

# Northern Territory Charter of Victims Rights

August 2019

## STATEMENT FROM THE ATTORNEY-GENERAL AND MINISTER FOR JUSTICE



The Northern Territory Government puts the rights of victims first, by ensuring they have a stronger voice in our justice system with better protections and access to vital services.

The Charter of Victims Rights clearly directs that every reasonable resource will be used to support the safety and welfare of victims, their families and their property.

Access to simple and quick services in a coordinated and respectful manner is critical to victims of crime and their families. Providing opportunities for victims to be more involved in the justice process also acknowledges the interests of victims of crime and their integral role in the criminal justice system.

### **THE NORTHERN TERRITORY GOVERNMENT'S KEY PRINCIPLES:**

1. Victims' rights are a priority.
2. The safety and welfare of victims, their families and their property is our number one concern.
3. Every reasonable resource will be used to support victims.
4. Access to services will be simple, quick, coordinated and respectful.
5. Victims have a right to be heard by the justice system.

### **Natasha Fyles**

Attorney-General and Minister for Justice

## Northern Territory Charter of Victims Rights

**The Northern Territory Government supports victims of crime. This charter identifies victims' rights within the justice system and conveys to all government agencies engaged with victims, the manner in which their individual services and contact with victims must be provided. All processes are to be expeditious, fair, inexpensive and accessible.**

### **Courtesy, compassion and respect**

You will be treated with courtesy, compassion and respect. You will also be treated in a way that is trauma-informed and promotes cultural safety.

### **Your particular needs**

Your particular needs will be taken into account. This includes Indigenous or cultural background, location, sex or gender identity, language and literacy level, sexual orientation, disability, religion and age.

### **Protection of your identity**

Your address and telephone number will not be disclosed except in accordance with legislation that allows for information sharing, or unless there is an obligation to disclose the information.

### **Protection from the accused**

You will be told at the earliest practical opportunity about the availability of lawful protection against violence and intimidation by the accused.

You are entitled to have personal protection and welfare considered by both the Police and the Court when deciding applications for bail.

You will be protected from unnecessary contact with the accused and defence witnesses during hearings. This includes vulnerable witnesses giving evidence by closed circuit television or from behind a screen.

### **Information about services and remedies**

You will be told at the earliest practical opportunity about the availability of welfare, counselling, health, medical, legal services and remedies, and financial assistance available to you, as well as any limitations that apply to these.

### **Information about the investigation of the crime**

If you want to, you will be told by Police about the progress of the investigation of the crime unless the disclosure might jeopardise the investigation, in which case you will be informed about that.

### **Information about the prosecution of the accused**

If you want to, you will be told by Police or Prosecutions in a timely manner about:

- The charges laid against the accused.
- The release or escape from custody of the accused, including before trial and when the accused is returned to custody.
- The court process, your rights in relation to attending any trial or hearing and your role in the justice system, including as a witness for the prosecution.

- The outcome of any application for bail by the accused, and any bail conditions imposed to protect you and your family members from the accused.
- Options regarding court-ordered restitution or compensation.
- The time, date and place of any court dates.
- Any substantial changes to the charges.
- Any reasons for not laying charges, accepting a plea of guilty to a lesser charge or not prosecuting the accused.
- Where practicable, your views about accepting a plea of guilty to a lesser charge will also be sought and taken into account. However, the final decision will rest with the prosecutor.
- The outcome of the criminal proceeding including any sentence imposed and any conditions that are set to protect you, and what this actually means.
- If an appeal is instituted, the fact of the appeal, the grounds of appeal and the result of the appeal.

### **Giving evidence**

In particular circumstances, you may be able to object to giving evidence as a witness for the prosecution, and have your objection decided by the Court. To find out more, speak to a [legal service](#).

### **Victim impact statement**

If you want to, you can tell the Court about the impact of the crime on you in a victim impact statement.

### **Restorative justice**

If you want to, you can participate in restorative justice options such as victim-offender conferencing, where appropriate and available.

