

INQUIRY INTO SUPPORT PROVIDED TO VICTIMS OF CRIME

Submission No: 32
Submitted by: Women's Legal Service Queensland
Publication: Making the submission and your name public
See attached:

12 April 2023

Committee Secretary
Legal Affairs and Safety Committee
Parliament House
George Street
Brisbane QLD 4000

By email: LASC@parliament.qld.gov.au

Dear Committee,

RE: WLSQ Submission – Inquiry into Support for Victims of Crime

Women's Legal Service Queensland (WLSQ) welcomes the Legal Affairs and Safety Committee's inquiry into support for victims of crime, and supports efforts to ensure there are trauma informed, victim centric and timely supports for victims of crime.

WLSQ provides legal advice, support, representation, and assistance to thousands of women experiencing domestic violence in Queensland, including legal services in hospitals, domestic violence duty lawyer services, and domestic and family violence units. WLSQ is one of 13 specialist women's legal services nationally, who provide holistic, trauma informed, client-centred, free, and accessible legal and support services. Our services are informed by an in-depth understanding of the unique safety and recovery needs of victim-survivors of gender-based violence.

Better support for victims in the criminal justice process

WLSQ has previously made a number of submissions outlining improvements that could be made to the way in which police, prosecutions and court services support victims, and ways to ensure victims are kept informed and included throughout the criminal justice process. WLSQ provided detailed feedback in relation to both Women's Safety and Justice Taskforce reviews and the Commission of Inquiry into Queensland Police Service Responses to domestic and family violence.

We note the outstanding recommendations of the 'Hear her voice' and 'A Call for Change' reports in relation to improving supports for victims of crime.

Alongside improvements to the way in which police, prosecutions and court services support victims, our view is that victims should have access to their own independent legal representation to ensure that 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.

Since 2017, the Queensland Government has funded WLSQ to provide the Counselling Notes Protect (CNP) service in partnership with Legal Aid Queensland. The CNP service provides advice, assistance, and court representation to victims whose counselling records are being sought by a party to a legal proceeding. This service also assists women to better understand the criminal justice system and can provide an opportunity for victims to feel heard and supported throughout the process.

We recommend that this service is expanded so that victims have access to specialist legal representation throughout the criminal justice process, particularly for hearings relating to victims' substantive entitlements.

The *Victims of Crime Assistance Act 2009* (Qld)

The 'Hear her voice' report 2 recommended that the Queensland Government establish a victims' commission as an independent statutory office to promote and protect the needs of victims of all violent offences. The functions of the commission would include identifying issues in relation to the operation of the *Victims of Crime Assistance Act 2009* (VOCA Act) and recommending responses to address any issues.

In response to Item 2 of the Terms of Reference, it is our view that the new victims' commission 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.

The Charter of Victims' Rights

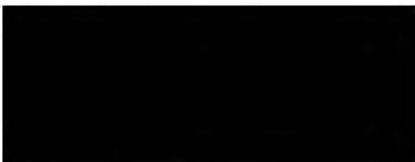
The Charter of Victim's Rights describes how victims should be treated by Queensland government agencies and non-government organisations and provides that victims have the right to make a complaint under the VOCA Act.

In WLSQ's previous submissions we have also made recommendations in relation to improvements that could be made to the Victim's Charter. Our view is that victims charter principles should be enforceable legal rights to ensure that criminal justice agencies can be held accountable. In addition to this, we also support a robust and accessible complaint-handling process that provides victims with acknowledgement of their experiences and ensures that their views are heard.

We also support amendments to the *Human Rights Act 2019* (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.

Thank you for this opportunity to provide a submission. Please contact Lara Freidin, Director of Policy and Government Relations at [REDACTED] if you require any further information.

Yours sincerely,



Nadia Bromley
CEO, Women's Legal Service Queensland