

Part 1: Victims' trust and confidence in the criminal justice system (CJS) Report - Frequently Asked Questions

What data did you use for this report?

The report is based on Cycle 2 (2018/19) of the New Zealand Crime and Victims Survey (NZCVS) conducted by the Ministry of Justice. The NZCVS annually interviews about 8,000 New Zealanders over the age of 15 each year. Respondents are asked about their experience of crime during the previous 12 months. The NZCVS consists of a core questionnaire repeated every year and an in-depth module that changes from year-to-year. In Cycle 2, the in-depth module was on social wellbeing and perceptions of the criminal justice system (CJS).

Why have you specifically looked at victims' trust and confidence in the CJS?

The 2020 NZCVS report *Social wellbeing and perceptions of the criminal justice system* showed that most adult New Zealanders have trust and confidence in the CJS. However, it revealed that those who have been a victim during the previous 12 months have comparatively poorer perceptions. In order to better understand and potentially change this pattern, this report looks at the different views of the CJS held by victims of different types of crime. The report gives us insight into the types of victims who have low trust and confidence in the CJS. It also sets a baseline for measuring progress to increase victims' perceptions of the CJS.

Why it is important to increase victims' trust and confidence in the CJS?

The CJS is Aotearoa / New Zealand's way of upholding peace and prosperity in society. When crimes are reported to the police, the Crown prosecutes offenders on behalf of the victim as well as society. For that process to be effective for victims in restoring their sense of peace and prosperity, they need to have trust and confidence in the system.

Research reveals that strengthening the trust and confidence of victims in the CJS has also the potential to increase reporting of crime and the participation of victims in justice processes. For example, to be willing to assist the Police and prosecutors, victims must have confidence in the overall justice system and a sense of trust in the professionals who are part of it.

Upholding the trust and confidence of victims is therefore critical for the CJS to be able to provide access to justice and support to those affected by crime. It also helps the CJS to address offending, leading to safer communities.

In the report, do you consider the CJS as one entity?

It varies. One of the questions respondents were asked was about their confidence that the CJS as a whole is effective. Other questions ask about six important components of the CJS: groups that provide services for victims, the Police, judges, juries, criminal lawyers, and the Parole Board.

Respondents were also asked about their views of the prison service and probation officers. However, these results were not analysed for this report because the focus was on parts of the CJS most relevant for victims.

Do victims equally trust all of the above components of the CJS?

No. Trust is highest in groups that provide services directly to victims, followed by the Police. Trust is relatively lower in judges, juries, criminal lawyers and the Parole Board. This pattern is consistent for victims of different offences and the general population. It is also in keeping with international and previous New Zealand studies.

Why do people (and victims) tend to have lower trust and confidence in some parts of the CJS than others?

This report does not explore the reasons why the public (and victims) tend to have lower or higher levels of trust and confidence in some parts of the CJS than others. Other researchers have suggested that relatively lower public trust and confidence in some parts of the system may reflect that they are less visible, are portrayed more negatively by the media, or they are less aligned with people's values.¹

Victims have lower levels of trust and confidence in judges and juries, than, for example, Police. Why is this?

The judiciary is an independent branch of government so, by convention, the NZCVS is not designed to collect detailed information about judges or juries.

As noted above, this report does not explore the reasons why the public tends to have lower or higher levels of trust and confidence in some parts of the CJS than others. However, factors contributing to lower trust and confidence in judges and juries have been suggested to include:

- most people, including victims of crime, the majority of whom do not report crime incidents which they experience, have little direct contact with or experience of

¹ See [Indermaur and Roberts \(2009\)](#).

judges and juries (they are less visible than, for example, Police) meaning their opinions can be informed by unreliable sources, such as media and word-of-mouth

- a lack of understanding among the public of the role of the judiciary and juries
- a perception that judges and juries represent an elite value system not shared by 'ordinary' citizens or, for people who have traditionally been disenfranchised from mainstream society, uphold a value system that positively disadvantages them.

Did non-victims also answer the questions related to the trust and confidence in the CJS?

Yes. All respondents, both victims and non-victims, were asked questions about their trust and confidence in the CJS. This allowed us to compare the level of trust and confidence for victims with the general population.

