

# Serious or persistent offending by children aged 10-13 – fast track intervention

## Tools available under Oranga Tamariki Act 1989:

**Custody:** S78, S78 (3) (interim) | S101

**Action on the basis of offending:** S14(1)(e) | S 96 | 272

**Action on the basis of care and protection:** S14(1)(d) - harm to self or others; and all wider care and protection orders

**Response for 12 and 13 year olds who are previous offenders (proven offending):** S272

### High frequency action and monitoring by Oranga Tamariki:

- Frequent updates on work with the child and their family/whānau
- National Office engagement
- Active and regular consideration of custody issues: if child is already in custody of CE, is a change in placement needed to enable more support or to reduce absconding to offend? Or should child be brought into the custody of the CE?

## PROMPT MULTI-DISCIPLINARY – FAST TRACK INTERVENTION

### WITHIN 24 HOURS

### WITHIN 48 HOURS

### WITHIN A WEEK

#### Cross agency intensive response

- Involving Oranga Tamariki and Police, plus Education, Health, Social Development (as required)
- At the earliest opportunity seeking to involve Iwi/Māori and community organisations as consistent with the Oranga Tamariki Future Direction Action Plan.
- Meet to share information and develop an initial action plan for the child and their family/whānau, which will include:
  - considering statutory options
  - If child is already in the custody of CE of OT, whether placement needs changing
  - Other responses e.g., mentoring

- Officials agree an action plan for the support and responses the family and child need over the next few days and weeks while longer term processes are undertaken e.g. statutory response.

#### Contact with family/whānau

- Oranga Tamariki, a provider partner and/ or Police Youth Aid beginning, or building on, engagement with the child and their family/whānau to rapidly address offending and wider needs.

#### Police partner with Oranga Tamariki on Alternative Action (AA)

- If frontline Police determine an offence has occurred and do not use s14(1)(e), or the 'warning' pathway (i.e. current and historical offending is not serious enough or too serious for these options) then:
  - Police Youth Aid will work closely with Oranga Tamariki, the child and their family/whānau to develop an AA plan to address offending. This process also involves the victim(s).

### Serious and/ or persistent offending

Child identified to have committed or been involved in serious and/ or persistent offending including 'fleeing drivers'

### For 12- and 13-year-olds:

S272 Oranga Tamariki Act 1989: can be charged in Youth Court when:

- offending carries a 14 year maximum penalty; or
- Meets 'previous offender' test

### FAMILY GROUP CONFERENCES (FGCs)

Operational changes to speed up holding of FGCs when offending is a factor in seeking an FGC where possible.