



COMMUNITY INSTRUCTION	VICTIM INFORMATION FOR REPORTS AND ASSESSMENTS
COMMUNITY INSTRUCTION NO.	C24.5
SCOPE	Community Corrections

PURPOSE

To provide instructions to Community Corrections staff for the preparation of Pre-Sentence Reports (PSR) or Intensive Correction Order Assessment Reports (ICOAR).

As per section 17B(2) of the Victims of Crime Act 1994: 'In preparing the report or assessment, the corrective services unit must seek and consider the victim's concerns about the need for protection from violence or harassment by the offender.'

SCOPE

This Community Instruction should only be applied in instances where there is an identifiable victim. Examples of offences that do not have identifiable victims include, but are not limited to: Disqualified Driver offences, First Instance Warrants and Damage to Police Vehicle/Commonwealth Property. If a Community Corrections Officer (CCO) is unsure whether there is an identifiable victim attached to the offence(s), they must consult with their Team Leader to determine if a Victim Information Letter is required.

PROCEDURES

1. Contacting the Victim

- 1.1 To initiate the victim contact process, the CCO must add the offender's name to the proforma Victim information letter. The proforma can be found in the offender information management system and is at Attachment A.
- 1.2 This letter includes details about:
 - a. how to contact Community Corrections
 - b. the privacy of the information provided
 - c. the timeframe in which the victim can provide information (within one (1) week of receiving the letter).
- 1.3 The CCO must then send an email to the Australian Federal Police (AFP) at Victims-liaison-office@afp.gov.au attaching the completed Victim information letter.
- 1.4 The email to AFP must contain:
 - a. a reference to the purpose of the request
 - b. the offender's name; date of birth
 - c. the specific charge number(s) related to the report or assessment that the CCO is preparing

- d. If the charge number is a Supreme Court reference number, the CCO must indicate that the matter is being heard in the Supreme Court and include the original charge number if known.
- 1.5 Staff are encouraged to check the Integrated Courts Management System (ICMS) to determine correct charge number details and use the proforma Email to AFP Victims Liaison Office at Attachment B.

NOTE: It is recommended this email (with attached letter) is sent to AFP as soon as possible by the CCO after receiving a PSR or ICOAR request to maximise the opportunity for victims to provide a response and prior to the report/assessment being submitted to the court.

- 1.6 AFP will then check their information systems for an email or home address for any victim(s) and provide the Victim information letter and form to each victim identified, as soon as practicable (typically within 3 days).
- 1.7 If the victim(s) is a child or young person or lacks the capacity to receive the letter directly, AFP will direct the Victim information letter to their guardian.
- 1.8 If AFP do not have an email or home address for the victim, they will advise Community Corrections and no further action will be taken. It is not the responsibility of AFP to locate alternative contact details for the victim(s).

2. Gathering Victim Information

- 2.1 If a victim contacts the Community Corrections office, the receiving officer will ask for the respective offender's name and search this in the offender management system. The victim must be transferred to the allocated CCO. If the allocated CCO is unavailable the victim will be told to contact the CCO at a later time to avoid recording any personal details of the victim.
- 2.2 The CCO may use the following statement and questions to guide the conversation with the victim:
- a. I am preparing a report for the Court, and you have been identified as a victim. Please note that I will be asking specific yes/no questions and we are limited in relation to the amount of detail we can include in the report. If we are entering areas that are not my remit, I may request that we move on to the next question or provide you with contact information for other relevant agencies
 - b. does the victim have any concerns about the need for protection from violence or harassment by the offender?
 - c. does the victim consent to this information being recorded by ACT Corrective Services (ACTCS)?
 - d. does the victim consent to the information being included in the report or assessment, noting that the offender will receive the document?
- 2.3 The CCO must attempt to avoid prolonged discussion with the victim outside of the above questions. If the victim is seeking to provide detailed or extensive information, the CCO must request they address their concerns to other relevant agencies (e.g. AFP, Victims of Crime, Department of Public Prosecutions, Victim Support, etc).
- 2.4 The CCO must case note all information that the victim provides as per the Case Note Policy using the category 'Victim Submission'.
- 2.5 Once the victim provides information for the purpose of the report or assessment, this will end any formal contact or communication between the CCO and the victim.

2.6 If the victim raises further concerns or is seeking information about the offender, the CCO must provide contact details for the relevant justice agency (e.g.: AFP, Victims of Crime, Department of Public Prosecutions, etc).

3. Addition to Reports or Assessments

3.1 If the victim consents to their information being included in the report or assessment, the CCO must ensure the information is generic and not contain specific details about the individual victim.

3.2 If the victim does not wish for the information provided to be included in the report or assessment, the CCO must ensure that no reference to the victim contact, or information provided, is included in that report. However, as per item 2.4 the victim contact itself must be case noted.

3.3 To avoid including extensive victim information in reports or assessment, each template has pre-existing wording and pre-determined values to be selected under the Victim Submission subheading. These selections include:

- a. The victim of the offence(s) (or their guardian) contacted this Service. They indicated they had continued concerns regarding their need for protection from violence or harassment from the offender.
- b. The victim of the offence(s) (or their guardian) contacted this Service. They indicated they did not have concerns regarding their need for protection from violence or harassment from the offender.
- c. No victim information was provided for the purpose of this report/assessment.

3.4 If victim information is provided to the CCO and the CCO believes that the suggested wording in 3.3 is not sufficient, the CCO must discuss their proposed inclusion with their Team Leader.

NOTE: a proposed inclusion may be a recommendation that a condition be included on the offender's order which may provide protection for the victim.

