

Restorative justice processes for family violence: Insights from the Porirua pilot

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Today we will cover:



- Introduction to Restorative Justice and Family Violence
- Problem definition
- Our response
- How it's going
- Questions & Discussion

The Challenge. Te wero.



“Those of us who champion restorative justice undertake an obligation to listen to our detractors, to measure our visions against realities, and to be both advocate and critic.”

(Zehr, 1994)

“Improving safety and accountability is best achieved through an integrated, systemic response that ensures agencies work together.”

(MoJ, 2014)

He aha ngā raruraru? What are the problems?



A new type of work

- Original MoJ position: no RJ in FV
- Our provider group hadn't delivered RJ in FV

Safety concerns

- FV has different safety concerns to other types of crime
- How to best assess risk in RJ FV context

He aha ngā raruraru? What are the problems?



A fragmented sector

- Lack of understanding & trust in Restorative Justice
- Silo-based responses
 - Barriers to communication between services
 - RJ can happen in isolation
 - Variable referral to FV programmes
 - Duplication and gaps

He aha ngā raruraru? What are the problems?



Timing & pacing

- RJ happening during intervention or crisis phase
- Court-driven response times

Lack of information

- Reliant on information from offender and offence victim
- The information exists – but we don't have it

He aha ngā raruraru? What are the problems?



Types of cases

- Inappropriate referrals
- Appropriate referrals never being made
- The risk RJ process is used as part of the power and control cycle
- IPV and IFV

He aha ngā raruraru? What are the problems?



Capacity

- Very few accredited facilitators
- Able to accept very few referrals

Support

- Lack of ongoing support for participants
- Missed opportunities for intervention

Ō mātou whakautu. Our response



The pilot

- Focus on where could embed best work
- Find the opportunity in limited capacity
- Co-ordinate RJ with FV interventions
- Apply research, best practice
- Enhance understanding of RJ's contribution
- Learn from our and other's practice

Ō mātou whakautu. Our response



Key features of the pilot:

- Judicial support and cooperation
- Collaborative engagement
- Information sharing
- Flexibility of timing
- DV programme participation ahead of RJ
- Extended oversight

Ō mātou whakautu. Our response



- Fragmentation: co-referral to programme
- Timing: Working in the resolution space; pacing led by participant needs
- Sharing information: channels with Police, DV agencies, counsellors, AOD, mental health, etc
- Collaboration: Two way referral processes
- Types of cases: IPV and IFV pathways
- Support: Getting the right people in the room
- Clear risk assessment processes

Te Ara. The Pathway



1. Case 1st appears in Court
 - Judge refers to DV programme (& sometimes RJ)
 - Info-sharing permission granted
2. Offender engages with DV agency & DV reports progress to RJ
3. Monitoring appearances at Court
 - Referral to RJ
 - Info gathered from Court, Police, DV programme facilitator, etc
 - Provide offender with overview of RJ & initial risk assessment
 - Contact offence victim
4. Liaison with DV programme to determine appropriate timing of RJ

Te Ara. The Pathway.



5. Restorative Conversations with Offence Victim and support people
 - Further information Gathering from Police, DV prog etc
6. Restorative Conversations with Offender and support people
 - Further information Gathering from Police, DV prog etc
7. Joint Restorative Meeting(s) (Conferences) with interested parties
8. Report on meeting provided to parties, court (Judge)
9. Offender Sentenced (Judge takes RJ Report into account)
10. Follow-up with parties

Kei te pēhea ia? How's it going?



The good

- RJ an accepted option in FV space
- Still refining our process
- Judges are very supportive
- Police & providers are sharing information
- We are getting the extra people in the room
- Post-RJ support & engagement
- Victoria University partnering in evaluation
- Positive interest from other practitioners

Kei te pēhea ia? How's it going?



The hard

- Capacity still a source of frustration
- Building relationships takes time & energy
- MoJ engagement
- 'The good' is still a work in progress!

Pātai? Whakaaro?

Questions? Thoughts?

Kua mutu

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