

# Learnings from New Zealand for restorative justice in Alberta

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## Workshop findings


The 12<sup>th</sup> Annual Alberta Restorative Justice Conference, November 2018

Author: Francesca Kliffen

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[New Zealand Government](#)



A workshop on Learnings from Restorative Justice in New Zealand for Alberta/Canada was delivered by Francesca Kliffen, Senior Advisor, Ministry of Justice, New Zealand on 22 November 2018 at the 12<sup>th</sup> Annual Alberta Restorative Justice Conference. Around 30 people attending the conference took part in the workshop, including restorative justice practitioners and government officials.

This report provides a summary of the content generated during the workshop by participants.

**The purpose of the workshop was to identify:**

- **key learnings that are relevant to Alberta/Canada from the New Zealand experience of restorative justice**
- **actions individuals and groups can take to overcome the biggest challenges in restorative justice in Alberta/Canada**

Participants used the method of post-it notes to answer:

- What are the greatest strengths in restorative justice in Alberta/Canada?
- What aspects of the New Zealand model could work well in Alberta/Canada?
- What are the biggest challenges in restorative justice in Alberta/Canada?

Participants had the opportunity to add stars to other people's ideas that they strongly agreed with. Ideas with the most stars have been reported in **bold** (stars are represented by a number next to an idea).

In tables groups, participants identified:

- three things I can do to overcome our biggest challenges?
- three things we can do to overcome our biggest challenges?

Groups then shared their ideas with the rest of the participants.

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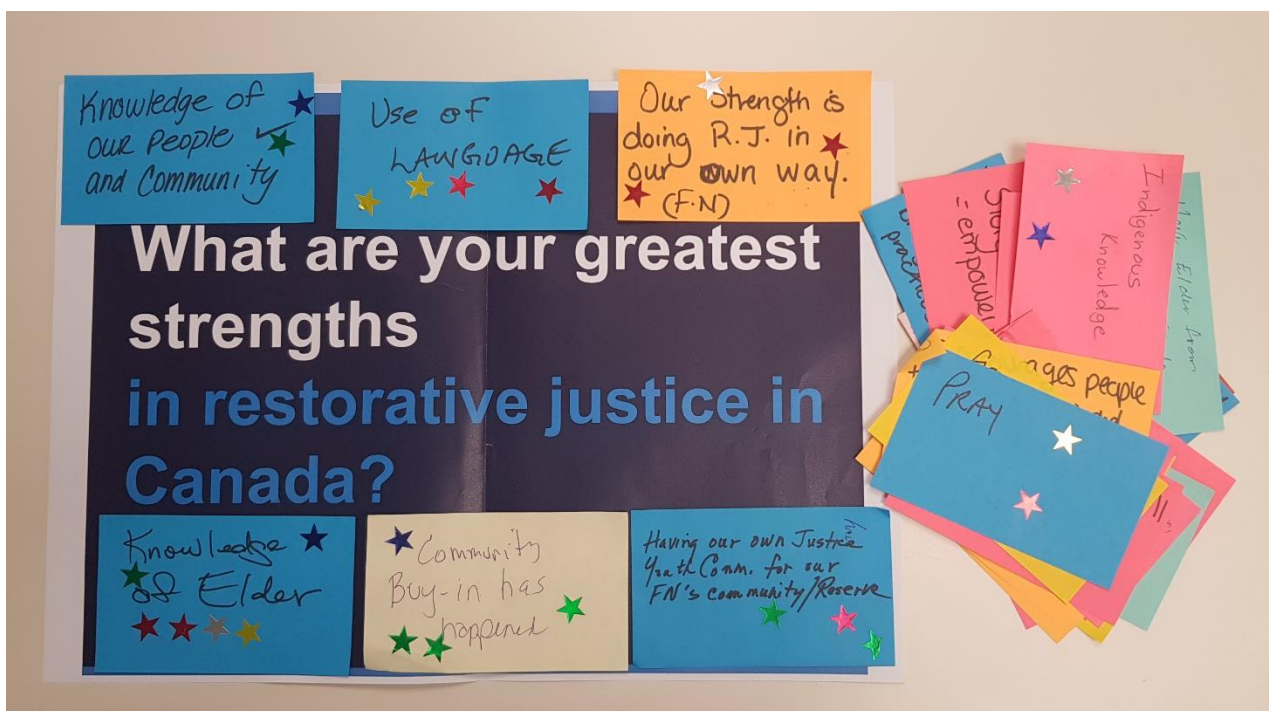
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# Greatest Strengths

## What are the greatest strengths in restorative justice in Alberta/Canada?

The greatest strengths in restorative justice in Alberta/Canada were identified as the knowledge of elders, people and communities, that community buy-in has happened, the use of language, First Nation's communities having their own justice youth communities and doing restorative justice their own way.



