



YouthLaw
Free legal help throughout Aotearoa

Annual Report

July 2015 - June 2016

**Celebrating 29 years working
for children and young people**

Acknowledgements

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 Ministry of Justice, New Zealand Law Foundation, Minter Ellison Rudd Watts, AUT Law School, Youthline, IHC, the Prader Willi Society, Australia New Zealand Education Law Association, Action for Children and Youth Aotearoa, Auckland Disability Law, Community Law Centres Aotearoa and community law centres around the country.

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YouthLaw Profile

YouthLaw Aotearoa is the national community law centre for children and young people under 25. We were established in 1987 by Robert Ludbrook and since then we have been supporting children and young people in a variety of legal areas, including education, employment, family life and interactions with the police and courts.

YouthLaw's Vision

To promote, protect and advance the legal rights of children and young people in Aotearoa/ New Zealand by providing a service that empowers them with legal advice, information and education and advocates for them at a national level. We are committed to the principles of the United Nations Convention on the Rights of the Child (UNCROC).

We provide a range of free services for children and young people including:

Legal Advice

We offer free, confidential legal advice to anyone aged under 25 years who meets our eligibility criteria, and those assisting them. This service operates through our 0800 UTHLAW phone line between 10am and 4pm on weekdays and is staffed by practising solicitors and volunteers supervised by practising solicitors. We give information, advice and assistance on a wide range of legal matters. Where capacity allows we also represent young people in forums such as Board of Trustee meetings, mediation and other tribunal hearings.

Outreach Services

We provide education sessions on our work, and about the law as it affects children and young people, to various groups including youth justice facilities, schools, alternative education providers, care residences, community organisations, social workers in schools, health providers, government departments and other organisations who interact with and provide services for children and young people. We also provide professional development training on education law through our webinars.

Resources

We produce a range of legal information accessible on our website, on the rights of children and young people and we publish pamphlets and other resources outlining key legal information, including the YouthLaw phone app.

Law Reform

YouthLaw advocates on behalf of children and young people through submissions, offering media commentary and through involvement with other special interest groups who advocate for children and young people's interests at a national level.

Chair's Report

Jennifer Braithwaite



Tēnā koutou, tēnā koutou, tēnā koutou katoa

First of all, a massive thank you to everyone who works with and for YouthLaw Aotearoa - our staff, volunteers, members, people from our partner organisations in the youth and community law sectors and of course my fellow Board members. I remain both grateful for the commitment and passion that each and every one of you have to our work and hopeful that together we will create the change we seek for the children and young people of Aotearoa / New Zealand.

Naku te rourou nau te rourou ka ora ai te iwi

With your basket and my basket the people will live

As anticipated in last year's annual report, the 2015/2016 year has been one of catching our breath and reviewing what we do, why we do it and how well we are achieving our overall vision for children and young people as we look to review our strategic plan.

As part of the preparation for the review YouthLaw staff have been talking to those we work with, in particular the young people we work for, to ensure that their voices are heard when we look at what we are doing and develop our plans going forward. This has included in-person consultation sessions with a diverse group of young people from established youth advisory groups, youth councils, youth justice and care and protection residences, and other organisations working with and for young people. YouthLaw staff also met, spoke to or received feedback from the other Community Law Centres around the country as well as key partner organisations such as the Office of the Children's Commissioner and the Ministry of Justice. Feedback was also sought through an online survey.

The information gathered through this process was then fed in to a strategy workshop attended by all staff and board members to again ensure that the views of all those involved

at different levels and in different ways are included in the planning process. The Board is now distilling all this material as well as considering the alignment between our strategy development and that of the wider Community Law movement with a view to finalising the strategic plan either later this year or early in 2017.

It is an exciting time as we look to new opportunities, how we can continue to be innovative in the work we do and how we know that the work we do is contributing to the change that we seek.

I'll end my report with another whakatauki (proverb) that speaks to the importance of working with and for children and young people:

‘Tō te kākano, kia tipu tika, kia tipu kaha’

Sow the seeds so they may grow straight and strong.

This meaning of this whakataukī is that people who have a solid foundation as children will grow to have strength and success in adulthood. For us as an organisation, it also speaks to the importance of our planning process as the foundation for our work.

Noho ora mai

A handwritten signature in black ink, appearing to be 'Jennifer Braithwaite', with a long horizontal stroke extending to the right.

Jennifer Braithwaite

Chairperson



From the General Manager

Vanushi Walters

Last month I sat in the Palais Wilson, home to the UN High Commissioner for Human Rights in Geneva and the venue for The New Zealand Government's examination before the Committee on the Rights of the Child.

We, the Civil Society delegates supported to be present through Action for Children and Youth Aotearoa, had been granted a meeting with the UN Committee before they questioned the Government on compliance with the Convention on the Rights of the Child and, walking toward that room a week back, we passed a simple sign that read 'Inquiry into Syria'.

It was confronting to sense the depth of human rights issues being discussed by Kofi Annan and others in the room down the hall and many of us were both frustrated by what we felt was New Zealand's failure to deliver on some core rights at home despite all of the benefits that come with being a state at peace with a culture of pitching in to look out for one another.

