



**New Zealand House of Representatives**  
Te Whare Māngai o Aotearoa

**Justice Committee**

Komiti Whiriwhiri Take Ture

54th Parliament

February 2025

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**Ram Raid Offending and Related Measures  
Amendment Bill**

**Report of the Attorney-General under the New  
Zealand Bill of Rights Act**

**Petition of Aaron Hendry: Don't criminalise  
our children - do not pass the Ram Raids Bill**

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## Contents

Recommendation.....	3
About the Ram Raid Offending and Related Measures Amendment Bill .....	3
Reason for recommending that the bill not be passed.....	3
New Zealand National Party view .....	3
Supporting more effective measures .....	3
Legislative implementation .....	4
Green Party of Aotearoa New Zealand view .....	4
Youth crime in New Zealand .....	4
Understanding young people who ram raid .....	4
The importance of accountability .....	5
Conclusion .....	5
Report of the Attorney-General under the New Zealand Bill of Rights Act.....	5
Petition of Aaron Hendry: Don't criminalise our children - do not pass the Ram Raids Bill ....	6
Appendix.....	7

# Ram Raid Offending and Related Measures Amendment Bill and Report of the Attorney-General under the New Zealand Bill of Rights Act

## Petition of Aaron Hendry: Don't criminalise our children - do not pass the Ram Raids Bill

### Recommendation

The Justice Committee has examined the Ram Raid Offending and Related Measures Amendment Bill and recommends that this bill not be passed.

### About the Ram Raid Offending and Related Measures Amendment Bill

The bill was introduced with the aim of reducing criminal behaviour that is predominantly carried out by children and young people. It is an omnibus bill that would amend the following legislation:

- Crimes Act 1961—to add new section 231B to specifically criminalise ram-raiding
- Criminal Investigations (Bodily Samples) Act 1995—to allow the taking of bodily samples from 12- and 13-year-olds
- Oranga Tamariki Act 1989—to allow 12- and 13-year-olds to be proceeded against for the new ram raid offence in the Youth Court
- Sentencing Act 2002—to add two new aggravating factors for sentencing.

### Reason for recommending that the bill not be passed

We received a letter from the Minister in charge of the bill dated 4 February 2025, informing us of his intention to withdraw the bill. The Minister requested that the committee report the bill back to the House so that it can be discharged. In accordance with the Minister's wishes, we recommend that the bill not proceed.

### New Zealand National Party view

The National Party thanks all those who took the time to make submissions on the Ram Raid Offending and Related Measures Amendment Bill.

### Supporting more effective measures

With ram raids having dropped 60 percent last year and continuing to decrease, National supports the Government's decision to discharge this bill in favour of more targeted and effective measures to address youth offending.

The Government is focused on delivering real solutions that combine both accountability and rehabilitation. The creation of a Young Serious Offender declaration, alongside new Military-

Style Academies, will provide structure and support while helping young offenders build a future away from crime. The courts' powers are also being strengthened to address concerning behaviours like the glorification of offending on social media.

### **Legislative implementation**

The most effective elements of the original bill will be incorporated into other legislation, including the Oranga Tamariki (Responding to Serious Youth Offending) Amendment Bill. This forms part of our broader commitment to reduce serious violent crime and youth offending, ensuring safer communities across New Zealand.

This targeted approach reflects our commitment to addressing youth offending through practical, effective measures that deliver real results for New Zealand communities.

### **Green Party of Aotearoa New Zealand view**

We express our strongest condemnation and opposition of this bill. We join the call from experts, criminologists, psychologists, youth and social workers, parents, and mokopuna themselves, who continue to advocate for responses to youth offending that actually work, unlike this bill. We also agree with Te Kāhui Tika Tangata Human Rights Commission in their condemnation of this bill, and its assessment that it violates both te Tiriti o Waitangi, and international human rights conventions, including the Convention on the Rights of the Child, the Convention on the Rights of Persons with Disabilities, and the United Nations Declaration on the Rights of Indigenous Peoples.

Criminalising young people and setting them up for a lifetime of incarceration has never worked, and this bill is no different to the failed, punitive approaches of the past. This response to ram-raiding is offence-based rather than child-centred.

### **Youth crime in New Zealand**

Even though some youth offences, like ram raids, are highly visible, youth crime in New Zealand is in decline and has been for some time. There has been a significant decline in ram raids since a spike in ram raids during the COVID-19 lockdowns. This point proves that young people are more likely to offend when they do not have access to their wider support and community networks. During the lockdowns, children were not in school, not in sport, and not able to engage in community activities. In 2022, there was a peak of 899 offences. This figure almost halved to 454 the following year.

### **Understanding young people who ram raid**

Young people who have committed ram raids come from some of the most deprived communities in Aotearoa. Drivers of youth crime, including ram raids, are intergenerational poverty, trauma, mental health issues, disabilities such as Fetal Alcohol Spectrum Disorder, unsafe housing, social ostracisation, and lack of access to education.

This bill includes children aged 12 and 13 years and will bring children into a youth justice system that has been designed for children and young people who are 14 to 17 years old. This bill, and its maximum imprisonment term of 10 years, will effectively rob these young people of their adolescence, even if it is their first offence ever. The impacts of which will last them an entire lifetime. We remind the committee that putting young people into highly

concentrated areas with other young people who have offended, as happens in youth justice residences and prisons, simply allows young people to sharpen their methods of offending. Youth justice residences and prisons are non-therapeutic environments that do not promote rehabilitation.

