

Victims Support Agency
August 2009

Update VSA



DEPARTMENT
OF JUSTICE



Emergency Response to Bushfire Victims

The Victorian bushfires of 7 February 2009 left an aftermath of injured, traumatised and bereaved people and communities. This required an unprecedented response from all areas of government in meeting the complex and urgent needs of those affected, and the VSA and Victims Assistance and Counselling Program (VACP) joined others across the Department of Justice to fulfil this responsibility.

Under the Victorian Coroner's Act 1985, the Coroner is required to establish the identity of any deceased person whose death is subject to a coronial enquiry, and in a multiple casualty event, the Disaster Victim Identification (DVI) procedure is used. This includes the ante mortem process, where physical characteristics of those presumed dead, such as medical and dental records, hair and eye colour, scars, tattoos, build, clothes and jewellery, are gathered so a positive identification can be made. These details are collected by DVI detectives during an interview with family.

Working in close collaboration with the State Coroner's Office and Victoria Police, the VSA and VACP played a major role in the ante mortem process, as it was decided that each DVI team would be accompanied by a support person to help the family cope with the difficult procedure. Fifty support staff were chosen from the VSA, VACP, Corrections Victoria and a number of community health services. All had counselling or other experience dealing with traumatised clients, and many were psychologists or social workers. Following a comprehensive briefing session at the State Coroner's Office, these staff began their work coordinated by Jo-Ann Mishra, Victims of

Crime Helpline Coordinator at the VSA.

Over the next three weeks, the 50 support persons attended more than 125 interviews across the state in families' homes, hospitals and police stations. In many cases it was not possible to provide much notice to staff and some travelled straight from one interview to another, while others were required to stay overnight away from home.

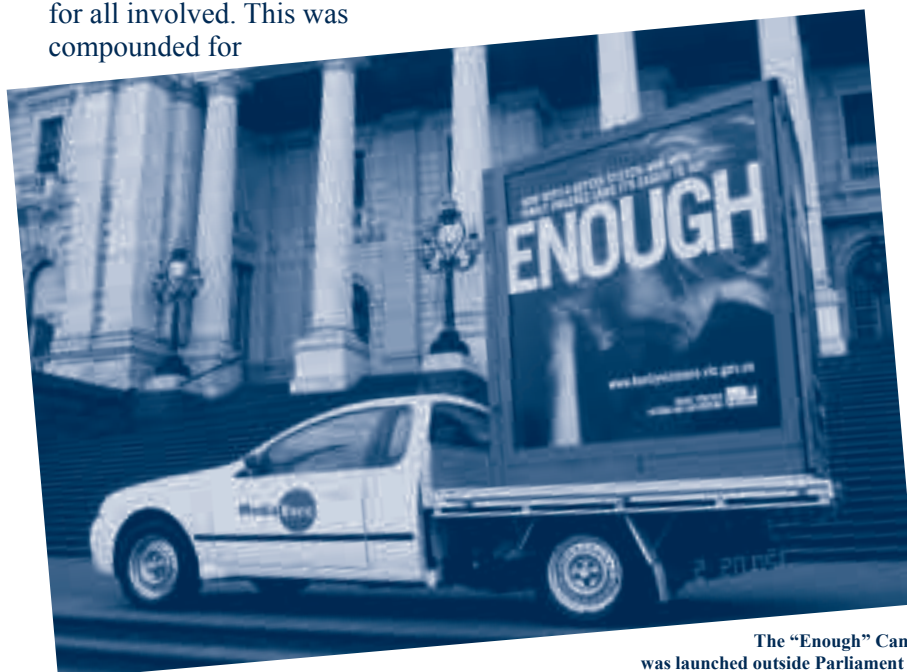
The role of these staff was first to introduce the family to the DVI team and then to inform them that they were going to be asked a series of very detailed questions. It was important to make families aware that although the questions might seem particularly distressing, invasive, personal or irrelevant, they needed to be asked in accordance with international DVI standards so that the Coroner could be certain in making a positive identification.

