



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**

**Budget Estimates secretariat**

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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

#### Answer:

I am advised:

From 1 July 2021 to 28 February 2022:

#### a) counselling

- i. received: was 14,514
- ii. approved: was 14,411
- iii. Number of pending applications during this period cannot be determined.
- iv. Lapsed: was 0
- v. Dismissed: was 34

#### b) financial assistance - immediate needs

- i. Received: was 6,156\*
- \* Data on applications received for financial assistance is combined for immediate needs, economic loss, and funeral expenses as it cannot be readily broken down because they are often submitted on a single application.
- ii. Approved: was 4,394 (11,970 claim items)
- iii. Number of applications pending during this time period cannot be determined.
- iv. Lapsed: was 0
- v. Dismissed: 4,036 (with 12,816 claim items)
- \*Note: The outcome of a financial assistance claim may include an award of eligible claim items and dismissal of others.

#### c) financial support - economic loss

- i. Received: was 6,156\*
- \* Data on applications received for financial assistance is combined for immediate needs, economic loss, and funeral expenses as it cannot be readily broken down. This is because these support types are often submitted on a single application.
- ii. Approved: was 613 (1,548 claim items)
- iii. Number of applications pending during this time period cannot be determined.
- iv. Lapsed: was 0
- v. Dismissed: was 840 (2,119 claim items)

- d) recognition payments
  - i. Received: was 9,712
  - ii. Approved: was 8,260.
  - iii. Number of applications pending during this time period cannot be determined.
  - iv. Lapsed: was 1,912.
  - v. Dismissed: was 8,344

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

**Answer**

I am advised:

The Department of Communities and Justice does not hold this information in a readily accessible format.

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

**Answer:**

I am advised:

From 1 July 2021 to 28 February 2022:

a) counselling

- i. Received was 2,270 - 15.64% of all received.
- ii. Approved was 2,258 - 15.67% of all approved.
- iii. Number of applications pending during this time period cannot be determined.
- iv. Lapsed was 0.
- v. Dismissed was 11 - 32.35% of all dismissed.

b) financial assistance - immediate needs

- i. Received was 1,107\* - 17.98% of all received.  
\* Data on applications received for financial assistance is combined for immediate needs, economic loss, and funeral expenses as it cannot be readily broken down because they are often submitted on a single application.
- ii. With an approval was 731 (1,996 claim items) - 16.65% of all approved

- iii. Number of applications pending during this time period cannot be determined.
  - iv. Lapsed was 0.
  - v. With a dismissal was 785 (with 2,800 claim items) - 19.45% of all dismissed.
- Note: The outcome of a financial assistance claim may include an award of eligible claim items and dismissal of others.

c) financial support - economic loss

- i. Received was 1,107\* - 17.98% of all received.
- \* Data on applications received for financial assistance is combined for immediate needs, economic loss, and funeral expenses as it cannot be readily broken down because they are often submitted on a single application.
- ii. With an approval was 48 (78 claim items) - 7.83% of all approved.
  - iii. Number of applications pending during this time period cannot be determine.
  - iv. Lapsed was 0.
  - v. Dismissed was 95 (246 claim items) 11.3% of all dismissed.

d) recognition payments

- i. Received was 1,889 - 19.45% of all received.
- ii. Approved was 1,403 - 16.98% of all approved.
- iii. Number of applications pending during this time period cannot be determined.
- iv. This information is not available in a readily accessible form.
- v. Dismissed was 1,566 - 18.78% of all dismissed.

