



Protocols for PACT Child Witness Support Volunteers (CWSV)

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1 CHILD WITNESS SUPPORT PROGRAM

1.1 History

Protect All Children Today Inc. (PACT) is a community based not for profit organisation that receives funding through a recurrent grant from Department of Justice and Attorney General (DJAG), membership fees, fundraising activities and donations. PACT was incorporated in 1986 as a result of the increased awareness of child abuse in our community. The initial response was broad based, accepting that abuse was an issue not only for children, but also for the adult survivors of abuse. In 1988 it was recognised that children required to give evidence in the Criminal Justice System (CJS) had special needs and these needs were not being met by the current CJS. In response, the *Child Witness Support Program* was established in Brisbane, expanding to Regional Queensland in 1998.

PACT also recognised that children, young people and their non-offending family members whilst dealing with the trauma of being a victim of, or witness to a crime, were then faced with the further ordeal of having to give evidence in the CJS. This potential for re victimisation needed and warranted specialist services. In 1996 PACT established its PACT Therapy Program to assist child witnesses and their non-offending families. The PACT Therapy Model focussed on the effects of abuse, without the exploration of evidence. However, PACT ceased offering direct Therapy in December 2011 due ultimately to the subsequent recognition of the CJS that counselling and therapy support for child victims and their non-offending families were not a burden on effective evidence provision. There are now many other agencies available to provide counselling to PACT clients.

The *Child Witness Support Program* is only able to function effectively because of the many hours and generosity given by the Child Witness Support Volunteers (CWSVs).

1.2 Mission Statement

To enhance child protection by reducing the trauma experienced by children and young people (aged 3 - 17 years) who are required to give evidence within the Criminal Justice System as victims or witnesses.

1.3 Goals and Objectives

The goals and objectives of the *Child Witness Support Program* are to:

- assist in the minimisation of fears and anxieties associated with the Court process.
- offer preventative and supportive strategies that will protect the child victim from further victimisation as a result of the Court process.
- facilitate access to a range of therapy providers available for children and their non-offending family members.

1.4 Aims

The aims of the *Child Witness Support Program* are to:

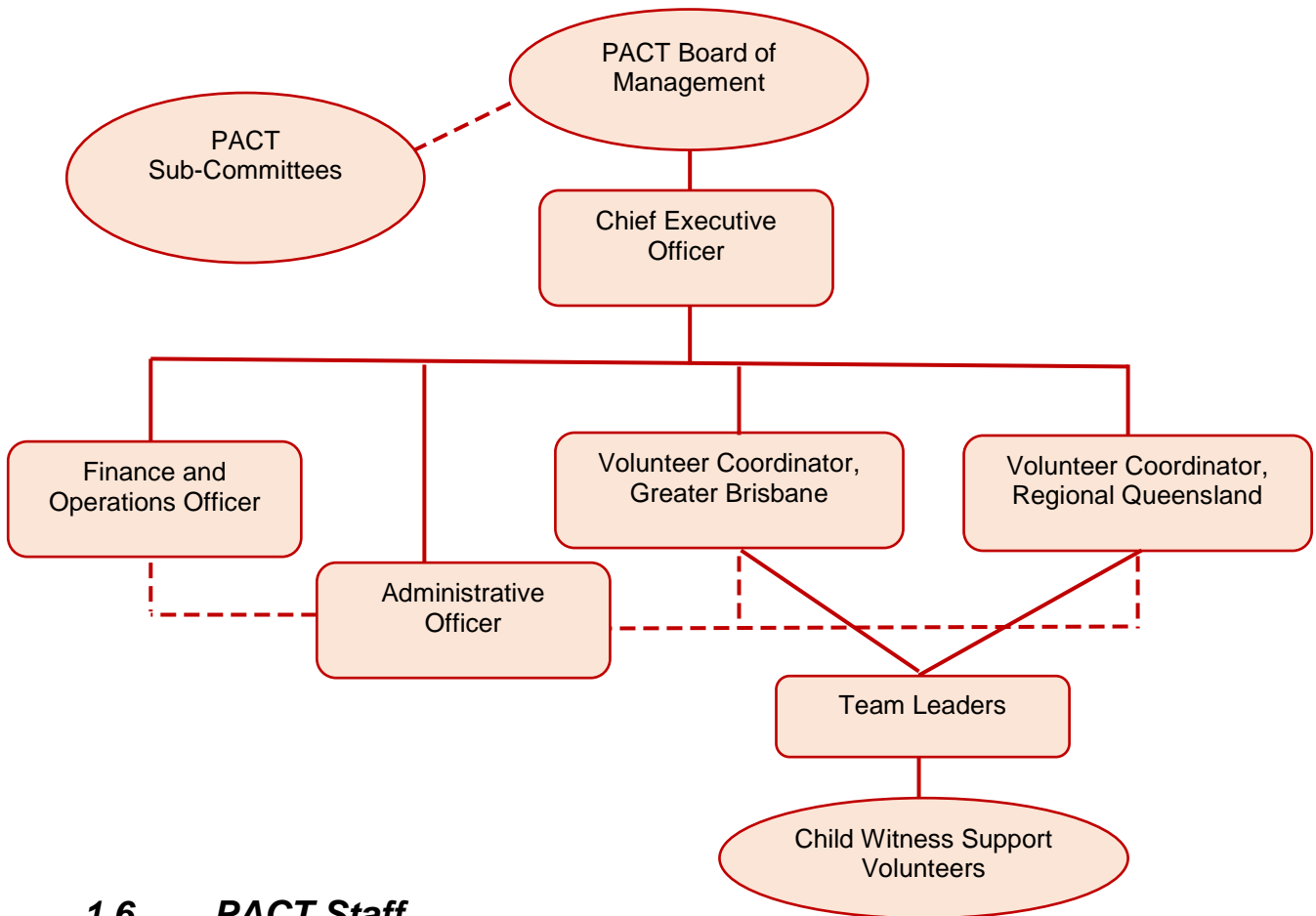
- train and assist CWSVs to provide support for children/young people required to give evidence.
- train and assist CWSVs in the process of instilling confidence in the child witness in the Court setting.
- train and assist CWSVs in providing relevant information about the Court system to child witnesses and their non-offending family members, using language and ways that are relevant for children/young people.
- train and assist CWSVs to provide emotional/physical support for the child witness whilst they give evidence.
- provide child-friendly resources that assist child witnesses and their non-offending family to better understand the Court process.
- facilitate access to therapy services for child witnesses and their non-offending family members in order to deal with the stress and trauma related to the incident(s) leading up to their involvement in the CJS.
- facilitate acceptance of child witness support in the CJS.

1.5 Organisational Structure

The *Child Witness Support Program* is a service of PACT. PACT operates in accordance with the PACT Constitution and under the direction of a voluntary Board of Management. The Board is accountable for the overall operation of PACT and has responsibility for the general control and management of the administration of the affairs, property and funds of the Association.

The members of the Board are elected at the Annual General Meeting and consist of a Chairperson, Vice-Chairperson, Secretary, Treasurer, a board member with responsibility for CWSV liaison and general members, all of whom are financial members of the Association.

All CWSVs must be financial members of the Association to be covered by PACT's insurance and as volunteers are eligible for a reduced annual membership fee of \$5.00.



1.6 PACT Staff

PACT employs the following staff:

- **Chief Executive Officer (CEO)** – Responsible for the strategic and operational management of PACT supported by the Board, staff, CWSVs and members. The position focuses on child advocacy and represents the organisation at a range of Government and non-government forums and meetings.
- **Finance and Operations Officer** – In consultation with the CEO, is responsible for the financial aspects and operational activities of PACT.
- **Volunteer Coordinator Regional Queensland (VCRQ)** – Responsible for the recruitment, training and coordination in support of regional CWSVs. The VCRQ participates in interagency meetings and assists the Chief Executive Officer in advocating for matters affecting child witnesses.
- **Volunteer Coordinator Greater Brisbane (VCGB)** – Responsible for the recruitment, training and coordination in support of CWSVs in the Greater Brisbane area. The VCGB participates in interagency meetings and assists the Chief Executive Officer in advocating for matters affecting child witnesses.
- **Administrative Officer** - Responsible for provision of administrative and clerical support to all PACT staff.

1.7 **Key External Stakeholders:**

- **Police Liaison Officer (PLO)** - employed by, and accountable, to the Queensland Police Service (QPS). The PLO ensures that the QPS is kept fully informed of PACT services and assists with the prompt referral of child witnesses.
- **Victim Liaison Officers (VLOs)** - employed by the Office of the Director of Public Prosecutions (ODPP) and provides an administrative link between the ODPP, PACT and CWSVs so that case information in relation to Conferences and District Court appearances is provided in a timely and accurate manner, and in accordance with their privacy protocols.
- **Victim Assist Queensland (VAQ)** – part of the Department of Justice and Attorney-General, was established at the end of 2009 and provides assistance to victims of crime in Queensland to help them to recover from the effects of a violent crime and get their lives back on track.

1.8 **Anti-Discrimination**

PACT operates in compliance with the purposes of the *Anti-Discrimination Act 1991 (QLD)*. CWSV selection is based on merit; without regard to race, age, gender, marital status, sexuality, disability or religious beliefs. PACT's recruitment strategy is in consideration of genuine occupation requirements, which accords with section 25 of the Act. CWSV are encouraged to perform their duties in accordance with these same principles.

Any request by a child or family for a change of CWSV will be considered on a case by case basis.

All acts of discrimination toward or by CWSVs will be treated seriously and investigated promptly. Complaints may be made verbally or in writing and are treated in the strictest confidence. Please refer to the Complaints Procedures in these protocols. Further information may be obtained from The Anti-Discrimination Commission Queensland on 1300 130 670 or <http://www.adcq.qld.gov.au/>

2 **CHILD WITNESS SUPPORT VOLUNTEERS**

2.1 **Role of the Child Witness Support Volunteers**

2.1.1 **Organisation**

- To participate as a financial member of PACT.
- To act at all times in accordance with the PACT Constitution, Mission, these Protocols and the **Child Witness Support Volunteers Code of Conduct**.

2.1.2 **Clients**

- To provide information to the child witness and their carer/s about Court proceedings and prepare the child witness for the Court process.
- To offer a face to face visit in the client's home, or where that is not appropriate, make alternative meeting arrangements.
- To maintain appropriate contact with the child witness and their carer/s until the child witness has pre-recorded their evidence or the matter is finalised.
- To liaise with a broad range of individuals.
- To attend Pre-Indictment and Pre-Recording Conferences at the discretion of the ODPP.
- To visit the CCTV/Court room with the child witness prior to giving evidence if appropriate.
- To support and reassure the child witness during her/his waiting time in the Court building.
- To accompany the child witness whilst they pre-record their evidence.

2.1.3 **Child Witness Support Volunteer Program**

- To participate in induction and ongoing in-service training as a CWSV.
- To take on the task of child witness support provided they are able and willing to perform such tasks.
- To attend monthly CWSV meetings wherever possible.

- To participate in an annual CWSV Feedback interview.

2.1.4 Wider Community

- To promote the Child Witness Support Program within the wider community.

2.1.5 Skills Required

- Sound communication skills (both written and oral).
- Personal organisational skills.
- Ability to work in a diverse team.
- Referral skills.

2.1.6 Personal Attributes Required

- Ability to maintain confidentiality.
- Time flexibility.
- Responsibility.
- Empathy and tact.
- Impartiality, non-judgemental.
- Patience.
- Sense of humour.
- Personal insight and ability to self-care.

2.2 *Rights of Child Witness Support Volunteers*

Every CWSV has the right to:

- support and recognition from staff, management and other CWSVs at PACT.
- role satisfaction. Consideration will be given to personal preferences in regard to the age of the child, the gender of the child, the location of the child and the location of the Court.
- know as much about PACT as possible/appropriate.
- appropriate training and direction.
- support and feedback through regular contact with their Team Leader and CWSV Coordinator.
- make suggestions, offer constructive criticism and receive regular feedback.
- the provision of suitable aids/resources for the effective preparation of child witnesses.
- decide how much time to give PACT and to say no if asked to do more.
- be treated respectfully, without discrimination based on gender, sexuality, disability, race or religion and free from harassment.

2.3 *Responsibilities of Child Witness Support Volunteers*

It is the responsibility of CWSVs to:

- maintain a professional and diplomatic relationship with all key stakeholders including Police, Court personnel and staff of the ODPP.
- maintain strict confidentiality of client information at all times.
- remain with the child witness whilst in the Court precinct.
- maintain appropriate boundaries with the child witness and their carer/s.
- adhere to the requirements of the PACT Constitution, the relevant Protocols and the CWSV Code of Conduct.
- maintain correct records and forward paperwork promptly to PACT as soon as possible after the child witness's evidence is recorded or the case is concluded.
- participate in regular / ongoing training provided by PACT.
- attend regular team meetings, Annual Feedback Interviews and other organisational commitments important for the smooth operation of PACT.
- inform PACT as early as possible if unable to perform duties or if taking leave.

2.4 *Rights of the Organisation*

The Organisation has the right to:

- expect confidentiality in relation to the case work of PACT.
 - expect conscientious work performance and reliability.
 - expect enthusiasm and belief in the work of PACT.
 - make the decision regarding the suitability of case allocation.
 - give feedback to CWSVs; both positive and constructive.
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- expect loyalty to the organisation and its members.
- receive clear, open and transparent communication from CWSVs at all times.
- make decisions to ensure the professional reputation of PACT.
- receive timely paperwork at the completion of each matter, for PACT to maintain accurate records.
- release an unsuitable CWSV.

2.5 Responsibilities of the Organisation

PACT has the responsibility to ensure:

- CWSVs are recognised as valuable team members, with opportunities to participate in relevant organisational decisions.
- All voluntary work is undertaken on a voluntary basis and without coercion.
- the work of CWSVs supplements and enhances, but does not compete with the work of paid employees.
- CWSVs are offered child witness work that is appropriate to their skills and experience.
- CWSVs are provided with clear guidelines and orientation to their work and PACT.
- CWSVs are empowered to meet their own and PACT's needs by providing appropriate resources, information, support and feedback.
- CWSVs are offered training and support to achieve personal and professional goals.
- CWSV safety and well-being is included in CWSV insurance and PACT CWSV protocols.
- CWSVs are offered a financial contribution each quarter, toward out-of-pocket expenses.
- Mechanisms are provided which acknowledge the value of contributions made by CWSVs.
- CWSVs are provided with written information about the organisation's relevant protocols.

2.6 CWSV Code of Conduct (Attachment 2)

The CWSV Code of Conduct outlines the key requirements of the role and is signed by each Volunteer following training and before commencing their role with PACT.

2.7 Induction, Supervisory Period and Graduation

PACT affirms the importance of providing CWSVs with a thorough training program. Responsibility for training lies with the CWSV Coordinators.

Training for new CWSV requires successful completion of the mandatory Induction Training Course and signing of the Code of Conduct, followed by a supervisory period where the new CWSV works on a series of shared cases with a Team Leader or more experienced CWSV. This provides the new CWSV with the opportunity to observe the work of experienced CWSVs in practice and have access to supervision to ensure the new CWSV has gained competency in the key duties of the role. Trainee CWSVs are asked to complete "Record of Training Experience" Forms (provided at training) to be submitted to their CWSV Coordinator monthly until they have been advised by their CWSV Coordinator that they have completed their supervisory period. This is determined once the Team Leader, new CWSV and relevant CWSV Coordinator are satisfied that the newly inducted CWSV has achieved an appropriate level of competency. Once all relevant parties are in agreement, the new CWSV is deemed to have graduated and will be eligible to manage further cases independently.

Training is an ongoing process. After graduation it is expected that CWSVs will continue to learn from each new case and are strongly encouraged to review this document, attend meetings, training and other professional development opportunities, read newsletters and emails and speak to their Team Leader or the relevant CWSV Coordinator for further guidance and advice.

2.8 Team Leaders

The appointment of Team Leaders and members of the training team remains the responsibility of the CWSV Coordinators. The choice of Team Leaders will be determined by their:

- geographical area.
- availability and interest in the role.
- enhanced communication skills.
- demonstrated experience and high level skills in the area of Court support work.

- ability to work effectively as a member of a team.
- high degree of self-awareness.
- ability to recognise and adapt with sensitivity to culturally specific needs.
- sound knowledge and application of PACT's policy and procedures.
- demonstrated support for the organisation and its mission.

2.9 **Membership, Blue Card and PACT ID**

CWSVs are required to have a current Blue Card and be financial members of PACT prior to the acceptance of a caseload. Being a financial member is critical for insurance coverage. Discounted annual membership fee for active CWSVs is \$5 per year, payable by 31 March each year.

Obtaining the Blue Card is the responsibility of PACT upon receipt of the completed Application form from the CWSV. If a CWSV has a Blue Card from work in another agency, the CWSV will need to complete an Authority to Confirm Valid Blue Card/Application form to ensure PACT is advised of any changes in Blue Card Status.

