

KEYNOTE SPEECH

THE RESTORATIVE PRACTICES INTERNATIONAL CONFERENCE

HELD IN TASMANIA ON 24 MARCH 2015

THEME: “BUILDING RESTORATIVE COMMUNITIES”

NEW ZEALAND STORY OF THE DEVELOPMENT OF RESTORATIVE PRACTICES

(LOOKING BACK TO LOOK FORWARD)

MIHI.

WHAT I HAVE JUST SAID IN MAORI I NEED TO TRANSLATE OUT OF RESPECT FOR OUR AUSTRALIAN HOSTS. I HAVE ACKNOWLEDGED THIS BEAUTIFUL BUILDING. I ACKNOWLEDGE THE SACRED LAND ON WHICH IT IS BASED AND WHICH NUTURES AND SUPPORTS US ALL. I HAVE ACKNOWLEDGED ALL OF OUR DEAD WHO ARE WITH US ALWAYS IN OUR HEARTS AND IN OUR MINDS AND PAID MY RESPECTS TO THEM AND THEN TURNED TO MATTERS OF THE LIVING.

I GREET THE LOCAL PEOPLE HERE, THE SENIOR OLDER PEOPLE WHOM WE RESPECT AND ALL OF YOU DISTINGUISHED LADIES AND GENTLEMEN WHO HAVE COME TO DISCUSS THESE IMPORTANT MATTERS.

I DO NOT KNOW THE LANGUAGE FOR THIS BUT I REMEMBER ONCE HEARING A ABORIGINAL SPEAKER AT AN AUSTRALIAN CONFERENCE TALKING ABOUT THOSE WHO HAD PASSED ON AND HE SAID THAT IN SOME PLACES HE COULD FEEL THOSE ANCESTORS OF HIS “LOVING HIM UP”, WHICH I THOUGHT WAS A LOVELY WAY OF EXPRESSING APPRECIATION AND RESPECT FOR THOSE WHO HAVE GONE BEFORE.

THANK YOU FOR THE OPPORTUNITY OF SPEAKING THIS MORNING ABOUT RESTORATIVE PRACTICES IN NEW ZEALAND. WHEN I STARTED PUTTING A FEW THOUGHTS TOGETHER I FELL INTO A PROFOUND SLEEP AND WOKE AN HOUR OR SO LATER FEELING A GREAT DEAL BETTER. I DO HOPE THAT YOU WILL HAVE THE SAME EXPERIENCE TODAY SO I URGE YOU TO GET INTO A COMFORTABLE POSITION, RELAX, TAKE YOUR SHOES OFF, GET YOUR CHEWING GUM INTO A SAFE POSITION AND SO FORTH.

IT ONLY MADE SENSE TO ME TO TALK ABOUT WHAT HAS HAPPENED IN NEW ZEALAND AND WHAT IS HAPPENING AT THE PRESENT TIME IF I THINK OF THE SUB-HEADING “LOOKING BACK TO LOOK FORWARD” AND THAT WILL BE THE CENTRAL THEME OF WHAT I AM ABOUT TO SAY.

THERE IS ONE OTHER CAVEAT WHICH I SHOULD ENTER AT THE START. THIS IS ABOUT RESTORATIVE PRACTICES NOT JUST RESTORATIVE JUSTICE, ALTHOUGH OF COURSE THE NEW ZEALAND STORY STARTS WITH RESTORATIVE JUSTICE.

THERE HAVE BEEN A NUMBER OF ATTEMPTS TO WRITE THE HISTORY OF THE DEVELOPMENT OF RESTORATIVE JUSTICE AND RESTORATIVE PRACTICES GENERALLY IN NEW ZEALAND AND ALL OF THEM ARE VERY DIFFERENT AND I HAVE SOME TIMES WONDERED WHY THAT IS THE CASE. I CANNOT READ A HISTORY OF FOR EXAMPLE THE YOUTH JUSTICE RESTORATIVE JUSTICE JOURNEY WITHOUT FINDING MYSELF IN DISAGREEMENT WITH SOME OF THE HISTORICAL ASSERTIONS. AND SOME OF YOU WILL HAVE SIMILAR EXPERIENCES. THERE ARE A NUMBER OF GOOD PHD THESES NOW AND SOME VERY GOOD BOOKS RECOUNTING THE ORIGINS OF THIS REMARKABLE WAY OF WORKING AND ALL OF THEM HAVE THE HISTORY WHICH IS OFTEN STATED SLIGHTLY DIFFERENTLY FROM ONES OWN EXPERIENCE.

I THINK THE ANSWER IS AN UNDERSTANDABLE ONE AND IT IS TO BE FOUND IN THAT OLD SAYING “SUCCESS HAS MANY PARENTS – FAILURE IS AN ORPHAN”.

THE FACT IS THAT THERE ARE GREAT MANY THREADS WHICH HAVE BEEN WOVEN INTO THIS STORY OF THE ADVANCE OF RESTORATIVE PRACTICES AND MANY OF THESE THREADS HAVE BEEN PARTS OF THE PERSONAL JOURNIES OF SOME PEOPLE HERE AND SOMETIMES THE THREADS OF THE VARIOUS JOURNIES HAVE NOT CONNECTED ALL THAT WELL.

AND ALTHOUGH WE ARE ON THE BRINK OF THE OTHER HUGE ADVANCES IN THIS AREA IN NEW ZEALAND ANOTHER SUB TITLE WHICH WOULD HAVE BEEN A GOOD HEADING FOR THIS SPEECH WOULD BE “STILL A PATCHWORK – NOT YET A QUILT”.

I MEAN BY THAT, THAT THERE ARE A GREAT MANY INITIATIVES, A GREAT DEAL OF PROGRESS HAS BEEN MADE, A GREAT MANY EXCITING THINGS ARE HAPPENING BUT THEY ARE YET TO WOVEN INTO A SINGLE STORY AND IN THAT SENSE WE ARE ALL STILL PIONEERS OF THIS WAY OF WORKING WE ARE THE GUARDIANS OF IT AND WE ARE AT THE BEGINNING OF IT AND WE HAVE STILL MUCH TO DO.

IT IS WITH GREAT PLEASURE THAT I CAN RECORD THAT AT THIS CONFERENCE THERE IS NO NEED FOR ME TO START BY EXPLAINING WHAT I MEAN. NORMALLY IN SUCH AN ADDRESS I WOULD BEGIN BY DEFINING RESTORATIVE PRACTICES AND TRY AND ANALYSE SOME OF THE THREADS ACROSS THAT.

