



VICTIMS OF
CRIME ASSISTANCE
TRIBUNAL

Annual Report
2019–2020

The image features a minimalist abstract design on a white background. It consists of several large, overlapping, curved shapes. A teal shape is positioned in the upper left, a medium blue shape is in the upper right, and a large dark blue shape dominates the lower half of the frame. The text 'Year at a Glance' is centered in the white space between the teal and blue shapes.

Year at a Glance



8,041 APPLICATIONS
FILED, DOWN BY 0.3%



8,492 ORDERS
FINALISING
APPLICATIONS,
UP BY 10.8%



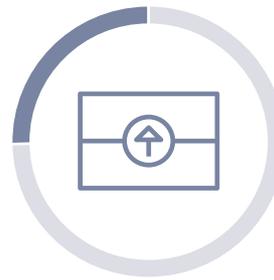
5,345 AWARDS OF
ASSISTANCE MADE,
UP BY 4.4%



\$61.4 MILLION
AWARDED,
UP BY 3.4%



JUDICIAL REGISTRARS
MADE 19.2% OF
FINAL AWARDS



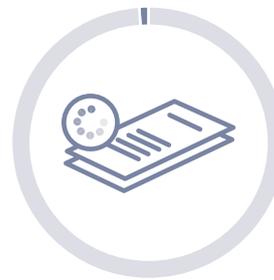
KOORI LIST
APPLICATIONS
UP BY 25.1%



AVERAGE AWARD
AMOUNT \$7,887,
DOWN BY 1.4%



INTERIM AWARDS
FOR ASSISTANCE
DOWN BY 10%



8,169 PENDING
APPLICATIONS,
DOWN BY 0.09%



2,493 ONLINE
APPLICATIONS FILED,
UP BY 46.4%



204,142 UNIQUE
VISITS TO OUR
WEBSITE, UP BY 20.8%



TRIBUNAL'S
OPERATING COST
UP BY 5%

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Letter to Minister

01/09/2020

The Honourable Jill Hennessy 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 2020.

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

Yours sincerely,



Judge Lisa Hannan
Chief Magistrate



Chief Magistrate's Message

THE HONOURABLE CHIEF MAGISTRATE, JUDGE LISA HANNAN

The Victims of Crime Assistance Tribunal has, for 23 years, played a central role in recognising the impact of violent crime on victims and their families. The Tribunal has the important function of providing financial assistance to victims to aid their recovery and to recognise that they have been impacted as victims of crime.

2019/2020 has presented unprecedented challenges to the community as a whole, to courts and tribunals and to the ability of individuals to engage with the justice system. From March 2020, the COVID-19 pandemic restrictions on movement had a significant impact on the ability of applicants and legal practitioners to attend court. Very quickly, the Tribunal formulated a response to ensure that victims of crime were still able to access the Tribunal, including for hearings, so that their recovery needs could be met as quickly as possible.

The Tribunal, while still largely a paper-based system, encouraged increased use of online lodgement of applications, together with the submission of subsequent materials by email. Directions hearings continued to occur, but by telephone.

Where VOCAT matters needed to come before a Tribunal Member for hearing, the Tribunal moved to, initially, having those hearings by phone. Within a short period, the Magistrates Court of Victoria initiated the Online Magistrates Court (OMC), in which the Tribunal became a very early participant.

The Tribunal was concerned to ensure that victims continued to have a voice in how their matter was heard by the Tribunal. In each matter, the applicant is offered the opportunity to take part in a WebEx hearing via the OMC Portal, which, if agreed, can occur very shortly thereafter. Where applicants still wish to appear before a Tribunal Member, then those matters will be listed in court once the COVID-19 restrictions permit.

One of the benefits of a hearing in the OMC is that applicants can remain in their home and appear by phone, laptop or other electronic device. Applicants can be in familiar and comfortable surroundings, assisted by family, friends or support people. By this means, the hearing is less intimidating for applicants. Solicitors and Barristers can also appear from their offices, chambers or homes, allowing these important matters to proceed, without risk to the health of any person.