Blue Card holders have an obligation to notify the CCYPCG of any relevant changes in circumstances (such as personal details or Criminal history). PACT also has an obligation to notify the CCYPCG if the CWSV is no longer an active Volunteer with PACT. For further information about the Blue Card scheme, follow the links from their website <http://www.ccypcg.qld.gov.au/bluecard/about.html> or call **07 3211 6999** or Freecall **1800 113 611**

A PACT Identification Card (ID) is issued by PACT upon receipt of a positive notice from the Commission for Children and Young People and Child Guardian (CCYPCG)'s Suitability for Working with Children check (Blue Card) and a current passport photo from the CWSV. The PACT identification card should either be worn, or in the CWSV's possession during their duties as a CWSV. The ID card must be returned to PACT upon resignation or receipt of an updated card.

2.10 **Business Cards, Reply Paid post and "Free-Call 1800"**

CWSV individualised business cards are created when the CWSV contacts the Administrative Officer and advises which contact details they would like on their cards (e.g. home phone, mobile phone, email, etc.).

CWSVs and client families can contact PACT at no cost by:

- Post: "Reply Paid 6011, Logan Central, Q 4114" (no stamp required).
- Calling PACT on 1800 090 111 (A free call from a land line phone).

2.11 **Court Support**

Affected Child Witnesses and Special Witnesses (*Legal Glossary Attachment 1*), are entitled to have a Court approved support person accompany them while they give their evidence. In most cases, this will be the PACT CWSV.

There are times when a child witness will request another person to be with them when they give their evidence. This is acceptable if the person is not giving evidence, is an adult and is approved by the Court. The CWSV will assist the child witness or carer in understanding that others who may be called to give evidence as witnesses are not permitted by the Court to take on the role of Court approved support person and will also explain to the child witness or carer the difficulty of a friend or relative hearing evidence while acting as a Court approved support person.

The CWSV will consult with the Prosecutor and ODPP about the child witness's preference for a support person to accompany them while they pre-record their evidence and confirm with the child witness the result of that consultation. Where a non-PACT support person is chosen, the CWSV is to accept the child/family's choice, but offer to be available on the day of court to enable ease of access to the vulnerable witness room facilities or to provide support should the application for their preferred support person be refused. **It is then the Prosecutor's responsibility to instruct the non-PACT support person regarding Court etiquette** (Refer to 2.35 *Accompaniment of Witnesses*)

2.12 Confidentiality

PACT has a legal and ethical responsibility to ensure that the principles of privacy and confidentiality are maintained. Children and their non-offending families/carers referred to PACT have the right to expect that their information and circumstances remain strictly confidential. As such, all CWSVs are expected to maintain strict confidentiality with information exchanged whilst supporting PACT clients. Limits to confidentiality arise when a CWSV:

- assesses that a risk to the health or safety of another person exists or may exist.
- decides in the interest of the client, it is necessary to consult someone in authority.
- is subpoenaed as a witness.
- witnesses a suspected unlawful incident involving a client.

Privacy and Confidentiality

All CWSVs must ensure that:

- all client details are kept in a secure place within the CWSV's home.
- all case information and documentation is returned to PACT on case completion.
- **NO** documentation (whether electronic or hard copy) referring to a case is to be kept after case completion.
- any hand written or printed file notes, (e.g. a CWSV diary) must not be capable of identifying the child other than by a case number.
- CWSVs do not refer by surname, or any other identifying information, to the families and children allocated to them.
- the surname, or other identifying information of a child witness is not used in case discussions during CWSV meetings.
- no discussions or references to cases, past or present, are had with any person other than those CWSVs involved, CWSV Coordinator, Police, Victim Liaison Officer (VLO), Prosecutor, Child Safety Officer, or parent/carer/s.
- personal information, about other PACT CWSVs, Staff, etc., including phone numbers, are not provided to clients without permission.
- when contacting a family, CWSVs do not discuss the purpose of their contact with, or provide any information to, anyone other than the listed carer/s, without their permission.
- where a Complainant or witness child is 13 years or younger, CWSVs must not discuss the purpose of their contact, or provide any information to the child, unless permission is first obtained from the carer.
- when supporting more than one family in a matter, personal or case related information is not to be shared between parties.
- CWSVs are to seek consent from the client family prior to sharing information, including updated contact details, between PACT, Police or ODPP.
- any issues, incidents, concerns or potential conflict of interest in relation to a child witness or family should be referred to the CWSV Coordinator immediately. If appropriate, CWSVs will advise the family that the matter will be raised with the CWSV Coordinator.
- Consent is sought from the Carer (or child if aged 16 years or older without a suitable adult guardian) to enable sharing of case related information between the ODPP and PACT (refer to **Attachment 9**). All PACT clients are provided with a copy of PACT's **Privacy Statement to Clients (Attachment 5)**.

2.13 Impartiality and avoiding Witness Coaching

It is important for our professional standards and for the legal process, that PACT CWSVs **remain impartial**. It is PACT policy that the Child Witness Support Program aims to support child witnesses in **giving 'best evidence,' NOT securing a conviction**. PACT has no vested interest in the outcome of any court matter.

Remaining impartial is critical as PACT's reputation is based upon its objectivity and separation from Police, ODPP and Defence.

If CWSVs are seen to be biased or to have coached a witness there may be serious repercussions for PACT and impact on our ability to support other child witnesses in the future.

- CWSVs are **NOT to discuss the merits of a particular case** regardless of their own views. This includes a CWSV's assessment of the verdict or sentencing of a Defendant or advice whether to accept a Guilty Plea (Refer to *Legal Glossary Attachment 1*).

- CWSVs must **NOT** enter into a relationship that may jeopardise the outcome of the Criminal process, or lead to inappropriate dependence on the CWSV by the child witness or family.
- CWSVs are **NOT** to transport children in their private vehicles.
- CWSVs are **NOT** to invite child witnesses into their own home during or after the Court support period or attend personal events for the client (e.g. a birthday party).
- CWSV are **NOT** to touch or encourage any physical contact from the child or young person being supported.

The provision of the CWSV's private or mobile telephone number for the family is encouraged but remains at the discretion of the individual CWSV. PACT staff will **never** give out a CWSV's contact details, but will pass on messages. However, PACT does release this information to other CWSVs, Police Officers and ODPP personnel.

CWSVs are encouraged to discuss any difficulties encountered in hearing the details of a case, or with maintaining appropriate personal or professional boundaries with their Team Leader or their CWSV Coordinator.

Courts have strict boundaries in relation to what can be said and done. Due to its impartiality and positive relationship building with the ODPP, Police and Defence, PACT has earned its place as a Court-approved child witness support service.

Prosecutors have a legal duty to disclose to the Defence Lawyer any information that may assist in their clients' defence. The consequences of a CWSV engaging in Witness Coaching are very serious for the case, the CWSV, PACT and future child witnesses. Allegations of Witness Coaching are taken very seriously by a Judge or Magistrate and if not appropriately addressed, may result in an Appeal or Mistrial (Refer to *Legal Glossary Attachment 1*).

To avoid allegations of Witness Coaching, it is essential for CWSVs to keep in mind the following.

NEVER:

- Discuss evidence with a witness.
- Attempt to persuade a witness to continue with a matter if they want to stop (instead suggest they talk to the Police Officer or the Prosecutor about their concerns).
- Instruct a witness in what to say (i.e. "putting words in their mouth").
- Refer to a Defendant as a "baddie" or similar.
- Make disparaging comments about a Defendant or their lawyer (the Defence Lawyer has an important job to do and an obligation to do it to the best of their ability).
- Instruct a witness in what to wear, or how to present themselves other than to advise that Courts are conservative/formal places that can get cold due to the air conditioning being adjusted for the Judge/Magistrate's woollen robes.
- Speak to a witness in the CCTV or Court room. If absolutely necessary, such as if the child needs a break or the CCTV equipment is faulty, always address the Judge or Magistrate with your concern, stating "excuse me your Honour..." It is always preferable that the child is empowered to speak for themselves if they need to ask for a break or report faulty equipment.
- Touch or encourage physical contact with the child or young person.

2.14 PACT Administrative Process for Client Referrals

- The majority of PACT's referrals for child witnesses are received from the Queensland Police Service. These are submitted by the Police Officer via QPRIME through the Police Liaison Officer to PACT.
 - Non-QPS referrals are submitted via PACT's client referral form (accessible from the PACT website) or clients may self-refer via telephone.
 - PACT staff also follow up non-QPS, missing or incomplete referrals with the Arresting Police Officer (or nominated contact officer) through the Police Liaison Officer.
 - PACT Administrative Officer enters the referral on the database and create a case file.
 - The relevant CWSV Coordinator checks whether there are apparent risks or whether there are any Child Safety custody or guardianship Orders related to the matter.
 - The relevant CWSV Coordinator allocates the case to an appropriate CWSV, sends a copy of the referral to the CWSV (along with any additional information or instructions) and records this information on the database and file.
 - Administrative Officer sends:
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- a letter addressed to the carer introducing PACT and the CWSV allocated to their matter (refer to **Attachment 3**)
 - a brief letter to the child witness (if aged 13 and older) introducing the CWSV (refer to **Attachment 4**)
 - the PACT Brochure to the carer
 - Privacy Statement to Clients (**Attachment 5**)
 - a list of available Therapy providers (**Attachment 6**)
 - a fax/email to the Arresting Police Officer advising the CWSV's name, telephone number/s and email (**Attachments 7 and 8**)
- The file is kept "open" until advised that the matter has been finalised and the CWSV returns their paperwork.
 - Once complete, the file undergoes the Quality Assurance Process before being archived.
 - If a matter is reopened, copies of the file notes are provided to the original CWSV or the newly allocated CWSV if required.

2.15 **Queensland Police Service (QPS)**

PACT is committed to a collaborative relationship with QPS. The role of the QPS includes investigating complaints, gathering evidence and facilitating the appearance of witnesses in Court matters.

The QPS Operational Procedures Manual (OPM) outlines the responsibilities of investigating arresting officers (or officers delegated the responsibility) in arranging the appearance of their witnesses, which include the following:

- Notifying witnesses on behalf of the ODPP.
- Facilitating transport/accommodation arrangements, if required.
- Lodging relevant witness expense claims, if required.
- Arranging appropriate preparation and support for child witnesses and special witnesses (e.g. PACT).

CWSVs will:

- conduct themselves in an appropriate manner in relation to Police.
- seek advice from the Police Officer before contacting the family/carers.
- seek confirmation from the Police Officer when the child is likely to be first required
- not discuss evidence with any witness in the matter.
- encourage families/carers and witnesses wishing to disclose further evidence to speak to their Police Officer.

CWSVs are not to take it upon themselves to make complaints directly to other parties. Any complaints about staff of QPS are to be written in an Incident Report Form and/or discussed with their CWSV Coordinator. (Refer to *Incident Report Process 2.31*)

2.16 **Office of the Director of Public Prosecutions (ODPP)**

PACT is committed to a collaborative relationship with the ODPP. The primary role of the ODPP is to prepare, institute and conduct prosecutions on behalf of the people of Queensland. The ODPP is committed to liaising with PACT to help reduce the trauma to (alleged) child victims or witnesses of crime involved in the prosecution process. (Refer *Legal Glossary Attachment 1* – for further information about ODPP roles). In most geographical areas, the ODPP does not become involved in a matter until after it is Committed. The CWSV Coordinator or Team Leader will advise CWSVs of areas where that is not the case.

CWSVs will:

- conduct themselves in an appropriate and professional manner in Court.
- accept direction from the Crown Prosecutor or Legal Officer as to their role in the proceedings.
- not discuss evidence with the Complainant, or any other witness in the matter.
- encourage families/carers and witnesses to refer questions/concerns about the Matter to the Crown Prosecutor, Legal Officer or Victim Liaison Officer.
- never offer legal advice.

CWSVs are permitted and encouraged to be present at Pre-Indictment or Pre-Recording Conferences if requested by ODPP or the child and family.

The *Information Privacy Act 2009* outlines Queensland Government obligations for the handling of personal information to ensure appropriate levels of privacy are safeguarded.

In accordance with the Act, the ODPP has established protocols whereby external agencies and Departments, such as PACT, must ensure client consent is obtained before personal or case-related information can be disclosed. (Refer to **Attachment 9**)

CWSVs are not to take it upon themselves to make complaints directly to other parties. Any complaints about staff of the ODPP are to be written in an Incident Report Form and/or discussed with their CWSV Coordinator.

2.17 *Victim Assist Queensland (VAQ)*

Victim Assist Queensland is the assistance scheme for victims (including secondary victims) of crime in Queensland. The scheme commenced on 1 December 2009, replacing the previous Criminal Compensation scheme. VAQ assists victim recovery by paying for, or reimbursing, where relevant, the costs of goods and services that the victim requires to help them recover from the physical and psychological effects of the crime. VAQ aims to provide a tailored, needs-based response and allows for earlier intervention in the victim's recovery. Complainant families are eligible to contact **Victims Linkup on 1300 546 587**. PACT will also receive some of its referrals through Victims Linkup as well as through Police and ODPP.

2.18 *Initial Contact with the Arresting Officer*

After receipt of the referral, the allocated CWSV (or the Case Coordinator, in matters with more than one CWSV) contact the Arresting Police Officer. Initial contact should be made by telephone, however subsequent contact can be via email.

- CWSVs introduce themselves (name and role with PACT).
- Check if there are any other child witnesses involved in the matter.
- Clarify any details on the referral, if required.
- Check whether there are risks / safety concerns.
- Check whether there is conflict between the child witness and any other party involved in the matter.
- Any other appropriate information the AO can provide to assist the CWSV support the client child/family.

2.19 *Initial Contact with Child Safety Officer (CSO):*

If a Child Safety Officer (CSO) is involved with the child witness, **(and the relevant CWSV Coordinator advises that the child is under a custody or guardianship order with the Department of Communities, Child Safety and Disability Services)** CWSVs must contact the listed CSO prior to contacting the listed carer/s to determine appropriate contact with the carer/s and child.

2.20 *Initial (and Subsequent) Telephone Contact with the Family/ Carers*

The process for CWSV's initial telephone contact with the family/carer is outlined as follows:

- Confirm they are speaking to the person listed as the carer. If the carer is unavailable, CWSVs are to seek when the carer will be available and call back at a later time. CWSVs are not to identify themselves (apart from giving their first name) or PACT until confirmation is received by the listed carer as to who they have approval to speak to.
 - If the carer is available, introduce themselves (name and role with PACT):
 - Confirm the carer's receipt of the PACT letter including the PACT brochure explaining the services offered and a list of free Court-compatible therapy providers.
 - Listen and confirm that the carer's expressed needs are understood.
 - Explain the CWSV role.
 - If time allows, arrange a face to face meeting with the child witness and carer (subject to risk/safety assessment) when convenient to both parties, prior to Court. (If the Court appearance is some time away, determine the appropriate timing of the face to face meeting in consultation with the carer i.e. immediately or closer to Court Hearing).
 - Remind carers of available therapy services.
-

- Suggest the carer (and child witness) write down any questions they may have prior to the face to face meeting.
- Provide contact details (either the PACT phone number or personal phone number) so the family can contact their CWSV.

2.21 **Client Consent Process (Attachment 9)**

The following procedure enables clients to give consent for ODPP to release “private” information to PACT:

- PACT allocates the referral and sends a letter of introduction NB: The letter of introduction makes no mention of the consent form process as it may overwhelm the client family.
- The CWSV makes contact with the client family.
- Once rapport with the Carer has been established and initial questions about the Court process are explained, the CWSV will then raise the issue of Client Consent.
- The CWSV explains to the carer (or independent child 16 years or older if no carer) that signing and returning the (blue) Client Consent Form, will give permission to obtain relevant information from ODPP (or QPS) that will assist PACT to provide optimum support to the client family. All information is treated as strictly confidential.
- If the family choose to not complete the (blue) PACT client Consent Form (or a yellow ODPP Client Consent Form), then the family will be responsible for advising the CWSV of important Conference or Court dates if they wish PACT to provide support on these dates.
- The CWSV will either:
 - Ask PACT Administrative staff to send the carer a copy of the Consent Form. PACT will also enclose a Reply Paid envelope to encourage the Carer to return the letter to PACT as soon as possible.
 - Take the Consent Form to a Face to Face Visit (If the CWSV is seeking consent directly, they are asked to complete the “Office Use Only” section to make it easier for PACT staff to process the form).

Once complete, the signed Consent Form is to be **returned to PACT as soon as possible**, either by post, scanned and sent by email, or by fax.

- PACT staff will record on the database that consent has been obtained, then scan the signed Consent Form and email it to the ODPP and the CWSV.
- CWSV do not need to keep a copy of the Consent Form, just note when it was received on their Case Diary.
- Once consent has been obtained and ODPP informed, the ODPP should advise the CWSV of Conference Dates and other relevant information that will assist the CWSV to support the family.
- Consent is given to “PACT”, not an individual CWSV, so that if a CWSV has obtained consent and needs to transfer the case to another CWSV, consent need not be sought again.
- The family retains the right to withdraw consent for PACT support at any time.
- If the CWSV is experiencing difficulty obtaining consent they should discuss the matter with the CWSV Coordinator.

2.22 **Face to Face Meeting with Clients (Home Visits)**

CWSVs always have the right to refuse any proposed case allocation.

