

Victims of Crime Reform Bill Q & A

The Bill was reported back to the House in June 2012. Why has it taken more than a year for the Bill to get its second reading?

Meeting the needs of victims of crime is central to this Government's objectives and direction for the justice sector. This Bill joins a number of other pieces of legislation that this Government has introduced to protect New Zealanders from violence including the Public Safety (Public Protection Orders) Bill, the Domestic Violence Amendment Act 2013 and the enactment of the Crimes Amendment Act (No 3) to strengthen offences relating to violence against children.

These are supported by initiatives to better support victims including:

- the introduction of the Sexual Violence Court Victims Advisor Service in courts across New Zealand
- the Offender Levy, which funds 15 entitlements and services for victims of serious offences
- the establishment of a Victims Centre to purchase services and support for victims of serious crime, oversee victims' rights and services, and to act as the Government's central point of coordination for victim issues
- the focus on responding better to repeat victims as part of the Government BPS targets (to Reduce Crime and Reoffending).

How will the Bill improve victims' experience of the criminal justice process?

The Bill aims to ensure the criminal justice sector better responds to victims, and to enhance victims' rights and role in criminal justice processes. The Bill:

- improves provisions for victim impact statements by providing that victims of serious offences will have the right to read all or part of their victim impact statement themselves in Court, or have someone else read out their statement;
- entitles victims and their representatives to bring support persons to Youth Court hearings, rather than have to seek prior permission from the judge. This will remove an unnecessary barrier to victims receiving the support they deserve, and still allow the judge to restrict numbers if necessary;
- increases victims' access to restorative justice and places a central focus on the wishes of the victim to participate;
- ensures victims are better informed by increasing agencies' obligations to notify victims of certain events relating to the offender (parole and bail).

The Enhancing Victims' Rights Review found that agencies' accountability to victims was weak. Will the Bill fix this?

The Bill strengthens the accountability of criminal justice agencies by introducing a Victims' Code. The Code will provide victims with information on the services available, their rights, and the duties and responsibilities of criminal justice agencies.

The Bill also introduces a reporting requirement for criminal justice agencies. Agencies will be required to record specific information on the services provided to victims, complaints received, and how they were resolved and will be required to include this information in their Annual Report to Parliament.

How will implementing a Victims Code improve victims' rights?

The Bill requires the Ministry of Justice to develop a Victims Code to improve the responsiveness and accountability of justice sector agencies to victims.

The Code aims to make government agencies more accountable in their provision of services to victims of crime, increase victims' awareness of their rights and improve accessibility to information for victims.

The Code will provide victims of offences with information on the services available, their rights, and the duties and responsibilities of government agencies with criminal and youth justice obligations.

Will there be consultation on the Code?

Under the Bill, the Ministry must consult with other government agencies that provide services to victims as well as other people the Secretary for Justice considers appropriate.

There has already been extensive engagement undertaken in 2012 with victims of crime service providers, community organisations, the disability sector and specialist service providers to inform the development and communication of the Victims Code. A Victims Reference Group and Māori Advisory Group were also established and consulted with on a quarterly basis. A Victims of Crime Reforms Inter Agency Working Group was also established to enhance communication across government agencies during the development of the Code.

It is anticipated that a final round of consultation on the implementation of the Code will be undertaken once the Bill is enacted.