Understandably, the ante mortem interviews were at times emotionally taxing and mentally and physically exhausting for all involved. This was compounded for

some support persons as they themselves had friends or family who were in some way directly affected by the tragedy. Both operational and psychological or personal debriefing was carried out on a regular basis.

Meanwhile, business had to go on as usual at the VSA. In addition, the Coroner's Office 1800 helpline was diverted to the Victims of Crime Helpline, and Victims Support Officers assisted the DHS Case Managers Helpdesk by providing information on the justice system and victim support services. All VSA staff were required to go "the extra mile" to ensure all obligations and responsibilities were met.

Similarly, not only were VACP staff involved in the DVI process, but they also made themselves available to bushfire victims who needed ongoing help and assistance, providing an immediate response and working outside their service specifications - they made themselves available all hours, seven days a week. This was in addition to their normal day-to-day VACP responsibilities.



The "Enough" Campaign was launched outside Parliament House

Front Cover: 'Regrowth' by Peter Firmin



Wendy Sanderson (Left), Senior Policy Officer and Norelle Woolley, Coordinator, VSA Family Violence Team

The emergency response in the aftermath of the bushfires was a great example of strong leadership and professional teamwork across many government and non-government agencies. All involved are to be congratulated. The VSA wishes to offer its sincere condolences to anyone affected directly or indirectly by the events of 7 February, and will continue to assist those affected throughout the following months.

Victoria has had Enough of Family Violence

The “Enough” campaign, featuring the tagline “Family Violence: Victoria has had enough”, was launched by the Attorney-General Rob Hulls on 7 December 2008. It is a call to action for the community, clearly stating that family violence is not acceptable in Victoria, in any culture or in any community regardless of socioeconomic status, health, education, religious beliefs or gender. The campaign also aims to raise awareness of the new *Family Violence Protection Act 2008* and improved family violence support, and encourages people to seek help. Many people would have seen the campaign’s confronting images at bus stops,

in nightclubs, in shopping centres, and in newspapers. The campaign is also harnessing the power of the social networking sites Facebook and Bebo to promote the message to young people.

On 2 April 2009, the Attorney-General, the Minister for Women’s Affairs, Maxine Morand, and

the Minister for Police and Emergency Services, Bob Cameron, launched the Family Violence Regional Roadshows to ensure the “Enough” message reaches every corner of Victoria. The Family Violence team within the Victims Support Agency worked with the Strategic Communication Branch and Department of Human Services to coordinate the roadshows. Events took place at Colac, Swan Hill, Traralgon, Benalla, Ballarat and Dandenong. Greater Dandenong, with a majority of its population coming from over 156 nations, was an ideal location for the diversity-focused roadshow. The Attorney-General, Minister Morand and the Minister for Community Services Lisa Neville each attended some of these events.

Each roadshow included a community information session and a forum for the family violence support sector. Focussing on the new Family Violence Protection Act, attendees at the events were introduced to the new definitions of family violence, including what constitutes a family member. Other key changes addressed by presenters included the provision of new powers for police through Family Violence Safety Notices and the

emphasis on allowing victims of family violence and their children to stay in their own homes if they wish. There was also a discussion on the complex and insidious nature of family violence and its effects on children. An expert panel answered questions on the implementation of the new legislation at the local and regional levels.

For more information on the new laws, please visit www.familyviolence.vic.gov.au.

Is someone you know being abused in a relationship?

The VSA is revising its publications in line with the new family violence legislation. In partnership with the Domestic Violence Resource Centre, the VSA will re-launch the booklet, “Is someone you know being abused in a relationship? A guide for families, friends and neighbours”. The booklet will be revised in consultation with stakeholders and provides information about how to support someone who is being abused, and the best way to talk to them about their experience. The information provided includes:

- How to recognise abuse
- How to approach a friend or relative about the abuse
- The best way to support victims
- How to increase safety.

The booklet also provides a comprehensive listing of support services and resources for both victims, and their friends and family.

