



The Hon Gabrielle Upton MP
Attorney General



Mr Peter Kelso
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File 15/001911

Dear Mr Kelso

I refer to your letter to the Premier dated 20 April 2015 regarding the removal of the retrospective application of the *Victims Rights and Support Act 2013* (NSW) (the Act). As this issue falls within my area of portfolio responsibility, your letter was forwarded to me. I also refer to your letter to me dated 21 April 2015, in which you raised concerns with the operation of the Act. I apologise for the delay in responding.

The NSW Government made a commitment to those victims who had lodged a claim under the old Victims Compensation Scheme but whose claim had not been assessed when the new Victims Support Scheme (VSS) was implemented, that they could apply for funds under the terms of the old scheme as if no changes had been made.

As with each of its election commitments, the Government will keep its promise to those victims. I confirm that the cost of reassessing transitional claims and making compensation payments to claimants has been accounted for in the Budget.

The details of the reassessment scheme are currently being finalised and the commencement of the scheme will be announced by the Government shortly. I assure you that the reassessment of transitional claims will commence before the end of the year.

In relation to the changes you have suggested could be made to the Act, I note that the VSS was developed to replace the old Victims Compensation Scheme, which had become inefficient, slow and unresponsive to the needs of victims. The focus of the new VSS is to provide a package of both practical and financial support to victims of crime in a timely manner.

A statutory review of the Act is scheduled to commence in mid-2016. The amendments you have suggested to the VSS may be considered within the context of that review to ensure the VSS is meeting the objectives and purpose for which it was implemented.

Thank you for taking the time to write to me. If you have any questions, please contact Mahashini Krishna, the Commissioner of Victims Rights, on (02) 8688 8181.

Yours sincerely



GABRIELLE UPTON MP
Attorney General

11/7/15