If possible, and if safe to do so, CWSVs are expected to conduct one face to face meeting, either at the family’s home or another mutually agreeable location, prior to an ODPP Conference or the Pre-Recording of evidence. This meeting is an important part of the service which enables the provision of correct information in an informal environment and provides an opportunity to establish appropriate rapport with the child witness and their non-offending family/carers.

To date, there have been no reported incidents of a CWSV being harassed or assaulted while performing PACT duties. However, **CWSVs must be mindful of personal safety when supporting their client families, especially if visiting their home. PACT recommends CWSVs adhere to the following safety procedures at all times:**

- Seek clarification from the Arresting Police Officer regarding safety concerns before making contact with the client family.

- If the Department of Communities (Child Safety Services) has custody or guardianship of a child, (the CWSV Coordinator will advise if orders are in place) ask the Child Safety Officer if there are any safety concerns.
- Never arrange a home visit where a child witness is living with the Defendant.
- Never arrange a home visit where there are safety concerns about visiting the family home.
- Although face to face meetings may occur at the client family's home, CWSVs can arrange a meeting at any appropriate semi-public space such as a library, Court house, park or café.
- When arranging face to face meetings, CWSVs are encouraged to:
 - let someone (a partner, friend or another CWSV) know where they are going and when they are expected to return.
 - make arrangements to call a safety person or have them call if the CWSV has not made contact by the pre-arranged time.
 - leave the address of the location of the meeting in a sealed envelope in order for the safety person to provide this information to the police if required.
- CWSVs do not meet with child witnesses unless a non-offending parent, carer or responsible adult is present.
- Where a family lives on a remote property or outside mobile phone range, consider arranging a meeting in a less isolated location.
- If a CWSV gets "an uncomfortable feeling" prior to meeting a family, they are to discuss their concerns with the CWSV Coordinator.
- If a CWSV feels uncomfortable or threatened during a visit, they are to leave immediately.
- CWSVs may consider tactfully advising the client family that someone is aware of the meeting and / or when they are expected at another venue.
- CWSVs are not to enter premises with an unrestrained dog.
- CWSVs are advised to keep a mobile phone handy (CWSVs who do not own a mobile phone, are strongly urged to purchase one).
- CWSVs are encouraged to park their car in the direction they intend to leave and carry their car keys for ease of exit.
- CWSVs are encouraged to survey the premises when they enter in order to identify potential risks and exit points (should they be required).
- Should the face to face meeting raise concerns about the immediate safety of the child witness and/or carer the CWSV:
 - is not permitted to remove a child witness from the home under any circumstances.
 - should leave the premises immediately and contact the Police via the 000 emergency number (if the matter is urgent).
 - should contact the CWSV Coordinator as soon as possible.
 - Should provide the CWSV Coordinator with an Incident Report within 48 hours.
- If the CWSV has non-urgent safety concerns, they should be discussed with the CWSV Coordinator at the earliest convenience.

2.23 Children Living with the Defendant and Other Safety Concerns

If a child witness is living with the Defendant, or the CWSV is advised that there are safety concerns impacting upon a face to face meeting:

- Discuss meeting plans with the CWSV Coordinator in the first instance.
- Under no circumstances should a CWSV conduct a face to face meeting in the Defendant's home or in proximity to the Defendant.
- If the Department of Communities (Child Safety Services) has custody or guardianship of a child, discuss with the Child Safety Officer whether a face to face visit at the Child Safety Service Centre in the company of the Child Safety Officer or a Departmental Youth Worker would be more appropriate.
- If the Department of Communities (Child Safety Services) does not have custody or guardianship, the face to face meeting with the client should occur in conjunction with the Court Visit or Pre-Recording Conference, in the security of the Court, Police or Justice precincts.

2.24 Further Disclosure

Child witnesses involved in the Criminal process have already disclosed (i.e. given their Police Statement, usually by recording their 93A). CWSVs must discourage further disclosure.

If a witness (child/young person or adult) attempts to disclose further information, the CWSV is to direct the witness to their Arresting Police Officer. **If a CWSV becomes a witness to further disclosure they are legally unable to continue to support the child in that matter, and another CWSV will be allocated.**

2.25 Avoid Counselling – Legal Advice

CWSVs are not to exceed their role in offering any form of counselling or legal advice. Counselling requires considerable training to ensure effective intervention and also carries with it considerable liability. Where CWSVs have specific counselling training, these skills are not to be utilised whilst performing their PACT duties. While skills in communication and active listening are essential for CWSV work, CWSVs are only able to provide a list of available therapy providers or encourage the client to contact Victims Assist Queensland. All legal matters are to be referred to the Police Officer or Prosecutor involved in the case.

2.26 Using an Interpreter

In instances where clients from Culturally and Linguistically Diverse backgrounds have difficulty in speaking or understanding English, it is the responsibility of QPS or ODPP to arrange appropriate interpretation services (such as through the Australian Government's Translating and Interpreting Service (TIS) to enable the witness to give evidence. If a CWSV identifies the need to arrange an interpreter for either a telephone conversation or the face to face visit, they should contact their CWSV Coordinator who can advise the appropriate process to access interpreter services through VAQ.

Where clients have difficulty communicating due to a hearing or speech disability, the National Relay Service (NRS) is available to assist. Many clients who require assistance already know about the NRS and can make calls to hearing people through the assistance of a Relay Officer. For further information about how to use the NRS for clients CWSV can call 1800 555 660 (Monday to Friday, 9am to 5pm Sydney time) or email: helpdesk@relayservice.com.au. For further information their website is www.relayservice.com.au.

2.27 Contact with the VLO

After the CWSV has obtained Consent and the matter has been Committed with the file received by the ODPP, the ODPP will advise PACT staff of the allocated VLO. PACT will then advise the CWSV. The CWSV is then encouraged to contact the VLO, **preferably by email**, and:

- Introduce themselves (if necessary).
- Request to be kept informed when Conference/Court dates are known.

NB: Prior to consent being obtained, the VLO will be unable to provide any information to the CWSV that is not deemed to be on the public record. Further, VLOs will only provide information in relation to Complainants/victims on receipt of consent. They are not obliged to provide information on child witnesses. ODPP has made an undertaking to inform PACT about non-Complainant witnesses, but this is not the VLO role.

2.28 Pre-Indictment Conference with ODPP

Sometimes the Prosecutor may wish to meet with a child witness soon after the file reaches ODPP and prior to an Indictment (Refer to *Legal Glossary Attachment 1*) being prepared, in order to clarify points of evidence and determine which charges the ODPP will proceed with. The VLO will contact the family to advise the date and time of the Conference. If Consent has been obtained, the VLO should also advise the CWSV. If the CWSV is available, they are to ask the family if they would like them to attend and then contact the VLO to confirm attendance.

2.29 Pre-Recording Conference with ODPP

This Conference may take place either a day or two prior to, or on the same day as the Pre-Recording of the child witness's evidence at the Court. The aim of the Conference is to allow the child to see their 93A statement (Refer to *Legal Glossary Attachment 1*) and meet with the Prosecutor to further prepare them to give evidence. The VLO will contact the family to advise the date and time of the Conference. If consent has been obtained, the VLO should also advise the CWSV.

2.30 **Committals**

While rare, there are still some circumstances where a child witness is required to give evidence at Committal. Circumstances can be where:

- the child witness is not an Affected Child Witness.
- the child witness is not declared a Special Witness or if the Special Witness provisions do not protect the witness from giving evidence at Committal.
- a Directions Hearing determines that a child witness is required to answer questions relating to a defined and limited query.

(Further information can be found in the *Legal Glossary Attachment 1*)

Prior to Committal it is important to determine from the Arresting Officer whether the child witness will be required and seek advice about any provisions obtained, such as CCTV, Videolink, Screen etc, and prepare the child accordingly.

NB: It is extremely rare that witnesses give evidence at Committal.

2.31 **Summary Hearings**

Matters of a less serious nature are usually heard entirely in the Magistrates Court (refer to *Summary Hearings* and *Non-Indictable Offences* in *Legal Glossary Attachment 1*). Prior to the Summary Hearing it is important to determine through the Arresting Officer whether the child's evidence will be given via CCTV, Videolink, Screen, etc. so that adequate preparation may be provided.

2.32 **Statements or Evidence**

CWSVs do not, under any circumstances, discuss with anyone the content of witness statements or pre-recorded evidence. Discussing evidence may jeopardise the legal process and prevent the CWSV from providing the child witness with the support they are trained to give.

CWSVs should make clear that they are not permitted to sign or witness any documents, whether legal or personal, relating to their client or other witnesses.

CWSVs are not to handle or otherwise be responsible for 93A Statements or any other evidence.

2.33 **Court Visit**

A Court visit is only required if it has been confirmed that the child will be required to give evidence and if ODPP staff have not already arranged for it to coincide with the Pre-Recording Conference.

The aim of the Court visit is to explain or revise the roles of Court personnel and to build the child witness's confidence in giving evidence in Court.

The process for the Court visit is outlined as follows:

- Arrange visit to Court and/or CCTV rooms with appropriate Court personnel (Bailiff).
 - Visit the CCTV room with child witness and carer/s to explain:
 - where the child will sit.
 - where the support person will sit.
 - CCTV and how it works.
 - the microphone.
 - where the bible is if an Oath is to be taken, or discuss the Affirmation or questioning by the Judge/Magistrate about the child's understanding of truth.
 - that the support person cannot talk to, or look at the child when giving evidence.
 - when entering the CCTV room the microphone may be turned on.
 - Open Court is explained as follows:
 - The role of the Court personnel and where they will be during proceedings.
 - Where the child will sit.
 - Where the support person will sit.
 - The relationship between the Court and CCTV (if CCTV will be used).
 - That the support person cannot talk to, or look at the child when giving evidence.
 - The possible use of screens (if required).
 - Where the bible is if an Oath is to be taken, or discuss the Affirmation or questioning by the Judge/Magistrate about the child's understanding of truth.
-

- When entering the Court room, it is polite to bow to the crest above the Judge's bench.

In order to assist the child witness in building confidence toward giving evidence, raise their awareness of:

- The importance of telling the truth. If they cannot remember and that is the truth, it is appropriate to say that to the Court.
- Listening carefully to the questions, take time to think about their answer.
 - If they don't hear a question, it's OK to say so and ask for it to be repeated.
 - If they don't understand a question, it's OK to say so and ask to have it explained.
 - If they don't know the answer, it is OK to say so.
- Empowering the child to ask the Judge or Magistrate if they need a short break.
- Not talking to other witnesses about what has been said in Court after they have given their evidence.
- Where the facilities are in the Court building ie toilets, drink fountain, PACT/witness room.

It is advisable to telephone the family the night before Court and confirm attendance. They may have different information to what has been given to the CWSV.

2.34 Suggested Dress Standards

PACT CWSVs are required to dress conservatively and professionally whilst in their Court support role. Appropriate professional dress shows respect for the jurisdiction of the Court and reinforces the accepted role of PACT CWSVs as legitimate participants in the Court process. Casual attire may be suitable for home visits, but not for a Court setting.

PACT CWSVs do not advise a child witness what to wear. However, if their opinion is sought, are permitted to inform the family that Courts are conservative (and often cold) places and appropriate dress standards should be encouraged.

2.35 Accompaniment of Witnesses

CWSVs make every effort to support and engage appropriately with child witnesses whilst in the precincts of the Court.

Where possible, CWSVs remain in proximity to the child witness either in the witness room or Court precinct. If a child witness absconds, the Police Officer, Prosecutor or Court official is to be notified immediately. CWSVs are not to forcibly prevent a child witness from leaving. (Refer 2.11 *Court Support*)

2.36 Pre-Recording of the Child Witness' Evidence

The primary objective for the CWSV on the day of the Pre-Recording is to support the child and carer through the Pre-Recording of the child's evidence. In the majority of cases, the CWSV will accompany the child into the CCTV room while their evidence is Pre-Recorded.

On the day of the Pre-Recording, CWSVs should:

- Meet the child witness and care giver at pre-arranged time and place.
- Be prepared for a Conference with the Prosecutor prior to the Pre-Recording of the child's evidence (if not conducted previously).
- Accompany the child to the PACT/witness room, seeking to avoid the child being confronted by the Defendant(s) or their supporters.
- Not talk to, make non-verbal gestures, or make physical contact with the child whilst they are giving their evidence. Child specific resources such as stress stars, stickers, Angels, wrist bands etc. may be given to the child to provide comfort.
- Accompany the child back to the PACT/witness room once they have given their evidence.
- Praise the child witness on a job well done where appropriate.
- Do the **Post Evidence Feedback Survey (Attachment 10)** with the child or young person, if appropriate.
- Remain with the child until the Prosecutor says they are allowed to leave.
- Record the names of Judge, Defence Lawyer, Prosecutor, time spent waiting by each child witness and length of time each child witness gave evidence, and length of time giving evidence without a break, for completion of paperwork.

2.37 Child Witnesses Giving Evidence in Court

In some instances a child witness may have to give evidence in Court, such as if the child is not an Affected Child Witness or Special Witness (refer *Legal Glossary Attachment 1*). If there is a possibility that the child witness will have to give evidence in Court:

- Discuss the likelihood (of the child witness giving evidence in Court) with the Arresting Officer, Victim Liaison Officer or if appropriate, the Prosecutor, and if required to give evidence in Court, enquire about the possibility of a screen and PACT support.
- If it is possible that the child will need to give evidence without CCTV, prepare the child for both possibilities.
- Do not discuss CCTV if the child will definitely be required to give evidence in Court,
- A court visit will be especially important if the child witness is giving evidence in Court.

2.38 Post Evidence Feedback Survey (Attachment 10)

The Post Evidence Feedback Survey has been developed to obtain feedback from the child witness or young person about their dealings throughout the entire court process. This feedback enables child witnesses to voice their views, provides them with a debriefing mechanism and PACT with valuable information to implement systemic change.

Whilst this survey is highly encouraged, it is not a mandatory process. It is up to the individual CWSV to determine if it is appropriate to do the survey with the child witness shortly after they have given evidence. PACT acknowledges that it may not be possible to survey all child witnesses due to the family dynamic, time commitments, or whether the Volunteer is supporting other children, etc. However, the information obtained directly from the child witness is considered extremely valuable by members of the judiciary. Therefore, CWSVs are encouraged to try to survey as many child witnesses as possible.

2.39 Witness to Intimidation, Harassment or Assault

Whilst rare, PACT CWSVs may witness intimidation, harassment or assault in the course of their work. Should a CWSV be asked to provide a statement to Police regarding an incident, it is up to the discretion of the CWSV concerned. However, if subpoenaed, a CWSV is legally obliged to provide this information.

When CWSVs witness intimidation, harassment or assault they should, if possible, guide the child witness away from the intimidation, then immediately report the incident to the Police Officer or Bailiff. If the incident occurs during a face-to-face visit, the CWSV is not permitted to remove the child. The PACT CWSV will record the incident on an Incident Report Form as soon as possible after the event and forward this to PACT. The relevant CWSV Coordinator will discuss the incident with the CWSV and determine if any further action is required.

2.40 Victim of Intimidation, Harassment or Assault

While extremely rare, a CWSV may be a victim of intimidation, harassment or assault as a direct result of their work with PACT. PACT recognises the needs of the CWSV as a priority. All care will be taken to provide the CWSV with support and assistance in dealing with this in an effective manner. If a CWSV is intimidated, harassed or assaulted the incident should be recorded as soon as practicable after the event. The CWSV will then discuss the incident with their CWSV Coordinator and if appropriate refer the matter to the Police for their information only or for the investigation of an official complaint.

2.41 Victim Impact Statement (VIS)

When a child witness is a victim of a crime, they have the right to tell the Court how the crime has affected them. A Victim Impact Statement (VIS) explains how a crime has harmed the victim. It is a written statement signed by the victim and presented to the Court after a guilty plea or verdict, **when the offender is being sentenced**.

It is NOT the responsibility of the PACT CWSV to assist with the preparation of a VIS or to ensure that one is made. This remains the responsibility of the ODPP. Victim Assist Queensland (VAQ) may also be able to provide assistance in preparing a Victim Impact Statement.

2.42 First Aid

First Aid is not the responsibility of the PACT CWSV.

Children and/or their carer may become ill whilst in the company of a CWSV. CWSVs with a current first aid qualification (e.g. Red Cross or St John First Aid Certificate) are responsible to their training or certifying body for their actions. PACT will not be held liable for conduct by CWSVs which is not in accordance with the following:

- PACT CWSVs are encouraged to observe symptoms of distress or illness and report their observations to a Court official (Bailiff, Prosecutor, Police Officer or Clerk of the Court).
- It may be necessary to provide ongoing reassurance and emotional support during this event.
- The incident is recorded on an Incident Report Form and forwarded to the CWSV Coordinator within 48 hours.

2.43 **Case Closure**

It is in the best interests of both the child witness and the CWSV, that closure is clear. CWSVs facilitate a closure that honours and respects the needs of the child witness and carers.

