



LEGAL AFFAIRS AND SAFETY COMMITTEE

Members present:

Mr PS Russo MP—Chair

Mrs LJ Gerber MP

Ms SL Bolton MP (via teleconference)

Mr B Head MP

Mr JE Hunt MP

Ms JC Pugh MP (via teleconference)

Staff present:

Mrs K O'Sullivan—Committee Secretary

Mr B Smith—Assistant Committee Secretary

PUBLIC BRIEFING—INQUIRY INTO THE SUPPORT PROVIDED TO VICTIMS OF CRIME

TRANSCRIPT OF PROCEEDINGS

Friday, 31 March 2023

Brisbane

FRIDAY, 31 MARCH 2023

The committee met at 9.59 am.

CHAIR: Good morning. I declare open this public briefing for the committee's inquiry into the support provided to victims of crime. My name is Peter Russo, member for Toohey and chair of the committee. I would like to respectfully acknowledge the traditional custodians of the land on which we meet today and pay our respects to elders past and present. We are very fortunate to live in a country with two of the oldest continuing cultures in Aboriginal and Torres Strait Islander peoples, whose lands, winds and waters we all share. With me here today are: Laura Gerber MP, the member for Currumbin and deputy chair; Jason Hunt MP, the member for Caloundra; Jess Pugh MP, the member for Mount Ommaney, who is substituting for Jonty Bush; Bryson Head MP, the member for Callide, who is substituting for Jon Krause, the member for Scenic Rim; and Sandy Bolton MP, the member for Noosa.

On 16 March the Legislative Assembly agreed that this committee inquire into and report to the Legislative Assembly on the support provided to victims of crime in Queensland. The purpose of today's briefing is to assist the committee with its inquiry. Only the committee and invited witnesses may participate in proceedings. Witnesses are not required to give evidence under oath, but I remind witnesses that intentionally misleading the committee is a serious offence. These proceedings are similar to parliament and are subject to the Legislative Assembly's standing rules and orders. In this regard I remind members of the public that under the standing orders the public may be admitted to or excluded from the briefing at the discretion of the committee. I also remind committee members that departmental officers are here to provide factual or technical information. Any questions seeking an opinion about policy should be directed to the Attorney-General or left to debate on the floor of the House.

These proceedings are being recorded by Hansard and broadcast live on the parliament's website. Media may be present and are subject to the committee's media rules and my direction at all times. You may be filmed or photographed during the proceedings and images may also appear on the parliament's website or social media pages. I ask everyone present to turn your mobile phones off or to silent mode.

CLEARY, Ms Rosemary, Victim Liaison Coordinator, Office of the Director of Public Prosecutions

CUNNINGTON, Ms Brigita, Acting Deputy Director-General, Justice Services, Department of Justice and Attorney-General

DOUMANY, Ms Nicola, Executive Director, Community Justice Services, Department of Justice and Attorney-General

HEATON, Mr Carl KC, Director of Public Prosecutions, Office of the Director of Public Prosecutions

JAMES, Mr Brendan, Executive Manager, Operational Support and Improvement, Victim Assist Queensland, Department of Justice and Attorney-General

KAY, Ms Sarah, Executive Director, Office of the Deputy Director-General, Justice Services, Department of Justice and Attorney-General

WEBBER, Ms Julie, Director, Victim Assist Queensland, Department of Justice and Attorney-General

WHELAN, Ms Helena, Assistant Executive Manager, Financial Assistance Unit, Victim Assist Queensland, Department of Justice and Attorney-General

CHAIR: Welcome. I now invite you to brief the committee, after which the committee may have some questions for you.

Ms Doumany: Thank you for the opportunity to participate in this public briefing and to make some opening remarks in relation to the scheme. I would start by saying that the department understands the impact of crime in all its forms on victims and the need for victims to be provided with information and support. The department provides \$3.4 million per annum to five services to provide trauma informed support for their clients throughout the criminal justice process and assist them to make financial assistance applications, prepare victim impact statements and access counselling and therapeutic first aid.

As the committee would be aware, the Victims of Crime Assistance Act was specifically established to assist victims of violent acts, including domestic and family violence, to recover from their injuries. An act of violence includes physical violence or threat of physical violence. For the purposes of offences such as home invasions, this would include burglary where the offender has confronted the victim. Victim Assist was established to administer the financial assistance scheme under the act in 2009. As detailed in the brief to the committee, the legislation prescribes eligibility requirements, the type of assistance payable and the evidentiary requirements for granting assistance. The act also establishes the Charter of Victims' Rights, which describes the way victims can expect to be treated by government and non-government agencies that provide services to victims of crime.

VAQ continues to experience increasing demand and is projecting a 46 per cent increase in applications in this year alone as compared to 2021-22. It has experienced a 90 per cent increase over the last six years. VAQ prioritises urgent expenses for victims such as funeral expenses and relocation and security expenses for victims of domestic and family violence and has implemented a broad program of reforms since 2020 to address growing time frames, increase outputs and implement a trauma informed framework. In 2022 VAQ implemented a further suite of reforms which is significantly increasing—more than doubling—the number of decisions being made this financial year. These have included: simplifying notices of decision and communication with applicants; increasing the number of counselling sessions granted before requiring a practitioner's report; taking a more beneficial approach; and developing policies including where assessors can assume adverse impacts of evidence of an injury within the parameters of the current legislation. VAQ's trauma informed practice principles include safety, trust, choice, collaboration, empowerment and diversity, and training is mandatory for all staff.

