual children ever present and potentially able to have contact with Police to the extent that:

- some New Zealand-born children emigrate and do not return until adulthood
- some New Zealand-born children die
- overseas born children arrive in New Zealand as PLT migrants more than once.

Conversely, the approach will understate the number ever present and potentially able to have contact with Police to the extent that:

- children who arrive in New Zealand as short-term or temporary migrants later become resident in New Zealand
- not all births are registered, and the Statistics New Zealand births data excludes late registrations, notified more than two years after the birth.

Overseas-born tourists in New Zealand were excluded from calculations, as it is likely that the large number of child tourists rarely commit crimes while here.

Information on any offending done overseas by PLT migrants is not available, so this may contribute to an under-estimate of offending rates by children.

Statistics New Zealand data on live births includes information on the ethnicity of the child. If a child is identified (on their birth registration form) as having more than one ethnicity, they are counted in each ethnic group specified. On a ‘prioritised’ ethnicity basis, this allows all Māori births to be separately identified, but not other individual ethnic groups. ‘Non-Māori’ figures can be produced as the difference between the Total and Māori figures.

In terms of producing ‘ever present’ birth cohort figures for Māori, we can include those born in New Zealand. However, the number of Māori born overseas (particularly Australia) and who later come to live in New Zealand cannot be identified from the PLT

migrant data. As a proxy for this, Census 2001 data shows that of all overseas-born residents in New Zealand aged under 15 years, 7.4% were of Māori ethnicity. This percentage was therefore applied to the PLT migrant data as an estimate of 'Māori migrants' to add to the births figure to give estimated total 'ever present' birth cohort figures for Māori.

**Table B1: Estimated number of permanent or long-term migrants born in 1995 who entered New Zealand before age 14, and who were not returning New Zealanders**

Year	Age at arrival													
	0 years	1 year	2 years	3 years	4 years	5 years	6 years	7 years	8 years	9 years	10 years	11 years	12 years	13 years
1995	1,038	1,177	1,131	1,061	1,068	1,066	1,036	1,011	957	956	928	935	964	913
1996	954	1,144	1,029	1,074	1,017	1,069	950	934	900	884	919	908	884	905
1997	792	883	848	809	805	742	757	751	723	712	694	655	710	699
1998	635	792	651	663	671	596	655	607	616	594	552	542	492	511
1999	632	751	651	637	624	601	597	569	606	591	500	511	474	484
2000	610	688	687	654	669	577	621	575	593	563	580	618	543	541
2001	669	868	792	762	754	789	759	774	753	772	806	851	745	787
2002	786	1,003	996	961	958	938	928	937	951	940	1,041	963	910	981
2003	832	1,044	941	940	882	889	859	833	926	925	965	929	898	893
2004	841	902	871	854	839	787	760	740	765	809	793	818	761	784
2005	897	997	925	823	859	777	773	762	736	795	833	842	762	726
2006	903	1,003	991	869	861	834	811	809	799	821	870	814	825	765
2007	915	1,017	951	852	893	797	797	809	828	795	829	786	804	759
2008	940	1,154	959	918	858	795	766	759	774	754	754	794	761	776

Source: PLT arrivals by gender, single year of age, years ended December 1995–2013 (source: Statistics New Zealand, Infoshare). Subtracted from these figures were estimated (1995-2000 years) and actual (2001-2013 years) numbers of returning New Zealanders from customised Statistics New Zealand data tables of PLTs by gender, single year of age, citizenship (New Zealand / Other Countries) and country of birth (New Zealand / Other Countries). Country of birth is only available in this data from mid-2000, so the author estimated this for 1995–2000 by applying the ratio of New Zealand country of birth to citizenship from 2001–2003 to citizenship data for earlier years.

