

Member of Parliament  
C/- Parliament House  
North Terrace  
Adelaide SA 5000

Dear Member

### **Introduction**

We are writing to provide all Members with a first-hand update of the current circumstances of the State's peak body for crime victims as we enter the last year before the election in 2006.

Victim Support Service has again incurred an increase in new referrals (3.9% in calendar year 2004) now showing seven consecutive years of growth in referrals. We have continued to put additional funds into extra counselling time, however resources are still being stretched from time to time as referrals fluctuate. We have a relatively stable and experienced counselling team which helps our response. It is interesting to note the referral increase from the first quarter of 2004 until the corresponding quarter of this year is in sexual assault, family violence, home invasion, and robbery with violence – all crimes requiring more intensive counselling and generally taking longer to resolve.

For several years there has been a need to move into larger accommodation due to our gradual growth of staffing levels, requirement for meeting space for volunteers and interagency meetings, larger area for victims' support groups, and a need to accommodate new projects and tertiary students. Our office needs to be close to the court precinct and public transport for convenient client and volunteer access. We finally made a commitment to remain in our current building but relocate to the upper floor and have undertaken an ambitious saving plan to afford to adapt the upstairs space. The additional area is working well but is more expensive than previously and we are subleasing part of the new offices to help offset increased costs.

Our growth has been supported by the Government with increased funding in the last few years for upgrading of staffing, accommodation, improvements to regional services (including two new offices in Whyalla and Murray Bridge) and the establishment of specialised services for people affected by homicide.

We are still awaiting the full implementation of the new Victims of Crime (VoC) Act. It is bitterly disappointing that still no resolution has been found for the regulations for the Victims of Crime Compensation scheme. We are still vehemently opposed to the cutting of access to compensation from victims traumatised by non-violent crimes (which happens constantly), and the totally unacceptable requirement for a General Practitioner to assess mental injury.

However, we do want the legislation operating soon for the benefit of eligible victims, but with appropriate regulations which enable Psychiatrists, Psychologists and our highly qualified Victim Support Service counsellors to also be able to provide reports to support victims' compensation claims.

The Ministerial Advisory Committee (legislated under the VoC Act), which was a valuable forum for action and cross-government initiative in the previous government, has still not met since this Government took office. This is extremely frustrating and bitterly disappointing when there is so much rhetoric about whole of government strategy and service development, social inclusion and a tough stance on crime.

One of the main implications of the VoC Act is the need for comprehensive education and training about the Act itself as well as victims' rights – we are disappointed in the lack of funding allocated for this purpose and implementation strategies to put this into practice. It is totally inadequate and ineffective and means that victims are not being appropriately informed about their rights by generic service providers who have not been made aware of the Act and victims' rights.

We have advocated strongly for the increase and indexation of the victims of crime levy and we are pleased to note that the government is pursuing this. We are supportive of the moves to obtain profit and assets from criminals engaging in criminal activity. In the last two years, we have suggested that the additional revenue should be used to more appropriately fund services for victims. We strongly encourage any extra revenue to be directed to victims' services and compensation.

**Our funding priorities for Victim Support Service for the immediate future are:**

- **Disadvantaged Victim Groups**

We must and do continue to work towards better outcomes for disadvantaged crime victims (i.e. culturally diverse and indigenous victims), but are not funded to service these groups in an appropriate manner. We have formed an internal working group to begin to address the culturally diverse and indigenous issues. These are groups identified as disadvantaged in the Victims of Crime Review Report 3 and by the Victims of Crime Ministerial Advisory Committee before its demise. If we are to address these under-serviced victims, we need staff to undertake the community development work that requires links to be developed with various communities, training designed and documentation prepared. While we have begun to develop links and seek 'local' advice about service needs with other cultural groups we have to restrict time for these developments. We have spent some funds on translating information and engaging interpreters – this is very expensive. The culturally specific service providers are clearly not often equipped with knowledge or skills required to assist culturally diverse clients with their victimisation and involvement in the criminal justice system. We have unsuccessfully sought funds for several years for a staff member to undertake this work.

We have been given funds by the Attorney-General for two years to help establish a new initiative in the defined Westwood Urban Regeneration area which will help us put some of our lessons into practice in one 'pilot' area of The Parks. Matching funds have also been obtained from the Westwood developer.

