

## **RESTORATIVE JUSTICE – THE LONG VIEW.**

A paper by Judge FWM (Fred) McElrea

for the Prison Fellowship conference

### **Beyond Retribution: advancing the law and order debate**

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*It helps now and then to step back and take the long view.*

I will finish my address by giving you the rest of that quotation.

It does indeed help to stand back sometimes and consider the long view of our endeavours, and our place in things. Not only does this help us keep our balance and perspective, but it can provide encouragement when the odds seem against us.

To discover the long view of restorative justice we have to look at the breadth, the depth and the richness of the movement – for restorative justice is, undoubtedly, now an international movement. So a brief look at the historical perspective, the geographical panorama, and the richness of the fabric of restorative justice will lay the basis for a consideration of the way ahead.

#### **Historical perspective**

The laying out of an historical perspective is inevitably a subjective process, but I think it best to start with the term “restorative justice” itself, first coined in the late 1970s, and then look both fore and aft.

The term “restorative justice”, according to Van Ness and Strong<sup>1</sup>, was probably first coined in 1977 by Albert Eglash to refer to a process based on restitution that focuses on the harmful effects of offender’s actions and actively involve victims and offenders in the process of reparation and rehabilitation. This was to be distinguished from both retributive justice based on punishment, and distributive justice based on therapeutic treatment of offenders. It seems that Eglash, a psychologist, had developed the concept of creative restitution in the 1950s. Working with adults and youths involved in the criminal justice system, Eglash found the system lacking in humanity and effectiveness. He proposed an alternative to the criminal justice system, an alternative based on the idea of creative restitution.<sup>2</sup>

However restorative justice in its modern form began in North America in the 1970s as an effort to deal with burglary and other property crimes regarded (incorrectly) as

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<sup>1</sup> *Restoring Justice* (1997) p 24

<sup>2</sup> The 1977 reference is "Beyond Restitution: Creative Restitution" in Joe Hudson and Burt Galloway, eds, "Restitution in Criminal Justice" (Lexington, MA) 1977 91,92. However Dan Van Ness tells me that this is now believed to be a re-publication of a paper published in 1959, and that the term came from a 1955 book about crime and Christianity after a World Council of Churches conference in Geneva.

minor offences.<sup>3</sup> In his seminal book *Changing Lenses* (1990)<sup>4</sup> Howard Zehr tells us exactly how it happened. In 1974 in Ontario, Canada, Mark Yantzi, a probation officer dealing with a case of two young men who had vandalised 22 properties, thought it would be great for them to meet the victims. He expressed this thought to a group meeting to discuss a Christian response to shoplifting. One of those present was Dave Worth, coordinator of the Voluntary Service workers for Mennonite Central Committee in that area. With the support of an initially sceptical judge, these two Mennonites accompanied the two young offenders to the homes of the 20 victims where apologies were made and restitution agreements reached. These were the beginnings of the victim-offender reconciliation movement in Canada.

In the USA in 1977-78 Zehr, also a Mennonite, was instrumental in starting the first VORP project, in Elkhart, Indiana. I believe it was Zehr who first applied the term “restorative justice” to victim-offender reconciliation programmes (“VORP”, later to become Victim Offender Mediation of VOM). By the time he wrote *Changing Lenses* in 1990 he could report at least 100 programmes in the USA using VOM, and similar developments in several other countries. Today there would be thousands of such programmes around the world.

While there is some dissatisfaction with the term “restorative”, because there is often little that is worth restoring, other contenders for the title - like relational justice (in the UK) or transformative justice (promoted by the late Ruth Morris of Canada) – have not captured the public or professional imagination the way restorative justice has, and I am content with that term. But I do believe that relationships and transformation are central to restorative justice.

