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HOW MANY OFFEND?

PRESERVATION

A Descriptive Account of Levels of Offending
in a Cohort of New Zealand Boys

A. A. DONNELL

R. J. LOVELL

Study of Social Adjustment:

Research Report No. 7

YOUNG OFFENDERS UNIT
DEPARTMENT OF SOCIAL WELFARE
(Formerly the Research Unit to the
Joint Committee on Young Offenders)
NEW ZEALAND

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How Many Offend? is the seventh report in a series initiated by the Joint Committee On Young Offenders and resulting from work on a longitudinal study of maladjustment and offending in a cohort of New Zealand boys.

During 1981, the functions of the Joint Committee On Young Offenders were subsumed by a sub-committee of the Officials Committee On Family and Social Policy. The Joint Committee On Young Offenders' research staff were absorbed into the Research Division of the Department of Social Welfare, which also accepted responsibility for the longitudinal study and the publication of subsequent reports in the series.

Work on How Many Offend? began under the direction of the Joint Committee On Young Offenders and was completed under that of the department.

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DEPT OF SOCIAL WELFARE, W'TON



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31F/1155F

Acknowledgements

The authors would like to thank Mr J. Jensen, Director, Research, Department of Social Welfare for his helpful comments on the draft of this report. The authors would also like to thank Miss L. Morgan for her careful typing of the final manuscript.

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SECTION 1 INTRODUCTION

Reports on the extent of juvenile offending in New Zealand have generally been based on official annual statistics showing numbers of appearances in Court or numbers of referrals to the Youth Aid Section of the Police.¹ Such statistics are, however, workload measures which have short-comings as indicators of numbers of offenders in the population. They refer to appearances rather than to individuals, which means that an offender who comes to notice more than once in a year in relation to separate offences is counted more than once in figures for that year. This multiple counting of offenders has meant that rates of coming to notice calculated from these figures produce over-estimates of the number of individuals involved. Further, since official statistics are based on a standard annual time period, they do not allow a picture of offender careers to be built up.

An attempt to provide more satisfactory estimates of the incidence of youthful offending was made in Juvenile Crime in New Zealand (1973). In that publication estimates were made of the probability that an individual would appear before the Children's Court for juvenile offending at least once during his or her first sixteen years. The estimates were produced by complicated analysis of data on Children's Court appearances. That analysis was limited, however, by the fact that it did not include as offenders those who were referred to the Youth Aid Section but did not go on to Court.

The present report examines in detail the pattern of offending of a cohort of males as they move through the juvenile age range. The report provides such information for the first time in New Zealand. Even in the larger body of literature generated by studies in the United Kingdom and in the United States, few studies providing this type of information are reported. Most have had to rely on selecting a group who have already come to notice for offending and then tracing their future offending patterns or searching back through official records to determine when the first contact with the criminal justice system was made. Exceptions are a

1. See, for example, the annual publications Report of the Department of Social Welfare, Report of the New Zealand Police and New Zealand Justice Statistics.

cohort study of approximately 10,000 boys carried out in Philadelphia and described by Wolfgang et al (1972), the British National Survey of Health and Development (Wadsworth 1975) and the Cambridge Study of Delinquent Development (West 1969, West and Farrington 1973, 1977).

SECTION 2 SAMPLE AND VARIABLE DEFINITIONS

The data used in this study were obtained from a major longitudinal study of a sample of over 25,000 boys born in 1957 who were attending New Zealand State schools in 1967. (Some 88% of nine and ten year old male primary school pupils in New Zealand were attending State schools at that time.)¹ Basic information on all these boys was obtained from teachers in 1967. This information included background characteristics of each sample member, measures of social adjustment and measures of school performance. In subsequent years follow-up information on sample members was obtained each time a boy appeared in the Children's Court or was referred to the Youth Aid Section of the Police or to the Psychological Service of the Department of Education. Full details of the research design were given in an earlier report (Fergusson et al 1975a).

Previous reports using this data base have examined the relationships between offending behaviour and background variables such as race, socio-economic status, school performance and social adjustment (Fergusson et al 1975b, 1975c, 1976).

The sample for the research reported in this paper consisted of 8,801 boys randomly selected from the larger sample of over 25,000. Each of the variables involved in the analysis which follows is discussed separately below.

2.1 Age

This report examines the pattern of offending of sample members up until their seventeenth birthday. During the time period covered by the study, the great majority of young persons charged with offences appeared in the Children's Court.² (The exceptions were those persons charged with

1. Education Statistics of New Zealand, Part I
1968 pp 5, 20, 25, Wellington, New Zealand, Department of Education.
2. The Children and Young Persons Act 1974 substantially revised procedures for dealing with young offenders. From 1 April 1975 Children's Courts were replaced by Children and Young Persons Courts.

murder or manslaughter or with minor traffic offences: such persons appeared in the Magistrates' Court.) In terms of age jurisdiction, the Children's Court dealt with offenders aged up to 17 years. Although the minimum age of criminal responsibility in New Zealand is 10 years, children under 10 whose parents appeared before the Children's Court to answer a complaint involving misbehaviour by the child have been included in the study (see section 2.4). The majority of 17 year olds charged with offending behaviour appeared in the Magistrates' Court although they could, at the the Magistrate's discretion, be dealt with in the Children's Court. Since Children's Court statistics for 17 year olds include only a minority of those 17 year olds charged with offending, the analysis in this paper is limited to the age range up to and including 16 years.¹

2.2 Race

The extent of offending is examined for Maoris and Non-Maoris separately as it is known from previous research that rates are markedly different for the two groups (Department of Social Welfare, 1973, Fergusson *et al*, 1975a). The racial classification used is based on teacher impressions of the race of each sample member at age ten years. The "Maori" category comprises all children described by teachers as Maori (half or more), Maori-Pacific Island mixture, or Maori-Asian mixture. All remaining sample members have been classified as "Non-Maori". A finer racial classification has not been used because of the relatively small number of sample members who were classified as other than Maori or European. The great majority of the Non-Maori group are in fact European.

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1. The age variable recorded on the court reports from which the information used in this study was derived was the age at the time of the offence or incident leading up to the Court appearance. Age at appearance was not recorded as a separate variable. In many cases the boy would be a few months older before he appeared in Court. However, in the remainder of this report, age at Court appearance will be discussed as if it were identical to age at the time of the incident leading to the appearance.

Of the 8,801 sample members, 1,056 (12.0%) were classified as Maori and 7,745 (88.0%) as Non-Maori. These proportions conform closely to those expected in the population of males in this age range.¹

2.3 Referrals to the Youth Aid Section of the Police

Over the period covered by this study most children and young persons coming to official notice for offending or misbehaviour were referred to the Youth Aid Section of the Police.²

The Youth Aid Section was established in the late 1950's in an attempt to detect delinquent children at an early age and to deal with them by preventive measures rather than by action in the Children's Court. Cases referred to the Youth Aid Section were discussed at regular meetings between Youth Aid Officers and Departmental Social Workers.³ These discussions resulted in recommendations to the Senior Police Officer in the district concerned. It was his responsibility to then decide whether or not action should be taken in the Children's Court. If the child was not prosecuted he was usually given a Police warning or, occasionally, informal Child Welfare (Social Welfare) supervision. Non-prosecution options could only be used where the young person concerned admitted to offending or misbehaviour, and tended to be used mainly with first offenders and offences of a less serious nature.

-
1. At the time of the 1966 Census all sample members were eight or nine years of age. The 1966 Census classified 11.1% of all eight and nine year old males as Maori, with the remaining 88.9% being classified as Non-Maori. Source: New Zealand Census of Population and Dwellings 1966, Volumes 2 (Age and Marital Status) and 8 (Maori Population and Dwellings), Department of Statistics, Wellington, 1968, 1970.
 2. Details of the method of operation of the Youth Aid Section are provided in the Report of the New Zealand Police each year and also in Mooney (1971), Rusbatch (1974) and Seymour (1975).
 3. Originally officers of the Child Welfare Division of the Department of Education. After the amalgamation of this Division with the Department of Social Security in April 1972 they were re-designated social workers of the Department of Social Welfare.

In practice, the majority of offenders aged less than 15 years coming to official notice for the first time during this period were referred to the Youth Aid Section and dealt with without prosecution, while most 15 and 16 year old first offenders and most offenders coming to notice for a second or subsequent offence or coming to notice for a serious offence, were referred to the Youth Aid Section and dealt with by way of prosecution in the Children's Court.

In this report a Youth Aid referral is defined as any referral to the Youth Aid Section of the Police for offending or misbehaviour by a boy of sixteen years of age or less where the referral did not result in a prosecution in the Children's Court.¹

2.4 Children's Court Appearance

As mentioned earlier, at the time of this study the great majority of young persons charged with offences appeared in the Children's Court. As well as handling cases involving charges, the Children's Court also had jurisdiction in cases where a child or young person was the subject of a complaint (addressed to his parents or guardians) under Section 13 of the Child Welfare Act 1925. The various grounds for complaint action were normally classified, for purposes of statistical analysis, into two categories as follows:

- non-misbehaviour complaints: complaint actions where the basis for the complaint related primarily to the standard of care being provided by the parents or guardian. These included "neglect" and "detrimental environment" complaints and some "not under proper control" complaints.
- misbehaviour complaints: complaint actions where the basis for the complaint related primarily to misbehaviour or offending by the child or young person. These included complaints that the child was "delinquent" and some "not under proper control" complaints.

1. Only Youth Aid Section non-prosecution referrals are considered, as any referral which resulted in a prosecution is counted as a Children's Court appearance.

The majority of "misbehaviour complaints" involve some degree of offending by the child or young person concerned, and for this reason such complaints are often included in juvenile offending statistics along with appearances involving charges.

For the purposes of this report, a Children's Court appearance is defined as any finalised appearance in the Court by a boy of 16 years of age or less who was either charged with an offence (and found guilty) or appeared on a complaint involving misbehaviour (where the complaint was upheld).¹

2.5 Official Notice

The term "coming to official notice" is used in this report to describe a boy who was either referred to the Youth Aid Section of the Police or who appeared in the Children's Court for an offence or misbehaviour (where the charge was proven or the complaint upheld).

In interpreting the data it should be remembered that because they do not include offenders who escaped detection, or whose offence was not reported to an official agency, the numbers coming to official notice underestimate the real incidence of offending amongst young persons.

1. To be counted as an appearance a hearing had to result in a final Court decision, not simply in an adjournment to a later date.

SECTION 3 AGE AT FIRST OFFICIAL NOTICE

3.1 Age at First Youth Aid Non-Prosecution Referral

Table 3.1 shows the number of sample members referred to the Youth Aid Section for the first time, classified by age at the time of the referral. The table also shows the cumulative frequency of first Youth Aid referrals by successive ages. (Note that the table deals only with Youth Aid referrals which did not lead on to prosecution - those resulting in prosecution are included among the Children's Court appearances in Table 3.2.)

