

# Systematizing Restorative Justice Lessons from New Zealand

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Adapted from the work of  
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# *New Zealand Youth Justice*

## *A Brief History*

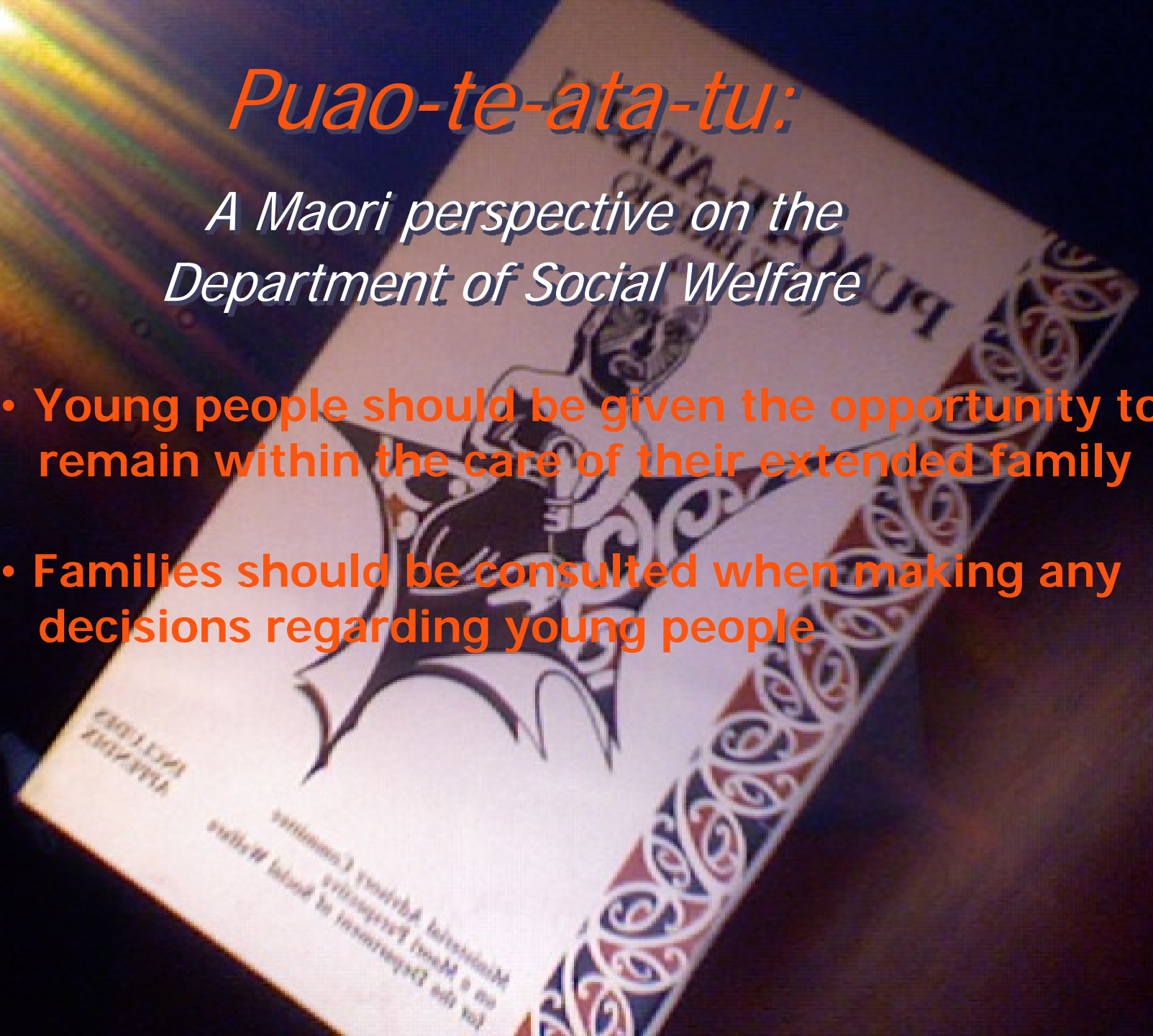
*1980s...*

- ◆ Crisis in youth justice and care & protection
- ◆ Concern by Maori about
  - ◆ cultural inappropriateness
  - ◆ institutional racism

