Victims of Crime Commissioner

Annual Report

2020-21

Victims of Crime Commissioner

Victims of Crime Commissioner

The Hon. Jaclyn Symes MP
Attorney-General

Dear Attorney-General

Victims of Crime Commissioner: Annual Report 2020-2021

In accordance with the *Victims of Crime Commissioner Act 2015* (the Act), I am pleased to present to you the Victims of Crime Commissioner's Annual Report for the financial year ending 30 June 2021 for tabling in Parliament.

This report documents the performance of the functions of the Victims of Crime Commissioner and the exercise of the Commissioner's powers under the Act.

Yours sincerely

Fiona McCormack
Victims of Crime Commissioner

Terminology

The Act

means the *Victims of Crime Commissioner Act 2015*, which establishes the Commissioner's role and functions.

Agency

refers to investigatory agencies (such as Victoria Police), prosecuting agencies (such as the Office of Public Prosecutions) and victims' services agencies (such as the Victims Assistance Program). These agencies must treat victims of crime in line with the Victims' Charter principles. Some of these agencies are prescribed in the Regulations.

The Charter/Victims' Charter

means the *Victims' Charter Act 2006*. The Act states that the Commissioner must 'have regard to the Victims' Charter' when exercising their functions.

The Commissioner's Office/ the Office

means the Victims of Crime Commissioner's Office. The Office includes the Commissioner and staff.

Justice agency

means agencies that operate within the justice system that may or may not be subject to the Act, Regulations or Charter (such as the Victims of Crime Assistance Tribunal or Corrections Victoria).

Justice system

refers to activities such as policy making and law reform, policing, dispute resolution and restorative justice, and agencies including courts and tribunals, prisons, corrections and legal assistance.

Regulations

means the *Victims of Crime Commissioner Regulations 2020*, which lists prescribed agencies and services.

Victims' services

refers to services that provide support to victims of crime that may or may not be subject to the Act, Regulations or Charter.

Victims' services system

refers to victim support services delivered by the Victorian Department of Justice and Community Safety's Victim Services, Support and Reform unit (Victims of Crime Helpline, Victims Assistance Program, Victims Register and restorative justice services). It also includes community legal services and specialist sexual assault and family violence services funded by the Victorian Government.

Victims of Crime Commissioner

Victims of Crime Commissioner

Level 17, 121 Exhibition St, Melbourne, 3000
victimsofcrimecommissioner.vic.gov.au

Contents

1. Message from the Victims of Crime Commissioner **6**

2. About the Commissioner **8**
2.1 The Victims' Charter 8
2.2 Vision and Values 9
2.3 Commissioner's Office 10
2.4 Strategic Plan 10

3. Strengthening our understanding of victims of crime **12**
3.1 Engaging with victims of crime 12
3.2 Advocating for victims through diverse media 15

4. Promoting continuous improvement in the justice system **20**
4.1 Increasing awareness of the Victims' Charter 20

5. Holding agencies to account **22**
5.1 Increasing awareness of the complaints function 22
5.2 Encouraging compliance with the Victims' Charter 29
5.3 Identifying systemic trends 33

6. Advocating for victim-centred laws and practices **36**
6.1 Maintaining an evidence base to drive policy and law reform 40
6.2 Systemic inquiries 41

7. Ensuring our independence and accountability **43**
7.1 Freedom of Information 43

1. Message from the Victims of Crime Commissioner

This year I heard again from many people who have experienced the traumatic impacts of crime. The courage and generosity of these people who have shared their stories has contributed immensely to my understanding of the impact of their trauma – both from the crimes they have experienced and also their experience in the justice system.

From everything I hear, it is clear to me that Victoria needs to raise the bar for how victims are treated in the justice system – victims and alleged offenders should both be treated fairly and have equal rights.

In this year's Annual Report, I provide an overview of the progress I have made in increasing my understanding of victims of crime and their experience with justice agencies, and how this has informed my advocacy to improve the justice and victims' services systems that result in the re-traumatisation of victims.

Through my complaints function, I have learnt in depth about individual victims' challenges in the justice system. This year, I have embedded the processes for receiving complaints from victims of crime and investigating them. In the year ahead, I will promote the complaints function so that more victims of crime are aware of their right to complain under the Victims' Charter.

To further expand my understanding of the experience of people who are victims of crime, I have started a systemic inquiry to examine victims' participation in the justice system. Since 2018, victims in Victoria have been recognised under the Victims' Charter as 'participants' in criminal proceedings. Little is known about how victims are experiencing these new participatory entitlements in Victoria and whether victims' status as participants in the justice process has improved with these entitlements. I am particularly keen to learn about the experiences of those who face additional barriers to accessing and navigating the justice process and victims' services.

In undertaking this inquiry, I will adopt a victim-centred approach and engage broadly with victims of crime. I intend to ensure that victims are at the centre of the inquiry. I will look at whether victims feel they have been able to participate in the justice system, and whether new laws or policies might be needed to help victims participate in keeping with their entitlements under the Victims' Charter.

Since 2019, I have been responsible for monitoring agencies' compliance with the Victims' Charter and have adopted a staged approach to implementing a regulatory framework. Following my first report on agencies' awareness of their compliance requirements in 2019–20, this year I have identified a notable increase in agencies' understanding of their responsibilities under the Victims' Charter.

Depending on availability of resources, it is my intention to implement a more rigorous and risk-based approach to monitoring compliance to verify and report on how agencies comply with the Victims' Charter.

During the year, I advocated for victim-centred approaches to law, policy and decision-making through formal policy advice to government, speaking with the media and making written submissions to inquiries. For example, a key reform I advocated for is the need for victims to have legal representation at different points of the criminal trial process.

I am committed to advocating for system reforms to bring about cultural change that recognises victims as participants in the justice system and understands victims' support needs to recover from trauma. Importantly, I will continue to advocate for systemic reforms that address additional trauma caused by justice agencies and victims' services with the aim to improve the system that responds to victims of crime.

Fiona McCormack

Victims of Crime Commissioner

2. About the Commissioner

The Victorian Victims of Crime Commissioner is an independent statutory officer who advocates for victims of crime in their dealings with the justice system and government agencies. The role was introduced in 2014 and legislated in 2015, with additional functions coming into effect in 2019.

The Commissioner performs her functions with regard to the objectives of the Act which are to:

- promote the recognition of victims of crime in the Victorian justice system
- represent the concerns of victims of crime to government and other decision-making bodies
- promote the inclusion and participation of victims of crime in the justice system and victims' services.

The Act provides the Commissioner with powers to:

- engage with victims of crime and use their insights to advocate for improvements to the justice system
- conduct inquiries into systemic issues that affect large numbers or particular groups of victims of crime in Victoria
- provide advice to the Attorney-General, Minister for Victim Support and government departments about improvements to the justice system to meet the needs of victims of crime.

In 2019, the Commissioner's powers were expanded to:

- monitor and report on how agencies meet their legal obligations under the Victims' Charter, including treating victims with courtesy, respect and dignity
- investigate complaints from victims of crime when agencies do not treat them as they should under the Victims' Charter – agencies include investigatory bodies (such as Victoria Police), prosecuting agencies (such as the Office of Public Prosecutions) and victims' services (such as specialist victims' services, family violence services and sexual assault services).

2.1 The Victims' Charter

The Victims' Charter was introduced in 2006 to bring together the existing legislative rights and entitlements for victims of crime in a coherent framework. It created principles that represent minimum standards governing responses to victims of crime across justice and victims' services agencies.

The Victims' Charter:

- gives victims a legal right to make a complaint and requires agencies to
    - have complaint processes in place
    - inform a victim of crime of their complaints system and their right to complain to the Commissioner if the victim is dissatisfied with the agency's response
- formally recognises the role of victims in the criminal justice process, namely that
    - while not parties in proceedings, victims should be acknowledged as participants in proceedings for criminal offences
    - the criminal justice system should not re-traumatise victims.

The Charter now sets out the cultural and behavioural obligations for agencies that interact with victims of crime. Victims are afforded special treatment by these agencies and are allowed to participate in certain parts of the justice process.