Copies of the booklet will be available online at www.justice.vic.gov.au/victimsofcrime

The Koori Victims of Crime Strategy

It is widely acknowledged that Aboriginal people are more susceptible to crime than non-Aboriginal people, yet they tend to access less entitlements as victims of crime. The Koori Victims of Crime Strategy aims to reduce the impact of crime on the Aboriginal community by ensuring victims have access to appropriate services. It was endorsed by the Aboriginal Justice Forum caucus in June 2008.

The objectives of the Strategy are to make victim services more responsive to the needs of Aboriginal people; and to ensure the Aboriginal community is aware of the services. The following strategies are in place to achieve these objectives:

- Koori victims support officers at the VSA to provide one-on-one support for individual victims, community education; and to link victims services into the Aboriginal community, for example the Regional Aboriginal Justice Advisory Committees
- A data base which records Aboriginal victims who access the VACP so numbers can be monitored

- Small grants to 24 Aboriginal health services and the VACPs to assist them develop links and work collaboratively to support victims
- New VACP program guidelines which require them to work in partnership with local Aboriginal community organisations
- Cultural awareness training for VACP staff to help them provide an appropriate response to Aboriginal victims
- The development and distribution of information materials specifically for the Aboriginal community.

Solid partnerships are currently being formed between Aboriginal organisations and VACPs. For example, Karen Martin from Sunraysia Community Health attends the Mildura Aboriginal Cooperative for a few hours each week to see clients and talk with staff. Karen and other VACP staff also attend Aboriginal community events and agency meetings, working collaboratively to address issues around service access and to enrich understanding of good work practices with Koori clients.

While VSA data shows a gradual increase in the number of Aboriginal victims accessing VACPs, many are still not

accessing the services and entitlements they need and deserve, particularly in the metropolitan area where most live. The VSA and VACP look forward to increasing and improving the response to Aboriginal victims of crime through the Koori Victims of Crime Strategy throughout 2009/10.

International Student Forum

On Friday 12 June the VSA conducted a forum with international student representatives. The purpose was to seek input for a new publication aimed at meeting the information needs of international students in Victoria. Forum participants included representatives from:

- Victoria police
- The Australian Federation of International Students
- The National Liaison Committee for International Students
- Melbourne University
- Deakin University
- Monash University
- Victims Assistance and Counselling Program.

Participants agreed that there is a need for more information to be available to international students about the services and assistance available to victims of crime. Specific information required may include how to make a report to police, the role of specialist victim services, and the rights of victims of crime. The forum participants expressed a willingness to provide feedback on a draft brochure to assist in the distribution of this information.



Roddy Briggs (Left) and John Bell, both former VSA Koori Victims Support Officers, Nellie Flagg (Second from Left) and Frances Coughlan, both current VSA Koori Victims Support Officers

The Crimes Amendment (Identity Crime) Act 2009

Identity crime is recognised as one of the fastest growing crimes in the world. *The Crimes Amendment (Identity Crime) Act 2009* (the Act) creates three new offences to assist in the prosecution of identity crime in Victoria. The Act also introduces a certificate scheme to assist victims to remedy the adverse effects of the crime.

Identity crime is the unauthorised use of identification information belonging to another person. The growth in new technologies and increasing internet usage in Australia and elsewhere has multiplied the risk of personal information being misappropriated.

Identity crime can cover many types of conduct, from the use of someone's credit card details illegally to buy goods online, to the assumption of someone's entire identity in order to open bank accounts or take out loans in that person's name. Other examples include placing a skimming device on an ATM in order to collect card information, and manufacturing multiple false identities to avoid detection and prosecution for criminal offences.

Previously, Victorian laws covered some aspects of identity crime, but they did not comprehensively criminalise the range of conduct that constitutes identity crime. The Act fills this gap by inserting three new offences in the Crimes Act 1958.

The new offences in the Act cover:

- making, using or supplying identification information with intent to commit an indictable offence
- possessing identification information with intent to commit an indictable offence

- possessing equipment capable of making identification documentation with intent to commit an indictable offence.

