

# Your rights as a victim

here  
for  
you

**Victims' rights are protected by law in Aotearoa New Zealand. If you've suffered any kind of harm as the result of a crime, the law states that you should be treated fairly and respectfully by all people, organisations, and government agencies that help you and your family or whānau. These rights and the principles behind them are set out in the Victims Code.**

- Your safety and reducing the risk of any further harm should be put first.
- You should always be treated with courtesy and compassion.
- Your dignity and culture should be respected.
- Your personal information should be kept private.
- You should be provided with information and help in a timely and straightforward way when you're dealing with the Police or the courts.
- You should receive help to meet any health, welfare, counselling, medical, or legal needs that you might have as a result of the crime.
- You have the right to make your views known at certain points during the justice process and to have a support person with you in court.
- You can make a complaint if you think your rights have not been met.

## The right to information about the services and options available

Every victim's situation is different. Your support worker can make sure you have the right information to help you in your situation. This might be:

- legal services and support
- availability of medical treatment or counselling
- financial assistance, including the Victim Assistance Scheme administered by Manaaki Tāngata – Victim Support
- other support and services that can help you.

## The right to be told within a reasonable time what's happening with your case

The only time this won't happen is if making the knowledge available could harm the investigation. If this ever happens, the reasons will be explained to you.

Information that may be given about your case includes:

- any charges laid or the reasons for not laying charges
- the date and place of all court appearances, hearings, and appeals
- any bail conditions set
- your role as a witness, if you were one
- what happened in any court proceedings
- how the accused/offender will be dealt with.

## The right to speak te reo Māori or use New Zealand Sign Language in court

Let the case lawyer or court victim advisor know in advance of your court visit if you want to give evidence in te reo Māori or NZSL. An interpreter will then be arranged.

Even if you're not a witness, you may still be able to use these languages if the judge agrees.

## The right to tell the court at sentencing how the crime has affected you

You can write a Victim Impact Statement and ask the judge to let you, or someone you choose, to read it

CONTACT

### Victim Support

Get Help: 0800 VICTIM (0800 842 846)  
victimsupport.org.nz

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out in court. There are rules around what you can say. Police and your victim support worker can help and advise you on this.

## **The right to have your opinion heard on key matters**

These matters include whether:

- the accused should have name suppression or not
- the offender should be granted parole or home detention
- the offender should be released on bail or not.

## **The right to have a support person with you during the court process**

This person can be a member of your family or whānau, trusted friend, your victim support worker, or a support worker from another agency. You can choose who it will be.

## **The right to be updated on what's happening to the offender**

You may be eligible to be part of the Victim Notification System. This means you will automatically receive more detailed information about your case and the progress the offender has made through the criminal justice system. You can request that someone else receives this information on your behalf, if they agree.

## **The right to have your opinion heard by the Parole Board**

The New Zealand Parole Board decides whether an offender should be released under the supervision of a parole officer. You have a right to:

- attend the offender's parole hearings
- make written or spoken submissions
- take one or more support people with you to the hearing
- have your support person speak on your behalf, with your and the Board's permission.

Manaaki Tāngata – Victim Support can help or support you through the Parole Board process.

## **The right to request copies of court documents to do with your case**

You can ask for court documents if you wish, e.g. documents that might help you prepare any statement you make to the Parole Board.

## **The right to get back personal property taken as evidence**

This will be arranged as soon as possible when it is no longer needed for the investigation or court case. Talk to the Police officer in charge of your case about this.

## **Financial assistance**

The Victims' Rights Act doesn't guarantee you the right to compensation or restitution (redress) for the losses and harm you've experienced as a result of the crime. However, Manaaki Tāngata – Victim Support administers a funding scheme that does cover some of the costs involved in the aftermath of serious crime, especially after homicide, sexual crime, or violent crime.

Some compensation is available through the Accident Compensation Corporation (ACC) and there are several ways in which compensation or restitution can occur through the courts or through family group and restorative justice conferences. Your support worker can give you information about these and let you know what costs could be paid in your situation.

