

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE

Budget estimates 2020–21 (Hutchins)

Melbourne—Tuesday, 15 December 2020

MEMBERS

Ms Lizzie Blandthorn—Chair

Mr Richard Riordan—Deputy Chair

Mr Sam Hibbins

Mr David Limbrick

Mr Gary Maas

Mr Danny O’Brien

Ms Pauline Richards

Mr Tim Richardson

Ms Nina Taylor

Ms Bridget Vallenge

WITNESSES

Ms Natalie Hutchins, MP, Minister for Victim Support,

Ms Rebecca Falkingham, Secretary, and

Ms Peta McCammon, Deputy Secretary, Service Delivery Reform, Coordination and Workplace Safety, Department of Justice and Community Safety.

The CHAIR: Thank you, Minister Hutchins. Welcome back to you and your officials, this time for consideration of the victim support portfolio. We invite you to make a 5-minute presentation. This will be followed again by questions. Thank you.

Visual presentation.

Ms HUTCHINS: Thank you. The Andrews government is committed to a system that understands the needs of victims of crime, respects their rights and is trauma informed. Significant reform has been backed by investment over our first term of government and has ensured that there are greater levels of support for victims and a stronger voice for victims.

You can see that there is a \$2.1 million commitment out of this budget for the helpline and \$2.2 million for our intermediary program. The government offers services for victims of crime that provide information and support to assist them through their recovery and healing and navigating the criminal system. For child victims and witnesses special measures have been put in place to help them feel safe and supported. To assist with this task, the budget commitments are on the screen.

Throughout 2019–20 victim services have been accessed by over—I know that text is pretty small, but I will just walk you through it—14,000 people who have called the Victims of Crime Helpline, 1077 children that have been supported through the Child Witness Service and 18,084 people who have been supported by the Victims Assistance Program. On 18 November 2020 reforms in the *Justice Legislation Amendment (Supporting Victims and Other Matters) Act 2020* commenced to establish a new class of decision-makers, and that is our tribunal officers, to support and finalise matters in VCAT. This is in regard to financial assistance, and the government is continuing to work with the Magistrates Court to implement the reforms and develop further options to reduce the backlog of the pending matters.

I will go to the next slide. We are getting on with reforming how victim-survivors can access that financial assistance, and the government will continue to consult closely with stakeholders to develop a new scheme. Recently I launched *Strengthening Victoria's Victim Support Services: Victim Services Review*, which was a report undertaken by the Centre for Innovative Justice at RMIT, and the review provided the government with a comprehensive whole-of-system oversight of the current services that respond to the victims of crime experience. This includes how they contact the system, how they understand it, how responsive it is to their needs and how proactive it is in bringing forth the vision of their rights.

I am pleased to note there has been no disruption to the Victims of Crime Helpline, Victims Assistance Program, the Child Witness Service, our intermediary program or our youth justice conferencing throughout COVID-19. The Family Violence Restorative Justice Service has had some disruption but continues now to provide a support service via telephone and online. The victims register has had minimal disruption, and I want to thank our staff who were able to continue that fantastic work of both our online phone service and the register. And the victims register has notified 185 victims of early release of prisoners due to the use of emergency management days by Corrections Victoria.

Throughout COVID-19, from the state of emergency to the latest available date of 18 November, the helpline itself has received 8910 calls. It has received over 3000 Victoria Police e-referrals and received a staggering 12 500 L17 referrals for male victims of family violence.

The Victims Assistance Program has received 4511 referrals from the helpline and the Child Witness Service has supported 125 witnesses online during this period. It has been a power of work for our workforce to be able to continue to deliver during COVID-19, and again I give them our thanks.

The CHAIR: Thank you very much, Minister. I will pass to Ms Pauline Richards.

Ms RICHARDS: Thank you again, Minister, for your time and your officials for their time. I would like to refer you to budget paper 3, page 104, and I am particularly interested in the item for the assistance for victims of crime initiative and how it will improve the services provided by the Victims of Crime Helpline for victim-survivors of crime and their families.

Ms HUTCHINS: Thanks. This is a really important service for us to be able to continue to deliver during COVID-19, and of course it is an ongoing service, this helpline. It provides telephone support, information, needs assessments and referrals and is the first step in the process of victim crime to assess free services where appropriate. The helpline operates between 8.00 am and 11.00 pm seven days a week, and our staff were able to stand up this service operating from their own homes during COVID-19. It is staffed weekly by 15 full-time staff, and it receives referrals from Victoria Police for victims of violent crime and property crime via e-referrals and referrals also from community organisations. The helpline has received calls directly from victims of crime, and the length of those calls has actually increased during the COVID pandemic—that is, people are wanting to talk longer about their situation to the operators of the victims of crime helpline. This budget provides, as I said in the presentation, \$2.1 million to assist the further work of this helpline and also the victims register as well.

