

**A Victim's Guide** to Support Services  
and the Criminal Justice System

## Publication Orders

- Victoria Police members can request copies from Police Stores (9418 3253) via Oracle (Item Number: 012206).
- All other agencies and individuals can request copies by calling the Victims of Crime Helpline (1800 819 817).

## Accessibility

This document is also available in large print and PDF format at [www.justice.vic.gov.au/victimsofcrime](http://www.justice.vic.gov.au/victimsofcrime) or by calling the Victims of Crime Helpline on 1800 819 817.

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## Victim's Guide

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# Foreword by the Attorney-General

The Government has always believed in recognising and assisting victims of crime and other vulnerable Victorians. This is why we asked the community about the need for a possible Victims' Charter and why, after extensive community consultation, this Charter has now become law.

During the course of the Charter's development, victims told us that they had little understanding of the criminal justice system or the support services available to assist them. Given Victoria's low crime rate and the fact that most people have little need for contact with the criminal justice system, this is perhaps to be expected.

Nevertheless, when Victorians do experience the trauma of crime, it is essential that they know, straight away, where they can turn to and what help is available. This *Victim's Guide to Support Services and the Criminal Justice System*, then, aims to fill this information gap and make the criminal justice system more accessible. It explains the process in plain language from the time the crime occurs, right through to after the court case has concluded. It also explains the range of services available and how they can help victims of crime or those otherwise affected by a criminal act.

The Guide has been produced to coincide with the commencement of the *Victims' Charter Act* on 1 November 2006. The Victims' Charter enshrines twelve principles governing the responses to victims of crime by criminal justice agencies, beginning with a commitment to treat victims with courtesy, respect and dignity. The principles also include obligations to keep victims informed about the investigation of a crime, any charges laid, details of any court hearings and the outcome of proceedings, including any sentence imposed. The Victims' Charter principles are included in this booklet.

Victoria has come a long way over the last seven years in terms of the proper recognition of the experiences of victims and the support and services provided to victims. There *is* help out there and, as we strive continually to improve the way the law responds to victims of crime, I am pleased to introduce *A Victim's Guide to Support Services and the Criminal Justice System* as an important source of information and guidance to those Victorians who need it most.

A handwritten signature in black ink that reads "Rob Hulls". The signature is written in a cursive, flowing style.

ROB HULLS MP  
Attorney-General

September 2006

# Introduction

This book is written for you, the victim of crime, and your friends and family who may have been directly or indirectly affected by the crime. It aims to explain, as clearly as possible, what happens from the time you report the crime through to the investigation, the court process and afterwards.

It also provides information about the many support services available to you, including where to go for counselling, how to apply for compensation or financial assistance to help with medical expenses or loss of income, or where to get help if you have to go to court.

A comprehensive list of support service agencies is listed at the back of this book.

You may come across terms that are unfamiliar to you as you read this book. Any words in *bold and italic* print are explained at the back of this book in the Glossary of Terms.

## The Victims' Charter

The Victims' Charter sets out principles on how the criminal justice system and victim support agencies should respond to victims of crime. The Charter is contained in legislation called the *Victims' Charter Act 2006*.

As a result of the Victims' Charter, you can expect to be treated with courtesy, respect and dignity by the police, the Office of Public Prosecutions and victim support services at all times.

From 1 November 2006, the Victims' Charter sets out principles which criminal justice agencies must follow in their dealings with victims of crime. If you feel that any of these principles have not been followed in your particular case, then the Charter also includes a complaints process.

## The Victims' Charter Principles

If you are the victim of crime, you have the right to:

1. Be treated with courtesy, respect and dignity by all criminal justice and victim support services.
2. Be given clear, timely and consistent information about your rights and entitlements and, if appropriate, be referred to victims and legal support services.
3. Be told about the police investigation at key stages. In some cases, the police may not be able to give you all the details if it would jeopardise an investigation, in which case you should be informed accordingly.
4. Be told about the prosecution, including charges laid and any substantial changes to charges, details of court dates and times when you are required as a witness or have indicated a wish to attend, court outcomes and any appeals lodged.

5. Be told (if you request it) about the outcome of any bail application and any special conditions of bail which are intended to protect you. Your safety can also be taken into account when considering a bail application.
6. Have the court process explained to you, including your role as a witness.
7. As far as practicable, be protected from unnecessary contact with, and intimidation by, the accused and their family and supporters, as well as defence witnesses while you are at court.
8. Prepare a Victim Impact Statement which may be considered by the court in sentencing the offender, and have access to the assistance you require to prepare a Victim Impact Statement.
9. Have your personal information, including residential address and telephone number, not disclosed to anybody except in accordance with the *Information Privacy Act 2000*.
10. Have your property that is held for investigation or evidence stored and handled in a lawful, respectful and secure manner and, in consultation with you, returned as soon as practicable.
11. If you are the victim of a violent crime, request that the court order the offender to pay you compensation. You may also apply for financial assistance from the Government for harm resulting from a violent crime.
12. Apply to be included on the Victims Register if an adult offender is sentenced to prison for a violent crime against you, receive specific information regarding the release of the offender, and have your views taken into account by a Parole Board when any decision about parole of the offender is being considered.

## Coming forward



If you are the victim of a crime, please consider reporting the crime to police. The information that you provide may assist police to find the offender and help a court decide whether the person is guilty or not guilty. You are not only helping yourself, but you may also prevent another person becoming a victim.

If you are unsure, you can contact a Victim Support Officer at the Victims of Crime Helpline who are there to answer your questions and provide advice so that you get the right help and support.

The **Victims of Crime Helpline** is available 8.00am to 11.00pm Monday to Friday (except Public Holidays) on telephone 1800 819 817.

In an emergency, **when an urgent police response is required, call 000** to report a crime. In less urgent circumstances, contact your local police station.

If you are the victim of a crime or have witnessed a crime, a report needs to be made as soon as possible after the crime occurs. Early reporting helps the police to investigate the crime before important evidence is lost or destroyed.

Please consider these reasons for making a police report:

- to protect you and others who may be in danger
- to make an insurance claim if you have had property stolen or damaged
- to assist police and other community agencies to develop ways of preventing further crime.

If you have been a victim of a violent crime, additional reasons for reporting the crime to police are:

- to get access to counselling (in certain cases), and
- to apply for financial assistance through the Victims of Crime Assistance Tribunal (VOCAT).

## Making your report to the police

If you feel afraid or uncomfortable about reporting a crime, ask a friend or family member to go with you for support or contact the Victims of Crime Helpline to talk about your options.

It is important to tell the police exactly what happened. The police are there to listen to what happened to you, and to investigate the crime.

The police may need you to do certain important things to help them solve the crime and these things may take some time. They may include giving a statement and assisting the police to identify the offender.

If you have been physically assaulted or injured, the police may ask you to:

- see a doctor who will examine you and document your injuries
- have your injuries photographed to use as evidence in court, and
- sign an authority to release medical documents. This is to make sure this information can be included as police evidence to help prove the case in court.

Sometimes, police may not be able to tell you certain things about your case. This is because telling you may put the investigation at risk.

After you have reported the crime, the police must give you a *Notice to the Victim* form that has important information about services that can help you with advice and support. The *Notice to the Victim* form also contains the name and contact phone number of the *police investigator*. The police investigator later becomes the *police informant* if your case proceeds to court.

In some cases, a specialist police member, such as a detective or a member of a Sexual Offences and Child Abuse Unit may investigate your case.

## Giving a statement to the police

The police may ask you to make a detailed statement about what happened. You may be asked to make your statement at the time of reporting the crime or at a later date.

It is important that you tell the police, in your own words, everything that you remember about what happened. Sometimes the questions the police must ask may be difficult or embarrassing to answer. Try not to leave anything out even if you don't think it is important.

Often victims are in shock when they report the crime to the police and may not be able to remember everything that happened. You may find that days or weeks later, you remember a piece of information that could help the police to investigate the crime or prosecute the offender in court. Always contact the *police investigator* and tell them what you have remembered – no matter how small – it could be important to the case. Make a note to assist your memory.

Once you have completed your statement, you will generally be given a copy. After you have made your statement, it is important to tell the police:

- if you have left anything out of your statement or if it is incorrect
- if your address or phone number change, and
- any dates that you are not able to go to court.

## How this crime may affect you



The effects of crime can produce many different feelings for you, your family, friends and your community.

## How you may feel

Your feelings may differ from day to day. Some days you may be able to cope while on other days you may have difficulty with everyday activities.

You may initially feel numb and not believe that this has happened to you. This is a common reaction. You may then begin to experience physical symptoms and a mix of feelings, some of which will come and go. These symptoms and feelings may include:

- emptiness or numbness
- fear or anxiety
- nightmares or insomnia
- exhaustion
- sadness or depression
- guilt, shame or a feeling of dirtiness
- anger or irritability
- grief and loss
- feelings of loss of privacy and control
- panic and confusion
- helplessness or a feeling of being deserted
- physical symptoms of illness

It is important for you to know that these reactions are natural and a part of the process of dealing with a traumatic event. In many cases they are temporary and, with support from family and friends, these feelings will go away in time. In some cases, however, they may create longer term issues affecting your ongoing health, relationships and lifestyle. It is important to look after yourself and to seek help and support from others. This may be from friends and family or it may be from a victim support service.

## Coping with these feelings

Everyone reacts and deals with their feelings in their own way. The following are tips that may help you:

- talk about how you feel with someone you trust
- structure your life as much as possible
- defer major life decisions
- accept that you may have good days and bad days
- eat regularly and nutritiously
- make sure you get physical exercise
- limit the use of alcohol and drugs
- keep a journal of how you feel each day (this can also help you later if you write a Victim Impact Statement)
- be kind and gentle with yourself

If you do not feel that you are coping and need help, contact a Victim Support Officer at the **Victims of Crime Helpline** on 1800 819 817.

## How you may feel as a family member or friend of a victim

Family and friends can suddenly be called upon to provide support for victims of crime. Without training and experience it is difficult to know how to act, or what to say during such a traumatic time when you may also be feeling upset knowing what has happened to someone you care about.

### What you can do to provide support

- believe them
- spend time with them
- listen attentively
- tell them you are sorry to hear about the event and that you want to help them
- help them feel safe
- help them with everyday tasks, like cleaning, cooking, caring for family and childcare, to give them some private time

### What to avoid when offering support

- don't be afraid to ask questions and to explore the issues
- don't take angry outbursts personally
- don't say things like "lucky it wasn't worse" or "just get on with your life"
- don't make statements that imply it was their fault, for example "What were you doing there at that time anyway?" or "You'll know not to do that again!"
- don't be impatient with them – people recover at different rates

If you feel that you need support, contact the **Victims of Crime Helpline** on 1800 819 817 for a confidential discussion.

## Helping a child who is a victim

A child may be a victim of crime. Like adults, they have physical and emotional reactions that they are not always able to express.

Children often experience feelings of guilt, and find it difficult to tell anyone about the crime, or they may be witnesses to family violence and be too scared to tell anyone about what is going on at home.

If they do tell an adult and are not believed or supported, they may carry the hurt through to adult life.

Children who suffer trauma may:

- have nightmares or problems sleeping
- wet the bed
- behave as they did at an earlier age
- eat too much or too little
- cling to adults
- become withdrawn or fear being alone
- have headaches
- fight with friends
- lose concentration

Children often need specialised professional help to recover after a crime. The police have specialist units who deal with child sexual offences and child abuse. For a Sexual Offences and Child Abuse Unit in your local area, contact your local police station.