What is the key difference in trust and confidence in the CJS between victims of interpersonal violence (including sexual violence and offences by family members) and overall adult population?

Compared with the overall adult population, victims of interpersonal violence:

- are less likely to have confidence that the CJS as a whole is effective;
- have comparatively lower trust in the Police, juries, criminal lawyers, and groups that support victims;
- are less likely to agree that most people in New Zealand are treated fairly by the Police, judges, juries, criminal lawyers, the Parole Board, and groups that support victims; and
- are less likely to say they would call the Police to report a crime or incident that they witnessed.

Why do victims of interpersonal violence (including sexual violence and offences by family members) have such low trust and confidence in the CJS?

We know from recent reports that the CJS needs to be more responsive to the needs of victims, especially those affected by family violence and sexual violence.²

The report does show that victims, especially victims of interpersonal violence, have relatively high rates of past-12-month contact with the CJS. This includes forms of contact during which the person was not in contact as a victim, such as being in a vehicle that was stopped by Police (e.g. for an alcohol checkpoint). Research tells us that contact with the CJS, and the way people are treated in these situations, can influence their trust and confidence in the CJS.

² For example, [reports released in 2019 by the Chief Victims Advisor](#) to Government.

However, victims of interpersonal violence might also share other factors and experiences that affect their trust and confidence in the CJS.

What drives trust and confidence in the CJS?

The drivers of trust and confidence in the CJS are not a focus of this report, but there is a lot of existing research on this. A person's perceptions of the CJS can be affected by how *effective* they think the system is at doing its job, and how *responsive* it is to communities. A lot of research suggests that views of how *fair* justice processes are is very important for driving trust and confidence in the CJS. Experiences that are perceived to be unfair can have a particularly damaging impact on trust and confidence. Some international research suggests that individuals care more about being treated fairly in justice processes than they care about the justice outcome they receive.

Research shows that direct contact with the CJS can influence these perceptions. What people hear about others' experiences with the CJS, through the people they know, the media and social media, can also have an impact.

Why didn't you do an ethnic /age/ geographical breakdown of victim's perceptions? Do you plan to provide this breakdown?

This report operates with Cycle 2 data only (2,547 victims). In many cases this sample size limits our ability to do more detailed analysis. This type of analysis is possible only after accumulating data on trust and confidence for more than one cycle.

Breakdowns by ethnicity and age for the entire adult population are presented in the report "[Social wellbeing and perceptions of the criminal justice system](#)" released in July 2020.

What does the Ministry of Justice do to increase trust and confidence in the CJS?

The Ministry of Justice is committed to four core values - respect, integrity, service and excellence. The Ministry is working hard to ensure that these values underpin everything done within the Ministry so that its customers, including victims, can consequently have trust and confidence in how they are treated by Ministry staff.

In addition, the Ministry is working to improve services for victims so that they, again, they can have more confidence and trust in what the Ministry is doing for them. Recent initiatives include:

- implementing legislative reforms focussed on improving services and outcomes for victims of family violence and sexual violence
- continuing the role of Chief Victims Advisor who provides independent advice to the Minister of Justice about victim issues, especially on improving systems, policies, and laws for victims within the justice sector

- improving facilities at court buildings to create safer spaces for victims who need to appear at court
- implementing Criminal Process Improvement Programme helping to gain victims views on processes such as restorative justice
- building relationships with Māori and Iwi and incorporating tikanga Māori and te ao Māori values into services being delivered by the Ministry.

The Ministry of Justice also supports the work of the Chief Victims Advisor to Government and is continuing research into victims through, for example, the NZCVS. This will enable it to better understand and respond to victims' needs and build their trust and confidence.

And what is happening in order to increase trust and confidence in the CJS in other Justice Sector agencies and judiciary?

The Justice Sector Leadership Board, which consists of the Chief Executives of the NZ Police, Ministry of Justice, Ara Poutama Aotearoa Department of Corrections, Crown Law Office and Serious Fraud Office, has identified the need to improve victims' experience of the CJS as one of its priorities. It has established a cross agency Victims Leadership Group of senior managers to strengthen agencies' work for victims with improved communication, co-ordination, and co-commissioning of work of mutual interest.

