



Complaints and Concerns about Victims Rights – Justice agency complaints

Use this form to record a justice agency complaint in accordance with subdivision 3A.7.2 of the *Victims of Crimes Act 1994 (ACT) (VOC Act)*.

What is a *justice agency complaint*?

A *justice agency complaint* is defined in s 18D of the VOC Act. It captures two situations:

- A *victim* believes the DPP has not complied with their *victims rights*; or
- A *victim* is otherwise dissatisfied with the DPP's service in relation to *victims rights*.

If you are a *victim* and either of these situations apply, you may make a *justice agency complaint* directly to us. If you believe we have not complied with your *victims rights*, you may also:

- raise a *victims rights concern* with the Victims of Crime Commissioner through [Victims Support ACT](#);
- make a *victims rights complaint* to the [Human Rights Commission](#).

Who is a *victim*?

Victims rights belong to '*victims*', which is defined in s 6 of the VOC Act to mean "a person who suffers harm because of an offence". A victim includes:

- a person who suffers harm in the course of, or as a result of, the commission of an offence; or as a result of witnessing an offence (the *primary victim*); and
- a family member of the primary victim, who suffers harm because of the harm to the primary victim; and
- a person who is financially or psychologically dependent on the primary victim and who suffers harm because of the harm to the primary victim; and
- a primary victim, 'related victim' and a 'homicide witness' under the *Victims of Crime (Financial Assistance) Act 2016*; and
- a guardian of a child or legally incompetent person who otherwise is a 'victim'.

However, a *victim* does not include a person who suffers harm because of an offence he or she committed or is alleged to have committed.

What are *victims rights*?

Victims rights are provided for in the VOC Act and other Territory laws. Under the VOC Act, there are five categories of rights relating to:

- Respect, privacy and safety (division 3A.2);
- Access to support, services, legal and financial assistance (division 3A.3);
- Information about administration of justice processes (division 3A.4);
- Information about investigations, proceedings and decisions (division 3A.5);
- Participation in proceedings (division 3A.6).

How do I make a *justice agency complaint*?

Justice agency complaints may be made orally or in writing.

If you wish to make a complaint in writing, please fill out the form starting on the next page with as much detail as possible. You may also write to us by other means, though we may need to contact you to request further information if the questions in this form are not addressed by your complaint.

If you make an oral complaint to us, we may use this form to make a record of your complaint if it is of a sufficiently serious nature or you ask us to.

What to expect after making a complaint

A member of our office will be allocated to review your complaint.

First, they will consider whether you are a ***victim*** and your complaint concerns ***victims rights***.

Second, we will review the scope and nature of our obligation under the relevant right to ensure we are the relevant justice agency for receipt of the complaint. Not all ***victims rights*** place an obligation on the DPP. Complaints about obligations placed on the chief police officer or the courts, for example, should be directed to those justice agencies, the Victims of Crime Commissioner through [Victims Support ACT](#) or the [Human Rights Commission](#).

If your complaint does concern victims rights, the allocated officer will review our records in relation to your matter and may contact you to request further information. We will consider whether there are any remedies available and how we might improve our processes to learn from your experience.

You will be provided with the name and contact number of the complaints handling officer.

We endeavour to resolve all complaints in a timely manner.

Non-identifying data about your complaint will be collated and included in our annual report. This is a requirement under the VOC Act.

You retain the right to withdraw your complaint at any time.

What if I am not a *victim* or my complaint is not about *victims rights*?

If your concern does not relate to a victims right, please provide your feedback to: feedbackactdpp@act.gov.au



Details of justice agency complaint

Date of complaint:
Name of victim:
Contact details of person making the complaint Phone number: Email: Mailing address: Relation to victim (if acting as representative):
Proceedings to which the complaint relates <i>(include the name of the defendant and any court reference numbers, for example starting with CC, CH, SCC, SCA yyyy/12345):</i>
Victims right alleged to have been breached <i>(please identify with as much detail as possible the specific right you believe has not been complied with or in relation to which you are dissatisfied with a service):</i>
Please explain what happened (your 'justice agency complaint'):

What outcome would you like to see in making this justice agency complaint?

Include copies (not originals) of any documents that may assist with the investigation and describe the documents you have included below:

For internal use only

DPP CASES reference number *(for internal use only)*:

Complaints handling officer *(for internal use only)*:

DPP action taken *(for internal use only)*:

How matter was resolved *(for internal use only)*:

Privacy Notice

The Director of Public Prosecutions is collecting the information provided on this form for the purpose of responding to your justice agency complaint. We may need to discuss your justice agency complaint with other justice agencies, like police or the courts, in order to properly investigate and resolve your complaint. The Director of Public Prosecutions will also collate non-identifying data arising from your complaint to use for annual reporting as required under the VOC Act.

Please tick if you agree with the following:

- I consent to the information provided being disclosed for the purpose of resolving my justice agency complaint.

Contact details and submitting this form

For assistance completing this form or for more information, please contact the Witness Assistance Service within the ACT Director of Public Prosecutions on (02) 6207 5399.

You can send this form to:

Post: GPO Box 595, CANBERRA ACT 2601

Email: feedbackactdpp@act.gov.au

Drop off to: Reserve Bank Building, 20-22 London Circuit, Canberra City, ACT 2601