RELATED DOCUMENTS AND FORMS

- Victims of Crime Act 1994
- Case Note Policy
- Victim information letter

Bruno Aloisi
A/g Assistant Commissioner
ACT Corrective Services
12 April 2022

Document details

Criteria	Details
Document title:	<i>Victim information for reports and assessments Community Instruction 2022</i>

OFFICIAL

Criteria	Details
Document owner/approver:	Assistant Commissioner, Community Corrections
Date effective:	The day after the approval date
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Responsible Officer:	Director, Community Operations
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Version Control			
Version no.	Date	Description	Author
V1	December 21	First Issued	M Steen
V2	April 22	Minor amendments	M Steen



Enter Date

RE: INFORMATION FROM ACT CORRECTIVE SERVICES AND VICTIM SUPPORT ACT

We are writing to pass on important information from ACT Corrective Services and Victim Support ACT.

As you have been identified as a victim in relation to the offender as shown below, you have the right to provide input into ACT Corrective Services pre-sentencing reports and to access information about the administration of the offender’s sentence from the Victims Register.

The attached Information Sheet provides more information about these rights.

If you have any questions regarding this information, please contact ACT Corrective Services, Community Corrections on 6207 0888.

OFFENDER NAME: Enter name

Yours sincerely,

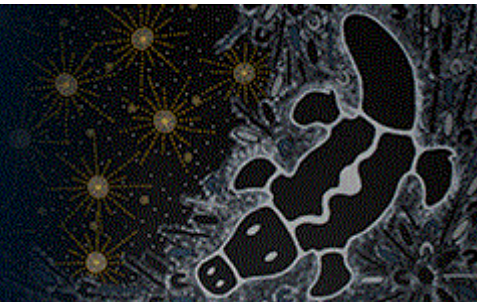
VICTIMS LIAISON OFFICE
FAMILY VIOLENCE & VULNERABLE PERSONS
ACT POLICING

www.afp.gov.au



POLICING FOR
A SAFER AUSTRALIA

The Australian Federal Police acknowledges the traditional owners and custodians of country throughout Australia and their continuing connection to land, sea and community. We pay our respects to the people, the cultures and the elders past, present and emerging.



BUSINESS AREA
insert postal address

Australian Federal Police
Telephone: insert phone
afp.gov.au

ABN 17 864 931 143
Email: insert email@afp.gov.au

VICTIM RIGHTS IN RELATION TO PRE-SENTENCING REPORTS & VICTIMS REGISTER

The Charter of Rights for Victims of Crime outlines your rights in the criminal justice system. The Charter can be found on the Justice and Community Safety website or via the following link: [Supporting Victims of Crime | Justice and Community Safety Directorate \(act.gov.au\)](#). These rights include the opportunity to provide input into pre-sentencing reports to assist the Court to determine the offender's sentence and to access information about the administration of the offender's sentence from the Victims Register.

Opportunity for input into sentencing reports

The Court has requested that ACT Corrective Services provide a pre-sentencing report or an Intensive Correction Order assessment report in relation to the offender of whom you are an identified victim. If you have concerns about protection from violence or harassment by the offender, you have a right to have these concerns considered by ACT Corrective Services in preparing the report. The information you provide may then be included in the report which is provided to the Court and the offender. Information provided will also be stored on ACT Corrective Services records and may be subject to subpoenas or Freedom of Information (FOI) requests, although personal information will be redacted.

If you would like to talk with an ACT Corrective Services Community Corrections Officer about providing input into the report, please contact us on 6207 0888 or at ppuallocations@act.gov.au. To ensure there is enough time for completion of the report within the Court timeframe please get in touch within 7 days of receipt of this information if you wish to provide input. Please note that the Community Corrections Officer will not have access to your address or personal information, and you will not be asked for this information. The Community Corrections Officer will be limited in the amount of detail that can be included in the report. Please ask the officer if you are concerned about the specific wording prior to consenting to the inclusion.

Victims Register

After the offender has been sentenced you also have the right to be kept informed about the administration of the offender's sentence from the Victims Register. For example, if you are on the Register you may receive information such as when an offender is released from custody or the conditions of their community-based corrections order. If you are on the Register you will also be invited to make a submission to the Sentence Administration Board if the offender is being considered for release on parole or licence.

If you wish to be on the Register you can complete the attached form and return it to the Victim Liaison Officer at ACT Corrective Services at GPO Box 158 Canberra ACT 2601 or via email to victims.register@act.gov.au. You can find out more information about the Register on the ACT Corrective Services website at correctiveservices.act.gov.au under the victim service tab or by contacting the Victim Liaison Officer on 6207 0836. Please note that registration is not handled by Community Corrections and no personal details will be kept on the offender file.

Victim Support ACT

Victim Support ACT provides support, counselling and advocacy services to victims of crime. Victim Support ACT can assist you to access your rights in the justice system, including assistance with victim impact statements and providing support at parole inquiries. You can contact Victim Support ACT on 6205 2066 or via email at victimsupportintake@act.gov.au.



**ACT Victims Register
Registration Form**

I request that I be placed on the ACT Victims Register. I provide the following information for the purpose of registration.

-

-

Given Name

-

Surname

-

Address

-

Address

-

State/Territory

-

Postcode

-

Telephone Number (Home)

-

Telephone Number (Work)

-

Telephone Number (Mobile)

-

Email Address

I am applying for registration on behalf of a child

-

Name of Child

-

Name of Offender of, if unknown, police/court reference number

Applicant's Signature

Date

Email to AFP Victims Liaison Office

SUBJECT LINE: Victim Information re: (Offender Name) for Community Corrections Pre-sentence or Intensive Corrections Order Report

Attention: AFP Victims Liaison Office

Thank you in advance for providing the attached information to victim/s relating to:

Offender Name: (insert details)

Offender DOB: (insert details)

CC Number/s: (insert details)

Regards,

(Insert signature block)