IT IS ENOUGH TO SAY THAT RESTORATIVE PRACTICES GENERALLY REPRESENT A GROWING SOCIAL MOVEMENT TO INSTITUTIONALISE INCLUSIVE, PEACEFUL APPROACHES TO HARM, PROBLEM SOLVING AND VIOLATIONS OF LEGAL AND HUMAN RIGHTS BUILDING ON PRINCIPLES WHICH ARE NOW WELL KNOWN TO YOU.

THE PRINCIPLES OF RESTORATIVE PRACTICES, WHICH ARE UNIVERSAL, CAN BE BRIEFLY ENCAPULATED AS BEING RESPECT, INCLUSIVENESS, RESPONSIBILITY AND UNDERSTANDING.

THE NEW ZEALAND STORY MUST BEGIN WITH A DISCUSSION OF RESTORATIVE JUSTICE AND THE PROGRESS THAT HAS BEEN MADE FITTING THAT INTO AND AROUND THE EXISTING CRIMINAL JUSTICE SYSTEM.

IT IS IMPORTANT TO EMPHASISE AT THE OUTSET THAT RESTORATIVE JUSTICE IS A PRACTICE WHICH SITS COMFORTABLY IN THE NEW ZEALAND CONTEXT. ITS PRINCIPLES AND METHODOLOGIES FIND THEIR ROOTS IN MOST CULTURES AROUND THE GLOBE. THE JEWISH COMMUNITY IS FAMILIAR WITH RESTORATIVE JUSTICE PRACTICES AND THE WORK OF OUR FRIEND PROFESSOR HOWARD ZEHR EXPLAINS ITS RICH HERITAGE. PROFESSOR BRAITHWAITE, THE EMINENT AUSTRALIAN CRIMINOLOGIST, HAS STATED THAT RESTORATIVE JUSTICE "HAS BEEN THE DOMINANT MODEL OF CRIMINAL JUSTICE THROUGHOUT MOST OF HUMAN HISTORY FOR ALL THE WORLD'S PEOPLES."

IN NEW ZEALAND, MĀORI CUSTOMS AND TRADITIONS ARE CLOSELY ALIGNED WITH RESTORATIVE JUSTICE, AND THEY INCLUDE VALUES SUCH AS "RECONCILIATION, RECIPROCITY, AND WHĀNAU (FAMILY) INVOLVEMENT". PRIOR TO EUROPEAN CONTACT, MĀORI HAD A WELL-DEVELOPED SYSTEM OF CUSTOM AND PRACTICE THAT ENSURED THE STABILITY OF THEIR COMMUNITIES, ONE WHICH HAD A GREAT DEAL IN COMMON WITH THE RESTORATIVE PHILOSOPHY.

IN THIS RESPECT, ASPECTS OF RESTORATIVE JUSTICE ARE REGARDED IN MY COUNTRY AS BEING YET ANOTHER GIFT OF THE MĀORI CULTURE TO BE TREASURED ACCORDINGLY.

ANOTHER IMPORTANT POINT ABOUT THE NEW ZEALAND EXPERIENCE NEEDS TO BE NOTED. IN NEW ZEALAND THE INITIATIVE AND ENERGY FOR RESTORATIVE JUSTICE HAS COME FROM THE COMMUNITY: MAORI AND PACIFIC ISLANDS GENERALLY AND THE CHRISTIAN COMMUNITIES ARE GOOD EXAMPLES: IT HAS NOT BEEN IMPOSED TOP DOWN! THAT IS A

GREAT STRENGTH! OUR HEROES CONTINUE TO BE THE PEOPLE WHO DO AND SUPPORT THIS WORK – NOT THE POLITICIANS AND THE POLICY MAKERS WHO, OF COURSE, PLAY THEIR PART. AND MANY OF OUR HEROES ARE HERE TODAY WITH EXTRAORDINARY EXPERIENCE, ENERGY, SKILL AND SENSITIVITY – I SALUTE YOU ALL!

THE LEGISLATIVE SHIFT TOWARDS RESTORATIVE JUSTICE PRACTICES CAME IN 1989 WITH THE ENACTMENT OF THE CHILDREN YOUNG PERSONS AND THEIR FAMILIES ACT 1989. THE 1989 ACT WAS THE FIRST LEGISLATIVE STEP TOWARDS A SYSTEM OF RESTORATIVE JUSTICE PROCESSES. PRIOR TO 1989 A RANGE OF FACTORS DOMINATING THE YOUTH JUSTICE SYSTEM WERE CAUSING CONCERN AND LED TO CALLS FOR LEGISLATIVE CHANGE. DR GABRIELLE MAXWELL EXPLAINS THAT THESE CONCERNS INCLUDED:

“CONCERN FOR CHILDREN’S RIGHTS; NEW APPROACHES TO EFFECTIVE FAMILY THERAPY; RESEARCH DEMONSTRATING THE NEGATIVE IMPACT OF INSTITUTIONALISM ON CHILDREN; THE FAILURE OF THE CRIMINAL JUSTICE SYSTEM TO TAKE ACCOUNT OF ISSUES FOR VICTIMS; EXPERIMENTATION WITH NEW MODELS OF SERVICE PROVISION AND APPROACHES TO YOUTH OFFENDING IN THE COURTS; AND CONCERNS RAISED BY MĀORI ABOUT THE INJUSTICES THAT HAD BEEN INVOLVED IN THE REMOVAL OF CHILDREN FROM THEIR FAMILIES”.

PRIOR TO 1989 THE YOUTH COURT HAD, IN FACT, LAUNCHED ITS OWN INITIATIVES WHICH, ALTHOUGH THEN NOT FORMALLY DESIGNED AS RESTORATIVE JUSTICE PROGRAMMES, WERE CONSISTENT WITH THE PRINCIPLES OF THIS APPROACH. THEY WERE INCLUSIVE OF

VICTIMS, FAMILY AND THE COMMUNITY AND DREW THEIR INSPIRATION FROM EARLY EXPERIMENTS IN FAMILY DECISION MAKING.

I BECAME INVOLVED IN THESE INITIATIVES THROUGH THE FIRST PRINCIPAL YOUTH COURT JUDGE M. BROWN, WHO IS NOT WELL SADLY BUT WHO SENDS GOOD WISHES, AND WHO ENCOURAGED ME TO UNDERTAKE A PILOT IN THE MID-1980S IN PORIRUA, NEAR WELLINGTON. THE PILOT WAS AN EARLY EXAMPLE OF THE FAMILY GROUP CONFERENCE SYSTEM, WHICH WAS SUBSEQUENTLY EMBEDDED IN THE CHILDREN, YOUNG PERSONS AND THEIR FAMILIES ACT 1989.

