

Specialist Victims Support Service

Fact sheet: Being a nominated representative of a person registered on the Specialist Victims Register

A nominated representative can be any person or organisation that a person registered on the Specialist Victims Register (registered victim) elects to act on their behalf in relation to the Register and Mental Health Review Tribunal (the Tribunal) hearings.

How does a person or organisation become a nominated representative?

To become a nominated representative, a registered victim must complete the Specialist Victims Support Service representative nomination form to provide their written authority for a person or organisation to represent them. A person or organisation cannot elect themselves as a nominated representative without the written consent of a registered victim.

If a registered victim who requires a nominated representative is a child (under 18 years of age), or cannot sign their authority on the representative nomination form, please contact our team to discuss.

Your rights

If a registered victim has nominated you to represent them, you will be able to:

- act on behalf of the registered victim
- make enquiries to our team on behalf of the registered victim
- make submissions to the Tribunal on behalf of the registered victim
- receive information from the Register
- receive correspondence (either on behalf of, or as well as, the registered victim).

Limitations of your rights

- The registered victim can request to withdraw consent to have a nominated representative at any time.
- You will not have authority to change the registered victim's notification preferences.
- You will not have authority to remove the registered victim from the Register.
- The registered victim can request specific limitations on a nominated representative's authority or access to information.
- Our team will always prioritise instructions from a registered victim.

Confidentiality requirements

- Under section 162 of the *Mental Health Act (2007)* it is an offence to publish or broadcast the name or any information which identifies a person whose matter is before the Tribunal.
- Under clause 27 of the *Mental Health and Cognitive Impairment Forensic Provisions Regulations 2021* it is an offence to publish any information that is contained within in the Specialist Victims Register.

The Tribunal requires all nominated representatives to sign a Statutory Declaration confirming their understanding of confidentiality requirements before representing a registered victim at a forensic hearing. If you will be representing a registered victim at a hearing please contact our team for further information.

Please feel welcome to contact our team at the Specialist Victims Support Service if you have any questions.

Phone: Victims Access line 1800 633 063 | Aboriginal Contact Line 1800 019 123 | **Email:** svss@dcj.nsw.gov.au

Post: Locked Bag 5118, Parramatta NSW 2124 | **Web:** www.victimsservices.justice.nsw.gov.au

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