

Justice Policy

Our Vision

The Alliance believes justice is grounded in sound relationships. Social justice creates the conditions for every person to develop their full potential. We believe that the free development of each of us is the necessary condition for the free development of us all. Barriers to that development, whether individual or structural, are forms of injustice.

In a democratic society, the legal system should help mend broken relationships, restore order, and provide appropriate remedies. Everyone must be able to participate equally in, and have access to, the justice system.

Deprivation or abuse in one part of society affects every other part. When disputes arise, everyone should have equal access to a legal system committed to resolving them in the least adversarial, most practical way.

Justice, Rights, and Safer Communities

The Alliance believes that justice is about more than punishment. A genuinely just society protects people from crime, supports victims, holds offenders accountable, provides meaningful opportunities for rehabilitation, and ensures that every person has equal access to the law.

Our high imprisonment rate cannot be addressed simply by building more prisons or imposing harsher sentences. Crime is also a product of social and economic conditions. Poverty, unemployment, inadequate housing, educational disadvantage, inequality, discrimination, and social exclusion all contribute to offending and to the disproportionate involvement of Māori and young people in the criminal justice system.

The Alliance will therefore pursue a justice system based on **prevention, rehabilitation, restorative justice, universal access to justice, human rights, Te Tiriti o Waitangi, and democratic accountability.**

1. Prevent Crime by Building a Fairer Society

The most effective long-term crime prevention is a society in which people have genuine opportunities to participate and succeed.

The Alliance will address the social and economic causes of offending through:

- full employment and decent work;
- secure and affordable housing;

- accessible healthcare;
- quality education and training;
- support for families and children;
- effective mental health and addiction services;
- opportunities for young people;
- stronger communities and local economies.

The objective is to prevent people, particularly young people, from entering the cycle of offending in the first place.

The Alliance recognises that full employment and a sound economic and social environment can help turn young people away from the courts and prison system.

2. A Justice System Based on Rehabilitation and Accountability

The Alliance rejects a purely punitive approach to justice.

People who commit offences must be held accountable for their actions, but punishment should not be the sole purpose of the justice system. The ultimate objective must be healing the effects of crime, leading to **safer communities and reduced reoffending**.

The Alliance will:

- reduce unnecessary imprisonment;
- expand appropriate non-custodial sentences;
- strengthen rehabilitation;
- provide education and vocational training;
- support employment and reintegration following release;
- address addiction, mental health and other factors contributing to offending;
- provide effective supervision and support in the community.

Imprisonment should be used where necessary to protect the community, but it should not be the default response to offending. Where the current approach is three strikes and out, ours is three strikes and into treatment.

3. No Private Prisons or Commercialisation of Justice

The imprisonment of people is a fundamental responsibility of the state and must not become a source of private profit.

The Alliance will:

- maintain prisons in public ownership and operation;
- oppose private prisons;
- reject commercial incentives that encourage unnecessary incarceration;
- ensure corrections services are properly funded and democratically accountable.

Corrections should be judged by whether it makes communities safer and reduces reoffending not by whether it generates a financial return.

4. Restorative and Community-Based Justice

The Alliance introduced mandatory Restorative Justice into the sentencing principles and will place restorative justice at the centre of appropriate responses to offending.

Restorative justice should:

- give victims a meaningful voice;
- require offenders to acknowledge the harm they have caused;
- focus on the causes of crime;
- encourage offenders to accept responsibility;
- repair relationships where possible;
- involve whānau and communities;
- reduce the likelihood of reoffending.

The Alliance will support **community-based hearings** where they can produce positive and culturally appropriate outcomes for victims, offenders, whānau, and communities.

Marae-based processes will be supported where appropriate, while recognising that a marae setting will not necessarily be suitable for every case. Other culturally appropriate and community-based models should also be developed.

The justice system should have the flexibility to use different approaches where they produce better outcomes while maintaining consistent standards of fairness and accountability.

5. Habilitation and Rehabilitation Centres - Community Care Orders

The Alliance will establish and resource **habilitation centres as an alternative to imprisonment**, particularly for young people and those whose offending can be effectively addressed within the community. The concept of Community Care Orders will again be a sentencing option to enable residential or out-patient placement addressing the causes of offending.

These centres will provide:

- education;
- vocational training;
- employment preparation;
- counselling and rehabilitation;
- addiction treatment;
- cultural programmes;
- practical skills;
- support for reintegration into families and communities.

Iwi and Māori organisations that wish to develop and operate appropriate rehabilitation programmes for young offenders will be supported and properly resourced.

For people who do receive custodial sentences, prisons will provide meaningful opportunities for rehabilitation, including:

- academic education;
- vocational and trade training;
- employment preparation;
- industrial rehabilitation;
- addiction and health services;
- preparation for release and reintegration.

The purpose is to ensure that people leave the justice system **better equipped to live constructive and law-abiding lives than when they entered it.**

6. Justice for Victims

Victims must be treated with dignity and supported throughout the justice process.

The Alliance will establish a properly resourced **Victim/Criminal Compensation Board** responsible for overseeing financial, physical, and other support for victims of crime.

Victims will have access to:

- financial assistance and compensation;
- counselling and other support;
- assistance navigating the justice system;

- appropriate participation in restorative justice processes, both pre- and post-sentencing;
- information about the progress of their case;
- appropriate protection from further harm.

