

Can't Police proceed without a witness statement? Can't they make their case in some other way, like forensics? I wanted them to know about this, but I don't want to get involved?

Police can only operate effectively when they have the support of the public. They genuinely appreciate it when members of the public demonstrate social responsibility and concern for the safety and amenity of their community by providing evidence that allows offenders to be prosecuted.

Whilst some cases may be able to be prosecuted on the basis of corroborating evidence, your statement will increase the likelihood of a conviction and remains important to Police.

What if other people saw the incident? Can't Police rely on them to make a statement if I don't want to get involved?

Other witnesses may or may not give statements. That isn't within your control. If you do want to make a positive difference to the safety and liveability of your community, you need to provide evidence to Police. They can only help you if you help them.

Can Police keep my identity confidential in Court?

No. If the matter has reached Court and you want to have your evidence considered in determining the accused person's guilt or innocence, it isn't possible for you to remain anonymous in most circumstances.

When will the person find out I've made a statement against them?

At the time that the case file is made available to the accused person's lawyer. This is normally one month before the case is to be heard in Court.

What if I want to withdraw my statement before the matter reaches Court?

It is possible to withdraw your original Statement by contacting Police and asking to make a Withdrawal Statement. Police may ask you why you have withdrawn your statement to be sure that you have not been threatened or coerced.

Staying informed during the Investigation



Will the investigating officers keep me informed of the progress of their investigation?

Yes. The Investigating Officers should always follow up with you to let you know what evidence they have been able to find and whether it is sufficient to bring charges against a particular person.

Police acknowledge that this doesn't always occur as well as it might because of operational pressures.

However, they are committed to improving the feedback they provide to victims and witnesses.



Police haven't contacted me to tell me what is happening. What are my rights?

It's important that you get the names of the Police who attended your complaint as it will make it easier for you to contact them later. If possible ask them for a business card as you may have trouble recalling their details later.

You do have the right to know what is going on.

Initially you should contact the Officer who is investigating your complaint directly if you haven't had feedback from them in a reasonable time.

If he or she fails to respond to your query, you should contact that person's supervising Officer and let them know about the difficulties you are having in obtaining information.

I don't think Police are investigating my complaint properly. I've given evidence but no one has been charged. Can I complain? What are my rights?

Being the victim of a crime or witnessing a crime is a distressing experience and that emotion can sometimes affect our ability to be realistic about the quality and effectiveness of the Police response.

However if you do have any concerns about the conduct of your investigation you should contact the Investigating Officer. He or she will be in a position to update you on exactly what has been done to find evidence that would be sufficient to lay charges and whether or not that evidence has been found.

If, after contacting the Investigating Officer, you're still not happy with the Police response, you should speak to the Officer's supervisor and continue escalating the matter to more senior Police until you are confident in the response you've received. In most cases you'll find that Police are happy to sit down with you to discuss your concerns.

It's also entirely within your rights to contact politicians. However, the Minister of Police and Emergency Management will be relying on information from the Police who are directly involved with your case to answer your queries, so it's generally simpler and quicker to sit down with local Police to discuss your concerns first.

LSCP acknowledges the work of Tasmania Police and Housing Tasmania in developing this brochure.

For more information visit www.police.tas.gov.au

POLICE PHONE NUMBERS

Life threatening emergencies **000**
Non-Urgent Assistance **131 444**

Crimestoppers **1800 333 000**
General Enquiries **63 363 701**



Dealing with Police

An initiative of the Launceston Safer Communities Partnership supported by the University of Tasmania





Getting Help

What do I do if my, or someone else's, safety is under immediate threat?

Call Police on 000.

Who do I contact if I'm the victim of a crime, but I'm not in imminent danger?

Call Police on 131 444.



Reporting to police

Who do I contact if I witness a crime or a disturbance of the peace?

Call Police on 131 444. Don't assume someone else will make the call, or the incident may go unreported.

Do I have to give my name when I call Police?

No, you don't have to give your name for a complaint to be recorded. You can remain anonymous if you wish and Police will still investigate your complaint.

Can I give information anonymously without having to call the Police?

You can call Crimestoppers anonymously on 1800 333 000 if you know anything that may help Police.

What if I'm not sure if what I saw is a crime?

Call Police on 131 444 and discuss with them exactly what you saw and heard. They can confidentially advise you and decide if follow up action is required.

I'm happy to give my name when I call Police, but I don't want them coming straight to my front door. Everyone will know it was me who called.

If you don't want Police to interview you at your home you need to let Police know that when you make the initial call. Police may still attend the scene, particularly if someone is at risk of harm. However, they will make arrangements to interview you at a different location of your choice or for you to visit a Police Station to take your evidence if they know that is what you want before they arrive at the scene.

I'm prepared to speak to Police wherever I'm ringing from, but what can I expect from them when they arrive? Will they investigate my complaint or just fob me off?

You can expect Police to:

- take your complaint seriously;
- listen to your version of events;
- try to identify and question other potential witnesses;
- look for any corroborating evidence such as from Closed Circuit Television (CCTV) or forensic or medical evidence.
- If you agree to provide a statement, to clearly outline to you the consequences of giving a Statement, including the possibility of having to appear in Court.

You can also expect Police to listen impartially to the accused person's version of events, before deciding whether charges can and should be laid. Police will decide whether to proceed with charges only after careful consideration of all available evidence.

Police charge accused people and prosecute them in Court if they believe there is sufficient evidence to have a reasonable chance of conviction.

Courts ultimately decide whether the person is innocent or guilty.

Providing Evidence

What information do Police need from me as a witness to lay charges against the person who committed the crime?

Police need to know everything you saw and heard in full detail.

Generally, what other people have told you ("hearsay") is useful for locating other potential witnesses who may be prepared to give a statement about what they saw and heard, but it is not evidence on its own.

In some circumstances your statement may not be sufficient to lay charges. An example may be where there are no other witnesses and no corroborating evidence.

What if I don't want to give a statement?

Police can record an unsworn verbal statement in their notebooks, but this will carry less weight in Court than a signed statement.

If I give a signed statement do I have to go to Court?

Police will discuss with you whether you need to attend Court or not. It is likely that, if the matter goes to court, you may be required to attend.

I'm afraid of "payback" if I give evidence. Don't witnesses generally get targeted?

Intimidation of witnesses is a very rare occurrence in Tasmania, even in cases involving serious crimes. Police and Courts take witness tampering very seriously. There are specific laws which cover this offence and significant penalties. If you or your friends and family are ever in the position where you're approached by the accused persons, or people who are acting on their behalf, you should immediately contact Police.

If an accused person is bailed it will be a condition of their bail that they not approach witnesses.

