

Independent assessment of the Victims Compensation Scheme

The NSW Attorney General, the Honourable Greg Smith SC MP, announced on 11 August 2011 that the Government had ordered an independent assessment of the Victims Compensation Scheme with a view to delivering faster and more effective financial support to victims of violent crime. As indicated in last year's report, PricewaterhouseCoopers (PwC) was appointed to undertake the review and in their report dated 12 July 2012 recommended a new approach to delivering services to victims of crime.

On 3 June 2013 the *Victims Rights and Support Act 2013* commenced. It was based on recommendations made in the report by PwC. The composition of support available to a victim of crime is:

- up to 22 hours of counselling
- a package of support worth up to \$5,000, individually tailored to address victims' urgent needs
- up to \$8,000 to cover funeral expenses of homicide victims
- longer term financial support of up to \$30,000
- a recognition payment of between \$1,500 and \$15,000 to acknowledge victim trauma.

The new Victims Support Scheme seeks to provide a coordinated approach to information, support and referral for victims with an emphasis on immediate assistance and access to free counselling. Victims will be allocated a support coordinator and receive information, referrals to other services and ongoing support to access the services they need, when they need them most. The support coordinator will conduct a needs assessment of the victim's situation, develop a package of care and guide victims through the criminal justice and human services systems.

Applications for statutory compensation which were lodged but not finally determined under the repealed Act before the 7 May 2013 are to be dealt with under the *Victims Rights and Support Act 2013*. However, the provisions of section 36 of the *Victims Support and Rehabilitation Act 2013* still applies to an Assessor's determination served before the repealed legislation and where the notice of appeal is lodged within the provisions of section 36(3) of that Act.

The Victims Compensation Tribunal (the Tribunal) was established under the *Victims Compensation Act 1987* and continued under the *Victims Support and Rehabilitation Act 1996*.

On 7 May 2013 the NSW Government introduced the *Victims Rights and Support Bill 2013* and on the 3 June 2013 the *Victims Rights and Support Act 2013* was assented to, establishing the Victims Support Scheme.

The Tribunal was abolished under the *Victims Rights & Support Act 2013*, with many of its functions transferred to the Victims Support Division of the Administrative Decisions Tribunal.

Victims Services continues to operate out of Level 1 and 4 at Justice Precinct Offices, 160 Marsden Street, Parramatta. With the commencement of the *Victims Rights and Support Act 2013* appeal and restitution hearings ceased to be heard before a Tribunal member. Under the new legislation, the appeals function has now moved to the newly formed Victims Support Division of the Administrative Decisions Tribunal.

I considered that as the Tribunal was abolished from 3 June 2013, this report will only cover the period from 1 July 2012 to 2 June 2013.

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