



VICTIMS OF
CRIME ASSISTANCE
TRIBUNAL

Annual Report
2017–2018



Year at a Glance



7,351 APPLICATIONS FILED, UP BY 0.5%.



7,655 ORDERS FINALISING APPLICATIONS FILED, UP BY 6.2%.



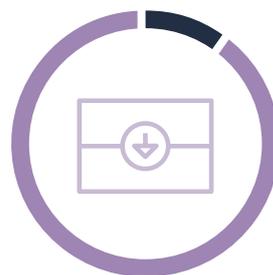
5,104 AWARDS OF ASSISTANCE MADE, UP BY 7.7%.



\$55.4 MILLION AWARDED, UP BY 2.8%.



JUDICIAL REGISTRARS MADE 23.2% OF FINAL AWARDS.



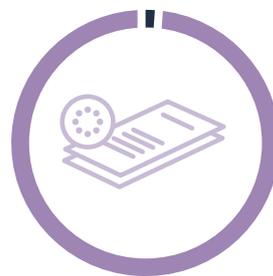
KOORI LIST APPLICATIONS DOWN BY 9.8%.



AVERAGE AWARD AMOUNT \$7,701, DOWN BY 3.5%.



INTERIM AWARDS FOR ASSISTANCE DOWN BY 5.5%.



7,292 PENDING APPLICATIONS, UP BY 1.2%.



1,271 ONLINE APPLICATIONS FILED, UP BY 18.3%.



55,019 UNIQUE VISITS TO OUR WEBSITE, UP BY 56%.



TRIBUNAL'S OPERATING COST UP BY 11.3%.

Contents

Letter to Minister	7
Chief Magistrate's Message	8
About VOCAT	13
Supporting Victims of Crime	19
The Tribunal – Year in Review	33
Managing VOCAT	37
Our Statistical Report	43
Our Financial Report	57
Our Directory of Tribunal Members & Judicial Registrars in the year under review	60
Magistrates' Court of Victoria Contact Details	62

Letter to Minister

01/09/2018

The Honourable Martin Pakula MP
Attorney-General
121 Exhibition Street
Melbourne Vic 3000

Dear Attorney-General,

In accordance with the requirements of section 68 of the *Victims of Crime Assistance Act 1996*, I am pleased to present the annual report of the Victims of Crime Assistance Tribunal for the year ending 30 June 2018.

The report sets out the performance of the Tribunal's functions, powers and duties during the year under review.

Yours sincerely,



Peter Lauritsen
Chief Magistrate



Chief Magistrate's Message

THE HONOURABLE CHIEF MAGISTRATE, PETER LAURITSEN

The Victims of Crime Assistance Tribunal (VOCAT) commenced operation 21 years ago in July 1997. In those 21 years the Tribunal has established itself as an intrinsic component of the Victorian criminal justice system.

All Magistrates hold dual appointments as Tribunal Members and as Magistrates. Hearing and determining victims of crime applications in the Tribunal gives Magistrates valuable insight into the negative impact that crime has on victims, their families and friends, and society more generally. That experience and perspective in turn informs Magistrates' broader work across all the jurisdictions of the court in delivering just outcomes.

As a result of recommendations of the Royal Commission into Family Violence, the Victorian Law Reform Commission (VLRC) was given a reference to review the provision of State-funded financial assistance to victims of family violence. The terms of reference were subsequently expanded, to consider the operation and effectiveness of the Victims of Crime Assistance Act 1996 and the Tribunal for all victims, including family violence victims. The VLRC has been conducting this review throughout the financial year. This has generated considerable discussion and debate about the health and value of the scheme. The Tribunal welcomes the review and feels strongly that a healthy and robust scheme must be refined periodically for the benefit of all victims of crime.

VOCAT, along with the Magistrates' Court and the Children's Court made extensive submissions to the VLRC including identifying an improved model for administration of scheme. VOCAT recognises that not all victims are the same and that those differences require flexibility in how we provide assistance. Subject to the VLRC report and any legislative amendments, VOCAT aims to provide specialised assistance in a timely and consistent manner.

VOCAT is not the only source of assistance available for victims of crime, however it can often be the most effective pathway for relief. For example, while a victim may apply to the sentencing court for an order requiring the perpetrator to pay compensation this is of little value if the offender has no assets, as is frequently the case. Moreover, an award of compensation from the sentencing court is not an option that can be pursued if the perpetrator of a crime has not been identified or a person has been charged but ultimately found not guilty. In such cases, VOCAT may still offer victims an avenue of financial assistance and redress, underscoring its importance as a vital part of an effective criminal justice system.

Perhaps most importantly, the Tribunal provides an empathetic forum for victims to tell their story and have their experiences of loss and suffering acknowledged by a judicial officer. The Tribunal is not required to conduct itself in a formal manner nor is it bound by strict rules of evidence and procedure. It can inform itself in any manner that it thinks fit. It is not uncommon for a Tribunal Member to sit at the bar table with a victim and engage in a frank discussion about the impact the crime has had and to investigate openly options which the Tribunal could fund to assist the person to recover from the act of violence. This ensures that awards are relevant and effective.

The Tribunal continues to grow both in the number of victims seeking assistance and the complexity of those claims. At the same time the Magistrates' Court generally is growing steadily and invariably outpacing increases in resources. It is to the credit of all those judicial officers that during this time VOCAT has managed to finalise a record number of VOCAT matters during the 2017/18 financial year.

There were 7,655 applications for assistance finalised in 2017/18 up by 6.2% (7,209 in 2016/17). This follows a 22% increase during the previous year (5,910 in 2015/16). The Tribunal's capacity to increase output in response to changes in demand is a testament to the dedication of the Tribunal Members and all VOCAT Registrars and staff.

One of the key improvements in the reporting period was to target the most under-resourced parts of the Tribunal. It was determined that metropolitan courts outside of Melbourne CBD were managing more applications per funded position than any other area around the state. Two dedicated specialist Registrars were appointed in October 2017 to travel throughout the suburban courts in weekly blocks.

These positions were funded by a closer management of legal costs and required no extension of the existing budget. The Specialist Registrars were able to assist existing staff and Tribunal Members by providing comprehensive and timely support in the processing of VOCAT claims. The result was a dramatic reduction in pending cases in these high volume courts. Approval was given to extend these roles for the duration of the 2018/19 financial year.

There were also a record number of applications for assistance lodged with the Tribunal in 2017/18 (7,351 up from 7,312 in 2016/17). Accordingly, despite helping more victims than in any other year the number of pending applications (those yet to be finalised) grew once again to 7,292 as at the end of the reporting period (up 1.2% from 7,207 in 2016/17).

Improvements to the reporting capacity of our case management system have allowed us to gain a clearer picture of how many victims of family violence are awarded assistance by VOCAT. It has also allowed us to gain a better understanding of the direct links between VOCAT and the other victims' service providers.

Approximately 32.8% of all applications to VOCAT in 2017/18 arose from an act of family violence. Increases in crisis funding for other family violence services has reduced the immediate need for interim assistance from VOCAT. While VOCAT interim awards were down slightly, the number of final awards increased in 2017/18. VOCAT remains a vital part of the overall services provided to victims of family violence and has shown the ability to adjust to the needs of the sector.

During the reporting period, the Tribunal awarded over \$49.4 million in financial assistance to victims of crime, and an additional \$6 million in legal costs to lawyers assisting applicants. The Tribunal made 5,104 awards of financial assistance over the reporting period, with the average amount of financial assistance awarded on final determination decreasing slightly to \$7,701. While the average dollar figure for final awards went down, the average interim award increased.

Judicial Registrars once again made a significant contribution throughout the year to assisting victims of crime, finalising 1,779 applications for assistance in 2017/18, up from 1,539 in 2016/17. This constitutes approximately 23.2% of the total number of applications finalised throughout the year.

It is important to acknowledge the work of the VOCAT Coordinating Committee for its guidance, support and ongoing oversight of the scheme throughout this year. There are numerous challenges in providing assistance to victims in a consistent, tailored and timely manner. The Committee has provided leadership within the Tribunal as well as working hard to provide submissions to the VLRC review.

I also wish to extend sincere thanks to the Tribunal's Supervising Magistrates, Jo Metcalf, and Fiona Hayes for their dedication and leadership. Magistrate Andrew Capell officially stepped down as Supervising Magistrate in February of 2018. Magistrate Capell served in this role for over 7 years and has been an invaluable asset to the Tribunal. He will continue his involvement with the Coordinating Committee.

Last, but by no means least, I wish to acknowledge the achievements of the Registrars and Tribunal staff throughout 2017/18. Registrars deal day by day with numerous files that each tell a unique and detailed story of disturbing crime. This material, in conjunction with an ever increasing workload, means that at times VOCAT can be a stressful and challenging place to work. Yet to a person, the Registry staff have been diligent, innovative and sensitive, and carry out their responsibilities to an extremely high standard. Without their efforts, Tribunal Members would not be able to fulfil their own functions as effectively.



Peter Lauritsen
Chief Magistrate





BROADMEADOW MAGISTRATES COURT

About VOCAT

The Victims of Crime Assistance Tribunal (VOCAT) is an integral part of Victoria's criminal justice system and plays a pivotal role in the victim services sector. By providing assistance to help victims recover – and a forum in which they can fully express their experiences of violence – we acknowledge the effects of violent crime on our community.

Who we are

VOCAT is now in its 21st year of operation and was established by the Victims of Crime Assistance Act 1996 (the Act). We are located within the Magistrates' Court of Victoria and operate at all 51 Court venues across the state. Each of the Court's 132 Magistrates including the Chief Magistrate, are also Tribunal members. The Court's 12 judicial Registrars also have Tribunal powers delegated to them by the Chief Magistrate to determine certain types of applications.

VOCAT is unique in being a tribunal within a Court, constituted by Judicial officers who also preside in the Magistrates' Court. This means victims of crime gain acknowledgement of their experiences by a judicial officer in the criminal justice system, but in the more flexible, informal and intimate manner afforded by an administrative tribunal.

The Chief Magistrate is responsible for the arrangement of VOCAT's business, and appoints Supervising Magistrates to support VOCAT's effective operation. Since February 2018, Fiona Hayes has joined Johanna Metcalf in supervising the Tribunal.

Supervising Magistrates encourage best practice across the regions, and are responsible for liaising with the judiciary, staff and community in relation to issues relevant to VOCAT. They provide feedback and make recommendations to improve the procedural framework within which VOCAT operates. Additionally, they have input into developments within the wider justice system that may affect victims of crime.

VOCAT has a Coordinating Committee that supports the Supervising Magistrates to carry out these duties. The committee is constituted by the two Supervising Magistrates, eight other Magistrates, two Judicial Registrars, the Principal Registrar of VOCAT, the Standards and Compliance Officer and the Registry Manager, Melbourne.

The Chief Magistrate has delegated certain powers under the Act to Judicial Registrars, VOCAT's Principal Registrar and other Registrars of VPS grade 3 and above. This includes the power to grant an award of interim assistance of no more than \$5,000.

What we do

VOCAT supports victims to recover from violent crimes committed in Victoria. We acknowledge their pain and suffering, and provide assistance to help meet the costs of their recovery.

VOCAT determines who is eligible to receive financial assistance in accordance with the Act.

We can make awards to cover:

- ▶ funeral expenses
- ▶ the reasonable costs of counselling
- ▶ medical and safety-related expenses
- ▶ loss of or damage to clothing worn at the time of the crime
- ▶ loss of earnings; and
- ▶ other expenses that will assist a victim (in exceptional circumstances).

VOCAT also has the power to make lump sum payments to certain victims of crime. These payments are offered as symbolic expressions of our community's recognition of – and empathy towards – victims and their distress.

In the last 21 years, VOCAT has received 101,295 applications for financial assistance, and awarded \$803 million to victims of crime. This has included 78,051 awards of financial assistance, and tens of thousands of awards of interim financial assistance.

Applications to VOCAT have increased almost every year and this year is no exception. There were 7,351 applications received in the current reporting period, the most in any single year in the Tribunal's history. There were just over 1,000 applications lodged in 1997/98.



Supervising Magistrates Johanna Metcalf and Fiona Hayes

For over 40 years, there has existed a State-based scheme to recognise the impact of crime on victims and to financially assist them on their path to recovery. The Tribunal acknowledges that the experience of each victim of crime is unique and that each will take a different journey, needing individual support, towards recovery.

As a community, our collective understanding of victims' experiences has been deepened by the investigations conducted by the Royal Commission into Family Violence, the Royal Commission into Institutional Responses to Child Sex Abuse and the Victorian Parliamentary Inquiry "Betrayal of Trust". The investigative spotlight on family violence and child sexual abuse has brought about discussion, reflection, review, as well as ongoing cultural and legislative reform. These important inquiries into family violence and sexual abuse have also identified the significant barriers experienced by victims in revealing, reporting and recovering from such crimes.

The criminal justice system has necessarily undergone examination about the extent to which victims can participate, the way in which they can do so safely, without further trauma and the means by which their voices may be heard. Although there has been much previous law reform in this area, the recommendations from both Royal Commissions will result in further change. In the area of family violence alone, there are significant changes flowing from the Royal Commission recommendations. These include the establishment of Specialist Family Violence Courts in the Magistrates' Court, where a victim-centred approach will guide the case-management of family violence cases.

