

“Court in the Act”

A newsletter co-ordinated by the Principal Youth Court Judge for the Youth Justice Community

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I have visited almost every Youth Court in the country. It has been a wonderful privilege to travel the length of New Zealand and to witness the dedicated service of so many committed individuals ... The contribution you make to our youth justice system is enormous. I am proud to be part of such a system. It is humbling to see the daily efforts of so many. I want to pay tribute to you all.

Judge Becroft, Working Together – National Youth Justice Conference 2007

The Link Between Drugs and Alcohol and Exclusion from School

Murray Trenberth, Executive Officer, WellTrust

Murray Trenberth (Executive Officer WellTrust) said recently, that he believes that, if all students suspended from school were drug tested, 80% would be on cannabis.

WellTrust has treated more than 1500 secondary school students in the last 3 years. The average age that these student begin to use cannabis is 12. Boys outnumber girls 2 to 1, and Maori make up 50% of referrals.

Trenberth says that, in the vast majority of cases referred to WellTrust, the referral has come because of the student's use of cannabis. He says 80% of his clients have parents or grandparents who also have drug issues.

The risks of using cannabis before the age of 25 include: damaging short term memory, harming the development of the prefrontal cortex, slowing the development of emotional maturity. Trenberth calls cannabis the most destructive drug for young people. Its effects stay in the body long after the drug is taken.

Trenberth says school students who use cannabis regularly are absent 12 days out of every 20, come late to class, do not attempt their homework, are less able to learn because their short term memory is impaired, and either lead the way in misbehaving or join in with those who do.

Trenberth blames a “culture of poverty” “typified by dysfunction, neglect, non-engagement, poor role modelling, abuse of family members and their animals”. He says adults must not accept that it is okay for adolescents to use cannabis, and must change attitudes that label cannabis as only a soft or recreational drug.

Reproduced from a press release by Murray Trenberth, Executive Officer, WellTrust, Wellington. □

High On Life

The Ministry of Education and schools in Wanganui and Taranaki have embarked on a pioneering initiative to keep more students who have used drugs at school. Through a programme of drug testing and counselling, the numbers of exclusions for drug use in these schools have dropped dramatically. More on this in upcoming issues of *Court In The Act*.

The Youth Justice System Is Working

Mike Doolan, Adjunct senior fellow, University of Canterbury

In a recent newspaper article (The Press, 10 October 2007) Mike Doolan has criticised recent comments by a retiring police officer, and New Zealand First MP Ron Mark.

Commenting on an article in The Press entitled “Misbehaving teens need better discipline” (October 8, 2007), Doolan said “Every time I see one of these reveries of a lifetime spent in law enforcement I give thanks that it is not frontline uniformed police who set the rules”.

According to Doolan, “our youth justice system is functioning superbly”. Responding to calls for tougher action, Doolan said that cited youth justice legislation which promotes diversion and family group conferencing, and made the point that “research concludes that negative effects result for young people and the community when young people are embedded in the criminal justice system, when they suffer severe and retributive outcomes and when they endure stigmatic shaming”.

WELLTRUST

WellTrust is a secondary school alcohol and drug support service for the Wellington region. WellTrust was established by The Community Trust of Wellington in 2000. There is no charge for most services. However, for some more comprehensive interventions there will be a nominal charge.

WellTrust work with youth (13-19 years of age) who have, or are thought to have, alcohol or other drug problems. These young people are referred by schools, parents, self, CYFS, Police, Courts and other agencies.

A recent Ministry of Health review reported that WellTrust drug test their clients as a therapeutic and motivational tool, and that their policy of drug testing was supported by the majority of referrers, parents and young people who were interviewed. Overall, the Ministry of Health consultant concluded that WellTrust “are providing a very valuable service to the greater Wellington region”.

Principal Youth Court Judge Andrew Becroft commented recently that many young offenders in the Wellington region are involved in WellTrust services, and that, being the only service of its kind, the Youth Court would be “lost without it”.

“On the other hand, positive effects result from family and community empowerment, putting right the wrong that has been done and providing appropriate services that help young people reintegrate into society”.

Doolan went on to criticise the proposal to increase the age of criminal responsibility to 12, and what he called “rhetoric” from MP Ron Mark that “would have you believe children are getting away with their offending and the system is failing to

Mike Doolan continued

deal with them adequately". He also criticised proposals for longer custodial sentences for young people.

