

Project Restore – Privacy Statement

Introduction

1. Project Restore New Zealand Trust provides restorative justice for sexualised behaviour that causes hurt or harm. Project Restore ("we", "our" or "us") is committed to safeguarding the privacy of personal information we collect and hold. We must comply with the Privacy Act 2020 (**Act**) and the Information Privacy Principles (**IPPs**). You can find out more about these obligations from the Office of the Privacy Commissioner (www.privacy.org.nz).
2. Personal information is defined by the **Act** as 'information about an identifiable individual'. As part of providing our services, we collect personal information about participants (including support people) involved in the restorative justice process. This Privacy Statement sets out how we handle and protect the personal information of participants and others involved in the process. If you have any queries about this statement, please contact our Privacy Officer on office@projectrestore.nz.

What personal information do we collect?

3. If you are involved in a restorative justice process as a participant or as a support person, we will collect personal information about you. For participants in the process, the information we collect will depend on the type of referral we receive. We receive referrals to our services from the court, corrections, the community and from individuals directly.

Referral from the court (those involved in a formal court process)

4. Initially the information we collect is from third parties and not directly from the participants.
5. We receive a referral from the court once a guilty plea has been made and prior to sentencing, **or** before a guilty plea has been entered and a Judge or police requests for diversion. The personal information we collect from the court generally includes:
 - a. **Person who caused harm information:** name, address, demographic information, contact details, any current charge list and bail conditions, criminal and traffic offence history.
 - b. **Victim survivor information:** Name, address and contact details.
 - c. The statement of facts and charge sheet.
 - d. Other information from the court file to support the referral, such as if it is a domestic violence case, whether a pre-sentence report or alcohol and other drugs report is directed and victim impact statements.

6. We may also collect information from the police and court victims' advisor about details of the case that may not be in the court file, to assist the process.

Referral from Corrections (post sentence)

7. Initially the information we collect is from third parties, and not from the participants.

We may receive a post sentence referral from Corrections that has been directed by the Parole Board. In these circumstances we collect information from the corrections case manager/probation officer which may include contact information of the person who caused

harm, information specific to the harm, summary of facts, sentencing notes and bail conditions. We may also collect information about a victim survivor from the victim notification register.

Community referral and self-referral

8. If you, or a service provider on your behalf (support agency, counsellor, police officer) contact us directly about a referral outside of the justice system we may collect the following information from you:
 - a. Your name, date of birth, gender, ethnicity, address, contact details.
 - b. Relationship to the person who caused you harm or to the person that was harmed, their name, date of birth, gender, ethnicity, address and contact details.
 - c. Details about your support people including name, relationship to you and contact details.
 - d. Information to assist us in the process such as the reasons for initiating the referral and the description of the harm experienced or the harm you understand you have caused.

For all referrals

9. **With your consent**, we may also collect information from other third parties such as health professionals (such as counsellor, therapist or mental health worker), probation officers, other relevant service providers (such as survivor agencies, family violence agencies or harmful sexual behaviour programs), your support people and whānau.

What happens if we are unable to collect the information?

10. If you do not provide the personal information we request, or do not consent to our collecting that personal information from third parties, depending upon the type of personal information concerned, we may not be able to undertake the restorative justice services.

Purposes of Collection

11. We use your personal information for purposes related to providing our restorative justice services or alternative resolution services, this includes working out whether we are the best service for you and what we can do to provide you with the best possible service. We may also use the information to:
 - a. meet contract requirements of the Ministry of Justice such as reporting, auditing and assurance requirements. No personal identifying information is disclosed to the Ministry of Justice.
 - b. undertake administrative functions such as invoicing, risk management, improving our services.
 - c. investigate and resolve complaints concerning the provision of services.
 - d. carry out statistical and analytical reporting but only where you cannot be identified.
 - e. for any other purpose for which you have authorised and otherwise where we are permitted or required do so by law.

Who we share your personal information with

12. We will disclose your personal information for purposes related to providing our restorative justice services and other purposes set out in this Privacy Statement. This may include disclosing information:

- a. when we contact the police, victims' advisor, counsellors, and other third parties you have consented to.
- b. when we provide our restorative justice report to the court – those involved in the process (such as the Judge, prosecutor, defence lawyer), probation officer, primary parties of the conference and any others that primary parties have given permission to share it with.
- c. the Ministry of Justice (and its agents) as part of meeting our contract obligations and funding requirements.
- d. for any other purpose for which you have authorised;
- e. where we are required to do so by law. For example where we are required to give information to Oranga Tamariki or the Police.
- f. when we are required by codes of ethics and permitted by law to do so for example to prevent a serious threat to the health or life of any person or the abuse of a child.

13. We may share your information with our third party service providers who will keep the information confidential and only use the information for the purposes providing services to us. This may include professional advisers, lawyers and our Complaints Committee members.

Storage and security

14. Your personal information will be collected and held by Project Restore NZ. We store personal information in a variety of ways, including paper and electronic formats. We currently use Penelope, a cloud-based case management system hosted by Social Solutions Global, Inc. The servers are based in Australia.

15. Due to the way in which we store electronic data, in some cases your information is transferred overseas.

16. We take all reasonable steps to ensure the personal information we collect is protected against loss, unauthorised access and disclosure or any other misuse, including the personal information stored and processed by our third party providers.

17. When we no longer need your personal information for a purpose for which it may be used or disclosed by us, we will securely destroy the information or anonymise the information.

Access and correction

18. You may request access to and correction of the personal information we hold about you at any time.

19. We will respond to your request as soon as reasonably practicable and no later than 20 working days, unless we have extended the time limit for responding to your request as permitted by the Act. To make a request please email us at **office@projectrestore.nz**.

Privacy complaints/concerns

20. If you are concerned or have a complaint about how we are handling your personal information, please email us at **office@projectrestore.nz**. We will investigate matters and provide a response to you as soon as we can, and no later than 20 days. However, if we do not have all the necessary information, or have not completed our investigation, we may need further time, which we will notify you of.

21. If you are not satisfied with how we have dealt with the complaint, you may contact the Privacy Commissioner at:

Privacy Commissioner

PO Box 10 094, Wellington 6143

Telephone 0800 803 909

[Office of the Privacy Commissioner | Before you make a complaint](#)

Changes to the Privacy Statement

22. This Privacy Statement was last updated in September 2022 and is subject to ongoing review. You may also obtain a copy of this statement by emailing us at **office@projectrestore.nz** .