JUDGE BROWN'S EFFORTS AT THIS TIME WERE CRITICAL TO THE SUCCESS OF THESE INITIATIVES. HE EMPHASISED THE IMPORTANCE OF IDENTIFYING COMMUNITY LEADERS AND THINKING ABOUT HOW WE COULD ENGAGE AND ENABLE THEM TO BECOME A CENTRAL PART OF THIS PROCESS. HE SAID TO ME "WHO IS 'THE COMMUNITY'? WHO ARE ITS STRENGTHS? HOW CAN THEY BE INVOLVED IN HELPING YOUNG PEOPLE?". HE REGULARLY MET WITH COMMUNITY GROUPS TO SHARE HIS KNOWLEDGE AND ENTHUSIASM FOR WHAT HE SAW AS AN INVALUABLE OPPORTUNITY IN THIS FIELD.

THE ACT INTRODUCED DETAILED PROVISIONS RELATING TO THE TREATMENT OF CHILDREN AND YOUNG PERSONS AT ALL STAGES OF THE CRIMINAL JUSTICE PROCESS, FROM INVESTIGATIONS TO ARREST, INTERVIEW, DETENTION, AND FINAL DISPOSITION IN THE YOUTH COURT AND THE ORDERS AVAILABLE IN THIS REGARD.

THE FAMILY GROUP CONFERENCE PROCESS LAY AT THE HEART OF THE YOUTH JUSTICE FRAMEWORK UNDER THE 1989 ACT. THOSE CONFERENCES ARE MANDATORY FOR VIRTUALLY ALL YOUTH OFFENDER CASES AND THE CONFERENCE ITSELF, NOT THE COURT, DETERMINES THE MANNER IN WHICH THE OFFENDING SHOULD BE ADDRESSED. FULL DECISION MAKING POWER IS THEREFORE DEVOLVED TO THE COMMUNITY IN WHICH THE OFFENDING TOOK PLACE. AS EXPLAINED BY HIS HONOUR JUDGE F MCELREA, THE FAMILY GROUP CONFERENCE PROCEDURE IS AS FOLLOWS:

“A TYPICAL RESTORATIVE JUSTICE CONFERENCE INVOLVES THE PRIOR ADMISSION OF RESPONSIBILITY BY THE OFFENDER, THE VOLUNTARY ATTENDANCE OF ALL PARTICIPANTS, THE ASSISTANCE OF A NEUTRAL PERSON AS FACILITATOR, THE OPPORTUNITY FOR EXPLANATIONS TO BE GIVEN, QUESTIONS ANSWERED, AND APOLOGIES GIVEN, THE DRAWING UP OF A PLAN TO ADDRESS THE WRONG DONE, AND AN AGREEMENT AS TO HOW THAT PLAN WILL BE IMPLEMENTED AND MONITORED. THE COURT IS SOMETIMES BUT NOT NECESSARILY INVOLVED”.

ALTHOUGH THE FAMILY GROUP CONFERENCE PROCESS WHICH FOUND ITS WAY INTO THE 1989 LEGISLATION IS CONSISTENT WITH THE RESTORATIVE JUSTICE PARADIGM, IT WAS NOT RECOGNISED AS SUCH UNTIL THE EARLY 1990S WHEN HOWARD ZEHR’S BOOK ENTITLED *CHANGING LENSES*, STARTLED US ALL WITH THIS NEW, POWERFUL INSIGHT. NOT FOR NOTHING HE IS DESCRIBED AS GRANDFATHER OF RESTORATIVE JUSTICE AND SEEN FOR WHAT IT WAS.

FOLLOWING THE DEVELOPMENT IN THE FIELD OF YOUTH JUSTICE, THE NEXT STEP IN NEW ZEALAND'S RESTORATIVE JUSTICE JOURNEY WAS THE DEVELOPMENT OF RESTORATIVE PROCESSES IN THE ADULT COURTS. THIS PROCESS WAS LED BY JUDGE F MCELREA WHO, IN 1994 AT A CONFERENCE OF DISTRICT COURT JUDGES, PRESENTED A PAPER PROPOSING THE USE OF THE RESTORATIVE ASPECTS OF THE FAMILY GROUP CONFERENCE MODEL IN THE ADULT SETTING. PIONEERING CONFERENCES OF THIS TYPE HAD BEEN INTRODUCED BY AUCKLANDER REV DR DOUG MANSILL, WHO IS HERE TODAY.

THE NEXT SIGNIFICANT STEP FORWARD OCCURRED WHEN THE NEW LABOUR GOVERNMENT IN NEW ZEALAND COMMITTED ITSELF TO REFORM OF SENTENCING PRACTICE AND POLICY, WHICH CULMINATED IN THE ENACTMENT OF THE SENTENCING ACT 2002, AND THE VICTIMS RIGHTS ACT 2002. THE PAROLE ACT 2002 AND, LATER, THE CORRECTIONS ACT 2004 COMPLETED THE CIRCLE OF THESE WIDE-RANGING LEGISLATIVE IMPROVEMENTS ESSENTIALLY RECOGNISING RESTORATIVE JUSTICE AND REQUIRING THAT THE RESTORATIVE JUSTICE RESULTS BE TAKEN INTO ACCOUNT WHICH WAS, TO SOME OF US, DISAPPOINTING BUT AT LEAST STATUTORY RECOGNITION. AT THAT STAGE RESTORATIVE JUSTICE IN THE ADULT SYSTEM WAS AVAILABLE AT THREE KEY STAGES:

1. AS PART OF THE POLICE OR COURT ADULT DIVERSION PROCESS;
2. FOLLOWING A GUILTY PLEA AND PRIOR TO SENTENCING; AND
3. FOLLOWING SENTENCE, AS PART OF THE PAROLE OF OFFENDERS AND AS PART OF REINTEGRATION BACK INTO THE COMMUNITY.

PART OF THAT JOURNEY CAN BE SEEN IN THE DEVELOPMENT OF POLICE-BASED ALTERNATIVE RESOLUTION PROCESSES. THE PRACTICE OF POLICE DIVERSION IS WELL-KNOWN AND HAS BEEN IN PLACE, IN ONE FORM OR ANOTHER, FOR SOME YEARS IN NEW ZEALAND.

