



A guide to completing an application to be considered to be an approved group to receive diversion donations

2009-2010

What is the Police Adult Diversion Scheme?

What is diversion?

Diversion is a scheme that allows for some offenders who have been charged to be dealt with in an 'out of Court' way. If the offender completes agreed conditions, the Prosecutor can seek to have the charge withdrawn and a conviction will not be recorded.

The purposes of diversion are to:

- address eligible offenders in a proactive way
- balance the needs of victims, the offender and their communities
- give offenders an opportunity to avoid a conviction
- reduce re-offending.

The Police Prosecution Service is responsible for the Police Diversion Policy as well as administering and operating the diversion scheme.

How do conditions get set?

Diversion interviews and the conditions agreed aim to provide:

- reparation to the victim and/or community
- rehabilitation for the offender

At a diversion interview the offender will be advised the aim of diversion and a discussion will occur about what conditions might be agreed between the diversion officer and the offender. These conditions might include any one or a combination of the following:

- a letter of apology to the victim
- reparation
- counselling or attending programmes
- service to the community
- restorative justice through an approved provider
- a donation to an approved group.

What happens when the conditions are completed?

All conditions must be completed before the next court date and evidence provided to the Police Prosecution Service. Completion of the agreed conditions, to the satisfaction of the Police, will result in the Court Registrar being advised that the prosecution seeks the leave of the court to withdraw the charge due to Police diversion being completed. This authority is given under section 36(1A) Summary Proceedings Act 1957.

Donations to be provided to approved organisations only

A review of diversion resulted in some administrative processes being created around which organisations should benefit from diversion donations. The Police Executive agreed that donations should be targeted at organisations that contributed to the strategic goals of crime and crash reduction. From 1 January 2008, of the 2007-08 financial year, approved groups have received diversion donations through this process.

Targeting donations made through diversion at strategic goals of crime and crash reduction will help build and maintain confidence in the diversion process that donations are contributing to the scheme's overall goals of rehabilitation and reparation.

What are the strategic goals?

The New Zealand Police's document "Policing with Confidence, the New Zealand Way: Strategic Plan to 2010" <http://www.police.govt.nz/resources/2006/strategic-plan-to-2010/> and the Police's Statement of Intent 2008/2009 <http://www.police.govt.nz/resources/2008/statement-of-intent/statement-of-intent-2008.pdf> provide guidance on the Police's vision of Safer Communities together and our mission:

"To be a world class Police service working in partnership with citizens and communities to prevent crime and road trauma, enhance public safety and maintain law and order."

The keys to achieving a reduction in crime and road trauma include:

- Focusing on **drugs and alcohol** - reducing the abuse of drugs and alcohol is likely to reduce crime and road trauma.
- Preventing **violence in the home and street**, including sexual violence - violence, in all its forms, creates victims now and often impacts negatively on the future of people exposed to violence.
- Positively influencing **children and young people** - positive interventions can minimise "at risk" behaviour of young people and their likelihood of being involved with the criminal justice process.
- Reducing offending by **Māori and victimisation** - reducing the disproportionate levels of Māori offending and of victimisation can improve all aspects of the lives of people affected.
- Targeting **organised crime** - reducing organised crime lowers the major threat that exists to society and to vulnerable individuals and groups. Organised crime is carried out mainly to make money, and activities typically involved, such as drug manufacture and sales, kidnapping, people smuggling and fraud, impose major costs on all New Zealanders.

- **Changing behaviour on our roads** - improvements in this can further reduce deaths, hospitalisations and injury, together with other associated trauma¹.

These are the areas Police are seeking from applicants to enable Police to assess the organisation/group's contribution to crime and crash reduction at a local level.

How many organisations will be able to be approved groups for donations?

Each district will consider applications received from organisations that provide services or programmes within their district. The district will choose, up to a maximum number, the organisations that will be approved groups to receive diversion donations in their district between 1 July 2009 and 30 June 2010. Some organisations may be national bodies represented in several districts lists.

The Police Executive has approved two umbrella organisations to be approved groups in all Police districts because of the recognised contribution they make to crime and crash reduction goals. These organisations are:

- All Victim Support local groups <http://www.victimsupport.org.nz/contactus.asp>
- All Women's Refuges under the umbrella of National Collective of Independent Women's Refuges Inc
<http://www.womensrefuge.org.nz/index.cfm?objectid=0CFAF639-1321-AE99691F2ED6D75A919D>

¹ Further information on priority areas for addressing crash reduction can be found in the Road Policing Strategy to 2010 (link <http://www.landtransport.govt.nz/strategy-2010/>).

Application process

Approved groups will be approved to receive donations from 1 July 2009 until 30 June 2010. A further round of applications will commence in approximately April 2010 to consider which organisations will be approved groups for the 2010/2011 financial year.

Why apply?

