

INQUIRY INTO SUPPORT PROVIDED TO VICTIMS OF CRIME

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Submitted by: Full Stop Australia
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See attached:

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

12th April 2023

lasc@parliament.qld.gov.au

Dear Committee Secretary,

RE: INQUIRY INTO SUPPORT PROVIDED TO VICTIMS OF CRIME

Thank you for providing Full Stop Australia the opportunity to respond to this Inquiry.

About Full Stop Australia

Full Stop Australia is an accredited, nationally focused, not-for-profit organisation which has been working in the field of sexual, domestic and family violence since 1971. We offer expert and confidential telephone, online and face-to-face counselling to people of all genders who have been impacted by sexual, domestic, or family violence, and their friends, colleagues and family members supporting them. We also provide best practice training and professional services to organisations in the government, non-government, and corporate sectors to equip them to better prevent and respond to gender-based violence, and advocate with governments, the media, and the community for better laws and policies to address violence and abuse.

Full Stop Australia, draws upon the experiences of our counsellors supporting people impacted by sexual, domestic and family violence in different jurisdictions, as well as our clients and other survivor advocates who are part of our [National Survivor Advocate Program](#), to advocate for victim-focused laws and consistent approaches to family, domestic and sexual violence.

Our response is outlined below:

1. Better coordination of state-wide services to ensure there is trauma informed, victim centric and timely support for victims, from the time of the incident and throughout the subsequent investigation and any prosecution, including:

- how the criminal justice system, including the Queensland Police Service, the Office of the Director of Public Prosecutions, and court services currently support victims; and how restorative justice conferences and processes may be improved upon.
- how to ensure victims are kept informed and included in an appropriate and timely way throughout the investigation, prosecution and parole period.

The criminal justice process is very defendant focussed and, as many victims are considered 'mere witnesses' to their own crime, they can be responded to in a way that is dismissive and cursory or with little communication. Many victims can obtain inconsistent responses across the system and, in some circumstances, little information

about their cases or the progress of the investigation. The Director of Public Prosecution engagement can also be inconsistent, including the timing of the preparation interview for trial, the time that is provided to victims before the trial or court proceeding and the extent of the information that is provided, which is critical to them understanding the basics of the trial process, including cross examination, the calling of witnesses and other issues.

There is difficulty for victims of sexual violence in getting support when reporting to the police to make a statement and in going to court, both highly stressful activities. We have been informed by sexual violence prevention services in Queensland they are not funded to be able to assist with these important activities, though many try to do so when they can, and resources allow.

We would support specific funding being provided to specialist sexual violence services to provide support to attend the police station and court support and to provide system's advocacy throughout their matters. The funding of sexual violence prevention services to an adequate level to allow this work to be undertaken would be the most efficient way to improve the outcomes and experience of sexual violence victim-survivors, who engage with the criminal justice system.

We note that sexual violence services, who are highly knowledgeable about the legal system conducting this system's advocacy on behalf of victim-survivors has been found to have numerous benefits to the victim-survivors according to a systemic review undertaken for the Queensland Domestic and Family Violence Review and Advisory Board, including:

- *The legal system can be complex to navigate, and thus advocacy services often assist victims of DFV through court and legal proceedings. Legal advocacy is victim-focused advocacy that aims to improve victim safety, to ensure that the legal system responds appropriately and sensitively to DFV cases, and to provide victims with information and support regarding legal policies and procedures (Macy, Giattina, Sangster, Crosby, & Montijo, 2009).*
- *We identified one systematic review by Macy and colleagues (2009), which synthesised the extant literature on DFV and sexual assault services, including a section specifically on legal advocacy services for victims of DFV. The relevant synthesised literature mostly comprises court advocacy, including accompanying victims to criminal or civil proceedings and assisting them through related processes. Evaluations of the summarised interventions have found positive results: victims who receive legal advocacy experience greater social support, better quality of life, reduced likelihood of further abuse, and greater access to community resources (Macy et al., 2009).*
- *This review strongly stresses that legal advocacy service providers must be highly knowledgeable about the legal system in order to provide DFV victims with the correct information to navigate the judicial and legal systems. It also indicates that longterm approaches and long-term follow-up with victims should be*

*incorporated into legal advocacy to ensure that services are most efficacious (Macy et al., 2009)*¹

The Report found legal advocacy is associated *with greater social support, better quality of life, reduced likelihood of further abuse, and greater access to community resources*² and recommends the investigation of legal advocacy initiatives.³

2. The operation and effectiveness of the *Victims of Crime Assistance Act 2009* (the Act) for victims of violence, including:

- expanding the eligible victim's category to include home invasion; and enhancements to provide better, trauma informed and timely assistance and support to victims

We support any responses relating to improving the timeliness of the application and processing of compensation under the Victims of Crime Assistance Act 2009 as some outcomes can take years before payment is made. The payments are important and can make a real difference to victims not only financially but emotionally. This is because the payment represents the only official recognition, for some victims that a crime has been committed against them and they have been 'wronged'.

- mapping victims' experiences through the financial assistance application process to identify the ways to reduce the burden on applicants

No comment.

- reviewing the Charter of Victims' Rights to identify common complaint themes from victims to inform future sector training needs

The current Charter of Victims' Rights is rarely invoked in our experience. We support the call for the rights of victims of gendered violence to be specifically protected in Queensland under the Human Rights Act, as this will elevate the rights of victims in the process. Currently only the specific rights of defendants in the criminal justice system are protected, which entrenches the traditional disadvantage of victims in the process.

- revising the existing government initiatives in relation to the Act's operation and effectiveness.

No comment

If you have any questions in relation to the issues raised in this letter, please do not hesitate to contact either myself or our Advocacy Manager, Angela Lynch.

¹ [Microsoft Word - Mazerolle et al DFV-Review FinalReport 2018-09-06.docx \(courts.qld.gov.au\)](#) page 47

² *Ibid* page iii

³ *Ibid* page vi

Yours faithfully,



Hayley Foster
Chief Executive Officer, Full Stop Australia