

## Queensland Corrective Services Victims Register

## Application to register

## What is the Register?

The Queensland Corrective Services (QCS) Victims Register is an information service established to provide certain information to eligible persons in regards to prisoners who have been convicted of offences and are serving a period of imprisonment, including parole, in accordance with s320(1)(a), (b) or (c) of the Corrective Service Act 2006 (CSA 2006).

## Where can I get more information about the QCS Victims Register?

You can log onto the Queensland Corrective Services website at [www.correctiveservices.qld.gov.au](http://www.correctiveservices.qld.gov.au)

You can contact the Queensland Corrective Services Victims Register on the following:

Freecall: 1800 098 098  
 Email: [victims.register@dcs.qld.gov.au](mailto:victims.register@dcs.qld.gov.au)  
 Mail: Victims Register  
 Queensland Corrective Services  
 GPO Box 1054  
 Brisbane QLD 4001

Translating and interpreting services: 13 14 50  
 Hearing impaired assistance — National Relay Service  
 Freecall: 1800 555 660  
 Website: <http://relay.service.gov.au/>

## Who can Register?

- The actual victim of a violent or sexual offence for which an offender has been sentenced to a period of imprisonment (unless it is a wholly suspended sentence) or who is a supervised dangerous prisoner (sexual offender)
- If the victim is deceased, an immediate family member of the victim of a violent or sexual offence
- If the victim of a violent or sexual offence is under 18 years or has a legal incapacity, the victim's parent or guardian
- A person who has been subject to domestic violence or whose life or physical safety may be endangered because of a risk of domestic violence being committed against them and the offender has been sentenced to a period of imprisonment for any offence

If you do not meet the above registration criteria, you may still be considered for placement on the QCS Victims Register if you can demonstrate:

- a documented history of violence against you by an offender (e.g. a current or expired Domestic Violence Order) or
- that your life or physical safety may be endangered due to a connection to the offence for which an offender has been imprisoned (e.g. you have given evidence against the offender in a court proceeding)

In these instances, the offender must be convicted of a violent or sexual offence.

## What information may be provided?

Information that must be provided to an eligible person includes the prisoner's eligibility and release dates, date of discharge or release, death or escape or any other exceptional circumstances that could be reasonably expected to endanger the eligible person's life or physical safety.

Information that may be provided to an eligible person includes a prisoner's current location, security classification, transfers, the results of applications for parole and other exceptional events.

If the prisoner lodges an application for parole, other than exceptional circumstances parole, or the Attorney-General makes an application to the Supreme Court for an order under the *Dangerous Prisoners (Sexual Offenders) Act 2003* (DPSOA 2003), eligible persons will be notified that they may make a written submission to the Parole Board Queensland or the Supreme Court.

If the prisoner/offender makes an application to change their name the eligible person will be notified that they may make a written submission to the authorised delegate.

## Privacy notice

This application form is provided in accordance with s320 – s325 of the CSA 2006. QCS collects the information provided in your application form in order to establish your eligibility to register with the QCS Victims Register and for the following purposes:

- to enable the Department to provide certain information relating to the status of prisoner(s) against whom you have registered with the QCS Victims Register; and
- to enable the Department to discharge its legislative accountability and administrative function.

The QCS Victims Register will store your information securely. QCS will not disclose your personal information without your consent to the extent that it can be legally refused or unless satisfied on reasonable grounds that the disclosure is necessary to lessen or prevent a serious threat to your life or safety or unless legally required.

### **Does the information provided to me need to remain confidential?**

All information provided by the QCS Victims Register must be treated confidentially. Information from the Victims Register must not be disclosed for public dissemination by either the eligible person or their nominee.

This includes but is not limited to disclosure of confidential information to any media outlet (e.g. television, newspaper, radio, the internet, book or other form of communication), distributing the confidential information in leaflets or brochures in letterboxes or by announcing the confidential information at a meeting.

Disclosure of this information publicly may result in completion of your registration and other penalties as described in s341 of the CSA 2006, including up to 2 years imprisonment.

An eligible person or their nominee may disclose relevant confidential information (such as the prisoner's discharge date) to a third party, for example a Domestic and Family Violence Support Service, for the purposes of obtaining support and assistance.

