

Justice Services

Support for survivors of sexual abuse
through the court and
restorative justice process



helpauckland.org.nz

HELP

Preventing sexual abuse.
Supporting survivors.

If you want justice for sexual abuse, we're here to help

HELP provides a range of free and confidential justice services to assist survivors of sexual abuse/assault and their family and friends as they navigate through the court process.

Going to court can be challenging, intimidating and may take much longer than you might expect. Our Court Support Advocate can provide emotional support and advocacy prior to and throughout the court process.

If you need to give evidence in court, our Court Support Advocate will help you prepare for the trial by helping you understand the court system, and develop strategies to manage the 'emotional rollercoaster'. Your advocate will work with you to develop a personal plan to support you.

If you're already seeing a therapist/counsellor, your Advocate will liaise with them to support your healing and preparation for court. If not, they may refer you to ongoing counselling if this might be helpful.

To discuss our justice services, please call **0800 623 1700** to speak to a Court Support Advocate. You don't need previous or current counselling to access these services.

Understanding the Criminal Justice System (CJS)

New Zealand's Criminal Justice system can be difficult, frustrating and many aspects may feel unfair.

Some things that are useful to know:

- The court process is designed to ensure the accused has a 'fair' trial as they are deemed 'innocent until proven guilty'. This means they have a number of rights that can leave a survivor feeling like the one who is on trial
- The sexual abuse or assault is deemed a crime against the State (Crown) and the survivor is considered a witness for the State. The Crown must consult with the survivor at various stages of the trial process, but ultimately the Crown Prosecutor decides how they will prosecute the case
- The Crown Prosecutor presents the facts of the case and must prove 'beyond reasonable doubt' that the defendant is guilty, while the defence lawyer's job is to convince the jury to doubt the survivor's story
- The accused has the 'right to silence', meaning they don't have to give evidence in court, which can be hard to understand when the survivor will be questioned

Navigating the adversarial justice system can be challenging, but your advocate will guide, support and help you.

Giving evidence in court

If there is a trial, survivors of sexual abuse or assault and often their family and/or friends have to give evidence and tell a jury what happened. The Crown Prosecutor will lead them through the facts or, if allowed by the judge, a video statement can be shown. The defence lawyer follows with a cross-examination. This can be challenging so it's important to be well prepared.



It will always be a part of me but I'm stronger now and I want to give back and encourage others facing similar situations. It's so freeing to get help and justice.

MARGARET, SURVIVOR

HELP's Court Support Advocate can help prepare survivors and family/friends to:

- Understand what being a 'credible' witness means and how to maintain dignity and integrity while giving evidence
- Develop skills to respond to questions from the defence lawyer, clearly and carefully, rather than panic or react
- Develop understanding and skills to build resilience through this experience.
- Remain relatively calm through what can be a long and challenging process

HELP's specialised, survivor-focused strategies can help to strengthen your ways of coping, build resilience to get through your trial and support your healing.

Restorative Justice for sexual abuse

Restorative Justice can give a survivor the opportunity to directly address the person that harmed them, in a safe environment. It's a survivor-driven process of coming together to share feelings and opinions truthfully and resolve, together, how best to deal with the aftermath. The intention is to restore the dignity and wellbeing of those harmed as much as possible.

Project Restore

Project Restore (NZ) is a specialist service which supports and guides survivors through the court and restorative justice process. The aim is to ensure the survivor can reclaim their power and their voice following sexual trauma.

Talk to us on **0800 623 1700** or contact Project Restore directly [**www.projectrestore.nz**](http://www.projectrestore.nz)

If you lose hope...

it's important to remember the reasons you embarked on this journey towards justice. It can be helpful to note your personal reasons for reporting the sexual abuse/assault so that you can refer to them later.

Some of these reasons might include:

- It was a crime, and you hope the offender will take responsibility and be accountable by accepting the consequences, punishment, or treatment
- To feel a sense of justice by holding the person who sexually abused/assaulted you to account for their actions
- To stop the sexual abuse from happening to anyone else
- To know that people believe you, including the Police/Crown and to have an opportunity to tell your version of events. This can be validating in itself
- To reclaim your personal power, to heal, move forward by speaking out about what happened, and by sharing your truth

Every survivor of sexual abuse or assault will have their own motivations for reporting sexual abuse and continuing through the court process.

"It is good to get your support at this early stage. It's too overwhelming and I wouldn't have gone ahead without it."

SURVIVOR

"Thank you, I feel a lot better now than when I came in. It's good to start building a foundation for court support."

SURVIVOR

For more information about Court Support or Project Restore, call us on **0800 623 1700** or email **courtsupport@helpauckland.org.nz**

We have a comprehensive legal guide available on request.

HELP is here if you need us

24/7 HELP



0800 623 1700



Text 8236



gethelp@helpauckland.org.nz



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