

CHARTER OF VICTIMS RIGHTS

VICTIMS RIGHTS ACT 1996



Victims Services
Attorney General & Justice

A victim of crime has rights. These rights are called the "Charter of Victims Rights." It applies to all NSW government departments, non-government agencies and private contractors funded by the State who provide support to victims. It says how you should be treated and assisted if you are a victim of crime. These are your rights:

1. Respect

You will be treated with respect and compassion when dealing with agencies (for example, police or court people). At all times your Aboriginal culture will be respected.

2. Information about services

You will be told 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, a group of people called 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, mental illness or emotional shock.

* 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 differently.

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 stuff used as evidence

If the police or prosecution took any of your stuff 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 locked up 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 Charter complaints

If you think your rights under the Charter have not been met you can make a complaint. 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.

Victims Services

Freecall: 1800 633 063 • Phone: (02) 8688 5511 • Fax: (02) 8688 9631 • Email: vs@agd.nsw.gov.au • Website: www.lawlink.nsw.gov.au/vs (click on Victims Rights)

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

You can call our Aboriginal contact person directly on 1800 019 123. They will give you information about Victims Services and refer you to the best person to help you.

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Artwork: *Family Collecting Yams* by Leanne Tobin (Darug nation)

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