

Are Our Youth Policing Processes Achieving as an Example of a Restorative Justice Process?

In considering this question I will simply add to the discussion rather than provide a comprehensive answer.

Bottom Line achievement for Police is "a reduction in offending". Police and partner agencies are charged with implementing Governments Youth Offending Strategy 2002. The overarching goal of that strategy is reducing youth offending. In order to achieve that goal a number of improvements were recommended to the systems and processes of Youth Justice.

Amongst the areas of improvement is Key Focus Area 5: entitled *First Contact with Police*: Provide an appropriate and proportionate response when offending by children and young people first comes to the attention of police including diversion away from the formal youth justice system wherever possible.

This requirement has been translated into the National Youth Policing Plan 2005/06, which provides a platform for raising awareness of the business of youth policing and the benefits of a restorative approach contained within the youth justice process. Those benefits for police being a reduction in offending and reductions in reported crime.

The youth justice process described in the Children Young Persons and their Families Act 1989 provides significant scope for keeping young people out of the formal youth justice process unless in the public interest. Early informal case intervention has been shown to reduce the escalation of offending by young people. For Police statistical purposes; Alternative Actions, Warnings and Cautions all contribute to 'informal resolutions'. Family Group Conferences, Youth Court prosecutions and youth court diversions make up 'formal resolutions'.

The level (i.e formal or informal) at which a young person is dealt with in the youth justice system is an important factor in deciding later life outcomes¹. If a child or young person is exposed early to the formal YJ process [at the heavy end of the tariff scale] then there is a high probability that they will go on to become life course persistent offenders.

Compliance with the diversionary aspects of the Children Young Persons & Their Families Act, by Youth Aid and other Police staff, is highly effective in keeping out of the formal Justice system, large numbers of young people who potentially may go on to become persistent offenders.

Police, in applying those diversionary practices currently achieve around 80% of their resolutions for young offenders through informal resolutions (20% formal) and there is an 80% non re-offending rate for those children and young persons within the next 18 months. For children & young persons dealt with through the court/FGC process there is a reverse picture with around 66% re-offending within the next 18 months.

Police concentration on Youth Offending seems to be having a positive effect. Over the last 9 years 22% of all apprehensions for reported crimes have been attributed to child or youth offenders. This last calendar year has dropped to 21% (about 6 thousand individual offences -this potentially equates to six thousand victims). Latest statistics for the calendar year 2004 show a reduction in the apprehension rate for child & youth offenders (per 10,000) to 83% of the national apprehension rate for all offenders compared to 87% for 2001, 2002 and 2003. [That rate is calculated by the number of apprehensions in the age band x 10,000 divided by the population in the age band.] The rate measure accounts for increases in population at the same time as looking at volume of reported apprehensions within the age band.

¹ Maxwell, G. et. al (2003) Achieving Effective Outcomes in Youth Justice. Cross Departmental Reporting Project for Ministry of Social Development, Wellington.

Both these factors taken together indicate cause for cautious optimism. However we need to look at trends over time, because the drop in offending could just as easily be because we have a buoyant economy.

In summarising Howard's commentary; There are some real organisational factors to overcome in moving to a restorative policing model.

- Connectedness across the sector.
- Creating the environment where frontline officers have time to provide lateral thinking to offending encounters.
- Creating a committed and consistent organisational approach across the organisation which translates into positive attitudes to the approach.
- There is evidence (in the youth policing model) that a holistic and restorative approach has benefits in terms of reducing offending. The youth approach may be the baseline that is required.
- Ease of us for frontline practitioners.
- Staff development; communication and
- resourcing followed by gradual implementation.

Youth policing shares all of these issues from laying the foundation through to implementation and monitoring. I sound a note of caution. I am not saying that we have implemented the perfect model in youth policing and we (Police) are a long way from seeing the concept of restorative Justice as "Business as usual" in policing. This is a long term process and change does not happen overnight. What we wanted to do here is simply add to the discussion on how it might take place in the future.

Steve CHRISTIAN
Superintendent
National Manager Youth Services
Office of the Commissioner