

Reoffending patterns for youth undertaking Police Alternative Action



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# Key findings

There is interest from justice sector agencies in gaining a better understanding of the operation of the youth justice system in terms of preventing children and young people from reoffending. One of the key interventions, particularly for lower-level youth offenders, is the Police diversionary response known as ‘Alternative Action’.

This report describes changes in the reoffending outcomes observed in 17,317 cases (involving 14,605 distinct children and young people), where Alternative Action was undertaken in the 2010/11 to 2013/14 fiscal years. Reoffending was examined in detail for the 12 month period after Alternative Action was initiated. A brief examination was also made of reoffending in the two year period after Alternative Action was undertaken in the 2010/11 to 2012/13 fiscal years.

The design of the analysis in this report does not allow inferences to be made about the effectiveness of Alternative Action in reducing reoffending as this requires the establishment of some form of counterfactual. Also, a number of issues existed with the data used in this analyses, and these may have added some amount of bias to the findings. This should be considered when interpreting the results.

### Profile of Alternative Action participants

* 72% of Alternative Action participants were male and 28% were female.
* 49% of participants were Māori, 39% were European, and 8% were Pacific peoples.
* 68% of Alternative Action participants were young people aged 14-16 years, 29% were children aged 10-13 years, and 3% were aged 17 years or older.
* 60% of the youth undertaking Alternative Action were being proceeded against for their first or second ever offence known to Police.

### Reoffending patterns within 12 months

* Within six months of Alternative Action being initiated, 28% of youth had come to the attention of Police with a new offence. Within 12 months, 43% had reoffended and 57% had not reoffended. There was little difference in reoffending rates between fiscal years.
* Over the 12 months prior to undertaking Alternative Action, the average number of offences committed by each person was 2.1, with an average total seriousness of 179. Over the following 12 months, both figures were lower at 1.5 (29% decrease) and 157 (12% decrease) respectively.
* The total number of offences committed by the cohort in the 12 months after Alternative Action was initiated was 29% lower than the number in the 12 months prior (25,697 compared with 36,397, a 10,700 decrease).
* The majority of the decrease was due to large drops in the two most frequent offence types: theft-related (down 38%) and property damage (down 44%). Injury causing acts or homicide offences reduced by 30% after Alternative Action, and burglary offences reduced by 20%. In contrast, the number of robbery-related offences and offences against justice both increased, up 42% and 38% respectively.
* In the 12 months prior to Alternative Action, 45% of all participants had committed a theft-related offence, whereas in the 12 months afterwards, the proportion was much lower at 20%. For property damage offences the proportions before and after were 26% and 12% respectively, for burglary they were 18% before and 10% after, and for injury causing acts or homicide offences they were 17% before and 10% after.
* Comparing the 12 months after Alternative Action to the 12 months before, 71% of young people reduced the frequency of their offending, and 76% reduced the total seriousness of their offending. In contrast, 17% offended more often and 21% committed more serious offences afterwards.
* In the 12 months after Alternative Action, only a minority (12%) of the 17,317 young people were referred to Child, Youth and Family for a youth justice FGC due to reoffending. A subsequent custodial sentence was rare (0.3% of cases).
* For the young people who reoffended, but did not have a subsequent FGC or custodial sentence, the method of proceeding for the new offending appeared to most often be another Alternative Action or a warning.
* Females had more positive outcomes than males on all six reoffending measures in the 12 months after Alternative Action, while European youth had the most positive outcomes of the three largest ethnic groups. Reoffending outcomes were more mixed according to age group.

### Reoffending patterns within two years

* 43% of the 13,842 youth who undertook Alternative Action in the 2010/11 to 2012/13 fiscal years did not reoffend within two years, and 57% reoffended.
* 61% of youth offended less often in the two years after Alternative Action compared to the two years before, while 68% reduced the total seriousness of their offending.
* In contrast, 27% offended more often in the following two years, and 29% committed more serious offences in this period.
* In the 24 months after Alternative Action, 19% of youth had a subsequent youth justice FGC, and 1% had a subsequent custodial sentence.

### Conclusion and further research

Police Alternative Action is a key diversionary response for children and young people who offend in New Zealand. The intervention is most often used for ‘newer’ (first or second-time) offenders to the youth justice system who have committed offences of low to medium seriousness. As such, reoffending rates would be expected to be lower than interventions targeted at more serious repeat offenders. This report showed that the majority (57%) of youth did not reoffend within 12 months, and up to 20% of the remainder reoffended at a lower frequency and/or seriousness than in the comparable period before Alternative Action.

Inferences about the effectiveness of Alternative Action in reducing reoffending requires a control or comparison group to be formed, or some other means of establishing a counterfactual. A matched comparison analysis will be undertaken by Insights MSD later in 2016, by comparing reoffending outcomes for Alternative Action participants with outcomes for youth who are proceeded against with an intention-to-charge FGC.

# Introduction

There is interest from justice sector agencies in gaining a better understanding of the operation of the youth justice system in terms of preventing children and young people from reoffending. For people who offend, the ideal is to deliver an appropriate intervention that will assist the person to make a sustained exit from the justice system (ie not reoffend). If this cannot be achieved, a reduction in the frequency and seriousness of offending is desirable. Interventions may also seek other outcomes, like re-engaging children or young people in school.

One of the key interventions in the youth justice system, particularly for lower-level offenders, is the Police diversionary response known as ‘Alternative Action’ (described in more detail below). This report describes changes in the offending outcomes observed in 17,317 cases involving children and young people who undertook Alternative Action within a four year period (2010/11 to 2013/14 fiscal years[[1]](#footnote-1)). Reoffending patterns are examined in detail for the 12 month period after Alternative Action was initiated. A brief examination is also made of reoffending patterns in the two years after Alternative Action for participants in the 2010/11 to 2012/13 fiscal years.