The obligations under the Victims' Charter apply to a diverse and large number of agencies in the justice and victims' services systems. Specifically, they are required to:

- treat victims with courtesy, respect and dignity
- have regard to victims who experience disadvantage
- provide information about services, entitlements and assistance
- communicate with and respond to victims in a way that recognises their preferences and needs
- protect victims' personal information
- respond to complaints from victims who believe an agency has breached the Victims' Charter.

Some agencies, such as prosecuting and investigatory agencies, have additional information provision and consultation obligations under the Victims' Charter.

The way agencies comply with the Victims' Charter directly affects the experiences of victims of crime in both the justice and victims' services systems.

2.2 Vision and Values

The Commissioner's vision is for a thriving democracy where members of the community are valued by the institutions that govern them, are recognised in the decision-making that affects them, and can access the services they need to support safe and healthy lives.

To achieve this vision, it is important that government agencies and government-funded services are regularly monitored and held to account.

The Commissioner's purpose is to provide independent oversight of the recognition and inclusion of victims of crime in the justice and victims' services systems.

The Commissioner is committed to ensuring that victims of crime are heard and respected by justice agencies and victims' services, and that they provide safe, inclusive and trauma-informed responses for all victims of crime.

For the Commissioner's vision and purpose to be realised, victims of crime must be recognised as participants in the justice system.

The work of the Commissioner and the Office is guided by the values of trust, respect, recognition, empowerment and courage. These values are outlined in the Commissioner's *Strategic Plan 2020-23* and inform the culture and work practices of her Office.

Trust	We use authority responsibly and transparently
Respect	We model the Charter principles of courtesy, respect and dignity
Recognition	We represent the concerns of victims of crime across Victoria's diverse community
Empowerment	We build collective capacity to improve the justice system
Courage	We honour the courage of victims by advocating to the best of our ability

2.3 Commissioner's Office

In 2020-21, the Commissioner was supported by 12 staff, including a CEO, who have expertise in community and stakeholder engagement, complaint investigation, regulation and compliance, research and data analysis, policy development, law reform and project management.

The Commissioner's Office consists of the following four business areas:

- Policy and Inquiries
- Enquiries and Complaints
- Strategic Engagement
- Regulatory Strategy and Compliance.

In 2020-21, the Office undertook considerable work to embed changes to policy, practice and its infrastructure in order to effectively support the Commissioner. These four business areas are divided into practice areas that align to the Commissioner's legislative functions and, as such, drive this work and the implementation of the Commissioner's Strategic Plan.

2.4 Strategic Plan

The *Strategic Plan 2020-23* sets out the Commissioner's three-year strategic direction to advocate for improved experiences for victims of crime as they interact with justice agencies and victims' services. The plan specifies the goals the Commissioner aims to achieve during her term, as well as the strategies to ensure those goals are realised.

This Annual Report provides an overview of the Commissioner's progress towards her strategic goals during the first year of the Strategic Plan's implementation and the further work she will undertake in the year ahead to achieve these goals. These goals are outlined in Table 1.

Table 1: Victims of Crime Commissioner's strategic plan goals

Goal 1	Work with the community to understand and meet the needs of victims of crime
Goal 2	Encourage continuous improvement in the justice system's response to victims of crime
Goal 3	Hold agencies and services to account under the Victims' Charter
Goal 4	Advocate for a victim-centred approach to law, policy and practice
Goal 5	Ensure an independent and accountable Commissioner's Office

3. Strengthening our understanding of victims of crime

Victims of crime are entitled to be treated with courtesy, respect and dignity by the police, the court system and victims' services.

Many victims of crime experience distress, injury and trauma due to the crime committed against them, which can have lasting effects on their mental, physical and emotional health and wellbeing.

The Commissioner's goal is to work with the community to understand and meet the needs of victims of crime by engaging with and advocating for them through diverse media.

In addition to the harms caused by the crimes they experienced, victims frequently encounter systemic barriers that impact their access to the justice system. Not all victims of crime receive fair, equal and just outcomes.

The Commissioner engages with victims of crime to understand their experiences, the impact of their victimisation, and how changes to the justice system can prevent secondary victimisation and increase their safety, choice and control.

Engaging with victims of crime is central to the Commissioner's advocacy agenda. It informs how she represents the interests of victims of crime in her work with government and the media, and in her advocacy to strengthen law, policy and practice reform that is responsive to the needs of victims.

3.1 Engaging with victims of crime

The Commissioner aims to engage with victims of crime across Victoria's diverse community to understand how they experience the justice system and where it is letting victims down.

In 2020-21, the Commissioner progressed this strategy by:

- engaging with individual victims of crime
- developing a trauma-informed victim engagement methodology.

While the Commissioner cannot advocate on individual cases, she meets regularly with victims of crime across Victoria to better understand their experiences. By understanding more about the issues that consistently affect victims, the Commissioner can work to influence government and other decision-makers to ensure the justice system can better meet victims' needs.

Victims of crime consistently told the Commissioner that:

- **victims of crime should feel safe in the community**
- **there is a need to raise the bar for how victims are treated in the justice system**
- **victims and alleged offenders should both be treated fairly and have equal rights in the justice system.**

Throughout 2020-21, the Commissioner heard from victims of crime and families of homicide victims about their experiences with the justice system and victims' services.

The Commissioner heard that victims experience confusion and dissatisfaction with the justice system. Victims described the justice system as complex and overwhelming and often referred to processes that exacerbate their trauma.

Some of the broad, consistent themes the Commissioner heard from victims of crime included that:

each victim's experience is unique to them and that crime impacts everyone differently

victims need and want different things to achieve justice and recover from the impact of the crime they have experienced

some victims continue to live in fear and don't feel their safety is prioritised

many victims are still traumatised by their experiences of criminal behaviour and cannot always access support services in a timely way or in a way that supports their needs

the justice system often adds to the trauma they've already experienced and some state clearly that the trauma caused by the system is as bad or worse than the crime they experienced

often it is not until the court process that victims realise the Office of Public Prosecutions does not represent them but represents the State

the court system is busy and overwhelmed – often resulting in victims not being clearly communicated with or provided information when there are late or sudden changes

the criminal trial process is confusing, and delays are not always logical or clear to victims of crime

victims often have to repeat their story multiple times in the process of seeking support to recover from trauma

the justice system process does not adequately recognise or demonstrate respect for victims' experiences and the impact of crime

victims are often not given the same rights as alleged offenders.

Hearing victims' experiences and interactions with the justice system informed the Commissioner's decision to announce a systemic inquiry into victim participation in the justice system. The inquiry will consider how much has changed since the Victorian Government's reforms that followed the Victorian Law Reform Commission's important recommendations in its 2016 report titled 'The Role of Victims of Crime in the Criminal Trial Process'.

The Commissioner's inquiry is discussed in greater detail in Section 6.

Victim Engagement Framework

In 2020-21, the Commissioner developed a victim engagement methodology that provides a framework for safe, ethical and trauma-informed engagement with victims of crime.

This framework will inform the Commissioner's approach to engaging with diverse victims from across Victoria by ensuring the process is respectful, accessible and culturally safe.

As part of developing the framework, expert stakeholders were consulted to gain a deeper understanding of the trauma-informed engagement methodologies and tools they use to consult with victims of crime. This process provided insights into:

- current trends and patterns regarding the demographic profile of victims of crime and the types of victimisation they experience
- the systemic barriers and challenges victims of crime can encounter with the justice system.

In the year ahead, the Commissioner will conduct a large-scale consultation with victims of crime in Victoria to gain a diverse range of victim insights and experiences of participation in the justice system to inform her first systemic inquiry.

3.2 Advocating for victims through diverse media

The Commissioner aims to use a range of communication tools to advocate for victims of crime in public discussions and promote the principles of the Victims' Charter.

As a prominent public advocate and spokesperson, the Commissioner uses communication and media platforms to promote the voices of victims and represent their interests and concerns in public discourse.