# *Puao-te-ata-tu:*

*A Maori perspective on the  
Department of Social Welfare*

- Young people should be given the opportunity to remain within the care of their extended family
- Families should be consulted when making any decisions regarding young people





# The Children, Young Persons, and Their Families Act 1989

- The first piece of legislation in the world to institutionalize a form of restorative justice
- Delineates all principles and processes associated with youth justice and family group conferencing
- Widely celebrated by many Maori and Pakeha alike



# *Family Group Conferences*

## *Key Features*

- ◆ Introduced as “tough justice”
- ◆ The ‘hub’ of NZ youth justice (with courts as backup and oversight)
- ◆ Intended for serious offences
- ◆ Deals with entire justice outcome

The background of the slide is a photograph of the Golden Gate Bridge at night. The bridge's towers and suspension cables are silhouetted against a dark blue, misty sky. The water below is also dark blue with some light reflections. The overall mood is serene and somewhat mysterious.

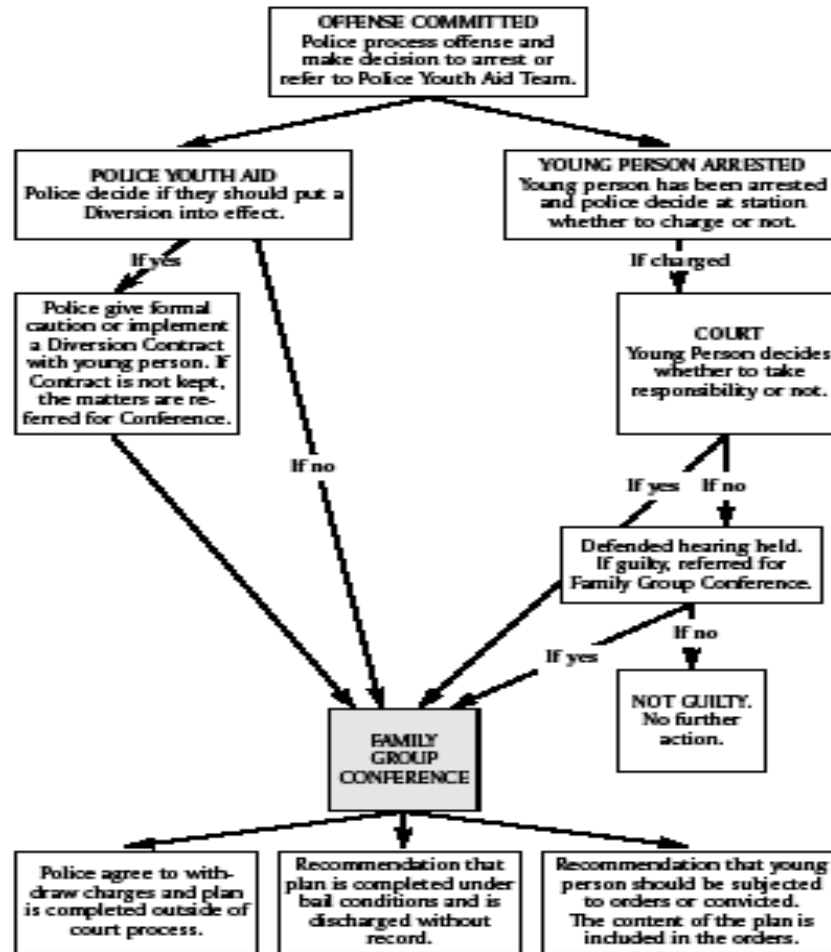
# *Family Group Conferences*

## *Key Features*

- ◆ Uses consensus decision-making
- ◆ Aims at cultural adaptability & appropriateness
- ◆ Family centered

# The Little Book of Family Group Conferences

## Youth Justice Process





# *Family Group Conferences*

## *7 Principles*

- ◆ Consider victim interests
- ◆ Avoid criminal proceedings
- ◆ Don't use justice for assistance
- ◆ Strengthen families
- ◆ Keep offenders in community
- ◆ Take age into account
- ◆ Use least restrictive option

The background of the slide is a photograph of the Golden Gate Bridge in San Francisco, taken at dusk or dawn. The bridge's towers and suspension cables are silhouetted against a deep blue sky. The water below is dark and reflects the bridge's structure. The overall mood is serene and professional.