All Magistrates and Judicial Registrars in Victoria are Tribunal Members, who assess applications and make decisions in relation to applications. In courts throughout the State, Magistrates, Judicial Registrars and staff were required to work in a different way during the COVID-19 period. Primarily, judicial officers and staff have been working in teams, which reduced the numbers of judicial officers and staff who were present at court. In their weeks working from home, judicial officers and staff continued to work on VOCAT applications. Effectively, there was no disruption to the consideration of applications, both interim and final.

In 2019/20, the Tribunal continued to receive very high numbers of applications from victims of crime. There were 8,041 applications filed in 2019/20, slightly less than 2018/19, which was 8,067. In the same period, the number of applications that were finalised was 8,492, which was 10.8 per cent higher than the previous year.

The filing of online applications increased this year, by 46.4%, most likely due to the COVID-19 restrictions. The Tribunal expects to see a continued growth in this area. Similarly, most correspondence is now electronically lodged and responded to by the Tribunal.

This year, we saw a 0.2% increase in the number of applications relating to victims' experience of family violence, with the number of family violence related applications forming 36.5% of claims for the year.

In previous years, my predecessor wrote of the challenges posed by increasing numbers of applications in circumstances where the Tribunal did not have the resources to match that increased demand. Over the last year, the Minister for Victim Support and Department of Justice and Community Safety (DJCS) worked with the Tribunal to prepare legislation which, when passed, creates the new position of Tribunal Officer. Tribunal Officers will be legally qualified or senior staff, who will be delegated authority by the Chief Magistrate to make final decisions in relation to most types of VOCAT applications. The exceptions will be matters involving sex offences and family violence allegations, which will continue to be heard by Magistrates. We look forward to working with the Minister to secure funding for these new positions.

It is hoped that the creation of the new Tribunal Officer positions will assist the Tribunal in reducing its backlog of applications, particularly as the government develops the new Financial Assistance Scheme for victims of crime seeking assistance.

I would like to acknowledge the work of the dedicated staff of VOCAT who have undergone significant workplace change this year. They have continued, throughout the pandemic, to work extraordinarily hard, both at work and when working from home. This is demonstrated by the number of applications finalised within the reporting year. I want to commend the VOCAT leadership team for their agility in ensuring that staff, statewide, have been able to continue working on applications, through electronic developments.

I am very pleased to have secured a new home for the VOCAT team, previously based at the Melbourne Magistrates Court, who have now moved to Level 5 at the William Cooper Justice Centre. These new premises allow the VOCAT staff to conduct their work in a spacious, bright environment.

I wish to acknowledge the leadership of Rod Ratcliffe, Principal Registrar of VOCAT throughout this difficult time, together with Donna Caruana and Suzanne Frawley in the roles of Standards and Compliance Manager. Together they have expertly guided VOCAT through this period of significant change.

My thanks also to the VOCAT Coordinating Committee which brings together judicial officers and the administrative team to plan, implement and respond to issues evolving in the work of the Tribunal.

I wish to acknowledge Magistrate Jo Metcalf who was co-Supervising Magistrate with Magistrate Fiona Hayes over the reporting period. In December 2019, Magistrate Metcalf left this role, to take on a separate supervising role within the Magistrate's Court. I thank Magistrate Metcalf for her long service as Supervising Magistrate of VOCAT, her thoughtful, compassionate and dedicated approach to the Tribunal's work.

Finally, I wish to thank Magistrate Fiona Hayes, Supervising Magistrate of VOCAT, her dedication to the work of the Tribunal has been fundamental to our successful navigation of this challenging period. I am grateful for the support she has provided applicants, staff and colleagues and I look forward to working with her as we continue to serve the people of Victoria.

Judge Lisa Hannan
Chief Magistrate



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 23rd year of operation and was established by the *Victims of Crime Assistance Act 1996* (the VOCA Act). We are located within the Magistrates' Court of Victoria and operate at all Court venues across the state. Each of the Court's 136 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. Johanna Metcalf and Fiona Hayes jointly supervised the Tribunal until 1 January 2020 when Magistrate Metcalf moved on to another supervisory role within the Court's Sexual Offences List. Magistrate Hayes has been the sole Supervising Magistrate for the Tribunal since then.