As a result of recommendation 106 of the Royal Commission into Family Violence, the Attorney-General provided a reference to the Victorian Law Reform Commission (VLRC) to review the provision of State-funded financial assistance to victims of family violence under the *Victims of Crime Assistance Act 1996* (VOCA Act). In July 2017, VLRC was asked to expand the first reference to consider the operation and effectiveness of the VOCA Act and VOCAT for all victims, including victims of family violence. The VLRC was due to report to the Attorney-General by 27 July 2018 and, at the time of writing, we are awaiting the outcome of the VLRC's review.

The Magistrates' Court of Victoria (MCV) and VOCAT welcomed the VLRC's review as it provided the first comprehensive review of the Act in its 20 years of operation. It provided a platform for a close examination of the legislative policy, operational and administrative barriers to efficient operation of VOCAT and opened discussions on options for law reform across those areas. We see the review as a critical opportunity to improve VOCAT's role in assisting victims of crime seeking financial assistance and recognition of their experience of violence as part of their recovery journey.

The MCV, VOCAT and the Children's Court of Victoria (CCV) combined to make two joint submissions. The first, in November 2017, consisted of a thematic analysis of issues and considerations raised in the consultation papers and included a summary overview of the key issues for the review to consider. The second submission, in December 2017, provided a more in-depth appraisal of VOCAT's operation, with reform options for consideration.

Central to the reform options submitted to the VLRC was to strengthen the current model by:

- ▶ Retaining the quasi-judicial model (to ensure responsiveness and fairness) but establishing a smaller pool of specialised VOCAT Magistrates, Judicial Registrars, Registrars and administrative staff (to improve consistency in decision making);
- ▶ Co-location of VOCAT's administration, offering a single entry point for VOCAT applications (to promote predictability and transparency); and
- ▶ Triage and case-management from first contact (significantly improving victims' therapeutic experience and reducing reliance on lawyers – which in turn enhances victims' sense of agency).

Collectively, these reform elements provide a strong foundation for a specialised assistance model that is victim-centric, efficient and adaptable to shifting demand.

The 2017/18 statistics demonstrate that there has been an increase in the number of applications to VOCAT. This includes an increase in the number of family violence matters before VOCAT. Although the increases represent the highest number of applications on record, VOCAT has continued to respond to the demand, with an increase in the number of matters finalised within 9 months and also within 12 months. During the 2017/18 financial year, we were able to send experienced Registrars to high-volume Tribunal locations to assist local Registrars in progressing and finalising applications. That program of additional assistance will continue into 2018/19.

There is no doubt that there is a continuing trend of increasing applications, particularly in the areas of family violence and sexual offences. Many of these applications are complex – in that there may not have been successful criminal prosecutions or even a report to police. There have also been a number of events where there are many victims, each of whom is differently affected.

The Tribunal is fortunate to be led by Rod Ratcliffe, Principal Registrar, Donna Caruana, Suzanne Frawley and Andrew Chidzey, Standards and Compliance Officers, together with Registry Managers Sandy Tennant and Ash Hart. They, in turn, have led a team of committed, knowledgeable and resilient Registrars, throughout Victoria, who have maintained primary contact with applicants and their legal representatives. They have also supported each Tribunal Member, again situated throughout Victoria, who bring a wealth of expertise, judicial experience and skill to their individual consideration of cases. We extend our thanks to all Registrars and Tribunal Members who perform the Tribunal's work with dedication and compassion.

Jo Metcalf and Fiona Hayes
Joint Supervising Magistrates,
Victims of Crime Assistance Tribunal



Broadmeadows Lane

Broadmeadows Lane

Supporting Victims of Crime

Before they seek VOCAT's assistance, victims may have spent months, or even years, dealing with the after-effects of violent crime. Apart from crime's obvious physical or psychological impacts, the process of helping police with investigations, being a witness in court, and trying to get their lives back on track can also affect victims' health and wellbeing. VOCAT can help to validate their experiences and restore a sense of dignity, while providing financial help to assist a victim's recovery.

Accessing VOCAT

VOCAT has strong links with the Community Operations and Victims Support Agency (VSA), Victims of Crime Helpline and the state-wide network of victim support services and programs. Many victims of crime learn about VOCAT either from the Victims of Crime Helpline, the Victoria police, Victims Assistance Program, or other victim support services. These services can support victims through the process of applying to VOCAT for financial assistance. Victims can also receive assistance from lawyers.

Who can apply?

VOCAT can award financial assistance to primary, secondary, and related victims, or anyone else who has incurred funeral expenses for a person who died as the result of a violent crime.

A **primary victim** is a person who is injured or dies as a direct result of an act of violence, or is injured or dies trying to assist a victim of a violent crime or trying to prevent a violent crime.

A **secondary victim** is a person who is injured as a result of:

- ▶ being present at and witnessing a violent crime or
- ▶ being a parent or guardian of a child who is a primary victim.

Where a primary victim has died, a **related victim** is a person who was at the time of the crime:

- ▶ a close family member of the victim
- ▶ in an intimate personal relationship with the victim or
- ▶ a dependent of the victim.

An **injury** can be physical or psychological, and includes pregnancy or the exacerbation of a pre-existing psychological illness/disorder. It does not include an injury resulting from property loss or damage.

The application process

There is no fee to make an application to VOCAT. All applicants must file an Application for Assistance form, this can be done online at the Tribunal's website www.vocat.vic.gov.au or at any Magistrates' Court venue in Victoria.

Applicants can usually lodge forms at the Court venue closest to where they live, however, applications must be lodged at the Melbourne Magistrates' Court if:

- ▶ they relate to the death of a person
- ▶ the applicant lives outside Victoria or
- ▶ the applicant identifies as Aboriginal or Torres Strait Islander (for inclusion in the Koori VOCAT List).

Applications must generally be lodged within two years of the crime, however in some circumstances VOCAT can extend this timeframe. In making this decision, VOCAT will consider issues such as the applicant's age at the time of the crime, their mental health, and whether the person who committed the crime was in a position of power, influence or trust in relation to the applicant. In April 2018 Parliament amended the *VOCA Act* to remove the time limit for child victims of physical and sexual abuse.

Most applicants are legally represented and the Victims Assistance Program or Law Institute of Victoria can help applicants find lawyers to assist with their applications. VOCAT usually covers the reasonable cost of the lawyer's fees, and lawyers cannot bill clients for a VOCAT application without VOCAT's approval.

The screenshot shows the 'Victims of Crime Assistance Tribunal' website. The main heading is 'Application for Assistance'. Below this, there are sections for 'Applicant Details' and 'Details of Person Wanting Assistance'. The 'Applicant Details' section includes fields for 'Name' and 'Title'. The 'Details of Person Wanting Assistance' section includes fields for 'Address', 'Given Name', 'Family Name', 'Title', 'Telephone (please provide at least one phone number)', 'Phone (After Hours / Home)', 'Phone (Business Hours)', 'Mobile', and 'Occupation'. A sidebar on the left contains navigation links: 'Settle Your App', 'Applicant Details', 'Offence Details', 'Your Application', 'Decision Details', 'Authorisation', 'Supporting Material', 'Legal Representation', 'Acknowledgement', 'Review Application', and 'Confirmation'.

What happens after an application is lodged?

VOCAT has investigative powers to help make its decisions. Once an application is lodged, we ask Victoria Police for information to help determine whether a crime occurred, and whether the applicant is a victim of that crime. We also obtain from police the criminal history of the alleged offender and of the victim. In many cases, police can also provide information about a victim's injuries. The Tribunal can also obtain information from hospitals where the victim was treated.

We ask applicants to provide all the documents they will rely upon to support their claims, for example, reports from treating health professionals and psychologists. Applicants have four months to provide this information; however, they can request further time, if needed.

We provide every opportunity for applicants to file supporting documents, but if we do not receive them, the claim can be struck out. Applicants can ask to have claims reinstated if they subsequently provide supporting documents.

We may ask an applicant or, more usually, their lawyer to attend directions hearings to decide any preliminary questions, provide guidance about preparation of the application and help manage applicants' expectations. This can assist us to make decisions more quickly without creating additional stress for applicants.

How long before a result?

The *VOCA Act* and general rules of procedural fairness mean VOCAT is required to have regard to matters that can impact on the time it takes to finalise an application. These may include:

- ▶ awaiting the outcome of a criminal investigation, trial or inquest
- ▶ the need for further enquiries or, in some cases, for the alleged offender to be notified of the application
- ▶ waiting for an injury to stabilise so an accurate prognosis can be provided; and
- ▶ in related victim applications, identifying and communicating with all potential related victims of the deceased to advise them of their rights in relation to VOCAT.

Applicants can request that VOCAT determine their application with or without the need to appear at a hearing. Many straightforward applications are decided without the need for a hearing, which is the best way to ensure victims receive the assistance they need without added delay.

Sometimes, a hearing is necessary or desired by the applicant. If a hearing takes place it is usually within six weeks of a VOCAT member deciding to conduct it. If an applicant asks for a hearing, it generally happens within six to ten weeks of the applicant filing all supporting material.

Applicants who need urgent assistance (e.g. for counselling, funeral or safety related expenses) can seek an interim award of financial assistance. If awarded, either by a Tribunal member or a Registrar, this award can be paid to the applicant before VOCAT makes a final decision on the merits of their application.

The hearing process

Our intention is to create a sympathetic and compassionate forum for applicants to relate their experiences as victims of crime. The hearing process can assist in restoring an individual victim's sense of dignity. It can also help applicants to better understand their place in the criminal justice system, or, if they have not been awarded the level of assistance sought, the reasons why.

Although located in the Magistrates' Court, VOCAT is not a court. VOCAT hearings are less formal, and do not have set rules about what evidence is allowed or the manner in which evidence can be given. Instead, Judicial Officers hearing applications can investigate, inquire, and gather any information needed to help make a decision, in the way they think is most appropriate to the circumstances of the application.

Tribunal Members and Judicial Registrars conduct hearings in a demonstrably victim-centred way. For example, they may sit down at the table with applicants and encourage them to talk openly about their experiences. Engaging in this way allows them to address the emotional impact of crime on victims, and more carefully tailor financial assistance to help in their recovery. Applicants can also ask for hearings to be 'closed' (kept private) and can bring any support people they wish.

Related victim hearings usually occur some time after the primary victim's death. A hearing can offer families the opportunity to talk together about the deceased family member, and the impact that the death and the criminal justice process has had on them.

On very rare occasions, where VOCAT is required to decide whether a crime occurred, the Tribunal Member may consider it appropriate to ask the alleged offender if he or she wants to be heard. To reduce any possible stress and anxiety the hearing will be conducted in a manner which limits contact between the parties, for instance, by having a party give evidence via a video-link.

How we make decisions

VOCAT makes decisions in accordance with the *VOCA Act*. Our role is to ensure victims receive their full entitlement under the *VOCA Act*; however, the legislation governing VOCAT also requires us to have regard to other factors, such as the victim's level of co-operation with police, any conduct of the victim that contributed to the crime and the criminal history of the applicant.

As with other administrative tribunals, VOCAT decides questions of fact on the balance of probabilities (i.e. more likely than not) rather than 'beyond reasonable doubt'. This means VOCAT can find that a crime occurred, even if a criminal court has found the alleged offender not guilty. This in itself can provide a sense of closure for some victims.

VOCAT can therefore award financial assistance even though no one has been charged with, found guilty of, or convicted of an offence arising from the act of violence committed.

Before we award financial assistance, we must first be satisfied, on the balance of probabilities, that:

- ▶ a violent crime occurred
- ▶ the applicant is a primary, secondary or related victim of that crime, or a person who has incurred funeral expenses and
- ▶ the applicant is eligible to receive the assistance.

In deciding whether to make an award, or what amount should be awarded, we must also take into account:

- ▶ whether the applicant reported the crime to police within a reasonable time, and to what extent the applicant assisted police in their investigations
- ▶ the applicant's conduct and attitude before, during and after the crime, and their character, including any past criminal activity and
- ▶ whether the offender will benefit from an award made to the applicant.

Any financial assistance available under the Act may be awarded only where compensation cannot be obtained from another source. We therefore take into account any damages, compensation, assistance or payment the applicant has received, or is entitled to receive, from other sources such as claims against the offender, WorkCover, the Transport Accident Commission and insurance schemes.

VOCAT can require applicants to refund some or all of the financial assistance awarded to them if they later receive damages, compensation, assistance or payments of any kind for injuries suffered as a result of a violent crime.

What we can award

The type and amount of financial assistance we can award is set out in the Act and differs between primary, secondary and related victims. In all cases, the amount must be reasonable, and the expenses claimed must have directly resulted from the crime. We must also be satisfied on the evidence that the type and amount of assistance sought will help the victim recover from the effects of the crime.

Types of assistance

Where VOCAT finds an applicant is a victim of crime, it can award financial assistance for past or future reasonable expenses associated with:

- ▶ counselling
- ▶ medical treatment, including dental, optometry, physiotherapy, hospital and ambulance
- ▶ lost or damaged clothing worn at the time of the crime
- ▶ measures to help a victim feel safe, for example, change of locks and other measures to increase home security
- ▶ providing a funeral for a deceased victim and
- ▶ in exceptional circumstances, VOCAT can award any other type of assistance that will go to the heart of assisting victims in their recovery. Examples include tutoring costs to assist child victims to refocus on their schooling, training to allow victims to return to work and some alternative approaches to healing.