Caution must be taken in interpreting reoffending outcomes, as they are not necessarily a measure of the effectiveness of an intervention. For example, a person may not reoffend simply due to the fact that they were caught by the Police and made to account for their actions, regardless of the particular intervention applied. There may also be a general effect from the person aging and maturing.

The design of the analysis in this report does not allow inferences to be made about the effectiveness of Alternative Action in reducing reoffending. This requires a control or comparison group to be formed or some other means of establishing a counterfactual. A matched comparison analysis will be undertaken by Insights MSD later in 2016, by comparing reoffending outcomes for Alternative Action participants with outcomes for youth who are proceeded against with an intention-to-charge FGC.

### What is Alternative Action?

When a child (aged under 14 years[[2]](#footnote-2)) or a young person (aged 14 to 16 years) is apprehended by Police for an alleged offence they are referred to the Youth Aid Section. Police Youth Aid officers have a high degree of autonomy in deciding what level of action to take in response to the matter. In making a decision on how to resolve a case, s208(a) of the Children, Young Persons, and Their Families Act 1989 (CYPF Act) sets out a guiding principle that, *unless the public interest requires otherwise, criminal proceedings should not be instituted against a child or young person if there is an alternative means of dealing with the matter*.

When a warning is considered inappropriate, and the offending has been admitted, Youth Aid may arrange an informal youth diversionary response known as Alternative Action. This approach is a key alternative option to making a referral to Child, Youth and Family (CYF) to convene an intention-to-charge Family Group Conference (FGC), or laying charges in the Youth Court.

Alternative Action involves the development of a plan that will often include elements with a variety of aims, including making the young person accountable for his or her actions, making amends to the victim, and addressing criminogenic needs that the young person may have. Plans are developed by a Youth Aid officer in consultation with the child or young person and their parents or caregivers, and will have a clearly defined timeframe for completion. Plans are monitored by Police Youth Aid staff.

Elements often found in Alternative Action plans include:

* a letter of apology to the victim
* reparation or financial restitution to the victim
* a donation to a nominated charity
* community work
* attending a programme or counselling related to the perceived needs of the child or young person (such as counselling or treatment regarding drug or alcohol use)
* re-enrolling in school or a training course
* a curfew
* commitments not to associate with certain peers seen to be a negative influence.

Completion of an Alternative Action plan means there will be no further Police action as a result of this offending. If a plan is not agreed to, or is not completed, the matter may be referred by Police to CYF to convene an intention-to-charge FGC.

### Report structure

The following chapter describes the data sources and methodology used, as well as caveats around the data.

Part 1 of the report provides a description of the youth who undertake Alternative Action. Part 2 examines patterns of reoffending for participants of Alternative Action.

Appendix A describes the most common types of offences committed by young people within each offence division. Appendix B provides further details on the characteristics of youth undertaking Alternative Action each year, including their demographics, the Police District where Alternative Action was undertaken, and the number of offences prior to undertaking Alternative Action. Appendix C provides additional recidivism information according to fiscal year, gender, ethnicity, age group, and Police District.

# Data sources and methodology

### Data sources

Analyses in this report were produced by Insights MSD, Ministry of Social Development. For the most part, analyses used New Zealand Police (Police) data.[[3]](#footnote-3) However, some CYF data relating to youth justice FGCs and Supervision with Residence (SwR) orders imposed subsequent to Alternative Action being undertaken, were also utilised.

The Police data included a list of all children and young people whose cases were resolved by Alternative Action between 1 July 2010 and 30 June 2014. For these youth, Police also provided the occurrence details of all criminal offences that were linked to them as an ‘offender’ in Police records from July 2005 to January 2016. Court sentencing records, where imprisonment or home detention were imposed for the cohort of interest, were also provided to allow a post-intervention custodial sentence rate to be calculated (when combined with the SwR data).

Some individuals appeared more than once in the cohort of interest, as a result of distinct cases at different points in time over the four year period examined. Each case was separately analysed for the individual concerned, using their characteristics at the time of undertaking Alternative Action. The total 17,317 cases analysed in this report involved 14,605 individuals.

### Measuring reoffending

Patterns of offending were examined using ‘offence occurrence’ data, as described above. An offence occurrence does not necessarily result in a charge being laid in court, or imply that the offence has been proven in any formal way. However, proceeding by diversionary approaches, such as Alternative Action, first requires an admission of guilt by the young person. Offence occurrences provide a more consistent measure of offending patterns than court outcomes data for children and young people, given a large proportion of offences are diverted from prosecution.

Police offence history data will not capture the full extent of offending by individuals as some offences are not reported to or detected by Police.

The date an offence was committed was used to assign the offence to the period before or after Alternative Action being undertaken.

When examining reoffending, rather than having a single blunt measure of whether the individual did or did not reoffend, it is useful to calculate multiple recidivism measures to better understand how offending patterns have changed for the cohort of interest. In this report, the recidivism measures examined included:

* how quickly the cohort reoffended within 12 months (Figure 5)
* the average frequency and average total seriousness of offending across the whole cohort in six month periods before and after Alternative Action (Figures 6 and 7)
* changes in the types of offences committed by the cohort in the 12 months before and after Alternative Action (Figures 8 and 9)
* the proportion of youth who did not reoffend within 12 months (Table 2)
* the proportion of youth who reduced the frequency or seriousness of their offending in the 12 months after Alternative Action compared to the 12 months prior (Table 2)
* the proportion of youth whose reoffending was serious enough to result in a youth justice FGC being held within 12 months (Table 2)
* the proportion of youth whose reoffending was serious enough to result in a custodial sentence/order being imposed within 12 months (Table 2).