For specialist help with child abuse, contact:

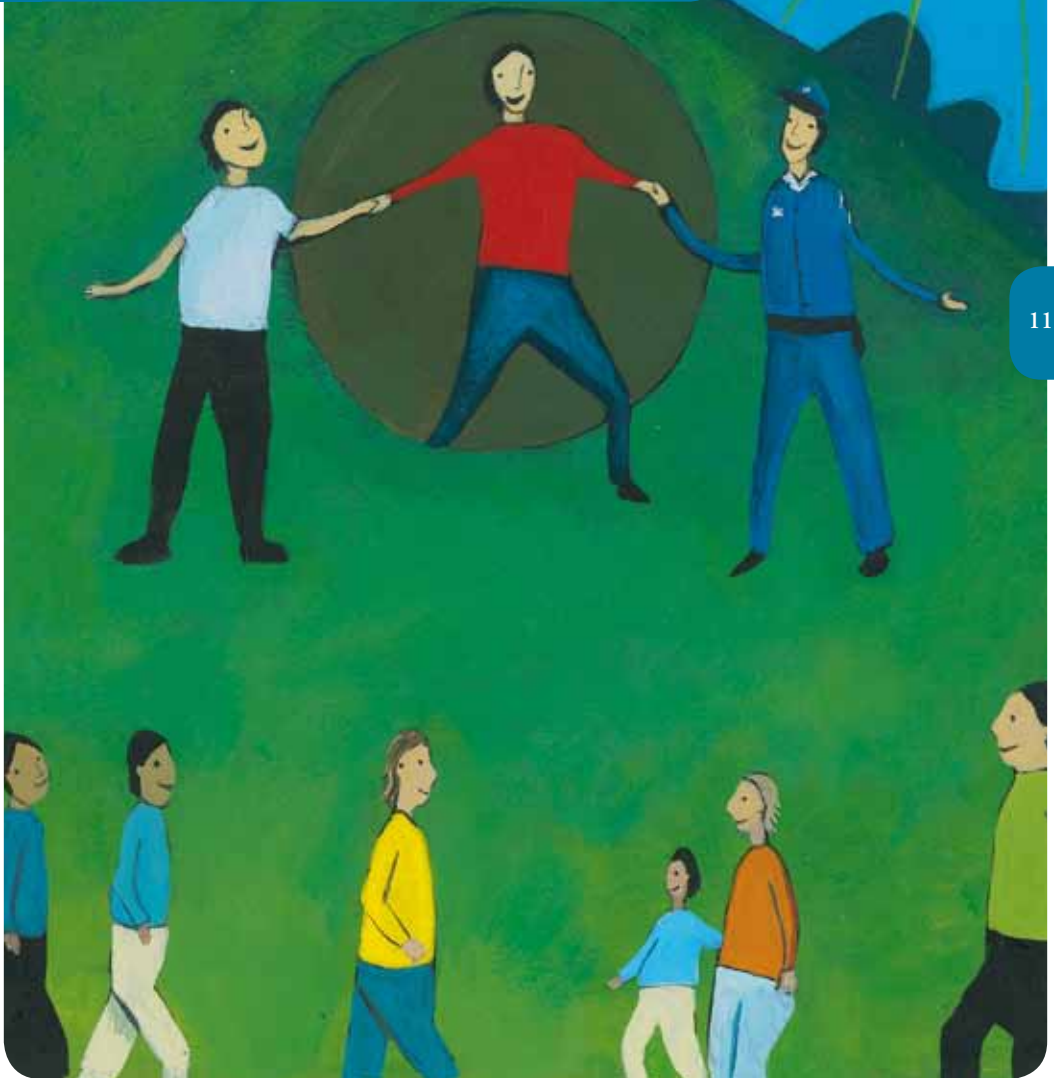
- Child Protection Emergency Service (24 hours/7 days) on telephone 131 278
- Centre Against Sexual Assault on telephone 1800 806 292
- Gatehouse Centre at the Royal Children's Hospital Melbourne on telephone (03) 9345 6391, Monday to Friday between 9.00am to 5.00pm.
- Children's Protection Society on telephone (03) 9450 0900

For other specialist help for children, contact:

- Children Youth and Families (formerly Office for Children) on [www.cyf.vic.gov.au](http://www.cyf.vic.gov.au) to locate regional office contacts
- Kids Helpline for 24-hour Telephone Counselling for children on telephone 1800 551 800.

Victoria's **Child Witness Service** offers specialised support to child witnesses to help them understand, and be prepared for, the court process. Based in the Melbourne court precinct, the Child Witness Service provides a child-friendly environment for children and young people to learn about the court processes and personnel before they need to give evidence. The service also provides remote witness facilities so that witnesses may not have to give their evidence in the courtroom in front of the accused person. You can contact the Child Witness Service on 9603 9266 or 1300 790 540 (country callers).

## Your rights as a victim



## Help and support you can expect

As the victim of a crime, you are not alone and do not need to endure the pain and trauma alone. Trained staff are available in a number of government and community agencies, some 24 hours a day, to help you deal with your fears, feelings, and the practicalities such as completing forms for financial assistance.

The **Victims of Crime Helpline** is a free service offering information, advice and referrals to assist victims to manage and recover from the effects of crime.

Helpline staff can refer you to the most appropriate support agency for your needs and can contact other agencies on your behalf.

The **Victims of Crime Helpline** is staffed from 8.00am to 11.00pm, Monday to Friday (excluding Public Holidays) on telephone 1800 819 817. After hours, if you need to speak to someone immediately, please call the Helpline for details of available support services.

A translator service is available to help non-English speaking people. Call the **Translator and Interpreter Service** on 13 14 50. This service will set up a three-way telephone conversation with the Victims of Crime Helpline.

The Victims of Crime Helpline can also refer you to any culturally specific services.

There is a **TTY service** for the hearing impaired available on telephone 133 677.

## Support services

The **Victims Assistance and Counselling Program (VACP)** is a network of services operating throughout Victoria. These services provide victims, their families or anyone affected by violent crime with access to information and practical support.

Victims are assigned a case manager and depending on their needs, support workers at the VACP can:

- Assist with making a police report and liaising with police
- Help victims to find accommodation
- Link people to support groups and locate services such as private solicitors or legal aid
- Provide information about what happens in court
- Provide support during processes such as completing a victim impact statement
- Assist with applications to the Victims of Crime Assistance Tribunal (VOCAT) for counselling and financial assistance.

The VACP can also refer eligible victims to therapeutic interventions including counselling. A professional counsellor may help you to manage the effects of crime and help you to get your life back on track.

For the contact details of your nearest VACP, refer to 'where to get help' at the back of this book, or call the **Victims of Crime Helpline on 1800 819 817**.

A **Witness Assistance Service (WAS)** is available to all victims of crime and witnesses involved in cases being handled by the Office of Public Prosecutions. There are experienced social workers who can assist you before, during and after the court process. The Witness Assistance Service can help to arrange a pre-court meeting between you and a lawyer or prosecutor and can give you up-to-date information on the progress of the case.

Contact the Witness Assistance Service on telephone (03) 9603 7523 or 1800 641 927 (country callers only) or visit the website at [www.opp.vic.gov.au](http://www.opp.vic.gov.au).

## Victim Impact Statements

If the accused person is found guilty, you may choose to make a Victim Impact Statement to help the Judge or Magistrate understand how the crime has affected you.

A Victim Impact Statement is different to the statement you make to the police, where you tell them exactly what happened at the time of the crime.

A Victim Impact Statement is about how you have been affected as a result of the crime – this includes any injuries you have, loss or damage and any emotional issues from the crime.

The Judge or Magistrate will consider your Victim Impact Statement as one of the factors they take into account when they decide what penalty to give the offender.

*Where do I find out more information about completing a Victim Impact Statement?*

The Victim Impact Statement needs to be written before the Judge or Magistrate sentences the offender. It is very important that you have adequate time to prepare it.

For:

- information and to obtain a copy of the Victim Impact Statement form, call the Victims of Crime Helpline on 1800 819 817 or pick up a copy from any police station, and
- advice and help completing the Victim Impact Statement, contact your local Victims Assistance and Counselling Program or the Victims of Crime Helpline on 1800 819 817.

## Financial assistance

Financial assistance may be available through the Victims of Crime Assistance Tribunal (VOCAT). VOCAT may be able to provide you or a child to whom you are the parent or guardian, with financial assistance to cover medical, funeral and counselling expenses or loss of income. In exceptional circumstances, VOCAT may be able to help with expenses such as security for you or your child's immediate safety.

Immediate family members of a person who has died as a result of a violent crime may also be entitled to financial assistance.

For many victims of violent crime, a modest sum of money recognising the victim's trauma is also available from VOCAT.

For urgent financial assistance VOCAT can make an "interim award" any time after you have lodged your application for assistance.

### *How do I make a claim?*

Complete and lodge an application form with the Registrar at the Victims of Crime Assistance Tribunal (VOCAT). An application form can be obtained from:

- your local Magistrates' Court
- VOCAT on 1800 882 752
- the VOCAT website on [www.vocat.vic.gov.au](http://www.vocat.vic.gov.au), or
- the Victims of Crime Helpline on 1800 819 817

If you intend to apply for financial assistance through VOCAT, it is very important to keep all your receipts for the expenses that you incur.

## Compensation

Compensation may be available to you from the offender, or through civil court action.

### Compensation from the offender

If the offender is found guilty, you may be entitled to compensation through funds forfeited from the offender. You may be able to apply for a court order against the offender for compensation for pain and suffering, or economic loss you have experienced as a result of the crime. Pain and suffering may include physical injuries or emotional and mental distress.

### The return of stolen possessions by the offender

Where an offender has been found guilty of theft or burglary, you may apply for a court order against them for the return of your possessions. If your possessions have been lost, sold or destroyed, the court may order the offender to pay you the value of the goods (this is known as restitution).

### How do I make a claim for compensation or restitution?

Before your case goes to court, contact the police investigator or Office of Public Prosecutions and let them know that you wish to make a claim for compensation or restitution.

If your case is heard in the:

- Magistrates' Court, the prosecutor or the police investigator can make the application on your behalf
- County or Supreme Court, the Office of Public Prosecutions may make the application on your behalf. However, you may need to engage a lawyer to make the claim on your behalf.

For you to receive compensation through funds forfeited from the offender:

- the prosecutor must have sought a 'restraining order' for the purpose of compensation and this must have been granted by the court, and
- you must have a 'compensation order' for the same case as the one the restraining order applies to, and
- the offender's restrained property must have been forfeited to the State.

For claims of property damage, you must obtain quotes for the damage. For claims of compensation for pain, suffering and injuries, you must keep all your medical receipts and you may need to obtain medical evidence through doctors' reports.

## Compensation through civil court action

Whether or not your case proceeds to a criminal trial, you may be able to seek compensation from the offender through civil court action.

It is advisable that you seek legal advice before going ahead with civil court action as you may be responsible for legal costs if you are not successful.

### *How do I make a claim?*

Contact a lawyer or for general legal advice contact your local community legal centre through the Federation of Community Legal Centres on telephone (03) 9652 1500 or website [www.communitylaw.org.au](http://www.communitylaw.org.au).

## Legal assistance

In a criminal case, the police or the Office of Public Prosecutions (OPP) are responsible for prosecuting the accused person.

You may need a lawyer:

- to help you prepare an application to the Victims of Crime Assistance Tribunal (VOCAT) for financial assistance (VOCAT will usually pay legal expenses for preparing the application), or
- to make a claim for compensation or restitution on your behalf if the police or the Office of Public Prosecutions decline to make an application on your behalf, or
- if you are considering seeking compensation from the offender through civil court action.