We know that more needs to be done to improve the timeliness and responsiveness of the scheme. The department welcomes the recent announcement of an additional \$9 million investment which will include \$5.4 million for VAQ operations and, importantly, a further \$600,000 for a comprehensive review of the financial assistance scheme. We anticipate 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.

CHAIR: When will that review be finalised, or is that an unfair question?

Ms Doumany: We are settling the terms of reference for the review at the moment. We would like to do that in consultation with the sector and with our partners in the Office for Women and Violence Prevention. Once those terms of reference are settled we will be going out to procure services to assist us with the review. I cannot give you a time frame at this point, but obviously we would like this to move as quickly as possible. I hope that the review would be able to identify some improvements that might not require legislative amendment, but there will be some that probably will require legislative amendment that may take longer to implement.

Mrs GERBER: Thank you for your opening statement. We have heard reports of some victims of crime waiting more than two years to get their financial assistance. I am just after an outline of the time frames that victims of crime are waiting for their financial assistance. Are there any KPIs around that? What are your targets in relation to paying out victims-of-crime applications for financial assistance, and what is the longest amount of time they are currently waiting?

Ms Doumany: There will be some questions I can answer straightaway and some questions we might need to take on notice, if that is okay.

The time frames in any application can be impacted by the complexity and information we need to gather from different sources, but mostly our time frames are impacted by the high volume of matters and the backlog of applications. We understand that generates concern and complaints from our clients. While applications can take up to two years to be processed, I can say that the average time frame is significantly shorter than that. We prioritise urgent and immediate expenses.

VAQ took the decision to advise applicants that a matter can take up to two years based on customer research that we did of our clients, who wanted to be advised of their worst-case scenario. They wanted a sense of how long it might take. I understand VAQ is monitoring their current time frames, which are going down at the moment, and they will be updating their notice. As at 28 February, urgent applications for high-risk teams and domestic and family violence matters took an average of 47 days and funerals 21 days. The overall waiting times have reached as high as 14 months, in 2021-22. This financial year it started at 13 months and in the second quarter it was 9.5 months. We are hoping in this quarter it will go down further again. Simplified decision-making and some of those initiatives I talked about earlier are contributing to that.

I can turn to my colleagues here if you want an answer about current KPIs, but we will probably take the question on notice in terms of the longest time frame because we would need to run that in our system.

Mrs GERBER: Yes, that would be great. You talked about the volume of cases and the backlog, so what is the volume of cases and what is the backlog?

Ms Doumany: We currently have 2,078 applications that are awaiting allocation to an assessor and we have overall 7,613 matters with assessors that need assessment of some kind.

Mrs GERBER: How many assessors do you have?

Ms Doumany: We can take it on notice. Perhaps we could give you a bit of an organisational chart so you can get a better sense of that, too.

Mrs GERBER: Just so I can work out the caseload of each assessor, because the workload impacts on your backlog.

Ms Whelan: I can answer the question about the caseload of each assessor, if that helps?

Mrs GERBER: Sure.

Ms Whelan: The average caseload of assessors is about 50 to 60 matters on hand at any given time.

Mrs GERBER: That seems like a lot.

Ms BOLTON: I am trying to get a better understanding of the role of the different government agencies. From when police first get involved and refer a victim for support and assistance, is that straight to the victim support agency that then refers on? I am struggling a little bit. I have read in your submission that in 2017 the one-stop-shop strategy and implementation office did some work, including around the victim portal. When we went to have a look at that, the link provided just went to a research paper. I am trying to simplify: is it a one-stop shop that goes straight from a police referral to one entity that can refer on?

Ms Doumany: I can give you a sense of how Victim Assist receives referrals and how it coordinates the referrals it receives. The Queensland Police Service provides referrals electronically via an electronic platform straight to Victim Assist for victims of violent crime. Then Victim Assist will triage those in terms of the matters that seem to be within the legislative parameters of the scheme. It can also provide referrals to other support services. The research paper in the brief is just that. It was a research paper on potential options of how the system might work to improve information access for victims. At this point those recommendations have not been implemented, but it is provided to the committee for your consideration in terms of potential options and potential research with victims themselves, given the terms of reference for your inquiry.

Ms BOLTON: Nicola, when is implementation expected? Obviously this is something for victims, especially when they are traumatised; it makes sense to have that one-stop shop, in effect. What time frame are we looking at?

Ms Doumany: I suppose Victim Assist in many senses is the point of coordination, so in that sense it coordinates responses. What is important to note or acknowledge is that victims are not all the same. There are specialist services that need to be provided. For example, domestic and family violence victims need specialist services to respond to their immediate needs, and that is through the domestic and family violence service sector and DVConnect. We also fund VictimConnect. VictimConnect assists all victims with 24-hour, seven-days-a-week support for victims of crime, providing access to telephone support, therapeutic counselling and support, and it can help them with financial assistance applications and victim impact statements as well. The service system is complex in some respects, but I think it is also about trying to meet the needs of different victims who have different needs.

CHAIR: Ms Cleary, do you want to add anything to Sandy's question?

Ms Cleary: I will ask Carl to expand on the role of the office of prosecutions in Queensland.

Mr Heaton: The responsibility of the Office of the Director of Public Prosecutions kicks in when a matter comes within our purview. When matters come to us that come within the scope of the victim liaison service—that is, offences of violence, violence against people and domestic and family violence cases—then our victim liaison officers reach out to the victims in those cases and then commence a relationship of information providing and sharing, and referral as well throughout the life of the matter as it makes its way through the criminal justice system.

Mr HUNT: This is a broad question because I am not sure exactly how to target it. When was the Charter of Victims' Rights last reviewed? Do victims or representative groups have a role in that review process?

