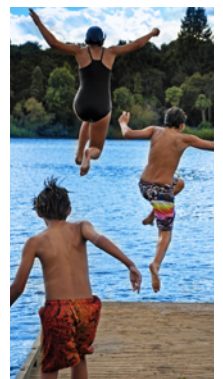


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## MAKING A DIFFERENCE

Welcome to the fourth issue of Justice Matters. One year on, Chief Executive Andrew Bridgman discusses some of our achievements as we work towards a safe and just New Zealand. We highlight new initiatives to reduce family violence, anti-money laundering and cyberbullying, and Justice Minister Amy Adams discusses improving the outcomes for Māori in the justice sector.



# Making a difference for New Zealanders

ANDREW BRIDGMAN • SECRETARY FOR JUSTICE AND CHIEF EXECUTIVE



*In the June issue of Justice Matters I talked about the journey we're on to provide modern, accessible, people-centred justice services that deliver better outcomes for New Zealanders. So how are we doing? To find out, we need to look at what we achieved in the 2015/16 financial year – and it's clear we're making really good progress. I'll let the numbers speak for themselves about the huge amount of work we've done, while I focus on some of our results.*

*Andrew Bridgman*



**MORE THAN 192,000  
CASES HANDLED  
ACROSS ALL COURTS  
& TRIBUNALS**



**137,000 NEW  
DISTRICT COURT  
CRIMINAL CASES  
RECEIVED**



**59,500 NEW  
FAMILY COURT  
APPLICATIONS  
RECEIVED**



**MORE THAN 20,000  
NEW FAMILY LEGAL  
AID APPLICATIONS  
PROCESSED**

**ALMOST 62,300 NEW CRIMINAL  
LEGAL AID APPLICATIONS  
PROCESSED**

**5 DEEDS OF SETTLEMENT SIGNED  
5 DEEDS INITIALED  
7 TREATY BILLS ENACTED**



**3.5 MILLION VISITS  
TO OUR WEBSITE**

**\$191 MILLION IN FINES &  
REPARATIONS COLLECTED**



**460,000 REQUESTS  
FOR CRIMINAL  
HISTORIES  
PROCESSED**

**16,000 NEW CASES ACCEPTED  
THROUGH PDS**

## MODERNISING COURTS

We're continuing with our initiatives to modernise the court system, particularly in the areas that really matter to our customers. We've focused on clearing the oldest cases first so that everyone and, most importantly, victims, can move on with their lives. Since 2013 we've achieved some good results, particularly in how New Zealanders interact with the courts. For example, we've reduced by 22% the average age of active District Court criminal category 1 cases (for example, matters subject to a fine) and by 33% the average age of active High Court civil appeal cases.

Our customers are mainly interested in when their case will be resolved so with this in mind, we've modified our targets to give people certainty and predictability by setting benchmarks for disposal times for around 50 different types of cases. We've also made some administrative changes. For example, we're centralising the booking of interpreters, which used to be done by individual courts. This means we'll have a consistent standard for bookings and we'll be able to respond more easily to urgent requests which make up 20% of bookings. About 99% of requests are progressed within 24 hours.

Another initiative which involves Collections Registry Officers working from home, has recently been implemented.

A number of our other projects involve a greater use of ICT, for example, the upgrade and expansion of audio-visual links between courts and prisons (see page 7). Also, since December 1, more than 2600 people have signed up to receive text message reminders for their court appearance. As more people choose this option, we expect to reduce the 3500 warrants for arrest issued each year for failing to attend court.

## SUPPORTING VICTIMS

We've made considerable progress in addressing the needs of victims of crime. The Victims Code, launched in September 2015, clearly explains what services victims can expect from criminal justice agencies.

Our Victims Centre has commissioned more than \$12 million in services for victims. One of the main contracts is with Victims Support which supported more than 30,000 victims in 2015/16. As well, more than 39,000 people found information and support through the Victimsinfo helpline, which became a 24/7 service in October, and by visiting the Victims website.

We also rolled out the National Home Safety Service during the year (see page 9).

Our efforts with restorative justice are paying off. Restorative justice gives victims a stronger voice in the criminal justice system and holds offenders to account for their crimes. Last year, 2782 conferences were held – this was about 50% more than the previous year.

## REDUCING CRIME

Restorative justice also reduces crime and reoffending. Data about restorative justice cases and reoffending rates from 2008 to 2013 shows that, on average, offenders who participated in restorative justice conferences committed 26% fewer offences per person than comparable offenders in the following 12 months.

