

# EFFECTIVE AND HUMANE: Restorative and Māori Justice Approaches to the Prison Crisis



#rjconfer2018

24-25 October 2018

Rutherford House, Pipetea  
Victoria University of Wellington  
Wellington, New Zealand



Diana Unwin  
Chair in Restorative Justice



Brian Picot  
Chair in Ethical Leadership



School of Government

## ABOUT THE HOSTS



Diana Unwin  
Chair in Restorative Justice

The Diana Unwin Chair in Restorative Justice was established in January 2014 and serves as the focus for collaborative, interdisciplinary research and teaching on restorative justice theory and practice, both within the justice sector and beyond. Professor Chris Marshall, the inaugural holder of the Chair, provides academic and professional leadership to a team of researchers and practitioners, and facilitates collaborative engagement between public sector agencies and civil society organisations on restorative justice issues.



Brian Picot  
Chair in Ethical Leadership

The Brian Picot Chair in Ethical Leadership works towards facilitating a transparent and ethically sound business sector. The inaugural Chair is Professor Karin Lasthuizen. For more information about the Chair visit [www.victoria.ac.nz/ethical-leadership](http://www.victoria.ac.nz/ethical-leadership) or email [ethical-leadership@vuw.ac.nz](mailto:ethical-leadership@vuw.ac.nz).

## ABOUT THE SPONSORS



The Michael and Suzanne Borrin Foundation, the key sponsor of the conference, supports legal research, education and scholarship that contributes to their vision for Aotearora New Zealand. The Foundation's vision is one of an Aotearoa New Zealand where everyone understands the role and value of the law, and everyone enjoys the protection and opportunity that it provides.



The Department of Corrections is part of the New Zealand's justice sector, employing around 10,000 staff, the majority of whom work with offenders in one of 18 prisons or 151 Community Corrections sites across New Zealand. Corrections also has responsibility for community-based sentences and probation with the goal of reducing re-offending and increasing public safety.



School of Government

The School of Government at Victoria University of Wellington is an internationally respected centre for learning, research and professional development in public sector issues and management. It offers undergraduate, post-graduate and post-experience courses in Public Policy and Public Management, postgraduate studies in Digital Government, and professional development studies in Strategic Management.

# PROGRAMME

## Conference Opens – Tuesday, 23 October

5:00pm	Pōwhiri	Te Herenga Waka Marae 46 Kelburn Parade, Kelburn Campus
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## Day One – Wednesday, 24 October

### 8:30-9:00 Registration

9:00am	Karakia and Waiata	LT1
	Opening: <b>Chester Borrows</b>	LT1
	Dialogue for Change: <b>Chris Marshall</b>	LT1
	Kaupapa Māori Justice, the Treaty, and Self Determination: <b>Moana Jackson</b>	LT1

### 10:10-10:30 Morning Tea

MZ

	CIRCLE: Connection and Values	
	Moemoeā: Incarcerated Māori Women and Beyond the Prison: <b>Tracey McIntosh</b>	LT1
	Downsizing Prisons: European Comparisons: <b>Frieder Dünkel</b>	LT1
	Justice Reform: What's Different This Time: <b>Aphra Green</b>	LT1

### 12:30-1:25 Lunch

MZ

1:30-2:25 Stream 1 Papers/Workshops

2:25-3:05 Stream 2 Papers/Workshops

### 3:10-3:30 Afternoon Tea

MZ

3:30-4:10 Stream 3 Papers/Workshops

4:10-4:45 Panel: Te Uepū Hāpai i te Ora, Safe and Effective Justice Advisory Group

LT1

### 4:45pm End of Day One

<b>Day Two – Thursday, 25 October</b>		
9:00am	Opening: <b>Karin Lasthuizen</b>	LT1
	Story from the Inside: <b>Jai Teahunga</b>	LT1
	Kim Workman, A Legacy of Justice Reform: <b>Tom Noakes-Duncan</b>	LT1
	Kim Workman, A Justspeak Tribute: <b>Julia Spelman</b>	LT1
	<b>Kim Workman</b>	LT1
<b>10:30-10:50</b>	<b>Morning Tea</b>	<b>MZ</b>
	Dutch Decarceration: Result of Conscious Policy? <b>Miranda Boone</b>	LT1
	Restorative Prisons: <b>Tim Chapman</b>	LT1
	Restorative Reintegration: <b>Lorenn Walker</b>	LT1
	Restorative Culture Change: <b>Janine Carroll</b>	LT1
<b>12:45-1:25</b>	<b>Lunch</b>	<b>MZ</b>
	Speakers Panel: Future Directions for Māori and Restorative Justice	LT1
	A Corrections Perspective: <b>Ben Clark</b>	LT1
	Stream 4 Papers/Workshops	
<b>3:10-3:30</b>	<b>Afternoon Tea</b>	<b>MZ</b>
	CIRCLE: Learning and Response	
	What I've Heard: <b>Chester Borrows</b>	LT1
	Closing: <b>Chris Marshall</b>	LT1
<b>4:45pm</b>	<b>Conference ends</b>	
<b>5:00-7:00</b>	<b>Special Event</b>	<b>MZ</b>
<i>Pre-Release of Kim Workman's Memoir "Journey Towards Justice"</i> You are invited to join us for drinks and canapés		