The Commissioner undertook further work to advance this strategy by publicly advocating for victims and to dispel myths and stereotypes that impact negatively on victims' access to justice.

The Commissioner contributes to public discussion and debate about the importance of justice reform for victims of crime. This includes supporting victims to influence positive change in the justice system to better meet their needs.

Media and communications

The Commissioner responded to media requests on a variety of issues relating to victims of crime. This provided opportunities for the Commissioner to raise awareness about victims' experiences across the Victorian community and beyond.

In 2020-21, the Commissioner featured in numerous media outlets including *The Age, Sunday Age, Herald Sun, The Sydney Morning Herald, The Guardian,* ABC News Online, ABC Radio, Radio National, Channel 7 News, Channel 9 News, *The National Tribune, News for Business, Brisbane Times, The Canberra Times and Lawyers Weekly.*

Sample of the Commissioner's comments to the media

"This inquiry will provide victims with a forum to tell their stories and experiences of the justice system. We will only improve the justice system if the voices of victims are heard."

24 June 2021
Lawyers Weekly

"To prevent the unnecessary and horrendous murders of women in our community, we need consistent responses from police and the justice system to prioritise their safety."

20 November 2020
Herald Sun

"To increase these victims' trust in the justice system, it's critical that those who interface with victims are trained so they have a comprehensive understanding of the challenges victims face."

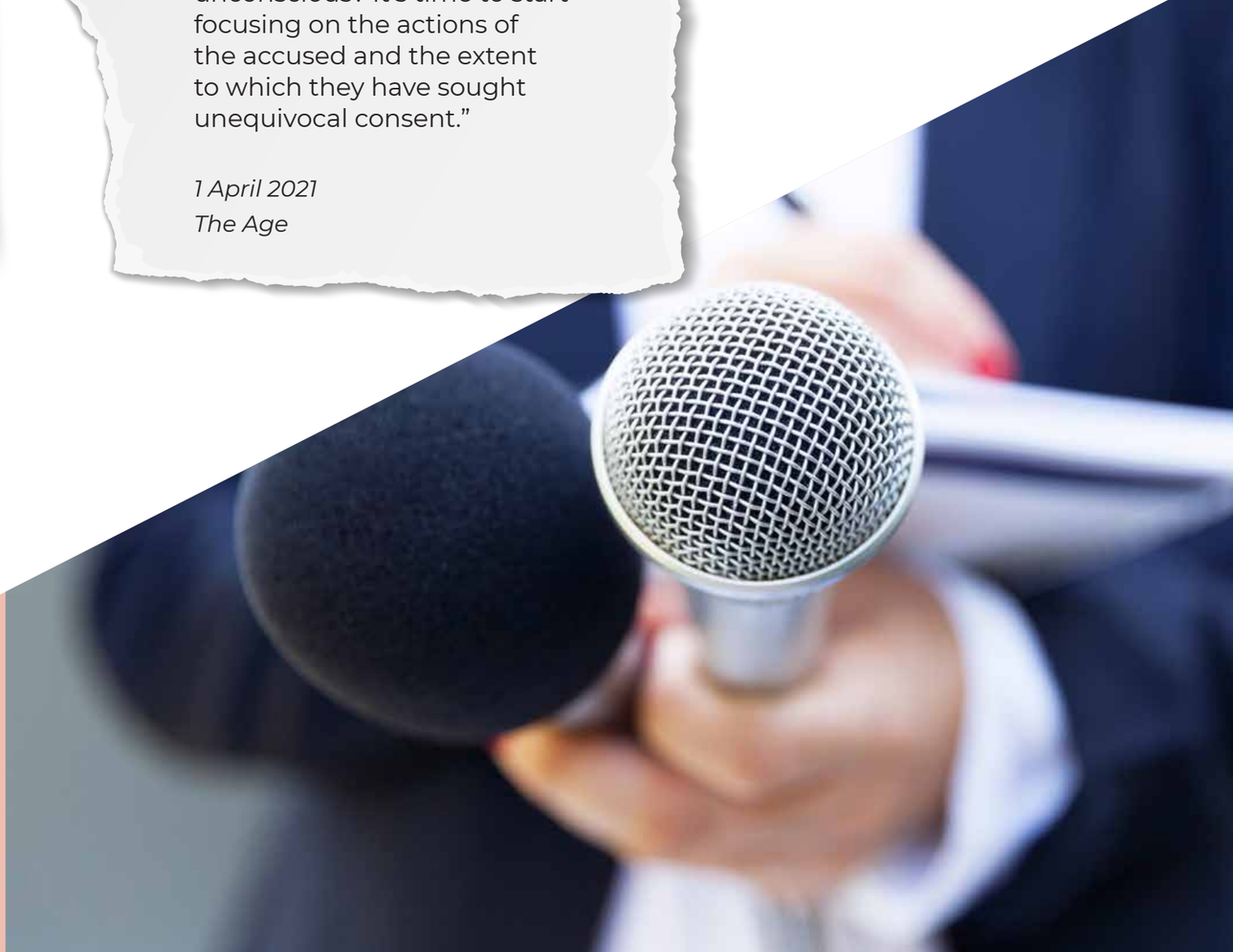
9 March 2021
The Guardian

"What does it say about us as a community that a court of law could accept that someone can consent while they're unconscious? It's time to start focusing on the actions of the accused and the extent to which they have sought unequivocal consent."

1 April 2021
The Age

"Victims' rights should be given the same status as the rights of the accused... [They] should have access to any information that helps them keep safe and seek appropriate justice responses, whether civil or criminal."

12 June 2021
The Age



The Commissioner featured in Louise Milligan's book *Witness: An investigation into the brutal cost of seeking justice*, published in October 2020, highlighting the enduring impact of failures in the justice system on sexual assault survivors.

The Commissioner reached more than 5 million people through media over the year. Media stories, coverage and mentions were at their highest in:

- March 2021 when the Commissioner's comments were sought on a number of high-profile issues
- June 2021 when the Commissioner announced her first systemic inquiry.

The Commissioner's website is a key avenue for victims of crime to understand how to make a complaint if they believe an agency has breached the Victims' Charter and how the Commissioner is advocating to influence changes to the justice system.

In 2020-21, the Commissioner's Office made improvements to the website to ensure information is readily available to victims. In the year ahead, the Commissioner will begin a project to redesign the website to increase its accessibility and to ensure content is easy to understand for victims of crime and others accessing information.

The Commissioner explored the most appropriate communication platforms to reach victims of crime, the broader community, and justice and victims' services systems. These platforms included traditional media, newsletters and social media to raise awareness of victims' experiences and the Commissioner's role.

The Commissioner will continue to expand her communication channels and ensure information is accessible to reach new and diverse audiences.

Information resources – Video Resource Project

In 2020-21, the Commissioner developed three video resources to provide victims of crime and the broader community with information about the role and its powers and functions.

These information resources support victims to understand how the Commissioner is empowered to assist them through her complaints and systemic inquiry functions. They outline the importance of promoting the recognition, representation, inclusion and participation of victims of crime through the Commissioner's powers and functions under the Act and the Victims' Charter.

The three video resources outline the following roles and functions:

The Commissioner's role

In this video, the Commissioner provides an overview of the powers and obligations of her role, as detailed under the Act.

Victims' Charter and complaints

This video highlights that if victims of crime feel agencies have not treated them with fairness, dignity and respect as required by the Victims' Charter, they can complain to the Commissioner who may investigate their complaints and make recommendations on ways an agency can improve.

Systemic inquiry

This video explains that if the Commissioner identifies systemic problems in the justice and victims' services systems, she can initiate a systemic inquiry to listen to victims and stakeholders about the issues, identify solutions and make recommendations to government on how to improve the system.

The Commissioner is strongly committed to accessibility and inclusion of victims from diverse backgrounds who face additional challenges accessing and navigating the justice system.

The videos are designed to increase community awareness of how the Commissioner is empowered to support all victims living in Victoria, with a focus on Aboriginal and Torres Strait Islander, multicultural, multifaith and LGBTIQ+ communities, People of Colour and people with disability.