The Investment Approach to Justice was also launched during the year. We're hoping this initiative will help us gain insight into how we can prevent crime and reduce harm. The inter-agency approach uses advanced analytics to identify people and places most at risk of offending and victimisation. This information will then be used to adjust services accordingly.

## DEVELOPING LEGISLATION

Several significant pieces of legislation that we developed over the past year were passed by Parliament. Much of this involved working in partnership with other justice sector agencies. They included the Organised Crime and Anti-corruption Legislation Bill, which amended 15 Acts and strengthened our ability to combat and prevent corruption; and the Returning Offenders (Management and Information) Act which put in place a supervision regime for deported offenders who return to our shores.

These are just some of our achievements; others are discussed throughout this issue. They all in some way highlight what we're doing as a Ministry and together with others towards our vision of a safe and just New Zealand. ■

## NEW DELIVERY STRUCTURE PROGRESSING

We're continuing to establish our new delivery structure which I referred to in my June column. This is an important step in making measurable improvements to justice services. The Operations and Service Delivery Group will see the Ministry working together more effectively to develop and deliver customer-focused services.

I'm pleased to welcome Carl Crafar who joined us in August to lead the new group. We're committed to making this work for our people, the judiciary and other stakeholders, for the benefit of all New Zealanders.

# Message from our minister

AMY ADAMS • MINISTER OF JUSTICE AND COURTS



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## *Two major initiatives aim to provide a better rehabilitative response for young Māori offenders*

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It's well known that Māori are over-represented within the justice system, both as offenders and as victims.

In order to improve the outcomes for Māori and young Māori in the justice sector, a collaborative approach is necessary to reduce over-representation and the harm associated with offending and victimisation. This should involve all justice sector agencies partnering with Māori to build on the strengths found within the community, in order to prevent more Māori from coming into the system.

Two ways in which the Ministry of Justice is helping to address this over-representation is through coordinated initiatives like the Rangatahi Courts and the iwi panels.

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### **'Courts are presided over by Māori judges as Tikanga Māori is vital to the process'**

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Established in 2008, the Rangatahi Courts are a judiciary-led initiative within the Youth Court's jurisdiction. Their aim is to provide a better rehabilitative response to young Māori offenders, by drawing on a marae-based environment, whānau

and iwi, to address the offender's needs. The courts are presided over by Māori judges, as tikanga Māori is vital to the process.

The Rangatahi Court sits in 15 marae around New Zealand; between January 2009 and April 2016, 1434 young people attended the court. There are also 2 Pasifika Courts; 361 young people have attended the family group conferences.

We have already seen strong results from the courts. Offenders who have attended Rangatahi Courts committed 14% fewer offences and were 11% less likely to commit a new serious offence in the following year, when compared to other youth.

Though the Rangatahi Courts were primarily established to help young Māori offenders, all young offenders are eligible for entry regardless of ethnicity or gender.

Earlier this year, the courts were recognised for their services, including receiving the 2016 Deloitte IPANZ Excellence Award for Crown-Māori Relationships (see story page 8), and the Australasian Institute of Judicial Administration Award for Excellence in Judicial Administration.

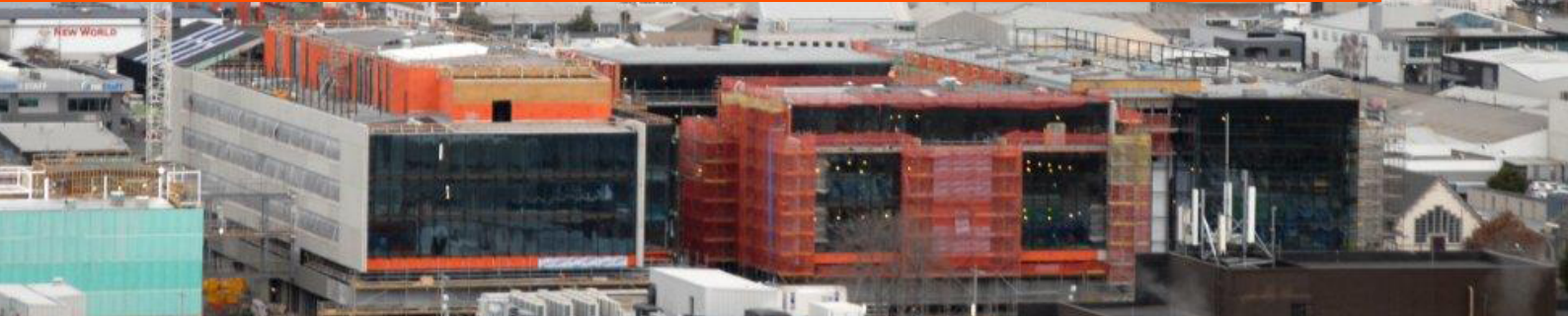
Another initiative the Ministry of Justice has undertaken is iwi panels. Three panels have been trialled in Manukau, Gisborne and the Hutt Valley since mid-2014 in collaboration with the Ministry of Justice, New Zealand Police and the Department of Corrections.

