



Information for

VICTIMS OF CRIME

www.police.nsw.gov.au/victims

Police, Fire, Ambulance

Triple Zero (000)

In an emergency

Crime Stoppers

1800 333 000

Report crime anonymously

Police Assistance Line

131 444

For non emergencies



NSW Police Force

CALL TRIPLE ZERO (000) TO REPORT EMERGENCIES

Stay focussed, Stay relevant, Stay on the line.

- **In a life or property threatening time critical EMERGENCY situation - Call Triple Zero (000) and ask for 'police'.**
- When you dial 000, your call is connected to the Telstra Emergency Call service centre. Calls to 000 are recorded. You will be prompted by the Telstra operator "police, fire or ambulance?" **Ask for 'police'.**
- Your call will be directed to police.
- When connected to the emergency service, **stay on the line, stay calm, speak clearly and answer the questions.**
- You will be asked to provide details of where you are, including street number, name, nearest cross street and locality. In rural areas it is important to give the full address and distances from landmarks and roads, any distinguishing property features and not just the name of the property. If travelling on the motorways or along rural roads, include details of towns or nearest exits passed through.
- **Don't hang up** until the operator has all of the information they need. If possible you will be asked to wait for a police officer at an arranged location.



REPORTING CRIME TO THE POLICE ASSISTANCE LINE 131 444

If you are a victim of a crime that is **not life threatening or not a critical emergency**, you should contact the **Police Assistance Line (131 444)**.

- Calling this number allows you to report crime over the phone. Once your report is completed by a customer service representative, your information is immediately available to your local police.
- If the crime you are reporting is of a serious nature and details cannot be taken over the phone, the customer service representative can assist you by advising where you can go to make the report, or by arranging for police to come and see you.
- The Police Assistance Line (131 444) is available 24 hours a day, 7 days a week if you need to add information to your original report.
- By phoning the Police Assistance Line (131 444) rather than your local police station you are freeing up police at the station, allowing them to be actively on the street preventing and investigating crime in your community.
- The Police Assistance Line (131 444) can provide you with a number known as a COPS event number as a receipt of your report. Often you will need to provide the event number to insurance companies if you make a claim against your insurance policy for loss or damage to property.
- The types of crime you can report to the Police Assistance Line (131 444) include:
 - * Break and Enter
 - * Fail to pay for fuel (Service Stations only)
 - * Motor Vehicle/Vessel theft
 - * Stealing
 - * Malicious Damage, including graffiti
 - * Minor motor vehicle crashes (only when no vehicles require towing, no one is injured, all parties have exchanged details and no one was under the influence of alcohol or drugs)
 - * Lost property
 - * Taxi Fare evasion

REPORTING CRIME TO CRIME STOPPERS 1800 333 000

If criminal or suspicious behaviour or activity is not occurring right now you can anonymously phone Crime Stoppers **(1800 333 000)**.

- Crime Stoppers operates 24 hours a day, 7 days a week. Crime Stoppers can be contacted using one of the following methods:
 - * Telephone: **1800 333 000**
 - * Internet Inquiries:
www.police.nsw.gov.au/can_you_help_us/crime_stoppers/when_do_i_call_crime_stoppers_1800_333_000
 - * Internet Reporting:
<https://www.police.nsw.gov.au/cs.aspx>
 - * Email: csu@police.nsw.gov.au
 - * Facsimile: 02 4353 4948
 - * Mail: Crime Stoppers
PO Box 3427,
TUGGERAH NSW 2259

Contact your local police or Triple Zero (000) immediately if criminal suspicious behaviour is occurring now.

We remind people they should not report crime information via the NSW Police Force Facebook and Twitter pages.

REPORTING CRIME TO LOCAL POLICE

If you prefer to phone or attend your local police station and speak with police you can find the phone number and location of your local police station under the "Government" section of the White Pages or by visiting the **NSW Police Force website** <http://www.police.nsw.gov.au>. You are able to have a support person, friend or relative with you when you report crime to the police.

- When the crime you are reporting can be taken over the phone by the Police Assistance Line, some police stations may refer you to a phone in the police station which directly contacts the Police Assistance Line (131 444). The Police Assistance Line (131 444) will take your report over the phone.

REPORTING MISSING PERSONS

To report a **missing person**, you should attend a police station or if this is not possible arrange for police to visit you. You can also ask police to arrange for an interpreter. If you have current concerns for the safety & wellbeing of any person and they are missing you can report it immediately to police. You do not have to wait 24 hours to report someone missing and it is not an offence for a person to go missing. When you file a missing person report it will help police if you can bring or have with you the following information:

- A recent photograph of the missing person
- The missing person's telephone numbers, including mobile number
- A list of the names, addresses and phone numbers of friends and associates
- Likely destinations, e.g. favourite places, work locations or places with past connections
- Known medical practitioner or medical specialist information, any medical requirements or medications they need
- A full description of the missing person including height, weight, colour of eyes and hair
- Any other distinguishing characteristics
- Bank account details
- You will also be asked what you believe may have happened to the person.

