

ACTCS

Guiding Principles In the Treatment of Victims of Crime

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Guiding Principles (ACT Corrective Services)

1. The safety and well being of the victim must be paramount at all times.
2. ACT Corrective Services believes the safety and well being of others (which may include offenders) must also be regarded when determining how to respond to victims.
3. ACT Corrective Services will take victims seriously and treat them as individuals, with due regard to their personal situation, rights and dignity.
4. ACT Corrective Services will deal with victims sympathetically, constructively, reassuringly and in a timely manner.
5. ACT Corrective Services believes that victims should be provided with information about their right to access victim services, and where appropriate provided with information/advice about other relevant services they may access.
6. ACT Corrective Services will give victims clear, accurate and timely information as to what services ACT Corrective Services can provide to them.
7. ACT Corrective Services will endeavour to provide victims with timely and consistent information about matters in which their personal interests and safety are affected.
8. A victim's personal details, or any other information about a victim, shall not be communicated to the offender in any circumstances.
9. ACT Corrective Services will meet the requirement of Privacy Principle 11(1)(a) by informing

offenders that information disclosed by them indicating a serious and imminent threat to a crime victim's safety will be passed to the police and possibly the crime victim who has expressed a concern about the need for protection from violence or harassment from the offender.

10. ACT Corrective Services accepts that victims of family violence live in situations where the threat of further violence is serious and imminent and will disclose personal information that is necessary to prevent or lessen this threat.
11. ACT Corrective Services will manage offenders in accordance with the principles of natural justice with reference to Victims issues and concerns.

Governing Principles (*Victims of Crime Act 1994*)

The *Victims of Crime Act 1994* provides that, in the administration of justice, the following principles are to, as far as practicable and appropriate, govern the treatment of victims:

- (a) a victim should be dealt with at all times in a sympathetic, constructive and reassuring way and with appropriate regard to his or her personal situation, rights and dignity;
- (b) a victim should be told at reasonable intervals (generally not more than 1 month) of the progress of police investigations about the relevant offence, except if the disclosure might jeopardise the investigation, and, in that case, the victim should be told accordingly;
- (c) a victim should be told about the charges laid against the accused and of any modification of the charges;
- (d) a victim should be told about any decision concerning the accused to accept a plea of guilty to a lesser charge or a guilty plea in return for a recommendation of leniency in sentencing;
- (e) a victim should be told about any decision not to proceed with a charge against the accused;
- (f) if any victim's property is held by the Territory for the purposes of investigation or evidence - inconvenience to the victim should be minimised and the property returned promptly;
- (g) a victim should be told about the trial process and of the rights and responsibilities of witnesses;
- (h) a victim should be protected from unnecessary contact with the accused and defence witnesses during the course of the trial;
- (i) a victim's residential address should be withheld unless the court directs otherwise;
- (j) a victim should not have to appear at preliminary hearings or committal proceedings unless the court directs the victim to appear;
- (k) a victim should be given an explanation of the outcome of criminal proceedings and of any

sentence and its implications;

(l) a victim who is known to have expressed concern about the need for protection from an offender should be told about the offender's impending release from custody.