

TRANSCRIPT

LEGISLATIVE COUNCIL LEGAL AND SOCIAL ISSUES COMMITTEE

Inquiry into Victoria's Criminal Justice System

Wangaratta—Wednesday, 30 June 2021

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Mr Tim Quilty

Dr Samantha Ratnam

Ms Harriet Shing

Mr Lee Tarlamis

Ms Sheena Watt

WITNESSES

Ms Jane O'Neill, Team Leader, Victims Assistance Program, Hume Region, and

Ms Carolyn Wallace, General Manager, Merri Health.

The CHAIR: I declare open the Legislative Council Legal and Social Issues Committee's public hearing for the Inquiry into Victoria's Criminal Justice System. I am sure I do not need to say it, but I will: can you please make sure your phones are off or are on silent.

I am Fiona Patten, the Chair of the committee. Tien Kieu, who is the Deputy Chair; Kaushaliya Vaghela; Tania Maxwell; and Sheena Watt will be joining us today. We are very pleased to have Carolyn Wallace and Jane O'Neill from the Merri Health Hume region's project, and they are running the Victims Assistance Program in this region. We are also very pleased to have Tim McCurdy in the audience with us today. It is great to see that this is providing so much interest.

Just so you know, all evidence taken today is protected by parliamentary privilege, and that is under our *Constitution Act* but also under the Legislative Council standing orders. This means that any information you provide to us today is protected by law. You are protected against any action for what you say during this hearing. Of course if you were to go outside and repeat some of the same things, you may not have the same protection. Any deliberately false evidence or misleading of the committee may be considered a contempt of Parliament.

We have the great Hansard team here recording every moment. You will receive a transcript of today. They are generally perfect, but I would encourage you just to have a quick look and make sure we did not mishear or misrepresent anything that you said, because the transcript will ultimately form part of the report.

We very much appreciate you taking the time to appear before us today. If you would like to make some opening remarks, I will then open it up to committee conversation.

Ms WALLACE: Thank you very much for that introduction. The Merri Health Victims Assistance Program does thank the committee for providing us with this opportunity to speak at the Inquiry into Victoria's Criminal Justice System. Today we are speaking from our extensive experience in operating the Victims Assistance Program and supporting victims of violent crime through the criminal justice system. We have been doing this for 20 years.

We would like to speak about three main points that affect the experiences of clients as they move through the criminal justice system, and these points relate to a trauma-informed criminal justice system, victim impact statements and the time frame for court matters. We know from what our clients tell us that they do feel invisible, overlooked, frustrated, angry, hurt and anxious throughout the court proceedings. All too often they can feel that the serious level of trauma that they have experienced personally through the violent crime can be questioned, minimised or disregarded. So to speak further to that I will hand over to Jane O'Neill.

Ms O'NEILL: Hello. Our program puts forward, firstly, the need for the criminal justice system to be a trauma-informed environment. The criminal justice system is focused around the offender and their rights to natural justice and a fair and just hearing. While victims understand the legal basis for this focus, emotionally and psychologically all aspects of justice processes can lead to retraumatisation of victims. Victims are required to speak and relive their trauma from the time they first seek help and justice through making statements to police and again through the court process in committal hearing and at trial when matters proceed to court. Every opportunity to limit further trauma to victims of crime should be seriously considered within court practice in each and every criminal matter.

It is extremely important that all practitioners working within the justice system, from police to magistrates, have appropriate training, knowledge and expertise in trauma-informed practice. Our support workers have on many occasions heard defence barristers and magistrates refer to crimes as not being a serious crime if the victims have no physical injuries. All practitioners working within the justice system need to be trained and knowledgeable about the serious psychologically and physically debilitating impacts that victims of coercive control, psychological, emotional, financial and social violence and intimidation can experience. In some matters clients who have lost loved ones to homicide have had to sit through a judge speaking directly to the

offender on sentencing about their opportunities for a good life following release from prison. This minimises the victim's experiences and the impact of crime.

