

Legal Affairs and Safety Committee

Inquiry into Support for Victims of Crime

Department of Justice and Attorney-General (DJAG) responses to submissions

DJAG provides the following responses to key issues or matters raised in public submissions about the Inquiry into Support for Victims of Crime. DJAG has considered the following submissions:

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| 1. The Public Advocate | 21. Name Withheld | 38. Queensland Human Rights Commission |
| 2. Name Withheld | 22. Dr Robyn Holder | 39. Brisbane Rape and Incest Survivors Support Centre |
| 3. Gwennyth English | 23. Name Withheld | 40. Queensland Indigenous Family Violence Legal Service |
| 4. Name Withheld | 24. Celina Batchelor | 41. Queensland Law Society |
| 5. Darren O'Brien | 25. Tara Evans | 42. Bridge of Hope Innocence Initiative |
| 6. <i>*confidential</i> | 26. Paige Mackie | 43. Russell Field |
| 7. David Harris | 27. <i>*confidential</i> | 44. Lili Greer |
| 8. Loretta George | 28. Knowmore Legal Service | 45. Sabrina Collins |
| 9. Tanya Smith | 29. Name Withheld | 46. Leanne Pullen |
| 10. Queensland Health Victim Support Service | 30. Voice of Victims – Toowoomba Advocacy | 47. Queer & Trans Worker Against Violence |
| 11. <i>*confidential</i> | 31. <i>*confidential</i> | 48. Cassandra Cross |
| 12. Susan and John Sanderman | 32. Women's Legal Service Queensland (WLS Qld) | 49. Shane Bouel |
| 13. <i>*confidential</i> | 33. Office of the Information Commissioner | 50. Crime and Justice Action Group |
| 14. Kevin Richards | 34. LawRight | 51. Full Stop Australia |
| 15. Glenn Robert Watson | 35. Gold Coast Centre Against Sexual Violence | 52. Tim Class-Auliff |
| 16. Patricia Pendrey | 36. Name Withheld | 53. Queensland Homicide Victims Support Group |
| 17. <i>*confidential</i> | 37. DVConnect | 54. Shane Cuthbert |
| 18. <i>*confidential</i> | | |
| 19. <i>*confidential</i> | | |
| 20. Queensland Sexual Assault Network (QSAN) | | |

* Submission 6, 11, 13, 17, 18, 19 27 and 31 were confidential. 54 submissions were received in total.

Due to the short timeframe within which to consider the submissions and respond, a fulsome response to all submissions was not possible.

For reference, the following acronyms are used throughout:

- Women’s Safety and Justice Taskforce (WJST)
- The Women’s Safety and Justice Taskforce *Hear Her Voice* Report One (WJST Report One)
- The Women’s Safety and Justice Taskforce *Hear Her Voice* Report Two (WJST Report Two)
- The Independent Commission of Inquiry into Queensland Police Service responses to domestic and family violence *A Call for Change* Report (QPS COI)
- *Victims of Crime Assistance Act 2009* (VOCA Act)
- *Victims of Crime Assistance and Other Legislation Amendment Act 2017* (VOCAOLA Act)
- Victim Assist Queensland (VAQ)
- Criminal Justice Innovation Office (CJIO)
- First Nations Justice Office (FNJO)
- Dispute Resolution Branch (DRB)
- Adult Restorative Justice Conferencing (ARJC)

Legal Stakeholders		
Submitter	Issues raised	Departmental Response
The Public Advocate (1)	<p>People with impaired decision-making ability who are victims of crime face particular issues and require additional supports and assistance to move through the justice process.</p> <p>The unique barriers experienced by victims of crime with impaired decision-making ability in the courts system is illustrated by the lack of information available regarding crimes against people with impaired decision-making ability moving beyond an initial complaint or report.</p>	<p>Noted.</p> <p>Noted.</p>

	<p><i>Intermediary Scheme</i></p> <p>The Public Advocate suggested, dependent on evaluation outcomes, the Queensland Intermediary Scheme pilot program or a similar program could be extended to non-child sexual offences in the future, which will further improve the accessibility of the justice system to people with impaired decision-making ability.</p> <p><i>Justice Reinvestment</i></p> <p>Proposes the Committee consider justice reinvestment given the potential to improve the health of the criminal justice system as a whole, reducing the number of offenders and victims within the system.</p>	<p><i>Intermediary Scheme</i></p> <p>Noted. DJAG is currently piloting the Queensland Intermediary Scheme for certain witnesses in child sexual offence proceedings. The evaluation outcomes of this pilot will inform the consideration of extending the scheme to proceedings involving adult victims of sexual violence in accordance with the Government Response to Recommendation 62 of the WSJT Report Two.</p> <p><i>Justice Reinvestment</i></p> <p>The Queensland Government has announced a \$5 million investment to establish community-led, place-based justice reinvestment initiatives that will address the underlying causes of youth crime and reduce First Nations overrepresentation in our justice system. Additionally, the Queensland Government has established the Criminal Justice Innovation Office (CJIO) and First Nations Justice Office (FNJO).</p> <p>The CJIO is a dedicated multidisciplinary office established to identify, implement and support initiatives with a focus on innovative and long-term solutions to reforming the criminal justice system and improving community safety. The CJIO aims to modernise Queensland’s laws, reduce demand on courts and prisons, enhance diversionary programs and help break the cycle of reoffending. The FNJO has been tasked with co-designing a whole-of-government and community justice strategy to address the over-representation of Aboriginal and Torres Strait Islander peoples in the criminal justice system, which will significantly contribute to achieving the Queensland Government’s commitments under the National Agreement on Closing the Gap.</p> <p>The Queensland Government is considering systemic justice reinvestment approaches as part of the government’s response to Recommendations 94 and</p>
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	<p><i>Victims' Commissioner</i></p> <p>A Victims' Commissioner would see a renewed focus on people with impaired decision-making ability having crimes against them investigated and matters taken to court. It might also see victims in these situations better supported in their justice journey.</p> <p>At commencement of 2023/24 financial year the Office of the Public Advocate is to embark on a major project examining the criminal justice system and the journey that people with impaired decision-making capacity follow when they enter (or attempt to enter) this system as a witness, suspect/defendant or victim of crime.</p>	<p>183 of the WSJT Report Two. This investment will complement the announcement made by the Commonwealth Government of \$81 million for Justice Reinvestment.</p> <p><i>Victims' Commissioner</i></p> <p>The primary purpose of a Victims' Commissioner is to promote and protect the needs of all victims of violent offences. The Queensland Government supported in principle the WSJT Report Two Recommendation 18 to establish a Victims' Commissioner and has committed to working with relevant stakeholders to establish a victims' commissioner and determine the most appropriate model for Queensland. Currently DJAG is examining options for an appropriate model for the Queensland Victims' Commissioner.</p> <p>Noted</p>
<p>knowmore Legal Service (28)</p>	<p><i>Support for victim-survivors</i></p> <p>Clients of knowmore who have sought a criminal justice response to their child's sexual abuse, report feeling marginalised or excluded from the process, particularly their inability to meaningfully participate in police and prosecution processes. Key concerns relate to a lack of</p>	<p><i>Support for victim-survivors</i></p> <p>Following extensive community consultation the WSJT heard women and girl victim-survivors (not just with reference to sexual violence) felt disempowered in the criminal justice process and that there was nobody tasked with representing their interests. Many victim-survivors reported they found the criminal justice process confusing and intimidating and experienced difficulty accessing support services. The WSJT found in Report Two victim-survivors of sexual violence needed greater support and advice to navigate the criminal justice system.</p>

