

Compensation



If you have been a victim of crime there may be compensation available to you from the following sources:

(1) Victims of Crime Assistance Tribunal (VOCAT)

People affected by violent acts of crime may be eligible for financial assistance from VOCAT. For a crime to be claimable the crime must have happened in Victoria and been reported to the police in a reasonable time. Expenses covered usually include medical, counselling, or funeral expenses. If you think you may be eligible for assistance from VOCAT you must complete an application form and provide written evidence in support of your claim within two years of the crime. For more information call VOCAT on 9628 7855.

(2) Civil Proceedings against the Offender

It is possible to institute civil procedures against the perpetrator in the state courts. Your decision to take this action may depend on whether the offender has assets from which to claim damages and on whether the offender can be identified or found. For more information it is best to obtain legal advice.

(3) Compensation under the Sentencing Act

Section 85 of the *Sentencing Act* allows a victim, within 12 months of a conviction, to apply to the court for an order that the offender pay compensation to the victim for pain and suffering. The court must have appropriate information and the victim or any other witness may be asked to give evidence. The court may need evidence such as a Victim Impact Statement or a police brief. The offender must be given an opportunity to be heard and their financial situation is taken into account.

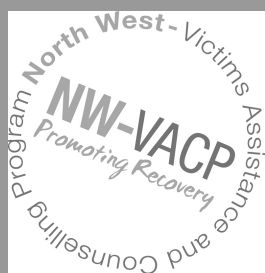
(4) Third Party Compensation

Third party compensation may be available if a person is injured as a result of the negligent or reckless use of a motor vehicle. For more information contact Transport Accident Commission (TAC) 1300 654 329.

(5) Workcover

If the crime occurred at work you may be entitled to claim Workcover. Workcover may maintain regular payments of income. It may also pay medical expenses in full. No lump sum compensation is available under Workcover for emotional stress or mental injury. For more information call the Workcover Advisory Service 1800 136 089.

Source: The Law Handbook, Fitzroy Legal Service, 124 Johnston Street, Fitzroy.



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