Secondly, I would like to speak about victim impact statements. They are required to be a high priority in all criminal court proceedings. Victims of violent crime struggle with the fact that, apart from being able to write a victim impact statement about their experiences, there is very little in the criminal justice process that is about the victim of crime. Victim impact statements are the only opportunity for victims of crime to inform the court of their personal experiences of the impact of the crime on all aspects of their lives. The Victims Assistance Program advocates strongly at this hearing for due weight to be given to the importance of victim impact statements by all types of criminal justice practitioners, including police, prosecutors, judges and magistrates, to ensure that victims of violent crime are afforded the opportunity to submit their statement to the court.

In our experience of supporting victims of crime, being able to write a victim impact statement and have it read to the court can have a very positive effect on the mental health of victims in criminal matters. In a quote from one of our clients in relation to this, our client said:

Even if they had just read out my mum's statement, that would have helped. The judge said she read it in her private time, but how do I know she did that?

This is the sister of a deceased victim. We have seen many times, particularly in the Magistrates Court, where victims are not afforded this opportunity due to the criminal hearing and sentencing progressing on the same day and such like. Our support workers have observed many examples when the prosecution's team or the police informants omit to submit or present victim statements to the court. The victims have then lost their only opportunity to speak about their experiences of the crime. Another client told us:

But we did our impact statements and put our heart and soul into those things. We wish they could have been heard in court.

And this is from a family member of another deceased victim.

The third point we would like to speak about is that legal proceedings take too long. Pre COVID many serious criminal matters were heard in the County and Supreme courts in the Hume region where Victims Assistance Program-supported clients took on average two years to finalise at a minimum. This time frame has been extended significantly since the period of COVID restrictions, since March 2020. We have had clients waiting between three and five years for criminal matters to be finalised. One current matter involving the sexual assault of a young person under the age of 18 years has just had a guilty plea submitted by the offender. The committal hearing was held in the early stages of 2018. This matter is not expected to finalise until late 2021. This is a very long time in the life of a young person. I would like to just give another quote from a client in relation to this point:

We know coronavirus has made it worse, but it takes too long. It will take three or five years by the time this gets to court. We live every day waiting for it to happen. We need to get the system working faster, which is all about money as well.

This is the mother of a murder victim. The length of the court proceedings is highly detrimental to victims of crime in two ways. We observe clients unable to move forward, to move towards recovery in their lives, while matters remain before the court and while clients await their time to give their testimony at the committal hearing and/or trials, which may be many months and years—and for the family members of victims to be able to do this as well. Number two, during these proceedings clients are retraumatised through reliving their experiences of violence and trauma when providing evidence so many years after the criminal matter. I would like to thank you for your time.

The CHAIR: I just might mention to the committee: when we are not speaking, we might have to pop our masks on, just given that we are keeping the door shut. You two keep your masks on, because you will be talking a lot.

Thank you so much for that. That was brilliant. I did not time you, but I think you were spot on.

I would just like to focus on the victim impact statements, because I appreciate this is not them going to court, it is the prosecution that is taking the case to court—that sense of being ancillary to the case where you have just suffered the deepest tragedy in your life.

Would you say that we should be recommending that victim impact statements must be read aloud in the court? Would that be for all circumstances? Sometimes, you know, the victim impact statements—it will not just be one, obviously; it could be many. Is there a way that there might be some court direction that we would recommend on this?

Ms O'NEILL: I believe, Fiona, that every victim of crime needs to have the opportunity to choose whether to have their victim impact statement read out aloud within the court. Or they may choose to just have that go to the judge or magistrate. But I think every victim of crime needs the opportunity—

The CHAIR: Should be asked that question. Yes, should be asked that.

Ms O'NEILL: to have that.

The CHAIR: Yes. And do you think the opportunity to write those victim impact statements—and I know your organisation assists people in doing that. Is that working? Is every person getting that opportunity to do it in a timely way?