	<p>communication and information provided to victims during this process.</p> <p>This experience is compounded by a lack of appropriate, dedicated support for victim-survivors throughout their engagement with the criminal justice system. knowmore clients expressed a desire for independent support and to have their individual interests represented throughout the process.</p> <p>knowmore recommends addressing these experiences by:</p> <ul style="list-style-type: none"> • embedding a trauma-informed approach to working with victims and survivors at every level of the criminal justice system. This should be incorporated into the Charter of Victims' Rights in the VOCA Act. The ACT <i>Victims of Crime Act 1994</i> was identified as a comprehensive model for consideration in Queensland; and • providing victims and survivors with access to free, independent, trauma-informed legal assistance and wraparound support to assist victims to exercise their rights and protect their interests throughout their engagement with the criminal justice system. 	<p>As outlined below, the Queensland Government has supported or supported in principle a range of recommendations in WSJT Report Two that seek to strengthen and address shortcomings in the support offered to victim-survivors of sexual violence to navigate the criminal justice system.</p> <ul style="list-style-type: none"> • In relation to communication during prosecution processes, please refer to the comments under <i>Keeping victims informed</i> in response to the GCCASV submission. • Recognising the need for advocacy, in response to Recommendation 9 of WSJT Report Two, the Queensland Government will consult with people with lived experience, Aboriginal and Torres Strait Islander peoples and service and legal system stakeholders to develop and pilot the most appropriate state-wide professional victim advocate service for Queensland. • In response to WSJT Report Two Recommendation 64, DJAG, when evaluating the proposed victim advocate model (Recommendation 9), will consider whether there is a need for funded legal representation for victim-survivors of sexual violence during criminal justice processes. • In response to WSJT Report Two Recommendation 11, the Queensland Government will work with people with lived experience, Aboriginal and Torres Strait Islander peoples and service and legal system stakeholders to co-design a victim-centric, trauma-informed service model for responding to sexual violence, similar to the Sexual Assault Response Team and implement the model in additional locations. • In response to WSJT Report Two Recommendation 65, the Queensland Government will consider the issue of victim-survivor representation when the legislative amendments, implemented in response to both WSJT reports, are reviewed pursuant to recommendation 186 (WSJT Report Two). • In response to WSJT Report Two Recommendation 13, the Queensland Government will work with experts in trauma-informed service delivery to develop and embed a system of safe pathways and establish a cohesive and consistent inter-agency response for victim-survivors including implementation of appropriate mechanisms to ensure agencies are upholding practice principles that underpin safe pathways.
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	<p><i>Enforceable Charter of Victims' Rights</i></p> <p>The submission supported the Women's Safety and Justice Taskforce recommendations to establish a Victims' Commissioner (Recommendation18) and for the independent commission to review the Charter of Victims' Rights to consider whether any additional rights should be recognised or existing rights should be expanded (rec. 19).</p> <p>Supports the Charter of Victims' Rights being made into legally enforceable rights as part of the <i>Human Rights Act 2019</i> (Recommendation20 WSJT).</p> <p><i>Financial Assistance under VOCA Act</i></p> <p>Victims are retraumatised through having to re-tell their store.</p> <p>knowmore identified operation and effectiveness of VOCA Act could be improved by:</p>	<p><i>Enforceable Charter of Victims' Rights</i></p> <p>The WSJT heard from the community that many victim-survivors advised of negative experiences that apparently contravened the Charter of Victims' Rights. The WSJT concluded an independent Victims' Commissioner was necessary to fill a significant gap in the protection and promotion of victims' rights in Queensland. The WSJT concluded this gap included no oversight of complaints about compliance with the Charter of Victims' Rights and no mechanism to enforce compliance. The WSJT found a victims' commissioner can monitor compliance with victims' rights. This can include overseeing how agencies manage and respond to complaints.</p> <p>In response to recommendation 18 WSJT Repot Two, the Queensland Government has committed to working with stakeholders to identify the most appropriate model for a victims' commissioner in Queensland. The model developed will take into consideration the WSJT findings with regard to oversight of a victims' charter. In response to WSJT Report Two Recommendation 19, the Queensland Government has committed to the Attorney-General and Minister for Justice and Minister for the Prevention of Domestic and Family Violence writing to the victim's commissioner, once established, in support of the victim's commissioner undertaking a review of the Charter of Victims' Rights.</p> <p>The Queensland Government has committed to considering whether victims' rights are appropriately protected in the next statutory review of the <i>Human Rights Act 2019</i>.</p> <p><i>Financial Assistance under VOCA Act</i></p> <p>VAQ is continuously working on ways to reduce any negative impacts of the application process. VAQ has undertaken significant work to reduce the time for assessing applications. This has resulted in an increase in the number of applications being decided each month and a corresponding decrease in wait times. However, VAQ acknowledges that, despite this work, victim-survivors continue to experience delays and challenges with the application process. The Government has committed \$600,000 for a comprehensive review of the financial</p>
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	<ul style="list-style-type: none"> • lowering the evidentiary threshold for receiving assistance for victims and survivors of child abuse • reduce the time taken to process applications through consideration of additional funding and resourcing for VAQ. • Increasing the maximum amount of financial assistance available under the VOCA Act. • Embedding access to free counselling services. • Include opportunity for victims to access statements that acknowledge the effect the crime has had on their lives • increasing awareness of the Victim Assist scheme, • removing time limits to apply for the scheme with regard to victims and survivors of child abuse, • making processes easier for victims to claim assistance for expenses such as counselling and medical expenses (e.g. remove the need for detailed supporting documentation for claims for expenses), and 	<p>assistance scheme. It is anticipated that the review will: investigate and report on the current state of financial assistance schemes in Queensland and other jurisdictions; consider barriers and alternative models of financial assistance; identify opportunities for greater collaboration with the broader victim sector to provide better access to services and financial assistance; analyse the benefits and costs of potential models for delivering improved services to victims of crime; and consider the operational and legislative reforms required to implement the changes.</p> <p>VAQ acknowledges that the maximum amounts of assistance for victims (sections 38(1), 41(1), 44(1)(a) & (b), and 48(1) of the VOCA Act) have not changed since the commencement of the financial assistance scheme in 2009. The review, noted above, will consider the assistance limits available in other jurisdictions, in comparison to Queensland.</p> <p>VAQ notes that amendments to the VOCA Act, which commenced on 1 July 2017, introduced several changes to amounts of assistance available, namely the:</p> <ul style="list-style-type: none"> • Increase in the amount of funeral expense assistance from \$6,000 to \$8,000 (section 40 of the VOCAOLA Act); • Removal of shared pools of assistance for Parent Secondary, Witness Secondary and Related Victims (sections 35, 37 and 38 of the VOCAOLA Act 2017); and • Removal of the range of Special Assistance that was payable and increasing the amounts for Category C and Category D acts of violence to \$2,000 and \$1,000 respectively (section 95 of VOCAOLA Act). <p>VAQ funds specialist services in the sector to provide free counselling to victims. The comprehensive review of VAQ’s financial assistance scheme will identify opportunities for greater collaboration with the broader victim sector to provide better access to services. In addition, sections 39(a), 42(a), 45(a), 46(a), and 49(a) of the VOCA Act provide for the payment of counselling expenses under which assessors grant assistance for victim-survivors to engage with private counsellors or psychologists of their choice. The comprehensive review of VAQ’s financial</p>
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		<p>assistance scheme will consider barriers for victim-survivors in accessing financial assistance for counselling and medical services and expenses.</p> <p>VAQ notes the Victorian Law Reform Commission's (VLRC) <i>Victims Of Crime Assistance Act 1996</i> Report:</p> <p>(https://www.lawreform.vic.gov.au/publication/review-of-the-victims-of-crime-assistance-act-1996-report/).</p> <p>The VLRC report recommended the implementation of a statement of acknowledgement and/or direct personal responses to victims, made by financial assistance decision makers. The comprehensive review of VAQ's financial assistance scheme will consider other jurisdictional models, including the work in Victoria in response to the VLRC report.</p> <p>In considering other models of assistance, including those in other jurisdictions, VAQ will consider the barriers to accessing financial assistance, including time limits. VAQ notes that the VOCA Act contains provision to extend the time period for an application to be made for financial assistance (section 54). The VOCA Act includes a number of circumstances to be regarded when considering extensions of time, including but not limited to the age of the person when the act of violence was committed, the impact of the violence and whether the person has or had impaired capacity (section 54(2)). VAQ takes a beneficial approach to approving extensions of time, noting that victim-survivors that do not apply within the prescribed time limits will almost certainly fall within the broad circumstances listed in section 54(2) of the VOCA Act.</p>
WLS Qld (32)	The submission noted outstanding recommendations of the 'Hear her voice' and 'A Call for Change' reports in relation to improving supports for victims of crime.	Noted.

	<p><i>Legal representation for victims</i></p> <p>Alongside improvements to the way in which police, prosecutions and court services support victims, victims should have access to their own independent legal representation to ensure they are properly supported throughout the criminal justice process. An independent legal representative can advocate on behalf of victims to police, prosecutions, and court services to ensure that they are kept informed, included in decision-making throughout the criminal justice process, and that their rights under the Victims' Charter are protected.</p> <p>Recommends the expansion of the Counselling Notes Protect service so that victims have access to specialist legal representation throughout the criminal justice process, particularly for hearings relating to victims' substantive entitlements.</p> <p><i>Victims' Commissioner</i></p> <p>The submission supported the establishment of a Victims' Commissioner, affirming it will be best placed to provide advice on any reforms to the VOCA Act that are needed to improve the experience of victims of crime.</p>	<p><i>Legal representation for victims</i></p> <p>Please refer to comments under <i>Support for victim-survivors</i> in response to the knowmore submission.</p> <p>With regard to the expansion of the Counselling Notes Protect service please refer to comments regarding recommendation 65, WSJT Report Two under <i>Support for victim-survivors</i> in response to the knowmore submission.</p> <p><i>Victims' Commissioner</i></p> <p>In response to recommendation 18 of WSJT Report Two the Queensland Government will work with relevant stakeholders to establish a Victims' Commissioner and determine the most appropriate model for Queensland. The primary purpose of a Victims' Commissioner is to promote and protect the rights of all victims of violent crimes. Of relevance to the issues raised by the submission is the Taskforce's conclusions that a Victims' Commissioner, that promotes and protects the needs of victims, could have functions that include:</p>
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	<p>The victims charter principles should be enforceable legal rights to ensure that criminal justice agencies can be held accountable.</p> <p>A robust and accessible complaint-handling process will provide victims with acknowledgement of their experiences and ensures that their views are heard.</p> <p><i>Review of Human Rights Act 2019</i></p> <p>Support amendments to the <i>Human Rights Act 2019</i> (Qld) to recognise the inherent interest of victims in the criminal justice process, including the right to be acknowledged as participants and to be treated with respect and afforded protection during the court process.</p>	<ul style="list-style-type: none"> • identifying systemic trends and issues including in relation to policy, legislation, practice or procedure and potential responses to address these issues; • monitoring and reviewing the effect of the law, policy and practice that impact victims of crime; • assisting victims in their dealings with government agencies across the criminal justice system, including through oversight of how agencies respond to complaints under the Charter of Victims' Rights; • intervening and or representing individual victims where necessary and relevant; • developing and coordinating a multidisciplinary research program to inform policies and practices, in consultation with stakeholders and relevant agencies; and • developing and implementing mechanisms to regularly collect and share the views and experiences of victim-survivors including of domestic and family violence and sexual violence. <p>In determining the appropriate model for a Queensland victims' commissioner consideration will be given to these conclusions by the WSJT.</p> <p><i>Review of Human Rights Act 2019</i></p> <p>Section 95 of the Human Rights Act requires the Attorney-General to ensure the operation of the Human Rights Act is independently reviewed by an appropriately qualified person as soon as practicable after 1 July 2023.</p> <p>The Terms of Reference for the statutory review of the Human Rights Act will require the independent reviewer to consider whether victims' rights are appropriately protected under the Human Rights Act.</p>