It is significant that Zehr came to this work from a background in social history and the history of crime. His Ph.D. from Rutgers University was in European social history, and in 1976 he had written *Crime and the Development of Modern Society*. He therefore had a historical perspective, as well as a sound biblical base from his Mennonite education. It is not coincidental that in *Changing Lenses* he provides a basis for restorative justice in the Old Testament concepts of shalom and covenant. Shalom, a state of right relationship with one’s circumstances, one’s community and with God, served to temper retributive justice and to bring about restoration.

Perhaps New Zealand has a special advantage in this respect with its Maori and Pacific Island populations having a recent experience of community-based, non-European systems of organisation. Their impact on the evolution of the family group conference is significant, although it was not the only influence.<sup>5</sup> Certainly restorative processes seem second nature to that important segment of our population, just as they do to the First Nation peoples of Canada. Indeed, the Canadian “healing circles and “sentencing circles” are perhaps the most thorough-going example of restorative practice in the modern panorama.

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<sup>3</sup> Zehr, H *The Little Book of Restorative Justice* (2002) p 4.

<sup>4</sup> Page 158

<sup>5</sup> For the best account of the background to our 1989 youth justice legislation see Michael Doolan, “Youth Justice – Legislation and Practice” in *The Youth Court in New Zealand: a New Model of Justice* ed BJ Brown and FWM McElrea (1993), Legal Research Foundation, Auckland.

An aspect of *Changing Lenses* that I had forgotten until recently was Zehr's reference to "community justice" as the predecessor and alternative to the "state justice" that is mainstream today.<sup>6</sup> In general, until the state became paramount, most crime represented a wrong toward or a conflict between people that was resolved at a community level with formulas for converting personal or property injury into material compensation. The modern distinction between criminal law (state punishment of offences) and civil law (regulating and compensating for breaches of obligations as between individuals) did not exist in earlier times.

With the role of the state much in debate today, it is timely to ask whether the criminal justice pendulum has swung too far in favour of the state over the last few hundred years. Has it taken unto itself too much of the responsibility previously vested in the community? After all, without a strong central state to enforce order, the work of peacemaking necessarily resided within the community. Those skills survived in families and larger units like whanau, hapu and iwi in Polynesian and other indigenous peoples – and indeed, within the family and social structures of most peoples. They have never been entirely extinguished by the state, and what we are witnessing today, I suggest, is a renegotiation between citizen and state about the distribution of power and responsibility for dealing with conflict. Restorative justice (like mediation in the civil context) is proving to be the point at which some negotiated adjustment in that distribution is occurring.

Indeed, with greater cost of providing for institutional correctional facilities, and the growing call for tax cuts, or at least a resistance to tax increases, the public cost of ineffective institutions is properly under the spotlight, and community based alternatives can offer alternatives. The timing has probably never been better, at least in political terms.

Most people here will be familiar with the way in which restorative justice in this country evolved out of our experience of family group conferences. There were of course forerunners, like the Roper Commission Report, the influential report *Puao-Te-Ata-Tu (Day Break)*<sup>7</sup>, and Pa Henare Tate's writings on Maori spirituality with its concepts of pono, tika and aroha<sup>8</sup>. FGCs were not designed as a victim-centred process but once participants saw the powerful difference made by the presence of victims, and the way in which important needs of both victims and offenders could be met by this process, the connection with restorative justice became obvious. An early account of the Youth Court as a new model of justice appeared in the Legal Research Foundation publication of 1993.<sup>9</sup> About the same time Jim Considine was telling people like me about Howard Zehr's *Changing Lenses*. I certainly recall our first Principal Youth Court Judge, Mick Brown, promoting FGCs as a victim-centred process, meaning that the victim had an equal place with the offender at the centre of the process. Other professionals working in the Youth Courts started applying the language of restorative justice to the FGC, and while Youth Justice is only partly based on a restorative model, to this day our 1989 legislation provides the most thorough-going restorative model of any legislation anywhere in the world. Our

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<sup>6</sup> His account of the transition in Chapter 7 reflects his impressive scholarship in the history of crime.

<sup>7</sup> Report of the Ministerial Advisory Committee on a Maori Perspective for the Department of Social Welfare, Wellington, June 1986.