In addition, agencies, both inside and outside the justice sector, have established a range of initiatives aimed at improving services to victims. They include, for example:

- Justice Sector agencies established cross agency Victims Leadership Group of senior managers. The group will strengthen agencies work for victims with improved communication, co-ordination, and co-commissioning of work of mutual interest
- NZ Police's Integrated Safety Response pilots in Canterbury and Waikato, which focus on improving and increasing support for people affected by family violence
- Ara Poutama Aotearoa's Victims Information Notification app (ViNA), which provides an option to make it easier for victims to receive information
- Ministry of Social Development has designed a court support pilot service for victims of sexual violence.
- Chief District Court Judge, Heemi Taumaunu, announced a new model for the District Court – Te Ao Mārama – which will take the best practices developed in the solution-focused specialist courts and incorporate them into its mainstream criminal jurisdiction.

It can be anticipated that successfully implemented service improvements and initiatives, such as these, will help to improve trust and confidence.

Part 2: The New Zealand Crime and Victims Survey - Frequently Asked Questions

What is the New Zealand Crime and Victims Survey?

The New Zealand Crime and Victims Survey (NZCVS) is a nationwide, face-to-face annual survey asking 8,000 randomly selected New Zealanders aged 15 years and over about incidents of crime that they experienced over the last 12 months. This includes both incidents reported to the Police and unreported incidents.

Why do we need a Crime and Victims Survey?

As only a small amount of crime is reported to the Police, the Crime and Victims Survey provides valuable information and data for the Ministry of Justice, Stats NZ, Ministry of Social Development, Te Puni Kokiri, the Police, Department of Corrections, Oranga Tamariki, and the Ministry for Women. It also provides data to universities and NGOs working on justice sector issues.

The NZCVS:

- Informs Hāpaitia te Oranga Tangata: the Safe and Effective Justice Programme.
- Provides information for the Stats NZ's living standards dashboard and to Treasury's wellbeing network. Stats NZ include a few Crime and Victims Survey measures in their list of New Zealand wellbeing indicators.
- Links consented anonymised records with the Integrated Data Infrastructure (IDI) data, allowing wider analysis.
- Is consistent with the Ministry of Justice forecasting models, assessing future crime trends.
- Allows us to build a consistent time series for "before vs. after" analysis from the second year onwards.

Who was asked to take part?

One person from each of the randomly selected households aged 15 or over can be selected to take part in the survey. People did not need to have experienced a crime to answer the questions. Participation in the survey is voluntary.

How many people were interviewed for the annual survey?

8,038 people were interviewed in Cycle 2 (2018/19).

What was the response rate?

A response rate of 80% was achieved in Cycle 2 (2018/19).

How can you ensure that the respondents represent an accurate cross-section of society?

This is ensured through both the sampling and weighting processes. Household and individual weights are applied using the latest census data available to ensure results represent the New Zealand population.

When did interviews take place?

Interviewing for Cycle 2 took place from October 2018–September 2019. Respondents were asked about crime that had occurred over the previous 12 months from the day of their interview.

What questions were asked?

We do not ask respondents whether a crime has been committed against them. Instead, we ask about different kinds of experiences a respondent has had in the previous 12 months. For example, “Was someone on your property without permission?”, or “Have you been physically harmed?” Aspects of these experiences are recorded, including:

- what happened;
- how it affected them;
- whether the incident was reported to Police.

The experiences are then assessed and coded by a specialist team including Police coders, who then determine whether a crime has been committed. Incidents are coded to different offence types consistent with Police practice.

How were the questions asked?

The interviewers used laptops rather than paper questionnaires. The interviews are carried out face-to-face, usually at the home of the respondent.

How did you handle very sensitive questions? For example, someone responding to a question about violence they may have experienced in the house in which they are currently living?

For some sections of the questionnaire, survey participants are handed the laptop to enter their responses directly into the computers themselves. This ensures the interviewer does not see the participant’s responses.

How long did the interviews take?