<p>Office of the Information Commissioner (33)</p>	<p><i>Breaches of victim privacy</i></p> <p>The privacy of victims of crime is safeguarded both by the express protection conferred by Part 1, Division 1, section 2 of the Charter of Victims' Rights and the privacy principles in schedules 3 and 4 of the IP Act. OIC expects agencies that handle personal information of victims of crime would give effect to these statutory obligations by way of very strong policies and procedures around the handling of that information, so as to protect a particularly vulnerable sector of the community from privacy breaches.</p> <p>OIC has seen instances where the personal information of a victim of crime was mistakenly released to the offender, with significant negative impacts upon the victim. The breach of trust in those circumstances can be akin to being offended against a second time, forcing victims to deal with the stress of the</p>	<p><i>Breaches of victim privacy</i></p> <p>The object of the <i>Information Privacy Act 2009</i> (the IP Act) includes to provide for the fair collection and handling in the public sector environment of personal information. The IP Act applies to a wide range of agencies, including departments, statutory bodies and local government.</p> <p>DJAG supports the OIC's submission that agencies are expected to give effect to these statutory obligations so as to protect the personal information of Queenslanders, including those who are victims of crime.</p> <p>DJAG also notes that the implementation of a MDBN scheme, as recommended by <i>Let the Sunshine In: A Review of culture and accountability in the Queensland public sector</i> (the Coaldrake Report, 28 June 2022), will assist victims of crime whose personal information may be the subject of a data breach.</p> <p>The VOCA Act includes confidentiality provisions, as well as provisions facilitating access to information for purposes which will assist victims of crime. DJAG agrees that exceptions in the IP Act as well as provisions in the VOCA Act permit disclosure of information to support victims of crime.</p> <p>The <i>Right to Information Act 2009</i> and the IP Act provide important rights of access to information held by government, within a framework which allows consideration of individual rights as well as the public interest in disclosure of information.</p> <p>DJAG acknowledges the distress caused to victims survivors in these circumstances.</p>
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	<p>breach and manage risks to their personal safety.</p> <p>The OIC anticipates the implementation of a Mandatory Data Breach Notification (MDBN) scheme binding Queensland Government Agencies will provide a measure of assistance to victims of crime whose personal information may be the subject of a data breach. OIC notes the escalation in criminal cyber activity is presumably giving rise to a new class of victim – being victims of cybercrime, including data and identity theft. This may, in turn, increase demand for victim assistance resources and services, including training needs.</p> <p>OIC expects the exceptions in the IPA which permit disclosure, when taken together with the express information sharing provisions prescribed in VOCAA and the Charter, operate to permit criminal justice agencies to disclose and share information to support victims of crime.</p> <p>Regarding applications for information made by victims of crime, the OIC recognises the public interest in ensuring that victims are kept informed and included in an appropriate and timely manner throughout the criminal justice</p>	<p>Noted</p> <p>Noted</p> <p>Noted</p>
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	<p>process. OIC is, however, required to balance competing public interests, including privacy and confidentiality interests, such that the extent of detail that may be obtained by a victim under the right to access contained in the RTI and IP Acts may vary from case to case.</p>	
<p>LawRight (34)</p>	<p><i>Financial assistance - delays</i></p> <p>The delay in assessing and processing financial assistance applications by VAQ. (average wait time for LawRight client's applications is 12.8 months) creates additional distress for victims and acts as a barrier to recovery.</p> <p><i>Awareness of financial assistance</i></p> <p>There is a lack of awareness of the financial assistance scheme amongst front-line workers in services working with victim-survivors.</p>	<p><i>Financial assistance - delays</i></p> <p>Please refer to comments under <i>Financial assistance under VOCA Act</i> in response to the knowmore submission.</p> <p><i>Awareness of financial assistance</i></p> <p>VAQ notes that only a relatively small number of victim-survivors apply for financial assistance in Queensland and other Australian jurisdictions. VAQ provides regular training to the sector on VAQ's services and the Charter of Victims' Rights. The review of financial assistance scheme described under <i>Financial assistance under VOCA Act</i> in response to the knowmore submission, will consider current and future financial assistance scheme resourcing.</p>

	<p><i>Offender debt recovery</i></p> <p>The current process of offender debt recovery under Part 16 of the Act, places victims of violent crimes, particularly of domestic and family violence, at risk of further harm from perpetrators of violence. Debts should only be recovered from convicted offenders where the applicant has been informed of the risk of offender debt recovery and had an opportunity to request the offenders debt recovery not be pursued.</p> <p><i>Consent to third Party providing information</i></p> <p>VAQ is sometimes not utilising its power under the VOCA Act to request information from third parties (such as health professionals) and is requesting applicants to gather further medical records prior to an application being assessed. This is potentially retraumatising victims and creates further barriers and delays to applications being assessed. Recommends VAQ contact relevant third parties to seek information when it has consent to do so, to relieve the burden on applicants.</p>	<p><i>Offender debt recovery</i></p> <p>Offender Debt Recovery (ODR) can only occur under the VOCA Act where an offender is convicted of a relevant offence (section 110). VAQ has a process in place for victims who are concerned about their safety to request ODR be waived or delayed.</p> <p>Since commencement in 2009, VAQ has prioritised providing financial assistance to victims, over the collection offender debts.</p> <p><i>Consent to Third Party providing information</i></p> <p>The VOCA Act contains a provision for an assessor to access medical information (section 74). VAQ notes that this provision applies only to medical records held by Queensland Health (see definition of Designated Person in the <i>Hospital and Health Boards Act 2011</i>). These powers do not extend to private practitioners and VAQ notes that requests to Queensland Health can delay the application process.</p> <p>Section 52 of the VOCA Act requires VAQ’s application form to include consent for an assessor to obtain information, including for the operation of section 74 noted above. The consent in the VAQ application form is used in appropriate circumstances to obtain relevant information e.g. hospital and other medical records. However, VAQ may need to request that victim-survivors provide particular documents or records from treating practitioners (non-Queensland Health) to assist in the assessment of their application. VAQ’s experience is that private health practitioners are more likely to provide records directly to patients, rather than VAQ, and will also do this in a more timely manner than if requested by VAQ.</p> <p>The review of the financial assistance scheme described under <i>Financial assistance under VOCA Act</i> in response to the knowmore submission, will consider the operational issues raised in submissions further.</p>
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<p>Queensland Human Rights Commission (38)</p>	<p>Supports the establishment of a victims' commissioner whose functions could include: advancing systemic issues for victim-survivors, facilitating collaboration between relevant agencies in the justice system.</p> <p><i>Intermediary Scheme</i></p> <p>Agrees with WSJT recommendation that DJAG, after receiving evaluation of the intermediary scheme pilot program, consider whether the scheme should be expanded to apply to proceedings involving adult victim-survivors of sexual violence, as such a scheme has the potential to positively protect and uphold the rights of victims without relying on complaint mechanisms and prevent further trauma.</p> <p><i>Review of Human Rights Act 2019</i></p> <p>In support of the Government's commitment to consider whether victims' rights are appropriately protected in the next statutory review of the <i>Human Rights Act 2019</i> (WSJT Recommendation 20, Report Two), the review should consider section 21 <i>HR Act 2004 (ACT)</i> with regard to right to fair hearing and additional victims rights as recommended by the</p>	<p>Noted. Please refer to comments under <i>Victims' Commissioner</i> in response to the WLS Qld submission.</p> <p><i>Intermediary Scheme</i></p> <p>Please see comments to this issue in response to the Public Advocate submission.</p> <p><i>Review of Human Rights Act 2019</i></p> <p>Refer to response to WLS Queensland regarding the review of the <i>Human Rights Act 2019</i> under Section 95 of the Act.</p>

	<p>VLRC 2016 Report on the Role of Victims of Crime in the Criminal Trial process.</p> <p><i>Review of the Victims Charter</i></p> <p>The Review of the Victims Charter, along with the review of the <i>Human Rights Act 2019</i>, would provide an opportunity to consider how the Charter interacts with human rights.</p> <p>A key consideration for the review of the Victims Charter is how the complaints mechanism under the Charter interacts with existing complaints mechanisms (such as complaint to the QHRC). Preliminary view of the QHRC is that it would remain the most appropriate body to handle complaints under the <i>Human Rights Act 2019</i> (potentially amended to include specific victims' rights and the <i>Anti-Discrimination Act 1991</i>), but further consideration is necessary as to how best to handle complaints made under the Victims Charter.</p> <p>Other issues for consideration in the review of the Victims Charter include:</p> <ul style="list-style-type: none"> - Consideration of mechanisms that would increase victim participation 	<p><i>Review of the Victims Charter</i></p> <p>Noted.</p> <p>Noted. In considering the most appropriate model for a Victims' Commissioner in Queensland consideration will be given to its functions with regard to complaints under the Victims' Charter. Please refer to the comments under <i>Victims' Commissioner</i> in response to the WLS submission.</p> <p>Noted.</p>
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	<p>and empowerment of victims in the criminal justice process;</p> <ul style="list-style-type: none"> - Greater clarity regarding interface between victims’ rights to information and confidentiality obligations owed to the accused - Placing an onus on criminal justice agencies to actively provide information to victims. 	
<p>Queensland Indigenous Family Violence Legal Service (40)</p>	<p>Endorses the recommendations made in <i>WSJT Hear Her Voice – Report Two</i> and notes processes already underway.</p> <p>Supports establishment of victims’ commissioner.</p> <p>Supports a one-stop non-legal victims’ advocate who provides assistance to a victim from the time of the police report, throughout the police investigation and during the criminal trial process. Aboriginal and Torres Strait Islander victim-survivors should be provide an option to engage a victims’ advocate from a community controlled organisation. Directly relates to recommendation 9, WSJT Repot 2 for a professional victim advocacy model.</p> <p>Like WSJT Taskforce QFVLS believes independent legal assistance for victim-survivors/complainants should be considered.</p> <p><i>Restorative Justice</i></p>	<p>Noted.</p> <p>Noted.</p> <p>Please refer to comments under <i>Support for victims survivors</i> in response to the knowmore submission. Particularly WSJT Report Two Recommendations 9, 64 and 65.</p> <p><i>Restorative Justice</i></p>

	<p>Endorses Recommendation 8 of the Queensland Productivity Commission’s 2019 <i>Report into Imprisonment and Recidivism</i> that seeks to expand the use of restitution and restorative justice into the sentencing process.</p> <p><i>First Nations victim support</i></p> <p>From an Aboriginal and Torres Strait Islander perspective, victims need to be supported by culturally safe and trauma informed services, including by the judiciary, defence lawyers and prosecutors</p> <p><i>Financial assistance – delays</i></p> <p><i>Operation and effectiveness of VOCA Act</i></p> <p>The timeliness of VAQ application process and extensive delays reflect the lean resources available to the VAQ scheme. Delays in processing VAQ applications can compound victim’s trauma and increase mistrust in government.</p> <p><i>Financial assistance – eligibility</i></p>	<p>Noted. The Queensland Government has established the CJIO in response to the Queensland Productivity Commission’s 2019 <i>Report into Imprisonment and Recidivism</i>. Please see comments under <i>Justice Reinvestment</i> in response to the Public Advocate submission and comments under <i>Adult restorative justice conferencing</i> in response to the QLS submission.</p> <p><i>First Nations victim support</i></p> <p>DJAG is committed to supporting the legal assistance sector to understand and support its clients through trauma informed services. Recommendation 67 of the WSJT Report Two, recommended that legal agencies require all staff to participate in training on working with victim survivors of sexual violence, including best-practice in communicating with First Nations women and girls and responding to evidence of trauma and abuse histories. DJAG has commenced discussions with lead agencies to ensure this recommendation is incorporated into practice for legal assistance services.</p> <p><i>Financial assistance – delays</i></p> <p>Please refer to comments under <i>Financial assistance under VOCA Act</i> in response to the knowmore submission.</p> <p><i>Financial assistance – eligibility</i></p> <p>Since the commencement of the VOCA Act, victim-survivors have been able to access financial assistance if they have been the victim of burglary with threatened</p>
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	<p>Expand eligibility criteria to victims of home invasions to be considered by the new Victims' Commissioner in their review of the VOCA Act.</p>	<p>or actual violence (section 419(3)(b)(i) of the Criminal Code), that is, home invasions that involve any element of threat or violence.</p> <p>DJAG acknowledges the impact that non-violent offending (for example, stealing, fraud or burglary that occurs when the resident is sleeping or not at home) can have on those victims. The expansion of VAQ's financial assistance scheme to include non-violent offences would have significant and far-reaching implications for the Government.</p>
<p>Queensland Law Society (41)</p>	<p><i>Adult restorative justice conferencing</i></p> <p>There is merit in the expansion and adequate resourcing of Adult Restorative Justice conferencing (ARJC) in the criminal justice system in Queensland. Restorative justice initiatives play an increasingly important role in the criminal justice system, and are a central means of empowering victims and meaningfully redressing the impact of crime on victims.</p> <p>The system needs to be properly funded and a clearer legislative framework (reflective of the Victorian principle-based scheme) developed.</p> <p>Commonly there is delay of 6-8months for ARJC and it is only available in certain metropolitan districts of the criminal courts. It is understood these limitations are a function of understaffing and underfunding of the ARJC system, which are amplified by an increase in the referral rates to ARJC.</p>	<p><i>Adult restorative justice conferencing</i></p> <p>DJAG's Dispute Resolution Branch (DRB) provides a valuable evidence based and victim centric ARJC program that is well regarded by referrers, stakeholders and academics alike. Matters may be referred to ARJC at any point in the criminal justice process but most referrals are diversionary referrals in the pre-charge and post-charge stage. Referrals are accepted from justice agencies such as QPS, ODDP, the courts or Queensland Corrective Services (QCS). Victims of crime may also contact ARJC directly about organising a conference.</p> <p>At present, there are 4.4 FTE case managers across Brisbane, Gold Coast, Cairns and Townsville to progress referrals, leading to some delays and limiting the ability to expand service offerings.</p> <p>WSJT Report Two made recommendations relating to ARJC proposing:</p> <ul style="list-style-type: none"> • the development of a sustainable long term plan for the expansion of adult restorative justice in Queensland (recommendation 90); • the co-design of a victim centric legislative framework for adult restorative justice (recommendation 91); • funding to undertake a pilot restorative justice program for adult sexual and domestic violence offences and an evaluation of same (recommendation 92); and • consultation with women with lived experience, stakeholders and First Nations people to ensure safeguards and protections within the ARJC model (recommendation 125).

