



**ORANGA
TAMARIKI**
Ministry for Children

New Zealand Government

Children arrested by Police in 2020/21

Acknowledgements

The Oranga Tamariki Evidence Centre works to build the evidence base that helps us better understand wellbeing and what works to improve outcomes for New Zealand's children, young people and their whānau.

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Introduction and method



Introduction

Children who have offended between the ages of 10 and 13 years are at increased risk of long-term offending and a range of adverse outcomes.¹

In New Zealand, the number of children aged 10 to 13 who offended and came to the attention of Police decreased by 61% between the 2010/11 and 2020/21 fiscal years (from 4,760 to 1,860).² Less serious offending decreased the most over this period, so a higher proportion of children who come to the attention of Police now have committed moderate to serious offences than was the case a decade ago.

As part of understanding more about current children who offend and opportunities for change, the Oranga Tamariki policy team requested information on the arrest of children in a recent year.

Arrests can occur after a judge or some other court official has issued a warrant to arrest a person because they have, for example, failed to appear in court. However, most arrests occur without a warrant where the arresting officer is acting under a specific statutory power that authorises this action.

Given limitations to the offences for which children can be prosecuted³ it is likely that nearly all arrests will be without a warrant, so these arrests are the focus of this report.

Method

The Evidence Centre requested data from New Zealand Police on all children under the age of 14 years who were arrested without warrant between 1 July 2020 and 30 June 2021. This includes all arrests made on the grounds specified in s214(1), s214(2) and s214A of the Oranga Tamariki Act 1989.

After arrest, the child is either taken to a police station for further questioning or taken home and released from police custody. Children taken to a police station will usually be released after questioning given the limitations to prosecution.

The Police data included demographics for each child, the police station where the child was taken or where the arresting officer was from (mapped to police district), the reasons for arrest, the offences or incidents⁴ involved, and notes on each arrest.

Prioritised ethnicity was not recorded in the Police data for 66 arrests but was imputed for 55 of these arrests using ethnicity information held by Oranga Tamariki. Police station/district was not recorded for 61 arrests but was imputed for 59 arrests using location-related information from the arrest notes.

¹ Reil, J., Lambie, I., Becroft, A., & Allen, R. (2022). *How we fail children who offend and what to do about it: 'A breakdown across the whole system'. Research and recommendations*. Auckland, New Zealand. [*A breakdown across the whole system' – new research into how we fail children who offend and what to do about it | The Law Foundation](#)

² Ministry of Justice, *Youth Justice Indicators December 2021 Workbook*. Wellington, New Zealand. [Youth Justice Indicators | New Zealand Ministry of Justice](#)

³ Under s272 of the Oranga Tamariki Act 1989, prosecution is only possible for children aged 12 or 13 for serious or repeat offending, and for children aged 10 or 11 for murder or manslaughter.

⁴ An incident is a matter that is not an offence but requires some form of police action.

Findings



Demographics of children arrested

The data showed 953 arrests of 491 distinct children in 2020/21. Most (79%) of the total 953 arrests involved males (Table 1). Males accounted for just 74% of the distinct children arrested, implying they were slightly more likely than females to be arrested multiple times within the year (discussed more in the next section).

Table 1: Characteristics of children aged under 14 who were arrested in 2020/21

Characteristic	All arrests		Distinct children arrested	
	Number	Percentage	Number	Percentage
Gender				
Male	751	79%	365	74%
Female	202	21%	126	26%
Ethnicity¹				
Māori	752	79%	372	76%
Pacific peoples	100	10%	39	8%
European/other	90	9%	69	14%
Not recorded	11	1%	11	2%
Age at arrest²				
Under 10 years	5	1%	5	1%
10 years	16	2%	12	2%
11 years	75	8%	51	10%
12 years	235	25%	124	25%
13 years	622	65%	299	61%
Total	953	100%	491	100%

Notes:

1. Only one ethnicity was recorded in the police data for each child. Where ethnicity was not recorded, it was imputed where possible using the ethnicity recorded for the child by Oranga Tamariki.
2. Some children appeared in the “all arrests” data with different ages as they had separate arrests before and after they had a birthday within the year. For the “distinct children arrested” figures, the age shown is at the first (or only) arrest in the year.