### Most “starred” ideas

- Knowledge of Elders - 6
- Community buy-in has happened – 4
- Use of language - 4
- Having our own Justice Youth Community for our First Nation's community/Reserve – 3
- Our strength is doing RJ in our own way (First Nation) - 3
- Knowledge of our people and community – 3

### All ideas

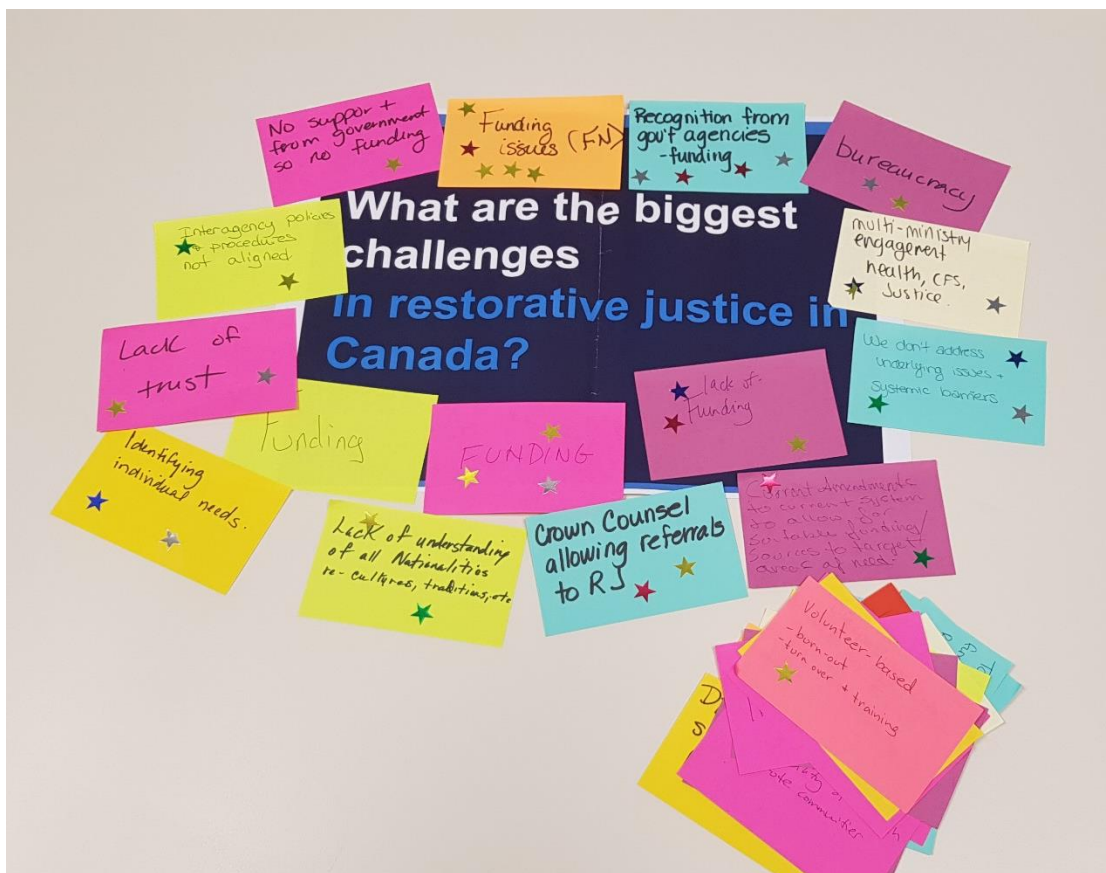
- The willingness is there with government and First Nations to bring back RJ practices – 2
- Indigenous knowledge - 2
- Grass roots community lead process – 2