SPECIAL FINANCIAL ASSISTANCE

In some cases, we can award a 'special financial assistance' lump sum (up to \$10,000) directly to a primary victim. This is not intended to reflect what could be obtained at common law, or compensate for the harm a victim has suffered. It is meant as a tangible and symbolic expression by the State of the community's sympathy and concern for victims of violent crime.

We determine the amount of special financial assistance according to the category of crime as set out in the Victims of Crime Assistance (Special Financial Assistance) Regulations 2011, and the particular circumstances of the primary victim or the injury suffered.

We can authorise payment of future expenses such as ongoing counselling, surgery, or safety expenses. After such services or goods have been provided to the victim and we have received the invoice or receipt, we pay the service provider or reimburse the victim.

In addition to the expenses outlined above, we can award up to \$20,000 for lost earnings for primary or secondary victims, covering a period of up to two years after the crime. This is intended to help victims who are unable to work as a direct result of the crime.

We can also award a related victim an amount of money that, but for the death of the primary victim, the related victim would have been reasonably likely to receive from the primary victim during a period of up to two years after their death.

The Tribunal has adopted guidelines about the amounts payable for counsellor's fees, legal costs and funeral expenses. These guidelines help the Tribunal decide whether claims are reasonable and to ensure consistency.

Amount of financial assistance available

The amounts of financial assistance VOCAT can award are not intended to compensate victims for their loss. They are instead intended to provide a level of targeted assistance for victims' recovery, and an expression of the community's sympathy for, and recognition of, victims' suffering.

We can award:

- ▶ a **primary victim** up to \$60,000 for reasonable expenses and lost earnings, plus any special financial assistance up to an amount of \$10,000
- ▶ a **secondary victim** up to \$50,000 for reasonable expenses, and, in exceptional circumstances, lost earnings suffered as a direct result of the crime and for some secondary victims, expenses to assist recovery and

- ▶ a **related victim** financial assistance of up to \$50,000. Within this sum may be awarded an amount in recognition of their distress, (or in the case of a child, likely future distress) as a result of the primary victim's death. Where there is more than one related victim of a deceased primary victim, the overall maximum amount of financial assistance we can award to all related victims is limited to \$100,000, unless exceptional circumstances exist. As much as possible, we involve families in decision-making to ensure we award assistance where it is most needed.

Awards held in trust

Awards of financial assistance to a child under 18 years, or a person incapable of managing his or her affairs due to injury, illness or physical or mental infirmity, will be held in trust until the child turns 18 or as the Tribunal otherwise orders.



**KOORI LIST
APPLICATIONS
DOWN BY 9.8%.**

Koori VOCAT List

While all VOCAT hearings are generally flexible and informal, the Koori VOCAT List enables us to respond with maximum flexibility to the particular circumstances of Koori applicants. Steps are taken to create a culturally safe environment for Koori victims of crime. Aboriginal flags and artworks are displayed, and hearing rooms are ceremonially smoked before they can be used.

In the reporting period there were 277 applications for assistance by victims who identified as Koori. This is a drop of 9.8% on the previous year. VOCAT has observed that the number of applications for assistance is affected by the most recent level and effectiveness of engagement with the Koori community. The huge demand created by the number of applicants in 2016/17 required the Koori List Registrar to spend more time on case processing rather than the preferred level of engagement.

In operation since 2006, the List was introduced to help overcome barriers faced by Koori victims of crime in accessing the financial assistance and acknowledgements to which they may be entitled under the VOCA Act.

A small number of dedicated VOCAT members – and the Koori VOCAT List Registrar – intensively case manage applications within the List. The Registrar, and all the members who sit on the VOCAT Koori list, participate in cultural awareness training to give them an understanding of the issues Koori victims of crime face.

Koori List applications must satisfy the same requirements as the general list before we can make an award of financial assistance. Sometimes, as a result of entrenched disadvantage and dislocation, Koori victims of crime have a range of other legal and personal issues that need addressing in a holistic way. The Koori VOCAT List is designed to flexibly respond to applicants experiencing these needs.

The Koori Lists' successes can be measured both by reference to the data, and also by observing and reporting on individual's experiences of the List. Part of the purpose of the List is to get in early with interim assistance; provide simplified processes; targeted cultural hearings; and meaningful awards and acknowledgements.

Right of Review

An applicant who is not satisfied with VOCAT's decision, where a Tribunal Member has presided, can apply to the Victorian Civil and Administrative Tribunal (VCAT) for a review of the decision. VCAT can conduct a new hearing, including considering any new evidence, and can:

- ▶ confirm or vary the original order
- ▶ make a new order or
- ▶ return the application to VOCAT to be reconsidered.

A review of a VOCAT decision made by a Judicial Registrar is heard and determined by a Tribunal Member who is a Magistrate.

Focus on Judicial Registrars

In the 2017/18 financial year, Judicial Registrars heard and determined 1,779 VOCAT applications, an increase of 15.6% from last year (1,539). This figure constitutes 23.2% of all VOCAT final awards. Judicial Registrars also make approximately 25% of all variation awards and 14.4% of all interim awards.

There are now twelve Judicial Registrars appointed to the Magistrates' Court each of whom do a significant amount of VOCAT work. Judicial Registrars undertake work in the Tribunal at all metropolitan Tribunal venues and also in the Barwon South West, Gippsland and Grampians regions.

The work of Judicial Registrars is invaluable to VOCAT and as demand increases the role of the Judicial Registrar will become more central to the success of the scheme.





**FAMILY VIOLENCE
MADE UP 32.8%
OF ALL VOCAT
APPLICATIONS
IN 2017/18**

VOCAT Family Violence Registrar

In March 2018 a VOCAT Family Violence Registrar was appointed. The aim of the VOCAT Family Violence Registrar is to implement the recommendations from the Royal Commission into Family Violence that are applicable to VOCAT.

In March 2016 the report from the Royal Commission into Family Violence was handed down. The report noted that:

“The Commission heard that some victims did not know or had not been told they could apply to VOCAT and were not given assistance in preparing the application”

And;

“Some service providers suggested that VOCAT is underused by family violence victims and called for better promotion of this service.”

There are two key projects the VOCAT Family Violence Registrar will focus on in order to address these findings.

1. Internal referrals
2. Engagement in the community

Internal referrals

A referral pack, including a fact sheet specific to family violence is distributed by the Family Violence Registrar and applicant practitioners conducting interviews with victims applying for an intervention order. All staff distributing the packs are trained to identify when an intervention order applicant may also be eligible for VOCAT so that the referral can be made.

Engagement in the community

In May 2018 the VOCAT Family Violence Registrar commenced engagement duties with various family violence organisations. The aim of the engagement is to promote VOCAT to organisations that are in contact with family violence victim survivors. This gives them the knowledge and skills to assist them to refer their clients to VOCAT for assistance. The engagement occurs at various levels depending on the needs of the organisation but includes training, information sessions and the provision of resources for distribution.

On 5 June 2018 a VOCAT presentation and training session was conducted for participants involved in the iheal recovery support program. The iheal program is an initiative from Drummond Street services in conjunction with Queer space, Merri health and the Victorian AIDS Council that aims to train family violence victim survivors who are no longer in crisis to become recovery support workers. The participants were given an overview of VOCAT as well as some case study examples on how the application process works.

Other agencies the VOCAT Family Violence Registrar has reached through engagement is the Victoria Police GLLLO Program which has LGBTI Liaison Officers, the Community Operations and Victims Support Agency, the Victorian AIDS Council and participation in Walk in her Shoes Tours which are attended by a wide range of people in the community.

The engagement not only allows for the promotion of the Tribunal, it also allows its users to provide feedback which assists with service delivery improvements.

CASE STUDY – EMILY

The VOCAT Family Violence Registrar (Registrar) was contacted by the Family Violence Applicant Practitioner about a victim, Emily, who she thought would benefit from the Tribunal's assistance. Emily had attended Court as a result of a police issued application for intervention order. The Registrar read the police summary and then met with Emily to explain the role of VOCAT and the assistance available. Emily advised that she was interested in applying for assistance through VOCAT and the Registrar helped her complete the form. Through the interview process Emily disclosed that she had recently changed the locks and added a remote feature to her garage door so her ex-partner could no longer gain access to her property. Emily was able to immediately email her receipts to the Registrar from her mobile phone. There was sufficient police material from the intervention order brief to grant an interim award for the security expenses totalling \$895. The amount was deposited into Emily's bank account a few days later. Emily may be entitled to further awards that are yet to be determined.

Family Violence Statistics

From 1 January 2018 to 30 June 2018, 1258 applications for assistance were lodged with VOCAT by victims of family violence across the state. In comparison, data obtained from the family violence registries for intervention order applications showed 19,516 for the same period. While not all applicants for intervention orders would be eligible for VOCAT assistance, the above statistics indicate that only a small percentage of alleged victims of family violence are making an application to VOCAT for assistance.

Table 1 shows that during that same period, VOCAT applications for assistance on a month by month basis ranged between 27.4% of total VOCAT applications and 37.88%.

TABLE 1 State wide VOCAT lodgements 2018

	FV claims	TOTAL VOCAT CLAIMS	% FV
JANUARY	152	485	30.70%
FEBRUARY	188	598	31.40%
MARCH	174	635	27.40%
APRIL	189	586	32.25%
MAY	322	850	37.88%
JUNE	233	675	34.50%
TOTAL	1,258	3,829	32.85%





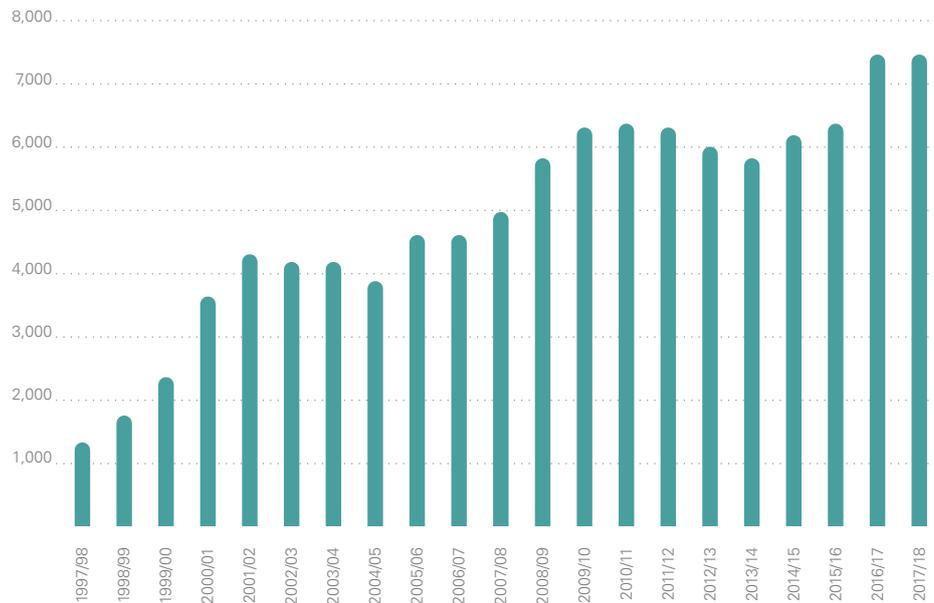
7,351 APPLICATIONS FILED, UP BY 0.5%.



5,104 AWARDS OF ASSISTANCE MADE, UP BY 7.7%.

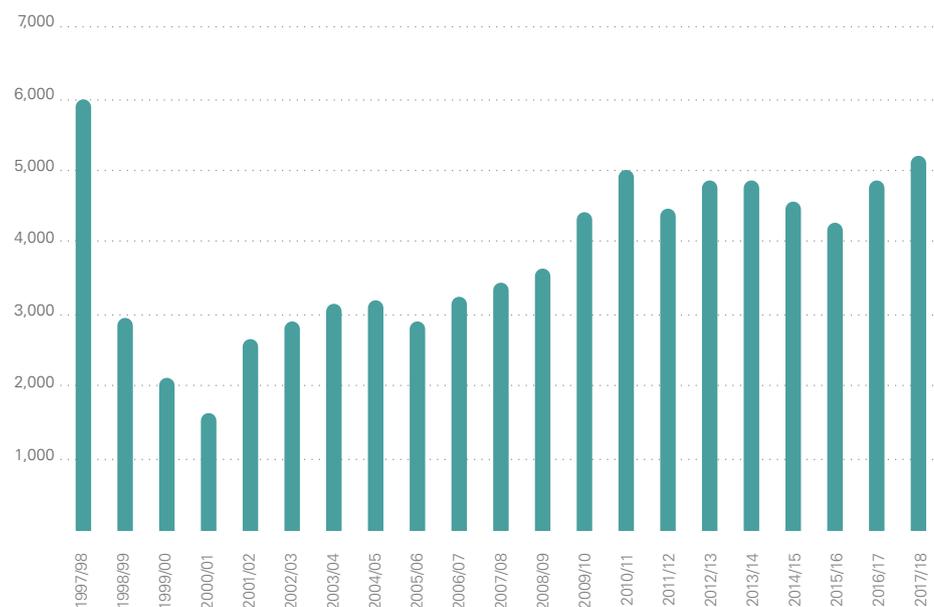
Demand and financial assistance awarded

CHART 1: Number of applications for financial assistance lodged annually 1997/98 – 2017/18



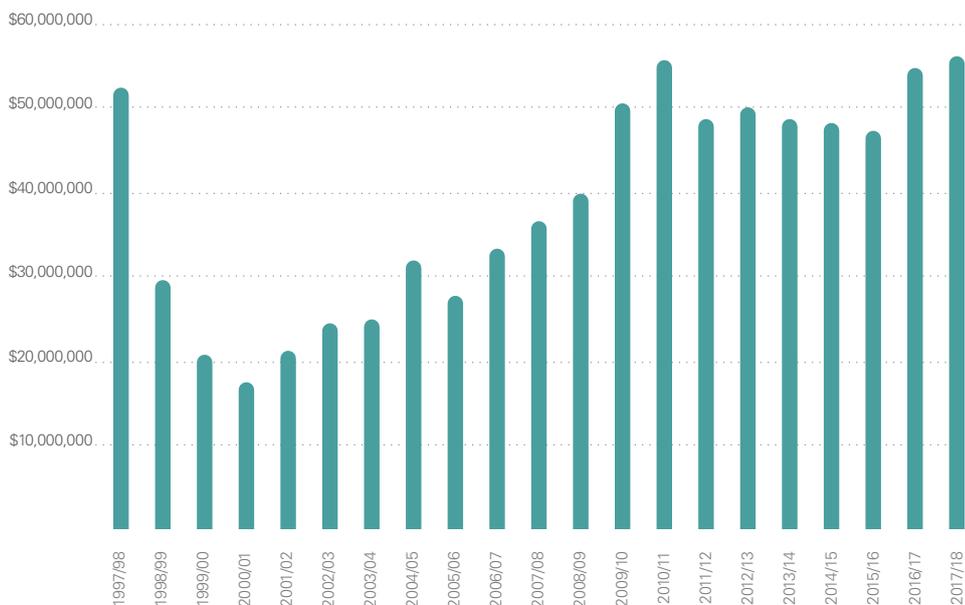
The number of awards made annually has increased over the last two years.