From 1 July 2020 to 1 July 2021:

a) counselling

- i. Received was 2,900 - 15.28% of all received.
- ii. Approved was 2,877- 15.32% of all approved.
- iii. Number of applications pending during this time period cannot be determined.
- iv. Lapsed was 0.
- v. Dismissed was 23 - 17.97% of all dismissed.

b) financial assistance - immediate needs

- i. Received was 1,471\* - 17.07% of all received.
- \* Data on applications received for financial assistance is combined for immediate needs, economic loss, and funeral expenses as it cannot be readily broken down because they are often submitted on a single application.
- ii. With an approval was 1,182 (3,363 claim items) - 17.35% of all approved.
  - iii. Number of applications pending during this time period cannot be determined.
  - iv. Lapsed was 0.
  - v. With a dismissal was 968 (with 2,962 claim items) - 19.36% of all dismissed.
- Note: The outcome of a financial assistance claim may include an award of eligible claim items and dismissal of others.

c) financial support - economic loss

- i. Received was 1,471\* - 17.07%.
- \*Data on applications received for financial assistance is combined for immediate needs, economic loss, and funeral expenses as it cannot be readily broken down because they are often submitted on a single application.
- ii. With an approval was 78 (140 claim items) -7.82% of all approved.
  - iii. Number of applications pending during this time period cannot be determined.
  - iv. Lapsed was 0.
  - v. Dismissed was 139 (306 claim items) - 12.38% of all dismissed.

- d) recognition payments
- i. Received was 2,441 - 18.53% of all received.
  - ii. Approved was 1639 - 16.61% of all approved.
  - iii. Number of applications pending during this time period cannot be determined.
  - iv. Lapsed was 0.
  - v. Dismissed was 522 - 19.78% of all dismissed.

From 1 July 2019 to 1 July 2020:

- a) counselling
- i. Received was 2,894 - 13.90% of all received.
  - ii. Approved was 2,821 - 13.85% of all approved.
  - iii. Number of applications pending during this time period cannot be determined.
  - iv. Lapsed was 0.
  - v. Dismissed was 45 - 13.27% of all dismissed.
- b) financial assistance - immediate needs
- i. Received was 1,277\* - 15.15% of all received.  
\* Data on applications received for financial assistance is combined for immediate needs, economic loss, and funeral expenses as it cannot be readily broken down because they are often submitted on a single application.
  - ii. With an approval was 844 (2,260 claim items) - 15.18% of all approved.
  - iii. Number of applications pending during this time period cannot be determined.
  - iv. Lapsed was 0.
  - v. With a dismissal was 669 (with 1,860 claim items) - 16.70% of all dismissed.  
Note: The outcome of a financial assistance claim may include an award of eligible claim items and dismissal of others.

- c) financial support - economic loss
- i. Received was 1,277 \* - 15.15% of all received.  
\* Data on applications received for financial assistance is combined for immediate needs, economic loss, and funeral expenses as it cannot be readily broken down because they are often submitted on a single application.
  - ii. With an approval was 105 (204 claim items) - 8.10% of all approved.
  - iii. Number of applications pending during this time period cannot be determined.
  - iv. Lapsed was 0.
  - v. Dismissed was 106 (246 claim items) - 9.11% of all dismissed.

- d) recognition payments
- i. Received was 2,383 - 17.07% of all received.
  - ii. Approved was 1,139 - 16.24% of all approved.
  - iii. Number of applications pending during this time period cannot be determined.
  - iv. Lapsed was 0.
  - v. Dismissed was 260 - 14.16% of all dismissed.

From 1 July 2018 to 1 July 2019:

- a) counselling
- i. Received was 2,329 - 12.85% of all received.
  - ii. Approved was 1,191 - 11.57% of all approved.
  - iii. Number of applications pending during this time period cannot be determined.
  - iv. Lapsed was 0.

v. dismissed was 32 - 12.08% of all dismissed.

b) financial assistance - immediate needs

i. Received was 785 \* - 13.58% of all received.

\* Data on applications received for financial assistance is combined for immediate needs, economic loss, and funeral expenses as it cannot be readily broken down because they are often submitted on a single application.

ii. With an approval was 254 (488 claim items) - 11.4% of all approved.

iii. Number of applications pending during this time period cannot be determined.

iv. Lapsed was 0.

v. With a dismissal was 157 (with 354 claim items) - 13.74% of all dismissed.

Note: The outcome of a financial assistance claim may include an award of eligible claim items and dismissal of others.

c) financial support - economic loss

i. Received was 785\* - 13.58 % of all received.