### **How long does my registration remain current?**

A registration will remain current until a prisoner has completed their sentence. However an eligible person may be removed from the QCS Victims Register in other circumstances, including where:

- the eligible person requests to be removed;
- the prisoner in relation to whom the person is registered dies in custody or in the community;
- the prisoner is transferred interstate or overseas;
- the eligible person discloses, for public dissemination, any prisoner information released to them by the QCS Victims Register;
- the QCS Victims Register is unable, after making reasonable efforts, to contact the eligible person; or
- until the child victim of an offence reaches 18 years and has legal capacity to apply with the QCS Victims Register in their own right.

### **How do I apply for registration?**

A person who wishes to apply for registration must complete and sign the attached Form 49 Application to Register with the Queensland Corrective Services Victims Register.

Should a person wish to apply for registration in relation to multiple prisoners, a Form 49 Application to Register with the Queensland Corrective Services Victims Register must be completed for each prisoner.

Completed applications should be emailed or posted to the address provided.

The QCS Victims Register seeks to provide information in a timely manner. Provision of an email address ensures the timely release of information.

### **What happens after I submit my Application to Register?**

Your application and the supporting documentation will be assessed against several criteria. It is your responsibility to provide documentation in support of your application. The Victims Register may seek further information or clarification from the Office of the Director of Public Prosecutions, the Queensland Police Service or the Courts.

An assessment will also be made if releasing information will affect the safety and security of QCS facilities, staff, prisoners and other persons.

Once your application has been processed, you will be advised of the outcome. If you are registered, your initial letter will provide information regarding the prisoner's current status.

If you are ineligible for registration you will be notified.



### 3. Eligibility for registration

From the options below, please tick the box that applies to you and complete the relevant details for that section.

<b>Category A</b>	
You have had a criminal act of violence or a sexual offence committed against you (CSA s320(2)(a)(i))	<input type="checkbox"/> Go to Section 4
<b>Category B</b>	
You are an immediate family member of a deceased victim of a criminal act of violence committed against them (CSA s320(2)(a)(iii))	<input type="checkbox"/> Yes <input type="checkbox"/> No
You are the parent or guardian of a victim of an offence of violence or sexual offence who is under 18 years of age or who has a legal incapacity (CSA s320(2)(a)(iii))	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>Victims details</b>	
Name of victim:	
Date of birth of victim:	
What is your relationship to the victim? (e.g. are you the victim's mother, father, husband, wife, child, sibling etc). Please attach a certified copy of any documentation which provides evidence of your relationship to the victim e.g. Marriage Certificate, Birth Certificate, Statutory Declaration etc).	
<b>Category C</b>	
Where a prisoner has been convicted of an offence of violence or a sexual offence and you can provide documentary evidence of the prisoner's history of violence against you (CSA s320(2)(a)(iv)(A))	<input type="checkbox"/> Yes <input type="checkbox"/> No
Where a prisoner has been convicted of an offence of violence or a sexual offence and you can provide information that your life or physical safety could be endangered because of a connection between you and the offence (CSA s320(2)(a)(iv)(B))	<input type="checkbox"/> Yes <input type="checkbox"/> No
You can demonstrate a documented history of domestic violence being committed against you by the prisoner regardless of the nature of the prisoner's current conviction (CSA s320(2)(b)(i))	<input type="checkbox"/> Yes <input type="checkbox"/> No
You can demonstrate that your life or physical safety may be endangered because of a risk of domestic violence committed by the prisoner (CSA s320(2)(b)(ii))	<input type="checkbox"/> Yes <input type="checkbox"/> No
To be considered for registration under Category C, you must attach certified documentary evidence to support your application, for example: <ul style="list-style-type: none"> <li>• a Domestic Violence Order (current or previous);</li> <li>• a statutory declaration made by you and witnessed by another person, who is one of the following:             <ul style="list-style-type: none"> <li>- Justice of the Peace;</li> <li>- Barrister/Solicitor;</li> <li>- Conveyancer; or</li> <li>- Commissioner for Declarations.</li> </ul> </li> <li>• Documentary evidence from a Domestic Violence Support Agency</li> </ul>	





#### 4. Nominee

Please only complete this section if you would like to nominate another person or agency to receive information on your behalf. If you nominate another person, the Victims Register will correspond only with the person/agency that you have nominated and you will have no further contact from the Victims Register until you advise otherwise.