Citing recent statistics that show apprehension rates and crime statistics dropping for all categories except minor assaults, Doolan asked "Why would we want to bring more young people before the courts or place more young people in detention for longer periods? Why would we want to return to such failed policies of the past? Why would we want to allow unsubstantiated and uninformed opinion dictate our social policy?"

He said "I would rather praise police Youth Aid staff, conference co-ordinators, CYF social workers, youth advocates, Youth Court judges and community service providers for the outstanding results they are achieving — and leave them to get on with it." □

Mike Doolan is a former chief social worker for the Department of Child Youth and family, and is recognised as one of the architects of New Zealand's modern youth justice system.

Restorative Justice and Practices in New Zealand—a new book edited by Gabrielle Maxwell and James Liu

Published by Victoria University School of Government Institute of Policy Studies

The concept and practices of restorative justice are well established, and well thought out in New Zealand. As ex Principal Youth Court, and ex Chief District Court Judge David Carruthers says in the foreword to this book, restorative justice utilises ancient ways of participating that are still relevant to a modern liberal democratic society.

With 350 pages and 19 articles by New Zealand restorative justice hall-of-famers such as Maxwell and Liu themselves, as well as Kim Workman, Jonathan Boston, and Judge Fred McElrea. The book was born out of the 2005 Conference *Toward a Restorative Society*, and covers New Zealand restorative justice practices in the criminal arena, as well as civil, educational, and Treaty practice.

In his speech at the launch of

the book in Wellington last month, Governor General Anand Satyanand said this was an important book, and reflected on a number of fundamental movements in law reform that he witnessed in his many years as a District Court judge. One particular milestone on restorative justice mentioned by the Governor General was a speech by Judge Fred McElrea in 1994 where he advocated extending the use of youth justice restorative techniques to adults.

Youth Justice has been a flagship for restorative justice practice in this country. Interestingly,

though, the Youth Court itself, is perhaps the least restorative part of the youth justice system. The article by Judge Becroft and Rhonda Thompson takes a critical look at the Youth Court from a restorative justice point of view, and concludes that the Court could be more restorative in some aspects of its practice, but also has important functions that fulfil other purposes. □

The Link Between Market Driven News Media and the Bandwagon of Punitiveness

From a paper to the recent International Society for the Reform of Criminal Law Conference 2007 by Sara Sun Beale, Duke University School of Law, USA.

Sara Beale argues that the commercial and marketing factors frequently override traditional journalistic criteria for newsworthiness in large network news media organisations. She says news coverage of crime is being adjusted to meet perceived viewer demand and advertising strategies, especially targeted at demographic groups that are thought to have a taste for violence.

Newspapers too, deliberately promote stories about violent crime to grab readers attention. These tactics increase public concern about crime, and place crime on the agenda of politicians and commentators. The last element of Beale's argument links this bandwagon of public and political concern with a mood of increased punitiveness.

The more crime is highlighted in society, the more society believes it should 'get tough' with offenders. Beale admits the exact role of the news media in this process is little understood, but the result is that the public perceives crime as a more severe problem than real statistics indicate.

Beale reflects other studies that have shown a strong similarity between the prioritising of news stories, and the opinions of viewers about the most important issues facing the United States. This 'agenda-setting' combines with a process of 'priming' that shows how viewers tend to judge politicians' performance by reference to issues that have been given prominence on recent media coverage.

These techniques of agenda

setting and priming have resulted in elevated concern about crime amongst the public at times when crime rates have actually been falling.

Coverage of high profile, celebrity, or tabloid crimes also tend to negatively affect public confidence in the criminal justice system.

The links between media agenda setting and priming, and public attitudes which are increasingly punitive is less clear cut. There is some scholarly disagreement about which news reporting techniques are most to blame, and the author does remind us that the media are probably not solely responsible for the development of public attitudes about crime. Beale cites what she calls "American culture", as well as the American political system for

also promoting punitive policies, which both interact with the news media, and potentially reinforce the effects of the others.

Beale concludes that the market driven reshaping of news in the USA since 1990 has not been neutral. The American public has continued to rate crime as one of the country's most serious issues, and support tougher measures for offenders, despite the fact that crime statistics have been dropping in that period.