An appropriate closure is initiated after the child witness has pre-recorded their evidence, or the CWSV is advised the matter is finalised. A child witness should be commended for doing their best, where appropriate. Closure may also include:

- Telephoning the family a day or so after the Pre-Recording to bid farewell, wish the family the best in post-Court life, check how the child and family are managing and “where to from here”, which may include:
 - Referral of Complainants back to their VLO.
 - Reminder of the available therapy providers.
 - Reminder that further assistance may be available through Victim Assist Queensland.
- Contacting the Administrative Officer for a “Certificate of Bravery” for the child witness if appropriate or sending a note or a card.

CWSVs must complete their paperwork and submit to PACT together with all other documentation in relation to the case. Volunteers should also dispose of (shred) any confidential client details following the case.

It is important for CWSVs to maintain a professional relationship throughout the Court process.

While child witnesses and their families are often very appreciative of the support provided by PACT, CWSVs cannot always expect to be thanked. Whether or not a matter is finalised in a manner affirming to the CWSV’s efforts, it is important to remain philosophical about the value of their role in the process.

CWSVs experiencing difficulty with closure are encouraged to raise this with their Team Leader or CWSV Coordinator. PACT has a responsibility to offer support to CWSVs at any time needed.

2.44 **Caseload**

It is PACT’s policy that a professional child witness support service is available through PACT CWSVs. The CWSV Coordinator has responsibility for case allocation.

PACT has set a nominal maximum case load of 30 active cases per CWSV. However, CWSVs always retain the right to refuse any case offered to them.

From the time of case allocation until PACT involvement concludes, a CWSV is to maintain appropriate contact with the child witness/carers specific to the needs of each individual client family. Approximately 1 week after the CWSV Coordinator has allocated a case to the CWSV it is expected that the CWSV will make contact with the family to introduce themselves, provide initial information and ascertain any specific support needs. During this period the carer should have received PACT’s introductory letter. After initial contact is made, regular contact of approximately every 6-8 weeks is to be maintained. This contact is extremely important as it addresses client expectations. Even if there is no new information, “touching base” assists the family to feel supported.

A case is deemed to be “inactive” (and therefore not included in a CWSV’s “active case load”) if:

- the matter has been transferred to the Mental Health Court.
- the Defendant has absconded.
- there have been no Court dates (including mentions) for 12 months or more.

The complexity of the case, the needs of individual families and the amount of children requiring support, will determine the number of CWSVs involved in any one matter.

If a PACT CWSV is unable to, or prefers not to, continue with a matter allocated to them, the CWSV Coordinator is to be informed so re-allocation can take place as soon as possible. All paperwork pertaining to the case must be returned to PACT to enable copies to be provided to the reassigned CWSV. All additional case material in the former CWSVs possession must be deleted or destroyed. Case handover is to be done according to the needs of the child witness and family/carer. In most circumstances, the CWSV will inform the family of the need to change CWSV and will introduce the new CWSV by telephone or in person. PACT will also issue a Change of CWSV letter to the family and Arresting Officer. If the matter has a VLO allocated the CWSV Coordinator will also advise the VLO of the change of CWSV.

For short term CWSV absences, in consultation with the CWSVs involved, the CWSV Coordinator will assess the child's best interests and determine whether a reallocated case could be handed back to the original CWSV.

2.45 Case Coordinator

When a number of CWSVs are involved in a matter, the CWSV allocated the complainant child will assume the role of Case Coordinator (unless advised otherwise by the CWSV Coordinator) and is the sole contact point with the Police and ODPP. The Case Coordinator is responsible for relaying updates to the other CWSVs involved.

Each CWSV allocated to a particular child is responsible for all contact and liaison with the child and their carer/family. This includes seeking Client Consent from the family for ODPP and should not contact the ODPP or QPS in relation to the matter unless advised by the Case Coordinator.

2.46 Personal Insight and Self Care

PACT's primary responsibility is for the health and safety of its CWSVs. From time to time, CWSVs may experience the need for a reduced caseload or period of non-activity. CWSVs' needs will always be supported. Registration as a CWSV will not necessarily be lost through an extended period of inactivity. However, a CWSV may be required to undertake a period of refresher training. The content and length of this training will be determined by the CWSV Coordinator in consultation with the CWSV.

It is the CWSV's responsibility to themselves, PACT and their clients to ensure they have adequate time for rest, recuperation and non-PACT activity.

Where CWSVs experience personal trauma whilst supporting children and their families, PACT may recommend counselling or another support service. This has no impact on a CWSVs suitability to continue in their role.

Where a CWSV or the CWSV Coordinator identifies they may require support:

- depending on the degree of stress or the level of comfort with the individuals, the CWSV is encouraged to contact the CWSV Coordinator, Team Leader, or a fellow CWSV.
 - the CWSV Coordinator will arrange a debriefing with the CWSV as soon as possible after becoming aware of incidents causing stress.
 - the CWSV Coordinator/Team Leader will make an assessment of the impact of the stress. If the issue is significant and the CWSV has not already done so, the Team Leader is to encourage the CWSV to speak to the CWSV Coordinator.
 - the CWSV Coordinator/Team Leader will ensure that adequate and appropriate emotional support is made available to CWSVs.
 - the matter will be treated confidentially.
 - the CWSV, in consultation with the CWSV Coordinator/Team Leader, may need to be temporarily absent from active work.
 - external professional supervision is available if needed.
-

2.47 **Support for Child Witness Support Volunteers (Debriefing)**

PACT recognises the importance of CWSVs receiving adequate support in their role. This support is given in a variety of ways including:

- through their CWSV Coordinator, Team Leader (or by external professional supervision if required).
- attendance at regular CWSV meetings.
- peer support.
- ongoing training (internal and external).
- written communication/email/newsletters/updates of these Protocols.

PACT is committed to organising a Conference every two years to facilitate CWSV in-service training.

The CWSV Coordinators are available to all PACT CWSVs and will return calls as soon as possible. The **1800 090 111** line is made available to all regional CWSVs. In the absence of their CWSV Coordinator, CWSVs are encouraged to speak to another staff member.

The support of peer CWSVs is invaluable. CWSVs are encouraged to share the burdens and the joys of their work with their Team Leader and fellow CWSVs. **Attendance at CWSVs meetings is required, wherever possible.** This will ensure that all CWSVs are kept up to date with Court processes, current legislation and PACT policy as well as providing peer networking and mutual support.

2.48 **Insurance Cover for CWSVs**

The Insurance Policy currently held by PACT provides compensation for an event which results in injury or death. **PACT's Insurance Policy does not cover CWSVs over the age of 85 years.** CWSVs are covered by insurance when they are:

- a financial member of PACT.
- engaged in voluntary work on behalf of PACT.
- engaged in necessary direct travel to, or from, such voluntary work.

The insurance is subject to Terms, Exceptions, Conditions and Limitations and the full Policy is available on request. Insurance cover is available for legal expenses incurred by CWSVs, provided the CWSV acted with the authority of PACT at the time of the event. CWSVs are not covered if they commit a Criminal offence. Should an insurable event occur, PACT must be notified in writing. PACT will seek advice from the insurance company under the policy terms.

2.49 **Transport**

CWSVs do not provide transport to clients under any circumstances.

- PACT's insurance does not cover use of personal vehicles to transport clients.
- CWSVs are encouraged to clarify transport arrangements with the client family prior to any meeting.
- Court-related transport remains the responsibility of the Police. Any issues in relation to client transportation to Court are to be discussed with the Arresting Officer.
- CWSVs attending Court with a child witness may accept transportation from the Police Service or from other government bodies, for example, the Department of Communities (Child Safety Services).
- If an issue in relation to Police transportation is unable to be resolved directly, CWSVs are to contact PACT who will liaise with Police on behalf of the client and CWSV.

2.50 **PACT Paperwork**

In order to validate PACT's recurrent funding through the Department of Justice and Attorney-General (JAG) we need to report on identified "output" targets. Therefore, it is critical that Volunteers submit paperwork that is accurate and provided shortly after the case is finalised.

It is important that notes are kept factual, without judgement or interpretation. While unlikely, it is possible for the notes to be subpoenaed for Court or requested under Rights to Information. Therefore, it is best not to write anything that CWSVs would feel uncomfortable about should a client, Judge or Defence Lawyer read it.

All PACT Paperwork, including the Client Consent Forms, are to be returned to pact@pact.org.au or Reply Paid 6011 Logan Central Q 4114. PACT will acknowledge receipt of all paperwork.

Any queries in relation to the following forms should be raised with the Administrative Officer in the first instance.

2.50.1 Case Diaries (Green) (Attachment 11)

Minimum requirement on front page is Case Number and Client's name.

Their purpose is to:

- track the progress of the case, contact made (emails and phone calls in and out), time spent and any other factual information to assist the CWSV to best support the family.
- assist CWSVs to complete the Statistics Form (and Contribution Claim form which is optional).
- show evidence of the support provided by the CWSV, should a query be raised.
- provide a case history in the event that the matter is reallocated to another CWSV or re-opened at a future date.
- assist with Quality Assurance Interviews with former clients in determining the level of contact the CWSV had with the family and put the responses received into context.

2.50.2 Court Form (Orange) – (Attachment 12)

Relates specifically to each child's court experience – IF THEY ATTEND COURT.

A separate form is required for each child every time they attend court.

The purpose of the Court Form is to record:

- whether it is Magistrate or District Court matter.
- the specific type of Hearing attended.
- the name of the Magistrate/Judge, Defence Lawyer and Prosecutor.
- any special conditions allowed for the child witness.
- information of each child's time they are required to attend court, including waiting times.

2.50.3 Statistic Form (Mauve) (Attachment 13)

Relates specifically to activities each CWSV has completed.

The information provided is used to determine the quarterly contribution payment.

Do NOT combine statistics for other CWSVs involved.

The Statistic Form:

- summarises the work that a CWSV has completed for each child witness.
- summarises all of the activities undertaken and time spent on the case, including CWSVs waiting and travelling times.
- indicates which tasks a CWSV has completed.
- enables staff to determine contribution payments earned.

For cases involving more than one child, the following applies:

- CWSVs may list more than one case number on the Statistics Form if children live at one address and have the same carer, as activities completed should refer to all children. PACT staff will divide the statistics by the number of children to enter onto database. However, if one child is required to appear more often than the others, this child will require a separate Statistics Form as their involvement will be greater.
 - CWSVs do NOT list more than one case number if the children involved in the matter live at separate addresses, unless the matter is finalised prior to any contact (e.g. early plea).
-

As it is not possible to list every likely scenario, CWSVs are encouraged to seek clarification from the Administrative Officer.

The Administrative Officer endeavours to process CWSV paperwork as it is returned to allow the matter to be finalised on the database and the hard copy file to be archived.

2.51 **Financial Contributions – Paid Quarterly from Statistics Form**

PACT recognises and appreciates that supporting a child or young person can incur out of pocket expenses. In an average case, CWSVs conduct at least one face to face meeting, one Court visit, attend a Pre-Hearing Conference (with the Prosecutor) and provide support at Court on the day the child witness' evidence is pre-recorded. They are also required to make numerous telephone calls/emails and travel, whilst supporting a family through the court process. The established case contribution is made to offset some of these out of pocket expenses. In addition, a CWSV may choose to apply for additional reimbursement by submitting a "Quarterly Contribution Claim Form" as explained in 2.51.1. This is optional.

PACT acknowledges that some cases will require more work than others. However, it is presumed that on average, the Case Contribution and Quarterly Contribution payments will offset the costs associated with supporting children and young people.

CWSVs are eligible for a partial or full case contribution payment dependent on the evidence of work completed on the case as documented on the Statistics Form.

A summary of how Case Contribution Payments are calculated is as follows:

- In the instance of cases where a single child is prepared and supported, CWSVs receive a \$40 contribution.
- For the full payment at least two of the following three actions are performed separately (and are documented on the Statistics Form):
 - Face to Face/Home visit.
 - Court visit/Conference.
 - Attendance at Court.

Partial payments are calculated as per the formula outlined in the following table.

Home Visit/Face to Face Visit component payment formula			Court/Conference attendance component payment formula	
One child	Additional child in same household	Additional child in separate household	One child	Multiple children regardless of whether they are in the same household
\$20	\$10	\$20	\$20	\$15

If there has been insufficient work performed on a case (e.g. only a few phone calls) no payment is earned for that case. However, long distance and mobile calls can be claimed on the Quarterly Contribution Claim Form when accompanied by relevant documentation.

Examples:

1. In the matter of SMITH there is one child witness supported by CWSV A. CWSV A attends a home visit, a Court visit /pre-recording Conference and Court support (and completes all appropriate paperwork to indicate this). CWSV A will be paid \$40 (\$20 for the home visit, \$20 for Court attendance)
2. In the matter of KUMAR there are four child witnesses. CWSV B supports two children who live in the same household. CWSV C supports two children who live in two separate households. CWSV B conducts a home visit with the two children together; CWSV C conducts two separate home visits. Each CWSV supports their two child witnesses at Court.
 - CWSV B will be paid \$60: Home visit for one child (\$20) + additional child living at same address (\$10) + Court for two children (2 x \$15 = \$30)
 - CWSV C will be paid \$70: Two home visits (2 x \$20 = \$40) + Court for two children (2 x \$15 = \$30)
3. In the matter of RIGGER there are two children who live in the same household in Toowoomba, but the matter will be heard in Brisbane. CWSV D is the Toowoomba support person; CWSV E is the Brisbane support person. CWSV D conducts the home visits for both children at the

same time. Two days before Court the CWSVs are advised that only one of the children will be required at Court. CWSV E attends the Pre-Recording Conference with the one required child. After the Conference is completed CWSV E is advised that the Defendant has pleaded guilty and the child will not be required to give evidence.

- CWSV D will be paid \$30 for the home visit for 2 children at the same household.
- CWSV E will be paid \$20 for attending the Pre-Recording Conference.

2.51.1 Quarterly Contribution Claim Form (Blue) - (Attachment 14). Optional

CWSVs may apply for fuel, phone, fares, tolls and exceptional costs by filling in the (blue) **Quarterly Contribution Claim Form** Exceptional Costs not listed on this form should be negotiated with the CWSV Coordinators, preferably in advance.

CWSVs always retain the right to refuse a case involving exceptional travel. Fuel contributions are calculated at a rate of **\$20.00** per 100 kilometres travelled. Wherever possible the CWSV living closest to the child and the court will be allocated.

All cost claims **must** be accompanied by a receipt, itemised telephone account, Go Card or E-toll/Go Via print-out, with the relevant calls/journeys indicating the case numbers (or the travel purpose, e.g. *Volunteer Meeting*) written on the form.

Evidence of claims or receipts must be sent with the Quarterly Contribution Claim Form to fulfil PACT's financial obligations for auditing purposes.

2.52 Annual CWSV Feedback Survey

Annual CWSV Feedback Surveys provide an opportunity for mutual feedback, both for the staff and the CWSV. The Feedback Interviews provide an opportunity for CWSVs to discuss their level of role satisfaction and any future aspirations or training requirements they may have (**Attachment 15**).

The main purpose of the annual feedback process is to:

- value the contribution of the CWSV.
- monitor the CWSV's satisfaction levels.
- assess the CWSV Coordinator's support for the CWSV.
- assess the support provided by other PACT staff and Board of Management.
- discuss the work currently being performed by the CWSV.
- ascertain whether the CWSV would like to be considered for a Team Leader role in the future.

An Annual Feedback Survey will be conducted (at a mutually convenient time) for each CWSV. However, CWSVs may request an interview at any time. If CWSVs have concerns about this process they are encouraged to contact the Chief Executive Officer.

2.53 Client Feedback - Quality Assurance Process

Client feedback is crucial for PACT as an organisation. Quality Assurance interviews are conducted by telephone with a sample of recently finalised cases. While PACT makes every effort to interview as many past clients as possible, not all of a CWSV's finalised cases will result in client interviews. (**Attachment 16**)

If there is a matter where a CWSV is concerned that further trauma may be caused by contacting the family after the matter is completed, they are encouraged to attach a brief note to this effect.

A summary of Quality Assurance feedback is provided to PACT's funding body as part of its annual reporting process. De-identified feedback is also provided to CWSVs with the quarterly CWSV Newsletter.

2.54 Complaints about a CWSV

The role of a PACT CWSV carries with it a responsibility to provide a professional service to child witnesses and their carers involved in the CJS as well as to Court officials, the public, PACT CWSVs and staff. The complaint procedure is a means by which PACT is accountable to all our stakeholders. Its aim is to provide a process which will allow for complaints to be heard in a way that respects all parties. This procedure is the responsibility of the relevant CWSV Coordinator.

- An **expression of concern** is a communication written or verbal which contains descriptions of behaviours which appear to breach the policies of the Child Witness Support Program.
- A **complaint** involves an expression of concern, which includes a request for intervention by the Board of PACT.

All complaints will be treated seriously and confidentially. All CWSVs directly involved in a complaint are to respect the policy of confidentiality.