These offences target preparatory behaviour that is specific to identity crime and was often not covered before the Act. For example, if a shop employee uses a skimming device to download customers' credit card information with the intention of then using that information to buy goods illegally, under previously existing law, he or she would not be guilty of fraud or theft until the information was used. However, this behaviour will be captured by the new 'possession' offence in the Act. This will allow police to be more proactive in their investigations, and will facilitate the prosecution of identity crime offenders.

The Act also introduces a certificate scheme to assist victims of identity crime. People who have had their identity stolen commonly experience financial impacts, such as loss of savings and damage to their credit rating, as well as significant emotional distress. They often spend considerable time and money restoring transaction records, credit history and reputation.

The Act allows a court that has found a person guilty of an identity crime to issue a certificate to the victim of the crime. The certificate will provide proof - beyond reasonable doubt - that another person misused the victim's identification information to commit an identity crime. Victims may find the certificate useful during dealings with banks or credit providers, or when requesting replacement identification documents.

It is anticipated that the Act's new offences will come into operation prior to 1 October 2009, on a date to be proclaimed, and

that the certificate provisions will commence on 1 October 2009.

The Act complements other government initiatives to assist victims and educate the public about the risks of identity crime such as the 'Be ID Aware' campaign. It forms an important new part of the government's strategy to combat identity crime and assist its victims.

Prisoner Compensation Quarantine Fund (PCQF)

The PCQF scheme was created by the *Corrections Act Amendment Bill 2008*. It provides an opportunity for victims to access information in relation to pursuing a civil claim for damages against a prisoner.

Under the scheme, damages awarded to a prisoner by the State or a private prison operator of \$10,000 or more will be paid to the Secretary, Department of Justice to be quarantined in the PCQF trust for the prisoner. Victims can join a list of those who wish to be notified when their offender receives an award for damages, and those already on the Victims Register will be informed in the event that their offender receives an award. Notification of awards to prisoners will also be made public through the Government Gazette and newspapers.

Money in the fund will be quarantined for a minimum period of 12 months. Provided the victim commences legal proceedings against the prisoner and provides notification of this fact to the Secretary, Department of Justice within the initial quarantine period, the quarantine period will be extended to the conclusion of those and any other proceedings brought against the prisoner by victims.

Statutory creditors such as the Australian Taxation Office, Child Support Agency, Centrelink,

Victoria Legal Aid and the State Revenue Office Victoria who have a judgment debt or entitlement to a payment of an amount by the prisoner may also give notice to the Secretary during the quarantine period. Payments out of the PCQF may be recoverable by statutory creditors prior to the expiration of the initial quarantine period.

Once the quarantine period has expired, payments will be made out of the PCQF of amounts recoverable by victims and other creditors in relation to the prisoner. It is anticipated that in some cases the damages awarded will not cover all claims and that debts will need to be ranked.

The VSA will play a key role in the operations of the PCQF, as the day-to-day operations of the fund will be managed by the Victims Register Coordinator. The Coordinator will also be responsible for informing victims about the PCQF and providing information to assist them in making a decision on whether or not to seek civil redress.

It is important to emphasize that the PCQF scheme does not constitute legal advice or a recommendation to bring legal proceedings. The Victims Register Coordinator will recommend that victims seek independent legal advice before instigating any action in relation to the prisoner.

Access to the Victims of Crime Helpline for the Hearing Impaired

People with a hearing impairment can contact the Victims of Crime Helpline by calling TTY 133 677 between 8.00am and 11.00pm weekdays, except public holidays. Alternatively, they can send an email to vsa@justice.vic.gov.au anytime, and a Victims Support Officer will respond at the earliest possible opportunity during office hours.