Ms Kay: The last review was 2017. Certainly there is a recommendation from the Women's Safety and Justice Taskforce that has been supported in principle by the government for a review of the charter to take place when the victims commissioner is established. You would expect the victims commissioner would consult broadly and with people with lived experience in any such review.

Mr HEAD: Further to the questions from the member for Currumbin, if all current claims made by victims of crime were to be paid out, what would be the total cost?

Ms Doumany: I would have to take the total cost of that on notice. It is something that the government monitors in terms of potential liabilities in the scheme. I do have some basic figures in terms of payments. Since commencement, the scheme has paid about \$209 million to victims—a little over that. Last financial year was \$14,167,000. This financial year to date, we have paid about \$10,800,000 to victims. We can provide you with the liability as it stands currently.

Mr HEAD: Thank you. Further to that, do you have a comparison of what the claimants request compared to what is paid out or what they get on settlement?

Ms Doumany: I do not think we could run a report that would be clean for that because of the various types of expenses under particular categories that people might claim. What I can say is that some expenses are not really provided for in the legislation. One of the things you will see in the brief is that property, for example, and damage to property itself are not expenses that are covered, unless it is tied specifically to the safety of the victim and the victim's recovery. That might, for example, include replacing a damaged door so that they can be safe in their home, or it could include, for a victim of a sexual offence in their home, replacement of certain furniture that is a trigger for them. It could include a basic package of assistance for someone who has to flee and start a new house. I suppose what I am saying is that there is a complex range of assistance.

Mrs GERBER: To clarify, those examples you just gave are in relation to a crime that is committed against the person. Would that include a situation where, say, there is a break and enter and there is a bunch of damage done to the house as a result of the perpetrator trying to find either jewellery or keys or stealing a car but there is no actual injury or physical harm done to the person, albeit the home owner is in the home when it happens? My understanding is that the examples you just gave would not cover for that person.

Ms Doumany: No, it will depend on a couple of things: whether or not the victim was confronted by the offender and was threatened—

Mrs GERBER: If the victim was asleep?

Ms Doumany: If the victim was asleep, wakes up the next morning, comes out and finds that this has happened, no, they will not be covered by the scheme.

Mrs GERBER: Are there any recommendations around changing that?

Ms Doumany: I would not be able to answer.

CHAIR: That is more a policy question.

Mr HUNT: I am assuming that from time to time human failings will play out and sometimes the charter is not followed. What happens in that instance if the charter does not kick in as it should, and what training do you provide to staff—particularly I am interested in non-government staff—in relation to rolling out the charter to victims?

Ms Doumany: I will ask Julie to answer the question in terms of training to non-government personnel, but I will answer the first part. There is a complaint mechanism in the legislation. There are two avenues for making a complaint: one is directly to the agency; the other one is through Victim Assist Queensland. If Victim Assist under the act receives a complaint, it is then referred to the agency for resolution. One of the things you might be aware of is that the Women's Safety and Justice

Taskforce made some recommendations in relation to the recording and reporting of complaints as well as the enforcement of complaints, because the act is limited in terms of requiring agencies to report on complaints received or how they may have been resolved, and limited in terms of any type of direction that the victim services coordinator can provide in relation to a complaint. I will hand over to Julie.

Ms Webber: In relation to the training of organisations around their obligations under the charter, we do have a staff member, a community liaison officer, whose role it is to go out and provide training to government agencies and non-government agencies around what their obligations are. Often that is incorporated in some of the training we do around the financial assistance schemes. Whenever that training is provided, we always talk to them about the charter of rights.

Mr HEAD: During the 2022-23 financial year, victim-of-crime assistance applications increased by 42 per cent, which is a fairly big jump. What produced that demand and how is Victim Assist Queensland managing that?

Ms Doumany: I think general awareness of the scheme probably increases demand. To put things in context, Victim Assist still only receives a very small proportion of personal offences that are reported, so it is difficult to identify any one factor that might be at any time increasing the numbers that come to us. However, there is the potential for significant increases in terms of people reaching out, given the number of people who report being offended against. Things such as new offences under the legislation and things such as the Women's Safety and Justice Taskforce highlighting the services available for victims will also have an impact on demand for the scheme. It would be one of the things we could consider further in our research. I think it might be hard to come up with any one factor.

Mrs GERBER: What about an increase in crime? That might increase it as well.

Ms Doumany: Absolutely. We do know that there has been an increase in personal offences reported, so that also obviously has an impact. When Victim Assist began, it probably received about five per cent of reported crime and now it is probably closer to 10 per cent. Having said that, I am sure you can see that there is the capacity for very large increases around spikes in demand.

Ms BOLTON: Nicola, I want to go back to my previous question because I am still not quite understanding. You made a comment that the recommendations—and that is obviously regarding the design of future solutions, which included the victim portal—had not been implemented. My question was: when is it expected that there will be implementations? We are talking six years now, since 2017, when everyone got together on this.

Ms Doumany: I believe there has been some initial work on what that would look like. They are the sorts of solutions that we need to be looking at in terms of the review of the types of assistance that people need and how they get to that assistance. I would say that those types of technical solutions can be quite complex. They do not involve just one department; they involve multiple agencies and multiple pieces of technology that may or may not be suitable for the solution. However, some initial work has been done in terms of having a look at how that might work.

Ms BOLTON: We have no time frame at all?

Ms Doumany: Not at this point of time. Obviously what we would be wanting from the review is to get a sense of what might be the most urgent need in terms of improving support and access to assistance.

