

Information about investigation of the crime

Charter Right No. 4

As a victim of crime in NSW, 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.

Charter Right number 4 states: *A victim will, 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 will 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?

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 details on the Charter of Victims Rights (*Victims Rights and Support Act 2013*).

If these police officers are unavailable you have the right to contact the Supervising Sergeant at the Local Area Command (LAC).

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 LACs to provide specific services such as Multicultural Community Liaison Officers, Youth Liaison Officers and Domestic Violence Liaison Officers.

Volunteers-in-Policing 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 inquires 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 Access Line which is run by the Policy and Service Delivery section of Victims Services to find out what, if any, other assistance can be given to you under the Charter of Victims Rights.

Victims Services may assist you to liaise with the NSW Police if you have any concerns or believe you are not being appropriately informed.

Contact details

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

Police Assistance Line	131 444
Crime Stoppers	1800 333 000
Emergency	000

The Support Coordination Team provide a telephone support, information and referral service for victims of crime.

Victims Access Line 1800 633 063
Hours 9am to 5pm, Mon to Fri
Email vs@justice.nsw.gov.au
Website www.victimsservices.justice.nsw.gov.au
Street address Level 1, Justice Precinct Offices
160 Marsden Street, Parramatta

The Charter of Victims Rights

1 Courtesy, compassion and respect

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

2 Information about services and remedies

A victim will 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 will 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 will, 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 will be informed accordingly.

5 Information about prosecution of accused

- (1) A victim will 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 will 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 so 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 will 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 will be protected from unnecessary contact with the accused and defence witnesses during the course of court proceedings.

8 Protection of identity of victim

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

9 Attendance at preliminary hearings

A victim will 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 will be minimised and the property returned promptly.

11 Protection from accused

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

12 Information about special bail conditions

A victim will 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 will 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 will 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 will, 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 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.

17 Financial assistance victims of personal violence

A victim of a crime involving sexual or other serious personal violence is entitled to make a claim under the victims support scheme.

18 Information about complaint procedure where Charter is breached

Charter is breached A victim may make a complaint about a breach of the Charter and will, on request, be provided with information on the procedure for making such a complaint.