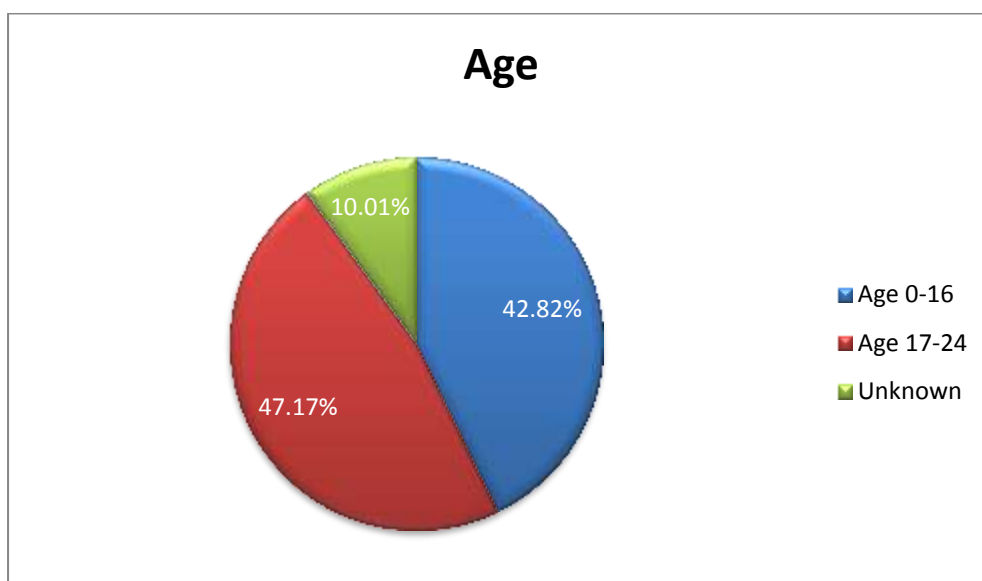
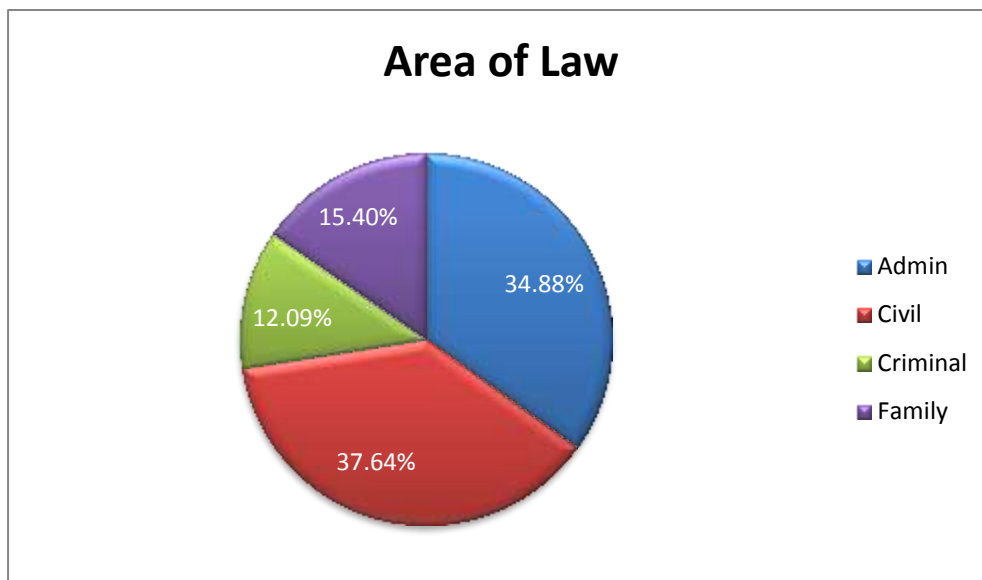
We left however with some sense of optimism. The Committee has now issued a robust set of concluding observations and the feeling now is that there is an opportunity before us to push for a commitment to compliance with our International Obligations to Children at the 25th Anniversary of New Zealand's ratification which will be two years' time.

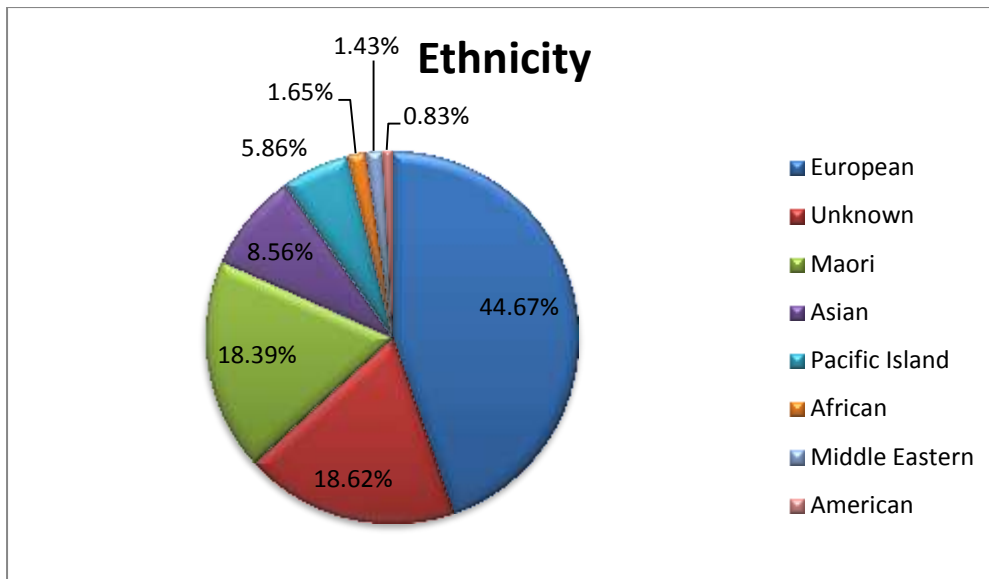
Reflecting back on these high level issues I'm also conscious of the work we have done over the last year at YouthLaw shining a spotlight on children's rights issues particularly in the area of education. We have driven forward two key research pieces spearheaded by Jen Walsh and Kenton Starr, funded through the Law Foundation, the IHC Foundation and the Prader Willi Trust. The first highlighting the issues faced by young people with special education needs and the lack of a robust legislative and policy framework to meet their needs and the second bringing to light the hidden issue of kiwi suspensions. I'm delighted that we've been able to sustain this important law reform work through seeking out independent funding and am confident that YouthLaw's role in identifying and bringing to light systemic issues that affect young people will continue.

It has also been a busy year for our Legal Education team as Mira Taitz handed over the reigns to Sarah Boyd and Annie Tavalea before heading on maternity leave. The work of all

three of our LRE Coordinators over the reporting period has been outstanding and has demonstrated a focus on the Safe and Out of Jail elements of our Operational Plan. Of particular note is the work that we have been doing at CYF and YJ residences both through LRE but also by including the voices of young people in residences through our planning processes. We have well exceeded our contract targets which is a credit to the LRE team and the lawyers and volunteers who where possible provide some support to this work.

We also met our casework targets for the reporting period and within the body of this report we have included a few brief casework snapshots to provide a sense of some of the work our lawyers engage in.





The other big project that we have engaged in is the creation of a new website space attached to the Community Law Website. Velda Chan has led this work alongside the team from Community Law O Aotearoa and our hope is that once work is completed at the end of 2016 we will see the benefits of the more modern look site that aligns well with the Community Law brand.

