



# Justice Matters

April 2019 | Issue 14

## In this issue:

We reflect on the Christchurch tragedy; the Ministry welcomes Andrew Kibblewhite, our new Chief Executive; the Alcohol and Other Drug Treatment Court pilot is being evaluated; the family justice system reaches its second round of consultation; and the Hāpaitia team meet with Māori at Rātana and Waitangi.



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*Tābū o te Ture*



# Justice Matters

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Justice Matters is a quarterly newsletter produced by the Ministry of Justice's Communications team.

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**Andrew Kibblewhite**

Secretary for Justice  
and Chief Executive

Kia ora koutou,

When thinking about our Justice sector, my thoughts at the moment are inevitably drawn to the attack on mosques in Christchurch. I acknowledge first the unimaginable pain and hurt sustained by the victims and their families. Our hearts go out to them.

I acknowledge too our people who were caught up in events in Christchurch and those throughout the Ministry who mobilised in support. I thank you all for your strength and judgement and for the kindness and compassion you have shared.

As a country, we are rightly looking forward now and asking ourselves as individuals and as a community what we can do to avoid walking this path again. MOJ has a big part to play in that – most obviously through our Policy work programme, but as importantly in ensuring the core institutions we support – our courts and our independent judiciary – are a trusted source of confidence and solace to New Zealanders.



**Andrew Little**

Minister of Justice  
and Courts

### **A note on the Christchurch terror attacks**

As-salaamu Alaykum - peace be upon you,

To our Muslim communities, to the people of Christchurch, and to all New Zealanders – arohanui and much love. Hate has no place in New Zealand. We will continue to take time to heal as a nation, to grieve as a nation, and to love as nation. Support your loved ones, and support our Muslim communities. If you need to talk to a professional, free call or text 1737 at any time.

### **The voice of victims**

At the heart of any meaningful criminal justice reform lies the question of how we can better support our victims and survivors. Without the voice of victims properly holding their place in the criminal justice system, there can be no reform. No one chooses to be a victim of crime. No victim voluntarily enters the criminal justice system. And no one deserves to feel misheard and misunderstood by a system that should be supporting them.

# Our new Secretary for Justice

## Introducing Andrew Kibblewhite, Secretary for Justice and Chief Executive

I'd like to express my thanks for a very warm welcome to the Justice sector. I'm delighted to be both leading and serving a Ministry that can make a real difference to the wellbeing of New Zealanders. I'm inspired by what I've seen and heard so far. The dedication to helping improve the lives of New Zealanders, and the support for them at difficult times in their lives, is impressive!

This year promises to be a year of progress and brings with it much opportunity for innovation and continuing excellence. Each of us has the power to be an agent of positive change and to contribute to building a safer and more effective Justice system, ensuring our communities and whānau are safe from family violence, increasing trust in our Justice system and maintaining the integrity of our constitutional arrangements.

I warmly welcome our incoming Chief Justice, Rt Hon Dame Helen Winkelmann, who took office on 13 March 2019. I would also like to take the opportunity to acknowledge the enormous contributions of our former Chief Executive and Secretary for Justice, Andrew Bridgman and former Chief Justice, Rt Hon Dame Sian Elias. I continue to settle into my role and look forward to meeting more of you and hearing your thoughts about how we can work together to make the Justice sector as effective as possible.

Finally, over the coming months we will be looking at ways to refresh and improve this magazine, to ensure our stories and coverage of the Criminal Justice System is useful, purposeful and engaging for you, the reader. I welcome any thoughts and suggestions you may have.

Kia kaha. ■

## A message from our Minister

Last year, the Coalition Government passed groundbreaking family violence legislation. It transforms the family violence law in New Zealand, prioritises the safety of victims, especially children, and increases the accountability of offenders. Alongside Under-Secretary Logie, I am proud to have worked on legislation that will make a real difference for victims and survivors.

However, there is so much more to do; to make victims feel safe in our criminal justice system, to rebuild faith in our criminal justice system, and to challenge the lexicon of offenders and victims. Because all too often our offenders have also been victims.

Eighty percent of youth offenders have experienced family violence in their home. 68 percent of the women in prison have suffered family violence as adults or children; 53 percent of them have been victims of sexual violence. Similarly, of the men in prison, more than half have been victims of violence in the home. These men and women have been let down, both by

a lack of adequate care and support, but also by an insidious culture of family and sexual violence in New Zealand.