For general legal advice, contact your local community legal centre through the Federation of Community Legal Centres on telephone (03) 9652 1500 or visit the website at [www.communitylaw.org.au](http://www.communitylaw.org.au).

For free legal information, contact Victoria Legal Aid on telephone (03) 9269 0120 or 1800 677 402 (for Country callers) or visit the website at [www.legalaid.vic.gov.au](http://www.legalaid.vic.gov.au).

To find a lawyer, contact the Law Institute of Victoria on telephone (03) 9607 9311 or visit the website at [www.liv.asn.au](http://www.liv.asn.au). Your local Victims Assistance and Counselling Program can also refer you to a lawyer in your area.

## What if the media contact you?

You may find that there is interest in your case from the media and the media may contact you wanting information about what has happened to you. You need to be aware that there may be legal implications if you choose to talk to the media, especially if someone has been arrested or there are any legal proceedings in progress. If you are thinking of talking to the media, it is a good idea to discuss this with the police investigator first. Alternatively, you could tell the media to contact the police investigator for information about the case. If you do talk to the media, remember that you can be questioned in court about what you said to them.

## Making a complaint under the Charter process

The agencies you deal with do their best to provide you with a high standard of service. If you believe any of the principles of the Victims' Charter have not been followed, however, you have the right to make a complaint.

### *How do I make a complaint?*

You can call the Victims' Charter Enquiries and Complaints Line on 1800 118 728. An Enquiries and Complaints Officer will try to resolve your complaint by mediating between you and the relevant agency or individual who is the focus of your complaint. In many cases, the matter can be sorted out very quickly and effectively.

If the matter is not resolved to your satisfaction, the Enquiries and Complaints Officer can also discuss your options about making a more formal complaint or written complaint to another complaints body.

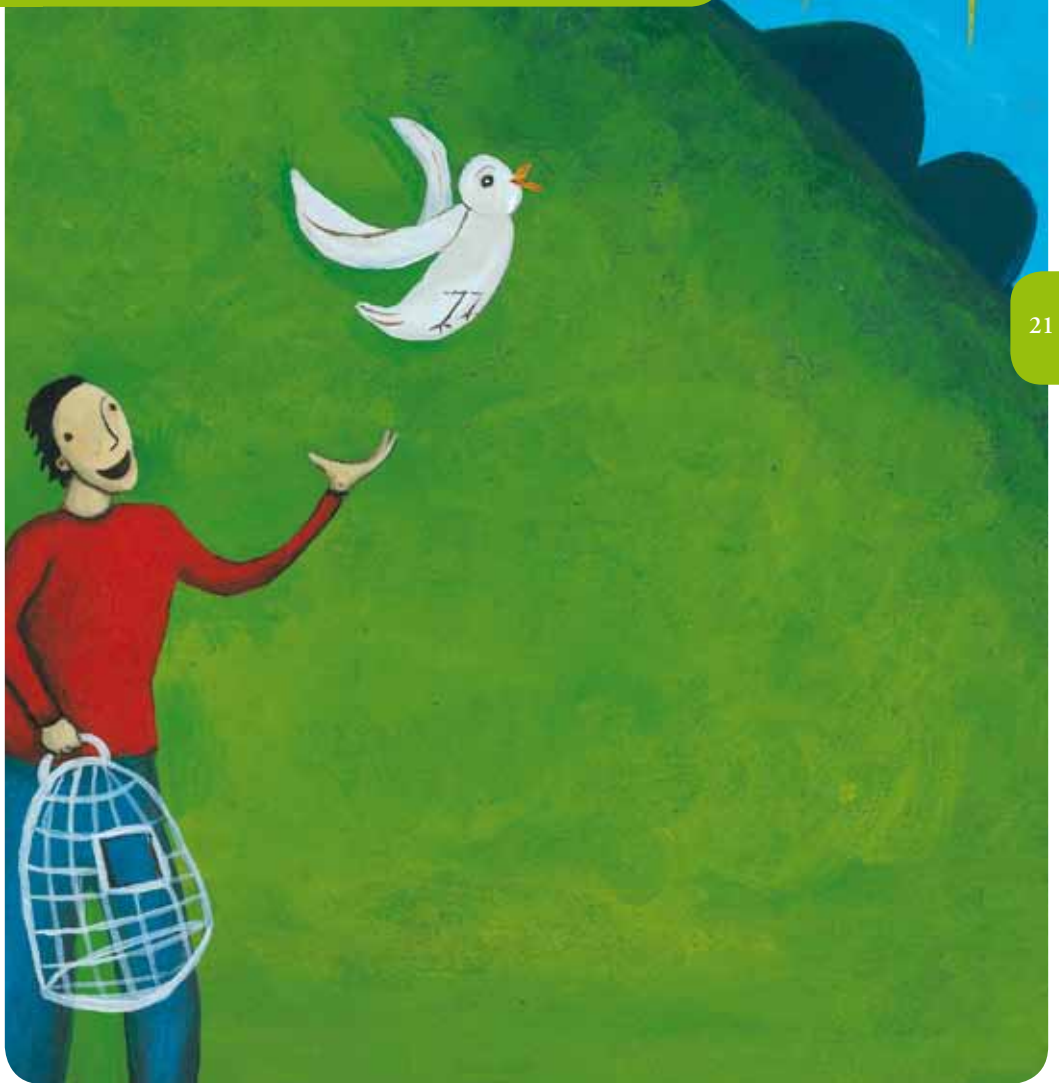
An Enquiries and Complaints Officer is not able to change a decision made by a judge, magistrate or tribunal member, or investigate a complaint which is already being investigated by another agency or one which is not covered by the Victims' Charter.

The immediate focus of the Enquiries and Complaints Line is on victims of violent crime.

### *For more information*

- call the Enquiries and Complaints Line on 1800 118 728, or
- see the brochure on the Victims' Charter (available by calling 1800 118 728 or from [www.justice.vic.gov.au/victimsofcrime](http://www.justice.vic.gov.au/victimsofcrime)).

Your safety



If you have been the victim of a crime, you may be feeling vulnerable. If you are at all concerned about your safety, talk to the police investigator or if it is an emergency, telephone police on 000.

## Getting protection

### Intervention orders

An *intervention order* can help to protect you from family violence or stalking.

A *family violence intervention order* is a court order made by a Magistrate to protect a family member from family violence. Family violence is harmful behaviour that occurs when someone threatens or controls a family member through fear. Family violence includes behaviour that is physically or sexually abusive, emotionally, psychologically or economically abusive, threatening or coercive. Behaviour which causes a child to be exposed to the effects of this abuse is also family violence.

A *stalking intervention order* is a court order made by a Magistrate to protect a person from stalking. Stalking includes repeated behaviour that is intended to harm you or make you fearful.

If you feel that you are in danger, contact Victoria Police on 000.

#### *How to apply for an intervention order*

You do not need police involvement to apply for an intervention order, but if they are involved in your case, they may be able to apply for an intervention order and appear in court on your behalf.

For more information, contact Victoria Legal Aid on telephone 9269 0223, visit [www.legalaid.vic.gov.au](http://www.legalaid.vic.gov.au) or call the Victims of Crime Helpline on 1800 819 817.

Contact your local Magistrates' Court for an appointment to apply for an intervention order.

## Bail

When a person accused of a crime is charged by police, they may be:

- granted bail and released whilst waiting for their court case
- granted bail but not be released until the bail requirements are met
- held in custody until they are required to attend a court hearing, or
- released (not on bail) and *summonsed* to appear at court at a later time.

Generally, an accused person will be granted bail (often with special conditions) and released until the date of the next court hearing. If the offender confesses to the police that they committed the crime, they may still be released on bail until they come before a court. Bail may be refused and the accused held in custody if the police or courts are satisfied that there is an unacceptable risk that the offender would:

- not appear in court
- commit further offences whilst on bail
- endanger the safety or welfare of the public, or
- interfere with witnesses (including the victim) or obstruct the course of justice.

If you are at all concerned that the accused may threaten or harm you or your family, talk to the police investigator or OPP lawyer handling the case as soon as possible, before bail is granted. You are entitled, if you request it, to be informed if bail is granted and of any special conditions placed on the accused designed to protect you or family members.

If the accused is held in custody, they can apply more than once to be released on bail before the case goes to court.

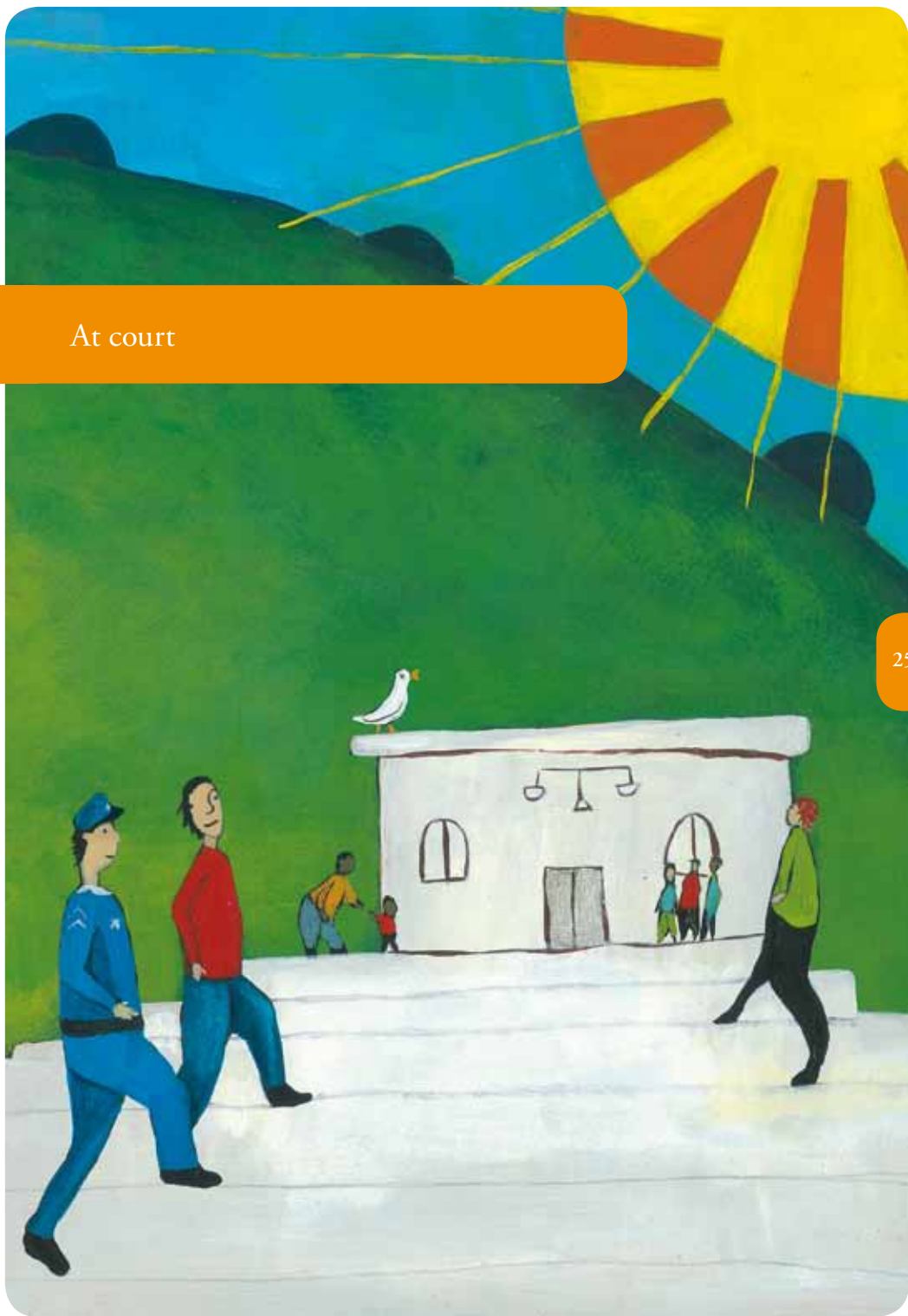
## What if the offender contacts you?