POLICE DIVERSIONARY ACTION, NOW CONSIDERABLY ENHANCED, CAN TAKE PLACE AT ONE OF THREE STAGES: THE PRE-ARREST, PRE-CHARGE, OR THE POST-CHARGE STAGE IN PLACE OF A CONVICTION. THUS FAR, THE PRE-CHARGE WARNING INITIATIVE REVIEWED BY POLICE HAS BEEN POSITIVE, RECORDING A 9% REDUCTION IN CHARGES PROCEEDING TO COURT IN THE AUCKLAND REGION.

PART OF THE POLICE ALTERNATIVE RESOLUTIONS INITIATIVES WAS THE TRIAL OF COMMUNITY JUSTICE PANELS IN CHRISTCHURCH. THE TRIAL WAS “AN INITIATIVE WHERE OFFENDERS ARE HELD ACCOUNTABLE FOR THEIR OFFENDING BY A PANEL OF VETTED AND TRAINED COMMUNITY REPRESENTATIVES.” THIS TRIAL HAS PROVED HIGHLY SUCCESSFUL AND IS NOW OPERATING ON THE BASIS OF THREE PANELS A WEEK IN CHRISTCHURCH AND IS ABOUT TO MOVE OVER TO THE CANTERBURY UNIVERSITY CAMPUS. POLICE IN NEW ZEALAND ARE NOW POISED, FOLLOWING FURTHER FUNDING FROM THE MINISTRY OF JUSTICE, TO EXTEND THESE COMMUNITY PANELS, WHICH ARE BASED ON RESTORATIVE JUSTICE PRINCIPLES TO OTHER VULNERABLE COMMUNITIES THROUGHOUT THE COUNTRY.

AS AN ASIDE, SIMILAR COMMUNITY JUSTICE PANELS ARE ALSO USED IN THE UNITED KINGDOM.

THIS IS ALL CLEARLY PART OF MOVES TOWARDS RESTORATIVE COMMUNITIES BUT MY RESERVATION IS THAT IT TENDS TO DEAL WITH THE LESS SERIOUS OFFENDING, WHEREAS I HAVE ALWAYS BELIEVED THAT IT IS THE MORE SERIOUS OFFENDING AND IT'S CONSEQUENCES WHICH BENEFITS FROM RESTORATIVE JUSTICE. THESE PRACTICES, ALTHOUGH USEFUL, CAN GIVE THE WRONG MEANING!

AROUND THE WORLD, RESEARCH ABOUT RESTORATIVE JUSTICE AND ITS VALUE, PARTICULARLY ABOUT REDUCING REOFFENDING CONTINUED TO RAMP UP USEFULLY.

MORE RECENTLY, THE MINISTRY OF JUSTICE UNDERTOOK RESEARCH INTO THE RE-OFFENDING RATES IN 2008 AND 2009 AND INTO VICTIM SATISFACTION WITH RESTORATIVE JUSTICE. WITH RESPECT TO REOFFENDING, THE STUDY FOUND THAT OFFENDERS WHO PARTICIPATED IN RESTORATIVE JUSTICE HAD A 20% REDUCED RATE OF RE-OFFENDING TO THAT OF A SIMILAR GROUP OF OFFENDERS WHO DID NOT UNDERTAKE RESTORATIVE JUSTICE PROCESSES. THE FREQUENCY OF REOFFENDING WAS ALSO 23% LOWER. WITH RESPECT TO VICTIM SATISFACTION WITH RESTORATIVE JUSTICE, 82% WERE SATISFIED WITH THE CONFERENCE AND FOR MANY BEING ABLE TO ENGAGE WITH AN OFFENDER FACE TO FACE WAS THE BEST FEATURE OF THE CONFERENCE. SIMILAR RESULTS ARE REPORTED BY PROFESSOR LARRY SHERMAN AND HEATHER STRONG IN THE UNITED KINGDOM. THOSE FIGURES WERE HARD TO RESIST.

THE THIRD PHASE IN WHICH RESTORATIVE JUSTICE HAS BEEN APPLIED MORE RECENTLY IN NEW ZEALAND IS, AS IDENTIFIED PREVIOUSLY, AT THE POST-SENTENCE PHASE AND FOR THE MOST SERIOUS OFFENDING. I HAVE HAD THE BENEFIT OF OBSERVING AND EXPERIENCING THIS PROCESS IN MY PREVIOUS ROLE AS CHAIRMAN OF THE NEW ZEALAND PAROLE BOARD FROM 2005 TO 2012. IT WAS A UNIQUELY CHALLENGING AND ENRICHING EXPERIENCE, AND IT WAS AN EXPERIENCE WHICH REINFORCED THE IMPORTANCE OF CRITICALLY EVALUATING WHAT WE HAVE DONE WELL AND WHAT WE CAN DO BETTER – FOR OFFENDERS, VICTIMS, THEIR FAMILIES AND OUR COMMUNITIES. HOWEVER IT IS ESSENTIAL THAT THIS WORK IS ALWAYS VICTIM FOCUSED. IT PRODUCES THE MOST REMARKABLE STORIES – (GIVE EXAMPLES).

FOR SOME TIME IN NEW ZEALAND A ‘DISCONNECT’ EXISTED BETWEEN ORGANISATIONS PROVIDING RESTORATIVE JUSTICE PROGRAMMES. THEY ARE NOW CONNECTED UNDER THE UMBRELLA OF RESTORATIVE JUSTICE AOTEAROA, A NOT FOR PROFIT ORGANISATION, BASED IN WELLINGTON, WHICH IS RIGHTLY REGARDED AS A SIGNIFICANT STEP FORWARD FOR RESTORATIVE JUSTICE SERVICE PROVISION AND COMMUNITY ENGAGEMENT AND OPERATES AS REPRESENTATIVE OF PROVIDERS AND AS AN ADVOCATE WITH GOVERNMENT AGENCIES. IT WOULD BE FAIR TO SAY IT IS YET TO REALISE ITS POTENTIAL.

IT SHOULD BE EMPHASISED THAT THE WORK OF RESTORATIVE JUSTICE CONFERENCING – AT ALL STAGES OF THE CRIMINAL JUSTICE PROCESS - IS HIGHLY PROFESSIONAL WORK AND IS NO PLACE FOR WELL-MEANING BUT UNTRAINED ENTHUSIASTS. THE RISKS ASSOCIATED WITH PROCEEDING IN CASES WHERE RESTORATIVE JUSTICE MAY BE INAPPROPRIATE NEED

TO BE TAKEN SERIOUSLY (FOR EXAMPLE, IN CASES WHERE AN OFFENDER DENIES INVOLVEMENT, BLAMES OTHERS, IS AFFECTED BY MENTAL HEALTH ISSUES AFFECTS HIS OR HER CAPACITY TO ENGAGE IN A MEANINGFUL WAY, OR IN CASES WHERE A VICTIM IS UNABLE OR UNWILLING TO ENGAGE WITH THE OFFENDER). ULTIMATELY THE PROCESS REQUIRES – AND DESERVES – PROFESSIONAL INPUT AND EXPERIENCE. THIS ASPECT OF ACCREDITATION AND TRAINING AND STANDARDS IS YET TO BE SETTLED IN NEW ZEALAND AND THE CHALLENGES HERE AWAIT US.