### Measuring offence seriousness

Changes in the seriousness of offending by the Alternative Action cohort were measured using the Justice Sector Seriousness Scale. This 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.[[4]](#footnote-4) 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.

In this report, total seriousness scores are calculated for a period of interest before Alternative Action, and compared to total seriousness scores afterwards. For example, if a young person committed one of each of the offences shown in Table 1 in a period of interest, their total seriousness score for that period would be 783.8.

Table 1: Examples of offence seriousness scores

|  |  |
| --- | --- |
| **Offence** | **Seriousness score** |
| Robbery (by assault) | 379.1 |
| Shoplifts (estimated value of goods <$500) | 15.2 |
| Wilful damage | 9.5 |
| Burglary (estimated value of goods $500 to $5,000) | 380.0 |
| Total | 783.8 |

Seriousness scores are a statistical representation of the average number of days of imprisonment imposed by the courts for each offence. Statistical equivalences are used for people who receive community-based sentences or fines. Because of the rather convoluted methodology, it is not possible to calculate error variances for the seriousness scores. However, because of a need to acknowledge that the raw seriousness scores, and therefore summary values calculated from them, have error variance, it was decided to use a 5% margin of error around total seriousness scores when comparing the pre-intervention period and post-intervention periods. In effect, this means that total seriousness scores need to differ by more than 10% to be considered different.

The Justice Sector Seriousness Scale is developed from District and High Court sentencing data relating to adults. While there could be debate over the applicability of the scale to offending by young people, developing a similar scale based on the diverse range of ways in which cases are dealt with in the Youth Justice system would be problematic. In any case, the interest in seriousness scores is primarily in terms of assessing relative changes rather than in the absolute value of the scores.

### Caveats with data

A couple of issues existed with the Police data that could potentially have introduced some amount of bias to the findings in this report. The size of any potential bias, and whether this may have led to higher or lower rates of reoffending than would have been the case without any bias is difficult to estimate.

Eleven percent (2,070) of the original 19,387 Alternative Action case sample[[5]](#footnote-5) supplied by NZ Police were removed from the analysis, leaving a final analysis dataset of 17,317 cases. The primary reason for removing cases was that either no offending history was available (422 cases), or the history of offending available did not include any offences prior to the person undertaking Alternative Action (1,271 cases). Investigation of a few cases by Police showed there were sometimes issues with recording practices in NIA (eg incorrectly recording the person with a role other than ‘Offender’ in relation to the offence). A total of 377 cases were removed as they related to children aged under 10 years, or adults aged over 40 years, and it was not clear what actions were actually taken (eg they may have been incorrectly recorded as resulting in Alternative Action).

To avoid confusion, it should be noted that the number of cases resulting in Alternative Action each year is considerably less than the historical *Youth Aid Section* offender apprehension figures published in NZ.Stat on the Statistics New Zealand website. Apprehensions are an over-count of cases as, for example, if a person was apprehended for three offences on a particular day, this counted as three apprehensions. In the data analysed in this report, this would be one case (ie one offender being proceeded against for a set of offences). For the 2013/14 fiscal year, the base sample of Alternative Action cases provided by Police was 3,942, whereas the number of offender apprehensions published in NZ.Stat was 11,068.

The date that Alternative Action plans were agreed to was not available as a reference point to measure reoffending before and after. Out of necessity, the reference date used was when the ‘Youth Case’ record was created in NIA for cases resolved by Alternative Action. For convenience, the reference point for the reoffending analysis is referred to as when ‘Alternative Action was initiated’.

It is possible that some individuals reoffended between the Youth Case record being created and the Alternative Action plan being put in place (assuming Police still proceeded with this intervention in light of the new offending). This new offending would be counted as reoffending after Alternative Action, even though it occurred before the plan for dealing with the offending was put in place.

In order to calculate a recidivism measure in relation to subsequent youth justice FGCs, the names and dates of birth of Alternative Action participants were matched to the names and dates of birth of Child, Youth and Family clients using a data matching algorithm developed by MSD. Inevitably, probabilistic data matching has some level of incorrect (false positive) or missed (false negative) matches. This may have introduced some amount of error to the measure in question.

# Part 1 – Profile of youth undertaking Alternative Action

The number of youth undertaking Alternative Action increased slightly between 2010/11 and 2011/12, then decreased by around 1,500 cases between 2011/12 and 2013/14 (Appendix B, Table B1). This decrease corresponds with a general decrease in youth crime that has been observed.

The overall pattern described above was seen for both genders (Figure 1). In the four years combined, males accounted for the majority (72%) of Alternative Action participants, with 28% being female. These proportions changed very little over the four years examined (Appendix B, Table B2).

Figure 1: Number of youth undertaking Police Alternative according to gender, 2010/11 to 2013/14 fiscal years



All three of the largest ethnic groups showed a decrease in cases between 2011/12 and 2013/14 (Figure 2 and Appendix B, Table B1). The decrease was proportionally greater for European youth than Māori youth. As a result, Māori youth accounted for 52% of all cases in 2013/14, compared to 49% in 2011/12 (Appendix B, Table B2). Over the four fiscal years combined, 49% of Alternative Action participants were Māori, 39% were European, and 8% were Pacific peoples.

All three age groups (10-13 years, 14-16 years, 17+ years) showed a decrease in cases between 2011/12 and 2013/14 (Figure 3 and Appendix B, Table B1). The decrease was proportionally greatest for young people aged 14-16 years. As a result, children aged 10-13 years accounted for 31% of all cases in 2013/14, compared to 26% in 2010/11 (Appendix B, Table B2). Over the four fiscal years combined, 68% of Alternative Action participants were young people aged 14-16 years, and 29% were children aged 10-13 years. Three percent of cases each year involved 17-year-olds, or in a few cases 18- to 20-year olds, who were presumably aged under 17 years at the time they offended. The average age of those undertaking Alternative Action was 14.8 years.

