



1. What do you know and what is your understanding of restorative justice and restorative practices in New Zealand?

Restorative justice is an effective method of holding offenders to account, and repairing the harm caused for victims and the community.

Restorative justice conferences are informal, facilitated, face-to-face meetings between victims and offenders, where they can discuss the crime and the harm caused.

Offenders can hear how the crime affected the victim, and victims can receive answers, apologies, and reparation to help them move on.

The Ministry of Justice provides restorative justice services, run by community-based groups. Maori

providers are also available in many areas. These are voluntary for participants.

2. What is your current view on restorative justice and restorative practices in New Zealand?

We believe that restorative justice plays an important part in giving victims of crime more support and a stronger voice.

A 2016 Victim Satisfaction Survey found that the majority of victims who participated in restorative justice benefitted from the process, and the 81 per cent said they would be likely to recommend to others in a similar situation.

Tackling family violence is a key priority for this National-led Government, and restorative justice is particularly effective in reducing the devastating impact that family violence has on victims.

Recent data also shows that restorative justice can help reduce reoffending by 15 per cent.

3. Do you have any ideas on how you would like to see restorative justice and restorative practices move forward in New Zealand?

This Government is committed to improving our justice services and further reducing the impact of crime on New Zealanders.

We want to make restorative justice services more available to those who want it. And we're seeing a growing demand for these services.

We've increased funding for restorative justice providers by \$16.2 million in 2016, and proceeds from our Offender Levy continue to go towards grants for these services.

Restorative justice is also a part of our system-wide approach to tackling family violence.

4. What is your party going to do to reduce the prison population?

The National-led Government is committed to reducing reoffending. Not only because it means fewer victims of crime, but also because we believe offenders can make use of the opportunities they are given and make positive changes in their lives.

We've reduced the rate of reoffending by 5% since 2011, and the total number of reoffenders by 26%. This means, in the last 12 months, there were 802 fewer reoffenders and 3,208 fewer victims of crime.

We have an ambitious programme of work to increase the number of offenders in rehabilitation and

reintegration programmes, and to reduce re-offending even further.

Our focus is to create lasting change by breaking the cycle of re-offending. We know we can keep making a difference in the lives of offenders, their families, and the New Zealand public.

In 2015/16, a total of \$176 million was invested in services to rehabilitate and reintegrate offenders to reduce rates of re-offending.

And Budget 2017 will see \$81.8 million in funding for Community Corrections and prisoner rehabilitation - including \$51.6 million to better manage offenders serving sentences and orders in the community.

Corrections also has a number of initiatives in place aimed at reducing re-offending among Māori, from recruitment and staff training, to its programmes and facilities.



1. What do you know and what is your understanding of restorative justice and restorative practices in New Zealand?

I understand restorative justice to be the process by which perpetrators and victims of a crime voluntarily seek to reconcile with a view to helping the victim come to terms with the harm, including emotional harm, inflicted on them, and the perpetrator understanding the true consequences of their actions, in order to assist their correction and rehabilitation.

2. What is your current view on restorative justice and restorative practices in New Zealand?

I support efforts at restorative justice. There must be on the basis that the victim and offender agree to participate, and the offender must have a capacity for empathy. Some victims will take time before they are ready to confront an offender, and some victims won't be up for it at all. The criminal justice system needs to try to accommodate restorative justice processes, but for

victims who take a long time to be ready to engage with an offender, criminal justice timeframes may not suit.

3. Do you have any ideas on how you would like to see restorative justice and restorative practices move forward in New Zealand?

I don't have specific proposals on how to progress restorative justice. In the end, it must be driven by victims. At the very least, it must be universally available.

4. What is your party going to do to reduce the prison population?

Seriously addressing preventative measures (reducing inequality and poverty, reducing homelessness, resourcing our education system to pick up learning difficulties as early as possible, creating good learning environments including culturally relevant environments). For those in the system already, investing in measures to address underlying health problems, including addictions and other mental health issues, and other deficits such as literacy, numeracy and work skills.

Andrew Little MP



1. What do you know and what is your understanding of restorative justice and restorative practices in New Zealand?

Restorative justice works by helping offenders to understand the consequences of their crimes and the impact on the victims. As a face to face meeting, it gives victims more say in the process and encourages offenders to apologise personally and consider how they might start to put right the harm they have caused.