This bill impacts a group of children whose brains are still developing. Children who are 12, 13, and 14 years old—who are addressed in this bill—are incredibly vulnerable due to the stage of development that they are in at that age. Forensic psychology makes clear that a lack of emotional regulation, impulsive decision-making, susceptibility to peer pressure and a lack of awareness around consequences of decisions are all factors when dealing with children whose brains are still developing. Our justice system should account for this reality, not punish it further. We all have regrets, we have all made decisions that we wish we hadn't, but this bill means that young people who make grave mistakes will be punished for the rest of their lives.

### **The importance of accountability**

We acknowledge people who have been victims to ram-raiding. Nobody ever deserves to be or feel unsafe. This is why ram-raiding is already an offence. Ram-raiding is already captured under the offence of Burglary. This shows that criminal penalty is not an effective deterrent to this behaviour. It is important that young people who have offended are accountable for the harm that they cause. Programmes that have been successful at both achieving accountability and reducing recidivist offending are Kotahi te Whakaaro fast-track programme, the Pride Project based in Manurewa, hapū- and iwi-led programmes that help young people to get their driver licences and do training and jobs certification, and many others.

The Ram Raid Bill was introduced as a way to win votes and to appear “tough” on youth crime. We note that it is particularly cruel to continue to be “tough” on young people who have had some of the toughest lives imaginable. They are young people who come from communities where there is widespread poverty: economic poverty, cultural poverty, and poverty of opportunity. These are children who have spent their lives being punished—regardless of whether they have been good, bad, or haven't done anything at all. Punishment will never work for these vulnerable young people, who need help to be accountable, and above all, need aroha and community to heal.

### **Conclusion**

Our young people deserve more than un-evidenced, political stunts like this bill. This bill undermines the international reputation that New Zealand has for its innovative approach to youth justice. Youth Court and Family Group Conferencing are effective, evidence-based methods of reducing youth recidivism and achieving accountability.

### **Report of the Attorney-General under the New Zealand Bill of Rights Act**

On 23 August 2023, the Attorney-General presented a report on the bill to the House under section 7 of the New Zealand Bill of Rights Act 1990 (NZBORA) and Standing Order 269. When a provision in a bill appears to be inconsistent with any of the rights and freedoms

contained in NZBORA, section 7 and Standing Order 269(1) require the Attorney-General to bring the provision to the attention of the House of Representatives.

The Attorney-General concluded that the bill was inconsistent with three of the rights affirmed by NZBORA:

- creating a new pathway by which 12- and 13-year-olds could be subject to criminal proceedings in the Youth Court in respect of first-time offending would be inconsistent with the right of a child to be dealt with in a manner that takes account of their age (section 25(i) of NZBORA)
- consequential amendments to enable court-ordered taking of bodily samples from 12- and 13-year-olds would be inconsistent with the right to be secure against unreasonable search or seizure (section 21 of NZBORA)
- creating new aggravating factors relating to posting offending online would be inconsistent with the right to freedom of expression (section 14 of NZBORA).

### **Petition of Aaron Hendry: Don't criminalise our children - do not pass the Ram Raids Bill**

We considered the petition of Aaron Hendry alongside the bill.

The petitioner is concerned that the Ram Raid Offending and Related Measures Amendment Bill is not supported by the evidence and raises serious human rights issues. He considers that it also fails to adequately respond to the underlying reasons tamariki and rangatahi come into conflict with the law. Mr Hendry asks that the bill be withdrawn, and that cross-party work be done on reforming the justice system sustainably to depoliticise the debate.

We consider that our recommendation that the bill not be passed meets the petitioner's substantive request.

## Appendix

### Committee procedure

The Ram Raid Offending and Related Measures Amendment Bill was referred to the committee of the 53rd Parliament on 29 August 2023. The closing date for submissions was 20 October 2023. The bill was reinstated with this committee in the 54th Parliament, and we received and considered submissions from 228 interested groups and individuals. We heard oral evidence from 33 submitters.

We received advice on the bill from the Ministry of Justice. The Office of the Clerk provided advice on the bill's legislative quality. The Parliamentary Counsel Office was available to assist with legal drafting. We considered the bill alongside the Report of the Attorney-General under the New Zealand Bill of Rights Act 1990 on the Ram Raid Offending and Related Measures Amendment Bill.

The petition was referred to the Petitions Committee on 26 June 2024. It was transferred to this committee on 26 September 2024. We received a written submission from the petitioner.

### Committee members

James Meager (Chairperson)  
Hon Ginny Andersen  
Jamie Arbuckle  
Carl Bates (from 29 January 2025)  
Cameron Brewer (until 29 January 2025)  
Tākuta Ferris  
Paulo Garcia (until 29 January 2025)  
Dr Tracey McLellan  
Rima Nakhle  
Tamatha Paul (until 29 January 2025)  
Tom Rutherford (from 29 January 2025)  
Todd Stephenson  
Hon Dr Duncan Webb  
Dr Lawrence Xu-Nan (from 29 January 2025)

### Related resources

The documents that we received as advice and evidence are available on the [Parliament website](#).