

**THE YOUTH COURT** |  
**OF NEW ZEALAND** | **TE KOOTI TAIOHI O AOTEAROA** |

# About the Youth Court



**ACCOUNTABILITY**

**RESOLUTION**

**RESTORATION**





# What are Youth Courts and how do they work?

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Youth Courts are courts that deal mostly with:

- young people aged 14, 15 and 16 years old, and
- children aged 12 and 13 years old who have been charged with serious offending.

Youth Courts deal with offending that is too serious to be dealt with in any other way.

Family/whānau and other support people are encouraged to attend court with their child or young person.

The Youth Court is about:

- making children and young people answer for what they have done
- getting children and young people to think about their actions, how they affect other people and how they can be put right
- encouraging children and young people to face their victim and hear the consequences of their offending
- involving the child or young person's family/whānau and support people
- including victims in the process, and
- preventing children and young people from re-offending.

# Who is involved?

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**Youth Court Judges** – these are specialist District Court Judges who are chosen for their training, experience and understanding of the importance of different cultural perspectives and values in relation to children and young people.

**Prosecutor** – the person who appears in court and presents the case against a child or young person. In the Youth Court, the prosecutor is nearly always from the Police.

**Youth advocates** – a lawyer who is appointed by the court to represent the child or young person, help them with their case, and to assist them in court. The youth advocate is provided free of charge.

**Youth justice co-ordinator** – this person is employed by Child, Youth and Family (CYF) to manage the family group conference process.



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This involves contacting the family/whānau, victim or anyone that may contribute to the family group conference, facilitating the conference and recording the outcome.

More information about Family Group Conferences can be found later in this pamphlet.

**CYF social workers** – a social worker may also be appointed to provide additional support through the family group conference process, assess needs and ensure completion of the family group conference plan.

**Lay advocate** – a child or young person may also have a lay advocate. This is a person appointed by the court who is not a lawyer. Their job is to support the child or young person in court, make sure that the court knows about all relevant cultural matters, and represent the interests of the child or young person's family, if they are not already represented.

**Family** – parents/guardians, caregivers, and family/whānau of the child or young person are also encouraged to go to Youth Court hearings to support their child or young person.



# Who else can attend the Youth Court?

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Youth Courts are closed to the public and any details that could identify a child or young person, their family, school or the victim cannot be reported in the media. Reporters can attend, but they must ask the permission of the Judge before publishing anything. Victims can attend hearings too, with the permission of the Judge, and may ask to speak.



# What is a family group conference?

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A family group conference is a meeting for a child or young person, their family/whānau and the victim. The police and a youth advocate also attend the conference, which aims to get everyone together to talk about what the child or young person did, how it can be put right and what can be done to stop re-offending.

A youth justice co-ordinator contacts all of the participants beforehand to explain what the conference is about and to arrange a time and venue. There are strict time limits for the holding of a conference.

During the conference, a plan is made for the child or young person, which is then considered by the Judge at the next court appearance. The Judge will give the child or young person enough time to complete the plan and meet with them again to ensure that it has been carried out.



# What sort of decisions can a Youth Court Judge make?

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A Youth Court Judge can make a wide range of decisions. Some examples of what the Judge might order the child or young person to do include:

- completing a family group conference plan
- returning or giving up property
- paying money to the victim or paying a fine
- being disqualified from driving
- doing community work
- doing a parenting education, drug, alcohol or mentoring programme
- being supervised with various conditions, including electronic monitoring of a curfew and judicial monitoring, either in the community or a residential facility.



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In some cases where the offending is very serious the Judge might decide that the child or young person's case should be transferred to the District Court for sentencing.

A Judge may also order the parent or guardian of a child or young person to undertake a parenting education programme.

In certain circumstances, a child or young person has the right to appeal decisions made by the Youth Court. This should be discussed with a youth advocate.



**[www.justice.govt.nz/youth/](http://www.justice.govt.nz/youth/)**

For further information about the Youth Court, speak to court staff or visit the Youth Court website at:  
**[www.justice.govt.nz/youth/](http://www.justice.govt.nz/youth/)**

For further information about family group conferences, speak to a youth justice co-ordinator at the court or visit **[www.cyf.govt.nz/youth-justice/](http://www.cyf.govt.nz/youth-justice/)**