2. What is your current view on restorative justice and restorative practices in New Zealand?

A key principle of our policy is greater focus on mediation, restorative justice, solutions-based approaches, and community-based justice. Aotearoa New Zealand has one of the highest rates of imprisonment per capita in the world, and a high rate of recidivism, showing a strong correlation between rates of imprisonment and re-offending. At the same time as failing offenders, the current system does not meet the

needs of victims. The Green Party believes that restorative justice offers a way forward.

3. Do you have any ideas on how you would like to see restorative justice and restorative practices move forward in New Zealand?

- The Green Party will:
- Increase funding and support for restorative justice approaches in a variety of cultural and geographical settings and throughout the justice system, sentencing and prisons.
- Fund victim support services to pay for victims to attend restorative justice processes.
- Monitor outcomes to ensure restorative justice is working for all.
- Extend a solutions-focused approaches such as the Youth Drug Courts to other areas of the justice system.

4. What is your party going to do to reduce the prison population?

The Green Party will reduce the dependence on prisons and make greater use of alternative sentencing options. Community-based sentences have a significant impact on lowering re-imprisonment and re-conviction rates.

We will:

- Increase the options available to judges in criminal cases

- Impose a moratorium on new prison construction except for replacement purposes
- Oppose prison privatisation
- Develop habilitation centres
- Extend police diversion schemes
- Establish integrated service approaches to monitoring rehabilitation of offenders and the support of victims
- Ensure sentencing guidelines recognise life circumstances including the diagnosis of mental illness and disability
- Invest in rehabilitation of existing inmates with a focus on recognition and acceptance of responsibility, counselling, education and conflict resolution



1. What do you know and what is your understanding of restorative justice and restorative practices in New Zealand?

Our understanding of restorative justice is an approach that personalises the crime by having the victims and the offenders mediate a restitution agreement and one that also involves the community.

In terms of New Zealand, there are many examples of restorative justice and restorative practices, however we don't believe they are pervasive or as widely used enough in our current justice system.

2. What is your current view on restorative justice and restorative practices in New Zealand?

The Māori Party supports restorative justice as an approach and the opportunity for the victims to take an active role in the process while at the same time allowing the offenders to take some responsibility for their wrongdoing and the offence against the

individual or community. We want to repeal legislation that disproportionately impacts Māori to reduce the targeted criminalisation of Māori and introduce restorative measures that ensure mana ōrite is upheld.

3. Do you have any ideas on how you would like to see restorative justice and restorative practices move forward in New Zealand?

The Māori Party wants to reduce the rate of Māori over-imprisonment by 30% by 2027 through implementing, prioritising and expanding restorative justice strategies through a kaupapa Māori lens. We also want to increase funding and resources to support Marae-based youth court and restorative justice programmes, including iwi panels in line with evaluation recommendations, and advance community led restorative justice approaches to crime.

4. What is your party going to do to reduce the prison population?

Our Justice Policy follows:

TE ŌRITETANGA | Justice

The Māori Party will:

§ **Dismantle** institutional racism within the Justice System as a matter of urgent priority

§ **Place a moratorium** on the building of new prisons and expand the provision of Whare Oranga Ake and Māori Focus Units in existing prisons

- § **Reduce** the rate of Māori over-imprisonment by 30% by 2027 through implementing, prioritising and expanding restorative justice strategies through a kaupapa Māori lens
- § **Reduce** the prison muster by 25% by 2025 through the reform of sentencing laws
 - § **Provide** racial bias training for all those who work in the criminal justice system
 - § **Establish** an independent group to oversee Māori strategy in accordance with Te Tiriti o Waitangi
 - § **Support** other culturally relevant approaches to prison and crime rates that address violence in all its forms, reoffending and recidivism and create a community-led fund for initiatives that focus on prevention of social harm
- § **Review** protocols around police use of pepper spray, guns and tasers