### **Return of your property**

If any of your property is held by Police or Prosecutions for the purpose of investigation or evidence, your property will be returned to you at the earliest practical opportunity.

### **Information about decisions to release prisoners on conditional release**

If you are eligible to be placed on the [Victims Register](#), you can be informed of decisions made by the Parole Board and Correctional Centres to release prisoners on conditional release.

### **Information about impending release, escape or change in security classification**

If you are eligible to be placed on the [Victims Register](#), you can be told of the offender's impending release, escape or change in security classification.

### **Financial assistance for victims of crime**

If you have been the victim of a violent crime, including as a relative or rescuer of a victim or as a witness to a violent crime, you are entitled to make a claim for financial assistance under the *Victims of Crime Assistance Act* and to have the claim determined in a timely way.

## Charter of Victims' Rights – Appendix

### Police

If you would like to receive information from NT Police, contact:

Phone: 131 444

Website: [pfes.nt.gov.au](http://pfes.nt.gov.au)

### Director of Public Prosecutions

If you would like to receive information from the Director of Public Prosecutions, call:

- Darwin (08) 8935 7500
- Alice Springs (08) 8951 5800
- Katherine (08) 8973 8813

Website: [dpp.nt.gov.au](http://dpp.nt.gov.au)

### How to make a complaint

If you think the Charter has not been observed, you should contact the relevant agency or government department to lodge a complaint. If you are not satisfied with the response, you can complain to the **Ombudsman NT**:

Phone: (08) 8999 1818

Website: [ombudsman.nt.gov.au/](http://ombudsman.nt.gov.au/)

## Definitions

### Victims Register

The Victims Register is a database which enables the Crime Victims Services Unit to provide registered victims and concerned persons with certain information about offenders. It also allows victims to make written submissions to the Parole Board in relation to relevant offenders.

Information provided to the Victims Register remains strictly confidential.

Access to this information is strictly limited to staff with a genuine and essential need to have such access and will not be made available to offenders or other persons.

Further details including application forms are available from the Coordinator, Victims Register, Crime Victims Services Unit on

Free call: 1800 221 372

Email: [victims.register@nt.gov.au](mailto:victims.register@nt.gov.au).

Website: [nt.gov.au/law/crime/offender-information-for-victims](http://nt.gov.au/law/crime/offender-information-for-victims)

### Bail

Bail allows the accused to be at liberty instead of in custody, while the criminal proceedings are on foot. Bail can be granted by either the police or the court, and may be subject to certain conditions.

### Restorative Justice

Restorative justice generally means a process where people who are affected by a crime can work out issues arising from the crime together, usually with assistance from an impartial third party.

## Victim support services

### Victims of Crime NT (VoCNT)

VoCNT is a non-government agency funded by the Department of the Attorney-General and Justice which provides crisis support, information, advocacy, court support and referrals to other support services.

VoCNT operates a 24-hour phone line.

Freecall: 1800 672 242

Website: [victimsofcrime.org.au](http://victimsofcrime.org.au)

## Counselling

### CatholicCare NT

Free call: 1800 899 855; (08) 8944 2000

Website: [catholiccarent.org.au](http://catholiccarent.org.au)

### Kids Helpline

Free call: 1800 55 1800

Website: [kidshelpline.com.au](http://kidshelpline.com.au)

### National Sexual Assault, Domestic Family Violence Counselling Service

Free call: 1800 737 732

Website: [1800respect.org.au](http://1800respect.org.au)

### Ruby Gaea (Darwin)

Phone: (08) 8945 0155

Website: [rubygaea.net.au](http://rubygaea.net.au)

### Sexual Assault Referral Centre (SARC)

- Darwin: (08) 8922 6472
- Alice Springs: (08) 8952 6075
- Katherine: (08) 8971 0777
- Tennant Creek: (08) 8962 4100

Website: [health.nt.gov.au/sexual\\_assault\\_services](http://health.nt.gov.au/sexual_assault_services)

## Financial assistance

### Crime Victims Services Unit (CVSU)

Victims may be eligible to receive financial assistance for financial loss or injury resulting from a violent act that occurred in the Northern Territory.

