

The Youth Justice Reparation Accord – “Giving Back”

Reparation is a key component of the family group conference outcome – victims deserve (and expect) to be recompensed for their losses, and these payments reinforce the restorative element of the family group conference. All children and young people who offend should be held accountable for their offending and this includes the payment of any reparation due to the victim(s) of that offending.

Child, Youth and Family’s Youth Justice Services has developed a reparation accord in partnership with the National Council of Victim Support Groups (Victim Support) to facilitate the collection of reparation from offenders, and reimbursement of victims for all family group conferences.

By using the accord, offenders can make small payments on a weekly or as agreed basis. This greatly increases the opportunity to collect reparation and the accord should be seen as a way of supporting young people (and their families) in meeting a key obligation to victims by providing the mechanism to repay what has been lost or damaged.

It can be used to collect reparation from all youth justice family group conferences, held under Part 4 of the Act. It can also be used when a donation is made to a victim, charity or community group in lieu of community work or for other reasons. It is also important to consider using the accord for court directed family group conferences instead of making reparation orders under s283(f).

It is important to note that local Victim Support groups are not involved in the administration of the reparation accord as the National Council of Victim Support Groups will operate and manage one national bank account in Wellington.

The youth justice coordinator is the facilitator of the accord when an agreement to pay reparation is agreed at the family group conference. The coordinator ensures that the child or young person makes their payments as agreed (this may require assisting them to set up and direct debit/automatic payment into the accord account) and monitors the payments based on the information supplied monthly by Victim Support. The coordinator also gets payment details from the victim and supplies them to Victim Support who have the authority to pay out the accumulated funds.

Procedure when using the Youth Justice Reparation Accord (the accord)

1. Each youth justice team has been allocated a team code (see appendix one for the list). Each team has individualised deposit books which will have the team code already entered before the account number.
 - a. If the automatic payment form (see appendix two) is used, this code must be entered in the “reference” box.
2. A decision in a family group conference to pay reparation or a donation will be clearly set out in the plan and that there is agreement to that decision. The plan will:
 - a. state the total amount of money to be paid
 - b. state the recipients of that money and the amount owed to each
 - c. if there is more than one payment, provide a schedule of payments, including dates and amounts.
 - d. give a start and end date for payments.
 - e. state who is responsible for making the payments

- f. give the offender's ID number and the team code
3. Each child or young offender must be allocated a client ID number – this is used to identify payments made by an offender.
 - a. It should not be their CYRAS number as the ID number should not identify the offender to anyone but Child Youth and Family although \ for example a team prefix could be used with the first 4 numbers of a client's CYRAS number (e.g. T1234). This must be used on all transactions made by or on behalf of the child or young person and ensures that all payments made by the offender can be clearly identified.
 - b. It is important to manage the allocation of client ID numbers particularly when there are a number of youth justice coordinators at any one site.
 - c. The client ID number must be entered in the "particulars" box on the automatic payment form (see appendix two) or in the box provided on the deposit form in the deposit book.
4. It is important to ensure that subsites within a team are clearly identified as well so that deposits into the account can be accurately matched with the site and the offender.
 - a. One simple way to do this is to add a letter prefix to the client ID number e.g. *T0001 (Tauranga) & W0001 (Whakatane) for Tauranga Youth Justice; R0001 (Rotorua), TP001 (Taupo) & TK001 (Tokoroa) for Rotorua Youth Justice etc.*
5. Each team will have one nominated person (usually a social work resource assistant) to be responsible for managing the accord. They are responsible for:
 - a. Receiving and collating the payments which are supplied by Victim Support by email on a monthly basis.
 - b. Matching the payments with the appropriate offender and send the relevant information onto subsites if necessary. It is helpful to maintain a spreadsheet or an accounting sheet (see appendix 3) to keep track of payments.
 - c. Advising individual youth justice coordinators of the total of payments made or the failure to make payments by offenders.

It is important to advise Youth Justice Support, National Office if the nominated person managing the account is changed.

Where a team has multiple sites, a person should be nominated in each subsite to take responsibility for monitoring the local use of the accord. The youth justice manager needs to ensure that there is back-up in case of illness or leave.

6. Victim Support will send an email to the nominated person when the first payment of a new agreement is received.
 - a. It is important that the date of the first payment is agreed at the family group conference and recorded in the plan as the youth justice coordinator (or allocated social worker) needs to know when to expect the email.
 - b. If a confirmation email is not received by the due date, then the matter must be followed up with the offender as soon as possible.
7. The youth justice coordinator or allocated social worker will manage any breach by the child or young person for the non payment of the reparation as agreed to and recorded in the family

group conference plan. This is to ensure that the agreement is completed or that suitable alternatives are set in place to address the issue – this may include reconvening the family group conference.

