

3 July 2023

Section 9(2)(a)

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Our ref: OIA 104866

Tēnā koe Section 9(2)(a)

### Official Information Act request: Youth offending

Thank you for your email of 26 May 2023, requesting, under the Official Information Act 1982 (the Act), information about youth offending charges heard in Gisborne, Ruatoria and Wairoa District Courts. Specifically, you requested:

- 1. Please provide figures for each of the past five years (2018 - 2023) showing the number of youths charged and prosecuted in Gisborne and Ruatoria with either unlawfully taking a vehicle, aggravated robbery, or both.*
- 2. How many of those charges did the worst of those offenders accumulate at any one time?*
- 3. How many youths are currently on active charges of this nature in the Gisborne and Ruatoria courts?*
- 4. Please supply the same figures for Wairoa.*

On 6 June 2023, we sought to clarify part 2 of your request. You advised:

*So please would you supply the information for the "worst" five offenders each year - that is the offenders who have the most charges laid for either unlawfully taking, agg robb, or both at any one time. E.G the most charges at first court appearance.*

You have requested youth offending related data for the years 2018 – 2023. Youth offending data forms part of the Tier 1 Official Statistics, which are the key official statistics by which New Zealand's performance as a country is measured. There are principles and protocols that govern their production and release. Tier 1 statistics are published twice a year in March (for the previous calendar year) and September (for the previous financial year). This means that data for the 2023 calendar year will be available in March 2024. More information about Tier 1 statistics is available at [www.data.govt.nz/use-data/showcase/official-statistics/](http://www.data.govt.nz/use-data/showcase/official-statistics/)

I am therefore refusing the parts of your request relating to 2023 youth offending data under section 18(g)(i) as the Ministry does not currently hold this information and have no grounds for believing it is held by another agency subject to the Act.

In response to parts 1 and 4 of your request for youth offending data for the years 2018 - 2022, please find Table 1 attached, which provides the number of children and young people

with finalised charges for unlawfully taking a vehicle, and aggravated robbery at the Gisborne and Wairoa District Courts, for the 2018 to 2022 calendar years.

In response to part 2 of your request, please find Table 2 attached, which provides data on the 5 children and young people with the highest number of finalised charges at the Gisborne and Wairoa District Courts, for the 2018 to 2022 calendar years

Please note the following for Tables 1 and 2:

- Youth Court matters for Ruatoria have been heard in the Gisborne District Court since 2017. The data provided is therefore for only the Wairoa and Gisborne District Courts.
- The Ministry reports on finalised charges, as opposed to active charges and prosecutions. The data provided is therefore for finalised charges.
- All numbers in the statistics on children and young people in court are rounded to the nearest multiple of three, with the exception of zeroes, which remain as zeroes. The Youth Court is closed to the public, so any details that may identify an individual young person cannot be reported.

In response to part 3 of your request, the Ministry does not report on active youth cases and therefore does not hold the information requested. The Act only applies to information that is already held by the Ministry and there is no obligation to create information in order to respond to a request. The Ministry would need to create complex programming to respond to this part of your request. I am therefore refusing this part of your request under section 18(g)(i) of the Act, as the Ministry does not hold this information and have no grounds for believing it is held by another agency subject to the Act.

Please note that this response, with your personal details removed, may be published on the Ministry website at: [justice.govt.nz/about/official-information-act-requests/oia-responses/](https://justice.govt.nz/about/official-information-act-requests/oia-responses/).

If you require any further information, please contact Media & Social Media Manager Joe Locke at [media@justice.govt.nz](mailto:media@justice.govt.nz).

If you are not satisfied with this response, you have the right to make a complaint to the Office of the Ombudsman under section 28(3) of the Act. The Office of the Ombudsman may be contacted by email to [info@ombudsman.parliament.nz](mailto:info@ombudsman.parliament.nz) or by phone on 0800 802 602.