Crisis and ongoing support to families and friends of missing persons is provided by the Families & Friends of Missing Persons Unit (FFMPU), Victims Services.

FFMPU - 1800 227 772 or

visit http://www.missingpersons.lawlink.nsw.gov.au/missingpersons/ffmpu_index.html

REPORTING CRIME - CONTACT TRIPLE ZERO (000) TO REPORT EMERGENCIES - People who are Deaf or hard of hearing, or who have a speech impairment

If you are a victim of a crime, a witness to a crime or know about a crime there are different ways you can report a crime to the NSW Police Force. People who are deaf or hard of hearing, or who have a speech impairment can contact police through the **National Relay Service**.



A professional relay officer becomes the central link in the phone call relaying what is said by both parties. This is strictly compliant with privacy legislation.

- **In a life or property threatening time critical emergency situation contact Triple Zero (000)**

By TTY only – dial 106 (text-based emergency call service using a text phone.)

106 TTY emergency service provides access for TTY users to police, fire and ambulance and is available every day, 24 hours a day.

106 calls have priority over other National Relay Service calls. The relay officer will ask if you want police – **type PPP**. Speak and Listen users just need to say “police” to the relay officer. The relay officer will connect you to police and stay on the line to relay your conversation with police. **Don’t hang up** – be ready to provide your location and explain the emergency.

Speak and Listen emergency calls - by ordinary phone or mobile phone – dial 1800 555 727 and ask for Triple Zero (000).

Provides access for Speak and Listen callers who use an ordinary phone or mobile. This service is available every day, 24 hours a day to connect you to police, fire and ambulance. Calls to this number have priority over other National Relay Service calls. The relay officer will ask if you want police, fire or ambulance. You just need to say “**police**” to the relay officer. The relay officer will connect you to police and stay on the line to relay your conversation with police. Stay Calm and **Don’t hang up** – be ready to provide your location and explain the emergency.

By internet relay - www.iprelay.com.au/call/index.aspx - and ask for Triple Zero (000).

If you use internet relay, you can ask the relay officer to connect you to Triple Zero (000). Unlike the TTY – 106 number and the Speak and Listen – 1800 555 727 number the call cannot be identified as an emergency call and cannot be given priority over other National Relay Service calls until you have been connected to the relay officer. **Don’t hang up** – be ready to provide your location and explain the emergency.

REPORTING CRIME - POLICE ASSISTANCE LINE - People who are Deaf or hard of hearing, or who have a speech impairment

People who are deaf or hard of hearing, or who have a speech impairment and are a victim of crime that is not life threatening or not a critical emergency should contact the Police Assistance Line (131 444) through the **National Relay Service**.



A professional relay officer becomes the central link in the phone call relaying what is said by both parties. This is strictly compliant with privacy legislation.

- **TTY users: phone 133 677 then ask for 131 444.**
- **Speak and Listen (speech-to-speech relay) users: phone 1300 555 727 then ask for 131 444.**
- **Internet relay users: go to www.iprelay.com.au/call/index.aspx - and then ask for 131 444**

Calling this number allows you to report crime over the phone. Once your report is completed by a customer service representative, your information is immediately available to your local police.

If the crime you are reporting is of a serious nature and details cannot be taken over the phone, the customer service representative can assist you by advising where you can go to make the report, or by arranging for police to come and see you. The Police Assistance Line (131 444) is available 24 hours a day, 7 days a week if you need to add information to your original report.

By phoning the Police Assistance Line (131 444) rather than your local police station, you are freeing up police at the station allowing them to be actively on the street preventing and investigating crime in your community. The Police Assistance Line (131 444) can provide you with a number known as a COPS event number as a receipt of your report. Often you will need to provide the event number to insurance companies if you make a claim against your insurance policy for loss or damage to property.

The types of crime you can report to the Police Assistance Line (131 444) include:

- Break and Enter
- Fail to pay for fuel (Service Stations only)
- Motor Vehicle/Vessel theft
- Stealing
- Malicious Damage, including graffiti
- Minor motor vehicle crashes (only when no vehicles required towing, no one was injured, all parties exchanged details and no one was under the influence of alcohol or drugs)
- Lost property
- Taxi Fare evasion.

REPORTING CRIME - CRIME STOPPERS - People who are Deaf or hard of hearing, or who have a speech impairment

If criminal or suspicious behaviour or activity is not occurring right now, people who are deaf or hard of hearing, or who have a speech impairment can contact Crime Stoppers through the **National Relay Service**.



A professional relay officer becomes the central link in the phone call relaying what is said by both parties. This is strictly compliant with privacy legislation.

Contact your local police or Triple Zero (000) immediately if criminal or suspicious behaviour is occurring now.

