

VICTIMS OF CRIME REFORMS

Overview of the Victims Centre and the Victims Code Engagement Plan September 2011

1. Victims Centre

A Victims Centre has been established for an 18 period (until October 2012) within the Ministry of Justice and was launched on 1 July 2011. The purpose of the Victims Centre is to provide oversight of victims' rights and resources across government. Appendix One provides an overview of the Victims Centre's functions.

In the initial establishment phase the Victims Centre sits within the Crime and Social Policy team, within the Ministry of Justice, and consists of a small team of staff. The Ministry of Justice will review the Victims Centre after a year of operation (June 2012) and report to the Minister of Justice with advice regarding the future direction and function of the Victims Centre.

2. Victims of Crime Reforms

In the Victims' Rights Act, a victim is defined as a person who has an offence committed against them by another person. A victim also includes:

- parents or legal guardians of victims who are children or young people; and
- immediate family members of a person who dies or is made incapable as the result of an offence, unless that parent, guardian or close family member is charged with the commission of the offence.

The Code will reflect the definition of a victim in the Act and therefore will include provisions relating to the treatment of victims generally, rights of victims who have reported an offence and come into contact with specific agencies, and rights of victims of serious offences. The Code will acknowledge a child's right to protection and treatment that takes into account a child's individual needs.

The Victims of Crime Reform Bill (the Bill), which will amend the Victims' Rights Act 2002 and related legislation, will expand victims' rights and require new processes to be established by agencies. It is intended that these additional rights and processes will be included in a Victims Code. The Code itself will not confer any rights, but may be used to assist resolving a complaint from a victim.

3. Victims Code

The Bill will require the Ministry of Justice to prepare a Victims Code as soon as practicable after the Bill is in force. The Ministry of Justice must present a draft Victims Code to Cabinet by June 2012.

The following government agencies have been directed by Cabinet to work with the Ministry of Justice on developing the Code: New Zealand Police, Ministry of Social Development (Child, Youth and Family), Department of Corrections, Crown Law and Department of Labour. Accident Compensation Corporation (ACC) and the Department of Health are also contributing to the development of the Code.

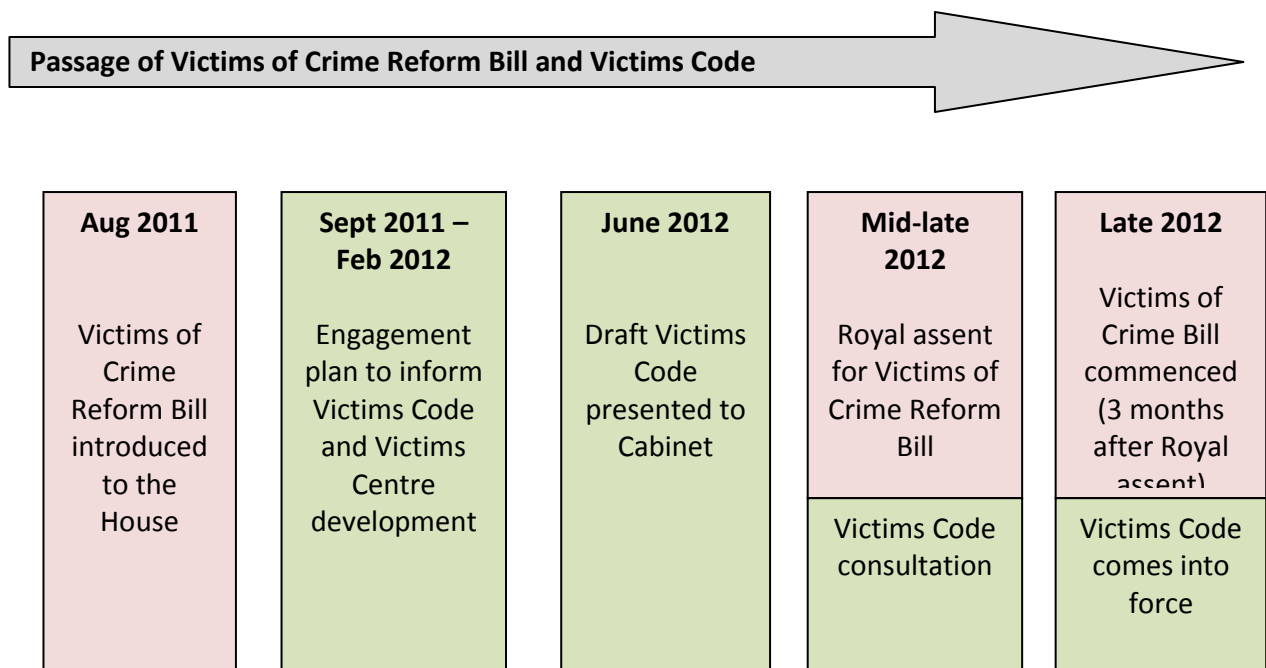
A Victim Code is required to:

- outline victims’ rights;
- state the services that victims of crime are entitled to and the criminal justice agency responsible;
- identify the service standards;
- clarify how victims of crime can make a complaint if services do not meet these standards; and
- list the full range of services available.

The Code must consider the needs of Māori victims, victims in hard to reach communities, and victims of sexual and domestic violence.

A draft Code will then be developed for public consultation once Cabinet has given approval and once the Victims of Crime Reform Bill has passed.

Timeline



4. Next steps – the development of the Victims Code

The Victims Centre is undertaking a targeted engagement plan to inform our thinking on the structure and content for the Code and to gather feedback on victims’ information resources. The engagement plan includes feedback from victims and victim representatives, Iwi and Māori organisations, NGO sector leaders, frontline staff, the judiciary, independent investigators and statutory bodies (such as the Office for the Ombudsmen) and agencies representing different population or interest groups.

The purpose of the engagement plan is to discuss the following:

- identify shared outcomes for victims and their families and whānau that the sector wants to achieve;

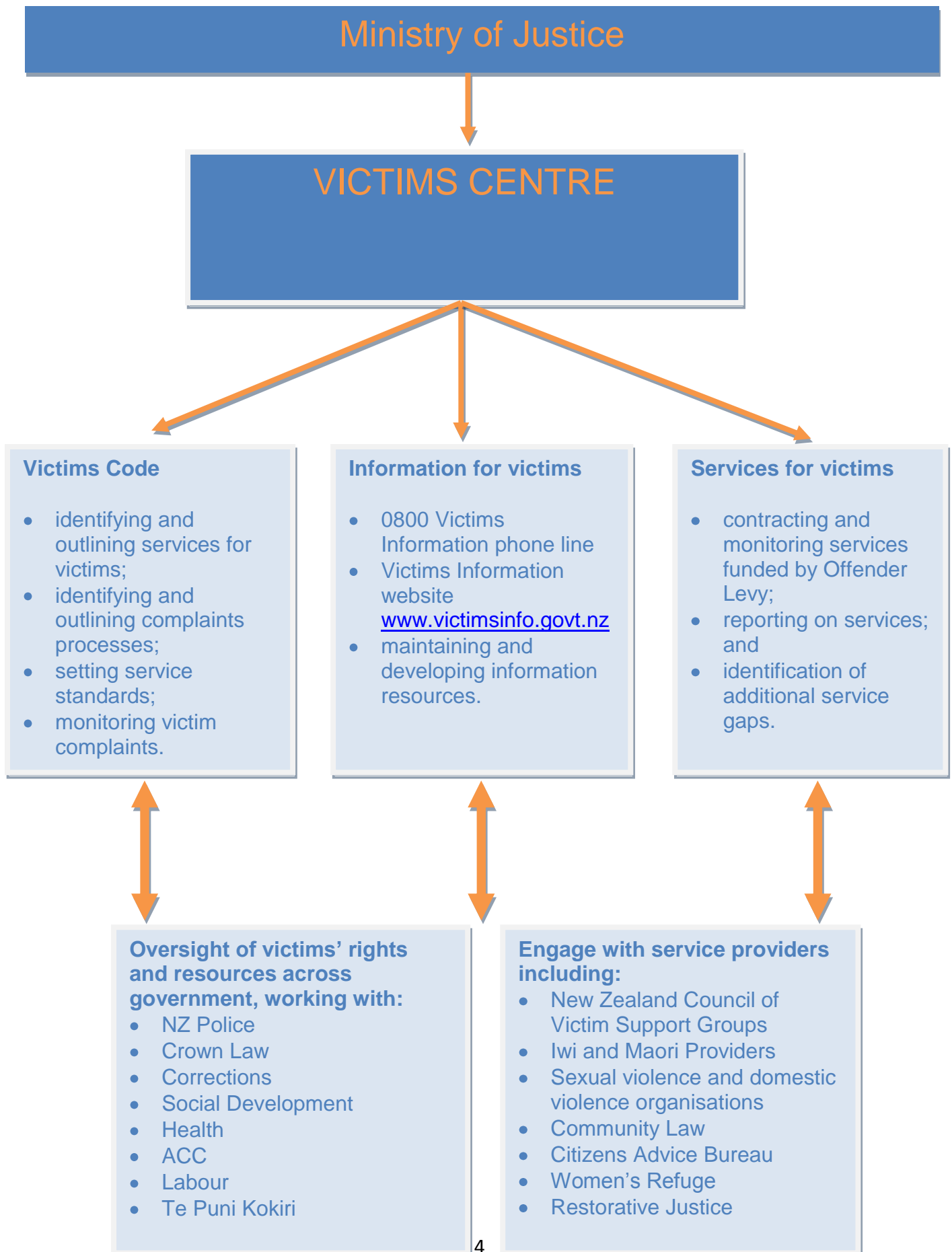
- identify a common understanding of the purpose of the Code and how it will contribute to achieving the desired outcomes for victims;
 - develop a model for the Code (scope, structure and content) that will ensure that government agencies are more responsive and accountable to victims;
 - identify ways to measure if victims are better off over time and if government has improved the delivery of services to victims; and
 - identify how the Code can enhance the delivery of services to victims with unique needs, including Māori, victims in hard to reach communities, and victims of sexual and domestic violence.
 - gather feedback from stakeholders on how well current resources are meeting the information needs of victims and service providers;
 - gauge potential interest in a network of service providers and other key stakeholders aimed at improving the quality of services for victims; and
