



LEGISLATIVE COUNCIL

PORTFOLIO COMMITTEES

## **BUDGET ESTIMATES 2021-2022 Supplementary Questions**

**Portfolio Committee No. 5 – Regional NSW and Stronger Communities**

**ATTORNEY GENERAL**

Hearing: 16 March 2022

**Answers due by: 12 April 2022**

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## ATTORNEY GENERAL

### Questions from the Hon Mark Buttigieg MLC *(on behalf of the Opposition)*

#### Victims Services

1. How many applications for each aspect of victims support outlined below have been received, awarded, pending, lapsed and dismissed from 1 July 2021 – 15 March 2022:
  - (a) counselling
  - (b) financial assistance – immediate needs
  - (c) financial support – economic loss
  - (d) recognition payments
2. What is the number and percentage of applications for victims support by gender and age:
  - (a) counselling
  - (b) financial assistance – immediate needs
  - (c) financial support – economic loss
  - (d) recognition payments
3. How many claims, made by Aboriginal and/or Torres Strait Islander people, have been received, awarded, pending, lapsed and dismissed? Please provide as a number and percentage:
  - (a) 1 July 2021 – 15 March 2022
    - i. Counselling
    - ii. Financial Assistance – Immediate Needs
    - iii. Financial Support – Economic Loss
    - iv. Recognition Payments
  - (b) 1 July 2020 – 30 June 2021
    - i. Counselling
    - ii. Financial Assistance – Immediate Needs
    - iii. Financial Support – Economic Loss
    - iv. Recognition Payments
  - (c) 1 July 2019 – 30 June 2020
    - i. Counselling

- ii. Financial Assistance – Immediate Needs
- iii. Financial Support – Economic Loss
- iv. Recognition Payments

(d) 1 July 2018 – 30 June 2019

- i. Counselling
- ii. Financial Assistance – Immediate Needs
- iii. Financial Support – Economic Loss
- iv. Recognition Payments

(e) 1 July 2017 – 30 June 2018

- i. Counselling
- ii. Financial Assistance – Immediate Needs
- iii. Financial Support – Economic Loss
- iv. Recognition Payments

(f) 1 July 2016 – 30 June 2017

- i. Counselling
- ii. Financial Assistance – Immediate Needs
- iii. Financial Support – Economic Loss
- iv. Recognition Payments

4. From 1 July 2021 – 15 March 2022 what is the average payment for:

- (a) immediate needs?
- (b) economic loss?
- (c) recognition payments?

5. To determine applications for financial assistance for immediate needs, financial support for economic loss, recognition payment and counselling from 1 July 2021 – 15 March 2022, what is the:

- (a) shortest,
- (b) longest and
- (c) average time

6. How many applicants have responded to the client satisfaction survey from 1 July 2021 – 15 March 2022?
  - (a) How are applicants selected to respond to the client satisfaction survey?
  - (b) Provide a summary of responses.
7. Please provide the following:
  - (a) number (and percentage) of applications made, number of applications approved and number of applicants who actually attended counselling from 1 July 2021 – 15 March 2022?
  - (b) number of applicants who actually accessed counselling by phone, video and in person appointments from 1 July 2021 – 15 March 2022?
  - (c) Number of counsellors in each regional, rural and remote area in which they are located, together with how many new Victims Support clients they assist each financial year?
  - (d) The number of new Victims Services Approved Counsellors appointed from 1 July 2021 – 15 March 2022 and in what geographical areas?
  - (e) What is the total number of Victims Services Approved Counsellors?
  - (f) Average waiting time between the counsellor being contacted and their first available appointment?
  - (g) Number of applications for counselling where the victim-survivor is located in a closed institution, for example, Correctional Centre, Youth Detention, including the number approved and the number of applicants who receive counselling in a closed institution?
  - (h) Number and percentage of applications for counselling made more than 10 years after the act of violence and the number and percentage of these relating to domestic violence, sexual assault, child abuse and child sexual abuse?
8. How often do Victims Services contact Approved Counsellors to check the material on the Victims Services website is up-to-date, including to confirm waiting times?
9. What is the number and percentage of applications that were received, awarded, pending, lapsed and dismissed as a result of domestic violence including a breakdown (number and percentage) of recognition payment categories A-D from 1 July 2021 – 15 March 2022 for:
  - (a) counselling
  - (b) financial assistance for immediate needs,
  - (c) financial support for economic loss – including a breakdown of actual loss of wages
  - (d) recognition payments

10. What is the number and percentage of applications that were received, awarded, pending, lapsed and dismissed as a result of sexual assault including a breakdown (number and percentage) of recognition payment categories A-D from 1 July 2021 – 15 March 2022 for:
  - (a) counselling
  - (b) financial assistance for immediate needs,
  - (c) financial support for economic loss – including a breakdown of actual loss of wages
  - (d) recognition payments
  