Beale has little confidence in government regulation or industry self regulation to change reporting styles, but she does highlight the practical impact that prison budgetary constraints can have on harsh state policies of incarceration. □

Interagency collaboration for high and complex needs individuals – a new 3 part resource kit

Following on from the recently released Youth Justice inter-agency collaboration toolkit, Child Youth and Family (CYF) have now produced another resource for interagency collaborators (which we hope includes everyone in the sector), this time focussed on those dealing with young people with high and complex needs (HCN).

The HCN resource comes in three parts: Literature Review, Advice on Good Practice, and Self Assessment Tool and Principles for Collaboration.

The Literature Review, by Melanie Atkinson, is an update on writings and publications since 2002.

In keeping with the youth justice work of CYF, Atkinson targets her research and conclusions at the coordinated service delivery, or case management level, rather than middle management. Her book features discussion on success factors and barriers to good collaboration, evaluation, and practical strategies for enhancing collaboration in case management, and with community and volunteer sector agencies, as well as Iwi.

Part 2 of the HCN collaboration toolkit features advice on good collaborative practice for front-line staff and managers, as well as appendices, including information links, and resources for analysing, growing and maintaining collaborations. This part also includes a local example of inter-agency collaboration and forms and templates to help guide collaborators.

Part 3 is a self-assessment tool for those already involved in a collaboration, to provide “a snapshot of an interagency project, based on the perceptions of the people involved” (Cynthia Tarrant, Manager HCN Unit). The self assessment tool is based on a similar tool developed in the

UK.

The whole HCN collaboration kit is available on the HCN website at www.hcn.govt.nz. □

As an example of HCN work, the Ministry of Social Development recently released information showing that a Christchurch teenager with high and complex needs had been cared for, 24 hours a day, by a contracted provider since October 2005, at a cost of over \$400,000. MSD chief executive Peter Hughes said this level of care was appropriate given the needs of the young person, who has since been placed under the intellectual Disability (Compulsory Care and Rehabilitation) Act. □

Mentoring in NZ – developing young people through a relationship of trust

The Government is investing \$700,000 over the next year in two mentoring programmes for young people – Turn Your Life Around, and Project K.

Turn Your Life Around (TYLA) is a Police-based programme available in Auckland, which provides social worker support to mentor young people from Year Seven for a period of up to 5 years, or until they enter the workforce, or participate in higher education.

Established in 1996, the TYLA programme consists of a year long course with several camps, weekly school visits, leadership activities and family involvement.

The programme begins with a one-week camp. At camp the youth are first introduced to the leveller, which involves physical & mental challenges designed to build team spirit, trust and positive communication with youth, youth leaders & TYLA staff. Secondly the youth are introduced to the TYLA values. These are lessons to give positive reinforcement to the developmental stages in their lives. These values will range from making choices to having a vision for their future. Camp activities, guest speakers and much more accompany this. The week is rounded off with a parent evening where the youth can display what they have learnt and the parents can be informed about the course content.

After camp the youth are then followed up on a weekly basis in the schools by the TYLA youth workers to reinforce the TYLA values and personal goal setting.

Once the participant has graduated a social worker supports them and their family for the next 4-5 years, helping them stay on track and achieve their goals

Those who graduate and wish to excel can become part of TYLA's Leadership Programme where they are shown how to help other youth develop their potential.

Project K is a 14 month programme for Year 10 students, which aims to build self-reliance, team building, self-confidence, perseverance, goal setting, good health, and life skills.

Project K is run by Graeme Dingle and Jo-anne Wilkinson's Foundation for Youth Development. It has three distinct components:

Wilderness Adventure. The New Zealand's wilderness provides the backdrop for students to learn goal setting, teamwork, perseverance, self-reliance and self-knowledge. The adventure starts with 10 days at a camp in preparation for a 10-day journey that can involve kayaking, abseiling, tramping, mountain biking and camping.

Sony Community Challenge. During the community stage, students adapt the lessons learned in the wilderness to their community and are challenged to explore the resources, opportunities and support available in their local areas.

They are encouraged to pursue stronger links with their community by meeting with local figures and visiting organisations such as the council, emergency services and marae.

Students also undertake a project to give something back to the community. And towards the end of this stage, students set academic, health and fitness and personal goals to achieve within 12 months.

Project K Mentoring. Each student is then paired with a screened and trained mentor for a year. The mentor supports the student in achieving their self-set goals, provides an objective, friendly ear and helps sustain and strengthen the positive changes achieved in the first two stages.