Source: Data provided to Oranga Tamariki by New Zealand Police.

Māori children were considerably over-represented in arrests, accounting for 79% of the 953 arrests in 2020/21 (compared to 27% of the total New Zealand population aged 10 to 13).

Nearly two-thirds of the 953 children arrested in 2020/21 were aged 13, a quarter were aged 12, and the remaining 10% were younger. Sometimes the arrest reason notes mentioned the age of the child was not evident at the time of arrest as they had refused to provide a name and/or other details.

There were 91 arrests in 2020/21 involving children aged 10 or 11. Of these, 84% involved males and 87% involved Māori.

Multiple arrests

Two-thirds of the 491 children were arrested once in 2020/21, but the remaining one-third had multiple arrests (Appendix A, Table A1). This includes 19% who had three or more arrests and 8% who had five or more arrests within the year.

Males (38%) were more likely than females (25%) to be arrested at least twice within the year (Appendix A, Table A1).

European/other children (19%) were much less likely to have multiple arrests in the year than Pacific (46%) and Māori (37%) children (Appendix A, Table A2).

Children aged 12 or 13 (37%) were more likely than children aged 10 or 11 (20%) to be arrested at least twice within the year (Appendix A, Table A3).

Where children were arrested

Just over a third of all New Zealand children aged 10 to 13 live in the Greater Auckland region, but a much higher proportion (58%) of the 953 arrests in 2020/21 were in this region (Appendix A, Table A4).

Twenty-three percent of all arrests occurred in Auckland City – a high figure given that only 8% of all children aged 10 to 13 live there. Contributing to this over-representation is that two-thirds of arrests in Auckland City involved stolen vehicle offences (discussed in the next section), so the children were mobile and not necessarily arrested near where they reside.

While 22% of all children aged 10 to 13 live in the South Island, only 4% of all arrests occurred there. Arrest rates were particularly low in Canterbury relative to the child population.

The regional differences above were evident for both Māori and non-Māori children.

Offence types leading to arrest⁵

Over half (54%) of the 953 arrests were for a “stolen vehicle” type offence (Figure 1). Most of these offences are likely to be dishonestly taking or getting into a motor vehicle, with fewer numbers of interfering with, or attempting to take or use, a motor vehicle.⁶ The arrest reason notes often mentioned that stolen vehicle offences involved multiple youths, so the child arrested was not necessarily the driver.

Twelve percent of the arrests involved shoplifting or other forms of theft (excluding stolen vehicle offences). These are offences committed with intent to permanently deprive the owner of the property.