CHART 2: Number of awards made annually 1997/98 – 2017/18



There was an increase in the amount of financial assistance awarded this year commensurate with an increase in the number of awards made.

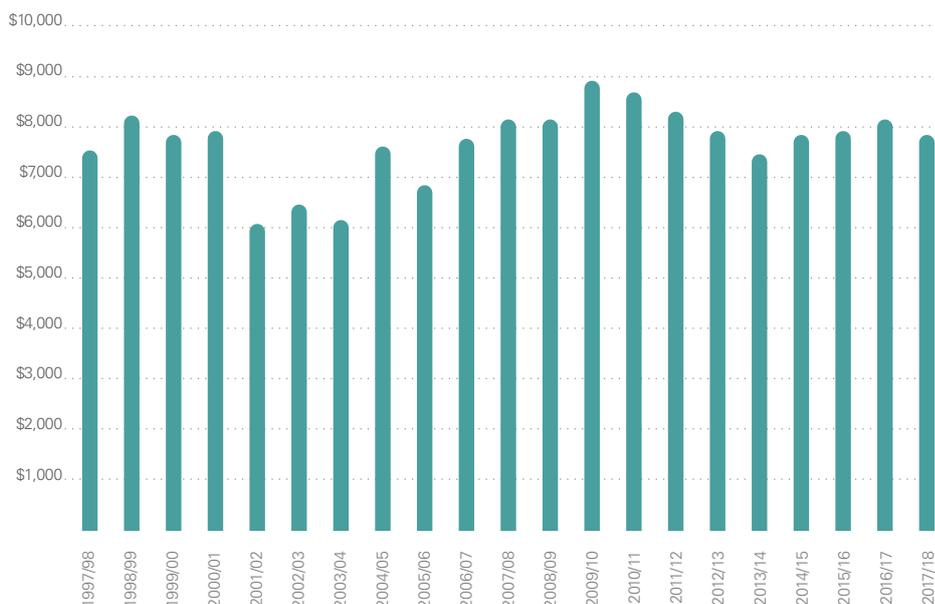
CHART 3: Total amount of financial assistance awarded including legal costs ordered annually 1997/98 – 2017/18



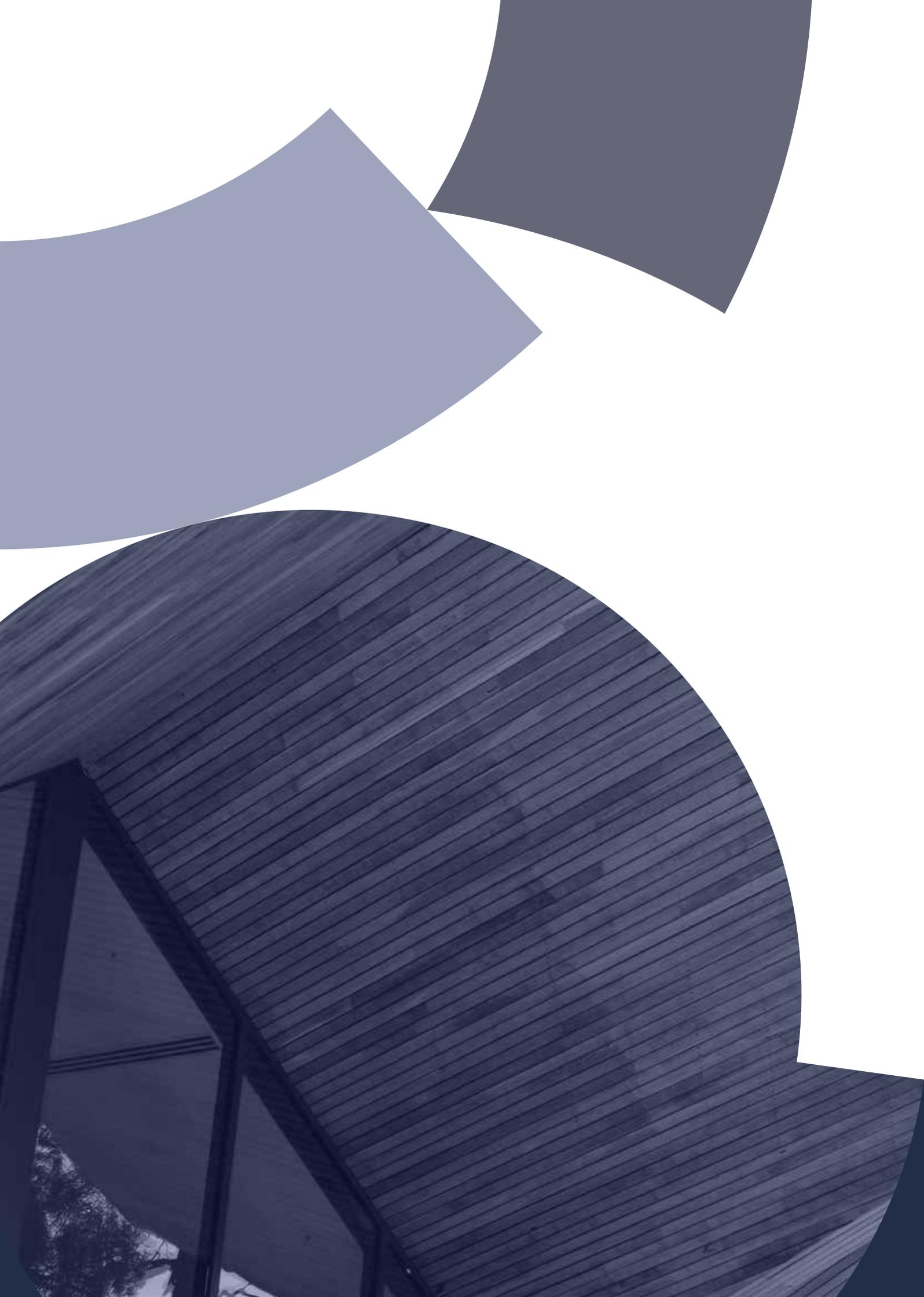
\$55.4 MILLION AWARDED, UP BY 2.8%.

The average amount of financial assistance has remained steady throughout the 21 year history of the Tribunal. This indicates that Tribunal Members are applying the legislation in a consistent manner.

CHART 4: Average amount of financial assistance awarded under the *Victims of Crime Assistance Act 1996* on determination of applications 1997/98 – 2017/18



AVERAGE AWARD AMOUNT \$7,701, DOWN BY 3.5%.



The Tribunal – Year in Review

Applications lodged

There were 7,351 applications filed in the reporting period which represents an increase of 0.5% over the previous year (7,312).

Approximately one third of applications (32.8%) arise from an incidence of family violence. Almost 85% of victims of family violence are female.

Applications arising from allegations of assault and threats comprised slightly less than half of the total applications filed, many of which occurred in a family violence context. There were 584 applications for assistance from victims of aggravated burglary, down from 680 in the previous year.

Aside from Melbourne, Ringwood has taken over as the Tribunal venue with the highest demand. There were 659 applications for assistance lodged at Ringwood in 2017/18, up from 586 last year. Sunshine (567), Dandenong (556) and Frankston (536) also received very high numbers.



**INTERIM AWARDS
FOR ASSISTANCE
DOWN BY 5.5%.**



**7,292 PENDING
APPLICATIONS,
UP BY 1.2%.**

Application outcomes

We finalised 7,655 applications in the reporting period. This is 6.2% higher than the previous year.

We awarded 5,104 applicants financial assistance (representing 66.7% of all final orders made) compared to 4,739 in the previous year. Additionally:

- ▶ Applications were determined at hearings in 10.4% of cases down from 13.6% in 2016/17.
- ▶ As in previous years, the majority of awards (86.7%) went to primary victims, with 4,423 awards being made this reporting period, compared to 4,058 last year (an increase of 9%). Secondary victims made up 6.9% and Related victims made up 6.3% of all applications for assistance.
- ▶ The overall number of interim awards decreased slightly to 3,746 (down from 3,963) but the average amount awarded per victim at the interim stage actually increased by 7.3%.

Financial assistance awarded

In the reporting period, we awarded a total of \$55.4 million in financial assistance and legal costs to victims of crime, up slightly from the \$53.9 million awarded in the previous year.

The average amount of financial assistance awarded to each victim was \$7,701 compared to \$7,983 in the previous year. This figure has remained fairly consistent over the past 21 years showing that the Tribunal Members are applying the legislation consistently. The decrease in average final awards may be partially explained by the increase in average awards at the interim stage.

Review applications from VOCAT

In the reporting period, 21 applications for review of VOCAT decisions were determined by VCAT. The Victorian Government Solicitor's Office represents VOCAT (as primary decision maker) in all review matters. In 10 of those matters the Tribunal's decision was overturned or varied in some way.

Timeliness

The time it took to finalise applications (measured from the time of lodgement) has improved during the reporting period despite the high volume of applications lodged. 67.4% of applications were finalised within 12 months (improved from 65.7% in 2016/17), with more than half (51.4%) being finalised within nine months.

VOCAT Users' Group

In March of 2017 the Tribunal instigated the first ever VOCAT Users' Group meeting that incorporated all aspects of the scheme. Commencing with representatives of the legal profession and Victoria police the meetings aim to improve the communication between the Tribunal and practitioners and ultimately to improve the efficiency of Tribunal processes. The group met three times over the reporting period and continues to provide a platform for improvements to the application process.

Online applications

The Tribunal launched an online application process in 2014. Applications for financial assistance can now be completed and filed via the Tribunal's website by clicking the 'Apply Online' link on our website's homepage. Over 20% of VOCAT applications are now lodged online.

In addition to many other benefits, the form is designed to be user friendly and easy to complete. It contains electronic filters and rules within it to ensure that only questions relevant to a victim's application type are displayed and all required fields are accurately completed. The online application also provides relevant applicants with information regarding the requirements for matters not reported to police and applications for extension of time, and enables supporting documents to be uploaded throughout the application process.

The program allows users to create a 'log-in' enabling them to save incomplete applications as well as maintain a list of all submitted applications for regular users such as legal practitioners. The form is mobile-device-compatible so can be used on a smart phone or tablet which means it can be accessed anywhere and at any time.

Upon submission, electronic applications are filed instantly with the appropriate venue of the Tribunal and an email confirmation is sent to the applicant and their legal representative (if applicable) enclosing a copy of the application and further information regarding the application for assistance.

At the conclusion of this reporting period the Tribunal had received 1,504 on-line applications, up from 1,271 in 2016/17, an increase of 18.3%. Applications can be filed by legal practitioners and unrepresented applicants at any time of day or night and from anywhere in the world.

Legal and other professional help for applicants

Access to justice for victims of crime is of paramount importance, and VOCAT generally pays for victims' legal representation. In the reporting period, we amended the Legal Costs Guideline (Guideline 1 of 2018), increasing the amount we can award to legal practitioners who represent VOCAT applicants. It is hoped this increase will recognise and encourage high quality legal services for victims of crime. It must be noted that the amount of costs paid to legal practitioners is never deducted from the victim's award. It is hoped that the use of legal practitioners will assist victims to receive the maximum award available under the current legislation.

Lawyers are not the only professionals who help victims of crime to access VOCAT. The Government-funded Victims Assistance Program, and non-government counselling services, also play a role. As much as possible, we want to promote consistent ethical and professional standards for counsellors and health professionals assisting victims of crime to access VOCAT.

Working with our stakeholders

We meet regularly with the Community Operations and Victims Support Agency within the Department of Justice and Regulation and Victoria Police to discuss policy and system issues and initiatives. This helps to ensure that we continue to provide an integrated response to victims of crime.