- ARJA in Alberta – 2
- Space and recognition to acknowledge indigenous ways of knowing – 2
- Have Elder from their community to say prayers - 2
- Starting to educate courts about indigenous ways of justice – 2
- Some Judiciary who understand what is not working and are looking to RJ – 2
- Pray - 2
- Government buy-in (in most places) - 1
- We have a historical RJ platform but it will need to be revived with relationships - 1
- Community led process – 1
- Bringing communities together and can heal communities – 1
- Youth Court now has less cases to deal with due to diversionary programmes – 1
- Willingness of communities to participate – 1
- Strong youth intervention programming – 1
- Get leadership to get involved in RJ programmes – 1
- Storytelling – empowerment - 1
- Some buy-in from front line law enforcement – 1
- Some buy-in from provincial and municipal governments – 1
- Knowing what will work in our own communities
- RJ encourages people to engage with laws and process rather than being imposed – wants to participate
- Working towards Collective Impact
- Bringing everyone together for a positive solution
- Support from elders
- As a community organization, provincial government employees have been open to explaining
- The wealth of knowledge of youth and clients we serve
- Collaboration with outside agencies, Crown and Police
- Momentum and people coming together
- Leading academic institutions
- The ability to connect with integrative holistic theory, in combination with traditional cultural teachings
- Strong RJ programme helping the people
- Direction of change – working in a manner to grow resources we have

# Biggest Challenges

## What are the biggest challenges in restorative justice in Alberta/Canada?

The biggest challenges were identified as a lack of funding, that restorative justice doesn't address underlying issues and systemic barriers, and multi-agency engagement.



### Most "starred" ideas

- Lack of funding – 15
- We don't address underlying issues and system barriers – 3
- Multi-ministry engagement – health, CFS, justice – 3

### All ideas

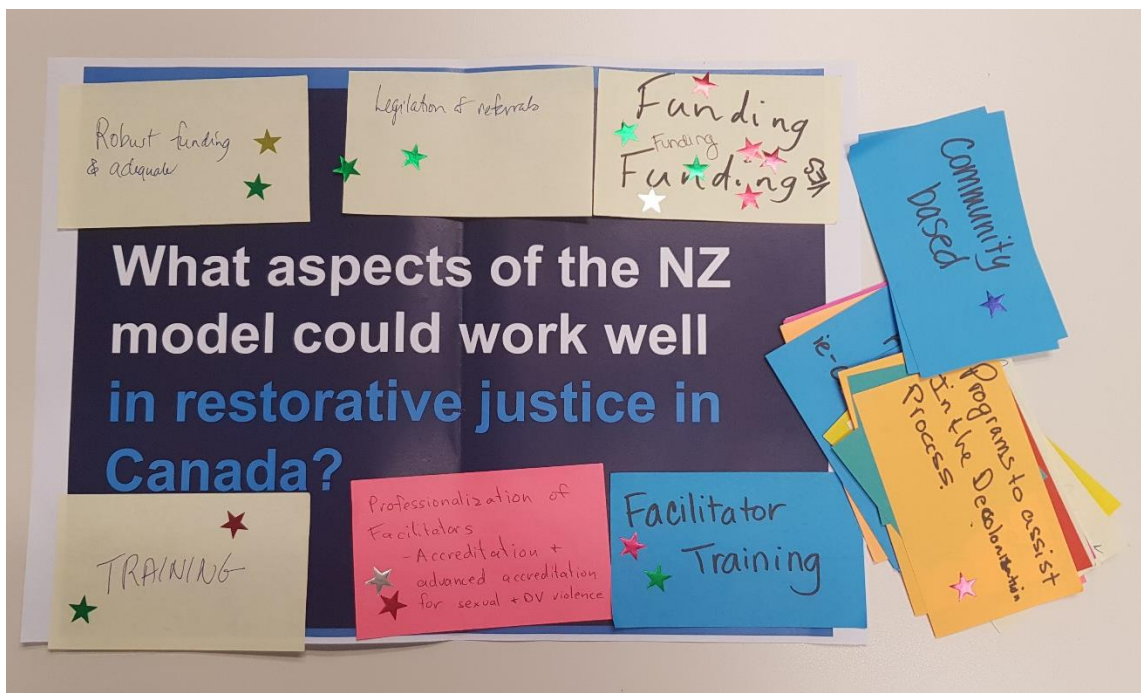
- Identifying individual needs – 2
- Crown counsel allowing referrals to RJ - 2
- Lack of trust – 2
- Lack of understanding of all nationalities re: cultures, traditions etc – 2