CHAIR: I have a very broad question, which I apologise for in advance, and I am not sure of the best person to direct it to. It is in relation to the operations of the victims register. I understand, and correct me if I am wrong, that there is a facility for the victims register to be automatic once they make a complaint.

Ms Doumany: I believe we could ask our Corrective Services colleagues for further information about the victims register and how it works. I believe you are correct, but I do not know.

CHAIR: I just was not sure. I might be asking the wrong people, so forgive me. I can ask later. Does that information make its way to you? Once they register, is there a conduit to get it to you?

Ms Doumany: No, it is separate. We do refer people to Corrective Services to seek to be placed on the victims register.

CHAIR: Did you have anything you wanted to add?

Mr Heaton: We refer to Corrective Services as well. We provide the forms. We even fill out what we can of the forms from the information that we have to hand and provide that to the victims, but it is then up to them to get in touch with Corrective Services and complete the process of registration.

CHAIR: Sandy, do you have a question before I get Laura to ask the last question?

Ms BOLTON: No, thank you. There are plenty of questions but not enough time. Go to Laura.

Mrs GERBER: Just shoot your questions. They might be able to take them on notice.

Ms BOLTON: It is a quick one. When matters reach the prosecution stage, who is actually representing the victim? I understand that the defendant has a lawyer and the prosecution is representing the state, but who is representing the victim?

Mr Heaton: I guess I can only answer that in the negative in that our responsibility is to provide information and keep the victims updated as to the progress of matters, but that is really the limit of our responsibility. We will refer them to other organisations to provide additional support, but ours is an information providing service.

Mrs GERBER: Does Victim Assist provide an internal liaison service? If you have a victim of crime, will you give advice to the DPP around that victim in relation to what the victim is going through.

Ms Doumany: We fund agencies to provide court support for victims of crime. Court support is not legal representation, but it is there to support victims, particularly victims with high needs. The victim coordination officers located within Victim Assist are known to at times meet at the same time with the DPP. The Protect All Children Today service sits and assists child witnesses to give the best evidence they can. In terms of legal representation, there are very limited opportunities.

Mrs GERBER: I guess what I am more referring to is around decisions that are made in the process of a prosecution that affect the victim of crime and whether or not their views are being advocated for and represented in that process.

Mr Heaton: Our office and our service certainly provides consultation in terms of advocacy, but when decisions are being made consultation takes place and the views of victims are certainly taken into account in the process of making that decision.

Mrs GERBER: Who represents those views to you?

Mr Heaton: The victims themselves and their family members.

Mrs GERBER: There is not an agency that they liaise with?

Mr Heaton: That is right. That is not to say that they come unsupported. Sometimes victims will come with a support agency to the conferences and, indeed, throughout the life of the matter through the criminal justice system it may be that we have an information-sharing relationship with a victim support agency and liaise with the victims through their nominated delegate in that situation. It just depends on the individual case, the individual victims and the support mechanisms they put in place.

Ms Kay: Just by way of assistance to the committee, the issue that the member for Noosa has identified was also identified in the reports of the Women's Safety and Justice Taskforce, so it may assist the committee to go back to chapter 2.4 of that second report. You will see that there are some very specific recommendations that have been supported by the government around victim advocacy, specifically with victims of sexual violence, and also in terms of rights to review decisions of police and prosecutors and, again, the victims commission. There has been some extensive work done by the task force and a whole range of recommendations around improving assistance for victims in the criminal justice process which the government has supported and is in the process of implementing.

CHAIR: The last question is to Jason.

Mr HUNT: I forgot at the outset to thank you all not just for your attendance but for the work that you do. It is absolutely vital and you are clearly doing it at a very high standard. My question is almost a self-congratulatory one. It gives you a chance to puff your chest out a little bit. There have been only 138 complaints about the charter since 2017. That is quite a low number. What do you ascribe that to? Why are you doing so well, essentially?

Ms Doumany: I think government agencies working with victims of crime are very aware of their trauma and how to respond to them and I think we probably all do our best. However, I would also have to refer to the Women's Safety and Justice Taskforce report and some of their findings in relation to a lack of reporting by agencies that might receive complaints directly from victims. While the number is low, it is probably difficult to get a full picture of the experience of victims through the process at this point, which is why the task force has some recommendations in relation to reviewing the charter. Sarah?

Ms Kay: Yes, that is right. If you look at the findings of the Women's Safety and Justice Taskforce in that chapter that I have referred to—chapter 2.4 and chapter 2.8, which are the key chapters for this committee considering your terms of reference—really what they found was a lack of

public confidence by victims to make a complaint. Partly that was, the task force felt, that there was not an independent voice there, but they also found that because of that lack of resolution power in terms of charter breaches. VAQ is quite limited in what it can do when it receives complaints and there is no publication by a receiving agency of those complaints so we do not really have visibility—and that is what the task force identified—of how many complaints are received by individual agencies. I think we are doing a lot of work in this space as a result of those recommendations.

Mr Heaton: I am going to take the opportunity to be more personal in that it seems to me that those, particularly in the experience of the Office of the Director of Public Prosecutions, who come to work in this sector and do the work that we do—it is very challenging and demanding work; it is also very high volume—have a strong community justice focus. That is why we choose to do the work that we do. They are all incredibly well intentioned and they do an amazing job within the scope of having tensions pulling in a lot of different directions.