To our small but mighty team of staff, vols and interns, it's a pleasure working alongside you. There are countless times over the last year I've watched as several of you go well above and beyond what is expected within your role with an impressive amount of energy and professionalism. There have been many times when I've received praise on your behalf and had a chance to reflect on just how impressive the work you do is. I hope you all have an extremely well deserved break this year and reflect on the impact we are having as an organisation as well as your unique contribution to children's rights in New Zealand.

Vanushi Walters

General Manager

Our People

YouthLaw's Board

Jennifer Braithwaite, Chairperson

Andrew Ryan, Treasurer

Piers Davies

James Jung

Gordon Tian

David Sutton

Harvena Hudson

Nive Sharat Chandran

Bonnie Smail

Daryn Govender

Simon Judd

YouthLaw's staff

Vanushi Walters

Karen Davis

Jennifer Walsh

Joanna Maskell

Velda Chan

Manawa Pomare

Kenton Starr

Annie Tavalea

Sarah Boyd

Martina Wright

Emily Maguire

Alex Slipper

General Manager

Operations Manager

Senior Solicitor

Solicitor, Media and Law Reform Officer

Solicitor

Solicitor

Solicitor

Legal Education Coordinator

Legal Education Facilitator

Administration Assistant

Law Clerk

Law Clerk

Welcomes

We are very pleased to welcome several new and not quite so new faces to YouthLaw over these last 12 months.

Annie Tavalea Legal Education Co-ordinator

Annie started with YouthLaw as a volunteer, helping on both the AQ line and with education workshops. We were thrilled when we could offer her a part time role, while she finished her law degree, firstly in administration and then from October 2015 she has been co-ordinating our legal education programme.



Sarah Boyd Legal Education Facilitator

Sarah started working alongside Annie at the start of 2016 and she brings a wealth of experience as a social worker and educator to our work. She is a passionate advocate for young people and the changes we need to make to improve their lives.

Martina Wright Administration Assistant

We are very lucky that Martina was not looking for a full time job when we needed a part time administration assistant. After previously working in communications, she has plenty of skills to help YouthLaw, and brings fresh ideas to our work.



Emily Maguire Law Clerk

Emily impressed us as a volunteer on our advice line so we were very happy to be able to offer her some additional work while staff were working on research projects. A South Auckland local - born and bred Papatoetoe - she dreams of living and working in New York, her favourite city in the world. She has a keen interest in International law and current affairs so keeps the office well informed.



Alex Slipper

Law Clerk

Alex is a real trooper who travels by public transport all the way from the shore (often suffering many delays and breakdowns). He is Vice President of the AUT law students society and he has a particular knack for complex employment law files and legal analysis on the advice line. Alex has also been a vital part of the kiwi suspensions project with his skills in organising, analysing and graphing mountains of data.

Farewells

Kuru Kae YCAP co-facilitator

Kuru has been with us for a year working on the Youth Crime Action Project and helped to build the good relationship we now have with the Youth Justice facility in Auckland. Due to his impending marriage and need to pay an Auckland sized mortgage, he has moved on to full time work. We miss his good humour but luckily managed to persuade him to join our Trailwalker team this year.



Mira Taitz Legal Educational Facilitator/Coordinator



Mira has been working with us since August 2012 and brought fresh energy to our education work. She has helped us to move out from behind PowerPoints and work on more interesting ways of engaging with young people. After having twin boys, Mira has been on leave for the last year and has decided not to return to paid work for now so she can concentrate on bringing up future caring and compassionate young men.

Joanna Maskell

Solicitor/Law Reform & Media Officer

Jo has been part of YouthLaw since 2011. She has taken some leave to take up a fixed term role with the Human Rights Commission working on policy. With her experience in children's rights and her willingness to take on unfairness and discrimination, Jo will be a great asset for HRC, but we do hope she comes back to us.

**Naushyn Janah**

Law Clerk

We managed to catch Naushyn when she had a few spare hours from all her other commitments after already working at YouthLaw as a volunteer. She has helped with our advice line, research reports, youth consultation and much more in a deeply thoughtful way. We could ask her to do anything and she took it on and gave us more than we expected.

Legal Related Education

The 2015/16 year has been an exciting, busy and productive one for Law Related Education (LRE) at YouthLaw. There have been a few big changes to staffing in the first half of the contract year. Mira Taitz (LRE Coordinator) went on maternity leave in August 2015 and a decision was made to have a team of two to fill the role. Kuru Kae came on board as the LRE Coordinator and Annie Tavalea as the LRE Co-facilitator. Having a team, as opposed to one person, quickly proved very effective in many ways. It allowed for greater creativity in planning and preparing LRE sessions; it meant there was less pressure on one facilitator to carry entire sessions; it meant there was back-up if one of the facilitators was sick or unable to attend a session; and it allowed for a collegial environment in what can often be quite an isolated role, especially as LRE staff are so often out of the office during their work.

Kuru Kae resigned the position in December 2015 to take up a role with the Corrections Department, working in the Men's prison. Kuru was greatly missed by the YouthLaw staff and the young people and stakeholders with whom YouthLaw worked on an ongoing basis.

In January 2016 Annie Tavalea was employed in the LRE coordinator role and Sarah Boyd was employed as the LRE co-facilitator. Sarah has been a wonderful addition to the LRE team and to the YouthLaw team. The team (Annie and Sarah) fulfilled the role until the end of the contract year (June 2016) and remain in their positions going into the 2016/17 year.

Contract Numbers and Targets

This year has been a highly successful one in terms of reaching our targets under the Ministry of Justice contract. For the contract year YouthLaw was tasked with delivering education to 3,500 individual participants over 75 sessions. We delivered to 4,558 individuals over a total of 132 sessions.

Our targets included having at least 80% of our participants answer yes for the following questions:

- (a) *My understanding of the topic improved.*
- (b) *I would recommend this session to friends/whanau.*

We achieved this target with 95.9% answering "yes" to (a), and 90.8% answering "yes" to (b).