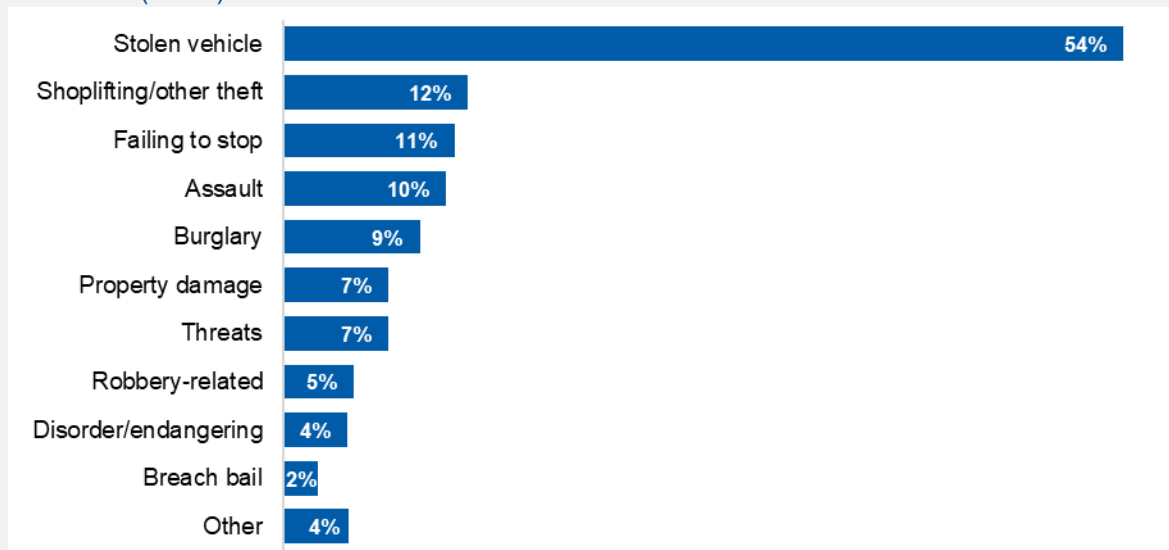
Eleven percent of the arrests were for failing to stop a motor vehicle when signaled to by police (sometimes referred to as “fleeing driver” offences). Most often (91 of the 104 instances), the failing to stop offences were committed in a stolen motor vehicle, so the children were arrested for both offences.

Ten percent of the arrests were for an assault offence. This includes offences ranging from common assault to serious injuring/wounding offences.

⁵ Offences were recorded in the data as high-level header codes so could not be grouped in the usual way according to the *Australian and New Zealand Standard Offence Classification*.

⁶ “Conversion of vehicle or other conveyance” offences under s226 of the Crimes Act 1961. In a minority of cases, it may be a motorcycle or bicycle that is dishonestly taken or used.

Figure 1: Offence/incident types for children aged under 14 who were arrested in 2020/21
(n=953)



Note: More than one offence/incident type was recorded for some arrests so percentages total more than 100%.
Source: Data provided to Oranga Tamariki by New Zealand Police.

Males (56%) were more likely than females (43%) to be arrested for a stolen vehicle offence (Appendix A, Table A5). In contrast, females were more likely than males to be arrested for assault or shoplifting/other theft.

There were considerable differences between ethnic groups in the offences that led to arrest (Appendix A, Table A6). Pacific (66%) and Māori (56%) children were much more likely than European/other (22%) children to be arrested for a stolen vehicle offence. This was also the case for failing to stop offences, though differences were less marked. In contrast, European/other children were more likely than Māori and Pacific children to be arrested for assault or property damage.

Children aged 12 or 13 were more likely than those aged 10 or 11 to be arrested for a stolen vehicle offence or failing to stop for police (Appendix A, Table A7).

Reasons for arrest

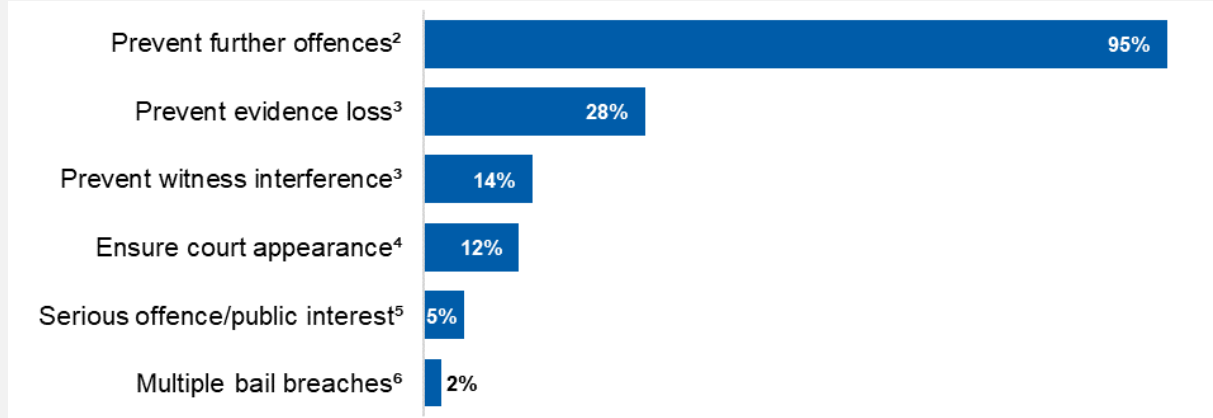
The legislative reasons for arrest were specified in the data, with 39% of the 953 arrests having more than one reason recorded.