Free call: 1800 460 363

Website: [nt.gov.au/law/crime/financial-help-for-victims-of-crime](http://nt.gov.au/law/crime/financial-help-for-victims-of-crime)

### VoCNT

VoCNT administers the Safe at Home Clean Up and Re-Secure Program which provides a small amount of financial assistance to clean and secure homes after a violent crime or break-in.

Free call: 1800 672 242

Website: [victimsofcrime.org.au](http://victimsofcrime.org.au)

## Witness support

### Witness Assistance Service (WAS)

WAS is a unit within the Director of Public Prosecutions that supports victims of crime and witnesses who need to appear in Court to give evidence. WAS can also assist with the preparation of victim impact statements.

Free call: 1800 659 449

Website: [dpp.nt.gov.au/witness-assistance/Pages/default.aspx](http://dpp.nt.gov.au/witness-assistance/Pages/default.aspx)

### VoCNT

VoCNT can provide a support person for victims feeling traumatised or overwhelmed by the court process. VoCNT can also assist with the preparation of documentation including applications for financial assistance and victim impact statements.

Free call: 1800 672 242

Website: [victimsofcrime.org.au](http://victimsofcrime.org.au)

## Home and business security upgrade services

### YWCA Darwin

Victims of domestic and family violence in Darwin and Palmerston may be eligible to receive free safety planning and home security upgrade services.

Tel: (08) 8932 9155

Website: [ywcaofdarwin.com.au](http://ywcaofdarwin.com.au)

### VoCNT

VoCNT administers the Safe at Home Security Improvement Program, which provides home security upgrades to Territorians who are most at risk of unlawful entry or domestic violence. VoCNT also administers the Business Resecure Program to help small businesses resecure their business premises after a break-in.

Free call: 1800 672 242

Website: [victimsofcrime.org.au](http://victimsofcrime.org.au)

## Legal services

### Central Australian Aboriginal Family Legal Unit

Free call: 1800 088 884 (Alice Springs); 1800 068 830 (Tennant Creek).

Website: [caafllu.com.au](http://caafllu.com.au)

### Central Australian Women's Legal Service (Alice Springs)

Free call: 1800 684 055. Website: [cawls.org.au](http://cawls.org.au)

### Darwin Community Legal Service

Free call: 1800 812 953. Website: [dcls.org.au](http://dcls.org.au)

### Domestic Violence Legal Service (Darwin)

Phone: (08) 8999 7977. Website: [dvls.nt.gov.au](http://dvls.nt.gov.au)

### Katherine Women's Information and Legal Service

Free call: 1800 620 108. Website: [kwils.com.au](http://kwils.com.au)

### North Australian Aboriginal Family Legal Service

Free call Darwin: 1800 041 998; Katherine: 1800 184 868. Website: [naafls.com.au](http://naafls.com.au)

### North Australian Aboriginal Justice Agency

Free call Darwin: 1800 898 251; Katherine: 1800 897 728; Alice Springs: 1800 636 079; Tennant Creek: (08) 8962 1332. Website: [naaja.org.au](http://naaja.org.au)

### Northern Territory Legal Aid Commission

Free call: 1800 019 343. Website: [ntlac.nt.gov.au](http://ntlac.nt.gov.au)

### Top End Women's Legal Service (Darwin)

Free call: 1800 234 441. Website: [tewls.org.au](http://tewls.org.au)

## Other useful contacts

### Centrelink

Phone: 132 850

Website: [humanservices.gov.au/customer/dhs/centrelink](http://humanservices.gov.au/customer/dhs/centrelink)

### NT Police Domestic and Family Violence Unit

Phone: 131 444

Website: [pfes.nt.gov.au](http://pfes.nt.gov.au)

If you need help translating the above information, call 13 14 50.