Ms RICHARDS: Thank you, Minister. You referred to this, but again I just wanted to get that little bit more detail. You referred to the question I am about to ask in your presentation, but how many victim-survivors have accessed support through the victims of crime helpline in 2019–20?

Ms HUTCHINS: The victim-survivors—it can be their direct family members as well—have made 14,099 inbound calls, reflecting a 7.8 per cent increase compared to the 12 months prior. In the 2019–20 catchment the helpline received 26 000-plus referrals. As I said earlier, most of those come from police, but they can also come from community services, such as the Orange Door or women’s help services, and that is quite a big impact on the work that is being undertaken. Also referrals can happen via email, which are referred to as ‘e-referrals’, for both male and female victims of crime against the person, which makes up quite a substantial percentage as well.

Ms RICHARDS: Thank you, Minister. How has the victims of crime helpline been impacted by the pandemic?

Ms HUTCHINS: I want to acknowledge the difficult challenges that victim-survivors have had. Sometimes in isolation during lockdown the issues—the psychological issues, the mental health issues—can be exacerbated as a victim of crime due to the fact that you just do not have people to talk to face to face in your normal networks, let alone having to rely on telehealth support through that time. I want to assure all victim-survivors of the government’s commitment to these programs to run uninterrupted through this time. There was certainly lots of advice and lots of support given during this time and, as I said, actually an increase in the length of time, not only the number, of calls that came through. There has been a decrease in the number of calls and newer referrals that came from Victoria Police during that time, but there certainly were a lot more from the community space. However, the number of L17 reports relating to male victims of family violence increased.

I recall 10 years ago now as a new member of Parliament sitting and watching in my local magistrates court family violence cases over the course of two days and being completely unprepared for the amount of cases that came through that court of violence against older parents from their adult children and particularly against older men. It was quite a shocking thing to experience as a new member but made me very, very aware of just the levels of family violence and the ways that family violence may not always be partner on partner but can be within families and is very, very disruptive to the family environment, to be honest.

Ms RICHARDS: Thanks, Minister. So given the increase in demand for support for male victim-survivors of family violence on the victims of crime helpline what is the government doing to better respond to this particular cohort?

Ms HUTCHINS: With this great demand that has come forward during the pandemic we have been able to allocate through this budget \$260 000 to employ two new family violence practitioner leaders, which will work with our helpline practitioners to be able to give that background support to support the increased number of

men that are calling as victim-survivors themselves and the ones that are being referred through. There are still quite a number of Victorians out there that do experience crime that do not report through the police system, that do rely on local community referrals, and it is those that we want to make sure into the future we continue to capture—and to encourage men to report and get the support that they need as well.

Ms RICHARDS: Thank you. I am going to move on to a topic around financial assistance. In your presentation you articulated how the Victorian government is reforming the way victims of crime access financial assistance. Can you explain what actions the government has taken to progress this reform?

Ms HUTCHINS: Yes. It is a major piece of reform. It was an election commitment that we made, and we are getting on with the job of actually implementing those changes. We are currently consulting with stakeholders around a new financial assistance scheme that takes it from being a courts-based model to an administrative-based model, and we are putting some of that architecture in place. This is not just made up by us as government; this is also very strongly supported by the Victorian Law Reform Commission in their review into the effectiveness of the *Victims of Crime Assistance Act* and the compensation tribunal that exists. The central recommendation out of that review was for a new administrative system to focus on assisting victims in a timely manner; in a better, organised manner; and in an accessible manner that is not just based on a court-based system but an administrative-based system too.

The government has accepted all the commission's recommendations, and as part of the 2019–20 budget we were provided with \$3.2 million over three years to progress this reform, so we have a dedicated team in the department that is working on the design and the modelling and the consultation, and the team has been able to continue this work through COVID-19. So far we have established a whole-of-government steering committee and working group to support the design of the new system, and we have introduced new laws to assist in addressing the backlog of the current cases of the victims of crime tribunal. So a power of work has gone on, and there is a lot more to do.

Ms RICHARDS: Yes, there certainly is. How will this work improve how victim-survivors and their families access financial assistance?

Ms HUTCHINS: Well, certainly the investment today is in the new system, and the work that has been done is about making this system more accessible to victims of crime but also being able to address the backlog of 8176 applications that are before VOCAT at the moment to decrease and speed up that process into the future and of course provide a system that is easy, that is accessible and that can actually meet the needs and involve some restorative justice practices as well in the new system so that those victims that feel they did not get the recognition of what happened to them—the impacts of the crimes against them—heard through the justice system, this system can help address that for them.

