

## Information about making a complaint under the Charter of Victims Rights

In New South Wales there is a Charter of Victims Rights that protects and promotes your rights if you are victim of crime. The Charter outlines how victims of crime should be treated and assisted and applies to:

- all NSW departments; and
- any person (excluding private legal officers and medical practitioners) or non-government agency funded by the State to provide services to victims of crime.

These service providers that assist victims of crime aim to meet the needs of their clients. However, if you do have a concern that their actions do not meet the standards set out in the Charter then you have the right to make a complaint. This information sheet outlines the process to make a complaint under the Charter of Victims Rights.

### Who can access the Charter of Victims Rights?

The *Victims Rights and Support Act 2013* (the Act) states that a victim of crime is a person who suffers harm as a direct result of an act committed, or apparently committed, by another person in the course of a criminal offence. If a person dies because of a crime, then a member of the person's immediate family can nominate to be a representative as a victim of crime for the purposes of the Charter.

Under the Act, harm is described as physical, psychological or psychiatric harm. Harm also includes when property is deliberately taken, destroyed or damaged.

### What can we do for you?

The Act says that Victims Services should receive complaints about alleged breaches of the Charter and use its best endeavours to resolve the complaint.

If you believe that your rights have been breached, Victims Services suggest you contact the service provider or agency in the first instance. If you are unhappy with their response or if you feel apprehensive about doing this, Victims Services can discuss your concerns and provide you with further information.

With your consent, Victims Services can make contact with the relevant service provider or agency and assist in resolving the problem. If you don't give consent to do this, Victims Services will note your concerns, but is unable to act on your behalf.

Victims Services will deal with your complaint in a confidential manner.

Victims Services will try to resolve your complaint within 30 days of being contacted by you. However depending on the type of complaint, it may take a longer.

Please be aware that Victims Services cannot follow up complaints regarding the way that the police have investigated your case or the judgments made by the court.

Victims Services may pursue any broader issues arising from your complaint, such as making recommendations for improving services for victims. Victims Services will collate non-identifying data arising from complaints to use for reporting and identifying trends.

### What are your rights?

You have a right to:

- courtesy, compassion and respect
- information about services and remedies
- access to services, if you need medical, counselling and legal help
- information about investigation of the crime, if you ask
- information about prosecution of the accused (taking the offender to court)
- information about trial process and role as witness
- protection from contact with accused during court
- protection of identity of victim, unless the court says otherwise
- attendance at preliminary hearings, unless the court says you must attend
- return of property of victim held by State, if it is used as evidence

- protection when the offender applies for bail
- information about special bail conditions, to protect you and your family
- information about outcome of bail applications, if you were a victim of serious assault
- being given information and assistance to prepare a victim impact statement, when relevant
- information about impending release, escape or eligibility for absence from custody
- submissions on parole and eligibility for absence from custody of serious offenders
- apply for victims compensation, for victims of serious personal violence offences
- information about complaint procedures.

## How to make a complaint

1. Contact the service provider or agency about your complaint. Issues are often resolved through simply raising your concerns, by speaking directly with the staff member concerned or going through the agency's complaints department.
2. If you are still not satisfied after the service provider or agency has looked at the complaint, or they have not responded to you in a timely manner, or you feel concerned about contacting them, call the [Victims Access Line \(VAL\)](#) on [1800 633 063](#). The [Support Coordination Team](#) will talk to you about your complaint and refer you to the Support Coordinator if you need further assistance.
- 3 You may also wish to complete the *Charter of Victims Rights complaint form*. This form is available on the Victims Services website or you can phone the VAL and ask for a form to be posted or emailed to you.

## What can you do for us?

You can help us by filling out the *Charter of Victims Rights complaint form* and providing truthful and accurate information about your situation.

Contact Victims Services if there are any changes to the information provided or if you would like to make any more enquiries.

If you are not sure that your complaint relates to a Charter issue look at the Charter of Victims Rights. You can download the Charter from our website or you can phone the VAL for a copy or for assistance in filling out the complaint form.

## Victims Services contact details

You can contact Victims Services in the following ways:

Phone	1800 633 063
Hours	8am to 6pm, Mon to Fri
Fax	(02) 8688 9632
Email	vs@justice.nsw.gov.au
Website	<a href="http://www.victimsservices.justice.nsw.gov.au">www.victimsservices.justice.nsw.gov.au</a>
Street address	Level 1, 160 Marsden Street Parramatta NSW



## National Relay Service

If you are deaf, or have a hearing impairment or speech impairment you can contact the Victims Access Line through the National Relay Service:

**Website** [www.relayservice.com.au](http://www.relayservice.com.au)

Speak and Listen users should phone [1800 555 727](#), then ask for [1800 633 063](#).

Internet relay users connect to the NRS, then ask for [1800 633 063](#).



## Translating and Interpreting Service

If you do not speak English well, you can call the Translating and Interpreting Service.

State what language you speak. The operator will connect you to an interpreter who speaks your language. The TIS will organise for an interpreter in your language to be on the phone when you contact the helpline you need.

**Phone** [131 450](#)

**Website** [www.tisnational.gov.au](http://www.tisnational.gov.au)