



How to apply

You can request an application form and guidelines to help you complete the form by phoning 9425 3250 or writing to:

The Chief Assessor
Criminal Injuries Compensation
Department of the Attorney General
GPO Box F317
PERTH WA 6841

You can also download a form and guidelines from the Department's website - www.dotag.wa.gov.au. There is no fee for lodging an application.

You will need to provide details of the date, place and circumstances of the offence and injury, medical reports and other documents to support your application.

If you do engage a solicitor, the assessor cannot award costs to cover legal fees but may award the reasonable cost of any supporting medical reports.

Information provided to police can be obtained from WA Police Permissible Information. Call 9268 7800 for enquiries.

After lodging the application

In the majority of cases, applications are dealt with by the assessor from the information provided by you. The assessor may require further information to assess your claim and you may have to attend a hearing.

Hearings are held in a courtroom and are generally private. Hearings may also be held in regional centres or via video link-up. You may make arrangements to be represented at the hearing by either a solicitor or someone else who is approved by the assessor.

The person who committed the offence in which you were injured may be present at the hearing. If the offender is required to attend the hearing, you will be notified of this in advance. Closed circuit television facilities are available.

Privacy and confidentiality

The details of your application will be kept confidential.

However, in most cases, the offender will be notified of your claim and may be provided with edited copies of documents in support of it.

In addition, copies of decisions made by the assessor are available to the media and the public.

In special cases, the assessor can order that names of people awarded compensation are not made public.

This will often be the case for awards involving sexual offences or young offenders.

Support for victims of crime

The Victim Support Service is operated by the Department of the Attorney General and provides counselling information and a range of support services for victims of crime. The Victim Support Service's main office is in Perth and counsellors are also available in regional areas. Services are free.

Victim Support Service
Department of the Attorney General
Phone 9425 2850
Fax 9221 2533
Freecall 1800 818 988
Email vss@justice.wa.gov.au

CONTACT

Criminal Injuries Compensation
Department of the Attorney General
Level 12, 26 St Georges Terrace
PERTH WA 6000
Phone 9425 3250
Fax 9425 3271
Email criminal.injuries@justice.wa.gov.au

Postal address
GPO Box F317
PERTH WA 6841

Office hours
9am - 4pm, Monday - Friday
Staff are unable to provide legal advice

Victims of Crime
Website www.victimsofcrime.wa.gov.au

Department of the Attorney General
Phone 13 67 57
Website www.dotag.wa.gov.au

Compensation for Victims of Crime



Court and Tribunal Services Division
CICOC | JUN09 | FEB17/2000



The criminal injuries compensation scheme pays compensation to victims of crime in certain circumstances.



People eligible for compensation

You may be eligible to claim compensation under the *Criminal Injuries Compensation Act* if you are a:

- Victim of an offence in WA and are injured and/or experience financial loss as a result of the injury.
- Close relative of a person killed in WA as a result of an offence and experience financial loss.

The criminal injuries compensation scheme is designed to provide compensation if you suffer bodily harm, mental or nervous shock or pregnancy resulting from an offence occurring in Western Australia.

Compensation is available for:

- pain and suffering
- loss of enjoyment of life
- loss of earnings
- medical expenses you have or will incur
- other expenses such as travel for medical treatment and damage to personal items.

In the case of death, a close relative may be eligible for funeral expenses and compensation for the loss of financial support.

Amount of compensation

The amount you receive will depend on the extent of your injuries and losses you have suffered. The maximum compensation that may be awarded also depends on the date of the offence:

| | |
|--|----------|
| On or after 1 January 2004 | \$75,000 |
| Between 1 July 1991 and 31 December 2003 | \$50,000 |
| Between 1 January 1986 and 30 June 1991 | \$20,000 |
| Between 1 January 1983 and 31 December 1985 | \$15,000 |
| Between 18 October 1976 and 31 December 1982 | \$7,500 |
| Between 22 January 1971 and 17 October 1976 | \$2,000 |

The assessor may make interim payments for treatment, medical reports or funeral expenses before the case is determined. If an award is later refused, these payments must be repaid.

The State can take action to recover the compensation paid from the offender.

If you disagree with the assessor's decision, you can appeal to the District Court. An appeal must be lodged within 21 days of notification of the assessor's decision.

Types of claims not accepted

You may not be eligible for compensation if you:

- have not reported the offence to the police within a reasonable time (unless you can demonstrate the delay was reasonable)
- failed to help police in their enquiries regarding the arrest or prosecution of an accused person
- have claimed for injuries, expenses or losses from another source (for example, injuries covered by third party compensation, medical expenses recovered from Medicare or loss of income recovered under workers compensation)
- receive an injury from a motor vehicle crash
- are not the primary victim of the offence.

Compensation may be reduced or refused if the assessor considers your behaviour contributed to your injury.

When to make an application

You have three years from the date of the offence or the last offence to lodge an application.

Your application should be made once you have reached an acceptable stage of recovery from your injuries.

You may apply for interim payment for expenses before your application is finalised.

If your claim is more than three years old, you may still apply, but an extension of time must be sought.

You will need to provide written reasons for the delay with your completed application.