- **To report criminal or suspicious behaviour or activity anonymously you can contact Crime Stoppers (1800 333 000) through the National Relay Service**
- **TTY users: phone 1800 555 677 then ask for 1800 333 000**
- **Speak and Listen (speech-to-speech relay) users: phone 1800 555 727 then ask for 1800 333 000**
- **Internet relay users: go to www.iprelay.com.au/call/index.aspx - and then ask for 1800 333 000.**

REPORTING CRIME TO LOCAL POLICE - People who are Deaf or hard of hearing, or who have a speech impairment

If you prefer to attend your local police station and speak with police you can find the phone number and location of your local police station under the "Government" section of the White Pages or by visiting the **NSW Police Force website** [http:// www.police.nsw.gov.au](http://www.police.nsw.gov.au). You are able to have a support person, friend or relative with you when you report crime to the police.

The NSW Police Force supports the needs of people who are deaf or hard of hearing, or who have a speech impairment. Ask police to arrange an Auslan interpreter if you require one.

REPORT A MISSING PERSON - People who are Deaf or hard of hearing, or who have a speech impairment

To report a **missing person**, you should attend a police station or if this is not possible arrange for police to visit you. The NSW Police Force supports the needs of people who are deaf or hard of hearing, or who have a speech impairment. Ask police to arrange an Auslan interpreter if you require one. If you have current concerns for the safety & wellbeing of any person and they are missing you can report it immediately to police. You do not have to wait 24 hours to report someone missing and it is not an offence for a person to go missing. When you file a missing person report it will help police if you can bring or have with you the following information:

- A recent photograph of the missing person
- The missing person's telephone numbers, including mobile number
- A list of the names, addresses and phone numbers of friends and associates
- Likely destinations, e.g. favourite places, work locations or places with past connections
- Known medical practitioner or medical specialist information, any medical requirements or medications they need
- A full description of the missing person including height, weight, colour of eyes and hair
- Any other distinguishing characteristics
- Bank account details
- You will also be asked what you believe may have happened to the person.
- Crisis and ongoing support to families and friends of missing persons is provided by the Families & Friends of Missing Persons Unit (FFMPU), Victims Services.

FFMPU: visit http://www.missingpersons.lawlink.nsw.gov.au/missingpersons/ffmpu_index.html

INTERPRETER REQUIRED

The NSW Police Force supports the needs of people from cultural and linguistically diverse speaking backgrounds and people who are deaf or hard of hearing, or who have a speech impairment, and their rights to communicate, including understanding and being understood.

If you are a victim of a crime, a witness to a crime or know about a crime, there are different ways you can report a crime to the NSW Police Force using the services of an interpreter. The police can arrange an interpreter for a language other than English or AUSLAN, at any time of day or night. Even if you speak some English but feel more comfortable in speaking your own language, police can arrange an independent professional interpreter free of charge to you.

Independent professional interpreters work under confidentiality provisions and the Interpreter Code of Ethics. You can be assured that any information given to an interpreter will remain confidential. Police can use bilingual staff or a telephone interpreter service or arrange an interpreter to attend an interview.

It is important that you tell the police officer what language you feel most confident speaking, in order to arrange the right interpreter for you. If you speak a rare dialect or language or speak an additional language, please inform the police. This may assist in their search of an alternative interpreter.

You may also inform the police officer about your special preference such as using a female interpreter. While this may not be always possible the police will try to organise one.

INITIAL POLICE RESPONSE

It is the role of police to respond to crime, emergencies and other calls for assistance by land, sea and air.

When a crime is reported to be occurring or has just occurred, uniformed police will generally be the first to attend the scene.

As first responders, police have a duty of care to ensure the safety of the victim/s and this may include arranging for an ambulance.

The uniformed police will speak to the victim to get their personal details, ask what happened, ask the victim if they can identify the offender, ask for a description of the offender and any other information that could assist the police in finding the offender.

Police may also ask for details from witnesses to the crime.

Once the incident or crime has been reported to police face-to-face, you will be given a Victims Card to keep for future reference.



The front of the card is a blue form with white text. It contains fields for 'Command/Station', 'Address', 'Phone', and 'Fax'. Below these is a statement: 'The NSW Police Force is committed to providing support to victims of crime. The Police Officer in charge of your matter is:'. There is a large white box for the officer's name. Below that is the email address: 'Email _____@police.nsw.gov.au'. Other fields include 'Time/Date of report', 'COPS Event Number', and 'Officer availability'. The NSW Police Force logo is in the bottom right corner. A small note at the bottom says: 'Please contact the above officer for any enquiries about your matter and quote the COPS Event Number if known. If the officer is not available, please contact the Supervising Sergeant.'

Front of the card



The back of the card has a red header with the NSW logo and 'Victims Services Justice & Attorney General'. Below the header, it lists 'Victims Access Line (VAL) – 1800 633 063 or (02) 8688 5511' and provides information on how to use the VAL. It also lists 'Families & Friends of Missing Persons Unit – 1800 227 772' and describes their support. At the bottom, it states 'The Charter of Victims Rights requires the NSW Police Force to ensure that you, as a victim of crime, have rights to:' followed by a list of four rights: 'Courtesy, compassion, cultural sensitivity & respect', 'Information about investigation and prosecution of the crime', 'Information about the return of property', and 'Protection from the accused (at court or on bail)'.