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 Magistrate/s to carry out these duties. The committee is constituted by the Supervising Magistrate, seven other Magistrates, two Judicial Registrars, the Principal Registrar of VOCAT, the Standards and Compliance Officers and the Registry Manager, Melbourne.

The Chief Magistrate has delegated certain powers under the VOCA 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 and to make basic awards for variations.

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 VOCA 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 23 years, VOCAT has received 117,403 applications for financial assistance, and awarded \$923.6 million to victims of crime. This has included 88,515 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 was on track to do the same but numbers dropped slightly when COVID-19 led to a drop in lodgements. There were 8,041 applications received in the current reporting period, the second most in any single year apart from 2018/19 which saw 8,067. There were just over 1,000 applications lodged in 1997/98.



Supervising Magistrate Fiona Hayes

There is no doubt that every Victorian will have experienced significant changes to life, work and school throughout the reporting period, due to the COVID-19 pandemic. For victims of crime, the necessary restrictions on movement have also resulted in delays in the criminal justice system. Criminal prosecutions will necessarily take longer to reach conclusion, support services are accessible by phone rather than face to face and may not be as readily accessible.

At the Tribunal, we have been conscious of the need to continue to process applications to enable victims of crime to access the services they need at this time. The Tribunal moved quickly to authorise counselling by phone, to allow documents and materials to be submitted without requiring the signatures of applicants and to continue to consider interim and final applications as quickly as possible.

The Tribunal sits within the Magistrates' Court of Victoria, which, as a whole, moved to implement changes to the way it worked. All judicial and registry staff were divided into teams, with one team working at court and one team working from home.

Judicial officers have been continuing to consider VOCAT applications while working from home. In addition, registry staff have been technologically enabled to process queries, applications and correspondence, while they too work from home. Judicial officers and staff have worked diligently to ensure that the work of the Tribunal has continued, without interruption, during one of the most significant disruptions to our working environment.

In March 2020, the Tribunal adopted changes to its hearing process. Directions hearings proceeded by phone, as did final hearings, if they were appropriate to do so.

In the subsequent weeks, the Magistrates Court of Victoria developed the Online Magistrates' Court (OMC), which enabled judicial officers, registrars, legal representatives and parties to appear online, from premises other than a court. The Tribunal moved swiftly to investigate the suitability of listing hearings, both directions and final, via the OMC. Applicants are asked whether they would like to have their matter heard via the OMC, and if they are agreeable, then the matter can proceed. Many such matters are now being listed, throughout Victoria, via the OMC. Matters are being listed earlier, without having to come into a court building and with greater ease for the applicants, who can appear from wherever they feel comfortable, with their chosen supports alongside.

I am pleased to report that the number of matters finalised in the reporting period has increased. This is despite there being nearly as many applications lodged as last year's record high. Over a third of the applications relate to matters involving family violence. The Tribunal will continue to work with family violence services, within the court and the broader community to ensure that safety issues are addressed in a timely and integrated way. We have also seen a growth in the number of applications lodged by Koori applicants. These matters are dealt with in the specialist Koori VOCAT list, based at the Melbourne Magistrates' Court. The aim of the specialist list is to ensure the cultural safety of applicants, to address victims' needs with culturally appropriate support services and to hear matters on country where the applicant wishes to do so.

The Tribunal's Melbourne registry has relocated to Level 5 of the William Cooper Justice Centre, which has afforded a valuable improvement to the wellbeing of the registry in terms of space, natural light, storage and amenity. Level 5 has a public counter, together with hearing and reading rooms.

This reporting period has been remarkable in terms of the extent and depth of change experienced by the Tribunal and the Magistrates' Court of Victoria. I have no doubt that the Tribunal has weathered these changes and will continue to do so because of the responsiveness, professionalism and experience of the leadership team. The Tribunal is most fortunate to be led by Rod Ratcliffe, Principal Registrar, together with Donna Caruana and Suzanne Frawley, who jointly hold the role of Standards and Compliance Manager. Daniela Danci expertly held the role of Registry Manager throughout the reporting period.

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. I extend my thanks to all Registrars and Tribunal Members who perform the Tribunal's work with dedication and compassion.

Finally, I would like to thank Magistrate Jo Metcalf, who has co-supervised VOCAT for many years. She has done so with great compassion, wisdom and leadership. Her impact has been significant and a lasting legacy throughout the Tribunal.