# *Family Group Conferences*

## *Participants*

- ◆ Offenders & Families
- ◆ Victims and Supporters
- ◆ Police (Youth Aid Officer)
- ◆ Youth Advocate (Lawyer)
- ◆ Others? (e.g. Information providers)
- ◆ Youth Justice Coordinator



# *Family Group Conferences*

## *Youth Justice Coordinator*

- ◆ Prepare the participants, assisting them in designing an appropriate process (not scripted)
- ◆ Convene and facilitate conference



# *Family Group Conferences*

## *Youth Justice Coordinator*

- ◆ Monitor the principles, including:
  - young person held accountable
  - victims' needs addressed
  - workable plan
- ◆ Record and communicate the agreement

A photograph of the Golden Gate Bridge at night, with the bridge's towers and suspension cables silhouetted against a dark blue, misty sky. The bridge spans across a body of water, and the overall atmosphere is serene and somewhat mysterious.

# *Family Group Conferences*

## *Process*

1. Opening
2. Information Sharing
3. Family Deliberations (Caucus)
4. Reaching Agreement
5. Closing

A photograph of the Golden Gate Bridge at night, illuminated against a dark blue sky and water. The bridge's towers and suspension cables are visible, extending from the left side of the frame towards the center.

# *Family Group Conferences*

## *1. Opening*

- ◆ Prayer (?)
- ◆ Introductions
- ◆ Overview



# *Family Group Conferences*

## *2. Information Sharing*

- ◆ Summary of facts
- ◆ Victim impact
- ◆ Offender response
- ◆ Information for plan

The background of the slide is a photograph of the Golden Gate Bridge in San Francisco, taken at dusk or dawn. The bridge's towers and suspension cables are silhouetted against a deep blue, hazy sky. The water of the bay is visible in the lower portion of the frame, reflecting the ambient light. The overall mood is serene and contemplative.

# *Family Group Conferences*

## *3. Family Deliberations*

- ◆ Family may request presence of conference participants as needed



# *Family Group Conferences*

## *4. Reaching Agreement*

- ◆ Proposal
- ◆ Negotiation
- ◆ Plan finalized

A photograph of the Golden Gate Bridge at night, illuminated with blue lights. The bridge's towers and suspension cables are visible against a dark blue sky and water.

# *Family Group Conferences*

## *5. Closing*

- ◆ Prayer(?)



# *Family Group Conferences*

## *Core Elements of an FGC Plan*

- ◆ Putting right for the victim
- ◆ Addressing the underlying causes
- ◆ Ensuring support for fulfilling the plan

A photograph of the Golden Gate Bridge at night, illuminated against a dark blue sky and water. The bridge's towers and suspension cables are visible, extending from the left side of the frame towards the right.

# *Family Group Conferences*

## *The Plan in Four Parts*

- ◆ System Issues
- ◆ Reparation
- ◆ Prevention
- ◆ Monitoring



# *The Benefits* *For VICTIMS:*

Opportunities to...

- ◆ Receive reparation
- ◆ Get answers
- ◆ Express impact
- ◆ Reduce fear
- ◆ Be involved



# *The Benefits For OFFENDERS:*

Opportunities to...

- ◆ Earn respect
- ◆ Learn from mistakes
- ◆ Develop new skills
- ◆ Connect to community



# *The Benefits For COMMUNITIES*

Opportunities to...

- ◆ Reduce costs and offending
- ◆ Form better relationships with justice
- ◆ Address its own problems



# *The Benefits* *For POLICE*

Opportunities to...

- ◆ Form closer and more effective relationships with community
- ◆ Expand range of responses to crime

A photograph of the Golden Gate Bridge at night, with the bridge's towers and suspension cables silhouetted against a dark blue sky and water. The bridge spans from the left side of the frame towards the center.

# *The Benefits For COURTS*

Opportunities to...

- ◆ Reduce workloads
- ◆ Focus on difficult cases
- ◆ Increase range of options
- ◆ Improve community relations

# *Beyond the FGC*



“Conferencing the results of conferences”

A blue-tinted photograph of the Golden Gate Bridge, showing the suspension towers and cables extending over the water. The image is used as a background for the text.

New Zealand

Youth Justice:

Justice through

**conversation**