

# YouthLaw Aotearoa Annual Report

July 2018 – June 2019

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**YL**

**YOUTHLAW VISION**

*A fair and just AOTEAROA where children and young people's rights are respected and their voices heard*

**LAW RELATED EDUCATION**

LRE is promoted and delivered nationally through strong collaborative relationships with community organisations

**NATIONAL IDENTITY**

YouthLaw explores and initiates opportunities to develop our coordination role throughout Aotearoa.

*kotahitanga*  
**COLLABORATION**



*ko nga rangatahi te tokomanawa o a tatou moari*  
**YOUTH AT THE CENTRE OF OUR WORK**



**TAMARIKI AND RANGATAHI MAORI**

YouthLaw effectively targets the unmet legal needs of rangatahi Maori



**YOUTH IN NEED**

YouthLaw uses evidence to effectively target the unmet legal needs of the children and young people who need legal help the most

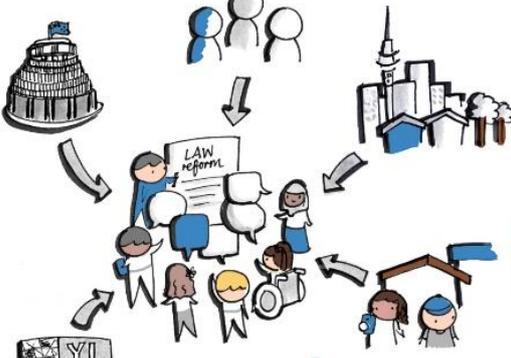


**YOUTH VOICE**

YouthLaw uses continuous and systematic methods to seek the views of diverse young people and their voices routinely inform our work

**LAW REFORM**

YouthLaw coordinates a proactive law reform agenda informed by youth and developed in partnership with other community law centres, youth organisations, government departments and key stakeholders



**CAPACITY**  
*ruakaha*

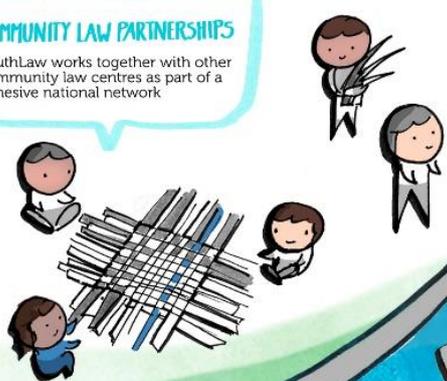
**HUMAN POTENTIAL**

YouthLaw increases our capacity and capability through development of our staff, volunteers, alumni and professional networks



**COMMUNITY LAW PARTNERSHIPS**

YouthLaw works together with other community law centres as part of a cohesive national network



*te tiriti o*  
**THE TREATY OF WAITANGI**  
*waitangi*



**RESOURCING**

YouthLaw accesses independent resources to enable us to achieve our strategic priorities



**VALUING OUR PEOPLE**

YouthLaw recognizes the value of our staff, volunteers and board, and supports their growth and development



**YOUTHLAW COMMITMENT**

YouthLaw will be a Treaty based organisation

**CROWN OBLIGATIONS**

YouthLaw will advocate that the Government meets its obligations to Maori under Te Tiriti o Waitangi



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# Chairperson's Report

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Tēnā koutou, tēnā koutou, tēnā koutou katoa

The Board members of YouthLaw continue to be so impressed with the talent, hard work and dedication of YouthLaw staff and volunteers. We have the utmost trust and confidence in our General Manager, Jennifer Braithwaite, and the team that she leads. The quality of the work performed by staff and volunteers and the quality of the information provided to us makes our job easy.

Key aspects of the Board's role include ensuring the organisation meets its contractual and other legal obligations, is financially sound and is a good place to work. The high quality and comprehensive nature of Jennifer's reporting to us and the excellent performance of her team mean we never have any concerns. YouthLaw continues to provide critical services to vulnerable communities in excess of our contractual obligations and within budget. With a mixture of long-standing and new staff who all support each other, YouthLaw is a positive and enjoyable place to work.

Funding of Community Law Centres is always a challenge. A highlight this year was the success YouthLaw had in obtaining special funding for a number of projects as discussed in the General Manager's report. We are grateful to the organisations that accepted our applications and made such generous grants to YouthLaw. As a Board, we are confident the projects will make significant contributions to society, and will accomplish the goals organisations funding those projects wish to achieve.

Another highlight was the exceptional work YouthLaw has done on various law reform initiatives. Jennifer and her team have managed to make written and oral submissions to many Government departments, appointed advisory groups and panels in a range of areas of law including criminal law, family law, education law, and child and youth wellbeing. In addition, YouthLaw continues to work closely with other advocates for children and young people and other community and statutory organisations including the Office of the Children's Commissioner. The Board congratulates Jennifer on her recent election as Chairperson of the Children's Rights Alliance Aotearoa (formerly ACYA). YouthLaw's continuing and active engagement with these organisations is critical to achieving our strategic objective of kotahitanga or collaboration.

YouthLaw's strategic plan contains the following:

*Youth Voice – Youth Law uses continuous and systematic methods to seek the views of diverse young people and their voices routinely inform our work.*

The Board is determined to involve young people in the governance of YouthLaw and is working on the best way to do so. There is no clear and obvious way of doing this but, consistent with our focus on co-design, we will embark on a trial with young people and see how it goes. We are excited at the prospect of having young people sitting at the

Board table with us and contributing their ideas and opinions.

Thank you to the staff and volunteers of YouthLaw and to my fellow Board members for their invaluable contributions during the past year. Our organisation achieved a great deal last year and is in a positive space. I am excited about what we can achieve and look forward to working with you all in the coming year.

Ngā mihi nui



Simon Judd  
**Chairperson**



# General Manager's Report

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Tēnā koutou, tēnā koutou, tēnā koutou katoa

## YouthLaw's People

At YouthLaw we are privileged to have a fantastic Board, staff team and pool of volunteers with both the expertise we need to support children and young people, as well as the passion and commitment to make a difference. YouthLaw simply could not do what we do without the contribution of each and every one of our people as this whakatauki speaks to:

### **Ehara taku toa i te toa takitahi, engari he toa takitini**

'My strength is not that of a single warrior but that of many.'

*Paterangi of Ngāti Kahungunu*

Accordingly, it feels appropriate to start my report by saying thank you to each and every one of you.

In my role as General Manager the relationship with the Board is particularly important and I want to recognise the Board for the incredible support and guidance they give to me and the YouthLaw whānau. We are lucky to have a mix of long-standing members who bring a wealth of institutional knowledge of the community law movement, YouthLaw as an organisation and children's rights, as well as new members with expertise in other child and youth organisations who bring new energy and ideas, and a few that sit somewhere in the middle. Thank you all for your support and commitment.

Since our last report we have had a number of changes to the YouthLaw whānau including saying farewell to our long-standing Operations Manager Karen Davis, one of our solicitors Kenton Starr, and two law clerks Alex Slipper and Emma Barnes. Each of them brought something special to YouthLaw – Karen her organisational and financial skills; Kenton his legal expertise including authoring YouthLaw's report *Challenging the Barriers: Ensuring Access to Education for Children with Special Educational Needs*; Alex his good humour and passion for criminal law; and Emma her intelligence and sensitivity when dealing with clients. We were sad to see each of them go but wish them well in their future endeavours.

We have also been lucky enough to welcome a number of new team members including our new Operations Manager Sarah Mansell, two new solicitors Sarah Butterfield and Rita Unasa, and two law clerks Robert Lim and Ruth Stowers. Each brings new energy and experiences as well as a commitment to supporting children and young people. To learn a little bit about them please see the introduction to the YouthLaw whānau at the end of this report.