The Alliance will ensure that the interests of victims are not lost within a system that focuses exclusively on the offender.

7. Universal Access to Legal Representation

Justice cannot be equal if quality legal representation is available only to those who can afford it.

The Alliance will review the current legal aid system with the objective of establishing a comprehensive system of publicly funded legal assistance, including:

- expanded legal aid;
- sustainable resourcing for Community Law Centres;
- state-funded community legal centres in appropriate areas not served by a Community Law Centre;
- Enhanced Public Defender system staffed by salaried lawyers and paralegals;
- paralegal training in communities with limited access to legal assistance;
- easier access to courts and tribunals.

The current Disputes Tribunal process with its no costs, no lawyers, one-stop mediation and adjudication at one hearing approach will be examined with a view to further development.

The Alliance will also review court costs with a focus on means to pay rather than prohibitive costs and provide appropriate mechanisms for people who are found innocent in criminal proceedings to recover legal and court costs.

No person should be denied justice because they are poor.

8. Māori Justice and Te Tiriti o Waitangi

The Alliance recognises that the justice system has disproportionately affected Māori and that this cannot be addressed without recognising Te Tiriti o Waitangi and Māori participation in the justice system.

The Alliance will:

- ensure Māori have meaningful participation in decisions affecting Māori communities;
- strengthen Māori legal services;

- support culturally appropriate justice processes including legal recognition of tikanga;
- resource iwi and Māori organisations to provide appropriate rehabilitation and restorative programmes;
- support community and marae-based justice where appropriate;
- ensure Māori representation within justice institutions.

The Alliance will also ensure that the **Waitangi Tribunal is properly resourced** to undertake its work.

Treaty clauses in legislation will reflect the full weight of the Crown's obligations. We reject the current government's position that no standard higher than “take into account” should apply, and we will restore the stronger clauses removed or weakened under the Treaty clauses review.

The Tribunal's role and recommendations must be taken seriously by the government, and the Alliance will act on recommendations aimed at addressing historical injustices.

9. A Bill of Rights and Constitutional Protection

The Alliance will strengthen the constitutional protection of fundamental rights.

The policy will include a proposal for an **entrenched Bill of Rights** incorporating the rights and responsibilities of Māori and non-Māori under Te Tiriti o Waitangi.

The Bill of Rights should protect:

- equality before the law;
- personal liberty and security;
- freedom from discrimination;
- access to information;
- privacy;
- participation in society;
- the right to education;
- the right to a home;
- access to healthcare;
- social and economic security;
- a healthy and sustainable environment;
- the right to paid employment.

Justice must therefore be understood as including **social and economic rights**, not simply protection from criminal offending.

10. Democratic and Accountable Policing

The Alliance supports a properly resourced public police service focused on protecting communities and preventing crime.

Police morale is low, and the causes are pay, conditions, and management. Constables have no right to strike, which means the ordinary mechanism for resolving those disputes is unavailable to them. The Alliance will review employment arrangements and police structures with a view to possible improvements in these areas.

Police must have the resources and training necessary to do their jobs, but policing must also be subject to democratic oversight and respect for individual rights.

The Alliance will:

- properly resource frontline policing;
- strengthen community policing;
- improve relationships between police and communities;
- maintain strong independent oversight;
- ensure allegations of serious police misconduct are independently investigated;
- ensure police powers are exercised lawfully and proportionately;
- maintain appropriate safeguards around the use of force.

The Alliance will also strengthen cooperation between police, health, social services, schools, and communities so that problems can be addressed before they become criminal justice matters.

11. Corporate, Financial, and Consumer Justice

Justice must apply equally to powerful corporations and individuals.

The court system is the proper forum for determining liability in tort law. The Alliance will reinstate the right to sue corporations or individuals in respect of damage caused by emissions-related climate change effects.

The Alliance will strengthen laws dealing with:

- corporate fraud;
- business dishonesty;
- financial misconduct;

- misleading commercial practices;
- abuse of market power;
- exploitation of vulnerable consumers.

Regulatory institutions responsible for securities, financial markets, and corporate conduct will be properly resourced and independent.

The Alliance will also strengthen consumer protection, particularly for low-paid workers, beneficiaries, and other people vulnerable to predatory lending and financial exploitation.

No person or corporation should be above the law.

12. Justice, Privacy, and Open Government

A democratic justice system requires both **government transparency and protection of individual privacy**.

The Alliance will strengthen access to official information while protecting legitimate personal privacy and security.

Public authorities should operate on the principle that information about government activity belongs to the public unless there is a compelling reason for it to remain confidential.

Individuals must have meaningful rights to access information held about them and protection against inappropriate surveillance or misuse of personal information.

The Alliance approach to justice

The Alliance's justice policy can ultimately be summed up in six principles:

- Prevent rather than simply punish.
- Rehabilitate rather than abandon.
- Restore where possible rather than simply incarcerate.
- Support victims rather than leaving them behind.
- Guarantee access to justice regardless of wealth.
- Protect rights and hold everyone, including government and corporations, accountable under the law.

The Alliance believes that a safer society is built through social justice, economic security, effective communities, and fair institutions.

Our goal is not to have more people in prison. Our goal is to have fewer victims, less offending, fewer people entering prison, lower reoffending, and stronger communities.

That is the fundamental difference between an Alliance approach to justice and a punitive "law and order" approach.