



STANDING COMMITTEE ON JUSTICE AND COMMUNITY SAFETY

JEREMY HANSON CSC MLA (CHAIR), MARISA PATERSON MLA (DEPUTY CHAIR), JO CLAY MLA

Inquiry into referred 2019–20 Annual and Financial Reports and Budget Estimates 2020-21
ANSWER TO QUESTION ON NOTICE

Asked by Ms Jo Clay MLA: To ask the Victims of Crime Commissioner:

In relation to: **ACT Intermediary Program**

ACTHRC AR, p 59

On page 59 of the Commission's annual report it is noted that the ACT Intermediary Program commenced on the 31st of January 2020. Could the Commissioner tell the committee about the ACT Intermediary program, whether it has been successful, and its impact on vulnerable victims?

Ms Heidi Yates: The answer to the Member's question is as follows:–

The ACT Intermediary Program commenced on 31 January 2020 with ACT Police and on 9 March 2020 with ACT Courts. Intermediaries assist vulnerable children and adults to communicate their most clear and comprehensive evidence to police, lawyers and in courtrooms. Demand for intermediaries in the ACT has been high, demonstrating that criminal justice stakeholders value intermediaries' communication assistance.

Since 31 January 2020, 181 referrals have been received from police, lawyers and courts requesting intermediary assistance so vulnerable child and adult witnesses can communicate evidence of sexual assaults, family violence and homicides. The Intermediary Program has matched every referral received by these key stakeholders, often 'within the hour', which is particularly important in urgent police matters. The Program operates '24/7' including public holidays and ACT Policing has expressed gratitude for intermediaries' ready availability day and night. To date, over 40% of requests for intermediaries occur out of standard business hours.

Intermediaries have facilitated the communication of vulnerable witnesses at various locations across the ACT including police stations, schools, nursing homes, care facilities, hospitals and in courtrooms. Justice system stakeholder feedback has been consistently positive, with no complaints received by the Program. An indication of effectiveness has been the marked increase in requests for intermediaries by police and courts since late-2020, with request numbers reaching up to 5 per day in February 2021, indicative of the positive reception within the criminal justice system, and the program's effectiveness in relation to vulnerable victim participation. A program evaluation is planned for the financial year 2022-23 and detailed data collection is occurring currently to ensure effective monitoring and evaluation.



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

JACS No. 34

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Successful program milestones to date include:

- establishment of an active program oversight body, the 'Implementation Monitoring Group', populated by highly engaged senior representatives of ACT law and justice organisations, JACS and Child and Youth Protection Services, which meets monthly;
- recruitment of a skilled in-house team comprising program managers and two full time in-house intermediaries, plus an external panel of allied health professionals who undertook comprehensive training and accreditation processes, producing the ACT's first intermediary cohort of 13 intermediaries available to work across the region;
- in-depth training and information sessions for criminal justice system stakeholders and civil society organisations including police, Supreme Court judges, associates and sheriffs, members of the DPP, Legal Aid, ACT Law Society, ACT Bar, Child and Youth Protection Services, CRCC, PTG and more;
- finalisation of detailed processes, procedures and referral pathways which were developed in close consultation with stakeholders including courts, lawyers and police ensuring early confidence in the program's implementation by criminal justice stakeholders and beneficiaries of the program (vulnerable witnesses with communication difficulties);
- development of an internal ACT Human Rights Commission database assisting the program's production of monitoring, evaluation and quality assurance indicators;
- production of public materials explaining the introduction of the Intermediary Program in the ACT - available at <https://hrc.act.gov.au/act-intermediary-program/>;
- commencement of individual intermediaries' engagement in police interviews and Supreme Court proceedings, facilitating communication of evidence by a range of vulnerable witnesses in sexual abuse and violence-related matters, assisting people ranging from 3 years of age to 92 years of age with a great range of communication difficulties, including disabilities
- 13% of witnesses assisted identified as Aboriginal or Torres Strait Islander
- maintenance of an intermediary service 7 days a week, including out of standard business hours, from the point of program commencement in January 2020 and throughout various challenges presented by Covid-19 and the Christmas and New Year period
- provision of intermediary services at locations other than police stations and courts, such as at school, hospital and nursing home settings as required by police and witnesses
- 100% 'matching rate': 100% success promptly providing appropriately skilled intermediaries to the satisfaction of police, lawyers and courts that requested intermediary assistance.

Approved for circulation to the Standing Committee on Justice and Community Safety

Signature:

Date: 8 March 2021

By the Victims of Crime Commissioner, Heidi Yates