Jodeen Carney  
Shadow Attorney-General,  
Shadow Minister for Justice, and Women's Policy  

Victims of crime denied access to justice  
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Shadow Attorney-General Jodeen Carney claims that victims of crime are being denied access to justice as a result of changes made in November 2002 to victims' compensation.

Changes were made to the costs lawyers could charge for making claims on behalf of victims, and costs were cut by 50%.

Ms Carney said the result has been that it is not cost effective for lawyers to act for victims of crime.

“We warned the Government that this would happen, but Justice Minister Peter Toyne chose to ignore us. Now he must explain to victims of crime why they can barely find a lawyer who will work for them. This is an access to justice issue that Government must fix,” Ms. Carney said.

“Peter Toyne regards himself as the champion of the downtrodden, but he responsible for changes so that have resulted in victims of violence, including many Aboriginal victims, being denied access to justice.

“Aboriginal Legal Aid organisations have referred victims of crime to private lawyers for years, but because of the Justice Minister very few private lawyers are now doing the work.

“I have spoken to a number of lawyers in Alice Springs and Darwin and they tell me they cannot afford to do this work for victims of crime anymore.”

In summary, lawyers have told Ms. Carney that they are concerned about the following:

Access to justice for victims of crime is being denied, or at best, severely limited.

Fewer claims for compensation are being made, (mainly because victims can't find lawyers who will do the work, and some get tired of searching for one).

Over time, the quantum (dollar amount) of claims is being reduced, because many applications are ill-prepared with insufficient detail because it's not cost effective to put too much effort in.

Ms. Carney said the Government wanted to reduce the costs of administering the compensation scheme, but other changes could have been made rather than ‘squeezing’ victims of crime out of getting compensation. She said she was concerned that if relatively
few victims made applications, Government would say there was no point in having the scheme anyway.

“The word is Government wants to abolish the scheme, and a review conducted over 12 months ago has gone cold. I think what will happen is that the scheme will end and it will have been sabotaged but Government”.

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