

WITNESS ASSISTANCE SERVICE



What protection is available to me as a Witness?

When a person is a victim or becomes a witness in a criminal matter there are some forms of protection available to them if required.

If you have any further questions or would like more information, please contact the Witness Assistance Service on Freecall 1800 659 449 or email us on AGDDPPWitness.AssistanceService@nt.gov.au

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When a person is a victim or becomes a witness in a criminal matter there are some forms of protection available to them if required.

Why would I need protection?

Most people will not require any form of protection if they are involved in a Court matter. Where the alleged offender is not known to the victim or the witness prior to the incident it is unlikely that there will be any further contact with that person.

However, where the offender is known to the victim or witness there can sometimes be a concern for the person's safety or pressure placed on the victim or witness to drop the charges or change their story. In these cases there are various things that can be done to assist in providing protection for them.

Bail conditions

Where the offender is being considered for or granted bail, the police or prosecutor can ask the Court to include a condition that the person not be allowed to have any contact or approach the victim or witness while they are on bail.

If the offender does then try to contact or approach that person, the police can arrested them for breaching their bail and they will have to go to Court for doing

that. Their bail may be revoked by the Court and they might have to remain in prison until the Court matter is finalised.

Domestic Violence Orders

Where the offender is a family member, including extended family or de facto relationships, to the victim, the victim may be able to apply for a Domestic Violence Order (DVO). This type of Order can require the offender has no contact directly or indirectly with the victim, nor can they assault, threaten, harass or intimidate the victim. This means that if they were to send messages by text or email or through another person to the victim or contact them directly they would be in breach of that Order and could be arrested and charged for doing that.

Personal violence orders

Where the offender is not a family member but the victim can show reason for why the person should be subject to a personal violence order, such as they have committed or are likely to commit a personal violence offence against you, similar conditions to a DVO can be sought.

Interference with a witness

Even without any specific conditions placed on the alleged offender, they are not allowed to act in a way that would interfere with a witness. Nor is any other person such as a family member or friend of the offender.



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Interfering includes:

- Attempting to corrupt a witness by giving or offering an inducement (e.g. money or similar) to give false evidence;
- Attempting to prevent a witness from attending Court;
- Stalking the witness;
- Cause or procure (pay for) any physical injury to a witness or their property;
- Threaten or attempt to cause or procure any physical injury to a witness or their property;
- Cause detriment of any kind to a witness;
- Act in any way that is designed to pervert the course of justice (i.e. interfere with the court case being run properly)

Any person found guilty of doing these things can face a conviction and possible imprisonment.

What should I do if I have concerns for my safety?

Always contact the Police immediately if you are directly threatened or assaulted and report it to them. If you are concerned about your safety or being harassed or intimidated in anyway, contact the Police Office-in-Charge for your matter and inform them of what is occurring. They can assist you to seek a formal order or they can speak with the person who is causing problems

To take formal action against someone for interference or breach of an Order, it's important to have evidence of what has been happening. If you receive phone calls or are approached by someone, make notes of the date, times, names and what was said to give to the police. If you are sent a text or messages on Face book or email, keep these and provide them to police as soon as possible.