Fiona Hayes

Supervising Magistrate, Victims of Crime Assistance Tribunal





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 Victim Services, Support and Reform (VSSR) within the Department of Justice and Community Safety, 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, 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 assist in preparing their claim without reducing the award amount.

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.



**Victims of Crime
Assistance Tribunal**

Home

Before You Apply

▶ Applicant Details

Offence Details

Your Application

Deceased Details

Authorisation

Supporting Material

Legal Representation

Acknowledgement

Review Application

Confirmation

Application for Assistance

Applicant Details

Status:

New

▼ Details of Person Wanting Assistance

* Surname

* Given Names

Former Names

* State

▼

Telephone (please provide at least one phone number)

Phone (After Hours / Home)

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 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 sexual and physical 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.

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 three 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.

With the introduction of the OMC, it has been possible to significantly reduce listing delays. It is now possible to list matters for directions hearings or final hearings within a fortnight of the decision to do so.

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.

Hearings held in the OMC, by agreement with the applicant, continue to offer the opportunity for applicants to speak directly with a Tribunal Member. In addition, this mechanism of hearing allows the applicant to remain in the comfort of their home, with the support of family or friends, while the hearing takes place. This process reduces some of the anxiety involved in attending at court buildings and is hoped to be less intimidating for applicants.

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
- ▶ the applicant is eligible to receive the assistance and
- ▶ the applicant does not qualify for financial assistance from another source for the loss or expense sought from VOCAT.

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 VOCA 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 VOCA 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, 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.



JUDICIAL
REGISTRARS
MADE 19.2% OF
FINAL AWARDS

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 2019/20 financial year, Judicial Registrars heard and determined 1,630 VOCAT applications, marginally more than last year (1,609). This figure constitutes 19.2% of all VOCAT final awards. Judicial Registrars also make approximately 7.7% of all variation awards and 10.8% of all interim awards.

There are 12 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.

Koori VOCAT List

The Koori VOCAT List commenced operation in 2006 as a pilot and now operates as an ongoing part of the Tribunal pursuant to Practice Direction 2 of 2009. All applications made by an individual identifying as Aboriginal or Torres Strait Islander are managed in the Koori VOCAT List, located at the Tribunal's Principal Registry in Melbourne. An exception exists however for any applications that fall within the Family Violence Division of the Magistrates' Court of Victoria at Heidelberg or Ballarat, or within the jurisdiction of the Neighbourhood Justice Centre.

The administration of the List conducted centrally at Melbourne, allows for greater consistency with a small group of dedicated Tribunal Members and staff working together to ensure a culturally sensitive focus. Furthermore, the Tribunal Members responsible for determining the applications are those whom have experience and dealings within the Koori community and undertake cultural awareness training.

The objectives of the Koori VOCAT List is to overcome barriers faced by Koori victims of crime and promote access to assistance that can be offered by the Tribunal in accordance with the VOCA Act. Early initiatives and developments within the List included the use of the Indigenous identifier question, engaging with specific services, cultural awareness training and re-drafting standard letters – all practices which continue in today's operation of the List.

The Koori VOCAT List also promotes flexibility in listing of Koori VOCAT matters to ensure a safe and culturally appropriate space for hearings. This includes having Aboriginal flags and artworks displayed, hearing rooms are ceremonially smoked, use of technology considered and considerations are given to the location of an appropriate hearing venue to ensure a convenient option is available for applicant.



KOORI LIST
APPLICATIONS
UP BY 25.1%

The Koori VOCAT List at the end of the reporting period, was managing a caseload in excess of 470 applications. The Tribunal saw a significant increase in applications lodged within the List in the 2019/20 financial year with an increase of 25.1% in new lodgements.

The impact of the increase in workload can be seen in a reduced number of finalisations which were down 5.5% on the previous financial year. In addition, the impact of COVID-19 inevitably saw some delays experienced in the finalisation of matters, particularly applications requiring a hearing for final determination. The Tribunal has continued its effort to mitigate the impact and delay caused by the pandemic through the introduction of new initiatives including WebEx hearings.

