

HEALTH CARE COMPLAINTS COMMISSION

VICTIMS OF CRIME POLICY

Charter of Victims Rights

Victims of Crime in New South Wales now have a statutory Charter to protect and promote their rights. The Charter which is established under the Victims of Crime Act 1996 establishes standards for the appropriate treatment of victims of crime and is overseen by the Victims of Crime Bureau, Attorney General's Department. Any agency or person exercising official functions must, to the extent that it is relevant and practicable to do so, have regard to the Charter of Victims Rights.

The Charter of rights of victims of crime provides amongst other things:

- that a victim should be treated with courtesy and compassion and that the rights and dignity of the victim are respected;
- a victim should be informed at the earliest practical opportunity by relevant agencies and officials of the services and remedies available to the victim;
- a victim should have access, where necessary, to available welfare, health, counselling and legal assistance responsive to the victim's needs.

Full details of the Charter of Victims Rights is attached as appendix 1 and further information on the purpose and function of the Charter, who is a victim and what rights are protected are attached as appendix 2.

Breaches of the Charter

If a victim considers a government agency has not abided by its statutory obligations under the Charter, a victim can complain to the Victims of Crime Bureau about the agency.

The role of the Victims of Crime Bureau

The Victims of Crime Bureau (VCB) has been established within the Attorney General's Department. Its primary goal is to co-ordinate the delivery of appropriate services to meet the needs of victims of crime.

The VCB is responsible for:

- providing support and referral services to victims of crime;
- co-ordinating the delivery of victims' support and counselling services by government and community agencies; and
- overseeing the implementation of the statutory Charter of Victims Rights.

The VCB will also be an information resource for victims of crime and for community and victim support agencies. It will also ensure that victims have access to

information which will help them to understand and participate in the criminal justice system.

While victims of crime will be able to directly contact the VCB for assistance, the VCB will also receive referrals from police and other services who have contact with the victim at the time of the crisis. Once contact has been established with a victim, staff at the VCB will make an assessment of the victim's needs. Information will be supplied to a victim based on this assessment and, if necessary, a referral made to attend other agencies for specialist services. The overall aim is to provide an integrated counselling/referral service so that a victim will have immediate access to counselling and other necessary assistance.

Other functions of the VCB are attached at appendix 3.

The Victims Advisory Board

The Victims Advisory Board established under the Act has the following functions:

- to advise the Minister on policies and administrative arrangements relating to support services and compensation for victims of crime;
- to consult victims of crime, community victim support groups and government agencies on issues and policies concerning victims of crime; and
- to promote legislative, administrative or other reforms to meet the needs of victims of crime.

The role of Health Care Complaints Commission

To ensure that complainants who may be victims of crime are advised of the existence of the Victims of Crime Bureau and the services provided by that agency. The following brochures supplied by the Victims of Crime Bureau will be available for this purpose:

- counselling for victims of crime;
- compensation for victims of sexual assault;
- compensation for victims of violent crime.

Complaints which fall into the following categories may come into the definition of victim of crime:

- Physical Assault
- Sexual Assault
- Sexual Harassment

To fulfil our obligations under the Charter, the Victims of Crime Bureau Information Kit can be forwarded to complainants who meet the above criteria. The Assessment Committee will identify appropriate complainants and the Kit will be forwarded from the Complaints Handling and Resolutions Team.

More Kits can be arranged by contacting the Bureau on (02) 9374 3000.