

Submission to the Senate's Standing Committee on Legal and Constitutional Affairs Inquiry into the Social Security Amendment (Supporting Australian Victims of Terrorism Overseas) Bill 2011 and the Assisting Victims of Overseas Terrorism Bill 2012

The Peter Hughes Burn Foundation is very supportive of both of these Bills and their intent to offer financial assistance to Australians who are impacted by an act of terrorism whilst overseas. This is based on three core principles:

1. An act of terrorism is a crime, wherever it may be perpetrated; and
2. A person can be a victim of a crime by virtue of a member of their family being killed or injured; and
3. Victims of domestic crime are recognised and able to receive some financial compensation - even in the absence of a known perpetrator or where there maybe no assets of the perpetrator(s) to claim against.

Australian State and Territory governments have long ago accepted the need to assist their citizens in this way. Overseas acts of terrorism should be treated in the same way. Apart from the person who may be killed or directly injured by a terrorist act there will be other victims at home.

Our Directors, Peter Hughes and his son Leigh, can speak of their direct experiences from the Bali bombing – not just for themselves but also their many friends and acquaintances from that event.

A terrorist incident affects members of the family, who are no less a victim by these events. They face the anxiety of harm to their loved ones, uncertainty as to how to get to see them and bring them back home. For those with relatives killed it is even more difficult due to the processes involved in victim identification, forensic and coronial inquiries.

For those injured the issues focus on how long they will be away from home, the level of care they are able to receive, the support and associated costs before they are able to return home. Once back home the family's recovery cannot really begin until well after mourning or having their loved one released from hospital, notwithstanding any associated ongoing medical care.

It's a journey that lasts a lifetime for all of the victims, and we know it's one that is made much more difficult when the victims and their families get no direct and prompt financial assistance.

It's not possible for individuals or families to shield themselves from the costs associated with a terrorism crime, there is no affordable insurance for these things and there are usually no assets of the terrorists that can be used to recoup costs. It is simply a huge financial loss and burden that families have had to endure. Only a government can provide the means to recompense for these situations.

Within Australia victims of crime are recognized and provided with some form of capped ex-grata payment to help with their costs. An Australian affected by an overseas incident is no less affected and no less deserving of similar treatment.

Our Foundation commends and encourages Parliament to pass these bills and see them enacted into law as quickly as possible.

Grazi Lisciotto
CEO

Peter Hughes Burn Foundation – An Australian Not-for-Profit Organisation

Helping BURN victims become BURN Survivors and "Live Beyond the BURN"