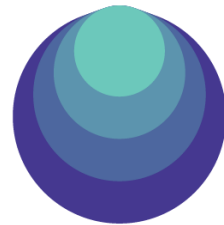


Whāriki Haumarū

A partnered approach to clearing Warrants to Arrest in New Zealand

Dr. Matthew Davies



Behavioural
Science
Aotearoa



The context

- In New Zealand, or Aotearoa, we work within a unique context.
- Māori are the indigenous people of New Zealand who make up 16.7% of the population.
- There is an overrepresentation of Māori in the criminal justice system.

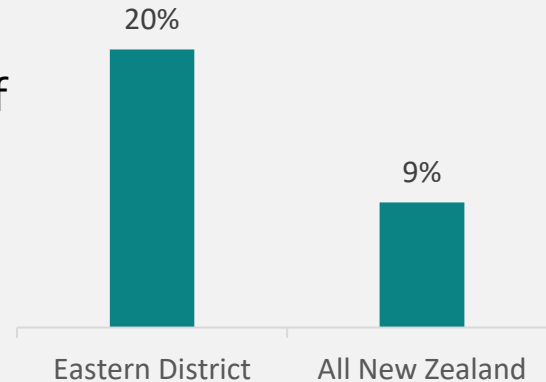


The challenge

- Every time someone fails to appear at court, a Warrant to Arrest (WTA) is issued.
- Eastern District Police spend between 1,500 and 2,500 hours a year dealing with WTA.
- Defendants with a WTA are more likely to be arrested, experience stress and anxiety, and risk reduction of benefit payments.
- Our challenge was to encourage people to make a voluntary appearance at court.

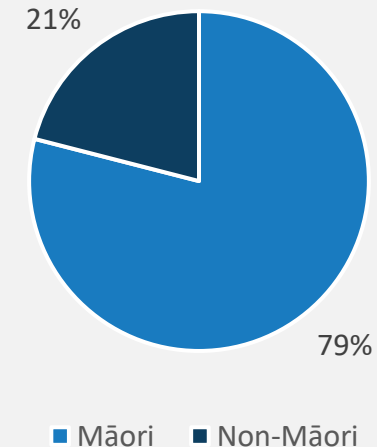
Failure to appear at court is an issue in Eastern

Eastern District has a significantly higher rate of defendants failing to attend their first appearance, compared to the national average.



Barriers to attendance disproportionately impact Māori

In 2018, 79% of people charged with failing to answer bail in Eastern District were Māori.



