

# Information for people affected by road trauma

What happens next, legal processes and coping with grief



Government of South Australia  
Victims of Crime SA

If you want to be kept advised of what is happening with your case, you need to tell the police.



## My report details

Please keep this information. It will help you get information about your case.

**Date:**

**Report number:**

**Name of attending officer:**

**Signed:**

**Rank and no:**

**Station:**

**Contact number:**

**Do you want to be kept informed about the progress of your case:**

**Yes**

**No**

**Registration details for other vehicle:**

**CTP Insurer:**

(You can find the CTP insurer online using EzyReg. Select 'CTP insurer search' under the 'Registration' section).

# Introduction

*This is a guide for people who have been affected by a road crash that has resulted in a death.*

If someone you love or care about has been killed in a road crash, you may be experiencing intense grief. You might feel overwhelmed or helpless.

You may also be faced with a lot of hard decisions.

This booklet has information to help you, whether you have been affected personally, or you are a family member or friend helping someone impacted by a road crash.

Throughout this booklet, we've used the words 'motor vehicle'. This covers cars, vans, motorbikes, trucks, buses and other vehicles involved in road crashes.

This booklet has been put together with the help of those who have lived experiences or have lost someone to a road crash. We are grateful for their contribution and willingness to share their experiences to help others.

## What do these words mean?

<b>CTP</b>
Compulsory Third Party
<b>Police Investigating Officer</b>
The police officer in charge of investigating the crash
<b>Coroner</b>
The person who works out what happened to your loved one on the road
<b>Victim contact officer</b>
A police officer who helps victims and their families



**Victims of Crime SA acknowledges and respects Aboriginal peoples as the state's First Peoples and nations, and recognises Aboriginal peoples as Traditional Owners and occupants of lands and waters in South Australia.**

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## Need more information?

Visit our website to find more about:

- > what to expect after a crime
- > what compensation you might be entitled to
- > where you can go for help



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# What happens now?

*Losing someone in a road crash is likely to be one of the most difficult experiences you will go through. Here are some things you will need to think about soon after.*

## What happens after someone dies in a crash?

Generally, a person's body will be taken to Forensic Science SA if they died in Adelaide.

In regional areas they may be taken to a local hospital or funeral home but will be taken to Forensic Science SA for a post-mortem.

The police investigators or the Victim Contact Officer from the Major Crash Investigation Section, will make contact with the next of kin to help and provide information.

## Visual identification

When a person dies in a road crash, their body must be formally identified. Usually this happens at Forensic Science SA, or the hospital in a regional area.

The police will arrange for an appropriate person - normally a family member or someone who has known the deceased for a period of time - to make the formal identification. If you

have been asked to do this, you can take a support person with you. You may be asked a number of questions about the deceased at this time.

Identifying a body can be very confronting. People will often react differently, and you might feel very scared or anxious beforehand.

The police officer can support you and will help you prepare for the experience.

If you have any questions about this process you should speak with the police officer or your victim contact officer.

In some situations, visual identification is not always possible. If a visual identification is not possible the police will discuss other methods of identification with you, your family members or the next of kin.

## Next of kin

The law has a very specific definition of who is considered to be the next of kin, but this flowchart explains it in simple terms.

### Who is the next of kin?



## What happens to personal property?

When a person dies in a crash, police will usually remove their valuables and store them at a police station.

If a death occurs in a hospital, the valuables are stored there. The next of kin, the executor of the estate, or any person authorised by them may collect the valuables. They will need to show identification.

Sometimes police may need to keep a personal possession as evidence in an investigation. These items may not be returned when the legal process is finished.

## Clothing

If the deceased is taken to Forensic Science SA, the clothing is usually given to the funeral director. If a death occurs in a hospital, the clothing is held there.

The clothing might not be able to be returned to you because it has been badly damaged. In these cases, it will be destroyed.

## Motor vehicle

The vehicle is usually stored at a secure police facility. The location of the crash determines where the car will be stored. If you want to view the vehicle or remove any belongings, contact the police investigating officer.

# Practical things to think about

*After the death of your loved one in a road crash there will be legal and practical processes you will have to be involved in.*

## Coronial process

The State Coroner reviews all road crash deaths in SA.

The police will prepare a report for the coroner to look at. This report looks at any medical evidence, the cause of death, crash circumstances and responses to the crash.

The coroner then works out what happened, how it happened and why it happened.

## Post-mortems

A post-mortem (also known as an autopsy) is a step-by-step examination on the body by a specialist doctor, known as a pathologist.

This examination is very thorough and helps determine the cause of death.

Sometimes it might be necessary for a post-mortem, even if the cause of death seems obvious to you. The coroner decides whether a post-mortem is required.

Post-mortems are conducted as soon as possible.

