

# Charter of Victims Rights

## Victims Rights Act 1996



Victims Services  
Justice & Attorney General

If you are a victim of crime, you have rights. These rights are called the “Charter of Victims Rights.” This is what it says:

- 1. Respect**

You will be treated with respect, dignity and compassion. At all times your culture will be respected.
- 2. Information about services**

You will be told as soon as possible about the different services that can help you, including counselling and legal services.
- 3. Access to services**

If you need medical, counselling, and legal help you will be able to get it if it is available.
- 4. Information about investigation of the crime**

If you ask, you will be told about how the police investigation is going. But in some cases there may be some things the police can't tell you.
- 5. Information about the prosecution**

Prosecution is about taking the offender to court for the crime. This is done by the police, or, in serious cases, the Director of Public Prosecutions.

  - ♦ As a victim, you will be told:
    - what the charges are OR why the offender has NOT been charged;
    - any decision of the prosecution to change or drop charges;
    - the date and place of the court hearing;
    - the final court result, including any appeal or gaol sentence given.
  - ♦ If the prosecution is thinking about changing or dropping the charges they will have a talk to you about this if the crime:
    - was a serious sex crime, OR
    - caused you physical harm, psychological or psychiatric harm.

BUT the prosecution don't have to talk to you if:

  - you don't want to talk about it, OR
  - they can't find you.
- 6. Information about being a witness**

If you have to give evidence as a witness in a trial you will be told about HOW the trial works and WHAT you have to do.
- 7. No contact with the offender**

While your case is in court you will be protected from contact with the offender and the offender's witnesses.
- 8. Protection of your privacy**

You can keep your address and phone numbers private unless the court says different.
- 9. Court business before the trial**

You do NOT have to go to any committal hearing (like a mini trial) or other court business before the trial UNLESS the court says you must.
- 10. Returning your goods used as evidence**

If the police or prosecution took any of your goods as evidence you have the right to get it back as soon as possible.
- 11. Your protection**

If you need protection tell the police or prosecution when the offender applies for bail.
- 12. Special bail conditions**

You will be told about any special bail conditions the offender is given, which are meant to protect you or your family, like a condition which says the offender must not contact you.
- 13. Bail decision**

If you were the victim of sexual assault or other serious assault you will be told if the offender gets bail or not.
- 14. Victim impact statement**

If you want to tell the court about how the crime has affected you, then you will be given help and support to do this. This is called giving a 'victim impact statement'.
- 15. When the offender gets released**

If the offender is in gaol you can be told if the offender is going to be released from gaol soon, has escaped gaol or is on day release.
- 16. When the offender applies for parole**

You can have a say if your offender applies for parole.
- 17. Victims compensation**

If you were the victim of serious personal violence, you can apply for victims compensation.
- 18. Information about complaint procedures**

You can make a complaint if you think your rights under the Charter have not been met. You can ask for information about how to do this.

*This is a 'plain English' version of the Charter and terms used in it are not legal definitions.*

# Charter of Victims Rights

*Victims Rights Act 1996*



Victims Services  
Justice & Attorney General

In New South Wales there is a Charter of Victims Rights to protect and promote your rights if you are a victim of crime. The Charter applies to all NSW government departments. It also applies to any non-government agencies and contractors (excluding private legal officers and medical practitioners), funded by the State who provide support to victims. The Charter states how you should be treated and assisted if you are a victim of crime. The Charter is contained in the *Victims Rights Act 1996*.

## Who is a victim of crime?

In the *Victims Rights Act 1996*, a victim is a person who suffers harm as a direct result of a criminal offence.

## What can I do if I think my rights under the Charter are not being met?

1. You should talk to the person you are dealing with about the problem. Usually the problem can be fixed that way.
2. If you are still not satisfied, you have the right to ask the person to tell you how to make a complaint to their department. The department should be able to arrange interpreters or other assistance if required. You can get a support person to help you make the complaint. This can be a friend or worker.
3. If you are still not satisfied after the complaint has been looked at by the department you can contact the Victims Services. Their job is to help you with your complaint and tell you what can be done about it.

## Victims Services

Freecall: 1800 633 063 • Phone: (02) 8688 5511 • Fax: (02) 8688 9631 • Email: [vs@agd.nsw.gov.au](mailto:vs@agd.nsw.gov.au)

Website: [www.lawlink.nsw.gov.au/vs](http://www.lawlink.nsw.gov.au/vs) • Postal Address: Locked Bag 5118, Parramatta NSW 2124

You can call our Aboriginal contact person directly. They will give you information about Victims Services and refer you to the best person to help you.

## Aboriginal Contact Line (8.30am to 5.00pm, Monday to Friday)

Freecall: 1800 019 123

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