\* Data on applications received for financial assistance is combined for immediate needs, economic loss, and funeral expenses as it cannot be readily broken down because they are often submitted on a single application.

ii. With an approval was 97 (226 claim items) - 9.40% of all approved.

iii. Number of applications pending during this time period cannot be determined.

iv. Lapsed was 0.

v. Dismissed was 57 (153 claim items) - 10.16% of all dismissed.

d) recognition payments

i. Received was 1,785 - 16.48% of all received.

ii. Approved was 1,291 - 16.41% of all approved.

iii. Number of applications pending during this time period cannot be determined.

iv. Lapsed was 0.

v. Dismissed was 239 - 17.43% of all dismissed.

From 1 July 2017 to 1 July 2018:

a) counselling

i. Received was 2,302 - 13.75% of all received.

ii. Approved was 2,454 - 12.99% of all approved.

iii. Number of applications pending during this time period cannot be determined.

iv. Lapsed was 0.

v. Dismissed was 40 - 12.82% of all dismissed.

b) financial assistance - immediate needs

i. Received was 1,213 \* - 16.08% of all received.

\* Data on applications received for financial assistance is combined for immediate needs, economic loss, and funeral expenses as it cannot be readily broken down because they are often submitted on a single application.

ii. With an approval was 251 (465 claim items) - 11.81% of all approved.

iii. Number of applications pending during this time period cannot be determined.

iv. Lapsed was 0.

v. With a dismissal was 162 (with 321 claim items) - 13.16% of all dismissed.

Note: The outcome of a financial assistance claim may include an award of eligible claim items and dismissal of others.

c) financial support - economic loss

- i. Received was 1,213 \* - 16.08% of all received.
- \* Data on applications received for financial assistance is combined for immediate needs, economic loss, and funeral expenses as it cannot be readily broken down because they are often submitted on a single application.
- ii. With an approval was 127 (254 claim items) - 13.33% of all approved.
- iii. Number of applications pending during this time period cannot be determined.
- iv. Lapsed was 0.
- v. Dismissed was 38 (65 claim items) - 10.11% of all dismissed.

d) recognition payments

- i. Received was 1,999 - 17.57% of all received.
- ii. Approved was 612 - 14.77% of all approved.
- iii. Number of applications pending during this time period cannot be determined.
- iv. Lapsed was 0.
- v. Dismissed was 194 - 23.46% of all dismissed.

From 1 July 2016 to 1 July 2017:

a) counselling

- i. Received was 1,925 - 13.03% of all received.
- ii. Approved was 2,107 - 12.66% of all approved.
- iii. Number of applications pending during this time period cannot be determined.
- iv. Lapsed was 0.
- v. Dismissed was 30 - 13.89% of all dismissed.

b) financial assistance - immediate needs

- i. Received was 986 \* - 14.98% of all received.
  - \* Data on applications received for financial assistance is combined for immediate needs, economic loss, and funeral expenses as it cannot be readily broken down because they are often submitted on a single application.
  - ii. With an approval was 272 (522 claim items) - 11.83% of all approved.
  - iii. Number of applications pending during this time period cannot be determined.
  - iv. Lapsed was 0.
  - v. With a dismissal was 109 (with 180 claim items) - 11.47% of all dismissed.
- Note: The outcome of a financial assistance claim may include an award of eligible claim items and dismissal of others.

c) financial support - economic loss

- i. received was 986 \* - 14.98% of all received.
- \* Data on applications received for financial assistance is combined for immediate needs, economic loss, and funeral expenses as it cannot be readily broken down because they are often submitted on a single application.
- ii. With an approval was 122 (278 claim items) - 11.67% of all approved.
- iii. Number of applications pending during this time period cannot be determined.
- iv. Lapsed was 0.
- v. Dismissed was 61 (76 claim items) - 12.90% of all dismissed.

d) recognition payments

- i. Received was 1,684 - 16.77% of all received.
- ii. Approved was 737 - 14.96% of all approved.
- iii. Number of applications pending during this time period cannot be determined.
- iv. Lapsed was 0.
- v. Dismissed was 125 - 16.58% of all dismissed.