The complaint process is outlined as follows:

- When a CWSV receives an expression of concern or complaint, it is to be received courteously. The concerns of the Complainant acknowledged and an attempt made to resolve the dispute.
- Where it is obvious to the CWSV that the issues are still unresolved and either party wishes to proceed with the complaint, the CWSV is to offer to involve their CWSV Coordinator or refer the matter to PACT.
- When a CWSV Coordinator receives a complaint, it is discussed in the first instance with the CWSV. The Complainant may be encouraged to put the concerns in writing and a copy of this document is made available to all parties concerned.
- The document is tabled, in the first instance with the Chief Executive Officer who will determine whether the nature of the complaint requires consideration at Quality Assurance Sub-Committee (a sub-Committee of the Board of Management) or Board of Management.
- If the matter remains unresolved, the Chair of the Quality Assurance Sub-Committee or the Board may appoint a representative who has no conflict of interest to consult with the parties. The appointed representative will not pre-judge and will assure all parties that they will be heard with respect. The representative will report to the Quality Assurance Sub-Committee and/or the Board.
- A written complaint will be responded to in writing. All correspondence is to be kept confidential. Only people directly involved have a right to view correspondence.
- The Quality Assurance Sub-Committee or Board representative will negotiate with the CWSV an appropriate option for dealing with the complaint.
- Outcomes of actions are made available to the Board and PACT's funding body if requested.
- In serious matters where PACT has a legal obligation to do so, PACT may seek legal advice or seek the involvement of Police or other external body.
- Section 23.2 of PACT's Service Agreement with the Department of Justice and Attorney-General requests that the funding body be notified in writing of any conflicts of interests and the steps taken by PACT to resolve these issues.

2.55 Internal Complaints and Conflict Management

PACT recognises that conflict is normal and stems from differences in values, viewpoints, expressions and experiences. PACT is committed to resolving conflict as soon as possible in a respectful, dignified and confidential manner.

Internal complaints and conflict management are outlined as follows:

- If comfortable, the CWSV concerned speaks with the other CWSV involved.
- If the matter is not resolved the CWSV reports the matter to their CWSV Coordinator who may act as a facilitator.
- If the conflict cannot be resolved satisfactorily, it is the responsibility of the relevant CWSV Coordinator to refer the matter to the Chief Executive Officer who will determine whether the nature of the complaint requires tabling at a Quality Assurance Sub-Committee or Board of Management meeting.

Complaints about a CWSV Coordinator are outlined below:

- The CWSV concerned is encouraged to raise the matter directly with the CWSV Coordinator, if appropriate. However, CWSVs are also welcome to contact the Chief Executive Officer in the first instance.
- If concerns raised with the CWSV Coordinator are not resolved, the Chief Executive Officer will be informed to act as facilitator/mediator.
- If the conflict cannot be resolved satisfactorily through mediation, it is the responsibility of the Chief Executive Officer to determine whether the nature of the complaint requires tabling at a Quality Assurance Sub-Committee or Board of Management Meeting.

2.56 **Incident Report Process**

CWSVs are requested to prepare Incident Reports for any case where they feel the child has been positively or negatively affected in any way. Incident Reports can relate to exceptional support by QPS, Prosecutors or Judges, late referrals, communication breakdowns, waiting times, equipment failures, transport, contact with the Defendant, etc. **CWSVs are encouraged to keep their Incident Reports factual, using non-emotive language and being mindful not to include personal opinions on the Incident Report Form (Attachment 17).**

Once an Incident Report is received by PACT the relevant Volunteer Coordinator will note its content and update the Database to reflect its receipt.

The original Report will then be filed with the case documents and become part of the formal records, as will any follow-up undertaken.

A copy of the Incident Report is provided to the Chief Executive Officer to prepare the Quarterly Incident Report Table. From this, a further Summary will be prepared for consideration at the following Quality Assurance Sub-Committee (of the Board of Management) to be raised with key stakeholders, including the Office of the Director of Public Prosecutions, the Queensland Police Service and senior members of the Judiciary.

Any urgent matters are followed up **immediately** by telephone or email, with feedback provided to the CWSV, if appropriate.

The Quality Assurance Sub-Committee will determine what action should be taken to resolve the matters and if appropriate, seek Board approval. They will also determine what issues are to be raised with the relevant key stakeholder at the regular consultation meetings.

Positive Incident Reports will generate a positive feedback letter or email to the individual involved and their direct supervisor.

The Incident Report process is outlined in the Flowchart (**Attachment 18**).

2.57 **Requests for Information**

The Queensland Right to Information Act 2009 gives people the right to see documents held by an agency. The Act also requires agencies to make available to the public such information as how the agency is organised, the kind of decisions the agency makes, documents which are held and the arrangements the agency has for those who are involved in the work of the agency.

Information which is held by PACT, is treated with great care and respect. The respect given to PACT clients in this regard is also given to PACT CWSVs and staff.

All requests for information in relation to a CWSV will be dealt with in the first instance by the Chief Executive Officer. No information in relation to an individual CWSV will be given out (except basic contact information to ODPP or QPS) without prior consultation with the CWSV.

The process for a Request for Information in relation to a CWSV is outlined as follows:

- The Chief Executive Officer will receive the request.
- The Chief Executive Officer will then discuss the request with the relevant CWSV Coordinator and the CWSV.

Any request for information should be made in writing and will be acknowledged within 10 working days. It is important that all information is documented and filed appropriately.

2.58 **Statements to the Media**

The Chief Executive Officer is the delegated media spokesperson for PACT.

CWSVs are not to make any unauthorised statements to the media with mention of PACT's name and are encouraged to exercise due discretion in the instance of making individual/unrelated or authorised statements. **Under no circumstances can a CWSV comment on a specific case** as this may have damaging effects on PACT's reputation for

impartiality and hinder PACT's core role. For further information refer to PACT's Protocols for Media and Public Relations (available from the Chief Executive Officer).

2.59 Resignation

The contribution of each CWSV to PACT, regardless of time or caseload, is appreciated and valued. The amount of time and emotional commitment a CWSV is able to contribute will vary. CWSVs need to be aware of their own personal limitations and understand that remaining positive and hopeful whilst working in such a stressful area may be difficult. CWSVs completing the training program and practical experience, may find that they are not suitable for child witness support work. They will be supported in their decision to resign, though may choose to remain a Member of PACT.

If a CWSV is no longer available on a regular basis for PACT work, the CWSV is encouraged to resign from active child witness support work. The CWSV may wish to discuss with the CWSV Coordinator alternative ways of contributing to PACT as a Member.

CWSVs that are deemed unsuitable for child witness support work will be given assistance in understanding this decision. Responsibility for assessment of suitability for Court support work rests with the CWSV Coordinator. PACT maintains the right to release an unsuitable CWSV.

Upon resignation, CWSVs will return to PACT or their Team Leader the following:

- ID badge.
- Protocols for PACT CWSVs.
- Any case material.
- Key to witness room filing cabinet if applicable.

2.60 CWSV Exit Questionnaire

Resigning CWSVs will also be contacted to complete an Exit Questionnaire and encouraged to provide feedback on their experiences as a PACT CWSV. (**Attachment 19.**)

LEGAL GLOSSARY

NB: Words that are underlined are defined elsewhere in the glossary.

21AK A Preliminary Hearing (Pre-recording) of an Affected Child or Special Witness's evidence in accordance with section 21AK of the *Evidence Act*.

93A A statement made in accordance with 93A of the *Evidence Act*, usually in the form of a video or audio tape recording. Usually made by the Arresting Police Officer prior to a charge/charges being laid. However statements can be gathered or added to at any time during the court process.

Abscond Run away. To not turn up for a Trial or Hearing – leave place of detention in order to avoid potential conviction.

Accused The person accused of the crime – prior to the finding of the Court.

Acquittal The outcome of a Hearing when the Prosecution has not met the burden of proof for the Jury, Magistrate or Judge to find a Defendant guilty. i.e. The Defendant is acquitted of the charges against them/found not guilty.

Action A Civil proceeding in a Court brought by a party (Plaintiff) against another party (Respondent).

Adjournment A Court break taken during a Hearing – this can be a matter of minutes or a matter of months.

Affected Child Witness A particular type of child witness that is entitled to special provisions in Court (such as a support person, closed Court, Pre-Recording with CCTV, live CCTV, or where unavailable, having the Defendant removed from the Court room). Affected Child Witnesses should not have to give evidence more than once unless there is a legal reason to do so. To be automatically declared an Affected Child Witness, the witness must be:

- Under 16 years of age at time of arrest or charges being laid **and either**
- Involved in a matter with sexual charges. **or**
- Involved in a matter with violence charges and the Defendant has a Prescribed Relationship to the child.

Affirmation A secular alternative to the Oath, where the person states they understand that if they do not tell the truth they are liable to the penalties of Perjury.

Alleged Not proven.

AO Arresting Officer or Arresting Police Officer – the Police Officer that is usually the contact point for talking to Police about that particular matter or witness.

Appeal A legal review of a matter following a claim there has been a mistake of law during the Hearing of the matter which has resulted in an unsatisfactory decision.

Appellant The person who appeals against a Court decision which is not in that person's favour.

Arraignment When the Indictment is presented to the Court.

Bail The right to be released from custody granted by a Court to a person charged with an offence, on the condition that he/she undertakes to return to the Court at some future specified time (and any other conditions that the Court may impose).

Bail Conditions Limitations placed on the grant of Bail to an Accused or Defendant. These can relate to residence, staying away from a particular place or person, reporting to Police or the requirement for a surety.

Bailiff District/Supreme Court – In a Court room the Bailiff is the person who looks after the running of the Court (calls the Court to order for the attendance of the Judge, the witnesses and transports documents/exhibits within the confines of the Court), the Jury and its needs. In some areas, looks after the CCTV equipment.

Barrister A specialist lawyer who has been “admitted to the Bar” after completing an Advanced Trial Advocacy Course. Barristers are referred by Solicitors and represent their client in Court.

Basha Inquiry refers to a Pre-Trial Hearing conducted at the start of a Trial but before a Jury is empanelled to allow the Defence to examine a witness where the witness was not available at Committal or where the matter was presented directly in a higher Court by way of Ex Officio Indictment. Such an inquiry cannot be held unless the Accused can establish that there is a risk of an unfair Trial without one.

Bench Warrant An authority given to the Police by the Court to apprehend a person if located. May be issued if a Defendant absconds.

Burden of Proof: The duty of one party to make the case against the other party and to prove to the Court that the case has been established. In Criminal matters the Prosecution must meet the burden of proof to prove the Defendant is guilty of the charges. The Defence has no burden of proof to meet and the Defendant is not required to give evidence as a witness.

Call Over A person presiding in the Court (Judge or Magistrate) before which there are a number of matters will Call Over – quickly run through the matters to determine issues of priority and placement of the matters for Hearing, preparedness for Hearing etc. For example, ‘The Matter of R Jones is listed as No. 2 Pre-Recording before Judge Zebedee in the sittings commencing 24 May 2012.’

Charge The formally worded accusation against a person identifying the relevant details – such as time, place, victim and nature of the offence. A charge is brought before a Court by the Police.

Closed Court Is when the public is excluded from the Court. On such occasions only the prosecuting and Defence lawyers, the Defendant and essential Court staff are allowed to remain. The Court will often be closed when dealing with charges against children or in matters where an application for confidentiality of a Witness or Accused has been granted. Persons who are ‘supporting’ an Affected Child Witness will be admitted to the Court room while the child pre-records their evidence. The *Evidence Act* requires a Court to be closed when a Complainant child in a sexual matter gives their evidence (e.g at a Pre-Recording). However ordinarily, there is no obligation for the Court to be closed when the pre-recorded evidence is shown to the Jury at the Trial.

CCTV Closed Circuit Television. May be live or pre-recorded.

Children’s Court A Court that deals with child/young people Defendants (aged under 17 years). Children’s Courts have different procedures to ordinary Criminal Courts that recognise the special circumstances of child/young person Defendants. Children’s Courts can be purpose built Court buildings, or any Court can be declared a children’s Court for the purposes of trying a child/young person Defendant.

Child Witness. Any child or young person aged 3 – 17 years, who are required to give evidence as either victims or witnesses to a crime. (This is not the same as an Affected Child Witness).

Civil Matters Court matters dealing with breaches of tort (i.e. legal injury) or contract. A plaintiff takes legal action against a respondent and must prove the breach has taken place on the balance of probabilities (refer to standard of proof).

Committal A Hearing before a Magistrate to establish whether sufficient evidence exists to require the accused to stand Trial, usually in a higher Court. All matters defined as Indictable Offences require a Committal. The accused is not required to give evidence. Committals can be conducted as follows:

Full Committal All prosecution witnesses (except Affected Child Witnesses) called to give evidence and be cross examined.

Full Hand Up All the evidence, including the statements and any evidentiary exhibits are handed up to the Magistrate so that the Magistrate may commit the person to Trial.

Hand Up With Cross Most evidence is tendered by way of written statements. Affected Child Witnesses are not cross-examined except if ordered to by a Magistrate as a result of a successful application at a Directions Hearing.

NB: Following the Moynihan Reforms in 2010, most Committals are Full Hand Up and it is rare of any witness to give evidence.

Committal Mention Usually the last mention to occur prior to a Committal where the Prosecutor clarifies all the charges against the Accused. This usually occurs in a single day, unless there are a large number of contested charges.

Cross-Examination The opportunity for opposing counsel to test the evidence given by a witness.

Complainant The person who brings the complaint before the Court. This will usually be the (alleged) victim of the offence.

Convict To declare the Defendant guilty of an offence they have been charged with, either after a Trial or after a plea of guilt.

Criminal Matters Court matters dealing with an alleged breach of a Criminal law (offence). Breaches of Criminal law are considered crimes against the State. Prosecutors are employees of the State and Complainants (alleged victims of crime) are Witnesses for the Prosecution. Prosecutors must prove a Defendant guilty beyond reasonable doubt (refer to Burden of Proof).

Crown Representative of the State, i.e. the Prosecution.

Defamation Publication of false and derogatory statements, i.e. statements likely to cause the person whom the statements are about to be hated, ridiculed, shunned/avoided or held in contempt, or injured in their profession or business, without lawful justification. It will be lawful justification in Queensland if the statements are true and made for the public benefit. A defamed person may claim redress by taking action against the person making the statement.

Defence In Court – the side that is defending the claim. The total argument raised by the Defendant in answer to the allegations against him/her. The Defendant and his/her legal team involved in contesting the case.

Defendant All Courts – The person accused of the crime or against whom a Civil claim has been made.

De-listed When the Court decides to take a matter off the Court list, usually temporarily. This can occur during any Court event in the legal process. It does not mean the matter is finalised.

Deposition Sworn testimony by a witness that is recorded for use by the Court at a later date.

Direction Hearing An Affected Child Witness should not be cross-examined at a Committal Hearing unless a Magistrate has made an order requiring that the child be cross-examined. A Magistrate can only make that order after an application has been made by a party to the Committal proceedings (usually the legal representatives for the Defendant). That application is made at a Court appearance called a 'Direction Hearing.'

NB: A Direction Hearing is usually heard at a time before, but can be held the morning of, the Committal Hearing.

Dismissed The outcome of a Committal where insufficient evidence has been found by the Court to commit the case to Trial. The matter is said to be dismissed.

Discontinued: When the ODPP decides not to continue with the prosecution of a matter.

Double Jeopardy The legal rule stating that the Defendant cannot be tried twice for the same crime arising out of the same fact circumstance.

Duty of Care A legal obligation imposed on an individual requiring that they adhere to a reasonable standard of care while performing any acts that could foreseeably harm others. If a Civil Court finds that the standard of care has been breached through any act or omission and that breach leads to harm, the harmed person may take action through a Civil Court against the individual accused of the alleged breach.

NB: PACT CWSVs are deemed to have met their Duty of Care by strict adherence to these Protocols.

Evidence The facts presented to a Court in the course of a Hearing – evidence can be verbal, contained in documents, or be physical objects (weapon, diary, etc).

Evidence in Chief Evidence presented by the Prosecution prior to cross-examination. In matters involving Affected Child Witnesses, the majority of the evidence in chief is usually presented by playing the 93A statement.

Ex Officio This refers to a formal document identifying a charge which is brought before a Court (usually District or Supreme) without a Committal. It is often used by persons who seek to plead guilty. For example, the Defendant waives his/her right to a Committal hearing and elects to proceed by way of an 'Ex Officio Indictment.' Upon conviction the accused may then receive favourable consideration from the Court on sentence, as the Crown was not put to the expense of a Committal Hearing.

Facts Hearing Is not a full Hearing just evidence with respect to the specific facts which are disputed. For example where a Defendant is pleading guilty but the facts are disputed with the Defendant giving one version and the child witness another version of events.

Family Court The Family Court is a Commonwealth Civil Court that deals with Family Law matters such as disagreements regarding child custody arrangements and property division following the end of a marriage or de facto relationship.

Finalised The end of the court process. As far as PACT is concerned, a matter is finalised if any of the following occur:

- a child has given their evidence.
- a Defendant has plead guilty and the plea has been accepted by the court.
- the matter has been dismissed
- the matter has been Nolle'd or NETO'd
- the Defence has agreed not to cross-examine the witness.

Fresh Complaint Refer to Preliminary Complainant.

Full Hand Up Refer to Committal.

Guilt A finding of the Court or agreement by the Defendant that the Defendant committed the nominated offences.