Title:	<input type="checkbox"/> Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other		
Given name/s or agency:			
Surname:			
Relationship to victim:			
Date of birth:	DD/MM/YYYY		
Daytime telephone number:	( )	Mobile/alternative number:	( )
Email address:			
Postal address:	Unit/building no.	Street no.	Street name
	Suburb/Town/City	State	Postcode
Please note that a nominee must sign, name or mark the declaration section on the next page.			

#### 5. Prisoner/Offender contact

Do you have contact with the prisoner or concern?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, under what circumstances:	
<hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>	

#### 6. Declaration

Please note that the QCS Victims Register will be unable to process your application if the declaration is not endorsed by you and your nominee (if applicable) or if certified identification documentation is not provided.

To also be completed by a parent or guardian of a person under the age of 18 years or if over 18 years has a legal incapacity.

<b>Applicant's declaration</b>	
Please tick each box to demonstrate your acceptance of these conditions	
<input type="checkbox"/> I request that my details be entered into the Victims Register, operated by Queensland Corrective Services.	
<input type="checkbox"/> I understand and accept that the information provided by Queensland Corrective Services is confidential and I agree not to release this information for public dissemination. I agree not to use this information for any unlawful purpose that could cause harm or detriment to any person.	
<input type="checkbox"/> I understand that misuse of the information provided to me by Queensland Corrective Services may result in my details being removed from the Victims Register.	
<input type="checkbox"/> I understand that if I choose not to provide or update my contact details, Queensland Corrective Services may not be able to provide the service to me and my details may be removed from the Victims Register.	
<input type="checkbox"/> I understand that when the child victim turns 18 years and has legal capacity, I am no longer eligible to be registered with the QCS Victims Register in accordance with CSA 2006 s320(2)(a)(iii).	
Applicants who have nominated another person or agency to receive information on their behalf should also complete the following:	
<input type="checkbox"/> I authorise Queensland Corrective Services to provide information to my nominated agent (if applicable) and understand that the nominee will receive correspondence instead of me.	
Signature, name or mark of applicant:	
Date:	



**Nominee's declaration (if applicable)**

The nominee should tick each box to demonstrate acceptance of these conditions

- ☐ I understand that the applicant named above has nominated me to receive information from Queensland Corrective Services on the applicant's behalf.
- ☐ I understand and accept that the information provided by Queensland Corrective Services is confidential and I agree not to release this information for public dissemination. I agree not to use this information for any unlawful purpose that could cause harm or detriment to any person.
- ☐ I understand that misuse of the information provided to me by Queensland Corrective Services may result in my details being removed from the Register.
- ☐ I understand that if I choose not to provide or update my contact details, Queensland Corrective Services may not be able to provide the service to me and my details may be removed from the Register.
- ☐ I understand that the eligible person may remove me as a nominee at any time.

Signature, name or mark of nominee

Date

**7. Proof of identity****IMPORTANT**

Every application must be accompanied by certified proof of the applicant's identity, certified by a Solicitor/Barrister, Justice of the Peace or Commissioner for Declarations.

Please indicate which document you have attached (note, only one is required)

- ☐ Current Australian Driver's Licence ☐ Birth Certificate ☐ Current Passport
- ☐ Other (eg. Statutory Declaration, Health Care Card, 18 Plus card, Indigenous community organisation). Please specify:

~~Please do not send original documents. Please send only copies.~~

**8. Document checklist**

For your application to be considered, please ensure that you have completed the necessary sections and attached all relevant documentation as outlined in the checklist:

- ☐ If you are applying under Category A, have you attached a certified copy of a proof of identity document for yourself?
- ☐ If you are applying under Category B, have you attached a certified copy of a proof of identity document and a document that evidences your relationship to the victim?
- ☐ If you are applying under Category C, have you attached a certified copy of an identity document and a certified document that supports your application (for example, a Domestic Violence Order or a Statutory Declaration or letter of support from a Domestic Violence Support Agency)
- ☐ Have you understood and signed the applicant's declaration?
- ☐ If you have nominated another person or agency to receive information on your behalf, has the nominee understood and signed the nominee's declaration?