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

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

**Answer**

I am advised:

From 1 July 2021 to 28 February 2022, the average payment for:

- a) Immediate needs was \$3,819
- b) Economic loss was \$2,338
- c) Recognition payments was \$4,227

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

**Answer**

I am advised:

From 1 July 2021 to 28 February 2022,

a) The shortest time to determine an application for:

- i. immediate needs was 0 day
- ii. financial support for economic loss was 0 day
- iii. recognition payment was 1 day
- iv. counselling was 0 days

b) The longest time\* to determine an application for:

- i. immediate needs was 2,867 days
- ii. financial support for economic loss was 3,082 days
- iii. recognition payment was 3,170 days
- iv. counselling was 833 days

c) The average time\* to determine an application for:

- i. immediate needs was 37 days (median was 12 days)
- ii. financial support for economic loss was 88 days (median was 22 days)
- iii. recognition payment was 779 days (median was 649 days)
- iv. counselling was 2.6 days (median was 2 days)

\*Note: Many applications are incomplete when lodged and are not ready to be determined.

Therefore these figures represent the time taken from when an applicant has lodged an application (which may be incomplete) to when an application is determined.

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.

**Answer**

I am advised:

None.

- a) Client satisfaction surveys are issued to applicants aged over 18 years who were approved for support in that year for counselling, financial assistance for immediate needs and the Immediate Needs Support Package.
  - b) Responses are not yet available.
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?

**Answer**

I am advised:

a) From 1 July 2021 to 28 February 2022, the number of:

- (i) applications made was 14,514.
- (ii) applications approved was 14,411 (99.7%).
- (iii) clients who attended\* a counselling session was 19,750.

\*Data on attendance is based on the number of applicants who had at least one counselling session invoiced as at 28 February 2022 for an appointment in FY2021-22.

b) From 1 July 2021 to 28 February 2022, the number of applicants who accessed\* counselling:

- i. By phone was 8,305.
- ii. By video was 5,261.
- iii. In person was 13,401.

\*Note: Applicants may utilise multiple types of counselling in the course of a year.

c) As at 28 February 2022, the number of active Victims Services Approved Counsellors located outside of Sydney/Blue Mountains was 612.

The Department of Communities and Justice does not hold this information in a readily accessible format.

d) The number of new Victims Services Approved Counsellors appointed between 1 July 2021 to 28 February 2022 was 165. Of these, 94 were located outside Sydney/Blue Mountains.

e) There are 1,086 active Victims Services Approved Counsellors as at 28 February 2022.

f) The Department of Communities and Justice does not hold this information.

g) The Department of Communities and Justice does not hold this information.

h) The number (and percentage) of applications for counselling made more than 10 years after the act of violence between 1 July 2021 to 28 February 2022 is 3,804 (26.21% of all counselling applications). 3,578 (94.06%) of these related to domestic violence, sexual assault, 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?

**Answer**

Refer to my response to question 104 in November 2021 Supplementary Questions.

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

financial assistance for immediate needs,

financial support for economic loss – including a breakdown of actual loss of wages

recognition payments

**Answer**

I am advised:

From 1 July 2021 to 28 February 2022, the number and percentage of applications as a result of domestic violence:

a) counselling

i. Received was 8,605 - 59.29% of all received

ii. Approved was 8,527 - 57.39% of all approved

iii. Number of applications pending during this time period cannot be determined

iv. Lapsed was 0

v. Dismissed was 11 - 32.35% of all dismissed

b) financial assistance for immediate needs

i. Received was 4,624\* - 75.11% of all received

\* Data on applications received for financial assistance is combined for immediate needs, economic loss, and funeral expenses as it cannot be readily broken down because they are often submitted on a single application.

ii. Awarded was 3,508 (9,893 claim items) - 79.84% of all awarded

iii. Number of applications pending during this time period cannot be determined

iv. Lapsed was 0

v. With a dismissal was 3,196 (10,367 claim items) - 79.19% of all dismissed

Note: The outcome of a financial assistance claim may include an award of eligible claim items and dismissal of others.

c) financial support - economic loss

i. Received was 4,624\* - 75.11% of all received

\* Data on applications received for financial assistance is combined for immediate needs, economic loss, and funeral expenses as it cannot be readily broken down because they are often submitted on a single application.