If you have concerns or questions about the post-mortem, you should talk to a social worker at the State Coroner's Court or the police investigator as soon as you can.

## ***Can I get a copy of the post-mortem report?***

You can only ask for a copy of the report if you are the senior next of kin.

This is a document that uses medical terms which you might not understand. To help with this, a copy will be sent to your medical practitioner (GP) as well. The GP can then meet with you and explain the report.

You can request a copy in writing. Make sure to include the following:

- > your name and address
- > the deceased person's full name and date of death
- > your relationship to the deceased
- > the name and business address of your doctor.

See the 'Where can I get help?' section on p.31 for contact details.

### ***Can a post-mortem be stopped?***

In some circumstances, you may be able to delay or stop a post-mortem. If you want to object to a post-mortem you should contact the Coroner's Court as soon as possible.

You can do this by:

Phone: 8204 0600

Email: [coroner@courts.sa.gov.au](mailto:coroner@courts.sa.gov.au)

The coroner will consider your objections but they will ultimately decide whether a post-mortem is conducted or not.

### ***Can other family members view the body?***

Some people want to see the body of a loved one after they have died. To help with this, the coroner makes every effort to release the body to the funeral director as soon as possible. A viewing can then be arranged at the funeral home.

## **Arranging the funeral**

Arranging a funeral can mean making a lot of decisions at a very difficult and emotional time.

### **Funeral directors**

Funeral directors are there to help and guide you through this process.

You should contact a funeral director as soon as possible and give them authority to collect your loved one's body.

Make sure you choose a funeral director that is licensed and has a good reputation in the community. The Australian Funeral Directors Association has a list of funeral directors. See their website: [www.afda.org.au](http://www.afda.org.au)

The funeral director will speak with the Coroner's Court about releasing your loved one's body. This cannot happen until the post-mortem is finished and the body has been formally identified. This is usually within 72 hours, but it can be longer sometimes.

You can still make funeral arrangements during this time, but a burial or cremation cannot happen until the coroner has released the body.

In some cultures, burying a body as soon as possible is very important. Make sure you speak with the coroner's social workers – they will help you through this process.

### **Making funeral arrangements**

If your loved one had a will, the person they have named executor is responsible for making the funeral arrangements.

An executor is the person responsible for carrying out the wishes of the person set out in the will.

If there is no executor, the next of kin is responsible.

When making arrangements:

- > check the will to see if there are any pre-arranged funeral plans or unique requests
- > talk to the funeral director or minister of religion about their role in the service so you understand what you need to arrange
- > be clear about what is and isn't included in the funeral
- > discuss all the available financial options before making a decision

- > check the terms and conditions for payments before you commit to them.

### **Paying for the funeral**

Some people make a provision in their will to pay for funeral costs.

If you are suffering financial hardship, you may be eligible for Funeral AssistanceSA, which provides financial assistance for a basic funeral.

Contact Funeral AssistanceSA on 1300 762 577 or visit [www.sa.gov.au/concessions](http://www.sa.gov.au/concessions)

In certain circumstances, you may also be able to claim funeral expenses under Compulsory Third Party (CTP) insurance. See p. 9 for more details.

Returned service personnel may also be entitled to an official war grave. If you think this may be the case, contact the Commonwealth Department of Veterans' Affairs on 133 254 or visit [www.dva.gov.au](http://www.dva.gov.au)

## Getting a copy of the death certificate

Often, you will need a copy of the death certificate for finalising your loved one's affairs. This could include things like closing bank accounts and administering the person's will. You can get a copy of the death certificate (also called the Registration of Death) from Births, Deaths and Marriages. See the back of this book for more details.

Sometimes you might need the death certificate before the cause of death has been finalised by the coroner. In these cases, Births, Deaths and Marriages can issue you an interim death certificate.

Once the coroner has confirmed the cause of death you can apply for a final death certificate.

Before making an application to receive the death certificate or interim death certificate, check with your funeral director to make sure they haven't already made an application on your behalf.

## Police investigation

All fatal road crashes in South Australia are investigated by the South Australia Police on behalf of the State Coroner.

The police will investigate a road crash to try and establish the circumstances of the collision and determine if there are any criminal charges.

A police officer will be assigned to oversee the investigation. The investigating officer is there to keep you informed. You should be given this police officer's name and contact phone number which you can record on the front cover of this booklet.

When you are grieving it can be difficult to absorb and retain information. It might be helpful to have someone with you when you are speaking to police.

If you do not want to personally deal with the investigators, you can nominate another person to liaise with police on your behalf.

Victim Contact Officers also assist victims and their families. They are police officers and are available to support you during office hours from Monday to Friday. For contact details see the back of this book.

## **Motor Vehicle Collision Report**

The police will complete a short Motor Vehicle Collision Report within 24 hours.