I also want to acknowledge the work of other long-standing members of the YouthLaw team. This year Velda Chan moved into a Senior Solicitor role after almost nine years of working at YouthLaw. Her role is focussed on YouthLaw's legal advice line and includes supervising the other lawyers, our law clerks, and student volunteers. Manawa Pomare has also taken on a senior role and is now our Senior Solicitor and Legal Educator (Kaupapa Māori focus). Both Velda and Manawa have an incredible depth of experience and knowledge in relation to the

legal issues affecting children and young people – we are very lucky to have their guidance and leadership.

Last but by no means least, we also have an incredible team of volunteers most of whom support our work on the legal advice line. With their help we have reached so many more young people than we could by ourselves. Their work is so appreciated, not just by us, but also by the many young people they have helped.

### **Highlights of the 2018/2019 year**

My biggest highlight of the year has actually been the “business as usual” work the YouthLaw whānau do each and every day providing advice, information, education to children and young people and those working with them throughout New Zealand. I’m particularly proud of the incredibly hard work the team have done to successfully meet and exceed our casework and legal education targets despite longstanding staff members moving on to other challenges. Existing team members have stepped up to take on more senior roles and new people joining the team have been developing their understanding and expertise in the work we do.

The work we have done to start to realise our commitment to Te Tiriti o Waitangi has also been a highlight. This includes our noho marae at Hoani Waititi Marae in West Auckland which was a fantastic opportunity for us to learn about Te Ao Māori and Te Tiriti o Waitangi, and to then plan together what we will do over the coming year to continue our journey. We started work on a project funded by the Lotteries Community Fund to develop law-related education resources for use in Kura Kaupapa Māori, Wharekura, and full immersion Māori schools throughout the country. This project is discussed further in the Te Tiriti o Waitangi section of this report.

We were successful in obtaining two years’ funding to enable us to continue our youth participation work, including co-designing then implementing a youth participation plan with young people focussing on our priority groups, followed by re-designing how we deliver our services. Thank you to the J.R. McKenzie Trust, as this funding gives us the certainty we can continue to ensure children and young people are truly at the centre of our work.

### **The year ahead**

We have an exciting year ahead, with a number of new projects we are grateful to have received funding for, from the Working Together More Fund and the Auckland Airport Community Trust.

We received funding from the Working Together More Fund for a project to deliver legal information and education in relation to children and young people’s rights to schools and communities nationwide. This will be through a roadshow in partnership with the 21 regional Community Law Centres around Aotearoa/New Zealand. The roadshow will commence in February 2020 and the team are working with other Community Law Centres to plan the roll out of the project.

We have also received partial funding from the Auckland Airport Community Trust for a project to work with a group of high school students from South Auckland, to use performing arts as a medium to create innovative and engaging legal information and education resources, as well as content for law and policy reform campaigns. We are seeking the remaining funding we need and plan to begin the project with a camp with the young people in January 2020.

Although our law reform work is not funded by our core services contract with the Ministry of Justice, we have been able to use donations from the trading banks' pursuant to an agreement between the banks and Community Law Centres o Aotearoa enabling us to continue this work. In the coming year, our work is likely to focus on responses to the Government commissioned reviews and panels we made submissions to in the last year (discussed further in our law reform report), as well as the next round of reporting in relation to the United Nations Convention on the Rights of the Child (UNCROC) which commences in March 2020.

November 2019 will also mark 30 years since the United Nations adopted UNCROC. The New Zealand Government ratified the Convention in 1993 thereby committing to take all appropriate measures to give effect to children's rights "to the maximum extent of their available resources". Despite this, the rights of many children in Aotearoa/New Zealand remain unfulfilled, including basic entitlements such as the right to a good standard of living and to be free from discrimination. YouthLaw has supported the call by civil society organisations that the New Zealand Government pledges to recommit to UNCROC and we look forward to working with others in the sector to continue to push for full compliance with UNCROC. All rights, all children, all circumstances.

Ngā mihi nui ki a koe



Jennifer Braithwaite  
**General Manager**



# Legal Advice, Information and Representation

## Areas of Practice

Civil law still remains a major proportion of our practice with a large number of employment queries as well as various civil issues such as debt, tenancy, consumer and insurance law. We also continue to provide in-depth advice and assistance in a substantial number of access to education issues, including special education, participation and discipline, and provide specialist input to other Community Law Centres and organisations.

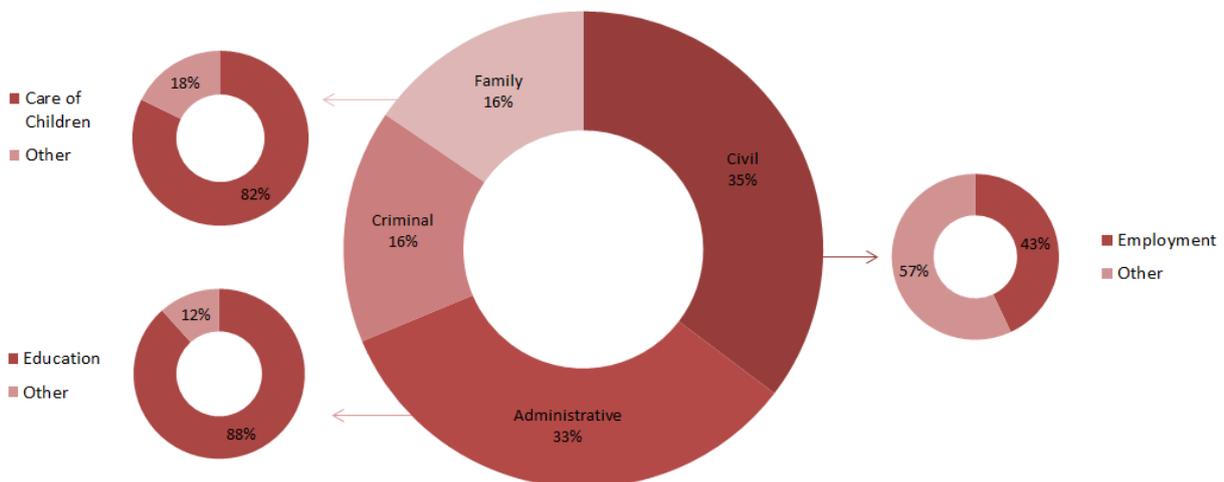
Our other main areas of practice are criminal law and family law. The criminal matters we deal with are often more minor criminal matters or the initial phases of an investigation or criminal proceedings before clients have obtained a youth advocate or criminal lawyer. We also get queries from children and young people involved in criminal proceedings as victims or witnesses. A significant portion of the family law matters we deal with relate to the care of children and include queries from children about their care as well as queries from young parents.

## Our clients

We provide advice and assistance to children and young people or those working with them throughout Aotearoa / New Zealand with initial contact generally coming through our phone line, email or our online advice form. The graph below shows the geographic distribution of our clients including that 43% of YouthLaw's casework clients in the 2018/19 financial year came from the Auckland region which compares favourably with the population distribution in Census 2013 which found 37% of the population live in Auckland.

We are seeing an increasing number of clients with complex legal needs which often overlap with other needs including the need for, and difficulty accessing, mental health services.

