



Victims of Crime Assistance Act – Information Sheet

Victims of a violent crime can claim financial assistance through the government if they are unable to recover monies from the offender of the crime.

Claims are accepted for personal injury only. Victims of Crime Assistance is not available to replace or repair property, which may have been damaged as a result of the crime.

The *Victims of Crime Assistance Act* introduced in June 2005 includes time limits on the lodgment of applications for Victims of Crime Assistance. It clearly states that an application must be lodged within three years of the offence. There is however, a section, which allows the Commissioner to use his or her discretion to extend the time limit where exceptional circumstances exist.

Children under the age of 18 can also apply for Victims of Crime Assistance, but their application must be lodged by an adult such as a parent, guardian, or close family. Child victims are exempt from the above time limit, but the claim must be lodged within three years of attaining the age of 18.

The Victims Assistance Unit processes Victims of Crime Assistance applications. A Commissioner makes an independent decision regarding awards.

How do I go about claiming Victims of Crime Assistance?

The *Victims of Crime Assistance Act 1976* states “compensation may be awarded where a person is killed or suffers injury:

- (a) As a result of an act or omission of another that constitutes an offence.
- (b) In assisting a police officer in the exercise of his power to arrest a person or to take action to prevent the commission of a crime by a person.”

Any offence should be reported to Police.

You can complete a Victims of Crime Assistance application form and return it to the Victims Assistance Unit providing as much information as possible i.e. what police station the offence was reported to, when the offence happened, what was the offence, the effect the crime has had on you personally and any medical or other reports which may be appropriate. Applications forms are available from the Victims Assistance Unit or Victims of Crime Services. The form can also be downloaded from our website at www.justice.tas.gov.au/victims

ALTERNATIVELY

If you would prefer to obtain help from a solicitor to prepare your application, then you need to be aware that under the new Victims of Crime Assistance Act (implemented 24th June 2005), any costs associated with the preparation of your application, such as solicitors’ fees and medical report fees, may be deducted from your award. This will be at the discretion of the Commissioner. If your application is rejected, then you may be responsible for the payment of these costs.

How long does it take to process an application?

Allow at least four months for your application to be processed. This will depend on the availability of police files, medical reports and sometimes the outcome of the case in the Magistrates or Supreme Court.

July 2005