**Table B2: Estimated numbers from each birth cohort ever present in New Zealand by ages 14 and 18**

Gender and birth year	Live births in New Zealand	Estimated number ever present by age 14	Estimated number ever present by age 18
<b>Male</b>			
1995	29,878	35,884	37,919
1996	29,459	35,108	n/a
1997	29,432	34,870	n/a
1998	28,583	33,904	n/a
1999	29,185	34,406	n/a
<b>Female</b>			
1995	27,793	33,339	35,429
1996	27,821	33,151	n/a
1997	28,172	33,316	n/a
1998	26,766	31,725	n/a
1999	27,868	32,745	n/a
<b>Total</b>			
1995	57,671	69,224	73,349
1996	57,280	68,258	n/a
1997	57,604	68,186	n/a
1998	55,349	65,629	n/a
1999	57,053	67,151	n/a

## Appendix C – Additional tables

Table C1: Estimated percentage of all Māori children in the 1995 to 1999 birth cohorts who had offended at least once before reaching each age

Gender & birth year	10 years	11 years	12 years	13 years	14 years	15 years	16 years	17 years	18 years
<b>Male</b>									
1995	0.4%	2.4%	4.8%	8.6%	<b>13.7%</b>	19.8%	24.3%	27.9%	31.6%
1996	1.3%	2.9%	5.1%	9.0%	<b>14.6%</b>	19.7%	23.7%	26.9%	n/a
1997	2.0%	3.4%	6.1%	10.1%	<b>14.7%</b>	19.2%	22.8%	n/a	n/a
1998	2.2%	3.8%	6.4%	9.8%	<b>14.3%</b>	18.1%	n/a	n/a	n/a
1999	2.2%	4.1%	6.4%	9.5%	<b>13.2%</b>	n/a	n/a	n/a	n/a
<b>Female</b>									
1995	0.0%	0.6%	1.9%	3.7%	<b>7.6%</b>	13.0%	17.0%	19.4%	21.6%
1996	0.3%	0.8%	2.0%	4.3%	<b>8.6%</b>	13.9%	17.3%	19.6%	n/a
1997	0.5%	1.0%	2.2%	4.6%	<b>8.4%</b>	12.7%	15.1%	n/a	n/a
1998	0.6%	1.1%	2.6%	4.9%	<b>8.2%</b>	11.6%	n/a	n/a	n/a
1999	0.6%	1.5%	2.5%	4.4%	<b>7.7%</b>	n/a	n/a	n/a	n/a
<b>Total</b>									
1995	0.3%	1.5%	3.4%	6.3%	<b>10.8%</b>	16.6%	20.8%	23.8%	26.8%
1996	0.8%	1.9%	3.6%	6.7%	<b>11.7%</b>	16.9%	20.6%	23.4%	n/a
1997	1.2%	2.3%	4.2%	7.4%	<b>11.7%</b>	16.0%	19.1%	n/a	n/a
1998	1.4%	2.5%	4.6%	7.5%	<b>11.4%</b>	15.0%	n/a	n/a	n/a
1999	1.5%	2.8%	4.5%	7.0%	<b>10.6%</b>	n/a	n/a	n/a	n/a

Source: Police offender apprehension data; Statistics New Zealand live births and permanent and long-term migrant data.

Table C2: Estimated percentage of all non-Māori children in the 1995 to 1999 birth cohorts who had offended at least once before reaching each age