<sup>8</sup> Very roughly translated as reality, rightness and love.

<sup>9</sup> See footnote 6.

experience of over 100,000 FGCs is unsurpassed elsewhere, and it is a tragedy that the failure to provide Youth Justice with its own institutional base independent of “social welfare” has left it perpetually the “poor cousin” to care and protection, with tragic consequences - not least for restorative justice.

Most of you will all be aware of the way adult restorative conferences evolved from 1994 as a District Court initiative focussed around sentencing and eventually gained Government support for funding on a pilot basis in four courts. But in parallel with this was the Crime Prevention Unit funding of community panel diversion schemes, now numbering about 20. Also important was the travelling seminar on restorative justice skills in October 2000, in which a wide variety of people participated. What I think has been especially impressive is the co-operative relationship that has developed between the Government officials involved, the Courts and the voluntary sector in this period of development. It is a partnership approach to innovation that is itself still evolving.

I have previously described<sup>10</sup>, and will not repeat, the importance of the Sentencing Act 2002 in making a more secure place for restorative justice in the sentencing process. This introduced new purposes of sentencing, of a restorative type, and required courts to take restorative justice outcomes into account in sentencing. Also, under the Victims’ Rights Act 2002 justice professionals must encourage meetings between victims and offenders where appropriate – an obligation unfortunately honoured more in the breach than in the observance. The Parole Act 2002 also has provisions concerning restorative justice, which Judge Carruthers will have described. These three pieces of legislation from 2002, but especially the Sentencing Act, were another world first for restorative justice. They apply in all courts, for all offending, and could found a revolution in penal policy if the judiciary and the legal profession were not so conservative. But there are other ways ahead, as I will explain.

Finally under this heading, we can record with some pride the efforts made in developing a skills base and an emphasis on best practice. This too has been a joint enterprise, with contributions from practitioners, the Ministry of Justice and the judiciary. The establishment in 2005 of Restorative Justice Aotearoa was a major step in this direction, enabling for the first time the development of professional standards by practitioners, and the possibility of a system of accreditation of practitioners.

### **The geographical picture**

We would be here for hours or days if I were to attempt an account of the growth of restorative justice in other countries. You have only to enter the words into an internet search engine and see what is happening. All EU countries must this year have restorative justice provisions in their laws – although some abuse the term restorative justice to claim compliance with that obligation. I am aware of assistance provided by NZ to a score or more countries in recent times – a Nigerian request for video materials, assistance with a Colombian conference paper, supervision of a legal intern from Boston, USA, advice to an NGO in Israel, offers of training

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<sup>10</sup> Travelling seminar for NZ Law Society *Sentencing – the new dimensions* (March 2003), Eaton J and McElrea FWM.

assistance to Tonga, conference speakers for China, Ireland or several other places. The process is two-way and continuous.

### **Many and various fields of endeavour**

We have to remember too that restorative practices are applicable in many different fields of endeavour. This is because it is an *approach* to wrongdoing, to be found in a broad range of processes, rather than a single technique limited to the work of criminal justice. In addition to the courts, restorative justice is to be found at work within schools, industrial relations, prisons, churches, international peacekeeping, trade practices regulation, ethnic reconciliation, disciplinary bodies of the armed forces or the police, and in other places where conflict is sought to be resolved without the imposition of outcomes by power and authority. It is also a close cousin of mediation in the area of civil disputes, with many points of parallel between them.

### **What are the essentials of restorative justice?**

First, I suggest that there are four basic needs demanded of justice – respect, resolution, peace of mind, and fairness. Restorative justice can meet those needs to a much greater degree than the court-based adversarial system, and those needs must always be kept in mind.