Police are able to exercise their discretion when charging to refer adults who have committed low-level offences to the panels. The premise of the iwi panel is for the offender to repair harm caused and use a problem-solving approach to address factors contributing to their offending at the outset. The panels will be extended to June 2017.

For any of these initiatives to have a good chance of success, iwi, agencies and the justice sector need to work closely together. Justice sector ministers have identified the over-representation of Māori as one of our priorities is to build relationships with iwi and Māori to collectively reduce victimisation and Māori offending.

Ethnicity neither causes nor explains Māori involvement in the justice system, but building capability in the justice sector to improve Māori justice outcomes is vital in achieving a reduction in offending, victimisation and harm. ■

# Christchurch precinct goes state-of-the-art



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*Enough fibre to run from Christchurch to Auckland will soon be threaded through the Christchurch Justice and Emergency Services Precinct*

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The ICT fitout of the 42,000 square-metre multi-agency hub begins this month, starting with the courts. ICT programme manager Hana Wolzak says a million metres of fibre optic cable and 95,000 metres of copper cable will be fed into the precinct.

‘The building will house some of the smartest technology available,’ says Hana. ‘The ICT programme involves us working closely with all the tenant agencies to clarify their individual technical needs and develop optimal solutions.’

‘As the building’s landlord, we’ll fit out the entire building with core ICT infrastructure to support each agency, before putting in place the Ministry’s ICT set-up.’

‘A key feature of the building’s state-of-the-art technology is a focus on new innovative ways of working with people equipped with the digital tools to work anywhere, anytime.’

‘This may involve Ministry staff taking their device such as a tablet, and wirelessly casting content to a meeting room screen, or working remotely elsewhere in the building without having to log into a desktop.’

‘For the judiciary, it means they will have a single device that will operate seamlessly at their desk, in their chambers, at the court bench and out of the office.’

The 900 daily visitors to the building will also benefit with public computer kiosks and wifi throughout.

‘As well as modernising the courts, it’s also about a new way of working,’ says Hana. ■



## SELF-REPRESENTED LITIGANTS' GUIDANCE

The Ministry has published a guide for people representing themselves in the High Court's criminal jurisdiction.

General Manager High Courts Kevin Emery says the guide is not legal advice but aims to help self-represented litigants with information about court processes including how to prepare for an appearance in the High Court, what to expect when arriving at court on the day, and useful tips about trial and appeal processes, jury selection, and giving evidence.

'We always encourage people going to court to talk to a lawyer first. However, people have a right to represent themselves in court and the guide provides practical information about what they can expect,' Kevin says. 'As proceedings in the High Court can be very complicated, people who choose to represent themselves need to have a clear understanding of what's involved and their responsibilities.'

It was developed by the Ministry in consultation with the Judicial Office for Higher Courts.

The Ministry has now published guidance on self-representation for the Family Court, District Court (civil only), High Court (civil), Employment Court, Environment Court, and Youth Court. ■

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For more information see 'Going to court' under 'Courts' at [JUSTICE.GOV.TZ](https://www.justice.govt.nz)

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## NETSAFE APPOINTED TO CYBERBULLYING ROLE

Internet safety organisation NetSafe has been appointed as the approved agency under the Harmful Digital Communications Act 2015.

NetSafe is an independent non-profit organisation focusing on online safety and security. They already work with many enforcement agencies to help victims of cyberbullying, and have established relationships with companies and schools in New Zealand and overseas.

NetSafe will advise people on what action to take to resolve a problem, investigate serious complaints, and attempt to settle disagreements between complainants and content authors. They'll also liaise with website hosts, internet service providers and other intermediaries (here and overseas), and ask them to take down or moderate content that's clearly harmful.

If NetSafe can't resolve a complaint, people can then apply to the District Court for mandatory orders. The court can make a range of orders, including requiring material to be taken down.