## BREAKOUT SESSIONS

Stream 1		Wednesday, 1:30-2:25
Lecture Theatre 2 (LT2)	"Towards a Symbiotic Relationship: How the Academic and Policy Communities Can Work Together" - <i>Panel</i>	Aphra Green, Nessa Lynch, Tracey McIntosh, Miranda Boone
Mezzanine 05/06 (RHMZ05/06)	"Te Pae Oranga: Iwi Community Panels" - <i>Panel</i>	Mere Wilson Tuala-Fata, Hata Wilson & Asher Huawaho
Room 102 (RH102)	"Exploring the Potential of Restorative Circle Practice in Prisons" - <i>Interactive Workshop; Max. 20 Participants</i>	Lindsey Pointer & Sam Seiniger
Room G24 (RHG24)	"Making Good Men" - <i>Documentary</i>	Norm Hewitt

Stream 2		Wednesday, 2:25-3:05
Mezzanine 02 (RHMZ02)	"Whanaungatanga Justice: Insights from Ngā Kōti Rangatahi" - <i>Paper Presentation</i>	Stella Black & Katey Thom
Mezzanine 05/06 (RHMZ05/06)	"Restorative Justice, Punishment, and Incarceration: An Uncertain Future" - <i>Paper Presentation</i>	William Wood
Room 103 (RH103)	"Ara Poutama Aotearoa's Approach to Rehabilitation and Reducing Offending" - <i>Paper Presentation</i>	Rebecca Barson & Neil Campbell
Room 104 (RH104)	"How Restorative Justice Practices in Prison Can Promote Desistance From Crime, or Does It?" - <i>Paper Presentation</i>	Bart Claes

Stream 3		Wednesday, 3:30-4:10
Mezzanine 02 (RHMZ02)	"Habilitation and Integration: A Comparative Study of Prisons in Europe and New Zealand" - <i>Paper Presentation</i>	John Sinclair
Mezzanine 05/06 (RHMZ05/06)	"Solution-Focused Skill Building for Assisting People with Reentry" - <i>Interactive Workshop</i>	Lorenn Walker
Room 102 (RH102)	"The Roper Report: Visions of Decarceration in New Zealand Criminal Justice" - <i>Paper Presentation</i>	Liam Martin
Room 103 (RH103)	"Te Ao Māori Practice in Restorative Justice: A Case Study of The Man Up Programme" - <i>Paper Presentation</i>	George Ngatai
Room 104 (RH104)	"Assistance from Outside: A Case Study of Prisoner-Initiated Programs in Kerobokan Prison, Bali" - <i>Paper Presentation</i>	Daphne Kwan Yiu Choi

## Stream 4

Thursday, 2:30-3:10

Mezzanine 02 (RHMZ02)	"Give Our People Back" - <i>Paper Presentation</i>	Anne Waapu & Ngawai McGregor
Mezzanine 05/06 (RHMZ05/06)	"How to Change a Culture" - <i>Interactive Workshop</i>	Janine Carroll
Room 102 (RH102)	"Combating Aggression in Detainee Transport: Changing Workplace Culture Towards a Supportive Treatment Style and the Role of Leadership" - <i>Paper Presentation</i>	Karin Lasthuizen & Hester Paanakker
Room 103 (RH103)	"Beyond the Prison Crisis: Twenty Years of Belgian Restorative Prisons" - <i>Paper Presentation</i>	Bart Claes
Room 104 (RH104)	"The Navigate Initiative: A Corrections and Community Collaboration" - <i>Paper Presentation</i>	Carey Ewing & Pablo Gadoy

# PLENARY SPEAKERS

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## **Prof. Miranda Boone**

Miranda Boone is a Professor of Criminology at Leiden University. Prior to that, she worked as a professor in Penitentiary Law and Penology at the University of Groningen. Miranda Boone has conducted research at the interface of criminology and criminal law. She is particularly interested in the decision-making processes with regard to the application of sentences from a social science and normative perspective. She published extensively on the rise and fall down of the Dutch prison population in the last 20 years and on prison climate.

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## **Chester Borrows**

Chester Borrows, a former National MP, is the Chair of Te Uepū Hāpai i te Ora, Safe and Effective Justice Advisory Group. He is a former National Member of Parliament and held a wide range of ministerial portfolios, most notably as a Minister for Courts, Associate Minister of Justice, and Associate Minister of Social Development. He has a keen interest in restorative justice and is currently also the Chair for the Restorative Cities Project in Whanganui.

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## **Janine Carroll**

Janine Carroll is Director of Restorative Now, specialising in Restorative Practice training, implementation and facilitation. She has 30 years' experience in restorative practice, across criminal justice, education, police, family social work, housing and community agency sectors, much of this gained in New Zealand and the UK. Janine sits on the Restorative Justice Council UK Expert Advisory Group. Her passion for the universal applicability of Restorative Practice, allows for a move beyond a binary focus on right and wrong doing to one of common human need.

