1. The Final Report on the review of the *Victims of Crime Assistance Act 2009* (the VOCA Act review report) was tabled in the Legislative Assembly by the Acting Attorney-General and Minister for Justice and Acting Minister for Training and Skills in December 2015. The Government accepted all of the 15 VOCA Act review report’s recommendations.
2. The VOCA Act review report identified amendments to the *Victims of Crime Assistance Act 2009* (the VOCA Act) to: enhance the rights of victims of domestic and family violence (DFV) and how they are treated; ensure vulnerable victims are not disadvantaged from receiving the help they need by allowing certain relief from the procedural requirements of the VOCA Act; and streamline processes and improve operational efficiency.
3. Recommendation 130 of the Special Taskforce on Domestic and Family Violence in Queensland (Taskforce), *Not Now, Not Ever: Putting an End to Domestic and Family Violence in Queensland* is that the Queensland Government introduces a sexual assault counselling privilege (SACP), based on the New South Wales (NSW) legislative model, to protect counselling communications made by a victim of a sexual assault with a counsellor. In August 2015, the Queensland Government released its response to the Taskforce’s report, accepting all 121 recommendations directed to the Government and supporting the 19 recommendations directed to the non-Government sector.
4. The Victims of Crime Assistance and Other Legislation Amendment Bill 2016 will:
	* amend the VOCA Act to:
		+ - implement all 15 of the VOCA Act review report recommendations;
			- make a number of other amendments to the VOCA Act to enhance the rights of victims of DFV; ensure vulnerable victims are not disadvantaged from receiving the help they need by allowing certain relief from the procedural requirements of the VOCA Act; and streamline processes and improve operational efficiency;
	* amend the *Evidence Act 1977* (Evidence Act) and related legislationto:
		+ - establish the SACP: That is, based on the NSW provisions, an absolute privilege in preliminary criminal proceedings (committal and bail proceedings) and a qualified privilege in other criminal and domestic violence proceedings. In proceedings where the qualified privilege applies, an application may be made to the court as to whether prescribed criteria are met which justifies disclosing the protected counselling communication. In civil proceedings, the SACP will not apply unless a court has determined that it applies in a criminal proceeding where substantially the same facts are in issue; and
			- give victims of a sexual offence, who are to give evidence in a criminal proceeding against the accused, automatic status as a special witness (children under 16 years already have this status under the Evidence Act).
5. Cabinet approved the introduction of the Victims of Crime Assistance and Other Legislation Amendment Bill 2016 into the Legislative Assembly.
6. *Attachments*
* [Victims of Crime Assistance and Other Legislation Amendment Bill 2016](Attachments/Bill.PDF)
* [Explanatory Notes](Attachments/ExNotes.PDF)