8. The youth justice coordinator must get payment details from the victim(s) when an agreement to use the accord to pay reparation is reached in a family group conference,
 - a. These details should not be documented in the plan or given to the offender but held in confidence by the youth justice coordinator until such time as they are needed to make the completed payment.
 - b. Once the agreed amount has been saved in the accord, the youth justice coordinator sends the payment details to Victim Support, along with the ID number of the offender and the amount to be paid.
 - c. The Youth Justice Manager will sign off each repayment to victims.
 - d. The preferred method of payment is by internet banking.
 - e. Victim Support will send a confirmation of the payment to the youth justice team within 14 days of the payment being made.
9. An agreement to pay reparation or donations at a family group conference must be recorded in CYRAS on the family group conference review screen on the 'Tasks' tab under "Accountability".

Key Points: please ensure that:

- the child or young person is given a unique client ID number
- the client ID number and your YJ team code is used on all transactions made by or on behalf of the child or young person
- the schedule of payments are clearly detailed in the FGC plan
- the payments made by the child or young person are monitored and are followed up if they are not being made as agreed
- payment details for the victim are collected and held in confidence until needed
- the preferred method of payment is by internet banking by offenders and to repay victims

Key Contacts:

- Youth Justice Support, Child Youth and Family:
 - Peter McIntosh - 04 918 9161 (DDI 43161) peter.mcintosh002@cyf.govt.nz
- Victim Support:
 - Wade De Graaff - 04 474 8857 - wade.degraaff@victimsupport.org.nz

Appendices:

[Appendix 1: Codes for Youth Justice Teams](#)

[Appendix 2: Automatic Payment Form](#)

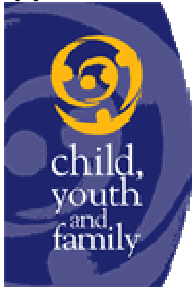
[Appendix 3: Youth Justice Reparation Accounting Sheet](#)

[Appendix 4: Authorisation Form for the Release of Funds](#)

Appendix 1: Team Codes for Youth Justice Teams

Youth Justice Team	Team code	Youth Justice Team	Team Code
Northland	YJ 1	Hawkes Bay	YJ14
North Harbour	YJ2	Taranaki	YJ15
Waitakere	YJ	Whanganui	YJ
Auckland City	YJ4	Lower North Island	YJ17
Otago	YJ5	Hutt	YJ18
Otago	YJ6	Capital Coast	YJ19
Manurewa	YJ7	Upper South	YJ20
Papakura	YJ	Christchurch	YJ21
Waikato East	YJ9	Sydenham	YJ22
Waikato	YJ10	South Canterbury	YJ23
Tauranga	YJ11	Otago	YJ24
Rotorua	YJ12	Southland	YJ25
Tairāwhiti	YJ13		

Appendix 2:



Youth Justice Reparation Accord Automatic Payment Form

Payer Details:

Bank: _____ **Branch:** _____

Account Name: _____

Account Number:

|_|_|_| - |_|_|_|_|_|_| - |_|_|_|_|_|_|_|_|_|_| - |_|_|_|_|_|

Please pay: \$ _____ **each** _____

Starting ___/___/___ **until** ___/___/___

With a final payment amount of \$ _____ **due on** ___/___/___
(Optional)

This is a New Authority **OR** This replaces existing authorities for \$ _____
(Delete one)

Pay to:

Victim Support/Youth Justice Reparation Accord Account

BNZ North End Wellington

| 0 | 2 | - | 0 | 5 | 8 | 5 | - | 0 | 0 | 8 | 1 | 7 | 3 | 0 | - | 0 | 2 |

Particulars

Reference

|_|_|_|_|_|_|_| | Y J |_|_|_|_|_|

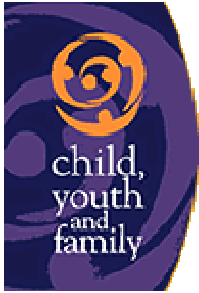
Provided by youth justice coordinator (e.g.T00012)

youth justice Team (e.g. 21)

Authorised Signatories to account

Date: / / 2011

Appendix 4



Justice Reparation Accord

Authorisation Form for the Release of Funds

Youth Justice Team:	
Client Name:	
Client ID number:	
Victim/Payee Name:	
Address:	
Phone:	
Bank Account Details:	
Pay by Cheque or Direct Credit:	
Amount to pay:	
Release/Authorisation completed by Budget Manager:	
Date of Authorisation:	