



JustSpeak

**Rethinking Youth, Drugs and the Criminal
Justice System**

JustSpeak

JustSpeak is a non-partisan network of young people speaking to, and speaking up for a new generation of thinkers who want change in our criminal justice system.

**Me mārama te tangata ki tāna tūranga –
ki te wareware ka hapa, ka hē**

One must always acknowledge the position from
which they speak –
should they forget, they will falter
they will be wrong



Rethinking

- **Who** are 'young people'?
- **What** kinds of drug offences are young people committing?
- **How** does the justice system currently respond to these young people?
- **Should** we be responding differently?



Redefining 'Youth'

- The Criminal Justice System treats 'young people' and 'adults' differently
- The Youth Justice System reflects that adolescents are in a specific stage of development
- "A key to reducing crime is to stop young people entering the court and justice system in the first place" – Justice Minister Judith Collins
- JustSpeak believe that 17 year olds should not be treated as adults by the Criminal Justice System



Rethinking Drug Offending

- Illicit drug offences make up 4% of all youth offending
- 97% are cannabis-related offences
- The number of young people **apprehended** for drug possession and/or use has **decreased** slightly over the last 20 years

BUT

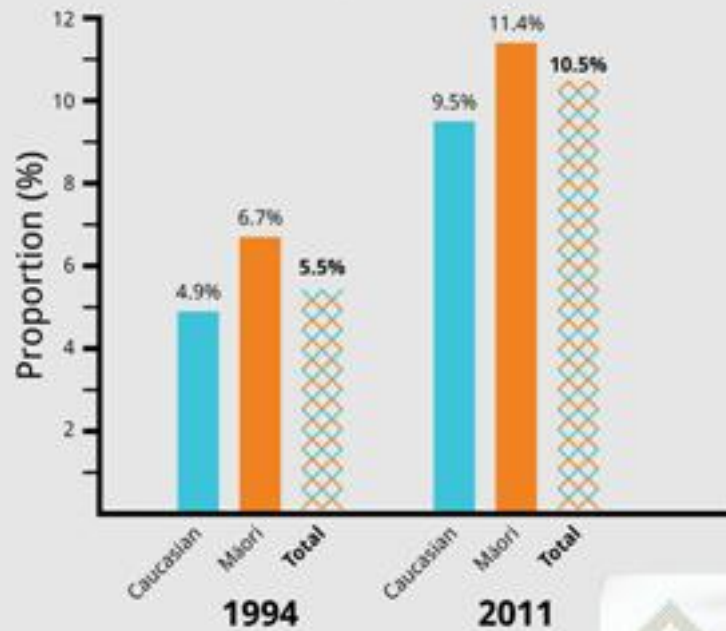
- The rate of drug possession apprehensions leading to **prosecution** has **almost doubled**
- What's changed?

What's changed?

Police discretion.

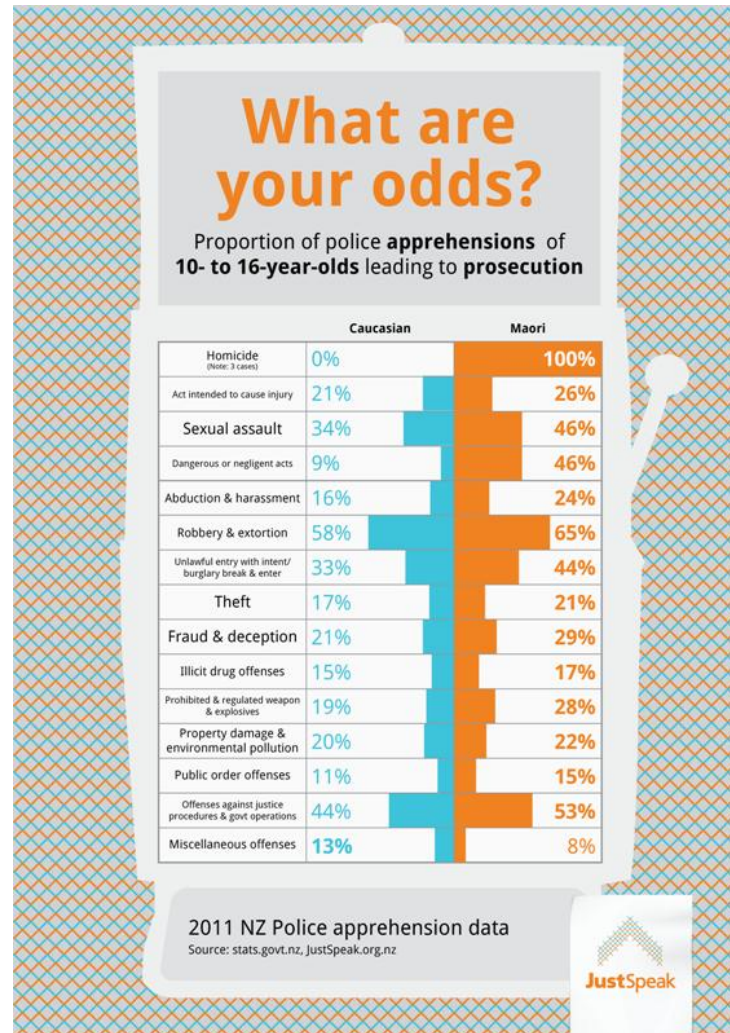
This is the proportion of **drugs possession** apprehensions of **10- to 16-year-olds** leading to **prosecution**

The rate has almost doubled since 1994 while warnings have decreased



Descretionary Bias

- You are more likely to be prosecuted after apprehension if you are Māori





Reviewing Current Approaches

- Drug and alcohol abuse and/or addiction is one of the most frequent motivators for offending across the board
 - In 2011, **80%** of all young people who appeared before the courts had **substance abuse issues**
 - **0.6%** received orders from the Judge for treatment programmes
- One size does not fit all – young people offend in the context of their families and communities
- (Re)habilitation is complex



Reimagining the Future

- Diversionary approach
- Youth Drug Court
- Intensive Monitoring Group
- Pan-disciplinary conversations and strategies
- Ask young people what they need