



COMMUNITY INSTRUCTION	Victim Information for Reports and Assessments
COMMUNITY INSTRUCTION NO.	24.5
SCOPE	Community Operations

PURPOSE

To provide instructions on how the ACT Corrective Services Victim Liaison Officer (ACTCS VLO) will provide victim concerns into sentencing reports and assessments, 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.’

NOTE

Sentencing reports and assessments include:

- Pre-Sentence Reports
- Intensive Correction Order Assessment Reports
- Drug and Alcohol Treatment Assessments
- Court Duty Reports

PROCEDURES

1. Initial Victim Contact - AFP

- 1.1. Initial contact with the victim will be carried out by the AFP Victim Liaison Officers (VLO).
- 1.2. The AFP VLO will contact the victim seven to ten (7-10) days after the incident/arrest, as per their regular duties, and when offering support, they will also advise the victim of their right to provide input into sentencing reports and assessments (if the matter progresses to that stage).
- 1.3. After the AFP VLO has had contact with the victim, they email the ACTCS VLO to provide details about:
 - a. the offender
 - b. the charge number
 - c. contact information of the victim.
- 1.4. The ACTCS VLO add these details to the *Pre-Sentencing Reports – Victim Information Tracking* spreadsheet. This spreadsheet is stored in the Community Operations G-Drive in a folder accessible by the ACTCS VLO and Senior Managers only. Once the details have been added to the spreadsheet the ACTCS VLO will store the email in the “AFP” subfolder of the ACTCS VLO inbox.

2. Community Corrections Officer Responsibilities

- 2.1. When a Community Corrections Officer (CCO) receives a report allocation and a victim/s has been identified, the CCO must email the ACTCS VLO, via ACTCSVictimLiaisonOfficer@act.gov.au, to seek victim input. This must occur within five (5) business days. The CCO must include the following details in the email:
 - a. offender's name
 - b. offender's date of birth
 - c. PID
 - d. the date the report is due for vetting.

3. Victim Liaison Officer Responsibilities

- 3.1. Once the ACTCS VLO has received a request from a CCO, they must refer to the corresponding offender file and information tracking spreadsheet to obtain the victim contact details.
- 3.2. If there are no relevant victim contact details on the information tracking spreadsheet, the ACTCS VLO must seek them using an *AFP Victim Information Request Form*. The form must include the following information:
 - a. the charge number(s)
 - b. the victim's name
 - c. the offender's name
 - d. the offender's date of birth.
- 3.3. The ACTCS VLO must complete a form for each victim and email the request to the AFP VLOs at victims-liaison-office@afp.gov.au with the subject line of "Information Request for PSR"
- 3.4. The ACTCS VLO must send a letter to the victim to notify them of their right to provide input into the report. The letter will ask that the victim contact the ACTCS VLO within a certain timeframe to provide this information/input if they wish to do so. The letter will also include information about other justice agencies that can provide further information and support.
- 3.5. If the victim makes contact to provide input, the ACTCS VLO must explain that only limited information will be included in the report.
- 3.6. The ACTCS VLO will ask the following specific questions:
 - a. does the victim have any concerns about the need for protection from violence or harassment by the offender?
 - b. does the victim consent to this information being recorded by ACT Corrective Services (ACTCS)?
 - c. does the victim consent to the information being included in the report or assessment, noting that the offender will receive the document?
- 3.7. If the victim requests further information, raises concerns about the offender, or wishes to provide detailed or extensive information, the ACTCS VLO must request that they address their concerns to other relevant justice agencies. These may include ACT Policing, Victims

Support ACT, or the Director of Public Prosecutions. The VLO may also refer the victim to a community support agency such as the Domestic Violence Crisis Service.

- 3.8. The ACTCS VLO must case note all the information that the victim provides during the conversation in accordance with the Case Note Policy using the category 'Victim Submission'.
- 3.9. The ACTCS VLO must complete the Victim Input Form – Pre-Sentence and Assessment Reports and save this in the protected electronic folder stored in the Community Operations G-Drive.
- 3.10. The ACTCS VLO will email the requesting CCO and advise them of the victim information to be included in the report or assessment.

4. Victims of relevant offences

- 4.1. As per s17B(3)(b) of the Victims of Crime Act 1994, ACTCS must also consider the views of victims of relevant offences. To assist in this regard, the ACTCS VLO must also email the ACT Victims Register to seek their assistance in determining if there are any registered victims of relevant offences.
- 4.2. The ACTCS VLO email must provide the ACT Victims Register with the offender's name, date of birth and the current charges that the report is addressing. The email must also include the three questions at point 3.6 and ask the ACT Victims Register to identify who would be the most appropriate person to contact registered victims who may want to provide input on the current matters.
- 4.3. Any information provided by ACT Victims Register and/or victims of relevant offences will be recorded as per 3.9 and will be provided to the author of the report as per 5.4.

5. Victim information to be included in Reports or Assessments

- 5.1. If the victim consents to their information being included in the report or assessment, the ACTCS VLO must ensure the information is generic and does not contain specific details about the individual victim.
- 5.2. If the victim does not wish for the information provided to be included in the report or assessment, the ACTCS VLO must ensure that no reference to the victim contact, or information provided is included in that report. However as per item 3.8, the victim contact itself must be case noted.
- 5.3. To avoid including extensive victim information in reports or assessments, the following wording must be used (select one):
 - a. "this Service has had contact with the victim of the current offence(s) or their guardian. They indicated they had continued concerns regarding their need for protection from violence or harassment from the offender."
 - b. "this Service has had contact with the victim of the current offence(s) or their guardian. 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."

- 5.4. There may be instances where ACTCS must seek and consider the concerns of multiple victims, and not all victims provide consent for the inclusion of their input in the report. In these cases, the author of the report should consult with the VLO and their TL about how best to accurately reflect this in the report without divulging any identifying information.

Suggested wording includes:

- a. “this Service considered the concerns of multiple victims and/or victims of relevant offences for the preparation of this report/assessment. It should be noted that there was variance among the responses of the victims in regard to their ongoing concerns about their need for protection from violence or harassment from the offender.”
 - b. “this Service considered the concerns of multiple victims and/or victims of relevant offences for the preparation of this report/assessment. It should be noted that not all of the victims consulted wished to provide information for the purpose of this report/assessment.”
- 5.5. If the VLO believes, after considering the information provided by the victim(s), that it is appropriate to respectfully request that the Court consider including a condition on the offender’s order which may provide protection for the victim, they must advise the requesting CCO of this.

RELATED DOCUMENTS

- Crimes (Sentencing) Act 2005
- Victims of Crime Act 1994
- Case Note Policy
- Victim Input Form – Pre-Sentence and Assessment Reports
- AFP Victim Information Request Form

Vanessa Akyol-Quinn
Ag/Assistant Commissioner, Service Improvement and Community Operations
ACT Corrective Services
20 July 2023

Document details

Criteria	Details
Document title:	<i>Victim Information for Reports and Assessments 2023</i>
Document owner/approver:	Assistant Commissioner, Service Improvement and Community Operations, ACT Corrective Services
Date effective:	The day after the notification date
Review date:	3 years after the notification date
Responsible Officer:	Director, Community Operations
Compliance:	This community instruction reflects the requirements of the <i>Corrections Management (Policy Framework) Policy 2020</i>

Version Control			
Version no.	Date	Description	Author
V1	December 21	First Issued	M Steen
V2	August 21	Minor Amendments	M Steen
V3	July 23	Amendment	K. Megic