Ms RICHARDS: That is great. Thanks very much, Minister. My time is just about up.

The CHAIR: Thank you, Ms Richards. I will pass the call to Mr O'Brien, MP.

Mr D O'BRIEN: Thank you, Chair. Minister, if I can turn to budget paper 3, page 308, and some of the output measures and targets. You have already mentioned the Victims of Crime Helpline, the Victims Register, the youth justice group conference service and the Victims Support Agency. They are all listed in the table on the bottom of page 308. As you indicated earlier, in 2019 nearly 27 000 people accessed those services and about the same, 26 700, in 2018–19. But the target for this year is only 23 500. Why are you planning to support 3000 less victims of crime this year?

Ms HUTCHINS: Primarily the numbers and the targets were up last year due to the referral of family violence offences, but certainly the target that we have set ourselves for this year is higher than two years ago.

Mr D O'BRIEN: Yes, that may well be the case. But on what basis do you think that there is going to be less demand when for 2020–21 that is going to include a significant period of lockdown? When we have heard evidence in this committee that family violence in particular has gone up, surely there is a need for greater support for victims rather than less compared to previous years.

Ms HUTCHINS: Well, certainly we are resourcing a helpline to be able to deliver more services out there. Regardless of what the targets are, if the need is there, the service will be delivered, because we are increasing the funding to it.

Mr D O'BRIEN: What you just said, Minister, is actually contrary to what your budget papers say. You are actually targeting to service nearly 3500 people less than you did last year.

Ms HUTCHINS: Look, the target and the practice are going to be two different things. What is most important is that that phone line, that helpline, is accessible ongoing, seven days a week, and that is what we are doing. We are stepping that up by putting two new family violence practitioners into the system to support those people that are calling through. As I said, the nature of the calls is that they are getting longer. That does not necessarily mean into the future we are going to get more calls. But we might be getting more complex calls, and that is something for us to be making sure that we are prepared for.

Mr D O'BRIEN: You just said at the start of your answer there, Minister, that the target and what the actual is are not necessarily the same thing. So why have the budget papers at all?

Ms HUTCHINS: Look, all we are interested in is delivering a service that delivers to victims of crime, and that is what we are doing with this investment, making sure that we have got the service that is running and continued to run during COVID.

Mr D O'BRIEN: Okay. Can I continue in a similar vein but this time on page 314 of budget paper 3. There are the targets and actuals there for victims of family violence assisted with financial counselling, and the actual outcome for 2019 is about 10 per cent lower than the target. Again, why are you supporting people less with financial assistance who have been subject to family violence when, as you have just indicated, the demand is going up?

Ms HUTCHINS: Well, that is actually a consumer affairs measure rather than a measure for my area. But at the end of the day we have just gone over the fact that there is an additional \$2.1 million in this budget to support a helpline and that outreach service to victims that is needed, along with two full-time staff that specialise in family violence. Our aim in victim support services is not to reduce services to those who are experiencing family violence; it is to increase it.

Mr D O'BRIEN: So what is the \$2.1 million that is listed on page 104 that you are referring to based on? With the increase in demand going up, how is that anywhere near enough to meet that demand?

Ms HUTCHINS: Well, the \$2.1 million will help support the further growth in workforce in that service to be able to provide advice either through the helpline or through the victims register. We know that the victims register is undersubscribed and that there are so many more victims out there that could be and should be listed on that register. So part of the work that we still need to do as a government is to ensure that victims of crime are connected with our register so that they can be informed but also so that our helpline continues to deliver the referrals and the service to the growing demand that aligns with our growing population.

Mr D O'BRIEN: Can I go a bit further on that, then, if it is to increase the workforce and provide that assistance. Page 104 of budget paper 3 indicates \$2.1 million for 2020–21. It is dots for the out years. Does that mean there is no further funding?

Ms HUTCHINS: Sorry, can you just give us that page number again?

Mr D O'BRIEN: Page 104—the output initiatives on the third line from the bottom. There is the \$2.1 million that you have been talking about. If you could read across the columns in the out years for me, it is all dots. Why is there no funding in the out years?

Ms HUTCHINS: Well, I am not going to speculate about future budgets.

Mr D O'BRIEN: It is not about future budgets; it is this year's budget. There is nothing in the out years.

Ms HUTCHINS: But there could be more commitments that come down the track. I mean, this is about meeting the need now that has come forward, and that is what we are doing.

