

Can I get compensation?

Western Australia

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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 Criminal Injuries Compensation application
- 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 the Criminal Injuries Compensation Scheme?

The Criminal Injuries Compensation Scheme gives money to victims of crime for injury or loss caused by the crime.

Can I make an application?

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

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
- pain and suffering and
- safety changes

If you were working at the time of the injury, you may also be able to get some help for lost wages.

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 compensation.

Special rules apply to children and parents acting on their child's behalf.

You should get some legal advice to see whether you can make a claim, so contact knowmore for legal help.

How do I make an application?

You can send an application form to the Chief Assessor of Criminal Injuries Compensation.

It is important to include supporting documents with your application, like medical reports, police reports and financial receipts and statements.

Can I get counselling?

Yes, any victim of a violent crime can get free, confidential counselling. You can contact knowmore or call the Victim Support Service on (08) 9425 2850 to discuss your situation.

When you apply, you may also be able to claim for money you've already paid to get private counselling or psychological support.

Does someone have to be charged?

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

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

It is necessary for you to do everything you can to assist the police identify and prosecute the criminal. You still must do this even if the crime happened a long time ago.

Will the person who injured me find out?

Yes, in most cases the criminal will be told about your application for compensation.

Will I have to go to Court?

No, but you might be asked to attend a private and informal hearing with an Assessor. You might also be asked to see a health professional.

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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.

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?

The time limit for making a civil claim depends on the type of claim you are making and the date that your injury occurred.

Generally, for more recent claims, you have six years from when you suffer injury to start the claim (three years for assault, battery, imprisonment or trespass to the person). Whether you can obtain an extension of time depends on the date that you were injured and your personal circumstances.

In 2016 legislation was introduced into the Western Australian parliament to remove time limits for survivors of child sexual abuse. The legislation has not been passed yet. We will put information on our website when the new law is passed.

These types of applications 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.

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

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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