 - identify how the Victims Centre could support the future development of the work of social, health and justice sector agencies working with victims.
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Appendix 1



Appendix 2: Victims Centre and Victims Code Stakeholder Engagement Plan

Stakeholders	Type of engagement
1. Victims Reference Group	<ul style="list-style-type: none"> • reference group of victims to support research and engagement planning.
2. Iwi and Māori organisations	<ul style="list-style-type: none"> • Advisory group to support the engagement planning. • 5 regional hui to discuss how the Victims Code could be designed to improve government agencies' responsiveness to Māori victims and their whānau.
3. Frontline staff from government and non government agencies	<ul style="list-style-type: none"> • 5 regional workshops that involve cross-sector discussions on the form and content of the Victims Code. <ul style="list-style-type: none"> ○ includes discussion on ways to improve the co-ordination of information and services across agencies.
4. NGO sector leaders advocating for victims of serious crime	<ul style="list-style-type: none"> • workshop and discussions with organisations, such as Victim Support, TOAH-NNEST, NGO Alliance, Women's Refuge, and Sensible Sentencing Trust.
5. Judiciary	<ul style="list-style-type: none"> • early discussions on scope and framework for the Code and further consultation on draft documents
6. Independent investigators and statutory bodies	<ul style="list-style-type: none"> • workshop on improving complaints and data management processes with the Office of the Ombudsmen, Independent Police Conduct Authority, Office of the Children's Commissioner, Office of the Privacy Commissioner, the Health and Disability Commission and the Human Rights' Commission.
7. Agencies representing population or interest groups	<ul style="list-style-type: none"> • workshop with Te Puni Kōkiri, Ministry of Women's Affairs, Ministry of Pacific Island Affairs, Office for Ethnic Affairs, Ministry of Consumer Affairs, Ministry of Youth Development, and Office for Disability Issues.