Table 3.1 AGE AT FIRST YOUTH AID NON-PROSECUTION REFERRAL

Age in years	Number referred for the first time	Percentage of sample*	Cumulative frequency	Total percentage of sample referred by end of each age
Under 9	61	0.69%	61	0.69%
9	43	0.49%	104	1.18%
10	51	0.58%	155	1.76%
11	67	0.76%	222	2.52%
12	104	1.18%	326	3.70%
13	168	1.91%	494	5.61%
14	204	2.32%	698	7.93%
15	169	1.92%	867	9.85%
16	121	1.37%	988	11.23%

(*N = 8801)

Almost 1,000 sample members (over 11%) had been referred to the Youth Aid Section before age seventeen.

The incidence of first Youth Aid referrals increases steadily at each age to peak at age fourteen. Thereafter it declines. This decline may be due to older first offenders committing more serious offences and being prosecuted for these offences or to a tendency for older offenders to be prosecuted regardless of their offence. The tendency for older first

offenders to be prosecuted can be illustrated by the percentages of those coming to first official notice at each age who appeared in Court. These percentages increased steadily at each age from 34% at ages 11 and 12, to 45% at age 14 and 72% at age 16. The information on type of offence collected in this study is not sufficiently detailed to permit any estimate of seriousness of offence sufficiently reliable to test the other hypothesis.

3.2 Age at First Children's Court Appearance

Table 3.2 shows numbers and percentages of sample members appearing in the Children's Court for the first time, classified by age at the time of the offence leading to the appearance. The table also shows the cumulative frequency of first Court appearances by successive ages.

Table 3.2 AGE AT FIRST CHILDREN'S COURT APPEARANCE

Age in years	Number appearing for the first time	Percentage of sample*	Cumulative frequency	Total percentage of sample having appeared by end of each age
Under 10	16	0.18%	16	0.18%
10	17	0.19%	33	0.37%
11	50	0.57%	83	0.94%
12	81	0.92%	164	1.86%
13	161	1.83%	325	3.69%
14	216	2.45%	541	6.15%
15	302	3.43%	843	9.58%
16	376	4.27%	1219	13.85%

(*N = 8801)

Over 1,200 of the 8801 sample members had appeared in the Children's Court for offending or misbehaviour before they turned seventeen. This number represents almost 14% of the sample.

The incidence of first Court appearance increases at each age to reach a peak at age sixteen years when over 4% of sample members appeared in Court for the first time. The relatively low incidence of first Court appearance at the youngest ages and the way in which the incidence of first Court appearance increases sharply through the teenage years is illustrated by the cumulative percentage of sample members appearing in Court; by twelfth birthday almost 1% had appeared, by thirteenth birthday almost 2%, by fifteenth birthday more than 6% and by the time they turned 17 almost 14% of sample members had appeared in Court.

3.3 Age at First Official Notice

In Table 3.3 data on both first Youth Aid non-prosecution referrals and first Children's Court appearances are combined to show the age at which sample members first came to official notice for juvenile offending. The figures in the table derive from addition of figures for age at first contact with the juvenile justice system, whether through Youth Aid non-prosecution referral or Children's Court appearance. These figures cannot be obtained by simply summing the data in the previous two tables as this would result in double counting of sample members who were both referred to Youth Aid and appeared before the Children's Court.

Table 3.3 AGE AT FIRST COMING TO OFFICIAL NOTICE FOR JUVENILE OFFENDING

Age in years	Number coming to notice for the first time	Percentage of sample*	Cumulative frequency	Total percentage of sample having come to notice by end of each age
Under 9	68	0.77%	68	0.77%
9	47	0.53%	115	1.31%
10	61	0.69%	176	2.00%
11	97	1.10%	273	3.10%
12	152	1.73%	425	4.83%
13	270	3.07%	695	7.90%
14	328	3.73%	1023	11.62%
15	367	4.17%	1390	15.79%
16	375	4.26%	1765	20.05%

(*N = 8801)

As would be expected, aggregation of the Youth Aid and Children's Court data has produced a pattern of first offending by age which falls between the two distinct patterns reported in the previous tables. Numbers coming to either form of official notice for the first time increase rapidly at each age until 13 years, when some 3% of the sample first come to official notice. Thereafter numbers continue to increase with age, though not as rapidly, and the numbers first coming to official notice at ages 14, 15 and 16 are very similar (ranging from 3.73% of the entire sample at age 14 years to 4.26% of the sample at age 16 years). It is evident from the data in Table 3.3 that the rate of sample members coming to official notice is beginning to stabilise, though at a high level, by ages 15 and 16.

The figures for the percentages of the sample having appeared in Court or having come to official notice by each age, which were presented in Tables 3.2 and 3.3, are illustrated for simple comparison in Figure 3.1 (see following page). Examination of the two indices shows that while some 14% of the sample make a Children's Court appearance before age seventeen a full 20% have come to one or other form of official notice by that age.

3.4 Racial Differences in the Incidence of Coming to Official Notice for Juvenile Offending

This section provides an examination of the incidence of coming to official notice for Maori and Non-Maori sample members separately. Table 3.4 shows numbers of Maoris and Non-Maoris appearing in the Children's Court for the first time, classified by age at the time of the appearance. The table also shows the cumulative frequency of first Court appearances at successive ages. Table 3.5 shows corresponding data on the incidence of Maoris and Non-Maoris coming to official notice either through a Youth Aid non-prosecution referral or through an appearance in the Children's Court.

Figure 3.1 PERCENTAGE OF SAMPLE HAVING APPEARED IN COURT BY EACH SUCCESSIVE BIRTHDAY AND PERCENTAGE HAVING COME TO OFFICIAL NOTICE BY EACH SUCCESSIVE BIRTHDAY

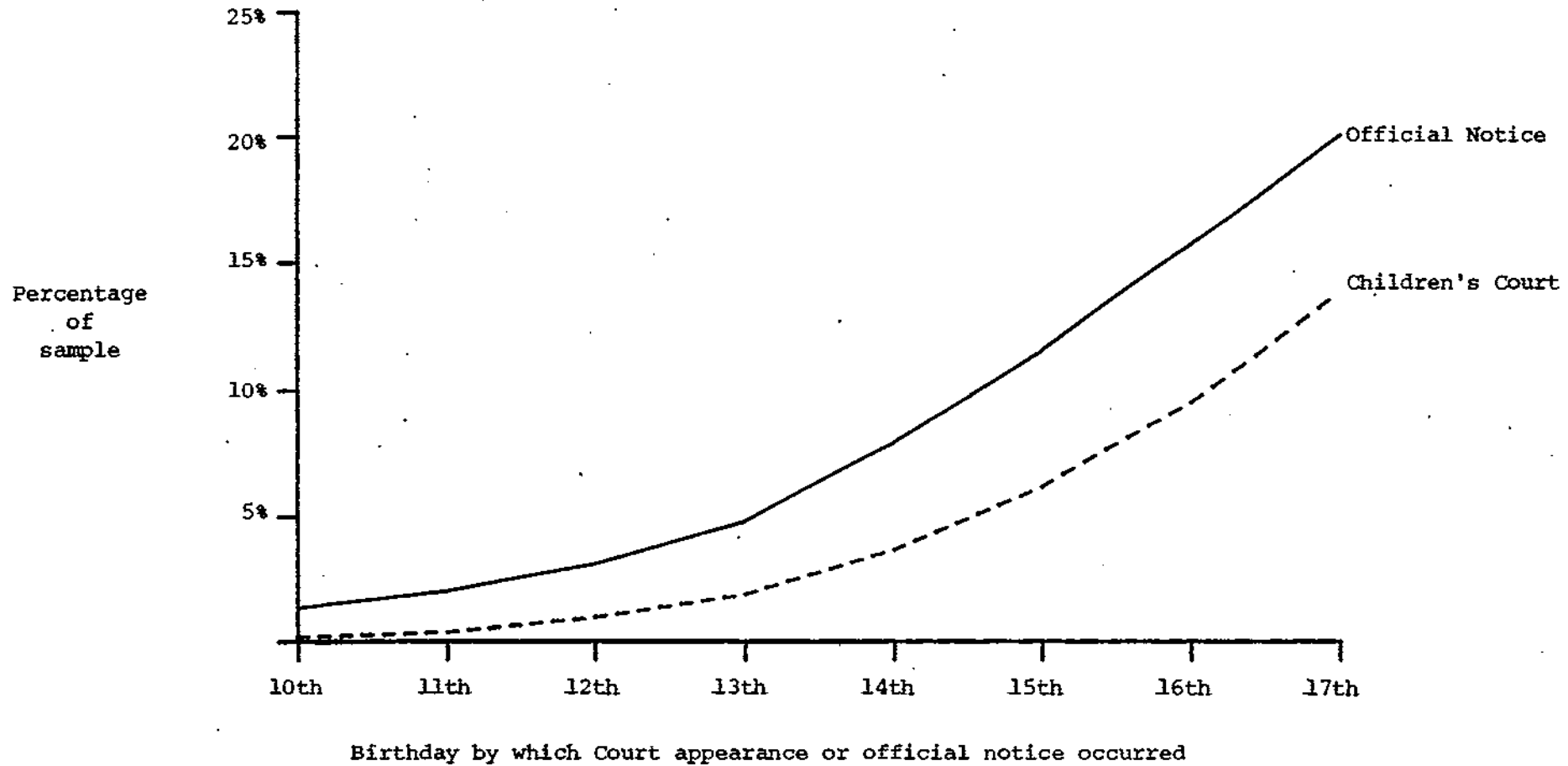


Table 3.4

FIRST COURT APPEARANCES CLASSIFIED BY AGE AND RACE

Age in years	NON-MAORI				MAORI			
	Number appearing for first time	Percent of sample*	Cumulative frequency	Percent referred by end of each age	Number appearing for first time	Percent of sample*	Cumulative frequency	Percent referred by end of each age
under 10	9	0.12%	9	0.12%	7	0.66%	7	0.66%
10	9	0.12%	18	0.23%	8	0.76%	15	1.42%
11	28	0.36%	46	0.59%	22	2.08%	37	3.50%
12	50	0.65%	96	1.24%	31	2.94%	68	6.44%
13	87	1.12%	183	2.36%	74	7.01%	142	13.45%
14	143	1.85%	326	4.21%	73	6.91%	215	20.36%
15	226	2.92%	552	7.13%	76	7.20%	291	27.56%
16	298	3.85%	850	10.97%	78	7.39%	369	34.94%

(*N = 7745)

(*N = 1056)

Table 3.5

FIRST OFFICIAL NOTICE FOR JUVENILE OFFENDING CLASSIFIED BY
AGE AND RACE

Age in years	NON-MAORI				MAORI			
	Number appearing for first time	Percent of sample*	Cumulative frequency	Percent having come to notice by end of each age	Number appearing for first time	Percent of sample*	Cumulative frequency	Percent having come to notice by end of each age
under 9	45	0.58%	45	0.58%	23	2.18%	23	2.18%
9	39	0.50%	84	1.08%	8	0.76%	31	2.94%
10	47	0.61%	131	1.69%	14	1.33%	45	4.26%
11	69	0.89%	200	2.58%	28	2.65%	73	6.91%
12	112	1.45%	312	4.03%	40	3.79%	113	10.70%
13	176	2.27%	488	6.30%	94	8.90%	207	19.60%
14	234	3.02%	722	9.32%	94	8.90%	301	28.50%
15	295	3.81%	1017	13.13%	72	6.82%	373	35.32%
16	304	3.93%	1321	17.06%	71	6.72%	444	42.05%

(*N = 7745)

(*N = 1056)

The data presented in Tables 3.4 and 3.5 reveal that Maoris are more likely to appear in Court or come to official notice than are Non-Maoris. For example, Table 3.4 shows that the incidence of offending resulting in a Children's Court appearance was over three times as high for Maori sample members as for Non-Maori sample members - 35% of the Maoris, but only 11% of the Non-Maoris had appeared in the Children's Court at least once by the age of seventeen. The difference between the two groups in this respect is illustrated by Figure 3.2.