4. Promoting continuous improvement in the justice system

Victoria's justice and victims' services systems consist of a range of government, statutory and non-government organisations (including Victoria Police and the Office of Public Prosecutions), and victims' services (such as community legal services and sexual assault services).

Victims interact with multiple professionals and agencies throughout their journey with the justice and victims' services systems. This includes agencies that investigate the crime, prosecute the accused in the courts and support victims to recover from the adverse impacts of crime.

For many victims the process is highly confusing, distressing and re-traumatising.

The Commissioner's strategic goal is to encourage continuous improvement in the response of the justice system to victims of crime.

The Commissioner is achieving this goal by engaging with agencies about the Victims' Charter and starting to monitor their compliance with the Charter.

4.1 Increasing awareness of the Victims' Charter

The Victims' Charter sets out the behaviours and obligations of how agencies must interact with victims of crime.

The Commissioner must take the Victims' Charter into account in performing all functions.

The Victims' Charter is critical to promoting cultural change in the justice and victims' services systems through:

- recognising the impact of crime on victims of that crime, including victims' families, witnesses and sometimes the broader community
- recognising that all people adversely affected by crime – regardless of whether they report the offence – should be treated with respect by agencies and offered information to help them access services to assist with their recovery
- recognising that a victim of crime has an inherent interest in the response by the criminal justice system to that crime
- acknowledging the victim's role as a participant in proceedings for criminal offences
- reducing the likelihood that victims experience secondary victimisation by the criminal justice system.

The Commissioner is committed to engaging with justice agencies and victims' services to provide information about the Victims' Charter and about her key functions. The Commissioner also monitors and reports on how agencies have complied with the Charter, including its principles.

In 2020-21, the Commissioner's Office developed practical guidance for agencies that outlines their obligations under the Victims' Charter. It updated the Commissioner's website to provide agencies with information about:

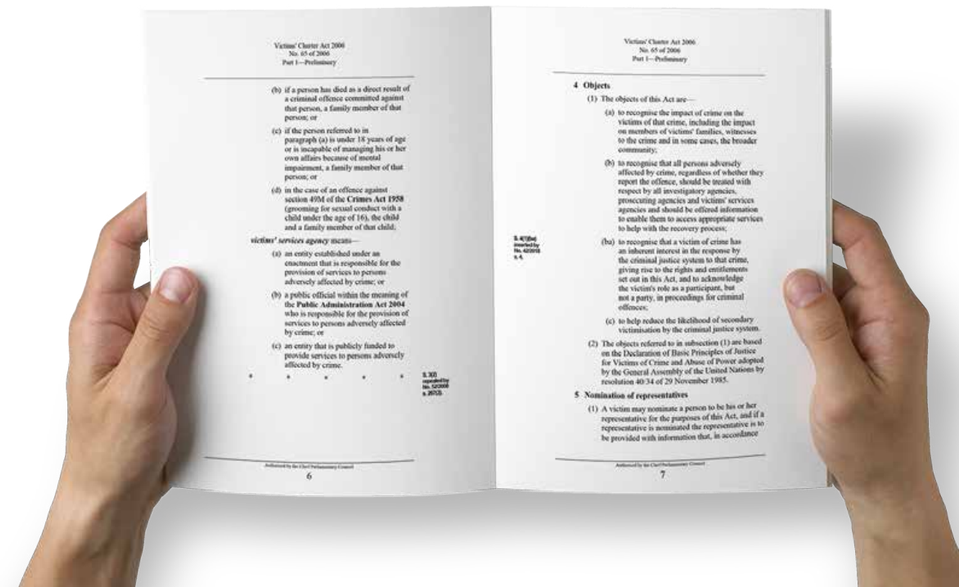
- the Victims' Charter principles
- the definition of a victim of crime
- how the Commissioner assesses and investigates complaints about breaches of the Victims' Charter principles.

The guidance outlines the obligations agencies have under the Victims' Charter to ensure victims and people adversely affected by crime are acknowledged, respected and provided with the necessary support.

In early 2020, the Commissioner began sending regular newsletter updates to agencies about progress the Commissioner is making to implement functions under relevant legislation.

As outlined in Section 5.2, the Commissioner is working with agencies to build awareness and understanding of how to apply the behaviours and obligations of the Victims' Charter in practice.

In the year ahead, agencies will be provided with further practical guidance and resources to assist in developing internal processes and organisational cultures that prioritise the interests of victims and the Victims' Charter.



5. Holding agencies to account

The Commissioner is empowered to receive complaints from victims of crime if they consider an agency has breached the principles of the Victims' Charter and hasn't addressed their concerns about a possible breach of those principles.

The Commissioner's enquiries and complaints function provides her with important information about agencies' possible non-compliance with the Victims' Charter.

In addition to investigating complaints, the Commissioner holds agencies to account by monitoring and reporting on their compliance with the Victims' Charter and identifying systemic trends in the information she receives from victims of crime. This provides the Commissioner with important information about the experiences of victims of crime within the justice system.

The Commissioner's strategic goal is to hold justice agencies and victims' services to account for their treatment of people who are adversely affected by crime.

The Commissioner is achieving this by:

- **designing and delivering an enquiries and complaints function that is accessible to all victims of crime**
- **monitoring agencies' compliance with the Victims' Charter**
- **reviewing enquiries, complaints and compliance data to identify key trends.**

In 2020-21, the Commissioner established procedures for managing complaints from victims and built a new complaints management system.

The Commissioner also began the development of a monitoring and reporting framework for agencies' compliance with the Victims' Charter.

In the year ahead, the Office will continue its work to ensure the Commissioner's enquiries and complaints function is accessible, safe and transparent for all victims of crime.

The Commissioner will undertake further consultation with agencies on the proposed framework with the aim of implementing the new regulatory approach in the coming years.

5.1 Increasing awareness of the complaints function

Victims of crime can make a complaint to the Commissioner if they believe an agency has breached a Victims' Charter principle and the agency hasn't addressed their concerns.

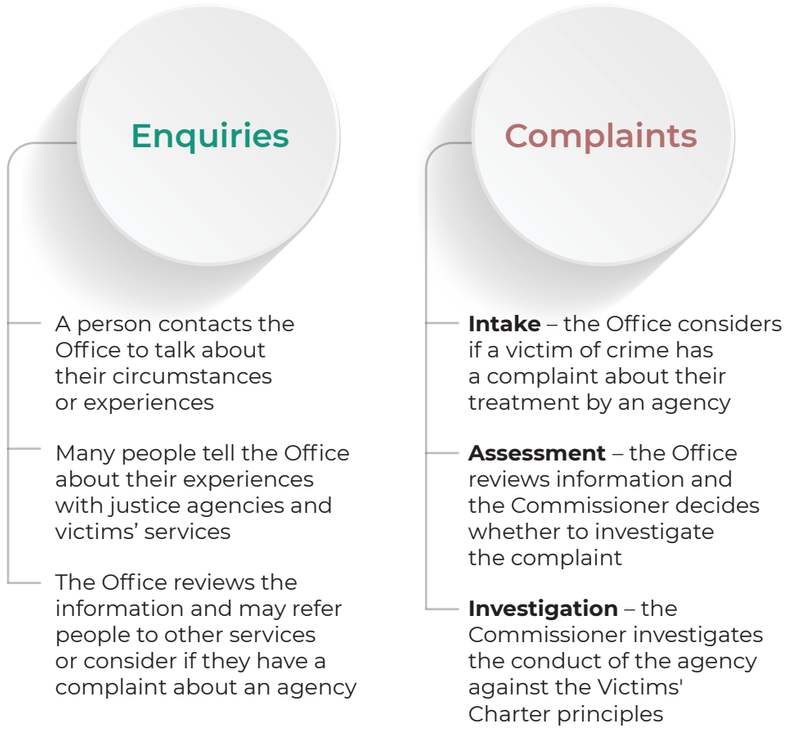
The most common reasons that victims complain to the Commissioner include:

- being poorly treated by an agency
- lack of communication with victims
- lack of information provided by the agency in relation to the investigation of the crime.

