



## Media Release – For immediate release 29 May 2020

### Scrap proposed Victims Support reforms and start comprehensive review with proper consultation

In an [Open Letter](#) to the Commissioner Victims Rights a diverse group of over 80 organisations and over 320 individuals are calling for proposed reforms to Victims Support to be scrapped and for the NSW Government to start a comprehensive review of Victims Support immediately with proper consultation.

On 20 April 2020, the Commissioner Victims Rights announced that significant systemic changes to NSW Victims Support would start just 5 days later. These reforms were announced without any consultation, including with victims' groups, like the Victims Advisory Board, established specifically for that purpose. The Commissioner Victims Rights subsequently agreed to delay implementation for two weeks while a brief consultation process was undertaken. However, signatories to the [Open Letter](#) remain concerned by the possibility the changes might still be pursued without any further review process.

"If implemented, the changes will deny many victims-survivors of violence in NSW access to support they have a right to and need," says Renata Field, media spokesperson for Domestic Violence NSW.

Proposed changes shift the burden from Victims Services onto victim-survivors to:

- Collect their own evidence of violence and injury within strict timeframes
- Find an approved counsellor to help them in their recovery
- Submit evidence online
- Provide identification documents

“When the Victims Support scheme was introduced in 2013, its key feature was to be its accessibility. There was no longer a need to pay lawyers fees to complete applications or to cover the cost of gathering evidence because Victims Services would collect evidence on their behalf once an application was lodged,” says Arlia Fleming, Chair, Community Legal Centres NSW.

“Every barrier put in a victim-survivor’s way will deter them from accessing support,” says Liz Snell, Law Reform and Policy Co-ordinator, Women’s Legal Service NSW.

“The proposed changes will be especially detrimental for the Aboriginal community,” says Christine Robinson, Co-ordinator, Wirringa Baiya Aboriginal Women’s Legal Centre. “Aboriginal people, especially women and children, are over-represented as victims of violence. The Commissioner needs to acknowledge the significant social and economic disadvantage faced by many Aboriginal victims-survivors that will deter them from applying. This includes: limited literacy; no funds to pay for the costs of applying for evidence; limited access to digital technology and not knowing how to complete online forms. In addition, the Commissioner needs to understand that: there is a lack of Aboriginal specific and culturally appropriate services to assist an Aboriginal victim-survivor; many Aboriginal people experience racism and discrimination when dealing with government and non-government services; many services do not communicate in plain language; and, that the trauma experienced by Aboriginal victims-survivors is especially complex due to transgenerational trauma,” says Ms Robinson.

“The Royal Commission into Institutional Responses to Child Sexual Abuse was clear about the need for service systems for victims and survivors of abuse to be trauma-informed and underpinned by the principles of accessibility and acceptability,” says Warren Strange, Executive Officer of knowmore. “The proposed changes to Victims Support run counter to this and will leave some victims and survivors, particularly older people who are survivors of child sexual abuse, unable to access the support they need,” says Mr Strange.

“Working with people with disability who are survivors of violence, abuse and neglect, our advocates see the multiple barriers that people with disability face in access to justice,” says Romola Hollywood, Director of Policy and Advocacy, People With Disability Australia. This can include the overall accessibility of the scheme for people with disability as well as effective referrals to supports to help us make a claim. To place the onus on people with disability to collect often costly evidence will mean less people with disability will be able to access the scheme despite being over-represented in the statistics on victims of violence. Given the emerging lessons on barriers for people with disability to access the National Redress Scheme, we need a broad review of the NSW Victim Support Scheme, not some operational changes that will most likely exclude more people with disability from accessing the scheme,” says Ms Hollywood.

“We know that many people with disability who are seeking compensation through the Victim Support Service are living in extreme hardship and poverty, which is often a result of the violence perpetrated against them. Some people are also trapped in situations such as congregate living settings making access to supports and advocacy even more vital,” says Ms Hollywood.

“Instead of giving victims and survivors more they are taking away and ultimately will cause more harm. The Homicide Victims’ Support Group asks the Attorney General to stop these reforms and consult with the victims that will be impacted upon by these changes. There has not been proper consultation,” says Martha Jabour OAM, Executive Director, Homicide Victims’ Support Group.

“A statutory review of the Scheme is due to start before May 2021. Rather than rush through piecemeal reforms, the NSW Government should start the statutory review process immediately and prioritise proper consultation with victims-survivors and their advocates,” says Ms Snell.

Signatories to the Open Letter include victims-survivors, sexual, domestic and family violence service providers; Aboriginal and Torres Strait Islander organisations; migrant and refugee organisations; organisations working in regional, rural and remote areas; women's health services; disability advocates; homelessness services; organisations working with children, older people, trans and gender diverse communities; academics; community legal centres; peaks; and many people working at the coal face with victims-survivors.

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### **Background information**

On 20 April 2020, the Commissioner Victims Rights announced significant systemic changes to NSW Victims Support they were due to come into effect 5 days later, immediately after 5pm on 24 April 2020. These reforms were announced without any consultation, including with the Victims Advisory Board or Victims of Crime Interagency, bodies specifically established for that purpose.

In response to community concerns, the Commissioner paused implementation for 2 weeks to enable consultation with those raising concerns. Community Legal Centres NSW wrote to the Commissioner providing an [alternative proposal](#).

There has been a further pause in implementation, with feedback due to the Commissioner by 29 May 2020.

There is a requirement in the law for the Victims Support Scheme to be reviewed at regular intervals. The next review is required to take place anytime from May 2019 to May 2021.