

This factsheet explains what support you can get and who you can ask for help if you've been affected by homicide.

Losing a loved one to homicide is an extremely traumatic experience. Support can help you and your family and whānau deal with the impact of the crime. It is important to find the support that is right for you. There are agencies in your area who can offer specialist emotional and practical support. Call the Victims Information Line on 0800 650 654 to find out about agencies near you.

*Please see the end of this factsheet for key contacts and a glossary.*

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### Victims' rights

You have the right to be told about services that can help you, to be kept informed of the progress of the case through court and to know what to expect when you go to court.

You have the right to tell the court about how the crime has affected you. If you're the victim of an offence by a child or young person, you have the right to attend a family group conference and have a say in what you'd like to see happen.

In some cases, you or your representative has the right to have a say on things like name suppression, bail, extended supervision orders or parole.

You can expect courteous, compassionate and respectful service from court officers, the police and anyone else involved in the case. You have the right to privacy.

Read the Victims Code for more information about your rights and the treatment you can expect. It's on our website at [victimsinfo.govt.nz](http://victimsinfo.govt.nz) along with other useful information.

If you think your rights have not been met, or you have not received the standard of service you expect, you can make a complaint. Visit [victimsinfo.govt.nz](http://victimsinfo.govt.nz) or call the Victims Information Line on 0800 650 654.

### The investigation

A homicide investigation is very difficult for the family and friends of the victim. If someone in your family or whānau has been a victim of homicide, getting the right support is very important.

Police will assign a victim liaison officer to your family. This officer will make sure you know what is happening throughout the investigation and the court case. They will also be able to answer any questions you have and put you in touch with specialist support agencies.

Although it is very hard for family, the deceased person may need to stay where they are until the evidence is gathered. A specialist doctor, called a pathologist, will also make an examination. This is to gather important evidence for the court case.

A homicide investigation is likely to take a long time. Police need to show what happened, who was responsible and what their intentions were. Your police victim liaison officer will keep your family informed and help you while you organise the funeral or tangi, and make other arrangements.

During the investigation, police may interview members of your family and other people, as well as gather evidence like photos and forensic tests. If the police have enough evidence, they will arrest the person and charge them with a criminal offence.

### BAIL

Once someone has been arrested, they may be released until they have to go to court. This is called bail. Sometimes there are conditions about where the person has to live and they may have a curfew. If the police think you or other people in the community are in danger, the person may be held in custody until they come to court, when they can apply for bail again.

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You will have the opportunity to give your views about the release of the person on bail. You can also choose to be part of the victim notification register so you can be kept informed about what happens to the offender after sentencing. Your details will be kept private. You can choose someone to receive this information for you, if you like.

#### VICTIM IMPACT STATEMENT

You will be asked if you want to make a victim impact statement. This tells the court how the crime has affected you and your family and whānau. Your police victim liaison officer, Victim Support or another support agency can help you write this statement. See more about your victim impact statement under *The verdict and sentence*.

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## Support

There are a range of support services available to help you

#### VICTIM SUPPORT HOMICIDE SUPPORT SERVICE

This is a specialist service to help you and your family and whānau through every part of the process, including after the case has finished. It will ensure that you can get the emotional support you need, and all the practical support you are entitled to. The police will put you in touch with this service or you can contact Victim Support on 0800 842 846.

#### SPECIALIST COUNSELLING SUPPORT

Family and friends of homicide victims, witnesses and the people who were first on the scene of a homicide can get up to 30 sessions of specialist counselling. Contact Victim Support to find out if you can have this specialist counselling and how to apply.

#### YOUTH CRIME

If the crime was committed by someone younger than 17 years old the matter will be dealt with through the youth justice process. Victims are a very important part of the youth justice process and you have a right to attend a family group conference.

A range of resources are available from Child, Youth and Family (CYF) and the courts about the youth justice system. A family group coordinator from CYF will contact you.

#### FINANCIAL SUPPORT

Financial grants are available to help you cover some of the costs related to the crime. To check if you can get a grant, and to find out how to apply, contact Victim Support on 0800 842 846.

- Up to \$5000 is available to reduce the impact of the homicide on the immediate family. Help covers loss of income and general costs.
- A grant of \$124 per day (\$64 per half day) is available for up to five adult family members attending High Court hearings.
- Financial support is available for travel, accommodation and related costs for up to six people to attend court and Parole Board hearings.
- Up to \$10,000 is available to help with funeral costs. Contact ACC to apply for this grant.

You may also be able to get other financial support from ACC. Ask your support agency to find out more, or call the ACC Claims Helpline on 0800 101 996.