A solution

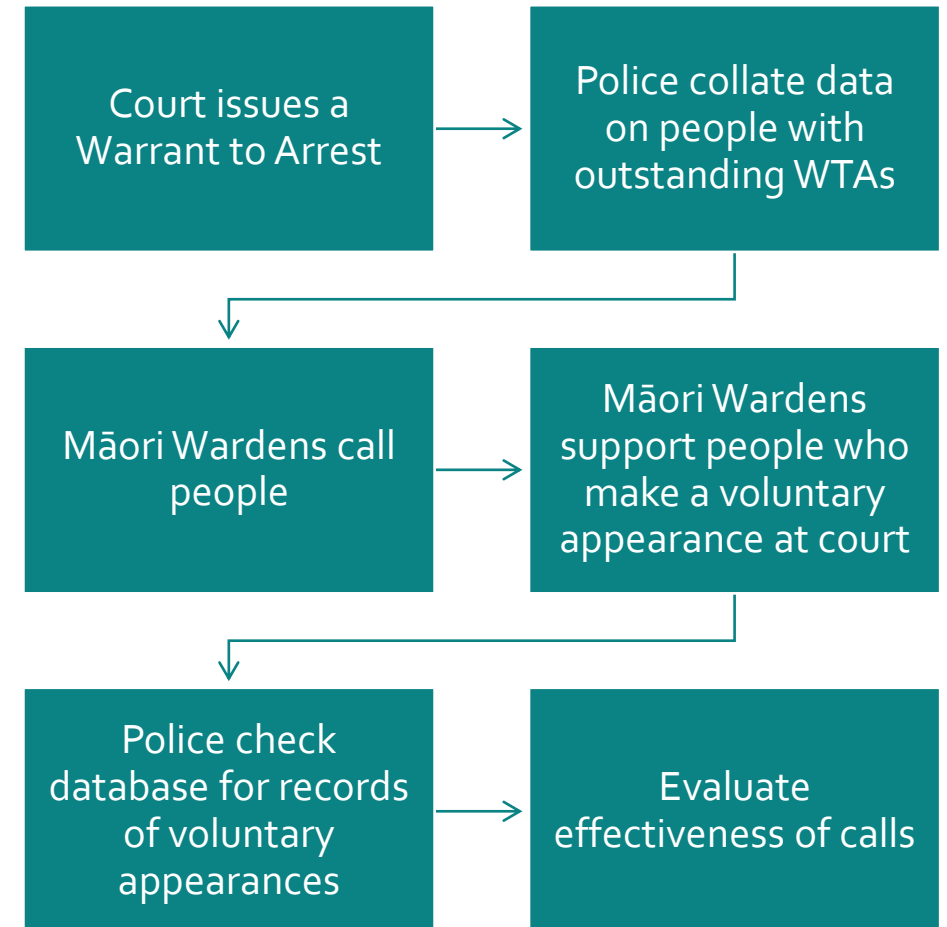
- The Eastern District Police are partnering with the Ahuriri Māori Wardens.
- Māori Wardens are not police, but they have legal responsibilities under the Māori Community Development Act 1962.
- The strength of Māori Wardens is their intimate knowledge of, and close connection to their local communities.
- The Police recognised the potential for Wardens to build trust with defendants and encourage them to make voluntary appearances at court.



Zita and Josie, Māori Wardens

The intervention

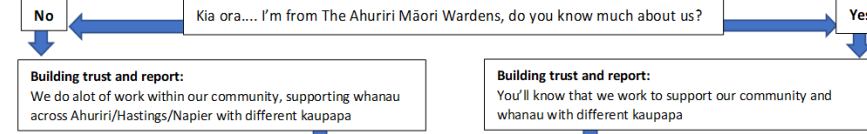
- Two Māori Wardens are based at Maraenui Police station for one day a week. They make phone-calls to people with WTAs
- Using a behaviourally-informed script based on Māori principles, the wardens encourage defendants to go to court to clear their warrants.
- As part of their usual role, the same Wardens also attend court two days a week.
- The wardens support people at court if they voluntarily appear.



TO NOTE: This script contains the participant information sheet (under “Gaining consent to help [...]”).

If the correct person answers the phone...

WHANAUNGATANGA



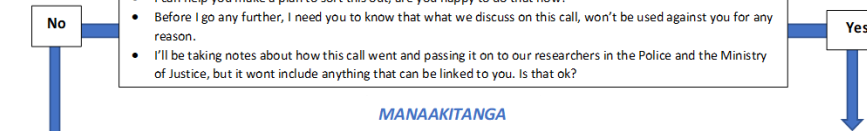
I've been with the wardens for xyz years. I've lived in the rohe for xyz years

PONO

Give reason for call:
At the moment we're helping people to get their arrest warrants cleared, are you aware that you have a warrant?
(add a line about what a WTA is and why they have it? Is this only for failing to appear WTA?)

Gaining consent to help and record data:

- I can help you make a plan to sort this out, are you happy to do that now?
- Before I go any further, I need you to know that what we discuss on this call, won't be used against you for any reason.
- I'll be taking notes about how this call went and passing it on to our researchers in the Police and the Ministry of Justice, but it wont include anything that can be linked to you. Is that ok?