Ms O'NEILL: Every client that we work with has the opportunity to prepare their victim impact statement over a long period of time. At times we need to work together almost a little in secret, because if it becomes known that that victim impact statement is completed with the client prior to the plea hearing, that can actually be subpoenaed to be presented in court, and a client can be cross-examined on the basis of the information contained in their victim impact statement. So we like to work with our clients from a very early stage, to say, you know, 'What are the important things? Start to jot down what you want to say in your statement'. Also we inform them about what the statements are, and what is admissible and what is not admissible. We start that early on.

The CHAIR: Right, yes. So at the moment it is just up to the—sorry, just going back to that first bit—court whether the victim statement is read out or not, and it would be better if it was up to the person who had written the statement as to whether they wanted to hear it read out or not.

Ms O'NEILL: Yes, absolutely.

The CHAIR: Terrific. I will move on, but I am certain I will get a chance to come back. Tien.

Dr KIEU: Thank you, Chair. Thank you for your being here today and for the submission, and thank you for your very good work in supporting the victims to navigate the system, which is very complicated. I am a member of the government, and we aim to put victim support at the heart of the justice system. But as of this morning we have heard some evidence there is still some way to go in order to support the victims. So we appreciate your work very much, particularly when you put the victims first, like in being trauma informed and victim impact statements. And also the time frame has been backed up more in this time and age, where COVID is still ravaging. I would like to ask: with your experience working in a regional area in the Hume have you seen any particular needs or barriers for the victims, particularly when they are going in front of the court, and also any experience with working with disadvantaged people like the Aboriginal communities in terms of the victim support and navigating the system?

Ms O'NEILL: Yes. Thank you. Where do I start and stop, I guess? I think just from your first point, Tien, the need for victims of crime to travel is a huge consideration here. Often matters, particularly for County or Supreme court matters, may be moved to Melbourne halfway through a trial. There may be good reason for that in terms of that may be the safest thing for the members of the family or the victims to have that moved outside of their community, but other times it is for the reasons of the court—that it is easier for this matter time-wise or whatever. Time-wise is very important, but it is with a sense of ease I see at times that it is moved out of the area. We have a current matter that involves a local victim of crime, and this matter is being heard in Geelong. I probably understand that is about going back to my point of timeliness, but it is a long way and our client is physically incapacitated due to the crime. So I think that sense of having to travel, and I still find it to be quite a metrocentric system even though we have our local courts. The court circuits feel as if they are few and far between, although I do know that there are, I think, 10 circuits set this year. But if a client's matter does not get on to, say, this circuit that is running as of Monday the 28th, that may be rescheduled in six or eight months or nine months time, we see from time to time. So I just think that these are very, very difficult issues for clients to navigate as well.

I could probably think of so many things in the regional area for our clients that make it very difficult for them to attend court. And can I also say, victims of crime are not referred often to the Victims Assistance Program, and we may find victims of crime right at trial stage that have had no support throughout the process. So we are doing a lot of work with police and other services to make early referrals for victims of crime to ensure that they have the type of support that we offer, which is very important support all the way through the process right from the time of the crime occurring.

In relation to Indigenous communities, we do have a Koori engagement worker position funded with our program through the Department of Justice and Community Safety. Unfortunately our position is vacant at the moment. I have been advertising that position for over 12 months now, and there are so many competing positions occurring right throughout the region that I think most of our services who have those positions vacant are finding it very, very difficult on behalf of the community. We still support Indigenous clients, and I believe that our team is a very culturally safe team of workers to be supporting the clients, but as you can imagine, the cultural history of our Indigenous victims of crime makes it quite a fearful process for them to be involved with in terms of the criminal justice system and working with police. I think that the importance of our work, again, is about getting out there and absolutely educating and working with the services, working closely with them in collaboration, working with the communities and Indigenous clients individually to allay those fears and let them know that we are there to support them. The more support for victims of crime, the better it is for everyone—Indigenous, mainstream clients. We have four support workers right across this whole region, and we outreach. So again, funding has to be an enormous side of this. We could do with quadruple the size of the team that we have. I hope that answers your question.

Dr KIEU: Thank you. I may have some questions later.