Legislative changes

- § **Repeal** legislation that disproportionately impacts Māori to reduce the targeted criminalisation of Māori and introduce restorative measures that ensure mana ōrite is upheld
- § **Establish** an *Anti-Corruption Commission* to absorb the investigative functions of state sector agencies
- § **Disestablish** the Independent Police Conduct Authority and transfer its functions to the Anti-Corruption Commission

- § **Repeal** the *Bail Amendment Act 2013* to reduce the level of Māori imprisonment
- § **Repeal** the *Sentencing and Parole Reform Act 2010* three strikes legislation
- § **Repeal** the *Electoral (Disqualification of Sentenced Prisoners) Amendment Act* to ensure every person in Aotearoa is able to exercise their democratic right to vote
- § **Repeal** the Three Strikes Legislation, Sentencing and Parole, and Victims Rights Acts
- § **Remove** criminal penalties for the possession and personal use of certain illicit drugs
- § **Review** sentencing laws to restrict prison to an option of last resort
- § Family Violence
- § **Increase** funding for abuse survivors to immediately access specialist services, treatment and support
- § **Provide** lifelong, free access to therapeutic based support for victims and their families
- § **Establish** 120 new navigator positions under this kaupapa to extend *Tu Pono: Te Mana Kaha o Te Whānau* the Whānau Ora Facilitator approach that enables whānau to eliminate violence from within their lives
- § **Educate** children and young people about what child abuse and domestic violence is and how to protect themselves
- § **Address** the urgent need for a greater investment by government in whānau restoration programmes that address sexual violence and 'whole of whanau'

initiatives to ensure the active participation and engagement of all whānau members.

- § **Increase** facilities and resources for families to help those at risk free themselves from sexual violence
- § **Invest** in frontline services such as Women's Refuges throughout Aotearoa to enable them to address the huge numbers of police callouts, to restore safety and wellbeing while still maintaining zero tolerance for violence
- § **Enable** sustainable funding for specialist services to continue to provide information, first response and long-term support and treatment for those affected by sexual violence
- § **Advocate** for a much greater commitment from ACC into responding to the deep impacts of sexual and domestic violence.
- § **Introduce** a direct resourcing pathway that expands E Tū Whānau and the Pasifika Proud campaigns
- § **Extend** the reach and access of Facilitators in the Family Court to support whānau navigating their way through the Family Court system
- § **Continue** to support the *Achieving Intergenerational Change* strategy introduced by former Co-Leader, Hon Tariana Turia.

Access to Justice

- § **Review** funding of Community Law Centres to enable community legal services to be sustainable and to improve access to legal information, expertise and knowledge

§ **Introduce** Whānau Facilitators to ensure whānau are informed and able to discuss all their choices and the consequences (legal and non-legal) in the family court system

§ **Require** Whānau Facilitators work closely with iwi and hapū within the Whānau Ora Commissioning Agencies

§ **Empower** communities to reduce social harm and criminalisation by introducing a suite of housing and hauora policies and initiatives that support community led, whānau centred approaches

§ **Adapt** and **expand** specialist courts to align with evidence – mental health, homelessness, AODT

§ **Increase** funding and resources to support Marae-based youth court and restorative justice programmes, including iwi panels in line with evaluation recommendations

Advance community led restorative justice approaches to crime

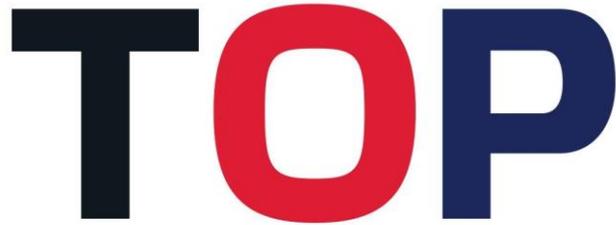
§ **Re-direct** investment to community justice approaches to criminal justice

§ **Support** sustainable funding of Community Law Centres to improve access to legal information, expertise and knowledge and extend these services to a further six regions

§ **Expand** iwi panels, Kooti Rangatahi, Kooti Whānau, Matariki Courts across New Zealand and increase the

numbers of specialist courts including the AOD Courts, following an evaluation of the current trials underway in the Drug and Alcohol Treatment courts in Auckland

- § **Establish Kōwhiri Māori** that encourages kaupapa based approaches to dealing with whenua and whānau
- § **Develop** a community-centred approach to criminal justice and introduce a strategy to reinvest putea in community and criminal justice initiatives and approaches
- § **Introduce** therapeutic-based treatment and courts that invest in long-term reintegration and rehabilitation post-release
- § **Provide** more funding and resources to support Marae based youth court and restorative justice programmes



The Opportunities Party

1. What do you know and what is your understanding of restorative justice and restorative practices in New Zealand?

Restorative justice is the ability for offender and victim to come together in a safe space outside the criminal justice system and resolve their issues.

