



Justice Matters

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Our Chief Executive encourages us to keep our focus while looking ahead; the Ministry becomes the first public sector organisation to receive the DVFREE Tick; and the first Youth Justice Indicators Summary Report is released.

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MINISTRY OF
JUSTICE
Tāhū o te Ture





Keeping our focus while looking ahead

Andrew Bridgman • Secretary for Justice and Chief Executive

Earlier this month, the State Services Commissioner announced that I'll be taking up the position of Secretary of Defence from 1 July 2019. My current role as Secretary for Justice and Chief Executive of the Ministry of Justice will end on 31 January 2019.

On 1 February 2019, Andrew Kibblewhite, currently Chief Executive of the Department of the Prime Minister & Cabinet, will start a five-year term as Secretary for Justice. From 1 February, I'll be working at the State Services Commission as Chief Executive on Assignment until I start at the Ministry of Defence.

While I'm honoured with the news of my appointment to the Ministry of Defence, I remain committed to the Ministry of Justice and the sector and will continue to work hard to deliver people-centred justice services for New Zealanders into 2019.

We have an ambitious and exciting work programme - safe and effective justice reforms, the new Crown/Māori Relations portfolio, courts modernisation and the huge amount of work happening to ensure that we make the Ministry a great place to be.

Having said that, we do need to be mindful that change is coming and to be prepared for a transition.



The Ministry's Senior Leadership Team is supporting the transition by providing momentum for our work programme and clear communication about our targets, milestones and what we're doing.

I look forward to continuing to work with you on these various projects and to maintaining our strong momentum over the months ahead.

Ancient laws removed from Crimes Act

The Crimes Amendment Bill is before the Justice Select Committee which will report back to Parliament on September 28. The Bill repeals 'the year and a day rule' which prevents prosecuting a person responsible for the death of another after a year and a day.

The Bill removes the immunity from prosecution for people who assist their spouse or civil union partner by obstructing justice. The law is inconsistent as it doesn't apply to de facto partners and others in close personal relationships.

The Bill also removes blasphemous libel. This is an imprisonable offence in the statute book which doesn't define the scope of the offence, opposes the Bill of Rights and hasn't been prosecuted in New Zealand since the 1920s. England and Wales abolished their blasphemy offences in 2008 and Norway, the Netherlands and Denmark have done so in the last four years.



Message from our Minister

Andrew Little • Minister of Justice and Courts

Everyone knows an American-style criminal justice system doesn't work. As Minister of Justice, I won't sit by and watch offending rise, the prison population blow out, and the safety of our communities continue to be put at risk.

The challenge we face is enormous and it'll take time and determination. Underpinning everything is the need to do things differently. We need to change the conversation and change direction in order to keep our communities safe.

In an effective criminal justice system, it's not just about calling to account and punishing. It's also about turning lives around so that those who can become responsible and productive citizens do so. It's about intervention, rehabilitation, and reintegration. But most importantly, it's about ensuring we're doing everything we can do to reduce the number of victims of crime. We owe it to New Zealanders to do better, and we will do better.



That's why I'm hosting a Criminal Justice Summit on 20-22 August. This will be a chance to launch a real public conversation on criminal justice reform. We need to build a better system and every New Zealander needs to be part of the debate.

I look forward to continuing to work alongside you in all you do to build a fair and effective justice system.

Canterbury earthquake tribunal

The Government will set up a Canterbury Earthquakes Insurance Tribunal to help people with residential earthquake claims in Canterbury. The tribunal will be established and supported by the Ministry.

The tribunal will be a cost-effective option for people to resolve their outstanding insurance claims, and will work with parties to ensure claims are resolved quickly.

The tribunal is subject to the passage of a Bill.



Photo: Simon Makker/Regenerate Christchurch

Historical homosexual convictions can now be wiped

A scheme is now in place that allows people to apply for their historic homosexual convictions to be wiped from criminal records.

The Criminal Records (Expungement of Convictions for Historical Homosexual Offences) Act 2018 came into force on 10 April 2018. It set up a scheme to expunge (wipe) convictions for men for specific offences. To be wiped, the conduct must not be an offence under today's laws.

While consensual sex between men aged 16 and over has been legal in New Zealand since 1986, men with historical homosexual convictions can face ongoing stigma and prejudice.

The scheme means that men who were convicted of specific offences that have since been decriminalised can apply to be treated as if they had never been convicted.

To get an application form and more information about the scheme, go to www.justice.govt.nz/justice-sector-policy/key-initiatives/historical-homosexual-convictions/



Privacy bill

A new Privacy Bill has been introduced into Parliament to replace the Privacy Act 1993.



It's being considered by the Justice Select Committee which will report back to the House in October.