This month, I attended the Strengthening the Criminal Justice System for Victims Workshop. The workshop is being led by Dr Kim McGregor, and aims to help ensure that the voices of victims are at the heart of the Government's criminal justice reform work. I want to hear from victims and survivors about what needs to change for their safety, for the safety of our communities, and for the safety of all New Zealanders. ■



*The Employment, Coroners and Environment Court teams in Wellington put together some encouraging quotes to help our colleagues and each other through this difficult time.*

**“In times of darkness, look to the light and the good. My thoughts, prayers and love are with the victims, their families and all those impacted. Kia kaha to all the people in and of Aotearoa.”**

**Stacey Richardson**

**“Kia kaha Christchurch - our thoughts and prayers are with you all.”**

**Philip MacKenzie**

**“The tears flow for the people who lost their lives and for all those that have to find their way through this. Please know our hearts break for you and you do not cry alone. I pray for you and those you have lost, much aroha (love) Christchurch.”**

**Vicki Petone**



*Rotorua District Court shared a video of them performing a haka*

# Compassion Wall for the Christchurch tragedy



**“My condolences to everyone affected by this tragedy. I am grateful that we as a nation stand together against such a horrendous act. Kia Kaha (be strong).”**

Bronwyn Poulson



*Andrew Kibblewhite observing the flower wall at the botanic gardens in Christchurch*

**“Sending love and strength to all those affected by this tragedy. We are so much better than this. We can overcome violence and discrimination when we recognise that we have more in common than we are different, and that both our shared humanity and our differences are what makes our communities and our world so wonderful.”**

Deb Morris-Travers



Friday 15 March 2019 was a tragic day for New Zealand. Like the rest of the country, our Ministry was deeply affected by the acts of terror in Christchurch.

To show support for one another in the various locations our people work in, we created an online Compassion Wall during this devastating time.

Through the compassion wall we can share tributes to the victims and families affected by the Christchurch tragedy, and show support for our fellow colleagues in Christchurch and around New Zealand.

This wall is also a way for us to grieve together, to collectively process our experiences, and to comfort each other as a whānau (family).

The Rotorua District Court team shared a video performing a waiata (song) and haka (ceremonial dance) titled, “Tribute from Waiariki.”

The Manukau Criminal and Victim Services team conveyed their support by singing, “Lean on me.”

The Hamilton District Court team also gathered to sing a waiata to send a message of support to our people in Christchurch. ■



# Ministry plays lead role as NZ examined on human rights record



*(Left) Michelle Bachelet, United Nations High Commissioner for Human Rights, with Ministry Senior Advisor Lauren McIntosh.*

Justice Minister, Andrew Little, visited the United Nations (UN) Human Rights Council in Geneva for the Universal Periodic Review (UPR) of human rights in January.

The UPR looks at the human rights records of all UN member states and provides each country with the opportunity to discuss the actions they've taken to fulfil their human rights obligations.

Minister Little, who led the delegation, was accompanied by senior leaders and staff from our Ministry and other agencies.



*(From left) Justice Minister Andrew Little; Ministry Deputy Secretary Policy, Rajesh Chhana; and Ministry Chief Executive Andrew Kibblewhite at the UN panel.*

Rajesh Chhana, the Ministry's Deputy Secretary Policy, was one of those who attended. "Overall, many people appreciated New Zealand's efforts in human rights and justice, and several countries commended us for establishing our international Human Rights Governance Group," he says.

"The main themes discussed were indigenous people's rights, women's rights, violence against women, as well as disability issues, migration and refugees. Delegates from other member states were constructive in their feedback to New Zealand.

The delegation also included new Ministry Chief Executive, Andrew Kibblewhite. He met with Michelle Bachelet, former president of Chile and now UN High Commissioner for Human Rights. ■



*(From left) Ministry Chief Executive Andrew Kibblewhite; Ministry Deputy Secretary Policy, Rajesh Chhana; Private Secretary Mike Gill; Justice Minister Andrew Little; and David Crooke and Lauren McIntosh from the Ministry's Policy Group.*



Judge Ema Aitken in the Alcohol and Other Drug Treatment court in Auckland.

Credit: Teresa Cowie, RNZ <https://www.radionz.co.nz/national/programmes/insight/audio/2018667541/the-drug-courts-on-trial>

## Evaluating the Alcohol and Other Drug Treatment Court pilot

The Ministry is evaluating the Alcohol and Other Drug Treatment Court pilot which began in 2012.