You can apply to get access to this under a Freedom of Information request for a fee. In some circumstances, this fee can be waived.

## **Investigation Report**

Alongside the short report, police prepare an investigation report that includes technical and forensic information and statements from witnesses. This report is then given to the coroner.

This is a very large and comprehensive report which can take a number of months to complete. You can apply to get access to this through a Freedom of Information request – but you won't be able to until the full report has been finished.

## **Can I get a copy of my statement?**

If you provided a statement to police you can get a copy of the statement you gave to police. You should ask as soon as possible after you gave your statement. If you want a copy later, you should talk with the investigating officer.

If it is a long time since you gave your statement, you may have to apply to the Information Release Section, South Australia and a fee will apply.

## **Criminal charges**

After police have investigated the crash, they might charge a person with a criminal offence.

Depending on the circumstances these charges can range from minor traffic related charges to more serious criminal offences.

Sometimes a police investigation won't result in someone being charged with a criminal offence. This might be because the deceased driver was at fault or there is just not enough evidence for a criminal charge to proceed.

## **Going to court**

If someone is charged with a criminal offence, they will need to go to court.

The legal process can be very complicated and confusing. Serious traffic related court cases can also be confronting. The evidence can be technical and quite graphic.

You can learn more about what is likely to happen on our website.

See [www.voc.sa.gov.au/going-to-court](http://www.voc.sa.gov.au/going-to-court)

# Compensation

*Compulsory Third Party (CTP) Insurance can provide compensation to the family of someone who died in a crash where the owner, driver or passenger of a South Australian registered vehicle is at fault.*

## Making a claim

The first step in making a claim is to find out the CTP insurer of the vehicle at fault. You can do this online using EzyReg. Select 'CTP insurer search' under the 'Registration' section.

You will need to enter the accident date and the plate number. You can then call the insurer direct.

In South Australia, CTP insurance is provided by:

- > AAMI
- > Allianz
- > NRMA
- > QBE
- > Youi.

You can find their contact details at the back of this book.

Each insurer has an experienced claim consultant who will explain the types of compensation that may be available. They can guide you through the process and explain how to complete the claim form.

### **I don't have the vehicle's details**

If you don't know the details of the vehicle at fault, or the vehicle is unregistered you can contact the CTP Insurance Regulator Enquiries Line on 1300 303 558.

They will transfer your call directly to a claims consultant at the relevant CTP Insurer.

You must lodge a claim with the insurer within three years of the date of your family member's death.

### **What can I claim?**

You might be able to claim compensation for the loss of support (financial and non-financial) if your loved one was a:

- > spouse or domestic partner
- > child
- > brother/sister
- > parent/grandparent.

Compensation may also include:

- > payment of your treatment expenses (e.g. counselling)
- > funeral expenses
- > loss of financial benefit and support
- > loss of non-financial support of deceased (e.g. house maintenance, homemaking or parental care)
- > a statutory payment of \$10,000 for grief, emotional pain and suffering in the case of the death of a spouse or child.

If you were also injured in the crash, you may be able to make a CTP claim. You should discuss this with the claims consultant.

### **Should I get legal advice?**

You do not need a lawyer to make a claim, but you can get legal advice if you want to.

See the back of this book for available legal support.

## What if the car is registered somewhere else?

If the car involved in the crash is registered in another state or territory, you will need to ask that state or territory about compensation.

New South Wales - State Insurance Regulatory Authority (SIRA)	
Phone	1300 656 919
Web	<a href="http://www.sira.nsw.gov.au">www.sira.nsw.gov.au</a>
Queensland - Motor Accident Insurance Commission (MAIC)	
Phone	1800 287 753
Web	<a href="http://maic.qld.gov.au">maic.qld.gov.au</a>
Australian Capital Territory - ACT Insurance Authority	
Phone	(02) 6207 0184
Web	<a href="http://www.treasury.act.gov.au/maic">www.treasury.act.gov.au/maic</a>

Victoria - Transport Accident Commission (TAC)	
Phone	1300 654 329
Web	<a href="http://www.tac.vic.gov.au">www.tac.vic.gov.au</a>
Tasmania - Motor Accident Insurance Board (MAIB)	
Phone	1800 006 224
Web	<a href="http://www.maib.tas.gov.au">www.maib.tas.gov.au</a>
Western Australia - Insurance Commission of Western Australia (ICWA)	
Phone	1800 643 338
Web	<a href="http://www.icwa.wa.gov.au">www.icwa.wa.gov.au</a>
Northern Territory - Territory Insurance Office (TIO)	
Phone	1300 493 506
Web	<a href="http://www.tiofi.com.au">www.tiofi.com.au</a>



# Dealing with the media

*For major road crashes, police will usually release general information to the media. This includes the time, place, and location of a crash.*

Police will never give out personal details (like the names of deceased people) without the consent of relatives. The media will gather information from many sources, and can sometimes find out these details themselves.