Inspection of Table 3.5 reveals that Maori sample members were two and a half times as likely as Non-Maori sample members to have come to some form of official notice (either through a Youth Aid referral or a Court appearance) before turning seventeen: the proportion of Maori sample members who had come to notice was 42%, compared with 17% of Non-Maori sample members. Figure 3.3 provides a comparison between the cumulative percentages of the Maori and Non-Maori samples coming to notice before each successive age. A particularly marked difference between the two groups is apparent in the steep rise in the percentage of Maori boys coming to notice from thirteen years of age on.

In interpreting the rather disturbing finding that almost one in every two Maori males and one in every six Non-Maori males come to official notice for juvenile offending before age seventeen, it should be remembered that a proportion of these cases did not result in prosecution. On the other hand, as a measure of the true incidence of juvenile offending amongst males, these figures must be under-estimates. They take no account of offences committed by young persons but not detected, offences detected but not reported to the Police, offences reported to the Police but not solved, or offences solved but dealt with by the Police without the young person being either referred to the Youth Aid Section or prosecuted in the Children's Court. There has been insufficient research in New Zealand to allow any estimate of the extent of this "hidden" offending by young people. However, research from other countries would suggest that the official statistics of these countries seriously under-estimate the incidence of juvenile offending.¹ If this is also true of New Zealand, and there is no reason to believe that it is

1. See for example Gould (1969), Erickson (1972), Shapland (1978).

Figure 3.2 PERCENTAGE OF MAORI AND NON-MAORI SAMPLE HAVING APPEARED IN COURT BY EACH SUCCESSIVE BIRTHDAY.

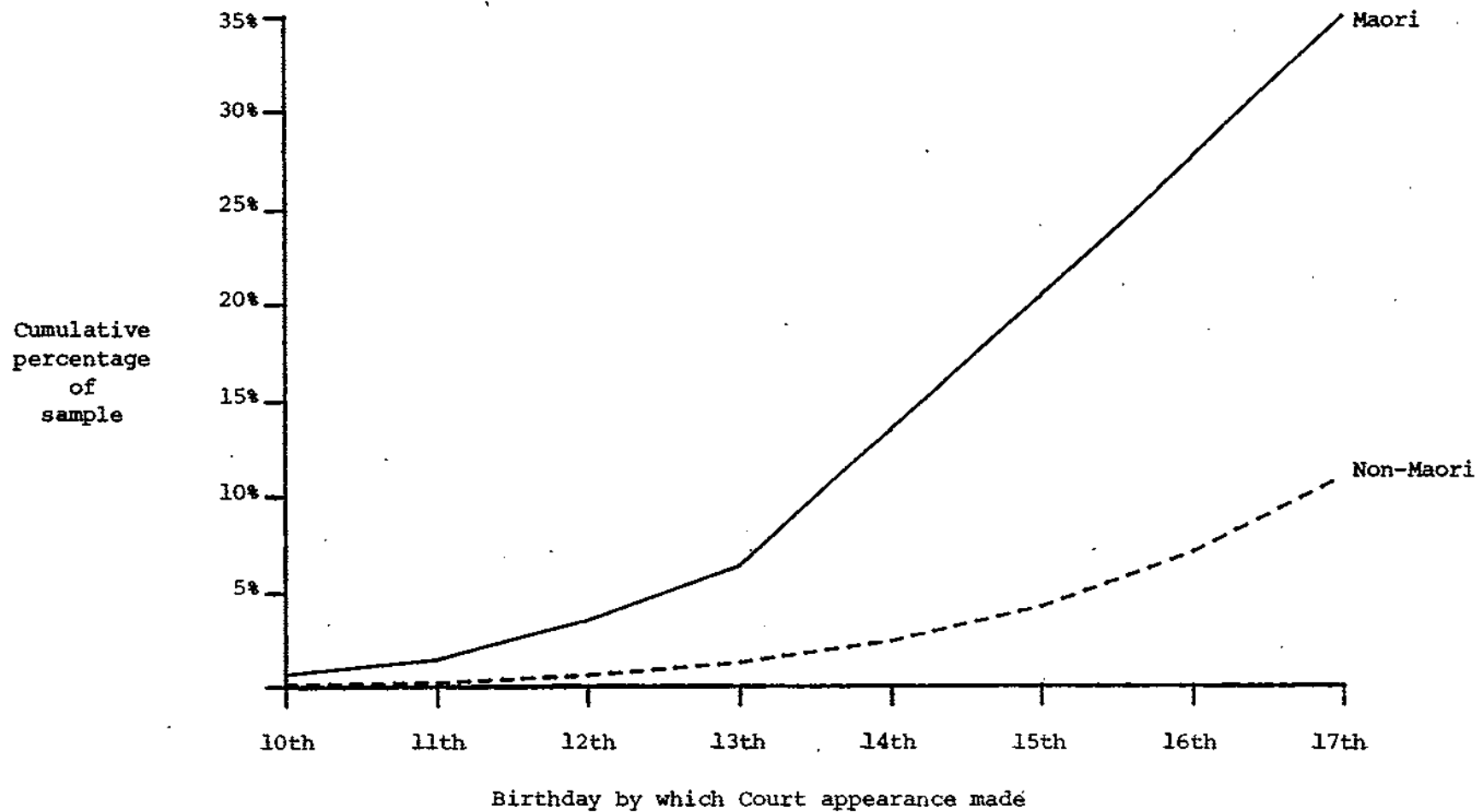
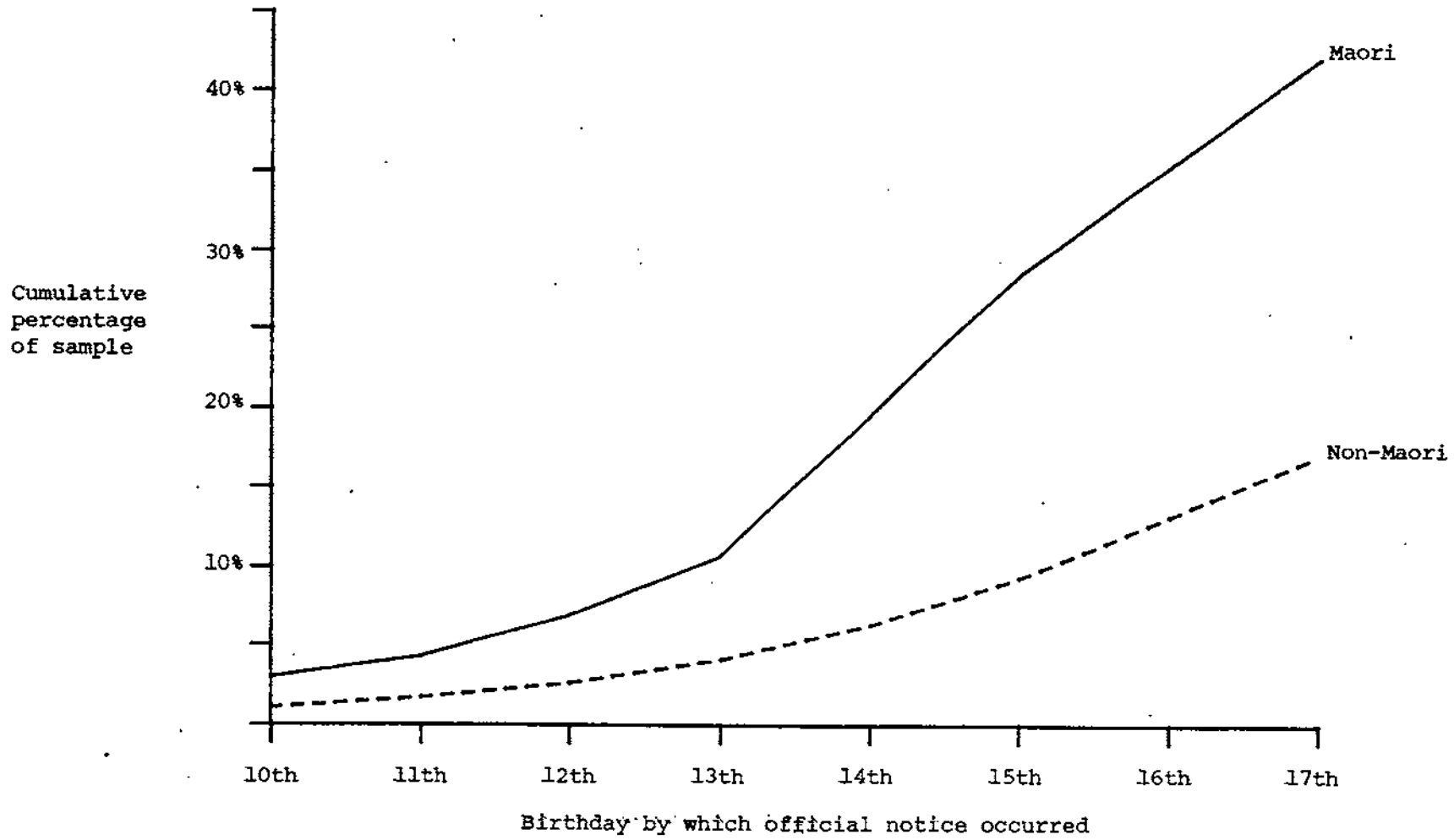


Figure 3.3 PERCENTAGE OF MAORI AND NON-MAORI SAMPLE HAVING COME TO OFFICIAL NOTICE BY EACH SUCCESSIVE BIRTHDAY



not, then the proportion of males who offend prior to age seventeen may be assumed to be considerably higher than the statistics presented above would indicate. In fact, it seems that for some sub-sections of the population juvenile offending has become the norm rather than the exception - if 42% of Maori males come to official notice for juvenile offending, those who offend (whether or not they come to notice) are almost certainly in the majority.

SECTION 4 PROBABILITY OF A SAMPLE MEMBER COMING TO FIRST OFFICIAL
NOTICE AT EACH AGE

This section reports a re-analysis of the data presented in Section 3 to give the probability that a sample member will come to notice at a particular age, given that he has not come to notice previously. Probabilities were calculated by dividing the number coming to notice at each age by the number who had not previously come to notice - i.e. the denominator excluded those who had already come to notice at an earlier age.

Table 4.1 shows, for the entire sample, for each age:

- (a) the probability that a boy will appear before the Children's Court given that he has not come to official notice before (i.e. has not previously been referred to Youth Aid nor appeared before the Children's Court);
- (b) the probability that a boy will appear before the Children's Court given that he has not previously appeared before the Court (irrespective of whether he has been referred to Youth Aid);
- (c) the probability that a boy will be referred to Youth Aid or appear before the Children's Court given that he has not come to either type of notice at an earlier age (i.e. the probability of first official notice at each age).

