

Victims of Crime Commissioner Victims' Charter Guidance

Principles 6 & 7A: Treatment of people adversely affected by crime

What is this document?

The Victims of Crime Commissioner is responsible for overseeing compliance with the Victims Charter Act 2006 for the agencies prescribed under the Victims of Crime Commissioner Regulations.

This document sets out how agencies can comply with the Victims' Charter when interacting with persons adversely affected by crime. It provides advice regarding foundational policies, as well as more advanced ways of meeting Victims' Charter principles.

Different organisations will have different capacity, and different staff will have different types of interactions with victim survivors. This guidance provides a spectrum of tools when engaging with victim survivors.

This tool was developed in consultation with the Lived Experience Advisory Group, from whom the Commissioner regularly receives feedback about key issues affecting victims of crime in Victoria.

A note on terminology

The way in which those harmed by crime identify themselves, and their experience of crime, is deeply personal. People who experience crime might identify as a victim, victim survivor, complainant or witness, or none of these terms. This document primarily uses the term 'victim survivor'.

Treatment of people adversely affected by crime

Principles 6 and 7A of the Victims' Charter Act relate to treating people adversely affected by crime with courtesy, respect and dignity, and recognising the individual needs and differences of victims.

What does my agency need to do?

Prescribed agencies need to make sure that victim survivors feel they have been treated with courtesy and respect in a non-discriminatory and compassionate manner. This includes agencies respecting individual values, beliefs and life experiences. A person adversely affected by crime should receive the same quality of service regardless of their sex, gender identity, race, culture, ethnicity, sexual orientation, disability, religion, and age.

Agencies are required to treat each victim survivor as an individual, noting everyone has different experiences you may need to change your approach to meeting the individual's needs. Victim survivors should be treated with respect and you should not hold preconceived ideas.

The next page provides a diagram which maps basic tools all agencies have had, and ways to exceed the minimum requirements.

What the Victims' Charter Act says:

6 Treatment of persons adversely affected by crime

(1) All persons adversely affected by crime are to be treated with courtesy, respect and dignity by investigatory agencies, prosecuting agencies and victims' services agencies.

(2) Investigatory agencies, prosecuting agencies and victims' services agencies are to take into account, and be responsive to, the particular needs of persons affected by crime, particularly needs relating to differences such as:

- (a) race or indigenous background
- (b) sex or gender identity
- (c) cultural or linguistic diversity
- (d) sexual orientation
- (e) disability
- (f) religion
- (g) age.

7A Special treatment of victims

Investigatory agencies, prosecuting agencies and victims' services agencies are to

- (a) respect the rights and entitlements of victims as participants in proceedings for criminal offences; and
- (b) so far as reasonably practicable, take into account, and be responsive to, the particular needs of victims living in rural and regional locations.

Agency capability mapping – Compliance with Victims' Charter principles 6 and 7A

| | Setting the foundations | Making the initial contact right | Think of the physical environment | Intake and knowing the victim survivor | Centre case management on victim's experience | Being responsive and learning from incidents | Having feedback mechanisms |
|-------------------------------|--|--|---|---|--|--|---|
| Foundational ↓ Advanced | Foundational Policies: Having foundational policies accessible to all staff, including: <ul style="list-style-type: none"> • Code of Conduct • Diversity & Inclusion • Trauma-informed Care • Safeguarding Children and Adults | Friendly, trauma informed first contact Whether it be the person taking a call or the receptionist, making sure the first contact builds trust and is kind and respectful. | Positive visual displays This could include displaying First Nations and rainbow flags, posters about the Victims' Charter and fundamental human rights, and other inclusive visuals. | Personal Information gathering Gathers basic demographic, accessibility and diversity information to support your understanding of the victim-survivor's needs. | Case Management Tools Easily accessible tools for staff informed by foundational policies, which support case management. | Incident Management procedures Protocols for reporting and addressing incidents of discrimination or bias within the agency. Ensuring that reporting incidents does not disadvantage or affect victim-survivors' experiences. | Feedback Forms and Surveys Tools for collecting feedback from people affected by crime on their experiences with the agency showing that they are understood, respected and informed. |
| | Trauma-Informed training on foundational policies Training for all staff that engage with people affected by crime in a supportive, non-judgmental way, and promotes individual agency and empowerment. | Accessible communication materials Brochures, online resources, or videos that explain individuals' rights, entitlements, and the services available to them in clear, culturally appropriate formats. | Welcoming physical environment A welcoming and supportive physical environment, including the reception area. This should consider accessibility, noise levels, security, children's toys, furnishings and décor. | Detailed personal Information gathering Gather information on identity, cultural background, preferences, and participation needs. Use the data to improve service provision for the individual. | Training in best practice case management Regular training and professional development to enhance case management and responses to individual needs, including cultural, linguistic, or accessibility considerations. | Incident Management Training / Training on Recognising Bias and Promoting Inclusion Training materials aimed at raising awareness of bias and fostering inclusive practices. | Actively seek feedback Processes for actively engaging with individuals to gather feedback on their experience, preferences, and concerns. Consider and accommodate different access needs, i.e. utilising video call, text, etc. |
| | Regularly update in line with best and emerging practice Regular updates on policies in line with emerging practice and feedback from people from lived experience and other experts. | Providing the right information at the right time Provide basic information but re-enforce when the time is right, e.g. at a time the victim-survivor is better able to take the information on board or has asked for it, at a scheduled time appropriate for them. | Flexible meeting location Where possible, meetings could occur in agreed locations where victim survivor is comfortable (i.e. home, friend's house, another office they are familiar with). | Get information from other sources Avoid asking the victim-survivor to re-tell their story. Use information where it can appropriately be obtained from other sources, but only with the victim-survivor's consent. | Warm referral to specialist supports Support victim-survivor to connect with external services based on identified needs, rather than just providing information. Help prevent them needing to re-tell their experience. | Proactive incident prevention governance Governance which actively oversees incidents and manages potential risks before they occur. | Feedback Action Plan A strategy for reviewing feedback from forms and surveys, identifying common themes, and taking corrective actions or implementing improvements. |