Figure 2: Number of youth undertaking Police Alternative according to ethnicity, 2010/11 to 2013/14 fiscal years



Figure 3: Number of youth undertaking Police Alternative according to age group, 2010/11 to 2013/14 fiscal years



Trends from year-to-year in the number of Alternative Action cases were inconsistent by Police District, other than all districts showing a decrease in cases between 2012/13 and 2013/14 (Appendix B, Table B1).

Thirty-eight percent of the youth undertaking Alternative Action between 2010/11 and 2013/14 were being proceeded against for their first offence (Figure 4 and Appendix B, Table B3). This offence was theft-related in 34% of cases (most often shoplifting), property damage in 17% of cases (most often wilful damage and graffiti-related offences), burglary in 13% of cases, and injury causing acts in 12% of cases (most often common assault). For people with two or more prior offences, the offence(s) that led to Alternative Action could not be reliably identified.

Twenty-two percent of the youth undertaking Alternative Action had two recorded offences prior to undertaking Alternative Action, while 26% had three to five prior offences, and 14% had six or more prior offences. In each case, these prior offences include the offence or offences for which they were proceeded against by Alternative Action, as well as any earlier offences committed.

Figure 4: Percentage of youth with each number of offences recorded by Police prior to undertaking Alternative Action, 2010/11 to 2013/14 fiscal years



The youth undertaking Alternative Action in 2013/14 had a marginally higher number of prior offences, on average, than those in the three earlier years.

# Part 2 – Reoffending rates of youth undertaking Alternative Action

This section examines changes in the offending outcomes observed in 17,317 cases where the person undertook Police Alternative Action in the 2010/11 to 2013/14 fiscal years. This period was chosen as it allowed reoffending to be analysed for at least 12 months after the last of the fiscal years. The Police offending data used related to the occurrence details of criminal offences by specified individuals linked as an ‘offender’ in Police records from July 2005 to January 2016.

### Reoffending rate

Within three months of Alternative Action being initiated, 17% of youth had come to the attention of Police with a new offence (Figure 5). Within six months, 28% had reoffended. Within 12 months, 43% had reoffended and 57% had not reoffended.

Figure 5: Percentage of youth who reoffended within 12 months of Police Alternative Action being initiated, 2010/11 to 2013/14 combined



There was little difference in reoffending rates between the four fiscal years examined in this report (Appendix D, Figure D1).

Male youth were more likely to have reoffended than female youth over the entire 12 month period after Alternative Action was initiated, with the gap in reoffending rates growing considerably as time passed (Appendix C, Figure C2). Māori youth reoffended at a higher rate than Pacific youth, who in turn reoffended at a higher rate than European youth over the entire 12 month period (Appendix C, Figure C3). Children aged 10-13 years and youth aged 17 years or over reoffended at similar rates for the first nine months, then rates diverged slightly (Appendix C, Figure C4). Both these age groups reoffended more quickly than 14-16 year olds.

### Frequency and seriousness of offending

In general, youth undertaking Alternative Action are low frequency offenders who have not committed very serious offences. Over the 12 months prior to undertaking Alternative Action, the average number of offences committed by each person was 2.1, with an average total seriousness of 179 (Figures 6 and 7). Over the 12 months following Alternative Action being initiated, both figures were lower at 1.5 (29% decrease) and 157 (12% decrease) respectively.

Figure 6: Average frequency of offences dealt with by Police before and after Alternative Action was initiated, 2010/11 to 2013/14 combined



Figure 7: Average total seriousness of offences dealt with by Police before and after Alternative Action was initiated, 2010/11 to 2013/14 combined



The total number of offences committed by the cohort in the 12 months after Alternative Action was 29% lower than in the 12 months prior (25,697 compared with 36,397, a 10,700 decrease). Figure 8 shows that the majority of the decrease was due to large drops in the two most frequent offence types: theft-related (down 38%) and property damage (down 44%). Injury causing acts or homicides reduced by 30% after Alternative Action, while burglary offences reduced by 20%. While there was a drop in the frequency of offending in the majority of offence divisions, robbery-related offences increased by 42% in the 12 months after Alternative Action compared to the 12 months before. Similarly, offences against justice increased by 38% and traffic-related offences increased by 3%.

Figure 8: Change in the total frequency of offences committed by recipients of Alternative Action, by ANZSOC offence division, 2010/11 to 2013/14 combined



Note: See Appendix A for details on the most common offences committed within each offence division.

In the 12 months prior to Alternative Action, 45% of all participants had committed a theft-related offence, whereas in the 12 months afterwards, the proportion was much lower at 20% (Figure 9). For property damage offences the proportions before and after were 26% and 12% respectively, for burglary they were 18% before and 10% after, and for injury causing acts or homicide offences they were 17% before and 10% after.

Figure 9: Percentage of recipients of Alternative Action who committed one or more offences within each ANZSOC offence division, 2010/11 to 2013/14 combined



Note: See Appendix A for details on the most common offences committed within each offence division.

### Reoffending outcomes in the 12 months after Alternative Action

#### Reoffending outcomes for the fiscal years 2010/11 to 2013/14 combined

Table 2 presents six reoffending measures for the 12-month period after Alternative Action was initiated. Not all reoffending is serious, and there will be a range of factors Police take into account when deciding how to deal with this. It is useful, therefore, to include measures of reoffending that led to higher-level interventions. Here, information is provided on the proportion of Alternative Action participants who were referred for a youth justice FGC or had a custodial sentence imposed for reoffending.