Guilty Plea When the Defendant admits guilt to either the offences charged with, or related offences. An offer of a guilty plea by a Defendant must be accepted by the Prosecution (which may or not consult with the Complainant) prior to being accepted by the Court. If the Court accepts the plea of guilt, the matter proceeds to sentencing without a Trial. An advantage to the Defendant of making a guilty plea is that it saves the Court's time and may result in a more favourable sentence. (Refer to Plea Guilty)

Guilty Verdict: When, at the end of the Trial, the Court determines that the Prosecution has met its burden of proof and finds that the Defendant has almost certainly committed the offence. After the Defendant has been found guilty, the matter proceeds to sentencing, which usually occurs on another Court date.

Hearing A proceeding before a Court or other decision-making body or officer.

Hearsay Any evidence given by a person who has not seen, heard or otherwise experienced the facts themselves but has been told about it by another. Not usually admissible. Refers to statements of persons other than the witness who is giving evidence. For example 'Billy told me that he done it' is not proof that Billy did whatever was referred to. The most notable exception to this rule is the Preliminary Complainant/Fresh Complaint.

Hung Jury A Jury that cannot agree on a verdict and is discharged. In such a case the Prosecution can decide whether to initiate a Re-Trial.

Impartiality To be neutral, objective, unprejudiced. To be uninvolved in the outcome (of a legal matter).

Indictable Offence A serious offence that is tried at a District or Supreme Court (e.g. sexual matters, Grievous Bodily Harm, Armed Robbery, Murder).

Indictment A formal written document particularising the charge against a person and usually identifying the Court in which that charge is being brought. The Indictment is prepared and presented by the ODPP.

Information A written complaint, sometimes under oath and usually to a Police Officer, states that she/he has personal knowledge or reasonable cause to believe that a person has committed an offence. Any information is normally laid before a Justice of the Peace for the purpose of obtaining a summons or a warrant.

Injunction A Court order requiring a person to do, or refrain from, doing a particular act.

Judge The person who presides over a Court (District or Supreme) to give justice according to law.

Judicial Officer E.g. a Judge or Magistrate.

Jury Twelve (or in Civil cases four) ordinary adult persons who hear the evidence at a Trial and determine whether that evidence is sufficient to meet the burden of proof.

Lawyer A general term to describe a Barrister or a Solicitor.

Legal Argument A debate between the lawyers involved in a case over the interpretations of the law to be applied in that case. Legal argument is usually conducted in Criminal proceedings without the presence of the Jury.

Legal Officer A Solicitor working for the ODPP or Police Prosecutions who assists the Prosecutor in preparing and prosecuting a matter.

Liable/Liability Legal responsibility of a person or organisation for the act occurrence alleged before the Court. If held liable the party may be ordered compensate for any loss or damage that has occurred.

Libel Injurious statement to reputation in written form (refer to Defamation).

Listing Clerk *District or Supreme Court* The person responsible for keeping the lists of matters presently before the Court for Trial and for keeping track of matters which have been allocated a Hearing date, time and place. Person responsible for entering matters on a Court list detailing Trial dates, maintaining the list so it remains current and ensuring that parties are made aware of Hearing dates.

Magellan Hearing A Family Court process where there are generally serious allegations of abuse made by one or both parties. The process is to provide the Court with information and facts in handling the case.

Magistrate The person who presides over a Magistrate's Court to give justice according to law. In Criminal matters, a Magistrate presides over Committal and Summary Hearings.

Matter A Court case. In Criminal proceedings, the matter is referred to by the name of the Defendant. E.g. the matter of JONES or the matter of R (Regina or the Crown/State) vs Michael Edward JONES. In Civil matters the case is referred to the matter of the name of the Plaintiff vs the Respondent. E.g. The matter of SMITH vs JONES.

Mental Health Court A separate Court that determines the mental state (and culpability) of a Defendant at the time of the offence and the mental fitness of a Defendant to stand Trial. (As opposed to a Mental Health Tribunal which deals with decisions concerning involuntary mental health treatment of individuals.)

Mention A mention before a Court is an administrative date where the matter can be discussed by the parties, or usually their legal representatives, to inform the Court of relevant information such as the readiness for Trial or problems of a procedural nature that may affect the matter's progress.

Mistake of Law Where the correct legal rules and procedures have not been adhered to. A mistake of law leading to an unsatisfactory Court outcome may result in an Appeal.

Mis-Trial The phenomenon of ending a Trial without a verdict because of some irregularity in the conduct of the proceedings. Such Trials can usually be recommenced before a different Judge or Magistrate.

Negligence Failure to exercise the standard of care that is imposed by law – either by legislation or at common law. A Civil wrong that results in injury or damage to another person or property (refer to Duty of Care).

NETO'd Prosecution proceedings cancelled, 'No Evidence To Offer.'

Nolle Prosequi The Crown indicates to the Court it will not proceed with the Indictment. The Accused person is discharged on that Indictment. This means the Crown may bring a fresh Indictment for that same charge at a later date. This term is frequently abbreviated to "Nolle'd".

Not Guilty – Plea A Defendant makes a plea of "not guilty" if they intend to argue they did not commit the offences they are charged with, or if they wish to force the Prosecution to meet its Burden of Proof. (Refer to Plea Not Guilty)

Not Guilty – Verdict When a Magistrate, Jury or Judge determines at the end of a Summary Hearing or Trial that the Prosecution have not met their Burden of Proof. A verdict of not guilty is not the same as proving the Defendant's innocence.

No True Bill Magistrate has found a prima facie case exists (i.e. the matter is Committed) but the Office of the Director of Public Prosecutions declines to present an Indictment in the District Court. The phrase comes from the description of an Indictment as a True Bill when presented.

Non-Indictable Offence A less serious offence that is usually tried as a Summary Hearing in a Magistrates Court, (e.g. Theft, Common Assault, Assault Occasioning Bodily Harm, Wilful Damage) unless accompanied by a more serious charge.

Notice to Witness Sent out to all witnesses where a statement has been taken in the Magistrates Court. Sets out the Defendant, the charge and the date, place and time set down to hear matter and requiring the attendance of the witness at that place from that time until the Trial is over. A witness may not necessarily be called into Court on that day.

Oath A promise to tell the truth sworn on the Bible. (Refer to Affirmation)

Obstruction An offence relating to deliberate attempts to hinder the justice process, e.g. by misleading authorities, intimidating witnesses, etc. Depending on the seriousness of the alleged obstruction, the offence may be dealt with as Indictable or Non-Indictable.

ODPP: The Office of the Director of Public Prosecutions. Deals with the Prosecution of serious matters after the matter has been Committed for Trial.

Offence A breach of Criminal law.

Omission Neglect or failure to perform a certain act required either by law or by personal obligation.

Open Court A Court that is open to the public – all Courts are open – with the exception of the Children's Court and a Court which is declared a closed Court.

Opposing Counsel The lawyers representing the other party in a matter.

Penalties Consequences or punishments a Judge or Magistrate may impose on a guilty party at sentencing.

Perjury Lying whilst under oath or affirmation. This can apply to statements made under oath as well as to evidence given in Court under oath or affirmation.

Plaintiff The party who initiates a legal claim against another in a Civil suit.

Plea Guilty The Defendant pleads guilty to the crime. This usually means that the facts of the crime as alleged by the Crown are accepted but sometimes some peripheral facts may be challenged. (Refer to Guilt and Guilty Plea)

Plea Not Guilty The Defendant pleads not guilty to the crime for which charged. The fact that a charge has been brought before a Court does not mean the Defendant has committed the crime. (Refer to Not Guilty – Plea)

Pleadings Documents which define the issues to be decided between the parties to a dispute. Criminal pleadings may consist of an Indictment, information, or complaint followed by a plea on the part of the accused. If there is no valid indictment, information or complaint there cannot be a valid Trial, Verdict or Sentence.

Preliminary Complainant A term used in sexual crimes to indicate that the alleged victim has informed someone of the alleged crime at the first reasonably available opportunity. This takes account that the victim might be so traumatised as to not be able to tell the first person encountered after the crime but does tell or confide in a person relatively soon after the alleged offence. It is used to bolster the credibility of the Complainant and to answer an allegation that the alleged victim made up the story at a later time. The person told about the alleged offence is called a Preliminary Complainant or a Fresh Complaint witness.

Preliminary Hearing (Pre-Recording) When an Affected Child Witness gives evidence in Court their evidence must be video recorded at a Hearing that is presided over by a Judicial officer. This Hearing is a Preliminary Hearing, often referred to as a Pre-Recording. A Preliminary Hearing is mandatory unless a party to the Hearing applies to a Court to not have the evidence taken and video recorded but this exception can only be made with good reason having regard to the child's wishes. With the order of a Judicial Officer, a Preliminary Hearing may be (and usually is) conducted by CCTV. The Preliminary Hearing is officially the first day of the Trial, although the Trial proper may not happen for weeks or months afterwards. (Refer to 21AK).

NB Special Witnesses may also be granted permission to give evidence at a Preliminary Hearing.

Pre-Indictment Conference A meeting held between the Prosecutor and/or legal officer and a witness in order to clarify evidence and determine the Indictment to be presented. Pre-Indictment Conferences do not always occur, however the ODPP or family may invite a CWSV to support the child witness.

Pre-Recording Conference A meeting held between the Prosecutor and/or legal officer and an Affected Child or Special Witness in order to prepare the witness for giving evidence at a Preliminary Hearing. The 93A statement or a written statement is usually viewed at this time.

Pre-Trial Legal argument that may take place ahead of the Trial. Arguments can be about admissibility of evidence, witness ability to give evidence, charges etc.

Pre-Trial Conference A meeting held between the Prosecutor and/or legal officer and witness in order to prepare the witness for giving evidence at Trial. The witness's statement is usually viewed at this time.

Prescribed Relationship Where the Defendant has a domestic or caring role in the child's life, e.g. parent, step parent, sibling, nanny. (Refer to Affected Child Witness).

Presumption of Innocence The law presumes a person charged with an offence is innocent until proven guilty.

Prosecution The team responsible for arguing the Crown/State's allegations that the Defendant is guilty of the charges and meeting the burden of proof in Criminal matters. Also refers to the sum of the arguments made by the prosecuting team.

Prosecutor – Crown Appears in the District/Supreme Court to present the prosecution case. Normally a barrister.

Prosecutor – Police Appears in the Magistrate/Children's Courts to present the prosecution case. Normally a Police Officer who is not a lawyer, but has undertaken Police Prosecutions training.

Protected Witness A witness eligible for special provisions in order to make it easier for them to give evidence.

Re-Trial A Re-Hearing of a matter for which there has already been a previous Trial. A Re-Trial occurs:

- where an Appellate Court has set aside the result of the original Trial and ordered a new Trial (refer to Appeal).
- where the original Trial terminated without a verdict (refer to Hung Jury). or
- where the Trial Judge dies or becomes seriously ill after the Trial has commenced.

NB: Pre recorded evidence of Affected Child Witness from the Preliminary Hearing is usually presented at a Re-Trial.

Right to Remain Silent The right of a suspect not to answer questions asked by the Police. It also applies once a suspect has been charged and cautioned that he/she is not obliged to answer questions. A refusal to answer should not lead to any adverse inferences being drawn in Court as to the accused person's guilt.

Rules for Witnesses Generally witnesses should not discuss the case with anyone except the relevant Prosecution representative or Police Officer.

Screen A physical barrier that can be placed between a witness and Defendant in Court to prevent the witness from seeing the Defendant while they give evidence.

Secondary Victim A person who is not the direct victim of a crime, but has still suffered harm. E.g. a parent who is affected by their child being a Complainant or a witness who is affected by having seen the offence. Such a person may be eligible for financial assistance through Victim Assist Queensland (VAQ).

Sentence The penalty a Judge or Magistrate may impose on a person determined to be guilty of a Criminal offence.

Sentencing Hearing A Hearing whereby a Judge or Magistrate pronounces the sentence given to the guilty party. This may be held on the day or some time after the end of the Summary Hearing or Trial. The Judge or Magistrate may consider a number of factors in determining a person's sentence, including the nature of the offence, the impact on the victim, whether the Defendant plead guilty to save the Court's time, previous Criminal history or any other extenuating circumstances.

Sitting/s A period of time set aside for a Court session by a Judge in a particular location for a particular purpose. E.g. Over a two week period ten Trials might be scheduled in a sitting. If the Court does not hear the last two Trials in that sitting, they may be postponed until the next scheduled sitting.

Slander Injurious statement about a person in verbal form (refer to Defamation).

Solicitor A qualified lawyer who has not been admitted to the bar (refer to Barrister). A Solicitor may provide legal advice or prepare matters for Court, but may refer a matter to a Barrister if specialist expertise is required to present the matter to the Court.

Special Witness Where a witness does not automatically have Affected Child status, the Prosecutor can apply for Special Witness status and request some or all of the provisions afforded Affected Child Witnesses (e.g. Pre-Recording with CCTV, live video link, a screen, a support person). Grounds for Special Witness status can include the witness being 16 or 17 years of age, having an intellectual impairment, or being in an especially emotionally vulnerable state that could lead to unacceptable trauma if the witness were to give evidence without the special provisions.

Standard of Proof In Criminal Matters, the Prosecution must prove the Defendant is guilty to the standard of "Beyond Reasonable Doubt" – i.e. that the Jury or Magistrate is almost certain that the Defendant has done what he/she is accused of doing. In Civil matters the standard is on the balance of probabilities, i.e. that it is more likely to have happened than not to have happened.

Statement Written, audio or video taped record of a person's memory of events. Usually taken by a Police Officer.

Subpoena A document issued by a Court requiring the person named to attend at the place specified at the time and date specified for the purpose specified. These are often used to ensure people attend Court to give evidence. A person failing to attend as required may be punished.

Summary Hearing A summary Hearing is a Hearing on summons before a Magistrate. Summary Hearings deal with Criminal matters of lesser seriousness (Non-Indictable offences). In some cases serious matters may be dealt with summarily at the choice of the prosecution, or sometimes at the choice of the defence upon the assessment by the Magistrate. Penalties which may be imposed upon a summary hearing are usually substantially less than penalties for the same offence heard on Indictment.

Summary Offence A Non-Indictable offence.

Summary Review Usually the last mention date prior to a Summary Hearing. (Similar to a Committal Mention).

Summons to Witness *Magistrates and Children's Court* Details charges in which the witness is to give evidence about. States time, date and place to give evidence.

Support Person A person permitted by the Court to offer support to a vulnerable witness. CWSVs are one example of Court approved support people.

Suspect A person whom the Police think may have committed a crime and who they believe warrants further investigation. If sufficient evidence is found to support the suspicions, the suspect may be charged with an offence that the person may plead guilty to or dispute in Court. After charges are laid, the suspect is known as the accused or the Defendant.

Surety A person who enters into an undertaking that he/she will forfeit money (or other security) if a Defendant fails to comply with his/her Bail undertaking.

Trial A proceeding by which evidence is presented in a Court to the trier of fact (Jury/Judge or Magistrate) to establish the allegation being brought.

Verdict A decision made by a Jury, Magistrate or Judge in criminal matters determining whether the prosecution has met its burden of proof on the charges against the Defendant. (i.e, whether the Defendant is found guilty or not guilty).

Victim A person harmed. In Criminal matters, a Complainant is an alleged victim until such time as guilt is determined. Services that support victims, such as Victim Liaison Officers and Victims Linkup (Victim Assist Queensland) may provide support prior to guilt being determined.

Victim Assist Queensland (VAQ): A government agency funded under the Department of Justice and Attorney-General to provide help to Victims (including secondary victims) to assist in their recovery from a violent or sexual crime. For more information call 1300 546 587.

Victim Impact Statement A written or verbal statement by a victim outlining how they have been harmed by the offence, to be presented to the Court and taken into consideration by the Judge or Magistrate after guilt is determined and prior to sentencing.

Victim Liaison Officer (VLO) An employee of ODPP responsible for liaising with alleged victims of crime during the Prosecution process of the Defendant

Video Link Live CCTV, often from a different location.

Voir Dire A Trial within a Trial. This usually relates to whether some piece of evidence which the Crown seeks to use is admissible. It is a mini Trial held before the Judge alone who then determines whether the evidence may be presented in front of the Jury or not.

For example, matters determined on a Voir Dire are:

- whether a child is competent to give evidence.
- whether a confession was voluntary. or
- the admissibility of certain evidence.

Witness Any person who is required to give evidence in the case or who has information which may be relevant to the determination of a case.

Witness Coaching Instructing a witness on what to do or say in a way that could influence the likelihood of a desired outcome.

