



# Special Financial Assistance Minimum/Maximum Awards by Act of Violence

(from 1 July 2007)

## Victims of Crime Assistance Tribunal

CATEGORY	Act of violence committed <u>prior</u> 1 July 2007		Act of violence committed <u>on / after</u> 1 July 2007		ACTS OF VIOLENCE AND CLASSES OF ACTS OF VIOLENCE	INCLUDING (BUT NOT LIMITED TO) THE FOLLOWING OFFENCES
	MINIMUM AWARD	MAXIMUM AWARD	MINIMUM AWARD	MAXIMUM AWARD		
A	\$3,500	\$7,500	\$4,667	\$10,000	Any offence that involves: <ul style="list-style-type: none"> <li>▪ The sexual penetration of a person; or</li> <li>▪ Attempted murder</li> </ul>	<b>Crimes Act 1958</b> Sections 38, 38A, 44, 45, 48, 51(1), 52(1), 59
B	\$1000	\$2,500	\$1,300	\$3,250	Any offence that involves: <ul style="list-style-type: none"> <li>▪ Attempted sexual penetration of a person; or</li> <li>▪ An indecent act with, or indecent assault against, a person; or</li> <li>▪ Armed robbery; or</li> <li>▪ Aggravated burglary; or</li> <li>▪ The deprivation of liberty of a person for the purposes of sexual penetration or demanding any ransom for their release.</li> </ul>	<b>Crimes Act 1958</b> Sections 39, 40, 47, 49, 51(2), 52(2), 55, 56, 63A, 75A, 77  <b>Common law offences</b> Kidnapping
C	\$500	\$1000	\$650	\$1,300	Any offence that involves: <ul style="list-style-type: none"> <li>▪ An attempt to commit a Category B act of violence; or</li> <li>▪ A threat of death; or</li> <li>▪ Conduct endangering life; or</li> <li>▪ Inflicting serious injury; or</li> <li>▪ Robbery</li> </ul>	<b>Crimes Act 1958</b> Sections 16, 17, 20, 22, 24, 27, 75
D	\$100	\$500	\$130	\$650	Any offence that involves: <ul style="list-style-type: none"> <li>▪ An attempt to commit a Category C act of violence; or</li> <li>▪ A threat of injury; or</li> <li>▪ An assault against a person; or</li> <li>▪ An attempted assault; or</li> <li>▪ The deprivation of the liberty of a person, excluding a category B act of violence; or</li> <li>▪ An act of violence not otherwise specified as a category A, B, C or D act of violence.</li> </ul>	<b>Crimes Act 1958</b> Sections 18, 21, 21A, 30  <b>Common law offences</b> False imprisonment Common assault Riot Affray

Section 8A(5) of the *Victims of Crime Assistance Act 1996* sets out minimum and maximum amounts of special financial assistance that may be awarded by the Victims of Crime Assistance Tribunal by act of violence. The *Victims of Crime (Special Financial Assistance) Regulations 2011* specifies the acts of violence / classes of acts of violence that are categorised as category A, B, C or D.



# Provisions to Uplift Category

## Victims of Crime Assistance Tribunal

Victims of Crime Assistance (Special Financial Assistance) Regulations 2011

Rule 7	<b>When category A maximum amount is available for category B, C or D acts of violence</b>	<p>The maximum amount in relation to a category A act of violence is prescribed as the maximum amount in relation to a category B, C or D act of violence where as a direct result of the act of violence the victim has—</p> <ul style="list-style-type: none"> <li>(a) suffered a very serious physical injury; or</li> <li>(b) been infected with a very serious disease; or</li> <li>(c) been the victim of a series of related criminal acts being acts of indecent assault or sexual penetration.</li> </ul>
Rule 8	<b>When category B maximum amount is available for category C or D acts of violence</b>	<p>The maximum amount in relation to a category B act of violence (apart from regulation 7) is prescribed as the maximum amount in relation to a category C or D act of violence where, as a result of the act of violence, the victim has—</p> <ul style="list-style-type: none"> <li>(a) suffered a serious injury; or</li> <li>(b) been the victim of related criminal acts of violence; or</li> <li>(c) suffered a deprivation of their liberty—</li> </ul> <p>and at the date of the occurrence of the act of violence or, in the case of related criminal acts of violence, any of those acts, the victim was a child under the age of 18, elderly or impaired.</p>
Rule 9	<b>When category C maximum amount is available for category D acts of violence</b>	<p>The maximum amount in relation to a category C act of violence (apart from regulation 7 or 8) is prescribed as the maximum amount in relation to a category D act of violence where—</p> <ul style="list-style-type: none"> <li>(a) as a result of the act of violence, the victim has been the victim of related criminal acts of violence; or</li> <li>(b) at the date of the occurrence of the act of violence or, in the case of related criminal acts of violence, any of those acts, the victim was a child under the age of 18, elderly or impaired.</li> </ul>

**very serious physical injury** means actual physical bodily harm to the body of a permanent or long term duration that involves—

- (a) loss of a body function; or
- (b) disfigurement of a part of the body; or
- (c) total or partial loss of a part of the body; or
- (d) loss of a foetus; or
- (e) loss of fertility.