Laura Crawford and Jody Hamilton, Senior Advisors in the Ministry's Sector Group, are co-ordinating the evaluation. "Previously, we've looked at processes but not the outcomes. This is the first time we're evaluating how well the court is achieving its goals," says Laura.

The pilot operates at the District Court in Auckland Central and Waitakere and is a joint initiative between the Ministry of Justice, Ministry of Health, Department of Corrections, and Police. This type of court has been run successfully in parts of the United States and Australia.

"People get very excited about them, but it's important to see if they really work, and the timing is also important.

"The first people graduated five years ago so enough time has passed since they started to take a look at the reoffending rates," says Laura.

Alcohol and Other Drug Treatment Courts aim to funnel repeat offenders with chronic drug and alcohol problems away from prison into intensive rehabilitation programmes to break the cycle of reoffending.

"Fifty people at any one time are in the programme at each court. There's no defended hearing — defendants must plead guilty. People are assessed to see if alcohol and drugs are causing them to offend, and they must convince the court that they're willing to permanently change their lives to be accepted into the programme," says Jody.

The Ministry of Justice is evaluating the pilot in conjunction with the Ministry of Health.

"The evaluation is in three sections. We'll examine what the data is telling us and look at the cost and benefits of the pilot," says Jody.

People facing prison terms of up to three years are eligible for the programme, except for offenders with convictions for violence, sexual assault or arson.

Participants who frequently relapse into taking drugs and alcohol and reoffend, or who fail to meet the rehabilitation goals, can be dropped from the programme.

Since the programme started, 495 people have been accepted, and about 200 people have graduated.

The results of the evaluation will be reported to Justice Minister Andrew Little in May. ■



## Family justice system

# Second round of consultation

The Independent Panel considering the 2014 family justice system reforms has completed a second round of public consultation.

The first round of public consultation revealed dissatisfaction and frustration with the 2014 reforms to the Family Court. Many people who made submissions spoke of significant barriers to timely, fair, long-lasting resolutions to disputes.

Russell Bates, Independent Panel Secretariat who is supporting the panel, said he's pleased with how the consultation went. "We had a very successful first round of public consultation late last year. Our team arranged panel visits to 14 towns and cities and organised over 110 meetings. This generated over 500 submissions. Also, the Ministry's digital team helped with an online submissions tool called Citizen Space which generated 107 submissions."

The panel sought public feedback between 23 January to 1 March 2019 on suggested reforms, including:

- reinstating lawyers for proceedings and providing targeted counselling to separating couples
- allowing people to make an application to the court at any time without pre-conditions
- establishing an effective triaging system when applications are filed, so cases needing urgent attention are referred directly to a judge
- creating new roles to improve how the court deals with applications, and to support joined-up family justice services.

The panel is open to its suggestions being challenged and acknowledges there are still several issues being worked through.

Rosslyn Noonan, Chair of the 2014 Justice Reform Panel says, "I'm happy with the feedback and the public submissions will result in a stronger final report."

The panel will submit its final report to Justice Minister Andrew Little in May. ■

For more information, visit

<https://www.justice.govt.nz/justice-sector-policy/key-initiatives/family-court-rewrite/>





# New Zealand scores highly on international anti-corruption index

New Zealand was ranked the second least corrupt country in the latest Corruption Perceptions Index (CPI).

The index is published each year by international non-governmental organisation Transparency International. It ranks 180 countries and territories by their perceived levels of public sector corruption according to experts and businesspeople. The index uses a scale of 0 to 100, where 0 is highly corrupt and 100 is very clean.

New Zealand scored 87/100, one point lower than in 2017.

Our score confirms that New Zealand continues to be perceived as relatively free of corruption. In 2015 and 2016, we ranked first equal with Denmark.

New Zealand has a well-deserved reputation for being relatively free of corruption due to our strong legal framework for combating bribery and corruption, and institutions that are free of systemic corruption. These factors are likely to have contributed to our maintaining a place near the top of the rankings.

