



Speech by  
**Ros Bates**

**MEMBER FOR MUDGEERABA**

Hansard Wednesday, 2 September 2009

---

## **VICTIMS OF CRIME ASSISTANCE BILL**

**Ms BATES** (Mudgeeraba—LNP) (8.47 pm): I rise today in order to make a contribution to the Victims of Crime Assistance Bill 2009. The objectives of the bill are to declare fundamental principles of justice to underlie the treatment of victims by certain entities dealing with them; to provide a mechanism for implementing the principles and processes for making complaints about conduct inconsistent with the principles; and to provide a scheme to give financial assistance to certain victims of acts of violence.

Current compensation to victims of crime in Queensland has not been reviewed for more than 13 years. The current scheme is a compensation based lump sum payment and generally involves a protracted court battle which only serves to exacerbate the effect of the crime on the victim.

On 26 November 2007, the government announced the victims of crime review to examine how to make the scheme simpler and easier to access. The review's *Report to the Queensland government on the victims of crime review 2008* made 27 recommendations, including the timely provision of financial assistance to victims for services they require as a result of their injuries, rather than a compensation based scheme.

Under the new scheme, victims will no longer be required to apply for compensation through the court system. Instead they will apply for financial assistance to a new Victim Assistance Unit, VAU, within the Department of Justice and Attorney-General. The new scheme will focus on victim recovery by paying for, or reimbursing the costs of, goods and services that the victim requires to help them recover from the physical and psychological effects of an act of violence. The VAU will provide a central point to access support services, practical support during court proceedings and a victim's complaints resolution process, as well as government coordination of services, information, training and policy development for victims of crime in Queensland.

There will be three types of victims under the new scheme. Primary victims are entitled to a maximum amount of financial assistance to the value of \$75,000. However, under the bill this assistance will pay for goods and services, such as medical and counselling expenses, and other assistance and special assistance up to \$10,000 within the \$75,000 maximum amount. Secondary victims are a new category of victims and now include parents who also suffer an injury as a result of an act of violence being committed against their child. These parents will now be entitled to seek financial assistance for goods and services, such as medical and counselling expenses and other assistance as set out in the bill. Assistance can be granted up to the value of \$50,000 to be shared between the parents. Witnesses of serious acts of violence such as murder and manslaughter will be entitled to seek financial assistance for goods and services and other assistance as set out in the bill to the value of \$50,000, and witnesses of other acts of violence will also be entitled to seek financial assistance for goods and services to the value of \$10,000.

This new scheme allows persons known as related victims—being close family or dependants of a person who has died—to seek financial assistance. Related victims will share an amount of up to \$100,000, with a maximum amount of assistance of \$50,000 per related victim. This assistance will pay for goods and services such as medical and counselling expenses and other assistance specified in the bill within the maximum limits.

The new scheme also allows the payment of funeral expenses up to \$6,000 incurred as a result of the death of a primary victim. A victim of crime may be either the person who is directly injured, a witness to that crime or in certain cases a person directly related to the primary care victim. Crimes can include physical assault, sexual assault, rape, domestic violence, domestic abuse, violent robbery, aggravated burglary, childhood sexual abuse, stalking, threats to kill, workplace assault, murder, culpable driving, dangerous driving and any other crime that is committed against a person.

An injury sustained as a result of being a crime victim may be a physical and/or a psychological injury. Victims of crime may suffer from a variety of psychopathologies following criminal trauma, including acute stress disorder, post-traumatic stress disorder, adjustment disorder, generalised anxiety disorder, major depressive disorder and panic disorders.

I find it somewhat ironic that the legislation introduced by this government will now assist victims of crime and compensate them for the pain or injury, given that this same government has continually voted down some tough-on-crime measures introduced as private members' bills by the Liberal National Party. The same government has voted down the following bills: the Criminal Code (Protecting School Students and Members of Staff From Assaults) Amendment Bill 2007, the Criminal Code (Assaults Against Police and Others) Amendment Bill 2007 and the Criminal Code (Assault Causing Death) Amendment Bill 2007.

Whilst I commend the Attorney-General for this new bill, if this government were truly serious about crime in Queensland it would also ensure that we had more police with increased powers so that criminals have a very clear understanding that, in the event of a serious criminal offence which either maims or kills a fellow Queenslanders, they will indeed be punished. Only recently I lodged a petition with over 2,500 signatures for more police in the electorate of Mudgeeraba. I have continually lobbied on the need for more police in this area, whilst the government and the police minister have continued to mislead the public by claiming that the police stations in Mudgeeraba and Nerang operate 24 hours a day when in actual fact their counter service only operates from 8 am to 4 pm. Law and order is a huge issue in the Mudgeeraba electorate, which is evidenced by the number of signatures that were collected. I have been a vocal campaigner for four years on this issue.

The LNP takes a tough-on-crime attitude. Labor has been soft on crime, soft on hooning and soft on graffiti and has failed to stand up for the residents and police to provide a safer community for Mudgeeraba. The residents of Mudgeeraba and surrounding areas are sick and tired of being treated like second-class citizens and have had enough of the thin blue line being stretched even further. This bill streamlines the difficult process of access to compensation for families, but I am sure if the government actually asked the families what they would prefer the answer would have been to prevent the crime in the first place. I commend the bill to the House.