11. What is the number and percentage of applications that were received, awarded, pending, lapsed and dismissed as a result of child sexual abuse including a breakdown (number and percentage) of recognition payment categories A-D from 1 July 2021 – 15 March 2022 for:
  - (a) counselling
  - (b) financial assistance for immediate needs,
  - (c) financial support for economic loss – including a breakdown of actual loss of wages
  - (d) recognition payments
  
12. When Victims Services provided data sets in 2017-18 it included a table of a breakdown of the reasons matters were dismissed by percentage. The hyperlink does not work as these data sets seem to be no longer available on Victims Services website. What number and percentage of matters were dismissed in relation to domestic violence, sexual assault, child sexual abuse in 2018-19, 2019-20, 2020-21 and 1 July 2021 – 15 March 2022 for the following reasons:
  - (a) No act of violence was determined
  - (b) Out of time
  - (c) Duplicate application
  - (d) Not an eligible victim
  - (e) Other (including use of a motor vehicle, dog, property)
  - (f) Not an eligible family victim
  - (g) Related acts
  - (h) Adverse factors
  - (i) Application withdrawn by applicant or due to death of applicant
  - (j) Received other entitlements
  - (k) Not an eligible victim as application is for secondary victim

13. When the above information was requested in the previous Budget Estimates, it was stated the Department did not hold the information in an accessible form. Is that still the case?
  - (a) If yes, why is that information not accessible?
  - (b) Where can it be accessed?
14. What is the total expenditure from 1 July 2021 – 15 March 2022 on:
  - (a) counselling,
  - (b) financial assistance for immediate needs,
  - (c) financial support for economic loss – including a breakdown of actual loss of wages
  - (d) recognition payments
15. From 1 July 2021 – 15 March 2022, how much as a number and percentage of the total for each aspect of support requested above was awarded due to:
  - (a) sexual assault
  - (b) child sexual abuse
  - (c) domestic violence?
16. What is the number and percentage of assaults resulting in grievous bodily harm (GBH) claims where the GBH is a psychological injury that have been awarded from 1 July 2021 – 15 March 2022?
  - (a) Of these, what is the number and percentage assisted by Victims Services alone in each financial year since the commencement of the new scheme, including 1 July 2021 – 15 March 2022?
  - (b) Where the applicant has been assisted by an advocate since the commencement of the new scheme?
  - (c) Where the applicant has been legally represented since the commencement of the new scheme?
17. The above information was requested in Budget Estimates Supplementary Questions 2021 -22 (Question 109) with the response: “The Department of Communities and Justice does not hold this information in a readily accessible form.” Is that still the case?
  - (a) If yes, why is that information not accessible?
  - (b) Where can it be accessed?
18. As a result of domestic violence and sexual assault, for 1 July 2021 – 15 March 2022, what is the average payment for:

- (a) immediate needs,
  - (b) economic loss- including a breakdown of actual loss of wages
  - (c) recognition payments
19. What is the number and percentage of claims involving domestic violence and sexual assault which were refused, or assistance was reduced due to s44 factors with a breakdown by number and percentage of each of the s44 factors from 1 July 2021 – 15 March 2022?
20. Has the Commissioner of Victims Rights been asked by advocates to attend Victims of Crime Interagency meetings?
21. Did the Commissioner of Victims Rights personally attend the Victims of Crime Interagency on 14 September 2021?
22. Did the Commissioner of Victims of Rights personally attend the Victims of Crime Interagency on 7 December 2021?
23. Did the Commissioner of Victims Rights personally attend the Victims of Crime Interagency on 8 March 2022?
24. Why were the terms of reference of the Victims of Crime Interagency unilaterally amended by the Commissioner of Victims Rights to remove consultation from the terms of reference in September 2021 in the face of strong opposition by NGO Victims of Crime Interagency members?

#### **NSW Civil and Administrative Tribunal**

25. In relation to the NSW Civil and Administrative Tribunal, as at March 2022:
- (a) How many tribunal members were there?
  - (b) How many full-time equivalent tribunal member positions were there?
  - (c) How many tribunal members were full-time?
  - (d) How many tribunal members were part-time, with set hours or days per week?
  - (e) How many tribunal members sit or work only sessionally?
  - (f) In providing the information to the above questions, please provide a breakdown for each division.
26. Since 1 July 2021:
- (a) How many days did the tribunal sit?
  - (b) How many cases were heard over these days?

- (c) On average, how long from the final hearing day to delivering a decision?
- (d) In answering (a)-(c) please provide the information for first instance and appeal decisions.

**Disability Employment**

- 27. How many employees who identify with having a disability are employed by:
  - (a) Department of Communities and Justice
  - (b) Community Justice Centres
  - (c) Director of Public Prosecutions
  - (d) Legal Aid Commission
  - (e) Law Reform Commission
  - (f) Personal Injury Commission
  - (g) NSW Trustee and Guardian
  
- 28. How many senior managers who identify with having a disability are employed by:
  - (a) Department of Communities and Justice
  - (b) Community Justice Centres
  - (c) Director of Public Prosecutions
  - (d) Legal Aid Commission
  - (e) Law Reform Commission
  - (f) Personal Injury Commission
  - (g) NSW Trustee and Guardian