

The Fresh Start Reforms in Operation: Summary

Context – New Zealand youth justice

- > Of the ten percent (approx 420,000) of the New Zealand population aged between 10 and 16 years old, only a small proportion will be involved in the youth justice system.
- > Most of those who offend do so for a short period of time, or commit only a few offences.
- > The Children, Young Persons, and Their Families Act 1989 is recognised as world-leading legislation and enjoys a strong international reputation.
- > It works well for most of the young people who offend, with around 80% of Police apprehensions resolved through diversion or warnings. Around half of the offending that goes through the family group conference process (7,480 in 2010/2011) is managed without needing to go to the Youth Court.
- > In 2010/2011, from over 39,000 apprehensions, only 611 children and young people went on to be dealt with through high-end Youth Court orders – 45% of these were Supervision Orders, 26% Supervision with Activity Orders, and 29% Supervision with Residence Orders.
- > Only 28 cases were transferred to the District Court for sentencing in 2010/11. This compares with 61 cases transferred to the District Court in 2009/2010.
- > There is a small group of serious and persistent offenders (around 1,000) who are responsible for nearly half the crime committed by young people.
- > These offenders cause significant harm to themselves, others and their communities. Their behaviour is harder to change, making them more likely to end up in prison and become hardened criminals. The estimated cost to society of the one percent of teenagers who end up in prison is around \$3 million each over their life span.
- > Fresh Start enables us to work more intensively and flexibly with these serious and persistent young offenders, over a longer period of time. With the help of this more sustained support, they have a better chance of getting their lives on track.

Fresh Start reforms

- > Young people who commit offences should be held to account, but they also need the right support and interventions to address their offending behaviour and turn their lives around.
- > The Fresh Start package, including the youth justice reforms which took effect 1 October 2010, represents the biggest transformation to the youth justice system since 1989. It was introduced to improve community safety, and help address the underlying causes of offending by children and young people.
- > The Fresh Start youth justice reforms included:
 - o widening the Youth Court jurisdiction to include child offenders, aged 12 to 13 years, who commit serious offences
 - o tougher new sentences for persistent and serious offenders, longer residential stays, and increased supervision requirements
 - o new powers for the Youth Court to order parenting, mentoring or drug and alcohol programmes

- > Fresh Start also provided additional funding for services that target youth offending. By expanding and extending the range of interventions, we can work in a more intensive and sustained way to help young people get their lives on track.

Evidence-based programmes

- > The design and implementation of Fresh Start was informed by 'what works' to stop offending and reoffending by our most at-risk children and young people. This includes:
 - o early, targeted engagement
 - o programmes that feature the development of personal and social problem-solving skills, relevant cognitive and social skills, pro-social modelling and reinforcement, and clear rules and boundaries
 - o intensive community-based interventions that address the individual, family and community problems that led to the offending
 - o a residential or custodial treatment of up to six months can work for serious and persistent offenders if done the right way, and if followed by well-supported, transition back into the community
 - o support to become drug and alcohol free and appropriate treatment for mental health problems
 - o providing parents of serious young offenders with training and support in parenting skills, and information about the management of key risk factors (such as drug involvement, school failure, anti-social peers and abuse at home).

Measuring ongoing effectiveness of Fresh Start

- > It's important that we build a strong evidence base to measure the long-term effectiveness of interventions, clearly identifying what is working, and informing future development of, and improvements to, programmes and initiatives.
- > Some monitoring and evaluation systems are in place, and more will occur overtime. All agencies involved in Fresh Start have work underway to support the improvement of the youth justice and child offender systems.
- > It is too early to provide complete and comprehensive monitoring data or make judgements on the effectiveness of the reforms, however information gathered so far shows promise.
- > Child, Youth and Family have developed an 'outcomes framework' which will help measure the effectiveness and responsiveness of the youth justice system and interventions. The framework focuses on community safety, improving the young person's behaviours, attitudes and values, and ensuring the right service is provided to the young person and their family at the right time.
- > Māori youth are significantly over-represented in youth offending statistics, with more than 50% of youth offending cases involving Māori. This apprehension rate is more than three times that of Pacific or New Zealand European young people.
- > Fresh Start has a strong focus on meeting the needs of Māori children and young people involved in the youth justice system.
- > Iwi and Māori service providers have been involved in the design and delivery of services, to ensure the availability of culturally appropriate programmes that reflect the needs of young Māori. These programmes draw upon best practice from existing programmes that work with Māori children and young people.
- > The Fresh Start Innovation Fund also has a particular focus on encouraging programmes with fresh approaches to addressing the needs of at-risk Māori children and young people.

Identifying risks and needs

- > The change in legislation introduces a new youth justice principle, requiring measures for dealing with offending to address the underlying causes of offending.
- > A number of assessment tools have been developed to identify each young person's level of risk and needs, including:
 - o YORST, a Youth Offending Risk Screening Tool that helps identify offending relating risks and needs. The tool is completed by Police and then information is shared with Child, Youth and Family and providers.
 - o TRAX assesses a young person's strengths, risks and needs, helping to identify the underlying causes of offending behaviour and inform effective planning.
 - o The Substance and Choices Scale (SACS) enables better identification of young people with drug and alcohol issues, including those who may require residential treatment.

