



Chief Victims Advisor  
to Government

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**Ministry of Justice**  
**Tāhū o te Ture**  
**New Zealand**



MINISTRY OF  
**JUSTICE**  
*Tāhū o te Ture*



MINISTRY OF  
**JUSTICE**  
*Tāhū o te Ture*

# Co-design between government, academia and the wider victim community

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Victim engagement in New Zealand

# Summary

- Hāpaitia te Oranga Tangata reform programme
- Victim engagement:
  - Victims Survey
  - Victims' Issues Workshop

# Hāpaitia te Oranga Tangata

- April 2018 - Hāpaitia te Oranga Tangata, Safe and Effective Justice reform programme launched
- Why?
  - Very high imprisonment rate
  - High re-offending rate
  - Māori over-represented
  - High re-victimisation
  - Many offenders have been victims
  - Lack of public confidence

# Hāpaitia te Oranga Tangata

- Key aims behind reform:
  - create a more effective criminal justice system for New Zealand
  - reduce the number of people in prison by 30% over 15 years
  - meet our obligations to Māori
  - better support victims of crime
  - reduce victimisation
  - build public confidence in the system

# Hāpaitia te Oranga Tangata

- Explore and build new partnerships:
  - non-government organisations
  - Māori
  - victim advocates
  - academia
  - private sector
  - philanthropy
  - local government

# Hāpaitia te Oranga Tangata

- August 2018 - Criminal Justice Summit
  - Over 600 attendees including victims, offenders, judges, Government officials
  - Over 3 days
  - Start of a public conversation with New Zealanders

<https://safeandeffectivejustice.govt.nz/>

# Hāpaitia te Oranga Tangata

- Te Uepū Hāpai i te Ora
  - Advisory group
  - Extensive public engagements across NZ
  - He Waka Roimata report

[https://safeandeffectivejustice.govt.nz/assets/Uploads/fa55462d44/teuepureport\\_hewakaroimata.pdf](https://safeandeffectivejustice.govt.nz/assets/Uploads/fa55462d44/teuepureport_hewakaroimata.pdf)



# Hāpaitia te Oranga Tangata

- Hui Māori – 3 day hui April 2019
  - Ināia Tonu Nei report

<https://www.justice.govt.nz/assets/Documents/Publications/d8s653-Inaia-Tonu-Nei-Hui-Maori-English-version.pdf>

# Strengthening the Criminal Justice System for Victims

*'We know that many victims feel let down by the current system, and that they find it difficult to navigate their way to justice and restoration. That's not good enough. We are working hard to learn from the lessons of the past'*

Hon Andrew Little, Minister of Justice

- Victims Survey
- Victims' Issues Workshop

# Victims' Survey

- Confidential, online survey
- 4 February – 1 March 2019
- Focused on victims' experiences in the criminal justice system
- 620 respondents - 91% identified as victims

<https://chiefvictimsadvisor.justice.govt.nz/assets/Documents/Publications/8dhfd3-Criminal-Justice-Victims-Survey-report.pdf>

# Victims' survey – What we heard

How would you rate your overall experience of the CJS?

63% poor or very poor: 13% good or very good

The criminal justice system is safe for victims

83% disagreed or strongly disagreed: 6% agree or strongly agree

Victims' views, concerns and needs are listened to

77% disagreed or strongly disagreed/12% agree or strongly agree

Victims have enough information and support

79% disagreed or strongly disagreed/9% agree or strongly agree

# Victims' survey - Questions

- What works well for victims in the current criminal justice system?
- What doesn't work well for victims in the current criminal justice system?
- What is the most important thing that needs to change to make the criminal justice system better for victims?
- What else would you like changed in the criminal justice system?

# Victims' survey – Key themes

Four high-level themes identified:

- The ideology of the criminal justice system is wrong
- The criminal justice system is failing to keep victims safe
- The criminal justice system is failing to communicate with victims
- The workforce of the criminal justice system can improve

## *The ideology of the criminal justice system is wrong*

- The system does not work for Māori
- The system does not meet the complex needs of victims
- The system should be tougher on crime
- The system should include more rehabilitation

## *The criminal justice system is failing to keep victims safe*

- Victims should be kept safe from offenders at all stages of the criminal justice process
- The system should keep whānau and communities safe



## *The criminal justice system is failing to communicate with victims*

- The system fails to keep victims informed
- The system fails to listen or enable victim's voices

## *The workforce of the criminal justice system can improve*

- Workforce needed to be better resourced
- Training and education
- BUT – also positive feedback about Police, as well as Victim Support and other NGOs

# Victims workshop

- Co-design process
- Bi-cultural steering group
  - 5 Māori
  - 5 Tauīwi
  - Academics
  - Advocates
  - Iwi

# Victims workshop

- Design workshop
  - Action-oriented
  - Iterative consultation process
  - Gaps
  - Solutions
  - Values and visions
- <https://chiefvictimsadvisor.justice.govt.nz/assets/Documents/Publications/6dhd38-Criminal-Justice-Victims-workshop-playback-report.pdf>

# Victims workshop

- 2-day workshop 4 - 5 March 2019
  - 150 participants
  - Victims
  - Advocates
  - Academics
  - Judges
  - Lawyers
  - Government officials

# Victims workshop

- 15 tables
  - Māori
  - Māori and family violence
  - Sexual violence
  - Homicide
  - Support and communication
  - Trial processes
  - Pasifika communities
  - Ethnic and migrant communities
  - Rainbow community
  - Male victims
  - Vulnerable victims
  - Restorative justice

# Victims workshop

- Key Speakers
  - Limitations of the adversarial system
  - Challenges for Māori
  - Re-victimisation
  - Wider applicability of restorative processes for victims

# Victims workshop

- Gaps
  - Offender-centric
  - Insufficient support and information
  - Lack of tailored support for different victims
  - Absence of the Treaty in the system
  - Lack of specialist training
  - Legislation that is not fit for purpose



# Victims workshop

- Prioritised solutions
  - Navigator support
  - Legal representation
  - Cultural responsiveness
  - Partnership with Maori
  - Whānau-centred approach

# Victims workshop

- Values that reflect New Zealander's aspirations:
  - Mana enhancing
  - Fairness
  - Respect
  - Equality
  - Safety
  - Accountability
  - Restoration and repair
  - Wellbeing
  - Needs-based

# Victims workshop

- Visions for a victim-centric Aotearoa
  - A system that doesn't re-victimise
  - A system that is mana enhancing, heals and repairs
  - Community is involved in accountability and repair
  - Non-criminal and whānau-centred pathways for victims to tell their truth

# Conclusion

- Next steps:
  - Chief Victims Advisor recommendations to government
  - Government response to final reports of both Te Uepū and the Chief Victims Advisor