

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

Victims of Crime Compensation

- If you have suffered as a result of a crime, you may be entitled to make a claim for the injuries sustained.
- Claims can be made on the grounds of physical and/or emotional injury.
- A police report is mandatory.
- An application must be made to the Attorney-General's Department via a lawyer.
- The maximum claim is \$50,000.
- You will need to engage a lawyer. Victim Support Service can give you contact details for lawyers who can provide you with a free consultation.
- No funds are available for property loss.

Further information can be obtained by contacting Victim Support Service on (08) 8231 5626.

Civil Proceedings against the Offender

- You have the right to attempt to seek compensation from the offender for (1) personal injuries and (2) property loss.
- If the offender is known and is a person of substantial financial assets, this is the most effective and appropriate way to proceed.
- In many cases, the offender is not known and therefore no proceedings can be commenced.
- In many other cases, although the offender is known, they are often without assets. In this instance the legal costs of proceedings would often exceed any financial gain.

Further information regarding an appropriate lawyer can be obtained by contacting the Law Society on (08) 8229 0222.

Victim Impact Statement

If the matter is going to court, you may be asked by police to fill out a Victim Impact Statement. The main purpose of this statement is to tell the Judge or Magistrate how the crime has affected you so that they can consider this in decisions that they make. A section of the statement allows you to explain any financial losses relating to the crime. The Judge or Magistrate can order the offender to pay you compensation.

- This option is only available if someone has been convicted of an offence.
- If the offender has no money, there may be substantial delays in receiving any money or alternatively the offender may elect to perform community work or serve time in prison rather than actually pay the compensation.
- The Judge or Magistrate may decide on other grounds not to order the compensation be paid.
- It is recommended that compensation of this nature be limited to small property loss such as damage to clothing or other personal property.

For further information speak to Victim Support Service or the Prosecutor handling your case.

This fact sheet has been developed to provide general information to victims of crime. It is not intended as a replacement for medical, therapeutic or legal advice. If you have particular concerns please contact your general practitioner, counsellor or Victim Support Service.

WorkCover

If the crime occurred at work, you may be entitled to claim WorkCover.

- WorkCover will maintain regular weekly payments of income. It usually pays medical expenses in full.
- No lump sum compensation is available under WorkCover for emotional stress or mental injury.

Further information can be obtained by contacting WorkCover on (08) 8223 2222.

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.

- The maximum level of compensation is higher than Victims of Crime Compensation.
- This option is only available in cases where a person is injured as a result of the use of a motor vehicle.

Further information can be obtained by contacting Allianz Insurance or the Law Society on (08) 8229 0222 regarding an appropriate lawyer or solicitor.

Civil Proceedings against the Occupier of Premises where an Assault Occurred

- The occupier of the premises usually owns the premises and usually has sufficient funds to meet compensation costs ordered.
- The occupier of the premises will almost certainly defend the proceedings.
- In order to succeed in a claim it will be necessary to show that the occupier of the premises contributed to the assault by failing to take some sort of appropriate action such as:
 - failing to maintain adequate security on the premises, or
 - encouraging drunken patrons to consume further alcohol.

Further information regarding an appropriate lawyer can be obtained by contacting the Law Society on (08) 8229 0222.

Further Information

If you would like more information, please contact Victim Support Service on (08) 8231 5626 or view our website at www.victimsa.org

*** This information was compiled with the assistance of Matthew Mitchell, Solicitor.**