Mistakes invariably happen. Victims vary in terms of the amount of needs. Objectively very traumatic offending may not have the impact on a victim that relatively minor offending might have on another victim. We also have to monitor that and judge the amount of contact and the support that we provide with the information that we provide. Victim liaison officers do an amazing job in very difficult circumstances, particularly where the people they are dealing with are people who are invariably in crisis. The demarcation between the information providing service that we provide and their need for support is often a very difficult one to maintain and lines can be blurred from time to time, but our people step up to the mark and provide what support and assistance they can. It does not surprise me that there is that overwhelming support for the victims charter and the Charter of Victims' Rights generally, because I think the people who are doing the work are well intentioned and do an amazing job with it.

Mr HUNT: I would agree.

CHAIR: There are a number of questions that were taken on notice. The secretariat has kindly said that they will email that to you, which may be helpful, but I need to say what they are: the longest time frame for a victim to receive financial assistance; the number of assessors within Queensland; the KPIs for victims of crime financial assistance payout; and the total of all assistance claims made by victims of crime.

Ms Doumany: I think that was around liability.

Mr HEAD: Yes, the total cost currently.

CHAIR: Is it possible to have those answers to the secretariat by close of business on Thursday, 6 April? If there are issues with the time line, can you communicate directly with the secretariat, who no doubt will be very understanding of the pressures everyone is under. Thank you for your attendance. That concludes this part of the briefing. A transcript of these proceedings will be available on the committee's webpage in due course.

BREWER, Superintendent Peter, Domestic, Family Violence and Vulnerable Persons Command, Queensland Police Service

CLARK, Detective Superintendent Denzil, Crime and Intelligence Command, Queensland Police Service

PARK, Acting Superintendent Ian, Prosecution Services, Queensland Police Service

CHAIR: I now welcome witnesses from the Queensland Police Service who will brief the committee. I invite you to make a statement to the committee if you so desire and after that the committee will have some questions for you.

Det. Supt Clark: Good morning, and thank you for the opportunity to brief the committee in relation to the inquiry into support for victims of crime. I am Detective Superintendent Denzil Clark of the Queensland Police Service, and I lead the Child Abuse and Sexual Crime Group within the Crime and Intelligence Command. I would like to acknowledge the traditional custodians of the land on which we meet today, the Turrbal and Yagara people, and pay my respects to elders past, present and emerging. We thank the committee for the opportunity to inform you of how the QPS supports victims of crime and ensures victims are appropriately kept informed throughout the investigation and prosecution process.

I note the inquiry aims to promote better coordination of statewide services to ensure victims receive trauma informed, victim-centric and timely support. The QPS supports these aims, which align with QPS strategic and operational plan commitments. Over the past 12 months the QPS has continued to build on previous work to address service gaps, particularly for vulnerable victim cohorts. QPS strategies include advancing the use of evidence-based policing and championing collaborative approaches that are victim-centric and promote harm minimisation. The QPS has heavily invested in updating its training framework to better educate its workforce on trauma informed and victim-centric practice. Significant effort has also been made to improve the QPS response to victims of domestic and family violence and sexual violence. The QPS continues to work closely with partner agencies and external bodies to support victims, including Queensland Sexual Assault Network—or QSAN—Queensland Homicide Victims' Support Group, the Volunteers in Policing program and Victim Assist Queensland to strengthen the experience of victims throughout the criminal justice process.

The victim journey with the QPS commences from the complaint being made until the matter is resolved. Often the first contact a victim has with the justice system is with police. Aligning with the Charter of Victims' Rights, police officers are required under the Operational Procedures Manual, or OPM, to keep victims of crime informed about their complaint throughout the investigation until the matter is finalised. Supporting this, the QPS has a memorandum of understanding with the Office of the Director of Public Prosecutions outlining the communication process with victims throughout the investigation and, more importantly, the prosecution process.

The QPS recognises the unique and traumatic experiences of victim-survivors of domestic and family violence and the importance of the police response to this. The QPS promotes a victim-centric, trauma informed response where victim-survivors' needs are prioritised to reduce ongoing trauma, and officers understand and are responsive to the impact of trauma. Responsibilities for police responses are outlined in the Domestic and Family Violence Protection Act 2012 as well as the QPS and government policy, which continues to be reviewed and refined. Similarly, a key focus of the QPS Sexual Violence Response Strategy 2021-2023 is the delivery of victim-centric and trauma informed responses to victims of sexual violence.

In January 2022 the QPS sexual violence liaison officer network was rolled out across Queensland. Officers in charge of specialist CIB investigation units and child protection investigation units are all SVLOs. It is the responsibility of the SVLO to: assign a specialist officer to investigate complaints of sexual violence; ensure the QPS provides a victim-centric response to victims of sexual violence, including referral to support services; liaise with local sexual assault support services to identify and address issues relating to victim experiences; and ensure accurate and consistent communication is provided to victims. The Townsville Sexual Assault Response Team, which is a multidisciplinary specialised team of stakeholders that includes police, is available 24/7 to engage directly with victims of sexual violence and supports victims throughout the criminal justice process. I note that report No. 2 of the Women's Safety and Justice Taskforce made particular recommendations to expand this model beyond Townsville.

Police provide support to victims through police referrals, which is an embedded strategy to connect at-risk and vulnerable people to external support service providers. Chapter 6 of our OPM details the procedures for these police referrals. Where the victim of an act of violence requires the Brisbane

service of Victim Assist Queensland, police refer the victim to VAQ via the police referral system. When the death of a person is determined to be suspicious, the OPM requires the establishment of an investigation centre, including the appointment of a family liaison officer. The role of the family liaison officer is to assist the victim's family during the investigation and court process. The QPS is currently working with VAQ and Queensland Homicide Victims' Support Group to improve crime scene clean-up processes for families of homicide victims which is being coordinated by the Queensland Homicide Victims' Support Group.