- Bureaucracy -2
- Interagency policies and procedures not aligned – 2
- Healing lodges – 2
- Current amendments to current system to allow for suitable funding/sources to target areas of need – 2
- Too concerned with time and funding, without recognizing RJ saves long term time and money – 1
- Youth coming to RJ and how it works
- Unwillingness to take risk and make change
- Volunteer based – burnout, turn over and training – 1
- Dispelling beliefs that are biased (i.e. ultra conservative) - 1
- Trust between the offender and the victim – 1
- Accepted standards and principles for practitioners and organizations - 1
- Information sharing – 1
- Priorities - 1
- Interagency work, establish policy, promote Judges and justice system to look at cases and refer the cases when able – 1
- Lack of RJ programming where it needs to be – 1
- No support from Government so no funding - 1
- Lack of legislation to mandate referrals
- Lack of evaluation, organisations measuring success
- Silos
- Difficulty in silos and matching priorities
- Geography accessibility of RJ in remote communities
- Community and referral partner understanding of process and referral
- Perceptions that RJ is “soft on crime. Perception that we need to be “harder on crime”
- Understanding the offender’s background

# Learnings from NZ model

## What aspects of the New Zealand model could work well in Restorative Justice in Alberta/Canada?

Aspects of the New Zealand model that could work well in restorative justice in Alberta/Canada strongly identified with were funding, facilitator training and professionalisation, and legislation of referrals.



### Most “starred” ideas

- Funding Funding Funding - 8
- Facilitator training – 5
- Professionalization of facilitators - accreditation and advanced accreditation for sexual and domestic violence – 2
- Legislation of referrals – 2
- Robust and adequate funding – 2

### All ideas

- Using language, culture, ways etc of Maori – 1
- Focus on the victims – 1
- Role of the University – formal relationship – 1
- Community agency involvement in developing protocol/practices etc - 1
- Judges being required to consider it – establishing pre-sentence RJ – 1

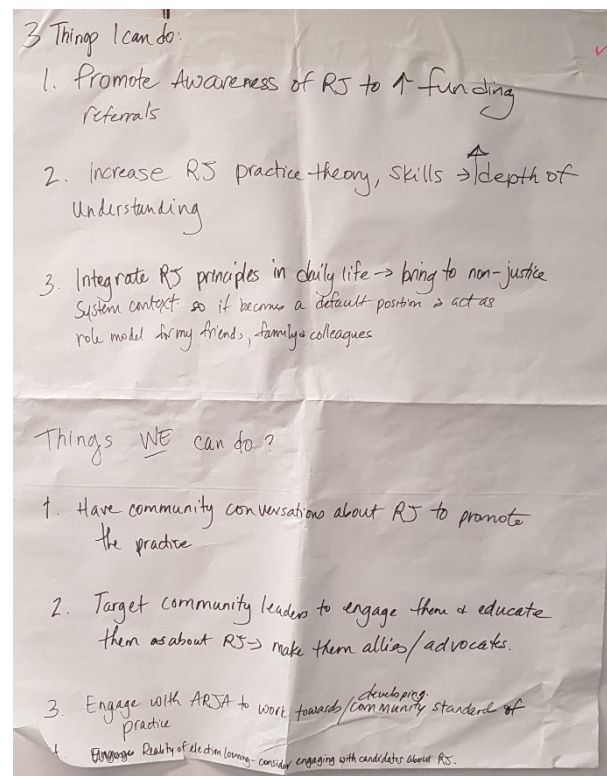


- Community
- Offender can say what led them to offend – 1
- Programmes to assist in the Decolonisation Process – 1
- Community Engagement in the creation and Implementation of programmes – 1
- Inclusion of RJ providers in best practices frameworks – 1
- Community based – 1
- Focus on the offender and underlying issues versus the offence – 1
- Streamlining of referrals less serious offences to more serious offences
- Accreditation
- Collaboration and relationships
- RJ with a hub
- Offender can choose what can be done
- Re-allocation i.e. corrections \$ to RJ \$
- Fund pre-conference and emphasize pre-conference
- Availability to offenders
- How do we develop programmes that are relevant to regional needs?