Table 2: Outcomes in the 12 months after Alternative Action was initiated, 2010/11 to 2013/14

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Outcomes within 12 months** | **2010/11**  (n = 4,614) | **2011/12**  (n = 4,944) | **2012/13**  (n = 4,284) | **2013/14**  (n = 3,475) | **Overall**  (n = 17,317) |
| Did not reoffend | 57% | 57% | 58% | 57% | **57%** |
| Reduced frequency of offending1 | 70% | 71% | 71% | 70% | **71%** |
| Reduced total seriousness of offending1 | 76% | 77% | 77% | 75% | **76%** |
| Reduced seriousness of most serious offence1 | 76% | 77% | 76% | 74% | **76%** |
| Referred for a youth justice FGC2 | 12% | 13% | 11% | 12% | **12%** |
| Received a custodial order/sentence3 | 0.2% | 0.3% | 0.4% | 0.4% | **0.3%** |

Notes:

1. This measure compares the 12 months after Alternative Action to the 12 months before. People who did not reoffend are included in calculations with a figure of zero offences and zero seriousness, and by definition this is a reduction in the frequency and seriousness of offending. Others included in the figures reoffended, but at a lower frequency and/or seriousness than before.
2. Referred to CYF for a youth justice FGC within 12 months of Alternative Action being initiated. This includes child offender, intention-to-charge and court-ordered FGCs.
3. Received a Supervision with Residence order in the Youth Court, or a sentence of imprisonment or home detention in the District or High Court within 12 months of Alternative Action being initiated. Figures do not include remands in custody.

In the 12 months after Alternative Action for the four fiscal years combined:

* 57% (9,938) of the young people did not reoffend and 43% (7,379) reoffended
* 71% (12,242) offended less often, including the 57% who did not reoffend, as well as 14% (2,486) who reoffended at a lower frequency. Of the others, 17% (3,029) offended more often and 12% (2,046) offended at the same rate
* 76% (13,231) reduced the total seriousness of their offending, including the 57% who did not reoffend, as well as 19% (3,293) who reoffended at a lower total seriousness. Of the others, 21% (3,667) committed more serious offences, and 2% (419) had the same total seriousness of offending
* 76% (13,161) reduced the seriousness of their most serious offence, including the 57% who did not reoffend, as well as 19% (3,223) who reoffended with a less serious offence. Of the others, 20% (3,383) committed a more serious offence, and 4% (773) committed an offence of the same seriousness
* 67% (11,676) reduced *both* the frequency and total seriousness of their offending. This figure includes the 57% who did not reoffend, as well as 10% (1,738) who reoffended at a lower frequency and seriousness
* 12% (2,111) of the 17,317 young people were referred to CYF for a youth justice FGC following reoffending[[6]](#footnote-6)
* a subsequent custodial sentence or order was rare, with only 0.3% (55) of the 17,317 young people receiving such an outcome.

There was little difference in the six reoffending measures shown in Table 1 from year-to-year.

The information above shows that a little over 12% of Alternative Action participants reoffended and had a subsequent FGC or custodial sentence. There is also interest in the interventions used for the other 31% of young people who reoffended within 12 months. The Police offence data used for this analysis includes the initial method of proceeding recorded against each offence. While this may not always reflect the final resolution of the case, the method of proceeding for the new offending appeared to most often be another Alternative Action, or a warning. Some people were aged 17 years or older for all or part of the 12 months following Alternative Action, and any reoffending as adults in these cases would usually be dealt with by prosecution.

#### Reoffending outcomes according to demographic characteristics

* Female youth had more positive outcomes than male youth on all six reoffending measures in the 12 months after Alternative Action (Appendix C, Table C1). For example, two-thirds of females did not reoffend within 12 months, compared to just over half of males. This reflects, in part, females having committed fewer and less serious offences on average than males in the 12 months prior to undertaking Alternative Action.
* European youth had the most positive outcomes in the 12 months after Alternative Action (Appendix C, Table C2). For example, nearly two-thirds of European youth did not reoffend within 12 months, compared to just over half of Māori youth. Nearly six out of every ten Pacific youth did not reoffend.
* Young people aged 14-16 years were more likely than children aged 10-13 years to have not reoffended, or to have reduced the frequency and seriousness of their offending, in the 12 months after Alternative Action (Appendix C, Table C3). In contrast, young people were more likely than children to be referred to a FGC for subsequent offending following Alternative Action. The relatively small number of youth aged at least 17 years when they undertook Alternative Action were the most likely to have received a custodial sentence - presumably because any new offending would have been dealt with in adult courts.

#### Reoffending outcomes according to Police District

Youth undertaking Alternative Action in Waitemata had the most positive outcomes of any district across all six reoffending measures (see Appendix C, Table C4). Two-thirds of youth in Waitemata did not reoffend within 12 months, compared to the national figure of 57%. Nine percent of youth in Waitemata were referred for a FGC within 12 months due to subsequent reoffending, compared to the national figure of 12%.

Youth in the Counties Manukau and Tasman Police Districts had the least positive outcomes of any district, with outcomes being worse than the national figures on all or most of the six reoffending measures.

Caution should be taken in interpreting the differences above, as they may be due to a multitude of reasons. This could include, for example, compositional differences that exist between districts in terms of the gender, age, and ethnicity distributions of the children and young people being proceeded against. There may also be differences in local policing and administrative procedures, and differences in the likelihood that offending that occurs comes to the attention of Police.

### Reoffending outcomes in the two years after Alternative Action

This section provides a brief summary of reoffending outcomes in the two years following Alternative Action for participants in the 2010/11 to 2012/13 fiscal years. Such information was not available for the 2013/14 year when this analysis was undertaken.