Table 4.1 is interpreted in the following way: if a boy previously had neither appeared in the Children's Court nor been referred to the Youth Aid Section he had a 3.1% chance of appearing in Court while aged 15 years; a boy who might or might not have been referred to Youth Aid previously but who had never appeared in Court before had a 3.7% chance of appearing in Court while aged 15 years; a boy who had neither been referred to Youth Aid nor appeared before the Children's Court before age 15 years had a 4.7% chance of coming to notice in one of these ways while aged 15 years.

Table 4.1

PROBABILITY OF A BOY COMING TO NOTICE AT A PARTICULAR AGE
GIVEN THAT HE HAS NOT PREVIOUSLY COME TO NOTICE.¹

Probability of court appearance given <u>no</u> court or youth aid appearance at an earlier age.		Probability of court appearance given <u>no</u> previous court appearance. i.e. probability of first court appearance at each age.		Probability of either court <u>or</u> youth aid appearance given <u>no</u> court or youth aid appearance at an earlier age.		
Age	Number	Probability	Number	Probability	Number	Probability
10	15/8686	0.17%	17/8785	0.19%	61/8686	0.70%
11	38/8625	0.44%	50/8768	0.57%	97/8625	1.12%
12	58/8528	0.68%	81/8718	0.93%	152/8528	1.78%
13	132/8377	1.58%	161/8637	1.86%	270/8376	3.22%
14	173/8106	2.13%	216/8476	2.55%	328/8106	4.05%
15	238/7778	3.06%	302/8260	3.66%	367/7778	4.72%
16	289/7411	3.90%	376/7958	4.72%	375/7411	5.06%

1. In all tables in this report probabilities are expressed as percentages for the convenience of the reader.

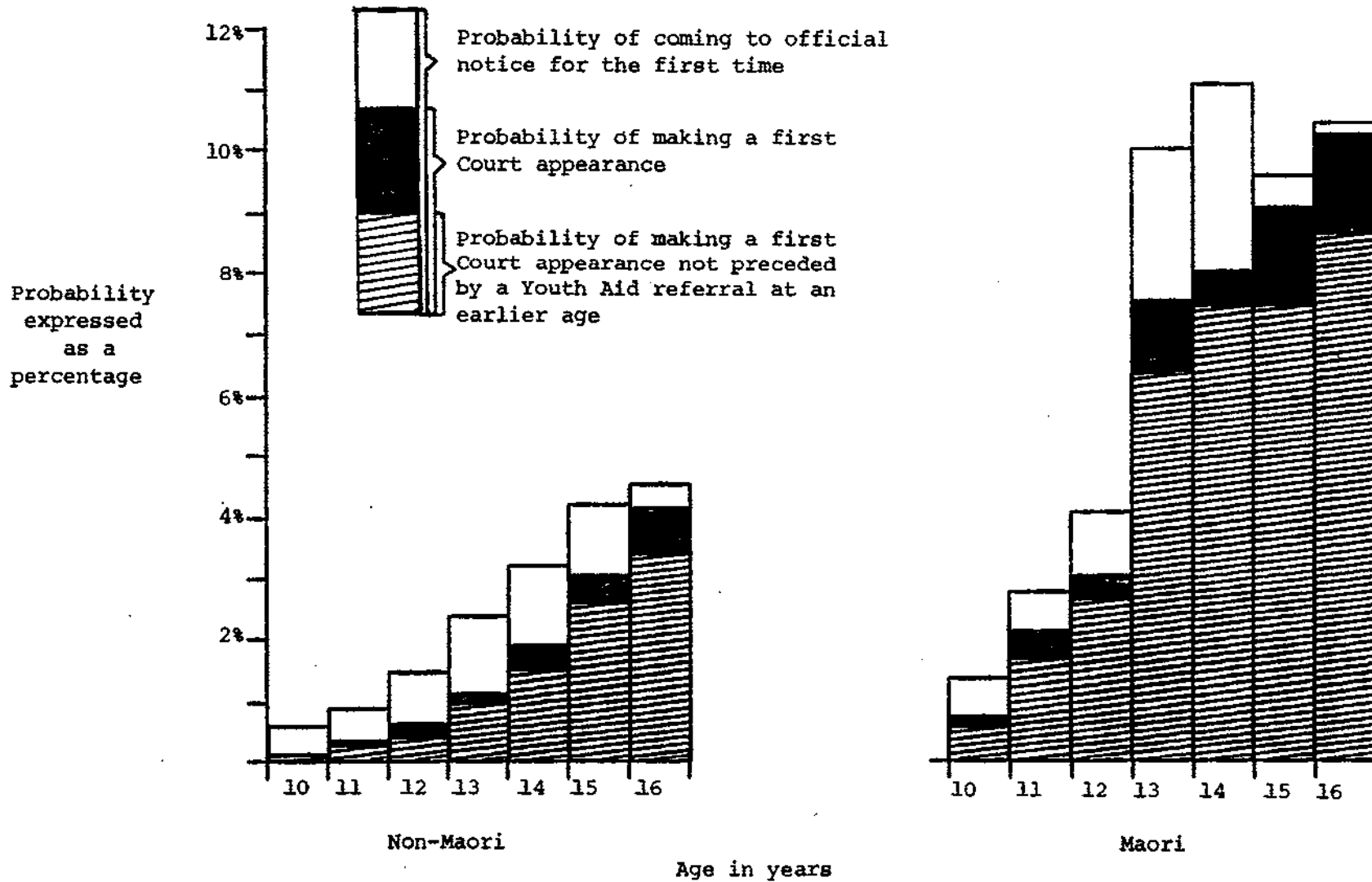
It can be seen from the table that, in general, the probability of a boy coming to notice for the first time increases as his age increases. This is true both for the probability of appearing in the Children's Court and for the probability of coming to notice of either type. As would be expected, a boy who comes from a group made up of only those who have not come to any form of official notice previously is less likely to appear in Court at any particular age than is a boy who comes from a group made up of both non-offenders and those with a Youth Aid non-prosecution referral previously.

Some interesting features emerge when the probability of coming to notice is examined for Maori and Non-Maori sample members separately. These probabilities are depicted in Figure 4.1.

The diagonally shaded area in Figure 4.1 shows the probability of a boy appearing in the Children's Court at each age given that he has neither been referred to the Youth Aid Section nor appeared before the Children's Court at an earlier age. Inspection of the figure reveals that for Non-Maoris this probability increases at each age while for Maoris it increases at each age except 15 years. At all ages the probability of a boy appearing in Court is much higher for Maoris than for Non-Maoris. For example, a Non-Maori boy has a 1.5% probability of appearing in Court at age 14 given that he has not come to official notice at an earlier age. The corresponding probability for a Maori boy is 7.4%. A notable feature is the sharp rise in Court appearances by Maoris at age 13. The reason for the sharp rise at this age is not obvious. The Non-Maori figures show no equivalent acceleration at any specific age.

The length of the bars below the unshaded area in Figure 4.1 shows the probability of a boy appearing in the Children's Court at each age given that he has not appeared in Court previously. Once again, inspection of the figure shows the much higher probability of a Maori offending at each age. For example, the probability of a Non-Maori boy making a first Court appearance at age 14 is 1.9%. The corresponding probability for a Maori boy is 8.0%.

Figure 4.1 PROBABILITY THAT AT EACH AGE A SAMPLE MEMBER WILL EITHER MAKE A FIRST COURT APPEARANCE NOT PRECEDED BY A YOUTH AID REFERRAL AT AN EARLIER AGE, OR MAKE A FIRST COURT APPEARANCE, OR COME TO OFFICIAL NOTICE FOR THE FIRST TIME.



The full length of each bar in Figure 4.1 shows, for Non-Maoris and Maoris separately, the probability of a boy coming to either type of notice at each age given that he has not previously come to notice of either type. Again the higher level of Maori offending and the sharp rise in Maori offending at age 13 is clear. At all ages the percentage of Maoris coming to first official notice is higher than is the percentage of Non-Maoris coming to such notice. For example, 3.2% of the Non-Maori boys and 11.1% of the Maori boys who had not previously come to official notice came to official notice at age 14 years.

A conspicuous feature of Figure 4.1 is that the histograms for Maoris and Non-Maoris have different shapes. For Non-Maoris, for all three measures, the probability of first offending increases at each age depicted. Because complete data were not collected beyond age sixteen it is not possible to ascertain the peak age of first offending for this group but it is clearly not prior to sixteen years.

The pattern for Maori offenders is, however, much less regular for all three indices. For this group, while the probability of first Court appearance increases over the period to 16 years it seems that the peak age for coming to first official notice is 14 years.

SECTION 5 NUMBERS OF COURT APPEARANCES AND OUTCOMES OF APPEARANCES

5.1 Numbers of Court Appearances

The information given in the previous section on the number of boys appearing before the Court provides only a minimum indication of the frequency of Court appearances since many of the boys appeared more than once. The 1,219 boys who ever appeared in Court made an average of two appearances each. One hundred and one appeared five or more times. This latter group makes up only 8.3% of the offenders, but accounts for 55% of total Court appearances by sample members.

The 369 Maori offenders in the sample had between them made a total of 891 Court appearances by the time they turned 17. This figure includes a total of eleven Court appearances made by one offender. The 850 Non-Maori offenders had made a total of 1,611 Court appearances. This number includes a total of twelve appearances by one offender.

Total numbers of appearances are set out separately for Maoris and Non-Maoris in Table 5.1 below. The figures are presented as percentages of all those in the sample and also as percentages of all those who ever appeared in Court.

Inspection of Table 5.1 shows that of all the Non-Maori boys in the sample, 11% made at least one Court appearance before age seventeen, 6.5% appeared only the once, 2% twice, 1% three times and a little over 1% appeared four or more times. Figures for Maori sample members were in all cases higher: 35% of all Maori boys in the sample made at least one appearance, 14% appeared only once, 9% twice, 4% three times, and nearly 8% appeared four or more times.

When those appearing various numbers of times are expressed as a percentage of the number of offenders (rather than of total sample members), it can be seen that the majority (59%) of the 850 Non-Maori offenders made only one Court appearance. By contrast the majority of Maori offenders (60%) made at least two appearances.