Back of the card

On the front of the card are the contact details for the officer in charge of your matter. This includes their name, email address, police station, phone number, COPS Event Number and information on who to contact if the officer is unavailable, if you need to call for any enquires.

On the back of the card are important contact details for the Victims Access Line (VAL) which is operated by Victims Services, Department of Attorney General and Justice. VAL provides information, referral and support to a range of services for victims of crime including helping victims to access their rights.

If you have been the victim of an incident or crime we will attempt to contact you within 7 days. This will be by phone, SMS or email. We will:

- Explain how we will deal with your matter and whether any further action will be taken
- Provide you with a COPS reference number and contact telephone number of the investigating officer
- If police proceed with an investigation, where possible, they will keep you informed throughout the investigation at least every 28 days until the matter is closed or suspended. Police will inform you of the status of the investigation right to the very end. This includes where an investigation cannot progress any further without further information or evidence
- Encourage you to contact police if you change your contact details and need or have any further information.

As part of our Customer Service Charter we will:

- Be accessible
- Be professional and helpful
- Take appropriate action
- Keep you informed.

VICTIM SUPPORT & REFERRAL

Victims support and referral cannot be fulfilled solely by the NSW Police Force. We work with other agencies within the justice system to improve the response and outcomes for victims of crime.

Police will provide you with information about support services. You will be referred to the **Victims Access Line (VAL)**, run by Victims Services, Department of Attorney General and Justice, who can provide you with information, referral and support to a range of services for victims of crime.

Victims Access Line (VAL) – 1800 633 063 or (02) 8688 5511
Please visit www.lawlink.nsw.gov.au/vs for further information

Victims of violent crimes that have occurred in NSW may be eligible for free face-to-face counselling through the Approved Counselling Scheme. For access to this scheme please contact:

Victims Access Line (VAL) – 1800 633 063 or (02) 8688 5511 Or visit
http://www.lawlink.nsw.gov.au/lawlink/victimsservices/ll_vs.nsf/pages/VS_counsellingapprovedcounselling

Crisis and ongoing support to families and friends of missing persons is provided by the Families & Friends of Missing Persons Unit (FFMPU), Victims Services.

FFMPU - 1800 227 772 or visit http://www.missingpersons.lawlink.nsw.gov.au/missingpersons/ffmpu_index.html

Many, but not all NSW Police Force Local Area Commands have specialist officers who can provide support and referral. If you would like one of these specialist officers to assist you, ask at your local police station if they are available.

Aboriginal Community Liaison Officers (ACLOs)

ACLOs are civilian employees of the NSW Police Force who work closely with the Aboriginal community. Part of the ACLOs responsibilities include providing an avenue for community members to report crime and to encourage Aboriginal people to work with police to develop programs to address crime and violence in their communities.

Domestic Violence Liaison Officers (DVLOs)

DVLOs are specialist police officers trained to provide support and referral in relation to domestic and family violence. Their role is important in developing and maintaining partnerships with other government and non-government agencies for victim support including follow up services, such as refuges. Most local area commands have one or more DVLOs.

Multicultural Community Liaison Officers (MCLOs)

MCLOs are civilian employees of the NSW Police Force who strengthen links between local police and their culturally diverse communities. Part of the MCLOs duties include victim support and follow up, basic language assistance and network referrals. MCLOs can assist victims to report crime.

Gay and Lesbian Liaison Officers (GLLOs)

GLLOs are specialist police officers located in a range of areas including metropolitan and regional police stations. These officers are specially trained to deal with gay, lesbian, bisexual, transgender and intersex (GLBTI) issues.

GLLOs are available to assist GLBTI victims of crime and are sensitive to the law enforcement issues of the GLBTI community. They maintain partnerships with key external agencies and organisations that provide a range of services to GLBTI communities.

Youth Liaison Officers (YLOs)

YLOs are specialist police officers trained to deliver crime prevention programs to reduce victimisation and youth crime. They maintain networks with relevant agencies to provide support and referral. Most local area commands have a YLO.

School Liaison Police (SLPs)

SLPs are specialist police officers who work in high schools across NSW, including public, religious and independent schools. As part of their duties SLPs support victims of crime, conduct crime prevention workshops into targeted local crime issues like cyber crime, knives and bullying. SLPs work with Principals in targeting local crime issues as well as conducting major incident follow up at high schools.

Crime Prevention Officers (CPOs)

CPOs are specialist police officers who work with the community across NSW, including local residents, government agencies, council and shires, business and commercial owners, managers and staff. As part of their duties, CPOs support victims of crime and conduct crime prevention workshops into targeted local crime issues like shoplifting, anti-social behaviour and vandalism. CPOs work with the council or shire in addressing crime risk in relation to development planning. CPOs engage with the local community to address local crime issues. They conduct Community Safety Audits and work with individuals to assess their crime risk. CPOs help to decrease the fear of crime by conducting crime risk assessments of residences and business locations.

