

**NEW RESEARCH ON VICTIMS OF CRIME IN
AUSTRALIA – VICTIMS’ NEEDS, VICTIMS’ RIGHTS
– AN AUSTRALIAN INSTITUTE OF CRIMINOLOGY
REPORT**

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Background

- In this report, the AIC has sought to produce material which comprehensively outlines the structure of victim services in each Australian state and territory in order to give an accurate picture of the nature of the services existing nationally.
- It is based upon an extensive review of literature, and interviews and surveys conducted with representatives of service providers, law enforcement, legal establishments and non-government organisations in each state/territory.
- This is believed to be one of the first reports to undertake such research on a national basis and it is hoped that it will provide assistance to service providers, policy-makers and practitioners throughout Australia.
- The literature review includes information on:
 - the incidence of criminal victimisation in Australia;
 - the impact of victimisation, including the physical, psychological and financial difficulties that victims face;
 - the impact of crime on secondary victims;
 - the development of victim services in Australia;
 - legislation relevant to victims of crime; and
 - responses to victims of crime.
- Information obtained from the field research includes:
 - the development of victim support services within Australia;
 - the current structure of services which exist in each State/Territory;
 - an examination of the coverage of services, their availability, accessibility, the types of service provided, funding arrangements, contact patterns, staffing levels and staff training;
 - the coordination and integration of services within each jurisdiction and identified limitations;
 - the main needs and requirements for the progression of successful service provision to victims of crime in each jurisdiction; and
 - the individual needs and requirements of victims such as social support, information provision, choices etc.

Main Findings

- Nationally the structure of victims' services in Australia has developed primarily as a state response rather than in a coordinated national manner. Much of this is due to the fact that crime and its control are considered to be matters for State rather than Federal Government.
- The development of victim support services within Australian jurisdictions has varied considerably, with some arising from community action and others from government action. This has affected the types and ways in which services are both structured and provided in each state/territory today.
- While most of the activity in the last few years has been by governments and formal organisations such as the police, these developments would never have occurred without the tireless work and advocacy of community groups such as VOCS and VOCAL.

Current Services

- The emphasis of most victim services across Australia is on referral, information provision, crisis intervention, telephone and short-term counselling, and some court support. There is generally a lack of long-term counselling and support options for victims.
- There are generally well established sexual assault and domestic violence crisis and counselling support services in most states, as well as services dealing with child abuse, and support groups for homicide victims. Most states also have a generic victim support service which caters for a wider range of victims, however services for less serious crimes such as burglary are lacking.
- Throughout Australia there appears to be a lack of services for certain vulnerable populations such as NESB and Indigenous persons, people with disabilities and the elderly. There is also an identified lack of services for male victims of sexual assault.
- The research demonstrated the importance of integration and coordination upon the success of service provision to victims of crime. A lack of coordination and the mis-allocation of resources is perceived to be one of the major problems with service provision.
- Service providers in most states indicated that coordination was improving, but could be better. The smaller states/territories appeared to have relatively good coordination and communication among services, facilitated by their smaller population size.
- The level of availability of services in most states is relatively good, however rural/regional access continues to be a challenge, particularly for some of the geographically larger states with populations which are spread out over these large areas. There were signs however, that there have been serious attempts made to address such difficulties with a number of innovative types of service provision now being trialed.
- As always, funding issues dominated most of the discussions and responses from service providers. There was a perceived lack of funding for service provision and evaluation, and it was believed that valuable resources are often mis-allocated due to the lack of understanding of the current services which are available and those that are needed.

- Many of the participants indicated that the demand for services far outweighs what can be supplied to victims with the current levels of funding and staff, evidenced by long waiting lists for ongoing support and counselling in some services.
- The nature of funding provision was perceived to contribute to the in-fighting between services and uncertainty due to the inability to engage in long-term planning.
- Funding which is contingent on the number of clients serviced often created competition for clients, and unwillingness to cooperate with other service providers.
- One of the main criticisms voiced by service providers was the isolation of the judicial system from other services. Many of the research participants expressed the feeling that much of the difficulties for victims in relation to courts stemmed from this lack of openness by court systems regarding their processes. Many of the service providers felt that this isolation protected courts from the reality of victimisation.

Needs and Requirements of Victims

Service providers identified a number of needs that victims of crime have to make their recovery and the criminal justice process less traumatic. They include:

- Support – support from family and friends, as well as support received by victim support agencies and other support groups is one of the most important needs that victims of crime have to aid in their recovery.
- Information and knowledge – on services available, on the progress of the police investigation, the role of the DPP and likely time frames of prosecution, information on court process, and explanations of legal requirements such as reasonable doubt, information regarding the role the victim plays in court, possible outcomes and sentences, and much more.
- Choices – accurate information allows victims to make their own choices. Service providers noted the importance of victims being able to regain some control over their lives. Being able to make their own decisions empowers the victim.
- To have their say – it is important for victims to be able to have their say, to tell their story (completely) and to be heard. Victim impact statements go some way to addressing this, but certainly not far enough.
- Immediate help and advice – the sooner victims receive positive support and advice the easier their recovery will be.
- Follow up by police and through the criminal justice system – victims need to be kept informed at all stages of the police investigation and prosecution, to be told decisions affecting them as they happen and not to find out by accident or in court.
- A coordinated streamlined system that is easy to access - the system needs to be more automatic, with victims having knowledge of how the system works and the services available to them.
- Sensitivity and understanding – by family and friends, police, medical practitioners, service providers, DPP, judiciary and particularly the media.

Future Directions

- Research participants indicated they would like to see a greater emphasis on restorative justice principles in the criminal justice process, and in the provision of services to victims.
- Service providers would like to see greater coordination and communication among service providers, police and other criminal justice personnel, with suggestions made for written protocols and memoranda of understanding for referral and other processes.
- The identification and listing of the range of services available in each state/territory is required. Such cataloguing of services could potentially identify what services are available, which services are duplicated and any gaps in existing services. This would allow the development of a more integrated and coordinated network of services for victims.
- Many suggestions by service providers related to the need for public education, and also training for personnel dealing with victims.
- There is a need for public education and information (for victims in particular), regarding police practices, availability of services, the role of the DPP and the victim in the criminal justice process, and about the court process and sentencing.
- There were also suggestions that judicial staff (including the DPP) need to become more available and accountable to victims of crime. Service providers indicated that there should be specialised victim awareness and sensitivity training for criminal justice personnel, as well as medical professionals and media who may come into contact with victims.
- Most service providers were in favour of state-wide strategies, including 1800 numbers which could be accessed from anywhere in the state and provide information, advice, referrals and telephone counselling.
- Court support organisations are looked upon favourably, and as such should be developed in each state/territory, as generally the court process is the most traumatic for victims.
- Service providers made suggestions for the improvement of criminal injuries compensation schemes, including the introduction of a method of interim payments for expenses that arise in the immediate aftermath of victimisation.
- Overall, it was recognised that support from the government is extremely important, however there needs to be better understanding of the needs and requirements of victims and the nature of successful service provision.