The QPS also recognises the unique challenges cybercrime victims face in experiencing stigmatisation and victim-blaming attitudes. Upon receiving a fraud complaint, the QPS makes first contact with the victim to obtain details of the offending, engage appropriate support referrals and provide an overview of the investigative and court process. From there, regular contact is maintained to ensure the victim's wellbeing and support throughout the prosecution process.

As has been stated by our colleagues from DJAG, Victim Assist administers the financial assistance scheme for victims of violence as defined under the Victims of Crime Assistance Act. Supporting VAQ, the QPS has a dedicated information release officer within the Information Management Branch funded by VAQ to assist in the processing of applications for financial assistance.

It is also important to acknowledge that justice has different meanings for different people. Restorative justice conferencing is an alternative to prosecution and provides an avenue for victims to hold offenders accountable in a way that is meaningful to them. Restorative justice conferencing generally involves a face-to-face meeting between an offender and a victim: to discuss the impact of the offender's actions on the victim; for the offender to acknowledge and accept responsibility for their actions; and to reach agreement in relation to reparation for the harm caused. Restorative justice has notable benefits, including increased victim satisfaction, offender responsibility for actions and compliance with outcomes.

The QPS is progressively updating its training framework to deliver a learning continuum focused on victim-centric and trauma informed practice. The QPS has developed a package of holistic training to support all victims of crime as well as targeted training to support victims of domestic and family violence and sexual violence. In February 2023 the QPS launched the Close the Loop training video, which marks the start of an awareness campaign aimed to educate police on existing policy and legislation relating to keeping a victim or informant updated on the status of an investigation until its conclusion.

The QPS is committed to delivering a comprehensive suite of service-wide domestic and family violence training products to enhance the knowledge and understanding of contemporary victim-centric, trauma informed investigative practice. This includes the three-day DFV holistic approach course, a five-day domestic and family violence and vulnerable persons course, as well as the coercive control online learning product. The QPS is also focused on delivering victim-centric and trauma informed training around sexual violence in partnership with the University of Queensland. These include: the child sexual abuse fundamentals education online learning product; the Investigating Sexual Assault—Corroborating and Understanding Relationship Evidence—or the ISACURE course, as it is known; and we have embedded trauma informed components within our specialist detective training.

In September 2022 the QPS commenced a joint videorecorded evidence trial in Queensland delivered in partnership with the Department of Justice and Attorney-General. The trial is currently operating in the Gold Coast and Ipswich districts and allows victim-survivors of domestic violence to provide an electronically recorded statement to be used as their evidence-in-chief in court. Victims of crime are better supported, as they are provided with an opportunity to relay their account in a familiar environment, and retraumatisation is reduced as the need for the victim to recount their experience multiple times is removed.

The QPS Ethical Standards Command manages complaints made by victims of crime in accordance with complaint resolution guidelines and relevant legislation. A victim can make a complaint directly to police via Policelink, the Crime and Corruption Commission via an advocate group such as QSAN, or directly to ESC. QPS members are required to update complainants on the progress of their complaints. Recently the Ethical Standards Command established the Case Management Unit, which is responsible for managing complaints against QPS members where the allegation involves domestic and family violence, racism, bullying, homophobia, misogyny or sexism. A health professional within this unit is responsible for early engagement with complainants to ensure they are connected to a range of appropriate support services throughout the complaints process.

As you would be aware, the QPS is currently working alongside partner agencies to implement recommendations arising from recent inquiries, including the Women's Safety and Justice Taskforce, the commission of inquiry into QPS responses to DFV, and the DNA inquiry. These reform packages are focused on enhancing victim safety throughout improved processes that are evidence-based, are trauma informed and respect the victim-survivor's needs.

In closing, I thank the committee for this important work focused on supporting victims of crime and including victims throughout the different stages of the criminal justice system.

Mrs GERBER: Thank you very much for your appearance and your opening statement. We are aware of the specialised support that is available for certain cohorts of crime like DV and sexual assault, but I am interested in whether the QPS is seeing any other cohorts that are not getting specialised service.

Det. Supt Clark: I will refer to Superintendent Brewer in relation to the vulnerable persons command area.

Supt Brewer: I cannot particularly give you an answer about an emerging class that would need a further service. What I can say is that in the 2021 calendar year there were some 131,000 referrals from the police system to service providers across the state, and that formed 22 categories and 60 subcategories across a range of crime types. There are a number of services being provided. There are always gaps in that system, but there are certainly a lot being captured.

Ms BOLTON: Thank you so much for that very in-depth overview. I may not have heard, but I am still trying to understand the monitoring of the referral system. When QPS refer on, do they refer in a holistic way where Victim Assist then does the coordination of the referral? I am asking this question because I am trying to figure out the monitoring. For example, if a victim is referred to counselling—over the last couple of years there has been a long wait to get in to see a counsellor—who monitors that that occurs? If it does not, where does the victim go to if they cannot get in for counselling?

Supt Brewer: In general terms, when police encounter a victim of crime or someone making a complaint they will offer a consent-based referral to local service providers. That is done through our QPRIME automatic system. With the information exchange, that is connected up to a service provider who has an obligation under their service provision contract to make contact with that person within two business days. The wait time before they get a service will vary across the state, but that is not something that is monitored by QPS. That is part of the service provider funding and contract, which comes from another department.

