



STUART GRIMLEY MP

Member for Western Victoria
State Leader of Derryn Hinch's Justice Party



MEDIA RELEASE

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A Victims' Right to Know: Compensation to Offenders by the State

Derryn Hinch's Justice Party MP Stuart Grimley has urged the State Government to enable victims to be notified when their offender receives compensation from the State, of which they may be able to claim damages.

The Justice Party introduced an amendment to the *Justice Legislation Amendment (Serious Offenders and Other Matters) Bill* in Parliament this week which would enable victims of crime to be included in an 'opt out' system, where they could be notified about compensation paid to their offender by the State.

Circumstances where compensation may be paid to an offender would be situations where incidents have happened within prisons or in custody.

Currently, victims can opt in to the Victims Register, but many choose not to as they have to be notified about their offenders' every move including their release date changing, if their offender has been moved to a different prison and other details.

Whilst many choose not to know about these details, the Justice Party believe victims should be able to decide when to be notified about their offender receiving compensation from the State, of which they may be entitled to claim a portion.

There is concern that offenders may not pay their victims lawsuits if they receive compensation because victims often don't know about it and State Leader of Derryn Hinch's Justice Party Stuart Grimley says this "is simply unfair".

Whilst the circumstances may seem very specific, Mr Grimley's Northern Victoria colleague Tania Maxwell quoted in Parliament four separate incidents in just the first five months of this year where compensation was awarded from the State.

Currently, if a prisoner receives compensation for injury in prison, any amount over \$10,000 is held in the Prisoner Compensation Quarantine Fund for 12 months and can be paid to a victim to satisfy an order of damages or a judgment debt in accordance with the Corrections Act 1986 (Vic): 9C.

Crimes which constitute damages are outlined under 30A of the Corrections Act 1986 and includes most sexual offences. The amount victims are paid in a case such as this are not public knowledge and are decided by the courts in each proceeding.

The Bill passed - the amendment however did not, with the Government acknowledging there may be more work to be done in notifying victims of compensation but that they wouldn't support the amendment. Other opponents to the amendment include Animal Justice Party and The Greens.

Quotes Attributable to Stuart Grimley MP:

"This proposed amendment ensures that all victims, regardless of their status on the Victims Register, will receive notification if their perpetrator has been awarded compensation from the State.

Most Victorians would agree that when a prisoner receives compensation from the State, that compensation should initially be used to pay off genuine, existing debts and then be distributed amongst the perpetrators victims.

I have discussed many times in this place that the justice system should not be viewed purely as a legal system. The rights of genuine victims must continue to be prioritised over the rights of criminals.

I note that money alone cannot compensate for the crimes which have been committed however all victims should at least be empowered to make that decision. It is victims who have to relive traumatic experiences time and time again, while their perpetrator resides in prison and receives compensation from the taxpayer."

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