Gender & birth year	10 years	11 years	12 years	13 years	14 years	15 years	16 years	17 years	18 years
<b>Male</b>									
1995	0.1%	0.7%	1.6%	2.9%	<b>4.9%</b>	7.9%	11.1%	14.4%	18.2%
1996	0.5%	0.9%	1.8%	3.1%	<b>5.1%</b>	7.6%	10.1%	12.5%	n/a
1997	0.7%	1.2%	2.0%	3.3%	<b>5.1%</b>	7.4%	9.4%	n/a	n/a
1998	0.7%	1.1%	1.9%	3.0%	<b>4.7%</b>	6.6%	n/a	n/a	n/a
1999	0.6%	1.1%	1.8%	2.7%	<b>4.0%</b>	n/a	n/a	n/a	n/a
<b>Female</b>									
1995	0.0%	0.1%	0.4%	1.1%	<b>2.3%</b>	4.6%	6.5%	7.8%	9.2%
1996	0.1%	0.2%	0.5%	1.0%	<b>2.4%</b>	4.2%	5.7%	6.7%	n/a
1997	0.1%	0.2%	0.5%	1.0%	<b>2.0%</b>	3.6%	4.8%	n/a	n/a
1998	0.1%	0.2%	0.4%	0.9%	<b>1.8%</b>	3.1%	n/a	n/a	n/a
1999	0.1%	0.2%	0.4%	0.8%	<b>1.5%</b>	n/a	n/a	n/a	n/a
<b>Total</b>									
1995	0.1%	0.4%	1.0%	2.0%	<b>3.6%</b>	6.3%	8.9%	11.2%	13.9%
1996	0.3%	0.6%	1.2%	2.1%	<b>3.8%</b>	5.9%	7.9%	9.7%	n/a
1997	0.4%	0.7%	1.2%	2.2%	<b>3.6%</b>	5.5%	7.1%	n/a	n/a
1998	0.4%	0.7%	1.2%	2.0%	<b>3.3%</b>	4.9%	n/a	n/a	n/a
1999	0.4%	0.7%	1.1%	1.8%	<b>2.8%</b>	n/a	n/a	n/a	n/a

Source: Police offender apprehension data; Statistics New Zealand live births and permanent and long-term migrant data.

**Table C3: Rates of apprehension per 1,000 children aged 10 to 13 years resident in New Zealand, by calendar year**

	2009	2010	2011	2012	2013	Overall % change
<b>Overall</b>	21.2	20.5	18.1	16.3	14.3	-33%
<b>Gender</b>						
Male	28.7	28.2	24.8	22.6	19.5	-32%
Female	13.3	12.4	10.9	9.7	8.7	-35%
<b>Ethnicity<sup>1</sup></b>						
Māori	51.5	49.9	45.1	40.8	35.4	-31%
European / Other <sup>2</sup>	9.0	8.6	7.4	6.7	5.5	-39%
Pacific peoples	14.0	13.8	10.7	8.9	7.8	-44%
<b>Age at time of offending</b>						
10 years	7.4	6.6	6.2	6.0	5.2	-29%
11 years	12.4	12.3	9.9	10.1	8.3	-33%
12 years	22.3	21.6	18.4	16.7	14.7	-34%
13 years	42.2	41.5	37.7	32.1	27.9	-34%
<b>Most serious offence</b>						
Theft-related	8.8	8.0	6.9	6.5	5.1	-42%
Burglary	2.9	2.7	2.7	2.3	2.3	-19%
Property damage	3.2	3.2	2.5	2.4	2.1	-36%
Injury causing acts	2.1	2.3	2.2	1.8	1.6	-24%
Public order	1.5	1.6	1.5	1.3	1.2	-19%
Illicit drugs	0.6	0.7	0.6	0.4	0.4	-32%
Abduction & harassment	0.5	0.6	0.4	0.4	0.4	-22%
Weapons-related	0.6	0.6	0.4	0.5	0.4	-29%
Robbery-related	0.4	0.3	0.3	0.3	0.2	-49%
Sexual	0.2	0.2	0.2	0.2	0.2	+4%
Fraud & deception	0.1	0.1	0.1	0.1	0.1	-20%
Dangerous acts	0.1	0.1	0.1	0.0	0.1	-18%
Against justice	0.1	0.0	0.1	0.1	0.1	-25%
Other	0.1	0.1	0.0	0.0	0.0	-57%
<b>Offender type</b>						
First-time offender	13.8	12.9	11.0	10.0	8.3	-40%
Repeat offender	7.4	7.6	7.1	6.3	5.9	-20%

Notes:

1. People who identify with more than one ethnicity are included in each ethnic population that they identify with.
2. Projected population figures combine the European and Other ethnic groups, and present figures separately for people of Asian ethnicity. Therefore, a rate was calculated in relation to the number of children whose ethnicity was recorded as European or Other, but excluding Asian.