Second, I see restorative justice as an approach to wrongdoing that involves these features:

- The acceptance of responsibility by the wrongdoer, but also the possibility of shared responsibility.
- Bottom-up, not top-down, structures. It is therefore inherently democratic.
- Consensual, not authoritarian, procedures.
- Experiential, rather than dogmatic, foundations. The element of personal encounter between parties lies at the heart of the process.
- Constructive, positive outcomes, looking primarily to the future while healing wounds of the past.
- Community-based and community-building. As New Zealand and Canada have shown, restorative justice is much more than a two-party mediation process.
- Based on values that allow a place for the spirit of humanity.

### **The philosophical basis of restorative justice**

It is here that restorative justice departs drastically from the conventional form of criminal justice, which relies on principles of deterrence, denunciation and reform. None of these traditional principles deals satisfactorily with the experience of those involved in the system, primarily because they focus on one person only, the offender. They lead inevitably to an attitude of retaliation or retribution, where the failure of punitive measures to achieve safer communities leads to calls for more punishment. In the end, neither victims nor offenders nor the community are satisfied.

The exclusion of the victim from the criminal justice process is a well-documented fact which we are only now starting to address. However, no reforms will be effective without re-examining the fundamental premises of the criminal law. A couple of

years ago I came across an article written by Dr Nigel Biggar, then of Oriel College, Oxford, entitled “Can we reconcile peace with justice?” Here I found an astonishingly simple but profound proposition:

*Justice is primarily not about the punishment of the perpetrator but rather about the vindication of the victim.*

I commend to you these words of wisdom. They allow us to start seeing justice through an entirely new “lens”, to use the metaphor made famous by Howard Zehr. When this occurs, immense changes are possible. In a paper written earlier this year by an American visitor to New Zealand, “Restorative Justice Jurisprudence in New Zealand (1998 – 2005)”, Yael Shy discusses several cases from all levels of the New Zealand courts and suggests that restorative justice is changing the jurisprudence of sentencing law in New Zealand.

Although initially the Court of Appeal<sup>11</sup> appeared to treat a restorative justice outcome as merely a mitigating factor in sentencing, to be set against traditional factors such as deterrence, Ms Shy notes that several Judges since then have applied the concept in a more comprehensive manner. She remarks:

*Judges are also beginning to see restorative justice as a way to synthesise seemingly opposing sentencing values within these different areas. Accountability, responsibility, healing, denunciation and the opportunity for restitution are all being recognised to co-exist within one successful restorative justice conference, lessening the very difficult task of judges to ensure these goals and requirements are met through sentencing.*

In this way, I suggest, the proper interests of victims as well as offenders can be integrated, and the possibility arises of an equal focus on both interests, and that of the wider community.

There are other aspects of the philosophical basis of restorative justice that underline its distinctive nature. It is patently a more participatory and democratic model than the court system. It is better adapted to deal with different cultures, and a multicultural society. As Jude Moxon has affirmed from a schools perspective, it can be a culture changing process, where ingrained attitudes and approaches can be challenged and changed. It values both the individual, in the person of the parties directly involved, and the community, upon whose strengths it relies and in turn supports. And finally it enables a contextual approach to justice (What is fair in these circumstances?), rather than a reliance on procedural justice (Has due process been followed?)

### **A more effective approach**

Various studies both here and overseas prove the many benefits of restorative justice for victims. The RISE project in Australia, and Gabrielle Maxwell’s extensive work in youth justice, are just two that I recall. More recently, the Ministry of Justice report following up offenders from the Courts restorative justice pilot showed that you can

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<sup>11</sup> *R v Clotworthy* (1998) 15 CRNZ 651

go about justice in this rather different way without causing an increase in crime - and indeed causing a reduction in crime. Now, although several of these figures are said to be not statistically significant, I find that hard to understand. The report talks about a 4% reduction in the reoffending rate for those who went to restorative conferences compared to the comparison group. The real figure is 9% because the reconviction rate of one group was 45% and of the restorative group was 41%. Now, you might say the difference is 4% but as a proportion that 4 is one-eleventh of 45 and one-eleventh of 100 is 9%. So you've got a 9% difference if you compare the reoffending rate of those who go to conference and those who do not.

