

The Hon Martin Pakula,
 Attorney General,
 Level 26,
 121 Exhibition Street,
 Melbourne, VIC. 3000.



Dear Sir,

My name is [REDACTED]. On the [REDACTED], [REDACTED] was sentenced, in the [REDACTED] County Court before Judge [REDACTED] (and after he admitted in court that he had done these things and pleaded guilty), on the following charges: 1/ criminal damage. 2/intentionally causing serious injury. 3/ recklessly causing injury and 4/ recklessly causing serious injury. (Two of these charges related to the permanent loss of [REDACTED] and to the [REDACTED]). [REDACTED] was sentenced to a total of [REDACTED] years [REDACTED] months gaol, with an actual custodial sentence of [REDACTED] years, and a parole period of [REDACTED] years [REDACTED] months. I repeat that this sentence related to all matters - to which he pleaded guilty.

In the [REDACTED] years since my [REDACTED] was stolen from me, my family and I have attended many, many, court cases in which he prolonged the process. Since his sentencing I have had breathing space knowing I would be safe whilst he was in gaol for the [REDACTED] years. But it was a roller-coaster in the lead up to court; the [REDACTED] years of court cases that were so drawn out, and now the parole debacle has started the whole nightmare over again.

Much, or most, of the anguish and stress in the last [REDACTED] years could (and should) have been avoided; to me - the victim - and to my family. I feel it is necessary to say to you that no other victim should ever have to go through the process that I had to endure.

Throughout the many court cases before he eventually pleaded guilty, the strain on me was horrendous. No one from the Office of Public Prosecutions ever really explained his stretching out the legal process, why he did it and what the advantages to him were. Certainly, the disadvantages to me were many. I sometimes wonder if it was a strategy on his behalf for me to drop the charges but, as I have said, his reasoning was never explained to me, nor was the reason(s) why the courts allowed the repeated delays. I have heard the saying "Justice delayed is justice denied" and, if that is true, it was most definitely true in my circumstances. I was very lucky to have two detectives who were supportive.

I am appalled by and angry with our judicial system. The accused, who pleaded guilty, most assuredly has more rights than me. I am treated ignorantly and marginalised and made to feel completely unimportant in the process. I have made several requests to Corrections Victoria, the Adult Parole Board and the Victims Register (with whom I am registered) seeking details of the rehabilitation programmes [REDACTED] has undertaken. The reason I have made these requests is that I have a genuine apprehension that he is still the same person, with the same aggression and, now, hatred of me. This very real concern is heightened by the comments of (his forensic psychologist) Mr [REDACTED], which are available at page [REDACTED] para [REDACTED], of Justice [REDACTED]'s sentencing, where he states "...my opinion is there is a significant risk of further aggressive behaviour." I am extremely concerned about my personal safety, but the concern would be less knowing that [REDACTED] had *successfully* undertaken anger management and alcohol programmes to the satisfaction of the Adult Parole Board.

However, my inquiries on these matters have been met with the response that I - the victim for life - am not permitted to be told, because of [REDACTED]'s privacy rights!

I have subsequently asked many questions. The Chief Commissioner of Police, Mr Ken Lay,

personally became involved when I asked "How is it that [REDACTED] is informed, in writing, of *my* residential address, yet I am not permitted to know (even) the general area in which he is meant to reside?" I have been told that because I have a lifetime Intervention Order barring him from attending at my home address he has to be told where I live, so he does not inadvertently breach the Order. If I could change the order without going through a drawn out and adversarial court process, I would. But that is not possible and I do not believe I could cope with another bout in court.

Please understand my question was purely based on my knowing where NOT to go, so I can avoid him. I now know where not to go (an area that is [REDACTED] hours drive away from my address) but I see him constantly in my home town, where he attends. I have now reached a point where I will not, and do not, leave my house from Friday afternoon to Monday morning, so that I will not see him in MY local area. Effectively, I am the one who is now a prisoner.

I am told, by Corrections Victoria, the Adult Parole Board and the Victims Register staff that I am not entitled to know of [REDACTED]'s programmes and rehabilitation, nor was I entitled (until the intervention of the Chief Commissioner) of the region of Victoria in which [REDACTED] lives, because of our privacy laws... *his* privacy! I have been told of the four generic conditions of parole, applicable to every parolee, but I have also lately been made aware of at least one additional condition, via a journalist, in that [REDACTED]. Apparently, I am considered to be a 'third party' and am not entitled to know what measures have been taken to rehabilitate [REDACTED] and safeguard me from the person who maimed me for life. And who now regularly attends in my home town, some [REDACTED] hours from where he is living.

I find this incomprehensible when it is *me* who is the victim. It was *me* who *he* assaulted, assaults to which he pleaded guilty. I am *the first party* in this, not bureaucrats or functionaries or, most certainly, the convicted criminal offender. I genuinely believe that I have the right to know about his conditions of parole, and programmes he has undertaken whilst in prison and on parole to 'rehabilitate himself.'

I must also mention public safety. I am a member of the public. I feel that the justice system has let me down; the very system that the police told me I should trust. I am so terribly concerned that other victims facing similar situations will be stressed, traumatised, and their faith in the 'justice system' diminished or perhaps destroyed, unless the system changes.

This is my story; it's probably too late for answers for me but it's not too late to change the way the system treats and informs victims in the future. The system needs to be fair - made fair for victims.

My eighty year old mother is still of the view that 'what goes on in the home stays in the home.' That is the outdated attitude that we need to change. We need to let people know that some one will hear them, believe them and act swiftly and effectively on violence in the home. But how can anyone believe in the court and justice systems when a convicted criminal has more rights than the innocent parties they have victimised?

Please give victims the knowledge and the dignity they deserve. [REDACTED] lost [REDACTED] years of his freedom. The remainder of my life now consists of [REDACTED], the real fear of losing my [REDACTED], restrictions of how and where I live, no children and changing the law that gives criminals more rights than the innocent people they victimise.

Thank you, Mr Pakula, for reading my correspondence.

Yours sincerely,

[REDACTED]

cc: Mr. Greg Davies, Victims of Crime Commissioner.