These are all potential breaches of the Charter and can warrant further investigation by the Commissioner if the agency in question has not responded to the concerns of the victim making the complaint.

The Commissioner's Office has made significant progress in establishing robust and transparent procedures for managing enquiries and complaints.

Figure 1: Enquiries and complaints explained



Systems and processes for enquiries, intake, assessment and investigation support the Commissioner to review complaints in a trauma-informed way and meet statutory obligations under the Act and the Victims' Charter.

They also help to inform the Commissioner's understanding of systemic issues experienced by victims of crime and contribute to systemic advocacy and compliance monitoring.

In the year ahead, the Commissioner will continue to implement these procedures and identify areas for improvement.

Enquiries

The Commissioner's Office receives enquiries from people about their experiences with justice agencies and victims' services. Where these matters do not relate to the Commissioner's complaints functions, the Office provides people with relevant information and refers them to the most appropriate service.

The types of enquiries the Commissioner receives demonstrate that there is confusion about how the justice system works.

Understanding these challenges for victims in the justice and victims' services systems has helped the Commissioner to identify policy recommendations, such as independent legal representation for victims (outlined further in Section 6).

From 1 July 2020 to 30 June 2021, the Commissioner received 151 enquiries. Details of these enquiries are in Figure 2.

Of the enquiries the Commissioner received, more than half were made by a primary victim,[1] and the majority of enquiries were made by women.

Of the 151 enquiries:

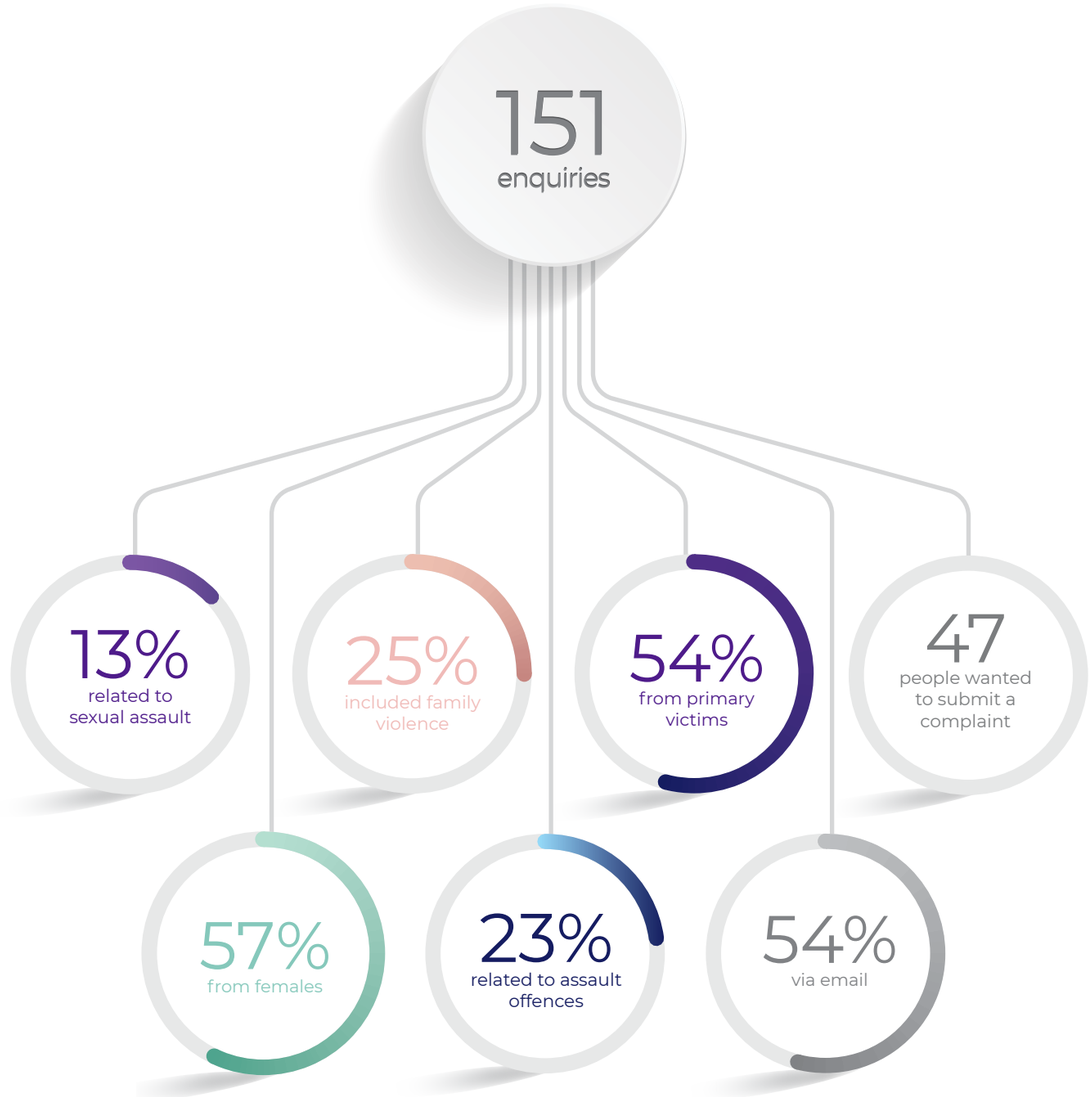
- 31 per cent contacted the Commissioner's Office to submit a complaint
- 14 per cent wanted to complain about agencies not within the Commissioner's jurisdiction
- 7 per cent had not previously expressed dissatisfaction to the agency as required by section 25A of the Act.

Most of the enquiries received were about matters not specific to the Commissioner's functions. The majority of enquiries (22 per cent) related to the Victims of Crime Assistance Tribunal (VOCAT), and people often sought further information about how to progress or address their application with VOCAT. The Commissioner's jurisdiction does not include VOCAT.

Of the enquiries relevant to agencies within the Commissioner's jurisdiction, the agency most mentioned was Victoria Police (44 per cent).

In 2021-22, the Commissioner will use the information from enquiries to the Office to target awareness-raising of the Commissioner's role and the types of complaints she can address.

Figure 2: Enquiries received by the Commissioner



1. *The Victims of Crime Assistance Act 1996 defines a primary victim as a person who is injured or dies as a direct result of a violent crime committed against them; trying to arrest someone they believe, on reasonable grounds, has committed a violent crime; trying to prevent the commission of a violent crime; or trying to aid or rescue someone they believe is the victim of a violent crime.*

Complaints

A victim can make a complaint to the Commissioner about an agency's non-compliance with the Victims' Charter principles. The agency needs to be an investigatory agency (such as Victoria Police), a prosecuting agency (such as the Office of Public Prosecutions) or a victims' services agency (such as a sexual assault or family violence service or a community legal centre).

Given the extensive work that has been undertaken during 2020-21 to establish a complaints process, in the year ahead the Commissioner will actively promote this option to the Victorian community.

The establishment work included ensuring an approach that functions in accordance with the Act. This includes:

- obtaining all relevant information from the victim and the specific agency about the complaint
- storing information securely
- regularly updating the victim on the progress of their complaint
- accurately recording all decisions the Commissioner makes about complaints
- notifying parties of the outcome in the required statutory timeframes.

In 2020-21, the Commissioner received 47 enquiries about making complaints, of which only 15 people went on to make a formal complaint.

There are a range of reasons that enquiries about the Commissioner's complaints process do not progress to a formal complaint, such as complaints about agencies or issues:

- not being relevant to the Commissioner's jurisdiction
- not concerning specific principles in the Victims' Charter
- relating to allegations involving a decision made by Victoria Police during an investigation, or by prosecutors during a trial, or a judicial or tribunal determination.

Of the agencies that victims of crime can complain about under the Victims' Charter principles, victims are most aware of their right to complain about Victoria Police and the way they are treated.