Table 3: Outcomes in the two years after Alternative Action was initiated, 2010/11 to 2012/13

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Outcomes within two years** | **2010/11**  (n = 4,614) | **2011/12**  (n = 4,944) | **2012/13**  (n = 4,284) | **Overall**  (n = 13,842) |
| Did not reoffend | 42% | 43% | 46% | **43%** |
| Reduced frequency of offending1 | 60% | 60% | 63% | **61%** |
| Reduced total seriousness of offending1 | 69% | 68% | 68% | **68%** |
| Reduced seriousness of most serious offence1 | 68% | 69% | 68% | **68%** |
| Referred for a youth justice FGC2 | 19% | 19% | 18% | **19%** |
| Received a custodial order/sentence3 | 1% | 2% | 2% | **1%** |

Notes:

1. This measure compares the two years after Alternative Action to the two years before. People who did not reoffend are included in calculations with a figure of zero offences and zero seriousness, and by definition this is a reduction in the frequency and seriousness of offending. Others included in the figures reoffended, but at a lower frequency and/or seriousness than before.
2. Referred to CYF for a youth justice FGC within two years of Alternative Action being initiated.
3. Received a Supervision with Residence order in the Youth Court, or a sentence of imprisonment or home detention in the District or High Court within two years of Alternative Action being initiated. Figures do not include remands in custody.

Table 3 shows that in the two years after Alternative Action, for participants in the four fiscal years combined:

* 43% (6,021) of the 13,842 young people did not reoffend and 57% (7,821) did reoffend
* 61% (8,434) offended less often, including the 43% who did not reoffend, as well as 17% (2,413) who reoffended at a lower frequency. Of the others, 27% (3,766) offended more often and 12% (1,642) offended at the same rate
* 68% (9,465) reduced the total seriousness of their offending, including the 43% who did not reoffend, as well as 25% (3,444) who reoffended at a lower total seriousness. Of the others, 29% (4,009) committed more serious offences and 3% (368) had the same total seriousness of offending
* 68% (9,468) reduced the seriousness of their most serious offence, including the 43% who did not reoffend, as well as 25% (3,447) who reoffended with a less serious offence. Of the others, 26% (3,654) committed a more serious offence and 5% (720) committed an offence of the same seriousness
* 57% (7,928) reduced *both* the frequency and total seriousness of their offending. This figure includes the 43% who did not reoffend, as well as 14% (1,907) who reoffended at a lower frequency and seriousness
* 19% (2,618) of the 13,842 young people were referred to CYF for a youth justice FGC following reoffending. It should be noted that in the two years after Alternative Action, a number of young people will have aged out of the youth justice system for all or part of the follow-up period, and any new offending as adults from age 17 cannot result in a FGC
* a subsequent custodial sentence or order was uncommon, with 1% (201) of the 13,842 young people receiving such an outcome.

# Appendix A: ANZSOC offence divisions

For each ANZSOC offence division, the most frequent types of offences committed in the 12 months before or after Alternative Action being initiated are shown in the table below.[[7]](#footnote-7) Offences are listed in descending order, ie the most common offence type is listed first, the next most common second, etc.

Table A1: Most common offences by Alternative Action recipients within each ANZSOC offence division

|  |  |  |
| --- | --- | --- |
| ANZSOC Offence Division | Shortened name in this report | Most common offences |
| Homicide and related offences[[8]](#footnote-8) &  Acts intended to cause injury | Injury causing or homicide | Common assault; assault with intent to injure; male assaults female; assault police |
| Sexual assault and related offences | Sexual | Sexual connection with young person; indecent assault; unlawful sexual connection |
| Dangerous or negligent acts endangering persons | Dangerous acts | Careless driving; sustained loss of traction; dangerous driving |
| Abduction, harassment and other offences against the person | Abduction & harassment | Threatening behaviour; disturbing or offensive use of telephone |
| Robbery, extortion and related offences | Robbery-related | Aggravated robbery; robbery; assault with intent to rob |
| Unlawful entry with intent/burglary, break and enter | Burglary | Burglary |
| Theft and related offences | Theft-related | Shoplifting; other types of theft; unlawfully takes or gets into a motor vehicle; receiving stolen property |
| Fraud, deception and related offences | Fraud & deception | Take, obtain or use a document or credit card for percuniary advantage; obtain by deception |
| Illicit drug offences | Illicit drugs | Possess or use cannabis; possess cannabis-related utensils |
| Prohibited and regulated weapons and explosives offences | Weapons-related | Possess offensive weapon; possess knife in a public place |
| Property damage and environmental pollution | Property damage | Wilful damage including graffiti-related offences; unlawfully interfere with motor vehicles; arson |
| Public order offences | Public order | Trespassing or unlawfully in an enclosed area or building; disorderly behaviour; fighting in a public place; breach of local liquour ban |
| Traffic and vehicle regulatory offences1 | Traffic | Unlicensed driver failed to comply with prohibition; driving with excess alcohol (not involving death or injury); failing to stop for flashing lights; drive with revoked or expired licence |
| Offences against government procedures, government security and government operations | Against justice | Resist or obstruct police; breach of court-imposed bail; escape lawful custody; false statement that offence committed |
| Miscellaneous offences | Miscellaneous | Used telephone for fictitious purpose; minor buys or possesses psychoactive product |

# Appendix B: Profile of Alternative Action participants

This appendix provides information on the characteristics of youth undertaking Alternative Action each year. This includes their demographics, the Police District where Alternative Action was undertaken, and the number of offences prior to undertaking Alternative Action.

