

# DEAR PRIME MINISTER, OUR KIDS NEED NEW BOOTS NOT BOOT CAMPS THIS XMAS.



Dear Prime Minister,

We are writing to you to express our deep and sincere concerns about the Oranga Tamariki (Responding to Serious Youth Offending) Amendment Bill currently passing through Parliament.

Like most New Zealanders, we share a desire for strong, healthy, thriving communities. We empathise with victims of crime in our communities, and want to build communities where every person, whether they are a child, business owner or whānau, is able to feel a sense of inclusion and belonging.

And yet, we do not believe that this Bill is the way to achieve this vision:

- It is important we acknowledge that we are talking about children. We strongly reject the characterisation of the children who will be affected by this Bill as 'Young Serious Offenders'. The entire approach is contrary to our international obligations and the commitment we made to the international community to respect children's rights. It will criminalise children, incarcerate more of them in prisons, and keep them there for longer. It will also endorse the use of militarised methodologies on children. This is not appropriate in a modern democracy such as ours.
- It does not build on international and national evidence and does not take a pragmatic view of the complex lived experiences of the children who will be imprisoned under this Bill. The evidence tells us that children need safe and loving communities, positive role models and connection, and when necessary, trauma informed therapeutic support, in order to thrive. They need to be connected to their community and to their culture, to live in an environment which is safe, and where they feel loved and supported. They need to have access to their most basic human needs, to have food in their bellies, to be able to go to the doctors when they need to be cared for, to have warm clothes and shoes that fit. Increasing the length of time, they are subject to the threat of imprisonment in militarised institutions is not consistent with what works and what is lawful.
- The children whose lives will be impacted by this Bill are some of our most structurally vulnerable kids. These are children who have suffered extreme trauma and yet continue to survive despite the significant neglect, abuse, and violence they have endured. In New Zealand we understand that when a child comes into conflict with the law that this is a Care and Protection issue. This means the State recognises that behind the child's actions, there is a lack of care and a need for safety and protection.
- Failing to meet the basic needs of these children will cost society for years to come. Trauma begets more trauma and failing to provide another generation of children with the care, life skills and support that they need will cost the State in the long run. Providing community based youth justice programmes with wrap-around services to the 14-17 years olds targeted by this Bill, would empower them to dream bigger and increase the likelihood that they will be able to heal, recover and be enabled to reach their full potential.

We are also concerned that the legislation has been developed in haste and is not consistent with the original pilot:

- It has been introduced before a thorough evaluation of the pilot has occurred.
- It dramatically alters the model adopted in the pilot and creates a new programme, which strips out key supportive methods that improved the experience of children in the pilot programme.
- It allows for children to be imprisoned for an extended period, increasing the risk of institutionalisation and negatively impacting on the psychological development of the children involved.

To be clear, the Bill is establishing a new, harsher, mechanism within legislation which will allow for more of our most vulnerable children to be imprisoned. This Bill will result in more children incarcerated for longer, risking further institutionalisation, trauma and harm. It also creates a very real risk of repeating mistakes of the past which have been so harrowingly outlined in The Royal Commission's report into Abuse in State Care.

This is not a partisan issue. We have been disappointed in the way our children have been politicized and are concerned that politics is being prioritized over sound child-centred and evidence based policy. The trauma and suffering our kids have experienced, should never be used as a political tool. Resolving the complex issues driving child offending requires a long-term commitment from Government and civil society. Previous Governments of all colours have failed to address this on their own.

As we approach Christmas, we are sure that you, like many other Kiwis around Aotearoa, are thinking about your kids, your hopes and dreams for them, what joy and love you can share with them on Christmas Day. As many of us enjoy time with our families, there will be children in prison on Christmas Day across New Zealand.

The gift we ask for this Christmas is that you kill the Bill - engage with the community, with hapu, with iwi, to seek further advice and expertise from the sector and wider community so that together we can tackle both the real causes and consequences of child offending.

Ngā mihi,

Action Station  
Aotearoa New Zealand Association of Social Workers (ANZASW)  
Ara Taiohi  
Billy Graham Youth Foundation  
Canterbury Howard League for Penal Reform  
Children's Rights Alliance Aotearoa New Zealand  
Community Law Canterbury  
Community Law Centres Aotearoa  
Cooper Legal  
Family for Every Child  
FASD-CAN Inc. Aotearoa

JustSpeak  
Kick Back  
Mana Inc  
Massey Community Trust  
Mental Health Foundation of New Zealand  
New Zealand Council of Christian Social Services  
People Against Prisons  
Save the Children New Zealand  
VOYCE - Whakarongo Mai  
Youthlaw  
ZEAL



## **MEDIA:**

If you'd like to discuss this further, you can reach the following representatives for comment:

- On behalf of Youth Law, Darryn Aitchison, General Manager, 09 250 2662, [darryn@youthlaw.co.nz](mailto:darryn@youthlaw.co.nz)
- On behalf of Kick Back, Aaron Hendry, Co-founder/General Manager, 027 5344417, [aj.hendry@kickbackmakechange.org](mailto:aj.hendry@kickbackmakechange.org)
- On behalf of Billy Graham Youth Foundation, David Graham, CEO, +64 27 9211209
- On behalf of Ara Taiohi, Jane Zintle CEO, 027 800 7395 (only available for comment from 16th December)
- On behalf of VOYCE, Wilhelmina Shrimpton, Comms lead, 021 711 697, [wils@wilsandco.com](mailto:wils@wilsandco.com)
- On behalf of ANZASW, Nathan Chong-Nee, CEO, [nathan@anzasw.nz](mailto:nathan@anzasw.nz)
- On behalf of FASD-CAN Inc. Aotearoa, Dr Leigh Henderson, Chairperson, 022302 2313, [leigh.henderson@fasd-can.org.nz](mailto:leigh.henderson@fasd-can.org.nz)