Supervising magistrates contributed to ongoing discussions with the Department of Justice and Regulation's policy-makers about issues affecting victims of crime.

Legal and community education

We increased our use of web-based education resources in the reporting period. We publish on our website important VCAT decisions that review VOCAT orders. Being publicly available, practitioners can use them to guide their preparation of VOCAT applications.

Tribunal Members and Registrars state-wide regularly attend at or present at relevant community engagement forums, Community Operations and Victim Support Agency and the Victim Assistance Program training and events such as Victim Awareness Week.

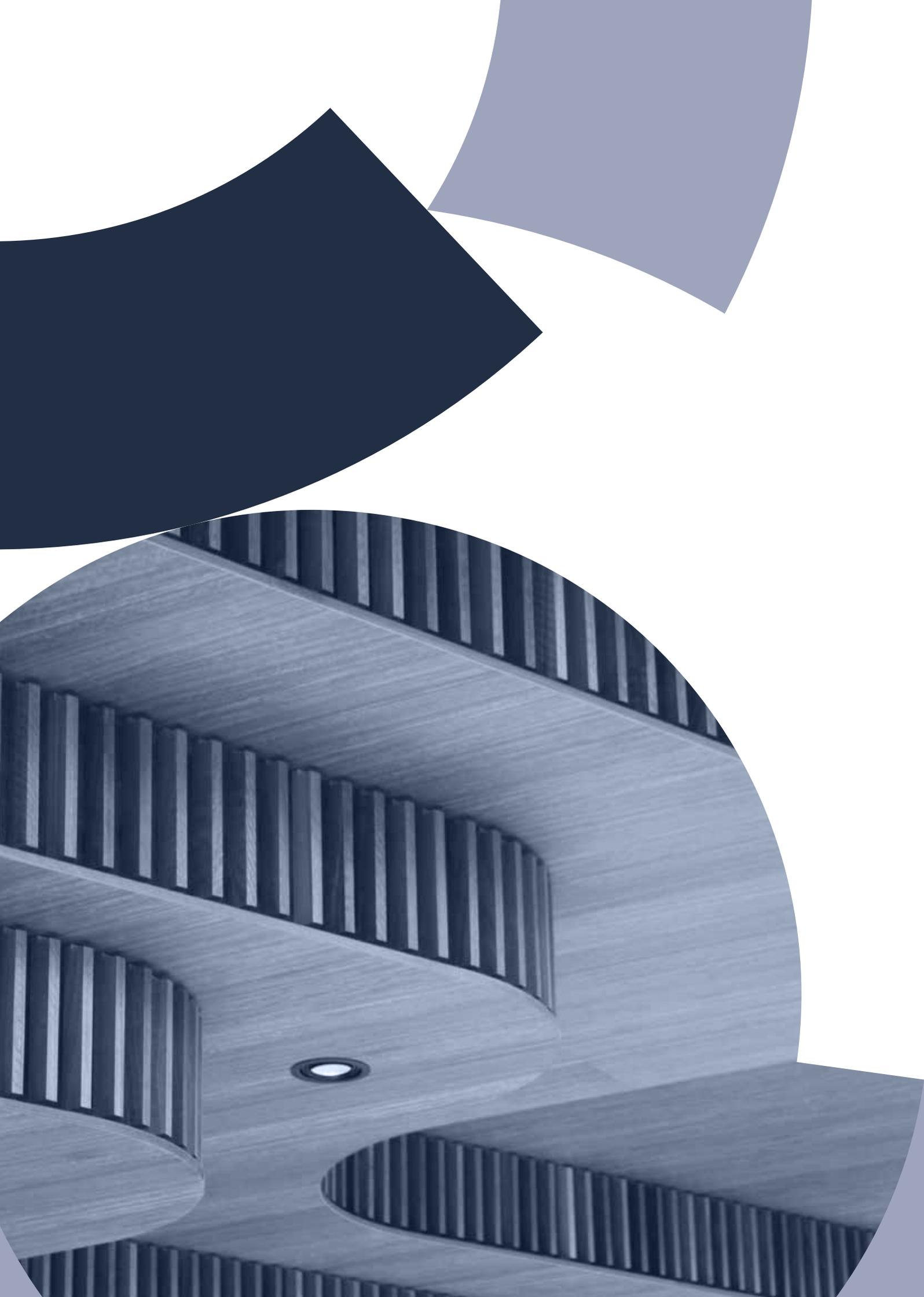
The Tribunal is also included in Victoria Police's recruit curriculum, facilitating regular VOCAT training sessions with recruits who visit the Melbourne Magistrates' Court as part of their program at the Victorian Police Academy.

The Future

The Tribunal has welcomed the Victorian Law Reform Commission's review into the Victims of Crime Assistance Act 1996. The Tribunal has provided extensive submissions to the VLRC regarding ways to provide fairer and more timely outcomes for all victims.



1,271 ONLINE APPLICATIONS FILED, UP BY 18.3%.



Managing VOCAT

A Principal Registrar, Standards and Compliance Officer, and staff across 51 venues throughout Victoria all support VOCAT's goal of providing a timely, empathetic, informal and cost-effective service. Our Coordinating Committee is dedicated to continually improving our performance, including investing in professional development for all members, Registrars and staff. This promotes a consistent, compassionate and responsive approach to the needs of victims of crime.

Our Coordinating Committee

VOCAT's Coordinating Committee drives many of the initiatives aimed at improving VOCAT's operation, increasing our community presence, and contributing to positive outcomes for victims of crime. Having decision makers as well as those who manage the administrative functions of VOCAT on the Committee promotes consistency between the judiciary and Registrars and takes into account issues affecting them.

To support consistency across venues, the Coordinating Committee also regularly reviews the Chief Magistrate's Practice Directions and Guidelines. The Committee makes recommendations to the Chief Magistrate for the issue of new Practice Directions and Guidelines where necessary.

Victims of Crime Assistance Tribunal Coordinating Committee 2017/18

Committee Chair: Supervising Magistrate Johanna Metcalf.

Members: Deputy Chief Magistrates Felicity Broughton and Lance Martin, Magistrates Fiona Hayes, Andrew Capell, Timothy Bourke, Ann Collins, David Fanning, Duncan Reynolds, Judicial Registrars Sharon McRae and Ruth Andrew, Principal Registrar Rod Ratcliffe, Standards and Compliance Officer Donna Caruana, Acting Standards and Compliance Officers Andrew Chidzey and Suzanne Frawley, Melbourne VOCAT Registry Manager Sandra Tennant, Acting Registry Manager Ashley Hart and VOCAT Family Violence Registrar Sarah Sivell.

The VOCAT Coordinating Committee met on a monthly basis over the reporting period and considered a range of matters including:

- ▶ The *Justice Legislation Amendment (Victims) Act 2018* and proposed reforms to remove time limits relating to applications for assistance made by victims of childhood abuse and expand the definition of relevant offence
- ▶ Recommendations arising from the Royal Commission into Family Violence
- ▶ The review of Tribunal Counselling and Legal Cost guidelines
- ▶ Ongoing oversight of the Koori VOCAT List
- ▶ VOCAT User Group meetings, attended by the Supervising Magistrates, Principal Registrar, Standards and Compliance Officer, registry staff and core Tribunal stakeholders

- ▶ The development of a Practice Direction to aid the Tribunal when making awards for installation of CCTV equipment to ensure installers are appropriately registered in accordance with the *Private Security Act 2004*
- ▶ Drafting of submissions to the VLRC following the commencement of their review into the *Victims of Crime Assistance Act 1996 as recommended in the Royal Commission into Family Violence*
- ▶ The establishment of a National Redress Scheme as a key recommendation of the Royal Commission into Institutional Responses to Childhood Sexual Abuse and the impact of the Redress Scheme on the Tribunal and its processes
- ▶ Drafting of combined MCV submission to the Sentencing Advisory Council's review of Restitution and Compensation orders
- ▶ The review of the Tribunal's Practice Direction regarding access to files in light of Associate Justice Lansdowne's decision regarding the Tribunal's management of subpoenas
- ▶ Discussion of professional development and training events for magistrates and Registrars
- ▶ Monitored statistical information across venues regarding the number of applications for assistance lodged and determined, awards of assistance made (including interim awards) and the amount of assistance awarded
- ▶ VOCAT's reviews of VOCAT decisions to ensure that tribunal members are informed of relevant decisions and that decisions of sufficient interest are placed on the VOCAT website.

Members of the Committee also participated in:

- ▶ The provision of materials and information sessions about VOCAT for new magistrates
- ▶ The provision of VOCAT training for new judicial Registrars
- ▶ The provision of VOCAT training to key stakeholder agencies such as the Victims of Crime Helpline staff and new staff members at the Victim Assistance Programs
- ▶ Liaison with the Aboriginal Family Violence Prevention Legal Service
- ▶ The provision of VOCAT specific training as part of the Victoria Police Academy curriculum
- ▶ Meetings with representatives of the Community Operations and Victims Support Agency to discuss issues relating to services for victims of crime
- ▶ Attendances at State-wide VOCAT Registrar's conferences
- ▶ Meetings of the Victims of Crime Consultative Committee
- ▶ Training presentations and stakeholder engagements with Drummond Street Services, the with Victorian AIDS Council, Women's health West, In Touch Multicultural Centre Against Family Violence and Victoria Police GLLOs (LGBTI Liaisons)
- ▶ The Magistrates Court 'Walk in her shoes' presentations with Family Violence agencies across the state
- ▶ Presentation about VOCAT at Law Week 2018 event.

Our Registries

VOCAT's principal registry is located within the Melbourne Magistrates' Court; however, every Magistrates' Court venue in Victoria provides registry services that help applicants to access VOCAT. The registry functions as the Tribunal's public interface and administrative hub, helping it to operate in a more responsive, integrated and efficient manner.

At 30 June 2018, the Tribunal funded 27 registry positions across Victoria and was further supported by Registrars and administrative staff of the Magistrates' Court. A huge thank you to the Senior Registrars and MCV Registrars and staff across the state for working with us to ensure that all VOCAT work is processed in a timely fashion.

The principal registry is staffed by the principal Registrar, a standards and compliance officer, registry manager, six Registrars, two trainee Registrars and two finance officers.

VOCAT funds a full-time Registrar at each of the following Magistrates' Court venues:

- ▶ Ballarat
- ▶ Bendigo
- ▶ Broadmeadows
- ▶ Dandenong
- ▶ Frankston
- ▶ Geelong
- ▶ Heidelberg
- ▶ Latrobe Valley
- ▶ Moorabbin
- ▶ Ringwood
- ▶ Shepparton
- ▶ Sunshine

Although one position is funded at each venue, Registrars and finance officers funded from the Magistrates' Court operating budget provide additional support.

VOCAT Registrars

Registrars are the main points of contact for victims, providing procedural advice and support throughout the application process. Registrars also work closely with Tribunal members and Judicial Registrars. In most cases, the Registrars, who have been dealing with the file since it was initiated, review the content of the application and provide advice and recommendations to the Tribunal members regarding directions and awards.

Tribunal Members and Judicial Registrars still retain full discretion in the making of awards but the work of the Registrars provides a solid foundation upon which to make those decisions.

The functions of the Registrars includes:

- ▶ obtaining medical and psychological reports, police information about an alleged offence, criminal histories, and prosecution outcomes
- ▶ ensuring applicants file the documents needed to support their applications, and that the information provided is complete and comprehensible
- ▶ making sure applicants receive their awards of financial assistance
- ▶ providing administrative support in relation to applications for the variation of awards
- ▶ ensuring that each file is progressed as expeditiously as possible to ensure that applicants receive their awards in a timely manner

- ▶ answering a high volume of counter and telephone enquiries

Registrars also consider and determine most applications for interim financial assistance up to \$5000.

All Magistrates' Court Registrars at Victorian Public Service Grade 3 or above are also VOCAT Registrars. At this level, Registrars have a wide range of knowledge and skills, developed through their work across a variety of Court jurisdictions. This equips them to deal with the often-challenging nature of VOCAT work.

Registrars and staff supporting VOCAT's operations are accountable through their respective regional managers to the Magistrates' Court of Victoria's Chief Executive Officer.

Specialist Registrars

In October of 2017 the Tribunal introduced two new Registrar positions to assist in reducing the backlog caused by unprecedented demand. These two specialist Registrars, Caitlin Roberts and Bonnie Rayson each provided support to the busier metropolitan courts. Courts such as Dandenong, Broadmeadows, Ringwood and Sunshine manage over 600 applications with otherwise only one funded VOCAT Registrar.

The Specialist Registrars have significantly contributed to the record number of finalisations in 2017/18. The roles became immediately indispensable and funding has been approved for the 2018/19 financial year.



**55,019 UNIQUE VISITS
TO OUR WEBSITE,
UP BY 56%.**

VOCAT Website

The Tribunal's current website (www.vocat.vic.gov.au) was redeveloped in 2016 and contains useful information, including:

- ▶ application forms and guides
- ▶ information about what VOCAT does
- ▶ links to victim support services and resources
- ▶ practice directions and guidelines
- ▶ publications such as reports and brochures and
- ▶ review decisions that VOCAT considers important

In late 2014 the website was updated to incorporate an online application form, increasing accessibility to the Tribunal.