The bill has been a significant piece of work for the Ministry's Policy Group who have been working on it since 2011. It implements recommendations made by the Law Commission in 2011 which found that the Act's principles were sound, but needed updating.

'It's been over the 25 years since the Act was originally passed', says Anna Johnston, principal policy advisor with the Ministry. 'The world has changed so much since then with the explosion of the internet and digital communications. Vast quantities of personal information are now stored and can be sent around the world. This is very efficient, but it also can pose serious privacy problems.'

The Bill will strengthen privacy protection by promoting early intervention by agencies. It strengthens the role of the Privacy Commissioner, streamlines complaints resolution and clarifies the law.

New Zealand organisations will be required to notify the Privacy Commissioner and affected individuals of privacy breaches that may cause harm. Organisations disclosing information overseas will need to ensure it's subject to acceptable privacy standards.

'These proposals are also good for business and government,' says Anna, 'as the public can provide their personal information with greater confidence if they know that their privacy is protected.'

Eliminating family and sexual violence

Jan Logie • Parliamentary Under-Secretary to the Minister of Justice (Domestic and Sexual Violence)



Everyone should live in a home free from violence. But unfortunately, it's estimated half a million New Zealanders are directly impacted by family violence every year.¹ Further, one in three women and one in ten men report having experienced childhood sexual abuse.² With statistics like this, it's clear that preventing and responding to family and sexual violence is one of our greatest opportunities to improve wellbeing.

This is something I've strived for my entire life. In my very first speech as an MP I said that we have a duty to honour the extraordinary strength of survivors, ensure they get the help they need to heal, and prevent the same thing happening to anyone else.

We also have a duty to the people who use violence, to help them acknowledge the harm they cause and address their behaviour. It's a massive task, but it's what we have to do.

As Parliamentary Under-Secretary to the Minister of Justice (Domestic and Sexual Violence), I'm focused on eliminating family and sexual violence, and ensuring our systems meet the needs of victims. This will require improvements in the way Government agencies and communities work.

In Justice, there's already significant work underway to implement the Family and Whānau Violence Legislation Bill and deliver operational improvements to get better outcomes for victims and perpetrators of violence. This includes the development of new guidelines and training to support frontline staff working with people affected by violence.

Justice is an important part of an effective family and sexual violence system. The way in which court staff, lawyers and judges manage cases, the services mandated by courts, and decisions made in courts all

'I'm focused on eliminating family and sexual violence and ensuring our systems meet the needs of victims.'

impact on the safety of victims and the outcomes that can be achieved for them and their children, as well as for perpetrators.

Of course, an effective family and sexual violence system requires sustained leadership and coordination. For this reason, Budget 2018 invests \$2m to create a dedicated agent to transform and lead the system.

Over the next two months, we'll confirm the shape of that dedicated agent and we'll start engaging with communities to plan and build the system we need to eliminate family and sexual violence. This is an important opportunity for people across government and communities to work together to address some of New Zealand's most important social issues. Together, we can make a difference.

¹ NZ Crime and Safety Survey, Ministry of Justice, 2014

² Family Violence Clearinghouse, 2017

Report shows fall in youth offending

The rate of offending between 2009/10 and 2016/17 for children aged 10-13 has fallen by 59% and for young people aged 14-16 by 63%. These are some of the findings of the Ministry's first Youth Justice Indicators Summary Report which was released in April.

The report also found a significant reduction in offending by young people between 2013/14 and 2016/17, whose offending was serious enough to lead to a Family Group Conference or court action. The number of offences more than halved, from 4860 to 2026.

While there was an overall improvement across the system, it wasn't as significant for some groups. There was a 74% reduction in offending rates for European/Other youth while just a 61% reduction for young Pasifika and only 59% for Māori youth. Māori increasingly make up a greater proportion of those who appear in Youth Court.

Between 2010/11 and 2016/17, there was a substantial fall in the number of young people who appeared in Youth Court. However, the number of young people remanded in custody has changed little since 2010/11. This means the custodial remand rate increased from 17% in 2010/11 to 28% in 2016/17.

The report is the result of 14 years of work by government agencies. Youth justice agencies including the Ministry, Oranga Tamariki and the Police, have been working together to develop a report that can be published every six months in a format which is accessible to the public.