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## **Tim Chapman**

Tim Chapman is a visiting lecturer at the University of Ulster in Northern Ireland, UK teaching on the Masters programme in Restorative Practices. He has contributed to the development of restorative justice practice in both the community and statutory sectors (including the Northern Ireland Prison Service) in Northern Ireland. He spent 25 years working in the Probation Service in Northern Ireland. This included working in prisons. He has conducted significant research into restorative justice in Northern Ireland including the ALTERNATIVE project which focused on restorative justice and intercultural conflict. He is chair of the Board of the European Forum for Restorative Justice.

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## **Ben Clark**

Ben Clark is the Acting National Commissioner at the Department of Corrections. As the Acting National Commissioner, Ben is responsible for all service delivery operations across the Department. His substantive role is the Regional Commissioner for the Southern Region. Prior to this role he was Director Programmes and Interventions, where he played a lead role in increasing offender access to rehabilitative programmes.

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## **Prof. em. Frieder Dünkel**

Frieder Dünkel is a previous President of the European Society of Criminology (ESC) and a previous Dean of Law and Vice-Rector of the University of Greifswald in northeast Germany. As a Chair of Criminology, he has undertaken many research projects, including international comparative projects on men's prisons in the Baltic States, on women's imprisonment in Europe, on long-term imprisonment in 10 European countries, on electronic monitoring, on juvenile justice systems and on restorative justice in Europe.

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## **Aphra Green**

Aphra Green is the General Manager of the Strategy, Evidence and Investment Group at the Ministry of Justice. In 2016, she was the recipient of the New Zealand Harkness Fellowship, which enabled her to spend three months at the Federal Department of Justice in Washington DC, looking at evidence-based criminal justice reform and pretrial risk assessment and decision-making. While the majority of her career has been spent in a variety of policy roles at the Ministries of Justice and Health, she also practised law and completed a research fellowship at the University of Otago.

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## **Dr. Moana Jackson (Ngāti Kahungunu and Ngāti Porou)**

Co-founder of Ngā Kaiwhakamārama I ngā Ture (the Māori legal service) and later Te Hau Tikanga (the Māori law commission) set up to investigate the justice system and its bias against Māori. Author of the seminal report He Whaipānga Hou (Māori and the Criminal Justice System, 1988), currently being revised and updated. Constitutional lawyer and expert on the Treaty of Waitangi. In 2017 he was awarded an honorary doctorate from Victoria University for his contribution to Māori and the criminal justice system.

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**Prof. Karin Lasthuizen**

Karin Lasthuizen is a Professor at the School of Management and the holder of the inaugural Brian Picot Chair in Ethical Leadership, Victoria University of Wellington. Her research and consultancy work focus on ethical leadership and ethics management in public and private sector organisations and she specialises in methodology for research into organisational unethical behaviour such as corruption and fraud. She has completed multiple studies within frontline security organisations, including police custodial and correctional facilities.

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**Prof. Chris Marshall**

Chris Marshall is the holder of the Diana Unwin Chair in Restorative Justice, Victoria University of Wellington. His research focuses on restorative justice theory and practice, and its many applications in society. He has also a strong interest in conflict resolution and peacemaking. His theological work has focused strongly on the biblical and spiritual roots of the restorative justice vision.

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**Prof. Tracey McIntosh (Tūhoe)**

Tracey McIntosh is a Professor of Indigenous Studies and Co-Head of Te Wānanga o Waipapa (School of Māori Studies and Pacific Studies) at the University of Auckland. She was the former Co-Director of Ngā Pae o te Māramatanga New Zealand's Māori Centre of Research Excellence. Her recent research focused on incarceration (particularly of Māori and Indigenous peoples), gang whānau issues and issues pertaining to poverty, inequality and social justice. She is the Co-editor of *AlterNative: An International Journal of Indigenous Peoples*.

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**Dr. Tom Noakes-Duncan**

Tom Noakes-Duncan is a Lecturer with the Diana Unwin Chair in Restorative Justice, Victoria University of Wellington. He has worked in numerous projects related to restorative justice, from in-prison restorative justice applications, youth justice residences, to Māori and restorative justice approaches to prisons and reintegration.

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**Julia Spelman (Ngāti Hikairo Ki Kawhia)**

Julia Spelman is the Board Chair of JustSpeak, a youth-based criminal justice advocacy organisation. She is currently working as a barrister at Pipitea Chambers in Wellington. After two years as a Judge's clerk, Julia worked on criminal justice issues overseas before returning to New Zealand to work as a defence lawyer.

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**Jai Teahunga (Ngāi Tahu, Ngāti Tūwharetoa, Ngāti Mahuta)**

BA Māori, Father of four, taiaha instructor. Served 12 years of a life sentence.

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**Lorenn Walker**

Lorenn Walker develops, implements, studies and writes about public health, restorative justice and solution-focused approaches for peace building and addressing trauma. She has trained thousands on restorative and solution-focused circle and group practices. She directs Hawai'i Friends of Restorative Justice; she is a University of Hawai'i adjunct associate professor in the public health office of the School of Social Work; Senior Fulbright Specialist for conflict management and peacemaking training and the principle researcher of numerous cited pilot projects.