NetSafe officially starts as approved agency in November. ■

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For more information about harmful digital communications, see 'Key initiatives' under 'Justice sector & policy' at [JUSTICE.GOV.TZ](https://www.justice.govt.nz)

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## STUDENTS EXPERIENCING THE JUSTICE PROCESS

A Rotorua Court initiative that gives an insight into the justice process is proving popular with secondary school students and youth groups.

'Beyond the Bars' teaches young people about the justice system and its critical role in our society. Students enter the courthouse through the cells before moving to a mock trial, where they each act as judge, prosecutor, defence lawyer, juror, victim and defendant.

Central North Island Service Delivery Manager, Dan O'Brien, says the programme, which has been running for around 2 years, aims to show local youth how the court works and profile some of the careers on offer in the justice sector. It also highlights to them how their choices can influence their lives, positively and negatively.

'We use examples that are likely to resonate with young people, such as a careless use of a motor vehicle charge arising from texting while driving,' Dan says. 'When they act as the victim and read a mock victim impact statement, it can be very powerful.'

'Students have said the mock trial was very realistic and they got a good understanding of the justice process.'

The court visits are organised with the voluntary support of local Police, lawyers and the judiciary. ■



## AUDIO-VISUAL LINKS IMPROVE EFFICIENCY & SAFETY

The recent addition of audio-visual technology in the Waitakere Court, part of a wider court upgrade, and Spring Hill Prison has boosted the network of courts and prisons which enables prisoners to appear remotely in courts.

In a joint initiative with Corrections, there are now 19 courthouses and 14 custodial facilities through New Zealand with dedicated AVL facilities.

In the year to July 2016, there were more than 12,000 remote appearances with each one representing a prisoner who hasn't been escorted to court, placed in a holding cell, and then returned to prison.

Service Development General Manager, Sheridan Smith, says virtual appearances reduce the likelihood of violent incidents in court, making courts safer for the people who use and work in them.

'There are also benefits to victims and their families as they can feel safer attending court without the defendant present and the cameras can be angled so that victims can't be seen by the defendant,' says Sheridan. ■

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For more information, see 'Service providers' under 'About the ministry' at [JUSTICE.GOV.TZ](https://www.justice.govt.nz)

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## FURTHER RECOGNITION FOR RANGATAHI COURTS

Marae-based Youth Courts, Ngā Kōti Rangatahi, won the Crown-Māori Relationships award at the recent 2016 Institute of Public Administration New Zealand (IPANZ) Excellence Awards.

The IPANZ Awards celebrate outstanding performance and significant achievement in the New Zealand public sector.

Director Māori Strategy, Tony Fisher, says Rangatahi Courts are an innovative approach to intervene in the cycle of offending by Māori youth.

‘The Ministry has worked with the judiciary, whānau, hapu and iwi to introduce the marae-based Youth Courts, which have been incredibly well received and effective in helping to reduce reoffending and supporting Māori youth,’ says Tony.

‘Reconnecting Māori youth with their culture and sense of identity were key to achieving increased engagement in the Youth Court process.’ ■



## PROPERTY AWARD FOR MANUKAU COURT

Manukau District Court has won an Award of Excellence for the Special Purpose Property Award at the Property Council New Zealand’s Property Industry Awards 2016.

The award not only recognises the design, but also the complexities of construction, economic and financial factors, satisfaction of the owner and the people using it, and the sustainable features of the development.

The development, opened in August 2015 by Justice Minister Amy Adams, included new hearing rooms, 4 new jury courts and additional custodial facilities, along with provision for future expansion to ensure the court is well-equipped for the future.

Commercial and Property General Manager Fraser Gibbs says the development has improved access to justice for New Zealanders at one of our busiest courts.

‘The upgraded facilities at Manukau ensure services are more efficient and the environment is safer for the judiciary, staff and all court users,’ Fraser says.

‘Extensive consultation with the judiciary, and other stakeholders such as the Police and Child, Youth and Family during all stages of the project has ensured the building is tailored to the highly specific needs of a courthouse.’ ■





## IMPROVING NZ'S ANTI-MONEY LAUNDERING LAWS

Businesses affected by upcoming changes to anti-money laundering law were encouraged to have their say recently. During the past month the Ministry consulted on the proposal to extend the Anti-Money Laundering and Countering Financing of Terrorism (AML/CFT) Act 2009 to more businesses and professions.

'We want to make sure the AML/CFT regime is effective, while minimising the impact on businesses,' says Rajesh Chhana, Deputy Secretary Policy. 'Money laundering allows criminals to hide the proceeds of their illegal activities and to fund serious crimes such as drug offending, organised crime, terrorism and tax evasion.'