## Legal Advice Cases by Category and Subcategory



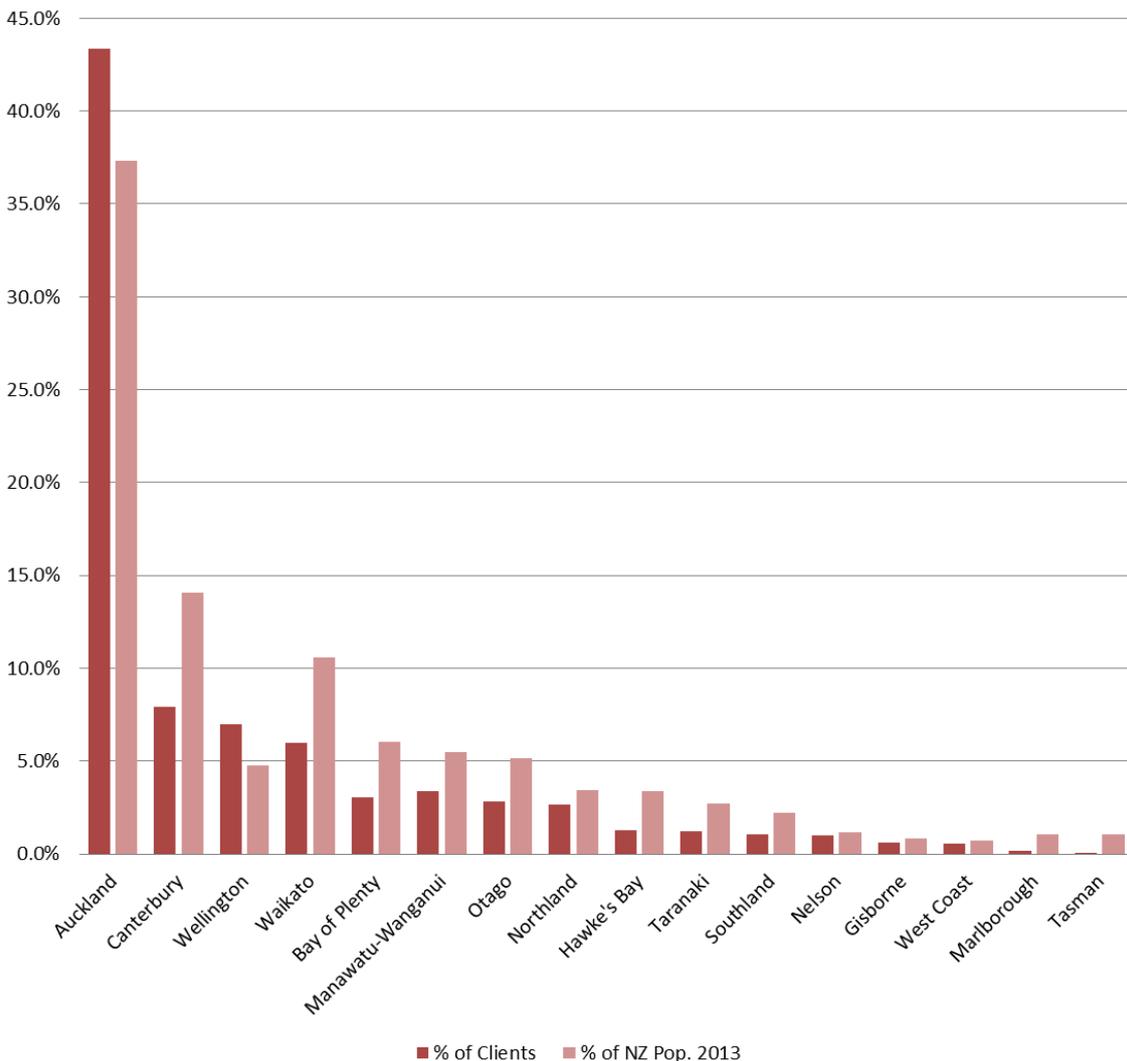
## Areas of future focus

Moving forward the legal team are also committed to undertaking more representation work in the next year on behalf of vulnerable clients. In particular we are committed to assisting and representing students with disabilities at board of trustees' suspension meetings. We also hope to increase our work in relation to the development of legal information resources for children and young people and those working with them including through the co-design projects described elsewhere in this report. Over the last year we have not had the capacity to undertake much work in this area but we see it as critical if we are to properly support the other community law centres around the country and as a way for us to substantially increase our impact with minimal additional resources.

In addition, we wish to develop our capacity to undertake strategic litigation including identifying and filtering potential cases and acting as instructing solicitor where appropriate as well as acting as intervenor in cases of broad interest for children's rights. At present we see cases where there is the potential for the outcome to have a significant impact for other children and young people but do not have the resources to undertake representation and progress the case.

We are actively seeking further funding from the Ministry of Justice to enable us to undertake further work in both of these areas.

**Legal Advice Clients by Region vs Regional Population Size**



## Snapshot of some of our cases

YouthLaw assisted a whānau who was preparing for an upcoming meeting with their teenage daughter's kura. The whānau had a number of concerns with the school. Amongst those concerns included the student's phone being confiscated and not returned by the kura, attendance issues, as well as alleged inappropriate actions by one of the kura's teachers in relation to the phone confiscation incident. As a result of the advice YouthLaw provided and the whānau actively

communicating with the school about their understanding of the law regarding those concerns, the whānau informed us that the student's phone was returned, and the school consequently changed the school policy to be more in alignment with the Ministry of Education's guidelines and the Education Act, and the kura is now more mindful of students' rights in situations such as the ones brought forward by the whānau.

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B had been employed for over a year in a full-time position and their previous manager had been replaced by a new manager recently. B got on well with his previous manager, but the new manager and B seemed to have trouble communicating with each other. The new manager had expectations of B as an apprentice to carry out work they had never been trained for nor were stipulated in their job description.

several meetings with the employer, where B felt they had not been listened to, and the situation had deteriorated to the point where they felt they were not safe at work and feared going into work. As a final straw, B was escorted out of the premises. B was humiliated from this incident and their mental health required medical attention which meant they could not return to work.

No training had been provided by the new manager of the new expectations and over time, the communication between B and the new manager deteriorated and trust along with it. Consequently, the morale in the workplace reduced in the upcoming weeks and months, and this also affected B's relationship with other employees. B had

YouthLaw advised B and their whānau on disciplinary and meeting processes as well as relevant employment rights whilst B went through the meetings. B resigned and YouthLaw helped them to raise a personal grievance for unjustified disadvantage. B received their desired settlement amount. B has since gone into study and is much happier.

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H was a primary school student with special needs that made school difficult. H's family had been trying to get learning support for H for years with little success. H's school decided to suspend H for gross misconduct. YouthLaw represented H at the board of trustees suspension meeting. Together with H's family it was put forward to the school board that H's behaviour was a result of their special needs, and that the behaviour at

school had been deteriorating because of the lack of learning support. The board of trustees made the decision to extend the suspension with conditions. A commitment was made by the school to assist the family to advocate for learning support for H. H's family has also arranged alternative therapy for H, which is proving extremely positive for H.