Collaborations with other Community Law Centres (CLCs)

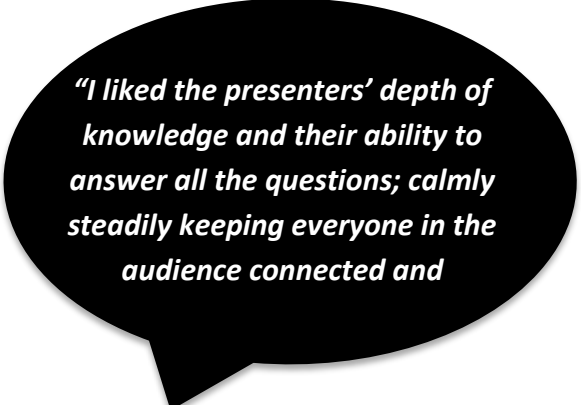
YouthLaw has collaborated with the other CLCs in Auckland to broaden our reach in LRE.

We presented in four rounds of **Mangere CLC's** highly popular *Law in a Nutshell* series. Each round we presented a 3 hour session on the topics of youth rights (and the United Nations Convention on the Rights of the Child "*UNCROC*"), the youth justice system and education law.

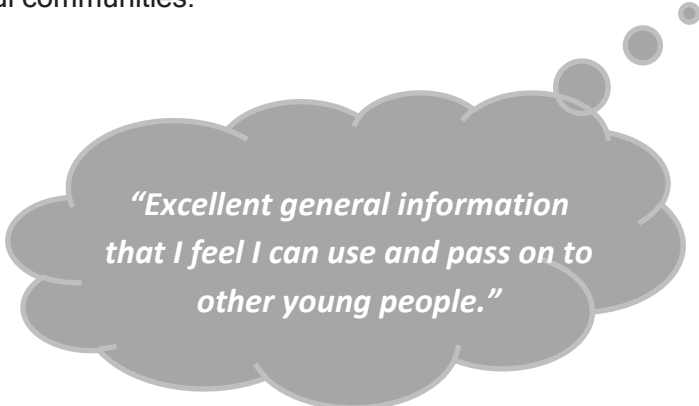
YouthLaw teamed up with **Auckland CLC** as part of their successful *Know Your Rights* program. We presented a day-long workshop on the following topics: Youth rights and UNCROC; Legal ages in Aotearoa; rights in education; the youth justice system; cyber safety and cyber bullying; and issues of sexual consent.

YouthLaw also collaborated with **Auckland Disability Law** to present a 3 hour workshop on UNCROC, youth justice and education law, with a focus on young people with disabilities.

Our collaboration with other CLCs has been a pleasure, both in working with our wider-Auckland LRE colleagues and with their local communities.



"I liked the presenters' depth of knowledge and their ability to answer all the questions; calmly steadily keeping everyone in the audience connected and



"Excellent general information that I feel I can use and pass on to other young people."

LRE with young people

YouthLaw has engaged directly with young people in a very diverse way over the past year. It is always such a pleasure working with our rangatahi and seeing our future leaders getting involved with learning about the law and in particular about their rights. Young people want to feel empowered and they want to see positive change, which makes it a real thrill to work with them.


We teamed up with **NZ Police** to offer support in delivering their *Loves Me Not* program in high schools. This is a program which looks at health and respectful relationships for young

people 16 years and over. We attended Manurewa High School, James Cook High School and Alfriston College, and answered students' questions about young people and the law.

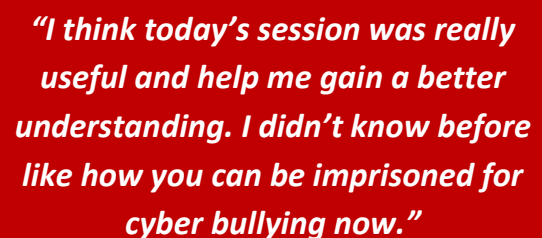
We delivered a number of sessions in the Kari Centre (the early intervention mental health service, in Greenlane) to young people involved in their *Youth Transitions Project*. We covered topics such as UNCROC and rights with police, as well as spending time engaging in whakawhanaungatanga (*relationship building*) with the young people.

Through connections with **Youth Horizons Trust**, Manawa Pomare and Sarah ran a session with 50 young people, about UNCROC, Discrimination, the Youth Justice system, and sex and consent, as part of the Tula'i Pasifika Youth Leadership Programme. Tula'i Pasifika is a joint venture between Youth Horizons Trust, local schools, and the local council, and provides Pasifika young people with training and education to succeed as leaders in their community.

We have delivered a lot of **LRE in schools**, both through assembly presentations and also through smaller workshop-style sessions with class groups. These included sessions at Rongomai Primary School, De La Salle College, Hato Petera College, Kelston School for the Deaf, Te Kura Kaupapa Maori a Rohe o Mangere, Te Kura Kaupapa Maori O Puau Te Moananui A Kiwa (Glen Innes), Mount Roskill Grammar School, Northcote College, Hilary Collegiate, Kowhai Intermediate and Henderson Intermediate. Topics discussed have ranged from sex and consent to rights with police; from UNCROC to discrimination; from legal ages to where to go to seek help. A really popular topic this year has been cyber-bullying, due to the unfortunate rise in cyber-safety related problems, and the introduction of the Harmful Digital Communications Act. We have been heartened by the enthusiasm schools and teachers have for tackling this growing problem head-on.



"It was an effective presentation for our students and we can as a school better deal with cyberbullying."



"I think today's session was really useful and help me gain a better understanding. I didn't know before like how you can be imprisoned for cyber bullying now."




Students at Mt Roskill Grammar School performing skits based on the United Nations Convention on the Rights of Children (UNCROC).

"The people that talked to us were really clear and understanding. I enjoyed this session. It was full of information."

As well as mainstream schools YouthLaw has worked with rangatahi engaged in education through **Alternative Education Providers** ("Alt Ed"). Young people in Alt Ed are those

who have been excluded from the mainstream education system, for a variety of reasons. They are particularly vulnerable because we know that disengagement with education is a sign that a young person is facing problems in their life and is also a significant risk factor for other anti-social behaviours.