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**Dr. Kim Workman, QSO (Ngāti Kahungunu and Rangitaane)**

Adjunct Research Fellow at the Institute of Criminology, Victoria University of Wellington. Former public servant, with a career spanning roles in Police, State Services Commission, Māori Affairs, and as Head of Prisons. Founder and former National Director of Prison Fellowship NZ, and then "Rethinking Crime and Punishment." Recipient of numerous awards, including International Prize for Restorative Justice, Stout Fellowship, honorary doctorates from Massey and Victoria Universities, and Senior New Zealander of the Year in 2018.

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**Panellists - Te Uepū Hāpai I Te Ora, Safe and Effective Justice Advisory Group**

Selected members of Te Uepū Hāpai I Te Ora, Safe and Effective Justice Advisory Group. The Advisory Group is responsible for making recommendations on restoring the wellbeing of people. They are currently engaged in canvassing a range of ideas about how the criminal justice system can be improved.



# WORKSHOP DESCRIPTIONS AND PRESENTER BIOGRAPHIES

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## Stream 1

1:30 - 2:25, Wednesday 24 October

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### **Towards a Symbiotic Relationship: How the Academic and Policy Communities Can Work Together**

*Panel*

Aphra Green, Nessa Lynch, Tracey McIntosh & Miranda Boone

In this panel, the participants will discuss the challenges and opportunities in the intersection of academic research, penal policy formation and law reform. The panellists will consider questions such as: the translation of academic research for policy audiences and vice versa; frustrations and opportunities at differing world views; untapped opportunities for collaboration; and how to develop symbiotic relationships in pursuit of common goals.

Panel members include **Aphra Green**, General Manager, Sector Group, Ministry of Justice; **Dr Nessa Lynch**, Faculty of Law, VUW; **Professor Tracy McIntosh**, University of Auckland; and **Professor Miranda Boone**, Leiden University, the Netherlands.

### **Te Pae Oranga: Iwi Community Panel**

*Panel*

Mere Wilson Tuala-Fata, Asher Hauwaho & Hata Wilson

This panel will explore the origins and development of Te Pae Oranga, Iwi Community Panels. Te Pae Oranga, a collaboration between NZ Police and local marae, offers a place where offenders are supported to listen and learn from the views of community leaders in a safe environment that is intent on restoring their wellbeing.

The panel will include **Mere Wilson Tuala-Fata**, Strategic Advisor MPES, NZ Police; **Asher Hauwaho**, Iwi Liason Officer for NZ Police, and **Hata Wilson**, Whanau Ora, Te Runanganui.

### **Exploring the Potential of Restorative Circle Practice in Prisons**

*Interactive Workshop*

Lindsey Pointer & Sam Seiniger

**Please note: This workshop is limited to 20 participants.**

The restorative circle process is increasingly used in communities such as schools, workplaces, universities, churches, and neighbourhoods to foster positive relationships founded on respect, empathy, accountability, belonging and honest communication. The circle brings people together in a simple, but powerful way to increase feelings of connection and create a space for productive conversations to occur. Schools in particular have found that holding regular circles has a positive impact on behaviour and wellbeing.

This experiential workshop will introduce participants to the restorative circle process for building community and facilitating difficult conversations. Participants will experience a circle process together, followed by a debrief of the experience and a facilitated conversation about the potential of using the restorative circle process in prisons, both with inmates and among staff. The presenters will also share a few examples of the use of circles within prisons.

This interactive workshop will be led by **Lindsey Pointer** and **Sam Seiniger**. Lindsey is a restorative practices facilitator, trainer and researcher from Colorado, USA. She is currently pursuing a PhD in Restorative Justice at Victoria University of Wellington. In addition to her studies, Lindsey facilitates restorative justice conferences and provides training in restorative practices as the Creative Director at Aspen Restorative Consulting. Sam is a community builder from Idaho, USA. He works using events, small businesses, and recreation to build and maintain relationships in inclusive communities. He is a trained restorative practices facilitator and has used restorative

practices in a variety of contexts in the community, including the design and delivery of a pilot program at Manawatu Prison.

## **Making Good Men**

*Documentary*

Norm Hewitt (Ngāti Kahungunu, Ngāti Tūwharetoa, Ngāti Pākehā)

Synopsis: Two high profile men, a former All Black and Hollywood actor, reveal their unforgettable account of bullying with unprecedented honesty. Making Good Men is not a story of blame or humiliation. It is a path of redemption, to reconciliation and ultimately to restoration.

The movie will be presented by **Norm Hewitt**, a facilitator, trainer, motivator, mentor and coach. Norm, a former All Blacks rugby player, has a strong passion to assist people achieve their potential. He works across a broad spectrum of organisations doing this work and loves seeing the light bulb moments every day. In 2016 he was part of the documentary “Making Good Men” which has won several national and international awards.