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## At court

The defendant (the person accused of the crime) will probably appear at court several times, for example to plead guilty or not guilty or for the judge to look at the evidence of the case. It is unlikely that you will have to attend all of these hearings, but you can go if you want to.

If the defendant pleads not guilty, a prosecutor will present the case to the judge and jury. The prosecutor works for the government and is responsible for prosecuting cases on behalf of the Crown, the police and the public. You may need to be a witness for the Crown to help prove the case against the defendant (see *Being a witness*).

The prosecutor will meet with you and your family and whānau and tell you what charges will be laid and why, and what is likely to happen at court. Depending on the circumstances of the case, the charge may be murder or manslaughter. The prosecutor will explain this to you.

The court may make an order preventing anyone from publishing the victim's name or any details that may identify the victim. The prosecutor will explain this process to you.

Tell your court victim advisor, police victim liaison officer or personal support worker if you need hearing, mobility or language translation help in court.

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Your safety is important. If at any time you are concerned about your safety at court, talk to a police officer or court security officer.

Sometimes the media may take a particular interest in the case and approach you and your family and whānau for comment. Your police victim liaison officer can give you advice on dealing with the media.

#### **COURT VICTIM ADVISOR**

Once the defendant has made their first appearance in court, a court victim advisor will get in touch with you. It is their job to keep you informed about the progress of your case and what part you can play. They can also tell you where to get emotional and financial support. The pamphlet Court services for victims has more information about the service.

Your court victim advisor, police victim liaison officer or personal support worker are there to explain anything that is unclear.

You can contact your court victim advisor directly, or through the Victims Information Line on 0800 650 654.

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### **Being a witness**

During the trial, you and members of your family and whānau may be called as witnesses. Being a witness can be a stressful experience. The prosecutor and your court victim advisor can explain what is involved and what to expect. You can also get help from your police victim liaison officer.

#### **BEFORE COURT**

Your police victim liaison officer or court victim advisor will tell you when and where you need to be at court. You will also get an official notice delivered to you at home.

The prosecutor will talk with you about what you need to do as a witness. You can also ask to visit the courtroom ahead of time. Speak to your court victim advisor, police victim liaison officer or support worker to arrange this.

Talk to your court victim advisor or police victim liaison officer if you want to arrange:

- someone to meet you at or outside the court
- a support person to sit with you when you give evidence.

#### **AT COURT**

As a witness, you will be asked questions about what happened or what you know about the crime.

When you give evidence, you will usually be able to see the defendant.

In most courts, there are separate waiting areas for people who have been called as witnesses, but it is likely that you will still see the defendant's family and friends in and around the court.

It is important to have support when you are a witness both before and on the day. Talk to your court victim advisor or support worker about getting the support that's right for you.

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### **The verdict and sentence**

At the end of the trial, the defendant will be found guilty or not guilty. Sometimes the court may find the defendant not guilty by reason of insanity.

In some cases, for example where a jury does not reach a decision, there may be another trial.

If the person pleads guilty or is found guilty, they will be sentenced at a later date. Your police victim liaison officer, court victim advisor or prosecutor will tell you when the sentencing is.

If the defendant is found not guilty by reason of insanity they may be detained for treatment in a secure mental health facility. A victim coordinator from the facility will contact you to explain what this means.

#### **SENTENCING**

The judge is required by law to take many factors into account when sentencing the offender, such as what sentences have been given for other similar crimes and reports about the offender.

If the judge agrees, you (or someone you choose) can read out all or part of your victim impact statement in court at the sentencing hearing. Ask your court victim advisor or police victim liaison officer to ask the judge for you. The judge is required to consider your victim impact statement when sentencing the offender.

#### **APPEALS**

Both the prosecutor and the offender have the right to appeal the verdict and the sentence. This means a higher court will look at the case again. If this happens, the prosecutor will let you know about the process.

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## After court

Once found guilty, the offender will be sentenced. Understanding sentences is not always easy. Your police victim liaison officer or your court victim advisor can explain what the sentence means.

### RELEASE FROM PRISON

Offenders are released from prison either on parole or when their sentence ends. This may be earlier than you expect, because time they spent in custody before they were convicted and sentenced is counted as part of their sentence.

If an offender's sentence ends, they must be released from prison. They cannot be kept in prison after their sentence ends.

An offender can be released from prison before their sentence ends if they are granted parole. The New Zealand Parole Board will look at the case of most offenders and decide if the offender's early release will pose an undue risk to the safety of the community.

If the offender was found guilty of murder, they will be subject to a minimum non-parole period of 10 years.

Offenders often have to meet certain conditions after they are released on parole. The conditions are set by the Parole Board or by the judge who sentenced the offender. These conditions may cover where they can live, who they can contact, whether they have a curfew, and other factors that will help protect the community.

