

## Inquiry into Victoria's criminal justice system

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### SURVEY QUESTIONS

#### What best describes your interest in our inquiry

A victim of crime, An advocacy body

#### Drag the statements below to reorder them. In order of priority, please rank the themes you believe are most important for this inquiry into Victoria's criminal justice system to consider::

The experiences of victims of crimes in navigating the justice system, The level of training and expertise of judicial officers (e.g. expertise in sentencing), Policing, Rates of criminal activity, Number of people on remand (awaiting trial), Rates of imprisonment, Specific prisoner cohorts (e.g. youth or Aboriginal and Torres Strait Islander offenders), Strategies for reducing reoffending (e.g. addressing risk factors like poor mental health), Alternatives to imprisonment (e.g. treatment programs or supervision orders), Judicial appointment (e.g. guidelines and selection processes for appointing judges)

### YOUR SUBMISSION

#### Submission:

Systematic Failure

When we talk about Flaws in the Judicial System nobody needs to look much further than the abysmal treatment I have received and how my entire life has been a miscarriage of justice. - I have been poorly treated by Government authorities since birth and NO ONE has ever been held accountable for their dereliction of duty.

My mother placed me in Temporary Voluntary Care with the Victorian Supreme Courts' knowledge. it seemed a parent could hand their child over to anyone with government intervention , there were no follow-ups checking on a child's welfare or location.

Freedom of Information

I applied to Freedom of Information to release all my childhood documents - After months of extensive searching, the results came back "Nil Documents Found.

- The only explanation they could offer was that I was probably put into Voluntary Placement and lost in the system as were tens of thousands of other children.

Victorian State Government Definition of a Careleaver

- Voluntary Placement survivors were taken out of their home and put into the care of someone else as a child (under the age of 18)

- Voluntary Placement is where NO Court Order is required for a child to live out of their parent's care.

- The lesser government intervention and oversight of these arrangements usually meant that fewer records were created or kept.

Voluntary Placement Survivors are NOT recognized as Careleavers – and as such have NO Rights despite being in Out of Home Care.

- It is estimated that 59,000 of the 100,000 were State Wards.

- So what happened to the 49,000 Out of Home Care children who were NOT Ward of the States?  
The Victorian Government was derelict in their Duty of Care failing to protect countless Voluntarily Placed children who because of their negligence were lost in the system and left to unmentionable cruelty

### DISCLOSURE TO AUTHORITIES

Lost in the system and with NO government intervention or protection, I was shunted back and forwards between foster families - Left to be sexually molested from infancy, neglected, then at seven years old, raped and sodomized daily sometimes more – I was brutally battered and mentally abused till I was a teenager.

- Over the years I told my extended family, teachers, doctors, and even the police how I was being hurt yet they did nothing to help me.

- When I was thirteen, I ran away, the police took me back to the old Fawkner police station, where I sobbed and begged the Senior Sergeant not to send me back. I explained my abuse in graphic detail - He ignored me, and I was sent back to live with my abusers.

- The Fawkner Police let me down - - Little did I realize that many years later (2020) I would feel let down by Fawkner SOCIT (again) and be Denied Justice

No Records – No Lawyer

I contacted Waller Legal, I spoke to a solicitor at length, sent in all the relevant documents as requested and they replied back that they believed I had a powerful case. That was until they realised, I was NOT a Ward of the State. - They acknowledged my childhood rape and torture were terrible but unless my rapist had money, they wouldn't take the case as there was NOTHING in it for them. – NO JUSTICE

Feeling despondent reluctantly I approached Angela Sdrinis Law firm and again ran into the same problem. - Unfortunately, adults who were in Voluntary Placement do NOT have any rights and are denied justice.

National Redress

I rang the the National Redress , after hearing the solicitors had rejected me due to NO childhood records - I was informed do NOT qualify as I was NOT a ward of the State

- I do NOT qualify for National Redress despite being a victim of childhood sexual abuse.

FAWKNER SOCIT

My case took 18 months to be dropped in that time my first investigator took all leave owing to him plus more - Then he transferred to another area

We have had two officers which totally different work ethic and it has stood out throughout the case.

- Second Investigator was so inexperienced and clearly out of his depth – I constantly had to push to ring witnesses and make reports to me - Then COVID struck and he was sent to another station and work virtually came to a standstill.

- In 18 months my file was worked on, with all the breaks and interruptions I worked out my case had only been worked on for 7 months spasmodically

- In that time I was given misinformation and false hope and led to believe that a conviction was imminent and that I would finally see justice, as they had so much on my perpetrator as he was in the police system and known to him. .

