

Victims Rights

It is a fundamental belief of the New South Wales Government that victims should be treated with courtesy and compassion and respect for their rights and dignity.

The New South Wales Government enacted the Victims Rights Act, 1996 to establish the Charter of Victims Rights. This requires State Agencies to have regard to it in the administration of justice and other relevant affairs of the State.

The Government also enacted legislation [now contained in the Crimes (Administration of Sentences) Act 1999] to establish the Victims Register which requires that victim submissions be taken into consideration in certain circumstances.

What is the Victim's Register?

The Department of Corrective Services maintains the Victims Register which records the names and contact details of victims who have requested registration of their interests.

The Register is strictly controlled and access is limited to staff with a genuine and essential need to have such access.

Provision of Information

The purpose of the Victims Register is to enable the Department to keep victims informed if the offender:

- is to be considered for a change in security classification which may result in the offender being eligible for unescorted leave of absence (i.e. pre-release leave)
- is due for parole consideration
- is due for release
- has escaped from custody

The Victims Register will not as a matter of course advise victims of changes in security classification, except as stated above, or routine transfers between Correctional Centres or for medical treatment. A victim may however enquire at any time about the offender's location.

Victim Submissions

Under the Crimes (Administration of Sentences) Act 1999 the Parole Board and the Serious Offenders Review Council must be advised of any registered victim of a "serious offender".

A registered victim of a serious offender has the opportunity to make submissions to the Serious Offenders Review Council concerning unescorted leave and these submissions are taken into consideration before making any recommendation to the Commissioner. A registered victim of a serious offender also has an opportunity to make submissions to the Parole Board about the offender before it is decided if the offender should be released on parole.

The Department also welcomes submissions from victims of other than "serious offenders". Assistance with the preparation of a submission is available from the Victim Support Officer.

Victims of Community Based Offenders

A victim may also register when the offender is serving a sentence by way of Periodic Detention or Home Detention or is serving a community based order, be it Parole or Probation supervision, or supervision under a Community Service Order.

Once a victim is registered they will be able to request information as to the term and duration of the offender's order.

Who is a Victim?

The Crimes (Administration of Sentences) Act 1999 defines a victim as:

- a victim of the offence for which the offender has been sentenced or of any offence taken into account under Division 3 of Part 3 of the Crimes (Sentencing Procedure) Act 1999, or
- a family representative of such a victim (if the victim is dead or under any incapacity or in such circumstances as may be prescribed by the regulations), and includes
- a person who suffers actual physical harm, mental illness or nervous shock, or whose property is deliberately taken, destroyed or an act committed, or apparently committed, by the offender in the course of an offence

If you believe you are a victim and wish to register your interest please contact the Victims Register's Co-ordinator to discuss the matter.

Enquiries

Co-ordinator
Phone: (02) 8346 1374

Victim Support Officer
Phone: (02) 8346 1112

Email: restorative.justice@dcs.nsw.gov.au

Fax: (02) 8346 1141

All correspondence to:

Co-ordinator
Victims Register
Department of Corrective Services
Level 7, Henry Deane Building
20 Lee Street
SYDNEY NSW 2000

or

Co-ordinator
Victims Register
Department of Corrective Services
PO Box 31 GPO
SYDNEY NSW 2001

Victims Register

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Justice Unit
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