

Youth justice reparation – ‘giving back’

What is reparation and why is it important?

Reparation is a key component of youth justice family group conference plans. Tamariki and rangatahi who offend should be held accountable for their offending and encouraged to put things right with the victim/s. This may include reparation where a victim wishes to be recompensed for their losses and where te tamaiti or rangatahi and their whānau or family are in a financial position to do so. These payments reinforce the restorative element of the family group conference.

There are multiple ways in which reparation can be managed at a local level:

1. The New Zealand Council of Victim Support Groups (Victim Support) operates a bank account, ‘The Youth Justice Reparation Accord Account’, that can be used to collect reparation from tamariki or rangatahi who offend to repay victims. This bank account enables small weekly amounts to be deposited, which are often more affordable and manageable for tamariki, rangatahi and their whānau or families.
2. Funds are deposited or transferred into a youth advocate’s trust account by the tamariki or rangatahi.
3. Through the New Zealand Police.
4. Through the courts and their reparation systems.

Can we accept cash as a form of reparation?

Oranga Tamariki kaimahi must not accept cash as a form of reparation unless it is approved for that particular instance by a Regional Manager. There are significant staffing and organisational risks associated in managing cash and there are sufficient other methods in place to enable te tamaiti or rangatahi to pay reparation.

Victim Support Reparation Accord (the Accord)

The New Zealand Council of Victim Support Groups (Victim Support) operates a bank account that can be used to collect reparation from children and young people who offend and to repay victims at all youth justice family group conferences. The account is called the Victim Support/Youth Justice Reparation Accord Account and is held at the North End Branch of the Bank of New Zealand in Wellington.

The account number is 02 -0585-0081730-02

Local Victim Support groups are not involved in the administration of the Reparation Accord as the New Zealand Council of Victim Support Groups operates the one national bank account in Wellington.

It can be used to collect reparation from all youth justice family group conferences and 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 section 283(f).

By using the Accord, tamariki and rangatahi can make small payments on a weekly or as agreed basis. This greatly increases the opportunity to collect reparation and the Accord is a

way of supporting tamariki, rangatahi and their whānau and families in meeting a key obligation to victims by providing a way to repay what has been lost or damaged.

Procedure when using the Accord:

1. Each youth justice team has been allocated a team code (see appendix 1 for the list) for identification at Victim Support.
2. A decision in a family group conference to pay reparation or a donation will be clearly set out in the plan. The plan will:
 - a. state the total amount of money to be paid
 - b. if there is more than one payment, include a schedule of payments, including dates and amounts
 - c. give a start and end date for payments
 - d. state who is responsible for ensuring the payments are made
 - e. state each ID number for te tamaiti or rangatahi and the team code.
3. Each tamaiti or rangatahi must be allocated an individual ID number – this is used to identify payments made by them.
 - a. It should not be their CYRAS number as the ID number should not identify te tamaiti or rangatahi to anyone but Oranga Tamariki kaimahi – however, for example, a team prefix could be used with the first 4 numbers of a client's CYRAS number (such as T1234). This must be used on all transactions made by or on behalf of te tamaiti or rangatahi and ensures that all payments made by te tamaiti or rangatahi 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.
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 te tamaiti or rangatahi.
 - a. One simple way to do this is to add a letter prefix to the client ID number – for example, T0001 (Tauranga) & W0001 (Whakatāne) for Tauranga Youth Justice; R0001 (Rotorua), TP001 (Taupō) & TK001 (Tokoroa) for Rotorua Youth Justice etc.
5. Each team will have one nominated person (usually an admin assistant) to be responsible for managing the Accord. They are responsible for:
 - a. receiving and collating the payments that are supplied by Victim Support by email on a monthly basis
 - b. matching the payments with the appropriate tamaiti or rangatahi and sending 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 as agreed.

Note: Victim Support (yj@victimsupport.org.nz) must be advised of the nominated person managing the account changes. The youth justice manager needs to ensure that there is back-up in case of illness or leave.

6. The youth justice coordinator will advise Victim Support by email (yj@victimsupport.org.nz) of each new agreement, giving the team code, the individual ID for te tamaiti or rangatahi, the schedule of payments and the agreed start date.
7. 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 te tamaiti or rangatahi as soon as possible.
8. The youth justice coordinator or allocated social worker will manage any breach by te tamaiti or rangatahi 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.
9. The youth justice coordinator must get payment details from the victim(s) when an agreement to use the Accord is reached in a family group conference:
 - a. These details should not be documented in the plan or given to te tamaiti or rangatahi 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 of te tamaiti or rangatahi and the amount to be paid.
 - i. The reparation can be paid in one lump sum or in smaller amounts as agreed at the family group conference.
 - c. The youth justice manager will sign off each repayment to victims.
 - d. Victim Support will send a confirmation of the payment to the Youth Justice team within 14 days of the payment being made.

Unclaimed funds

Where a victim is unable to be located or the funds are unclaimed after 3 months **and** sufficient attempts have been made and evidenced to locate the victim, Victim Support is to be advised and they are responsible for distributing the funds where they see fit. Alternatively, the family group conference may agree to donate the money to a chosen charity.

Key points

Please ensure that:

- te tamaiti or rangatahi is given a unique individual ID
- the ID and your Youth Justice team code are used on all transactions made by or on behalf of te tamaiti or rangatahi
- the plan identifies persons to support te tamaiti or rangatahi
- the schedule of payments is clearly detailed in the family group conference plan

- the payments made by te tamaiti or rangatahi are monitored and are followed up if they are not being made as agreed
- the account details for the victim are collected and held in confidence until needed.

Key contacts

- Principal Advisor, Victim Engagement and Participation, National Office, Oranga Tamariki
- Victim Support: 0800 842 846 or yj@victimsupport.org.nz

Appendices

Appendix 1: Codes for Youth Justice teams

Appendix 2: Youth justice reparation accounting sheet

Appendix 3: Authorisation form for the release of funds

Appendix 1: Team codes for Youth Justice teams

Youth Justice team	Team code
Te Tai Tokerau	YJ1
North Harbour	YJ2
Waitākere	YJ3
Auckland City	YJ4
Ōtāhuhu/Māngere	YJ5
Ōtara	YJ6
Manurewa	YJ7
Papakura	YJ8
Waikato	YJ10
Tauranga	YJ11
Rotorua	YJ12
Tairāwhiti	YJ13
Hawke's Bay	YJ14
Taranaki	YJ15
Whanganui	YJ16
Palmerston North	YJ17
Greater Wellington	YJ19
Upper South	YJ20
Christchurch West	YJ21
Christchurch East	YJ22
Otago	YJ24
Southland	YJ25

Appendix 3



Youth Justice Reparation Accord

Authorisation form for the release of funds

Name and code of Youth Justice team:	
Individual ID of te tamaiti or rangatahi:	
Victim/payee name:	
Bank account details:	
Amount to pay:	
Bank reference (if requested):	
Name and contact details of youth justice manager authorising the payment:	
Signature of youth justice manager:	
Date of authorisation:	