Volunteers in Policing (VIPs)

VIPs are members of the community specially trained to assist police and the community in specific duties. VIPs do not wear a police uniform or undertake the same duties as police. They assist police in promoting crime prevention activities, maintaining local police registers, assisting with short-term child minding at local police stations and providing support to victims of crime and witnesses attending court.

INVESTIGATION PROCESS

One of the main roles of the NSW Police Force is to detect and investigate crime and prosecute offenders.

The investigation of a crime can take weeks, months or even longer depending upon the amount and type of evidence required to complete the investigation.

Usually uniformed police will be the first to attend the scene of a crime and in some instances the matter will be referred to detectives who will take charge of the investigation.

During the initial investigation police will interview victims, witnesses, record details, assess the victims need for protection and collect physical evidence. Protection orders are available to ensure the protection of victims.

Allowing police to conduct forensic examinations of crime scenes can assist in the criminal investigation process and influence the outcome at court.

Police will determine whether an investigation should be continued based upon the nature and circumstances of the offence, the chances of solving the crime, victim needs and community needs.

If police proceed with an investigation they will:

- Provide the victim with a copy of their statement. A statement is a typed record of what happened in the victims own words
- Keep the victim informed of the progress of the investigation, unless the disclosure might jeopardise the investigation, in which case, the victim will be informed accordingly. Victims need to advise police of any changes to their contact details so that police can maintain contact with them
- Inform the victim of the charges laid against the accused or the reasons for not laying charges
- Inform the victim of any decision of the prosecution to modify or not proceed with charges laid against the accused (including any decision to accept a plea of guilty by the accused to a less serious charge upon the promise of the accused pleading guilty to another charge or charges)
 - * In criminal prosecutions involving the NSW Office of the Director of Public Prosecutions (ODPP), a representative of the ODPP will advise the victim, in lieu of the police of any decision of the prosecution to modify or not proceed with charges laid against the accused (including any decision to accept a plea of guilty by the accused to a less serious charge upon the promise of the accused pleading guilty to another charge or charges)
 - * From 2 December 2011, courts cannot accept a negotiated plea of guilty to an alternative charge where there are agreed facts unless a certificate has been filed with the court. The certificate must verify that there has been consultation with the victim or set out good reason why consultation could not occur, such as the victim declining to speak to police, the victim cannot be located or the victim is deceased
- Inform the victim of the date and place of hearing of any charge laid against the accused
- Inform the victim of the outcome of the criminal proceedings against the accused (including proceedings on appeal) and the sentence (if any) imposed.

For serious charges where the accused has been charged with a crime that involves sexual violence, results in actual bodily harm and/or results in mental illness to the victim, the victim must be consulted before any decision is made to modify or not to proceed with charges laid against the accused. The only exception is if the victim indicates that they do not wish to be consulted.

Once an offender is arrested and charged they are then known as the accused and will be either:

- Released with a Court Attendance Notice (CAN), which is a written direction for the accused to attend court on a particular day to answer a charge or an order against them
- Released on bail. If a victim or witness fears for their safety the police will inform the prosecutor who will ensure that the court takes this into account when assessing the bail application. Bail conditions can be imposed on the accused by the court and if the accused does not comply with those conditions, police can arrest the accused for breach of bail.
- Kept in custody (also known as on remand) until the matter goes before a court.

Police should inform the victim of the decision to proceed or not proceed with an investigation. It is important for victims to know at the outset that when they make a statement and the accused is charged, there is a presumption that the victim will be required to go to court to give evidence.

Police will inform the victim of the outcome of any bail application, especially if the accused has been charged with sexual assault or any other serious personal violence offence. Police should provide advice to victims about what they should do if the accused breaches their bail conditions.

Depending upon the nature of the crime committed, there are other options other than court to deal with offenders. These options must meet specific criteria before they can be considered. These options include:

- Criminal Infringement Notice (CIN) - an on the spot fine for certain offences
- Forum Sentencing – mediation between the offender and victim
- Circle Sentencing – a sentencing alternative for serious repeat adult Aboriginal offenders.

Young offenders may also be dealt with under the *Young Offenders Act 1997*. This legislation applies to many offences and gives police discretion to deal with young offenders by way of:

- An informal warning
- A formal Caution, or
- Youth Conferencing.

The degree of harm caused to the victim is a valid consideration in determining whether action under the *Young Offenders Act 1997* is appropriate.

ATTENDING COURT

Police will advise victims of the date and place of a court hearing of any charge laid against the accused. Victims of crime do not need to have their own lawyer for court as they are witnesses for the prosecution. The prosecution represents the community.

Depending upon the type of charge against the accused and the court in which the matter will be heard, the prosecutor may be a police prosecutor or a prosecutor for the NSW Office of the Director of Public Prosecutions (ODPP). Police investigate crimes and commence criminal proceedings. They will prosecute summary matters in the local court, except if the charge relates to the sexual assault upon a child or the prosecution of a police officer. Police will refer serious criminal matters to the ODPP who then take over the prosecution of the case.