CALD Strategy Update

The aim of the Victims of Crime Culturally and Linguistically Diverse (CALD) Strategy is to empower Victoria's CALD community to make informed choices about seeking assistance from the justice system and victim support services. The CALD Reference Group provides overall direction in the implementation of the strategy and includes representatives from:

- Victoria Police
- VSA and Diversity Issues Unit
- Office of Public Prosecutions
- Department of Human Services
- County and Magistrates' Courts
- Peak multicultural bodies.

The second CALD Reference Group Meeting was held on 30 April and chaired by the VSA's Deputy Director, John Tomaino. Much progress has been made on the implementation plan and the reference group was updated on a number of key projects:

- A review of existing translations: VSA publications are being reviewed and updated in up to 29 community languages
- Community consultations: information sessions are to be held with established communities including Vietnamese, Italian, Greek; and newly arrived communities including Ethiopian, Eritrean, Somali, Burmese and Sudanese
- Production of a brochure for international students: this will



Victims' Charter Enquiries & Complaints Officer, Claire Gallagher

address their need for information about police, victims rights, and criminal justice processes

- Training: consultations have occurred with the Office of Public Prosecutions, County Court and the Magistrates' Court to develop a training program for staff relating to CALD victims.

New Victims' Charter Complaints and Enquiries Officer

The VSA would like to introduce Claire Gallagher, the new Victims' Charter Complaints and Enquiries Officer. Claire is a Bachelor of Arts/Law graduate and most recently worked with the Victorian Law Reform Commission as a legal research assistant. Now studying social work, Claire is utilising both this and her legal background in a challenging service provision environment: "I enjoy working on the Victims' Charter Complaints and Enquiries Line because it provides such an important avenue for victims of crime to discuss their experiences of the criminal justice system".

The Victims' Charter sets out the rights and entitlements of victims of crime, including the right to be treated with courtesy, dignity

and respect by all criminal justice and victim support services, and the right to be given information about support services, the police investigation and the court outcome. Where a victim feels these principles have not been followed, they can call the Victims' Charter Complaints and Enquiries Line.

The Victims' Charter complaints handling process aims to resolve matters informally. Where necessary, the complaints officer will mediate between the victim and the criminal justice agency that is the subject of their complaint, in an attempt to reach a beneficial outcome. Sometimes it is as simple as a victim needing more information about a police investigation or the court process. Often victims' concerns can be settled at an early stage through this informal process.

If you would like to find out more about the Victims' Charter and its principles, or you have a general enquiry, you can contact the Victims' Charter Enquiries and Complaints Line on 1800 118 728. This line operates between the hours of 9:00am and 5:00pm from Monday to Friday (except public holidays) and an after-hours message service is available if you call outside these times.

New Victims Assistance and Counselling Program (VACP)

The VACP is a state-wide service which provides immediate crisis response to victims of crime both in person and by telephone. VACP agencies provide outreach services, practical support, court support, referral and coordination of specialist support groups. Eligible victims of crime may access up to seven sessions of counselling to assist them in their recovery from the effects of crime. The VSA is pleased to announce

that eight service providers were successful in securing the grant for the VACP for the next three years. The program has been reconfigured to improve service delivery to victims of crime, with an emphasis on practical support within a case management framework.

The names and contact details of each of the not-for-profit, community organisations selected to deliver the VACP for the period 1 July 2009 to 30 June 2012 are provided below.

Loddon-Mallee

Bendigo
St Luke's Anglicare
47 High Street
Bendigo 3550
Ph: 1800 244 323
Fax: 5448 1032

Mildura
Sunraysia Community Health Services
Ramsay Court
Mildura 3500
Ph: 5022 5400
Fax: 5023 1010

Grampians Centacare

Ballarat
Level 1, 1220 Sturt Street
Ballarat 3350
Ph: 1300 033 818
Fax: 5331 5343

Horsham
25 David Street
Horsham 3400
Ph: 1300 033 818
Fax: 5331 5343

Barwon South-West Centacare

Geelong
27 Myers Street
Geelong 3220
Ph: 1300 033 818
Fax: 5331 5343

Warrnambool
Level 1, 142 Timor St
Warrnambool 3280
Ph: 1300 033 818
Fax: 5331 5343