# Three things I can do

## Three things I can do to overcome our biggest challenges?

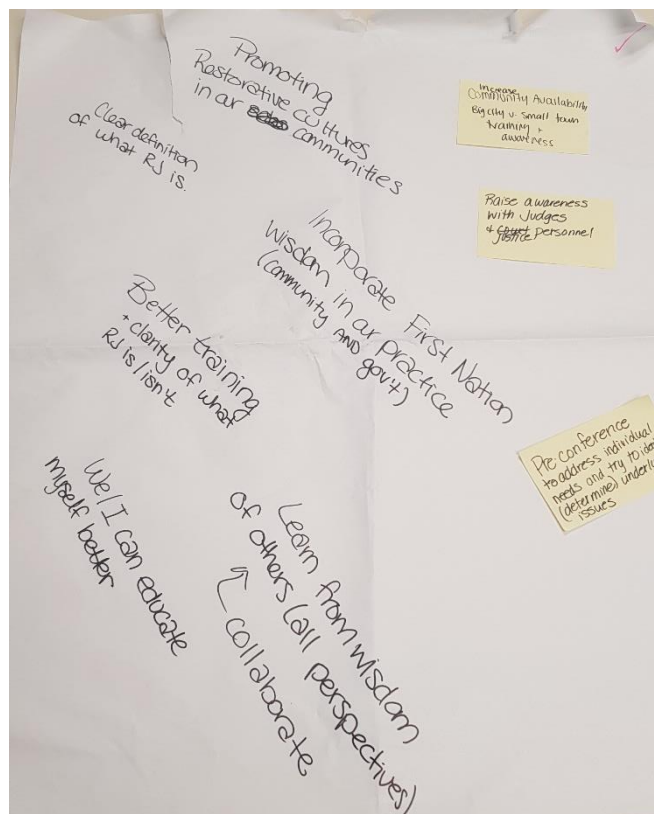
- I can continue advocating for RJ in my community
- Develop relationships and remove stereotypes of First Nations people
- Lobby for change, including funding and community
- We/I can educate myself better
- Learn from the wisdom of others (all perspectives) and collaborate
- Raise awareness with Judges and justice personnel
- Pre-conference to address individual needs and try to identify (determine) underlying issues)
- Increase community available – big city v. small town training and awareness
- Promote awareness of RJ to increase funding and referrals
- Increase RJ practice theory, skills and therefore increase the depth of understanding
- integrate RJ principles in daily life. Bring to non-justice system context so it becomes a default position. Act as a role model for my friends, family and colleagues
- Promote Restorative cultures in our communities
- Remain dedicated to this movement in our community
- Awareness to our communities and police about RJ and how we can come together to support both sides
- Learn more
- See how justice system in my area is working with RJ
- Be aware of own thoughts and opinions
- Supporting each other
- Can use our own ways to make this successful in our community
- Stay connected to the offender after RJ
- Allowing the victim and offender to choose who on the RJ committee they would like to work with (trust) might allow it to be more successful
- Staying non-judgmental and open minded



# Three things we can do

## Three things we can do to overcome our biggest challenges?

- Form RJ hub to build relationships and share information
- Support funding model change
- Break down barriers amongst our own people
- Stay resilient
- Advocate for Truth and Reconciliation
- Develop a clear definition of what RJ is – better training and clarity on what RJ is (and isn't)
- Have community conversations about RJ to promote the practice
- Target community leaders to engage them and educate them about RJ. Make them allies/advocates
- Encourage/task ARJA to facilitate justice reform
- Engage with ARJA to work towards/developing community standard of practice
- Lobby (educate and encourage) government
- Reality of election looming – consider engaging with candidates about RJ
- Incorporate First Nation wisdom in our practice (both community and government)
- Increase understanding of culture
- Create awareness
- Advocate
- Participate in training



**Ministry of Justice**  
**Tāhū o te Ture**

**justice.govt.nz**

info@justice.govt.nz

0800 COURTS  
0800 268 787

National Office  
Justice Centre | 19 Aitken St  
DX SX10088 | Wellington | New Zealand



New Zealand Government

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