THERE IS NEW WORK APPEARING IN SOME OF THESE AREAS WHICH REPRESENTS A NOW SOPHISTICATED DELIVERY OF RESTORATIVE JUSTICE SERVICES.

THE NEW CIRCLES OF SUPPORT AND ACCOUNTABILITY PROVIDED, INITIALLY BY MEMBERS OF RELIGIOUS CONGREGATIONS AND NOW BY OTHERS, WELCOME AND INTEGRATE RETURNED PRISONERS. THEY HAVE THEIR ORIGINS IN THE MENNONITE COMMUNITIES OF CANADA AND ARE NOW APPEARING IN NEW ZEALAND. PLANS ARE AFOOT TO ESTABLISH RESTORATIVE REHABILITATION CIRCLES AFTER THE HAWAIIAN MODEL IN NEW ZEALAND.

AND NOW IT IS IMPORTANT TO RECORD THE MOST RECENT FORMAL AND LEGISLATIVE MOVES IN NEW ZEALAND RELATING TO RESTORATIVE JUSTICE BECAUSE THEY WILL CONTINUE TO INFLUENCE THE SPREAD OF RESTORATIVE PRACTICES IN OTHER PARTS OF OUR NATIONAL LIFE.

IN 2014 TWO SIGNIFICANT CHANGES TO THE LAW OCCURRED.

FIRST WAS TO THE SENTENCING ACT 2002. SECTION 24A PROVIDED FOR ADJOURNMENTS FOR RESTORATIVE JUSTICE PROCESSES TO TAKE PLACE IN CERTAIN CASES IN THE DISTRICT COURT. THE SECTION ONLY APPLIED TO CASES IN THE DISTRICT COURT THEREBY EXCLUDING MURDER AND MANSLAUGHTER WHICH MUST BE HEARD IN THE HIGH COURT. THE SECTION CAN ONLY APPLY IF THE OFFENDER HAS PLEADED GUILTY AND THERE ARE ONE OR MORE VICTIMS AND CAN ONLY APPLY IF THE REGISTRAR INFORMS THE COURT THAT AN APPROPRIATE RESTORATIVE JUSTICE PROCESS IS ABLE TO BE ACCESSED.

IF THOSE CONDITIONS APPLY THEN THE COURT IS DIRECTED BY SECTION 24A TO ADJOURN PROCEEDINGS TO ENABLE INQUIRIES TO BE MADE TO DETERMINE WHETHER RESTORATIVE PROCESSES IS APPROPRIATE IN THE CIRCUMSTANCES TAKING INTO ACCOUNT THE WISHES OF THE VICTIM IN WHICH CASE THE ADJOURNMENT IS TO ENABLE A RESTORATIVE JUSTICE PROCESS TO OCCUR.

THERE IS ANOTHER SECTION, WHICH WAS ALSO AMENDED GIVING THE POWER OF THE COURT TO ADJOURN PROCEEDINGS NOT ONLY TO ENABLE A RESTORATIVE JUSTICE PROCESS TO OCCUR BUT ALSO TO "BE COMPLETED" OR TO ENABLE A RESTORATIVE JUSTICE AGREEMENT TO BE FULFILLED.

THIS ALL AROSE OUT OF AN AMENDMENT TO THE VICTIM'S RIGHTS ACT. THIS WAS ENACTED IN DECEMBER 2014 AS SECTION 9 OF THAT ACT. THE SECTION APPLIES IF A VICTIM REQUESTS TO MEET WITH THE OFFENDER TO RESOLVE ISSUES RELATING TO THE

OFFENCE AND IT REQUIRES A MEMBER OF COURT STAFF, A POLICE EMPLOYEE OR IF APPROPRIATE A PROBATION OFFICER IF SATISFIED THAT THE NECESSARY RESOURCES ARE AVAILABLE TO REFER THE REQUEST TO A SUITABLE PERSON WHO CAN FACILITATE A RESTORATIVE JUSTICE MEETING.

IT AROSE OUT OF THE RECOGNITION PERSUASIVELY ADVANCED BY PROFESSOR HOWARD ZEHR THAT RESTORATIVE JUSTICE MEETINGS OR CONFERENCES SHOULD BE REGARDED AS A VICTIM'S RIGHT AND SO IT WAS FIRMLY BASED ON VICTIM'S RIGHTS AND HAS FOUND ITSELF NOW INTO THE SENTENCING ACT AND THE VICTIM'S RIGHTS ACT IN NEW ZEALAND.

THERE IS I AM SORRY TO SAY, A PRACTICAL PROBLEM THAT INEFFICIENT RESOURCES WERE GIVEN TO THE RESTORATIVE JUSTICE COMMUNITY TO MEET THE ENSUING DEMAND AND SO THERE IS SUDDENLY A BACKLOG OF CASES WHERE INQUIRIES ARE BEING MADE AND RESTORATIVE JUSTICE SERVICES ARE STRUGGLING TO MEET THESE NEW COMMITMENTS. I AM SURE EVENTUALLY THAT WILL BE OVERCOME IN THE USUAL WAY. THERE ARE MODELS ALREADY AVAILABLE WHERE THIS EXPLOSION IN THE RESTORATIVE JUSTICE WORK IS BEING HANDLED EFFICIENTLY AND WELL.

SO MUCH FOR THAT LEG OF THE DOUBLE!

I HAVE THUS FAR EXAMINED THE EXPERIENCE OF RESTORATIVE JUSTICE IN THE CRIMINAL JUSTICE SECTOR. THE VALUE OF RESTORATIVE PRINCIPLES HAVE HAD IN NEW ZEALAND A MUCH WIDER APPLICATION.

IT HAS BEEN HARNESSSED IN A RANGE OF SETTINGS WHERE CONFLICT RESOLUTION, IN ONE FORM OR ANOTHER, CAN BE ACHIEVED THROUGH FACILITATED INTERPERSONAL ENGAGEMENT. THE INFLUENCE OF RESTORATIVE JUSTICE PRINCIPLES AND PRACTICE IS READILY IDENTIFIABLE IN WORKPLACE DISPUTES, IN THE MILITARY, AND EVEN IN THE AREA OF RESOURCE MANAGEMENT DISPUTES, AND THE BEGINNINGS OF INITIATIVES IN HEALTH CARE, PARTICULARLY BUT NOT EXCLUSIVELY, MENTAL HEALTH CARE.