This application form is provided in accordance with s320 – s325 of the CSA 2006.

Queensland Corrective Services collects the information provided in this application form for the following purposes:

- to enable the Department to provide certain information relating to the status of the prisoner/s against whom you have registered with the Victims Register; and
- to enable the Department to discharge its legislative accountability and administrative function.

The QCS Victims Register will store your information securely. The prisoner/s will not be informed of your registration.



OFFICE USE ONLY

CSA s320(2)(a)(i), (ii) or (iii) (Category A and B)

- ☐ Name, address, age validated
- ☐ Victim status verified by DPP, Police, Transcript etc. or
- ☐ Victim status verified by other means including supporting documentation
- ☐ Signed by applicant:
- ☐ Proof of identity included ☐ Certified
- ☐ Nominee identity included and signed
- ☐ Other: Collateral check -- Internal/External
- ☐ Information to be received
- ☐ Registration approved ☐ Not approved Reason

Delegated officer:

Date:

CSA s320(2)(a)(iv) and s320(2)(b) Category C or prisoner

- ☐ Name, address, age validated
- ☐ Verified by supporting documentation Type
- ☐ Victim status verified by other means
- ☐ Signed by applicant:
- ☐ Proof of identity included ☐ Certified
- ☐ Nominee identity included and signed
- ☐ Other: Collateral check -- Internal/External
- ☐ Information to be received
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Senior delegated officer:

Date:





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## NOTES

**(1) If you are no longer acting in the matter:**

Please note that practice direction 19 of the *Criminal Practice Rules 1999* sets out the requirements if a lawyer wants to withdraw from acting for an accused person.

**(2) If other charges are pending:**

If your client(s) has other charges pending which you are instructed may proceed by ex officio indictment, please advise this office as soon as possible giving details of the charges and the name and station of the arresting officer in respect of those charges.

**(3) If a plea of guilty is intended:**

The *Penalties and Sentences Act 1992* provides that a court may, when imposing a sentence, have regard to the time at which the offender informed the relevant law enforcement agency of his or her intention to plead guilty. If your client(s) intends to plead guilty to the charge(s) in the indictment, please advise this office in writing as soon as possible.

**(4) If you wish to make a submission:**

If your client(s) wishes to make a submission regarding reduction or discontinuance of the charge(s) in the indictment, whether before presentation of the indictment or after presentation, please forward the submission in writing to the Manager Operations at this office as soon as possible. Written submissions are preferred.

**(5) If you wish to receive a copy of the depositions or exhibits:**

If you wish to receive a copy of the depositions, these are available upon request from the Depositions Officer (phone +61 7 3239 6840).

All physical exhibits can be made available for inspection upon request from the Exhibits Officer (phone +61 7 3239 6840).

It is your responsibility to ensure that this email does not contain and is not affected by computer viruses, defects or interferences by third parties or replication problems.

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Please think about the environment before you print this message.

This email and any attachments may contain confidential, private or legally privileged information and may be protected by copyright. You may only use it if you are the person(s) it was intended to be sent to and if you use it in an authorised way. No one is allowed to use, review, alter, transmit, disclose, distribute, print or copy this email without appropriate authority.

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## EXHIBIT LIST

## DOCUMENTARY EXHIBITS ENCLOSED

Exhibit Number	Description of Exhibit	Tendered By
1	INDEX TO BRIEF ✓	PROSECUTION

3.5 10/1/19

## OTHER EXHIBITS

Exhibit Number	Description of Exhibit	Are In Custody Of
Nil		

X Nil received 3.5 10/1/19

Section 590AS of the Criminal Code provides that the prosecution may, on request, allow an appropriate person to view or examine a thing that is original evidence and that is not sensitive evidence under the supervision of the prosecution and subject to any other conditions the prosecution considers appropriate to protect the integrity of the thing.

### For relevant proceedings only

#### 7. Affected child witnesses [s. 590AH(2)(i) Criminal Code]

The following conditions must be met before a witness can be considered an affected child pursuant to Division 4A of the *Evidence Act 1977* 'Evidence of affected children'.