In the second half of 2015 YouthLaw worked closely with Target Education (an Alt Ed provider in Papatoetoe). We worked with Tagata Pasifika Alternative Education in early 2016, and with Youthline Ponsonby's Alt Ed throughout the whole 2015/16 year. With these




"I liked how they exemplified to us. I am really interested in youth law in New Zealand."

already, above) and we engaged in whakawhanaungatanga with the young people. Whakawhanaungatanga is important in all the work we do, but particularly when working with highly vulnerable youth. Building relationships is important for these young people, who often have multiple professionals in and out of their lives. It provides an opportunity for the young people to have deeper

interactions with people who work in the law, and an opportunity for them to see that the law (and lawyers) can be a positive thing in their lives.

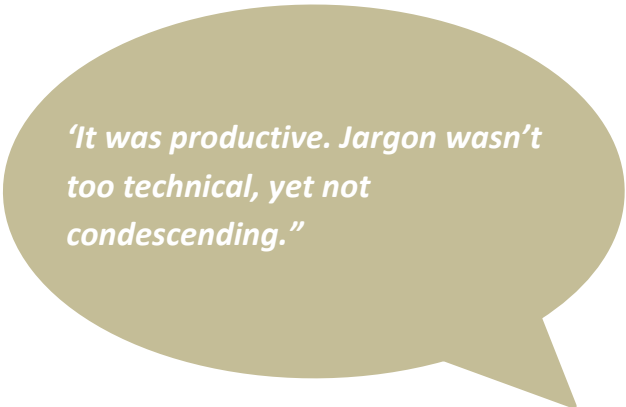
We have continued to foster a close collaborative relationship with **Whakatakāpokai** and **Korowai Manaaki**, Auckland's Care & Protection and Youth Justice residences, respectively. Whakatakāpokai is a two-unit residence housing up to 20 vulnerable young people, aged 12 to 16. Each term (four rounds per year) we have delivered two sessions to each unit, including UNCROC, rights and responsibilities with Police, governance, legal ages, and discrimination. Korowai Manaaki is a five-unit residence accommodating up to 43 youth offenders, aged 14 to 16. Each term we have delivered three sessions to each unit, usually comprised of discrimination and legal ages, rights and responsibilities with Police, and sex and consent. The groups of rangatahi we engage with in these sessions are always vulnerable, and always complex. We have been consistently impressed by the engagement of these young people, despite their complex needs and living situations. These are rangatahi that need ongoing support to be well informed of their rights, in order to make prosocial decisions in their communities.



"The session was good, found out about discrimination. I liked the scenarios we talked about during the activity."

LRE with stakeholders

A large and very significant part of LRE work is working with stakeholders in children and young peoples' lives. It is important that people working with, and caring for, youth (in whatever capacity that may be) are familiar with the basic rights of their rangatahi and also important for them to know how to



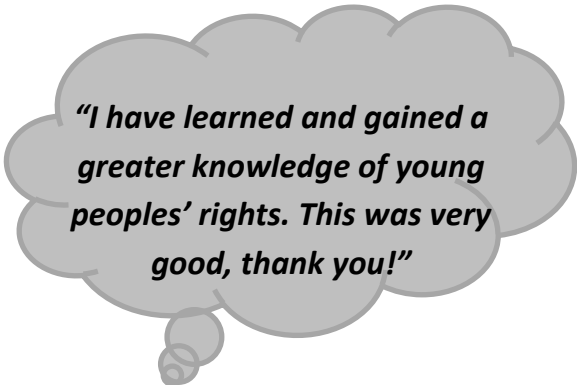
'It was productive. Jargon wasn't too technical, yet not condescending.'

access legal help on their behalf, when they need to. Working with stakeholders also provides a greater reach for our education: those stakeholders will be working frontline with more young people than we have capacity to reach and they can provide this knowledge for the youth they serve. We have worked to cover a wide variety of legal areas with stakeholders, including Education/school law (and rights at school), including special education; Youth rights in general; Youth justice system (and how it works); Youth organisations (where young people can seek help); Legal ages; Discrimination; Rights with police; Sex and consent; Cyber-bullying and online safety, Employment law, Tenancy law.

YouthLaw continues to have a strong relationship with the **University of Auckland** through LRE. We presented a workshop on employment and tenancy law to the UoA Advocacy Service, a student-run legal advocacy service within the university, to help students with legal issues. Our relationship with the Equal Justice Project (EJP) has remained solid and we have held workshops for the outreach team on many topics, including how to deliver legal information to young people. We also delivered a session on Education, Discrimination, and Cyber-bullying as part of the PAEDS719 course, which examines the overlap of health and education in the context of youth development.

YouthLaw has worked with **Sexuality Information Network**, a network of organisations and individuals who provide sexual health services to young people. We ran a workshop which dealt with legal issues around consent and also the rising issue of sexting (sending sexual messages and images via digital media).

Another ongoing relationship YouthLaw has is with the department offering a Certificate in Community Skills through **Unitec** (Waitakere Campus,

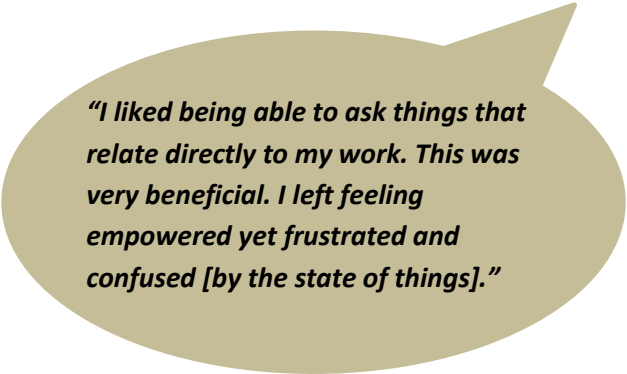


"I have learned and gained a greater knowledge of young peoples' rights. This was very good, thank you!"

Henderson). We worked with the Youth Studies class this year to teach them about education law and the youth justice system.

Solomon Group is a Maori private training establishment based in Auckland which trains people in providing social services in the community, including and especially with vulnerable young people. YouthLaw facilitated some workshops with Solomon Group staff on areas relevant to their work, such as education law, UNCROC, sex and consent and discrimination.

BEST Academy is a private education provider based in Manukau. YouthLaw worked with the BEST staff who tutor young people, in upskilling their knowledge on the rights of young people.




"I liked being able to ask things that relate directly to my work. This was very beneficial. I left feeling empowered yet frustrated and confused [by the state of things]."