In July last year, the Government established an Anti-Corruption Work Programme. The programme is led by the Ministry of Justice and the Serious Fraud Office and focuses on proactively identifying and responding to the risks of corruption in New Zealand. ■



You can view the report at  
<https://www.transparency.org/cpi2018>

## **Around the Ministry**

- Hamilton Court Registry Officer, Caitlin Georgantas, competed in the Oceania BMX championship in January, coming third in the Women's Superclass event. Congratulations Caitlin!
- Court hearings resumed in the newly strengthened and refurbished historic Oamaru Courthouse in January.
- Auckland Court Registry Officer, Samantha Parks, represented New Zealand in softball last year. The NZ team won the European Championship and Samantha was named Most Valuable Player. Congratulations Samantha!
- We've translated frequently used family violence terms into 13 languages to support people involved in court proceedings who have English as a second language.
- Christchurch District Court supported Christchurch Methodist Mission's "Support a Family" initiative over Christmas with donations of food hampers and gifts.
- Collections Registry Officer, Jaqueline Maharaj, is a member of the Rotary Club of Henderson, and was part of the Rotalite West project in December that helped make up and deliver packs of useful items to homeless people in their community.
- Manukau Customer Service Centre set up a Pātaka Kai – food pantry – in December, for struggling members of their community



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## Safe and Effective Justice:

# *Hāpaitia continues the conversation with Māori at Rātana and Waitangi*

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Rātana celebrations in January were a chance for the Safe and Effective Justice: Hāpaitia te Oranga Tangata (Hāpaitia team) to hear from Māori on how it can partner with them to improve the justice system.

The purpose of the Hāpaitia programme is to support conversation between Te Uepū Hāpai i te Ora (the Safe and Effective Justice Programme Advisory Group) and the wider New Zealand community about justice reform. Hāpaitia helps by providing resources, research, planning and data and acting as a secretariat for Te Uepū, so they can then make recommendations to the Government.

The Hāpaitia team were invited to Rātana Pā, near Whanganui, to commemorate the birthday of Tahupōtiki Wiremu Rātana, the founder of the Rātana Church. The invitation was recognition of the efforts Hāpaitia has made in listening to different groups, particularly Māori, share their experiences of the justice system.

Vance Kapene, Sector Principal Advisor, and Telesia Siale (Sia), Sector Engagement Advisor from the Hāpaitia team attended the Rātana celebrations.

Vance noted the festive atmosphere of Rātana with music, sports tournaments and food trucks, which created a unique and welcoming environment. It was a very moving experience, and people were very generous in their interactions with Hāpaitia.

“I knew that it’s a peaceful festival-like environment, so I didn’t have any anxiety about going in and doing the engagement with people, but I was quite excited to see all of our planning come to fruition,” says Vance “When we arrived, the people of Rātana were so welcoming, and bent over backwards to help us out and make sure we had a prime spot. They were excited that we came to have this conversation with them and others.

“Improving outcomes for Māori, especially young people going through the justice system, is an important issue and the Rātana organisers did everything they could to enable our conversations.”

The event also made a big impression on Sia.

“I really noticed how everyone we spoke to wasn’t fixated on the negative aspects of justice reform,” she says. “They were solutions-focused and were looking forward to how we could make our system better. People were very generous in telling their stories and offered suggestions on how we might co-design a better justice system with Māori.”

“Working with people in this collaborative way keeps us all motivated and we’re looking forward to sharing our experiences with people all around our Ministry,” says Vance. “We have a real opportunity through the Hāpaitia programme to make our justice system better.”

The Hāpaitia team, alongside Chief Executive Andrew Kibblewhite, also attended Waitangi celebrations in February to hear personal stories from Māori about their experiences in the justice system.

“It was an honour to be part of the events at Waitangi,” says Andrew. “The Te Arawhiti team [the new Office for Māori Crown Relations], which was responsible for planning the occasion, did a great job and I’m grateful to Racheal McGarvey for helping me navigate while we were there.

“It was fantastic seeing the work the Hāpaitia team were doing, along with members of the advisory group Te Uepū. Together, with our people in the Waitangi Tribunal and the Māori Land Court, it was great seeing our Ministry front up so well at the event.”

Project manager Karen Hansen says, “What stood out to me is that everyone was afforded a place to speak, and that their voices were heard. There was an emphasis that the stories which were shared were very personal.