Table B1: Characteristics of youth undertaking Police Alternative Action, by fiscal year

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Characteristic** | **2010/11** | **2011/12** | **2012/13** | **2013/14** | **Overall** |
| Total number of cases1 | 4,614 | 4,944 | 4,284 | 3,475 | 17,317 |
| **Gender** |  |  |  |  |  |
| Male | 3,320 | 3,489 | 3,096 | 2,487 | 12,392 |
| Female | 1,294 | 1,455 | 1,188 | 988 | 4,925 |
| **Ethnicity** |  |  |  |  |  |
| European | 1,969 | 1,965 | 1,645 | 1,238 | 6,817 |
| Māori | 2,177 | 2,400 | 2,095 | 1,797 | 8,469 |
| Pacific peoples | 324 | 418 | 375 | 298 | 1,415 |
| Other | 104 | 97 | 104 | 76 | 381 |
| Unknown | 40 | 64 | 65 | 66 | 235 |
| **Age group** |  |  |  |  |  |
| 10-13 years | 1,190 | 1,428 | 1,278 | 1,084 | 4,980 |
| 14-16 years | 3,259 | 3,370 | 2,887 | 2,287 | 11,803 |
| 17 years or over2 | 165 | 146 | 119 | 104 | 534 |
| **Police District** |  |  |  |  |  |
| Northland | 252 | 252 | 273 | 191 | 968 |
| Waitemata | 326 | 303 | 296 | 219 | 1,144 |
| Auckland City | 162 | 193 | 209 | 171 | 735 |
| Counties Manukau | 363 | 456 | 516 | 424 | 1,759 |
| Waikato | 333 | 515 | 324 | 243 | 1,415 |
| Bay of Plenty | 720 | 648 | 563 | 481 | 2,412 |
| Eastern | 256 | 330 | 257 | 253 | 1,096 |
| Central | 508 | 438 | 350 | 314 | 1,610 |
| Wellington | 535 | 562 | 474 | 356 | 1,927 |
| Tasman | 267 | 255 | 227 | 185 | 934 |
| Canterbury | 502 | 582 | 487 | 431 | 2,002 |
| Southern | 390 | 410 | 308 | 207 | 1,315 |

Notes:

1. Figures exclude a total of 2,068 Alternative Action cases over the four year period which had to be removed from the analysis for various reasons including: a complete history of offending was not readily available, or the age of the person appeared to be under 10 years.
2. Almost all such cases involved 17-year-olds, with very small numbers of youth being aged between 18 and 20 years. Presumably these youth were aged 16 years or younger at the time they offended.

Table B2: Characteristics of youth undertaking Police Alternative Action, by fiscal year

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Characteristic** | **2010/11** | **2011/12** | **2012/13** | **2013/14** | **Overall** |
| **Gender** |  |  |  |  |  |
| Male | 72% | 71% | 72% | 72% | 72% |
| Female | 28% | 29% | 28% | 28% | 28% |
| **Ethnicity** |  |  |  |  |  |
| European | 43% | 40% | 38% | 36% | 39% |
| Māori | 47% | 49% | 49% | 52% | 49% |
| Pacific peoples | 7% | 8% | 9% | 9% | 8% |
| Other | 2% | 2% | 2% | 2% | 2% |
| Unknown | 1% | 1% | 2% | 2% | 1% |
| **Age group** |  |  |  |  |  |
| 10-13 years | 26% | 29% | 30% | 31% | 29% |
| 14-16 years | 71% | 68% | 67% | 66% | 68% |
| 17 years or over | 4% | 3% | 3% | 3% | 3% |
| **Police District** |  |  |  |  |  |
| Northland | 5% | 5% | 6% | 5% | 6% |
| Waitemata | 7% | 6% | 7% | 6% | 7% |
| Auckland City | 4% | 4% | 5% | 5% | 4% |
| Counties Manukau | 8% | 9% | 12% | 12% | 10% |
| Waikato | 7% | 10% | 8% | 7% | 8% |
| Bay of Plenty | 16% | 13% | 13% | 14% | 14% |
| Eastern | 6% | 7% | 6% | 7% | 6% |
| Central | 11% | 9% | 8% | 9% | 9% |
| Wellington | 12% | 11% | 11% | 10% | 11% |
| Tasman | 6% | 5% | 5% | 5% | 5% |
| Canterbury | 11% | 12% | 11% | 12% | 12% |
| Southern | 8% | 8% | 7% | 6% | 8% |

Table B3: Total number of offences recorded by Police for each youth prior to undertaking Police Alternative Action1, by fiscal year

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Total number of prior offences** | **2010/11** | **2011/12** | **2012/13** | **2013/14** | **Total** |
| 1 | 1,787 | 1,874 | 1,690 | 1,251 | 6,602 |
| 2 | 1,049 | 1,083 | 921 | 764 | 3,817 |
| 3 to 5 | 1,172 | 1,272 | 1,080 | 896 | 4,420 |
| 6 or more | 606 | 715 | 593 | 564 | 2,478 |
| Total | 4,614 | 4,944 | 4,284 | 3,475 | 17,317 |

Note:

1. The Police offending history data used in this report had limitations as information was only available from mid-2005, so prior offending histories may be incomplete for some people. The prior offences include the offence or offences for which the person was proceeded against by Alternative Action.

# Appendix C: Reoffending patterns for selected subgroups

This appendix provides additional reoffending analyses by fiscal year, gender, ethnicity, age group, and Police District.