## **Extra rights for victims of serious offences**

Victims of serious criminal offences have additional rights under the Victims' Rights Act. These rights will apply if:

- you are a victim of sexual violence or serious assault
- you were seriously injured
- the offence resulted in the death or incapacitation of someone in your immediate family or whānau
- you have ongoing and reasonable fears for your safety or the safety of someone in your immediate family or whānau due to the crime.

## **Where to find out more**

- For more details on your rights, download the Victims Code from the government's Victims Information website at [www.victiminfo.govt.nz](http://www.victiminfo.govt.nz).
- If you would like help understanding the court process, call the Ministry of Justice's Victims Information Line on 0800 650 654 to be put in touch with a court victim advisor.
- For information on writing a Victim Impact Statement, visit <https://victimsupport.org.nz/practical-information/going-court/making-victim-impact-statement> or browse to 'Going to court' in the 'Practical information' section of the Victim Support website and open the page called 'Making a Victim Impact Statement'.



- Learn more about the Victim Notification System and the many things it can update you on at <https://victimsupport.org.nz/practical-information/after-sentencing/keeping-informed-victim-notification-register-vnr> or browse to 'After sentencing' in the 'Practical information' section of the Victim Support website and open the page called 'Keeping informed – the Victim Notification Register (VNR)'.
- To find out how we can support you through the Parole Board process, visit <https://victimsupport.org.nz/practical-information/parole-board/supporting-you-through-parole-process> or browse to 'The Parole Board' in the 'Practical information' section of the Victim Support website and open the page called 'Supporting you through the parole process'.
- To find out how to access court documents, visit <https://victimsupport.org.nz/practical-information/after-sentencing/accessing-court-documents> or browse to 'After sentencing' in the 'Practical information' section of the Victim Support website and open the page called 'Accessing court documents'.
- To find out about what financial assistance might be available to you, visit <https://victimsupport.org.nz/practical-information/financial-assistance> or browse to 'Financial assistance' under 'Practical information' on the Victim Support website.

## Our commitment to you

Manaaki Tāngata – Victim Support's free service provides emotional and practical support, information, referral to other support services, financial assistance after serious crime, and advocacy for your rights as a victim.

To live up to our promises, we are guided by the Victims Code.

## Our promises to you

To be available 24/7 to help you as you deal with the aftermath of crime, trauma, and loss.

To make sure you get the help that you need to be safe, to heal, and to participate in the justice system.

## You will be in control

We're here to help you make informed, supported, and empowered decisions, not to make decisions for you.

## Your safety will be supported

We'll do all we can to make sure that you are safe, at the time of crisis and afterwards.

## We will maintain and respect confidentiality

Everything you tell us is confidential, unless we think there's a risk to your immediate physical safety, or the immediate safety of someone else.

## We will keep our promises

If we say we'll do something with or for you, we will do it.

## Our information will be accurate and up to date

If we give you information or advice about your situation, we'll make sure it's helpful, neutral, clear, up-to-date, and accurate. If there is information we don't know, we will do our best to find out.

## Our services will be free

You do not have to pay anything to use our services.

## You will be respected

We'll always respect you, your family, whānau, and friends, what's important to you, your culture, beliefs, identity, and values. We will not judge you. We will support you.

## We will keep healthy boundaries

Boundaries help to keep everyone safe and respected.

- We'll offer you support, but we won't make you accept it.
- We'll be there when you need us, but we won't intrude or interfere with your life.
- We'll be friendly but won't become your friend.
- We'll stop working with you when you no longer need our help.
- We won't do things that need to be done by you or your family, or whānau.
- If we can't help you we'll let you know and suggest some other options.

## You can give us feedback or make a complaint

We have an easy feedback or complaints process. We welcome any feedback and suggestions on how we can improve our services and support.

If you think your rights have not been upheld, or you have not received the standard of service you expected, you can provide feedback or make a formal complaint.

You can find out more about our process for feedback and complaints at <https://victimsupport.org.nz/contact-us/feedback-and-complaints>.



## Mātou e titikaha nei ki a koe

E titikaha ana a Manaaki Tangata ki a koe, ao te pō, huri i te motu.