- I told my investigator I had spoken to a solicitor for advice, next morning my case was inexplicably

dropped which I was warned by the solicitor may happen.  
I cannot begin to tell you how appallingly handled my case was.

#### VOCAT

I went to a lawyer [REDACTED] Sunbury to apply for VOCAT she tried to request information from Fawkner SOCIT and was met with the belligerent attitude,

- My lawyer asked the Senior Sergeant - "Why they didn't charge my Perpetuator with "Tendency" as he had a repeated pattern of sexual abuse? ( NO REPLY)

- My lawyer also asked why they did not get an Independent Psychiatrist to examine the perpetuator who was claiming 'Dementia" ( NO REPLY)

- My lawyer also asked SOCIT WHY they had NOT sent a letter of explanation to the reason my case was dropped

- A short time later she received a so-called copy of the letter we were supposed to have received ( which I did NOT receive) - My lawyer queried the date on the letter ( NO REPLY)

My lawyer put her concerns in detail in a letter to VOCAT along with my application and, I was assured that they would do an Internal Investigation.

#### VOCAT APPROVAL - April 1st 2021

I received an email from my lawyer advising me that VOCAT Tribunal acknowledges the act of violence against me and have BUT, I will NOT be receiving a lump sum payment under - Section 77 of the Victims of Crime Assistance Act which outlines the transitional provisions for historic offences - Due to a combination of the date of offending, the fact that my perpetuator had not been charged and the legislation that was in place at the time.

There was NO mention of an Internal Investigation into SOCIT.

#### FLAWS WITH SOCIT

- Victims should be automatically assigned a lawyer

- A lawyer should be PRESENT when writing a Statement

- Victims and Lawyer should be BOTH kept abreast of the progress of the case

- SOCIT investigators are Poorly Trained and Overworked and in some cases, just plain Lazy

- SOCIT Investigators need longer intense specialized training pertaining to Sexual Abuse and the laws

- There also needs to be Mandatory psychiatric assessments done on ALL accused who claim Mental Health Issues so they can determine who is genuine and who are Criminal Malingers (Faking Mental illness)

- Currently, investigators are overwhelmed by the sheer enormity of current cases with new cases handed to them on daily basis - meaning they can only spend the bare minimum of time working on each case.

- It doesn't help the ridiculous amount of leave these investigators take off throughout the year leaving No One to cover their cases

- Of course, while they are absent more cases are added to their pile pushing old cases to the bottom

- There are NOT enough Investigators to cover the cases

- SOCIT needs to either hire more police or let an Independent Group take over who have the manpower and expertise to handle the caseloads

- Victims spend months sometimes years opening up Pandora's Box, picking at wounds till the bleed -

Having their hopes built up only for their case to be inexplicably dropped with no valid justification

- All because of an overloaded system and half-hearted shoddy investigations. - The whole process is cruel and re-victimizes survivors leaving them to wonder what was it all for

- The end result is disappointment and heartache because you have been denied justice AGAIN.

- This is far too common and somebody needs to dismantle SOCIT and rebuild it from scratch.

- There needs to be an Inquiry into how many cases they dismiss due to lack of staff effort or lack legal knowledge

Currently, a member of Victoria Police is entitled to nine weeks leave per year. In addition, to 15 days of sick leave per year and a range of other leave entitlements, including parental leave. Study leave. - Leaving cases sitting dormant for up to 4 months per officer sometimes longer

The Judicial System needs to take each Victim of Crime Case on its own merit, NOT follow an archaic law denying Victims of their Basic Rights. - Someone should be held accountable for crimes against an individual especially a child.

Despite being a Victim of Crime, I have been DENIED Justice, all because I do NOT have any childhood records through NO fault of my own.

In my case my perpetrator was a known sex offender to the police

- His own daughters had him charged, but they were bullied and intimidated into dropping the charges out of fear.

- His own sister went to SOCIT with me and filed her own Statement accusing him of attempting to sexually abuse wanted him charged ( IGNORED)

- His youngest sister wrote a Statement accusing her brother of sexually abusing her. – ( IGNORED)

Yet despite overwhelming evidence, all the perpetrator had to was feign Dementia and the case is dropped.

Had we been entitled to a lawyer when doing our Statements with SOCIT, I believe the outcome would have been different and given the overwhelming evidence presented to the police including their own evidence the perpetrator WOULD have been charged accordingly,

But, despite being a Victim of Crime, I have been DENIED Justice, all because of inadequate police training and lack of interest and manpower.

The Victorian Judicial System and the Victorian Government have a lot to answer for; they are continually failing Victims of Crime, instead focusing all their attention on protecting criminal's rights instead.