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## **Stream 2**

**2:25 – 3:05, Wednesday 24 October**

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## **Ara Poutama Aotearoa’s Approach to Rehabilitation and Reducing Reoffending**

*Paper presentation*

Rebecca Barson & Neil Campbell (Ngāti Porou)

*Kia angitu mo te katoa, kia angitu me te hunga hara Māori  
To succeed overall we must succeed with Māori offenders*

The primary focus of the Department of Corrections offence-focused treatment programmes is to address the factors which are empirically known to reduce the likelihood of future offending. Wider than the specific rehabilitation programmes, Ara Poutama Aotearoa is also developing a Prison Practice Framework with the objective of establishing a clear set of principles (based on manaaki, wairua, whanau, kaitiaki, rangatira) in relation to consistency of behavior and engagement with other staff and people in prison. The roll out of this framework is expected to further enhance positive gains made from treatment and highlight the importance of an all of prison approach to rehabilitation through a culturally competence lens. This presentation will outline these rehabilitative efforts and comment on the Department’s Strategic Commitments to reducing the number of Māori coming into Corrections.

The paper will be presented by **Neil Campbell** and **Rebecca Barson**. Neil has worked for Ara Poutama Aotearoa Department of Corrections for the past 25 years and held many operational positions and has been the former Director Māori and General Manager Māori Strategy and Partnerships. Neil currently holds the National position of General Manager Organisational Culture and Diversity. Neil is driven by culture in its many contexts and works closely with other jurisdictions on matters of cultural identity and effective ways of working with indigenous peoples within the Criminal Justice system. Rebecca Barson is currently Director of Programmes and Interventions at Ara Poutama Aotearoa. She has worked for the Department of Corrections for almost two years. Prior to this she held roles within the care and protection field in the UK and here in New Zealand. Rebecca is passionate about using evidence based culturally informed approaches.

## **Whanaungatanga Justice: Insights from Ngā Kōti Rangatahi**

*Paper presentation*

Stella Black (Ngāi Tūhoe and Ngāti Whakaue) & Katey Thom

Ngā Kōti Rangatahi are marae (tribal/culturally significant meeting place) based youth courts that offer an alternative pathway for rangatahi (youths) aged 14-16 years who do not deny an offence and have agreed to have their Family

Group Conference FGC plan monitored in this setting. This presentation will present the findings of a kaupapa Māori project that explored how legal spaces are being re-defined in Ngā Kōti Rangatahi. Although Kōti Rangatahi remains part of the youth court system, it differs fundamentally in that it takes place on the marae and includes the observation of tikanga Māori (beliefs, principles, values and practices). The paper will describe a foundational concept that emerged from the research called “Whanaungatanga Justice”, which drives Ngā Kōti Rangatahi. We will explore how the concept came into being, including the debate that took place amongst marae kaumātua in regards to how the English term ‘justice’ did not initially sit well alongside the kupu (word) ‘whanaungatanga’ (relationships, familial and relational connections). To marae kaumātua, the term ‘justice’ infers fairness and equality for all, which is not the reality for many Māori in the criminal justice system. However, the research findings regarding the difference of having Kōti in a marae setting; the incorporation of the whakawhanaungatanga circle; and the use of a whānau approach (led by kaumātua) for whānau resulted in a consensus that whanaungatanga justice encapsulates the underlying philosophy of Ngā Kōti Rangatahi. The paper will conclude by arguing that Whanaungatanga Justice provides a tikanga based model that can be adapted, and holds promise, for adult criminal justice settings.

The paper will be presented by **Stella Black** and **Katey Thom**. Stella is a Māori researcher and PhD candidate at the University of Auckland. She has a particular passion in working with Māori young and old across a range of topics. Stella has worked on a number of research projects in the fields of mental health, addictions, palliative and end of life care and community based co-design interventions. Her recent collaboration with Katey Thom, investigates Aotearoa New Zealand’s specialist courts, with a particular focus on Ngā Kōti Rangatahi (Māori oriented and located youth court).

Katey Thom is a Senior Research Fellow with the Centre for Non Adversarial Justice, Auckland University of Technology. With a background in Health Sciences, her PhD explored the role of forensic psychiatrists acting as expert witness in criminal trials. Katey has a keen interest in socio-legal studies of expert evidence, mental health law and specialist courts. She has recently explored the Alcohol and Other Treatment Drug Court pilots, Homeless court, and Nga Kooti Rangatahi. Her current research interests are on working with people with lived experience of the criminal justice system to help reshape it to better respond to mental distress.

## **Restorative Justice, Punishment and Incarceration: An Uncertain Future**

*Paper presentation*

William Wood

In this presentation, William Wood sets forth a critical assessment of the ability of restorative justice (RJ) to reduce incarceration within New Zealand, but also most other English speaking countries where it is used. He draws from existing research on RJ programs to show that few, if any, function to divert offenders from prison. William also examines existing research on the use and growth of incarceration to show that prison growth in New Zealand and other countries is largely unconnected to any real growth in serious crime, such that the drivers of incarceration are largely related to structural changes in sentencing, policing, and corrections, and thus unlikely to be redressed by more use of RJ. Following this, he argues that concept of RJ “prisons” are likely a chimera within the political-economic and cultural frameworks of punishment that dominate the contemporary social logic of the prison. He questions whether or not it is even viable to have “RJ” within prisons without expanding the definition of “restorative” into types of prison rehabilitation and service programs that have existed in various forms since the beginning of the modern prison. He concludes with two earnest questions, namely 1) Why has policy and reform become increasingly wedded to the concept of RJ as an answer to the prison crises?, and 2) How can RJ, if at all, be used to confront the prison crises on a more systemic or structural level, particularly as it relates to the over-incarceration of racial, ethnic and Indigenous peoples.