Interviews normally take between 20 to 30 minutes. But might be longer for highly victimised people.

Is the privacy of participants protected?

The information provided to the interviewer is strictly confidential and protected by the Privacy Act 2020. The interviewer cannot discuss information collected with anyone else. Individual responses will never be identified, and all contact details are removed from the data set. Only approved researchers can use the data. Names of participants and any identifying details are not included in published material. If the results could identify small groups, those results are either suppressed or aggregated.

What kinds of crime does the NZCVS not cover?

The NZCVS covers a range of personal and household offences, but it does not cover:

- Manslaughter and homicide
- Abduction
- Crimes against children (14 years old and under)
- “Victimless crime” (such as drug offences)
- Commercial crime/white-collar crime/crimes against businesses or public-sector agencies
- Crimes against people who do not live in permanent private dwellings
- Crimes against people living in institutions.

Why is homicide not included?

The New NZCVS collects information about personal and household crimes that individuals (and their households) may have experienced. Homicide is out of scope for the survey since the direct victim is deceased.

Who carried out the survey?

The Ministry of Justice managed the survey with the help of a range of organisations and contracted providers.

Interviewing and offence coding activities were carried out by CBG Health Research Ltd (trading as: CBG Public Sector Surveying) on behalf of the Ministry of Justice. CBG is an independent, New Zealand-based research company.

An expert criminologist from Victoria University of Wellington, and an expert from the New Zealand Police provided quality assurance advice and support as part of the offence coding processes.

Stats NZ carried out the statistical services, and experts at the Victoria University of Wellington provided quality assurance advice and support at various times throughout the project.

How did you develop the methodology for the survey?

It was designed by research and evaluation staff at the Ministry of Justice and reviewed by Stats NZ and the Police. Thirteen government and NGO organisations were consulted throughout this process.

It has also been reviewed by Victoria University and by international criminology expert, Pat Mayhew OBE, who serves on the UK Statistics Authority's Crime Statistics Advisory Committee and who was director of the Crime and Justice Centre at Victoria University

For details on the methodology please go to:

<https://www.justice.govt.nz/assets/Documents/Publications/NZCVS-2018-19-Methodology-Report-Year-2-fin.pdf> .

How different is the NZCVS from the previous New Zealand Crime and Safety Survey (NZCASS)?

The NZCVS interviews more people, covers more types of offences, uses offence coding system that is closer to the Police coding approach. Another important difference is that the NZCVS applies different approach to handling situations when people are unable to fill victim forms for all reported incidents as there are too many of them. While NZCASS in these situations relied on statistical imputations (i.e. drawing conclusions based on existing statistical data), the NZCVS offers group victim forms which allow similar incidents to be combined in one form.

Can we compare results from the NZCVS with results from the New Zealand Crime and Safety Survey (NZCASS)?

The NZCVS is a new survey with significant improvements in design compared with its predecessor NZCASS. All the above differences make any direct comparison between the NZCVS results and the NZCASS results extremely questionable and potentially misleading, even for the same offence types. The good news is that the NZCVS delivers consistent reports more often than NZCASS, making it possible to compare consecutive NZCVS results from now on.

What about comparing the NZCVS results with international criminal research?

Any international comparisons are even more difficult due to differences in legislation, coding systems, interview questions, channels used by interviewers (ie face to face, phone, online), etc.

What if the NZCVS results conflict with those that other data Government agencies are using?

No other agency is collecting comprehensive data about crime not reported to Police. This makes the NZCVS a unique source of information about victimisation in New Zealand.

What are the limitations of the NZCVS?

The survey gathers information on a range of personal and household offences that are not captured elsewhere, but it does not report *all* crime in New Zealand. This is because the survey does not cover all groups of the New Zealand population and every type of crime that someone might experience.

The NZCVS is a sample survey. What does this mean?

A sample survey means that not all New Zealanders give information about their experiences. The survey is not a census of the population. Because of this, the estimates might be different to the true figures for the New Zealand population (ie there is some sampling error). The sample size for some analysis can be too small to report reliable results.

What is the confidence level used for survey reporting?

95 percent. This is the same as many other social and economic surveys in New Zealand and overseas.