Before the hearing date or any other date the victim is required to attend court, the police officer in charge of the investigation is responsible for making contact with the victim by letter or phone. They are also responsible for explaining the trial process to victims of crime and explaining the role of a witness.

It is general practice for police to subpoena victims and witnesses of crime to attend court for hearings.

For further information to assist victims through the justice process “justice journey, a guide for victims of crime in NSW” is available at:

http://www.lawlink.nsw.gov.au/Lawlink/victimsservices/ll_vs.nsf/pages/VS_justicejourney

Police should ensure that all victims receive clear, accurate and timely information on their role at court and what to expect. This includes:

- Procedures for giving evidence and cross examination
- People who will be present in the court room and their roles
- How the court operates
- How the victim can be protected from unnecessary contact with the accused or defence witnesses during court proceedings.

Safety Concerns

If a victim has any concerns about their safety and requires protection from the accused, they should immediately tell the investigating police officer who will tell the prosecutor. The prosecutor can then inform the court of any concerns in relation to the protection of the victim whilst at court. In some courthouses there are separate waiting rooms for victims and witnesses. Prior to going to court the victim can arrange a time and place to meet with the prosecutor or support person who can then show the victim the safest place to wait.

Witness Expenses

Witness expenses may be available for the days a witness goes to court. This may include meals, transport and accommodation costs. The rates of payment are not intended to fully compensate witnesses for their expenses and losses; rather they are intended to reduce the financial hardship incurred by attending court as a witness.

The witness expenses claim form must be authorised by the police informant and/or police prosecutor and/or the ODPP prosecutor prior to submitting the form to the court officer. After you have given evidence, attend the court office and submit the authorised form for payment.

The current witness expense rates are set out on that claim form.

Witnesses should inform police or the ODPP prosecutor well in advance of the court hearing if they require money to assist them in attending court.

For further information please call (02) 9285 8606 or visit: <http://www.odpp.nsw.gov.au/was/was.html>

VICTIM IMPACT STATEMENTS (VIS)

When an accused person pleads guilty or is found guilty of charges laid against them, they then become known as an offender.

After an offender has been convicted but before they are sentenced legislation **allows in certain circumstances** the (*Crimes (Sentencing Procedure) Act 1999*) the victim an opportunity to give the court a written statement. This statement is known as a 'Victim Impact Statement'. It includes details of how the offences that the offender has been found guilty of, have affected the life of the victim. The statement **can only relate** to the crime or crimes of which the offender has been convicted.

A victim impact statement is voluntary. The victim must advise the prosecutor if he/she wants to make a victim impact statement to be given to the court.

The officer in charge of the investigation should ensure that all material contained in a victim impact statement complies with the legislation. The police prosecutor or Office of the Director of Public Prosecutions (ODPP) may provide the officer in charge with advice in this regard.

Once a victim statement is accepted by the court, the reading of the victim impact statement to the court is optional and voluntary. The statement can be read out by the victim, an immediate family member of the victim or representative of the victim. It cannot be read out by the prosecutor.

Before preparing a victim impact statement, it is important to know that when it is accepted by the court it becomes part of the court case. This means that the victim or author of the statement could be subjected to possible cross-examination, the offender can read the statement (but not keep a copy), the statement becomes a public document (except in relation to children) and the media may gain access to the statement and report on the contents of the statement that are read out or referred to in court.

Whilst a police officer may not suggest the content of your victim impact statement, they may provide you with information on how to ensure your victim impact statement complies with legislation.

Further information on when a victim impact statement can be prepared, the requirements and information that should be contained in the victim impact statement and assistance in preparing a victim impact statement can be obtained from:

Victims Access Line (VAL) – 1800 633 063 or (02) 8688 5511

Please visit www.lawlink.nsw.gov.au/vs for further information.

WITNESS ASSISTANCE SERVICE (WAS)

The WAS operates statewide and provides services for victims and witnesses. It operates within the Office of the Director of Public Prosecutions (ODPP). A WAS professionally qualified worker is located in each of the ODPP offices.

The service is available to victims and witnesses of crime involved in cases that are being prosecuted by the ODPP.

WAS can accept referrals once police have finished their investigation and charges have been laid against the alleged offender.

Police should notify WAS if victims/witnesses require specialist and/or support services if the victims and/or witnesses are:

- a child or young person under 18 years of age
- a person with a disability
- an elderly person
- a person who speaks a language other than English
- a person of Aboriginal or Torres Strait Islander background, and/or
- any person experiencing trauma difficulties about attending court.

The service provided by WAS aims to minimise the re-traumatisation of the victim while going through the criminal proceedings. The service includes:

- providing information about the legal process
- services available
- rights and entitlements
- updates on the progress of the matter as required
- referral to other services
- court preparation and familiarisation
- coordinating court support
- supporting victims during conferences with ODPP lawyers
- assistance with victim impact statements, debriefing and post court follow-up.

There is a Witness Assistance Service Officer at each of the offices of the ODPP.

