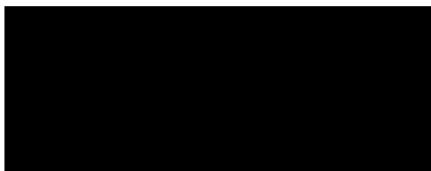




18 JAN 2018



Dear 

Thank you for your email dated 4 December 2017, to the Ministry of Education (the Ministry) requesting information relating to prosecutions for school truancy. Specifically, you have asked:

- *How many prosecutions for truancy were there across the country in 2015, 2016 and 2017 (to date)?*
- *How many Board of Trustees were reimbursed for truancy prosecutions in 2015, 2016 and 2017 (to date)?*
- *How much money overall was reimbursed to Boards of Trustees for truancy prosecutions?*
- *How many prosecutions for truancy (based on reimbursement costs) took place in the Waikato region?*
- *Which region had the highest number of prosecutions for truancy and which region had the least?*

Your request has been considered under the Official Information Act 1982 (the Act).

The primary responsibility for making sure children go to school every day sits with parents - and in the majority of cases parents successfully achieve that. Schools are also responsible for taking all the steps they can to ensure students are engaged and actively involved.

In most instances, the policies and processes that schools have in place to follow up on non-attendance incidents will be enough to identify and address the main underlying causes. In some cases, non-attendance will be a symptom of more fundamental, school-level issues, such as school alienation, bullying or poor achievement. Schools are expected to address these issues through the appropriate pastoral channels, rather than through prosecution of parents.

Prosecution, or even the possibility of it, is one way of emphasising to parents their legal responsibility with regard to their child's attendance. It can also help to gain the support of parents in returning a student to regular attendance. However, prosecuting parents should be a last resort. Only when the non-attendance is ongoing and persistent, appears to be condoned by a parent, and when all previous interventions to support a return to school have been unsuccessful should a prosecution be considered.

The Ministry manages two types of prosecutions. These are '*Non-attendance prosecutions*' and '*Non-enrolment prosecutions*'.

OIA 1095468

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*Non-attendance prosecutions* are considered when students have been absent for a consecutive number of days and all other options for re-engagement have failed. These are usually led by schools with the Ministry in a supporting role. I wish to note that the Ministry can lead this type of prosecution, but schools are in a better position to provide evidence as they will have attendance records and any past interventions.

*Non-enrolment prosecutions* are considered when students have failed to enrol in schools between 6-16 years of age. If students are not enrolled in school, it falls to the Ministry to take responsibility for these students and ensure that they are enrolled in school.

We have interpreted your request as relating to non-attendance prosecutions. Our role in non-attendance prosecutions is to provide schools with guidance on how to carry out prosecutions and, in some instances, provide reimbursement for legal costs incurred by the school. A Board is not obligated to let the Ministry know it has carried out a prosecution unless it requires reimbursement, in which case, schools report this to the Ministry in order to receive reimbursement.

My responses to your particular questions are set out below:

***How many prosecutions for truancy were there across the country in 2015, 2016 and 2017 (to date)?***

I am refusing this part of your request under section 18(g) of the Act as the requested information is not held by the Ministry. As indicated above, Boards of Trustees are not required to inform the Ministry when they carry out a non-attendance prosecution. They may, however, report this to us in order to receive reimbursement for the legal costs associated with undertaking a prosecution.

My responses to the following parts of your request are based on applications for reimbursement of legal costs for non-attendance prosecutions received by the Ministry in the requested period.

***How many Board of Trustees were reimbursed for truancy prosecutions in 2015, 2016 and 2017 (to date)?***

The table below outlines the number of non-attendance prosecutions the Ministry has reimbursed from 2015 – 2017 (up to and including 18 December 2017):

<b>Non-attendance prosecutions</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>
<b>Number of Boards reimbursed</b>	4	7	1 (as of 18/12/17)

***How much money overall was reimbursed to Boards of Trustees for truancy prosecutions?***

To align with the other parts of your request, we have interpreted this part of the request as referring to the overall amount of money reimbursed to Board of Trustees for truancy prosecutions between 2015 and 2017.

Non-attendance prosecutions	2015	2016	2017
Amount reimbursed	\$5,286.80	\$8,407.81	\$4,797.97 (as of 18/12/17)
Grand Total			\$18,492.58

***How many prosecutions for truancy (based on reimbursement costs) took place in the Waikato region?***

Two non-attendance prosecutions (based on reimbursement costs to Board Trustees) took place in the Waikato region in 2015. The Ministry has not reimbursed any Board of Trustees in the Waikato region for truancy prosecution costs in 2016 or 2017 (up to 18 December 2017).

***Which region had the highest number of prosecutions for truancy and which region had the least?***

Non-attendance Prosecutions	2015	2016	2017
Highest	Waikato (2) Otago (2)	Taranaki (6)	Hawkes Bay (1)
Lowest	n/a	Whanganui (1)	
Total	4	7	1

I trust the information provided is of assistance. If you have further questions please feel free to contact our media team in the first instance at [media@education.govt.nz](mailto:media@education.govt.nz). If you are still dissatisfied with my response, you have the right to ask an Ombudsman to review it.

You can do this by writing to [info@ombudsman.parliament.nz](mailto:info@ombudsman.parliament.nz) or Office of the Ombudsman, PO Box 10152, Wellington 6143.

Yours sincerely



Susan Howan  
Acting Deputy Secretary  
Sector Enablement and Support