

# Northern Territory Charter of Victims' Rights

October 2018

DRAFT

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



The Northern Territory Government puts the rights of victims first, now and always by ensuring they have a stronger voice in our judicial 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 while integrating participatory rights acknowledges the interests of victims of crime and their integral role in the criminal justice system.

### KEY PRINCIPLES

1. Victims' rights come first.
2. The safety and welfare of victims, their families and their property is our number one concern.
3. That 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 Courts.

**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, cultural sensitivity and respect**

You will be treated with courtesy, compassion, cultural sensitivity and respect.

### **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.

### **Language**

You will have your rights explained to you in a manner and in a language that you understand.

### **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.

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

You will be told at the earliest practical opportunity about the availability of welfare, counselling, health, medical and legal services and remedies available to you.

### **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 entitlement to attend 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.
- The right to apply for court-ordered restitution.

- 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.
- 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.

### **Protection from contact with 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.

### **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 Contact Information

### 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 (DPP), call:

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

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

### 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/justice/programs/crime-victims-services-unit](http://nt.gov.au/justice/programs/crime-victims-services-unit).

### 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.

## Where to go for help

### Victim support services

#### Victims of Crime NT (VoCNT)

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

VoCNT operates a 24-hour phone line.

Freecall: 1800 672 242

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

### Counselling

There are various agencies available to assist.

#### CatholicCare NT

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

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

#### 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)

## Financial assistance

### Crime Victims Services Unit (CVSU)

Victims may be eligible to receive financial assistance including compensation for medical, funeral and relocation expenses, loss of earnings and physical and psychological injury.

Free call 1800 460 363

### Victims of Crime NT (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 break-ins.

Free call: 1800 672 242

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

### Centrelink

Phone: 132 850

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

### Kids Helpline

Free call: 1800 55 1800

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

### NT Police Domestic and Family Violence Unit

Phone: 131 444

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

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)

### Victims of Crime NT (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 security upgrade services

### **YWCA Darwin**

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

Tel: (08) 8932 9155

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

### **Victims of Crime NT (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.

Free call: 1800 672 242

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

## Legal services

### **Central Australian Aboriginal Family Legal Unit (Alice Springs, Tennant Creek)**

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

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

### **Central Australian Aboriginal Legal Aid Service Inc (Alice Springs, Tennant Creek)**

Free call: 1800 636 079. Website: [caalas.com.au](http://caalas.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. 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)

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

DRAFT