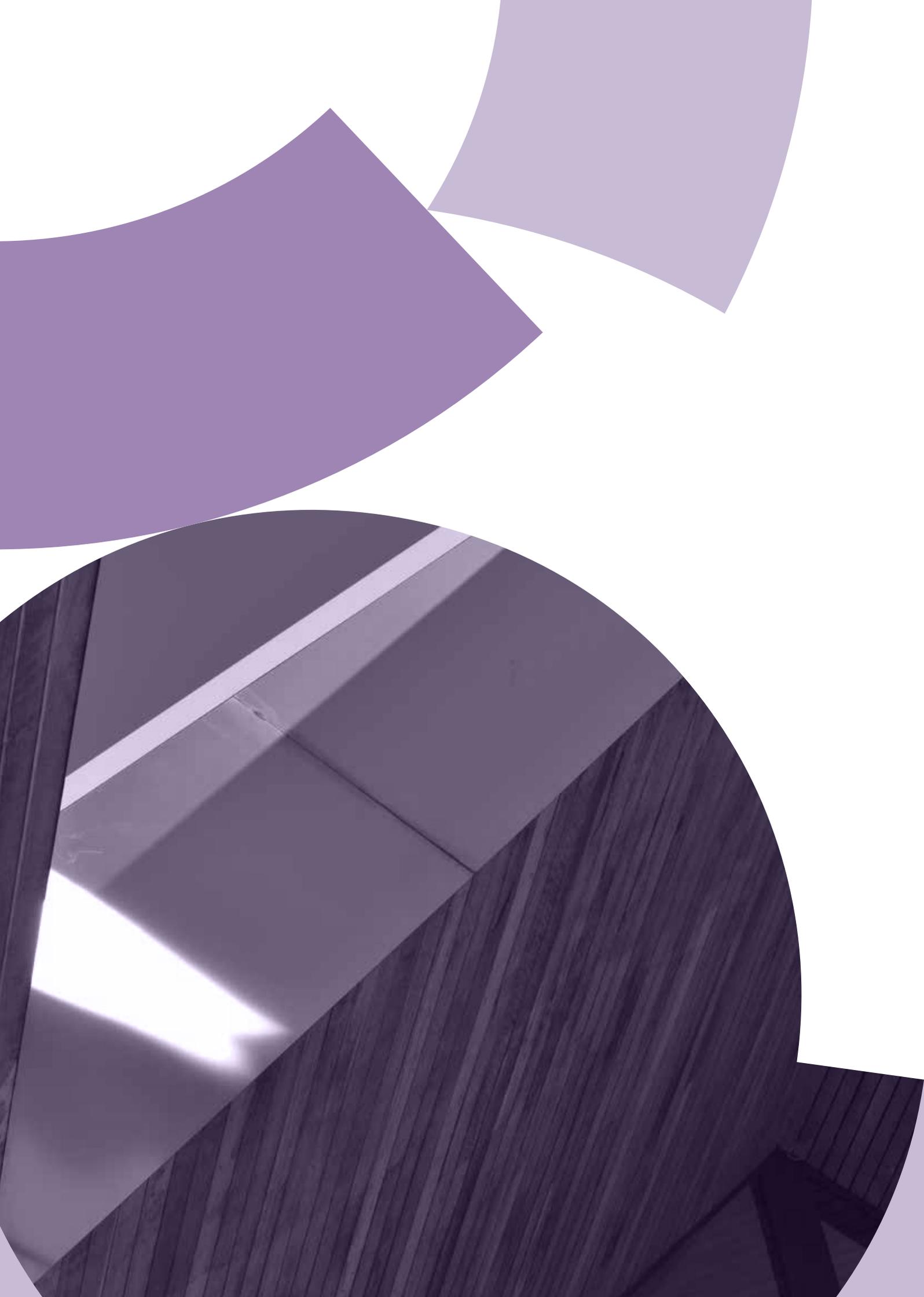
In November 2016 a new VOCAT website was launched. The site boasts modern architecture and user interface. Unlike the previous site the technology allows the website to be used on any device including smart phones, tablets and PCs. This means it can be used anywhere and at any time.

This year the website received **55,019** unique visits, compared to 35,269 in the previous year, an increase of 56%. As with the previous year, the 'Application for Assistance form' was the most commonly downloaded publication/form. The current website also enables the content to be translated into other languages, this reporting period the site was translated **791** times into 78 separate languages.

The screenshot shows the VOCAT website interface. At the top, there is a navigation bar with links for 'Home', 'Contact Us', and 'FAQs'. The main header features the Victims of Crime Assistance Tribunal logo and a search bar with a 'APPLY ONLINE' button. Below the header is a navigation menu with categories: 'HOW TO APPLY', 'ASSISTANCE AVAILABLE', 'DETERMINING AN APPLICATION', 'PAYMENT', 'RESOURCES', and 'ABOUT THE TRIBUNAL'. The main content area includes a large banner with the text: 'Becoming the victim of a crime can be a confronting experience but you don't have to deal with it alone.' and a 'Find out more' button. Below the banner is a paragraph explaining VOCAT's purpose: 'VOCAT is established by legislation to provide financial assistance to victims of violent crime committed in Victoria. We assist victims to recover from a crime by providing financial assistance for expenses incurred, or reasonably likely to be incurred, as a direct result of the crime.'

The lower section of the screenshot shows a 'Contact us' page. It features a 'Contact us' heading, a 'Print' button, and a section titled 'In this section' with links for 'Complaints', 'Website feedback', and 'English Not Your Language?'. To the right, there is a photo of a woman on a phone and text stating: 'The Tribunal operates from every venue of the Magistrates' Court of Victoria. If you wish to speak to a registrar about your application, please contact your local venue of the Tribunal.' Below this, it provides the location of the Principal Registry: 'The Tribunal's Principal Registry is located at Victims of Crime Assistance Tribunal, Level 1, 231 William Street, Melbourne VIC 3000. Email: help@vocat.vic.gov.au. GPO Box 882, Melbourne VIC 3001, DKG0002 Melbourne.'





Our Statistical Report

The tables below provide information about applicant demographics, awards of financial assistance made, appeals against VOCAT decisions, and case processing times.

TABLE 1: Summary – applications for assistance lodged, finalised and pending, 2015/16 to 2017/18

	2015/16	2016/17	2017/18
Caseload			
Number applications lodged	6,221	7,312	7,351
Number orders made finalising claims	5,910	7,209	7,655
Number applications pending on 30 June	6,757	7,207	7,292
Case processing times			
Proportion of applications finalised within 9 months of lodgement	47.6%	51.5%	51.4%
Proportion of applications finalised within 12 months of lodgement	62.9%	65.7%	67.4%
Age of pending caseload			
Proportion of applications pending for 9 months or more on 30 June	40.6%	36.1%	37.2%
Proportion of applications pending for 12 months or more on 30 June	31.3%	26.6%	27.1%

Applications lodged by applicant gender and category of crime

TABLE 2: Number of applications for financial assistance lodged by category of offence, and gender of applicant, 2017/18¹

2017/18	No applications			Distribution %		
	Male	Female	Total	Male	Female	Total
Homicide	239	291	530	45.1%	54.9%	7.2%
Rape	27	278	305	8.9%	91.1%	4.1%
Sex (non rape)	209	741	950	22.0%	78.0%	12.9%
Robbery	264	159	423	62.4%	37.6%	5.8%
Assault	1,897	1,396	3,293	57.6%	42.4%	44.8%
Abduction/kidnap	15	11	26	57.7%	42.3%	0.4%
Criminal damage by fire	15	8	23	65.2%	34.8%	0.3%
Aggravated Burglary	270	314	584	46.2%	53.8%	7.9%
Harassment	25	121	146	17.1%	82.9%	2.0%
Threats	115	199	314	36.6%	63.4%	4.3%
Other	217	540	757	28.7%	71.3%	10.3%
Total	3,293	4,058	7,351	44.8%	55.2%	100%

NOTE: Due to changes in the reporting capacity during the year, the figures in this table are an estimate based on data from the second half of the reporting period. While they accurately reflect the percentages of gender and each offence type for that identified period the overall number for the full year may not be accurate.

¹ The acts of violence for applicants have been grouped according to the broad offence categories used by Victoria Police in reporting crime statistics.

Outcome of finalised applications

TABLE 3: Number of orders made upon final determination of applications for financial assistance, by order type, 2015/16 to 2017/18

	2015/16		2016/17		2017/18	
	No.	%	No.	%	No.	%
Application granted/award made	4,161	70.4%	4,739	65.7%	5,104	66.7%
Application refused	105	1.8%	374	5.2%	129	1.7%
Application struck out/withdrawn	1,644	27.8%	2,096	29.1%	2,422	31.6%
Other disposal	0	0.0%	0	0.0%	0	0.0%
Total	5,910	100.0%	7,209	100.0%	7,655	100.0%

TABLE 4: Number of awards of financial assistance made upon final determination of applications for assistance, by award type, 2015/16 to 2017/18

Award Type	2015/16		2016/17		2017/18	
	No.	%	No.	%	No.	%
Primary victim award	3,577	86.0%	4,058	85.6%	4,423	86.7%
Secondary victim award	287	6.9%	314	6.6%	352	6.9%
Related victim award	289	6.9%	357	7.5%	320	6.3%
Award for funeral expenses only	3	0.1%	4	0.1%	5	0.1%
Award made under <i>Criminal Injuries Compensation Act 1983</i>	1	0.0%	0	0.0%	0	0.0%
Other	4	0.1%	6	0.1%	4	0.1%
Total	4,161	100%	4,739	100%	5,104	100%

TABLE 5: Number of awards of financial assistance made, by age and gender of awarded applicants, 2017/18

Age at Award	No applications			Distribution %		
	Male	Female	Total	Male	Female	Total
0 – 18 years	276	338	614	45.0%	55.0%	12.0%
19 – 25 years	314	233	547	57.4%	42.6%	10.7%
26 – 35 years	473	409	882	53.6%	46.4%	17.3%
36 – 60 years	757	716	1,473	51.4%	48.6%	28.9%
61 years +	171	141	312	54.8%	45.2%	6.1%
Unknown	284	992	1,276	22.3%	77.7%	25.0%
Total	2,275	2,829	5,104	44.6%	55.4%	100.0%

TABLE 6: Number of awards of assistance made by category of offence and gender of awarded applicant, 2017/18. Due to a mid-year change to the way this information was captured, the Tribunal could not extract meaningful data on the number of awards made by gender and offence type. This category will return with greater accuracy in 2018/19 following a full year of collecting data.

TABLE 7: Number of applications for assistance lodged, final orders and awards made by Tribunal region, 2017/18

Region: **BARWON SOUTH WEST**

Tribunal venues within region:	Colac	Geelong	Hamilton	Portland	Warrnambool
Applications Lodged	21	295	40	24	103
Final Orders Made	25	266	27	16	104
Awards Made	18	183	20	12	88

Barwon South West Totals

Region: **BROADMEADOWS**

Tribunal venues within region: Broadmeadows

Applications Lodged	443
Final Orders Made	539
Awards Made	327

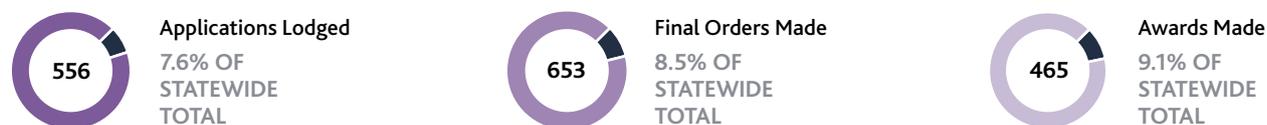
Broadmeadows Totals

Region: **DANDENONG**

Tribunal venues within region: Dandenong

Applications Lodged	556
Final Orders Made	653
Awards Made	465

Dandenong Totals

Region: **FRANKSTON**

Tribunal venues within region:	Dromana	Frankston	Moorabbin
Applications Lodged	99	536	303
Final Orders Made	137	422	273
Awards Made	88	288	205

Frankston Totals



TABLE 7: Number of applications for assistance lodged, final orders and awards made by Tribunal region, 2017/18

Region: **GIPPSLAND**

Tribunal venues within region:	Bairnsdale	Korumburra	Latrobe Valley	Sale	Wonthaggi
Applications Lodged	55	25	290	56	24
Final Orders Made	35	19	293	54	29
Awards Made	22	10	214	38	12

Gippsland Totals

Region: **GRAMPIANS**

Tribunal venues within region:	Ararat	Ballarat	Horsham	St Arnaud	Stawell
Applications Lodged	13	167	32	6	6
Final Orders Made	14	230	14	4	0
Awards Made	9	138	6	4	0

Grampians Totals

Region: **HEIDELBERG**

Tribunal venues within region:	Heidelberg
Applications Lodged	471
Final Orders Made	578
Awards Made	352

Heidelberg Totals

Region: **HUME**

Tribunal venues within region:	Benalla	Seymour	Shepparton	Wangaratta	Wodonga
Applications Lodged	27	31	127	46	48
Final Orders Made	29	50	141	44	47
Awards Made	23	39	79	35	35

Hume Totals



TABLE 7: Number of applications for assistance lodged, final orders and awards made by Tribunal region, 2017/18

Region: **LODDON MALLEE**

Tribunal venues within region:	Bendigo	Castlemaine	Echuca	Kerang	Kyneton	Maryborough	Mildura	Swanhill
Applications Lodged	140	31	34	6	16	29	93	16
Final Orders Made	181	17	24	5	37	23	67	15
Awards Made	104	8	15	1	26	18	47	8