Also, to address the increased workload and vacancy of the Koori List Engagement Officer position, the Tribunal has sought additional administrative support. This additional staff resource helps ensure the ongoing and timely case management of Koori applications and forms an integral part of Koori VOCAT team. Engagement work has also been undertaken by the Koori VOCAT team including attendance at a number of NAIDOC events and presentation to external Koori Engagement Workers throughout the reporting year.

The List ultimately encourages and strives to maintain a high level of communication and responsiveness within the resource constraints and limitations of the Tribunal. The success of the Koori VOCAT List is evidenced by the increasing number of applications and its ongoing and continued commitment to providing assistance to Koori victims of crime.

VOCAT FAMILY VIOLENCE CASE STUDY

Mary (not her real name) is a woman in her late 60s. In April of 2018, her then 28 year old son, William, attended her house asking for money. William had been addicted to methamphetamines since he was a teenager. Following an argument William assaulted Mary, rendering her unconscious.

A kind neighbour intervened and contacted the police and an ambulance. Mary was hospitalised with a fracture to the parietal lobe of her skull and a punctured eardrum. While both the fracture and eardrum healed, Mary has suffered headaches and post-traumatic stress disorder (PTSD) since that day.

Mary was at first reluctant to cooperate with police against her own son. Mary confessed that this was not the first time William had been violent towards her but the first time she had to be hospitalised. She was afraid that the behaviour may escalate further so she made a comprehensive report to police.

William was charged and pleaded guilty to intentionally causing injury.

Mary applied to VOCAT for assistance through her solicitors in August 2019. Mary sought interim assistance for counselling, Special Financial Assistance, medical expenses and further assistance to aid in recovery. Mary's interim claim for 10 counselling sessions with a psychologist of her choice was granted within days of her application being lodged.

In March 2020, Mary received a final award of assistance consisting of \$1,300 in Special Financial Assistance; \$1,478 in pharmaceutical costs and ongoing pain management treatments plus \$600 for Yoga classes. Mary has a right to return to VOCAT at any point within six years of the date of that order to seek further claims, including for counselling if the need arises.

There were 2,934 applications for assistance by victims of family violence in 2019/20. This constituted 36.5% of all applications for assistance. Of the 2,934 victims of family violence, 2,280 were female and 654 were male.



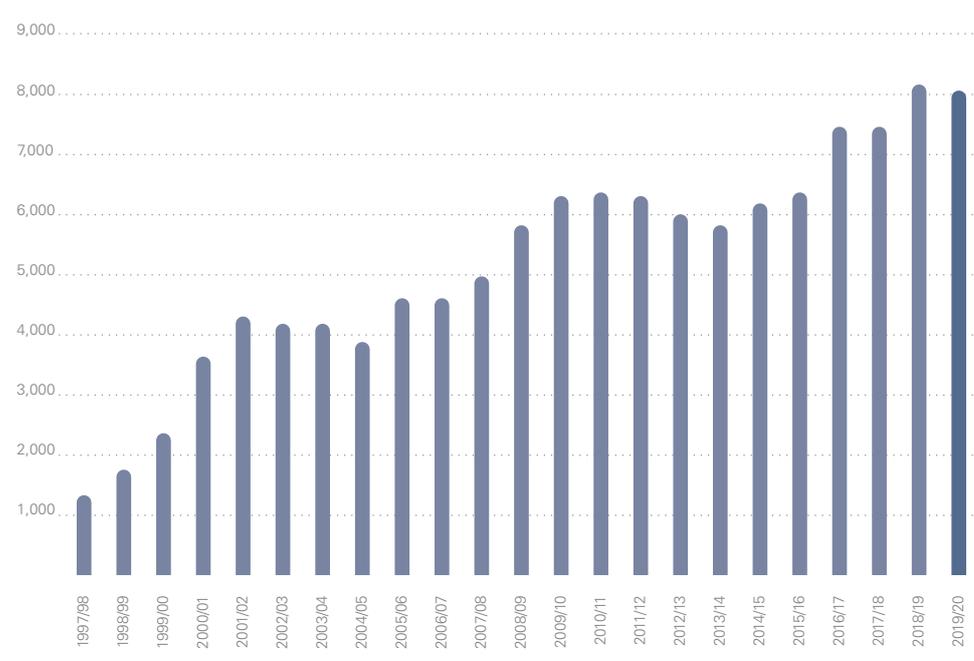
**FAMILY VIOLENCE
MADE UP 36.5%
OF ALL VOCAT
APPLICATIONS
IN 2019/20**



8,041 APPLICATIONS FILED, DOWN BY 0.3%

Demand and financial assistance awarded

CHART 1: Number of applications for financial assistance lodged annually 1997/98 – 2019/20



Demand for financial assistance from victims of crime has increased almost every year since the Tribunal commenced on 1 July 1997.