See www.tyla.co.nz

Continued

Mentoring in NZ continued

Mentors attend a training programme and are screened and interviewed, after which they qualify for consideration as Project K mentors.

Throughout the mentor partnership, mentors can expect a strong level of support from Project K, their mentor coordinator and other mentors in their group. Mentors keep in touch with students at least every two weeks. As well as helping their student stay on track with their goals,

without planning between a coach, teacher, neighbour, or other adult, and a young person. Planned mentoring is when a relationship is deliberately created to help a young person who may not otherwise have the access he or she needs to the wisdom and support of a caring adult.

The first formal mentoring programme was Big Brother Big Sister, which began in the USA in 1902, see www.bbbs.org.

In New Zealand, the term 'peer-support' grew in popularity in the 1980s. Project K, NZ's most well known mentoring programme, was founded in 1995, and in May 2006, the Auckland based Youth Mentoring Trust launched an online clearing-house of mentoring information, which now lists 20 different mentoring programmes on its site at www.youthmentoring.org.nz. Youthmentoring.org also provides resources, advice, and research. □

Thanks to the New Zealand Association for Adolescent Health and Development, NZAAHD, at www.nzaahd.org.nz.

Mentoring – a brief history

The word mentor comes from Greek mythology. Mentor was the person entrusted with the care of Odysseus' son Telemachus, when his father left for the Trojan wars.

There are two broad labels given to types of mentoring, natural, and planned: Natural mentoring describes a relationship that develops

New Research on outcomes for children whose fathers are 'non-resident'

Marcia J Carlson, School of Social Work, Columbia University

Existing research from the United States has shown that children living apart from their fathers are, on average, more likely to be suspended or expelled from school, more likely to engage in delinquent activities, more likely to experience depression and anxiety, and more likely to report externalising and internalising behavioural problems.

Other existing research has focussed on the effect on children who live apart from their mothers, even though it is proven that fathers are the ones more likely to become disconnected from their offspring.

There is now growing evidence that good relationships between children and fathers is beneficial, even though the fathers may not

be living in the family home.

Carlson points out that children living apart from their fathers enjoy less money and less attention. Less money and less attention have been shown to significantly account for differences in outcomes for children living in single mother families. The author hypothesizes that children whose fathers who are involved with their lives despite living separately are cushioned from some of the effects of that separation, and that children benefit from their father's parenting if that parenting is of a high quality.

Carlson uses data from a major longitudinal study in the States, and finds significant differences in the levels of behavioural problems between adolescents living with their continuously married biological parents, and those in other family structures.

Further, she believes her study shows that father involvement reduces both the size and the significance of nearly all the important effects that impact on adolescents as a result of their

UK has new 'joined-up' youth justice agency

www.justice.gov.uk/news/newsrelease131107b.htm

On November 13, UK Justice Minister David Hanson announced that the Social Welfare and Justice Ministries were merging their youth justice departments to create a new joint youth justice unit.

This Joint Youth Justice Unit will have two aims:

- to contribute to the protection of the public by developing policy and law in relation to children and young people who offend and are at risk of offending, and
- to ensure that children and young people in contact with the criminal justice system achieve all five outcomes of 'Every Child Matters' ie to be healthy, stay safe, enjoy and achieve, make a positive contribution and achieve economic well-being.

The creation of the joint unit recognises that young offenders

are often the most disadvantaged and vulnerable, and that they not only need to be held accountable for their actions, but, at the same time, need strong support and intervention to reduce their chances of re-offending and rehabilitate them back into lawful society.

The joint unit will also be responsible for sponsoring the Youth Justice Board for England and Wales (www.yjb.gov.uk), which is the executive non-departmental public body that oversees the youth justice system. □

fathers living away from home. And the more time spent by fathers in this situation, the more positive impact it has on their children's futures.

One hypothesis that she disproves is the idea that father involvement has more effect on boy children than girl children. Carlson says that, overall, father involvement is equally beneficial for boys and girls.

Unfortunately, only 10 - 18% of the non-resident fathers in her study had a high level of involvement with their children. Also, Carlson wonders whether children of non-resident fathers measure their fathers relationship performance differently from children whose fathers live at home. She predicts that future research might show that children whose fathers live away have lower expectations, and so report their father's involvement as good, when in reality, their parenting is not as good as that from fathers who live at home.