Your first contact with the media might occur while you are feeling confused and disoriented.

You do not have to speak to the media, even if they are very persistent.

## Things to remember

If you are thinking of speaking to the media about what has happened, you should consider the following:

- > You should not speak to the media if someone has been arrested or if there are any legal proceedings in progress. It could affect the case.
- > Don't feel pressured or obligated to provide photos to the media. Once you have provided a photo you do not have control over its use. Before providing a photo, think about how you might feel if the photo is used in 10-years' time.
- > Your case may be presented in a way you do not agree with, and this can be upsetting.
- > If police are still investigating, media publicity could affect their enquiries.

Remember - if in doubt, check first before giving any information to the media.

More information about dealing with the media is available on our website, [www.voc.sa.gov.au/dealing-with-media](http://www.voc.sa.gov.au/dealing-with-media)

## Social media

If your loved one has social media accounts, the media can take these images and use them as they are considered public information. You may want to close their social media accounts or remove photos.

You should also think carefully about what you say or post on social media such as Facebook, Twitter, YouTube, Snapchat, blogs, etc. What you say and

post may be used in ways you have not thought about. Information you post can stay on the web even if you think you have removed it.

Make sure you check your security and privacy settings on your accounts.



# Grief after a road crash

*The loss of a loved one in a road crash is likely to be one of the most difficult experiences you will go through.*

Grief is a natural reaction to loss. You are suddenly forced to face the loss of a loved one without warning.

Everyone grieves differently and there is no right or wrong way to grieve. The emotions you experience may be powerful. You might feel frightened and overwhelmed.



Grief can also affect other areas of your life. You might experience some of the following.

## SOCIAL

- > overly sensitive
- > lack of confidence
- > avoiding situations or places
- > withdrawing



## PHYSICAL

- > crying
- > headaches
- > exhaustion
- > restlessness
- > nausea
- > dizziness
- > shortness of breath
- > sleep problems
- > stomach churning
- > trembling



## THINKING

- > forgetfulness
- > poor concentration
- > confusion
- > poor memory
- > denial
- > dreaming of the deceased
- > intrusive thoughts



## SPIRITUAL

- > loss or questioning of faith or things you believe in
- > angry with god
- > betrayed by god
- > looking for signs
- > trying to stay connected to your loved one



## How long will I feel this way?

No one can say how long you will feel this way. It is different for each person. There are no timeframes and no right or wrong way for you to grieve.

Grief is unpredictable and can surface when you least expect it.

It is important to give yourself time to recover and ask for help from people you trust. Some people prefer to talk to a professional for support or counselling.

Some days you might feel okay.  
Other days you might not feel so good – this is normal.

## How will my family and friends react?

People can react to an unexpected death in different ways.

Some reactions are helpful, but others are not.

Sometimes people want to help but don't know how. It is okay to tell them what you need or do not need.

## How will I cope?

There is no single, easy way of dealing with the loss of a loved one. The way you deal with grief might be different to those around you.

- > Women tend to express their emotions - they may cry frequently and often talk openly about their pain.
- > Men often try to contain their emotions - they may try to protect others from pain and might avoid talking about the deceased.

This isn't always the case though.

Talking with someone you trust who won't judge you or expect you to "get over it" might be helpful. If you do not have anyone you trust to talk to, talk to a professional who is experienced in dealing with trauma and grief.

Here are some other suggestions that might help:

- > cry and know it is okay to express your grief
- > spend time with people who care about you, understand you and will listen to you
- > prioritise daily tasks and only do what is essential
- > stay healthy – try to eat healthy food, exercise and get enough sleep

- > maintain your normal routine as much as possible
- > avoid using alcohol or drugs to numb your feelings
- > ask for help if you need it – this might mean preparing meals, caring for children or housework.

It's important to recognise that you have experienced a traumatic event. Be patient with yourself and your grief.

## Things to think about

Grief can affect concentration, memory, and emotion - you may find it difficult to make important decisions. Consider talking with a family member or trusted person if you need to make major decisions.

You might want to choose someone to help with practical matters, such as arranging the funeral, and dealing with other issues like finances, contacting friends and family, and liaising with police.

# Children and grief

*Like anyone else, children are affected by traumatic events such as road crashes.*

Children experience physical and emotional reactions to loss but tend to express their grief differently. This can depend on their age and level of maturity.

Children do not always express their grief in words the way adults can. It is not unusual to explain a death to a child and find they do not seem affected by it or want to go out and play. This does not mean they do not feel the pain of the loss.