The report can be found at www.justice.govt.nz/justice-sector-policy/research-data/justice-statistics/youth-justice-indicators/

Offending rates per 10,000 population for children aged 10-13

Overall offending rate according to ethnicity



Offending rates per 10,000 population for children aged 14-16

Overall offending rate according to ethnicity



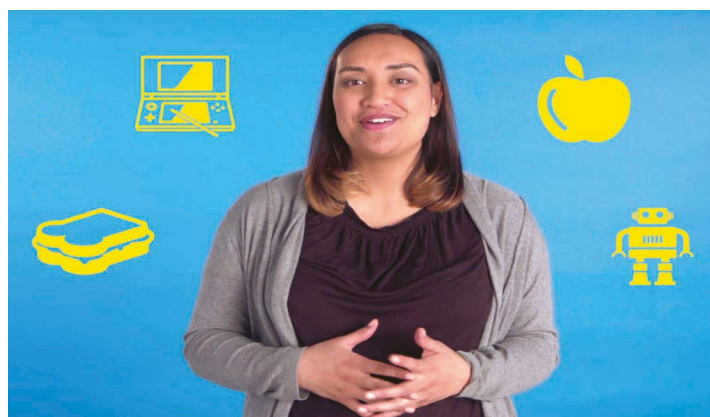
New video to support child witnesses

The Ministry has produced a new video to ensure child witnesses feel safe and supported throughout the court process.

Penny Hoy-Mack, Manager Victims and Prevention Services team in Commissioning and Improvement, says 'Being a Witness' will be a great resource for court victim advisers. 'The video is very engaging, personable and appropriate for children,' she says. 'The narrator is friendly and tells children what they might like to bring with them, who the different people in court are, and the importance of their role as a witness.'

Key messages in the five-minute video include the importance of telling the truth, it's OK to feel different emotions, and reassurance they'll be supported through the court process.

The video content went through an extensive consultation process with Court Services for Victims managers and victim advisers. They provided valuable feedback based on their experience with children, young people and parents or caregivers in the courts. The Office of the Chief Victims Advisor and the Manager for Victims Focus with the Police were also consulted.



Screenshot from the 'Being a Witness' child witness video.

The video replaces the old child witness video which was out of date. The way children present evidence has changed and there's been a move towards children giving evidence via closed-circuit television.

The video was filmed in English and te reo Māori, and has English subtitles for hearing-impaired viewers. The video can also be viewed on the Ministry's and Victims Info websites.

youtube.com/nzministryofjustice

Obituary – Hauraki Grahame Greenland

The passing of Hauraki Grahame Greenland (Ngāti Maniapoto and Ngāti Kahungunu) on 19 January 2018 at the age of 59 is being felt keenly among Māoridom and the public service. Hauraki is survived by his wife Rowanne Te Huinga; his four children Te Muranga, Turanga, Taniora and Erihana; and his much-loved granddaughter Waikohu.

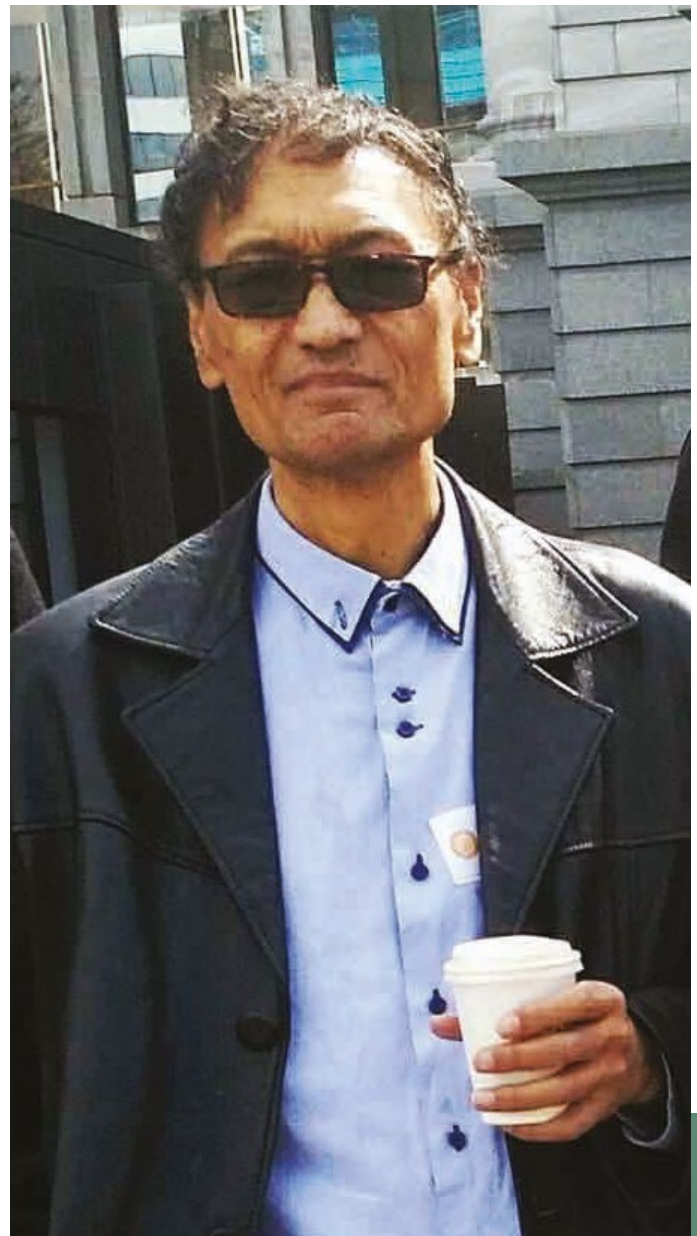
Hauraki was committed to public service, working at the Ministry of Foreign Affairs and Trade, the Treasury, Te Puni Kōkiri and the Ministry of Justice over several decades. His colleagues describe him as a dignified and humble visionary. He shied away from formal leadership roles: he preferred to patiently work behind the scenes, directly advising senior leaders on Māori economic and social development across the public service.

