



**MINISTRY OF SOCIAL  
DEVELOPMENT**

TE MANATŪ WHAKAHIATO ORA

- 1 JUN 2016



Dear

On 2 May 2016 you emailed the Ministry requesting, under the Official Information Act 1982, the following information:

- *The number of FGCs that were ordered where no charges have been laid in the Youth Court but an offence had happened [...] processed through the Taranaki and Whanganui offices for the financial years 2014-2015 and 2007-2008.*

The Youth Justice Family Group Conference (FGC) is the key mechanism through which young people can be diverted from the court system. Child, Youth and Family recognises that good outcomes are achieved for young people when families, key professionals and the young people themselves are given a chance to have their say about the best outcome for a child or young person who has offended.

When a child or young person is alleged to have committed an offence, the Police will decide whether to charge the child or young person with breaking the law. The Police will make a notification to Child, Youth and Family and an "intention-to-charge" Youth Justice FGC may be held. I therefore consider your request for "the number of FGCs that were ordered where no charges have been laid" as being answered by the number of intention-to-charge Youth Justice FGCs.

Intention-to-charge Youth Justice FGCs are run by a Youth Justice co-ordinator from Child, Youth and Family, and will usually involve the young person and their family/whānau, the victim, a Police youth aid officer and the child or young person's youth advocate or lawyer. Together, the people involved consider whether the young person will be prosecuted for their offence(s) in the Youth Court, or, if the agreement is not to lay charges, whether a plan can be made which addresses the offending and the needs of the young person. Such a plan will acknowledge and address their needs and allow them the opportunity to develop in responsible, beneficial, and socially acceptable ways.

The Ministry has sound practices and policy for monitoring plans that result from intention-to-charge Youth Justice FGCs. Regularly reviewing the plan provides encouragement for the child or young person and assures the victim that the child or young person is being held accountable for their actions as well as improving their

wellbeing. The consequence for not successfully completing the plan is that the Police will still have recourse to the Youth Court.

The table below shows the number of referrals to intention-to-charge Youth Justice FGCs in Taranaki and Whanganui, as well as nationally, for the years ending June 2008 to June 2015.

Year ending June	Site		National total
	Taranaki	Whanganui	
2008	125	83	4,499
2009	178	84	4,141
2010	111	115	3,940
2011	116	82	3,633
2012	136	79	3,301
2013	90	57	3,019
2014	80	65	2,545
2015	67	47	2,523

**Notes:**

This data is the number of referrals to an intention-to-charge Youth Justice FGC, not the number of young people involved in Youth Justice FGCs.

A young person may have multiple referrals in a period.

The Taranaki site includes the subsites Taranaki Youth Justice, Taranaki, and Hawera.

The Whanganui site includes the subsites Whanganui Youth Justice, Whanganui and Taumarunui.

You will note that the number of intention-to-charge Youth Justice FGCs has decreased since 2008, both at a site level and nationally. This downward trend is the result of successful and close collaboration between government agencies, police, schools, and community organisations to better support families to address their children's offending. Due to fewer apprehended children and young people and an increase in resolution of lower level offending through police alternative actions, Youth Justice FGCs now tend to be convened where a pattern of offending is emerging or multiple offences have been committed.

The principles and purposes of the Official Information Act 1982 under which you made your request are:

- to create greater openness and transparency about the plans, work and activities of the Government,
- to increase the ability of the public to participate in the making and administration of our laws and policies and
- to lead to greater accountability in the conduct of public affairs.

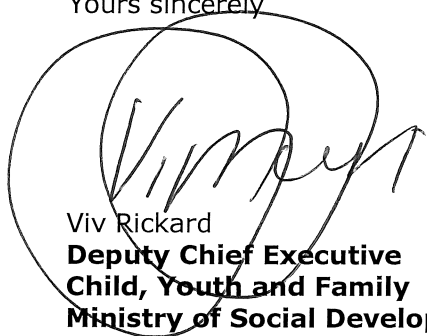
This Ministry fully supports those principles and purposes. The Ministry therefore intends to make the information contained in this letter and any attached documents available to the wider public after ten working days. The Ministry will do this by publishing this letter on the Ministry of Social Development's website. Your personal

details will be deleted and the Ministry will not publish any information that would identify you as the person who requested the information.

I hope you find this information regarding intention-to-charge Youth Justice FGCs helpful. You have the right to seek an investigation and review of my response by the Ombudsman, whose address for contact purposes is:

The Ombudsman  
Office of the Ombudsman  
PO Box 10-152  
WELLINGTON 6143

Yours sincerely

A handwritten signature in black ink, appearing to read 'Viv Rickard', is written over a large, faint circular watermark or stamp. The signature is fluid and cursive.

Viv Rickard  
**Deputy Chief Executive  
Child, Youth and Family  
Ministry of Social Development**