### YOU CAN TELL THE PAROLE BOARD HOW YOU FEEL ABOUT THE OFFENDER'S RELEASE

To have your say about an offender's release from prison, you need to be registered on the victim notification register so the Parole Board can contact you whenever the offender is going to have a Parole Board hearing.

To make sure your contact details are up to date on the register, contact the police, the Department of Corrections or your support agency.

You can tell the Parole Board how you feel in writing, by video conference or in person:

- **In writing or by video conference.**

Talk to your Parole Board contact.

- **In person.**

The Parole Board will meet with you. You will speak to the same people who will be seeing the offender, but the hearing you attend will not be in a prison and the offender will not be there. You can have support people with you at the hearing.

### CORONER'S COURT

As well as the court case, a coroner will investigate the case and there may be a hearing in the Coroner's Court. This is a special court that looks at the causes and circumstances of someone's death and if there is anything that can be done to prevent deaths in similar circumstances.

The Ministry of Justice's Coronial Services will notify you before the hearing, and your police victim liaison officer will also talk to you about the hearing. You and your family can go to the Coroner's Court hearing, but you do not have to unless you have been asked to give evidence.

Support people can come with you to the Coroner's Court hearing. Contact Victim Support on 0800 842 846 or the Victims Information Line on 0800 650 654 to arrange a support person to be with you at the hearing.

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## Key contacts

There is support for you whatever stage you are at in the criminal justice system, and personal support to help you deal with the impacts of the crime.

Here are the contact details for some key services for victims and people affected by crime. You can find more information about services by calling the Victims Information Line on 0800 650 654 (24 hours a day) or by visiting [victimsinfo.govt.nz](http://victimsinfo.govt.nz)

### ACC

[acc.co.nz](http://acc.co.nz)

0800 101 996 Claims Helpline

0800 735 566 Sensitive Claims Helpline  
(for victims of sexual violence)

### Court victim advisors

0800 650 654 Victims Information Line

### Department of Corrections

04 460 3000

[corrections.govt.nz](http://corrections.govt.nz)

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## **New Zealand Parole Board**

0800 PAROLE (727 653)

[paroleboard.govt.nz](http://paroleboard.govt.nz)

## **Personal support**

See [victimsinfo.govt.nz](http://victimsinfo.govt.nz) or the personal help services section in the phone book

## **Police**

You can find your local police station at [police.govt.nz](http://police.govt.nz) or in the blue pages at the front of the phone book

## **Victim Support**

0800 VICTIM (842 846) 24 hours a day

[victimsupport.org.nz](http://victimsupport.org.nz)

## **Women's Refuge**

0800 REFUGE (733 843) 24 hours a day

[womensrefuge.org.nz](http://womensrefuge.org.nz)

## **Language line** translation services

0800 656 656

9am–6pm Monday–Friday, 9am–2pm Saturday

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## **Glossary**

### **Bail**

When police release someone who's charged with a crime on the condition that they go to court.

### **Coroner**

The Coroner establishes when, where, how and why the death happened. They also work out if anything can be done to stop similar deaths.

### **Court victim advisor**

A Ministry of Justice staff member who can explain the court process and keep victims informed on the progress of their case.

### **Defendant**

The person accused of the crime.

## **Homicide**

When a person is killed by another person.

## **Offender**

The person convicted of the crime. (Before being found guilty, the person charged with the offence is called the 'defendant'.)

## **Parole**

When an offender is allowed out of prison to finish their sentence in the community. They must follow certain conditions.

## **Restorative justice**

Restorative justice lets victims tell an offender how they have been affected, have a say in how the harm can be repaired, and begin to resolve some of the effects of the crime. A meeting is called a restorative justice conference.

## **Serious crime**

- A crime of a sexual nature or other serious assault.
- A crime that has resulted in serious injury or death.
- A crime that has led the victim to have ongoing fears for their safety or the safety of one or more of their immediate family.

## **Victim notification register**

A confidential list used by criminal justice agencies to keep victims informed about the offender, such as where the case is in the court process, if there is a temporary release from prison and when the offender is up for parole.

Register your details with the police officer in charge of the case.