Likewise the difference in the imprisonment rate for those who went to conferences and those who did not was 17% on the same comparison. And very significantly, not only did those who went to restorative conferences reoffend less, they did so at a later stage, and the seriousness of their reoffending was only half that of the comparison group.

This all demonstrates that you can operate a much better system, particularly for victims but also for everyone else involved, and at the same time make the community safer.

In a similar way the studies of restorative practices in schools show a reduced use of school suspensions but at the same time a better learning environment.

### **The way ahead for restorative justice in this country**

Perhaps the biggest challenge is to make the process truly victim focussed. We are far from achieving an equal place for victims, and yet this must be the goal. Partly the problem lies in the courts' focus on offenders, so the use of restorative justice in sentencing will tend to focus on offenders and their needs. My proposal for a Community Justice Centre (below) would help address this imbalance, but many other initiatives are needed, not least in the youth justice sector.

A related challenge is to involve the community in meaningful ways, so that the restorative process is something more than victim-offender mediation. There is a temptation, especially where services are paid for but funds are inadequate, to revert to a two-party model. This is to ignore one of the great contributions that New Zealand has made, and to lose all the benefits of community involvement. The trick lies in knowing how to involve the community best. The use of community panels is one option, provided their members remain a resource rather than seeing themselves as a sentencing body. Another method is that perfected by Allan MacRae when he was Youth Justice Co-ordinator for Wellington. Allan would invite selected representatives of relevant agencies and/or voluntary organisations, perhaps two or three for a given conference, depending on the particular dynamics of the offending and the community. He achieved a dramatic reduction in youth offending in his area, because his conferences were better informed as to the needs of both victim and offender, and better placed to find the resources to deal with the issues.

The third need is one that this conference is well placed to advance, and that is to encourage political honesty and true leadership from those in a position of power. For too long justice has suffered from a sort of auction to find the "toughest"

approach to criminals. It has failed to make New Zealand safer; to the contrary it has produced more prisons from which more and more inmates emerge as dangers to the community. Responsible segments of the community must let politicians and the media know that they do not find this conduct acceptable.

There is then the need to tap into the outreach potential of faith communities. In some places this is expressed through local parishes, or at a denominational level. However the work of Prison Fellowship is a particularly effective vehicle for Christians concerned about justice issues, and I would support other faiths wanting to make a similar contribution. In particular, Prison Fellowship's Sycamore Tree restorative justice programme, its faith-based prison unit, and its Jericho programme are all powerful tools in reforming our approach to prisons. The last of these uses volunteers from the Churches as mentors to prisoners, both before and after release.

A pressing need is that for training and education at all levels. Chief District Court Judge David Carruthers made a personal commitment at the "New Frontiers" conference in December 2004 to help establish a tertiary centre for training, education and research in restorative justice. We are now much closer to achieving that object, but will not be able to relax until it is a reality in more than one institution, so that not just those working in restorative justice but also the wider community can learn about a different way of doing and living justice.

The international and inter-disciplinary nature of the restorative justice community is extraordinary, and one of its great strengths. Those attending this conference, like so many others I have been at, come from all walks of life, all layers of society, each bringing different skills and strengths. It is partly for this reason that restorative justice needs a learning centre of its own. It cannot be made a branch of law, or of sociology, or any other discipline. The way ahead must involve exploring and developing this dimension of restorative justice. What sort of partnerships can be developed across professional and national boundaries? How can New Zealand best benefit from developments overseas? Perhaps Restorative Justice Aotearoa, and a new tertiary centre, will help provide some answers. If we proceed with openness and humility, anxious to learn from others and willing to share with them, we will all be the richer.

It would be exciting to think that restorative justice might also help build bridges across faiths and cultures. At the moment much of the momentum seems to be from a Western, predominantly white and middle-class base. With so much concern and energy being directed to the violence of terrorism and our response to it, there must be huge potential for restorative justice as a peace-building process between faiths and cultures. I confess that I know practically nothing of Hindu, Muslim or Buddhist customs or values in this area. These are largely untapped wells. But starting within the Christian faith, I commend Chris Marshall's book *Beyond Retribution: a New Testament Vision for Justice, Crime and Punishment* (2001).