The paper is presented by **William R Wood**, Senior Lecturer in the School of Criminology and Criminal Justice at Griffith University. He has published and written in the areas of restorative justice, prisons and corrections, crime and media, and social theory. His current research involves the completion of the forthcoming Routledge manuscript entitled *Race, Crime, and Restorative Justice*, co-authored with Juan Tauri.

## How Restorative Justice Practices in Prison Can Promote Desistance From Crime, Or Does It?

*Paper presentation*

Bart Claes

Interest in desistance from crime has developed in the last twenty years from a number of strands such as in resettlement from prison and corrections. Restorative Justice (RJ) derives from a different set of theoretical imperatives and the implementation of these practices in Europe and the UK now has an increasing focus on the moral and social rehabilitation of the offender. The capacity of RJ interventions to reduce the likelihood of offenders' reoffending opens new perspectives for these practices in prisons. Within this process of desisting from crime, motivational and cognitive elements are critical and they have clear links with the processes involved in RJ practices. Additionally these RJ practices have the potential to foster social and human capital. However, prisons differ significantly from other social institutions, induce deprivations and have specific cultures and structures that influence practices and the behavior of all those present. Drawing upon research results in a Belgian and English prison, this presentation focuses on the way in which these RJ practices can promote desistance from crime, but at the same time, interact with the structural and cultural elements that are part of daily life in prison.

The paper is presented by **Bart Claes**, Professor of Social Work & Criminal Justice at the Avans University of Applied Sciences in The Netherlands, focusing on the research topics desistance from crime, restorative justice and prison studies. After completing his Master's studies in criminology at the University of Brussels (Belgium), Bart Claes worked as a victim-offender mediator at the Flemish organisation Suggnome, Forum for Restorative Justice and Mediation and as a research associate Social Work at the Erasmus University College Brussels. In 2012, he obtained a PhD in criminology at the University of Brussels (Belgium) with an ethnographic study on the daily life in prison and restorative justice practices. In 2015, he moved to Sheffield to join the School of Law at the University of Sheffield on a Marie Curie Intra-European Fellowship researching desistance from crime and restorative justice practices in prisons in Belgium and England and Wales.

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**Stream 3**

**3:30 – 4:10, Wednesday 24 October**

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## The Roper Report: Visions of Decarceration in New Zealand Criminal Justice

*Paper presentation*

Liam Martin

The public conversation about prison reform provides an opening to learn from past efforts at progressive change in New Zealand criminal justice. Thirty years ago, the Roper report recommended replacing most prisons with habilitation centers where sentences could be served outside the walls in community settings. Remaining prisons would be kept small and local, with capacities capped at 125 people. This vision of radical decarceration in the mainstream of public debate is a reminder there have always been alternatives to the conservative politics of penal populism. As the government searches for ways to address mounting criticism of the social and financial costs of the prison boom, the fate of the report provides a case study in the promises and pitfalls of justice reform in New Zealand.

The paper will be presented by **Liam Martin**, criminology lecturer at Victoria University. He teaches the course *Prisons in Aotearoa New Zealand*, and is writing a book about prisoner reentry based on ethnographic research conducted living at an American halfway house. This reentry work is part of long-term research on the causes and consequences of large-scale incarceration: including the interactions between prison growth and race and class inequalities, global transfers of punitive criminal justice policy, the impact of prisons on families and communities, and alternative ways of addressing harm.

## **Habilitation and Integration: A Comparative Study of Prisons in Europe and New Zealand**

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*Paper presentation*

John Sinclair

Within a vision of a justice system that emphasizes restorative and community-building responses to offending, what should be the role of prisons? What should they look like? Where should they be located? And what principles should guide how prison life and prison programming is structured and organised? Last year John Sinclair visited prisons in Scandinavia, the Netherlands and the British Isles on a Churchill Fellowship, studying partnerships between prisons and the voluntary sector and community agencies. He was looking in particular for programmes and practices that maintained a sense of purposeful connection between prisoners and the community, building civic engagement, trust and skills that would help reintegration.

John will talk about several of the innovative programmes he observed, and reflect on policy changes that would be needed to create a criminal justice system that supports such programmes, and where prisons play a smaller, but more strategic, role in reconnecting prisoners with the community, focused on restoring trust and trustworthiness.

The paper is presented by **John Sinclair**. He co-ordinates in-prison volunteer programmes for the NZ Howard League for Penal Reform, and is also the Chair of the Yoga Education in Prisons Trust.