In many criminal investigations, the victim knows the offender who committed the crime.

The offender may contact you to offer their remorse at what they have done, to explain their actions or to intimidate and scare you. Whatever the reason, it is advisable not to have any contact or communication with the offender. This also applies to any representative of the offender, including their lawyer.

You should contact the *police investigator* if there is any contact from the offender, particularly if there is threatening behaviour towards you or your family. **In an emergency, contact the police on telephone 000.**

At court



While many cases do go through the Victorian courts, some cases do not.

## Not going to court

Your case will not go to court if:

- the offender is not charged
- the offender is given an official caution (this sometimes happens where the offender is under 18 years old)

### If the offender is not charged

If the police cannot find an offender for the crime, or an offender is found but there is not enough evidence to go to court, you will be contacted by the police investigator or his or her supervisor to tell you the reasons why.

If this happens in a sexual offence case you may write to the Office of Public Prosecutions (OPP) and ask them to review the decision. You should do this as soon as possible (preferably within 28 days of receiving notification that the case will not go to court). Write to the Office of Public Prosecutions at 565 Lonsdale Street, Melbourne VIC 3000.

## **An official caution**

The police may issue the offender with an official caution if they are under 18 years old. This is usually used for a first offence and must be appropriate in the circumstances.

If the offender is over 18 years old, police may issue an official caution for a shop stealing offence or for some minor drug offences (use and/or possession offences only).

## **A diversion notice**

The diversion program is an alternative to the normal court process. The diversion notice is initiated by the police. The court, the offender or their solicitor can recommend and request that a diversion notice be considered.

The offender must admit the offence and a diversion must be appropriate in the circumstances. If police initiate the diversion, they must notify the victim that a diversion is being recommended and that their details will be provided to the Court Diversion Coordinator, who may contact them to ascertain their views.

The offender may be given community service or other 'service' such as writing an apology to the victim or cleaning up graffiti.

The diversion conditions could be a monetary penalty (a donation paid to a charity or organisation).

## Going to court

In court, the *prosecutor* presents the case against the person accused of the crime. This person is referred to as the *defendant* (in the Magistrates' Court) and the *accused* (in the County or Supreme Courts).

The *defendant* or *accused* is presumed to be innocent until proven guilty. To decide that a person is guilty, the Magistrate (in the Magistrates' Court) or the jury (in the County and Supreme Courts) must be convinced 'beyond reasonable doubt' that the person committed the crime.

The court process can take some time and court dates often change. It is advisable to check the details of the court case the day before the scheduled court date. You can do this by contacting the police investigator or visiting the court's website.

If the case is being heard in the Magistrates' Court, visit [www.magistratescourt.vic.gov.au](http://www.magistratescourt.vic.gov.au).

- Then, from the Quick Links menu, click on Magistrates' Court Lists > Search Court Lists, then select Criminal Lists and type in the name of the defendant (or the police informant or the case number).

If the case is being heard in the County Court, visit [www.countycourt.vic.gov.au](http://www.countycourt.vic.gov.au).

- Then, from the Quick Links menu, click on Court Connect > View Criminal/Appeal Hearings > Accept, then type in the name of the accused person (or the identification number for the case).

## Victim as a witness

As a victim, you may be called upon as a witness in court. All witnesses are sent a notice to attend court which is called a *summons* (in the Magistrates' Court) or a *subpoena* (in the County and Supreme Courts). The summons or subpoena tells you when and where the case is going to be held. If you receive a summons or subpoena, you must attend court. Make sure you have a copy of your police statement with you. If you do not have a copy, contact the police investigator.

If you do not receive a summons or subpoena, you are not obliged to attend the court case. However, if you decide to attend, you should notify the police investigator of your intention to attend court.

## The court process

If the case goes to court, there may be more than one hearing and you may need to attend court more than once. It is also possible that a hearing may be delayed (adjourned) to another day. This can happen for a range of reasons. The police or the Office of Public Prosecutions can tell you when you will be needed at court. They will do their best to let you know if a hearing has been adjourned – but sometimes adjournments happen at short notice.

## Most criminal cases

Most criminal cases are prosecuted by *police prosecutors* and are heard in the Magistrates' Court, or in the Children's Court when the defendant is a child or young person under 18 years of age. At the Magistrates' Court and the Children's Court, a Magistrate decides whether the defendant is guilty or not guilty. If they are found guilty, the Magistrate decides what the appropriate penalty will be.

## Very serious criminal cases

Very serious criminal cases, including charges of rape or murder, are prosecuted by the *Office of Public Prosecutions*. These cases begin in the Magistrates' Court (usually with a *Committal Mention*, then a *Committal Hearing*) and may then go to a higher court (the County Court or Supreme Court).

### *Committal Mention*

Normally, victims are not called to give evidence at a *Committal Mention*. A Committal Mention happens in the Magistrates' Court. A Committal Mention is used to decide:

- whether the charge against the defendant should be finalised in the Magistrates' Court or whether the case proceeds to a trial in a higher court, and
- which witnesses are required to attend the Committal Hearing.

### *Committal Hearing*

A *Committal Hearing* takes place at the Magistrates' Court and is used to decide if there is enough evidence against the defendant for the case to go to trial. The Magistrate may decide that there is not enough evidence and 'discharge' the defendant.

Victims may be called to give evidence at a Committal Hearing.

If the case goes to trial in a higher court, the defendant will be held in custody or released on bail until the trial.

### *The Trial*

It will be several months or more between the Committal Hearing and the start of the trial. The *police informant* or the *Office of Public Prosecutions* should keep you informed about the case and let you know when the trial is scheduled to start.

The trial is held in front of a *Judge* and *jury* in either the County Court or the Supreme Court.

The jury, after hearing evidence from all witnesses, including the victim, decide if the accused is guilty or not guilty. If the accused is found guilty, the Judge decides the appropriate penalty, usually on another day.

### *Appeal*

The accused may lodge an appeal to the Court of Appeal against being found guilty or against the penalty. The Office of Public Prosecutions can also appeal against the penalty if they think that the penalty was not adequate for the crime or not legally correct.

**For more information:** See the booklet *Pathways to Justice – A Guide to the Victorian Court System for victims and witnesses of serious crimes*, available from the Witness Assistance Service on (03) 9603 7523 or 1800 641 927 (country callers only).

### *If a person has died*

If a person has died from a suspected homicide there may be a public hearing conducted by a coroner, called an inquest. The coroner must wait until the outcome of any criminal proceedings before holding the inquest. The coroner may decide not to have an inquest.

Any family member or interested party can ring the Coronial Services Centre on 1300 309 519 for information about the coroner's investigation or to speak to a counsellor. A booklet explaining the coroner's process is also available by calling this number or visiting [www.coronerscourt.vic.gov.au](http://www.coronerscourt.vic.gov.au).

## Giving evidence to a court

You may be required to give evidence to a court. At court, a victim is called a *witness*.

At the court, you will be called when it is your turn to give evidence and shown to the witness box at the front of the courtroom. In some cases, victims are able to provide their evidence from somewhere other than the courtroom using closed-circuit television.

Our justice system caters for people of all religious backgrounds by providing witnesses the option to swear an oath or make an affirmation to tell the truth in court.

The prosecutor will ask you questions about the crime. The defence lawyer (the lawyer for the defendant) will also ask you questions. Sometimes you may feel that you have already answered the question. Take your time, remain calm and speak clearly. If you don't understand a question or you did not hear the question properly, ask for it to be repeated. If you feel uncomfortable, upset or distressed, take some deep breaths, have a drink of water and take your time before you continue.

Special arrangements are available for victims of sexual offences who are giving evidence. This means that a victim may:

- give their evidence from somewhere other than the courtroom using closed-circuit television
  - give their evidence in court with a screen present (so that the accused person is not in the victim's direct line of sight),
- and/or
- have a person of their choice (and approved by the court) beside them to provide emotional support while they give evidence.

## Court support

**Court Network** is a state-wide service run by volunteers to provide support, information and referral for court users – victims, witnesses and defendants.

Court Network provides:

- support for victims, witnesses and defendants, their families or significant others whilst they are in court
- information about court procedures
- referral to legal services and community resources
- assistance with disability access, and
- assistance in ensuring your safety when at court.

Court Network does not provide legal advice, legal services or child care for court users.

Court Network can be contacted between 9.00am and 5.00pm, Monday to Friday on telephone (03) 9603 7433 or 1800 681 614 or visit the website at [www.courtnetwork.com.au](http://www.courtnetwork.com.au).

Victoria's **Child Witness Service** offers specialised support to child witnesses to help them understand, and be prepared for, the court process. Based in the Melbourne court precinct, the Child Witness Service provides a child-friendly environment for children and young people to learn about the court processes and personnel before they need to give evidence. The service also provides remote witness facilities so that witnesses may not have to give their evidence in the courtroom in front of the accused person. You can contact the Child Witness Service on 9603 9266 or 1300 790 540 (country callers).

A **Witness Assistance Service (WAS)** is available to all victims of crime and witnesses involved in cases being handled by the Office of Public Prosecutions.

There are experienced social workers who can assist you:

- before, during and after the court process
- with court arrangements and give you up-to-date information on the progress of the case
- in relation to hearings in the Magistrates' Court (including committal hearings), County and Supreme Courts, and in the Court of Appeal
- in arranging a pre-court meeting between you and a lawyer or prosecutor.

Contact the **Witness Assistance Service** on telephone (03) 9603 7523, (03) 9603 7422 or 1800 641 927 (country callers only) or visit the website at [www.opp.vic.gov.au](http://www.opp.vic.gov.au).

A **Victims Assistance and Counselling Program (VACP)** worker can explain the court process to you and what you should expect if your case goes to court. They may be able to show you the courthouse before the hearing or trial, and in some cases, can attend court with you.

Contact the VACP through the **Victims of Crime Helpline** on telephone 1800 819 817 or find a VACP service in your region from the “where to get help” section at the back of this book.

## Waiting to go into the court room

If you are afraid or have concerns about seeing the accused person on the day of court, talk to someone from the Court Network or the Witness Assistance Service before attending court.

Some courts have a special waiting room for witnesses who may feel scared or vulnerable when waiting to go into the courtroom.

In some cases, the court may allow some witnesses to give their evidence by closed circuit television or video conferencing from outside the courtroom. Sometimes, a screen can be put between the accused and the witness in the courtroom.

## Support after court

### Victims Register

If you have been the victim of a violent crime, the Victims Register can provide you with information about an adult offender sent to prison for the crime committed against you.

If you are on the Victims Register:

- you will be notified of the prisoner's earliest possible release date from prison
- you will be notified if the prisoner is being considered for release on *parole* or placement on home detention
- you will have the opportunity to make submissions in writing to the Adult Parole Board about the prisoner's potential release on parole or placement on home detention, and
- you will be advised if and when the prisoner is going to be released on parole or placed on home detention
- Under the Prisoner Compensation Quarantine Fund Scheme, people on the Victims Register have the option of being notified in the unlikely event that an award for damages has been made to the prisoner in a claim against the State of Victoria or a private prison.

