

Specialist Victims Support Service

Information for service providers

What is the Specialist Victims Support Service ('SVSS')?

The Specialist Victims Support Service (**our service**) is a dedicated support service for victims who are going through the forensic mental health system. We sit within Victims Services, in the Department of Communities and Justice, and operate under the Commissioner of Victims Rights. We are independent from the Mental Health Review Tribunal (**the Tribunal**).

I am a service provider – *who* can I refer to your service?

A person is **eligible** for our support if:

- they are a **victim of an act of violence** (or family member of a victim who has died as a result of the act of violence), and
- the act of violence is (or is likely to be) an indictable offence (meaning that would be dealt with in the **District Court or the Supreme Court** – for example, manslaughter), and
- the person accused of committing the act of violence:
 - has (or may have) a **mental health impairment and/or cognitive impairment**, and
 - has been (or may be) managed under the *Mental Health and Cognitive Impairment Forensic Provisions Act 2020*.

► For example, the following people are eligible:

- Victims of **defendants** who have a **mental health impairment and/or cognitive impairment** at the time of the alleged offence (or during the court process)
- Victims of **forensic patients** (persons found **unfit to stand trial and detained or act proven but not criminally responsible**)

I am a service provider – *how* do I refer to your service?

If you have direct contact with an eligible victim and would like to refer them, you will need to:

- obtain the **victim's consent** before referring them
- complete a *Specialist Victims Register referral form* or *Specialist Victims Register registration form* and send it to svss@dcj.nsw.gov.au
- provide further information (where possible) to indicate how the victim meets the eligibility criteria
- if you are a support service, provide a **summary of the support and referrals you have provided to date** and any other relevant support information

► For example, further information could include:

- Police statement of facts
- Statements
- Court reference number
- Court determinations

I am a service provider – when can I refer to your service?

You can refer a potential client **at any point**, provided that the eligibility criteria are met. However, the preferred points of referral are:

- when the defendant pleads **act proven but not criminally responsible** or **act proven but not criminally responsible verdict is delivered**, and/or
- after a person is **found unfit at a fitness inquiry** and the court decides whether a defendant **is likely to become fit within the next 12 months** (and makes orders regarding bail/detention), and/or
- when a **special hearing is listed**.

What if a victim is already receiving support from the Office of the Director of Public Prosecutions (ODPP) Witness Assistance Service (WAS)?

Our team will work with the WAS to ensure that victims are supported through the court and Tribunal process **without duplication**. If a potential client is supported by the WAS and the matter is likely to proceed to a special hearing, the WAS should ensure that they introduce the client to our team prior to the special hearing. Where a victim transfers from the WAS to our team (for example, where the matter is progressing from the court to the Tribunal), the referral process should be **gradual** and **trauma informed**.

I am a service provider but I do not have direct contact with a victim – how can I refer a person to your service?

If you are a person, agency or organisation who **does not have direct contact with a victim**, but you are aware that they may be eligible for our support, you can advise one of the following referrers, who can refer them:

- Office of the Director of Public Prosecutions (ODPP) Witness Assistance Service (WAS)
- ODPP Solicitors
- NSW Police Force (NSWPF)
- Courts and Tribunal Services (for example, Supreme Court or District Court)
- Victims advocacy and support groups
- Carers support groups
- Any other person/agency/organisation that has direct contact with the victim (for example, defence lawyers, NSW Health or Justice Health and the Forensic Mental Health Network)

A victim can also self-refer to our service by completing a *Specialist Victims Register referral form* or *Specialist Victims Register registration form* and sending it to svss@dcj.nsw.gov.au. They can also call our team and we can help them complete the form.

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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