

Submission to Inform 2014 South Australian State Election

January 2014



**Contact:
Julian Roffe
Chief Executive
Victim Support Service**

**T: (08) 8231 5626
E: julianr@victimsa.org**

**11 Halifax Street
Adelaide SA 5000**

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VICTIM SUPPORT SERVICE (VSS)

VSS is a statewide non-government community service organisation which provides free support, counselling and information services for adult crime victims, and advocates for victims' rights and community safety. We provide nearly 30,000 responses to victims each year, of which nearly 3,000 are new referrals.

VSS is governed by a voluntary Board of Management drawn from a diverse range of professional backgrounds including law, police, counselling, accounting, business, government and human services. The Board also retains a link with crime victims by retaining at least one crime victim/survivor as a Director.

VSS employs a team of staff drawn from the fields of psychology, social work and counselling deployed from one Adelaide office and seven regional offices in South Australia. We provide a comprehensive range of practical and therapeutic services to all adult and older adolescents that have experienced crime, including information, training, counselling, brief intervention and onward referral to specialist agencies. This includes services for individual crime victims, their families, friends and the wider community. A victim does not need to have reported a crime to access VSS services, and victims can contact VSS at any time after the crime – whether it was yesterday, last week or several years ago.

VSS also advocates on behalf of individual clients, and for systemic changes to improve how the criminal justice and the health/welfare systems treat victims of crime.

VSS staff provide consultancy, training and information to other professionals who work with crime victims.

Additionally, we deploy a team of trained volunteers to provide:

- court preparation and companionship for victims or prosecution witnesses who attend court;
- community education talks;
- information resources for victims and other professionals.

VSS is primarily funded by the Attorney-General from the Victims of Crime Fund. In addition, VSS has been funded by:

- the Royal Commission into Institutional Responses to Child Sexual Abuse to provide support and counselling services to witnesses throughout the lifespan of the Commission;
- The South Australian Office for Women to provide administrative support for the statewide Family Safety Framework initiative;
- The South Australian Department for Communities and Social Inclusion (DCSI) to improve home security and safety for women who are at high risk from domestic violence.

VSS PRIORITIES & RECOMMENDATIONS

1. *Reduce crime in South Australia by minimising known risk factors*

South Australia should invest funds in a comprehensive crime prevention plan that seeks to improve community safety by addressing the known risk factors that trigger criminal behaviour.

The crime prevention plan would address:

- Early intervention/social inclusion strategies that minimise known risk factors, including;
 - Anti-poverty initiatives
 - Housing & homelessness initiatives
 - Health initiatives, including early intervention with drug and alcohol abuse
 - Parenting support programs (including foster carers)
 - Reductions in intra-familial violence
 - Reductions in long term and intergenerational unemployment
 - Improvements in school attendance and retention
 - Reduction in behavioural problems at primary school
 - Respectful relationships programs in primary and secondary schools;
 - Anti-violence education and awareness campaigns
 - Victim awareness education for schools and young offenders to improve their understanding about the personal consequences of crime on other people – especially bullying and abuse of power.
- A joined-up, cross-portfolio approach that joins together the public, private and not-for-profit sectors to strengthen crime prevention;
- The association between exposure to violence in the media and subsequent violent behaviour;
- Environmental design that minimises the opportunity for crime – including the management of major events in South Australia.
- Tertiary prevention strategies that minimise the opportunity for crime, including:
 - Fraud and cybercrime education programs;
 - Ongoing support for victims of domestic violence through identification, joined-up support services, and home security and safety programs;
 - Effective risk assessment procedures in corrective services and direction of resources towards offenders at high risk of recidivism at pre-sentence, during community supervision, and pre and post release supervision to improve their chances of rehabilitation.

2. *Improve the Victim Experience of the Criminal Justice System*

South Australia needs a more progressive, effective justice system which builds confidence and trust – so that victims have greater participation in the system, and report more crime to authorities.

