

Six great reasons 17-year-olds should be included in the youth justice system

Position brief: July 2016

1. It will reduce re-offending

The youth justice system is far more effective at reducing re-offending than the adult system. Young people go through a process that holds them to account, addresses the underlying causes of their offending and changes their behaviour.

2. It will maintain public safety

- Most offending by 17-year-olds is related to traffic offences, property damage and public disorder.
- Where public safety is a concern, there are youth residential facilities where young people are held securely.
- If a 17-year-old was to commit a serious crime, he/she would be moved from the youth court to the adult court, just as those aged 14 and above are now. At the most extreme end of offending, the young person would go straight to the adult court.

3. It is the best way to change behaviour

We know that the parts of the brain that control logic and judgement are still developing at 17. A young person's ability to control impulses and rationally think through consequences is poor. This limitation can be an advantage as the adolescent brain is still developing and teenagers respond well to interventions. They can learn to make responsible choices.

4. It will cost New Zealand less

Reduced re-offending means less cost to the justice, ACC and health systems. Importantly, costs and stress to victims will be reduced.

5. It will contribute to a reduction in unconscious-bias in our criminal justice system

Over 60 percent of court cases for 17-year-olds last year involved Māori defendants. Raising the age is one of the most tangible things we can do to reduce the likelihood of life-long entrenchment of 17-year-old rangatahi in the criminal justice system.

6. It is the right thing to do

Raising the age will bring New Zealand in-line with its international obligations including the United Nations Convention on the Rights of the Child. Most countries we like to compare ourselves to, with just a few exceptions, have 17 year-olds in their youth justice systems.



Children's Commissioner Judge Andrew Becroft represents the 1.1 million people in Aotearoa New Zealand under the age of 18, who make up 24 percent of the total population.

He advocates for their interests, ensures their rights are upheld, and helps them have a say on issues that affect them.

More information about the work of the Commissioner and his office at www.occ.org.nz