It is also quite normal for children to move in and out of grief. A child may appear to be fine one day but not managing well the next.

Younger children especially may ask the same questions many times. You may have to tell the story over and over again.

As children get older they may grieve again. The loss will mean different things to them at different stages.

## Young children who suffer trauma may:

- > have nightmares or problems sleeping
- > wet the bed
- > behave badly
- > be easily upset
- > ask the same questions many times
- > eat too much or too little
- > cling to adults
- > become withdrawn or fear being alone
- > suffer headaches or stomach aches
- > fight with friends
- > lose concentration
- > start doing badly in school.

## What to tell a child

It is natural to want to protect children from the pain of losing a loved one.

However, children should be told as soon as possible that a person they care about has died. They should be told by a parent/guardian or someone close to them before they discover it somewhere else.

If you are too distressed to answer questions, ask another adult that you and the children trust to talk to them.

When talking to children:

- > be open and honest
- > tell the child as soon as possible
- > keep it simple and factual
- > use language the child understands.

It's a good idea to use clear words such as "he died/was killed/is dead". Saying things like "he's gone to sleep" can confuse children. They may think the person will wake up or even fear going to sleep themselves.

Children need to be given opportunities to grieve and may be more hurt, frightened, confused and resentful if they are excluded.

## Should a child go to the funeral?

For many people this is a very difficult decision. Some people wonder whether it is a good idea to include children in funerals, perhaps worrying that it will add to their distress.

Ultimately, it is a decision for parents or guardians - but it is often helpful to give children a choice.

You might think about inviting your child to the funeral, without forcing them. Before making a decision, children will need clear explanations about what a funeral is and what is going to happen.

Consider talking about the following:

- > who will be at the funeral or memorial service
- > what is going to happen
- > where the service will take place
- > when the service will happen
- > the reason for having a service.

Children can sometimes want to be involved in the funeral itself. They might want to add drawings, letters, poems, toys or a special gift to the coffin or read something during the funeral service.

It is important for children to be given opportunities to say goodbye to the person who died in a way that feels right to them.

Saying goodbye is never easy for children or adults but it is an important part of the grieving process.

### Helping a child who is grieving

Consider letting your child's teacher or other significant people know there has been a loss in their life. Teachers and friends at school can help support your child. Let your child know you are doing this.

Maintaining routines and expectations such as homework and bedtime also gives children a sense of consistency and security.

There are other things you can do to help a child who is grieving.

- > Express your feelings in front of your children - children learn about grieving from the adults in their life.
- > Allow them time to talk and ask questions.
- > Let them know they don't "have to be brave" and that it is okay to talk about someone who has died
- > Acknowledge their feelings but continue to set boundaries. For example "I notice that you seem angry which is okay, but it is not okay to hit your sister".
- > Avoid invitations for children to step into adult roles and responsibilities. For example, interrupt anyone who says things like "now you're the man of the house."
- > Explain that they do not have to feel sad all the time.
- > Encourage your child to play with their friends. Children need opportunities to continue being children.
- > Find an age-appropriate book for your child that talks about death and grief. Ask your local library for recommendations.

# Teenagers and grief

*Adolescence is a time filled with lots of physical and emotional changes and challenges - these changes can make grief particularly difficult for young people.*

Teenagers dealing with grief do not always react the way adults expect.

## Some common reactions to grief include:

- > expressing grief through acting out - e.g. risk-taking behaviours
- > starting to use drugs and alcohol
- > withdrawing from their friends
- > abrupt shifts or changes in relationships
- > a decline in school performance
- > sleep and eating disturbances
- > engaging in active pursuits such as running, dancing, playing sport
- > seeking comfort in music, writing poetry, or being alone
- > turning to their peers for support rather than seeking support from family (including social networking online).

The most important thing for a young person who is grieving is to know there are people who will care for and support them.

## Helping a teenager who is grieving

It is important to continue to enforce normal limits and boundaries, but still provide a caring and supportive environment.

- > Make it clear you are prepared to listen and have time to spend with them.
- > Don't assume peer support is enough.
- > Check in regularly and offer support.

Help them explore their feelings and how they process those feelings. Young people may be confused by the intensity of their emotions.

Watch for unexplained or disproportionate emotional reactions to everyday events. Sometimes feelings of grief can be triggered by events that may appear unconnected to the loss.

## When to seek help for a child or young person

In most cases, children and young people will adjust well with support from the adults in their life. Sometimes they may need some extra help.

You should seek professional help if you are concerned about how a child or young person is coping. Signs that they may need some extra support include:

- > grief behaviours that become repetitive or last more than a few months
- > signs of self-harm or talks of not wanting to live or being better off dead
- > behaviour that harms others

- > being unable to concentrate
- > appearing depressed – no longer cares about anything, no energy for any activities, is withdrawn or cries frequently.