The CHAIR: Okay, thank you. I will go to Tania, then I will go to Sheena and then Kaushaliya.

Ms MAXWELL: Thank you, Chair. Jane, thank you for coming, and Carolyn, it is lovely to have you presenting today. I have just got a couple of quick questions going back to victim impact statements. Now, I have heard from many victims—and you touched on often the offender's rights are prioritised over the victim's. One concerning issue that is raised with me by many victims is that the offender can actually have the victim impact statement redacted. And I have had many that have come to me saying that that has actually happened—they get to read the victim impact statement and have things redacted that the victim then cannot read out. How do you think we can address that? As a committee what is our best way to address that? Is it through the courts? Is it through the OPP? I do not believe that is fair at all—

Ms O'NEILL: No, no.

Ms MAXWELL: because it can be very empowering for victims to read that statement out.

Ms O'NEILL: Absolutely. In my experience working with the program, I do not believe that it is up to the offender to be able to redact anything in a victim impact statement. We know that there are statements that can be made by victims of crime in their statements that will cause their statement to be inadmissible to the court. This is the advice that we provide to the clients to ensure that their statement is not made inadmissible and that it does reach a judge. But it blows me away that an offender is able to make the call on what goes into a victim's statement.

Ms WALLACE: Does that get back to managing the process, then, which speaks to what you said, Jane, about the training, education and awareness of all the parties involved right through the criminal justice system about what is actually allowed and what is actually a permitted versus what happens. It is one thing having rules, it is another thing to follow them procedurally.

Ms MAXWELL: And, Carolyn, I think that fits certainly within our terms of reference in that we are looking at having ways in which magistrates can be or are specifically trained for those cases that they are presiding over. Whether it be family violence, whether it be the Koori Court or whether it be drug and alcohol courts, they have an understanding of the impact on victims of crime, as opposed to weighing more heavily on the rights of the offenders. I think that might be something that we have to look at—a very holistic approach to who is actually responsible for that and what changes can be made.

Ms O'NEILL: Yes, and I would say, Tania, that it probably needs to be the magistrate or the judge that makes the call on what needs to be redacted and if it is appropriate for something to be redacted under appeal or complaint by an offender.

The CHAIR: Sheena.

Ms WATT: Thank you, Chair. Thank you to you both for being with us today and for your evidence and ongoing work in our community—one that I am quite familiar with. I have a question in particular around being a service in border communities, and I just wonder if you can speak to any additional challenges that may

be present in your work, as well as for the victims of crime, with respect to being border communities. Is there anything that you wanted to draw our attention to as a committee given that you border New South Wales?

Ms O'NEILL: We do have a lot of clients—we have a number of borders in the Hume region, so there is the Yarrowonga—

Ms WATT: Yes, I mean the state border. That is the one that I am speaking to particularly.

Ms O'NEILL: Yes. Particularly on the Albury-Wodonga border, we work very closely with the other organisations that support victims of crime, such as the family violence agencies. I am involved with the border family violence network in that area, but we make connections with police and with other agencies across the border. We certainly support victims of crime across the border as well and try to work very collaboratively with those agencies. I think the difficulties that we encounter are with the different legislation that we are working within and also what that means for clients moving across the borders and access to services. At times it can be very inflexible for clients. For instance, in our program the guideline is that the crime must have occurred in Victoria, for instance. So basically clients who live in Victoria where the crime may have occurred in New South Wales by right should not be accessing the service. But in saying that, we try to be flexible as a victim support service in terms of using the exceptional circumstances to say, 'No, I truly believe this client needs support regardless, and we are going to support this client regardless of our guidelines'. But I wonder what that means for all the other services who are trying to support clients across borders as well where there is inflexibility within their program guidelines. You can look at the police service as well. You know, if we speak about the police service areas, there is not that flexibility in terms of the support that police or other services can provide due to either the legislation or guidelines of programs. I am not sure what the answer to that is, except that we should all, as services who support anyone in the community, be looking at what the client needs—in our case what victims of crime need. That is the highest priority that we should be working collaboratively around. We need to find a way to help victims regardless of the guidelines or the restrictions. There is always a way.