Table 5.1

NUMBERS AND PERCENTAGES OF SAMPLE MEMBERS MAKING FROM ONE TO TWELVE
CHILDREN'S COURT APPEARANCES BEFORE AGE SEVENTEEN: NON-MAORI AND MAORI

Total appearances	NON-MAORI			MAORI		
	Number appearing	Percentage of sample*	Percentage of offenders	Number appearing	Percentage of sample*	Percentage of offenders
1	501	6.5%	58.9%	146	13.8%	39.6%
2	166	2.1%	19.5%	98	9.3%	26.6%
3	81	1.1%	9.5%	45	4.3%	12.2%
4	43	0.6%	5.1%	38	3.6%	10.3%
5	33	0.4%	3.9%	16	1.5%	4.3%
6	9	0.1%	1.1%	12	1.1%	3.3%
7	4	0.1%	0.5%	9	0.9%	2.4%
8	7	0.1%	0.8%	1	0.1%	0.3%
9	3	-	0.4%	2	0.2%	0.5%
10	1	-	0.1%	1	0.1%	0.3%
11	1	-	0.1%	1	0.1%	0.3%
12	1	-	0.1%	-	-	-
	850	11.0%	100.0%	369	35.0%	100.0%

(*N=7745)

(*N=1056)

Court appearances can also be examined in terms of the number of charges laid. On some occasions more than one charge is laid in connection with the same incident. On others, multiple charges arise because more than one incident is being dealt with at the same appearance. Examination of information for first Court appearances showed that while 61% of these appearances involved only one charge, the average number of charges per appearance was 1.8.

The overall probability of a first offender re-appearing in Court was very high. Of those boys who appeared in Court at least once, nearly half re-appeared before passing out of the juvenile court age range. It is sometimes claimed that the earlier the age at which the first Court appearance is made, the greater is the likelihood of an offender re-appearing in Court. However this suggestion has commonly been based on studies which have not controlled for the amount of time over which the offender is at risk of re-appearing. To avoid this methodological bias in examining whether the probability of making a second Court appearance is influenced by age at first appearance, figures have been extracted for re-appearance rates calculated over standard follow-up periods.

Table 5.2 displays, for each age at first Court appearance, the overall percentage of offenders who made a second Court appearance at (a) the same age, (b) the same or the next age, and (c) the same age or one of the next two ages. It shows that when standardised follow-up periods are used, the probability of re-offending does not seem to be related in any systematic way to age at first Court appearance.

Table 5.2 RE-OFFENDING RATES (CALCULATED OVER STANDARD FOLLOW-UP PERIODS) OF OFFENDERS MAKING THEIR FIRST COURT APPEARANCES AT VARIOUS AGES

Age at first court appearance	Second appearance at same age		Second appearance at same or next age		Second appearance at same or one of next two ages	
Years	Number	Percent	Number	Percent	Number	Percent
10	3/17	17.6%	7/17	41.2%	9/17	52.9%
11	5/50	10.0%	13/50	26.0%	22/50	44.0%
12	6/81	7.4%	31/81	38.3%	40/81	49.4%
13	28/161	17.4%	79/161	49.1%	107/161	66.5%
14	38/216	17.6%	92/216	42.6%	118/216	54.6%
15	49/302	16.2%	131/302	43.4%	not applicable	
16	85/376	22.6%	not applicable		not applicable	

The table also shows that while about 40% of offenders reappear at the same or the next age, extending the following up period to include the subsequent age does not greatly increase the percentage. It seems that (with the exception of those who first appeared at age eleven) the bulk of re-offenders made their second Court appearance at the age immediately after the one at which they first appeared.

Table 5.2 provides information about only first and second Court appearances. More detailed information concerning the effect of prior appearances on the probability that a boy will reappear in Court is provided in Table 5.3. This sets out, for individual ages and varying numbers of prior offences, the probability that a boy will (re)appear in Court before his next birthday.¹

1. A more detailed breakdown is presented in the Appendix which sets out, for the sample as a whole, and for Maoris and Non-Maoris separately, how many boys had appeared specified numbers of times by each age and of these, how many appeared or re-appeared by the next age.

Table 5.3

PROBABILITY OF APPEARING IN COURT AT EACH AGE GIVEN SPECIFIED NUMBERS
OF APPEARANCES PRIOR TO THAT AGE

NUMBER OF PRIOR APPEARANCES

	No appearance prior to specified age	One appearance prior to specified age	Two appearances prior to specified age	Three appearances prior to specified age	Four or Five appearances prior to specified age
Age in Years	% probability of appearing at each age	% probability of appearing at each age	% probability of appearing at each age	% probability of appearing at each age	% probability of appearing at each age
10	0.19% (17/8785)	15.38% (2/13)	- (0/3)	- -	- -
11	0.57% (50/8768)	20.00% (5/25)	* (2/7)	- (0/1)	- -
12	0.93% (81/8718)	17.19% (11/64)	53.33% (8/15)	* (3/3)	- (0/1)
13	1.86% (161/8637)	26.56% (34/128)	39.13% (9/23)	* (2/6)	* (3/6)
14	2.55% (216/8476)	33.92% (77/227)	38.10% (24/63)	44.44% (8/18)	46.67% (7/15)
15	3.66% (302/8260)	30.18% (99/328)	34.09% (45/132)	43.59% (17/39)	45.45% (15/33)
16	4.72% (376/7958)	25.99% (125/481)	39.79% (76/191)	44.59% (33/74)	53.33% (40/75)

* Probabilities have not been calculated for cells in which the denominator was less than ten.

A readily interpretable presentation of this information is given in Figure 5.1 which shows that for all ages specified, there is a marked increase in the probability that a boy will appear in Court once he has made a previous appearance. There is a further increase at each age when those with two, three and four or more previous appearances are considered, but these increases are of a much smaller magnitude. For example, the probabilities of an appearance at age sixteen rise from 4.7% for those with no previous appearance to 26% for those with one, through 40%, 45% to 53% for those with four or more.

When probabilities are examined across age categories for those with no previous Court appearance, it is apparent that there is a steady increase with age in the probability of appearing in Court, from 1.9% at age 13 to 4.7% at age 16. This is as would be expected from the discussion in Section 4. However, when age variations are examined for those with one or more prior appearances, no discernible trend emerges. It seems that once one Court appearance has been made it is number of previous appearances rather than age which leads to an increase in the probability of re-appearance.

To investigate whether the foregoing pattern varies according to race, probabilities were extracted for Maoris and Non-Maoris separately.¹ Ratios of the Maori:Non-Maori probabilities were calculated from these and are depicted, for each age and previous number of appearances separately, in Figure 5.2.

Inspection of the figure reveals an interesting pattern. While the probabilities for Maoris are from 2.5 to 6.5 times greater for those with no previous Court appearance, when the ratios are examined for those with various specified numbers of previous appearances it is found that the vast majority of the Maori:Non-Maori ratios are close to 1:1. It seems that while Maoris have a greater probability of an initial Court appearance at each age, once one Court appearance has been made the prognosis for Maoris and Non-Maoris is much the same.

1. Tables of these probabilities, and the numbers upon which they are based, can be found in the Appendix to this paper.

Figure 5.1: PROBABILITY OF APPEARING IN COURT WHILE AT A SPECIFIED AGE, GIVEN THE NUMBER OF APPEARANCES PRIOR TO THAT AGE.

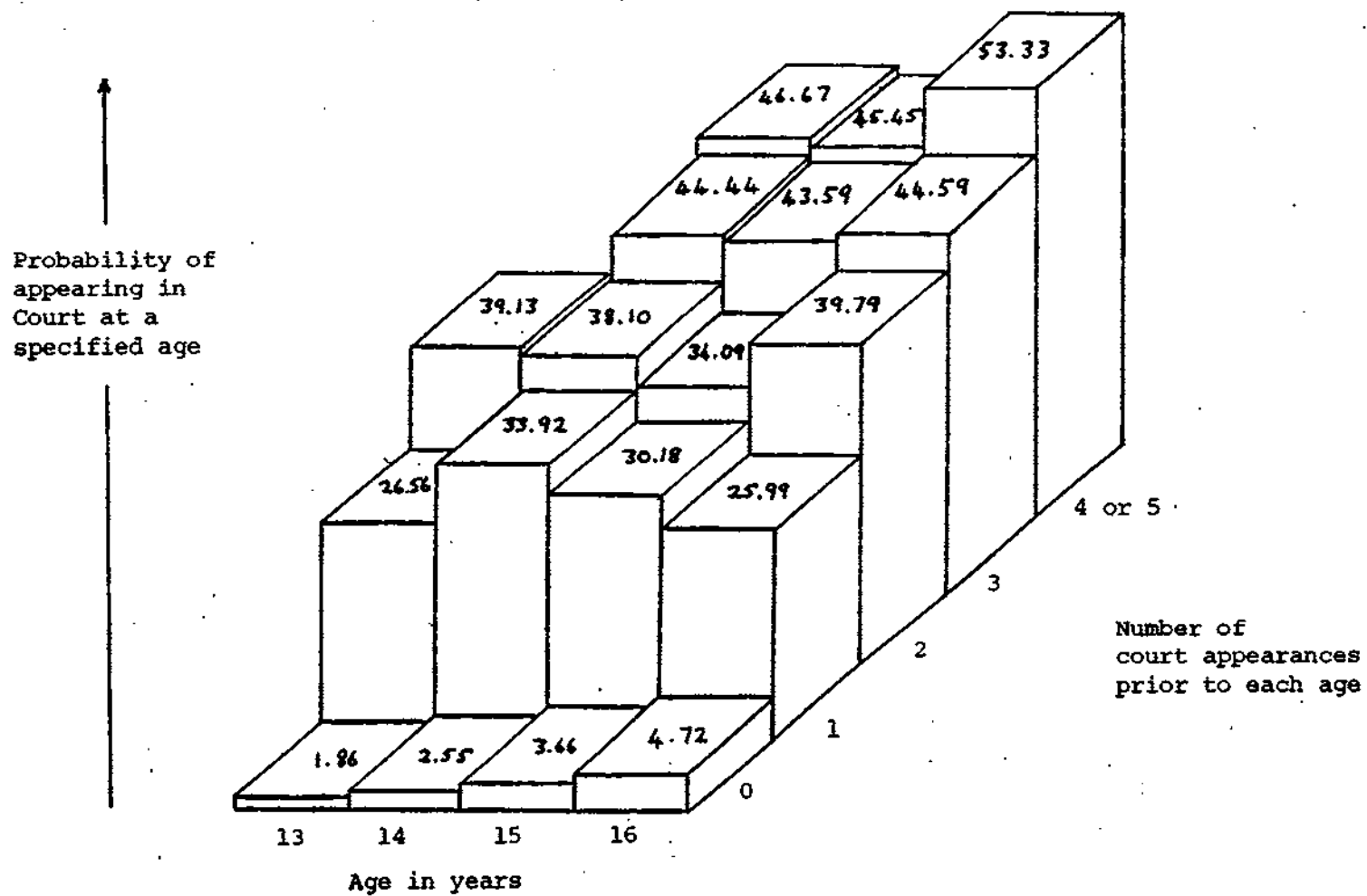
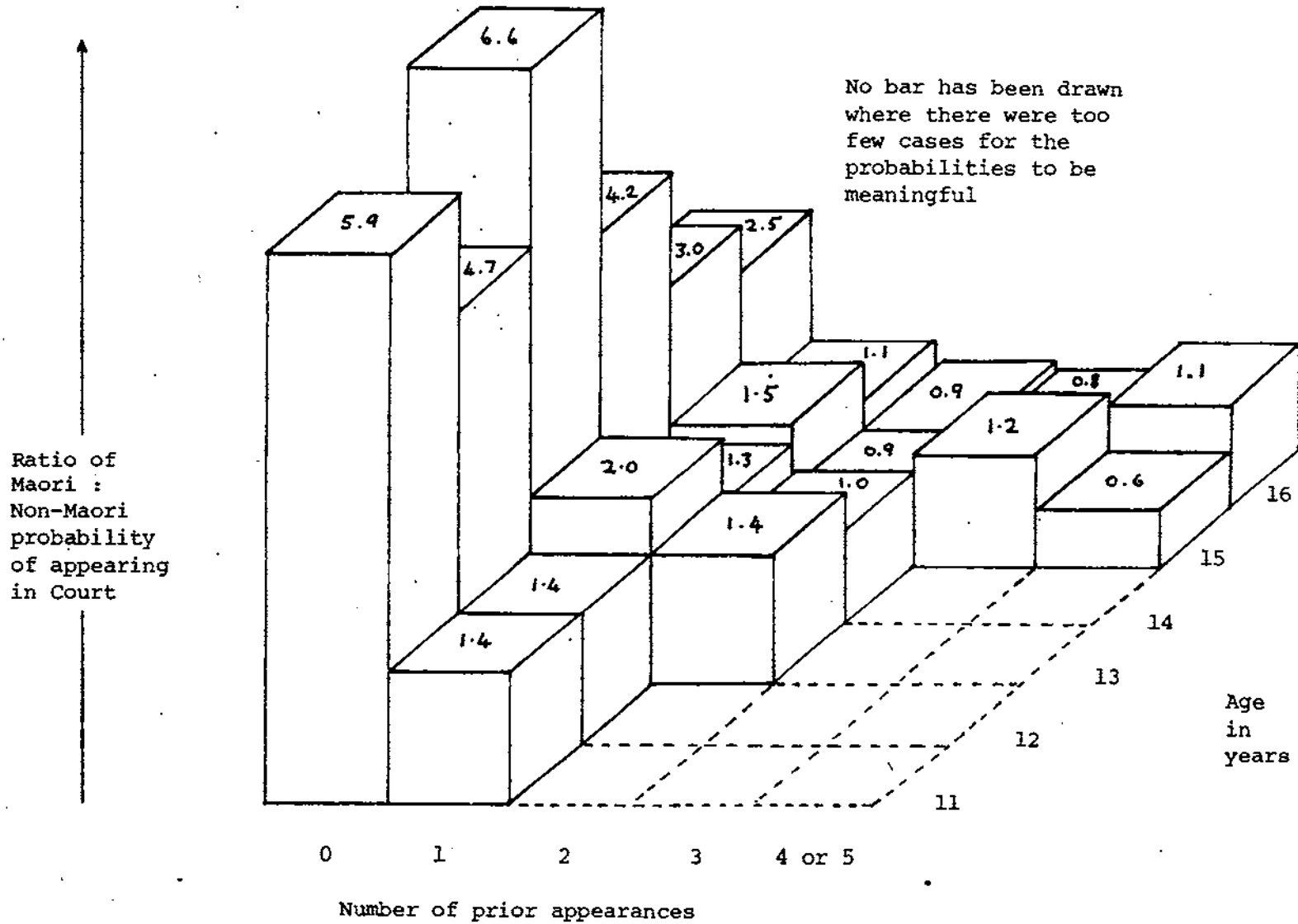