The Victims' Charter principles that generated the highest number of complaints included those relating to:

- how victims of crime must be treated by agencies
- the information agencies must provide to victims of crime
- the rights and entitlements of victims as participants in proceedings for criminal offences
- the matters about which agencies must communicate with victims, and the ways in which they communicate
- the type of information that must be given to victims about investigations.

Of the 15 complaints received, 13 were assessed within 28 days as required under section 25F of the Act. Of the two that weren't, one was assessed within 29 days, while the other was assessed within 37 days due to an unforeseeable delay.

The Commissioner will continue to monitor the extent to which the statutory timelines allow for trauma-informed responses and other factors that may cause delays.

All parties were notified of the assessment result within 14 days, as required under section 25F of the Act.

In 2020-21, the Commissioner commenced investigations for four complaints. Of these complaints, all were still under investigation at the time this Annual Report was published.

What constitutes a complaint relating to a Victims' Charter principle?

To make a complaint to the Commissioner, a victim of crime must have previously expressed their dissatisfaction with the agency. This provides the agency an opportunity to address issues raised by the victim.

In receiving complaints about agencies, the Commissioner does not require a victim to lodge a formal complaint with an agency.

The Commissioner takes a trauma-informed approach to complaints and considers the onus should be on the agency to record and respond to a victim's dissatisfaction.

The Commissioner receives multiple reports from victims who say they have expressed their dissatisfaction, while the agency maintains a complaint has not been submitted using formal avenues.

In receiving complaints, the Commissioner will consider circumstances where victims have not been able to make a complaint. These situations require further investigation.

The Commissioner will continue to monitor obstacles that victims experience in navigating the justice system that become apparent when victims express dissatisfaction with their treatment in the context of the Victims' Charter.

In four of the complaints received, the Commissioner was unable to confirm whether the victim had made a complaint to the relevant agency. The Commissioner recognises the difficulties some victims may experience in expressing their dissatisfaction with an agency.

The Commissioner will monitor the extent to which victims have difficulties in submitting complaints or expressing their dissatisfaction to agencies.

5.2 Encouraging compliance with the Victims' Charter

From November 2019, under subsection 28(1A) of the Act, the Commissioner is required to report each financial year on the compliance of agencies with the Victims' Charter.

The *Victims of Crime Commissioner Regulations 2020* commenced on 30 June 2020 and prescribes agencies for the purposes of subsection 28(1A) of the Act. The Act requires agencies to demonstrate compliance with the Victims' Charter. These agencies include specific investigatory, prosecuting and victims' services agencies.

In 2020-21, the Commissioner continued to develop a regulatory framework that aims to:

- show when agencies are and are not working for victims
- identify compliance challenges with the Victims' Charter and where victims' experiences could be improved
- enable victims to better understand their rights to complain about their treatment and seek appropriate remedies
- prioritise victims who face systemic barriers to accessing agencies.

The Commissioner has taken a staged approach to the new compliance monitoring and reporting requirements. This will ensure agencies have an opportunity to provide input into the reporting framework. It will also enable the Commissioner to assess whether the regulatory framework can lessen the reporting burden for agencies while also providing the level of assurance required by the Commissioner that agencies are complying with the Charter. This approach will also allow time for agencies to increase their understanding of the new reporting obligations and to make any necessary changes.

A key strategic goal for the Commissioner is to hold agencies to account under the Victims' Charter.

The Commissioner worked to progress this goal by developing a regulatory approach to monitor agencies' compliance with the Victims' Charter.

In 2020-21, the Commissioner assessed the extent to which agencies were aware of the Charter and putting systems and processes in place to comply.

Table 2: Staged approach to reporting on compliance with Victims' Charter

Year	Proposed reporting approach
2019-20	To strengthen the Commissioner's understanding of agencies' awareness of the Victims' Charter and the Commissioner's role, agencies were requested to provide information about their awareness levels and whether they had developed or were developing policies to support compliance.
2020-21	To identify changes in awareness of the Victims' Charter and the Commissioner's role, agencies were requested to provide information about their awareness levels and the types of systems and processes they have in place. The Commissioner began working with agencies to develop an appropriate reporting process with minimal burden for agencies that will also enable the Commissioner to verify whether each agency is meeting its obligations to comply with the Victims' Charter.
2021-22	The Commissioner will establish a tailored reporting framework that reports on the systems and processes agencies have in place to support compliance with the Victims' Charter, including complaints handling.

As part of the staged approached, the Commissioner will require more comprehensive reporting by agencies. The Commissioner has appreciated support from the Department of Justice and Community Safety to establish key functions in the Office. The staged implementation of more robust reporting will be extended until the Office has secured adequate resources to put the planned reporting approach into practice.

Agency compliance 2020-21

In 2020-21, the Commissioner asked agencies to provide information about their awareness of their obligations under the Victims' Charter and the systems, policies and processes they have established to meet their Charter obligations.

The Commissioner sought the following information to assist with developing the regulatory framework:

- the types of services provided to victims of crime by agencies
- how agencies' policies and training systems supported compliance with the Victims' Charter
- how complaints from victims were managed and whether victim satisfaction had been measured
- the level of support provided by management in agencies to support the continuous operation of the Victims' Charter in their organisation.

This information will help the Commissioner understand the extent to which agencies' systems and processes can adequately demonstrate they meet their obligations under the Victims' Charter.

Awareness of the Victims' Charter and the role of the Commissioner

As the Commissioner anticipated, due to her engagement with agencies about the new Victims' Charter obligations and the Commissioner's reporting function, agencies were more aware of the Victims' Charter and the Commissioner's role in 2020-21 when compared with agencies' responses from 2019-20.

7%

Awareness of the Charter increased by 7% (from 90% to 97%)

20%

Awareness of agencies' obligations under the Charter increased by 20% (from 74% to 94%)

6%

Awareness of the Commissioner also increased from last year, rising 6% (from 91% to 97%)

14%

Awareness of the Commissioner's responsibilities with respect to individual complaints also increased by 14% (from 80% to 94%)

15%

Awareness of the Commissioner's responsibilities with respect to agencies increased by 15% (from 80% to 95%)

The Commissioner noted the reported increase in awareness across all categories. The 20 per cent increase in agencies' understanding of their responsibilities under the Charter is particularly evident (from 74 per cent in 2019-20 to 94 per cent in 2020-21).

In 2020-21, the Commissioner also sought further information about the extent to which agencies consider they are establishing or have systems and processes that assist them to meet their obligations under the Victims' Charter.

The responses to the Commissioner's request for information suggested that:

- 66 per cent of agencies reported they have policies and procedures relating to the Victims' Charter (an increase of 33 per cent from last year)
- 65 per cent of agencies reported that they provide training on the Victims' Charter (an increase of 42 per cent from last year)
- 84 per cent of agencies reported they have a process in place to enable victims to make a complaint specific to the Victims' Charter (this was a new question in 2020-21).

In the year ahead, the Commissioner will further progress the development of a rigorous and tailored monitoring and reporting approach. The Commissioner intends to use a risk-based framework to assess and verify the extent to which the systems and processes reported by agencies meet their specific obligations under the Victims' Charter.

Tailored reporting approach

The Regulations define the agencies that are obligated to comply with the Victims' Charter.

In 2020-21, the Commissioner reviewed agencies' obligations in the context of the Victims' Charter and the Regulations. The Commissioner identified the need to tailor reporting requirements due to the diverse range of organisations and the different Charter principles these agencies are obligated to comply with.

The following agencies are required to comply with the Victims' Charter:

- Victoria Police
- Office of Public Prosecutions
- Victoria Legal Aid
- community legal services
- authorised Hub entities (which includes the Orange Door and Family Safety Victoria)
- Victorian WorkCover Authority (WorkSafe)
- Department of Justice and Community Safety
- specialist victims' services (such as those provided through the Victims Assistance Program)
- specialist family violence services
- sexual assault services.

There is substantial diversity in the type of agencies required to report on compliance with the Victims' Charter (such as size, purpose and governance). In addition, not all agencies are required to comply with all Charter principles or the same principles.