See the back of this book for a range of support services for children and young people.



# Grief reactions in different cultures

*Grief reactions vary from one culture to the next. Each culture has its own rituals and practices surrounding death that help people grieve and mourn.*

In some cultures there are very public displays of grief following the loss of a loved one whereas others are quieter and more private.

If you are supporting a person from a different cultural background who is grieving, you might want to think about these things:

- > What emotions and behaviours are considered a normal grief response?
- > What are the beliefs about what happens after death for someone from this cultural background?

- > Who is expected to attend mourning ceremonies, and how are attendees expected to dress and act?
- > Should people of different genders or ages grieve differently or have different roles?
- > What ceremonies and rituals should be performed and who should participate?
- > How long are family members expected to grieve?
- > Having an awareness of their customary ways of expressing grief and responding to death will help you support the family sensitively.

There may even be diversity within a cultural group.

# Recovery

*Sometimes during the grieving process you might find yourself thinking it would be wrong to recover from your grief.*

Recovery might seem disloyal to the person who has died, as if they were no longer important or were being forgotten.

There may be a sense of guilt if your mind stops thinking about the person for a time or if you start to feel better.

Remember the mind, like the body, does its best to heal from an injury. This is natural.

Healing does not mean you will forget your loved one or no longer miss them. It also does not mean you won't feel pain or loss anymore. It is about learning to cope and continue, despite your loss.



# What are my rights?

*The Declaration in the Victims of Crime Act 2001 describes the treatment victims can expect from South Australian Government agencies and non-government agencies that provide services to victims of crime.*

A victim is any person who suffers harm as a result of a criminal offence. The person responsible for the crime is not considered a victim.

Victims have the right to make a complaint if they are not treated this way.

If there is something you do not understand you can ask police or the Commissioner for Victims' Rights.

## **1. Kindness, respect and sympathy**

You will be treated with kindness, respect and sympathy taking into account your needs.

## **2. Information about services**

You will be told as soon as possible about the different services that can help you.

## **3. Information about the investigation of the crime**

If you ask, you will be told about how the police investigation is going. Sometimes there may be things the police can't tell you.

## **4. Information about bail**

If you ask, you should be told if an alleged offender applies for bail and the outcome. If you are concerned about your safety you should tell a police officer or prosecutor. They must listen to your concerns. You should be told of any conditions to protect you.

## **5. Information about the prosecution of accused**

If you ask, you should be told of any decision to change or drop the charges. You should be told the reason for the decision. If you are a victim of a serious offence you should be consulted before a decision is made.

## **6. Choose to attend court**

You have a right to go to court in most cases.

## **7. Told to attend court**

You should only be asked to attend court if it is genuinely necessary. You will be told if you must attend.

## **8. Information about the trial process and role as a witness**

If you have to give evidence as a witness in a trial you will be told about how the trial works and what you have to do.

## **9. Protection from the accused**

While your case is in court you should be protected from contact with the accused and defence witnesses.

## **10. Protection of victims' privacy**

You can keep your address and phone numbers private unless the courts says otherwise.

## **11. Return of property held by the State**

If any of your property was taken for evidence you have the right to get it back as soon as possible.

## **12. Victim Impact Statement at sentencing**

If a person is found guilty you can tell the court how the crime has affected you. This is called a victim impact statement. You can ask for help to do this.

## **13. Information about compensation or restitution**

You should be given information about restitution and compensation for harm suffered as a result of the crime. If you want restitution for property loss or property damage you should tell the investigating officer or prosecutor. The prosecutor can tell the court about your request for restitution.

## **14. Information about court outcomes**

If you ask, you should be told about the court outcome including details of the sentence. You should also be told about any appeal.

## **15. Request a review**

If you are unhappy with an outcome like the sentence you can ask the prosecutor to consider an appeal. You must ask within 10 days of the outcome or sentence.

## **16. Release of an offender**

If you ask, you can be told when an offender is to be released from custody. You can ask to be told when an offender completes community service. You can ask to be told if an offender complied with the conditions of a bond.

## **17. Submissions to the Parole Board**

You can have a say if your offender applies for parole.

## **18. Outcome of Parole Hearings**

If you ask, you should be told the outcome of parole proceedings especially any conditions to protect you. If you ask, you should be told if a mentally incompetent offender applies to vary or revoke a licence.

## **19. Escape from custody**

If you ask, you should be told if an offender escapes from custody. You should also be told when they are back in custody (see Victims' Register).

## **20. Right to make a complaint**

You can make a complaint if you do not think you have been treated properly. You can ask for information about how to do this.

