

Victims of Crime Assistance

Who can apply?

You may be able to apply for Victims of Crime Assistance (Compensation) if you have suffered a physical or psychological injury as a result of a crime, from witnessing a violent crime, or if you are related to the primary victim of a crime.

What can (and can't) be claimed?

Compensation may be awarded where a person dies or suffers an injury as a result of a crime. Compensation can cover:

- Funeral expenses where the offending has resulted in the death of a victim;
- The costs of medical, dental, psychological or counselling services;
- Loss of wages or salary;
- Pain and suffering; and
- The cost involved in claiming compensation.

You cannot seek Victims of Crime Assistance for loss or damage to property, and certain other losses, such as a death or injury caused by or arising out of the use of a motor vehicle.

Time limits

In Tasmania, you have three years from the date of the offence to lodge a claim for Victims of Crime Assistance with the Criminal Injuries Compensation Commissioner (the Commissioner). In the case of a victim who is under 18 years old, the timeframe for lodging a claim is three years from the date you turn 18. This time limitation can be extended by application, but only in 'special circumstances'.

How can I apply?

To apply for Victims of Crime Assistance, you will need to fill in an application form (or if the victim is under 18, an adult can do the application on their

behalf). The application form is available on the Department of Justice website (<https://www.justice.tas.gov.au/victims/forms>).

When submitting your application, you will need to attach supporting information such as medical and police reports, and include as many details as you can about the offence and how it has affected you.

How much can be claimed?

The Commissioner decides how much a victim is awarded. The maximum amounts that can be awarded are:

- \$30,000 for primary victims (that is the person who was directly affected by the crime) where there is a single offence, and \$50,000 for primary victims where there is more than one offence;
- \$20,000 for secondary victims (that is the person who witnessed a violent crime); and
- \$10,000 for close relatives of the primary victim (with the total amount awarded to related victims in relation to any one crime being a total of \$50,000).

What happens next?

Once you have submitted your application, the Commissioner will review the information and decide whether there is a basis for the claim and whether any more information is needed. You may be invited to a 'hearing' with the Commissioner where you will be asked to outline how the offending has affected you. The offender will not be there. You can bring a support person with you. If you do not want to attend, the Commissioner may be able to make a decision based on the application you have provided.

It may take more than 12 months to process the application, depending on the information available, and whether the claim involves a matter that is still before the Courts.

Need some more information or advice?

- **Victims of Crime Service:** 1300 300 238 (24 hours)
- **Victims Assistance Unit:** 6233 5002 or 1300 663 773
- **Women's Legal Service Tasmania:** 1800 682 468

Related Services

- **Lifeline:** 131 114 (24 HOURS)
- **Family Violence Counselling and Support Services:** 1800 608 122
- **24 hour Sexual Assault Crisis Support line:** 1800 697 877
- **Child Abuse Prevention Services:** 1800 688 099
- **Legal Aid Commission Advice Line:** 1300 366 611

'Victims of Crime Assistance in Tasmania' is intended to give general information. Whilst we have made every effort to ensure the contents of this document are accurate at the time of publication the law and services do change. Legal and service exactness is not possible in a publication of this nature. This publication should not be used as a substitute for legal advice.

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