The CHAIR: Kaushaliya.

Ms VAGHELA: Thanks, Chair. Thanks, Jane and Carolyn, for your submission, for your time today and for the great work that you do to help the victims of crime. My question is: at what point does your centre say, 'That is it. We cannot help you any more'? Is there any time frame? And once that happens, what sort of notice do they get? Is there any time frame to provide that notice? And the third part of the question is: once the support from you ends, is that the end of it, or are there other smaller organisations where they can go and get some sort of support?

Ms O'NEILL: Yes. Thank you. There is not a time frame for the support that can and will be provided by the Victims Assistance Program. The support we provide very much depends on the length of the criminal justice system process. Our remit or our guidelines are to provide—we work with criminal justice tasks, so we work with a client whilst there are criminal justice tasks such as helping people make statements or report to police and right through to the other end of the court matter being finalised. So we will definitely remain involved for the whole criminal justice process while it is occurring. There are times when clients need additional support and longer term support, and we absolutely look, again, at each client's needs individually and how long that will continue to go for. Again, it comes back to a resource issue for us, because we cannot have people waiting for services. It can be really quite a conflict for us, practically, in terms of when we need to close clients. But we speak with clients. We almost work towards closure at the time of starting our work with clients, so we advise them about, 'This is what we're here for, this is how we will support you and this is when we will be looking at concluding our support after the criminal justice process has been completed'. But again I say we assess all the way through our support provision, and we will stay involved with a client longer than the process if required.

I guess this is another difficulty with the regional area team as well, that there are very few services and resources out there to support community members in all sorts of ways—mental health, drug and alcohol, health services, victims assistance programs—so many gaps in service provision. So I guess in a nutshell our practice is we stay involved with clients until we can refer them on to the most appropriate service to continue to support them longer term depending on what their need is, not only once we have made a referral, but we will remain involved—and I feel very strongly about this—until that client is engaged with that service. We cannot leave people hanging without supports, and it is a major issue within this region and I am sure other

regional areas as well. And we identified that in our collaborative practice with all the other agencies as well, so we just work together to ensure clients are supported post the work that we do.

The CHAIR: Thank you. This is not a quick question and it is not an easy question, I suspect, in these first early days, obviously—the conversation about the speed and the time it takes for a matter to be finalised. Are there any recommendations you would like to make to us today about where you see we could improve the processing and improve the process to speed that up a little bit? Funding and making sure that we have got more circuit courts, I suspect.

Ms O'NEILL: I think the need for more circuits here in this region is absolutely an imperative need.

The CHAIR: We can say that they will come every two months, but it might be that they are required every month for six months and then every two months. Is there a way to maybe look at the list and there is a number on the list and that triggers a circuit?

Ms O'NEILL: Possibly. I have to say we are not privy as a service to how those decisions are made by the court of Victoria. We just know what happens for our clients. We know that clients are set up to attend a trial surrounding the loss of a loved one or being a victim themselves, and the anxiety related to that, the need to have this finalised, is so strong and palpable. We can see these clients just go from circuit to circuit to circuit of being adjourned. I do not know what the answer is, but this has to change. This just puts people through the wringer. And it is not okay. I mean, I understand that it takes time for defence and for prosecutions to prepare their case, but I do not understand once a committal hearing, for instance, has been heard why it can take years for a trial to then go ahead once the evidence is already before the court. So I have to say I really do not know what can be done; I just know something absolutely needs to change.

The CHAIR: Yes, and the impact of that on your clients is profound.

Ms O'NEILL: Profound in terms of mental health and in terms of every aspect of the client's being. It takes its physical toll; it takes its emotional toll.

Ms WALLACE: Financial.

The CHAIR: Financial, of course.

Ms O'NEILL: Financial toll as well.