- **Accommodation and general staffing increase**

We are expecting a deficit this financial year which we have accepted as a necessary strategic development in response to seven years growth in demand for service and accommodation requirements, and we have calculated our ability to finance the deficit for a short time from savings. The Attorney-General has agreed to increase our grant (recurrent) to cover this increase in operational expenditure. We are also to receive an extra grant (recurrent) to ensure we can develop and support better Information Systems – especially to incorporate regional services.

- **Volunteer Co-ordination**

Our counsellors act as volunteer managers in several programs (including Court Companions, Public Speaking etc). We have increased our volunteer numbers and variety of roles and now need a part-time volunteer co-ordinator to help with some of this work. This has not yet been funded.

### **Other issues and priorities:**

Victim Support Service has a much bigger mandate than merely responding to the 3000 victims to whom we provide direct services each year. We have a responsibility to advocate for improvements to the way **all** crime victims are treated and that their rights are fulfilled. Hence we are involved in many other activities to achieve these outcomes. Priorities from these include:

- **Extension of Adult Restorative Justice Pilot and increase of restorative practices** by Courts – unfortunately this appears unlikely to receive additional funding in the new budget. We are very keen to see restorative practices increased as they can provide alternative processes for many victims which are more involving and less intimidating than traditional adversarial courts. They are also more cost-effective.
- **Effective offender assessment and targeted intervention** with evaluated programs – although new programs have been planned for sexual and violent offenders, they have not commenced in earnest yet and the previous core programs of Correctional Services are still inadequate. The current so called “assessment” of offenders which should dictate their treatment while in the correctional system, is totally unacceptable.
- **Long overdue reduction of delays in court proceedings** – court delays have become almost accepted as a “necessary evil” by practitioners within the system, however the emotional harm and practical problems from delays for crime victims is being totally underestimated and remains unresolved.
- **Improved victim consultation in charge/plea negotiations and Bail applications** – the need for better engagement of victims in this process has been highlighted in cases like Nemer and the subsequent Solicitor-General’s review.
- **More creative and rehabilitation-oriented sentencing with improved balancing of victim issues** when reviewing and emphasising “mitigating” factors for offenders – we have argued for sentencing guidelines for some crimes to try to address this issue.
- **Victim representation on Parole Board** – we support the notion of a victims’ representative on the Parole Board.
- **Inquisitorial (rather than adversarial) processes** for cases involving children and/or other vulnerable witnesses – to avoid the threat of aggressive cross-examination and consequential lack of prosecution.
- **Much better utilisation of vulnerable witness protection** - including CCTV with automatic right of use, more effective screening of witnesses from intimidation by the accused.
- **Improved victim waiting facilities** – victims need to be able to wait safely and without feeling threatened, particularly in all new country Courts planned for construction.

- **Full Disclosure of the Defence case** – the need for the necessity of this practice to be introduced to achieve equal rights for the Prosecution has been highlighted by the recent McGee case.
- **Removal of the incentive to leave victims at the side of the road after a crash** – the huge penalty discrepancy between that for death or harm by dangerous driving and leaving the scene must be removed if Parliament is serious about protecting victims' lives.

## Conclusion

We recognise that these initiatives require significant resources, especially for the system beyond the bounds of Victim Support Service. In our own service, we are attempting, with limited success, to attract sponsorship and grants as well as offset operating costs with some fees and subleasing. We are grateful to the Government for increasing our grant for the coming financial year, however major investment needs to be made by government into the criminal justice system to address the issues identified herein and ensure victims are treated with respect and according to their rights.

Victim Support Service provides exceptional value for money with regards to both quantity and quality of services. These activities which are both reactive and proactive are of long-term strategic importance to the effectiveness of service delivery to crime victims through both specialist and generic agencies. We predict sustained growth in referrals as the organisation maintains a high community profile, continues to develop referral networks with other agencies and the Victims of Crime Act is consolidated. Victims' rights and needs are rightly becoming more recognised by victims, service providers and community members.

We implore Members to be mindful of these and other issues for crime victims in our State during the coming year – we are more than willing to discuss any of the fore-mentioned concerns and respond to the enquiries of members.

Yours sincerely  
*Victim Support Service Inc.*

A handwritten signature in black ink that reads "Michael Dawson". The signature is written in a cursive, flowing style.

Michael Dawson  
Chief Executive Officer