	<p>The primary barrier to youth restorative justice programs is the delay in the process. Currently there is no specified time for a conference to be held and this delays the benefit of the processes insofar as it also impacts the engagement of other support services that are required to identify a child's needs. QLS considers conferences should be held within 7 days.</p> <p>Victims should be given adequate time and information to make a fully informed choice as to whether they want to participate in the restorative justice process.</p>	<p>The Queensland Government response to WSJT Report Two supports in principle recommendations 90 and 91 and supports recommendations 92 and 125.</p> <p>The Queensland Government has commenced work to explore options for a sustainable long-term plan for the expansion of adult restorative justice service in Queensland.</p>
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Domestic and Sexual Violence Advocacy Stakeholders		
Submitter	Issues raised	Departmental Response
<p>Gold Coast Centre Against Sexual Violence (35)</p>	<p><i>Funding of specialist frontline sexual violence services</i></p> <p>There needs to be increased funding of specialist frontline sexual violence services.</p>	<p><i>Funding of specialist frontline sexual violence services</i></p> <p>In July 2022, a preliminary review of the demand of domestic and sexual violence services was completed, which informed the allocation of an additional \$22.5 million over the next three years to existing services to improve service capacity to address ongoing and increased demand.</p> <p>A second phase of this review which considered long term investment requirements according to both demand and supply of support services was completed in late 2022. As a result of this review and also in response to the recommendations issued by the WSJT, DJAG is developing a whole-of-government domestic and family violence service system strategic investment plan, which will ultimately inform future decisions to support and enhance domestic, family and sexual violence responses across Queensland.</p>