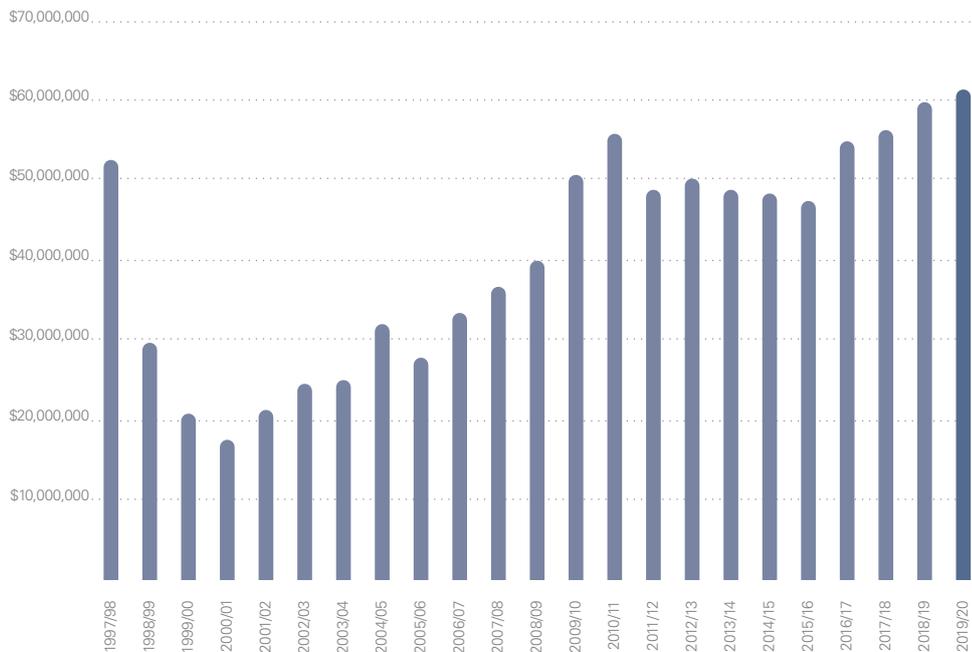
5,345 AWARDS OF ASSISTANCE MADE, UP BY 4.4%

CHART 2: Number of awards made annually 1997/98-2019/20



The number of awards made annually has remained relatively steady for the last 3 reporting periods.

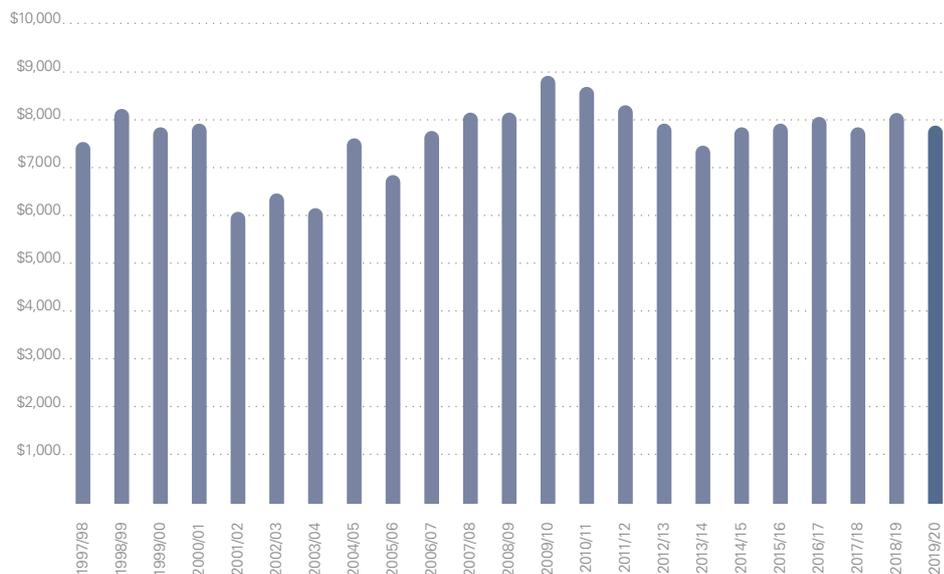
CHART 3: Total amount of financial assistance awarded including legal costs ordered annually 1997/98-2019/20



