

## Information about investigation of the crime

As a victim of crime in New South Wales, under the Charter of Victims Rights you have a right to information about the investigation of the crime, unless the disclosure might jeopardise the investigation.

The Charter of Victims Rights Number 4, states: A victim should, on request, be informed of the progress of the investigation of the crime, unless the disclosure might jeopardise the investigation. In that case, the victim should be informed accordingly.

### Process for investigation

An investigation of a crime by police involves interviews with victims, witnesses and alleged offenders, recording, collecting physical evidence and facilitating scientific analysis and initiating appropriate court action when required.

### Who is involved in the investigation?

When the police are called to a crime scene, 'first response officers' attend. It's their duty to ensure your safety, arrange medical treatment if required and arrange for an ambulance if required.

**Collecting evidence** - The first response officer will collect your personal details, description of the perpetrator, scene of the crime is preserved (very serious cases) and any other information that could assist with the investigation.

In many instances, the matter will be handed over to detectives to investigate, such as in sexual assault cases. Detectives are likely to question you again, visit the crime scene, they usually take photographs and arrange for fingerprints, and search for any further evidence.

### Who should I contact?

You have the right to contact the 'Officer in Charge' (OIC) of the investigation and you should be informed of the name of this person.

If the OIC is unavailable, you have the right to contact the police officer(s) or detectives who initially investigated the crime who should have provided you with a Victims Card. This card identifies the officer's name, contact phone number, name of police station and COPS Event Number. The other side of this card also contains the Charter of Victims Rights.

If these police officers are unavailable you have the right to contact the 'Duty Officer' at the Local Area Command.

### How long does an investigation generally last?

Many cases can take up to five weeks to investigate. It depends on the amount of evidence available to the police investigators. Some cases can take six months and others occasionally longer.

### Other assistance that may be available from police

There are specialist units within Local Area Commands to provide specific services such as Ethnic Community Liaison Officers, Youth Liaison Officers and Domestic Violence Liaison Officers.

Volunteers in Policing (VIP) help police officers and civilian staff in the station, provide victim support and assist in delivering crime prevention information at schools, community groups/events.

At any time you may ask a support person to assist you when making inquiries about your case. You can also ask for an interpreter if you are from a non-English speaking background.

You can also contact the Victims Support Line which is run by the Victims of Crime Bureau to find out what, if any, other assistance can be given to you under the Charter of Victims Rights. The Victims of Crime Bureau may assist you to liaise with the police department if you have any concerns or believe you are not being appropriately informed.

# The Charter of Victims Rights

(Victims Rights Act 1996)

## 1 Courtesy, compassion and respect

A victim should be treated with courtesy, compassion, cultural sensitivity and respect for the victim's rights and dignity.

## 2 Information about services and remedies

A victim should be informed at the earliest practical opportunity, by relevant agencies and officials, of the services and remedies available to the victim.

## 3 Access to services

A victim should have access where necessary to available welfare, health, counselling and legal assistance responsive to the victim's needs.

## 4 Information about investigation of the crime

A victim should, on request, be informed of the progress of the investigation of the crime, unless the disclosure might jeopardise the investigation. In that case, the victim should be informed accordingly.

## 5 Information about prosecution of accused

1. A victim should be informed in a timely manner of the following:

- a) the charges laid against the accused or the reasons for not laying charges,
- b) any decision of the prosecution to modify or not to proceed with charges laid against the accused, including any decision to accept a plea of guilty by the accused to a less serious charge in return for a full discharge with respect to the other charges,
- c) the date and place of hearing of any charge laid against the accused,
- d) the outcome of the criminal proceedings against the accused (including proceedings on appeal) and the sentence (if any) imposed.

2. A victim should be consulted before a decision referred to in paragraph (b) above is taken if the accused has been charged with a serious crime that involves sexual violence or that results in actual bodily harm or psychological or psychiatric harm to the victim, unless:

- a) the victim has indicated that he or she does not wish to be consulted, or
- b) the whereabouts of the victim cannot be ascertained after reasonable inquiry.

## 6 Information about trial process and role as witness

A victim who is a witness in the trial for the crime should be informed about the trial process and the role of the victim as a witness in the prosecution of the accused.

## 7 Protection from contact with accused

A victim should be protected from unnecessary contact with the accused and the defence witnesses during the course of court proceedings.

## 8 Protection of identity of victim

A victim's residential address and telephone number should not be disclosed unless a court otherwise directs.

## 9 Attendance at preliminary hearings

A victim should be relieved from appearing at preliminary hearings or committal hearings unless the court otherwise directs.

## 10 Return of property of victim held by State

If any property of a victim is held by the State for the purpose of investigation or evidence, the inconvenience to the victim should be minimised and the property returned promptly.

## 11 Protection from accused

A victim's need or perceived need for protection should be put before a bail authority by the prosecutor in any bail application by the accused.

## 12 Information about special bail conditions

A victim should be informed about any special bail conditions imposed on the accused that are designed to protect the victim or the victim's family.

## 13 Information about outcome of bail application

A victim should be informed of the outcome of a bail application if the accused has been charged with sexual assault or other serious personal violence.

## 14 Victim impact statement

A relevant victim should have access to information and assistance for the preparation of any victim impact statement authorised by law to ensure that the full effect of the crime on the victim is placed before the court.

## 15 Information about impending release, escape or eligibility for absence from custody

A victim should, on request, be kept informed of the offender's impending release, or escape from custody, or of any change in security classification that results in the offender being eligible for unescorted absence from custody.

## 16 Submissions on parole and eligibility for absence from custody of serious offenders

A victim should, on request, be provided with the opportunity to make submissions concerning the granting of parole to a serious offender or any change in security classification that would result in a serious offender being eligible for unescorted absence from custody.

## 17 Compensation for victims of personal violence

A victim of a crime involving sexual or other serious personal violence should be entitled to make a claim under a statutory scheme for victims compensation.

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## Telephone assistance

### Police

If you are a victim of crime or a witness to a crime, report it by calling your local police station.

**The Police Assistance Line** ..... 131 444  
**Crime Stoppers**.....1800 333 000  
**Emergency** ..... 000

### Victims Support Line (VSL)

The VSL is a 24-hour telephone support, information and referral service for victims of crime.

**Phone**.....02) 8688 5400  
**Freecall**.....1800 633 063  
**TTY service for the hearing impaired**.....02) 8688 5575  
**Telephone Interpreter Service** ..... 131 450  
**Fax** .....02) 8688 9632  
**Email**..... vcb@agd.nsw.gov.au  
**Website** ..... www.lawlink.nsw.gov.au/vcb  
**Postal address** .....Locked Bag 5118  
.....Parramatta NSW 2124  
**Street address**..... Level 1, 160 Marsden St, Parramatta