	<p><i>Training</i></p> <p>There also needs to be regular training by specialist external providers across government services to ensure consistency of understanding and practise response. Government can not continue to train their own workers.</p> <p><i>Support for victim-survivors</i></p> <p>There is a need for dedicated funding to specialist sexual assault services for trained sexual violence counsellors/advocates with an in depth understanding of law and legal processes to support complainants through the criminal justice system and beyond.</p>	<p><i>Training</i></p> <p>In response to recommendation 23 of the WSJT Report One, the Queensland Government is developing an evidence based, trauma informed framework to support domestic and family violence training, education and change management across all parts of the DFV and justice service systems, informed by the voices of people with lived experience and developed in collaboration with experts in the service sector, academia and policing. This framework will guide the development of new training and enable existing training to be reviewed, to ensure consistency of understanding of issues and responses including sexual violence that occurs within a DFV context. The training framework will be regularly reviewed to ensure it remains contemporary and will consider issues that commonly arise through relevant complaints processes, including in relation to the Victims' Charter, as part of the review process.</p> <p>Additionally, in response to recommendation 24 of the WSJT Report One, the Queensland Government will explore options to best implement and embed training and education for all frontline and other relevant staff across government, as well as funded non-government agency staff effectively and efficiently. Consideration will be given to economies of scale and the need to tailor to specific sectors and professions, with options to be considered by the Directors-General and ministerial oversight mechanisms (Recommendation 87).</p> <p><i>Support for victim-survivors</i></p> <p>Please refer to comments under <i>Support for victim - survivors</i> in response to knowmore submission.</p>
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	<p>Specialist sexual assault services provide counselling but also assistance with advocacy and VAQ form filling for which they do not get paid, unlike legal practitioners.</p> <p>Vulnerable and traumatised victim/survivors are expected to navigate the system and advocate for themselves which they often don't have the strength or capacity to do.</p> <p><i>Court special witness measures</i></p> <p>The submission states there is a need for better support for victim/survivors within the court special witness measures. GCCASV supports amendments to special witness measures to give victim-survivor choice about how they will give their evidence, removing the need for the court to determine what measures should be put in place.</p>	<p><i>Court special witness measures</i></p> <p>Queensland introduced a witness intermediary scheme (in two pilot locations, Brisbane and Cairns) commencing on 5 July 2021. The scheme is available where the proceeding is for a child sexual offence and where the witness is:</p> <ul style="list-style-type: none"> • a child under 16 years, or • a person with an impairment of the mind as defined under the Criminal Code (regardless of age), or • a person who has difficulty communicating (regardless of age). • of a class prescribed by regulation (no additional classes have been prescribed by regulation at this stage) <p>An evaluation of the scheme will be conducted later this year (after conclusion of the two-year pilot period).</p> <p>The WSJT recommended that consideration of this pilot program being expanded to adult victim-survivors of sexual violence subject to the results of the upcoming evaluation report (recommendation 62, WSJT Report Two). The Queensland Government response to recommendation 62 said that the evaluation outcomes</p>
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	<p>GCCASV supports all recommendations of the WSJT in “Hear Her Voice Report Two, Volume One – Women and girls’ experiences across the criminal justice system.</p> <p><i>Adult restorative justice</i></p> <p>With regard to adult restorative justice, GCCASV notes the WSJT had consulted</p>	<p>of the pilot would inform consideration of extending the scheme to proceedings involving adult victims of sexual violence.</p> <p>The WSJT also made recommendations to improve the court experience of all complainants for sexual offences, including:</p> <ul style="list-style-type: none"> • special witness measures available (including the ability to choose whether to give evidence by remote room, recommendation 54, WSJT Report Two); • strengthening the law about improper questions (recommendation 53, WSJT Report Two); and • video recording police interviews with victims and permitting this to be used as evidence in chief (recommendation 55, WSJT Report Two) <p>The Queensland Government response supported recommendation 53, 54 and 55.</p> <p>Recommendation 54, WSJT Report Two provides that amendments to the <i>Evidence Act 1977</i> should not commence until implementation of recommendations relating to upgrading technology in courtrooms throughout Queensland, to facilitate victims giving video-link and telephone evidence, have been implemented.</p> <p>As part of the response to WSJT Report Two (Recommendation 52), Government has invested additional capital funding of \$12.76 million over three years to support the modernisation and digitalisation of Queensland courts remote witness facilities, including through expanding Courts video conferencing enabled locations and development and rollout of a vulnerable witness evidence solution. This work will commence in the second half of 2023.</p> <p>Noted.</p>
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	<p>and addressed this issue in <i>Hear Her Voice Report Two</i>, and agrees with Recommendations 90, 91, 92 and 125 of <i>WSJT Hear Her Voice, Report Two</i>.</p> <p><i>Keeping victims informed</i></p> <p>Most common complaint GCCASV hears from clients is a lack of communication between police, ODPP and victim-survivors. The Victim Liaison Officer in ODPP should take lead in communication throughout the court process. Clear, respectful and timely communication is an entry level requirement to a trauma informed, victim centred response.</p>	<p><i>Adult restorative justice</i></p> <p>Noted. Please refer to response to QLS submission.</p> <p><i>Keeping victims informed</i></p> <p>In response to victim-survivors who told WSJT that they were not provided with sufficient information or kept up to date with the progress of proceedings and the making of decisions the Taskforce recommended that the DPP:</p> <ul style="list-style-type: none"> • review the Director’s Guidelines and provide additional guidance about the prosecution of sexual violence related cases and the treatment of victim-survivors in those cases (recommendation 47); and • independently review the role and operation of the Victim Liaison Officer program to assess impacts and outcomes achieved for victim-survivors and ensure the program is able to provide timely and up to date information to victim survivors at critical points in the criminal justice system (recommendation 49) <p>The Queensland Government supported recommendation 47 and supported in principle recommendation 49 committing to review the prosecution of matters referred to the DPP involving victim-survivors of sexual violence and in particular the role and operation of the ODPP Victim Liaison Officers to ensure that timely and correct information is provided at critical points of the criminal justice system.</p> <p>The Queensland Government also supported in principle recommendation 50 by committing to exploration of opportunities for the Queensland Police Service and the DPP to establish a robust, transparent and easily accessible internal ‘right to review process for decisions of police and prosecutors. This would include an ability for a victim to request a review of police’s decision to discontinue charges</p>
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	<p><i>Awareness of Charter of Victims' Rights</i></p> <p>There is a lack of awareness amongst the general public regarding VOCA Act and the Charter of Victims' Rights.</p> <p><i>Expansion of VAQ scheme</i></p> <p>GCCASV does not support any increase in the eligible victim's categories before allocation of adequate funding and resources to address the already unacceptable wait time for existing eligible victims. Any expansion of the scheme must include additional funding and resources.</p> <p><i>Financial Assistance</i></p> <p>Wait times for processing of financial assistance applications is too long for traumatised victims, especially historical crimes. Timely process and payments are trauma informed and increase victim /survivor safety (e.g. victims of sexual violence are greater risk of homelessness, which in turn increased</p>	<p>or to have a decision made on behalf of the DPP reviewed by another more senior officer.</p> <p><i>Awareness of Charter of Victims' Rights</i></p> <p>Noted. Please refer to comments under <i>Victims' Commissioner</i> in response to the WLS Qld submission. A primary purpose of a victims' commissioner will be to promote and protect the rights of victims.</p> <p>Regular training is provided to the sector by VAQ's Community Liaison Officer including in relation to the Charter and victim awareness of the financial assistance scheme. Significant online resources exist about the scheme, including access to services and applying for assistance.</p> <p><i>Expansion of VAQ scheme</i></p> <p>Noted. The review of financial assistance scheme described under <i>Financial assistance under VOCA Act</i> in response to the knowmore submission, will explore alternate models of financial assistance schemes.</p> <p><i>Financial Assistance</i></p> <p>Please refer to comments under <i>Financial assistance under VOCA Act</i> in response to the knowmore submission.</p>
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	<p>their risk of experiencing further sexual violence).</p> <p><i>Financial Assistance – decisions</i></p> <p>GCCASV states there is inconsistency between individual assessors decisions and there is a failure to consider what the victim survivor deems necessary or optimal for their own recovery.</p> <p><i>Financial Assistance – alternative models</i></p> <p>GCCASV recommends the criteria to meet the threshold for fast tracking of VAQ applications be made publicly available. Consideration should be given to an automatic release of an agreed funding amount while processing occurs to assist with immediate out of pocket expenses.</p> <p><i>Financial Assistance – supporting documents</i></p>	<p><i>Financial Assistance – decisions</i></p> <p>Assessors make decisions based on the evidence available in each case and by applying the current policies and guidelines. VAQ acknowledges that changes to policy and guidelines over the life of the scheme have resulted in some situations where expenses paid in the past have subsequently been refused.</p> <p>Section 131 of the VOCA Act empowers the Chief Executive to make guidelines the performance of a function or exercise of a power by a Government Assessor or the Scheme Manager, as well as a table of costs (https://www.publications.qld.gov.au/dataset/victim-assist-queensland-guidelines).</p> <p><i>Financial Assistance – alternative models</i></p> <p>Please refer to comments under <i>Financial assistance under VOCA Act</i> in response to the knowmore submission.</p>
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	<p>While not mandatory it is experience of victims during the VAQ application process that it becomes mandatory to provide VAQ with a medical certificate from a doctor. Consideration to expanding category of practitioners who can provide certificate about impact of offence on victim to include social workers, counsellors and specialist sexual assault workers.</p> <p><i>Offender Debt Recovery</i></p> <p>Recovery of funds from offenders is problematic for many victims who fear repercussions from the offender and has stopped many clients initially applying. GCCASV supports a trauma informed process of choice and control where victim/survivors are made aware up front that this is part of the process unless they actively advocate against recovery from the offender.</p> <p><i>Charter complaints</i></p>	<p><i>Financial Assistance – supporting documents</i></p> <p>Financial assistance under VOCAA is predicated on the victim sustaining an injury as defined in VOCAA (section 25 (act of violence) and section 27 (meaning of injury)). An exception to this applies to financial assistance for funeral expenses and certain financial assistance payments to Related Victims (e.g. dependency payment).</p> <p>The Review of the VOCA Act, completed in 2015, included recommendations regarding the removal of barriers to applying for assistance, including the then requirement for a medical certificate to be submitted with an application. Section 42 of the VOCAOLA Act amended the provisions regarding the form of application and, upon commencement on 1 July 2017, victim-survivors were no longer required to provide a certificate to have a valid application.</p> <p>In all cases, assessors will attempt to verify the injury requirement through any existing records available to them (e.g. police report content, court transcripts) where possible, prior to requesting records from victim-survivors.</p> <p>Please also refer to the comments under <i>Consent to Third Party providing information</i> in the response to the LawRight submission.</p> <p><i>Offender Debt Recovery</i></p> <p>Please also refer to the comments under <i>Offender Debt Recovery</i> in the response to the LawRight submission.</p>
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	<p>There is currently no consistency or transparency in the charter complaints process or outcomes. Supports recommendation 21 of WSJT for agencies to publish complaints data. Common complaint themes should inform training needs and assist in building trauma informed responses that better meet needs of victims.</p> <p><i>Human Rights Act 2019 review</i></p> <p>Supports recommendations 19, 20 and 21 WSJT Report Two, which includes specific focus of victim rights in the next statutory review of <i>Human Rights Act 2019</i> and consideration whether victims' rights or the Charter of victims' rights in the <i>Victims of Crime Assistance Act 2009</i></p>	<p><i>Charter Complaints.</i></p> <p>Please refer to comments under <i>Enforceable Charter of Victims' Rights</i> in response to the knowmore submission with regard to reforms arising from findings of WSJT about shortcomings in the current complaints process.</p> <p>The Government will require relevant departments to report the number of Charter complaints received and how they are dealt with, in their annual reports from 2023-24.</p> <p>A pilot involving key agencies currently receiving Charter complaints will be undertaken in 2023-24 to ensure staff have improved awareness of their Charter obligations, ability to identify Charter complaints and that processes are in place for the collection of Charter complaint data.</p> <p>In response to recommendation 23 of WSJT Report One, the Queensland Government is developing an evidence based, trauma informed framework to support domestic and family violence training, education and change management across all parts of the DFV and justice service systems, informed by the voices of people with lived experience and developed in collaboration with experts in the service sector, academia and policing. This framework will guide the development of new training and enable existing training to be reviewed, to ensure consistency of understanding of issues and responses including sexual violence that occurs within a DFV context. The training framework will be regularly reviewed to ensure it remains contemporary and will consider issues that commonly arise through relevant complaints processes, including in relation to the Victims' Charter, as part of the review process.</p> <p><i>Human Rights Act 2019 review</i></p> <p>Please refer to comments regarding review of the <i>Human Rights Act 2019</i> in response to WLS Qld submission.</p>
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	<p>should be expanded and incorporated into the Human Rights Act 2019.</p> <p>Supports the establishment of a Victims' Commissioner as recommended in recommendation 18 WSJT Volume One.</p>	<p>Noted. Please refer to comments under <i>Victims' Commissioner</i> in response to the WLS Qld submission.</p>
<p>DV Connect (37)</p>	<p><i>Support for victim-survivors</i></p> <p>DV Connect argues for greater support to victims of crime in navigating the criminal justice process through the provision of case specific, information, advice and advocacy.</p> <p><i>Information on Charter</i></p> <p>There is a lack of proactive and easily accessible information for victims, victims are not informed of a Charter of victims' rights.</p> <p><i>Understanding the effects of violence on children</i></p> <p>A gap in the service system is an understanding of the effects of violence on a child who are victims of domestic, family and sexual violence and under-resourcing of existing services for this victim cohort.</p>	<p><i>Support for victim-survivors</i></p> <p>Please refer to comments under <i>Support for victim-survivors</i> in response to the knowmore submission.</p> <p><i>Information on Charter</i></p> <p>Please refer to comments under <i>Awareness of Charter of Victims' Rights</i> in response to the GCCASV submission.</p> <p><i>Understanding of the effects of violence on children</i></p> <p>Noted. Please refer to comments under <i>Funding of specialist sexual violence services</i> and <i>Training</i> sections in response to the GCCASV submission.</p>

	<p><i>Expanding eligibility under VOCA Act</i></p> <p>DV Connect would not be opposed to the inclusion of home invasion in the VOCAA, as long as the impacts of this inclusion in two domains was duly considered:</p> <ul style="list-style-type: none"> - there are many other types of non-violent crime that do not fall under VOCCA - service systems are already struggling with capacity and may not be able to accommodate an expansion <p><i>Financial Assistance- delays</i></p> <p>There have been dramatic administrative improvements to the financial assistance system that have had positive impacts on victims of crime. However, delays between financial assistance applications can have a significant impact on a person’s sense of safety and agency. The timeframe for ‘urgent payments’ needs to be reviewed. VAQ’s capacity to respond to victim inquiries needs to be considered. The experience of the financial assistance process needs to be fully mapped with inclusion of people with lived experience across the geographic and population diversity of Queensland.</p>	<p><i>Expanding eligibility under VOCA Act</i></p> <p>Please refer to comments under <i>Financial assistance – eligibility</i> in response to the Queensland Indigenous Family Violence Legal Service submission</p> <p>.</p> <p><i>Financial Assistance – delays</i></p> <p>Please see comments under <i>Financial assistance under VOCA Act</i> in response to the knowmore submission.</p>
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	<p><i>Charter Complaints</i></p> <p>A systemic issue that needs to be addressed is victim’s lack of awareness of the charter and their rights. Resources should also be allocated to pathways for victims to demand their rights are upheld and more accountable complaint management process.</p> <p><i>Funding of victim supports</i></p> <p>Current funding for victim of crime support sector does not adequately cover Queensland’s geographic spread and diversity.</p> <p>The sexual assault and DFV service sector, particularly the sexual violence support sector, struggle to respond to the demands of the wide-reaching needs of people impacted by these types of violent crime.</p> <p><i>Systems advocacy and engaging with lived experience</i></p>	<p><i>Charter Complaints</i></p> <p>Please refer to comments under <i>Victims’ Commissioner</i> in response to the WLS submission.</p> <p>The Government will require relevant departments to report the number of Charter complaints received and how they are dealt with, in their annual reports from 2023-24. A pilot involving key agencies currently receiving Charter complaints will be undertaken in 2023-24 to ensure staff have improved awareness of their Charter obligations, ability to identify Charter complaints and that processes are in place for the collection of Charter complaint data.</p> <p><i>Funding of victim supports</i></p> <p>Noted. Please refer to comments under <i>Funding of specialist sexual violence services</i> and <i>Training</i> sections in response to the GCCASV submission.</p> <p><i>Systems advocacy and engaging with lived experience</i></p>
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	<p>DV Connect's submission highlights the need for funding to support system advocacy. Participation of people with lived experience needs to be beyond insight into current processes and how they impact individuals to participating in design, development and implementation feedback loops.</p>	<p>Please refer to comments under <i>Victims' Commissioner</i> in response to the WLS submission with regard to the breadth of functions a victims' commissioner may undertake, which includes engaging with those with lived experience.</p>
<p>Brisbane Rape and Incest Survivors Support Centre (39)</p>	<p><i>Support for victim-survivors</i></p> <p>The lack of coordination of services after reporting and along the criminal justice process is a significant factor contributing to re-victimisation.</p> <p>A victim-centric justice system calls for expanding funding of sexual assault services beyond counselling to include appropriate and adequate court and/or victim support.</p> <p><i>Keeping victims informed</i></p> <p>Victims of domestic violence and sexual crimes perceive themselves as being an 'outsider' to the criminal process having no control at all on how their case progresses. The perception is the system is focused heavily on the defendant's rights.</p>	<p>Support for victim-survivors</p> <p>Please refer to comments under <i>Support for victim-survivors</i> in response to the knowmore submission.</p> <p>.</p> <p><i>Keeping victims informed</i></p> <p>Please refer to comments under <i>Keeping victims informed</i> in response to the GCCASV submission in relation to activities that seek to improve communication with victims during prosecution processes.</p>

