

**SUBMISSION** to The Chairperson of the Justice Committee on the Gangs Legislation Amendment Bill.

The Justice and Peace Commission of the Catholic Diocese of Auckland raises awareness by advocating and promoting Catholic Social Teaching on social justice issues on behalf of the Catholic Bishop and Catholic Diocese of Auckland.

Our submission is led by our Crime and Reconciliation Committee, who advocate for restorative justice that aligns with Catholic Social Teachings by emphasising and supporting human dignity, right relationships and the common good.

We, the Commission, oppose the Gangs Legislation Amendment Bill in our pursuit to clarify proposed changes in this Legislation and determine whether the Bill amendments will reach its intended aim to “make our communities safer.”

### **Reintegration and Healing**

We do not believe this Bill adequately addresses the root causes of gang affiliation in Aotearoa, New Zealand. That is, the various socio-economic factors such as poverty, underemployment, inadequate skills, intergenerational trauma, housing, family violence, social exclusion, youth delinquency or familial and community factors including education and healthcare.<sup>1</sup>

Research studies on youth gang involvement and recruitment suggest that focusing solely on punitive measures for gang-related issues have varied and often discouraging results.<sup>2</sup> Furthermore, a previous ban on insignia in prisons made gangs resort to

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<sup>1</sup> Bradley, A. (2020) *Gangs of New Zealand: explosion of violence prompts fears police have lost control*. *The Guardian*. [Gangs of New Zealand: explosion of violence prompts fears police have ...](#)

Te Ara. (n.d.) [Why gangs? – Te Ara Encyclopedia of New Zealand](#)

Graham-McLay, C. (2020) *'People are fearful': New Zealand police admit gang violence is out of control*. *The Guardian*. ['People are fearful': New Zealand police admit gang violence is out of ...](#)

New Zealand Parliament. (2019) [Youth gangs in New Zealand - New Zealand Parliament](#)

Scotcher, K. (2023) *New Zealand can't arrest its way out of the gang problem, science chief warns*. RNZ. [New Zealand can't arrest its way out of the gang problem, science ... - RNZ](#)

<sup>2</sup> youth.gov (n.d.). *Gang Prevention: An Overview of Research and Programs*. [Gang Prevention: An Overview of Research and Programs](#)

Richardson, M., Newman, M., Berry, G. et al. (2023). *A systematic evidence map of intervention evaluations to reduce gang-related violence*. *J Exp Criminol* (2023). [A systematic evidence map of intervention evaluations to reduce gang ...](#)

tattooing their insignia. This had the deleterious effect of ensuring lifelong membership, which often extended to family members affecting future generations.<sup>3</sup>

More emphasis needs to be placed on breaking and healing the intergenerational cycle of trauma and abuse which often precipitates and perpetuates gang involvement.<sup>4</sup>

This includes raising awareness and promoting prosocial advocacy movements where reformed and reintegrated gang members can challenge and oppose their former gang lifestyles by educating communities about systemic factors that perpetuate gang activity.<sup>5</sup>

The proposed efforts to suppress gang activity by removing gang insignia, and prevent gang members from consorting or gathering, has the potential to create the opposite intended effect by strengthening gang cohesion and increasing the tension between law enforcement and community members.<sup>6</sup> Gangs may well go underground, making it harder to police, the Mafia being a prime example.<sup>7</sup>

While measures proposed in this Bill may deter some individuals from engaging in gang related activities, they could in other instances exacerbate gang retaliation, even to the point of an increase in recidivism.<sup>8</sup>

**Human Dignity** asserts that every person, regardless of their actions, affiliations, or circumstances, has an inherent worth and dignity.<sup>9</sup>

We, therefore, perceive people involved in gangs not merely as ‘gang members’, but as individuals with their own unique circumstances, challenges, and potential. This acquired understanding calls for approaches that respect human dignity while also addressing the harm caused by gang activities.

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<sup>3</sup> New Zealand Herald. (2024). *Jarrold Gilbert: What will happen when gang patches are banned in New Zealand?* <https://www.nzherald.co.nz/nz/jarrold-gilbert-what-will-happen-when-gang-patches-are-banned/YSTW2VIHEJAQNITW5NRFW5WABE/>

<sup>4</sup> New Zealand Parliament. (2022). *New Zealand gang membership: A snapshot of recent trends* McLachlan, A. (2011-2016). *Intergenerational Transmission of gang involvement and incarceration*. Te Atawhai o te Ao. [Health and Well-being of Māori Prisoners on Reintegration to the ...](#)

<sup>5</sup> Benson, N. (2010). *Former Gang Women Share their Stories*. Otago Daily Times. [Former gang women share stories | Otago Daily Times Online News](#)

<sup>6</sup> Tamatea, A J. (2017). *The last defence against gang crime: Exploring community approaches to gang member reintegration - part I*. Practice: The New Zealand Corrections Journal. Volume 5 Issue 2: November 2017. [The last defence against gang crime: Exploring community approaches to ...](#)

<sup>7</sup> New Zealand Herald. (2024). *Jarrold Gilbert*. <https://www.nzherald.co.nz/nz/jarrold-gilbert-what-will-happen-when-gang-patches-are-banned/YSTW2VIHEJAQNITW5NRFW5WABE/>

<sup>8</sup> Strang, B. (2020). [Gang Prevention: An Overview of Research and Programs](#)

Richardson, M., et al (2023). [A systematic evidence map of intervention evaluations to reduce gang ...](#)

<sup>9</sup> Caritas, Aotearoa New Zealand. (n.d.). Catholic Social Teaching:

Te Mana o te Tangata. <https://www.caritas.org.nz/catholic-social-teaching/human-dignity>

Recognising the human dignity in another, does not signify we condone their violence, crime, or any form of harm caused to individuals or communities.

Rather, we seek to understand, restore, and alleviate the circumstances that lead individuals to join gangs in the first instance. By identifying the root causes specific to gang involvement, we can then strive to advocate, support, address and heal these underlying issues.

While this Bill aims to reduce harm caused by gangs and make communities safer, it is important that the proposed changes do not disproportionately target or stigmatise certain groups, such as gangs. Similarly, in the efforts to ban gang insignia, and prevent or restrict gang members from gathering or consorting could potentially infringe upon the inherent dignity and rights of the individuals involved.

### **Conclusion:**

We call for this Bill to have a more balanced and holistic approach that combines punitive measures with prevention, intervention, education, and rehabilitation strategies.

It should uphold human dignity, rather than issuing more function and authority to an already overstretched and undervalued police force.<sup>10</sup>

Emphasis should be redirected to preventative efforts and social justice initiatives through education, employment opportunities, community support, and prosocial integration of gang members into society instead of solely focusing on punitive or deterrent measures.

The Justice and Peace Commission of the Catholic Diocese of Auckland would only support this Bill if the concerns outlined in this submission were adequately addressed.

We make this submission in the spirit of human restorative justice that seeks reconciliation, compassion, and mercy as we continue to challenge social conditions and structures that hinder the vulnerable from fulfilling their full potential.

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<sup>10</sup> New Zealand Police Association. (2024). *Police Officers Resoundingly Reject “Kick In The Guts” Government Pay Offer*. [Police officers resoundingly reject “kick in the guts” government pay offer - NZ Police Association \(policeassn.org.nz\)](https://www.policeassn.org.nz)