

# Can I get compensation?

## Australian Capital Territory

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Free advice line 1800 605 762 | Website [knowmore.org.au](http://knowmore.org.au)

**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 an application for financial assistance
- making an application for a reparation payment 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 the Redress Scheme.

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

### Applying for financial assistance

#### 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 suffered an injury upon discovering that your child was injured in a crime.

#### What support can I get?

Depending on when the injury occurred, you can make an application for financial assistance to help you cover any money you have paid to help you get better.

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 financial assistance".

#### How long do I have to make a claim?

Usually you have one year from when you sustained an injury to make an application for financial assistance.

If it has been longer than this, you can ask the court to look at your application anyway. You will need to explain the delay in applying.

#### How do I make an application?

You can make an application through the ACT Magistrates' Court.

Your application must include specific evidence, so contact knowmore to get legal help.

#### Can I get counselling?

Yes, Victims Support ACT may be able to provide you with access to counselling. You can contact knowmore or call the Victims of Crime Line on 1800 822 272.

Any application made to the court for financial assistance can include future counselling costs.

#### 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?

Yes, you must report the crime to police in order to receive financial assistance. You still must do this even if the crime happened a long time ago.

#### Will the person who injured me find out?

They might. Sometimes the person might be told about your application and attend the hearing to contest it.

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

### Will I have to go to Court?

Yes, but if you make an application, you can have a lawyer be there for you.

### What is a reparation payment?

If the person who injured you has been found guilty of the crime, then the court can make an order that they pay you money for your expenses. This is called a “reparation order”.

An application can only be made at the time the person is being sentenced, and is usually made by the prosecutor.

### 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 institutional childhood sexual abuse in the Australian Capital Territory, 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 institutional 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**.

### Redress Scheme

The Australian Government is establishing a Redress Scheme for survivors of institutional childhood sexual abuse. The ACT government has announced that it will ‘opt in’ to the scheme. Survivors who experienced child sexual abuse in ACT government institutional settings will be able to apply for redress under the scheme. The scheme will be open for applications once the law setting up the scheme has been passed. It is hoped the scheme will start in July 2018.

**More information is available at**

**[www.dss.gov.au/redress](http://www.dss.gov.au/redress)**

**or by phoning the**

**National Redress Information Line –  
1800 146 713**

### Contact knowmore

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