In deciding to make restorative justice part of The Opportunity Party's (TOP's) criminal justice policy we looked at the New Zealand evidence collected by the Ministry of Justice (the victim satisfaction survey and the encouraging data on lower reoffending rates after participating in restorative justice) and at the international research. Here is what we found:

Restorative Justice has an important place in The Opportunity Party's criminal justice policy. Part of what has been driving criminal justice since at least 2000 is anti-elitism. Traditionally criminal justice was the

providence of judges, public servants and other experts. Restorative justice can be thought of as a state-provided space where citizens meet each other, in this case, offenders and victims, to heal their relationship. The state provides the space but what happens there is up to the participants. In this sense it is anti-elitist but not, as criminal justice has recently tended to be, punitive and tyrannical.

2. What is your current view on restorative justice and restorative practices in New Zealand?

Restorative Justice can get better outcomes at a lower cost than locking people in prison. The only problem is that it needs better funding to ensure there are the staff and resources for restorative justice processes when they are wanted. We want to save money by locking less people in prison and then invest more in parts of the criminal justice system that are working. Restorative justice is one such part.

TOP's Criminal Justice Policy (www.top.org.nz/top13) states that we commit to:

Properly fund Restorative Justice and expand its presence in the criminal justice system over the next 10 years.

3. Do you have any ideas on how you would like to see restorative justice and restorative practices move forward in New Zealand?

TOP would increase the funding for restorative justice over the next 10 years. Our view is that in this matter the main role of government is to deliver the legislative framework for restorative justice practice, which we understand is in place, and to provide sufficient and reliable funding over time. These are the best conditions for the restorative justice community to develop restorative justice practice in New Zealand.

At the moment restorative justice is almost entirely used at the pre-sentencing stage of the court's process. We would explore ways in which restorative justice's presence in the criminal justice system could be expanded and what could be done to facilitate that (e.g. building the workforce).

4. What is your party going to do to reduce the prison population?

A key goal of TOP's criminal justice policy is to reduce the prison population to 6,000 by 2027. It is now a bit over 10,000, and growing. 6,000 prisoners in 2027 would mean that New Zealand would be at around the current OECD average for prisoners as a proportion of the general population. We think that being average sets the New Zealand government a realistic goal.

Broadly, we would reduce the prison population by dialing back punitive legislation (successive Governments have tightened bail conditions, lengthened custodial sentences and made parole harder to get) and investing in more and better offender

rehabilitation and reintegration. In the first instance we would invest in restorative justice, Drug courts and raising the Youth Court age to 20 because these actions all have good evidence behind them. Then we would invest in innovative practices and roll out what works.

At the same time we recognize that the main drivers of crime are social and economic and our other policies address what the evidence suggests are two drivers of crime: economic deprivation and high economic inequality.

The answer to your question is basically our full criminal justice policy. It can be read online at www.top.org.nz/top13



Restorative justice is a very important part of building a healthy community, and an integral step to creating a better understanding of the effects and causes of criminal activity.

My understanding is that it gives people who plead guilty to a crime the opportunity to attempt to connect with victims and make up for the damage they may have caused.

When dealing with the notion of crime and criminals the stereotypical "bad guy" often portrayed in media and news outlets very quickly comes to the vast majority of people's minds, but it is rarely the reality.

Criminal activity is not as black and white as 'bad guys and good guys', there are many situations that could cause even the most moral of humans to break the law in varying degrees.

In this respect Restorative Justice puts a name to our criminals, it gives them a face and a history, it helps us to realise that humans are fallible by nature, and gives us an opportunity to connect, forgive and move on.