Progress of Fresh Start programmes

- > There has been good progress on rolling out programmes. Existing providers are gradually building capacity to supply the additional services required, and we are expanding our list of preferred providers to extend our reach across the country.

Mentoring, parenting and drug and other alcohol programmes

- > The uptake of mentoring programmes, alcohol and other drug community (day) treatment programmes and parenting education programmes is increasing steadily as familiarity and awareness of the legislation and programmes improves.
- > Mentoring programmes are an important and sustained part of long-term, wraparound support for young offenders.
- > Young people need support to change behaviour, and having a positive relationship with at least one significant adult has been shown to be a protective factor.
- > Between 1 July 2010 and 31 May 2011, 248 additional young people have been supported through mentoring.
- > Many serious young offenders have had little structure, discipline or support in their lives. We want to give parents the skills and strategies they need to deal with these challenging young people.
- > The number of parenting education orders is currently low, 238 placements between 1 Oct 2010 and 31 May 2011, but is expected to rise with increased identification of families where this is needed. Agreement to take part in parenting education is not required for the order to be made.
- > A large number of young offenders have problems with alcohol or other substance abuse, which is often linked to their offending behaviour.
- > The new alcohol and other drug orders are generally being well utilised. Between 1 July 2010 and 31 May 2011 there have been 116 community based treatment placements, and 36 residential placements for young people with serious drug problems.

Supervision

- > Current evidence shows that community based interventions, even for serious offenders, is more likely to produce long-term sustainable change.
- > The Supported Bail programme is effective in providing a safe community-based alternative to holding a young person in custody while on bail. An increase in the number of providers has extended national coverage and increased placement levels by 32% in the last year - 223 placements between 1 July 2010 and 31 May 2011.

- > The additional Supervision with Activity placements are on track to be fully utilised, with 149 placements between 1 July 2010 and 31 May 2011. The increased national coverage for these programmes is enabling more young people to complete their orders within their own communities.
- > Child, Youth and Family has been working closely with community providers to evaluate their programmes, identify any areas for improvement, and develop a set of standards. Each provider has a development plan that will be reviewed later in 2011.

Military-style Activity Camp (MAC) programme

- > The MAC programme provides a last option for our most serious young offenders when other options have been exhausted. It offers an alternative to sending these young people to the adult courts and, in many cases, to prison where they are more likely to become hardened criminals.
- > The MAC programme is a short, intensive residence-based programme, followed by community-based supervision and support.
- > The MAC programme is about teaming up. It involves the New Zealand Defence Force, teachers, residential staff, specialist providers and cultural staff, coming together to wrap a targeted intervention around the young people in order to change their behaviour.
- > The programme reinforces self discipline, personal responsibility and community values, while also helping to address the underlying causes of offending through mentoring, educational or vocational programmes, and therapeutic treatments including addressing substance abuse.
- > While it's early days, initial results for the MAC programme are encouraging. The Principal Youth Court Judge Andrew Becroft has endorsed the programme.
- > From the two concept tests of the MAC programme, involving 17 participants, results have been positive:
 - o only four have gone on to adult prison
 - o of those who have reoffended, 60% are less seriously and 53% less frequently.

Longer Orders

- > Higher end orders need to be of sufficient length and intensity to have an impact on the underlying causes of behaviour. Too short a time can mean that a young person does not get enough support and treatment to sustain long-term change.
- > Longer orders for serious offenders are now well integrated into sentencing options.
- > We are increasing the number of beds in youth justice residences by 34%, to support the longer orders that the Youth Court can now impose.
- > To date, no young people have received Intensive Supervision orders, aimed at young people who do not comply with their court ordered plans.

Early Intervention

- > Early targeted intervention with children who offend can reduce the likelihood of them progressing to youth and adult offending. There have been recent improvements in care and protection practice, and Fresh Start has improved youth justice responses.
- > The Fresh Start package includes initiatives that target lower-risk offenders, including:
 - o Break-Away school holiday programmes,
 - o Prime Minister's Programme
 - o Youth Development Programmes
 - o Innovation Fund

- > The uptake of Community Youth Development Programmes and Court Supervised Camps has increased significantly since January 2011, by 49 per cent and 43 per cent respectively.
- > There have been three rounds of the Fresh Start Innovation Fund, which aims to encourage communities to deliver their own promising solutions to local youth offending problems, with a particular focus on addressing the needs of Māori children and young people.
- > So far, 34 programme providers have received almost \$3 million from the Innovation Fund.
- > The Social Services Committee is undertaking an inquiry into the identification, rehabilitation, and care and protection of child offenders.
- > The committee has received and heard public submissions, and is currently drafting its report to Parliament.

Improving the effectiveness of Fresh Start – What's next?

- > There is work underway to support the ongoing development of operational practice, including:
 - increasing the uptake of parenting orders, by targeting young offenders' families as early as possible
 - improving the transition of young people from residential services and supervision with activity programmes through more comprehensive planning and better use of Fresh Start programmes
 - improving the outcomes achieved at family group conferences, by increasing participation and improving the information available to attendees to inform their decision making
 - engaging with health services and schools to ensure health and education assessments are complete in time to inform the family group conference decision-making process
 - policy development work to help address the growing problem of young people who are not in employment, education or training.
- > Over time, the accumulation of information and data will inform the ongoing development and modification of all aspects of Fresh Start.