Mr D O'BRIEN: Well, okay, so we ask you again next year as to whether you are still committed to supporting these victims.

Ms HUTCHINS: I cannot see that this government, having a portfolio of victim support with a minister for victim support, is going to shut down a victim support helpline—no. That is not going to happen.

Mr D O'BRIEN: Can I just clarify, you gave in your presentation a figure about notification to victims of early release of prisoners due to emergency management days. Can I just clarify what that figure was? It was not on the screen, but you read it out. I just did not quite catch it.

Ms HUTCHINS: We notified 185 victims of early release.

Mr D O'BRIEN: Is that only because it was early release, or is that the standard practice—that victims are notified of release?

Ms HUTCHINS: If they are on the register, they are notified of release, full stop.

Mr D O'BRIEN: Okay. Thank you.

The CHAIR: Thank you, Minister. Thank you, Mr O'Brien. Mr David Limbrick, MLC.

Mr LIMBRICK: Thank you, Chair, and thank you, Minister and staff, again. I just want to clarify a couple of things. On slide 4, where there are some stats about the helpline, it says that 14 099 people called the helpline for support, and then there is another figure—twenty-three-and-a-half-thousand people were referred by Victoria Police. Are they calls that are sort of transferred through from Victoria Police, on top of the helpline? What is actually going on there? So they are in addition—

Ms McCAMMON: So the 14 000 can be anybody who calls the helpline—so they can be self-referred—whereas the 23 000 are those referrals directly from Victoria Police, arising from a crime.

Mr LIMBRICK: Okay, so the total number of calls is actually those added together—is that correct?

Ms McCAMMON: Yes.

Mr LIMBRICK: It appears from both the calls coming in and these referrals that actually the largest proportion of these calls is male victims of family violence. Would that be a fair observation?

Ms McCAMMON: Yes. I do not know the exact proportion, but given we are the single referral point for male victims, it is a significant part of our service.

Mr LIMBRICK: Thank you. And is this symptomatic of some sort of problem with the rest of the system? The fact that they are all coming through here, is that sort of symptomatic that there might not be other services available to male victims of family violence and therefore they are ending up here because this is it?

Ms HUTCHINS: I think a yes-no is probably too simple, because it is a bit more complex than that. Partly there has been an increase in incidences during lockdown, but there has also been an increase of reporting, which is a good thing. So should there be other services? Potentially. That might need to be looked at into the future, because right now female victims of family violence are going to a number of different sources, and that is through the work that we have done in establishing our Orange Doors and establishing and funding the women's sector in general.

Mr LIMBRICK: Thank you. Back to the restorative justice program—what does this actually involve? I think it states on slide 3 about restorative justice. What are we talking about here? What are some of the outcomes that can be achieved with this type of program, and how does someone become eligible for accessing this type of program?

Ms HUTCHINS: We have successfully been running this program in the family violence space, but there is scope for us to do a lot more. Having met with the consultative committee of victims, I have heard pretty loud and clear from victims that quite often going through the justice system and a trial or some sort of hearing, they do not always get the recognition publicly of what happened to them. Sometimes there is even an experience of

not having a victim statement read out. The justice that can be delivered through restorative justice forums—of having that pain, anguish, hurt, damage recognised by a third party on behalf of the government—is a very powerful tool. That is where we can be expanding this sort of work—by the request of the victim to meet face-to-face with their offender, who might be in prison, to have a mediated conversation to hear whether they understand what the effects were on them, or whether it is a post-sentence arrangement that can be put in place.

But we should not underestimate the power of restorative justice in delivering outcomes to victims that are nowhere currently in our justice system.

Mr LIMBRICK: Thank you. One of the specific restorative justice programs that is mentioned, also on slide 3, is the youth justice group conferencing. What happens with this in particular? Like, how is this special, or what actually goes on with this?

Ms HUTCHINS: I might ask Peta.

Ms McCAMMON: It can actually vary, depending on the readiness of the victims, and we work very closely with our colleagues in youth justice in terms of offender readiness as well. It really depends on the victims. So it can look like a victim actually participating in a conference. It may look like one of our staff representing the victim, in terms of telling their story, or even one of our staff articulating what the general impact on victims might be. So it really depends, in terms of the victim's readiness.

The CHAIR: Thank you very much, and sorry to cut you off but the time for consideration of your portfolios, Minister, has expired. So we thank you very much for meeting with us today and all of your officials who have attended with you. The committee will follow up on any questions taken on notice in writing, and responses will be required within 10 working days of the committee's requests. The committee will now take a break before moving to consideration of portfolios with Minister Donnellan. We thank you and your team for your time today. Thank you very much.

Witnesses withdrew.