For nearly all (95%) of the 953 arrests, the police officer was satisfied that it was necessary to prevent the child from committing further offences (Figure 2).

Other reasons for arrest were far less common. Twenty-eight percent were to prevent the loss or destruction of evidence relating to the offence, and 14% were to prevent interference with a witness of the offence.

Compared to young people aged 14–17 years, it is likely that children are arrested less often to ensure they appear before the court or for multiple breaches of bail conditions, given limitations to the offences for which children can be prosecuted (and bailed).

Figure 2: Reasons for arrest¹ of children aged under 14 in 2020/21 (n=953)



Notes:

1. More than one reason was recorded for some arrests so percentages total more than 100%.
2. Section 214(1)(a)(ii) of the Oranga Tamariki Act 1989 ("the Act").
3. Section 214(1)(a)(iii) of the Act.
4. Section 214(1)(a)(i) of the Act.
5. Section 214(2) of the Act. "Serious offence" is a category 3 or 4 offence (as defined in s6 of the Criminal Procedure Act 2011) with a maximum penalty of at least 14 years imprisonment or life imprisonment.
6. Section 214A of the Act.

Source: Data provided to Oranga Tamariki by New Zealand Police.

There was little difference in the arrest reasons according to gender, ethnicity, or age group (Appendix A, Tables A8 to A10). Children aged 10 or 11 (22%) were more likely than those aged 12 or 13 (13%) to be arrested to prevent interference with a witness.

Summary



There were 953 arrests without warrant of 491 distinct children aged under 14 in the 12 months to 30 June 2021. One-third of the 491 children were arrested more than once within the year.

Of the 953 arrests in 2020/21: 79% involved males, 79% involved Māori, and 90% involved children aged 12 or 13. Over half of the arrests were in the Greater Auckland region. The arrest rate relative to the population of children was particularly high in Auckland City and particularly low in Canterbury.

Over half (54%) of the children arrested in 2020/21 were involved in a stolen vehicle offence and 11% were arrested for failing to stop a motor vehicle when signaled to by police. The data did not indicate whether the child was the driver or a passenger. Failing to stop offences were most often committed in a stolen motor vehicle, so the children were arrested for both offences. Being in a stolen vehicle, and the driver possibly being unlicensed, may have contributed to the decision to flee from police.

Twelve percent of arrests of children involved shoplifting or other theft offences (excluding stolen vehicle offences) and 10% of the arrests were for an assault offence.

Males were more likely than females to be arrested for a stolen vehicle offence. In contrast, females were more likely to be arrested for assault or shoplifting/other theft.

Pacific and Māori children were much more likely than European/other children to be arrested for a stolen vehicle offence. This was also the case for failing to stop offences, though differences were less marked. In contrast, European/other children were more likely than Māori and Pacific children to be arrested for assault or property damage.

Children aged 12 or 13 were more likely than those aged 10 or 11 to be arrested for a stolen vehicle offence or failing to stop.

One or more legislative reasons for arrest were specified in the data. A reason for nearly all arrests was to prevent the child from committing further offences. Less often a reason for arrest was to prevent the loss or destruction of evidence (28%) or to prevent interference with a witness (14%).

