

BOOK REVIEW**YOUTH JUSTICE IN AOTEAROA NEW ZEALAND: LAW,
POLICY AND CRITIQUE**

BY ALISON CLELAND AND KHYLEE QUINCE,
LEXISNEXIS 2014, PAPERBACK AND E-BOOK, RRP \$99.00

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The subtitle of the book, “law, policy and critique”, sums up one of the principal features of the work which sets it apart from previous publications. The authors have managed the very difficult feat of not merely discussing a substantial and sometimes complex area of law but have skilfully and consistently woven into their text an account of previous and existing policy responses to youth justice issues and a consistent strand of scholarly critique of both law and policy. Other works have concentrated on one or other aspects of the issue; it is the bringing together of the different strands which gives this book a particular value and importance. The discussion and critique is based on a thorough understanding and articulation of Māori perspectives on youth justice, although other cultures are discussed to a more limited extent.

Chapter 7, which discusses conviction orders and the sentencing of young people, is simply the best discussion I have seen of how young offenders are dealt with in practice. The use of decided cases illustrates and illuminates the discussion of legal principles and rules. It should be required reading for all students and practitioners in the field.

A second highlight of the work is the very strong discussion of the actual dynamics of family group conferences. It is a repeated and important point made by the authors that, in many cases, family group conferences reveal a lack of family and whanau support for some young offenders; something which other discussions in the literature have largely failed to record. There is also a very good discussion of the problems of cross-cultural communication which may lead to a failure to achieve good outcomes. The authors also sum up in excellent fashion the controversies about the degree to which the Children, Young Persons and Their Families Act 1989, and the family group conference procedure created by that legislation, really reflect Māori custom and practice.

The book is not without flaws - some of which may be more due to the publisher than the authors. It is, for example, annoying to find a discussion of the role of police diversion being truncated with a footnote that the issues are discussed further in part 4.1.5, only to find there is no part 4.1.5. The discussion of bail for young offenders omits, for reasons which are not

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obvious, any reference to the Bail Act 2000. Nor is there any reference to the New Zealand Bill of Rights Act 1990 guarantees of appropriate treatment for young offenders, or of relevant issues in the Evidence Act 2006. Discussion of these matters would amplify the analysis. However, these are minor flaws which we may hope will be addressed in the future editions which this work thoroughly deserves.

Overall this is a very substantial achievement by the authors and a book which must be recommended most highly to anyone working in, or interested in, the field of youth justice.