

August 2017 Newsletter – Issue 19

Ethical Encounter: Non-Violence



Last week, the Edmund Rice Justice Trust held their first ethical encounter in Christchurch for 2017. Father Jim Consedine, a former prison chaplain, presented on non-violence and alternative methods of resistance to violence, based off the Parihaka movement.

The invited guests came from a variety of backgrounds and relationships with the Edmund Rice Network – including the Edmund Rice Justice Trust and St Thomas' of Canterbury College.

The knowledge and insights of those around the table resulted in eye-opening discussion around the extent of violence in our current society and the inability of society to accept those who speak out against current practices.

Thank you to all those who attended the event. We will be having four more ethical encounters this year – 2 in Auckland and 2 in Christchurch.

Boris Baptist
Project Officer, Edmund Rice Justice
Aotearoa/New Zealand Trust

Post Sentencing Restorative Justice – National Party

Below are the thoughts of the National Party's Minister of Corrections, Honourable Louise Upston, on post-sentencing restorative justice:

“The Government supports restorative justice as a way to help victims of offending. This voluntary process provides a safe forum for offenders to meet with the people they have harmed during their offending.

To date, the Government has maintained a strong focus on responding to the growing demand for restorative justice services at the pre-sentencing stage of the criminal justice pipeline. However, the Victims' Rights Act 2002 requires justice sector agencies to respond appropriately to any victim's request for a restorative justice process. The Department of Corrections reserves funding each year to

respond to any requests for restorative justice that are received from either the Parole Board or from victims of crime.

Restorative Justice conferences gives the offender and the victim a chance to talk about what happened, and for the offender to take responsibility for harm caused. The Department of Corrections engages experienced restorative justice providers to deliver this service. It can be a sensitive process that can't happen unless both the offender and the victim agree to be involved. Care is taken to ensure that victims do not feel any pressure to participate in the restorative justice process.

If successful, restorative justice can have positive outcomes for both victims and offenders. It can reduce the impact of offending on victims and help them move forward. Restorative justice can also benefit offenders by encouraging them to take responsibility for their actions, increasing their motivation to deal with their offending behaviour, and reducing the risk of re-offending.”

*Hon. Louise Upston
Minister of Corrections, National Party*



Restoring What? The Practice and Perils of Restorative Justice in New Zealand

At this time there are over 10 000 people in prison in New Zealand. The Government's recent Budget included a huge increase in spending on prisons, including \$763.3 million to increase prison capacity and an additional \$255 million for operating funding.

It is alarming to note that only \$30 million is allocated towards prisoner rehabilitation over four years, with another 13.9 million towards reducing offending of high risk young offenders.

Over the past few months as we draw closer to a time of Election, the Edmund Rice Justice Trust Aotearoa New Zealand has invited a number of politicians to discuss their party position on the role of Restorative Justice and its place in society.

New Zealand also has a number of internationally recognised authorities who have broken important ground in promoting and enabling Restorative Justice, especially as it relates to the Criminal Justice System.

When reflecting on the tragic realities surrounding the Criminal Justice System, we might well ask, 'Is this the best we can do?'

This month the Trust is pleased to acknowledge the work of Professor Chris Marshall Professor of Restorative Justice in the School of Government at Victoria University. In his inaugural Professorial Lecture in 2014 Marshall poses the question *Restoring What? The Practice and Perils of restorative justice in New Zealand*. He claims that Restorative Justice has been the most significant innovation in the administration of justice since the birth of the nation state.

Marshall makes strong connections with the work of Ross London, a former Judge in USA Criminal Justice System who in his recent book *Crime, Punishment, and Restorative Justice* speaks of an over-riding goal to restore trust. But how? The answer, Marshall contends, resides in the principles, priorities and practices of restorative justice.

In the May issue of *Policy Quarterly* 2014 the editor, Jonathan Boston suggests Professor Marshall has both the daunting challenge and wonderful opportunity, of using his wealth of expertise, scholarship and experience to help policy- makers extend and improve the practice of restorative justice, both within this country and beyond. Such practices are relevant, of course, not only in the criminal justice system, but also across many other important areas of human endeavour such as education, health care, the social services, defence and international relations.

To read Dr Chris Marshall's full article, click [here](#).

This article has been written by Dr Chris Marshall in Policy Quarterly, Volume 2 Issue 10, May 2014.



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