## What people say about our casework:

*"I really appreciate the time you have spent advising me... You have been so helpful."*

*"As a family, we have really appreciated the time, effort and support Youthlaw has provided, and it was very helpful, informative, caring and supportive at a time we were shocked, devastated, and very stressed. You provide a wonderful service, and all the information is very clear and easily understood."*

*"Thank you for providing the information to support this student and her rights and responsibilities."*

*"I can't even begin to thank you enough for this information, it is very helpful... Your help is much appreciated!"*

*"Sarah advised me in a calm and thorough manner. She was prompt in her reply, after our initial conversation and she emailed me a copy of everything we spoke about over the phone. I am really impressed. I appreciate Sarah's work and would like to thank you for the great service YouthLaw provides."*

*"Am very thankful for you giving me advice and helping me with this. I am definitely feeling (more) confident than I did before."*

*"A huge thank you for all the advice and support provided. My whānau and I appreciate all of this information, we are well informed and prepared because of the advice given over the phone and email, we cannot thank you enough. Highly recommend! Ngā mihi nui YouthLaw. Me koe hoki."*

*"The advice you have given is very helpful, along with the advice Sarah and Neil gave me earlier this week."*

*"I can't thank you enough for all your help and advice through this all. Thank you."*

# Volunteer Team

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## Legal Advice Volunteers

When young people call 0800 UTHLAW, the first person they speak to is likely to be one of our volunteers. Our Legal Advice Volunteers undertake initial interviews with our clients including exploring the legal issues they are facing, making detailed records of their interactions with clients, undertaking research and supporting the legal team to draft and provide legal advice. All of their work is under the direct supervision of the qualified and experienced in our team which both gives them the opportunity to learn and develop as well as ensuring the quality of the service provided to our clients.

YouthLaw was incredibly fortunate to have 58 student volunteers working on our advice line during the year. A few continued to help for the entire year (across three separate volunteer intakes). With a commitment of three hours each week, that is an astonishing effort.

Our volunteers have been motivated by a desire to help young people in need. They also have the opportunity to develop skills and confidence while studying towards their Bachelor of Laws.

Below are some comments made by volunteers during the year. To hear more about the experiences of our volunteers, take a look at our [Thank You YouthLaw Volunteers](#) video on Youtube.

*"Everyone is super warm and welcoming."*

*"...a really great place to volunteer."*

*"Thank you all! For your patience, expertise and insight."*

*"I have learnt so much and I have thoroughly enjoyed volunteering for you guys. Keep up the amazing work!"*

## Law Related Education, Board of Trustees and Law Reform Volunteers

Over the last year our Law Related Education team trained a number of groups to assist young people who are facing disciplinary action (such as suspension or expulsion) at school including a group of clinical advocacy students from the Aotearoa Centre for Indigenous Peoples and the Law at the University of Auckland and Te Kahu Toī, also known as Intensive Wraparound Service (IWS). In the future we hope to undertake similar training sessions for volunteer advocates throughout the country and to develop a pool of trained advocates that are able to assist children and young people when they appear before Boards of Trustees. As this would be a substantial amount of work we have sought funding for a volunteer training lead and volunteer coordinator to enable us to do so.

We also see the opportunity to further expand our volunteer programme to include students in a range of disciplines in addition to law students e.g. design, social work, communications, education etc to support all parts of YouthLaw's work.

In early 2019, we were very fortunate to have Mary-Rachel McCabe with us on a volunteer placement thanks to a Pegasus Scholarship by Inner Temple. Mary-Rachel is a barrister from the United Kingdom who regularly acts in urgent judicial review proceedings for children who are street homeless or otherwise in need of support or accommodation and acted as junior counsel for 45 complainant core participants in the Independent Inquiry into Child Sexual Abuse. She had also worked at the United Kingdom equivalent of YouthLaw – Just for Kids Law. Mary-Rachel worked on YouthLaw's submission to Te Uepū Hāpai i te Ora – the Safe and Effective Justice Advisory Group. She also interviewed our founder Robert Ludbrook and wrote this fantastic article published on The Justice Gap: [Using the law to change the law is the most important thing.](#)

We appreciate every person who has volunteered with YouthLaw over the year.

# Law Related Education

## Summary

The start to the 2018-2019 financial year was fairly slow as a result of changes in the Law Related Education (LRE) team. However, once our new legal education coordinator Sarah Guy joined the team, both session and participant numbers quickly started to pick up and the 2019-2020 financial year ended with LRE team having interacted with 2,974 participants in 103 sessions, surpassing our target numbers in our core funding contract with the Ministry of Justice.



*Starsopoly, Otumoetai College, Tauranga*

Throughout the year YouthLaw's LRE has been focused on quality education, breaking down perceptions of the law while heightening awareness of YouthLaw, and using a range of teaching strategies to gain maximum engagement. Our content ranges in topic and is based on what is relevant and important to the youth we are working with. Where possible we undertake repeat sessions with groups because this allows us to develop a relationship with participants resulting in more effective engagement. We also seek to use creative methods to engage with participants. For example, we have found that using metaphors as a teaching tool enables young people to see the bigger picture of an issue rather than just sharing facts that can easily be forgotten.

## Participant Numbers

The highest proportion of sessions was in the single digit category where each session only had between one and nine individuals. This reflects our focus on working with our priority groups of at-risk and marginalised youth including young people in the youth justice residence Korowai Manaaki, Bluelight and other alternative education settings. Our work with our priority groups is more targeted in order to increase the retention of the information shared. It is also informed by the literature on legal education and information which cautions that one-size-fits-all education strategies are less effective than strategies tailored to address specific issues faced by particular groups of people at particular times.<sup>1</sup> Our experience is that there is significant value in engaging in relatable discussion with the youth in more depth both for the recipient of information, and YouthLaw as a service provider by strengthening our relationships and giving us a deepened understanding of the reality of life for the youth of today.



*Starsopoly. Kelston College, Auckland*

<sup>1</sup> Forell, S. M., H M. (2015). *Beyond great expectations: modest, meaningful and measurable community legal education and information*. Retrieved from Sydney: <http://www.lawfoundation.net.au/ljf/app/&id=D1D67F87F681ECBACA257F0F0021C08A>

A close second in group make up, was the small class size or 10-30 participants. In these environments there is the benefit of being able to tailor our delivery to include increased group work, moving and room set up. LRE takes into account the different audiences and dynamics of the group for every session, hence no two sessions are exactly the same and every audience receives information in the most effective way for that group.

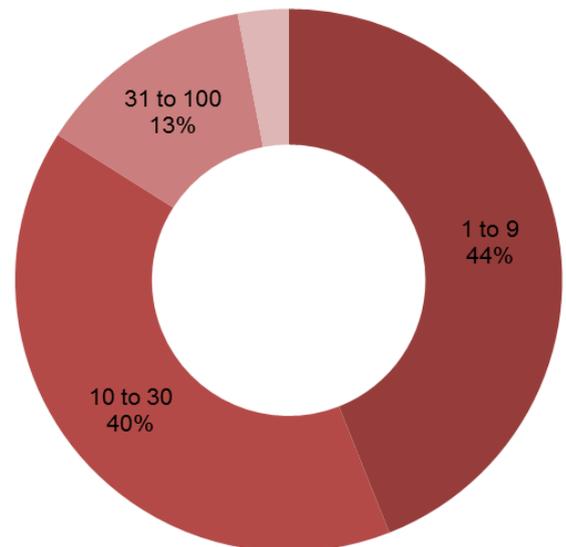
91% participants in our LRE sessions were young people themselves, and only 9% (or 265 participants) were youth service providers or those working with or supporting young people. Over the coming year we plan to increase the future work we do with youth service providers because each youth service provider will interact with more than one youth which increases the reach of the information we provide.