Loddon Mallee Totals



Applications Lodged
365
5.0% OF
STATEWIDE
TOTAL



Final Orders Made
369
4.8% OF
STATEWIDE
TOTAL



Awards Made
227
4.4% OF
STATEWIDE
TOTAL

Region: **MELBOURNE**

Tribunal venues within region:	Melbourne	Koori List
Applications Lodged	1,413	277
Final Orders Made	1,370	330
Awards Made	883	185

Melbourne Totals



Applications Lodged
1,690
23.0% OF
STATEWIDE
TOTAL



Final Orders Made
1,700
22.2% OF
STATEWIDE
TOTAL



Awards Made
1,068
20.9% OF
STATEWIDE
TOTAL

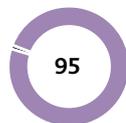
Region: **NEIGHBOURHOOD JUSTICE CENTRE**

Tribunal venues within region:	Collingwood
Applications Lodged	80
Final Orders Made	95
Awards Made	60

Neighbourhood Justice Centre Totals



Applications Lodged
80
1.1% OF
STATEWIDE
TOTAL



Final Orders Made
95
1.2% OF
STATEWIDE
TOTAL



Awards Made
60
1.2% OF
STATEWIDE
TOTAL

Region: **RINGWOOD**

Tribunal venues within region:	Ringwood
Applications Lodged	659
Final Orders Made	667
Awards Made	466

Ringwood Totals



Applications Lodged
659
9.0% OF
STATEWIDE
TOTAL



Final Orders Made
667
8.7% OF
STATEWIDE
TOTAL



Awards Made
466
9.1% OF
STATEWIDE
TOTAL

TABLE 7: Number of applications for assistance lodged, final orders and awards made by Tribunal region, 2017/18

Region: **SUNSHINE**

Tribunal venues within region:	Sunshine	Werribee
Applications Lodged	567	132
Final Orders Made	595	184
Awards Made	427	144

Sunshine Totals



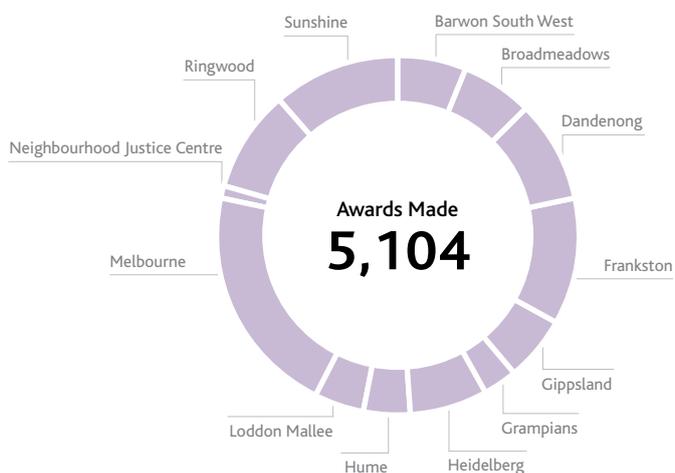
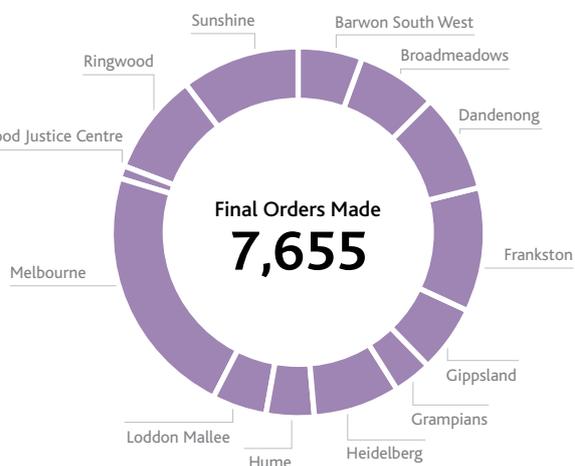
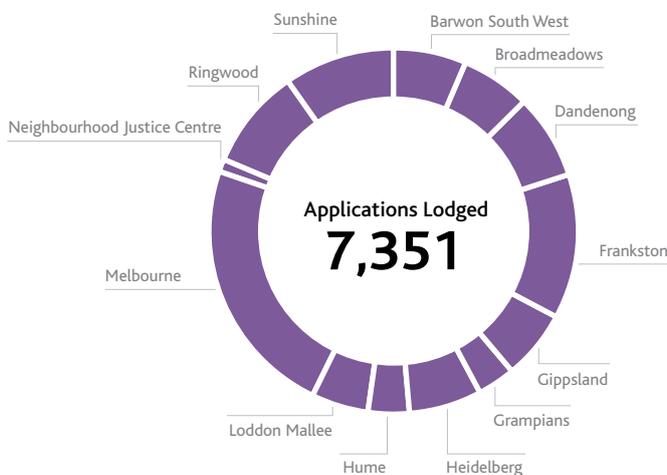
Applications Lodged
9.5% OF STATEWIDE TOTAL



Final Orders Made
10.2% OF STATEWIDE TOTAL



Awards Made
11.2% OF STATEWIDE TOTAL



Financial assistance awarded and legal costs²

TABLE 8: Total amount of financial assistance awarded and legal costs ordered (interim, final determination, by variation and on review), 2015/16 to 2017/18

	2015/16		2016/17		2017/18	
Financial assistance	\$41,151,633	89.0%	\$48,156,216	89.3%	\$49,461,630	89.2%
Legal costs	\$5,095,278	11.0%	\$5,762,959	10.7%	\$5,992,003	10.8%
Total	\$46,246,911	100%	\$ 53,919,175	100%	\$55,453,633	100.0%

TABLE 9: Total amount of financial assistance awarded, 2015/16 to 2017/18

	2015/16		2016/17		2017/18	
Financial assistance for expenses already incurred and lump sum payments (special financial assistance, distress, loss of earnings)	\$29,870,250	72.6%	\$35,438,319	73.6%	\$35,734,157	72.2%
Financial assistance for expenses not yet incurred	\$11,281,383	27.4%	\$12,717,897	26.4%	\$13,727,473	27.8%
Total	\$41,151,633³	100%	\$48,156,216	100%	\$49,461,630	100%

TABLE 10: Total amount of financial assistance awarded by assistance type, and legal costs ordered, 2017/18

Assistance Type	Interim Award	Final Award	Award on Variation	Award on Review	Total	
					Total \$	% of total
Special financial assistance	\$21,450	\$12,361,325	\$99,887	\$10,000	\$12,492,662	22.5%
Pain and suffering	\$0	\$0	\$5,760	\$0	\$5,760	0.0%
Distress	\$0	\$5,669,588	\$0	\$0	\$5,669,588	10.2%
Funeral expenses	\$409,800	\$167,883	\$0	\$0	\$577,683	1.0%
Loss of earnings	\$212,210	\$3,652,823	\$269,561	\$0	\$4,134,594	7.5%
Dependency	\$0	\$0	\$0	\$0	\$0	0.0%
Loss/damage to clothing	\$6,278	\$143,062	\$2,816	\$0	\$152,156	0.3%
Counselling/psychological/psychiatric reports	\$804,634	\$1,086,100	\$144,971	\$0	\$2,035,705	3.7%
Counselling sessions	\$3,197,840	\$5,034,492	\$1,431,842	\$14,686	\$9,678,860	17.5%
Medical expenses	\$587,267	\$2,710,746	\$830,696	\$0	\$4,128,709	7.4%
Other expenses to assist recovery	\$381,836	\$5,829,078	\$1,018,569	\$24,470	\$7,253,953	13.1%
Safety Related Expenses	\$404,894	\$2,649,053	\$274,505	\$3,508	\$3,331,960	6.0%
Subtotal	\$6,026,209	\$39,304,150	\$4,078,607	\$52,664	\$49,461,630	89.2%
Legal Costs	\$0	\$5,870,528	\$107,405	\$14,070	\$5,992,003	10.8%
Total	\$6,026,209	\$45,174,678	\$4,186,012	\$66,734	\$55,453,633	100%

² Individual figures shown for amounts of financial assistance have been rounded to the nearest dollar.

³ Note that there was an error in the 2016/17 Annual Report in relation to the financial assistance awarded in 2015/16. The figures in this report are correct and reflect accurately what was reported in the 2015/16 Annual Report

TABLE 11: Amount of financial assistance awarded as a lump sum payment and for expenses already incurred, by type of assistance, 2017/18

Assistance Type	Interim Award	Final Award	Awarded on Variation	Awarded on Review	Total	
					Total \$	% of total
Special financial assistance	\$21,450	\$12,361,325	\$99,887	\$10,000	\$12,492,662	35.0%
Pain and suffering	\$0	\$0	\$5,760	\$0	\$5,760	0.0%
Distress	\$0	\$5,669,588	\$0	\$0	\$5,669,588	15.9%
Funeral expenses	\$404,100	\$164,379	\$0	\$0	\$568,479	1.6%
Loss of earnings	\$212,210	\$3,652,823	\$269,561	\$0	\$4,134,594	11.6%
Dependency	\$0	\$0	\$0	\$0	\$0	0.0%
Loss/damage to clothing	\$5,279	\$137,808	\$2,256	\$0	\$145,343	0.4%
Counselling/psychological/psychiatric reports	\$804,634	\$1,086,100	\$144,971	\$0	\$2,035,705	5.7%
Counselling sessions	\$424,975	\$1,577,330	\$588,061	\$2,638	\$2,593,004	7.3%
Medical expenses	\$321,842	\$1,539,440	\$463,554	\$0	\$2,324,836	6.5%
Other expenses to assist recovery	\$139,327	\$3,123,709	\$613,070	\$24,470	\$3,900,576	10.9%
Safety Related Expenses	\$101,467	\$1,590,433	\$168,202	\$3,508	\$1,863,610	5.2%
Total	\$2,435,284	\$30,902,935	\$2,355,322	\$40,616	\$35,734,157	100%

TABLE 12: Amount of financial assistance awarded for expenses not yet incurred, by type of assistance, 2017/18

Assistance Type	Interim Award	Final Award	Awarded on Variation	Awarded on Review	Total	
					Total \$	% of total
Counselling sessions	\$2,772,865	\$3,457,162	\$843,781	\$12,048	\$7,085,856	51.6%
Medical expenses	\$265,425	\$1,171,306	\$367,142	\$0	\$1,803,873	13.1%
Loss/damage to clothing	\$999	\$5,254	\$560	\$0	\$6,813	0.0%
Other expenses to assist recovery	\$242,509	\$2,705,369	\$405,499	\$0	\$3,353,377	24.4%
Funeral expenses	\$5,700	\$3,504	\$0	\$0	\$9,204	0.1%
Safety related	\$303,427	\$1,058,620	\$106,303	\$0	\$1,468,350	10.7%
Total	\$3,590,925	\$8,401,215	\$1,723,285	\$12,048	\$13,727,473	100.0%

TABLE 13: Number of final awards of financial assistance made, and average amount of financial assistance awarded on final determination, 2015/16 to 2017/18

	2015/16	2016/17	2017/18
Number of awards of financial assistance made	4,161	4,739	5,104
Amount of financial assistance awarded	\$32,387,146	\$37,831,189	\$39,304,150
Average amount of financial assistance awarded	\$7,784	\$7,983	\$7,701

TABLE 14: Number of primary victims awarded special financial assistance and amount awarded on determination of application, by category, 2015/16 to 2017/18

	Number			Distribution		
	2015/16	2016/17	2017/18	2015/16	2016/17	2017/18
Number of primary victims who were awarded special financial assistance by category						
Category A	745	787	819	21.5%	20.0%	19.0%
Category B	791	953	1,017	22.9%	24.2%	23.6%
Category C	1,237	1,402	1,468	35.8%	35.6%	34.1%
Category D	686	797	1,004	19.8%	20.2%	23.3%
Total	3,459	3,939	4,308	100%	100%	100.0%
Amount of special financial assistance awarded by category						
Category A	\$6,033,254	\$6,681,604	\$6,803,287	58.1%	56.5%	55.0%
Category B	\$2,377,000	\$2,866,049	\$3,080,330	22.9%	24.2%	24.9%
Category C	\$1,538,310	\$1,775,997	\$1,869,335	14.8%	15.0%	15.1%
Category D	\$427,570	\$505,313	\$608,373	4.1%	4.3%	4.9%
Total	\$10,376,134	\$11,828,963	\$12,361,325	100%	100%	100.0%
Average amount of special financial assistance awarded by category						
Category A	\$8,098	\$8,490	\$8,307			
Category B	\$3,005	\$3,007	\$3,029			
Category C	\$1,244	\$1,267	\$1,273			
Category D	\$623	\$634	\$606			
Total	\$3,000	\$3,003	\$2,869			

TABLE 15: Number of related victims awarded financial assistance for distress and amount awarded on final determination, 2015/16 to 2017/18

	2015/16	2016/17	2017/18
Number of related victims who were awarded financial assistance for distress	290	361	318
Amount of financial assistance awarded to related victims for distress on determination of application	\$5,051,030	\$7,236,119	\$5,669,588
Average amount of financial assistance awarded to related victims for distress	\$17,417	\$20,045	\$17,829

TABLE 16: Amount of legal costs ordered to be paid on the final determination of applications for financial assistance, and average legal costs ordered, 2015/16 to 2017/18