Source: Police offender apprehension data; population figures were sourced from Statistics New Zealand: Estimated Resident Population by Age and Sex (1991+) (Annual-Dec); Projected Ethnic Population of New Zealand, by Age and Sex, 2006 (base) - 2026 Update.

**Table C4: Number of children who were first-time or repeat offenders, by gender and calendar year**

<b>Gender &amp; offender type</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>Overall % change</b>
<b>Male</b>						
First-time offender	2,147	2,047	1,735	1,564	1,247	-42%
Repeat offender	1,390	1,440	1,345	1,203	1,120	-19%
<b>Female</b>						
First-time offender	1,164	1,057	920	837	720	-38%
Repeat offender	396	402	368	297	287	-28%

Source: Police offender apprehension data.

**Table C5: Number of children who were first-time or repeat offenders, by ethnicity and calendar year**

<b>Ethnicity &amp; offender type</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>Overall % change</b>
<b>Māori</b>						
First-time offender	1,661	1,562	1,364	1,250	1,011	-39%
Repeat offender	1,175	1,189	1,141	994	931	-21%
<b>European</b>						
First-time offender	1,202	1,103	911	822	648	-46%
Repeat offender	484	507	461	407	369	-24%
<b>Pacific peoples</b>						
First-time offender	302	272	227	192	164	-46%
Repeat offender	102	131	92	79	77	-25%

Source: Police offender apprehension data.

**Table C6: Number of children who were first-time or repeat offenders, by age and calendar year**

<b>Age &amp; offender type</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>Overall % change</b>
<b>10 years or younger</b>						
First-time offender	318	286	276	255	210	-34%
Repeat offender	116	118	97	93	87	-25%
<b>11 years</b>						
First-time offender	533	515	414	431	317	-41%
Repeat offender	210	216	192	176	160	-24%
<b>12 years</b>						
First-time offender	904	874	721	643	531	-41%
Repeat offender	433	427	378	379	355	-18%
<b>13 years</b>						
First-time offender	1,556	1,429	1,244	1,072	909	-42%
Repeat offender	1,027	1,081	1,046	852	805	-22%

Source: Police offender apprehension data.

**Table C7: Resolution of cases involving first-time and repeat child offenders, by calendar year apprehended**

	2009	2010	2011	2012	2013
<b>First-time offenders</b>	(n=3,311)	(n=3,104)	(n=2,655)	(n=2,401)	(n=1,967)
Warning	55.4%	52.1%	51.0%	47.2%	47.3%
Alternative Action	39.2%	43.0%	44.3%	47.4%	48.8%
FGC / Prosecution	3.3%	2.5%	2.9%	3.5%	3.6%
Other	2.1%	2.4%	1.9%	1.8%	0.4%
<b>Repeat offenders</b>	(n=1,786)	(n=1,842)	(n=1,713)	(n=1,500)	(n=1,407)
Warning	36.1%	35.5%	31.8%	28.3%	28.4%
Alternative Action	49.6%	52.3%	52.4%	58.2%	59.8%
FGC / Prosecution	11.8%	10.0%	12.9%	11.8%	11.0%
Other	2.6%	2.2%	2.9%	1.7%	0.8%

Source: Police offender apprehension data.

**Table C8: Proportion of child offenders who reoffended within 12 months years, by method of proceeding and year of apprehension**

	2009	2010	2011	2012
<b>First-time offenders</b>				
Warning	19.4%	16.5%	16.6%	18.3%
Alternative Action	25.8%	21.2%	23.0%	21.8%
FGC / Prosecution	46.4%	37.2%	40.8%	34.5%
Other	20.3%	16.2%	8.0%	25.0%
<b>Repeat offenders</b>				
Warning	52.5%	45.8%	48.7%	42.8%
Alternative Action	59.1%	58.5%	56.0%	53.5%
FGC / Prosecution	75.4%	73.5%	77.4%	74.6%
Other	54.3%	42.5%	70.0%	48.0%

Source: Police offender apprehension data.

