



Justice and Electoral Select Committee

Victims of Crime Reform Bill

FREEPOST Parliament

Parliament Buildings

Wellington 6160

October 2011

Victims of Crime Reform Bill Submission

- 1.1 This submission is being made by **Family First NZ**, a charitable organisation that researches and advocates on family issues in the public domain.
- 1.2 Family First supports the purposes of the Bill to increase the opportunities and right for victims to be able to choose to be more involved in the cases affecting them.
- 1.3 Giving victims of crime a voice in the court system will ensure that the dispensing of justice maintains a personal and family element rather than a simplistic and unrealistic dispassionate approach that ignores the true impact of crime on families.
- 1.4 Family First supports the provisions giving victims greater freedom to express their feelings in their own words in their victim impact statements, and the automatic right of victims to read their statements in court. As long as they maintain an appropriate time limit, focus on the impact of the crime, and do not use offensive words, victims have a right to freely express the personal impact of crime. The personal impact of crime is important for offenders to understand, as they may try to minimise the impact, or justify their crime as being 'victimless' or harmless.
- 1.5 Family First supports the provisions giving victims of offending by children and young people the right to attend a Youth Court and to submit a victim impact statement, and ensuring that victims' rights in the adult criminal jurisdiction are applied in the Youth Court jurisdiction. Young people also need to understand the impact of their actions.

- 1.6 Family First supports the provisions strengthening changes in the victim notification system, especially the expansion of the information that victims receive about offenders on short-term sentences, and the improvement in information to victims who have made submissions to bail hearings.
- 1.7 Family First supports the provisions widening the eligibility for notices to include all victims of sexual offences.
- 1.8 Family First supports the provisions requiring the justice sector agencies to have complaints processes, and to report annually to Parliament.
- 1.9 Family First supports the provisions requiring the Ministry of Justice to develop a victims code in order to improve responsiveness and accountability. Families deserve this level of accountability, as we attempt to minimise the ongoing and stressful impact of crime and the court system on them.
- 1.10 Family First agrees with the comments of Labour MP Charles Chauvel regarding the Victoria system where victims of crime have an automatic entitlement to compensation, designed to restore them to a pre-crime situation. The offender should be directly responsible for this restitution – according to their financial status. This is an important aspect of justice for both parties.
- 1.11 We reject the suggestions that offenders should have a right of reply to victim impact statements. Their whole case is based around a defence, and they have plenty of opportunity to justify their actions during the court case.
- 1.12 We do share the concerns of a number of MP's that allowing children the right to read victim impact statements may have the opposite effect of subjecting them to unnecessary and stressful court processes. We would need to be sure that the principles which led to changes to child witness requirements recently adopted are also considered in developing processes in this area.
- 1.13 We wish to appear before the committee.

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