

MEDIA RELEASE

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Community Legal Centres NSW dismayed by passing of Bill abolishing NSW Victims Compensation Scheme

Community Legal Centres NSW (CLCNSW) is extremely disappointed that the NSW Parliament has passed legislation abolishing the Victims Compensation Scheme, only to replace it with a scheme that fails victims of some of the most serious crimes, including sexual assault, child abuse and domestic violence.

"By passing this Bill the NSW Government has taken a huge step backwards in the struggle against sexual assault, child abuse and domestic violence," said Anna Cody, Chairperson, CLCNSW. "When victims know that people are awarded three-quarters of a million dollars for a slip and fall accident or half a million for a defamation claim, it's very hard for them to understand why their experiences count for so little."

"Many victims tell us that no amount of money can ever compensate for their experiences," said Janet Loughman, Principal Solicitor, Women's Legal Services NSW. "However, in Australia we do put dollar figures on injuries, including pain and suffering. We do this in an attempt to redress the injustice suffered by victims of violence and to show that we care about them. We do this to show that as a society we are opposed to violence and in favour of a safe and healthy community. Reducing this compensation to a paltry figure sends the opposite message."

"We have already had direct contact with clients who have responded with tears, frustration and anger at the failure of Government to protect them from further injustice," said Ms Loughman. "As one client said 'why should I expect anything different, no one else has ever cared about me'."

"One of the biggest blows is the decision to make the changes retrospective," said Rachael Martin, convenor of CLCNSW Victims Compensation Committee. "The Government commissioned review of victims compensation acknowledged that for existing claimants it would be unfair to change the goal-posts midway, and yet that is exactly what they have done."

"We are now faced with telling our clients that, after all they have gone through, the law has significantly changed and the compensation they may receive will be fraction of what they were entitled to under the old scheme," said Ms Martin. "Would the Attorney-General Greg Smith like to make those phone calls with me?"

Lawyers working in community legal centres are currently representing over 1500 claimants who have pending matters filed under the old scheme.

"Other financial assistance, including up to \$20,000 for loss of actual earnings, is not available for many victims of domestic violence, sexual assault or child sexual abuse who are so traumatised by their experiences that they are unable to work," said Ms Loughman. "The Attorney General has also said that claimants under the old scheme will receive a transitional payment but very few of our clients will be eligible for this extra payment because of the strict 2-year timeframes imposed," said Ms Loughman.

Stripping back compensation for victims of violent crime is a step backwards. Victims compensation is important not just to victims but also for a fair and just society.

About Community Legal Centres NSW Inc.

Community Legal Centres NSW Inc. (CLCNSW) is the peak body for community legal centres (CLCs) in NSW. It has 40 member organisations including generalist and specialist CLCs. CLCs deliver legal services to economically and socially disadvantaged individuals and communities. CLCNSW's policy work on victims compensation has been developed by its Victims Compensation Committee, which comprises CLCs that represent clients in victims compensation applications.

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