The list of Victims' Charter principles is extensive and detailed, and different principles apply differently to various types of agencies (some specific to individual agency types and others overlapping across two or all three types of agencies).

There are 17 Victims' Charter principles. Of these principles:

- all agencies have obligations to comply with five principles
- investigatory agencies have an additional two principles
- prosecuting agencies have an additional nine principles
- two principles are actions victims may choose to pursue.

Consultation with agencies

In 2020-21, the Commissioner engaged with agencies to gain their insights into the reporting approach to ensure a balance in providing the Commissioner assurance of compliance while aiming to minimise additional reporting burdens for agencies.

In October 2020, the Commissioner began consultations and conducted interviews with several agencies through to early January 2021. These included Victoria Police, the Office of Public Prosecutions, agencies that provide services to victims of crime and peak representative bodies.

The initial discussions provided agencies with an opportunity to discuss their experiences with the Charter and to outline any relevant systems and processes for compliance they already have in place. They were also asked to identify any challenges that they identified in the reporting process.

In March 2021, the Commissioner issued a Discussion Paper to agencies with information and questions for consideration about the different obligations and the type of information that might be required for reporting under the Victims' Charter.

The Commissioner held workshops with agencies in April 2021 to discuss the issues in the Discussion Paper and provided the opportunity for agencies to make written submissions.

The information the Commissioner requests to seek assurance of compliance with the Victims' Charter will be developed over time and tailored to agencies' varying obligations.

Through the consultations, the Commissioner sought views on:

- strategies for a flexible approach to reporting on compliance with the Charter
- ways to reduce reporting complexity for agencies with multiple compliance requirements
- information the Commissioner will need to collect and how other relevant compliance information might be used
- how to resolve issues when agencies don't consider they are covered by the Victims' Charter requirements
- how the Commissioner will address non-compliance with the Victims' Charter.

The consultations helped the Commissioner to consider the types of information and guidance agencies will need to strengthen their understanding of their obligations under the Victims' Charter. In particular, guidance will be needed to inform how different Charter principles apply to different agencies.

The Commissioner has also considered other compliance requirements that agencies already have in place which could demonstrate compliance with the Charter.

In the year ahead, the Commissioner will further consider what is required by agencies to demonstrate their compliance using common compliance tools, such as self-reporting, internal and external compliance verification, and evidence from victims' experiences.

In addition to information from complaints about breaches of the Victims' Charter principles, the Commissioner's approach to monitoring compliance will be important in determining the extent to which victims of crime can expect improved experiences in their contact with agencies.

5.3 Identifying systemic trends

One of the Commissioner's strategic directions is to continuously review enquiries, complaints and compliance data in order to identify trends in the justice system and reveal shortcomings in the treatment of victims of crime.

In 2020-21, the Commissioner used key data sources to help identify systemic trends, including:

- the Office's case management system
- engagement with victims of crime
- external data sets.

The case management system provided the Commissioner with important information from victims of crime who contacted her Office to make an enquiry or complaint. This information has assisted the Commissioner to identify where there are risks that agencies are not complying with their obligations under the Victims' Charter and any emerging systemic issues for victims of crime.

As outlined in Section 3, the Commissioner's engagement with victims of crime has provided valuable insights on areas for improvement in the justice and victims' services systems.

The Commissioner's Office continually monitors external data sources, including academic research, government reports, parliamentary and other inquiries, analyses of victims' legislation, practice and programs, and public issues monitoring.

These data sets, together with the regulatory, complaints and victim engagement functions, provide the Commissioner with a systemic overview of where the system is letting victims down. This information has informed the Commissioner's first systemic inquiry, along with her advocacy agenda for law, policy and practice reform, ensuring it is victim-centred and trauma-informed.

In the years ahead, the Commissioner will use systemic trends to increase accountability across the justice and victims' services systems, including strengthening the compliance data she receives to ensure agencies are aware of their obligations under the Victims' Charter, which is critical to promoting cultural change.

CASE STUDY

Case study – Difficulties navigating the justice system

Elena is a victim of assault and the accused offender was recently on trial for the crime. In explaining her experience during the course of the criminal trial, Elena expressed that she didn't get the justice she expected.

She found the whole experience confusing and didn't feel that she had a chance to have her say and tell her story. She found it extremely difficult to relive the crime and to see the accused offender again, and still felt traumatised by the whole process.

Elena found the system to be complex and overwhelming and felt that it made her trauma worse. She didn't feel that her voice was heard or considered when decisions were made in court. After the trauma Elena had experienced, she felt let down by the system that she believed would protect her.

Often Elena didn't understand why decisions were made and felt those decisions hadn't been explained to her. For example, it wasn't clear to her why some witnesses were called to give evidence and others weren't.

Elena experienced long delays with the trial, particularly due to COVID-19. The process did not help Elena to begin to recover and heal. She felt that the experience made the distress and pain she'd experienced from the crime so much worse.

**This is not a real scenario but reflects some of the consistent type of feedback the Commissioner receives from victims when they attempt to navigate the justice system.*

6. Advocating for victim-centred laws and practices

The Commissioner is committed to advocating for reforms to bring about cultural change to recognise victims' inherent interests in the justice and victims' services systems, including recognising victims as participants in the criminal trial process.

The Commissioner's legislative functions empower her to:

- provide advice to the Attorney-General and the Minister for Victim Support about policies that impact victims of crime
- promote the interests of victims in the administration of the justice system
- represent the concerns of victims of crime to government.

One of the Commissioner's strategic goals is to advocate for a victim-centred approach to law, policy and practice.

The Commissioner works to achieve this goal by:

- **maintaining an evidence base to inform the Commissioner's advocacy**
- **conducting inquiries into systemic issues that affect victims of crime**
- **representing the interests of victims of crime to government.**

The Commissioner advocates for victims' views, rights and interests to be integrated into the justice system through law reform, and policy and program development processes.

During 2020-21, the Commissioner provided her views on reforms and policy proposals on a wide range of issues affecting the rights and interests of victims. The Commissioner regularly responded to law and policy reform proposals that are relevant to victims of crime. The Commissioner's views were sought by government departments and other consultative and advisory committees on a range of proposals, as well as by other groups and individuals.

The Commissioner provided policy advice by attending consultations and meetings with departments and ministers, and making written submissions.

In 2020-21, the Commissioner made formal written submissions to government and statutory bodies in relation to:

- the Victorian Law Reform Commission's inquiry on Improving the Response of the Justice System to Sexual Offences
- the Victorian Law Reform Commission's consideration of a proposed new 'grab and drag' offence
- the Victorian Government's review of youth justice
- the Council of Attorneys-General Review of Model Defamation Provisions.

Spotlight on the Commissioner's proposed reforms to the justice system's response to sexual offences

The Commissioner's submission to the Victorian Law Reform Commission's Improving the Response of the Justice System to Sexual Offences contained a number of key policy recommendations. The recommendations seek to enhance the justice and victims' services systems' response, not only for sexual assault victims, but for all victims of crime.

Recommendations included that:

the Victorian Government develop a Victorian strategy to prevent and respond to sexual assault	all current and future victims' services, including the proposed new Financial Assistance Scheme, be prescribed as agencies under the Regulations to enable appropriate oversight and compliance with Victims' Charter obligations	
alternative reporting options should be available for victims of sexual assault	the Victorian Government comprehensively review existing restorative justice programs and seek victim/survivors' views on alternative justice options in sexual assault matters	the Victorian Government introduce a Victims' Right to Review scheme underpinned by new rights contained in the Victims' Charter, enabling independent review of police and prosecution decisions after internal review options are exhausted
the Victorian Government establish a publicly funded victims' legal advice service	victims of sexual assault have the right to an independent legal representative to represent their rights and interests at key stages of the criminal justice process	Victoria's *Charter of Human Rights and Responsibilities Act 2006* (Vic) should be amended to recognise the rights of victims in the criminal trial process as articulated in the Victims' Charter
increased specialisation across the justice and victims' services systems should be introduced, including expanding multidisciplinary centres and introducing specialised court responses	a new offence be introduced recognising the inherent harm caused by 'grab and drag' conduct	specialist training and education for judicial officers, and defence and prosecution lawyers in relation to sexual assault, including a comprehensive, mandatory professional development program for all judicial officers presiding over sexual assault matters.

