



28 OCT 2016

Dear

On 19 September 2016 you emailed the Ministry requesting, under the Official Information Act 1982, the following information:

- *The numbers of Dunedin Youth Court offenders remanded in police custody during the past five financial years, broken down by age and the number of nights spent in Police custody.*

If a young person has been arrested and there is no safe community placement or bed in a secure Youth Justice Residence, then the reality is that they may remain in Police cells until a bed or other suitable placement becomes available. Child, Youth and Family and Police recognise that holding young people in Police cells when custody is required is not the preferred option. Child, Youth and Family ensures that all placement options for placing a child or young person are considered, such as a placement within the community, bail/a supported bail programme or a residential placement.

Child, Youth and Family are committed to reducing the number of young people placed in Police cells, including the length of time spent there. Child, Youth and Family manage the demand and availability of residential beds on a daily basis. Every day, a report on the number of beds available in each residence is provided to regional Child, Youth and Family sites, so that staff can plan and manage individual cases as they arise.

The table below shows the number of young people detained in police cells for more than 24 hours from the Child, Youth and Family Youth Justice site in Otago, broken down by financial year and the average duration spent in police custody. Please note that this is a number of placements, and as such may include children and young people who were detained more than once. 'S' represents a suppressed cell to protect the privacy of individuals concerned. Providing you with the number of young people detained in police cells broken down by the number of nights spent in police custody and age of the young person would breach the privacy of the individuals concerned and as such would result in most of the numbers being suppressed. To avoid this, the Ministry has chosen to provide you with the average number of days spent in police custody, and the total number of children detained broken down by financial year.

Financial year ending 30 June	Number of children and young people detained from CYF Youth Justice site in Otago	Average Duration (Days)
2012	6	2.2
2013	7	1.8
2014	S	1.8

Financial year ending 30 June	Number of children and young people detained from CYF Youth Justice site in Otago	Average Duration (Days)
2015	0	-
2016	S	2.1

Please note a young person staying in police cells for longer than 24 hours is not a representation of residential bed availability. There may be a variety of reasons why a young person is held in police cells, from the young person not being in a state (highly agitated or intoxicated) where they can be safely transported to the timing of their next court appearance meaning moving them to a residence with a bed and back in time for court would not be practical.

The Children, Young Persons, and Their Families Act 1989 requires that any such detention in Police cells beyond 24 hours has to be accompanied by a jointly signed certificate (by the senior Social Worker and Senior Sergeant) and that certificate has to be furnished to the Commissioner of Police, and the Ministry's Chief Executive. It must clearly state the reason for detaining the young person in cells for more than 24 hours, and the total length of the detention.

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

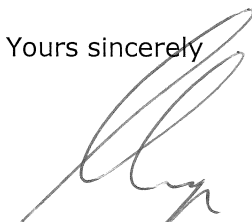
- to create greater openness and transparency about the plans, work and activities of the Government,
- to increase the ability of the public to participate in the making and administration of our laws and policies and
- to lead to greater accountability in the conduct of public affairs.

This Ministry fully supports those principles and purposes. The Ministry therefore intends to make the information contained in this letter 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.

If you wish to discuss this response with us, please feel free to contact OIA_Requests@msd.govt.nz.

You have the right to seek an investigation and review by the Ombudsman of this response. Information about how to make a complaint is available at www.ombudsman.parliament.nz or 0800 802 602.

Yours sincerely



Murray Edridge
Deputy Chief Executive, Child, Youth and Family