Ms BOLTON: Is it Victim Assist for all of the services? Does it matter whether it is emotional, physical or financial in the referrals, or does the QPS have to refer individually? I am still not quite getting the connection there, if you know what I mean, as to who does the actual referrals.

Supt Brewer: If we deal with the Victim Assist side of things, when police are dealing with a particular matter, if there is a particular aspect of violence to the crime type that might fit into that, there is a special category of referral that will go to Victim Assist in the first instance, whereas a lot of other service providers are not in that part of it. QPRIME will connect with VAQ, but if it is not of a financial consideration, for an act of violence or there is counselling or emotional support, it will go to another service provider. It is specially selected by police in the first instance. They will identify at the time of attendance if this is a matter that could be considered by Victim Assist.

Mr HUNT: I place on record my gratitude for your work and the work of the entire Queensland Police Service. Recent events have illustrated that when an officer draws their equipment at the start of every shift they just do not know where that shift is going to go. For that I thank you all. In terms of the clean-up services coordinated by the Queensland Homicide Victims' Support Group, is there a similar service for crimes that are not directly homicide related?

Det. Supt Clark: The short answer is no. Those services are only provided through homicide victims' support and funded through VAQ. They do not apply for other acts of violence. Even an attempted homicide does not receive that level of support. Having said that, through the police referral system there may be opportunity for assistance to be provided. It has such a wide and varied range of support services, but it is not a directly funded service as we have with the homicide support group.

Mr HUNT: In terms of family liaison officers appointed in the event of a suspicious death, is the family liaison officer or a similar role appointed under any other circumstances—an extremely violent crime that may not result in death?

Det. Supt Clark: To my knowledge, there is not a policy that has a described position such as the FLO for any other crime type. The investigating officer on many occasions is responsible through default for providing support to our victims. There are models that do provide an alternative, which we

see with the Sexual Assault Response Team in Townsville. That is the multiagency approach, but there is a direct funded service up there which, at the commencement of the investigation, is able to provide a counsellor to support the victim and their family. This allows the police to focus on our investigation versus providing support to the victim. Having that dedicated service makes a big difference for us. That is why I believe the Women's Safety and Justice Taskforce made the recommendation to roll out that model beyond Townsville.

We saw a similar situation through a trial on the Gold Coast in relation to young people where Bravehearts provided a child advocacy service. When we were interviewing young people and their families in relation to a situation, Bravehearts would send their advocate along, and they would take over support for the child and the family from the commencement of the investigation. From a policing perspective, we would support that wherever that could occur so that police can focus on what we specialise on, which is the investigation of the crime, and there is an expert there to support the family and the child.

CHAIR: I go back to the clean-up services that are handled in conjunction with the Queensland Homicide Victims' Support Group. Are the police involved in any way in the clean-up?

Det. Supt Clark: No. We are not physically there to clean, but we do support and direct the referral through to the homicide support group.

CHAIR: This may not be a question you can answer. You said the clean-up services are referred to Victim Assist. Are those expenses covered?

Det. Supt Clark: Yes. They will attend and clean up not only the crime itself but also the police response. There may be material left behind—fingerprints et cetera. They will also return the property to its original state from the police actions.

Mrs GERBER: Are we just talking about homicide here?

Det. Supt Clark: It is only for homicide that a service is provided.

CHAIR: Has the Queensland Police Service looked at how other jurisdictions deal with the clean-up aspect of crime scenes?

Det. Supt Clark: I am not aware of that having occurred. That does not mean it has not. Perhaps that is a question we could come back to after I consult with scientific services. They would be better placed to answer that.

Mrs GERBER: I align myself with the member for Caloundra's comments in his thanks for the service that you do. Can you talk the committee through the handover process to the DPP? You have identified how QPS initially identifies victims of crime and how your system operates in terms of the referrals but, when you have made that identification, how does the handover process work with the DPP?

Supt Park: The handover to DPP generally occurs at the conclusion of a committal proceeding, so once a defendant has gone through the Magistrates Court and the matter has been committed for trial at the higher courts. That is the point at which, generally speaking, responsibility is handed over to the DPP. The only variance is a couple of locations where the committals are managed by the DPP. Brisbane and Ipswich have had projects running for quite some time where that handover occurs much earlier.

Mrs GERBER: I am specifically after the details in relation to the handover for the victim of crime.

Supt Park: As alluded to earlier, largely the management of the victims or the care of the victims is handled by the investigating officer in most situations, except for where a family liaison officer is appointed at the same time. In most situations, the investigating officer will maintain some contact with victims even after it has gone to the DPP. The involvement of the dedicated victim liaison officers employed within DPP commences at the time the matter is committed for trial and the DPP has taken carriage of the matter.

As has been alluded to, we do not generally have dedicated victim liaison officers in most cases. We are currently in the process of finalising funding arrangements for some victim liaison staff within the Childrens Court realm as part of the youth justice reforms that are currently being enacted, but we still do not have any in the adult stream. That is a gap that has been recognised, I guess, and is something that we continue to look at. Obviously some significant resourcing would have to come along with having those permanent positions created.

Mrs GERBER: Do you have an idea of what the resourcing might be?

Supt Park: It would be pretty extensive, I would say, if we were to have dedicated victim liaisons. The court statistics show that about 155,000 matters were referred through the Magistrates Court last year and there were another 15,000 or so Childrens Court matters. You are looking at a very extensive number of offences that have been managed through the Magistrates Court. To have victim liaison officers for each of those would be extensive.

Mrs GERBER: Thank you for mentioning the trial that you are doing at Ipswich and Gold Coast in relation to the victims of crime being able to make an electronic statement so they do not have to relive their trauma. Do you have any statistics around those cases proceeding through to conclusion? Do you have any statistics around how many were stood for trial, how many successful prosecutions and the like?