	<p><i>Restorative Justice</i></p> <p>Groups of women survivors have expressed special interest in adult restorative justice to address sexual harm. However existing obstacles include absence of information and resources as well as access restorative justice processes. For example, DPP/QPS declining offering RJ option due to it 'not sending the right message to community'.</p> <p>Victim support services are key in restorative justice in terms of advocating for victims' needs and ensuring their safety during the entire process.</p> <p><i>Financial Assistance – delays</i></p> <p>Delays in VAQ processing times, such as special recognition payments to fund an initial psychology session, significantly impacts on victims being able to complete their applications.</p> <p>Poverty and homelessness are not adequately taken into account under 'urgent needs' application category.</p> <p><i>VOCA Act eligibility – historic crimes</i></p> <p>A gap with current legislation is the provisions in s.154 and 156 VOC Act which exempt victims of historic sexual</p>	<p><i>Restorative Justice</i></p> <p>Please refer to comments under <i>Restorative Justice</i> in response to the Queensland Law Society submission.</p> <p><i>Financial Assistance – delays</i></p> <p>Please refer to comments under <i>Financial assistance under VOCA Act</i> in response to the knowmore submission.</p> <p><i>VOCA Act eligibility – historic crimes</i></p>
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	<p>crimes from VAQ assistance due to the timing of the offence, despite perpetrators being sentenced more recently. One victim described this as ‘the trauma and suffering received from the hands of the perpetrator was dismissed and the victimhood experience was denied’.</p> <p><i>VAQ communication</i></p> <p>The VAQ process, including written communication, is too complicated for victims from non-english speaking background or who are illiterate.</p>	<p>The VOCA Act transitional provisions (Chapter 6, Part 2) deal with eligibility for financial assistance for crimes committed before commencement on 1 December 2009. Victim-survivors who would have been eligible for criminal compensation under the previous scheme/s are eligible for financial assistance under the VOCA Act. Transitional provisions of this nature are not uncommon and provide equity to past victims to ensure that a person’s right to apply for compensation under the previous criminal injury compensation scheme was not affected by the commencement of a new scheme.</p> <p>VAQ notes that the effect of the transitional provisions is that some victim-survivors are required to wait until an offender is convicted until their eligibility to apply for financial assistance is met, alternately, some victim-survivors may be ineligible should the offender be dealt with in the Magistrates Court. Any changes to the transitional provisions would have far-reaching consequences.</p> <p><i>VAQ communication</i></p> <p>Please refer to comments under <i>Financial assistance under VOCA Act</i> in response to the knowmore submission.</p>
<p>Full Stop Australia (51)</p>	<p><i>Keeping victims informed</i></p> <p>The criminal justice process is very defendant focussed. Victims receive inconsistent responses across the system and in some circumstances very little information.</p> <p>The ODPP engagement can be inconsistent, including the timing of the preparation interview for trial, the time that</p>	<p><i>Keeping victims informed</i></p> <p>Please see comments under <i>keeping victims informed</i> in response to the <i>GCCASV submission</i> in relation to activities that seek improve communication with victims during prosecution processes.</p>

	<p>is provided to victims before the trial or court proceeding and the extent of the information that is provided, which is critical to victims understanding the trial process.</p> <p><i>Support for victim-survivors</i></p> <p>Specific funding is needed to provide specialist sexual violence services (with a thorough understanding of the legal system) to provide advocacy support to victim's through their criminal justice journey (from reporting to attending court and beyond). The submission notes Domestic and Family Violence Death Review and Advisory Report which recommended investigation of legal advocacy initiatives, finding that legal advocacy for DFV victims is associated with greater social support, better quality of life, reduced likelihood of further abuse and greater access to community resources.</p> <p><i>Financial Assistance - delays</i></p> <p>Supports any response to improving timeliness of application and processing of compensation under VOCA Act as some outcomes can take years before payment is made.</p>	<p><i>Support for victim-survivors</i></p> <p>Please refer to comments under <i>Support for victim-survivors</i> in response to the knowmore submission.</p> <p>In addition Recommendation 114 of the WSJT Report Two, WSJT identified the need to review the guidelines for grants of aid for legal services, to ensure that women are not disadvantaged by priorities for grants of aid for legal representation in criminal law matters, or the provision of duty lawyer services. The Queensland Government supported in principle the intent of this recommendation, stating it will work with Legal Aid Queensland to consider existing grants of aid and the provision of duty lawyers services including through a review to identify improvements to priorities, policies and guidelines as well as the adequacy of existing funding and grants of aid to ensure equitable access for women and girls. Consideration of implementation of this recommendation is currently under review.</p> <p><i>Financial Assistance - delays</i></p> <p>Please refer to comments under <i>Support for victim-survivors</i> in response to the knowmore submission.</p>
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	<p><i>Human Rights Act 2019 review</i></p> <p>Supports the call for the rights of victims of gendered violence to be specifically protected in Queensland under the <i>Human Rights Act</i> as this will elevate the rights of victims in the process.</p>	<p><i>Human Rights Act 2019 - review</i></p> <p>Please refer to comments regarding review of the <i>Human Rights Act 2019</i> in response to WLS Qld submission.</p>
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Victim Support Stakeholders		
Submitter	Issues raised	Departmental Response
<p>QSAN (20)</p>	<p><i>Victim-survivor support</i></p> <p>There is a lack of trauma-informed responses, especially when responding to sexual violence, across all agencies who interact with victims of sexual violence. Services across the sector should engage in trauma-informed training from an external and accredited provider</p> <p>Specific funding is needed for specialist sexual violence services to provide victims with support when reporting to police and attending court. An advocacy and support service could improve communication with victims, QPS and ODPP.</p> <p>A legal service to support victim-survivors of sexual violence should be funded to</p>	<p><i>Victim-survivor support</i></p> <p>Please refer to comments under <i>support for victim-survivors</i> in response to Knowmore submission, particularly with regard to recommendation 13 of the WSJT Report Two regarding a trauma informed system of safe pathways for victim-survivors of sexual violence across the sexual assault and criminal justice system. Please also refer to responses to the GCCASV submission regarding recommendation 23 and 24 and development of a trauma-informed Training Framework.</p>

	<p>provide a ‘one stop shop’ to obtain legal advice and assistance about issues such as the court process, bail and parole, the victim’s registry, legal issues about privacy, defamation and speaking out in public about the case, and victim’s compensation.</p> <p><i>Electronic portal</i></p> <p>In relation to waiting periods for court matters, QSAN services questioned whether a portal could be developed for the victim-survivor to log onto and view upcoming court dates and status.</p>	<p><i>Electronic portal</i></p> <p>DJAG notes the recommendation. Scoping work is currently underway as part of the department’s Courts and Tribunals Digitisation Program. The scope of this work may include a portal for all court users to access and view information regarding upcoming court dates and other relevant information.</p> <p>In 2017, the One-Stop Shop Strategy and Implementation Office (OSSIO) in partnership with VAQ, QPS, Health, Communities and other Departments, conducted extensive, broad-based research into victim experience and made recommendations for future solutions. These included a victim portal to give victims access to information and services across the criminal justice process. Following from this, the Queensland Government undertook to develop a business case for an end-to-end victims’ portal. The intent of the portal was to introduce a single point of contact for victim-survivors, to engage with all criminal justice system agencies and support services, including applying for financial assistance, and interacting with VAQ (e.g. tracking the status of an application or payment, uploading receipts and invoices).</p> <p>The business case development included participation from the Queensland Police Service, Court Services Queensland, VAQ, the Office of the Director of Public Prosecutions, Queensland Corrective Services (Victims Register), Office for Women and Violence Prevention, and the Queensland Health Victim Support Service. The implementation of a Victims’ Portal would require significant investment from government, including significant resourcing for the agencies noted above.</p>
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	<p><i>Specialist sexual violence court</i></p> <p>The submission noted there can be inequity for victim-survivors in legal processes especially when the perpetrator is well resourced and is, therefore able to use a variety of court applications and other legal tactics to prolong the proceedings. QSAN suggested a specialist sexual violence court with tightly managed case management processes would limit the ability of defendants and their lawyers to engage in intentional time wasting and system’s abuse.</p> <p><i>Keeping victims informed</i></p> <p>There is a lack of consistency across the State about how much or how little the ODPP communicate with victims, with some members reporting victims often do not have an interview with ODPP until an hour before or the day before a court event.</p> <p><i>Restorative Justice</i></p>	<p><i>Specialist sexual violence court</i></p> <p>As part of its response to Recommendation 69 of the Women’s Safety and Justice Taskforce, the Queensland Government is assisting the Chief Judge to consider establishing a specialist list for sexual violence cases. The aim of this is to improve the management of sexual offences, reduce delays and improve the court experience for victims.</p> <p><i>Keeping victims informed</i></p> <p>Please refer to comments under <i>Keeping victims informed</i> in response to the GCCASV submission. and the response to Queensland Indigenous Family Violence Legal Service regarding Recommendation 67 of the WSJT Report Two</p> <p><i>Restorative Justice</i></p> <p>Please refer to comments under <i>Restorative Justice</i> in response to the Queensland Law Society submission.</p>
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	<p>Any restorative justice model should be developed at the same time as substantial changes to the criminal justice system itself.</p> <p><i>Financial Assistance applications</i></p> <p>The submission noted victim-survivors are confused and overwhelmed by the compensation process.</p> <p>Current financial assistance applications can take up to two years to be processed. This has a large impact on the victim financially but also in their healing process as it delays getting the recognition of being ‘wronged’ and cannot get closure. QSAN considered considers 3 months is an appropriate processing time.</p> <p>QSAN understands VAQ established a specialist team to process applications for HRT clients, QSAN submits the same approach should be provided to sexual violence clients because waiting for payments can prolong their trauma and impair their healing.</p> <p>Urgent needs are hardly every paid and poverty and homelessness are not adequately considered.</p> <p>For matters heard in the Magistrates Court, victims are not entitled to compensation, this should be changed.</p>	<p><i>Financial assistance application</i></p> <p>VAQ is also in the process of developing a new online form for victim-survivors to apply for financial assistance.</p> <p>Please also refer to comments under:</p> <ul style="list-style-type: none"> • <i>Financial assistance under VOCA Act</i> in response to the knowmore submission; • <i>Financial Assistance – supporting documents</i> in response to the Gold Coast Centre Against Sexual Violence submission; and • <i>VOCA Act eligibility – historic crimes</i> in response to the Brisbane Rape and Incest Survivors Support Centre submission.
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	<p>Victims are retraumatised through the retelling of their story.</p> <p><i>Victim Charter</i></p> <p>Current complaints mechanisms regarding breaches against the Charter of Victims' Rights are of no real or practice impact or recourse for victims. The process is difficult to navigate.</p> <p><i>Protection on the Human Rights Act 2019</i></p> <p>QSAN supports the rights of victims of gendered violence be specifically protected in Queensland under the <i>Human Rights Act 2019</i> as this will elevate the rights of victims in the criminal justice system process.</p>	<p><i>Victim Charter</i></p> <p>Please refer to comments under <i>Enforceable Charter of Victims' Rights</i> in response to the knowmore submission.</p> <p><i>Protection on the Human Rights Act 2019</i></p> <p>Please refer to comments regarding review of the <i>Human Rights Act 2019</i> in response to WLS Qld submission.</p>
<p>Qld Homicide Victims Support Group (53)</p>	<p><i>Funding support services</i></p> <p>The is a need continue to fund organisations which are independent of government, and who provide specialised support to victims of certain types of crime, such as homicide, rather than a generalised service.</p> <p>QHVSG is insufficiently funded to provide the depth and breadth of court support that is needed by homicide victims.</p>	<p><i>Funding support services</i></p> <p>VAQ's Victim Services Funding Program (https://www.qld.gov.au/law/crime-and-police/victims-and-witnesses-of-crime/agency-training-funding-and-research/funding-for-support-agencies) has allocated more than \$17 million over 2022-2027 to community organisations to provide free or low-cost services to victims of crime in Queensland, including \$581,100 annually to the QHVSG. The Queensland Government has recently allocated an additional \$3 million in funding, over three years, for the VSFP to provide additional support for victims of property crime with violence.</p>