Generally, you are only entitled to be placed on the Victims Register if the offender is in prison as a result of the crime he or she committed against you. However, you also may apply to be on the Victims Register if you:

- have a family violence intervention order in force against the prisoner
- can demonstrate a documented history of family violence being committed against you by the prisoner, or
- can demonstrate a substantial connection to the offence for which the prisoner is serving a sentence of imprisonment.

Registration on the Victims Register is *voluntary*.

If you are on the Victims Register and are notified that a prisoner is being considered for parole or home detention, any concerns you have about the prisoner's release or placement on home detention must be made in writing to the Adult Parole Board.

### *How do I get included on the Victims Register?*

For further information or for an application form:

- contact the Victims Register through the Victims of Crime Helpline on 1800 819 817
- access the Victims Register website at [www.justice.vic.gov.au/victimsofcrime](http://www.justice.vic.gov.au/victimsofcrime) then **Victims Register**, or
- email the Registrar on [VictimsRegister@justice.vic.gov.au](mailto:VictimsRegister@justice.vic.gov.au).

### **Finding out information about an offender if you are not included on the Victims Register**

If you are the victim but you are not entitled to be on the Victims Register, you are still entitled to make a written submission to the Adult Parole Board seeking information about the offender. There are limitations on the type of information that the Board can provide. The Board considers each request for information on a case by case basis.

All correspondence to the Adult Parole Board should be sent to the Secretary, Adult Parole Board, 71 Moreland Street, Footscray 3011. For general enquiries, telephone (03) 9275 7444.

## If the offender is a young person

If the offender is a young person, you can write to the Youth Parole Board. However, you should know that the Board may not be able to provide you with certain details about an offender, such as when an offender is being considered for parole or when an offender will be released. The Board is not able to disclose the name of an offender who is under 18 years old.

The Youth Parole Board makes decisions about:

- offenders who are under 18 years old, and
- offenders under 21 years old who have been sentenced to a Youth Training Centre.

The Youth Parole Board can be contacted by writing to the Secretary, Youth Parole Board, Level 9, 50 Lonsdale Street, Melbourne 3000.

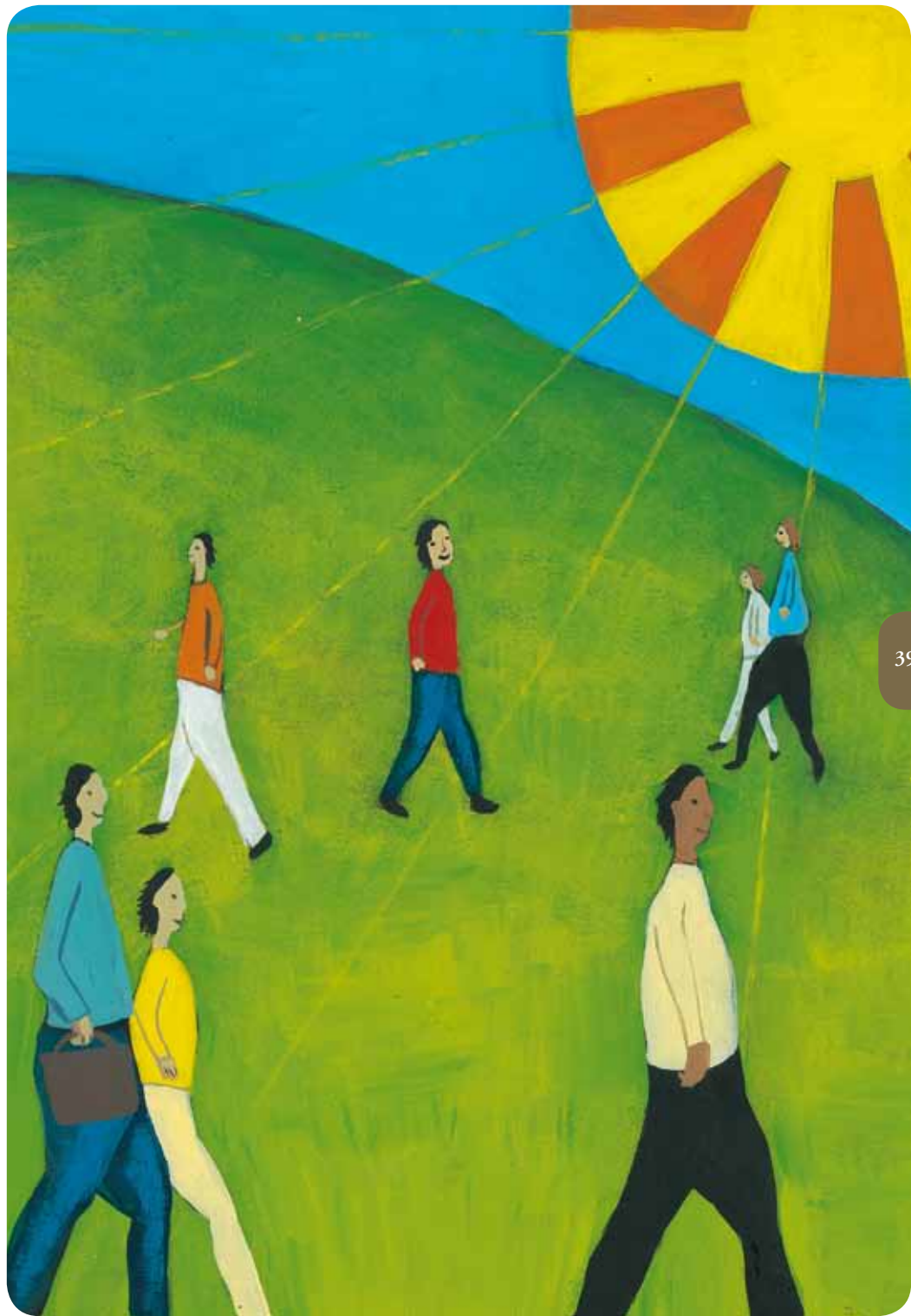
## Sex Offenders Register

Some sex offenders are placed on a Sex Offenders Register. The seriousness and extent of their offending determines how long an offender is placed on the Register.

Information about whether an offender is on the Register cannot be released to victims due to information restrictions of the *Sex Offenders Registration Act*. However, victims of serious sex offences classified under the *Serious Sex Offenders Monitoring Act* may apply to have information, such as prison release dates, provided to them. **You must be on the Victims Register to receive this information.**

For further information about the Sex Offender Register

- contact the Victims Registrar on email [VictimsRegister@justice.vic.gov.au](mailto:VictimsRegister@justice.vic.gov.au) or
- call the Victims of Crime Helpline on 1800 819 817.



## Glossary of Terms

<b>Accused</b>	A term used in the County and Supreme Courts when referring to the person accused of the crime.
<b>Bail</b>	An agreement by a person charged with a criminal offence to appear at court when required and to abide by any special conditions on what they can or cannot do whilst on bail. This can include a condition that they not approach or contact the victim.
<b>Caution</b>	The police may issue an offender with an official caution if they are under 18 years old. This is usually used for a first offence and must be appropriate in the circumstances.
<b>Committal Hearing</b>	A court hearing in the Magistrates' Court where a Magistrate decides if there is <i>enough evidence</i> for the case to go to trial in a higher court. (See page 30.)
<b>Committal Mention</b>	A court hearing in the Magistrates' Court where a Magistrate decides if it is <i>appropriate</i> for the case to be finalised in that court or if it should go to trial in a higher court. If a Magistrate decides it is <i>appropriate</i> for the case to go to trial, a Committal Hearing takes place where a Magistrate decides if there is <i>enough evidence</i> for a trial to go ahead. (See page 30.)
<b>Criminal offence</b>	For the purpose of the <i>Victims' Charter Act 2006</i> , a criminal offence is an offence, or a series of offences committed by a person who may or may not have been accused or convicted of the offence.
<b>Diversion</b>	Police serve diversion notices for minor crimes.  The offender may be given community service or other 'service' such as writing an apology to the victim or cleaning up graffiti.
<b>Defendant</b>	A term used in the Magistrates' Court when referring to the person accused of the crime.

<b>Family violence intervention order</b>	A court order made by a Magistrate to protect a family member from family violence (see page 22).
<b>Injury</b>	An injury under the <i>Victims' Charter Act 2006</i> is: <ul style="list-style-type: none"> <li>• actual physical bodily injury,</li> <li>• mental illness or disorder or an exacerbation of a mental illness or disorder, whether or not flowing from nervous shock,</li> <li>• pregnancy,</li> <li>• grief, distress or trauma or other significant adverse effect,</li> <li>• loss or damage to property, or</li> <li>• any combination of matters referred to above.</li> </ul>
<b>Judge</b>	A person who is in charge of the court, has the power to interpret the law and apply it, and to decide how to sentence a person who is found guilty of a criminal offence.
<b>Jury</b>	A group of people from the community brought together to make a verdict (a finding of fact) on a legal question or court case (e.g. to decide if a person accused of a crime is guilty or not guilty).
<b>Magistrate</b>	A person who is in charge of a Magistrates' Court and has the power to interpret the law and apply it, to decide whether a person is innocent or guilty of a criminal offence and how to sentence a person who is found guilty of a criminal offence.
<b>Offender</b>	A person who has committed a crime.
<b>Office of Public Prosecutions (OPP)</b>	Solicitor's office that prosecutes very serious criminal cases (e.g. cases involving charges of rape or murder) on behalf of the Director of Public Prosecutions. The OPP and Victoria Police are separate organisations.
<b>Parole</b>	The release of a prisoner prior to completion of their sentence, usually subject to specific restrictions and/or conditions.

<b>Police investigator</b> (also referred to as the police informant)	<p>The police officer who lays the criminal charges against the accused person and coordinates the investigation.</p> <p>The police investigator is the main point of contact between the victim and the police. If the case goes to court, the police investigator may present the evidence gathered by the police and/or be questioned by the prosecutor and the defence lawyer.</p>
<b>Police Prosecutor</b>	<p>A specialised police officer who stands at a bench in front of the Magistrate and presents the case against the defendant by presenting witnesses.</p> <p>The police prosecutor is specially trained in matters of law and court procedure. He or she decides which witnesses will be required to give evidence in court and the order of appearance of those witnesses. The police prosecutor asks questions of witnesses and conducts cross examinations of people who are giving evidence on behalf of the defendant.</p> <p>If the Magistrate has questions regarding the case, he or she generally directs those questions to the police prosecutor (rather than to the witness).</p> <p>Police prosecutors are also used in bail applications where the police wish to oppose the granting of bail or wish to have specific bail conditions imposed on a person charged with a crime.</p>
<b>Prosecutor</b>	A person who initiates and carries out a legal action, especially in criminal proceedings.
<b>Stalking intervention order</b>	A court order made by a Magistrate to protect a person from stalking (see page 22).
<b>Summons/ Subpoena</b>	A written legal order requiring a witness to give evidence in court or an accused person to appear in court.
<b>Trial</b>	A court hearing in the County Court or the Supreme Court used to decide whether a person accused of serious crimes is guilty or not guilty. (See page 30.)