Supt Park: I do not have any statistics here today. I could probably take that question on notice.

Mrs GERBER: Maybe break it down by the regions too, by the different trials.

Supt Park: It is a fairly fresh trial. There are a lot of matters that are still in train.

CHAIR: That is okay. The best way to manage a question on notice is to give us what you have.

Supt Brewer: If I could jump in here, that trial is being supervised out of my office. It is going to be evaluated by the University of Queensland. We are about six months into that trial at this point in time. We have not had any matters proceed to a trial at this point in time. What I can say is that, overwhelmingly, a very high percentage of matters in which people have voluntarily consented to be being involved in the videorecorded evidence trial have resulted in a plea of guilty and the matters have been finalised very efficiently.

Mrs GERBER: Great. I would be really interested to see the breakdown of that.

Supt Brewer: Sure. I will take that one on notice.

CHAIR: Again, whatever data may be available at this point. Obviously it is in its early stages, from what you just said.

Ms BOLTON: Is restorative justice mandatory or voluntary?

Det. Supt Clark: It is a voluntary program. The victim opts in to it, except in the youth justice space. The victim is invited to attend and to participate but it is not mandatory. It has to be supported by the victim for it to proceed under the Youth Justice Act.

Ms BOLTON: Why is it not mandatory for youth?

Det. Supt Clark: The short answer is that there are considerations made in relation to young people and how best to proceed—perhaps rather than prosecution, there are other opportunities to divert them away from the criminal justice system. That is why we see restorative justice being used as it is and it is not exclusively relied upon that we have victim support to go down that path.

Supt Park: Victim consent is not a criteria under the Youth Justice Act for a referral to occur for a youth matter. The reason it is not a requirement is that the legislation does not stipulate that it needs to occur.

Mr HUNT: Occasionally lapses will occur—procedural, human failings and that sort of thing. What sorts of mechanisms kick in if an officer is seen to have failed or inadvertently not met their obligations under the charter?

Det. Supt Clark: There are informal and formal processes there. Informally, they will be spoken to and the situation remedied. Within the sexual violence realm we have the role of the SVLO, and they have a very specific part. If there are any issues in relation to the investigative response for the victim, the SVLO will step in to address that. They will speak to the investigator and the victim or their advocate and resolve the situation. There is a formal process, depending on what has occurred. We have our complaints resolution process. It can be a discipline matter. It can be elevated up through that and, depending on the nature of it, it could be investigated by Ethical Standards Command or by a senior officer in the area.

CHAIR: Before we move on, I need to indicate that the member for Noosa has had to go. That will not impact on the rest of the proceedings, which are slowly coming to a conclusion.

Mr HEAD: I reiterate my thanks for your work and everything you do. Being a Chinchilla boy, the events at the end of last year certainly had a big impact on my community and were a stark reminder of the challenges the police face. In your opening statement and in your written briefing, you talked about the requirement to keep a victim of crime informed about the investigation and to periodically inform the victim of the current stage of investigations. Are there checkpoints if the process at which the victim is specifically kept up-to-date, or are there certain time periods that lapse before you go back to them? How does that process work?

Det. Supt Clark: It is not dictated in policy or prescribed as to exactly when we would be keeping them informed. It is that whenever something of note changes within the investigation they are informed—or within the prosecution process, definitely. I have just lost my train of thought, sorry.

Mrs GERBER: I think you answered the question. Thank you.

Mr HEAD: Is that all the way through to the end of the case, or is there a time at which another department takes on that responsibility?

Det. Supt Clark: If it is within the lower court. The investigator will stay with the investigation all the way through to its end, whether that is a prosecution or the matter is resolved in another way. The investigator has carriage all the way through. As Superintendent Park said, if it goes into the superior court the DPP will take responsibility for the prosecution. We have a memorandum of understanding with the DPP about our roles and responsibilities to keep a victim informed. That is also by negotiation. We will work with DPP to make sure the victims are aware of prosecution dates, if charges are being amended, if the matter is not to be proceeded or if there are any other issues arising. Either we will do it or the DPP will have one of their victim liaison officers or the prosecutor engage directly with the victim and their support to keep them informed.

Mr HEAD: Thank you. There is a process in place or a way of monitoring that that is followed through at each point?

Det. Supt Clark: Yes. In the sexual violence space, as I said, we have the sexual violence liaison officer. There is a reason we appointed the officers in charge of our CPIUs and CIBs into that role—that is, that is a part of their broader remit for all other crimes as well. Their job is to monitor the investigators' actions and make sure that they are keeping the victim informed and that they are monitoring through the prosecution process what is occurring. That is our check and balance around that in particular, and then if something is brought to our attention we will address that when it happens.

CHAIR: Thank you for your attendance. That brings to a conclusion this part of the proceedings. There were two questions taken on notice. The first one asked for an overview of how other jurisdictions manage clean-up of crime scenes, including if it is done for crimes other than homicide. I think that goes a bit further than what I asked, but it sounds like a good question on notice. The second asked about the trial of videorecorded evidence in Ipswich and the Gold Coast. The committee has asked for an overview of any statistics of the trial currently available including a breakdown of the regions where it is operating. Please provide those responses by the close of business on Thursday, 6 April so they can be included in our deliberations. Obviously if there is some difficulty in meeting the timeline, communicate with the secretariat. I understand that they are very understanding. Thank you. I hope the rest of your day goes well.

The committee adjourned at 11.19 am.