### Session Numbers

The LRE team undertook sessions with a mix of education institutions, community groups, government departments and NGOs including but not limited to:

Te Wharekura o Nga Maungarongo  
 Bluelight  
 Mount Roskill Intermediate  
 Edmund Hillary College  
 Turuki - Family Start  
 Community Law Waikato  
 Mangere Community Law Centre  
 Whakatakapokai care and protection residence  
 Korowai Manaaki youth justice residence  
 Graeme Dingle Foundation  
 Youth Horizons

### Legal Education Participants by Group Size



Manurewa Community Probations  
 Northcote College  
 Papatoetoe Intermediate  
 Youthline Good to Great  
 NZMA Manukau  
 Lifewise  
 Te Wharekura o Kotoku  
 Barnados  
 Strive Teen Mums  
 Rotorua Girls High School  
 Wera Aotearoa Charitable Trust  
 Manurewa South Primary School

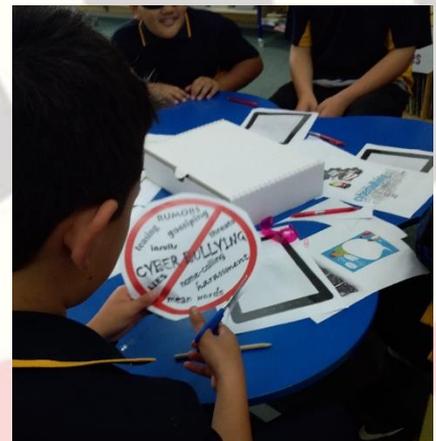
This year the LRE also began work with a younger groups in South Auckland schools including intermediate students to support their safety week and at a primary school to develop their awareness of the law, discrimination and youth rights. We see this work as being of an ongoing nature and with a view to the future – if we can work with 10 and 11 year-olds now, changing their perception of the law, why laws are there and the individual connection to the society we live in; then in five years' time, when these youth are at a pivotal age, not only will they hold some good information, they will be increasingly receptive to the work YouthLaw does and how we can work alongside them, and hopefully be equipped to make informed choices. This work has also been replicated in a kura, delivered in both Te Reo and English as outlined in the section on Te Tiriti and working with Māori.

Youth Leader and Coordinators Conference in January to upskill the staff to take relevant information back to their communities throughout Aotearoa / New Zealand. We were also invited to participate in three Starsopoly events under the Graeme Dingle Stars programmes; two in Auckland and one in Tauranga. The objective of the Starsopoly programme is for young people to connect with and learn from the youth services in their respective areas.



*NZDF Youth Development Unit, Whenuapai*

We were also excited to start work with the Graeme Dingle Foundation. As this is a national organisation with similar priority groups, there is strong alignment and potential for collaboration. Our work in the last year included running sessions with the National Youth Advisory Group giving young people some fundamental information to help decision making moving forward and delivering a session at the Kiwi Can National

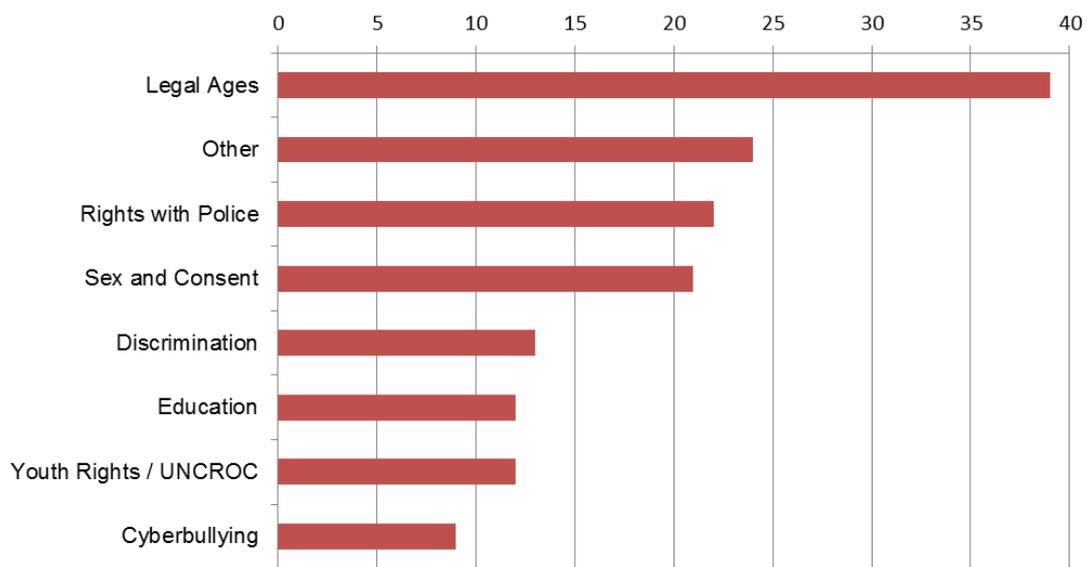


*Manurewa South School*

Other highlights were presenting multiple sessions at the Wahine Kakano - New Zealand Young Women's Festival 2019 series hosted by Villainesse and supported by the Human Rights Commission, the National

Council for Women and the Māori Women's Welfare League; delivering sessions about UNCROC, legal ages and the youth justice system to participants in the Aotearoa Youth Declaration Conference hosted by UN Youth New Zealand; and supporting the work of the Aotearoa Centre for Indigenous Peoples and the Law at the University of Auckland. These sessions with highly engaged and articulate young people enabled us to raise our profile and awareness of YouthLaw through robust education and conversations.

## Frequency of Topics During Legal Education Sessions



### Measuring our impact

The LRE team undertake surveys of the participants in our LRE sessions to assess their impact. We found that:

- The percentage of participants who reported that they found the LRE session improved their understanding of the topic covered was **98.8%**; and
- The percentage of participants who reported that they would recommend the LRE session to friends or whānau was **94.6%**.

However, we believe that the best indicators that information the information we have shared has been retained is being remembered in contexts outside of the initial teaching environment, and the lesson content being repeated and identified several months down the track. We also believe that informal comments and feedback are a key way of determining what young people really think. The conversations held by participants with their peers while they are working or after a session can also help us shape the content of future sessions. We particularly appreciate comments such as *“[t]his, is cool,”* and *“I thought this was going to be boring but I like*

*this,”* and *“I didn’t know.....I’m going to tell my (family)!”*

### Looking Forward

In August 2019 YouthLaw was fortunate to be granted funding from the Working Together More Fund for a project to deliver legal information and education in relation to children & young people’s rights to schools and communities nationwide through a roadshow in partnership with the 21 regional community law centres throughout Aotearoa / New Zealand. The objectives of this project are to increase our ability to deliver law related education throughout Aotearoa / New Zealand, sharing YouthLaw’s knowledge and expertise in delivering law related education to children and young people with regional community law centres to upskill staff at regional community law centres, and developing our relationships with regional community law centres, youth organisations and young people themselves in order to collaborate together more effectively in the future.

The LRE team is really excited about getting on the road in 2020!

## What people say about our education sessions:

*"I really liked that Manawa broke down in detail the differences of being stood down etc, then the process and role of BOT."*

*"I liked that it was short, simple, straight to the point. Kept me interested."*

*"I really like the example that was given out by the presenter herself, I especially liked her asking students questions and allowing the students to respond to her questions."*

*"I really liked all of it. It was mind awakening and great to find out."*

*"I loved it! Glad I came into this session as it has increased my knowledge on youth rights."*

*"I really liked that within a short amount of time, we were well informed."*

*"I really like how she made sure she got the attention of the students and all the information was really helpful."*

*"The way they explained about cyber bullying in a simple and effective way."*

*"Role play and how the role play was tailored to our children."*

*"Realising how little I knew of the law – but it was fun. A great day, content covered was great."*

*"I really liked the explanation of my rights when police ask to search me up and what I have to say to the officer."*

*"I really liked knowing what my rights are that can help me in times I need."*

*"I really liked the information about employment and tenancy law as it's very relevant to what I am currently experiencing and I am also very interested in pursuing law as a career."*

*"Activities were helpful for understanding."*

*"I really enjoyed the session, great presentation, didn't read off information. Knows her stuff."*