Ms WALLACE: That is quite considerable. I think there is possibly a communication piece in there as well, around knowing with certainty the movements, the timing. We have certainly found, in other aspects of the way Merri Health delivers services, when people know that it might be three months but we can say, 'Something will be happening in three months', and we give them a date, they are fine. If we say, 'We think there's a three-month wait. We don't know', then that is when people will be calling us back every week going, 'What's happening? What's happening?'.

I think we can probably relate to that in many aspects of our own lives. With any matter that is causing us grief or uncertainty, once we know, 'Here's where the next marker is', 'All right, I can put strategies in place to get me to that marker. I can have the supports around me that I need'. And then if the marker moves, but you have been told, you know where the next marker is. But as soon as there is that uncertainty that Jane talks about—the stretching out, the unpredictability—that is the problematic element.

Ms O'NEILL: Can I just add, as well, we have had clients say, 'I can't do this anymore'. They have come to a third adjournment and said, 'I can't attend. I just can't do this anymore'. To get to that point, for a victim of crime is—I do not understand how a system can cause that type of turmoil for a victim of crime.

Dr KIEU: Thank you. You said that the system is metrocentric. But in the current situation, there is a tendency that the population in regional areas might grow, and that will put some demand and pressure on various issues.

Now, let us go back to what you said about how the police, the prosecutors and the judges should be trained appropriately. I presume that they are very highly qualified technically in what they are doing, in terms of the laws, the legislation and so on. So what do you think, what additional training, would be useful and required from the victims' point of view? And is there any case you want to highlight about some of the demands and also the support that you may want to see from the judges or the police or prosecutors?

Ms O'NEILL: Yes. I think, Tien, the most important type of training and education for all of the professions working within that legal framework is trauma-informed practice, so to understand the impacts of trauma on people who have experienced such terrible things in their lives, to understand what that might be like for them, what things such as court delays may cause—what terrible repercussions things like court delays may cause.

Sometimes we see defence going right to that—you know, just this side of the magistrate or the judge having to stop their cross-examination because it is so—

The CHAIR: Brutal.

Ms O'NEILL: traumatic for the clients. I see that those kinds of practices need to stop earlier rather than re-traumatising clients to the extent that we see them re-traumatised in court, as well, through cross-examination. I am sorry, I may have—

Ms WALLACE: So about training, it is the trauma-informed practice—that understanding of the impact. As you said, to have technical skills is absolutely imperative, and this is a criminal justice system we are talking about; we want that full understanding of what is required for a just response, and that includes understanding the role of victims in presenting and being part of a criminal justice process.

So it is really about: here we have a criminal justice system, and it includes a whole lot of situations, players, structures, and it includes victims. They are not ancillary, they are not problematic; they are part of the situation. Therefore what does that mean for your practice as a technical specialist, someone with authority, someone with power? How do you use that, and how do you use that to encompass and validate the experience of victims?

Dr KIEU: Have you seen any inconsistencies in terms of dealing with the prosecutors or police you meet, from unit to unit or even in one case when it drags on for some time?

Ms WALLACE: I would have to throw to Jane for that one.

Ms O'NEILL: I am so sorry, Tien?

Dr KIEU: Any inconsistencies in terms of dealing with the victims and even the judgements?

Ms WALLACE: From police to police or that sort of thing.

Ms O'NEILL: Yes. We do see a number of inconsistencies. Even if we just start in the beginning of the justice system with people making a report to police, some police believe the victims and move forward with a criminal matter and other victims are not heard at all, and in those circumstances we would go, 'That's not okay, so we will attend police with you to make a statement about what has been happening'. But in terms of inconsistencies in courts, we do see inconsistencies as well in terms of magistrates and judges who do not pull up the cross-examinations by the defence at a time before it becomes even more traumatic for the clients. But there are other judges and magistrates who do that very well and who are protective of the people giving evidence, so there are inconsistencies most definitely.

The CHAIR: We are unfortunately fast running out of time. And I know we started a few minutes late, but Tania, Sheena and Kaushaliya, I am just wondering if you can keep your questions relatively brief?

