



FREE AND CONFIDENTIAL LEGAL ADVICE & HELP

Victims Support – Summary

Counselling (assist in recovery)

- Initial 10 hours
- Further 12 hours if required
- No time limit
- Unlimited counselling hours for victims of childhood sexual assault or child abuse (applications and requests for further hours since Jan 2019)

Financial assistance for immediate needs (address urgent needs)

- Implementation of safety measures
- Assistance to relocate
- Capped at \$5000
- Funeral costs capped separately at \$9500
- Limitation period of 2 years from the incident or within 2 years of turning 18 for children

Financial Assistance for Economic Loss (aid rehabilitation and recovery)

- Medical and dental expenses
- Assistance with cost of living, capped at \$5000 for victims who were unemployed at the time of the violence
- Expenses associated with damage to personal effects capped at \$1500
- Justice-related expenses capped at \$5000 (immediate family members of homicide victims)
- Loss of actual earnings capped at \$20 000
- Total limit is \$30 000
- Limitation period of 2 years from the incident or within 2 years of turning 18 for children
- There is no time limit for victims of sexual assault if they were a child at the time the incidents occurred to claim for justice related or out-of-pocket expenses

Recognition Payment (acknowledgement of the trauma suffered)

- \$15 000 financially dependent family of a homicide victim
- \$7500 non financially dependent parents of a homicide victim
- \$10 000 sexual assault involving serious bodily injury, multiple offenders or use of an offensive weapon; Pattern of sexual or indecent assault/ attempted sexual assault involving violence
- \$5000 sexual assault; attempted sexual assault involving grievous bodily harm; pattern of physical assault of a child
- \$1500 Indecent assault; attempted sexual assault involving violence; robbery; assault
- Limitation period of 2 years from the incident or within 2 years of turning 18 for children
- Claims for domestic violence, sexual assault and child abuse offences must be lodged within 10 years or within 10 years of turning 18 for children
- There is no time limit for victims of sexual assault if they were a child at the time the incident occurred



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Evidence

- A report from Police or a Government agency (e.g Hunter New England Health)
- Evidence of injury (medical evidence e.g medical reports, doctor's certificates, psychologist report)
- Evidence of expenses being claimed (eg quotes, invoices or receipts)
- It is no longer relevant if there was a delay in reporting an act of violence to Police or a health care practitioner. (recognizing the barriers to disclosing violence or seeking help)
- Amendments broaden the types of reports that may support an Applicant's claim
- Non-government organisations (NGO's) may now provide reports

Non-Government Organisation Reports

- The organisations must be funded by the NSW or Federal government to provide welfare, health, counselling or legal assistance services to victims of crime
- The form requires the organisations to disclose details of funding received to enable assessment of whether your organisation's report can assist to progress the Applicant's claim
- Reports must be sufficient to support, on the balance of probability, the Applicant's claim to be a victim of an act of violence
- Should be objectively written
- The strength of the report can vary depending on:
 - The type of service the organisation is funded to provide
 - The context of the disclosure
 - Details and specificity of disclosure
 - Whether the victims have an ongoing relationship with the organisation and whether the victim disclosed the act of violence multiple times
 - No reimbursement or payment to NGO's for providing report
 - Government-funded organisation reports form available from Victims Services website

Internal Review

- Extended the time an applicant may apply for an internal review of a decision from 28 days to 90 days (for applications made, but not determined before 14 January 2019)

Other Changes

- Victims of terrorist acts involving motor vehicles will be eligible for Victims Support
- Family victims may apply for support, when a person dies by a motor vehicle where the offender has been charged with homicide

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