## **Obligations for victims**

When interacting with the criminal justice system, victims and witnesses also have a duty to:

- > tell the truth
- > help police with their investigations
- > meet with prosecution staff when required
- > update contact information with SAPOL and other agencies when there is a change
- > contact police or prosecution staff if there are concerns.



# Where can I get help?

## South Australia Police

To report a major road crash to South Australia Police call:

For an emergency situation: **000**

For Police assistance/attendance: **131 444**

## Victim contact officer - SAPOL Major Crash

Victim contact officers are police officers who provide support, advice and information to victims of crime.

A victim contact officer is available Monday to Friday in the Major Crash Investigation Section.

**Phone:** 8207 6071

They are also available at the following police stations:

Metro	
Eastern District	7322 4917
Northern District	8207 9471
Southern District	8392 9013
Western District	8207 6421

## Regional

Barossa	8568 6620
Eyre & Western (Pt Lincoln)	8688 3020 (General Police Station)
Eyre & Western (Whyalla)	8648 8020 (General Police Station)
Far North (Pt Augusta)	8648 5020 (General Police Station)
Hills Fleurieu (Mt Barker)	8398 1700
Limestone Coast (Mt Gambier)	8735 1041
Murray Mallee (Murray Bridge)	8535 6023
Yorke Mid-North (Pt Pirie)	8638 4014

## Victims of Crime SA

Victims of Crime SA is led by the Commissioner for Victims' Rights and supports victims of crime in South Australia. Our office can:

- > provide information, advice and support
- > help to deal with the physical, emotional and financial impact of crime
- > help victims in their dealings with prosecution authorities and government agencies.

The Commissioner for Victims' Rights is an independent statutory officer appointed to help victims of crime, advocate on their behalf and ensure their rights are upheld. The Commissioner also monitors and reviews laws and court practices on victims.

**Phone:** 7322 7007

**Email:** [victimsofcrime@sa.gov.au](mailto:victimsofcrime@sa.gov.au)

**Web:** [www.voc.sa.gov.au](http://www.voc.sa.gov.au)

## Road Trauma Support Team

The Road Trauma Support Team of SA (RTST) offers free counselling with a qualified trauma counsellor to anyone affected by road trauma.

**Phone:** 0400 705 066

**Web:** [www.roadtraumasupportsa.com.au](http://www.roadtraumasupportsa.com.au)

## Lifetime Support Authority

The Lifetime Support Authority delivers the Lifetime Support Scheme in South Australia. This is a scheme that funds necessary and reasonable treatment, care and support for people who sustain serious injuries in a motor vehicle accident on South Australian roads - regardless of fault.

The services are focused on being person-centred and family and friends play an active role in rehabilitation.

**Phone:** 1300 880 849

**Email:** [lifetime.support@sa.gov.au](mailto:lifetime.support@sa.gov.au)

**Web:** [www.lifetimesupport.sa.gov.au](http://www.lifetimesupport.sa.gov.au)

## Anglicare SA Loss and Grief Service

The Loss and Grief Service is a program of Anglicare SA. The service provides individual or family counselling, information and resources, referrals, support groups, individual counselling and other programs for children.

**Phone:** (08) 8131 3400

**Email:** [admin@anglicaresa.com.au](mailto:admin@anglicaresa.com.au)

**Web:** [www.anglicare-sa.org.au](http://www.anglicare-sa.org.au)

## Solace

Solace provides one-to-one support for older people whose loss is recent, new members and those who are dealing with special anniversaries. Solace also conducts meetings where group discussion is encouraged. These sessions are led by support workers and topics discussed are relevant to grief and loss and learning to live alone.

**Phone:** (08) 8272 4334

**Web:** [www.solace.org.au](http://www.solace.org.au)

## Compassionate Friends

The Compassionate Friends (SA) Inc. is part of a world-wide organisation offering friendship and understanding to families following the death of a son or daughter, brother or sister.

Compassionate Friends offers support in the grief and trauma which follows the death of a child at any age and from any cause.

**Phone:** 0456 820 133

**Email:** [tcfsainc@outlook.com](mailto:tcfsainc@outlook.com)

**Web:** [www.compassionatefriendssa.org.au](http://www.compassionatefriendssa.org.au)

## Lifeline

Lifeline is a national charity providing all Australians experiencing a personal crisis with access to 24 hour crisis support and suicide prevention services.

**Phone:** 13 11 14

**Web:** [www.lifeline.org.au](http://www.lifeline.org.au)

If you find it hard to talk, you can also text 0477 13 11 14. Lifeline Text is available 6pm to midnight, 7 days a week. You can also access support via online chat on their website.

## CTP insurance providers

Each insurer has an experience claims consultant who can help you claim compensation if your loved one has died in a road crash.