ii. Approved was 218 (512 claim items) - 35.56% of all approved - loss of earnings, 18 cases (22 Claim items) were approved

iii. Number of applications pending during this time period cannot be determined

iv. Lapsed was 0

v. Dismissed was 380 (1,070 claim items) - 45.24% of all dismissed - for loss of earnings, 60 (61 claim items) were dismissed

d) recognition payments

i. Received was 5,068 - 52.18% of all received

ii. Approved was 3,932 - 47.60% of all approved

CAT A 0 cases

CAT B 103 cases

CAT C 846 cases

CAT D 2,983 cases

iii. Number of applications pending during this time period cannot be determined

iv. Lapsed - The Department of Communities and Justice does not hold this information in a readily accessible form

v. Dismissed was 5,823 - 69.79% of all dismissed

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

**Answer**

I am advised:

From 1 July 2021 to 28 February 2022, the number and percentage of applications as a result of sexual assault:

a) counselling

i. Received was 2,498 - 17.21% of all received

ii. Approved was 2,478 - 17.20% of all approved

iii. Number of applications pending during this time period cannot be determined

iv. Lapsed was 0

v. Dismissed was 1 - 2.94% of all dismissed

b) financial assistance for immediate needs

i. Received was 272\* - 4.42% of all received

\* Data on applications received for financial assistance is combined for immediate needs, economic loss, and funeral expenses as it cannot be readily broken down because they are often submitted on a single application.

ii. Approved was 169 (447 claim items) - 3.85% of all approved

iii. Number of applications pending during this time period cannot be determined

iii. Lapsed was 0

iv. Dismissed was 165 (511 claim items) - 4.09% of all dismissed

Note: The outcome of a financial assistance claim may include an award of eligible claim items and dismissal of others.

c) financial support - economic loss

i. Received was 272\* - 4.42% of all received

\* Data on applications received for financial assistance is combined for immediate needs, economic loss, and funeral expenses as it cannot be readily broken down because they are often submitted on a single application.

ii. Approved was 51 (152 claim items) - 8.32% of all approved - Loss of earnings, 7 (7 claim items) were approved

iii. Number of applications pending during this time period cannot be determined

iv. Lapsed was 0

v. Dismissed was 78 (234 claim items) - 9.29% of all dismissed - loss of earnings, 14 (14 claim items) were dismissed

d) recognition payments

i. Received was 1,512 - 15.57% of all received

ii. Approved was 1,115 - 13.50% of all approved

CAT A 0 cases

CAT B 629 cases

CAT C 358 cases

CAT D 128 cases

iii. Number of applications pending during this time cannot be determined

iv. Lapsed - The Department of Communities and Justice does not hold this information in a readily accessible form

v. Dismissed was 571 - 6.84% of all dismissed

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

**Answer**

I am advised:

From 1 July 2021 to 28 February 2022, the number and percentage of applications as a result of child sexual abuse:

a) counselling

i. Received was 1,167 - 8.04% of all received

ii. Approved was 1,173 - 8.14% of all awarded

iii. Number of applications pending during this time period cannot be determined

iv. Lapsed was 0

v. Dismissed was 1 - 2.94% of all dismissed

b) financial assistance for immediate needs



i. Received was 115\* - 1.87% of all received

\* Data on applications received for financial assistance is combined for immediate needs, economic loss, and funeral expenses as it cannot be readily broken down because they are often submitted on a single application.

ii. Approved was 53 (125 claim items) - 1.21% of all approved

iii. Number of applications pending during this time period cannot be determined

iii. Lapsed was 0

iv. Dismissed 33 (107 claim items) - 0.82% of all dismissed

Note: The outcome of a financial assistance claim may include an award of eligible claim items and dismissal of others.

c) financial support - economic loss

i. Received was 115\* - 1.87% of all received

\* Data on applications received for financial assistance is combined for immediate needs, economic loss, and funeral expenses as it cannot be readily broken down because they are often submitted on a single application.