Before turning to a practical example of how we might move ahead, and concluding this paper on that note, I end this brief look into the future by suggesting that we need to move the restorative approach into a rule for living, so that it pervades all aspects of our dealings with conflict. In similar vein Victoria University of Wellington's Institute of Public Policy last year hosted a conference *Towards a Restorative Society*. It

sounds a grand objective, but it helps to emphasise that restorative justice can be an approach to wrongdoing in any context, and the values that underpin it also pervade civic society.

We can do well here to remember the core values that Dr Chris Marshall brought together for the Restorative Justice Network, published in 2004 by the Ministry of *Justice in Restorative Justice in New Zealand: Best Practice*: participation, respect, honesty, humility, interconnectedness, accountability, empowerment, and hope. These are good values for living in all its dimensions, and together they help to us avoid or deal with conflict.

### **Decentralisation of the administration of justice: Community Justice Centres**

The following is the outline of a proposal I have made for the development of Community Justice Centres in New Zealand, and is currently under discussion. The topic is one I first advanced in Florida in 1998. Some other countries now have institutions of that name, but none of the type I envisage for this country. If established it would help us get away from our heavy reliance on the courts, and would make victim-initiated restorative justice a reality.

The object of the proposal is to provide a community-based and consensual alternative to the courts for dealing with a substantial number of civil and criminal matters, using mediation for civil matters and restorative justice for criminal matters. This work, and disputes that might not have gone to court (such as neighbour disputes and alleged harrassment or bullying) would be handled through community justice centres (CJCs) that would operate as a partnership between local and central government, the Police, the voluntary sector and various existing agencies. A pilot working in at least two different types of areas would be ideal.

As far as civil disputes are concerned, the mediation function of the Disputes Tribunals would still be available for claims up to \$7,500, but a CJC would have no monetary limit. Agreements resulting from mediation would be enforceable through the courts if they were not honoured. For example, the claimant would be able to get judgment based on a signed settlement agreement, without having to prove the original claim.

For the category of “disputes that might not have gone to court (such as neighbour disputes and alleged harrassment or bullying)”, the CJC would serve more of a preventative or peace-keeping and peace-building function, thereby building safer communities and reducing the need for dispute resolution or the courts.

For criminal matters, the essential concept is that of diversion, but operating at a much more significant level than existing police diversion for first offenders. This is the major gap in criminal justice services for adults at the moment. It would not be limited to first offenders or to minor charges. It would use the proven New Zealand model of restorative justice, with offenders having to admit their responsibility and the matter proceeding only if there is the consent of victim and offender, and a trained facilitator able to supervise the process. The restorative conference would involve supporters of the parties and some relevant community representatives, selected for

their ability to assist in the particular case. Lawyers would be entitled to attend, but as advisers rather than as advocates.

The police would be key people in this process. It is hoped that a CJC would be located near a community constable. A police officer (eg the community constable, or the officer in charge of the case) would be entitled and encouraged to attend every conference, and for agreement to be reached as to outcome, all parties present, including the police, would have to be in agreement. In most cases an agreed outcome would not involve charges being laid in court (provided the outcome is completed); however, in a particular case it might be agreed that charges should be laid in court – eg so as to obtain an order disqualifying the offender from driving, or where a sentence of imprisonment cannot be avoided - but the outcome would be available for the court to take into account on sentencing.

As in the case of Youth Justice diversionary conferences, charges may have to be laid in a few cases to preserve time limits, but without requiring the defendant's attendance at court if the charges are ultimately withdrawn on completion of the conference plan.

The CJC would oversee the monitoring of any outcome, civil or criminal, so that if agreements are not honoured the matter can be taken to court in the usual way. The courts would therefore act as backstop for consent cases and first stop for cases where there is no consent to the mediation or diversion process.