Carlson sounds notes of caution in relation to her findings. She says that effects that pass be-

tween non-resident fathers and their children can also pass in the opposite direction ie a child's behavioural problems may have negative effects on its father as well. She also cautions that non-resident fathers and their families might be subject to unmeasured factors that could influence their separate living arrangements. She says it cannot be assumed that outcomes for children with uninvolved fathers would automatically get better if the fathers suddenly became more involved.

Carlson concludes that her research could give reasons for optimism that "non-resident fathers maintaining a high quality relationship with their children could potentially attenuate some of the negative consequences of father absence". □

Dyscalculia

“Hi Court in the Act team

Thanks for this publication—it is always fascinating reading.

I was particularly interested in issue 31 to read the article by Moira Buchanan about Childhood Learning Disabilities.

I was interested to note that missing from the list was a further disability - Dyscalculia. I attach a 4 page article on it. As you will see it fits with the other list of disabilities that the article notes and contributes to the learning difficulties and the negative outcomes for the young person. For instance he has no concept of the size of number - he does not really know that 1000 is greater than 100 for instance, he cannot count from 10 to 1 backwards and so on. He is 11 years old. Yet he is very verbally advanced and has a good reading age.

I became aware of this condition when researching the learning difficulties of my grandson and while his dysgraphia had been picked up it did not explain fully the difficulties that he was having learning even the most basic concepts of number and subsequent mathematical learning. He has a very hard row to hoe with both dysgraphia and dyscalculia but he is luckier than many in having a very supportive family working with his school to help him learn. Far different from many young people I suspect. However despite that he gets very upset comparing himself to his peers or younger siblings, dislikes school often and has already expressed considerable distress about his future job prospects etc.

Thought that you might be interested.

Regards

DE”

Letters and Other Correspondence

Apology letter from a young burglar

“To Who it may Concern

My name is [ST] and I am writing this letter to tell you that I am trying to make better choices in my life. I was trying to get into your house one day because of the bad choices that I have been making lately. It was nothing against you personally just ended up at your house by chance. But I am sorry and hope that you will forgive me for bringing all this stress and pain to your life.

I live in a world were kids like me make a whole lot of stupid choices everyday we hang around with kids my age and even older boys than us. Sometimes they convince us that it is a good thing to do. I am trying hard to pull away from these older guys but the pressure can be very hard to go against them, I can tell you that I will do my

best even though they threaten me.

I am getting some help from [X] and the Y Trust to get my life back on track. They are really good for kids like me because they understand the problems that affect me, and what the gangs can do if you don't do what they tell you. I go away on a camp on the [deleted] with [the Trust] and this is to help to give me some discipline.

I will try to do my best, but please forgive me for the trouble I caused to you and your family because I am very sorry.

Yours truly

[ST]”

Apologies

From an article in (2007) 18 Australasian Dispute Resolution Journal 73 by Deanna Foong.

The author lays out the five fun-

damental components of an effective apology (Alter 1999):

1. The offender acknowledges the wrong. This demonstrates a sense of understanding about the impact of the offending and the damage to the victim's moral sensibility.
2. The offender accepts responsibility for the wrong, with no justification, excuse or explanation. This restores the victim's confidence and trust.
3. The offender expresses sincere regret and profound remorse. This communicates the offender's guilt, anxiety and shame, and implies a desire to not to let it happen again. The level of the offender's sincerity affects the level at which the victim can forgive the offence. Also, the fullness and sincerity of the apology should reflect the seriousness and the impact of

Continued

Dyscalculia—what is it?

Dyscalculia is a lesser known learning disability that effects the ability to do mathematical calculations. Diagnosis of this condition is hampered by the lack of certainty and reliability of criteria used to assess it.

Symptoms — Students with dyscalculia can have problems aligning numbers into proper columns. They have problems visualising numbers and can confuse different numbers in thought experiments. Sequencing of facts and formulas can also be effected. Sequences of numbers or formulas may be read backwards and become hard to remember in proper order.

Other symptoms may include lack of ability at sight reading music and music theory, poor physical coordination, difficulty with tasks involving money and basic financial accounting, and difficulty with keeping score during games, or playing chess.