MANAAKITANGA

Make a plan: *take notes so you can repeat plan back at the end of the kōrero*

- Great, all you need to do to clear the warrant is go to the front counter of the.... Court.
You let the staff know that you're there to make a voluntary appearance and they'll help you set a new date for you to attend Court.
- They will put a note on your file and advise the police so they won't keep looking for you (unless you re-offend)

Why should they do this:

- *(name)* it's really important that you go and do this, until you do, the Police will be looking to arrest you and if you're receiving any kind of government assistance, this will/could be stopped until you clear your warrant. While you have the WTA, they can go to any of your whānau or work to try and find you. If you make the voluntary appearance, you can get on with your life without that stress on yourself or our whānau

How:

- It's easy to sort this out, as I mentioned you just go to the front counter at the court and tell them you're there to make a voluntary appearance.

When:

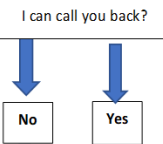
- When's the earliest you can do this?
- How will you get there? – *may need info on public transport*
- Is there anything else you need to plan for so you can get to Court at that time?
may need info on Court times

Confirm:

- Ka pai *(name)* your plan sounds great, you'll be going to *_(Court)* on *_(day)* at *_(time)* to make a voluntary appearance.
- You're going to *_drive/catch the bus/get a ride* and speak to the Court staff about a new date and the WTA will be cleared. Have you got a pen to write this information down somewhere?
- Court staff will let the Police know that you've done this, so unless you re-offend, they won't try and arrest you and you can move on from this point.
- How does that all sound to you *(name)*
- I can call you back on the *(date following voluntary appearance)* and see how it went if you like?
(record answer and mark in diary/planner)

Check consent again:

- Just to confirm, what we have discussed on this call will not be used against you for any reason. I have been taking notes about how this call went and will pass it on to our researchers in the Police and the Ministry of Justice, but it won't include anything that can be linked to you. Is that ok?



Call back at agreed time

Fill out record sheet

Provide to Police

End call as you see fit - Fill out record sheet – Provide to Police

Reminder messages

Messenger effects

Fast-and-Frugal trees

Procedural Justice

Implementation intentions



Whanaungatanga (building relationships)

- Introductions
- Sharing generally personal information, builds rapport and trust
- Explaining who the Māori Wardens are

Pono (integrity and transparency)