Ms MAXWELL: Sure. So, ladies, you spoke about the lengthy delays and the impact that has on the victims, and it has been well documented over the years about magistrate shopping—people looking for magistrates who do exactly, Jane, what you were just talking about, having those inconsistencies. Do you hear about that? Do you hear that people will have their cases adjourned due to the magistrate they are coming before?

Ms O'NEILL: Tania, when you say 'people', do you mean the legal representatives? Yes, I just needed to check that, or whether it was the clients we are working for trying to push for that. I have got to say I have not really heard of that. I do not think that the victims of crime that we support and ourselves are actually privy necessarily to that practice. That is something that occurs within the legal practitioners and the courts if it is occurring.

The CHAIR: Sheena.

Ms WATT: I have got a quick one. When you work with victims of crime, do you see victims that are also offenders? Do you have any commentary on that, because it is something that I am interested in understanding a little bit more about.

Ms O'NEILL: We support only victims of crime. Just stop me if I have got the wrong end of this question. We sometimes have victims of crime who we support who may have been involved in other criminal matters, things like—I do not know—break and enters, for instance, or something like that that is not related to, I guess, crimes against the person. We look at each case on a case-by-case basis in terms of the support needs of the victim of crime. For instance, we may have someone who has been involved with a lot of criminal activity, but then there is a situation where they are severely assaulted and in need of victims services. That is not related to the criminal activity that they were involved with, if you know what I mean. So we look at it case by case, I guess, and we try to support everyone wherever we can when people are in need of victim support.

Ms VAGHELA: Thanks. Just a quick one. You spoke about delays in court cases. How does the COVID-19 pandemic affect the services that you provide, affect the victims in terms of further court case delays? It could be online hearings. What sort of effect do you think you will see?

Ms O'NEILL: Yes. Firstly, I will say that there have been significant extra delays caused through COVID, as we know. And that is probably not a surprise for any of us right across any agency. But the victims of—

Sorry, I have just lost the—

Ms VAGHELA: The effect on the victims. Say, if they have to appear online for hearings, how will that impact them?

The CHAIR: Or is it good, or is it positive?

Ms O'NEILL: It has been extremely difficult for victims of crime to have to give their evidence or to attend the hearing online but I think there has been a mixed response in some ways, because some people actually feel safer in their own home to be attending rather than being at the court itself. I think that we need to take some lessons from this moving forward about there being possibly options given to victims of crime about how they give their evidence and where they feel safe to do so as well. But the length of the court hearings has just been—I can only use the word—crushing for victims of crime in terms of the delays that that has caused as well. Even our service, we have not as a general rule been able to be there to support clients, so how we will support them is we will speak to them the day before, we will speak to them in the morning, we will speak them in every break. We will provide support that way when we cannot be with them, or if clients are at such a high level of need and we are extremely worried about how they will go through the court process, we will find a way to be there with them with all the PPE that we require. But in terms of the delays—and please stop me if I am going off track—the delays that COVID has caused, we are looking at people sort of waiting another couple of years, and already the process may have been two to three years to get through their criminal matter, and they need an enormous amount of support.

Ms VAGHELA: Thank you.

The CHAIR: Thank you. And certainly probably the final word that we are hearing from you today is ‘crushing’—that the process is crushing. I think that is incredibly salutary. As you know, this is our first day of hearings, so we really appreciate you in some ways setting the scene for us so eloquently and clearly. This has been really informative for me.

That is the end of this section. We will be briefly resetting for our next witnesses. Thank you again so much to both of you. As I mentioned at the outset, you will receive a transcript of today, and please have a look at it and make sure that we have not misrepresented you. But again we appreciate the really amazing work you are doing in our communities but also the time that you have given us today. Thanks.

Ms WALLACE: Thank you. We really appreciate it.

Ms O'NEILL: Thank you for the opportunity to come today. We could probably talk all day.

Ms WALLACE: **But we will write a further submission, because we were able to do that, is that correct?**

The CHAIR: Yes. We look forward to it. You have got time for that.

Witnesses withdrew.