Figure 5.2: RATIO OF MAORI : NON-MAORI PROBABILITIES OF APPEARING IN COURT WHILE AT A SPECIFIED AGE, GIVEN THE NUMBER OF APPEARANCES PRIOR TO THAT AGE.



5.2 Information on the Outcomes of Court Appearances

During the period covered by this study there were a number of dispositions available for any offender appearing before the Children's Court. Because differing types of disposals have quite different implications for the offender, figures have been extracted separately for those whose Court appearances resulted in supervisory or custodial outcomes.¹ These options are likely to have the greatest effect on the offender's life. This is particularly the case for custodial decisions which, by definition, involve removal of the offender from his home environment.

Table 5.4 shows, for Non-Maori and Maori sample members separately, the numbers and percentages making at least one Court appearance resulting in (a) a supervisory or (b) a custodial outcome. It can be seen from the table that by the time that they turned seventeen, nearly 5% of all the Non-Maori boys in the sample had been placed by a Court under some form of official supervision and that one percent had been placed in official custody.

1. (a) In this paper a supervisory outcome has been defined as a sentence of probation, periodic detention, or being placed under the supervision of a social worker. This latter option results in regular visits by a social worker who would attempt to resolve any difficulties which might have led to the Court appearance. It provides for long-term oversight and direction without involving the extreme step of removal from home.

(b) A custodial outcome has been defined as a sentence of borstal training, detention centre, imprisonment, committal to a mental hospital, or committal to the guardianship of the Superintendent of the Child Welfare Division (after April 1972 the Director-General of Social Welfare). This last option involves the offender being removed from home and placed in an institution, family home, foster home, residential employment, or in board and separate employment.

Other possible outcomes of a Children's Court appearance during the period of this study included being admonished and discharged, fined, ordered to pay restitution, or cancellation of driving licence.

The selection of dispositions which could be made by the Court changed on 1 April 1975, when the Children and Young Persons Act (1974) came into effect.

Table 5.4

NUMBERS AND PERCENTAGES OF SAMPLE MEMBERS MAKING AT LEAST ONE COURT APPEARANCE RESULTING IN EITHER A SUPERVISORY OR A CUSTODIAL OUTCOME : NON-MAORI AND MAORI

Age by which appearance made	SUPERVISORY OUTCOME				CUSTODIAL OUTCOME			
	Non-Maori*		Maori**		Non-Maori*		Maori**	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
11	9	0.12%	12	1.14%	6	0.08%	1	0.09%
12	26	0.34%	30	2.84%	7	0.09%	2	0.19%
13	51	0.66%	51	4.83%	12	0.15%	6	0.57%
14	100	1.29%	104	9.85%	21	0.27%	28	2.65%
15	186	2.40%	157	14.87%	38	0.49%	44	4.17%
16	279	3.60%	213	20.17%	55	0.71%	55	5.21%
17	375	4.84%	243	23.01%	86	1.11%	79	7.48%

(* N = 7745)

(** N = 1056)

When analysis is restricted to the 850 Non-Maori offenders in the sample, it is found that 44% of them received a supervisory outcome at some stage and that 10% of them were placed in custody.

The proportions of Maori sample members receiving these outcomes were considerably higher. Of all Maoris in the sample 23% received a supervisory outcome before turning seventeen and nearly 7.5% received a custodial outcome. Of the 369 Maori offenders, two-thirds received a supervisory outcome at some time and over 20% were placed in custodial care. Thus twice the proportion of Maori as of Non-Maori offenders received a custodial disposition as the result of some Court appearance.

The finding that Maoris who appear in Court are more likely than Non-Maoris to receive a supervisory or custodial disposition has been well documented (Hunn 1960, Slater 1963, Jensen 1972). A number of factors have been suggested as contributing to these differences: Maoris might have lengthier previous offending records, their offences might be more serious, or their home environments might be more likely to have features which predispose the Court to a custodial decision. On the other hand, it has been suggested that Maoris are less sophisticated than Non-Maoris in dealing with the legal system and that they may make a less favourable impression in Court. Sutherland et al (1973) claim that the differences in sentencing severity are due in part to racist attitudes held by those administering the justice system. This study does not provide information suitable for testing which, if any, of these suggestions account for the disparities which have been demonstrated.

SECTION 6 REVIEW AND CONCLUSIONS

This report has examined the extent of juvenile offending among a cohort of males born in 1957 and attending New Zealand State Schools in 1967. Offending was measured by official contacts of sample members with either the Youth Aid Section of the Police or with the Children's Court, up until age seventeen.

It has been shown that the proportion of young New Zealand males who come to notice for offending is considerable : 14% of sample members appeared in the Children's Court at least once before age seventeen. When official contacts for juvenile offending which did not result in prosecution in the Children's Court are also included, the proportion rises to just over 20%. That one male in five came to official notice for juvenile offending is disturbing in itself, but when it is recognised that these figures do not include juveniles who committed offences but escaped coming to official notice, it becomes clear that this figure underestimates the true incidence of juvenile male offending, perhaps by a considerable margin. It seems likely that for some sections of the community, juvenile offending has become the norm rather than the exception.

This study is similar, in certain respects, to research carried out in America by Wolfgang and Sellin (Wolfgang, 1976) which showed that of a cohort of 9,945 boys born in 1945 and living in Philadelphia from their tenth to their eighteenth birthdays, 32% had appeared in Police arrest records for something other than a traffic offence before age seventeen. Wolfgang found that there were sizeable differences in numbers of arrest records between racial groups. Twenty-five percent of those classified as 'white' as opposed to 47% of 'non-whites' had appeared in arrest records by age seventeen. In the New Zealand study, 11% of Non-Maoris as opposed to 35% of Maoris had appeared in Court by age seventeen and had had a charge or complaint concerning offending upheld against them. When action not involving the Courts was also taken into account, it was found that 17% of Non-Maori males had come to official notice at least once compared to 42% of Maori males. The racial difference in offending figures is therefore even more marked in the New Zealand study than it was in the American one.

Once a boy has come to official notice, his chances of coming to notice again are high. Of those who appeared in Court once, forty-seven percent appeared a second time. A similarly high rate of recidivism was found in Wolfgang's study. Figures broken down by race show that more than 60% of Maori boys and 40% of Non-Maori boys who appear in the Children's Court re-appear at least once before turning seventeen. The Maori/Non-Maori differential in the rate of re-offending is much lower than the Maori/Non-Maori differential in the rate of coming to notice for the first time. It would appear that the association, whatever its basis, between race and coming to official notice for offending diminishes once an initial contact with the juvenile justice system has been made.

The follow-up period in Wolfgang's study was extended until age twenty-six for a 10% random sample of members of the original birth cohort. This revealed the peak age for first offending to be seventeen. After that age there was a rapid drop in the numbers of sample members being arrested for the first time. In the present study, the peak age for first Court appearance was sixteen years - the last age for which complete data on offending were collected. An extension of the follow-up period to include offenders appearing in the Magistrate's (District) and Supreme (High) Court would be required before it would be possible to determine whether numbers of first offenders continue to increase at age seventeen years and beyond, or whether they begin to decline at that point. The possibility of extending the follow-up period to cover the early adult age range is currently being explored.