	<p><i>Period of Financial Assistance</i></p> <p>Homicide victims have long-term needs which extend beyond the current six year period in the VOC Act.</p> <p>In situations where a homicide involves the use of a motor vehicle or the death occurs in a work place VAQ requires victims to receive an outcome from their compulsory third party and workers compensation insurer first. This can create a problem where the applicants are unable to access any financial assistance for long periods of time for urgent expenses (e.g. funeral, immediate safety concerns, loss of income). To overcome this it is recommended VAQ assess the application and if approved, provide the financial support and then seek reimbursement from the CTP or workers compensation if it is successful.</p>	<p><i>Period of Financial Assistance</i></p> <p>Section 3 of the VOCA Act, outlines the objectives of the financial assistance scheme, including that the assistance available is not intended to reflect civil damages. The existing six-year timeframe for amendments (or six years from the time a child turns 18) (section 101(3) of the VOCA Act) to a grant of assistance, was considered to be an appropriate period when the VOCA Act was drafted and also during the review of the VOCA Act in 2015.</p> <p><i>Other sources of assistance</i></p> <p>Section 21(4) of the VOCA Act establishes the financial assistance scheme as a complimentary one, in that a victim-survivor is not entitled to the payment of financial assistance in relation to an act of violence, to the extent the person has received, or will receive, payment of an amount in relation to the act of violence from another source. Relevant payments are defined in Schedule 3 of the VOCA Act and that definition is broad, with the intent to ensure a victim-survivor does not receive duplicate payments (e.g. claiming a Medicare rebate when VAQ have paid the practitioner, or loss of earnings from VAQ and income protection insurance payments). VAQ acknowledges that the application of the 'other source amount' provisions can be complex and confusing for victims.</p> <p>Requiring VAQ to seek reimbursement of payments from other schemes, would reduce the burden on victims, however the financial and resource impact on VAQ would need to be considered and addressed in order avoid additional delays to applications being decided.</p>
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The Department of Justice and Attorney-General acknowledges many of the submissions detail an individual's experience following an horrific event which has significantly impacted on their lives and their family members.

In responding to these submissions, DJAG has identified issues that relate to existing service provision or activities the government is undertaking and has not attempted to summarise or respond to all the individual issues raised in the submissions.

Issue	Details in submissions:	Response
Cultural competency	<ul style="list-style-type: none"> - VOCA Act limitations on who is a family, particularly pertaining to First Nations people (21). 	<p>The VOCA Act (Schedule 3 – definition of <i>family member</i>) recognises the concept of family for First Nations victims and enables a person, who under Aboriginal tradition or Island custom is regarded a family member pursuant to VOCA Act, to apply for financial assistance. The definition of family member includes a person’s spouse, child, parent, step-parent, sibling and step-sibling. The current definition in VOCAA does not include in-laws or grand-parents.</p> <p>Any expansion to the definition of family member, would have financial and resource implications for VAQ, as well as be inconsistent with any other financial assistance or compensation model in Australia. The review of VAQ’s financial assistance scheme, described under <i>Financial assistance under VOCA Act</i> in response to the knowmore submission will consider comparable financial assistance schemes in other jurisdictions.</p>
Financial Assistance	<ul style="list-style-type: none"> - Submissions identified financial assistance application process is onerous, particularly gathering of supporting documentation. (8, 21, 36, 46, 52) - There are significant delays (up to 2 years) in processing applications, this often impacts victim’s wellbeing (8, 10, 21, 24) - Delays in reimbursement resulted in victims having to pay service providers (e.g. psychologists, security providers) up front, sometimes causing financial distress (10, 21, 29) - Some victims have to wait for WorkCover claims to be processed before they can 	<p>Please refer to comments under:</p> <ul style="list-style-type: none"> • <i>Financial assistance under VOCA Act</i> in response to the knowmore submission; • <i>Financial Assistance – supporting documents</i> in response to the Gold Coast Centre Against Sexual Violence submission; • <i>Expansion of VAQ scheme</i> in response to the Gold Coast Centre Against Sexual Violence submission • <i>VOCA Act eligibility – historic crimes</i> in response to the Brisbane Rape and Incest Survivors Support Centre submission; • <i>Financial assistance application</i> in response to the QSAN submission. • <i>Electronic Portal</i> in response to the QSAN submission; and • <i>Other sources of assistance</i> in response to the Queensland Homicide Victims Support Group submission.

	<p>make an application to VAQ to access the recognition payment. (10)</p> <ul style="list-style-type: none">- Submission identified inadequate funding for counselling (8, 24, 29)- A Submission identified a lack of follow up by VAQ assessor with victim or medical professionals to determine the full extent of physical and mental damage sustained before making decision. (24)- Victims experience difficulty in finding information about available financial support (10).- Any burdensome application process significantly adds to stress and trauma of victims, recommend immediate access to free professional medical/psychological support for victims of crime that meet eligibility criteria. (30)- VAQ should have a reminder system so that applicants can be notified that their case will be closing to ensure victim's do not miss timeframes for claiming reimbursement of expenses (e.g. travel to court). (46)- Consideration needs to be given to financial assistance to cold cases where, while need for counselling or other support services are no longer necessary, the finalisation through the court system is still to occur and there will be accommodation and travel costs	
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	<p>arising for interstate family members to attend the court proceedings. (23)</p> <ul style="list-style-type: none"> - There should be a special consideration category for victims who may be eligible for assistance under special circumstances e.g. missing person, suspected homicide and significant delays in investigation. (44) - Time limits to apply for the scheme with regard to victims and survivors of child abuse should be removed. (50) 	
<p>Access to court information</p>	<ul style="list-style-type: none"> - A submission identified victims would benefit from more detailed information on the Mental Health Court's decision-making. It can take over 2 years for cases to case to be heard in the mental health court, finalised, and potentially referred back to criminal court for continued proceedings (10) <p>Hearing and court cases need to be as soon as possible after the event (43).</p> <ul style="list-style-type: none"> - Section 9 <i>Recording of Evidence Regulation 2018</i> should be amended to allow victims to obtain one free copy of an existing transcription of a record in the Mental Health Court. (10) - Where criminal trials are closed the judge or magistrate should meet with the victim and explain the reason for their exclusion, hear any victim impact statement and meet with victim post-trial 	<p>In accordance with Recommendation 70 of the WSJT Report 2, DJAG is undertaking consultation with the judiciary, including with the President of the Mental Health Court of Queensland, to identify opportunities to improve the efficiency and timeliness in which cases are finalised in accordance with trauma-informed principles. To further improve management of these cases and reduce delays, the implementation of a pilot voluntary case conferencing model is also being considered (recommendation 71, WSJT Report 2).</p> <p>Noted. Restrictions on access to Mental Health Court transcripts is governed by provisions under the <i>Mental Health Act 2016</i> (which sits within the responsibilities of the Queensland Health) and Mental Health Court (MHC) Practice Direction 1/2019 by Justice Dalton, which override the <i>Recording of Evidence Regulation 2022</i>.</p> <p>Noted. The need for better communication and information support to victims may be addressed by recommendation 9, WSJT Report Two. Please refer to</p>

	to explain their judgement and sentencing (30).	comments under <i>Support for victim-survivors</i> in response to the knowmore submission.
Restorative Justice	<ul style="list-style-type: none"> - Submissions indicated some victims have a preference to engage with restorative justice processes. Reasons include restorative justice provides victim agency for the method of accountability for the alleged perpetrator, it can help victims address their trauma (10, 30, 52) - There is opportunity for restorative justice conferencing to be utilised in matters referred to the mental health court, given large majority of victims and offenders have a pre-existing relationship. (10) - Restorative justice is an opportunity for victims to address their trauma, should be a requirement for offenders deemed suitable by QPS or the court (30). 	Please refer to comments under <i>Restorative Justice</i> in response to the Queensland Law Society submission.
LGBTIQ+ support	<ul style="list-style-type: none"> - There is a lack of targeted, specialist, culturally safe, accessible services for LGBTIQ+ people in both domestic and family and sexual violence and Victims Support services. This results in hesitance and mistrust from LGBTIQ+ community. (47) - There must be clear and explicit direction from governments, ongoing consultation and input from community stakeholders and a structured approach to the provision of culturally safe and 	<p>In July 2022 a preliminary review of the demand of domestic and sexual violence services was completed, which informed the allocation of an additional \$22.5 million over the next three years to existing services to improve service capacity to address ongoing and increased demand.</p> <p>A second phase of this review which considered long term investment requirements according to both demand and supply of support services was completed in late 2022. As a result of this review and also in response to the recommendations issued by the WSJT, DJAG is developing a whole-of-government domestic and family violence service system strategic investment plan, which will ultimately inform future decisions to support and enhance domestic, family and sexual violence responses across Queensland.</p>

