

WHO IS A VICTIM OF CRIME?

A victim is defined as “a person who suffers harm directly as a result of an act committed by another person in the course of a criminal offence.”

“Harm” includes physical, emotional or psychological harm, the loss of an immediate family member and damage to property.

Why is there a Charter of Victims Rights?

The Charter of Victims Rights is part of the *Victims Rights Act 1996*. It protects the rights of victims and ensures they are cared for properly.

The Charter shows how victims of crime should be treated by all government agencies, such as police, courts, health services and the ODPF.

What is the Role of the Victims of Crime Bureau?

The Victims of Crime Bureau is part of Victims Services. It monitors the implementation of the Charter of Victims Rights in NSW. If you require a copy of the Charter of Victims Rights, need to discuss or clarify any concerns or require information about an agency’s complaint unit, contact the Victims of Crime Bureau.

The Victims of Crime Bureau operates the Victims Support Line and can also assist you with information, support and a referral service if required. You can contact the Victims of Crime Bureau through the Victims Support Line.

CONTACTING VICTIMS SERVICES

Phone: (02) 8688 5511
(Sydney metropolitan area)

Freecall: 1800 069 054

(outside metropolitan area)

TTY (service for the hearing impaired):

(02) 8688 5575

Telephone Interpreter Service: 131 450

Fax: (02) 8688 9631

Website: www.lawlink.nsw.gov.au/vs

E-mail: vcb@agd.nsw.gov.au

Postal address:

Locked Bag 5118, Parramatta NSW 2124

Street address:

Level 1, 160 Marsden Street, Parramatta NSW 2150

Victims Support Line (VSL)

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

Phone: (02) 8688 5400
(Sydney metropolitan area)

Freecall: 1800 633 063
(outside metropolitan area)

INFORMATION ABOUT THE CHARTER OF VICTIMS RIGHTS

Your Rights as a Victim of Crime

© State of New South Wales through Victims Services, Attorney General's Department of NSW (AGD) April 2000 (REV 01/09). You may freely deal with this work for any purpose, other than profit.

This information is available on Victims Services website at www.lawlink.nsw.gov.au/vs ('Forms and Publications'). For alternative formats such as Braille, audiotape, large print or computer disk, contact Diversity Services on (02) 8688 8460 (voice), (02) 8688 7733 (TTY - for people who are deaf or have a speech impairment) or diversity_services@agd.nsw.gov.au

This document has been prepared by Victims Services for general information purposes. ISBN 0 7313 9518 2 (PT03 • 01/09)



New South Wales Government
Attorney General's Department
Victims Services

What are my Rights as a Victim of Crime?

As a victim of crime you are entitled to be treated with courtesy, compassion, cultural sensitivity and respect by all government agencies.

You also have the following rights:

- You have the right to access and be referred to, where available, counselling, welfare, health and legal assistance provided by various government agencies appropriate to your circumstances.
- You have the right to be informed about the police investigation of the crime committed against you, the prosecution of the accused and the trial process, through the police or Office of the Director of Public Prosecutions (ODPP). This information should be made available to you, except where it could harm the progress of the case.
- You may have the right to be consulted if the prosecution decides to modify or not proceed with charges laid against the accused.
- In most instances you have the right to privacy, such as having telephone numbers and residential address withheld from the accused person. It's important to discuss this with the prosecutor involved in your case.

- You have the right to be protected from unnecessary contact with the accused person and defence witnesses during the course of court proceedings. If you are concerned about your safety, you should talk to the police, prosecutor or court officer.
- In some cases involving violence, sexual assault and all cases involving death, you have the right to tell a court the impact of the crime on you. This is done by means of a victim impact statement. Your statement must be made in writing and will be given to the judge or magistrate after conviction but before sentencing. You may have the option to read the statement to the court. The Victims of Crime Bureau and the ODPP can provide information on how to prepare a victim impact statement.
- You may request that your name is placed on the Victims Register with the agency responsible for the custody of a person who has committed an offence against you or your family. This gives you the right to be informed when an offender is about to be released from custody or escapes from custody.
- If you are a victim of violent crime you may be entitled to counselling and/or compensation.

For further information about counselling, compensation or other entitlements, contact **Victims Services** (see over for contact details).

What should I do if I believe my rights under the Charter of Victims Rights have been breached?

You have the right to discuss the issue(s) with the agency concerned.

All government agencies should inform you of procedures to follow when you want to make a complaint.

Firstly, you should talk to the person you are dealing with about the problem. Usually the problem can be fixed that way.

At any time, you may ask a support person, such as a friend or co-worker, to assist you when making a complaint. You can also ask for an interpreter if you are from a non-English speaking background.

If you are still not satisfied, you can 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.

If you are still not satisfied after the complaint has been looked at by the department you can contact the Victims of Crime Bureau. Their job is to help you with your complaint and tell you what can be done about it.