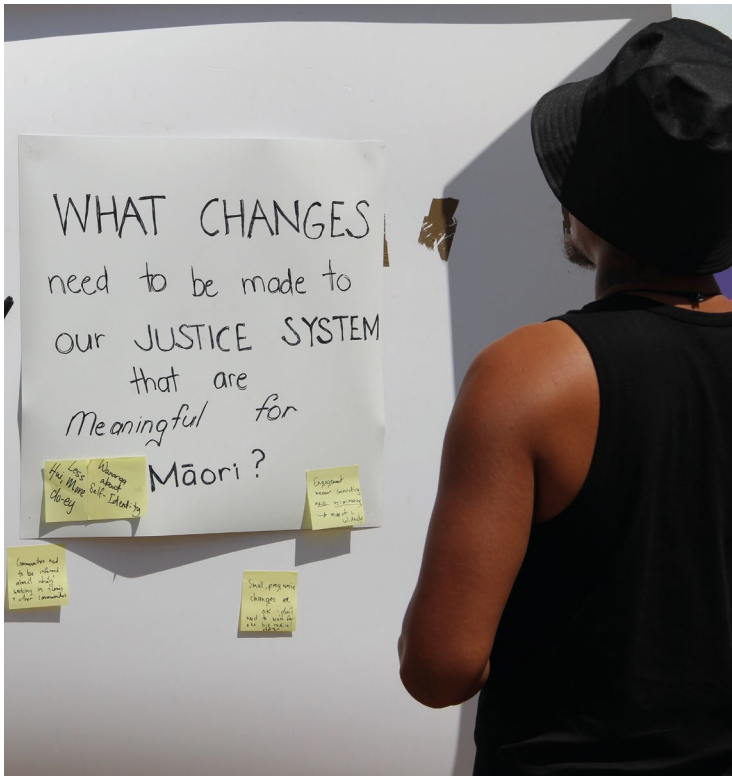
“Those we spoke with were generous in sharing their experiences of the criminal justice system, as well as their whakaaro (ideas) on positive change required to improve outcomes for Māori. They weren’t afraid to remind us that their stories are a taonga (treasure) to the programme and that we have a responsibility fairly represent them fairly.” ■

<https://www.justice.govt.nz/justice-sector-policy/key-initiatives/>





Andrew Kibblewhite, Chief Executive, joining the conversation.



Discussions and feedback taking place at Rātana and Waitangi.



# Te Arawhiti – a bridge between Māori and the Crown

The Office for Māori Crown Relations – Te Arawhiti was launched at Parliament in December. This brings together the four units that previously sat within the Crown Māori Relations Rōpū in the Ministry: the former Office of Treaty Settlements, the Marine and Coastal Area Unit, the Māori Crown Relations Unit and the Settlement Commitments Unit.

They're now the Māori Crown Relations Rōpū, the Settlement Commitments Rōpū, the Takutai Moana, and the Treaty Settlements Rōpū.

As more Treaty settlements are completed, Māori increasingly want to engage with the Crown on a range of issues that look to the future. Te Arawhiti – which means “the bridge” – will be the bridge between Māori and the Crown, the past and the future, and the journey from grievance to partnership.

A key task of the new organisation is to make the Crown a better Treaty partner and more able to engage effectively with Māori on a range of issues. Te Arawhiti is committed to building a relationship with the Crown to build true and practical partnerships with Māori which will bring benefits to all New Zealanders.

Te Arawhiti is a departmental agency within the Ministry of Justice, with its acting Chief Executive (Tumu Whakarae) Lil Anderson. Its staff remain employed by the Ministry of Justice under the departmental agency model, which also sees the Ministry continuing to provide HR, Communications, IT and Finance services. ■

To find out more, visit <https://www.tearawhiti.govt.nz>

## A Place you can be

# Young Professionals Network meet for the first time this year

New Chief Executive, Andrew Kibblewhite, met the Young Professionals Network at their first event this year and talked with members about his career, what his direction will be for our Ministry, and the work that we do.

Andrew shared his own career progression and provided advice on career movement. He also spoke about the pride he takes in being a public servant and answered questions on professional development and the various network groups within our Ministry.



Andrew spoke about the importance of developing our young people and wants to support the work that the networks, like Young Professionals provide.

“It’s important to build a Ministry for everyone to be their best person,” says Andrew.

Andrew spoke about the early development stages of our people’s careers and the important to have the skills for your current role but also the importance for the organisation to support opportunities for career progression.



One of our Young Professional Network members, Julia Goode says, “It’s great to have an opportunity to speak with our new CE and learn about what he values. The Young Professionals Network really enjoyed the event and the chance to speak directly with Andrew.” ■