

Response To Auditor Generals Performance Audit Report

Subject: Courts Administration. Revised version as of 27 February 2004

My name is Kurt Gruber I write in my role of Media Liaison Officer for VOCAL ACT. The following represents VOCAL'S views as can be derived from discussions with staff, volunteers and committee members.

Response To Recommendation 12,13 and 14

A brochure detailing the standards the court hopes to achieve along with avenues of praise/complaint should be made available to victims and organisations representing victims. This could include a survey.

A video showing the courtroom and its process in action could alleviate a lot of stress and would be helpful to VOCAL in preparing victims, (who are often first time court users), for the court processes. Information showing where to sit, how to address the Magistrate/Judge, rights and responsibilities etc with footage of a "Mock Trial" would help in this preparation process. This would also help the court to operate more effectively and reduce the amount of absences by Victims to the court.

Response to 4.70 and recommendation 11

VOCAL has a long history of attending court with repeat court users seeking DVO or Protection Orders. A number of applicants use this avenue for purposes not intended by the legislation. The other category are clients who are so driven by their fear and anxiety that they have insufficient focus on the evidence required by the magistrate to assist in a decision to grant an order for protection. VOCAL supports the idea that not all cases need to be by personal appearance. The nature of our work in assisting victims (such as the Victims impact Statement), can be adapted to assist a potential court users to submit a detailed application for the court's consideration instead of costly (successful or unsuccessful) court appearances.

Response Key Finding 5. 3

VOCAL represents many victims, (736 in 2004/05) many of which are court users. VOCAL'S volunteers are also quite often previous court users. This places our organisation in an excellent position to give a perspective on the court process.

VOCAL also represents secondary and tertiary victims some of whom may be willing and interested in contributing their experiences/perspective.

Response to 5.6

Current courts administration practices and process do not acknowledge the resources available via a volunteer court support program as operated by VOCAL. A system that uses all of its available resources should have mechanisms in place to ensure that unrepresented victims (and for that matter represented victims) are referred to VOCAL as the need arise. It is our role to explain the court processes and outcomes to Victims of Crime. VOCAL has the resources to do debriefs and follow ups with clients, and are in a position to then advise the client of any dates or arrangements for return conferences, with the support of a volunteer who could liase with the office of the DPP or VLO as requested by the client.

Response to 5.20 And Recommendation 15

VOCAL would be interested in nominating a liaison officer to meet with a court official on possibly a monthly basis to give feedback and discuss matters of relevance.

Response to 5.23

VOCAL has been operating a court support service to victims of crime for the past 18 years. We have been operating under a service Level Agreement with ACT Health within the Victims Services Scheme since it's incept in December 2000, with funding from (DJACS) the Department of Justice and Community Services. VOCAL also has a room free of charge at the Magistrate Court situated in the Community Organisations area on the second floor. The room has been shared with the office of the Victims Of Crime Coordinator (VoCC) since last year. Whilst we currently do not have a working relationship with CARS (The Court Administrative and Referral Service, Prisoner's Aid ACT,) we have from time to time used the service to assist victims in getting their support, to help a court user appearing as a respondent, to give/obtain informed consent, where there is diminished capacity to do so unaided. With more cooperation between CARS (Prisoners' Aid ACT) which only operates on a part time basis, and the Court liaison staff, it is envisaged that this will result in an improved overall coverage for both alleged offenders and victims' court users. The report states that there is no system for assessing the special needs of court users eg Interpreters, disability users etc. If a better liaison system was in place VOCAL could assist court users with these identified needs, with the use of trained volunteers recruited from relevant cultures/languages coordinated and supervised by the current paid professional staff funded by DJACS. The role of VOCAL in assisting court users need to have better recognition.

Response to 7.14

Better use of Information and Communication Technology would allow clients and VOCAL to access Information without having to go to registry desk. Some court users have limited transport and an online service would be beneficial to them. It would also improve efficiency at VOCAL by helping reduce the number of calls made by clients, or made on behalf of clients in seeking information about the progress of their case, as all data would be accessible. It would also reduce workload at the courts registry desk. However this will need to be via a safe automated system, as some clients will object to having their personal details accessible by the community on line.

VOCAL would like to thank the standing committee for the opportunity to voice its opinion. We are happy to hear that the courts administration is to be further streamlined. We would also be interested to hear of any progress, especially with Recommendation 9 and 10, as we have had little involvement with support to victims of crime, in the restorative justice area and alternative dispute resolution initiatives. If you require any further comments or follow up on any of the above mentioned points please contact us.

Yours Sincerely

Marie-noëlle Curé (Service Coordinator) for Kurt Gruber