

---

## Victims of crime

---

### Summary

- By law, you are considered a victim of crime if you have suffered physical injury, emotional injury or financial loss because of a crime.
  - If you have witnessed a crime or are supporting a victim of crime, you might also be able to get financial assistance.
  - You can get information, advice and support (including access to counselling) by calling the Victims of Crime Helpline on 1800 819 817.
  - In addition to the Victims of Crime Assistance Tribunal, you might also be able to get financial assistance through Medicare, the TAC, WorkCover or your own insurance policies.
- 

Witnessing or experiencing a crime, particularly a violent one, can have long-term consequences. You might be physically injured during the crime or emotionally traumatised afterwards.

Anyone who is a victim of violent crime in Victoria is entitled to free help and may also be able to get financial assistance.

Being a victim of crime can be a difficult and confusing experience, and there are a number of professionals and organisations that can offer you support or advice during this difficult time.

### Defining a 'victim of crime'

By law, you are considered a victim of crime if you have suffered physical injury, emotional injury or financial loss because of a crime. This might include:

- being injured in a violent attack
- being subjected to a physical assault or robbery
- experiencing family or domestic violence
- experiencing sexual assault
- having a family member killed or injured as a result of a violent attack or culpable driving
- witnessing a crime.

The family members of a victim of crime often suffer emotional distress too and may also apply for compensation.

### Victims of Crime Helpline

The Victorian Government's Victims of Crime Helpline provides free information, advice and support for you and your family. The line is open from 8 am to 11 pm, seven days a week. You can call on 1800 819 817 or text 0427 767 891.

The helpline is your gateway to services that can help you manage the effects of crime by providing:

- information about your rights
- advice about how to report a crime
- information about the legal process
- help applying for victims of crime compensation and financial assistance
- links to other victim support services.

The Victims of Crime Helpline can also organise a support worker to help you with:

- meeting your day-to-day needs
-

- organising counselling, transport and medical services
- looking out for your personal safety
- organising emergency home security
- speaking with police and lodging a report
- applying for financial assistance
- preparing a 'victim impact statement'
- getting ready for court
- getting information about the offender.

### **Victims of Crime Assistance Tribunal**

If you have been the victim of a crime, you can apply for financial help from the **Victims of Crime Assistance Tribunal** (VOCAT).

Payments from VOCAT can help cover the costs of:

- counselling and other medical expenses
- safety-related expenses such as home security
- clothing worn at the time of the incident that has been damaged or destroyed
- loss of income
- funeral costs.

### **Victims of crime financial assistance**

Every person's situation is different, but most victims of crime receive around \$7,500. The amount you can get depends on the crime and whether you are a primary, secondary or related victim.

#### **Primary victim**

A primary victim is a person who is injured or dies as a direct result of:

- an act of violence committed against them
- trying to stop an act of violence
- helping the victim of an act of violence
- trying to arrest someone who has committed an act of violence.

Primary victims can receive up to \$60,000 for:

- counselling and other medical expenses
- safety-related expenses
- loss of income (up to \$20,000)
- replacing lost or damaged clothing.

#### **Secondary victim**

This is a person who is injured as a direct result of:

- being at the scene of a crime and witnessing an act of violence
- becoming aware of an act of violence (this applies to a parent or guardian of a primary victim who was under 18 years old at the time of the incident).

Secondary victims are entitled to up to:

- \$50,000 for medical and counselling expenses
- loss of income (up to \$20,000).

#### **Related victim**

A related victim is a person who, at the time of an act of violence, either:

- was a close family member
- was a dependant
- had an intimate personal relationship with the victim of crime.

Related victims are entitled to amounts of up to \$50,000 for:

- medical or counselling expenses
- compensation for distress
- funeral expenses
- loss of money expected to be received from the deceased (up to two years after the death).

### **Applying for VOCAT financial assistance**

To apply for financial assistance from VOCAT:

- you must be a victim of a violent crime that happened in Victoria.
- the crime must have been reported to police within a reasonable time.
- the crime must have happened within the past two years (some childhood sexual crimes might be an exception to this).

You can still apply to VOCAT even if:

- the offender has not been identified or charged by the police
- the accused person was not found guilty at court.

### **Making a victim of crime application**

For an application for financial assistance through VOCAT, you will need to provide evidence from your doctor to show that you have been injured if you are seeking medical expenses. You will also need to prove loss of income and proof of any expenses that have resulted from the crime.

If you have a psychological problem as a result of the crime, you will need a report from a psychologist.

To make an application for compensation:

1. Start by calling the Victims of Crime Helpline on 1800 819 817 to discuss your case.
2. You can then make an online application via the [VOCAT website](#). Alternatively, you can print the Application for Assistance
3. form, hand write your application and deliver it to your local Magistrates' Court.
4. VOCAT will then send you an email confirming receipt of your application.
5. VOCAT will collect evidence, including evidence from the police, to make a decision about your application. This can take some time.

### **Immediate help for financial hardship**

If you need urgent financial help, you can apply for an 'interim award'. To apply for this, include a letter with your VOCAT application form that clearly states:

- that you are applying for an interim award
- the amount of financial help you need
- the reason why you need the payment urgently.

Provide copies of receipts or bills with your letter.

In the meantime, many companies (such as phone, gas and electricity providers) will give you extra time to pay your bills or come up with a payment plan so you can pay off your debts over time. Phone the companies and explain that you are having financial hardship and see how they may be able to help.

### **Other types of compensation**

In addition to a payment through VOCAT, you might be able to get compensation through:

- Medicare
- the Transport Accident Commission (TAC)
- WorkCover
- insurance policies (such as health insurance and income protection).

#### **Compensation from the offender**

You may also be able to claim compensation from the person who committed the crime if they are found guilty in court. For more information visit the **[Victorian Government's Victims of Crime website](#)**.

#### **Where to get help**

- Your doctor
- Victims of Crime Helpline, call 1800 819 817

**This page has been produced in consultation with and approved by:**

Department of Health and Human Services

Content on this website is provided for information purposes only. Information about a therapy, service, product or treatment does not in any way endorse or support such therapy, service, product or treatment and is not intended to replace advice from your doctor or other registered health professional. The information and materials contained on this website are not intended to constitute a comprehensive guide concerning all aspects of the therapy, product or treatment described on the website. All users are urged to always seek advice from a registered health care professional for diagnosis and answers to their medical questions and to ascertain whether the particular therapy, service, product or treatment described on the website is suitable in their circumstances. The State of Victoria and the Department of Health & Human Services shall not bear any liability for reliance by any user on the materials contained on this website.

For the latest updates and more information, visit [www.betterhealth.vic.gov.au](http://www.betterhealth.vic.gov.au)

**Copyright © 1999/2019** State of Victoria. Reproduced from the Better Health Channel ([www.betterhealth.vic.gov.au](http://www.betterhealth.vic.gov.au)) at no cost with permission of the Victorian Minister for Health. Unauthorised reproduction and other uses comprised in the copyright are prohibited without permission.