A reformed effective criminal justice system would address:

- The right for victims' dissenting views to be recorded and areas of agreement between prosecution and defence forwarded to the court as a "Statement of Agreed Facts" to reduce time and victims' distress;
- Greater protection of victims and their families against insensitive media.
- Victims to have the right to funded legal representation or advice to assist with all stages – compensation, plea negotiation, court assistance, VIS preparation and presentation, and Parole Board;
- Vulnerable witnesses to have automatic right to adequate care and protection from intimidation whilst attending court - including use of CCTV, and the practice of removing the defendant from court;
- Witness assistance services to become available to victims in Magistrates courts - provided either by ODPP expansion or through a non-government agency such as VSS;
- More "inquisitorial" processes in the system especially for cases involving victims of domestic violence or sexual assault, children, or people with mental health problems or intellectual disability;
- Increased use of Restorative Justice practices as a recognised legitimate justice process;
- A criminal justice system which is more relevant and effective for Indigenous people;
- Legislation to facilitate the disclosure of information about a defendant's prior convictions by the prosecution when similar behaviour has occurred before and shows a pattern of behaviour which is relevant to the matter before the court.
- More use of sentencing guidelines and the creation of a sentencing advisory body which would develop sentencing practices that better reflect the views of victims and community expectations; reduced court delays through increased funding for administration and improved justice processes;
- Provide a more flexible & responsive service to the meet the needs of disabled victims and witnesses by:
 - Including a specific reference to providing fair and dignified treatment for disabled victims in the South Australian Victims of Crime Act;
 - Implementing disability awareness and communication training for agents of the criminal justice system, particularly the Courts Administration Authority (CAA), the Department of Public Prosecutions (DPP), and the South Australia Police (SAPOL);

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2. *Improve the Victim Experience of the Criminal Justice System (continued)*

- Improving the accessibility of metropolitan and country courts for people with physical disabilities;
 - Requiring annual reporting by agencies of the criminal justice system on strategies to improve access for victims and witnesses with disabilities.
- The restoration of Supreme and District court proceedings in regional areas

A reformed Victims of Crime Compensation Fund would:

- Re-establish the right to compensation for people who have suffered trauma as a result of *non-violent crimes*;
- Establish effective assessment of harm by appropriate professionals at the initial claim as a matter of course;
- Increase the maximum pay out to victims from the Victims of Crime Compensation Fund to be at least on par with CPI increases since the level of compensation was last increased in 1990, and then index annual increases to inflation;
- Focus on victim recovery by providing additional financial assistance for the practical help that victims need, such as:
 - installation of security devices;
 - repair or replacement of property;
 - ongoing treatment costs;
 - transport and childcare costs when victims attend court.

3. *Increase Access to Victim Support Services*

South Australia needs a localised victim support service that can meet the needs of all victims, including those who are young, indigenous, elderly, have an intellectual disability, or are from a culturally or linguistically diverse background

Victim support services should:

- Be accessible to all victims of crime, regardless of the type or impact of offence;
- Provide specialist therapeutic services for those victims that experience trauma and other psychological impacts;
- Help victims to access the practical help they need, including security devices, property repair, insurance claims, and crime prevention techniques;
- Be accessible through permanent outlets in the North, South and Western suburbs of Adelaide;
- Be accessible to remote area victims through outreach services;
- Be accessible to children and young people;
- Provide specialist support to indigenous, elderly, intellectually disabled and CALD victims;
- Provide more support to victims in the Magistrates & Youth Courts;
- Communicate details of victims' rights and victim assistance to all communities in South Australia, utilising the most modern communication devices;
- Provide input in to the design and management of major events in South Australia to minimise the impact and fear of crime during their incursion;
- Train professionals from other crisis and community welfare agencies that provide support to victims of crime during the provision of their services;
- Train non-professionals that often provide the first-line of support for victims – family, friends, work colleagues etc

4. *Support Improvements in the Breadth, Quality and Impact of Victim Support Service*

South Australia needs a comprehensive victim support service that can meet the practical and therapeutic needs of all victims.

The breadth, quality and impact of victim support services should be improved by:

- Enabling VSS to provide a broader range of practical interventions, such as the fitting of security devices; the repair or replacement of damaged property; information on insurance; and supporting victims to implement crime prevention techniques;
- Developing a model of quality assurance that can identify and inform benchmarking standards that can be applied to the delivery of services to victims of crime, especially those therapeutic services aimed at supporting the emotional and psychological wellbeing of victims;
- Supporting research that would enable VSS to deepen its understanding of the victim experience and thereby provide services that would respond to need in the most effective way;
- Supporting the continued professional development and training of VSS staff to support a more comprehensive service model