Helping — students with dyscalculia can be helped to do better at maths by: giving them more time to complete problems, providing them with uncluttered papers - possibly lined or graphed for easy laying out of numbers, spending extra one-on-one time tutoring and one-on-one exam taking, encourage the student to make maths problems more concrete by drawing or reading them out loud, and most of all — be patient.

Special function calculators, or computer calculation software can be helpful aids to students with dyscalculia.

For more information, see <http://www.bbc.co.uk/skillswise/tutors/expertcolumn/dyscalculia/> and <http://www.dyscalculia.org/>

Update—health and education assessments

In *Court In The Act Issue 31* we published a list of those people monitoring the programme of health and education assessments for young offenders.

We have been advised that Janette Thompson no longer works for CYF, and Peter McIntosh, who is Advisor, Youth Justice, Service Development for the Department in Wellington has taken on the role of Programme Co-ordinator.

Peter advises that any queries about the programme should be directed to him at 04 918 9161, or peter.mcintosh002@cyf.govt.nz

Apologies continued

the offending. Face to face is better than a letter.

4. The offender promises that the wrong will not happen again. This allows the victim to retain their sense of moral victory.

5. An apology is not enough. Real restorative work needs to be done to actively mend relationships broken as a result of the wrongdoing.

Other factors that contribute to the effectiveness of an apology include:

Timing – there is a ‘tender moment’ to apologise. An apology should not be too hasty or too late.

Nuance – the language of an apology should be clear and direct, and should respect the recipient’s culture.

Value – the giving and receiving of apologies benefits both parties. The wrongdoer restores some of their self respect, and the recipient their sense of identity within a community where they can feel safe.

Psychological benefits – an apology can help to diminish feelings of anger and pain. Feelings of shame and power created by the offending are turned around so that the power wielded by the offender over the victim is restored to the victim. Without apologies, stored guilt (on the part of the part of the offender), and stored anger (on the part of the victim) can be psychologically corrosive.

Social benefits – apologising demonstrates caring – an essential component in community value systems. Being ritually shamed opens the door for an offender to be readmitted into their community, and allows them to show that they care about the effects of their actions on other community members.

The remainder of Foong’s article discusses apologies in the context of commercial and medical malpractice litigation – which are not applicable to the New Zealand situation. However, she

does point out that recent legislative attempts to exempt apologies as admissions of legal liability, or as evidence in court, has opened the door to a greater use of the device in Australia and the USA. She also cites an example of a hospital in Lexington Kentucky that encourages staff to openly acknowledge mistakes, make apologies and offer further care or compensation. As well as the reform of the organisation’s systems, the hospital in question has also benefited financially. □

Guest Editorial

Peter Clague, Executive Principal,
Kristin School, Albany

Amidst the plethora of trendy titles that social commentators use to describe the current generation of children, one stands out for me. Our kids may be GenX, GenY, GenD, Generation C, Noughties, Tweenies, Screenagers, Digital Natives, or Googlets, but the title which resonates the most for me is that they are living in the Age of Compression. Modern living for an ordinary child usually means a barrage of information and options the like of which have never been experienced before.

Our kids cram more in their days than many of us dealt with in a week when we were their age. The difficulty for us in empathising is that there sometimes isn’t much outward sign of this frenzy. Much of their busyness occurs inside their heads while their limbs remain motionless. Relentless waves of information crave their attention; multi-tasking does not even begin to describe what our kids can attend to simultaneously. It is not just a matter of being exposed to more media than we experienced. Not only have the TV sets and radios of our childhood been replaced with iPods, digital broadcasting, DVDs, CDs, websites, chatrooms, instant messaging, cellphones and Gameboys. The explosion of new technologies has also heralded in an unprecedented amount of choice. As well as being able to access a vast array of information, our kids can customise it. When we were irritated by the ads, we hit mute or changed channels. Today, the mere concept of television bores children – why wouldn’t you just surf Youtube for short bites of the best? Why endure a whole album of music by the same artist when a playlist on your iPod lets you cherry-pick only those songs you want to hear? Why call when you could text? Why save gossip, friendships and social status for the schoolyard when Bebo and Facebook can bring your peers into your bedroom every evening?

It may be simplistic or clichéd to blame modern communications technologies for the tidal waves of raw data that sweep through our children’s minds each day, but the fact is they are subject to more distraction than ever we were. It’s not their fault that they try and attend to it all, nor that they are selective about the bits they focus on and the bits they ignore. Indeed, we try and teach them that to filter this mass sensibly and make safe choices they need to concentrate on each newly arriving piece of information. And therein lies the crunch.

