



Speech by

Mark Ryan

MEMBER FOR MORAYFIELD

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VICTIMS OF CRIME ASSISTANCE BILL

Mr RYAN (Morayfield—ALP) (3.47 pm): I rise in support of the Victims of Crime Assistance Bill 2009. This bill repeals the current scheme which was established under the Criminal Offence Victims Act 1995 and chapter 65A of the Criminal Code. But, more importantly, this bill establishes a new financial assistance scheme for victims of crime. It is a wonderful scheme and there are wonderful amendments contained in this bill and it will be well received by people in the Morayfield state electorate.

This is a human bill, and we have heard that said by a couple of speakers. I know the member for Everton said this in his speech on the bill: it is a human bill. It does what we are here to do. It helps people. It provides assistance where people need assistance. I do not know what motivated other members to get elected to this place, but one of the things that inspired me and motivated me to get elected to this place was the ability to help people. I can say that this is one of those bills that does that. This is one of the bills that provides direct assistance to people who need it. As I said, it will be well received by the people of the Morayfield state electorate.

Importantly, this bill provides direct assistance for people who are disadvantaged, marginalised and vulnerable because they are a victim of crime. It is important that laws passed by this parliament reflect societal views and expectations. I believe that societal views and expectations are for a tolerant and progressive Queensland but also a Queensland that provides a safety net and support for people. I am pleased to say that this bill achieves that.

I believe it is important to have a robust criminal justice scheme that is about not just being tough on crime and having tough laws but also having a well-resourced Police Service and court services. It is clearly on the public record that the Queensland government is tough on crime. We have strong laws. We have strong penalties. We have a well-resourced Police Service and a well-resourced court service. But having a robust criminal justice system is also about providing support for victims of crime, and this bill does that.

This bill will see significant improvements to publicly funded support and assistance for victims of crime, and for that reason—I have said it already—it is an outstanding bill. It shows how a state government—a public entity—can provide care and support for people in the community. As I said, the current scheme will be repealed by this bill. To some extent that is a good thing, because the current scheme has been widely criticised. It is complex. It is costly to victims. It is overjudicious. It diverts court resources. It is impersonal. It also reinforces perceptions and the stigma of victimisation. When you think about that sort of logic—the logic that, if you are a victim and you have to continually prove you are a victim through a complex judicial process—those feelings of victimisation are not only structurally reinforced but also personally reinforced.

In my experience before being elected to this House I did some volunteer law work with the Homeless Persons Legal Clinic. Through that volunteer work, I came into contact with a number of people who were victims of, in many cases, quite horrific crimes. Providing advice to those victims of crime included, to a large extent, qualifications about the difficulty of navigating the current system, the difficulties associated with being very judicial, and the cost and timeliness of the process.

For that reason, many of those clients who attended the Homeless Persons Legal Clinic were very reluctant to continue with the application process. In some cases, the timeliness of the process meant that some people who needed immediate support and assistance did not receive that support and assistance as quickly as they should have. This bill will remedy those criticisms about the current system.

As I have already said, this bill will establish a new system that focuses on victim recovery and provides tailor based need responses. It also focuses on early intervention—delivering the services, support and assistance to people as soon as they need it, which will help them overcome the tragic and quite confronting situation of being a victim of crime. This new system and scheme will be quicker, less costly, more supportive, more relevant to victim recovery and it breaks down those stigmas of victimisation.

I am pleased to see that the new scheme will also broaden the categories of people being able to access the compensation scheme. Those categories will be extended to primary, secondary and related victims. I am also pleased to see that there will be increased assistance in the form of not only lump sum payments but, more particularly, support services. That is the critical thing: additional support for people who need it.

I am also pleased to see that this bill will have up-front interim assistance for people prior to any final award of assistance being given. This bill says something about the proper role of government in a contemporary modern time. Private citizens affected by the actions of others have private legal rights to commence legal action against those people. It is my belief that individuals affected by the actions of others should consider their private legal options available to them, but that is not to say that the government should not have a role in supporting and assisting victims of crime.

I welcome the shift in the model to a scheme focused on assistance and support rather than direct financial compensation. Compensation rights are not limited by this bill, and individual victims may still commence legal action for compensation against any offender, and rightly so. The bill nonetheless provides tangible support and assistance up-front to individuals, and individuals can then make their own decision about any private legal action that they may be able to pursue.

I also welcome the proposed amendment contained in this bill regarding the recovery of financial assistance from convicted offenders. The bill provides that, if the state provides any financial assistance to a victim and the victim's offender is convicted of the offence, the offender will then owe a debt to the state for any payments made to their primary, secondary and related victims. The bill provides that the state can recover these amounts through the State Penalties Enforcement Register. For want of a better description, I will call this a clawback mechanism. The clawback mechanism not only reinforces this government's strong tough-on-crime credentials but also sends a clear message to offenders and the community that, if you commit a crime, you will be held to account for those actions.

This is an outstanding bill that highlights the great role of Labor governments in providing progressive reform, in providing support for disadvantaged, marginalised and vulnerable people, in being tough on crime and holding criminals to account, but also, and probably most importantly, in providing a valuable safety net for our communities and helping people where we can.

I would like to congratulate the Attorney-General, the former Attorney-General and member for Toowoomba North, staff from the Attorney-General's office and the department on bringing this bill to the House. I commend them for their hard work and commitment to the people of Queensland and to victims of crime. This is a very important bill. I commend all involved for bringing it to the House and I also commend the bill to the House.