

Can I get compensation?

Queensland

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If you have been injured in a violent act, including if you survived childhood sexual abuse, you may be able to get compensation. You might want compensation to recognise the wrongdoing done to you and to recover money you've paid or will need to pay to help you get better.

You might be able to get compensation by:

- making a Victims of Crime Assistance application
- taking legal action against the person and/or institution responsible for your injuries (civil claims)
- applying to an institutional redress scheme
- from 2018 through a Commonwealth Redress Scheme.

It is important that you get legal advice about the best option, so contact knowmore

What is Victims of Crime Assistance?

Assistance is available to victims of crime to help them with expenses and recovery from injury. If you were injured in a crime that occurred before 1 December 2009, this information may not apply to you and you should get legal advice. You should contact knowmore.

Can I make an application?

If you've been injured in a violent crime, you may be able to apply for financial assistance.

You may also be able to make an application if you saw someone else being injured or if you suffered an injury upon discovering that your child was injured in a crime.

What support can I get?

If you were injured, you can make an application for financial assistance to help you cover the costs of:

- counselling
- medical treatment and
- travel

If you were working at the time of the injury, you may also be able to get some help for lost wages. You may also be able to get some money to recognise the wrongdoing done to you. This is called "special assistance".

How long do I have to make a claim?

Usually you have three years from when the crime took place to make an application for financial assistance.

If you were a child when the crime happened, you usually need to apply before you turn 21.

You might be able to apply late.

You should get some legal advice, so contact knowmore for legal help.

How do I make an application?

You can make an application to Victims Assist Queensland. Your doctor may also need to fill in a special medical certificate.

It is important to include support documents with your application, like medical and police reports and receipts for expenses.

Can I get counselling?

Yes. You can contact knowmore or call the Victims Counselling and Support Services on 1300 139 703 to discuss your situation.

Does someone have to be charged?

No, the person who injured you does not have to be charged for you to get financial assistance.

Do I have to have made a report to the Police?

You generally must report the crime to police, even if the crime happened a long time ago.

Special victims, like children and sexual assault survivors, may report the crime to their counsellor, psychologist or doctor instead.

Will the person who injured me find out?

They might, but only if they are found guilty of the crime they committed and Victims Services asks the person to pay back some or all of the financial assistance given to you.

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Will I have to go to Court?

No, because the decision about whether you can receive compensation is made only on your written application and evidence. But they might ask you to see a health professional.

Taking legal action against the person or institution (civil claims)

You might be able to sue the person and/or institution responsible for your injuries in the civil courts. These claims are often called “civil claims”.

How long do I have to make a civil claim?

If you experienced childhood sexual abuse in an institution in Queensland there is no time limit for making a civil claim.

Civil claims are very complicated and you should get a lawyer to help you with the claim. knowmore can help you find lawyers who are experienced with childhood sexual abuse claims.

What is an institutional redress scheme?

Some institutions like the Catholic Church might accept complaints about physical, emotional and sexual abuse committed by their staff.

These complaints go through what is often called an “institutional redress scheme”. Sometimes these schemes will pay compensation and provide other support, such as counselling.

These schemes are very different to the options already talked about. If you would like to know more about them and whether one is available to you, contact knowmore.

Commonwealth Redress Scheme

The Australian Government is establishing a Commonwealth Redress Scheme for survivors of institutional childhood sexual abuse. The scheme will be established in 2018. As more information comes to hand, we will post details on our website.

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