Like television and broadcast radio, parents run a real risk of becoming a less interesting choice for kids in the Age of Compression. Those who have tried to have a conversation with their child in the midst of incoming texts, internet surfing, instant messaging, or iTunes will know that it is a battle for attention that is almost impossible to win. Even if the face is politely turned toward you, the eyes are darting and the thumbs are twitching. Attention spans are not only getting shorter, they’re getting shallow. I agree with the writers who suggest that attention may soon become the most valuable gift you can give.

Like all people before us, every parent wants better for their children than they themselves experienced. But in the face of an increasing deluge of data and the avalanche of alternatives washing over our kids, the question might be: is more better? Can we compress so much into their live and then expect them to cope with the volume of competition they face for their attention?

Ironically, although it is common for modern parents to be told that they should spend more “quality time” with their kids, it may be equally important to ask our kids to slow down and give us a little more genuine attention. □

Article – Enhancing Adherence to Risk-Need-Responsivity

Don Andrews, Professor Emeritus, Department of Psychology, Carleton University, Ottawa, Canada
From *Criminology and Public Policy* August 2006, 5 (3)

This article is subtitled “Making Quality a Matter of Policy” and focuses on making “what works” work for offender prevention and rehabilitative programming.

Andrews supports findings which show that even well-researched ‘blueprint’ evidence-based programmes such as Aggression Replacement Training, Functional Family Therapy (FFT), and Multisystemic Therapy (MST) fail when they are not well implemented. He cites studies in the USA and England that show seemingly baffling increases in recidivism rates for programmes that should be much more effective than their comparison so-called ‘regular’ examples of correctional programmes.

Andrews endorses adherence to two main principles of programme implementation: RNR (human service principles of risk-need-responsivity), and supplementary principles of integrity of implementation. Both of these can be measured by the Correctional program Assessment Inventory or CPAI.

The author admits to a change in his own approach since the early days of RNR principles. He says “I once thought that the RNR principles were obvious – treat moderate and higher risk cases, target criminogenic needs, and use powerful cognitive social learning influence strategies. Why work with low risk cases when their chance of re-offending are low to begin with? Why would one target factors not thought to be causally significant? And, why not use the most powerful influence strategies found in human psychology? Now I know better and always ask: “What aspects of RNR do you find challenging?” “What barriers to implementing RNR do you see?” I also find it helpful to remind potential users that RNR has been greatly expanded since the late 1980s and early 1990s. The RNR model now involves a much more positive and com-

plete image of offenders with explicit attention to management and organisational concerns.”

Andrews has a number of suggestions for getting the most out of rehabilitation programmes such as FFT and MST.

Knowledge of the risk level of subjects and their criminogenic needs must be actually used when planning and delivering the offender’s programme. This sounds obvious but Andrews cites a study of American halfway houses (for adult offenders) which showed that only 13% differentiated subjects based on their risk level,

This is for adults, but with modification it would be very appropriate for working with young people and I think the youth justice community ought to know of it. It is recent and compelling.

Judge Becroft

Low risk subjects should never come into contact with high risk subjects through “unnecessary programming”. Otherwise “the pressures toward non-adherence become too strong to resist”. Low risk offenders should never have strengths that they possess in other areas of their lives diminished by services that they don’t need. Seriousness of the offence should not be confused with the risk level of the subject. Do not give in to pressures from referrers that low risk cases should be treated in programmes designed for high risk subjects. “Remember that the waiting room of community cor-

rectional agencies and group counselling sessions are criminal gathering places. Keep low risk cases out of those settings in so far as it is just and legal to do so.”

Reserve intensive treatment for the subjects at highest risk of re-offending, and don’t assume that the highest risk subject are untreatable and so shouldn’t be bothered with. Andrews reports that attitudes like this are responsible for many high risk offenders being denied places in treatment programmes. Also, individual programmes should be focussed on the offender’s own specific criminogenic needs.

Andrews encourages to use of cognitive behavioural and social learning interpersonal influence strategies, but advises that these are most potent in the context of a high quality interpersonal relationship.