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APPENDIX

INFORMATION ON NUMBERS OF THE TOTAL, NON-MAORI AND MAORI SAMPLES APPEARING (AND REAPPEARING) IN COURT BY SPECIFIED AGES

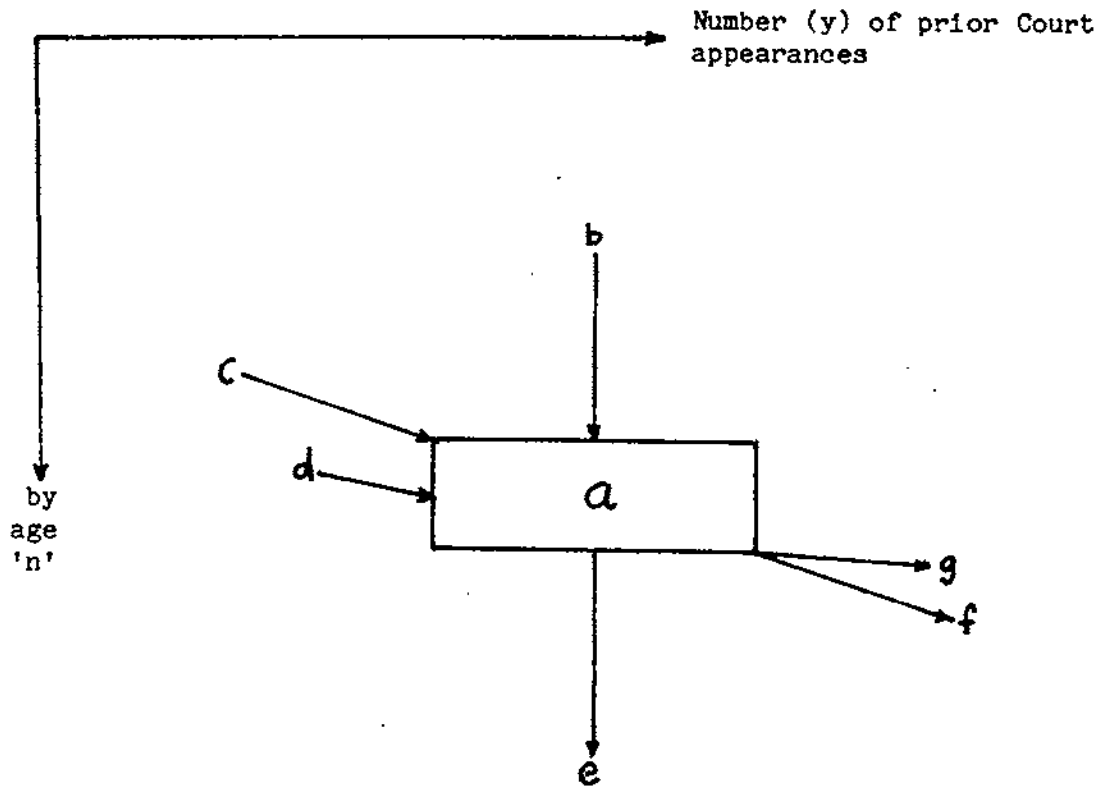
The figures and tables included in this appendix provide the interested reader with more detailed information on Court appearance and reappearance than could be accommodated conveniently in the main body of the report.

Individual cells in each figure show, for those of a particular age and specified number of previous Court appearances, those numbers of boys who had not (re)appeared in Court since their last birthday; who had (re)appeared only once in this time; who had (re)appeared more than once; who would not (re)appear before their next birthday; who would (re)appear only once; and those who would (re)appear more often than that. Separate figures have been provided for the whole sample, the Non-Maori sample and the Maori sample.

Also included are tables for each sample which show the probabilities of (re)appearance given that a sample member has reached a particular age and has already appeared in Court a specified number of times. Lastly, a table setting out the ratio of Maori:Non-Maori probabilities of (re)appearance is provided.¹ The values in this last table have been illustrated in the main text of this report by Figure 5.2 (Page 31).

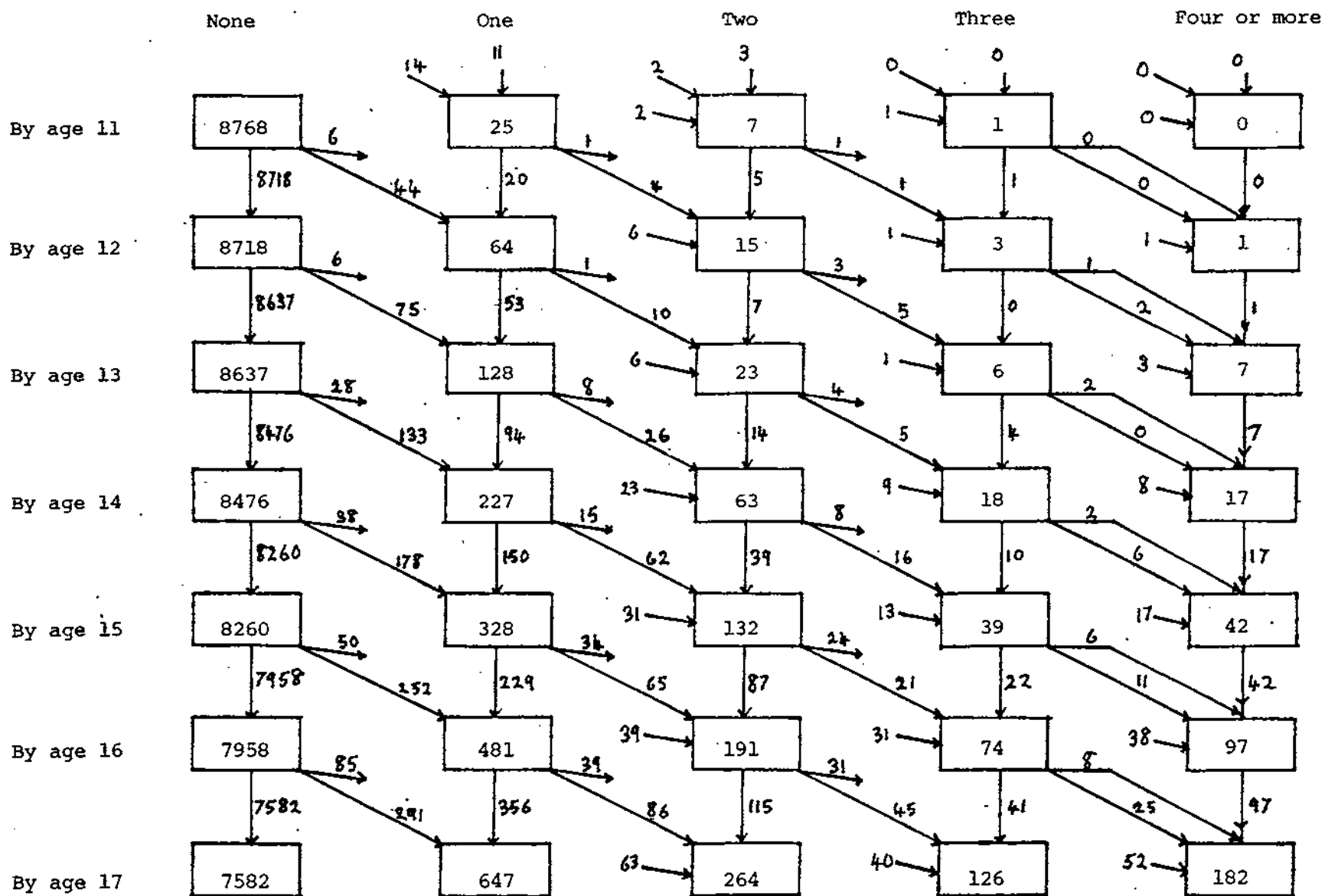
-
1. Since the completion of the report, it has become possible to provide figures equivalent to those in this appendix for the whole cohort of 25,526 boys. While these do not alter the conclusions drawn, they do allow some cells to be filled for which there were too few cases from the 8,801 sample. Interested readers may obtain copies of these by writing to the authors.

KEY TO FLOW CHART VALUES



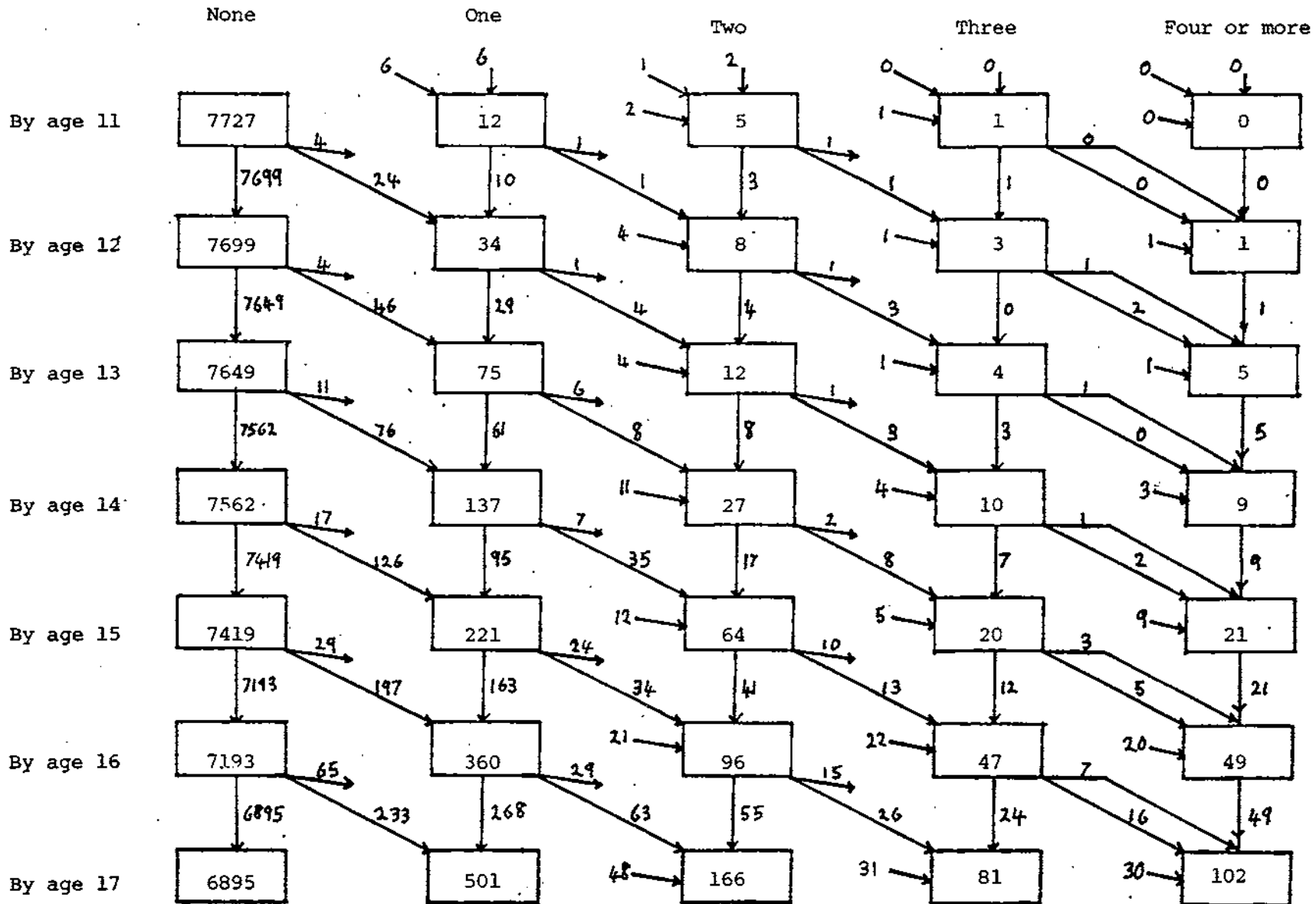
- a) The number of cases having had 'y' Court appearances by age 'n'.
- b) The number of these cases not (re)appearing since age 'n-1'.
- c) The number of these cases with only one (re)appearance since age 'n-1'.
- d) The number of these cases (re)appearing more than once since age 'n-1'.
- e) The number of these cases not (re)appearing before age 'n+1'.
- f) The number of these cases (re)appearing only once before age 'n+1'.
- g) The number of these cases (re)appearing more than once before age 'n+1'.

