



CHARTER OF RIGHTS FOR VICTIMS OF CRIME

The ACT Government has committed to introducing a Charter of Rights for Victims of Crime. The Charter is likely to replace the governing principles for the treatment of victims in the administration of justice in the *Victims of Crime Act 1994* (s. 4). The Charter will set out the rights of victims of crime committed in the ACT, specify justice agency obligations when dealing with victims, and establish a complaint resolution process where the Charter is breached.

What is the Charter?

The Charter's aim is to ensure that victims of crime receive consistent and respectful treatment in the criminal justice system. To achieve that, the Charter will include:

1. Information rights: communication and case updates victims of crime should expect from justice agencies.
2. Participation rights: opportunities for victims of crime to participate in their case and be consulted on key decisions as it moves through the justice system.
3. Accountability rights: how victims of crime can complain if their Charter rights are not met, and how their complaint will be handled.

Who will have access to rights in the Charter?

People who have experienced crime and have contacted ACT justice agencies will be covered by the Charter. Their immediate family members and dependents will also be covered in some circumstances.

People who have experienced serious crime, certain groups that are more vulnerable to crime and people that are more vulnerable when involved with the justice system, may have enhanced rights under the Charter, such as more active participation opportunities.

What will the Charter provide for victims of crime?

The Charter will help people who have experienced crime to:

- feel more confident to report crime
- understand justice processes
- access the information and support they need as their case moves through the criminal justice system
- give evidence and cooperate with justice processes
- be more involved in justice processes, if they wish to be
- feel safer and more supported at a time when they can feel vulnerable and traumatised.

What is the ACT Government's approach to developing the Charter?

As the ACT Government develops the Charter it:

- recognises the achievements of previous victim of crime reforms in the ACT, the commitment of justice agencies to victim safety, support and justice and existing initiatives to support victims of crime.
- acknowledges and agrees with the ACT Victims of Crime Commissioner's recommendations for a Charter of Rights for Victims of Crime
- understands there are service system gaps and overlaps, that processes could be streamlined and collaboration improved to deliver victim rights
- is exploring practical initiatives to support justice agencies to meet Charter rights
- is connecting with other ACT Government initiatives relating to victims of crime including:
 - responding to the Criminal Justice Recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse
 - introducing a Redress Scheme for people who have experienced institutional child sexual abuse
 - developing a Disability Justice Strategy
 - developing a new Aboriginal and Torres Strait Islander Justice Partnership
 - the implementation of the family safety hub.

Who will deliver rights in the Charter?

ACT administration of justice agencies, including ACT Policing, Victim Support ACT, the Office of the ACT Director of Public Prosecutions, Courts and Tribunal, ACT Corrective Services and the Sentence Administration Board, will be responsible for supporting rights in the Charter.

Tell us what you think

The ACT Government wants to hear from you about what should be included in the Charter. Key questions are:

1. How can general **information** on what to expect about criminal justice processes be best provided to victims of crime?

2. How do victims of crime want to receive **updates** about their case and how can justice agencies best deliver updates?
3. What is the best way to provide victims of crime **with support, through what services**?
4. What level of **legal support** should victims of crime be able to access to ensure their rights are met, and when is it appropriate for victims to intervene in their case with legal representation?
5. How can **diverse groups** of victims of crime and people with specific needs have their needs met in the criminal justice system?
6. What groups of particularly vulnerable victims should be eligible for **enhanced rights**, such as automatic information and consultation rights?
7. When should victims of crime **be included** in discussions and decisions about their case?
8. Should information and support for victims of crime be **opt-in**, so that they can choose to access victim information and support, **or opt-out**, so this happens automatically?
9. What remedies should be available if victims of crime make a **complaint** about their Charter rights not being met?
10. What challenges and legislative barriers would prevent justice agencies and the criminal justice system from delivering victim rights?

Options for feedback

1. **Written submission**

You can provide a written submission in response to this summary or the full Options Paper:

Email: JACSLPP@act.gov.au (title: Charter of Rights for Victims of Crime)

Write to: Charter of Rights for Victims of Crime, Legislation, Policy and Programs, Justice and Community Safety Directorate
GPO Box 158, Canberra ACT 2601

2. **Online survey**

www.yoursay.act.gov.au Complete a 15 minute **online survey**. The survey asks for feedback on specific options to increase the rights of people who have experienced crime.

3. **Further discussion**

If you would prefer to provide feedback face-to-face, please contact 02 6207 3997 or JACSLPP@act.gov.au

Consultation is open until 6 August 2018.