*"Detailed information by the facilitator. Amazing."*

*"How she explained the meaning of cyber bullying and how to be safe with it."*

*"The information we were given and how they were able to answer questions fully. Very friendly and helpful."*

*"The interactive aspects of the day and the real life scenario discussion – it was all fantastic!"*

*"Informative and useful information that will enhance my interaction with students/whānau in regards to board meetings etc."*

# Law Reform



Photo credit: David Tong, School Strike for Climate March 2019

In the 2018/19 financial year the Government undertook or commissioned reviews regarding the main areas of policy and the law affecting children and young people including the welfare system, the family justice system, the education system and the criminal justice system. Consultation also took place in relation to New Zealand's first Child and Youth Wellbeing Strategy. As a result, Youthlaw has made submissions to:

1. Te Uepū Hāpai i te Ora - the Safe and Effective Justice Advisory Group;
2. The Tomorrow's Schools Independent Taskforce re: Tomorrow's Schools Review / Ngā Kura Mō Āpōpō: He Arotake;
3. Te Aka Matua o te Ture / the Law Commission re: The Use of DNA in Criminal Investigations;
4. Education Consultation Team, Ministry of Education re: Consultation

on Proposed Legislative Changes to the Education Act 1989;

5. The Independent Panel on the Family Justice System: Review of the 2014 Reforms re Strengthening the Family Justice System: a consultation document released by the Independent Panel examining the 2014 family justice reforms; and
6. The Department of the Prime Minister in Cabinet re: Child and Youth Wellbeing Strategy.

In our submissions on the above law reforms, YouthLaw has consistently stressed children have the right to participate and be heard in relation to matters that affect them.<sup>2</sup> We take this focus both because it is their right, but also because children and young people are the experts in their own lives; they are uniquely qualified to tell us about the issues

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<sup>2</sup> UNCROC, Article 12.

they are facing and are key to developing effective solutions.

Contrary to the long-standing myth of apathetic youth, the children and young people we work with are clear that they want to exercise this right and have a lot to say. We have also seen this on an international scale with the School Strike for Climate, and in New Zealand with school students organising a vigil for the victims of the terrorist attack in Christchurch and launching the Make it 16 campaign to reduce the voting age.

In the 2019/20 financial year we look forward to seeing the outcome of these reviews and participating as the recommendations are translated into legislative and policy change. We also plan to further develop our law reform work to ensure that we are both advocating for the changes needed to meet children and young people's rights, and supporting children and young people to advocate for change themselves.

The next round of reporting to the United Nations Committee on the Rights of the Child will commence in the coming year with civil society reports to the Committee on the Rights of the Child due in March 2020. This first report will identify emerging trends, highlight key issues for children in Aotearoa and propose a set of questions that the United Nations Committee can ask the New Zealand Government in relation to New Zealand's compliance with the United Nations Convention on the Rights of the Child.

YouthLaw will participate in the civil society reporting process through our membership of the Children's Rights Alliance Aotearoa New Zealand (formerly Action for Children and Youth Aotearoa). This is a coalition of non-governmental organisations, families and individuals that promotes the rights and wellbeing of our children and youth through advocacy and education using the United Nations Convention on the Rights of the Child and other international human rights instruments. Our General Manager is the current Chairperson of the Alliance.



*Photo credit: David Tong, School Strike for Climate March 2019*

# Te Tiriti o Waitangi

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Youth Law has long identified the desire to be a treaty based organization, and recognized the need to effectively target the unmet legal needs of rangatahi Māori. As a result, our current strategic plan contains three priorities in this area:

**Tamariki and Rangatahi Māori** - YouthLaw effectively targets the unmet legal needs of rangatahi Māori.

**Youthlaw Commitment** - YouthLaw will be a Treaty based organisation.

**Crown Obligations** - YouthLaw will advocate that the Government meets its obligations to Māori under Te Tiriti o Waitangi.

This year has seen us make real inroads in relation to these priority areas of work, and importantly; involved both internal mahi and external delivery.

## LRE in Kura Kaupapa Māori, Wharekura and Kura-a-lwi

Manawa Pomare, our Senior Lawyer and Legal Education Coordinator (Kaupapa Māori focus) has focused on increasing our delivery of law related education in Te Reo Māori including through sessions at Te Wharekura o Nga Maungarongo and Te Wharekura o te Kotuku.

YouthLaw is also working on a project funded by the Lotteries Community Fund to develop law related education resources for use in Kura Kaupapa Māori, Wharekura, and full immersion Māori schools across the country. These resources are being designed for use by both staff at YouthLaw and the other Community Law Centres, as well as staff in the Kura Kaupapa Māori, Wharekura, and full immersion Māori schools themselves to embed and reinforce learning during sessions with YouthLaw and other Community Law Centre staff. The resources

are activity based e.g. games in order to support learning in a fun and interactive way and will be aligned with Te Aho Matua, the guiding philosophy of Kura Kaupapa Māori.

*“I really enjoyed doing a quiz with my friends, and kahoot.”*

*“I liked creating a short play about one of the UNCROC rights.”*

*“He pai ki ahau te whakaatu ki nga tangata me pehea te tiaki I nga tangata ke atu.”*

*“He pai ki ahau te kata, me whakamohio ki nga ture pirihihana”*

*“He pai ki a ahau nga Whakaari I te mea I whakakata I ahau.”*

*“I liked how clearly everything was explained.”*

*“I really liked how we could be open about things in the class without being judged and being able to talk about what’s going on in the real world”*

*“I really liked the activities where we were challenged to display understanding of the topic we learnt.”*

*“He pai ki ahau te korero mo nga motika rereke.”*

*“He pai ki ahau te waihanga Whakaari, kaore I te pai I te wa I mutu.”*

## Māori caucus

Manawa is one of the Co-Chairs of the Community Law Centres o Aotearoa Māori Caucus Ngā Kaiāwhina Hapori Māori o te Ture (NKHMT). NKHMT is made up of all Community Law Centre Māori staff and Governance representatives and plays a pivotal role in nominating Māori candidates for the Community Law Centres o Aotearoa Board and meets annually at its own Hui prior to the National Community Law Annual Hui. In her role as Co-Chair Manawa has been able to attend high level te reo Māori and tikanga trainings, been part of working groups as a voice for Māori, taken part in key hui and in the development of the kaupapa Māori team funding proposal.

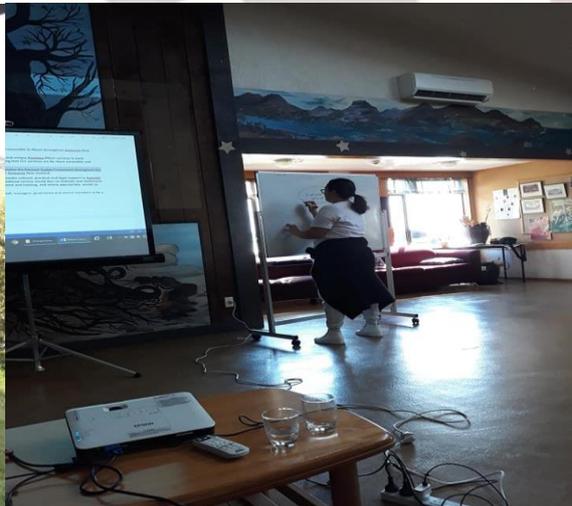


Members of NKHMT

## Noho marae

At the end of June 2019, YouthLaw held a noho marae at Hoani Waititi Marae in West Auckland. We were lucky enough to be welcomed onto the marae by Matua Pita Sharples who spoke about the role of Hoani Waititi Marae in establishing the kura kaupapa movement. During our noho marae we also had presentations from Haimona Te Nahu, Kaitakawaenga / National Māori Co-ordinator for Community Law Centres o Aotearoa in relation to Tikanga Marae and Te Ao Māori; a presentation from Tom Harris, the Manager of Waitematā Community Law Centre in relation to the history of Hoani

The kaupapa Māori team funding proposal is for an average of 2 kaupapa Māori staff at each community law centre together with further co-ordination and support at a national level. This proposal was supported by the community law movement as its top priority during the Ministry of Justice's review of community law centre funding in 2018/2019. However, funding to enable this proposal to become a reality was not included in the 2019 budget and advocacy in support of this proposal continues buoyed by the recommendations of Te Uepū Hāpai i te Ora - the Safe and Effective Justice Advisory Group in their report *Ināia Tonu Nei – now is the time*.