	<p>meaningful supports for LGBTIQ+, Sistergirl and Brother boy Queenslanders, particularly Trans, Gender Divers and nonbinary Queenslanders. Relationships with the community must be held directly with DJAG and the Office for Women. (47)</p>	<p>Under the Legal Assistance Service Plan (LASP) the State, through DJAG, administers Queensland and Commonwealth funding for the delivery of legal assistance services by the Aboriginal and Torres Strait Islander Legal Service (ATSILS), Community Legal Centres (CLCs) and Legal Aid Queensland (LAQ),</p> <p>Commonwealth Government funding for legal assistance services is provided to states and territories to administer through the <i>National Legal Assistance Partnership 2020-25</i> (the NLAP).</p> <p>Under the current NLAP arrangements, the LGBTI Legal Service Inc receives funding to provide free and confidential advice to the LGBTIQA+ community throughout Queensland. LGBTI Legal Services provides a wide variety of services to the LGBTIQA+ community, including advice and assistance on matters relating to family law, domestic and family violence, criminal law, discrimination and human rights, employment, gender identity, surrogacy and parenting rights, administrative law and general civil law.</p> <p>The Queensland LGBTIQ+ Roundtable will include representation from the Department of Justice and Attorney-General.</p>
<p>VAQ interactions</p>	<p>VAQ failed to be mindful of when how / when contact is made (e.g. relatives day of death/birthday) contributing to trauma of victim (29).</p>	<p>Implementing and embedding a trauma-informed approach is a priority in VAQ's 2022-23 Business Plan and the trauma-informed principles of safety, trust, choice, collaboration, empowerment, and diversity have been adopted as the organisation's values.</p> <p>VAQ has amended many of its forms and other communication to ensure they are trauma informed and the completion of training in trauma-informed practice is mandatory for all VAQ staff.</p> <p>Assessors make genuine efforts to avoid important dates for victims and generally avoid sending adverse decisions to clients around Christmas or other significant times of the year, but human error can occur particularly where a matter has many relevant dates</p>
<p>Expanding eligible victim category for assistance</p>	<p>- Any expansion of category of assistance will place more pressure on VAQ to</p>	<p>Please refer to comments under:</p> <ul style="list-style-type: none"> • <i>Financial assistance under VOCA Act</i> in response to the knowmore submission; and

<p>under VOCA Act</p>	<p>process applications they are struggling to currently process. (10)</p> <ul style="list-style-type: none"> - Submissions support expansion of VOCA financial assistance scheme to victims of home invasion. Reasons included the range of mental health impacts (including trauma) and safety concerns that arise from such a crime. (10, 30, 49, 50, 52) - Definition of ‘family member’ of victim should be extended to include grandparents. (12) - Financial support should be extended to victims of property crimes (e.g. car theft). (12, 30) - Victims services to create a special consideration category for victims and related victims who may be eligible under special circumstances (e.g. family members of missing persons suspected victim of homicide) (44) - Eligibility criteria should be expanded to include victims of fraud given the characteristics of current fraud approaches including the techniques used by offenders to perpetrate their offences which involve attracting the attention of a potential victim through complex techniques, the severity of the impact on victims which can permeate all aspects of a victim’s life and the need for 	<ul style="list-style-type: none"> • <i>Expansion of VAQ scheme</i> in response to the Gold Coast Centre Against Sexual Violence submission.
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	victim recognition and support to enable recovery. (48)	
Reviewing Victims and Human rights charter	<ul style="list-style-type: none"> - Submissions supported recommendation 20 from the WSJT Report Two to consider recognition of victims' VOCA Act charter rights in the <i>Human Rights Act 2019</i>. (10, 22) 	Refer to response to WLS Queensland regarding the review of the <i>Human Rights Act 2019</i> under Section 95 of the Act.
Establishment of a victims' commissioner	<ul style="list-style-type: none"> - Submissions supported establishment of a victims' commissioner and associated role as outlined in recommendations 18, 19, 46 and 181 of WSJT Hear Her Voice Report Two. (10, 22) - Consideration should be given to the role of the victim's commissioner in assessing, investigating and supporting resolution of victim complaints, and also how this work applies to victim matters dealt with by the Mental Health Court and Mental Health Review Tribunal. (10) - Victim's commissioner should be established in the Queensland Human Rights Commission and have powers to provide for effective enforcement including authority to intervene in proceedings and assist victims to participate in the justice process. The Commissioner should have sufficient powers to enable investigation and 	Please refer to comments under <i>Victims' Commissioner</i> in response to the WLS Qld submission.

	<p>correction of administrative decisions (22)</p>	
<p>Need for more co-ordinated support</p>	<ul style="list-style-type: none"> - Victims experience difficulty and have to seek support and information; they have to navigate many systems, organisations and processes. (5, 7, 21, 25, 43) - Negotiating multiple points of contact and support contribute to victim’s trauma and stress. Improved access to information and case management may reduce victim’s financial need if they feel better supported. (25) - A dedicated support person would assist in victims navigating complex system and issues that arise (43). - The current service system for victims of crime does not have a viable assessment and coordination process of proactively linking all victims of crime (with their consent) with relevant services both immediately after the offence, and through the journey of their matter in the criminal justice system, including court processes. A one stop information and support portal should be established for victims. This will reduce trauma associated with navigating a complex system. It should be trauma informed and pro-active outreach approach. (10) 	<p>Please refer to comments under <i>Support for victim-survivors</i> in response to the knowmore submission.</p>

	<ul style="list-style-type: none">- Experience of a victim through the criminal justice process would have been improved if there was a liaison officer, a single point of contact not QPS, not DPP but an officer well versed in the legal process, explain the processes of various services, interpret the inevitable jargon, follow up where necessary and ensure access to available support resources is in a timely manner. (16)- Public access to 'support pathways' needs to be directly available (transparent & easy to find) via website (or as many channels possible) to all public and linked directly from incident (first response) and stewarded via process through the relative stakeholders/support organisations. (25)- There needs to be a third party to better co-ordinate between the police, prosecutions, victims' services and victims themselves (54).- A submission identified no court support was received on or prior to day in court. (29)- Professionals from the mental health sector could guide and support victims during court processes (12).- Victims often have to retell their story to multiple people and organisations,	
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	<p>sometimes feeling like they are not believed (8).</p> <ul style="list-style-type: none"> - A professional victims' advocacy service can provide specialised trauma informed and victim centric support to victims. Advocate may act as a liaison with other support services to streamline the response. Should be available to all victims regardless of police report. Model should be based on United Kingdom's Independent Sexual Violence Advisor service and recommendations of the Victorian Law Reform Commission (26) 	
<p>ODPP</p>	<p>Better communication is needed for victims where defendants are referred to the Mental Health Court. Victims would benefit from the court process providing a more detailed explanation during the hearing about its decision. (10)</p> <p>Victims experienced poor, limited communication from ODPP. (4, 8, 12, 14, 23, 25, 36)</p> <p>There should be increased accountability for prosecution decisions through a Victims' right of review as in the UK and scope for judicial review of DPP decisions. (22)</p> <p>Engagement from DPP decreased over time particularly after case commenced in court; frequent changes to the Prosecutor appears</p>	<p>Please refer to comments under <i>Keeping victims informed</i> in response to the GCCASV submission.</p>

	<p>to have contributed to delays in progressing the matter. (23)</p> <p>Submission noted mixed experiences with DPP prosecutors praised support from victim liaison officer. Submission also noted final prosecutor was extremely professional, empathetic and treated us so respectfully and included our whole family in all decision making. Victims should be informed throughout the legal process. (46)</p>	
<p>Withdrawal of onsite court support funding</p>	<p>The removal of funding for onsite court support for victims (such as in Townsville); means victims now have to seek support outside the court, to do this victims need to know where to go to seek support. (8)</p>	<p>Please refer to comments under <i>Funding support services</i> in response to the Queensland Homicide Victims Support Group submission.</p> <p>Protect All Children Today (PACT) receive \$844,200 per annum to provide state-wide trauma-informed specialised support for child, youth and adult victims of crime interacting with the criminal justice system, and for children and youth who provide evidence to court.</p>
<p>Legal Support</p>	<p>Submission identified legal assistance is needed for victims e.g. writing a non-parole submission or challenging offender being beneficiary of deceased victim's superannuation. (5, 12, 21)</p>	<p>Under the Legal Assistance Service Plan (LASP) the State, through DJAG, administers Queensland and Commonwealth funding for the delivery of legal assistance services by the Aboriginal and Torres Strait Islander Legal Service (ATSILS), Community Legal Centres (CLCs) and Legal Aid Queensland (LAQ). These agencies make up the legal assistance sector.</p> <p>Commonwealth Government funding for legal assistance services is provided to states and territories to administer through the <i>National Legal Assistance Partnership 2020-25</i> (the NLAP).</p> <p>The legal assistance sector provides a variety of legal services across the breadth of Queensland, including direct representation, advice and advocacy. Each organisation has criteria to access their services, often including means and merit tests. This is often due to the finite funding that the organisations receive.</p> <p>This does often mean that the need for services outweighs the ability of the legal assistance sector to meet this expectation. Any consideration of the extending</p>

		<p>services to meet additional legal needs of the community would need to be met with additional resourcing.</p>
<p>Coronial Process</p>	<ul style="list-style-type: none"> - Decision to not hold an inquest into mother’s murder was communicated via email without warning or support to go through the document. Victims should be contacted prior to sending sensitive information such as coronial reports. (44). - Coronial employees demonstrated little to no understanding of nature and dynamics of domestic and family violence. There should be mandatory training for Coroner’s Court employees in domestic and family violence (44) 	<p>In response to Recommendation 51 of the WSJT, the Queensland Government is developing a trauma-informed and intersectional strategy for Court Services Queensland and Community Justice Services to better support victims of domestic and family violence through the court process. Systematic reforms will support enhanced education and training for judicial officers, court staff, registrars about domestic and family violence and support ongoing professional development in domestic and family violence, sexual violence, and trauma informed practice.</p> <p>Under the Legal Assistance Service Plan (LASP) the Queensland Government allocates funding for the delivery of the Queensland Coronial Legal Service (QCLS). The QCLS is a state-wide specialist service delivered in partnership by Caxton Legal Centre and Townsville Community Law. It provides legal assistance to bereaved families involved in coronial process as well as contributing to relevant systems reform work.</p>