Phase 1 of the Act came into effect in 2013. Phase 2 will extend it to sectors such as lawyers, accountants, real estate agents, conveyancers and some high-value goods dealers.

The consultation's main aim was to get Phase 2 sectors' views on implementing AML/CFT compliance requirements. It also sought feedback from Phase One sectors on several issues that may enhance the operation of the current regime.

The Government intends to introduce a Bill later this year and have it passed by July 2017. After that, businesses will have a period of time to prepare, but the extended Act will come into force as soon as practically feasible. ■

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For more details, see 'Key initiatives' under 'Justice sector & policy' at [JUSTICE.GOV.T.NZ](http://JUSTICE.GOV.T.NZ)

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## SAFETY SERVICE BENEFITS HUNDREDS OF FAMILY VIOLENCE VICTIMS

The National Home Safety Service has benefitted more than 750 victims of serious family violence in the 12 months since it was rolled out nationwide.

The service assists victims of family violence to remain in their home by reducing the risk of violence through practical measures like installing security lights, replacing locks and repairing broken windows. It also connects people with other support agencies that may be able to assist them.

Building on a pilot programme that had been running in 3 centres, the National Collective of Independent Women's Refuges began to extend the service in July last year as part of a 3-year, \$3.6 million government contract.

By 30 June this year, 237 homes had been made safer, enabling 237 adult victims of family violence and 517 children, to remain in their homes with a significantly reduced risk of serious physical harm or violence.

The service is one initiative aimed at reducing family violence and keeping victims safe as part of the cross-agency work programme overseen by the Ministerial Group on Family Violence and Sexual Violence which is co-chaired by Justice Minister Amy Adams and Social Development Minister Anne Tolley. ■

# An insight into the US criminal justice system

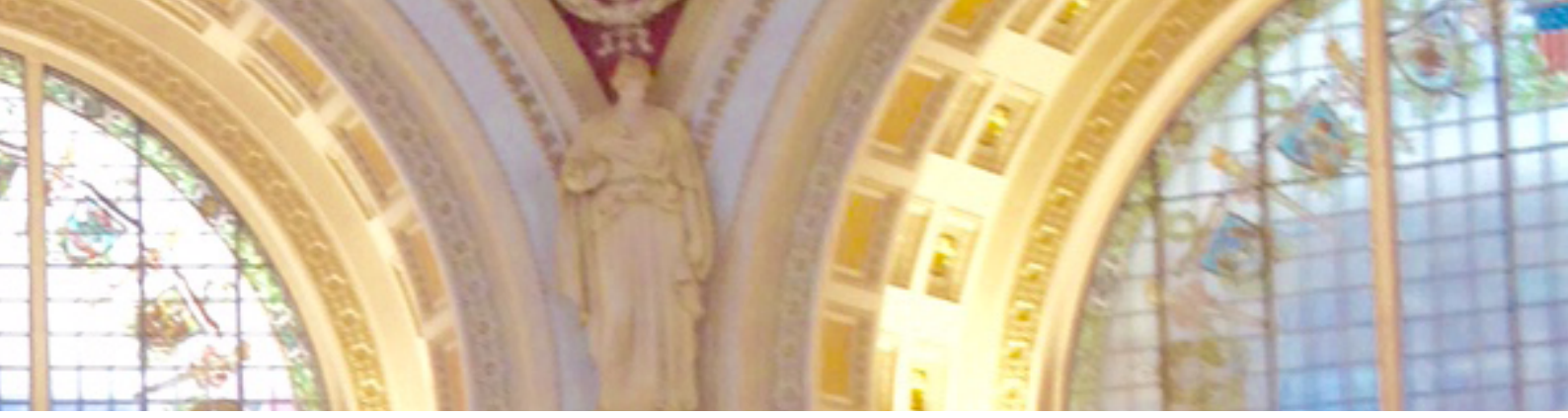


## **General Manager of Sector Strategy, Aphra Green, recently spent 3 months in the United States as the New Zealand Harkness Fellow.**

Her focus was on the ways in which US justice agencies are supporting evidence-based criminal justice reforms, with a particular focus on pretrial decision-making.

She was based with the National Institute of Corrections, part of the Federal Department of Justice, in Washington DC, and also visited other agencies in New York, Virginia, Wisconsin and California.

We asked her about her experience.



