




Speech By
Hon. Mark Ryan

MEMBER FOR MORAYFIELD

Record of Proceedings, 10 October 2023

VICTIMS OF CRIME ASSISTANCE AND OTHER LEGISLATION AMENDMENT BILL

Message from Deputy Governor

 **Hon. MT RYAN** (Morayfield—ALP) (Minister for Police and Corrective Services and Minister for Fire and Emergency Services) (11.42 am): I present a message from the Deputy Governor.

Mr DEPUTY SPEAKER (Mr Kelly): The message from the Deputy Governor recommends the Victims of Crime Assistance and Other Legislation Amendment Bill. The contents of the message will be incorporated in the *Record of Proceedings*. I table the message for the information of members.

MESSAGE

VICTIMS OF CRIME ASSISTANCE AND OTHER LEGISLATION AMENDMENT BILL 2023

Constitution of Queensland 2001, section 68

I, HELEN PATRICIA BOWSKILL, Deputy Governor, recommend to the Legislative Assembly a Bill intituled—


A Bill for an Act to amend the Penalties and Sentences Act 1992 and the Victims of Crime Assistance Act 2009 for particular purposes

DEPUTY GOVERNOR

Date: 10 October 2023

Tabled paper: Message, dated 10 October 2023, from the Deputy Governor, recommending the Victims of Crime Assistance and Other Legislation Amendment Bill 2023 [1601](#).

Introduction

 **Hon. MT RYAN** (Morayfield—ALP) (Minister for Police and Corrective Services and Minister for Fire and Emergency Services) (11.42 am): I present a bill for an act to amend the Penalties and Sentences Act 1992 and the Victims of Crime Assistance Act 2009 and the for particular purposes. I table the bill, the explanatory notes and a statement of compatibility with human rights.

Tabled paper: Victims of Crime Assistance and Other Legislation Amendment Bill 2023 [1602](#).

Tabled paper: Victims of Crime Assistance and Other Legislation Amendment Bill 2023, explanatory notes [1603](#).

Tabled paper: Victims of Crime Assistance and Other Legislation Amendment Bill 2023, statement of compatibility with human rights [1604](#).

On 28 September 2023, the Premier and Minister for the Olympic and Paralympic Games and the Attorney-General and Minister for Justice and Minister for the Prevention of Domestic and Family Violence announced a significant increase in funding to support victims of crime, including \$185 million to support the increase in the maximum amounts of financial assistance that can be paid to victims of crime.

The bill will make critical amendments to the Victims of Crime Assistance Act 2009 to increase the financial assistance for victims of crime by increasing the maximum amounts of financial assistance that can be claimed under the financial assistance scheme. The financial assistance scheme is established and administered under the Victims of Crime Assistance Act 2009. The scheme is intended to assist victims who are injured by an act of violence committed in Queensland in their recovery. The scheme is administered by Victims Assist Queensland, which is located within the Department of Justice and Attorney-General. A victim may apply to Victims Assist Queensland for financial assistance for expenses incurred as a result of the act of violence, with applications assessed and approved by appointed government assessors. The amount of assistance will depend on the type of victim, the crime committed against the victim and the injuries suffered. Financial assistance may include: expenses incurred in helping the victim recover—for example, medical, counselling or legal expenses or costs of relocation; funeral expenses for a person who was killed by an act of violence; or a one-off special assistance payment.

The bill will increase the maximum financial assistance for primary victims from \$75,000 to \$120,000. A primary victim is a person who is directly injured by an act of violence. Under the bill, maximum financial assistance for parents, secondary victims, witness secondary victims for more serious acts of violence and related victims will be increased to \$75,000. For witness secondary victims for less serious acts of violence maximum financial assistance will be increased to \$20,000. A parent secondary victim is a parent of a child who is the primary victim and a witness secondary victim is a person who sustains an injury through seeing or hearing an act of violence being committed against someone else. A related victim is a close family member or financial dependent of a person who was killed by an act of violence. The bill also increases the amount of special assistance that is available to victims for all categories of acts of violence. Special assistance payments are available to victims to represent a symbolic expression by the state of the community's recognition of the injuries suffered by a victim from an act of violence.

Special assistance payments are made to a victim where the victim has experienced a particular act of violence, with acts categorised by seriousness. The bill will increase category A special assistance payments from \$10,000 to \$15,000; category B payments from \$3,500 to \$9,000; category C payments from \$2,000 to \$6,000; and category D payments from \$1,000 to \$3,000. In addition to these increases, the bill will increase maximum payments for funeral expenses from \$8,000 to \$15,000 and for distress payments from \$10,000 to \$15,000. The bill will change the categorisation of acts of domestic and family violence for the purposes of the special assistance payment from a category D act of violence to a category B act of violence. This will significantly increase the amount that is paid to victims of domestic and family violence as a special assistance payment from \$1,000 to \$9,000.

These amendments are intended to better recognise the serious and detrimental effect of domestic and family violence on victim-survivors and ensure they can receive increased financial assistance to support them in their recovery. These amendments have been well received by the specialist support service DVConnect, which stated—

This change would be a compassionate and respectful decision and will go a long way to ensuring that victims of serious crime, which include Domestic and Family Violence, will have an opportunity to heal and recover with dignity, as they should expect.

The amendments in the bill are part of the Palaszczuk government's ongoing commitment to ensure victims receive the most appropriate and effective supports available to assist them to recover from crimes committed against them. Separate to the bill, the Palaszczuk government is committed to continuing to implement significant reforms recommended by independent reviews, including the Women's Safety and Justice Taskforce and the Independent Commission of Inquiry into the Queensland Police Service responses to domestic and family violence, to further support and improve assistance for victims of crime. These reforms include implementing the Legal Affairs and Safety Committee's recommendation to undertake a fulsome review of the entire financial assistance scheme under the Victims of Crime Assistance Act to ensure it is achieving its objectives and to assess the effectiveness of the current financial assistance scheme.

An independent review of the financial assistance scheme has commenced. It is intended the review will include identifying potential opportunities for greater collaboration with the broader victim's sector to provide better access to services and financial assistance and to explore options for delivering improved services and supports for victims of crime. The Queensland government is committed to ensuring greater representation of victims of crime in the criminal justice system and in key positions within the public sector to advise governments on matters impacting victims of crime.

In September the Queensland government announced the appointment of Jon Rouse as the interim Victims' Commissioner. In addition to the appointment of the interim Victims' Commissioner, we also commit to ensuring victims' representation on the Queensland Sentencing Advisory Council. The

bill seeks to implement this commitment by expanding the membership of the Queensland Sentencing Advisory Council from 12 members to 14 members to enable the appointment of a member with lived experience and another person, both to be appointed by the Governor in Council on the recommendation of the Attorney-General. The reforms contained in the bill will provide immediate and targeted action to support victims of crime while other significant reforms continue to be implemented. The voices of victims and their families, as well as victim support organisations and advocacy groups, continue to have an important role in helping to shape these reforms and ensure victims of crime and their families have the support they need to recover and rebuild their lives. On behalf of the Attorney-General, I commend the bill to the House.

First Reading

Hon. MT RYAN (Morayfield—ALP) (Minister for Police and Corrective Services and Minister for Fire and Emergency Services) (11.50 am): I move—

That the bill be now read a first time.

Question put—That the bill be now read a first time.

Motion agreed to.

Bill read a first time.

Referral to Legal Affairs and Safety Committee

Mr DEPUTY SPEAKER (Mr Kelly): In accordance with standing order 131, the bill is now referred to the Legal Affairs and Safety Committee.