Manawa presenting at NKHMT Hui

Waititi Marae; and an introduction to Te Tiriti o Waitangi / the Treaty of Waitangi from Roimata Smail of Smail Legal (who also sits on the steering committee of Auckland Disability Law).

Our noho marae took place during matariki (the Māori New Year) which was a perfect time for us to spend some time together planning for the next year including what we will do to give effect to our commitment to Te Tiriti o Waitangi. We are now planning our next noho marae which will take place in early 2020.

## Governance

In the 2017/18 financial year we had two Board observers from the Ka Eke Poutama / Rangatahi into Governance programme. One of the two observers, Coral Linstead-Panoho, was then elected to the YouthLaw Board in November 2018. Coral is a lawyer in private practice working in property, litigation and Māori legal issues. She joins Harvena Cherrington a criminal lawyer and youth advocate who has been on the YouthLaw Board for a number of years.

## Looking Ahead

As we move into the next year, we continue to build on current developments, including planning for our next noho, staff undertaking further te reo Māori courses and thinking about the excitement and challenges that may lay ahead should the kaupapa Māori funding proposal be fully realized.

E kii ana te korero “*Ko te pae tawhiti whāia kia tata, Ko te pae tata whakamaua kia tīna*” - Seek to bring distant horizons closer, and sustain and maintain those that have been arrived at.



*Photos of YouthLaw whānau at Hoani Waititi Marae and of the whareniui*

# Youth Participation

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Following on from the pioneering co-design mahi of the 2017-2018 year, some of priorities in 2018-2019 were:

- To find out from children and young people how we could better provide legal advice, information and education;
- To determine how we can best involve and support children and young people to ensure influence all levels of the organisation; and
- To ensure the ongoing sustainability of this work through accessing additional funding.

Our youth participation work in the 2018-2019 year has been a journey of continuous learning, developing ideas of how to achieve these next steps then discovering and refining of solutions. An early focus on building our networks helped us to navigate our way by ensuring that we had trusting relationships with key people in the community who helped us to engage young people. Through workshops we were able to get young people participating and included in our work, creating opportunities to better provide legal help for children and young people in partnership with our wider team.

## Highlighting Projects & Workshops

Some of the projects we have worked on in the last year have been:

- YouthLaw partnered with Otahuhu College students in conjunction with Film for Change Aotearoa on a film project. Briefly, the project was to create a short film for YouthLaw explaining young people's rights when interacting with the police. We had 8 junior students take part in this process and the video has now been released, finalized and in the process of getting feedback from a range of young people.
- One day workshop with STRIVE Community Trust young parents programme and had 3 young mothers attend. This was in partnership with our Law Related Education team who were able to answer their questions about the law. We were able to understand their challenges as young mothers and their experiences of legal issues.
- Two day workshop in partnership with Mangere East Library and Mangere Community Law Centre. We had a



*Co-design workshop at Mangere East Library.*



*Law in Secondary Schools participants with Suivaia Pritchard, Sarah Colcord and Veisia Maka.*

total of 12 youth participants, the majority of whom were 9-13 years old. We got to hear their aspirations and get an idea of what young people love about their community and what the challenges are. We also heard about their knowledge of our services and their ideas around how youth rights and the law can be communicated to other young people.

- Youth Week: We are more than you see. We had a group of young people participate in the Youth Week project that YouthLaw displayed at the Manukau Institute of Technology campus in Manukau. The project was an interactive art installation that comprised of 10 silhouette shapes of youth, with their stories and aspirations inside, and a blackboard surface outside for the community to write positive messages on. Thank you Ara Taiohi for supporting our event!

### **Law in Secondary Schools – Phase One**

Law in Secondary Schools was designed and piloted in partnership with Harry Toleafoa (Legal Educator) from Mangere Law Centre. The vision of the programme is to educate, empower and inspire young people by using law as a vehicle for change, to better serve our communities and to become better informed. The programme included law-related education, co-design workshops, keynote speakers as well as fun and engaging activities.

A total of 37 young people participated in this programme, from four secondary schools in South Auckland: Aorere College, Southern Cross Campus, Pacific Advance Secondary School and Mangere College. These young people blew us away with their creativity and talent as they translated youth rights into spoken word poetry, chopped up and recreated our legal resources, and voted on the issues that they felt were most important to young people today.

## Reflections from participants

*“Rights are important and I now know that as a young person I do not know my rights but through the programme I now do”*

*“...learn that us as a youth have the right to say in the community and to also stand up for yourself “*

*I learned “the legislations and the ages we are aloud to do certain things”*

## What Next?

YouthLaw has designed a Phase Two programme where the students from Phase One are able to progress their ideas for legal information resources in partnership with YouthLaw. We are very excited about the projects on the horizon from this group!

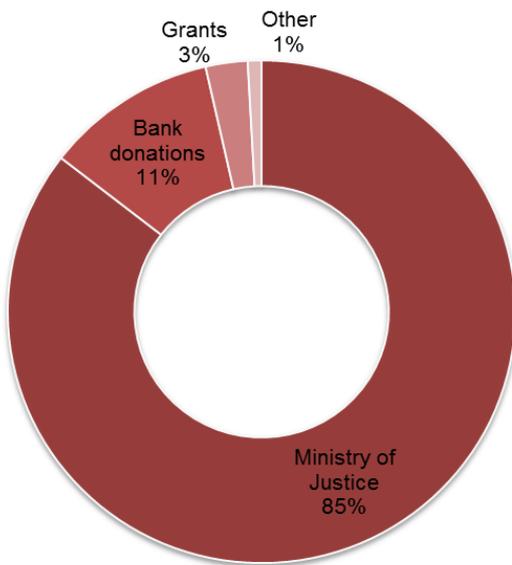
We are also looking forward to engaging with different and diverse groups of children and young people, as we continue our co-design journey. There is so much more for us to learn and so many opportunities to make a difference together.

# Finances July 2018-June 2019

## Financial Position

Although we ended the financial year with a surplus, this largely represents savings from roles being vacant within the team. Our whānau coped magnificently with the increased pressure and continued to deliver on the targets set in our contract with the Ministry of Justice. However, a number of discretionary plans fell by the wayside. As a result, YouthLaw Aotearoa has made the decision to invest our surplus from the 2018-2019 financial year into increased capacity in the next financial year, and in doing so is budgeting for a deficit for 2019-2020.

## Income



The Ministry of Justice supply the majority (85%) of YouthLaw Aotearoa's funding through our contract for the provision of community legal services.

