




Speech By  
**Robert Skelton**

**MEMBER FOR NICKLIN**

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Record of Proceedings, 29 November 2023

**VICTIMS OF CRIME ASSISTANCE AND OTHER LEGISLATION AMENDMENT  
BILL**

 **Mr SKELTON** (Nicklin—ALP) (2.41 pm): I rise to speak in support of the government's Victims of Crime Assistance and Other Legislation Amendment Bill 2023. The bill amends the Victims of Crime Assistance Act and the Penalties and Sentences Act to provide victims of crime with better support and representation. The bill increases the maximum amount of financial assistance payable to victims of crime and establishes a permanent Victims' Commissioner to sit on the Queensland Sentencing Advisory Council.

Firstly, I would like to thank the Legal Affairs and Safety Committee for all their groundwork in preparing this bill, especially the notable chair, Mr Peter Russo, an esteemed lawyer himself. I would also like to say how much work is done by the chair of our committee, my friend the member for Mansfield, and the secretariat in providing us with all the information we need to scrutinise bills. I thank the member for Cook for her speech just before. She has been an advocate for victims of crime from all parts of society for many years. It was very interesting to hear her speech. Her contribution is always valuable.

The Victims of Crime Assistance Act 2009 provides financial assistance to certain victims of acts of violence. The VoCAA establishes the financial assistance scheme which seeks to: help victims of acts of violence to recover from the acts by giving them financial assistance; give primary victims amounts representing a symbolic expression by the state of the community's recognition of the injuries suffered by them; and give related victims who have suffered distress amounts representing a symbolic expression by the state of the community's recognition of the distress suffered by them.

Separate inquiries undertaken by the Women's Safety and Justice Taskforce, the independent Commission of Inquiry into Queensland Police Service responses to domestic and family violence and the Legal Affairs and Safety Committee have all recently made recommendations to increase the levels of support provided to victims of crime. Additionally, the inflationary pressures and increases in the cost of goods and services in our economy mean that it is absolutely essential that amendments are made to lift the maximum amount of expenses that can be claimed by victims of crime. This ensures that victims of crime are supported now and in the immediate future while broader reviews of the financial assistance scheme under the Victims of Crime Assistance Act are undertaken.

In addition to the increasing costs of services, it is also noted that the total maximum amount of assistance for victims, except funeral assistance, has not increased since the commencement of the VoCAA in 2009. Funeral expense assistance was increased from \$6,000 to \$8,000 when the VoCAA was amended in 2017. In September this year, our government announced a series of reforms intended to increase support for victims of crime and their families, including amendments to the financial assistance scheme to increase the maximum assistance payable to victims of crime and related victims. This includes increasing the maximum amount of compensation for primary victims to \$120,000 and increasing the amount of compensation for both distress for related victims and funeral costs to \$15,000. It is also proposed to increase the maximum amount of financial assistance available to the following

types of victims who are also eligible for assistance under the FAS: parent secondary victims, up to \$75,000; witness secondary victims of a more serious act of violence, up to \$75,000; witness secondary victims of a less serious act of violence, up to \$20,000; and related victims, up to \$75,000.

To provide greater support specific to victims of acts of domestic and family violence, the bill increases the categorisation of acts of domestic and family violence to increase the amount of special assistance payment that victim-survivors can receive. To achieve this objective, acts of domestic and family violence will be recategorised from a category D act of violence to a category B act of violence. This amendment contained in the bill would increase the special assistance payment for victims of acts of domestic and family violence from \$1,000 to \$9,000.

The bill also amends the Penalties and Sentences Act to add to the functions of the Queensland Sentencing Advisory Council. QSAC was established under the Penalties and Sentences Act with various functions including: if asked by the Court of Appeal, to give the court the council's views, in writing, about the giving or reviewing of a guideline judgement; if asked by the Attorney-General, to advise the Attorney-General on matters relating to sentencing; to give information to the community to enhance knowledge and understanding of matters relating to sentencing; and to obtain the community's views on sentencing and matters about sentencing. QSAC comprises no more than 12 members appointed by the Governor in Council on the recommendation of the Attorney-General, each with expertise or experience in various areas, including victims of crime, justice matters relating to Aboriginal people or Torres Strait Islanders, justice matters relating to domestic and family violence, law enforcement and vulnerable persons facing the criminal justice system.

On 2 September 2023, the Queensland government announced the appointment of Mr Jon Rouse APM as the Interim Victims' Commissioner while legislation was being developed to establish a permanent Victims' Commissioner. On 12 September 2023, the Attorney-General announced that the Queensland government was committed to ensuring there is a victims' representative on QSAC. To support the implementation of the government's commitment, the bill makes changes to the composition of QSAC's membership to increase representation of victims of crime. It is proposed to amend the PSA to: increase the number of members on QSAC from no more than 12 to no more than 14 members and enable the appointment of a person with lived experience as a victim of crime and an additional further member.

This bill represents another step taken by the Palaszczuk government to uphold the rights of victims of crime and make sure they are placed front and centre. These reforms have been very well received by various stakeholders, including the Australian Lawyers Alliance, the Justice Reform Initiative, the Local Government Association of Queensland and the Aboriginal and Torres Strait Islander Legal Service, just to name a few.

Unlike the LNP and their the Right Priorities for Queensland's Future document which is chock-full of rolled gold statements, our government is getting on with the job of actually making policy and implementing it. This bill gives effect to calls from victim support organisations, including Voice for Victims, to better support victims of crime. It is just another way the Palaszczuk Labor government is making our community safer. I commend this bill to the House.