

**Sensitive – Law Enforcement**

**PROTOCOL/PROCESS FOR NON GOVERNMENT ORGANISATIONS ( NGOs) PROVIDING  
HISTORICAL SEXUAL/ PHYSICAL ABUSE <sup>12</sup>INFORMATION TO THE NSWPF**

**NSWPF Sex Crimes Squad** - Telephone – **REDACTED**, Facsimile – **REDACTED**

**1. Reports where the identity of a victim of suspected crime is not known;**

In cases where a complaint is received by the NGO concerning a person being suspected of having committed a criminal offence but the victim is not known, the NGO will report the matter to the Police by way of a form which will include, inter alia;

- a) Sufficient description of the suspected offence(s)
- b) Confirmation as to what steps the NGO has taken to assess any current or ongoing risks to children or adults arising from or similar to the circumstances of the suspected crime being reported; and
- c) Confirmation as to what other notifications have been made by the NGO (for example, to the NSW Ombudsman, Office of the Children's Guardian, FaCS.)

**2. Reports where the identity of a victim of a suspected crime is known;**

- a) In cases where a complaint is received from a victim, the NGO will encourage the victim to speak with the Police immediately; and
- b) Will assist the victim to approach and contact the Local Area Command (LAC) to speak with the Crime Manager and/or Detectives on duty. The NGO is advised to ring the LAC to make a mutually suitable appointment. (Sex Crimes Squad would be advised through internal disseminations).
- c) Where a victim is willing to speak with the Police, then the NGO is **not** to conduct an investigation or to interview witnesses as the investigating police will do this.
- d) The NGO will ensure that any evidence, such as videos, telephone records, documents, diaries etc. is preserved so that Police can access it in the course of their investigation.

**3. In circumstances where a victim of a suspected crime is known but that victim does not wish to speak with the Police, proceed as follows;**

- a) Advise the victim that they can change their mind and speak with Police at any time in the future;
- b) Where the victim is receiving counselling support, the counsellor may advise victim of the availability of reporting to the police through the Sexual Assault Reporting Option (SARO) process, [www.police.nsw.au/community\\_issues/adult\\_sexual\\_assault](http://www.police.nsw.au/community_issues/adult_sexual_assault)
- c) Preserve all available evidence in case the victim changes their mind and the evidence is required for a later Police investigation;
- d) Conduct any necessary investigation to deal with any internal disciplinary matters, as required (for staff / volunteers etc.);
- e) Confirm what steps the NGO has taken to assess any current or ongoing risks arising from or similar to the circumstances of the suspected crime being reported
- f) Send through to the relevant LAC a notification form in two stages - initially as a preliminary notification to confirm that an investigation will be undertaken and later, once concluded provide a brief report to the LAC outlining any outcomes. The complete investigation and all relevant records are to be retained by the NGO and **not** be forwarded to NSWPF.
- g) The notification form should confirm that the victim has been advised of the continuing option of speaking with the Police and also of appropriate counselling services which might be able to assist them. Confirmation as to what other notifications have been made by the NGO (for example, to the NSW Ombudsman / Office of the Children's Guardian), FaCS.

<sup>1</sup> **Sexual assault** - Any person who has sexual intercourse with another person without the consent of the other person.( New South Wales Crimes Act 1900)

<sup>2</sup> **Indecent Assault** - Any person who assaults another person and, at the time of, or immediately before or after, the assault, commits an act of indecency on or in the presence of the other person ( New South Wales Crimes Act 1900)