### AAMI

**Phone:** 1300 084 851

**Web:** [www.aami.com.au/ctp-insurance/sa](http://www.aami.com.au/ctp-insurance/sa)

### Allianz

**Phone:** 1300 686 725

**Web:** [www.allianz.com.au/ctp-insurance/sa](http://www.allianz.com.au/ctp-insurance/sa)

### NRMA

**Phone:** 1800 633 176

**Web:** [www.nrma.com.au/ctp-insurance/sa](http://www.nrma.com.au/ctp-insurance/sa)

### QBE

**Phone:** 1300 429 528

**Web:** [www.qbe.com/au-green-slip-insurance/ctp-sa](http://www.qbe.com/au-green-slip-insurance/ctp-sa)

### Youi

**Phone:** 1300 004 007

**Web:** [www.youi.com.au/sa-ctp](http://www.youi.com.au/sa-ctp)

### **CTP Regulator**

The CTP Regulator can help you if a loved one has died in a road crash. They can allocate your claim to an insurer and transfer you directly to a claims consultant at the relevant CTP insurer.

**Phone:** 1300 303 558

**Web:** [www.ctp.sa.gov.au](http://www.ctp.sa.gov.au)

### **Legal services**

#### **Legal Services Commission**

The Legal Services Commission (also known as 'legal aid') provides advice and access to legal services for those who cannot afford to pay for private legal representation.

**Phone:** 1300 366 424

**Web:** [www.lsc.sa.gov.au](http://www.lsc.sa.gov.au)

#### **Law Society - legal referral service**

The Law Society of South Australia can connect you with a range of South Australian lawyers and law firms able to provide legal advice and assistance.

**Phone:** 8229 0200

**Email:** [email@lawsocietysa.asn.au](mailto:email@lawsocietysa.asn.au)

**Web:** [www.lawsocietysa.asn.au](http://www.lawsocietysa.asn.au)

### **Aboriginal Legal Rights Movement**

The Aboriginal Legal Rights Movement provides free legal information, advice and representation to Aboriginal people – for victims of crime they can also provide support around victims' compensation.

There are offices in Adelaide, Ceduna, Coober Pedy, Murray Bridge, Port Augusta and Port Lincoln.

**Phone:** 8113 3777

**Web:** [www.alrm.org.au](http://www.alrm.org.au)

## Support for children and young people

### Kids Helpline

Kids Helpline is a free 24-hour counselling service for Australian children and young people aged 5-25 years. You can get help over the phone, email or web. If you are 5-25 years old and need someone to talk to, you can call anytime – 24 hours a day, 7 days a week.

The trained counsellors will:

- > Listen to you
- > Believe you
- > Help you with your problems
- > Help you to sort things out in your own way
- > Talk to you about who else might be able to help.

**Phone:** 1800 55 1800

**Web:** [www.kidshelp.com.au](http://www.kidshelp.com.au)

### To track the status of your crime report online:

- > Download South Australia Police's portal app from Google Play Store or Apple App Store by searching for SAPOL. Once installed, select the Track My Crime icon, or
- > Go to SAPOL's website [www.police.sa.gov.au](http://www.police.sa.gov.au) and search for Track My Crime.
- > Enter your police report number and report date to see the status of your crime.

# Feedback or lodging complaints

As a victim of a crime, you can make a complaint if you believe you have not been treated properly. You can:

- > Speak to the person you are dealing with about the problem – most complaints can be sorted out easily
- > If that doesn't work, follow the agency's complaint process
- > If you are still not satisfied, you can make a complaint to the Commissioner for Victims' Rights.

## Police officers

You should first contact the Victim Contact Officer at your local police station. If this doesn't help, you can write to:

### **Commissioner of Police**

GPO Box 1539  
Adelaide SA 5001

You can also make a complaint to the Office of Public Integrity.

You can fill out an online form at [www.publicintegrity.sa.gov.au](http://www.publicintegrity.sa.gov.au)

You can also write to them:

Office of Public Integrity  
GPO Box 464  
Adelaide SA 5001

**Email:** [admin@opi.sa.gov.au](mailto:admin@opi.sa.gov.au)

**Phone:** 1300 782 489

## Commissioner for Victims' Rights

The Commissioner can help you if you feel like you haven't been treated properly. They can talk to public agencies on your behalf and ask them to write you an apology if they have not treated you properly.

The Commissioner can't:

- > change a decision made by a judge, magistrate or tribunal member
- > investigate a complaint that is already being investigated by another organisation
- > investigate a complaint that is not covered by the Victims of Crime Act 2001.

**Phone:** 7322 7007

**Email:** [victimsofcrime@sa.gov.au](mailto:victimsofcrime@sa.gov.au)

**Web:** [www.voc.sa.gov.au](http://www.voc.sa.gov.au)





**Government of South Australia**  
Victims of Crime SA