<p><b>Victim</b></p>	<p>A victim under the <i>Victims' Charter Act 2006</i> is:</p> <ul style="list-style-type: none"> <li>(a) a person who has suffered injury or harm (or both) as a direct result of a criminal offence, whether or not that injury or harm was reasonably foreseeable by the offender; or</li> <li>(b) a family member of a person who has died as a direct result of a criminal offence committed against that person; or</li> <li>(c) if the person referred to in paragraph (a) is under 18 years of age or is incapable of managing his or her own affairs because of mental impairment, a family member of that person.</li> </ul> <p>For applications for financial assistance to VOCAT, the <i>Victims of Crime Assistance Act 1996</i> defines victims as:</p> <p><b>Primary victim:</b> a person who is injured or dies as a result of:</p> <ul style="list-style-type: none"> <li>– an act of violence against them or</li> <li>– trying to prevent an act of violence or</li> <li>– trying to arrest someone they reasonably believe has committed an act of violence or</li> <li>– trying to aid or rescue someone they believe is the victim of an act of violence</li> </ul> <p><b>Secondary victim:</b> a person who:</p> <ul style="list-style-type: none"> <li>– is present at the scene of an act of violence and who is injured as a direct result of witnessing that act or</li> <li>– is injured (eg traumatised) as a direct result of becoming aware that their child (under the age of 18 years) has been the victim of an act of violence</li> </ul> <p><b>Related victim:</b> If a person dies as a result of an act of violence a related victim is someone who, when the violence took place, was a close family member, a dependent or was in an intimate personal relationship with the person who has died.</p>
<p><b>Witness</b></p>	<p>A witness is someone who has first-hand knowledge about a crime and can provide information about the crime to the police or a court. Witnesses are often called before a court to provide evidence and to be questioned about their evidence.</p>

## Useful publications

What it is	What it covers	Where to get it
The Victims' Charter	A leaflet explaining the rights of victims of crime in Victoria. <i>Also see pages v and 20 of the Victim's Guide.</i>	Victims of Crime Helpline Phone: 1800 819 817  Website: <a href="http://www.justice.vic.gov.au/victimsofcrime">www.justice.vic.gov.au/victimsofcrime</a>
Victims' Charter Complaints and Enquiries Brochure	A pamphlet outlining the complaints and enquiries process for people who feel they have not been treated in accordance with the principles of the Victims' Charter.	Victims of Crime Helpline. Phone 1800 819 817  Website: <a href="http://www.justice.vic.gov.au/victimsofcrime">www.justice.vic.gov.au/victimsofcrime</a>
Victims Services Brochure	A pamphlet describing the services available for victims of crime.	Victims of Crime Helpline. Phone 1800 819 817  Website: <a href="http://www.justice.vic.gov.au/victimsofcrime">www.justice.vic.gov.au/victimsofcrime</a>
Financial Assistance for Victims of Crime	A leaflet explaining who may be entitled to financial assistance and how to apply for it.	Victims of Crime Helpline Phone: 1800 819 817 Website: <a href="http://www.justice.vic.gov.au/victimsofcrime">www.justice.vic.gov.au/victimsofcrime</a>
Applying for an intervention order	A leaflet explaining what it is, how to apply for one and the steps involved.	Victims of Crime Helpline Phone: 1800 819 817 Website: <a href="http://www.justice.vic.gov.au/victimsofcrime">www.justice.vic.gov.au/victimsofcrime</a>

What it is	What it covers	Where to get it
Stalking Brochure	A pamphlet describing what stalking is, how it may affect you, and where you can go for help.	Victims of Crime Helpline. Phone 1800 819 817 Website: <a href="http://www.justice.vic.gov.au/victimsofcrime">www.justice.vic.gov.au/victimsofcrime</a>
What happens if I need to go to court?	A leaflet explaining giving evidence in court and how to get help going to court.	Victims of Crime Helpline Phone: 1800 819 817 Website: <a href="http://www.justice.vic.gov.au/victimsofcrime">www.justice.vic.gov.au/victimsofcrime</a>
Pathways to Justice – A Guide to the Victorian Court System for victims and witnesses of serious crimes	A booklet by the Office of Public Prosecutions to help victims and witnesses prepare for their appearance in court.	Witness Assistance Service (WAS) Phone: (03) 9603 7523 or 1800 641 927 (country callers only) Website: <a href="http://www.opp.vic.gov.au">www.opp.vic.gov.au</a>
Now you are a witness	A brochure that provides information for OPP prosecution witnesses about the criminal process, preparing for court and giving evidence.	Witness Assistance Service (WAS) Phone: (03) 9603 7523 or 1800 641 927 (country callers only) Website: <a href="http://www.opp.vic.gov.au">www.opp.vic.gov.au</a>

What it is	What it covers	Where to get it
Victims Register Brochure	A brochure explaining all of the details of the Victims Register.	Victims of Crime Helpline Phone: 1800 819 817 Website: <a href="http://www.justice.vic.gov.au/victimsofcrime">www.justice.vic.gov.au/victimsofcrime</a>
The Coroner's Process – Information for family and friends	A booklet explaining the steps involved in a coroner's investigation.	Coronial Services Centre Phone: 1300 309 519 Website: <a href="http://www.coronerscourt.vic.gov.au">www.coronerscourt.vic.gov.au</a>
Local Support (Victims Assistance and Counselling Program)	A leaflet describing the services offered by the VACP and metropolitan and regional contact details.	Victims of Crime Helpline Phone: 1800 819 817 Website: <a href="http://www.justice.vic.gov.au/victimsofcrime">www.justice.vic.gov.au/victimsofcrime</a>
Victim Impact Statement	A brochure and form for completing the Victim Impact Statement	Victims of Crime Helpline Phone: 1800 819 817 Website: <a href="http://www.justice.vic.gov.au/victimsofcrime">www.justice.vic.gov.au/victimsofcrime</a> Any police station

What it is	What it covers	Where to get it
<p>Family Violence Can End in Death Are you a Victim of Family Violence? <i>Information for Victims of Family Violence</i> (Available in English and 15 other languages.)</p> <p>Family Violence – Where Will it End? What you need to know <i>Information for men who use violence</i></p> <p>Family Violence Can End in Death What can you do? <i>Information for the community</i></p>	<p>A set of three brochures produced by Victoria Police to explain the role of Victoria Police in responding to family violence matters and to provide people with a first step to dealing with family violence in their home or community.</p>	<p>Family violence support services (see page 48 for contact details).</p>

## Where to get help

Most 1800 numbers are free calls from anywhere in Victoria (except those indicated for Country Callers only).

All numbers were correct at the time of printing. Trouble getting through? Call the Victims of Crime Helpline on 1800 819 817.

## Victim support

The services below assist victims, their families or anyone affected by a violent crime.

Victims of Crime Helpline ..... 1800 819 817

(8.00am to 11.00pm, Monday to Friday, excluding Public Holidays)

**Translator and Interpreter Service** ..... 13 14 50

**TTY (for hearing impaired)** ..... 133 677

**Online** ..... [www.justice.vic.gov.au/victimsofcrime](http://www.justice.vic.gov.au/victimsofcrime)

## Local victim support

The services below can help you to access information, counselling and practical support. Ask to speak to a Victims Assistance and Counselling Program worker.

**The following phone numbers were correct at the time of printing. However, if the number has changed or you are having difficulty getting through, please contact the Victims of Crime Helpline (1800 819 817) for assistance.**

## Metropolitan Melbourne

<b>Coburg:</b> Merri Community Health Service .....	9355 9900
<b>Footscray:</b> Western Region Health Centre .....	8398 4178
<b>Narre Warren:</b> Windermere Child and Family Services .....	9705 3200
<b>Ringwood:</b> Eastern Access Community Health .....	1300 884 284

## Regional Victoria

<b>Bairnsdale:</b> Anglicare Gippsland .....	1800 777 423
<b>Ballarat:</b> Centacare .....	1300 033 818
<b>Bendigo:</b> St Luke's Anglicare .....	1800 244 323
<b>Geelong:</b> Centacare .....	1300 033 818
<b>Horsham:</b> Centacare .....	1300 033 818
<b>Mildura:</b> Sunraysia Community Health Services .....	5022 5400
<b>Morwell:</b> Anglicare Gippsland .....	1800 777 423
<b>Shepparton:</b> Goulburn Valley Community Health Centre .....	5831 6967
<b>Wangaratta:</b> Ovens and King Community Health Services .....	5723 2038
<b>Warragul:</b> Anglicare Gippsland .....	1800 777 423
<b>Warrnambool:</b> Centacare .....	1300 033 818
<b>Wodonga:</b> Upper Hume Community Health Centre .....	(02) 6056 6282
<b>In an emergency call .....</b>	<b>000</b>

All enquiries for support, guidance and help	
Office of the Public Advocate	For people with a cognitive impairment Phone: 1300 309 337 or (03) 9603 9500 Website: <a href="http://www.publicadvocate.vic.gov.au">www.publicadvocate.vic.gov.au</a>
Lifeline (24-hour telephone counselling and referral)	Phone: 131 114 TTY (hearing impaired) (03) 9662 9030
Victims' Charter Enquiries and Complaints Line	Phone: 1800 118 728 (9.00am to 5.00pm, Monday to Friday, excluding Public Holidays) TTY (hearing impaired) Phone: 133 677 <b>Translator and Interpreter Service</b> Phone: 13 14 50 Website: <a href="http://www.justice.vic.gov.au/victimsofcrime">www.justice.vic.gov.au/victimsofcrime</a>
Victoria Police Victims Advisory Unit	Specialist unit providing advice and assistance to police members and victims Phone: (03) 9628 8380 Website: <a href="http://www.police.vic.gov.au">www.police.vic.gov.au</a>
Witness Assistance Service (WAS)	Available to victims and witnesses involved in cases being prosecuted by the Office of Public Prosecutions Phone: (03) 9603 7523 or 1800 641 927 (country callers only) Website: <a href="http://www.opp.vic.gov.au">www.opp.vic.gov.au</a>

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## Family Violence

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Women's Domestic Violence Crisis Service of Victoria (24-hour Crisis Line)	Phone: 1800 015 183 or (03) 9322 3555
Domestic Violence Resource Centre (DVRC)	Phone: (03) 9486 9866 Website: <a href="http://www.dvrcv.org.au">www.dvrcv.org.au</a>
Men's Referral Service Telephone counselling and referral for men who use violence towards family members	Phone: (03) 9428 2899 or 1800 065 973 (country callers only)
Immigrant Women's Domestic Violence Service (IWDVS)	Phone: (03) 8413 6800 or 1800 755 988 (country callers only) TTY (hearing impaired): 9419 3536 Website: <a href="http://www.iwdvs.org.au">www.iwdvs.org.au</a>
Women's Information and Referral Exchange (WIRE) Telephone information, support and referral for women	Phone: 1300 134 130 (9.00am to 5.00pm, Monday to Friday) Website: <a href="http://www.wire.org.au">www.wire.org.au</a>
Elizabeth Hoffman House (24-hour service) Provides crisis accommodation and support for Aboriginal women and spouses of Aboriginal men	Call the Women's Domestic Violence Crisis Service of Victoria on 1800 015 188 and ask to speak to someone from Elizabeth Hoffman House.