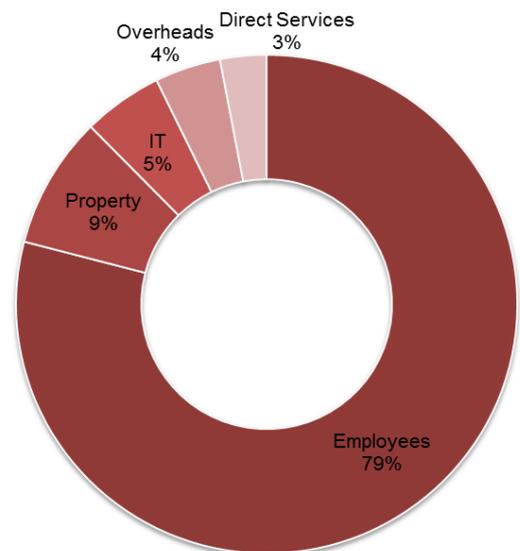
The major trading banks provided untagged donations, which comprised a further 11% of our income. These donations are derived from the interest earned on lawyers' trust accounts. YouthLaw has continued to take a smaller share of this funding in order to

increase the share given to Auckland Disability Law.

The third-largest source of income came from grant funding, at 3%. The Lottery Community Fund provided a \$19,000 grant, enabling us to begin the development of education resources in Te Reo Māori for sessions in kura kaupapa. Ara Taiohi contributed to our Youth Week event, 'Silhouette Statues'.

YouthLaw Aotearoa also received koha from a variety of organisations and individuals. While these donations represent a small portion of our income, they are greatly appreciated and do assist us in helping others.

## Expenditure



Employees are the greatest asset of any organisation, and our expenditure reflects that: 79% of all outgoings went towards our whānau, either directly or through training and wellbeing programmes.

Property and IT costs were the next-largest – including our office lease and telecommunications services to keep our phone lines operational. Overheads included accounting fees, audit fees, and insurance.

Direct service costs represented a small proportion of our overall expenditure. This category included travel costs, practising certificates for all legal staff, printing and photocopying costs, and the development of resources for legal education sessions.

*For a copy of YouthLaw Aotearoa's full Performance Report for the 2018-19 financial year, please email [info@youthlaw.co.nz](mailto:info@youthlaw.co.nz).*

# Reflections from the YouthLaw Whānau

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To see our whānau speak instead of reading their quotes, please take a look at our [reflections video](#). To learn more about who they are, take a look at [our website](#).



## **Jennifer Braithwaite, General Manager**

Jennifer is a passionate advocate for children and young people and has worked in child protection, Māori legal issues, refugee law and general litigation.

*“One of the projects I’m really excited about for the next year is... working with children and young people from a number of South Auckland high schools to use performing arts to develop accessible and interesting legal information resources... Another project I’m really excited about is the legal education roadshow.”*



## **Manawa Pomare, Senior Solicitor / Legal Educator**

Manawa enjoys the variety of cases that she is able to work with at YouthLaw and has cultivated particular interests in family and criminal law.

*“Some of the exciting bits for me this year have been the national hui, the Māori caucus stuff that I’m doing, as well as getting out into Korowai again and into the community [in] Rotorua. What I’m looking forward to... is whether we get funding for the kaupapa Māori services proposal that we put forward...”*



## **Sarah Guy, Legal Educator**

Sarah is passionate about sharing knowledge and empowering the youth she works with to fulfil their individual potential.

*“I have really enjoyed the scope and the range of audiences that we work with, whether it be the one-to-one really good conversations, or the larger educational forums, that’s been really cool. Next year I’m looking forward to... connecting with youth all around New Zealand.”*



## **Velda Chan, Senior Solicitor**

Prior to working at YouthLaw, Velda volunteered here whilst attending University, and loved how you know that you’re assisting a physical person rather than just a name on a piece of paper.

*“...it’s been a really great year ‘cause we’ve got so many new staff [who are] so passionate about what they do... we’ll also be doing some resources for young people and I heard that there’s great things going on at the legal education team so I’m really looking forward to that.”*



### **Rita Unasa, Solicitor**

Rita has worked as an immigration officer and later as a solicitor in the area of immigration. She understands the need of young people and their families to have access to free legal knowledge and advocacy.

*"I work alongside some amazing staff who are all passionate about providing free legal help to children and young people... and I look forward to doing the same in the coming year."*



### **Sarah Butterfield, Solicitor**

Sarah enjoys community law because she is able to help people achieve solutions for themselves, and every day is different.

*"This is my first year working at YouthLaw and I have been loving it. I've loved learning more about education law and representing clients at Board of Trustee meetings. I'm really excited for next year..."*



### **John Kyle, Law Clerk**

John's passionate about music, and when he's not doing anything law related, you'd usually find him playing the bass guitar or the drums.

*"[I] joined YouthLaw as a voluntary legal assistant... after hearing about the amazing work that the organisation does through some friends. [I've] loved the experience and [have] since joined YouthLaw as a Law Clerk"*



### **Robert Lim, Law Clerk**

Robert is of South Korean, NZ Maori and NZ European descent, and has just completed his final year of a LLB at AUT.

*"It's been really awesome to work on the advice line and help kids out on a daily basis... with some really difficult issues. Next year it'll be really cool to see how YouthLaw keeps growing as an organisation, and what cool things it can do to help youth out in the community."*



### **Ruth Stowers, Law Clerk**

Ruth is passionate about human rights and empowerment, and has dedicated herself to a variety of organisations seeking to improve the lives of people.

*“I actually started off as a volunteer and just this year transitioned into the Law Clerk role, so on a personal growth level it’s been really cool to be able to work on the cases a bit more closely... I think noho marae was so much fun and the teambuilding days... I’m especially excited to see what the education team does in terms of their roadshow.”*



### **Sarah Mansell, Operations Manager**

Sarah’s prior work alongside people who have disabilities has made her a staunch advocate for equal opportunities and rights. Volunteering is something Sarah is very passionate about, having had many volunteer roles herself.

*“I consider myself really fortunate to be working with such a dedicated and talented whānau, and for Jen and the Board who are determined to create a culture in which that whānau can flourish.”*



### **Suivaaia Pritchard, Co-Design, Youth Participation and Social Media Coordinator**

Sui believes relationships are essential for a young person and thinks it’s great that she gets to do a lot of relationship building through her role.

*“This year has been an amazing year getting a lot of young people engaged in the work that we do. Next year I’m really excited to see our young people execute a lot of their ideas and their projects alongside our awesome team.”*



### **Gretchen Carroll, Admin Assistant**

Gretchen’s career background is in journalism and communications, particularly in the non-for-profit sector, which is something she’s passionate about.

*“...I started only a few weeks ago. I support the team with their work and I’m looking forward to being part of an organisation that’s doing really important work.”*

# Acknowledgements

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YouthLaw Aotearoa wishes to thank the many organisations and individuals who have provided their kind support and invaluable assistance to its ongoing achievements and success. In particular we would like to thank the following organisations:

The Ministry of Justice  
ASB, ANZ, BNZ, Westpac and TSB  
J.R. McKenzie Trust  
Lotteries Community Fund  
Ara Taiohi  
The Working Together More Fund / He Putea Mahi Tahī  
Auckland Airport Community Trust  
Community Law Centres O Aotearoa  
Community Law Centres around the country

University of Auckland Law School  
AUT Law School  
Auckland University Students' Association  
Student Advice Hub  
Equal Justice Project  
Children's Rights Alliance Aotearoa  
IHC  
Expert IT  
Cloud Accounting  
Australia New Zealand Education Law Association  
Rainbow Youth  
Auckland Council Youth Advisory Panel

Whakatakāpokai Care and Protection Residence  
Korowai Manaaki Youth Justice Residence  
Bluelight  
Youthline Manukau  
NZMA Manukau  
Lifewise  
Graeme Dingle Foundation

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Veisia Māka  
Roimata Smail  
Haimona Te Nahu

Tom Harris  
Christine Hale

**Thank you!**

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