### Reoffending by fiscal year

Figure C1: Percentage of youth who reoffended within 12 months of Police Alternative Action being initiated, by fiscal year



### Reoffending by gender

Figure C2: Percentage of youth who reoffended within 12 months of Police Alternative Action being initiated, by gender, 2010/11 to 2013/14 combined



Table C1: Outcomes in the 12 months after Alternative Action was initiated, by gender, 2010/11 to 2013/14 combined

|  |  |  |
| --- | --- | --- |
| **Outcomes within 12 months**  (reductions compare after period to same period before) | **Male**  (n = 12,392) | **Female**  (n = 4,925) |
| Did not reoffend | 54% | 67% |
| Reduced frequency of offending | 68% | 77% |
| Reduced total seriousness of offending | 74% | 82% |
| Reduced seriousness of most serious offence | 74% | 81% |
| Referred for a youth justice FGC | 14% | 8% |
| Received a custodial order/sentence | 0.4% | 0.2% |

### Reoffending by ethnicity

Figure C3: Percentage of youth who reoffended within 12 months of Police Alternative Action being initiated, by ethnicity, 2010/11 to 2013/14 combined



Table C2: Outcomes in the 12 months after Alternative Action was initiated, by ethnicity, 2010/11 to 2013/14 combined

|  |  |  |  |
| --- | --- | --- | --- |
| **Outcomes within 12 months**  (reductions compare after period to same period before) | **European**  (n = 6,817) | **Māori**  (n = 8,469) | **Pacific peoples**  (n = 1,415) |
| Did not reoffend | 63% | 51% | 59% |
| Reduced frequency of offending | 74% | 67% | 71% |
| Reduced total seriousness of offending | 80% | 72% | 77% |
| Reduced seriousness of most serious offence | 80% | 72% | 77% |
| Referred for a youth justice FGC | 9% | 15% | 14% |
| Received a custodial order/sentence | 0.2% | 0.5% | s |

Note: Figures have been suppressed (shown as an ‘s’) where the numerator in a calculation was very small.

### Reoffending by age group

Figure C4: Percentage of youth who reoffended within 12 months of Police Alternative Action being initiated, by age group, 2010/11 to 2013/14 combined



Table C3: Outcomes in the 12 months after Alternative Action was initiated, by age group, 2010/11 to 2013/14 combined

|  |  |  |  |
| --- | --- | --- | --- |
| **Outcomes within 12 months**  (reductions compare after period to same period before) | **10-13 years**  (n = 4,980) | **14-16 years**  (n = 11,803) | **17+ years**  (n = 534) |
| Did not reoffend | 55% | 59% | 51% |
| Reduced frequency of offending | 67% | 72% | 68% |
| Reduced total seriousness of offending | 73% | 78% | 78% |
| Reduced seriousness of most serious offence | 73% | 77% | 79% |
| Referred for a youth justice FGC | 10% | 13% | 1% |
| Received a custodial order/sentence | s | 0.3% | 2.2% |

Note: Figures have been suppressed (shown as an ‘s’) where the numerator in a calculation was very small.

### Reoffending by Police District

Table C4 presents six reoffending measures according to Police District. There are clear differences in reoffending outcomes between districts. However, caution should be taken in interpreting these differences, as they may be due to a multitude of reasons. This could include, for example, compositional differences that exist between districts in terms of the gender, age, and ethnicity distributions of the children and young people being proceeded against.

Table C4: Outcomes in the 12 months after Alternative Action was initiated, by Police District, 2010/11 to 2013/14 combined

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Police District | Did not reoffend | Reduced frequency of offending | Reduced total seriousness of offending | Reduced seriousness of most serious offence | Referred for a youth justice FGC | Received a custodial order or sentence |
| Northland | 59% | 72% | 78% | 77% | 13% | 0.5% |
| Waitemata | 66% | 76% | 82% | 82% | 9% | 0.0% |
| Auckland City | 62% | 74% | 79% | 78% | 11% | s |
| Counties Manukau | 51% | 66% | 74% | 73% | 16% | 0.2% |
| Waikato | 59% | 71% | 78% | 78% | 14% | 0.3% |
| Bay of Plenty | 62% | 72% | 77% | 77% | 13% | 0.4% |
| Eastern | 55% | 69% | 74% | 74% | 10% | 0.6% |
| Central | 59% | 71% | 77% | 76% | 10% | 0.4% |
| Wellington | 54% | 70% | 74% | 74% | 12% | 0.3% |
| Tasman | 49% | 66% | 73% | 74% | 15% | s |
| Canterbury | 55% | 71% | 76% | 75% | 13% | 0.3% |
| Southern | 59% | 71% | 77% | 77% | 9% | 0.4% |
| National | 57% | 71% | 76% | 76% | 12% | 0.3% |

Note: Figures have been suppressed (shown as an ‘s’) where the numerator in a calculation was very small.

newzealand government (black)

1. Fiscal years begin on 1 July, and conclude on 30 June of the following year. [↑](#footnote-ref-1)
2. While children aged under 10 years can be recorded by Police as being responsible for an offence, they cannot be held criminally liable for any type of offending. [↑](#footnote-ref-2)
3. Data are shared for statistical/research purposes under a Memorandum of Understanding between the two agencies. [↑](#footnote-ref-3)
4. 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>. [↑](#footnote-ref-4)
5. This figure (19,387) excludes 20 duplicate cases removed from the original sample. [↑](#footnote-ref-5)
6. It is possible that some of the FGCs held within 12 months of Alternative Action being undertaken occurred as a result of actions taken by Police due to the Alternative Action plan not being completed, or for earlier offending that took time to come to the notice of Police. However, it is not possible to identify if this occurred. [↑](#footnote-ref-6)
7. Offences are categorised in this report according to the Australian and New Zealand Standard Offence Classification (ANZSOC), 2011. [↑](#footnote-ref-7)
8. Due to very low numbers of ‘homicide related’ offences, this ANZSOC offence division has been combined with ‘Acts intended to cause injury’ in this report. [↑](#footnote-ref-8)