CHILD WITNESS SUPPORT VOLUNTEERS 3 CODE OF CONDUCT

I, _____, as a Volunteer, agree to commit to the following:

1. As a Child Witness Support Volunteer (CWSV), I am committed to the mandate of Protect All Children Today Inc. (PACT) in providing support and preparation for children who are required to give evidence in the criminal court as victims of, or witnesses to, a crime. Preparation is to be undertaken with a focus on “best evidence” not a specific case outcome.
2. I agree to operate within the boundaries of the Law and legal processes, relevant legislation, the *PACT Constitution*, the *Role Description for PACT CWSVs* and the *Protocols for PACT CWSVs*.
3. I will carry out my duties and obligations as outlined in the *Role Description for PACT CWSVs*, voluntarily and with due diligence, professionalism and loyalty to the organisation. I further agree to engage in appropriate communication with PACT clients, members, staff and external stakeholders.
4. I will respect the privacy of individuals when collecting information by maintaining strict confidentiality in relation to all personal details and legal outcomes to which I am privy.
5. As a CWSV representing PACT, I will endeavour to limit the impact of my personal attitudes, values or bias, in my dealings with any person, and I will avoid conducting myself in any way that may damage the reputation of PACT or jeopardise the future operation of the organisation.
6. In relation to possible media exposure, I will abide by the *PACT Media Policy*. Specifically, I will not engage in any commentary in the media about specific cases or clients or any matter which may bring PACT into disrepute.
7. I will respect the professionalism and responsibilities of those individuals and agencies with whom I have contact, in my work as a PACT Volunteer.
8. I agree to maintain adequate case records and submit paperwork in a timely manner.
9. I agree to participate in ongoing de-briefing, support and learning opportunities including regular team meetings, in-service training, written updates in newsletters and *Protocols*.
10. I agree to maintain financial membership to the organisation to enable adequate insurance coverage.

Signed: _____

Date: ____/____/____

Name: _____

Signed on behalf of PACT: _____

Date: : ____/____/____

Name: _____



INTRODUCTORY LETTER TO CLIENT'S CARER/S ON PACT LETTERHEAD

(Date)

(Name)
(Address)

Dear (Name)

**Child Witness Support Program
Protect All Children Today Inc. (PACT)**

(Name) from (Station) has asked us to contact you in relation to (name)'s **possible** future Court appearance.

PACT understands that the Court process can be difficult and stressful. This process is made easier when the child witness and family know what is going to happen and who will be involved. As outlined in the enclosed brochure, PACT has established the Child Witness Support Program for children and young people who may be required to give evidence in criminal courts, either as victims of, or witnesses to, a crime.

Please note there are NO costs involved in accessing PACT services.

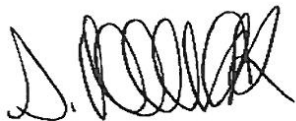
(CWSV), a trained and experienced Child Witness Support Volunteer, will soon be in contact with you to provide you and (Name) with information about the Court process.

Please be aware that counselling is available for child witnesses and their non-offending family members. Should you wish to arrange counselling you can contact one of the organizations listed on the enclosed document.

(CWSV) looks forward to meeting you and (Name) in the near future.

Should you have any questions about the available support please contact PACT on telephone 3290 0111 or 1800 090 111.

Yours faithfully



Sabina Nowak
Volunteer Coordinator, Regional Qld



Gail Clew
Volunteer Coordinator, Greater Brisbane

Accompanying the letter is a PACT brochure, copy of available Therapy Providers and PACT Privacy Statement to Clients.

NB: Letter may be adapted slightly, for example if there are multiple CWSVs, locations or children, if the referral was made by someone other than the Police Officer or if the referral was late requiring the CWSV to possibly have made contact prior to the letter being received.

INTRODUCTORY LETTER TO YOUNG PEOPLE AGED 13 YEARS AND OVER ON PACT LETTERHEAD

(date)

(name)
(address)

Dear (name)

**Child Witness Support Program
Protect All Children Today Inc. (PACT)**

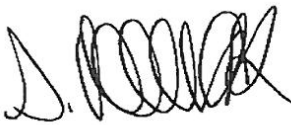
(AO) from (station) Police has asked us to contact you following the statement you made to the police.

Being involved in the legal process can be stressful, but when you know what is going to happen and the people involved, the process is much easier.

(CWSV name), a Child Witness Support Volunteer from PACT, will soon be in contact with you to provide information about the legal process and answer any questions you may have.

(CWSV name) looks forward to meeting you soon.

Yours faithfully



Sabina Nowak
Volunteer Coordinator, Regional Qld



Gail Clee
Volunteer Coordinator, Greater Brisbane

NB: Letter may be adapted slightly, for example if there are multiple CWSVs or locations involved, if the referral was made by someone other than the police officer or if the referral was late requiring the CWSV to possibly have made contact prior to the letter being received.

(On PACT letterhead)

PRIVACY STATEMENT TO CLIENTS

- PACT receives information about you when it receives a request to provide you with court support. The requests are usually made by Queensland Police Service (QPS) OR the Office of the Director of Public Prosecutions (ODPP).
 - PACT uses information obtained through interviews and surveys, to evaluate services provided (names and personal data **not** included). This is a requirement of our funding body, the Department of Justice and Attorney-General.
 - We respect your right to privacy and assure you of safeguarding your personal information.
 - PACT will **only** disclose your personal information to another party if we have your consent to do so, or if we are required to do so by law.
 - You have the right to access your personal information, providing it is within 7 years from the date of last contact or the child reaches the age of 25 years.
 - PACT has an established client complaints procedure which is available on request.
 - For more details please read our Protocol for Privacy which is available on request.
-

QUEENSLAND COUNSELLING SERVICES

The following agencies provide counselling for children and families. Please note that some services may have waiting lists.

Location	Organisation	Telephone
Statewide providers	Victim Assist Queensland (financial assistance)	1300 546 587
	Kids Helpline	1800 551 800
	Parentline	1300 301 300
	Victims Counselling and Support Services	1300 139 703
Brisbane Suburbs:		
Various	Victims Counselling and Support Services	1300 139 703
Various	<u>Anglicare</u>	1300 114 397
Various	Zig Zag Young Women's Resource Centre	3391 2573 (Southside) 3843 1823 (Northside)
Greenslopes	<u>Talera</u>	3397 7287
Springwood	<u>Bravehearts</u>	1800 272 831
Strathpine	<u>Bravehearts</u>	1800 272 831
Surrounding Areas:		
Caboolture	<u>UnitingCare</u> Community (formally Lifeline)	5428 4200
Gold Coast	<u>Centacare</u>	5527 7211
	<u>Bravehearts</u>	1800 272 831
	Victims Counselling and Support Services	1300 139 703
Gympie	Laurel Place	5482 7911
Ipswich	<u>Anglicare</u>	1300 114 397
	Victims Counselling and Support Services	1300 139 703
	West Moreton Women's Health and Acute Sexual Assault Service (14 years and above)	3812 0138
	Young People Health Team (4 – 25 years)	1800 607 030
Maryborough and Hervey Bay	KIPP (Kids Intervention Prevention Program)	4121 7983
Sunshine Coast	<u>Centacare</u>	5430 9300
	Laurel House	5443 4711
	<u>Bravehearts</u>	1800 272 831
	Victims Counselling and Support Services	1300 139 703
Toowoomba	<u>Centacare</u>	4688 3100
	Victims Counselling and Support Services	1300 139 703

Location	Organisation	Telephone
Central Queensland:		
Bundaberg	<u>Centacare</u>	1300 523 985
	Phoenix House	4153 4299
	<u>UnitingCare</u> Community (formally Lifeline) - outreach also available by video link to North Burnett District Region.	4153 8400
	Victims Counselling and Support Services	1300 139 703
Emerald, Gin Gin, Gladstone, Rockhampton and Yeppoon	<u>Centacare</u>	1300 523 985
Gladstone	<u>Anglicare</u>	4972 8220
	Victims Counselling and Support Services	1300 139 703
Rockhampton	<u>Anglicare</u>	4927 8200
	Victims Counselling and Support Services	1300 139 703
	Women's Health Centre – (Girls/Women 13+ years) (Boys 10+ who have been sexually abused)	1800 017 382 4922 6585
North Queensland:		
Bowen and Cannonvale	Victims Counselling and Support Services	1300 523 985
	Whitsunday Crisis and Counselling Service	4946 2999
Mackay	<u>Centacare</u>	1300 523 985
	Victims Counselling and Support Services	1300 139 703
Mt Isa	<u>Centacare</u>	4743 4449
Townsville	<u>Centacare</u>	4772 9000
	ACT for Kids	4779 0611
	Victims Counselling and Support Services	1300 139 703
Cairns	<u>Centacare</u>	4044 0130
	Cairns Sexual Assault Counselling Service	4031 3590
	Lifeline	4032 6800
	Victims Counselling and Support Services	1300 139 703

EMAIL/ FAX TO ARRESTING POLICE OFFICER ON PACT LETTERHEAD

FACSIMILE TRANSMISSION

DATE: (Insert date)	
To: (officer) – (station)	Fax number:
FROM: Volunteer Co-ordinator	Total Number of Pages: 1 (including this page)

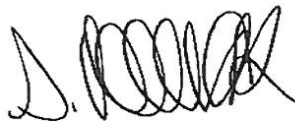
Dear

Thank you for the referral for the matter of

CWSV telephone number, mobile and emailwill prepare and support **child** in this matter set down for a at **Court** on.....

If there is a change of Court date, or if the matter is discontinued, please either inform us at PACT on the number below, or.....directly.

Regards



Sabina Nowak
Volunteer Coordinator, Regional Qld



Gail Clee
Volunteer Coordinator, Greater Brisbane

This fax is confidential to the addressee, and may also contain privileged information. Neither the confidentiality nor any privilege attached to this fax is waived, lost or destroyed by reason that it has been mistakenly transmitted to any person other than the addressee. Should this fax transmission be received by persons other than the addressee, you are requested to notify us immediately by telephone or fax and return the fax to us, by post at our expense.

NB: Fax may be adapted slightly, for example if there are multiple CWSVs, locations or children, if the referral was made by someone other than the police officer or if there is a nominated Case Coordinator.

LATE FAX TO ARRESTING POLICE OFFICER ON PACT LETTERHEAD

FACSIMILE TRANSMISSION

DATE:	
To: (officer) – (station)	Fax number:
FROM: Volunteer Co-ordinator	Total Number of Pages: 1 (including this page)

Dear

Thank you for the referral for the matter of.....

PACT Child Witness Support Volunteer (CWSV), telephone number , mobile and email , has been allocated to prepare and support throughout the Court process.

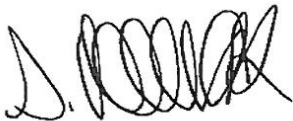
If there is any progress with this matter, or if the matter is discontinued, please inform either PACT on the number below, or **(CWSV)** directly.

While we appreciate that you are busy, for future reference, please endeavour to refer all potential child witnesses as soon as possible after charges have been laid. This can avoid the problems associated with late referrals.

PACT wishes to do its best to effectively prepare and support child witnesses for you and alert families to counselling options in a timely manner.

As we rely on the generosity of Volunteers to staff our Child Witness Support Program, we would also appreciate the opportunity to provide as much notice as possible to our Volunteers so that they can ensure their availability on the day of court.

Regards



Sabina Nowak
Volunteer Coordinator, Regional Qld



Gail Cleo
Volunteer Coordinator, Greater Brisbane

This fax is confidential to the addressee, and may also contain privileged information. Neither the confidentiality nor any privilege attached to this fax is waived, lost or destroyed by reason that it has been mistakenly transmitted to any person other than the addressee. Should this fax transmission be received by persons other than the addressee, you are requested to notify us immediately by telephone or fax and return the fax to us, by post at our expense.

NB: Fax may be adapted slightly, for example if there are multiple CWSVs, locations or children, if the referral was made by someone other than the police officer or if there is a nominated Case Coordinator.



CLIENT CONSENT FORM

I hereby give permission for Protect All Children Today Inc. (PACT) to obtain and provide information on my behalf to the Queensland Police Service, the Office of the Director of Public Prosecutions and/or other **relevant** support services.

Signed:

Carer's Name:

Relationship to Child

Child/ren's Name:

Date:/...../20.....

Please sign and return this Form to
PACT Reply Paid 6011, Logan Central Q 4114
or give **directly** to your Child Witness Support Volunteer.

.....
Internal Office Use Only

PACT Case No:CWSV:

(PRINTED ON PACT LETTERHEAD)

...../...../.....

Dear

I contacted you previously to inform you about PACT's Child Witness Support Program.

As explained to you by your Child Witness Support Volunteer

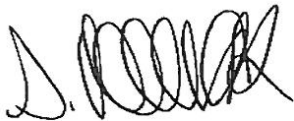
.....,

PACT requires your permission to obtain information from the Office of the Director of Public Prosecutions (ODPP) that will assist us to provide the best support possible. All information received by PACT will be treated as strictly confidential.

Please complete the enclosed Client Consent form and either give it directly to your Child Witness Support Volunteer **or** send it to **Reply Paid 6011 Logan Central Q 4114** (you will not need a stamp).

I apologise for any inconvenience this may cause and thank you for your prompt attention to this matter.

Yours sincerely



Sabina Nowak
Volunteer Coordinator, Regional Qld



Gail Clee
Volunteer Coordinator, Greater Brisbane



Post Evidence Feedback Survey

Age: ____ Gender: M / F Court (Magistrate/District): _____ PACT No. _____

What was it like talking to the Police?

Do you have anything you would like to say about the Prosecutor?

Is there anything you would like to say about the Judge / Magistrate?

Would you like to say anything about the Defence Barrister?

How did you feel about giving evidence? (PR, CCTV, court etc.)

Is there anything else you would like to say about your Court experience?

CWSV _____

Date ____ / ____ /20____

PROTECT ALL CHILDREN TODAY INC. (PACT)

Consent Form Sent: ___/___/___

Case Diary (GREEN FORM)

Consent Obtained: ___/___/___

Date Received: ___/___/___

PACT Case Number:

Child's Name: _____ D.O.B. ___/___/___

Type of Witness: Complainant Preliminary Complainant (Fresh Complaint) Witness

Address: _____ P/Code _____

Telephone: _____ (Mobile) _____

Carer's Name: _____ (Email): _____

Carer's Relationship to Child: Natural parent Step Foster Guardian Relative

Child Safety Officer (CSO): _____

Arresting Officer: _____ Station: _____

Telephone No: _____ Email: _____

Defendant: _____ D.O.B. ___/___/___ Date of Arrest ___/___/___

Defendant's Relationship to Child: _____

Charges: _____

Court Location: _____

Court Stage: _____

Other Volunteer/s: _____

Victim Liaison Officer (VLO): _____

ACTIVITY	DATE	DETAILS
Face to Face Visit	/ /	People present? (Excluding Child Witnesses)
Court Visit	/ /	
Pre Committal Conference	/ /	
Committal	/ /	
Pre Indictment Conference	/ /	
Pre Recording Conference	/ /	
Pre Recording of Evidence	/ /	People present? (Excluding Child Witnesses)
Summary Hearing/Trial	/ /	

This form is to be returned to PACT on completion of court proceedings. PACT CASE No: _____

DATE	PHONE or EMAIL	NOTES	KLMS	TIME
		TOTAL		

Child Witness Support Volunteer: _____

PROTECT ALL CHILDREN TODAY INC. (PACT)

Court Form

What Type of Hearing is it? _____

CWSV Name: _____

Full Name of **Child:** _____ PACT Case No: _____

Court Date Attended: ____/____/____

Court Location: _____

Name of Magistrate or Judge: _____

Name of Defence Counsel: _____

Name of Prosecutor: _____

Did the child give evidence? Yes / No (if no please tick reason)

Child not required Guilty Plea Adjourned to another date

Other _____

Were you present in Court during the child’s evidence? Yes / No

If no, please explain

- Family requested own support person
- Application for special witness provisions denied
- Not permitted by court personnel
- Child requested no support
- Volunteer unavailable
- Other _____

Was the child allowed any special conditions in Court? Yes / No

If yes, what

- Pre recorded CCTV
- Live CCTV
- Video Link up
- Defendant moved/removed from room
- Screen
- Other _____

Protect All Children Today Inc (PACT)

Statistics Form

One for EACH case at completion of matter, *regardless of when this occurs.*

Child's Full Name: _____ PACT No. _____

CWSV Name: _____ Date: ___/___/___

Tasks that YOU have completed for this case.

Telephone Calls:

Total local calls: _____ Total Mobile calls: _____ STD calls: _____

Total emails: _____ Total Text Messages: _____

Total **kilometres** travelled: _____ klms

Approximate time spent on this case _____ Minutes (please)

Magistrates Court	District Court
<input type="checkbox"/> Face-to-face Visit/s <input type="checkbox"/> Court Visit <input type="checkbox"/> Pre-Committal Conference <input type="checkbox"/> Pre-Summary Hearing Conference <input type="checkbox"/> Committal <input type="checkbox"/> Summary Hearing/Trial	<input type="checkbox"/> Face-to-face Visit/s <input type="checkbox"/> Court Visit <input type="checkbox"/> Pre-Indictment Conference <input type="checkbox"/> Pre-Recording Conference <input type="checkbox"/> Pre-Recording of Evidence (Preliminary Hearing) <input type="checkbox"/> Pre-Trial Conference <input type="checkbox"/> Trial

- Family made aware of counselling options
 NO Contribution Payment Please

PROTECT ALL CHILDREN TODAY INC. (PACT)
Quarterly Contribution Claim Form
Processed end of June, Sept, Dec, March
(BRIGHT BLUE FORM)

CWSV Name: _____

Fuel Contributions

(This side of the form enables you to claim a fuel reimbursement of \$20 per 100 klms travelled).