## **Te Ao Māori Practice in Restorative Justice: A Case Study of The Man Up Programme**

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*Paper presentation*

George Ngatai, QSM

This workshop will identify, explain and seek to understand how Komiti Marae Ōrākei Trust introduces restorative justice within a Māori framework. In particular, it will discuss the Man Up programme and why it has been found to work in helping men to receive healing, restoration and stability in their lives.

The presentation is given by **George Ngatai**, QSM, Whanau Ora Community Network, Auckland.

## **Assistance from Outside: A Case Study of Prisoner-Initiated Programmes in Kerobokan Prisons, Bali**

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*Paper presentation*

Daphne Kwan Yiu Choi

While Prisons in the US, the UK, Australia, New Zealand and Europe are frequently examined with regard to typical elements such as their standard of living, the effectiveness of rehabilitation programs, the emphasis on humaneness and the frequency of riots, little research has been carried out in depth about the rehabilitative journeys of Asian prisoners. Through a narrative by a member of the Bali Nine, Mr. Siyi Chen, this paper aims to contribute to current literature by introducing the unprecedented prisoner-initiated rehabilitation programs run by several members of Bali Nine in the Kerobokan Prison, Bali. These programmes which were solely started up and sustained by prisoners without support from the prison or government have brought restorative and rehabilitative effects to the Bali Nine themselves, their family and the communities. This paper highlights the journeys of their transformation and also analyses current challenges these prisoner-initiated rehabilitation programmes are facing and suggests that more support from the prison and “outsiders” are essential to the success and sustainability of these programmes.

The paper is presented by **Daphne Kwan Yiu Choi**, PhD Candidate at Monash University, Australia. She owns a Bachelor Degree in Criminology from City University of Hong Kong. She was an intern at two prisons in Western Australia during her undergraduate study. Meanwhile, she (as a supporter) works continuously with an Australian prison resident who co-authored a paper with her in 2015. She is now conducting research about sustainability in prison and desistance.

This interactive workshop will provide participants the opportunity to practice skills for working with clients to prepare them for transition planning and reentry into the community after incarceration. Exercises including strength identification, mindful listening, and using solution-focused language will be provided to increase skills.

This workshop is led by **Lorenn Walker**, a restorative lawyer and trainer in Hawai'i. Lorenn develops, implements, studies and writes about public health, restorative justice and solution-focused approaches for peace building and addressing trauma. She has trained thousands on restorative and solution-focused circle and group practices. She directs Hawai'i Friends of Restorative Justice and is a University of Hawai'i adjunct associate professor in the public health office of the School of Social Work.

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### Stream 4

2:30 - 3:10, Thursday 25 October

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#### Give Our People Back

*Paper presentation*

Anne Waapu (Ngāti Kahungunu, Rongomaiwahine, Te Ātihaunui-a-Pāpārangi) & Ngawai McGregor (Ngāti Kahungunu, Ngāti Porou, Te Āti Awa)

Throughout 2018, Anne and Ngawai traveled the motu alongside Dr. Moana Jackson to listen to Ngāi Māori express their whakaaro and share their wheako of the New Zealand Criminal Justice System. This session will explore some of the key themes that came forth, very strongly, during those kōrerorero.

The findings will be presented by **Anne Waapu** and **Ngawai McGregor**. Born and bred in Hastings, Anne made her way to Wellington and through her studies at Victoria University became immersed in criminal justice psychology, mātauranga Māori and kaupapa Māori research. Anne is part of the core research team responsible for the update to the 1988 report *The Māori and the Criminal Justice System: A New Approach, He Whaipaanga Hou*. Originally from Porangahau, Ngawai now lives in Wellington where she completed studies in Criminology at Victoria University and is an active member of Just Speak and advocate for rangatahi voices in criminal justice reform. Ngawai is part of the core research team responsible for the update to the 1988 report, *The Māori and the Criminal Justice System: A New Approach, He Whaipaanga Hou*.

#### Beyond the Prison Crisis: Twenty Years of Belgian Restorative Prisons

*Paper presentation*

Bart Claes

Restorative justice always had an ambiguous relationship with the prison as an institute. RJ practices in prison have been linked, from the nineties on, with transforming the prison system and reparation has been seen as a new objective of the prison sentence. Nowadays, RJ practices are introduced in European prisons (UK, Belgium, The Netherlands) focusing especially on the individual moral and social rehabilitation of the prisoner. However, the link between RJ and the prison is not as evident as seems to be assumed. Prisons differ significantly from other social institutions. Overcrowded facilities, poor imprisonment conditions, high budgetary costs and violence, are well known phenomena that shape prison experience. In such a context, the promise of prisoner's reintegration and reentry into society, and the implementation of restorative justice practices seem to be rather difficult. However, a crisis in a prison, or even in the prison system, opens a window of opportunity for imagining different policy and program approaches like restorative justice practices. Restorative justice became prominent in late nineties in Belgium due to a prison crisis. In this paper presentation, we will analyze the different approaches of the implementation of RJ programs in the Belgian prison system; based on the personal experiences and stories of daily

life in prison. Bart Claes worked for ten years as a victim-offender mediator in maximum-security prisons and did an ethnographic research on how restorative justice is/can be part of life in prison.