Understandably this is not something that will work in all cases, people are capable of some very heinous acts, and sometimes dealing with such an individual may only increase the damage.

Moving forward as a society we need to focus on the issues that breed criminals; poverty, discrimination and mental illness. Restorative justice in the future I view will be rare, and replaced with a similar system based on helping to restore youth who are heading down the road to a life of crime, effectively stopping criminals before they start. Prevention is far more effective than punishment.

The Aotearoa Legalise Cannabis Party is one of the few parties with a guaranteed way to cut the prison population down. We stand for a massive overhaul of current cannabis laws, keeping individual users and small time growers out of the criminal system, but if legislated effectively the job creation would also help to keep a few families away from having to commit crime to survive.

Taking the sale of cannabis away from the black market also will help to keep otherwise honest people from dealing with and being associated with other criminal

activity, helping to stop normalisation by association and furthering them from temptation or manipulation.

To truly advance society we need to look at what doesn't work and change it, incarceration works some of the time, and the fear of it can too, but it is far from the most effective way to stop or reduce crime, programs like restorative justice and law reform are small steps before the big leap we need to make towards a more productive and harmonious society.



Restorative justice is when an offender is required to face up to the consequences of their actions and make restitution. It often includes a face to face meeting with victims and allows victims to verbalise the impact that the crime had on them.

For restorative justice to be effective both the victim and the offender must be willing to meet, and have any contact. I know that in some cases restorative justice meetings have been successful for both parties. Unfortunately we are facing a different type of offender now who shows little or no remorse and whose attitude to victims can be abusive and blaming without taking any personal responsibility.

We have recently put out our justice policy which I will attach for you. In a nutshell, we would like to prevent people getting involved in crime, to start with, by resourcing learning institutions to better engage with

kinesthetic learners. Schools are the most effective government institution in regards to reducing crime.

For those engaged in crime we are proposing a 3 stage sentencing program where offenders must complete a course of work before moving into an educational phase. They must complete their specified educational outcomes before progressing into an open prison environment. Setting specified stages makes the prisoner responsible for their own outcomes. If they don't engage, they don't move forward.

A prisoners earnings while in prison would be used to offset costs associated with their accommodation.

We would like to see juvenile offenders sentenced to an education as well as set up youth farms where they will be responsible for their own accommodation and gardens while learning horticultural and agricultural skills.

The biggest way we can reduce the prison population, long term, is with relationship education in schools. Teaching young people how to build, develop and maintain healthy relationships will do more to reduce prison population than any in-prison program.

If you would like to look at the Conservative Parties full Justice Policy then please click on the link:
<https://drive.google.com/a/rja.org.nz/file/d/0B85iP53cJjvRXlnMGYwRjQtQ1U/view?usp=sharing>

Democrats for social credit

1. What do you know and what is your understanding of restorative justice and restorative practices in New Zealand?

The NZ Democrats for Social Credit Party understands that a person who has pleaded or been found guilty can, before sentence is passed, seek permission of the judge to participate in the restorative justice process. That the process is contracted to suitable local agencies. A pre-conference meeting with the facilitator takes place where the parameters of the proposed conference are discussed fully with the offender. The ensuing conference itself is attended by the offender, the victim, families and supporters.

2. What is your current view on restorative justice and restorative practices in New Zealand?

We believe the process has been proven to have value but only if all parties become committed to the final decisions agreed to. Monitoring is essential.

3. Do you have any ideas on how you would like to see restorative justice and restorative practices move forward in New Zealand?

We are not aware of any changes that could effect better outcomes. We say however, that it is a good faith process with all parties needing to be committed to the agreed plan post conference. Appropriate resources must be available for monitoring the outcomes for as long as the rehabilitation takes or until it fails and other consequences are required.

4. What is your party going to do to reduce the prison population?

NZ Democrats for Social Credit Party's Law and Order policy focuses on personal responsibility, and the inclusion of ethics and civics education in the NZ curriculum, with an assurance that resources will be available to enact law and order policies and needs. We will continue to support the efforts of voluntary and welfare agencies working with law enforcement authorities to find workable ways to rehabilitate offenders who have properly served their sentences or who are serving community based sentences. We see law and order as an economic, social, educational and moral problem rather than a legal one.