

Can I get compensation?

Victoria

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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:

- applying for financial assistance
- making an application for crimes compensation with a court
- 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 an application for financial assistance?

Financial assistance is available to victims of crime to help them with expenses and recovery from injury.

Can I make an application?

If you've been injured in a violent crime, you may be able to apply for financial assistance and other support, such as counselling services.

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;
- safety changes; and
- lost wages

You may also be able to get some money to recognise the wrongdoing done to you. This is called "special financial assistance".

How do I make an application?

You can make an application to the Victims of Crime Assistance Tribunal.

How long do I have to make a claim?

Usually you have two years from when the crime took place to make an application for financial assistance. The Tribunal may accept your

application late, but you need to explain why there has been delay.

Can I get counselling?

Yes, any victim of a violent crime can get counselling. You can contact **knowmore** or call the Victim Support Line on 1800 819 817 to discuss your situation.

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

Usually, the Tribunal can only give you financial assistance if they are satisfied that you have made a complaint to the police in a reasonable amount of time. However, you may be able to satisfy the Tribunal there were exceptional circumstances explaining why you didn't report to police.

Does someone have to be charged?

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

Will the person who injured me find out?

If the Tribunal wants to hear your application in person, then the offender might be told about the hearing. However, the Tribunal will notify you first and give you a chance to say why you don't want that to happen.

If you are worried about the person finding out, contact **knowmore** for assistance.

Will I have to go to Court?

Not if you don't want to. The Tribunal is able to make a decision about whether you can receive financial assistance on your written application and evidence only.

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What is an application for Crimes Compensation?

If the person who injured you has been found guilty of the crime, you may be able to make an application for crimes compensation with the court that convicted them.

How long do I have to make a claim?

Usually you have 12 months from the date the offender is found guilty or convicted of the offence to make an application. The court may still accept your application late, but you will need to explain why this would be in the 'interests of justice'.

These types of applications are complicated and you should seek legal advice, so contact **knowmore** for legal help.

Taking legal action

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 or physical abuse in Victoria, 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.

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**.

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NACLC acknowledges the traditional owners of the lands across Australia upon which we live and work. We pay deep respect to Elders past and present.

The information provided in this factsheet is for information only. It must not be relied on as legal advice. You should seek legal advice about your own particular circumstances. | Last updated: 2017 © **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.

Contact knowmore

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