	2015/16	2016/17	2017/18
Number of awards of financial assistance made	4,161	4,739	5,104
Amount ordered to be paid for legal costs	\$4,937,677	\$5,628,709	\$5,870,528
Average amount of legal costs ordered to be paid per awarded applicant	\$1,187	\$1,188	\$1,150

Interim financial assistance

TABLE 17: Number of interim awards of financial assistance made where financial assistance was awarded for expenses already incurred, and amount awarded 2015/16 to 2017/18

	2015/16	2016/17	2017/18
Number of interim awards of assistance made by Tribunal members	1,152	1,201	1,203
Number of interim awards of assistance made by judicial Registrars	267	276	305
Number of interim awards of assistance made by Registrars	728	743	614
Total number of interim awards of assistance made for expenses already incurred	2,147	2,220	2,122
Proportion of interim awards made by Registrars	33.9%	33.5%	28.9%
Amount of interim financial assistance awarded for expenses already incurred	\$2,087,576 ⁴	\$2,377,286	\$2,435,284
Average amount of interim financial assistance awarded for expenses already incurred	\$972	\$1,071	\$1,148

⁴ Note that there was an error in the 2016/17 Annual Report in relation to the average amount of interim assistance that was awarded in 2015/16. The figures in this report are correct and reflect accurately what was reported in the 2015/16 Annual Report

TABLE 18: Number of interim awards of financial assistance made where financial assistance was awarded for expenses not yet incurred, and amount awarded, 2015/16 to 2017/18

	2015/16	2016/17	2017/18
Number of interim awards of assistance made by Tribunal members	924	935	944
Number of interim awards of assistance made by judicial Registrars	174	192	213
Number of interim awards of assistance made by Registrars	540	616	467
Total number of interim awards of assistance made for expenses not yet incurred	1,638	1,743	1,624
Proportion of interim awards made by Registrars	33.0%	35.3%	28.8%
Amount of interim financial assistance awarded for expenses not yet incurred	\$2,546,763	\$3,564,956	\$3,590,925
Average amount of interim financial assistance awarded for expenses not yet incurred	\$1,555	\$2,045	\$2,211

Variation of awards

TABLE 19: Number of awards of financial assistance varied to award financial assistance for expenses already incurred, and average amount of financial assistance awarded, 2015/16 to 2017/18

	2015/16	2016/17	2017/18
Number of awards varied to award further financial assistance for expenses already incurred	986	1,255	1,200
Amount of financial assistance awarded on variation for expenses already incurred	\$2,025,508	\$2,585,557	\$2,355,322
Average amount of financial assistance awarded on variation for expenses already incurred	\$2,054	\$2,060	\$1,963

TABLE 20: Number of awards of financial assistance varied to award financial assistance for expenses not yet incurred, and average amount of financial assistance awarded, 2015/16 to 2017/18

	2015/16	2016/17	2017/18
Number of awards varied to award further financial assistance for expenses not yet incurred	588	708	676
Amount of financial assistance awarded on variation for expenses not yet incurred	\$1,389,569	\$1,752,701	\$1,723,285
Average amount of financial assistance awarded on variation for expenses not yet incurred	\$2,363	\$2,476	\$2,549

Applications for review of decisions

TABLE 21: Number of applications for review finalised by the Victorian Civil and Administrative Tribunal, by outcome, 2015/16 to 2017/18

	2015/16		2016/17		2017/18	
Outcome						
Original order/award set aside and new award made on review	3	27.3%	2	25.0%	2	9.5%
Award varied on review	0	0.0%	1	12.5%	8	38.1%
Order affirmed on review	1	9.1%	2	25.0%	7	33.3%
Application for assistance remitted to original decision-maker for determination	1	9.1%	1	12.5%	2	9.5%
Application for review dismissed	0	0.0%	0	0.0%	1	4.8%
Application for review struck out/withdrawn/abandoned	6	54.5%	2	25.0%	1	4.8%
Total	11	100%	8	100%	21	100.0%

TABLE 22: Number of awards of financial assistance made or varied by the Victorian Civil and Administrative Tribunal on review, and average amount of financial assistance awarded on review, 2015/16 to 2017/18

	2015/16	2016/17	2017/18
Number awards of assistance made or varied on review	3	3	10
Amount of financial assistance awarded on review	\$23,662	\$36,153	\$52,664
Average amount of financial assistance awarded on review	\$7,887	\$12,051	\$5,266



Our Financial Report

This year, VOCAT continues to operate as efficiently as possible. This is a challenge in the current environment, where there has been further increase in demand.



TRIBUNAL'S
OPERATING COST
UP BY 11.3%.

Funding source

The Consolidated Fund of the State of Victoria pays for VOCAT's operating costs. The amounts of financial assistance that the Tribunal awards are also paid out of the Consolidated Fund, which is appropriated to the necessary extent.⁵

Financial assistance paid

In the year ending 30 June 2018, the Tribunal paid a total amount of \$42,600,993 (compared to \$43,408,546 in the previous year). This amount comprises financial assistance paid to victims of crime and fees for service providers and legal practitioners. It represents actual payments made in the reporting period. It therefore does not include amounts relating to awards made in the current or previous reporting periods that were not paid in the current reporting period. Neither does it include financial assistance awarded for expenses not yet incurred or not used by applicants.

Operating costs

In the year ending 30 June 2018, VOCAT's operating costs were \$3,292,670 compared to \$2,956,328 in the previous year (an increase of 11.3%).

VOCAT's operating costs are kept low as a result of:

- ▶ being accommodated within Magistrates' Court venues
- ▶ having magistrates as decision-makers and
- ▶ being supported by Magistrates' Court Registrars.

The Magistrates' Court therefore absorbs a large proportion of VOCAT's operating costs, including magistrates' salaries⁶, infrastructure costs and corporate service expenses (such as human resource and finance functions).

Salaries and employee-related expenses for Tribunal-funded positions comprise most of VOCAT's operating costs. The balance is made up of expenses associated with the Tribunal's legal costs, training and development, and a contribution to the Magistrates' Court for infrastructure costs such as rent and property services, utilities, repairs and maintenance, postage and communication, and stationery.

⁵ Section 69(1) of the *Victims of Crime Assistance Act 1996*

⁶ Clause 10 of Schedule 1 to the *Magistrates' Court Act 1989* provides that the salaries, allowances and benefits payable to magistrates are to be paid out of the Consolidated Fund.

Average cost per finalised claim

For the year ending 30 June 2018, the average cost per finalised application for financial assistance was \$430 compared to \$410 in the previous year. This represents an increase of 4.9%. This is partly due to a 59% increase in the expenditure on legal costs. While we are spending less per matter on legal costs there were more than twice as many reviews in the reporting period than the previous financial year. This is still considerably lower than the average cost per finalised claim of \$481 reported in 2015/16.

It should be noted that the cost per finalised claim does not factor in expenses met by the Magistrates' Court operating budget, such as corporate services and Magistrates' salaries. The figures therefore do not accurately reflect the true costs of VOCAT's operations.

	Note	2016/17	2017/18
Special Appropriations			
Employee Expenses	1	\$2,231,805	\$2,471,316
Contractors & Professional Services	2	\$100,723	\$159,900
Other Operating Expenses		\$623,800	\$661,454
Total Salaries and Operating Expenses		\$2,956,328	\$3,292,670
Award Payments	3	\$43,408,546	\$42,600,993
TOTAL AWARDS		\$43,408,546	\$42,600,993

Notes to and forming part of the financial statement

This Financial statement is based upon financial data available as at 27 July 2018.

Note 1: The special appropriation for the salaries and on-costs of tribunal members (magistrates) during the reporting period is reported in the annual report of the Magistrates' Court of Victoria for the year ending 30 June 2018.

Note 2: The expenditure for contractors and professional services relates predominantly to legal costs in VCAT review matters.

Note 3: Award payments represents actual payments made for expenses, lump sum payments to applicants and legal costs paid in the reporting period. This does not include awards of financial assistance that were made in the reporting period but not paid as at 30 June 2018.

Our Directory of Tribunal Members & Judicial Registrars in the year under review

JUDICIAL OFFICERS

Mr Ian Alger	Ms Caitlin English	Dr Michael King
Ms Susan Armour	Ms Rosemary Falla	Mr Jonathan Klestadt
Ms Megan Aumair	Mr David Fanning	Ms Elizabeth Lambden
Mr Julian Ayres	Mr David Faram	Ms Catherine Lamble
Ms Donna Bakos	Mr Bernard Fitzgerald	Mr Nunzio LaRosa
Mr Thomas Barrett	Ms Lesley Fleming	Mr Peter Lauritsen (Chief Magistrate)
Ms Luisa Bazzani	Mr Simon Garnett	Ms Sarah Leighfield
Mr John Bentley	Mr Timothy Gattuso	Mr Dominic Lennon
Ms Angela Bolger	Ms Jane Gibson	Mr John Lesser
Mr Timothy Bourke	Mr Kieran Gilligan (appointed July 2018)	Mr Gerard Lethbridge
Ms Jennie Bowles	Mr Phillip Ginnane	Ms Denise Livingstone
Mr Darren Bracken	Mr Phillip Goldberg	Ms Mary-Anne MacCallum
Ms Felicity Broughton (Deputy Chief Magistrate)	Ms Anne Goldsbrough	Ms Therese McCarthy
Mr Gerard Bryant	Ms Julie Grainger	Ms Jan Maclean
Ms Abigail Burchill	Mr Martin Grinberg	Ms Kay Macpherson
Mr Anthony Burns	Ms Jennifer Grubissa	Mr Raj Malhotra
Ms Carolyn Burnside	Mr Simon Guthrie	Mr Lance Martin (Deputy Chief Magistrate)
Mr Darrin Cain	Ms Margaret Harding	Ms Urfa Masood
Ms Suzanne Cameron	Mr John Hardy	Mr Ross Maxted
Mr Andrew Capell (VOCAT Supervising Magistrate until February 2018)	Ms Tara Hartnett	Ms Ann McGarvie
Ms Rosemary Carlin	Ms Annabel Hawkins	Mr Andrew McKenna
Mr Michael Coghlan	Ms Kate Hawkins	Mr Gregory McNamara
Ms Ann Collins	Ms Fiona Hayes (VOCAT Supervising Magistrate from February 2018)	Ms Sharon McRae
Mr Gregory Connellan	Mr Rodney Higgins	Mr Peter Mealy
Mr Rodney Crisp	Ms Michelle Hodgson	Ms Fran Medina
Ms Jillian Crowe	Mr Franz Holzer (Deputy Chief Magistrate)	Mr Peter Mellas
Ms Sarah Dawes	Ms Gail Hubble	Ms Johanna Metcalf (VOCAT Supervising Magistrate)
Mr Peter Dotchin	Ms Audrey Jamieson	Mr Peter Mithen
Mr Peter Dunn	Mr Graham Keil	Mr Stephen Myall (passed away March 2018)
Ms Michelle Ehrlich	Ms Meagan Keogh	Mr John O'Brien

Mr John O'Callaghan
 Ms Julie O'Donnell
 Ms Kim Parkinson
 Mr Anthony Parsons
 Mr Richard Pithouse
 Ms Jelena Popovic
 (Deputy Chief Magistrate)
 Ms Roslyn Porter
 Mr Hugh Radford
 Mr Peter Reardon
 Mr Duncan Reynolds
 Ms Kay Robertson
 Mr Gregory Robinson
 Mr Charlie Rozenchwajg
 Mr Ronald Saines
 Mr Marc Sargent
 Mr Barry Schultz
 Mr Michael Smith
 Mr Paul Smith
 Ms Sharon Smith
 Mr Patrick Southey
 Ms Paresa Spanos
 Ms Pauline Spencer
 Mr David Starvaggi
 Ms Fiona Stewart
 Mr Mark Stratmann
 Ms Stella Stuthridge
 Ms Mia Stylianou

Mr Charles Tan
 Ms Noreen Toohey
 Ms Cynthia Toose
 Ms Jennifer Tregent
 Mr Jack Vandersteen
 Ms Susan Wakeling
 Ms Belinda Wallington
 Mr Timothy Walsh
 Mr Michael Wardell
 Mr Ian Watkins
 Mr Ian West
 (Deputy State Coroner)
 Mr Michael Wighton
 Mr Brian Wright
 Mr Simon Zebrowski
 Mr Francis Zemljak

Reserve Magistrates

Mr Clive Alsop
 Mr Ross Betts
 Mr Doug Bolster
 Mr Barry Braun
 Mr Len Brear
 Mr Phillip Byrne
 Mr Brian Clifford
 Mr Bruce Cottrill
 (full time until June 2018)
 Mr John Doherty
 Mr Lou Hill

Mr Frank Jones
 Mr Bob Kumar
 Ms Cathy Lamble
 Mr Gregory Levine
 Mr Ian McGrane
 Mr Dan Muling
 Mr John Murphy
 Mr John O'Brien
 (full time until April 2018)
 Mr Peter Power
 Mr Steven Raleigh
 Mr Barry Schultz
 Mr Michael Smith
 (full time until May 2018)
 Mr Alan Spillane

Judicial Registrars

Ms Ruth Andrew
 Mr Julian Bartlett
 Mr Mick Bolte
 Ms Samantha Dixon
 Ms Leah Hickey
 Mr Barry Johnstone
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