Appendix A: Additional tables



Table A1: Number of times each child under the age of 14 was arrested in 2020/21, by gender

Number of times arrested within year	Male (n=366)	Female (n=125)	Total (n=491)
One	62%	75%	66%
Two	17%	11%	15%
Three or four	11%	9%	11%
Five or more	10%	5%	8%
Total	100%	100%	100%

Source: Data provided to Oranga Tamariki by New Zealand Police.

Table A2: Number of times each child under the age of 14 was arrested in 2020/21, by ethnicity (prioritised)¹

Number of times arrested within year	Māori (n=372)	Pacific peoples (n=39)	European/ other (n=69)
One	63%	54%	81%
Two	16%	15%	13%
Three or four	12%	8%	s ²
Five or more	8%	23%	s ²
Total	100%	100%	100%

Notes:

1. Table excludes 11 arrests where the ethnicity of the child was not recorded.
2. Some figures are suppressed (shown as "s") due to small numbers.

Source: Data provided to Oranga Tamariki by New Zealand Police.

Table A3: Number of times each child under the age of 14 was arrested in 2020/21, by age group¹

Number of times arrested within year	10-11 years (n=54)	12-13 years (n=432)
One	80%	63%
Two	13%	16%
Three or four	s ²	11%
Five or more	s ²	9%
Total	100%	100%

Notes:

1. Table excludes five arrests of under 10-year-olds because of the small number.
2. Some figures are suppressed (shown as "s") due to small numbers.

Source: Data provided to Oranga Tamariki by New Zealand Police.

Table A4: Police district where children aged under 14 were arrested in 2020/21, and distribution of total New Zealand population of children aged 10 to 13

Police district	Number of arrests ¹	Percentage of arrests	% of NZ population aged 10 to 13 ² (n=271,100)
Northland	29	3%	4%
Waitematā	189	20%	12%
Auckland City	217	23%	8%
Counties Manukau	146	15%	14%
Waikato	64	7%	8%
Bay of Plenty	79	8%	8%
Eastern	31	3%	5%
Central	70	7%	8%
Wellington	89	9%	10%
Tasman	15	2%	4%
Canterbury	13	1%	12%
Southern	9	1%	6%
Total	951	100%	100%

Notes:

1. Table excludes two arrests where the police district was not recorded.
2. Population estimates for 10- to 13-year-olds by police district were sourced from the *Youth Justice Indicators December 2021 Workbook*. www.justice.govt.nz/justice-sector-policy/research-data/justice-statistics/youth-justice-indicators/

Source: Data provided to Oranga Tamariki by New Zealand Police.

Table A5: Offence/incident types for children aged under 14 who were arrested in 2020/21, by gender

Offence/incident types	Male (n=751)	Female (n=202)
Stolen vehicle	56%	43%
Shoplifting/other theft	10%	17%
Failing to stop	12%	8%
Assault	8%	19%
Burglary	10%	5%
Property damage	7%	5%
Threats	6%	8%
Robbery-related	4%	5%
Disorder/endangering	3%	6%
Breach bail	3%	0%
Other	4%	3%

Note: The offence/incident type was recorded at a high-level such as the header offence code "1300" which indicates the offence involved some type of robbery. More than one offence/incident type was recorded for some arrests so percentages total more than 100%.

Source: Data provided to Oranga Tamariki by New Zealand Police.

Table A6: Offence/incident types¹ for children aged under 14 who were arrested in 2020/21, by ethnicity (prioritised)²

Offence/incident types	Māori (n=752)	Pacific peoples (n=100)	European/ other (n=90)
Stolen vehicle	56%	66%	22%
Shoplifting/other theft	12%	6%	16%
Failing to stop	11%	17%	4%
Assault	9%	8%	29%
Burglary	9%	5%	12%
Property damage	6%	6%	17%
Threats	7%	3%	10%
Robbery-related	4%	6%	3%
Disorder/endangering	5%	s ³	3%
Breach bail	2%	6%	0%
Other	4%	s ³	6%

Notes:

1. The offence/incident type was recorded at a high-level such as the header offence code "1300" which indicates the offence involved some type of robbery. More than one offence/incident type was recorded for some arrests so percentages total more than 100%.
2. Table excludes 11 arrests where the ethnicity of the child was not recorded.
3. Some figures are suppressed (shown as "s") due to small numbers.