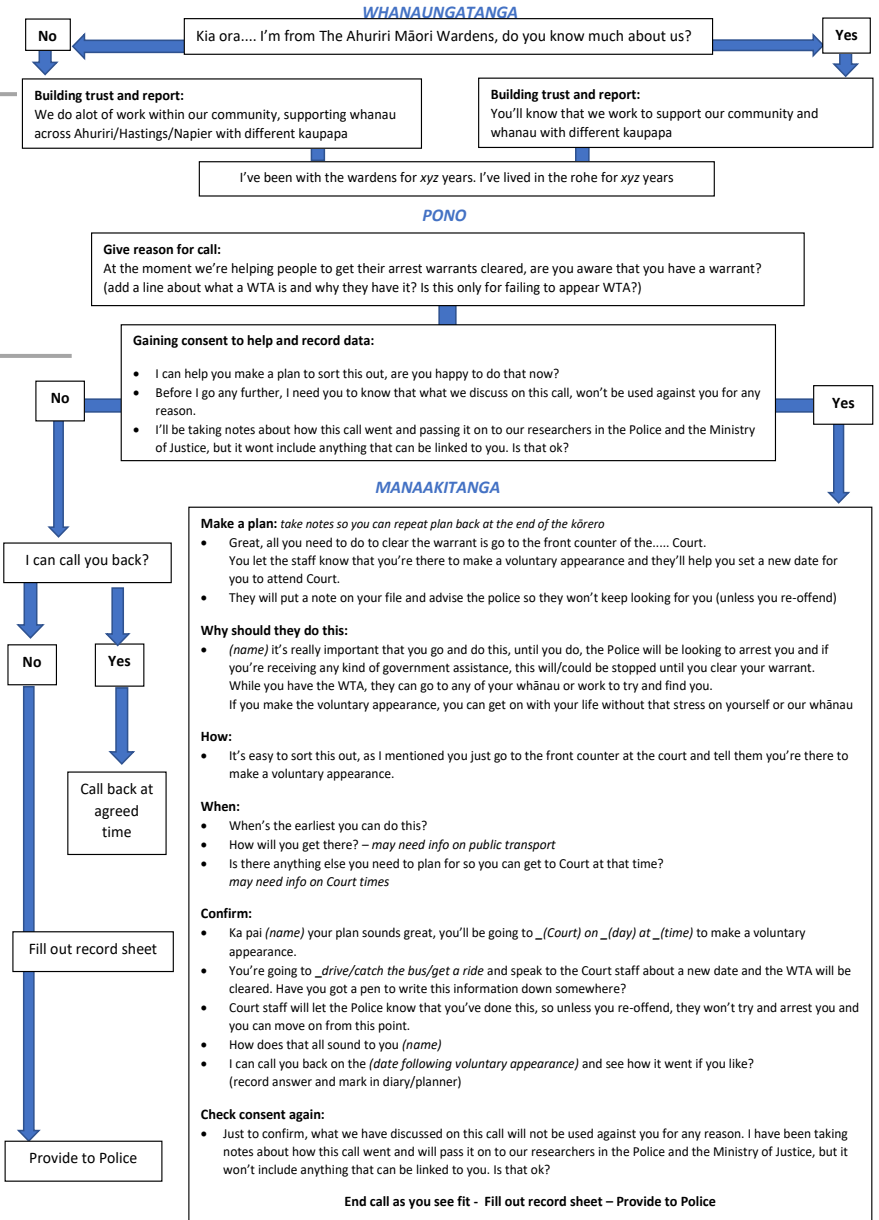
- Consent to record data
- Maintaining integrity

Manaakitanga (providing support)

- Expressing manaakitanga and awhi
- Make a plan to get to court
- Why go to court?
- What to do at court
- Getting agreement

TO NOTE: This script contains the participant information sheet (under "Gaining consent to help [...]").

If the correct person answers the phone...



Evaluation approach

- Quasi-experimental design based on ability to contact.

Outcome measure:

Did the defendant
make a voluntary
appearance?

Comparison groups:

Defendants who were
successfully contacted

Defendants who could
not be contacted

Qualitative data:

Experiences of people
contacted

Feedback from court
staff

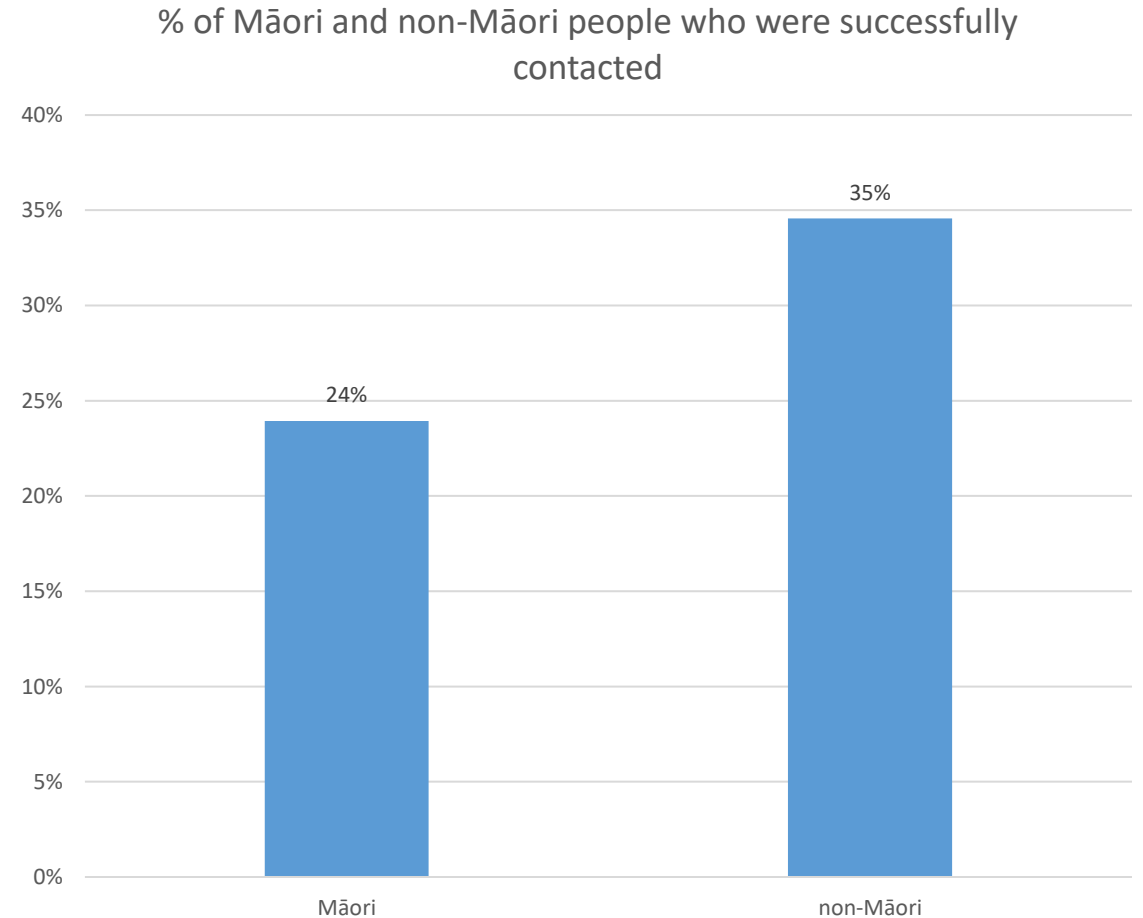
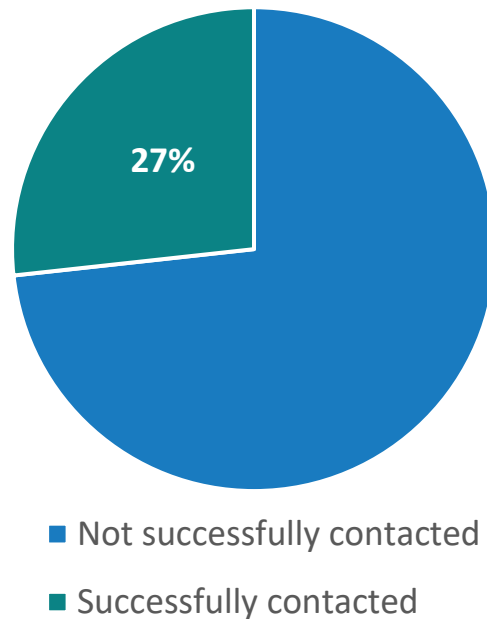