Andrews says managers should be hiring staff based on the skills and competencies demanded by RNR, as well as “relationship and structuring skills”, and talented staff with these skills should be effectively supported and supervised by clinical leaders. Managers should also be monitoring staff for RNR adherence and “the presence of indicators of integrity”, and themselves “must demonstrate hope and provide direction, and avoid modelling despair and disrespect for RNR adherence.” □

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New Amendments to NZ's Youth Justice Legislation

The Children's, Young Persons and Their Families Amendment Bill (No 6)

The Children, Young Persons and Their Families Amendment Bill (No 6) has been introduced into Parliament, and makes a number of significant proposed changes to the law governing young offenders. The main changes affecting youth justice provisions in the current Act include the following:

If the Bill is passed, the age of Youth Court jurisdiction will rise from 17 to 18. This will mean a larger number of young people will be dealt with by all branches of the youth justice system. The Government say the increase in age limit will be implemented in stages so resources aren't stretched.

Two new Youth Court orders have been created. Extended supervision with residence, and extended supervision with activity will provide more options to sentencing judges and family group conferences for the more serious youth court offenders.

Young people sentenced to community work or supervision with activity will no longer need to consent to these orders being imposed.

The current difficulty faced by Youth Court Judges wishing to make orders against a young person with a view to eventually discharging them if the orders are successfully completed will be removed.

Young people in youth justice residences will have further conditions attached to the possibility of shortening their supervision with residence sentences.

The anomaly that currently exists that means 14 year olds who have committed a purely indictable offence cannot be transferred to the District Court for sentence will be removed.

Youth Court orders given to 17 year olds will be able to be fully served, and not foreshortened due to the young person reaching the age of seventeen and a half.

In response to the introduction of the Bill, Principal Youth Court Judge Andrew Becroft has emphasised that it is inappropriate for the Youth Court to enter into policy debates. He notes that the parliamentary process encourages legitimate public debate on issues such as youth justice law reform, but he believes that, for the debate to be the most useful, it must be fully informed.

In a recent statement, Judge Becroft made the following points about the current youth justice legislation:

To include 17 year olds would be consistent with our international obligations. The UN Convention on the Rights of the Child defines adulthood as starting at 18th birthday. (Incidentally, UN-CROC is the most signed international instrument in history; only USA and Somalia have not signed it!)

Most other Western world countries include 17 year olds within the Youth Court jurisdiction. For instance, most Australian States include 17 year olds, (eg Victoria (similar population size) did so in 2005. Canada and Great Britain include 17 year olds within the Youth Court jurisdiction. 38 US States do so also. Thus, to include 17 year olds would harmonise our position and bring it into consistency with other jurisdictions. It is us who is out of step at present. Those countries would be unlikely to include 17 year olds capriciously and without good reason.

All we know about adolescent brain development suggest that 17 year olds should NOT be included in adult legislation. There is some very relevant recent research, which simply can't be ignored.

There are a significant number of NZ statutes that restrict activities and involvement for those under 18. For instance a person cannot vote, enlist in the military without consent, marry without parental permission, buy alcohol

and tobacco, enter into contracts etc., or buy restricted magazines videos until they are 18. Presumably, the basis for these laws is that until 18, it is not right to treat young people as adults - and they need guidance and protection. It is perfectly consistent with this approach in so many other areas, that young people not dealt with in the adult courts until they are 18.

In response to other recent commentary suggesting that increasing the age of Youth Court jurisdiction to 18 will mean that 17 year olds will not be held to account for their offending, Judge Becroft has said that these suggestions are "unhelpful, misleading, inaccurate, and just plain wrong". He points out that section 4(f)(i) of the current law directs the Courts and everyone else involved in the youth justice system to ensure that young people are held accountable and encouraged to accept responsibility for their behaviour. He points out that judges send around 60 young people to prison every year, and Youth Court Judges send a further 260 into youth justice residences. Judge Becroft also points out that, under the proposed legislation, 17 year olds will be able to be convicted and transferred to the District Court for sentence in response to any kind of significant offending — the restriction based on purely indictable offences that applies to 14, 15, and 16 year olds, it seems, will not apply to 17 year olds. This will be a proper area for public debate and discussion

The text of the new Bill is available on the Parliament website (<http://www.parliament.nz/en-NZ/PB/Legislation/Bills/>), and the summary of submissions on the Bill is available through the Ministry of Social Development (<http://www.msd.govt.nz/work-areas/children-and-young-people/cyfp-act-update/index.html>)