We have been involved in two school holiday programmes with RYAN, the **Refugee Youth Action Network**, supported by Red Cross. We talked with these groups of young refugees in New Zealand about UNCROC, discrimination, and legal ages, and have an ongoing relationship with RYAN.

We presented a training to staff of Te Kaha o te Rangatahi Trust, who provide sex and sexuality education across Auckland. We have also fostered a collaborative relationship through the Te Kaha team, through interactions at PolyFest and in schools.

We have provided training to **Rape Prevention Education (RPE)** around sex and consent, and the Harmful Digital Communications Act. They have also provided training to YouthLaw staff on dealing with disclosures of sexual violence that may come through the AQ line. Since June 2016, Sarah has also been employed by RPE as a casual educator for their BodySafe programme, and collaboration between the two organisations has been very positive.



"I really liked the relevant information for our organisation, and more information for personal development. I feel impressed and satisfied."



Youth workers at a YouthLaw training doing an activity on illegal discrimination.

LRE in the community

YouthLaw attended the **Mangere East Festival** in November 2015. This was a celebration of the diverse local community including performances, workshops, exhibitions, food, sport and other activities. YouthLaw ran an interactive session at the main stage, giving some basic information about youth rights, and information about the services YouthLaw runs. It was a great opportunity to get to know our local community better and to let people know about their rights, and legal services which are available to them.

"I wish you could come to our school and teach us about this, so that everyone can learn this information."

"Wow I never knew that, this is really interesting! Why don't they teach this kind of thing in schools?"

In March 2016, the 42nd annual **Polyfest** was held in Manukau. This festival is the Auckland Secondary Schools Maori and Pasifika cultural festival at which schools compete on many different stages. YouthLaw had a stall this year, at which we promoted YouthLaw's services and run mini-LRE sessions around legal ages, and basic rights in different areas of law. This four day long festival was massive with an estimated 90,000 visitors over four days.

YouthLaw engaged with hundreds of school-aged youth during this time. It was a great success for our organisation in terms of broadening our reach in the local community.



*L: Sarah Boyd and Gagaan Sohal (YouthLaw volunteer) setting up the YouthLaw stall at Polyfest.
R: Annie Tavalea working with a group of intermediate school students at Polyfest.*



Shekinah Delos Santos (YouthLaw volunteer) playing a "legal ages" game with school students at Polyfest.

Networking

We have attended two Mangere Youth Providers Network meetings, hosted by Strive Community Trust. One of these was focused on the incoming Children's Team model, and how this will support lower level community intervention for families needing support.

Professional Development

We attended the illuminating Sex Ed by Porn workshop, run by Maree Crabbe. This full-day training provided critical information about Maree's research on the impacts of exposure to pornography on mainstream culture, and particularly on the development of young people's understandings of sex, consent, gender roles, and respectful relationships.

We also attended a powerful training by Talking Trouble Aotearoa NZ, who work to improve this country's response to speech, language, and communication needs experienced by many vulnerable children and youth. We could anecdotally relate to the staggering data around the prevalence of unmet communication needs, particularly within the populations of young people involved with the Youth Justice, Care & Protection, and mental health systems, which necessarily impact hugely on those young people's ability to access equitable justice. We hope to collaborate with Talking Trouble in the future on resources for young people in CYF residences.

Webinars

Following on from webinars that YouthLaw has run for other CLCs on education law around the country in earlier years, this year marked the start of a series of webinar modules specifically designed for the New Zealand Social Workers Association. The modules were individual webinars in an education law series with seven modules in total covering basics such as the right to education, to matters such as search and seizure and privacy in schools. The modules are now publicly available on YouthLaw's *YouTube* channel. Webinars were run by Jen Walsh with technical help from Velda Chan.

A huge thank you to YouthLaw staff who helped the LRE team out, in particular Manawa Pomare, Kenton Starr, Velda Chan and Jo Maskell. Your help has been invaluable.

Note: Please note the quotations given in the speech bubbles are direct quotes from individual participants we have worked with.



Youth Advisory

As part of the strategic planning process Annie Tavalea (Law-Related Education Co-ordinator), Naushyn Janah (Law Clerk) and Sarah Boyd (Law-Related Education Facilitator), conducted consultations with young people and stakeholders throughout Aotearoa, and produced a report identifying both their primary concerns and preferred methods of receiving information.

We found a lack of access to law-related information, including rights-based education, to be a key opportunity for change, and one that young people are demanding. We also found that young people are very concerned about the levels of inequity and discrimination in Aotearoa New Zealand in particular LGBTQIA+ / the rainbow community; people with disabilities (including mental health and addiction); poor people; children and young people under the care of CYF; international students and refugees; rural communities and he tāngata Māori. They want legal reform that redresses the disadvantage experienced by these groups, and viable avenues through which to access practical support for those suffering as a result of discrimination. Youth and adults working with them want better access to relevant legal information. They feel that improved accessibility and visibility of their legal rights would greatly assist young people to make more informed, more empowered, and safer decisions in their own lives and with their peers. Respondents overwhelmingly indicated the use of digital technologies and effective in-person education (especially through schools) as preferred methods for receiving law-related information.

A big thank you to Naushyn Janah and Emily Maguire for their work and insights in this process.

Case Studies - Advice Line

Education law:

J was a student at a rural school and had been told by his school that because his attendance was low, he would be taken off the roll. J's family tried to explain to the school that his attendance was low due to medical conditions after he had been assaulted, and had surgery, but he was still removed from the school roll. The school then referred the matter to the MOE and a PTE and tried to insist on J enrolling with them. J had previously done well in school, and was keen to return. With the help of YouthLaw, J's family was able to advocate and get him back into the school that tried to remove him from their roll.

Criminal law:

S contacted YouthLaw after having been caught driving with excess breath alcohol. YouthLaw assisted S to apply for a section 106 discharge without conviction on the basis that S was struggling with alcoholism because of grief over finding out that his mother had terminal cancer. It was a first offence which was uncharacteristic; and because having a conviction would affect his ability to become a doctor. YouthLaw was successful in obtaining the discharge without conviction.

Employment law:

Case A: C had been working as a tyre repair serviceman and had previously had a bad experience with his employer (not being paid at all for over time) but had been convinced by them to come back and that things would be different this time. C had been back at work for 3-4 months when issues started to occur again (reduced hours without consultation, expecting over time for free).