Nāku noa, nā



Richard Williams  
**Acting Group Manager, Courts and Tribunals, Regional Service Delivery**

**Table 1: Number of children and young people with finalised charges for motor vehicle theft and aggravated robbery in Gisborne and Wairoa District Courts, by charge outcome, for the 2018 to 2022 calendar years**

District Court location	Offence	Outcome	2018	2019	2020	2021	2022
Gisborne	Aggravated robbery	Convicted	3	0	3	3	3
		Other proved	9	6	6	3	0
		Not proved	0	3	0	0	0
		Other	0	3	0	0	0
	Motor vehicle theft and related offences	Convicted	3	0	0	0	0
		Other proved	12	9	12	9	9
		Not proved	0	6	3	6	3
Wairoa	Aggravated robbery	Other proved	3	0	0	0	0
	Motor vehicle theft and related offences	Other proved	3	3	3	3	0
		Not proved	0	3	0	0	0

**Notes for Tables 1:**

- This table relates to the following specified offences 0611: Aggravated robbery and 081: Motor vehicle theft and related offences.
- The number of charges includes only charges for specified offences finalised in the Gisborne and Wairoa District Courts.
- All numbers in the statistics on children and young people in court are rounded to the nearest multiple of three, with the exception of zeroes, which remain as zeroes. The Youth Court is closed to the public, so any details that may identify an individual young person cannot be reported.
- This data is extracted based on the charge outcome year of each charge (for example, the year that a charge receives an outcome). Calendar years start in January and end in December.
- A person is counted once per year. When a person is charged of more than one offence in a year, the details of the most serious charge of the specified offence are included in the statistics.
- In the data tables children and young people are people with charges finalised in any court who were aged between 10 and 17 years (or between 10 and 16 years up to 30 June 2019) at the date of the offence (17 year olds are only included as children and young people for charges filed from 1 July 2019; charges filed prior to this are counted as adult charges):
  - Child/children - aged 10, 11, 12 or 13 years
  - Young person/young people - aged 14, 15, 16 or 17 years.
- The outcome of a prosecution - whether a person is convicted or not:
  - proved outcomes (where a person is found to be, or pleads, guilty) includes 'convicted' and 'other proved' (Youth Court proved (s283 order), discharge without conviction and Adult diversion/Youth Court discharge, proven but not criminally responsible on account of insanity).
  - not proved outcomes include the person being found not guilty and where the charge is withdrawn or dismissed.
  - other charge outcomes includes being found not guilty by reason of insanity, unfit to stand trial or stay of proceedings ordered. The court location is the location of the court where the final court hearing was held (e.g. Wellington District Court is recorded as Wellington). For charges that are convicted this is usually the court where the sentence is imposed. For other types of charge outcome this is usually the court where the charge outcome was decided.

**Table 2: Children and young people with the highest number of charges for motor vehicle theft or aggravated robbery in Gisborne and Wairoa District Courts, for the 2018 to 2022 calendar years**

Justice Service Area	Rank	2018	2019	2020	2021	2022
Gisborne	1	9	18	12	9	9
	2	6	6	9	6	6
	3	3	6	6	3	6
	4	3	6	6	3	3
	5	3	6	6	3	3
Wairoa	1	3	3	3	3	0
	2	3	3	3	0	0
	3	0	3	3	0	0
	4	0	3	0	0	0
	5	0	3	0	0	0

**Notes for Tables 2:**

- This table relates to the following specified offences 0611: Aggravated robbery and 081: Motor vehicle theft and related offences.
- The number of charges includes only charges for specified offences finalised in the Gisborne and Wairoa District Courts.
- All numbers in the statistics on children and young people in court are rounded to the nearest multiple of three, with the exception of zeroes, which remain as zeroes. The Youth Court is closed to the public, so any details that may identify an individual young person cannot be reported.
- This data is extracted based on the charge outcome year of each charge (for example, the year that a charge receives an outcome). Calendar years start in January and end in December.
- A person is counted once per year. When a person is charged of more than one offence in a year, the details of the most serious charge of the specified offence are included in the statistics.
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  - Child/children - aged 10, 11, 12 or 13 years
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- The outcome of a prosecution - whether a person is convicted or not:
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  - not proved outcomes include the person being found not guilty and where the charge is withdrawn or dismissed.
  - other charge outcomes includes being found not guilty by reason of insanity, unfit to stand trial or stay of proceedings ordered. The court location is the location of the court where the final court hearing was held (e.g. Wellington District Court is recorded as Wellington). For charges that are convicted this is usually the court where the sentence is imposed. For other types of charge outcome this is usually the court where the charge outcome was decided.