

Annexure "E"

ODPP Policies and Guidelines addressing prosecution of sexual assault matters

ODPP Policies:

1. ODPP Prosecution Guidelines –

- Guideline 7: Discontinuing Prosecutions.
- Guideline 19: Victims of Crime; Vulnerable Witnesses; Conferences.
- Guideline 20: Charge Negotiation and Agreement; Agreed Statements of Facts; Form 1.
- Guideline 34: Calling of Expert Evidence and the use of Audio Visual Links (AVL)
- Appendix D: NSW Charter of Victims Rights.
- Appendix E: ODPP Protocol for Reviewing Domestic Violence Offences.
- Appendix F: Interagency Guidelines for Child Protection Intervention.
- Appendix G: United Nations Convention On The Rights Of The Child

2. ODPP Annual Report

(1 and 2 can be found on our website odpp.nsw.gov.au).

3. ODPP Guidelines for Conducting Conferences;
4. Solicitors Manual;
5. Child Sexual Assault Manual;
6. WAS Best Practice Case management and Referral Protocol
7. Lynch's Guide for Sexual Assault Legislation.

8. Research Flyers:

- 4: Closed courts and Suppression Orders
- 6: Prosecution for certain sexual assault – Limitation period;
- 19 Sexual Assault Communications Privilege
- 23: Doli Incapax;
- 28: Vulnerable Person's Electronically Recorded Statements;
- 44: Sexual Assault Checklist (Adult and Vulnerable Person);
- 49: Calling witnesses at committals;
- 51: Courtroom Technology;
- 52 Prosecutions Requiring Prior Approval of DPP or Attorney General
- 54: Domestic Violence: Part 15A Crimes Act (Apprehended Violence Orders); Crimes (Domestic and Personal Violence) Act 2007 and the Domestic Violence Court Intervention Model
- 55: Best Practice for Sexual Assault Prosecutions
- 56: Prejudicial Publicity and the Trial Process
- 58: Prosecuting Offences relating to Child Abuse Material
- 61: Victim Impact Statements

9. Legislation Updates;

10. ODPP Victim/Witness Information Pamphlet and other publications for victims of sexual assault.

Additional Policies/ Interagency Protocols, Memorandums and Guidelines:

- NSW Attorney General's Department Operational Guidelines for Remote Witness Facilities;
- NSW Police, Health and Office of the Director of Public Prosecutions Guidelines for Responding to Adult Victims of Sexual Assault (currently being updated).
- Instructions to Police Prosecutors for Referral and Prosecution of Child Sexual Assault Matters.
- Child Wellbeing and Child Protection - NSW Interagency Guidelines
- Sensitive Evidence Protocol (NSW ODPP and Police).
- Domestic Violence Interagency Guidelines.
- Victims Rights and Obligations, Consolidated ODPP Procedures.

District and Local Court Practice Notes:

District Court Practice Notes 4, 5, and 6.

Local Court Practice note 3/2004. Criminal Proceedings involving child witnesses

Judicial Commission of NSW

Sexual Assault Handbook

Equality Before the Law Bench Book

Department of Police and Justice:

Remote Witness Facilities Operational Guidelines:

- Judicial Officers
- Legal Representatives
- Sheriff/Court Officers
- Support Persons
- **Department of Corrective Services**
Victims Register, Victim submissions at Parole of Serious Offenders, Victims brochures
<http://www.dcs.nsw.gov.au/>
- **Mental Health Review Tribunal**
Victims register
<http://www.mhrt.nsw.gov.au/>
- **Juvenile Justice**
Victims register
- <http://www.djj.nsw.gov.au/>