IMPORTANTLY, IT HAS HAD A MAJOR IMPACT IN NEW ZEALAND IN THE FIELD OF EDUCATION WHICH, LIKE THE CRIMINAL JUSTICE SYSTEM, HAS TRADITIONALLY BEEN FOCUSED ON TARIFF-BASED DETERRENCE AND HAS IMPOSED PUNITIVE RESPONSES TO UNSATISFACTORY, AND AT TIMES DESTRUCTIVE, BEHAVIOUR. THE IMPORTANCE OF ESTABLISHING A RESPONSIVE FRAMEWORK CENTRED ON RELATIONSHIPS IS THAT IT TACKLES ISSUES FACING INDIVIDUALS AT THE FORMATIVE STAGES OF THEIR LIVES— PARTICULARLY AT A TIME WHEN THEY ARE DEVELOPING THEIR VIEWS ON SOCIETY AND THEIR PLACE IN IT—CANNOT BE UNDERSTATED.

OUR EALY HEROINE IN THIS AREA WAS OUR GOOD FRIEND FROM GUNDAWINDI MAGARET THORSBORNE. OUR DEBT TO HER CAN NEVER BE REPAID. SHE HAS CONTINUED TO LEAD AND INSPIRE US IN THIS AREA OF RESTORATIVE PRACTICE AND TO THIS LIST WE CAN ADD SOME NEW HEROES – OUR OWN DR WENDY DREWRY AND FROM CAMBRIDGE UNIVERSITY DR HILARY CREMIN.

RESTORATIVE JUSTICE CONFERENCING WAS FORMALLY INTRODUCED INTO SCHOOLS IN NEW ZEALAND IN THE LATE 1990S AS PART OF A MINISTRY OF EDUCATION SUSPENSION REDUCTION INITIATIVE. THE UNIVERSITY OF WAIKATO RESTORATIVE PRACTICES DEVELOPMENT TEAM WAS CONTRACTED TO PROVIDE CONFERENCE PROCESSES IN FIVE SCHOOLS INITIALLY, WITH 24 SCHOOLS SUBSEQUENTLY ENROLLING THEIR STAFF FOR TRAINING. THE GROUP DREW ON THE FAMILY GROUP CONFERENCE MODEL AND SCHOOL SUSPENSIONS FELL. IN 2005 SEAN BUCKLEY AND GABRIELE MAXWELL CONDUCTED AN EXAMINATION OF THE EXPERIENCES OF 15 SCHOOLS THAT WERE MAKING USE OF RESTORATIVE JUSTICE PRACTICES. THEY REPORTED THAT FIVE COMMON RESTORATIVE PRACTICES WERE BEING EMPLOYED:

- THE RESTORATIVE CHAT (ONE ON ONE CONVERSATIONS BETWEEN STAFF AND STUDENT);
- THE RESTORATIVE CLASSROOM (OPEN DIALOGUE IN THE CLASSROOM ON SPECIFIC CONFLICTS);
- THE RESTORATIVE THINKING ROOM (A ROOM SET ASIDE FOR STUDENTS INVOLVED IN A CONFLICT SITUATION WHO NEED TIME TO THINK AND SPEAK WITH A STAFF MEMBER);
- A RESTORATIVE MINI CONFERENCE (HELD FOR MORE SERIOUS CONFLICT SITUATIONS, INVOLVING THE OFFENDER, VICTIM, A STAFF MEMBER AND SOMETIMES ANOTHER INDIVIDUAL); AND
- THE FULL RESTORATIVE CONFERENCE (WHICH IS LOOSELY BASED ON THE YOUTH JUSTICE FAMILY GROUP CONFERENCE MODEL. PARTICIPANTS MAY INCLUDE

VICTIMS, OFFENDERS, STAFF, FAMILY / WHĀNAU, AND OTHER SUPPORT PERSONS.

PLANNING IS CRITICAL AND SOME CONFERENCES MAY TAKE SEVERAL HOURS.

THERE IS ONE TO BE ADDED “THE FULL RESTORATIVE SCHOOL COMMUNITY” – THE ULTIMATE ASPIRATION.

AT PRESENT, THERE ARE 366 SECONDARY SCHOOLS IN NEW ZEALAND. APPROXIMATELY ONE HALF OF THESE SECONDARY SCHOOLS HAVE INVESTED SIGNIFICANTLY IN RESTORATIVE PRACTICE AND INDICATE THAT RESTORATIVE PRACTICE IS A PRIORITY. THE MINISTRY OF EDUCATION, WITH ITS POSITIVE BEHAVIOUR FOR LEARNING WORK, HAS 21 SECONDARY SCHOOLS PILOTING A NEW RESTORATIVE PRACTICES MODEL. THE AIM OF THE REFINED MODEL IS TO ENSURE THAT, INSTEAD OF RELYING UPON RESTORATIVE PRACTICES IN RESPONSE TO CONFLICT IN A LIMITED NUMBER OF CASES, EFFORTS ARE MADE TO ENSURE THAT RELATIONSHIPS ARE PLACED AT THE HEART OF THE LEARNING EXPERIENCE. THE MINISTRY WILL PROVIDE TRAINING, COACHING, IMPLEMENTATION SUPPORT, AND EVALUATION TOOLS.

THE MINISTRY’S PAPER, ENTITLED *RESTORATIVE PRACTICES IN NZ: THE SEVEN RESTORATIVE PRACTICES*, INTRODUCES A “RELATIONAL FOCUS”, WHEREBY ALL MEMBERS OF THE SCHOOL COMMUNITY ENGAGE IN RESTORATIVE PRACTICE IN THEIR DAY-TO-DAY ENGAGEMENT, IN A ‘WHOLE-OF-SCHOOL’ PREVENTIVE MANNER. STILL PROBLEM OF DEFINITION AND OF STUDENTS – AND MUCH INCONSISTENCY.

THIS WORK AND OTHER EDUCATION INITIATIVES ARE THE NEW AND EXCITING FRONTIER FOR THE DEVELOPMENT OF RESTORATIVE PRACTICES IN OUR NEW ZEALAND COMMUNITIES.

WE IN NEW ZEALAND HAVE ALSO USED RESTORATIVE PRACTICES AS PART OF A GLOBAL CONCEPT IN CONFLICT RESOLUTION WITHIN NATIONS DEALING WITH COMMUNITY PROBLEMS; EG BOUGAINVILLE.

