

16 March 2010

Hon Nick Smith
Minister for ACC
Parliament Buildings
Wellington

Dear Minister

Re: Independent Review of ACC Sensitive Claims Guidelines

I note that you have made a commitment and confirmed that commitment, both in Oral and Written replies to Questions, to progress a six month Independent Review of ACC Sensitive Claims Guidelines.

The new ACC Guidelines were introduced in October 2009 and the review is due in April 2010. I have consulted widely with professionals and the professional organisations working in the field. To date, no organisations or professionals have been consulted about Terms of Reference for the Review nor have they received any information at all regarding the Review. Also you have confirmed, through written question number 01328 (2010), that there have been no committees, taskforces, or other work groups relating to Sensitive Claims established since 1 January 2010. This is of great concern given that preparation for the Review should be well underway at this stage.

In order for survivors of sexual abuse, their family and support people and professionals to have any confidence in the Review it is imperative that there is consultation with the appropriate organisations who I know have communicated with you on numerous occasions. There must also be confidence that the review is fully independent.

We in Labour are extremely concerned at the treatment of victims/survivors of sexual abuse under this pathway and have been inundated, as you have, with complaints from clients and professionals working in the field. These complaints include many clients who are still waiting for many months to hear if their complaint has been approved and a dramatic escalation in cases being declined.

In short ACC's Sensitive Claims Unit is in an absolute shambles and the government appears to be doing nothing



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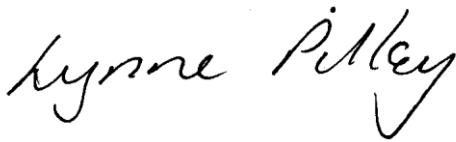
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about it. ACC has stated that they want to cut costs and this is clearly happening with the treatment of victims and survivors of sexual abuse.

If the comprehensive feedback from counsellors, psychotherapists and victims/survivors of sexual abuse was given proper consideration by the government then the new pathway should not have even commenced. However that is not the case but given the stress and anxiety and effective re-victimisation of victims because their treatment by ACC it is imperative that this Review is undertaken expediently.

I request that you provide me with all information to date on the proposed Terms of Reference and the process that is planned to select the members of the Review panel.

Yours sincerely



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Labour Spokesperson for Disability Issues
Associate Labour Spokesperson Justice - Victim Rights



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