Standard Operating Policy

VICTIMS RIGHTS ACT 1996

Document Number  SOP2007-022
File No.  07/1037 (D07/3747)
Date issued  16 July 2007
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Division  Professional Standards and Conduct Unit
Summary  The purpose of this policy is to outline the steps for ambulance officers to take where the patient is an alleged victim of a crime.

Applies to (bold indicates selection)  All Ambulance Service of NSW staff
All Operational Staff
All Administration staff
All Headquarters staff
Division staff (select Aero medical, Northern, Southern, Sydney, Western)
Operations Centres (select All, Aero medical, Northern, Southern, Sydney, Western)

Review date  16 July 2009
Previous reference  SOPP No. 1.50
Status  Active
Approved by  Chief Executive

Compliance with this policy directive is mandatory.
VICTIMS RIGHTS ACT 1996

The Victims Rights Act 1996 established a statutory Charter of rights for victims of crime.

The Charter provides, amongst other things, that:

- a victim should be treated with courtesy, compassion, cultural sensitivity and respect for the victim’s rights and dignity;
- a victim should be informed at the earliest practical opportunity, by relevant agencies and officials, of the services and remedies available to the victim; and
- a victim should have access where necessary to available welfare, health, counselling and legal assistance responsive to the victim’s needs.

The Ambulance Service has no specific clinical Protocol for dealing with victims of alleged crimes. Ambulance officers are required to treat all patients with courtesy, compassion and respect regardless of how their injuries occurred.

All ambulance officers should be aware of the existence of the Victims Rights Act.

Where a patient identifies themselves as the victim of an alleged crime, the ambulance officer must:

1. Note on the Patient Health Care Record that the patient is the victim of an alleged crime; and

2. Verbally inform the hospital staff that the patient is a victim of an alleged crime;

   OR

3. Offer to call for police assistance if the patient refuses transport;

4. Inform the patient that they have rights under the Victims Rights Act 1996; and

5. Inform the patient that under the Act, the Victims of Crime Bureau, a branch of the Attorney General’s Department, can provide assistance to them should they have any queries about their rights under the Act.

Expanded information on the Victims Rights Act 1996, and the role of the NSW Department of Health, the area health services and hospital staff, is contained in NSW Health Policy Directive PD2005_287 Victims Rights Act 1996.