ii. Approved was 50 (132 claim items) - 8.16% of all approved - for loss of earnings, 0 cases (0 claim items) were approved

iii. Number of applications pending during this time period cannot be determined

iv. Lapsed was 0

v. Dismissed was 60 (159 claim items) - 7.14% of all dismissed - for

loss of earnings, 9 (10 Claim items) were dismissed.

d) recognition payments

i. Received was 878 - 9.04% of all received.

ii. Approved was 1,277 - 15.46% of all approved

CAT A 0 cases

CAT B 969 cases

CAT C 230 cases

CAT D 78 cases

iii. Number of applications pending during this time period cannot be determined

iv. Lapsed - The Department of Communities and Justice does not hold this information in a readily accessible form

v. Dismissed was 1,258 - 15.08% of all dismissed

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

**Answer**

I am advised:

Refer to my response to questions 105, 106 and 107 in November 2021 Supplementary Questions.

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?

**Answer**

I am advised:

Data is not available in a readily accessible form. A manual review of applications would be required and this is not feasible given the volume of applications received each year.

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

**Answer**

I am advised:

From 1 July 2021 to 28 February 2022:

- a) Paid for counselling was \$18,092,722.20
- b) Awarded for financial assistance for immediate needs was \$16,782,445.07
- c) Awarded for financial assistance for economic loss was \$1,433,104.83, including

\$244,253.15 for actual loss of wages.

d) Awarded for recognition payments was \$34,911,992.86

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?

### **Answer**

I am advised:

From 1 July 2021 to 28 February 2022, the support awarded for:

a) sexual assault

- i. Counselling, the total paid was \$2,323,462.80 (12.84% of all counselling payments made)
- ii. Financial assistance for immediate needs was \$584,184.76 (3.48%)
- iii. Financial support for economic loss was \$94,122.98 (6.57%),
- iv. Recognition payments was \$8,272,000 (23.69%)

b) child sexual abuse

- i. Counselling, the total paid was \$4,457,729.40 (24.64% of all counselling payments made)
- ii. Financial assistance for immediate needs was \$138,519.59 (0.83%)
- iii. Financial support for economic loss was \$86,540.13 (6.04%),
- iv. Recognition payments was \$10,957,000 (31.38%)

c) domestic violence

- i. Counselling, the total paid was \$8,985,875.40 (49.67% of all counselling payments made)
- ii. Financial assistance for immediate needs was \$14,331,688.31 (85.40%)
- iii. Financial support for economic loss was \$412,416.70 (28.78%),
- iv. Recognition payments was \$9,734,500 (27.88%)

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?

**Answer**

Refer to my response to question 109 in November 2021 Supplementary Questions.

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?

**Answer**

I am advised:

Data is not available in a readily accessible form. A manual review of applications would be required and this is not feasible given the volume of applications received each year.

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

**Answer**

I am advised:

From 1 July 2021 to 28 February 2022,

the average payment for domestic violence victims for:

- (a) Immediate needs was \$4,012.69
- (b) Economic loss was \$2,115.83 overall (average of \$3,902.02 was paid for loss of earnings).
- (c) Recognition payments was \$2,526.42

The average payment for sexual assault for:

- (a) Immediate needs was \$3,451.70
- (b) Economic loss was \$2,151.62 overall (average of \$4,031.85 was paid for loss of earnings).
- (c) Recognition payments was \$7,356.34

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?

**Answer**

I am advised:

From 1 July 2021 to 28 February 2022:

For domestic violence, the number of claims which were refused or reduced due to s44 factors was 5. Three cases were reduced for contributory behaviour, 1 for failure to provide assistance to police and 1 for participation in the offence.

For sexual assault, the number of claims in 2020-21 which were refused or reduced due to s44 factors was 0.

20. Has the Commissioner of Victims Rights been asked by advocates to attend Victims of Crime Interagency meetings?

**Answer**

I am advised:

Yes.

21. Did the Commissioner of Victims Rights personally attend the Victims of Crime Interagency on 14 September 2021?

**Answer**

I am advised:

No. Senior representatives from Victims Services attended the meeting.