## Appendix D – ANZSOC offence divisions

Examples of the most common types of offences committed by children within each of the ANZSOC<sup>19</sup> divisions are shown in the table below.

**Table D1: Examples of offences by children within each ANZSOC offence division**

ANZSOC offence division	Shortened name used in this report	Most common offences for child offenders
Acts intended to cause injury	Injury causing acts	Common assault; assault with blunt instrument; assault with intent to injure; male assaults female; assault with a stabbing/cutting weapon; assault police officer. Due to very small numbers, 'homicide and related offences' have been included in this category in this report.
Sexual assault and related offences	Sexual	Indecent assault; unlawful sexual connection; doing an indecent act; doing an indecent act
Dangerous or negligent acts endangering persons	Dangerous acts	Endangering transport; careless, dangerous or reckless driving; other endangering offences
Abduction, harassment and other offences against the person	Abduction & harassment	Behave or speak threateningly; offensive use of telephone; threaten to kill or do GBH
Robbery, extortion and related offences	Robbery-related	Robbery; aggravated robbery; assault with intent to rob; demands to steal
Unlawful entry with intent/burglary, break and enter	Burglary	Burglary
Theft and related offences	Theft-related	Shoplifting, all other types of theft; unlawfully takes or gets into a motor vehicle; unlawfully takes bicycle; receiving stolen property
Fraud, deception and related offences	Fraud & deception	Take, obtain or use a document or credit card for pecuniary advantage; obtain by deception
Illicit drug offences	Illicit drugs	Possess cannabis; possess drug-related utensils; supply cannabis
Prohibited and regulated weapons and explosives offences	Weapons-related	Possess offensive weapon or knife in a public place; unlawfully carry imitation firearm; possess, carry or discharge firearm or other restricted weapon
Property damage and environmental pollution	Property damage	Wilful damage including graffiti-related offences; unlawfully interfere with motor vehicles; arson; intentional damage
Public order offences	Public order	Wilful trespass; disorderly behaviour; unlawfully in an enclosed yard, area or building; fighting in a public place; offensive behaviour
Offences against government procedures, government security and government operations	Against justice	False statement that offence was committed; resisting or obstructing police; unlawfully opening postal article
Traffic and vehicle regulatory offences AND Miscellaneous offences	Other	Unlicensed driver fail to comply with prohibition; drove without appropriate driver licence; drove with excess alcohol  Used phone for fictitious purpose; various other breaches of statutes

Source: ANZSOC and Police offender apprehension data.

<sup>19</sup> Offences are categorised by the Australian and New Zealand Standard Offence Classification (ANZSOC), 2011. For further information on ANZSOC see: <http://www.abs.gov.au/ausstats/abs@.nsf/mf/1234.0>.

# Appendix E – Estimating offending patterns

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Patterns of offending and reoffending for child offenders were examined using apprehension data supplied by Police under an information sharing agreement that allows data to be shared for statistical/research purposes.

An apprehension occurs when Police determine that a particular person is responsible for having committed an offence, and advise this person that he or she will be recorded as being responsible for the offence. Apprehension may involve the arrest of the offender, but need not do so.

If a person is apprehended for committing two offences (e.g. two burglaries), this constitutes two apprehensions. Similarly, if two people are apprehended for committing the same offence (e.g. a robbery), this also constitutes two apprehensions (one for each person).

The apprehension data recorded are only reliable from July 2005, as before this time it was not compulsory for such data to be entered in the National Intelligence Application (NIA). This limited the extent to which individuals from particular birth cohorts could be tracked both backwards and forwards over time.

Police identified all individuals recorded as offenders in NIA who were born in the 1995 to 2003 calendar years inclusive, and extracted all associated apprehensions from their SAS/Case Datamart in August 2014,. This sample constituted all offenders who were aged 10 to 13 years in the 2009 to 2013 calendar years. It also allowed offending to be examined at various ages for the 1995 to 1999 birth cohorts.