NUMBERS OF COURT APPEARANCES BY EACH AGE FOR TOTAL SAMPLE OF 8801



-111-

NUMBERS OF COURT APPEARANCES BY EACH AGE FOR NON-MĀORI SAMPLE MEMBERS (N=7745)



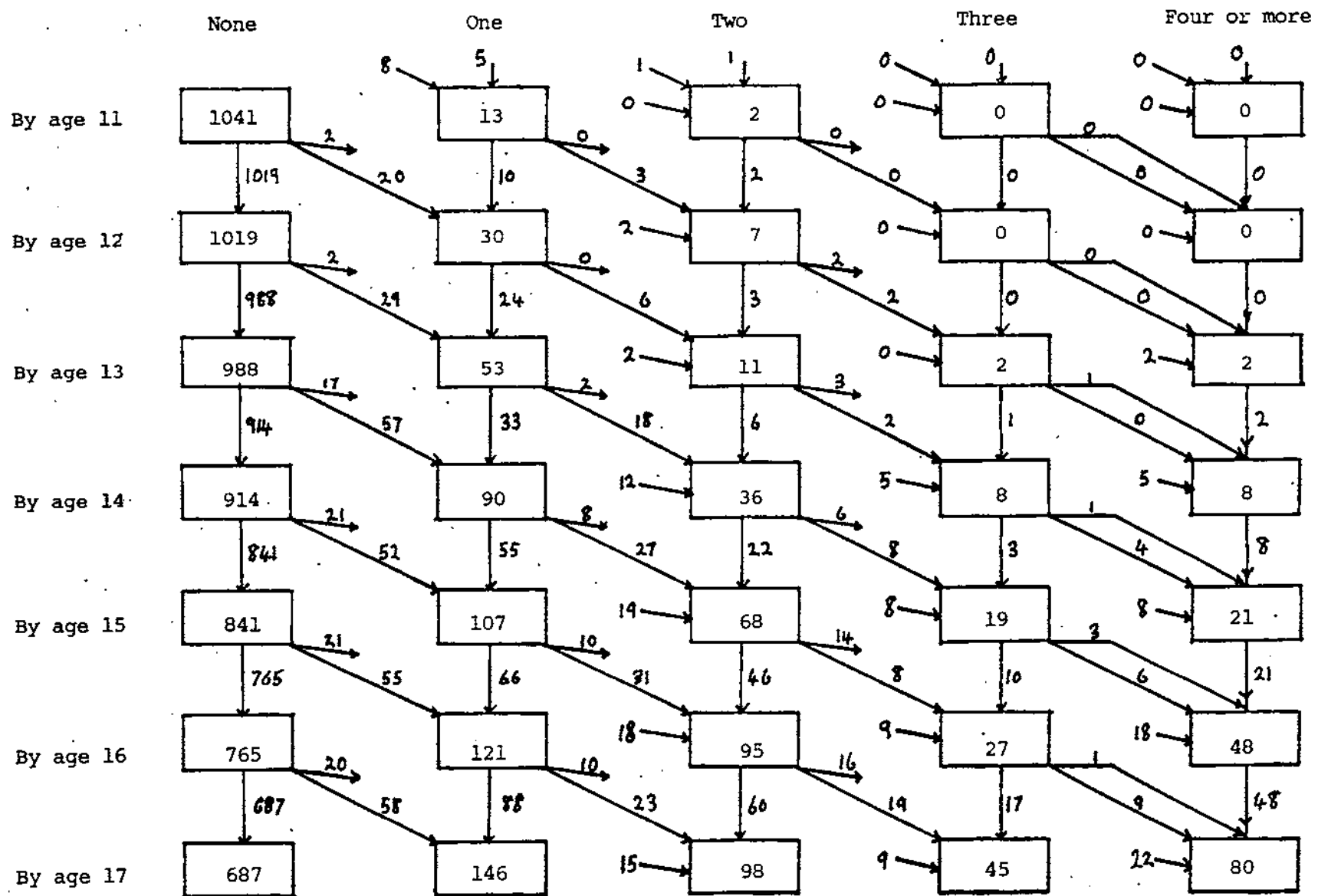
PROBABILITY OF A NON-MAORI SAMPLE MEMBER APPEARING IN COURT WHILE AT A SPECIFIED AGE, GIVEN THE NUMBER OF APPEARANCES PRIOR TO TURNING THAT AGE (N = 7745)

Number of Prior Appearances

Age in years	None		One		Two		Three		Four or Five	
	Number	Prob.	Number	Prob.	Number	Prob.	Number	Prob.	Number	Prob.
11	28/7727	0.36%	2/12	16.67%	2/5	*	0/1	*	-	-
12	50/7699	0.65%	5/34	14.71%	4/8	*	3/3	*	0/1	*
13	87/7649	1.14%	14/75	18.67%	4/12	33.33%	1/4	*	3/4	*
14	143/7562	1.89%	42/137	30.66%	10/27	37.04%	3/10	30.00%	4/8	*
15	226/7419	3.05%	58/221	26.24%	23/64	35.94%	8/20	40.00%	9/15	60.00%
16	298/7193	4.14%	92/360	25.56%	41/96	42.71%	23/47	48.94%	19/37	51.35%

* Probabilities have not been calculated for cells in which the denominator was less than ten.

NUMBERS OF COURT APPEARANCES BY EACH AGE FOR MAORI SAMPLE MEMBERS (N=1056)



PROBABILITY OF A MAORI SAMPLE MEMBER APPEARING IN COURT WHILE AT A SPECIFIED AGE, GIVEN THE NUMBER OF APPEARANCES PRIOR TO TURNING THAT AGE (N = 1056)

Number of Prior Appearances

Age in years	None		One		Two		Three		Four or Five	
	Number	Prob.	Number	Prob.	Number	Prob.	Number	Prob.	Number	Prob.
11	22/1041	2.11%	3/13	23.08%	-	-	-	-	-	-
12	31/1019	3.04%	6/30	20.00%	4/7	*	-	-	-	-
13	74/988	7.49%	20/53	37.74%	5/11	45.45%	1/2	*	0/2	-
14	73/914	7.99%	35/90	38.89%	14/36	38.89%	5/8	*	3/7	*
15	76/841	9.04%	41/107	38.32%	22/68	32.35%	9/19	47.37%	7/18	38.89%
16	78/765	10.20%	33/121	27.27%	35/95	36.84%	10/27	37.04%	21/38	55.26%

* Probabilities have not been calculated for cells in which the denominator was less than ten.

RATIO OF MAORI : NON-MAORI PROBABILITIES OF APPEARING IN COURT WHILE
 AT A SPECIFIED AGE, GIVEN THE NUMBER OF APPEARANCES PRIOR TO TURNING
 THAT AGE.

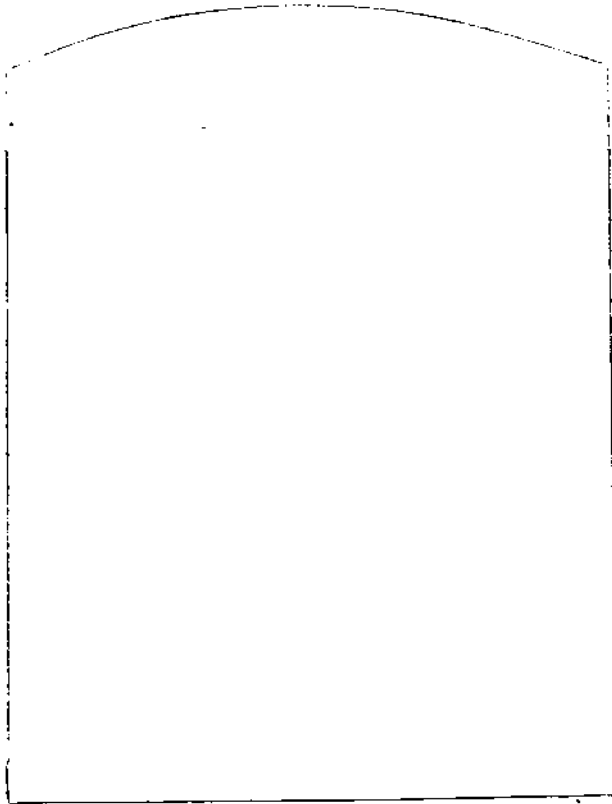
Number of Prior Appearances

Age in years	None	One	Two	Three	Four or Five
	Ratio of Maori : Non-Maori	Ratio of Maori : Non-Maori	Ratio of Maori : Non-Maori	Ratio of Maori : Non-Maori	Ratio of Maori : Non-Maori
11	5.9 : 1	1.4 : 1	*	*	*
12	4.7 : 1	1.4 : 1	*	*	*
13	6.6 : 1	2.0 : 1	1.4 : 1	*	*
14	4.2 : 1	1.3 : 1	1.0 : 1	*	*
15	3.0 : 1	1.5 : 1	0.9 : 1	1.2 : 1	0.6 : 1
16	2.5 : 1	1.1 : 1	0.9 : 1	0.8 : 1	1.1 : 1

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RESEARCH REPORTS IN THIS SERIES

1. The Structure of the Bristol Social Adjustment Guide.
Fergusson, D.M., Donnell, A.A. and Slater, S.W., Research Report No. 1, N.Z. Government Printer, Wellington, 1975.*
2. The Effects of Race and Socio-Economic Status on Juvenile Offending Statistics. Fergusson, D.M., Donnell, A.A. and Slater, S.W., Research Report No. 2, N.Z. Government Printer, Wellington, 1975.*
3. The Prediction of Juvenile Offending: A New Zealand Study.
Fergusson, D.M., Donnell, A.A. and Slater, S.W. and Fifield, J.K., Research Report No. 3, N.Z. Government Printer, Wellington, 1976.*
4. New Zealand Validity Data for the Bristol Social Adjustment Guide. Fergusson, D.M., Fifield, J.K., Slater, S.W. and Donnell, A.A., Research Report No. 4, Joint Committee on Young Offenders, 1976.**
5. Social Background, School Performance, Adjustment and Juvenile Offending: A Path Analytic Model. Fergusson, D.M., Fifield, J.K. and Slater, S.W., Research Report No. 5, Joint Committee on Young Offenders, 1976.**
6. Socio-Economic Status, Race and Offending in New Zealand.
Fifield, J.K. and Donnell, A.A., Research Report No. 6, Joint Committee on Young Offenders, 1980.**
7. How Many Offend? Donnell, A.A. and Lovell, R.J., Social Adjustment Study Research Report No. 7, Department of Social Welfare, Wellington, 1982.**

* Available from the Mail Order Section, Government Printing Office, Private Bag, Wellington, New Zealand.

** Available free of charge on application to the Young Offenders Research Unit, Research Division, Department of Social Welfare, Head Office, Private Bag, Wellington, New Zealand.