Head Office	(02) 9285 8606
Sydney	(02) 9285 2502
Parramatta	(02) 9891 9800
Campbelltown	(02) 4629 2811
Penrith	(02) 4721 6100
Gosford	(02) 4337 1111
Dubbo	(02) 6881 3300
Wollongong	(02) 4224 7111
Newcastle	(02) 4929 4399
Wagga Wagga	(02) 6925 8400
Lismore	(02) 6627 2222
Bathurst	(02) 6332 2555
TOLL FREE	1800 814 534 (Outside Sydney)
TTY	(02) 9285 8646

For toll free callers wanting to speak to a regional WAS officer please ask the Head Office switchboard operator to put you through to the regional office where the WAS officer is located.

TTY: (02) 9285 8646

FAX: (02) 9285 2528 (Head office)

EMAIL: WAS@odpp.nsw.gov.au or please visit <http://www.odpp.nsw.gov.au/was/was.html> for further information.

CRIME SCENE CLEAN-UP

The NSW Police Force, Forensic Services Group utilises specialist police officers or other civilian crime scene examiners (such as scientists) to attend crime scenes.

At crime scenes where fingerprint examinations are undertaken there will often be fingerprint powder residue left at the scene. The NSW Police Force is not responsible for the cleaning of this residue but can provide information as to how the residue can be cleaned and removed. The crime scene examiner may give you a card with the following information on how to remove fingerprint powder.

NSW Police Force Forensic Services Group

- *Your premises have been examined for fingerprints by the use of white and black powders.*
- *These powders may be removed from glass, tiles, plastic and painted surfaces etc, first by wiping excess powder with a dry cloth and then using an ammonia based cleaning agent. Cleaning agents which are ammonia based at the date of preparation of this 'How to clean' information are 'Jiff Once Over', 'Spray & Wipe', 'Nifti' etc. Prior to using any such cleaning agents, a check should be made to ensure that the cleaning agent is still ammonia based. Please read and follow the directions for use before using any ammonia based cleaning agent.*
- *Please note that ammonia based cleaning agents should not be used on varnished/ polished furniture. This is not an exhaustive list of the surfaces on which ammonia based cleaning agents should not be used and the directions for use should be read and followed to ensure it is safe to use the cleaning agent on a particular surface.*
- *If you notice fingerprint powder on carpet, it should be firstly dry vacuumed and then cleaned with a carpet cleaning agent.*

The use of chemical enhancement techniques to locate or enhance trace biological evidence at crime scenes is also common. Cleaning of the residues left by these chemicals at crime scenes is the responsibility of the NSW Police Force, Crime Scene Service Branch (CSSB). Cleaning requires specialist techniques usually sourced from private contractors, who are required to stringently adhere to Work, Health & Safety guidelines.

It is the responsibility of the user/owner/relatives/occupiers of the premises and/or vehicles to clean up biologically contaminated crime scenes such as suicides, deceased persons, shootings and decomposed bodies where no chemical enhancement techniques have been used by NSW Police Force officers.

Where any doubt exists about who is responsible for cleaning a crime scene ask the officer in charge of the investigation to contact the CSSB Referral Officer.

The *Victims Rights and Support Act 2013* governs the circumstances under which financial assistance may be available to aid with crime scene clean-up.

Further information and assistance can be obtained from:

Victims Access Line (VAL) – 1800 633 063 or (02) 8688 5511

Please visit www.lawlink.nsw.gov.au/vs for further information

RETURN OF PROPERTY

Police deal mainly with two types of property:

- the recovery of stolen goods
- property collected at a crime scene for evidence that is referred to as an “exhibit”.

Stolen Property

When police recover stolen property they will attempt to identify the owner of the property and arrange for the property to be returned to its rightful owner.

If you see your property for sale in a pawnbroker shop, speak to the owner of the shop and let them know that it is your property. Then report the matter to your local police station.

Exhibits

In certain circumstances your property may be retained by police as evidence for the duration of a hearing and any pending appeals. The length of time that your property is kept by police varies and this could be indefinitely if it is required for forensic or scientific testing. For example, murder weapons and implements used in armed hold ups.

In many cases, police can photograph, fingerprint or analyse property as needed, then return the property to the owner. Police can often satisfy the onus of presenting evidence at court by tendering photos of the exhibit with a sworn testimony that the exhibit exists.

Police cannot always guarantee that property will be returned. In some circumstances it could be destroyed by the analysis process or be deemed unsafe to return. Exhibits may also need to be retained for certain offence types and until any appeal period expires.

Returning property

You should contact the officer in charge of your matter if you have any concerns about the return of your property, be it recovered stolen goods or property being used as an “exhibit”. If they are unavailable ask to speak to the supervising Sergeant.

If your property is recovered or no longer required as an “exhibit” you will be notified about how to collect your property. You will need to tell police within 28 days whether you want to collect and take your property or not. After 28 days police may destroy any uncollected property.

ACCESS TO INFORMATION

Releasing Records to Victims

Victims or their legal representatives can be supplied (free of charge) with their statement, particulars of their crime report, including the time, date, station, officer the matter was reported to and the COPS event number.