The paper is presented by **Bart Claes**, Professor of Social Work & Criminal Justice at the Avans University of Applied Sciences in The Netherlands, focusing on the research topics desistance from crime, restorative justice and prison studies. After completing his Master's studies in criminology at the University of Brussels (Belgium), Bart Claes worked as a victim-offender mediator at the Flemish organisation Suggnome, Forum for Restorative Justice and Mediation and as a research associate Social Work at the Erasmus University College Brussels. In 2012, he obtained a PhD in criminology at the University of Brussels (Belgium) with an ethnographic study on the daily life in prison and restorative justice practices. In 2015, he moved to Sheffield to join the School of Law at the University of Sheffield on a Marie Curie Intra-European Fellowship researching desistance from crime and restorative justice practices in prisons in Belgium and England and Wales.

## **Combatting Aggression in Detainee Transport: Changing Workplace Culture Towards a Supportive Treatment Style and the Role of Leadership**

*Paper presentation*

Karin Lasthuizen

In Dutch detainee care custodial transport police officers experience high levels of aggression and violence from detainees. Being a first of its kind in the Netherlands, the purpose of this paper is to unravel the true nature and origins of such workplace aggression against transport officers and focuses on the role of street-level leadership and leadership by management for its mitigation and prevention. Unique in such closed institutions as the prison system, the study employs an extensive mixed methods approach, combining observations, interviews and survey data collected among transport officers and detainees in 2012-2013.

The research co-authored with Hester Paanakker shows that within the exercised street-level leadership of transport officers especially staff orientation towards detainees has great impact. Perceived inappropriate treatment is likely to increase detainees' aggressive behaviours, with potentially detrimental effects such as heightened levels of officers' job stress, decreased safety and decreased quality of detainee transport. The solutions offered indicate that while transport officers could benefit from a supportive staff orientation, transport police management might need to pay more attention to rule enforcement leadership within their efforts to optimize working conditions.

The paper is presented by **Karin Lasthuizen**, Professor at the School of Management and the holder of the inaugural Brian Picot Chair in Ethical Leadership, Victoria University of Wellington. Her research and consultancy work focus on ethical leadership and ethics management in public and private sector organisations and she specialises in methodology for research into organisational unethical behaviour such as corruption and fraud. She has completed multiple studies within frontline security organisations, including police custodial and correctional facilities.

## **The Navigate Initiative: A Corrections and Community Collaboration**

*Paper presentation*

Carey Ewing & Pablo Gadoy

Twelve months ago Pathway and the Department of Corrections started working together in a joint partnership to develop a plan to meet an identified reintegrative gap for the effective support of prisoners upon their release into the community. This journey led us to the creation of the Navigate Initiative Reintegration Community, which was launched on the 8th of October 2018. During the development, both parties valued a building a client-centric approach which has allowed a focus to be placed on building Restorative Reintegration principals into the very operation of the community. This partnership approach - in which both parties value what the other brings to the table, is experimental for both parties and has required some innovative solutions to be developed, including a unique funding approach to the project. This session will focus on the why what and how of a process of the Community partnering with Corrections as equals with a shared goal of creating a safer happier community for all, rather than the traditional relationship as a service provider and a service purchaser.

This paper will be presented by **Carey Ewing** and **Pablo Godoy**. Carey has worked for Pathway Trust for the last 16 years, 13 as its prisoner reintegration manager, registered social worker and full time dyslexic. During his time at Pathway he has overseen the development of the prisoner reintegration programme, expanding into employment and Restorative Justice initiatives, with a small focused team of seven full time workers based in the Christchurch area. Father of three girls and husband to one very patient wife. Pablo Godoy is the Assistant Prison Director for the three Canterbury District Prisons. He manages interventions, offender training and employment, prison Industries, and education. Pablo's career before entering Corrections included leading and training therapeutic teams in couple counselling, domestic violence programmes, trauma response, family therapy, and group work.

## **How to Change a Culture**

*Interactive Workshop*

Janine Carroll

*How to Change a Culture* is an interactive workshop using a model of culture change, and applying this to a 'virtual custodial setting' to effect Restorative Culture implementation.

This workshop will explore the essence of the Restorative Culture values, the merits of this application within an institution, and the immediacy of impact for staff, inmates, victims of crime and society as a whole. An analysis of the Culture change model will then be undertaken, and the participants will use the strategy to actively implement Restorative Culture into the 'virtual custodial setting'. Participants will use real-life strategies, soundbites, and team initiatives to play out the effective embedding of the culture change.

The workshop will be held by **Janine Carroll**. She is Director of Restorative Now, specialising in Restorative Practice training, implementation and facilitation. She has 30 years' experience in restorative practice, across criminal justice, education, police, family social work, housing and community agency sectors, much of this gained in New Zealand and the UK. Janine is an accredited Trainer and Practitioner with the Restorative Justice Council UK. She sits on the Restorative Justice Council UK Expert Advisory Group. Her passion for the universal applicability of Restorative Practice, allows for a move beyond a binary focus on right and wrong doing to one of common human need.