



Consent and Declaration form for legal representatives of survivors

Introduction

On 9 May 2025, the Government announced changes to existing and new redress processes currently handled by the Ministry of Social Development, Oranga Tamariki, Ministry of Education, Ministry of Health, Department of Corrections and Te Puni Kōkiri.

One of the changes applies to new claims from survivors who have convictions for a serious sexual and/or violent offence and who have been sentenced to five years or more in prison for that offence. A serious sexual or violent offence means one, or more, of the offences listed in schedule 1AB of the Sentencing Act 2002. A summarised list of the offences is set out at question 10. The effect of the change is that these survivors will not be able to receive financial redress unless an independent redress officer decides that the payment of financial redress will not bring the redress system into disrepute.

The process for new claims from survivors

The attached form needs to be completed and signed. It provides consent to the newly established Redress Specialised Assessment Unit (the Unit) to submit a criminal conviction history check request the purposes of obtaining the survivors criminal history.

Who should fill out this form?

This form should be filled out by the legal representative of the survivor who is making the redress claim. It is important to note that by filling out this form you are confirming that:

- the survivor has confirmed the accuracy of the information that you are providing on their behalf
- that you have explained to the survivor, and the survivor understands, the consequences of providing false information
- you are a lawyer¹ with the legal authority to sign the form on behalf of the survivor, and

¹ As defined in the Lawyers and Conveyancers Act 2006.

- you will keep the survivor informed about their rights and obligations related to this process.

If you represent a survivor but are not a lawyer, you will not be able to complete this form on behalf of the survivor. You should direct the survivor to complete the ***Consent and Declaration form for survivors with new claims***.

What happens if the survivor has been convicted?

If the survivor you represent has been convicted of one of the serious offences and sentenced to five years or more in prison for that offence, they are unable to receive a financial payment at this time.

Work is underway to establish legislation to appoint an independent decision-maker to consider applications to overturn this presumption. Survivors will be informed when an independent decision-maker has been appointed and how to apply to them.

Survivors will continue to be eligible to receive other redress offerings such as access to wellbeing supports and an apology.

Why does the declaration form have to be completed if the survivor has not been convicted of any crimes?

Not everyone who completes the declaration form will go through the full checking process. However, random checking will be undertaken, which is why we are asking all survivors who lodged claims after 9 May 2025 to complete the consent form.

If there are changes to the survivor's criminal conviction history during this process, please inform the redress agency the claim is registered with.

About the consent form

This form provides consent to the redress agencies carrying out a Ministry of Justice criminal record check. It also provides consent for the Unit to request any sentencing information from the relevant sentencing Court(s) if the criminal conviction history result shows a qualifying offence.

It is important to note that providing false information when completing this form may be an imprisonable offence under the Crimes Act 1961.

Please submit a completed and signed form along with a copy of the survivor's identification (ID) (see below) to the redress agency which the claim has been registered with.

What type of identification can be used?

To verify the survivor's personal information, please ensure a copy of one of the following forms of ID is provided:

- New Zealand or Overseas Passport (please include the first page with the photo and details as well as the page with the signature),
- New Zealand driver's license (please provide a copy of both sides),
- New Zealand firearms license,
- A statutory declaration, or
- A proof of identify form.

If the survivor does not have one of these forms of identification or are not sure if their ID is acceptable, please contact the redress agency which the claim has been registered with who will be able to assist with working through alternative ways to verify the survivor's identity.

Please note that overseas IDs must be current, and New Zealand IDs can be accepted within two years of the expiry date. IDs must also not be cancelled or defaced.

More information on ID check requirements can be found at; [Identification check requirements | New Zealand Ministry of Justice](#).

Contact details

If you have any queries or you would like support regarding this process, please contact the State Redress NZ service on:

Phone (NZ): 0800 110 886

Phone (overseas): +64 4 910 9886

Email: contact@info.redress.govt.nz

Post: State Redress Service, State Redress NZ, PO Box 1556, Wellington 6140

Personal Details of Survivor

Please answer the questions below as much as possible.

1. What is the survivors full name? (first, middle (if applicable), surname)

2. If the survivors name is different now, what have they previously been known as?

3. What is the survivors date of birth?

4. What is the survivors gender?

5. What is the survivors email address (if applicable)

6. What is the survivors contact number? (if applicable)

7. What is the survivors New Zealand Driver Licence number? (if applicable)

8. What is the survivors current address?

9. Has the survivor lived at any other New Zealand address in the last 10 years? (If yes, please list all known addresses below)

Details of legal representative

What is your full name? (first, middle (if applicable), surname)

What is your email address

What is your contact number?

Criminal Conviction History Details

10. Has the survivor been convicted of a violent, sexual or firearms offence for which they were sentenced to a term of imprisonment of 5 years or more?

Examples of qualifying offences include but are not limited to the following offences: aggravated robbery, murder, manslaughter, wounding with intent to injure or cause grievous bodily harm, abduction, kidnapping, poisoning, infecting with disease.

- ☐ Yes
- ☐ No [Note that random criminal conviction history checks will be carried out]
- ☐ They are unsure [Note that a criminal conviction history check will be required for confirmation]

Declarations

Please note that by submitting this form you confirm

- (a) that the survivor has confirmed the accuracy of the information in it,
- (b) that you have explained the consequences of providing information to the survivor and that the survivor appeared to understand that explanation
- (c) that the survivor consents to a criminal history check that includes information about any offences that they have been convicted of and if applicable, consents to requesting information on the sentences that were imposed.
- (d) you have explained to the survivor, and the survivor understands that the redress agency the claim has been registered with must be informed of any changes to the survivor's criminal conviction history during this process.

I _____ (name of legal representative and agency)
confirm on behalf of the survivor _____ that:

- 1. the information provided is true and correct,
- 2. that the named survivor above:
 - a. authorises and consents to the Redress Specialised Assessment Unit holding and if necessary, disclosing their personal information to the Ministry of Justice to complete a criminal conviction history check to obtain their criminal conviction history;
 - b. authorises and consents to the Redress Specialised Assessment Unit requesting any sentencing information from the relevant sentencing Court(s) if the criminal conviction history result shows a qualifying offence;

- c. understands that if their criminal conviction history changes during this process, the redress agency the claim is registered with must be informed of these changes.

Signed: _____

Date: _____

To be completed by redress agencies:

This claim has been registered with the following Government department(s):

- ☐ Ministry of Social Development
- ☐ Ministry of Education
- ☐ Ministry of Health
- ☐ Oranga Tamariki
- ☐ Department of Corrections
- ☐ Te Puni Kōkiri