When requested by the Commissioner of Victims Rights, police will provide records and appropriate comments to assist in the assessment of victim support claims. Victims Services is not permitted to make copies of the material authorised by the NSW Police Force. These documents are the property of the NSW Police Force and no consent is provided to release the documents in hard copy form to the victim or victim's solicitor, or victim's representative. Any application to access this information should be made directly to the NSW Police Force.

Accessing NSW Police Force information

Access to NSW Police Force information may be considered by making a 'Formal' application under the provisions of the *Government Information (Public Access) Act 2009*.

Formal applications must be in writing and accompanied by the appropriate application fee. Proof of identity is also required for applications submitted by individuals.

Further information on how to make a 'Formal' application and associated fees please visit :

http://www.police.nsw.gov.au/services/information_access_unit_gipa

or Telephone: (02) 9768 0768 Email: iau@police.nsw.gov.au

VICTIMS REGISTERS

Police should inform victims about the existence of Victims Registers. The victims registers contain information about adult offenders, forensic patients and young offenders who have been found guilty of a crime, sentenced and are currently in custody.

As part of the Charter of Victims Rights, victims have the right to:

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

“A victim will, on request, be kept informed of the offender’s impending release or escape from custody or of any change in security classification that result in the offender being eligible for unescorted absence from custody.”

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

“A victim will, 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.”

Victims of crime may be able to be listed on a victims register to receive information about an offender who is an adult or a young person in custody, or who is a forensic patient. There are 3 victims registers in NSW. They are:

1. The **Restorative Justice Unit** within **Corrective Services** – responsible for offenders in custody
2. The **Forensic** Division of **the Mental Health Review Tribunal** – responsible for mental health forensic patients
3. **NSW Juvenile Justice** – responsible for juveniles in custody.

Who to contact

The NSW Police Force does not maintain the victims registers. The Victims Assistance Line (VAL) provides the single entry point for information and referral to all of the 3 Victims Registers. The details for VAL are:

Victims Access Line (VAL) – 1800 633 063 or (02) 8688 5511

Please visit <http://www.lawlink.nsw.gov.au/vs> for further information.

MAKING A COMPLAINT – UNDER THE CHARTER OF VICTIMS RIGHTS

Victims of crime can make complaints about the police response under the Charter of Victims Rights (*Victims Rights and Support Act 2013*) in the following ways:

1. If you think that your rights under the Charter are not being met you can tell the officer in charge of your matter about your concerns. If they are unable to fix the problem you can ask to speak to the Supervising Sergeant, Duty Officer, Crime Coordinator or Commander. Once all of these avenues have been exhausted at a local level and you are still not satisfied you have the right to make a complaint to the NSW Police Force via:

Web: www.police.nsw.gov.au/services/additional_services/complain_about_a_police_officer

Phone: 1800 622 571

TTY users: phone 1800 555 677 then ask for 1800 622 571

Speak and Listen (speech-to-speech relay) users: phone 1800 555 727 then ask for 1800 622 571

Internet relay users: go to www.iprelay.com.au/call/index.aspx - and then ask for 1800 622 571

Mail: PO Box 3427, TUGGERAH NSW 2259

2. If you are still not satisfied with the response or do not wish to contact the NSW Police Force you can contact Victims Services:

www.lawlink.nsw.gov.au/vs (click on Victims Rights) or phone 1800 633 063 or (02) 8688 5511

The Victims Services Referral and Support Team will talk to you about your complaint and if necessary, refer you to the Charter Coordinator if you need further advice. You can also complete the Charter of Victims Rights Complaint Form. This is available from the Victim Services website or if you phone, the form can be posted or emailed to you.

VICTIMS SUPPORT SCHEME

The Victims Support Scheme, handled by Victims Services, provides a coordinated approach to information, support and referral, with an emphasis on immediate assistance and access to counselling.

Through Victims Services, victims will be able to access the services when they need them most. Victims will be allocated a support coordinator who will conduct a comprehensive assessment of each situation, develop a tailored plan and then guide the victim through the criminal justice and human services systems. The support coordinator will provide information, referrals to other services and ongoing advice.

A package of care may include some or all of five types of support:

1. Information, referrals and advice
2. Counselling
3. Immediate needs
4. Financial assistance
5. Recognition payment

Who is eligible to apply?

Information, support and referral - ALL victims of crime

Counselling - ALL victims of violent crime

Immediate needs -

- Primary victims
- Family members of homicide victims can claim for funeral expenses and crime scene clean up.

Financial Assistance -

- Primary victims
- Parents of a child victim may be eligible
- Family members of homicide victims can access justice-related expenses

Recognition payment -

- Primary victim
- Dependent family members and parents of homicide victims

Information on all aspects of the Victims Support Scheme is handled by Victim Services.

They can be contacted via:

Victims Access Line (VAL) – 1800 633 063 or (02) 8688 5511 or

http://www.lawlink.nsw.gov.au/lawlink/victimsservices/ll_vs.nsf/pages/VS_index