Because of his previous experience, C asked that these issues be rectified, and that he be treated fairly, to no avail.

One morning, after working for an hour, C took a bathroom break and was told when he came out that he should "piss off", and asked why he was still at work. C was confused and asked why he was being let go. He was not provided any reason (although he suspected it was because he asked to be paid for his overtime hours). He then asked if he would at least

be able to work out a notice period because he had a partner and family to support. He was told he would not be given any notice and was terminated on the spot.

YouthLaw assisted C to raise a personal grievance for unjustified dismissal and attempted several unsuccessful negotiations with the employer's lawyer, in the end - resolving the matter via mediated settlement.

Case B: A, an employee, had contacted YouthLaw because their employer had tried to request from them a large amount of training costs when they had resigned from their workplace. There was no breakdown of how the employer came to the amount they had requested, which was an amount over \$2000.

Moreover, the employee was not paid for some of the hours they had completed and holiday pay was owed. The employee wished for a quiet and amicable exit from the workplace but didn't consider it fair to be charged such a large amount for training without any justification.

With the help of YouthLaw, A was able to reach an amicable settlement with the employer.

Clients' Feedback

- I am sorry it has taken some time for us to reply to your e-mail. We have needed the past week to process what has happened, and to take on board the incredible amount of work and commitment you have put into helping our son. We are very grateful for everything you have done, and also the support shown to us by Youthaw. We thank you from the bottom of our hearts, and also Jen with whom we had initial contact.
- Without your support and expertise, we would never have been able to navigate our way through the court and police process.
- This has been a harrowing ordeal for our family and we are so grateful for the non-judgmental, respectful and compassionate way you have dealt with us.
- I would like to say a big thank you for the effort you put in in order to get my discharge without conviction granted.
- You've really helped not only me, but my family relax our minds a bit more and have reopened the opportunities I have worked to set myself up for. Although I know I have done wrong, the work you put in has really helped me ease my mind and put my focus onto my studies in preparation for my exams and setting a base for next year.
- Good afternoon, I just wanted to say a huge thank you for your assistance yesterday, it was invaluable.

- Subject: Re: NZ herald article on special ed.
Brilliant. Thanks and thank you for undertaking this piece of work. There are so many parents like us out there fighting for everything for our kids. Regards, N A
- Morena, I went to a fantastic presentation run by YouthLaw last week that was both fun and really informative. The presenters said that we could have a copy of the PowerPoint slides by emailing and asking. So here I am ... asking. Thank you so much.
- Hi Emily and Co., Thanks for your email and the copy of the report, which I read with interest and not a small amount of blood boiling! I did hear some of the media coverage of the report and I would have liked the media to have taken a harder line and actually called out some schools or asked for people to come and talk about their experiences. The report is very well done and I congratulate your organisation for a job well done. It clearly sets out the parameters which many school do not follow. I have spoken about my experiences and my strong line with Wellington College to a number of people who have all said that when they were in such a situation they did not feel confident or brave enough to 'take the school on'. It shouldn't be that way and there should be (as you were advocating) an independent commissioner to hold these school to account. I was happy to help and have my story included. I would also like to pass on my thanks for the very helpful advice YouthLaw provided when I needed to know where I stood.

YouthLaw Volunteers

Our volunteering programme is still an integral part of our service, five years after its conception. We see the volunteers fitting well into our structure, which allows the staff to handle the increasing workload more effectively while teaching volunteers valuable skills in the legal profession.

An interesting statistics we have noticed is that half of our volunteers stay with us for at least two consecutive intakes, or may return at a later intake, adding to the smooth operation of the programme. Our volunteering programme is open to students who have completed two years of a law degree and in some circumstances to year two law students too. We also have volunteers that are law graduates looking for some pro-bono experience or are gaining some experience on the path to returning to the legal profession.

This year, we have started offering an Internship programme to a few of our volunteers. This has allowed some volunteers (now interns) the opportunity to get involved with some of the projects YouthLaw has undertaken in the past year. At times, the interns will also take on further case work which is essential to extending their legal skills.

Our relationship with Minter Ellison Rudd Watts (“MERW”) is continuing and MERW continues to provide YouthLaw with pro bono lawyers every fortnight. We offer warm celebratory congratulations to our long-term MERW coordinator, Elizabeth Rowe, on the birth of her child. We also thank Jasmin Wilford for her coordination while Liz has been away on maternity leave.

Our committed and enthusiastic group of volunteers keep us fresh with new ideas and is an integral part of YouthLaw which makes the wheels of YouthLaw run much more smoothly. We gain a great deal from the input of our volunteers and we are immensely grateful for the time and effort of all our volunteers.

We hope their time at YouthLaw has been a treasured experience for them, and that we have helped them along the choice of their career path.



*Long term volunteers and interns:
Faline, Natalie and Alex*



Emily and Naushyn

Law Reform

Special project – Kiwi Suspensions

In late 2015 YouthLaw was fortunate to secure funding from the Law Foundation to undertake research into barriers to inclusive education in New Zealand with a particular emphasis on the phenomena of “kiwi” or illegal suspensions.

Pre-existing research investigating the impact of unauthorized removals on young people from education was scant and it was hoped that the research would form the basis for further wide scale research into the issue.

The research was conducted by collating public responses to a survey seeking young people and their families to share first-hand anonymous accounts of their experiences in addition to analysis of past YouthLaw case files. With particular cases of illegal or kiwi suspensions, we also sought to gain the consent of former clients to share their stories in our report on an anonymous basis.

The research was able to capture a “snapshot” picture of some experiences for young people and has indicated that kiwi suspensions are on the rise. The results paint a picture of young people experiencing barriers to education at all points of schooling from entry and enrolment, to participation, to exit from the schooling system. Our analysis also has evidences that students with special educational needs are disproportionately affected by such barriers to schooling.