Hume

Wangaratta
Ovens and King Community Health Service
1st Floor, 90-100 Ovens Street
Wangaratta 3677
Ph: 5723 2038
Fax: 5722 2313

Wodonga

Gateway Community Health
155 High St
Wodonga 3689
Ph: (02) 6056 6282
Fax: (02) 6024 5792

Shepparton

Goulburn Valley Community Health Centre
399 Wyndham St
Shepparton 3630
Ph: 5831 6967
Fax: 5831 6970

Gippsland Anglicare Gippsland

Morwell
162 Commercial Rd
Morwell 3840
Ph: 1800 777 423
Fax: 5622 1610

Warragul
Suite 2/3 Barkley St
Warragul 3820
Ph: 1800 777 423
Fax: 5622 1610

Bairnsdale
3 Main St
Bairnsdale 3875
Ph: 1800 777 423
Fax: 5622 1610

Eastern Metropolitan

Ringwood
Eastern Access Community Health

Update VSA

DEPARTMENT
OF JUSTICE

State Government
Victoria

Building B, 46 Warrandyte Road
Ringwood 3134
Ph: 1300 884 284
Fax: 9870 4688

Southern Metropolitan

Narre Warren
Windermere Child and Family
Services
48 Webb Street
Narre Warren 3805
Ph: 9705 3200
Fax: 9796 7650

North-Western Metropolitan

Footscray
Western Region Health Centre
72-78 Paisley Street
Footscray 3011
Ph: 8398 4178
Fax: 8398 4196

Coburg
Merri Community Health Service
21 Victoria Street
Coburg 3058
Ph: 9355 9900
Fax: 9355 9992

Regional Forums Continue: Promoting a Seamless Response for Victims of Crime

It is widely agreed that services
need to work together, optimising

the availability of information
and support provisions to
help victims overcome their
experience of crime and to
navigate a path through the
criminal justice system. The
Regional Forums were designed
to facilitate information sharing,
foster partnership building, and
strengthen relationships among
criminal justice and victim
support services. The forums
also provide an opportunity to
promote the Victims' Charter and
initiatives such as the Victims'
Charter Community Grants
Scheme.

Following the success of
last year's forums, they will
continue this year in country and
metropolitan areas. Each will
include presentations
from the Victims of Crime
Assistance Tribunal,
Victims Assistance and
Counselling Programs,
Office of Public
Prosecutions' Witness
Assistance Service, Child
Witness Service, Victoria
Police Victims Advisory Unit,
the local Court Network, and
the VSA; and will conclude
with a facilitated session
where all participants come
together to consider the next
steps in building and

strengthening collaborative
relationships in their region.

Please call Fiona Stubbs on 8684
6700 for enquiries or if you wish
to attend a forum. The VSA looks
forward to meeting stakeholders
and building partnerships around
the state this year.

VSA Update Feedback

Contributions to the VSA Update
are welcome and much appreciat-
ed. To offer feedback, comments,
suggestions or advice, please call
James McInnes on 8684 6700, or
email James at james.mcinnes@
justice.vic.gov.au. The VSA will
continue to inform stakeholders
through the VSA Update in
2009/10.



VSA Director, Clare Morton

Published by Victims Support Agency
Victorian Government Department of Justice
Melbourne, Victoria Australia

© Copyright State of Victoria
Department of Justice, 2009

This publication is copyright. No part may be
reproduced by any process except in accordance
with the provisions of the Copyright Act 1968.

Also published on
www.justice.vic.gov/victimsofcrime

Further information contact:
Victims Support Agency
Level 23 / 121 Exhibition Street
Melbourne VIC 3001

Victims of Crime Helpline 1800 819 817

Victims of Crime Helpline
1800 819 817

VSA Administration
(03) 8684 6700
VSA Online
www.justice.vic.gov.au/victimsofcrime

Office Hours
9.00am-5.00pm
Monday to Friday