22. Did the Commissioner of Victims of Rights personally attend the Victims of Crime Interagency on 7 December 2021?

**Answer**

I am advised:

No. Senior representatives from Victims Services attended the meeting.

23. Did the Commissioner of Victims Rights personally attend the Victims of Crime Interagency on 8 March 2022?

**Answer**

I am advised:

No. Senior representatives from Victims Services attended the meeting.

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?

**Answer**

I am advised:

The Victims of Crime interagency forum representatives were consulted on the revised terms of reference. The terms of reference reflect the nature and operation of the forum, and how the forum has been running for some time.

**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.

**Answer**

I am advised:

NCAT Members as at 31.03.22

	<b>Full Time</b>	<b>Part Time</b>	<b>Sessional</b>	<b>Total</b>
President	1			1
Consumer and Commercial Division	13	2	68	83
Guardianship Division	2		104	106
Administrative and Equal Opportunity Division & Occupational Division	2		79	81
<b>TOTAL</b>	<b>18</b>	<b>2</b>	<b>251</b>	<b>271</b>

**NOTE:**

Many Members are cross assigned to hear matters across a number of Divisions of NCAT. Members have only been counted here in their primary Division. Sessional Member numbers cannot be equated to a full time equivalent (**FTE**). They can sit singularly or in panels of 2, 3 or 4 depending on the matter type. They can sit only a few days a year or for multiple days per week depending on their expertise and the caseload mix each year.

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.

Answer

I am advised:

Since 1 July 2021:

- (a) How many days did the tribunal sit?

NCAT sat every weekday that was not a public holiday and for part of the public service shut-down period from 29 December 2021 to 7 January 2022. This equated to 160 days. In addition, the Guardianship Division runs an after-hours service for urgent matters and hears matters on public holidays, during the public service shut-down, on weekends, and at night.

- (b) How many cases were heard over these days

The number of first instance matters finalised between 1 July 2021 and 28 February 2022 was 45,262.

Appeal Panel matters finalised between 1 July 2021 and 28 February 2022 was 580.

- (c) On average, how long from the final hearing day to delivering a decision?

NCAT does not hold the data in the way the question is asked however the following data is provided:

NCAT notes that in many matters the decision is delivered on the day of the hearing.

- 99% of all matters from 1 July 2021 to 28 February 2022 were finalised within 12 months of lodgement.
- First instance matters finalised in 6 months: 95%
- First instance matters finalised in 12 months: 99%
- Appeal Panel matters finalised in 6 months: 88%
- Appeal Panel matters finalised in 12 months: 96%

## **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

**Answer**

I am advised:

- a) 3.2% as at June 2021 (source: 2021 NSW Workforce Profile)
- b) Please see response to 27 (a)
- c) 37
- d) In relation to employees generally, data in the Legal Aid NSW Annual Report 2020/2021 shows that Legal Aid had 97 staff with a disability and 21 requiring a reasonable adjustment. That reflects 9.4% and 2% of the workforce, respectively. Details are on page 108 at:  
[https://www.legalaid.nsw.gov.au/data/assets/pdf\\_file/0019/53335/Legal-Aid-NSW-Annual-Report-2020-2021.pdf](https://www.legalaid.nsw.gov.au/data/assets/pdf_file/0019/53335/Legal-Aid-NSW-Annual-Report-2020-2021.pdf).
- e) Please see response to 27 (a)
- f) This is a matter for the Minister for Customer Service and Digital Government.
- g) 5.8% as at June 2021 (source: 2021 NSW Workforce Profile)

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

**Answer**

I am advised:

- a) The workforce profile used by DCJ does not differentiate based on “senior management”. The percentage of DCJ employees that identify as having a disability is set out in DCJ’s 2020-21 Annual Report, Volume 1 Performance and Activities Report.
- b) Please see response to 28 (a)

- c) 7
- d) 0
- e) Please see response to 28 (a)
- f) This is a matter for the Minister for Customer Service and Digital Government.
- g) The NSW Workforce Profile report is available at <https://www.psc.nsw.gov.au/reports-and-data/workforce-profile/workforce-profile-reports>.