Information provided to MSD included the Person ID, gender, ethnicity and date of birth of each offender. The Person ID was used to identify and summarise the apprehensions related to distinct individuals.

For each apprehension, information included: date of offence, role type (only 'Offender' roles were analysed), type of offence and method of proceeding (eg warning, Youth Aid Section, youth justice FGC and prosecution).

The method of proceeding attached to each apprehension may not always accurately reflect the way the case was finally resolved. In some cases, only the initial method of proceeding may be recorded in the data, but for a variety of reasons the cases later head down different paths eg because the offender denies the offence at an intention-to-charge FGC, agreement cannot be reached between all parties at the FGC, or a Youth Court Judge decides to "push-back" the case to the Family Court.

## Some minor offences were excluded from analyses

For the analyses in this report, minor traffic offences, and minor non-traffic offences for which an infringement notice can be issued were excluded from analyses. This was to avoid categorising children as 'offenders' or 'repeat offenders' if these were the only offences they committed.<sup>20</sup> Traffic offences excluded covered the following ANZSOC offence groups: registration offences, regulatory driving offences, roadworthiness

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<sup>20</sup> Excluding minor offences from juvenile recidivism measures is consistent with practice/recommendations in other jurisdictions. For example see: <http://www.aic.gov.au/documents/1/B/1/%7b1B1FAF61-B45D-42A4-B93B-E655C4CA078E%7dtbp044.pdf>.

offences, pedestrian offences, vehicle registration and roadworthiness offences, and exceeding the legal speed limit.<sup>21</sup> Non-traffic infringement offences excluded were: breaching a local liquor ban, liquor-related offences involving minors, and littering.

Methods of proceeding recorded as the following were excluded from analyses: 'Not Proceeded With', 'Infringement Notice' and 'Pending'.

For analyses of the number of child offenders who were apprehended in a particular calendar year, individuals were only counted once in each year. For the 30% of children who committed more than one offence within a year, the most serious offence they were apprehended for was selected as their representative offence for the year. The Justice Sector Seriousness Scale 2013 was used to select the most serious offence (see below).

## Measuring offence seriousness

The Justice Sector Seriousness Scale 2013 was developed by the Ministry of Justice as a way of comparing the seriousness of different types of offences based on actual court sentencing data. A seriousness score of 200 for an offence implies that, on average, the courts impose sentences that are twice as severe as those imposed on an offence with a score of 100. However caution is required with this interpretation as the way in which scores are calculated means there is sizable variance in some averages, particularly for offences of "moderate" seriousness where the types and lengths of sentences imposed can vary considerably.

For more information on the Scale see: <http://www.justice.govt.nz/justice-sector/statistics/justice-sector-working-papers/justice-sector-offence-seriousness-score-faq>.

The seriousness scale can be used to group offences that the courts consider to be of similar seriousness. This is an alternative to grouping by e.g. offence division where offences can range considerably in seriousness e.g. "injuring causing acts" spans common assault (six months imprisonment as maximum penalty) to wounding with intent to cause grievous bodily harm (14 years imprisonment as maximum penalty).

To examine changes in the seriousness of offending by children, apprehensions have been arbitrarily grouped into the following seriousness levels:

- **Low**: seriousness scores of 14 or below
- **Low-medium**: seriousness scores >14 to 30
- **Medium**: seriousness scores >30 to 120
- **Medium-high**: seriousness scores >120 to 365
- **High**: seriousness scores >365 to 730
- **Very high**: seriousness scores above 730.

The seriousness groupings above mean, for example, that offences of 'high' seriousness have been taken to be those where the average custodial sentence imposed on all people convicted of these offences is more than one year's imprisonment (expressed as 365 in days). The category names should be viewed as indicative only rather than having an absolute meaning.

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<sup>21</sup> The most frequent minor traffic offences excluded involved: failing to stop for a police car, failing to wear a cycle helmet, learner driver related offences, not wearing a seat belt, operating an unlicensed motor vehicle, no warrant of fitness, and cleaning windows at an intersection.