Ka whakarato ai tā mātou ratonga utu-kore i te āwhina kare-a-roto me te āwhina whai pānga, i ngā mōhiohio, i ngā hononga ki ētahi atu ratonga tautoko, i te tautoko ā-putea whai muri tonu i te ngau taihara, me te whawhai mō ōu mōtika pāturenga.

Kia ū tonu ki tā mātou e kī taurangi nei, ka arahina mātou e ngā tikanga whakamana mōtika.

## Ā mātou kī taurangi ki a koe

Kia wātea ai mātou, 24/7, hei āwhina i a koe e pīkau ana i ngā taumahatanga o te taihara, o te ngaukino, me te mate.

## Ka mau koe i tō mana

Kei konei mātou ki te āwhina i a koe, ka whakamārama kaupapa, ka tautoko, ka whakamana i a koe ki te kōwhiri i te ara whakamua, kāore mātou e kōwhiri te ara mōu.

## Ka tautokona tō haumarutanga

Ka takahia ngā ara katoa e haumarai ai koe i te wā tonu o te taihara, ā whai muri atu ana.

## Ka mau, ka whakaute hoki ki te matatapu

Ka noho tapu ngā mea katoa ka kōrerotia mai ki a mātou, māna ka kite atu he tūraru nui ki tōu ake haumarutanga ā-tinana, ki te haumarutanga rānei o tētahi atu.

## Ka ū ki tā mātou i taurangi ai

Ki te kī mātou ka mahia tētahi mahi i tō taha, mōu rānei, ka mahia.

## Ka tika, ka hāngai hoki ō mātou kōrero ki te nāiane

Ki te whoatu mātou i ētahi mōhiohio, i ētahi kōrero āwhina rānei e pā ana ki tō take, ka tuku i runga i te mōhio he āwhina kei roto, he ngākau tapatahi, he mārama, e hāngai ana ki taua wā tonu, ā, he tika. Mehemea ia he kōrero kāore i te mōhio, ka whakapau kaha mātou ki te kimi i ērā mōhiotanga.

## Ka utu-kore ō mātou ratonga

Kāore he utu ki te whakamahi i ō mātou ratonga

## Ka whakautengia koe

I ngā wā katoa ka whakautengia koe, tō whānau me ō hoa, ērā mea whakahirahira ki a koe, tō ahurea, tō whakapono, tō tuakiri, me ō mātāpono. E kore mātou e whakawā i a koe. Ka tautoko mātou i a koe.

## Ka tika tā tātou noho wehe

Mā te whakarohē i a tātou anō e haumarai ai, e whakaute ai te katoa.

- Ka toro atu te ringa āwhina, engari kāore e pana i a koe kia kapohia
- Kei reira mātou i te wā e pīrangitia ana mātou, engari ka kore mātou e whakaete, e hūrae rānei i tō oranga
- Ka whakahoahoa atu, engari ehara i te hoa pūmau
- Ka mutu tā mātou mahi tahi ki a koe i te wā kāore he hiahia o tā mātou āwhina atu
- E kore mātou e mahi i ērā mahi e tika ana māu, mā tō whānau rānei e mahi
- Mehemea kāore e taea e mātou te āwhina atu, ka whakamōhio atu i a koe, ā, ka whoatu ētahi atu kōwhiringa

## Kua wātea te tuku kōrero mai, te amuamu rānei

He māmā tā mātou rautaki whakahoki kōrero, amuamu rānei. Nau mai ngā kōrero me ngā whakaaro hei āwhina i a mātou kia pai ake ō mātou ratonga me tā mātou tautoko.

Ki te whakaaro koe kāore anō kia whakarangatira i ō mōtika, kāore rānei i eke pai te taumata ratonga e tika ana kia whiwhi koe, kua wātea koe ki te tuku kōrero, ki te amuamu hoki.

Mō ētahi atu whakamārama mō te tukanga whakahoki kōrero me te amuamu, peka atu ki <https://victimsupport.org.nz/contact-us/feedback-and-complaints>.

“ Everyone benefits when we put victims at the heart of the justice system.

Dr Kim McGregor, Chief Victims Advisor to the Government