THERE ARE ALSO THE BEGINNINGS OF MORE ADVANCED WORK INTO SEXUAL VIOLENCE FOLLOWING PIONEERING WORK BY FIONA LANGDON, DR SHIRLEY JULICH AND THEIR FRIENDS IN "RESTORE" IN AUCKLAND AND UNDER THEIR UMBRELLA. FAMILY VIOLENCE IS NOW BEING INCLUDED IN RESTORATIVE JUSTICE CONFERENCES IN A WAY WHICH WOULD NOT HAVE BEEN POSSIBLE A SHORT TIME AGO.

IN NEW ZEALAND ANOTHER HUGE STEP FORWARD WAS THE PROMULGATION OF THE CHAIR OF RESTORATIVE JUSTICE AT VICTORIA UNIVERSITY OF WELLINGTON NOW HELD BY PROFESSOR CHRIS MARSHALL.

THE FUNDING OF THE CHAIR OF RESTORATIVE JUSTICE WAS ALSO SIGNIFICANT BECAUSE REMARKABLY IN OUR STRAIGHTENED CIRCUMSTANCES, IT WAS FUNDED BY EIGHT GOVERNMENT DEPARTMENTS CONSISTING OF JUSTICE, CORRECTIONS, SOCIAL WELFARE, ACC, EDUCATION, POLICE, DEFENCE FORCE, MBIE AND A PRIVATE ORGANISATION, THE

GRACE TRUST; ALL OF WHOM HAVE A SIGNIFICANT INTEREST IN DIFFERENT WAYS OF RESOLVING DISPUTES WITHIN THE COMMUNITIES OF THIS COUNTRY.

OUR CHALLENGE NOW IS ABOUT MAINTAINING HIGH PROFESSIONAL STANDARDS AND A CLEAR FOCUS ON THAT WHICH IS TRULY RESTORATIVE AND NOT JUST LIP SERVICE. IT IS ABOUT STANDARDS AND QUALITY AND HOW TO DEFINE AND MEASURE THAT WITHOUT DIMINISHING THE VALUE OF THE COMMUNITY BASED DYNAMIC PROCESS WHICH APPEALS TO THE IMAGINATION, ENERGY AND HOPE OF COMMUNITIES AND IS NOT DIMINISHED OR DISPLACED BY GOVERNMENT PRESCRIPTION AND/OR MEASUREMENT.

HERE ARE SOME FINAL THOUGHTS. THESE ARE STILL HESITATIONS ABOUT RESTORATIVE JUSTICE AND ITS PLACE IN THE CRIMINAL JUSTICE SYSTEM. THE REASONS ARE ABOUT THE UNBALANCED EFFECTS ON VICTIMS TAKING A MORE CENTRAL PART INSTEAD OF THE OLD EMPHASIS ON DETERRENT AND PUNISHMENT. BUT THE TWIN TARGETS OF DENUNCIATION AND DETERRENCE AND OF REHABILITATION AND HEALING NEED NOT BE A TWO-TRACK SYSTEM, TRACKING EVER FURTHER AWAY FROM EACH OTHER. THE CLOSER THEY BECOME, AND THE GREATER EFFORT WE INVEST IN THEIR HARMONIZATION THROUGH SMARTER AND MORE EFFECTIVE JUSTICE PROCESSES, THE BETTER OUR SYSTEM WILL BE FOR ALL CONCERNED. THE LATEST LEGISLATIVE CHANGES PUT RESTORATIVE JUSTICE AT THE CENTRE OF OUR CRIMINAL JUSTICE SYSTEM – OUR RESPONSE TO THIS WILL BE A MATTER OF PUBLIC RECORD.

SECOND, FURTHER WORK IS REQUIRED IN THE AREA OF MEETING THE NEEDS OF VICTIMS OF SEXUAL OFFENCES. DR SUSAN BLACKWELL, A WELL-RESPECTED CLINICAL PSYCHOLOGIST AND HONORARY RESEARCH FELLOW IN CRIMINOLOGY AT THE UNIVERSITY OF AUCKLAND, IN HER PAPER PRESENTED AT THE 2012 INTERNATIONAL CRIMINAL LAW CONGRESS REITERATED THE OBSERVATION THAT “IN NO OTHER CRIME IS THE VICTIM SUBJECT TO SO MUCH SCRUTINY DURING AN INVESTIGATION OR AT TRIAL; NOR IS THE POTENTIAL FOR VICTIMS TO BE RE-TRAUMATISED DURING THESE PROCESSES AS HAS IN ANY OTHER CRIME.”

WITH RESPECT TO THE MERITS OF A SYSTEM THAT UTILISES THERAPEUTIC JURISPRUDENCE AND RESTORATIVE JUSTICE, DR BLACKWELL NOTED THE INCREASE IN SPECIALIST COURTS IN NEW ZEALAND AND AUSTRALIA, AND MADE THE FOLLOWING COMMENTS, WHICH SHOULD RESONATE WITH US AS WE CONSIDER NEXT STEPS FOR RESTORATIVE JUSTICE IN NEW ZEALAND:

THERE ARE MANY ASPECTS OF RESTORATIVE JUSTICE THAT WOULD NEED FINE TUNING FOR USE IN SEXUAL ASSAULT CASES, AND IT MAY ONLY BE APPROPRIATE IN A VERY LIMITED NUMBER OF CASES. THERE ARE ISSUES OF VOLUNTARY PARTICIPATION, POWER IMBALANCE AND A MYRIAD OF OTHER FACTORS TO CONSIDER, AND MORE RESEARCH IS NEEDED ABOUT THIS. HOWEVER ... THIS IS A USEFUL PATH TO CONSIDER ESPECIALLY WITH YOUTHFUL SEXUAL OFFENDERS AND ‘FIRST OFFENDERS’.

AS I HAVE MENTIONED ACROSS NEW ZEALAND UNDER THE AUSPICES OF “RESTORE” THIS IS NOW HAPPENING – THERE ARE HUGE OPPORTUNITIES FOR PROFESSIONAL AND COMPLEX WORK TO MAKE GREAT IMPACT ON A NASTY PART OF OUR NATIONAL LIFE.