1. The proceeding must be a relevant proceeding for a relevant offence: s. 21AC of the *Evidence Act 1977*.
2. The proceeding must concern:
  - a. an offence of a sexual nature as defined in s. 21AC of the *Evidence Act 1977*; or
  - b. an offence involving violence as defined in s. 21AC of the *Evidence Act 1977*; and the child and the defendant have or had a prescribed relationship pursuant to s. 21AC of the *Evidence Act 1977*.
3. The child witness is under 17, or a child aged 17 or 18 who also satisfies the definition of a special witness under s. 21AC of the *Evidence Act 1977*.
4. The child is a witness and NOT the defendant in this proceeding.

No.	Name of 'affected child'	Reasons witness is considered an 'affected child'

#### 8. Notice of *Evidence Act* Section 93A Device Statement in a Relevant Proceeding (QP 0547)

Where the prosecution considers a witness statement to be an *Evidence Act* section 93A device statement a written notice (QP 0547) is to be attached: s. 590AOA(2).

#### 9. Statements of persons who are dead or incapable of testifying [s. 590AH(2)(f) and 590C(2) (b) to (d)]

The prosecution intends to adduce evidence under s. 93B of the *Evidence Act 1977* in relation to the following:

Name of person making the representation	Reason person is unavailable to give evidence	Name of person who saw heard or perceived the representation	Details of representation and the circumstances in which it was made

#### 10. Witnesses who would tend to help the case of the accused person (and who are not proposed prosecution witnesses) [s. 590AB(2)(b)]

No.	Name	Role	Statement attached Y/N	Number of pages

### Receipt Acknowledgement

I, \_\_\_\_\_, acknowledge receipt of the above-mentioned items or copies.

Signatures: \_\_\_\_\_ (Person receiving items) \_\_\_\_\_ (Date)

\_\_\_\_\_ (Prosecutions) \_\_\_\_\_ (Date)







If the matter is a committal proceeding, all copies of written statements are being made available with the intention they be admitted under s. 110A *Justices Act 1886*, unless advised otherwise: s. 110A(6C)(b) *Justices Act 1886*.

For relevant proceedings only, details of: **affected child witnesses** [s. 590AH(2)(d)] are at [6]; **representations by persons dead or incapable of giving evidence** [s. 590AH(2)(f)] are at [7]; and **witnesses who would tend to help the case of the accused person** (and are not proposed prosecution witnesses) [s. 590AB(2)(b)] are at [8].

### 3. Interpreters

Defendant No.	Defendant Name	Interpreter Name	Accreditation (if applicable)	Contact details (if applicable)	Language

Witness No.	Witness Name	Interpreter Name	Accreditation (if applicable)	Contact details (if applicable)	Language

Victim Impact Statement (VIS)				
Name	VIS	Y/N	Due Date	Notes

### Exhibits

### 4. Defendant's statement

[s. 590AH(2)(c); and s.438(2) PPRA]

No.	[Complete for each defendant]	Conducted Y/N	If provided to defendant--DATE	Comments
	Audio/video recording--field			
1.	Audio recording—record of interview	Y		
	Video recording—record of interview			
	Transcript			
	Written			

5. **Defendant's history**—Provided with Court Brief (QP9) at first appearance [s. 590AH(2)(b)]

6. **Original evidence on which the prosecution intends to rely** [s. 590AH(2)(i)]

**Copies of anything on which the prosecution intends to rely** [s. 590AH(2)(j)]

**Copy of report of test or forensic procedure (or description if not available)** [s. 590AH(2)(g) & (h)]

**Anything else in possession of the prosecution prescribed under a regulation** [s. 590AH(2)(k)]



**10. Witnesses who would tend to help the case of the accused person  
(and who are not proposed prosecution witnesses)**

[s. 590AB(2)(b)]

No.	Name	Role	Statement attached Y/N	Number of pages

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\_\_\_\_\_  
(Person receiving items)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Prosecutions)

\_\_\_\_\_  
(Date)





**DUPLICATE  
ORIGINAL**



**COPY**