## WHAT ARE THE BIGGEST DIFFERENCES BETWEEN THE US AND NZ CRIMINAL JUSTICE SYSTEMS?

The biggest difference is the complexity and scale of the US criminal justice system compared to New Zealand. Unlike this country, the US doesn't have a single criminal justice system. Rather, there is the federal system (for the most serious crimes), and then state systems (for other serious crimes and everything else). Even states are separated into counties for the purposes of law enforcement, which means there are multiple police forces and different ways of doing things. This makes criminal justice reform in the US hugely challenging.

In terms of the actual mechanics of how the system operates, the 2 systems have common recognisable elements. However, they have diverged in many respects, some of which are quite fundamental to how the system operates. In the pre-trial area, the most notable difference is the use of money as security to ensure people return to court for their trial (used in most jurisdictions), and the existence of pre-trial services to supervise those on bail in the community – neither of which we have here.

## WHAT WERE YOUR KEY FINDINGS?

It would be foolhardy to suggest that we should copy anything that the US is doing wholesale. However, there is much we can learn from them in relation to the implementation of pretrial risk assessment. In my view, the US experience demonstrates that an incremental approach is needed to ensure the success of decision-making tools in this area.

In addition, some of the ways that the US has encouraged criminal justice reform is useful to think about for the New Zealand context. In particular, there is a big emphasis on collaboration by all key decision-makers in the criminal justice system, from administrators to district attorneys, defence counsel, judges, the local sheriff and the local jail superintendent.

To collaborate for change, there needs to be courageous leadership, capacity building, commitment, creativity, constructive conversations, and – in the American way – a bit of competition. It is these ingredients that contribute to a high level of trust among justice system partners, creating an environment where the question, 'what does the evidence say about that?' becomes the norm. Ultimately, they create the context for evidence-based reform, where people who are accustomed to being adversaries suddenly find themselves collaborating to improve the justice system in ways they can all agree on.

## WHAT WERE SOME OF THE HIGHLIGHTS OF YOUR TIME IN THE US?

Where do I begin? The whole trip was amazing experience on both a professional and personal front. Standout experiences included:

- sitting in on probation service interviews in California – one of which, with an ex-heroin addict, was particularly powerful
- going to LA's Skid Row and seeing the amazing work of the Skid Row Housing Trust
- a tour of the Manassas County Jail and speaking to some of the women prisoners
- the insider's tour of the Library of Congress (thanks to a fellow kiwi who works there) and seeing the famous Reading Room and Thomas Jefferson's library
- working alongside and meeting all the smart people committed to pre-trial and evidence-based criminal justice reform in the US
- and even line dancing in Denver, Colorado with a judge. ■

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For more information, see 'Context is everything' at [COMMUNITY.NICIC.GOV](https://www.community.nicic.gov)

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# Improving how we respond to family violence



*The all-of-government work programme on family violence and sexual violence is developing new initiatives in its efforts to reduce family violence and keep victims safe.*

The programme is overseen by the ministerial group jointly led by the Ministers of Justice and Social Development.

The initiatives approved by Cabinet are aimed at preventing family violence by identifying risks and intervening earlier, improving victims' safety and supporting perpetrators to change their behaviour.

General Manager Courts and Justice Services Policy, Ruth Fairhall, says the initiatives set the direction for much needed changes to build a more integrated family violence and sexual violence system to deliver services effectively and efficiently.

'These initiatives will enable us to improve how we respond to family violence to better support victims and hold perpetrators to account,' Ruth says.

## INITIATIVES UNDERWAY

**An Integrated Safety Response pilot** in Christchurch will test a new multi-agency approach to assess and support families experiencing family violence with a second pilot in early October in the Waikato.

**A draft Risk Assessment Management Framework** has been developed to provide a better and more consistent way to assess the levels of risk that victims face and perpetrators pose. The framework will be implemented early next year.

**New services to prevent sexual violence and better support victims** will be developed with \$46 million allocated from this year's Budget. These will support a new frontline crisis response for victims, services for those with concerning or harmful sexual behaviour to reduce offending and reoffending, and

treatment programmes and services for male survivors of sexual abuse.

**Core competencies required by the family violence and sexual violence workforce** to effectively deliver services are being identified and developed.

**Establishing a primary prevention framework** that sets out strategies to prevent family violence and provides direction to guide future investment and delivery of services.

**Helping perpetrators to change their behaviour** by ensuring rehabilitation services and programmes are effective and delivered by a well-supported workforce. ■

For more information about the ministerial work programme on family violence and sexual violence, see [JUSTICE.GOV.TZ](https://www.justice.govt.nz)