In addition to formal written submissions to reviews and inquiries, the Commissioner also provided advice to ministers, Members of Parliament, senior departmental representatives, as well as other government and non-government organisations across a range of policy areas central to victims' issues.

These policy issues included:

- the operation of the *Crimes (Mental Impairment and Unfitness to be Tried) Act 1997* for victims of crime
- the design and operation of victims' services to inform RMIT's Centre for Innovative Justice report *Strengthening Victoria's Victim Support System: Victim Services Review*
- the Victorian Government's sentencing reform project
- the Victorian Government's proposal to introduce a standalone offence of non-fatal strangulation
- the Victorian Government's proposal to implement a new financial assistance scheme for victims of crime (following recommendations arising from the Victorian Law Reform Commission's 2018 report *Review of the Victims of Crime Assistance Act 1996*)
- the review on decriminalisation of sex work in Victoria led by Fiona Patten MP
- amendments to the *Judicial Proceedings Reports Act 1958* (Vic) to enable victims of sexual assault who wish to identify themselves to do so
- the Victorian Government's review of victims' experiences in the summary criminal jurisdiction (Magistrates' Court of Victoria).

Through submissions, consultations, media appearances, participation at forums and conferences and correspondence with government and statutory bodies, the Commissioner has advocated for:

- the full implementation of the Victorian Law Reform Commission's recommendations in relation to its review of the *Victims of Crime Assistance Act 1996* to establish a new financial assistance scheme for victims of crime
- an enhanced victims' service model, as envisaged in the Victorian Government's *Strengthening Victoria's Victim Support System: Victim Services Review*, including the establishment of an independent legal service for victims and an enhanced service model for bereaved families
- a comprehensive suite of policy recommendations in relation to sexual offences including a statewide strategy addressing sexual assault
- improvements to mental impairment processes to provide for improved consultation with victims of crime, and consideration of their needs, as well as advocating for a specialist victim support service
- simple, trauma-informed options to enable victims of sexual offences to identify themselves as victim/survivors where this is their choice
- appropriate recognition of victims' rights and interests in relation to spent convictions, including the right to be notified and provided with submissions where appropriate
- consideration of victims' justice interests in the context of COVID-19
- examination of the laws and responses to stalking and harassment
- reforms to defamation laws to ensure victims of crime are not deterred from reporting alleged criminal conduct to police
- improvements to the coronial process to better meet victims' needs
- improving Victoria Police action against police members who perpetrate family violence.

In 2020–21, the Commissioner also advocated for victims of crime through membership on committees and advisory groups that included:

- Justice Partnership Committee
- Victims of Crime Consultative Committee
- Victoria Police Employee-Related Family Violence Workshop
- National Victims of Crime Working Group
- Expert Panel for the Coronial Council of Victoria.

The Commissioner gave a keynote address on how policing responses can be enhanced for victims of sexual offences at the Australia New Zealand Policing Advisory Agency's Policing Forum: Spotlight on Sexual Assault and Consent.

6.1 Maintaining an evidence base to drive policy and law reform

One of the Commissioner's strategic priorities is to maintain an evidence base to inform her advocacy, including which policies and reforms are required to improve responses to victims of crime, and the best mechanisms to achieve such reform.

In 2020-21, research was gathered from various sources, including through victim engagement, analysis of the enquiries and complaints received, trends in compliance data and information requested by the Commissioner through the Act.

This evidence is consistently maintained through systems and processes to ensure the Commissioner is informed by the experiences of victims who engage with her and the Office.

In 2020–21, the Commissioner undertook research and policy development in the areas of:

- the operation of the Charter, including possible amendments to enhance victims' rights and the Commissioner's statutory oversight functions
- victims' rights and entitlements, including victim participation in the criminal justice system and a 'right to review' scheme for victims of crime
- independent legal representation for victims of crime
- the management of sex offender information
- state and federal policy options relating to coercive control.

The Commissioner's research and policy development drives her advocacy for victim-centred laws, policies and programs, as well as informing her systemic inquiry function.

In the year ahead, the Commissioner will continue to advocate for policy and law reform to improve responses to victims of crime.

6.2 Systemic inquiries

The Commissioner is empowered under the Act to carry out inquiries on systemic matters that affect victims of crime and report to the Attorney-General on any such matter.

One of the Commissioner's key strategies is to conduct systemic inquiries on issues that affect large numbers of victims.

In 2020-21, the Commissioner developed a framework and key principles to guide her approach to systemic inquiries.

These principles ensure the Commissioner:

- listens to victims' voices and considers their needs
- incorporates victims' experiences and information gathered from other research, consultation and engagement activities.

The Commissioner uses a range of information, data and insights to plan her systemic inquiries. This ensures the focus of a systemic inquiry reflects issues that are relevant, current and of concern to a large number of diverse victims of crime and other members of the Victorian community.

This includes using information gathered from the Commissioner's:

- engagement activities with victims of crime and other stakeholders, including any issues referred to the Commissioner by victims or other members of the community
- monitoring of agencies' compliance with the Victims' Charter
- investigation of complaints made by victims about their treatment by agencies under the Victims' Charter
- policy and research activities.

Systemic Inquiry: Victim Participation in the Justice System

In June 2021, the Commissioner announced her first systemic inquiry that will focus on victim participation in the justice system.

Through her engagement with victims, the Commissioner noticed a common theme where victims felt they were being excluded from the justice process. Victims' rights, interests, feelings and wishes were commonly experienced as an afterthought by the justice system, or worse, not recognised, seen or heard at all.

In the year ahead, the Commissioner's systemic inquiry will investigate whether victims feel they have been able to participate in the justice system, and whether new laws or policies might be needed to ensure their rights and entitlements under the Victims' Charter are being upheld. The inquiry will place victims' voices at its centre and will involve comprehensive consultation with victims of crime and other key stakeholders.

Terms of reference – Inquiry into Victim Participation in the Justice System

7. Ensuring our independence and accountability

The Commissioner is a Victorian statutory officer who is responsible for complying with the standards expected of an independent regulatory authority and delivering on her legislative functions as detailed in the Act.

The Commissioner is strongly committed to instilling public confidence and trust in the integrity and independence of herself and her Office.

In 2020-21, the Commissioner's Office undertook several improvements to its infrastructure and protocols. The Office developed a policy database and environmental scanning system to ensure the Commissioner is kept abreast of law, policy and practice reform to inform her advocacy agenda.

The Commissioner also invested resources to ensure her enquiries and complaints function is accessible, safe and transparent for victims of crime who access this service. This included introducing processes to:

- effectively manage all enquiries received by the Commissioner
- ensure everyone who contacts the Commissioner is provided with accurate information about how to complain about an agency they believe has not complied with the Victims' Charter
- receive complaints as required under the Act
- assist victims of crime who wish to make a complaint to do so
- assess and investigate complaints received.

The Office also built a new case management system to safeguard privacy and upgraded equipment to support new systems.

The Commissioner also undertook a review of her Strategic Plan in June 2021 to support her Office to periodically track and evaluate its performance against the plan.

In preparing this Annual Report, only information relating to the Commissioner's reporting requirements under section 28 of the Act has been included.

The Commissioner's strategic goal is to invest in new thinking and approaches to ensure the comprehensive and timely delivery of functions.

The Commissioner acts on feedback to continuously improve the effectiveness of the Office.

7.1 Freedom of Information

The *Freedom of Information Act 1982* provides the public with a right of access to documents held by the Office. For 2020–21, there were no freedom of information applications received by the Commissioner's Office.

Level 17, 121 Exhibition St,
Melbourne, 3000

1800 010 017

enquiries@vocc.vic.gov.au

victimsofcrimecommissioner.vic.gov.au

Victims of Crime Commissioner