Hauraki joined the public service following several years at the heart of student politics at the University of Auckland. While completing a sociology degree, he also served as president of the Māori students' association. Widely acknowledged as an intellectual, he remained true to his radical roots by compellingly and consistently advocating for fair and equal treatment for Māori within government.

Hauraki had an extensive knowledge of the history and potential of Crown/Māori relations. He used this knowledge to guide the work of those around him, and was influential in the development of strategies that reached far into the future. He worked at the Treasury during the fiscal envelope era and, when seconded to Te Puni Kōkiri, played an instrumental role supporting Tā Wira Gardiner in the background of the earliest Treaty settlements.

Later in his career, at the Ministry of Justice, Hauraki championed greater involvement of iwi and Māori organisations in responding to justice issues within communities. He equipped justice sector agencies to take steps towards working in Treaty partnership with Māori. His persistence and vision contributed to the birth of iwi justice panels in 2013, which are now an important alternative resolution pathway in the criminal justice system. The newest panel began operation just days ago in Hamilton.

Hauraki passed away following a long period of illness, during which he continued to demonstrate his customary strength. He was the kūmara which never



Hauraki Grahame Greenland

spoke of its own sweetness. He mentored not only junior advisors, but also leaders across government. His honesty and dry wit immediately wove people together.

Hauraki is remembered as a quiet leader, and a wry poet among his colleagues in the public sector. His influence will be felt across Māoridom and government for years to come as his ideas come to fruition.

Ministry gets DVFREE Tick from Shine

The Ministry of Justice has been recognised for taking meaningful steps to create a domestic violence-free workplace.

In a ceremony in May, the Ministry was awarded the DVFREE Tick from specialist domestic violence prevention charity Shine.

The Ministry is the first public sector organisation to receive the DVFREE Tick and only the second organisation awarded the tick in New Zealand.

The DVFREE Tick recognises the work the Ministry has taken to create a workplace that's safe and supportive for people experiencing domestic violence and that doesn't tolerate employees using work time or resources to perpetrate domestic violence.

To qualify for the DVFREE Tick, at least 90% of managers within an organisation must undergo DVFREE training. The criteria allows large employers two years to reach that threshold, says Shine's Communications Manager, Holly Carrington.

'We're impressed by the level of commitment from the Ministry's leadership for this programme,' she says. 'This is an unprecedented level of face-to-face education about domestic violence done by a New Zealand workplace.'

Working with Shine's specialist advisers and trainers, the Ministry has already trained nearly all its 470 managers and provided training for a group of first responders who are able to talk to employees experiencing domestic violence and connect them to specialist help.

The Ministry has also commenced an in-person family violence awareness programme for all its 3800 employees.

Ministry Chief Operating Officer Carl Crafar, senior executive sponsor for the family violence programme, says the Ministry is a place people can be healthy and safe, and wellbeing is a high priority for him and his senior colleagues. 'We want to make it clear that the rates of family violence in New Zealand are not acceptable,' he says.

'This is an unprecedented level of face-to-face education about domestic violence done by a New Zealand workplace.'

'We know the prevalence will mean our people will be impacted and we want them to know it's ok to ask for help and that they will be fully supported when they do so.'

Ministry Chief Executive Andrew Bridgman says, 'The model we've developed with Shine has given our managers tools to deal with some of the issues faced by our people, and the systems we've put in place are already working.'

He says the DVFREE Tick is also a good foundation for the Ministry's customer-facing work, especially for our people who engage with families affected by violence at home.

The Ministry launched its Workplace Family Violence policy in November 2017. The policy and training is focused on our response to customers, ensuring all our frontline people are equipped with knowledge about the signs of family violence and sexual violence, and can provide an appropriate response.



Andrew Bridgman with Jill Proudfoot, Client Services Manager and acting GM of Shine (left) and Holly Carrington, Shine's Communications Manager (right).