Only groups that apply using the attached application form will be considered by Police in determining who will be the approved groups to receive diversion donations for the relevant period of time. No groups outside the approved groups will receive diversion donations.

Who can apply?

Any not-for-profit organisation who believes that they contribute to the Police's crime and crash reduction goals (outlined above) can apply to be considered by Police to be an approved group to receive diversion donations for the relevant period of time.

Education and childcare providers, hospitals, and sports groups are not considered to contribute to the goals directly.

Local groups that have a national body which they are administered by are encouraged to communicate with the national body. This is to ensure that there is only one relevant application put forth for the organisation within each district.

What does our organisation's application need to cover?

All applications by national organisations must indicate which Police districts <http://www.police.govt.nz/district/> their organisation wishes to be considered to be an approved group to receive diversion donations by detailing services and programmes offered to victims and/or offenders in different locations.

An original copy of the application **plus two copies for each district** the application relates to must be provided. This ensures administrative efficiency in providing applications copies to the District Prosecution Manager and District Commander (or their delegate) for their consideration. Two additional copies of any supporting material (e.g. pamphlets, annual reports) must also be provided for each district the application relates to.

It is important that as much information about your organisation is provided to enable it to be thoroughly considered by the local Prosecution Manager and District Commander against the criteria of the goals of crime and crash reduction.

The organisation should also outline what they would use the money for, if they were to obtain approval to receive diversion donations.

What are the criteria?

Organisations must be able to demonstrate how they contribute to achieving the strategic goals of crime and crash reduction at a local level. The key areas to be able to address are:

- Drug and alcohol reduction
- Prevention of violence in the home and street, including sexual violence Positively influencing children and young people who demonstrate "at risk behaviour"
- Reducing offending by Māori
- Reducing victimisation
- Reducing organised crime
- Changing behaviour on our roads

How do I apply?

An organisation must apply on the attached application form. All questions in the form must be completed. Failure to complete the form correctly or adequately may mean that it does not receive the appropriate consideration by the panel.

Completed application forms & supporting documentation (original plus 2 copies, for each District you are applying for) must be sent to:

Diversion Approved Groups
Police Prosecution Service
Police National Headquarters
DX SX11149
PO Box 3017
WELLINGTON

All applications must be received by the close of business on **Friday 1st May 2009**. No late applications will be considered.

There is no cost to apply.

What happens to our organisation's application after I send it in?

After the closing date all applications that have been received at Police National Headquarters will be forwarded to the District Prosecution Manager(s) for that Police district and the District Commander (or their representative) for the District <http://www.police.govt.nz/district/>

The District Prosecution Manager and District Commander will meet and consider which groups they consider best meet the criteria and provide the best services and/or programmes within their district based on the material supplied in the file, local knowledge, or information obtained through further inquiries. The decisions of the district will then be forwarded to Police National Headquarters for checking and confirmation to ensure there is consistency in the way the criteria are applied across districts.

How will I know if the application was successful?

All organisations that make an application will receive a decision in the mail regarding the outcome of their application. The decisions are final; however, unsuccessful groups will be able to seek feedback in writing about reasons why their application was not successful that may assist with future applications.

Approved groups will then be asked for further information about setting up a local arrangement for offenders to make diversion donation payments.

If my organisation filed an application for 08/09, will I need to apply for 09/10?

All groups that applied in 2008/09 will need to complete the application form for 2009/10.

Copies of the 2008/09 applications have been retained by the Police Prosecution Service and a copy can be sent to you if this will assist you in completing your application for 2009/10.

Will my application be kept?

The application forms for organisations that are delegated as approved groups will be retained on file for the duration that they are approved groups. All unsuccessful applications will be destroyed once decisions have been made and communicated to the contacts for the organisations.

Approved groups will be notified when fresh applications are being called for 2010/11.

Information for approved groups

If our group is an approved group, how will offenders make donations?

Successful organisations will be invited to provide further information about how they wish to receive donation money from offenders so that the local diversion process regarding donations can be listed for Police staff.

Police staff must not handle cash in relation to diversion donation money. Therefore, the donation organisation will be asked to provide the local District Prosecution Manager with a bank deposit form for their organisation. This form can be copied and held by diversion officers to provide to offenders who will make donations through a bank and provide the diversion officer with the completed deposit butt. The option of last resort is for a bank cheque (made out to the approved group) to be provided to the diversion officer for forwarding to the approved group.

Can approved groups be guaranteed a certain amount of money?

No. While diversion donations are a regularly used condition of diversion, there is no certainty on the amount of money as the amount of the donation made varies based on the offence type and the offender's circumstances.

Diversion donation money should not be factored in to your budget for the year and renewal of your status as an approved group for donations is not guaranteed for the next year. Diversion donations should be seen as an added bonus to existing funding streams that can be used for special projects.

Can approved groups advertise that they are a police approved group?