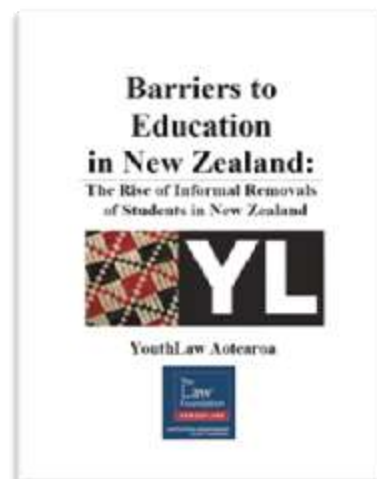
Our report has found that barriers to education are a prevalent issue and suggests potential law reform for the future. The research has indicated the need for further research on a wider basis to delve into to scale and frequency of such occurrences in schools across New Zealand.

A copy of our report can be accessed online at

<http://www.youthlaw.co.nz/report-into-informal-student-removals-from-school-published-by-youthlaw/>

Special project – Special Education

One of YouthLaw’s focal areas of work in recent years has been to support children and young people with disabilities to access education. Our experience has been that this is a group which faces particular vulnerabilities in school and so we have



developed expertise in this area so as to be able to assist families to get their children the needed support. From our experience working in this area, we have become aware of some of the barriers and issues which prevent equal access to meaningful education. YouthLaw was generously supported with funding from the IHC Foundation and the Prada Willi Society in 2015, to write a report to examine these issues further, taking a focus specifically on special educational support in mainstream schooling in New Zealand.

While there has been a wide range of academic as well as government sponsored research into special education in New Zealand in the past decade, we were not aware of any recent publications which attempted to draw together an overall picture of the issues or to make direct comparison with overseas jurisdictions. We also saw an opportunity to put a voice to many of the barriers which families face on a day to day basis in a way which informed the public better about the issues and challenged existing policies.

We drew the report together from a range of sources, including government publications, existing research both from New Zealand and other countries, Official Information Act requests and our own case studies and client experiences.

The report found that facing barriers to education is not an uncommon experience for disabled children in New Zealand. The barriers and underlying issues are diverse, complex and usually interrelated. There is a lack of decent information about student progress and around the effectiveness of interventions which makes it difficult to see what is working and what isn't. It is clear however, that schools and teachers suffer from a lack of training and a lack of capacity to deal with the growing intensiveness of their role; funding support mechanisms are difficult to access and there is little accountability for the government or schools to properly fulfil their role. Sadly there is still no enforceable legislative right to education.

We made a range of recommendations for the policy and law reforms we believe are necessary to bring about change in this area and made suggestions of what these could look like in practice.

The report can be accessed online at <http://www.youthlaw.co.nz/report-into-special-education-support/>

Action for Children and Youth Aotearoa

YouthLaw continues to support the work of ACYA with both Vanushi and Jen sitting on the ACYA Committee.

During the reporting period Vanushi and Jen assisting in the drafting and editing of ACYA documents that formed part of ACYA's reports to the United Nations Committee on the Rights of the Child.

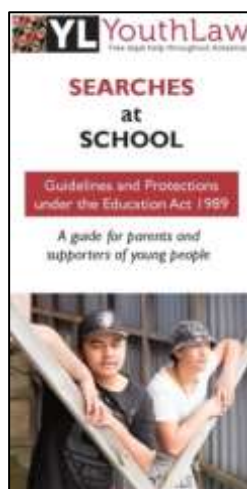
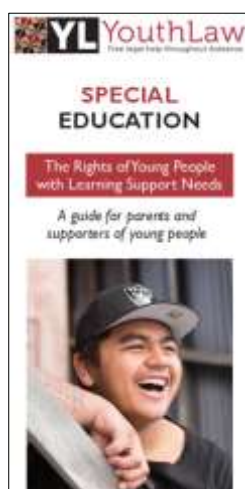
Legal Information

Educational materials:

Our most sought after legal information material, the “Know Your Rights” wallet has been updated with the most current information on rights with Police, when Buying Things, at Work, at School, on the Road and on Drugs & Alcohol. It is available to order by e-mailing us on admin@youthlaw.co.nz or calling 0800 884 529



Our pamphlets on Education Law for parents and supporters of young people are available to download from our [website](http://www.youthlaw.co.nz).



Promotional materials:

This year the budget allowed us to produce some promotional materials (T-shirts, mugs, pens, magnets and wristbands) to enhance YouthLaw presence at events and LRE sessions, and to use when needed to promote the work we do for young people in New Zealand.



YouthLaw Website:

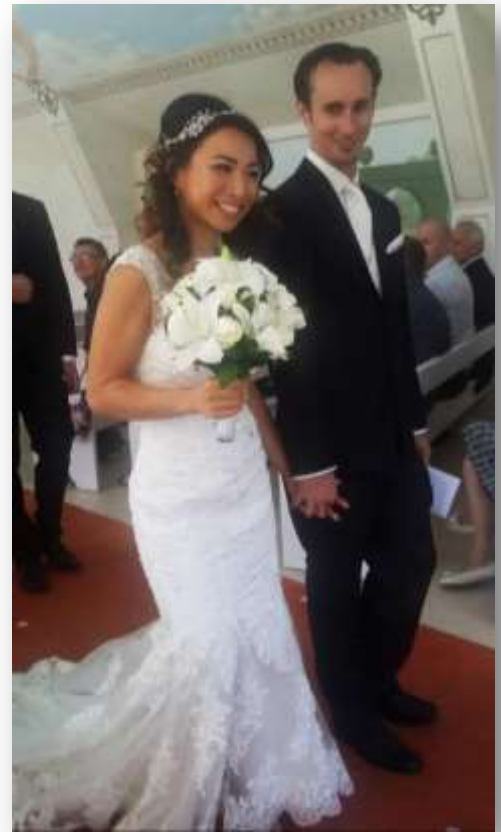
Thanks to help from Community Law Centres Aotearoa, we have been able to have our website redesigned and made more user-friendly for mobiles. We are currently reviewing all the content and uploading it.

In the mean time, our current website, www.youthlaw.co.nz, has a comprehensive range of information on our main areas of work.



Life changes

YouthLaw's Senior Solicitor, **Jennifer Walsh**, was married in March this year. We wish Jen and Brendan all the best for the future.



During the October school holidays we got together with staff and their children to farewell **Mira Taitz**.



Our staff and board have been working together on the revision of our strategic plan, to be finalised next year.



Despite the rain, four of our staff, Kenton, Kuru, Naushyn and Karen, along with a superb support team, took part in Oxfam trailwalker this year, completing 50km in 13 hours 10 minutes.