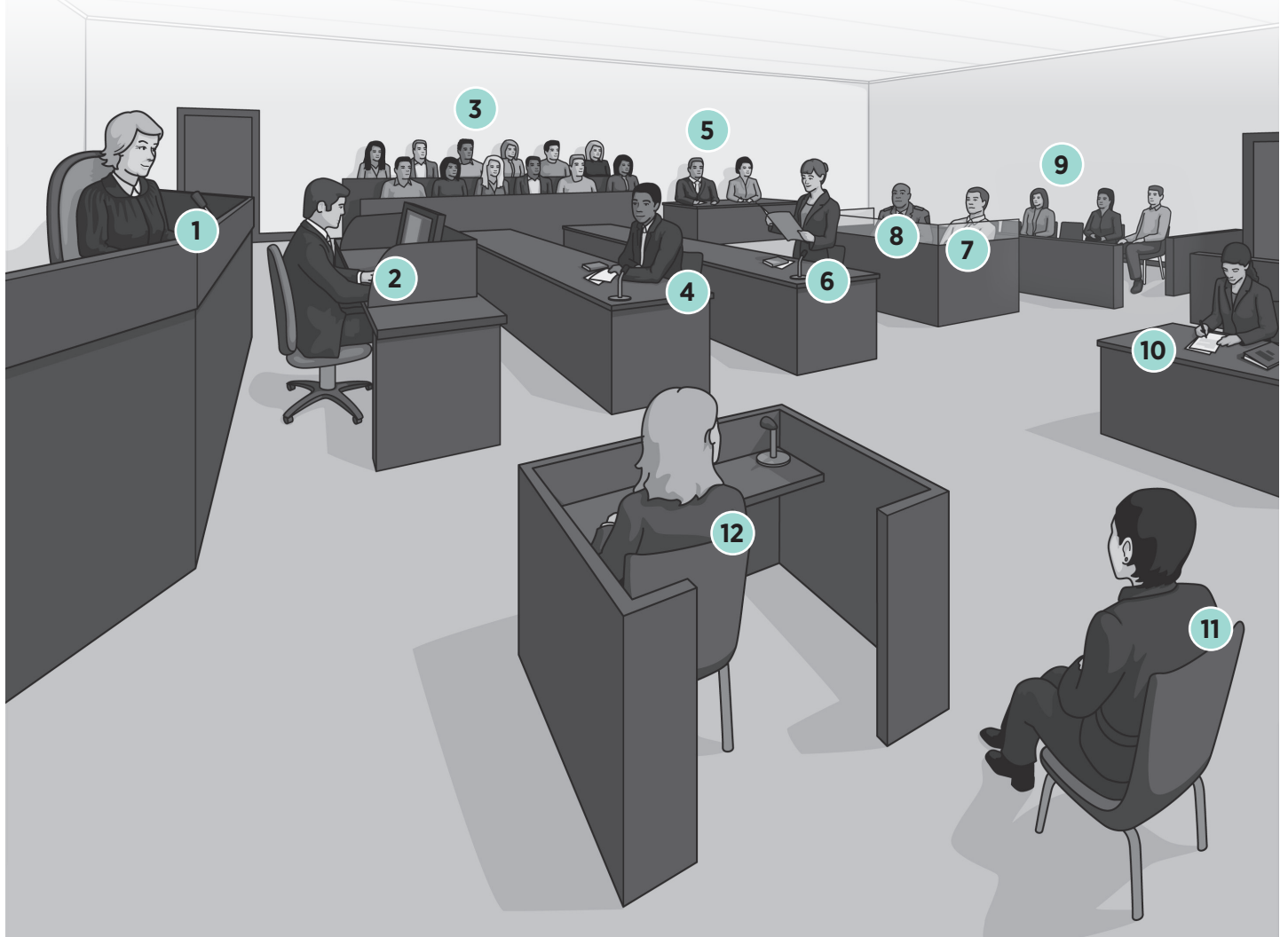
## **Victim impact statement**

A record of how the crime has affected a victim. A victim impact statement is usually in writing, but can include photographs, drawings or poems. A judge must consider it when sentencing an offender. The victim can read the statement to the court just before sentencing.



## The courtroom

This diagram shows one example of the layout of a courtroom, and who you might see.



1. **Judge** is in charge of the court. They decide if the defendant is guilty, or if there is a jury, the jury will decide this instead.
2. **Registrar** helps the judge and makes sure that court processes are followed.
3. **Jury** is made up of 12 people who decide if the defendant is guilty.
4. **Prosecutor** takes the case on behalf of the Crown and presents the case against the defendant.
5. **Media** are journalists who report on the case.
6. **Defendant's lawyer** represents the defendant.
7. **Defendant** is the person accused of the crime.
8. **Prisoner's escort** accompanies the defendant.
9. **Public gallery** is where members of the public and victims' families and whānau can sit, and where witnesses can sit after they have given evidence.
10. **Court victim advisor** helps the witness understand the court process. They may not always be in the courtroom.
11. **Witness' support person** is the person who the judge has agreed can support the witness in court.
12. **Witness** gives evidence on what happened or what they know about the crime.