It would be ideal if the CJC was located within or close to a complex that provided other community-based services, such as Community Constable, Plunket, Citizens Advice Bureau or Neighbourhood Law Office.

Referrals to the CJC could come from any source. In the case of criminal offending this would fill a long-standing need for victim-initiated restorative justice cases, or indeed offender- (or even community-) initiated conferences. However, it is likely that the bulk of the referrals would come from the police, at least in early years. In that respect the process would be similar to diversionary family group conferences for young offenders, which are initiated (and attended) by police youth aid officers.

There would therefore be no "gatekeepers". No judge, police officer, or other "official" would say who could or could not enter the process. Whether a case continued on the restorative route would be decided by those taking part in the particular conference, on a case by case basis. Apart from homicide, treason and other cases that can be dealt with only by the High Court, all types of cases would be potentially able to be referred to the CJC - although cases that require specialist skills (eg in domestic violence, or sexual abuse cases) that are not available at the time, could not be accepted.

The essence of the proposal being community based, the initiative has to come from the community. This might be expressed through a local body (City or District Council), or some other community organisation such as an Iwi Authority. The local body would have to take responsibility for providing accommodation for the centre, and servicing a community committee to run the centre. This committee would have representation from all relevant sectors – eg Victim Support, the local body (perhaps

through its Safer Community Council or local Ward Committee), local mediation and restorative justice provider groups, central government (eg the Crime Prevention Unit of the Ministry of Justice), a Neighbourhood Law Office or Citizens' Advice Bureau, NZ Police, and representatives from the churches and other community groups. Existing inter-agency initiatives could also have a point of focus at the CJC, especially those dealing with conflict and the problems that produce conflict.

It would be necessary for the CJC to employ some permanent staff (perhaps two persons) and to contract the services of mediators and restorative justice facilitators on a case by case basis from suitably skilled and trained service providers. Because the CJC will be reducing the need for the courts (and, indirectly, for corrections facilities), I feel it is appropriate that central government provided funding for such costs, and for some offender or victim programmes not available locally. A variety of other services may be provided by other agencies at no cost or by volunteers. In this category could be monitoring of agreements, mentoring, and the provision of community service projects or counselling services.

The primary tasks of the staff will be to provide information to the public, manage the flow of cases, ensure that monitoring arrangements are in place, keep records of all matters dealt with, and generally act at the direction of the management committee. Some of these skills are already possessed by restorative justice co-ordinators at the four restorative justice "pilot" District Courts.

### ***A FUTURE NOT OUR OWN***

I can now give you the rest of the quotation with which I started this presentation.

*It helps now and then to step back  
and take the long view.  
The kingdom is not only beyond our efforts,  
it is even beyond our vision.*

*We can accomplish in our lifetime only a tiny fraction  
of the magnificent enterprise that is God's work.  
Nothing we do is complete;  
which is another way of saying  
that the kingdom always lies beyond us.  
No statement says all that could be said.  
No prayer fully expresses our Faith.  
No confession brings perfection.  
No pastoral visit brings wholeness.  
No programme accomplishes the Church's mission.  
No set of Goals and objectives includes everything.*

*This is what we are about.  
We plant the seeds that one day will grow.  
We water seeds already planted,  
knowing that they hold future promise.*

*We lay foundations that will need further development.  
We provide yeast that produces effects  
far beyond our capabilities.*

*We cannot do everything,  
and there is a sense of liberation in realising that.  
This enables us to do something,  
and to do it very well.  
It may be incomplete, but it is a beginning,  
a step along the way,  
an opportunity for the Lord's grace to enter  
and do the rest.  
We may never see the end results,  
but that is the difference between  
the master builder and the worker.*

*We are workers, not master builders,  
ministers, not messiahs.  
We are prophets of a future not our own.*

**Archbishop Oscar Romero, 1917-1980**  
Martyred Archbishop of San Salvador