

## **Open Letter in response to proposed changes to NSW Victims Support Scheme 22 April 2020**

Dear Attorney General and Minister for Prevention of Domestic Violence,

### **Call for proposed changes to NSW Victims Support Scheme not to proceed and for proper consultation**

We, the undersigned, write to you to express strong concerns about [proposed changes](#) to the NSW Victims Support scheme which are due to commence on 27 April 2020. These changes were only recently communicated to stakeholders and were announced without any consultation, including with the Victims Advisory Board or the Victims of Crime Interagency, bodies established for such purposes. The timing of these announcements is also concerning given the additional barriers for some applicants in accessing Victims Services due to COVID-19.

The changes will impact on all victims-survivors due to strict time limits. This is because Victims Support applications will not be accepted unless all necessary documentary evidence is attached at the time of making the application.

We are particularly concerned about the impacts on victims-survivors of domestic violence, sexual assault, child abuse and child sexual abuse

We call for these changes not to proceed.

We understand the desire to improve efficiencies in the operation of the Victims Support Scheme. However, this must be done with proper consultation with those affected, namely those seeking to access the Scheme and their advocates.

Some of our concerns include:

- 1 How will victims-survivors be able to preserve their right to Victims Support when they have insufficient time to gather evidence prior to the expiring of their time limit and an application will not be accepted without all necessary documentary evidence?
- 2 Will Victims Services be continuing with Immediate Needs Support Package for victims-survivors of domestic violence?
- 3 What support will be available for applicants to access an approved counsellor, noting one will no longer be allocated to them and they will need to select a counsellor from a list on the Victims Services website. What guarantees will there be that the list of approved counsellors will be accepting new applications in a timely manner?
- 4 There seems to be an assumption that victims-survivors have ready access to the internet. There are barriers to marginalised people accessing the internet, including due to cost, language and literacy barriers. This will particularly impact on the homeless, victims-survivors in prison and other victims-survivors of domestic and sexual violence.

We fear that these changes will exacerbate trauma for victims-survivors and that victims-survivors may not know how to respond to an email from Victims Services that denies accepting a person's application form without all the necessary evidence. This is particularly concerning given this scheme is intended to operate without legal assistance.

We fear that these changes will effectively deny many victims-survivors access to financial assistance and recognition payments which they are entitled to and need.

Victims-survivors must be accorded procedural fairness.

These changes are also inconsistent with other sections in the *Victims Rights Support Act*, including s 41A relating to lapsing of application if evidence to support application not provided. This provision requires Victims Services to contact the applicant on a minimum of 3 occasions over a 12 month period from first being asked to provide documentary evidence to support an application.

We call for these changes not to proceed and for the Commissioner of Victims Rights to consult with victims-survivors and their advocates on ways to improve the efficiency of the Victims Support scheme.

Yours faithfully,

### **List of organisations**

This letter is a joint letter. Please contact Liz Snell, Community Legal Centres NSW Domestic Violence & Victims Support Subcommittee on ph: 8745 6900.

Helen Campbell OAM, Executive Officer, Women's Legal Service NSW  
Tim Leach, Executive Officer, Community Legal Centres NSW  
Arlia Fleming, Managing Principal Solicitor, Elizabeth Evatt Community Legal Centre  
Christine Robinson, Co-ordinator, Wirringa Baiya Aboriginal Women's Legal Centre  
Phillip Dicalfas, Principal Solicitor, Illawarra Legal Centre  
Christina Pirina, Principal Solicitor, Macarthur legal Centre  
Monique Dam, Advocacy and Prevention Manager, Domestic Violence NSW  
Ryan Flippence, Principal Solicitor, Central Coast Community Legal Centre  
Karen Willis, Executive Officer, Rape and Domestic Violence Services Australia  
Patrick O'Callaghan, Principal Solicitor, Western NSW Community Legal Centre  
Gloria Larman, Chief Executive Officer, Women's Justice Network  
Susan Smith, Coordinator, Sydney Women's Domestic Violence Court Advocacy Service  
Jonathon Hunyor, Chief Executive Officer, Public Interest Advocacy Centre  
Bronwyn Ambrogetti, Managing Solicitor, Hunter Community Legal Centre  
Jo Shulman, Chief Executive Officer, Redfern Legal Centre  
Yvette Vignando, Chief Executive Officer, South West Sydney Legal Centre  
Vicki Johnston, Manager, The Deli Women & Children's Centre  
Jane Brock, Executive Officer, Immigrant Women's Speakout Association of NSW  
Jane Sanders, Principal Solicitor/Jacki Maxton, Senior Solicitor, The Shopfront Youth Legal Centre  
Ken Beilby, Principal Solicitor, Northern Rivers Community Legal Centre  
Emma Golledge, Director, Kingsford Legal Centre  
Jane Titterington, Principal Solicitor, Mid North Coast Community Legal Centre  
Justine O'Reilly, Principal Solicitor, Shoalcoast Community Legal Centre

Professor Annie Cossins, Professor of Law & Criminology, Faculty of Law, The University of New South Wales  
Natasha, Chief Executive Officer & Secretary, Peninsula Lighthouse  
Jane Gold, Executive Officer, Penrith Women's Health Centre Inc  
Kerry Weste, President, Australian Lawyers for Human Rights  
Denele Crozier AM, Chief Executive Officer, Women's Health NSW  
Violet Roumeliotis, Chief Executive Officer, Settlement Services International  
Warren Strange, Executive Officer, knowmore Legal Service  
Kerrie Thompson, Chief Executive Officer, Victims of Crime Assistance League Inc NSW  
Ken Marslew AM, CEO & Founder / Simone Marslew, General Manager / Melisa Kanisek, Community Development Officer / Cassandra Sweet, Victims Assistance Team, Enough is Enough Anti Violence Movement Inc.  
Nicole Yade, General Manager, Lou's Place  
Sarah Rodgers, Manager & Principal Lawyer, Hume Riverina Community Legal Service  
Romola Hollywood, Director Policy and Advocacy, People with Disability Australia  
Hilary Kincaid, Principal Solicitor, Inner City Legal Centre  
Kathryn McKenzie, Executive Officer, Women Lawyers' Association of NSW Inc  
Elise Phillips, NSW Sector Development Manager, No to Violence