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## Sexual Assault

Centres Against Sexual Assault (Sexual Assault 24-hr Crisis Line)

Phone: 1800 806 292

Website: [www.casa.org.au](http://www.casa.org.au)

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## Counselling and Financial Assistance

Victims of Crime Helpline

Phone: 1800 819 817  
(8.00am to 11.00pm, Monday to Friday, excluding Public Holidays)

**TTY (hearing impaired)**

Phone: 133 677

**Translator and Interpreter Service**

Phone: 13 14 50

Website: [www.justice.vic.gov.au/victimsofcrime](http://www.justice.vic.gov.au/victimsofcrime)

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Victims of Crime Assistance Tribunal (VOCAT)

Phone: 1800 882 752 or 9628 7855

Website: [www.vocat.vic.gov.au](http://www.vocat.vic.gov.au)

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## Homicide

Coronial Services Centre

Counselling and information for family members about a coroner's investigation

Phone: 1300 309 519

Website: [www.coronerscourt.vic.gov.au](http://www.coronerscourt.vic.gov.au)

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Victorian Homicide Victims Support Group

Phone: (03) 9662 1368

Website: [www.victoriahomicide.com.au](http://www.victoriahomicide.com.au)

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Road Trauma	
Traffic Accident Commission (TAC)	Phone: 1300 654 329 or 1800 332 556 (country callers only)  Website: <a href="http://www.tac.vic.gov.au">www.tac.vic.gov.au</a>
Road Trauma Support Team Victoria	Phone: 1300 367 797 or (03) 9877 7922  Website: <a href="http://www.rtstv.org.au">www.rtstv.org.au</a>
Legal Assistance	
Federation of Community Legal Centres	Phone: (03) 9652 1500  Website: <a href="http://www.communitylaw.org.au">www.communitylaw.org.au</a>
Victoria Legal Aid	Phone: (03) 9269 0120 or 1800 677 402 (country callers only)  Website: <a href="http://www.legalaid.vic.gov.au">www.legalaid.vic.gov.au</a>
Women's Legal Service Victoria	Phone: (03) 9642 0877 or 1800 133 302 (country callers only)  Website: <a href="http://www.womenslegal.org.au">www.womenslegal.org.au</a>
Victorian Aboriginal Legal Service Co-operative (24-hour service)	Phone: 1800 064 865 or (03) 9419 3888.  Website: <a href="http://www.vals.org.au">www.vals.org.au</a>
The Aboriginal Family Violence Prevention and Legal Service:  Offers legal services, information, referral and counselling to Indigenous victims of family violence and sexual assault	Phone: 1800 105 303 or (03) 9244 3333  Website: <a href="http://www.fvpls.org">www.fvpls.org</a>

Children's Services	
Children Youth and Families (formerly Office for Children) Dept. of Human Services	Website: <a href="http://www.cyf.vic.gov.au">www.cyf.vic.gov.au</a>
Kids Helpline (24-hour Telephone Counselling for children)	Phone: 1800 551 800 Website: <a href="http://www.kidshelp.com.au">www.kidshelp.com.au</a>
Child Protection Emergency Service (DHS) (After Hours Child Protection Crisis Line)	Phone: 131 278
Gatehouse Centre Royal Children's Hospital Melbourne	Phone: (03) 9345 6391 (9.00am – 5.00pm, Monday to Friday) Website: <a href="http://www.rch.org.au/gatehouse">www.rch.org.au/gatehouse</a>
Children's Protection Society	Phone: (03) 9450 0900 Website: <a href="http://www.cps.org.au">www.cps.org.au</a>

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## Support for Gay, Lesbian, Bi-sexual, Transgender and Inter-sex communities (GLBTI)

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Victoria Police Gay and Lesbian Liaison Officers (GLLOs)	GLLOs provide discrete, non-judgemental advice and assistance about reporting a crime and information about support services. You can contact a GLLO anonymously.  Phone: (03) 9247 6944  Email: <a href="mailto:melbourne.gllo@police.vic.gov.au">melbourne.gllo@police.vic.gov.au</a>
Gay & Lesbian Switchboard (Victoria) Inc.  For free, confidential, peer-based telephone counselling, information and referral service	Phone: (03) 9663 2939 or 1800 184 527 (country callers only)  6.00pm to 10.00pm Monday to Thursday, 6.00pm to 9.00pm Friday to Sunday, additional service 2.00pm to 6.00pm on Wednesdays  Website: <a href="http://www.switchboard.org.au">www.switchboard.org.au</a>

### Court Support

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Witness Assistance Service (WAS)	Available to victims and witnesses involved in cases being prosecuted by the Office of Public Prosecutions  Phone: (03) 9603 7523 or 1800 641 927 (country callers only)  Website: <a href="http://www.opp.vic.gov.au">www.opp.vic.gov.au</a>
Court Network	Phone: 1800 681 614 or (03) 9603 7433 (9.00am – 5.00pm, Monday to Friday)  Website: <a href="http://www.courtnetwork.com.au">www.courtnetwork.com.au</a>
Child Witness Service	Phone: (03) 9603 9266 or 1300 790 540 (country callers)

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### Youth Support Agencies

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**Youthlaw**

Free and confidential legal advice for young people up to 25 years

Phone: (03) 9611 2412

Website: [www.youthlaw.asn.au](http://www.youthlaw.asn.au)

**Reach Out!**

Provides support information and referrals to help young people help themselves through tough times

[www.reachout.com.au](http://www.reachout.com.au)

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All of the above phone numbers were correct at the time of printing. However, if the number has changed or you are having difficulty getting through, please contact the Victims of Crime Helpline (1800 819 817) for assistance.

# Map of the criminal justice system

This section summarises the processes of the criminal justice system in three charts.

## A summary of the police investigation

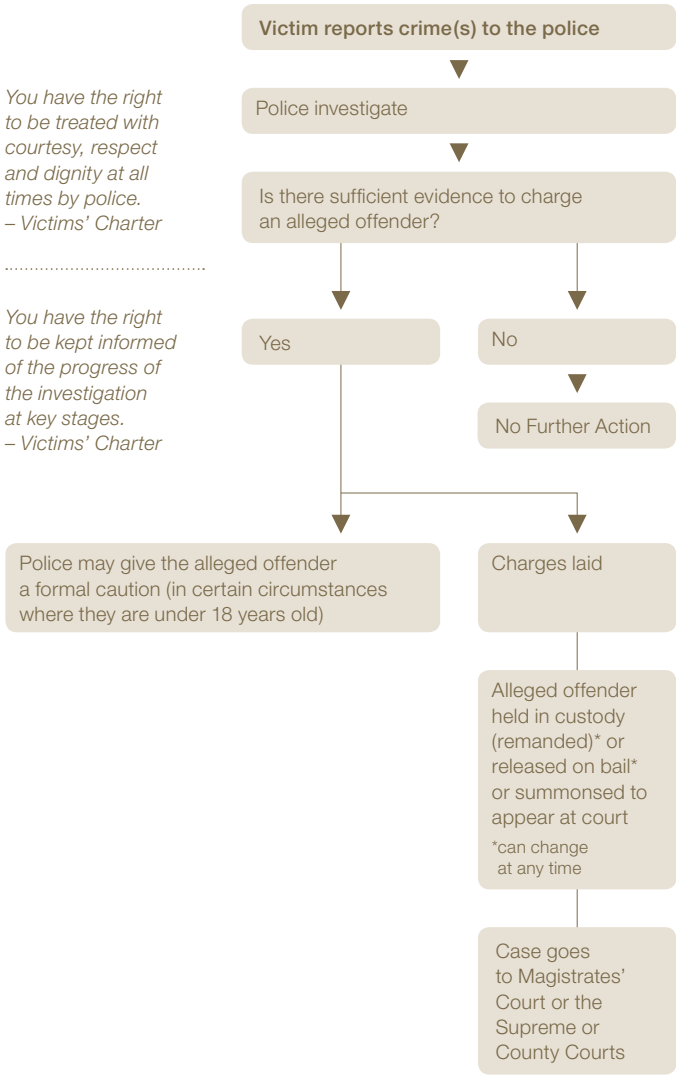
*You have the right to be treated with courtesy, respect and dignity at all times by police.*  
 – Victims' Charter

*You have the right to be kept informed of the progress of the investigation at key stages.*  
 – Victims' Charter

*You can seek a civil remedy if an offender is known (that is, sue them).*

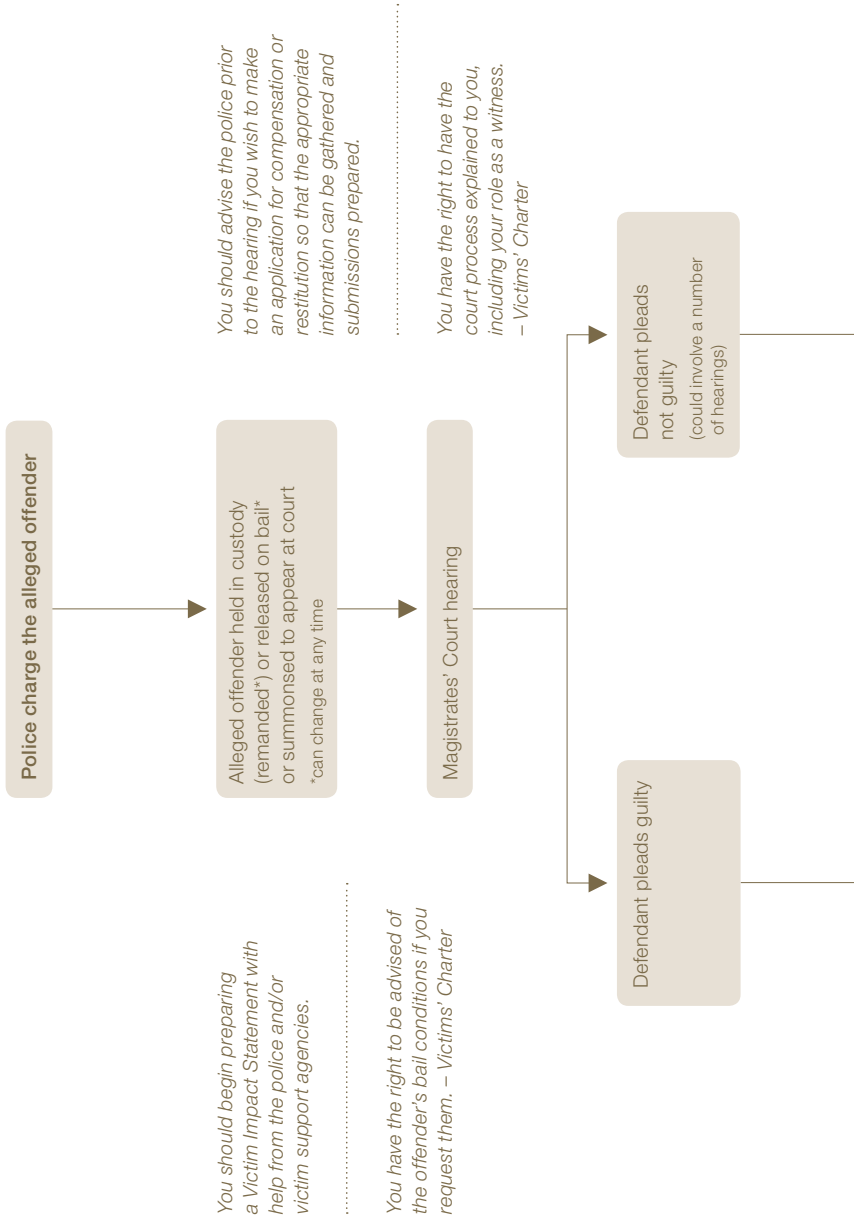
*You may be eligible for counselling, financial assistance and/or practical support.*