Source: Data provided to Oranga Tamariki by New Zealand Police.

Table A7: Offence/incident types¹ for children aged under 14 who were arrested in 2020/21, by age group²

Offence/incident types	10-11 years ³ (n=91)	12-13 years (n=857)
Stolen vehicle	42%	55%
Shoplifting/other theft	18%	11%
Failing to stop	4%	12%
Assault	10%	11%
Burglary	9%	9%
Property damage	8%	7%
Threats	9%	6%
Robbery-related	4%	5%
Disorder/endangering	8%	4%
Breach bail	0%	2%
Other	3%	4%

Notes:

1. The offence/incident type was recorded at a high-level such as the header offence code "1300" which indicates the offence involved some type of robbery. More than one offence/incident type was recorded for some arrests so percentages total more than 100%.
2. Table excludes five arrests of under 10-year-olds because of the small number.

Source: Data provided to Oranga Tamariki by New Zealand Police.

Table A8: Reasons for arrest of children under the age of 14 years in 2020/21, by gender

Reason for arrest ¹	Male (n=751)	Female (n=202)
To prevent child from committing further offences ²	95%	96%
To prevent the loss or destruction of evidence ³	29%	26%
To prevent interference with a witness of the offence ³	14%	13%
To ensure child appears before the court ⁴	13%	11%
Serious offence and arrest required in public interest ⁵	5%	6%
Multiple breaches of bail conditions ⁶	3%	0%

Notes:

1. More than one reason was recorded for some arrests so percentages total more than 100%.
2. Section 214(1)(a)(ii) of the Oranga Tamariki Act 1989 ("the Act").
3. Section 214(1)(a)(iii) of the Act.
4. Section 214(1)(a)(i) of the Act.
5. Section 214(2) of the Act. "Serious offence" is a category 3 or 4 offence (as defined in s6 of the Criminal Procedure Act 2011) with a maximum penalty of at least 14 years imprisonment or life imprisonment.
6. Section 214A of the Act.

Source: Data provided to Oranga Tamariki by New Zealand Police.

Table A9: Reasons for arrest of children under the age of 14 years in 2020/21, by ethnicity (prioritised)^{1,2}

Reason for arrest	Māori (n=752)	Pacific peoples (n=100)	European/ other (n=90)
To prevent child from committing further offences	95%	95%	98%
To prevent the loss or destruction of evidence	30%	23%	21%
To prevent interference with a witness of the offence	14%	12%	17%
To ensure child appears before the court	13%	10%	7%
Serious offence and arrest required in public interest	5%	8%	s ³
Multiple breaches of bail conditions	2%	6%	s ³

Notes:

1. More than one reason was recorded for some arrests so percentages total more than 100%.
2. Table excludes 11 arrests where the ethnicity of the child was not recorded.
3. Some figures are suppressed (shown as "s") due to small numbers.

Source: Data provided to Oranga Tamariki by New Zealand Police.

Table A10: Reasons for arrest of children under the age of 14 years in 2020/21, by age group^{1,2}

Reason for arrest	10-11 years (n=91)	12-13 years (n=857)
To prevent child from committing further offences	98%	95%
To prevent the loss or destruction of evidence	30%	28%
To prevent interference with a witness of the offence	22%	13%
To ensure child appears before the court	9%	12%
Serious offence and arrest required in public interest	7%	5%
Multiple breaches of bail conditions	0%	2%

Notes:

1. More than one reason was recorded for some arrests so percentages total more than 100%.
2. Table excludes five arrests of under 10-year-olds because of the small number.

Source: Data provided to Oranga Tamariki by New Zealand Police.