Approved groups must not advertise that they are Police approved. The approval for the group is only to the extent that the group can receive donations for their group to assist with programme or service delivery that is considered to contribute to Police's goals in the district.

Will Police provide details of our approved group status publicly?

There is a requirement that all applicants accept and agree that Police can publish, or announce publicly, the names of the groups approved for each District. This is an important part to the process to ensure openness and transparency in the approval process.

Can approved groups apply every year?

Yes, there is no bar to applying in most circumstances. Each year new applications will be considered afresh and considered on their merits.

Delegation as an approved group does not automatically mean that the group will be approved the next year. Another application must be made for consideration.

What if, after being approved, the organisation ceases to exist or there are significant changes in what is offered?

Organisations will be expected to notify the District Prosecution Manager if certain information about their organisation changes.

Police reserve the right to remove any approved group from the list of approved groups for the relevant period if:

- Police become aware that the organisation has ceased to exist; or
- there are significant changes in what programmes or services the organisation now offers; or
- there are reasons to believe the donations are being misappropriated.

Police will notify the group ahead of taking this action.

How do I get updates?

Any organisation that wishes to be notified about the new round of applications for 2010/11 can provide the name of the organisation and contact details to prosecutions@police.govt.nz.

All contact will be done through e-mail prior to the launching of new information in the first quarter of the 2010 calendar year.



**Application form for consideration to be an approved group
to receive diversion donations for 2009/10**

Please complete all sections either electronically or using legible handwriting

1. Name of organisation: _____

2. (a) Mailing address for organisation:

_____ Postcode: _____

(b) Website where information about the organisation, including its services and programmes can be located:

www. _____

3. Names and contact details of two people who are familiar with the information in this application that we can talk to if we want to seek further information.

(i) First name _____
Surname _____
Daytime phone _____
E-mail _____

(ii) First name _____
Surname _____
Daytime phone _____
E-mail _____

4. Please provide information about the legal status of your organisation

5. Which Police Districts does your application seek to be considered for? (must provide services and/or programmes in each district the application relates to):

Northland	<input type="checkbox"/>	Waitemata	<input type="checkbox"/>	Auckland City	<input type="checkbox"/>
Counties-Manukau	<input type="checkbox"/>	Waikato	<input type="checkbox"/>	Bay of Plenty	<input type="checkbox"/>
Central	<input type="checkbox"/>	Eastern	<input type="checkbox"/>	Wellington	<input type="checkbox"/>
Tasman	<input type="checkbox"/>	Canterbury	<input type="checkbox"/>	Southern	<input type="checkbox"/>

6. For each district your application relates to, please detail where each of your services and/or programmes are provided (e.g. Bay of Plenty District, programmes in Rotorua and Tauranga)

Information about your organisation

7. Which of the following (tick one or more) describes the Police's strategic goals of crime and crash reduction that you consider your organisation contributes to.

- | | |
|--|--|
| Drug and alcohol reduction | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| Prevention of violence in the home and street, including sexual violence | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| Positively influencing children and young people who demonstrate "at risk behaviour" | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| Reducing offending by Māori | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| Reducing victimisation | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| Reducing organised crime | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| Changing behaviour on our roads | Yes <input type="checkbox"/> No <input type="checkbox"/> |

NOTE For each "Yes" answer, please provide information on another sheet of paper about how your organisation makes a positive contribution to each of these goals. This information should include details of:

- any services to offenders and/or victims that your organisation provides
- any programmes or counselling that your organisation provides to offenders and/or victims.

8. Was your organisation an approved group in any of the districts in 2008/09? Yes No
 If yes, please provide details of which district and what money was used for within the district on a separate page attached to the application.

Current funding situation

9. Are you a "not for profit"² organisation? Yes No
10. Are you a charity registered under the Charities Act 2005? Yes No
11. Do you receive any government funding? Yes No
 If yes, please advise who from and how much per annum.

² The Inland Revenue Department defines a non-profit organisation as "any society, association or organisation that: is not carried on for the profit or gain of any member and has rules that do not allow money, property or any other benefits to be distributed to any of its members."

12. Do you receive funding from any other sources? Yes No
If yes, please advise who from and how much per annum.

13. If your organisation was to be successful and approved to receive diversion donations, please provide information about what the donation money would be spent on (use a separate sheet if required)

Please note that if your organisation is approved to receive diversion donations, Police will require a copy of a pre-printed bank deposit slip for the account you wish the money to be deposited in for each District. Police Diversion Officers do not handle cash in relation to diversion donation money.

Before completing this application please ensure that you have provided:

- contact details for two organisation representatives
- details of services and/or counselling you provide to offenders and/or victims towards Police's strategic goals.
- details about what you would propose to use the money for, if your organisation was an approved group
- an original copy and two copies of the application and any supporting material *for each district* that your organisation seeks to be considered for.
- copy of a bank deposit slip for your organisation (to receive donations if you are approved).