DATE	CASE NO.	REASON (ie. Face-to-face visit, Court, PACT Meetings etc.)	TRAVEL DETAILS (Where from and Where to)	KLMS
/ /				
/ /				
/ /				
/ /				
/ /				
/ /				
/ /				
/ /				
/ /				
/ /				
/ /				
/ /				
/ /				
/ /				
/ /				
TOTAL KILOMETRES				

Note: If needed use <http://www.whereis.com/whereis/home.jsp> or www.travelmate.com.au or www.maps.google.com.au to calculate kilometres traveled.

Exceptional Cost Contributions – Processed Quarterly

This side of the form enables Volunteers to claim a contribution payment (with case no. and attached receipts) for expenses such as fares, parking, tolls and telephone calls.

ITEM	DATE	CASE NO.	REASON (ie. Face-to-face visit, Court, Meetings etc.)	DETAILS (Where?)	COST \$
Fares (bus, ferry, train tickets or GoCard statement) www.translink.com.au	/ /				
	/ /				
	/ /				
	/ /				
	/ /				
	/ /				
	/ /				
Parking Receipts	/ /				
	/ /				
	/ /				
	/ /				
	/ /				
GoVia Account As highlighted in Toll transaction Statement www.govia.com.au or www.flowtoll.com.au	/ /				
	/ /				
	/ /				
	/ /				
	/ /				
STD/Mobile Phone Calls	As highlighted in attached Telephone Account (with case nos)				
TOTAL CLAIMED (this page)					\$

PROTECT ALL CHILDREN TODAY INC

Child Witness Support Volunteer: _____

Indicators:

<p>1. Overall, how satisfied are you with your child witness support work including your case load?</p>	<p>1-----2-----3-----4-----5 Unsatisfied Satisfied Well satisfied</p> <p>Comments/Suggestions for improvements:</p> <hr/> <hr/> <hr/> <hr/>
---	--

<p>2. How satisfied are you with the process of doing a home visit and following your cases through to completion?</p>	<p>1-----2-----3-----4-----5 Unsatisfied Satisfied Well satisfied</p> <p>3. Comments/Suggestions for improvements:</p> <hr/> <hr/> <hr/> <hr/>
--	---

<p>3. a) How satisfied are you with the support and leadership of your PACT Volunteer Coordinator?</p>	<p>1-----2-----3-----4-----5 Unsatisfied Satisfied Well satisfied</p> <p>4. Comments/Suggestions for improvements:</p> <p>5.</p> <hr/> <hr/> <hr/> <hr/>
--	---

<p>3. b) How satisfied are you with the overall support provided to you by the PACT Volunteer Coordination Team (including access, debriefing, training, CWSV Protocols etc.)?</p>	<p>1-----2-----3-----4-----5 Unsatisfied Satisfied Well satisfied</p> <p>6. Comments/Suggestions for improvements:</p> <hr/> <hr/> <hr/> <hr/> <hr/>
<p>4. How satisfied are you with the direction and leadership of the PACT Chief Executive Officer?</p>	<p>1-----2-----3-----4-----5 Unsatisfied Satisfied Well satisfied</p> <p>7. Comments/Suggestions for improvements:</p> <hr/> <hr/> <hr/>
<p>5. How satisfied are you with the direction and leadership of the PACT Board of Management?</p>	<p>1-----2-----3-----4-----5 Unsatisfied Satisfied Well satisfied</p> <p>8. Comments/Suggestions for improvements:</p> <hr/> <hr/> <hr/>

<p>6. How satisfied are you with the overall support provided to you by the PACT Administration Team (Finance and Operations Officer, Administrative Officer) including: access to information, paperwork, consent form process, contribution payments, etc.</p>	<p>1-----2-----3-----4-----5 Unsatisfied Satisfied Well satisfied Comments/Suggestions for improvements: _____ _____ _____</p>
<p>7. How satisfied are you in your working relationship with Arresting Officers (AO) of the Queensland Police Service (QPS)?</p>	<p>1-----2-----3-----4-----5 Unsatisfied Satisfied Well satisfied Comments/Suggestions for improvements: _____ _____ _____</p>
<p>8. How satisfied are you in your working relationship with Office of Department of Public Prosecutions ODPP?</p>	<p>1-----2-----3-----4-----5 Unsatisfied Satisfied Well satisfied Comments/Suggestions for improvements: _____ _____ _____</p>

Key Role Area	Knowledge and Experience	Rating
<p>In relation to working within the criminal justice system and the direct support you provide to child witnesses, can you please rate.</p>	<p>a) Your ability to identify and work collaboratively with key individuals and agencies (ODPP, QPS, CSOs,).</p>	<p>1-----2-----3-----4-----5 Need training some skills Well skilled</p>
	<p>b) Your ability to provide impartial information to child witnesses and their families.</p>	<p>1-----2-----3-----4-----5 Need training some skills Well skilled</p>
	<p>c) Your understanding of the Queensland court system and ability to adequately prepare a child to give evidence.</p>	<p>1-----2-----3-----4-----5 Need training some skills Well skilled</p>
	<p>d) Your ability to accompany the child witness to their ODPP Conferences and visits to the CCTV/Court Room if/when required.</p>	<p>1-----2-----3-----4-----5 Need training some skills Well skilled</p>
	<p>e) Your ability to reassure the child with the court precinct and accompanying them whilst they give evidence.</p>	<p>1-----2-----3-----4-----5 Need training some skills Well skilled</p>
	<p>f) Your ability to communicate with children of different ages and levels of understanding and ability to recognise and respect the language, culture, religion, race, class, gender and sexuality of children and client families.</p>	<p>1-----2-----3-----4-----5 Need training some skills Well skilled</p>
	<p>g) Your ability to attend regular team meetings and training conferences to keep informed of changes to the court process.</p>	<p>1-----2-----3-----4-----5 Unable generally able Usually able</p>
	<p>h) Your ability to communicate effectively and work cooperatively with fellow volunteers in your team or with shared cases.</p>	<p>1-----2-----3-----4-----5 Unable generally able Usually able</p>

General Questions	Comments
<p>Are there specific areas where you would like further training?</p>	<p>_____</p> <p>_____</p> <p>_____</p>
<p>Do you have a view about how long you intend to continue your voluntary role with PACT?</p>	<p>_____ Less than one year why? _____</p> <p>_____ 1-2 years why? _____</p> <p>_____ greater than 2 years why? _____</p>
<p>Would you consider being nominated for the role of Team Leader (permanent or temporary) if the situation arose?</p>	<p>YES / NO why? _____</p>
<p>In your opinion, how great is the need for additional Volunteers in your geographic area?</p>	<p>_____ We desperately need additional Volunteers in _____</p> <p>_____ We could use 1-2 more Volunteers in _____</p> <p>_____ We currently have enough Volunteers in _____</p>
<p>Do you have any other comments/or suggestions that you would like to make?</p>	<p>_____</p> <p>_____</p> <p>_____</p>

CWS Volunteer Signature: _____

Date:/...../.....

CLIENT RESPONSE SURVEY FORM

Greeting

Am I speaking to (carer)?

Case No.
Child/YP.....
Person Interviewed
Relationship to child

My name is

I am calling on behalf of PACT (Protect All Children Today Inc) the Child Witness Support Service.
Is it convenient for you to spare me a few minutes to answer some quality assurance questions about the volunteer service we provided for (child's name)?"

If No

"When would be a suitable time for me to call you back?".....

If Yes

"I believe you had assistance from.....(CWSV)

"Now I'll be asking your opinion about the different parts of the service you received".

Home Visit

"Firstly, was there a face-to-face visit with the volunteer either at your home or somewhere else before the day of court?" YES / NO

If Yes

"On a scale of 0 to 7, 0 being not helpful and 7 being extremely helpful, how helpful was that visit?" 0-7

General comments:

If No

"Do you know why that did not occur?".....

"Did the volunteer speak to (child) on the phone, or were you sent a Court Booklet or DVD?" YES / NO

"If so, on a scale of 0 to 7, 0 being not helpful and 7 being extremely helpful, how helpful was this?" 0-7

General comments:

CCTV explanation/Tour

"Did the volunteer give an explanation or tour of the CCTV/Court facilities on, or before the day of court?"

YES / NO

If Yes

"Using the same rating as before how helpful was that activity?"

0-7

If No

"Do you know why that did not occur?".....

Pre-recording Conference

"Did the PACT Volunteer attend a meeting between the witness and the Prosecutor (DPP or Police), on or before the day of court?" (An explanation may be required e.g. the day when there was an opportunity to watch the police interview tape.)

YES / NO

If Yes

Do you think that was helpful?

If No

"Do you know why that did not occur?".....

Giving Evidence

"Did the volunteer attend on the day the child was required to give evidence at court" (did they keep child/yp occupied while waiting and did they sit in CCTV when giving evidence)

YES / NO

If Yes

"Using the 0 – 7 rating again how helpful was the volunteer’s presence during that process?"

0-7

General comments:

If No

"Do you know why that did not occur?".....

Overall

"Did your contact with the Child Witness Support Volunteer help you have a better understanding of how the legal system relates to young witnesses?"

YOU / CHILD

General comments:

"So now that we have covered the entire service, on a scale of 0 to 7 again could you give me an overall rating for the service?"

0-7

“How could PACT improve the services provided to child witnesses and their families?”

.....
.....

“Are there any additional comments you wish to express about the services received or the Child Witness Support Volunteer involved”

.....

ACCESSING COUNSELLING / THERAPY

“Did you receive information about available Counselling providers?” YES / NO

If yes, who provided this information: PACT / CWSV / Other:

“Did your child receive counseling?” YES / NO

If Yes

“Which agency was it with?”

“Using the 0 – 7 scale again how helpful was this service to you?” 0-7

If No

Can you tell me why?

- 1. refusal
- 2. not perceived as necessary
- 3. location/transport difficult
- 4. availability
- 5. other

“Would you like to receive information about the Counselling available?” YES / NO

(If so give information)

Are there any other comments you would like to add?

.....
.....
.....
.....

“Thank you for your time.”

Signature:

Date:/...../20.....

INCIDENT REPORT FORM

(PINK FORM)

***PLEASE NOTE:** This form provides information on issues that either positively or negatively impacts on the child/family's involvement in the court process. Information is then collated and provided to key stakeholders with the view of facilitating improvements.*

Incident type: Positive Negative
 QPS Issue ODPP Issue Misc. Issue

CASE DETAILS:

Full Name of Defendant: _____ CASE NO: _____

Child: Male Female Age: _____

Complainant Preliminary Complainant (Fresh Complainant) Witness

Was the Child: Affected Child Witness Special Witness Other

COURT LOCATION: _____ Magistrates Court District Court

COURT DATE: ____/____/____

Summary Hearing Committal Pre-Recording Trial Other _____

Name of Arresting Officer: _____

Name of Prosecutor: _____

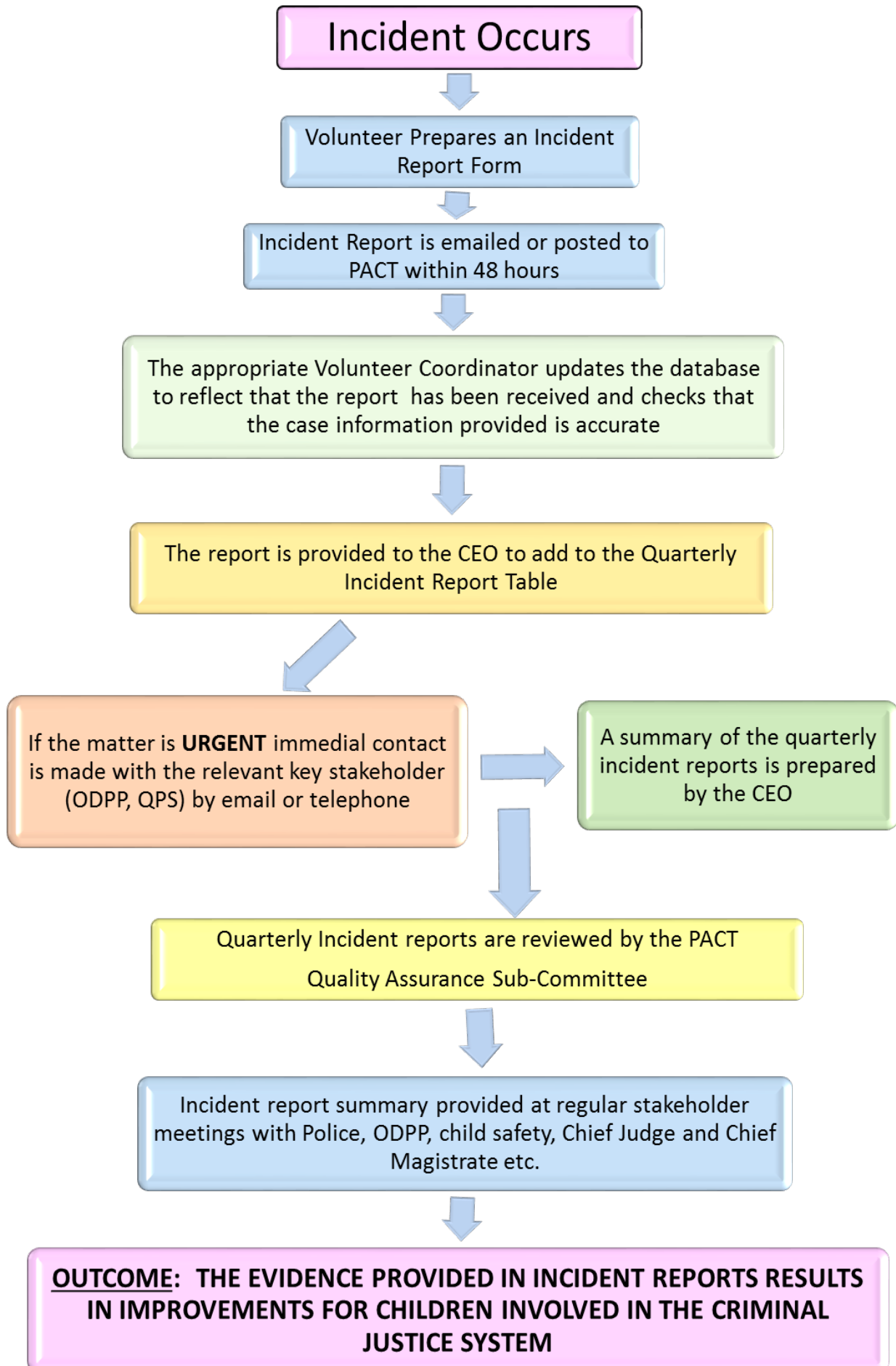
Any other personnel involved? _____

INCIDENT DETAILS:

Date of Incident: ____/____/____ Location of Incident: _____

WHAT HAPPENED:

INCIDENT REPORT PROCESS





CHILD WITNESS SUPPORT VOLUNTEER EXIT QUESTIONNAIRE

We are always striving to improve the effectiveness of our Child Witness Support Program. As one of our valued Volunteers, we would appreciate your help to identify areas we might improve.

Please be honest in answering the following question. All of the information collected will be kept strictly confidential, but will be used to ensure that other Child Witness Support Volunteers benefit from your experience.

1. Which of your expectations do you consider were achieved whilst doing PACT work?

2. Please share your reasons for leaving?

(Please number your choices with 1 being the main reason)

- | | |
|--|--|
| <input type="checkbox"/> Sense of job accomplishment | <input type="checkbox"/> Relocating |
| <input type="checkbox"/> Lack of adequate support | <input type="checkbox"/> Lack of adequate training |
| <input type="checkbox"/> Need a change | <input type="checkbox"/> Unrewarding work |
| <input type="checkbox"/> Other commitments | <input type="checkbox"/> I felt under utilised |
| <input type="checkbox"/> Moved to paid work | <input type="checkbox"/> Personal circumstances |
| <input type="checkbox"/> Further study | <input type="checkbox"/> Not right for me |
| <input type="checkbox"/> Other _____ | |

Further details _____

3. Did any of PACT's practices/protocols make your volunteering role more difficult? If so, what?

4. What were the most rewarding aspects of your volunteering role?

5. What were the least rewarding aspects of your volunteering role?

6. What suggestions would you make for improvements to PACT's Child Witness Support Program?

a) For the clients _____

b) For the CWSV _____

7. What could the PACT staff do to better support you in this role?

8. Would you recommend others to become a PACT Volunteer? If so why/why not?

9. Overall, how would you rate your experience at PACT?

1-----2-----3-----4-----5
Poor Average Excellent

Any Other Comments:

10. Have you returned to PACT?

- Your completed case paperwork
- Your PACT ID card
- Your Brisbane Court access card (Brisbane CWSVs only)

11. Do you wish to maintain your PACT membership Yes No

- Standard Membership (\$20 per annum)
- Pensioner Membership (\$15 per annum)

Thank you for completing this form and working with us to achieve PACT's goals

Signature: _____ Date: ____/____/20____