THIRD, IN RELATION TO RESTORATIVE JUSTICE IN EDUCATION, IT IS CLEAR THAT A GREAT DEAL HAS BEEN DONE TO DEVELOP A RANGE OF SYSTEMS TO NOT ONLY RESPOND TO CONFLICT BUT TO WORK IN A PREVENTIVE MANNER, DEVELOPING CHILDREN AND YOUNG PEOPLE’S ABILITY TO ENGAGE WITH EACH OTHER IN A CONSTRUCTIVE MANNER. CLEAR, NATIONAL GUIDELINES ARE THEREFORE AN OBVIOUS NEXT STEP. THESE CAN BE ACHIEVED THROUGH AN INCLUSIVE AND CONSULTATIVE WORK PROGRAMME SIMILAR TO THAT WHICH WAS UNDERTAKEN BY THE UNIVERSITY OF WAIKATO’S RESTORATIVE PRACTICES DEVELOPMENT TEAM, WHICH INCLUDES WORKSHOPS, TRAINING AND INFORMATIVE PUBLICATIONS.

FOURTH, I CONSIDER THERE TO BE AT LEAST THREE AREAS WHERE RESTORATIVE JUSTICE DEVELOPMENT COULD HAVE A MARKED POSITIVE IMPACT ON FORMING RESTORATIVE COMMUNITIES. THE FIRST IS IN THE AREA OF POLICING OVERSIGHT, SOMETHING WITH WHICH I AM NOW ENGAGED AS CHAIR OF THE INDEPENDENT POLICE CONDUCT AUTHORITY. IN CERTAIN CASES, PARTICULARLY WHERE CONCILIATION IS RECOMMENDED, RESTORATIVE JUSTICE PROCESSES MAY ASSIST IN ACHIEVING A RELATIVELY SEAMLESS RESOLUTION OF THE ISSUE(S), WHILST ALSO CONTRIBUTING TO LONGER-TERM GOALS OF FOSTERING TRUST AND CONFIDENCE IN POLICE. CONSIDERATION OF THE EFFICACY OF

THESE PROCESSES HAS ALREADY BEEN UNDERTAKEN IN THE UNITED KINGDOM. THE FIRST STEPS TO REALISING THIS ARE NOW BEING TAKEN.

NEXT, WE CAN IDENTIFY THE BENEFITS OF THERAPEUTIC JURISPRUDENCE, RESTORATIVE PRINCIPLES, AND INTER-AGENCY COLLABORATION IN NEW ZEALAND'S EMERGING SPECIALIST COURTS, SUCH AS THE RANGITAHU (MARAHEKA BASED) YOUTH COURTS, DRUG COURTS, FAMILY VIOLENCE COURTS, AND THE NEW BEGINNINGS (HOMELESSNESS) COURT. THESE COURTS WERE INITIALLY JUDICIALLY LED AND HAVE NOW ACHIEVED SOME GOVERNMENT SUPPORT AND HAVE A RANGE OF BENEFITS.

A NATURAL EXTENSION OF THE CONCEPT OF RESTORATIVE OR THERAPEUTIC PRACTICES IS COMMUNITY RESTORATIVE PRACTICE, WHEREBY COMMUNITIES ADDRESS CONFLICTS AND OTHER ISSUES *BEFORE* INTERVENTION BY THE COURTS BECOMES NECESSARY. THE UNITED STATES AND THE UNITED KINGDOM ARE MAKING USE OF A SIMILAR MODEL TO FIX LOCAL PROBLEMS SUCH AS DRUG USE AND CONFLICT WITHIN THE COMMUNITY. PROGRAMMES INCLUDE FAITH-BASED SERVICES, EDUCATIONAL AND TRAINING INITIATIVES, SUPPORT STRUCTURES, AND YOUTH INITIATIVES. IN NEW ZEALAND, JUDGE MCELREA HAS IDENTIFIED THE POTENTIAL VALUE OF COMMUNITY JUSTICE CENTRES, WHICH COULD ASSIST WITH COMMUNITY AND FAMILY DISPUTES AND RELATED ISSUES OUTSIDE A COURTROOM ENVIRONMENT. THE FALTERING MOVES TOWARDS A "RESTORATIVE CITY" NEEDS TO BE ENCOURAGED AND SUPPORTED.

MY NEXT POINTER FOR THE FUTURE OF RESTORATIVE JUSTICE IN NEW ZEALAND CONCERNS THE NEED TO GROUND RESTORATIVE JUSTICE PRACTICES IN MULTI-DISCIPLINARY RESEARCH AND EVALUATION IN AN ACADEMIC CENTRE OF EXCELLENCE OR CHAIR WITHIN AN INDEPENDENT CENTRE OF RESEARCH. THIS INITIATIVE WILL, WITH APPROPRIATE SUPPORT AND THE RIGHT EXPERTS, ADD BREADTH AND DEPTH TO OUR JURISPRUDENCE AND ENABLE US TO REAP THE BENEFITS OF A FULLY-FUNCTIONAL AND MATURE RESTORATIVE PRACTICES SYSTEM. THE EARLY BEGINNINGS OF THIS CHAIR UNDER THE INSPIRING LEADERSHIP OF PROFESSOR CHRIS MARSHALL ARE ENORMOUSLY ENCOURAGING.

FINALLY IN NEW ZEALAND WE NEED TO BRING CLARITY TO THE DIFFICULT EDGES OF THE WORK OF THE MINISTRY OF JUSTICE, RESTORATIVE JUSTICE AOTEAROA, AND THE UNIVERSITY CHAIR. WE CANNOT AFFORD A DUPLICATION OF EFFORT OR TO LOSE THE FOCUS WHICH EACH CAN BRING.

THE GREATEST RISK FACING RESTORATIVE JUSTICE TODAY IS THE LOSS OF MOMENTUM AT A CRITICAL TIME OF LEGISLATIVE REVIEW AND OF SOCIAL AND POLITICAL DEVELOPMENT. WE NEED TO ENSURE THAT PUBLIC DISCOURSE IS INFORMED AND MEASURED, BASED ON KNOWLEDGE, REASON AND AN UNWAVERING COMMITMENT TO DO BETTER. WE NEED TO ENSURE THAT OUR POLITICAL AND IDEOLOGICAL DIFFERENCES WORK FOR US AND NOT AGAINST US.

AND ONE DAY WE MAY NEED TO CONFRONT AND ADDRESS THE LANGUAGE OF
RESTORATIVE PROCESSES AND WHETHER IT MAY SOMETIMES ACTUALLY BE AN OBSTACLE!
OTHER THINGS TO DO FIRST!

THESE ARE EXCITING TIMES IN NEW ZEALAND. WE HAVE LEARNED THE LESSONS OF THE
PAST AND NOW NEED TO SHOW COURAGE AND CLARITY OF THOUGHT AS WE FACE THE
OPPORTUNITIES WHICH ARE NOW BEFORE US.

KIA ORA TATAU