Results

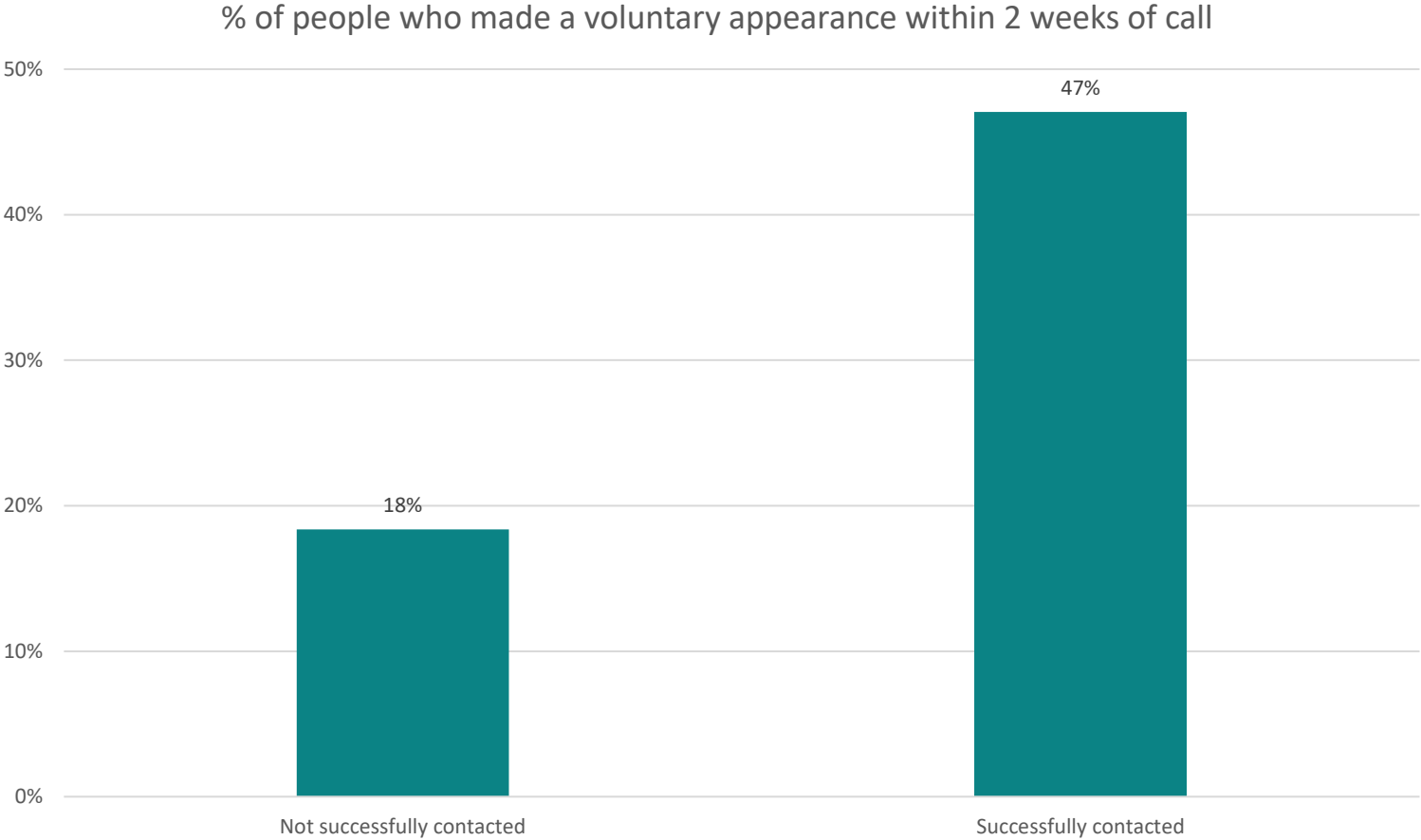


The wardens successfully contacted over a quarter of the sample

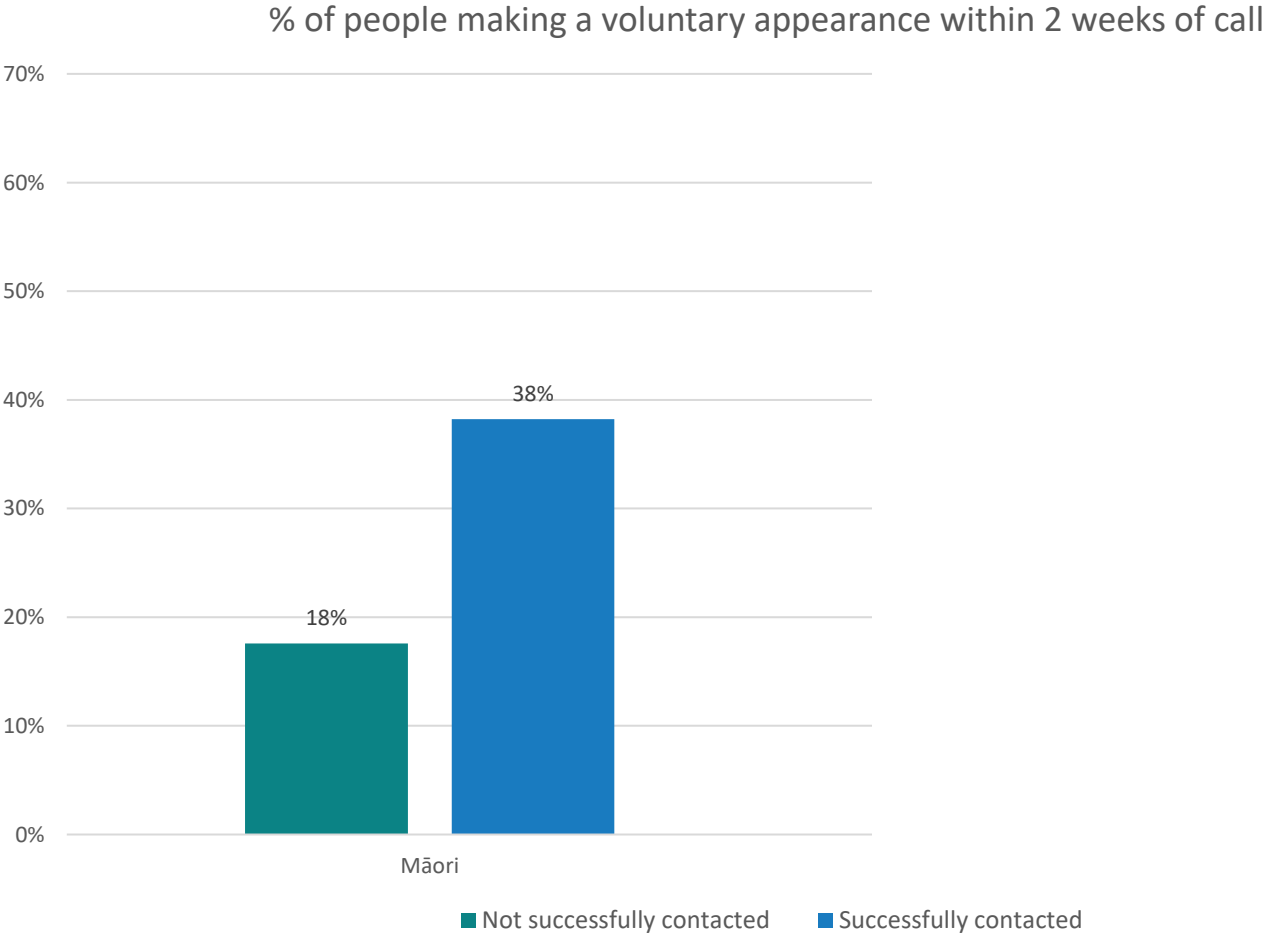
The wardens attempted to call 374 people and successfully contacted 27% (100 people).



People who were successfully contacted were significantly more likely to make a voluntary appearance



Calls increased voluntary appearances for Māori and non-Māori but differed in effectiveness



"One of the clients that I was able to contact last week made a voluntary appearance yesterday at our Napier Courts. She was so afraid that she would get arrested. We awhi-ed her, Zita took her to see a Duty Solicitor and when she came out she could not thank us enough and commented that she appreciated [the wardens] helping our people."

- Māori Warden



Conclusion



Lessons

- It's possible to engage with some of the hardest-to-reach communities using the right messengers and messages.
- Principles from behavioural science and Te Ao Māori can be interwoven.
- We have more promising evidence that nudges can help to increase court attendance.
- But we need more research, infusing the best of Western and Kaupapa Māori research methodologies.



Further research opportunities



Moment

- e.g. contacting prior to initial failure to appear?



Messenger

- e.g. Police vs wardens?



Method

- e.g. text messages vs phone calls?



Acknowledgements

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