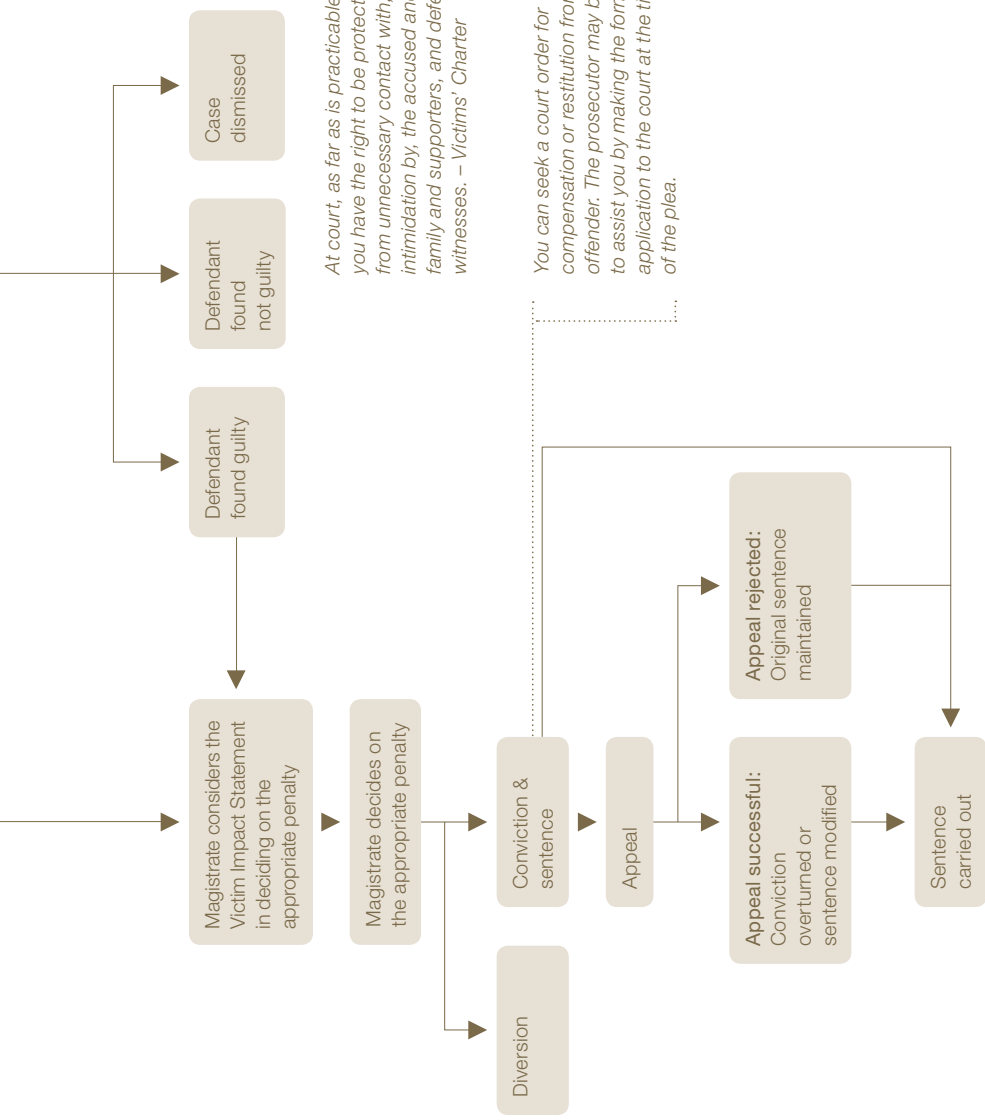
**Victims of Crime Helpline – 1800 819 817**



# A summary of the Magistrates' Court process

**Summary** and less serious **indictable** matters are heard in the Magistrates' Court (e.g. property damage, theft, threatening behaviour).





*At court, as far as is practicable, you have the right to be protected from unnecessary contact with, and intimidation by, the accused and their family and supporters, and defence witnesses. – Victims' Charter*

*You can seek a court order for compensation or restitution from the offender. The prosecutor may be able to assist you by making the formal application to the court at the time of the plea.*

# A summary of the Supreme Court and the County Court process

**Indictable** (serious) offences (e.g. murder, rape, serious assault) begin in the Magistrates' Court and may then go to a higher court (the County Court or Supreme Court).

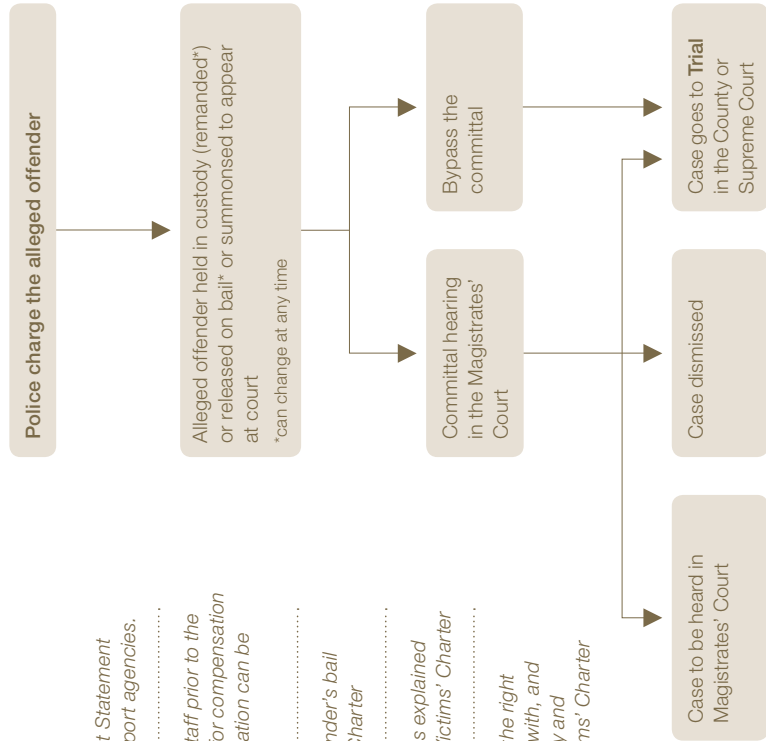
*You should begin preparing a Victim Impact Statement with help from the police and/or victim support agencies.*

*You should advise the police and/or OPP staff prior to the hearing if you wish to make an application for compensation or restitution so that the appropriate information can be gathered and submissions prepared.*

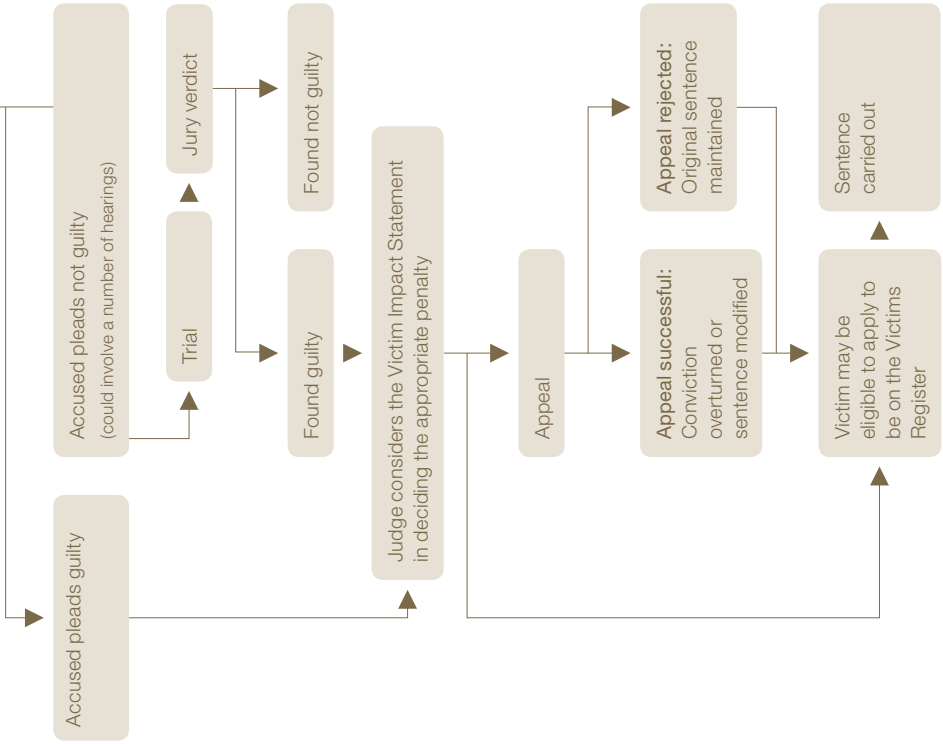
*You have the right to be advised of the offender's bail conditions if you request them. – Victims' Charter*

*You have the right to have the court process explained to you, including your role as a witness. – Victims' Charter*

*At court, as far as is practicable, you have the right to be protected from unnecessary contact with, and intimidation by, the accused and their family and supporters, and defence witnesses. – Victims' Charter*



*You can seek a court order for compensation or restitution from the offender. The prosecutor may be able to assist you by making the formal application to the court at the time of the plea.*



The police officer looking after your case is

\_\_\_\_\_

He/she can be contacted on

Telephone \_\_\_\_\_

Email \_\_\_\_\_

In their absence, please ask to speak to \_\_\_\_\_  
who can be contacted on telephone \_\_\_\_\_

Police case number ('LEAP' reference number) \_\_\_\_\_

Court case number \_\_\_\_\_

### Victim support

The services below assist victims, their families or anyone affected by a violent crime.

**Victims of Crime Helpline** ..... 1800 819 817

(8.00am to 11.00pm, Monday to Friday, excluding Public Holidays)

**Translator and Interpreter Service** ..... 13 14 50

**TTY (for hearing impaired)** ..... 133 677

**Online** ..... [www.justice.vic.gov.au/victimsofcrime](http://www.justice.vic.gov.au/victimsofcrime)

## Local victim support

The services below can help you to access information, counselling and practical support. Ask to speak to a Victims Assistance and Counselling Program worker.

**The following phone numbers were correct at the time of printing. However, if the number has changed or you are having difficulty getting through, please contact the Victims of Crime Helpline (1800 819 817) for assistance.**

## Metropolitan Melbourne

<b>Coburg:</b> Merri Community Health Service .....	9355 9900
<b>Footscray:</b> Western Region Health Centre .....	8398 4178
<b>Narre Warren:</b> Windermere Child and Family Services .....	9705 3200
<b>Ringwood:</b> Eastern Access Community Health .....	1300 884 284

## Regional Victoria

<b>Bairnsdale:</b> Anglicare Gippsland .....	1800 777 423
<b>Ballarat:</b> Centacare .....	1300 033 818
<b>Bendigo:</b> St Luke's Anglicare .....	1800 244 323
<b>Geelong:</b> Centacare .....	1300 033 818
<b>Horsham:</b> Centacare .....	1300 033 818
<b>Mildura:</b> Sunraysia Community Health Services .....	5022 5400
<b>Morwell:</b> Anglicare Gippsland .....	1800 777 423
<b>Shepparton:</b> Goulburn Valley Community Health Centre .....	5831 6967
<b>Wangaratta:</b> Ovens and King Community Health Services .....	5723 2038
<b>Warragul:</b> Anglicare Gippsland .....	1800 777 423
<b>Warrnambool:</b> Centacare .....	1300 033 818
<b>Wodonga:</b> Upper Hume Community Health Centre .....	(02) 6056 6282
<b>In an emergency call</b> .....	<b>000</b>

## Where to get help

Emergency (police, ambulance, fire)  
call 000

Victims of Crime Helpline  
1800 819 817

Online  
[www.justice.vic.gov.au/victimsofcrime](http://www.justice.vic.gov.au/victimsofcrime)

Local victim support  
see inside back cover

Produced by the Victims Support Agency (Department of Justice) and Victoria Police  
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