\$61.4 MILLION AWARDED, UP BY 3.4%

There was an increase in the amount of financial assistance awarded this year despite the number of final awards remaining stable.

CHART 4: Average amount of financial assistance awarded under the *Victims of Crime Assistance Act 1996* on determination of applications 1997/98 – 2019/20



AVERAGE AWARD AMOUNT \$7,887, DOWN BY 1.4%

The average amount of financial assistance has remained steady throughout the 23 year history of the Tribunal. This indicates that Tribunal Members are applying the legislation in a consistent manner.



The Tribunal – Year in Review

Applications lodged

There were 8,041 applications filed in the reporting period which represents a decrease of 0.3% compared to the previous year (8,067).

More than one third of applications (36.5%) arise from an incidence of family violence.

Aside from Melbourne (1,698 applications), Ringwood has taken over as the Tribunal venue with the highest demand. There were 738 applications for assistance lodged at the Ringwood Court in 2019/20, up from 666 last year. Dandenong (697), Sunshine (627), Frankston (520), Broadmeadows (519) and Heidelberg (471) also received very high numbers.



**8,492 ORDERS
FINALISING
APPLICATIONS,
UP BY 10.8%**



**VARIATION AWARDS
UP BY 16.8%**

Application outcomes

VOCAT finalised 8,492 applications in the reporting period. This is 10.8% higher than the previous year. An increase in cases being “struck out”¹ rather than awarded or refused and an audit of older files contributed to the higher numbers of finalisations. It is a credit to the Tribunal’s staff and Tribunal Members, however, that during a year with staff working partially from home due to COVID-19 restrictions, that such a high rate of finalisation was reached.

VOCAT awarded 5,345 applicants financial assistance representing 62.9% of all final orders² made in 2019/20. In 2018/19, the 5,119 awards of assistance made up 66.8% of all finalisations. Additionally:

- ▶ Applications were determined at hearings in 6.4% of cases down from 10.6% in 2018/19. This number was severely impacted by the inability for the Tribunal to conduct hearings safely during the initial COVID-19 lockdown period.
- ▶ As in previous years, the majority of awards (87.8%) went to primary victims, with 4,694 awards being made this reporting period, compared to 4,396 last year (an increase of 6.8%). Secondary victims made up 7% (down from 7.1% in 2018/19) and Related victims made up 4.9% (down from 6.8% in 2018/19) of all applications for assistance.
- ▶ The overall number of interim awards decreased considerably by 10% to 3,990 (down from 4,435). While the number of interim awards was down, the amount awarded increased. The average amount awarded per victim at the interim stage increased by 8.1% to \$1,787.

- ▶ There was a steep increase in the number of variation applications. A trend developed over the reporting period where applicants are seeking a final award earlier and leaving specific heads of award to be sought at the variation stage. The number of variation awards increased by 16.8% in 2019/20 and the average amount awarded on variation increased by 5.4%.
- ▶ The shift from final awards to variation awards has a statistical impact on other types of awards. Many applications were being finalised sooner, perhaps reducing the need for interim assistance. This may explain the slight drop in interim awards.
- ▶ Choosing not to claim all heads of award at final order stage saw the average final award amount drop by 1.4%. It also impacted both the number of finalisations possible within the reporting period and reduced the delay between lodgement and finalisation.
- ▶ It is important to note that variation applications are made in a proceeding where a final award has already been made. This means that for reporting purposes, the file is deemed “inactive” or no longer pending. The pending cases figures, therefore, do not accurately reflect the increased work being done during the variation period.

1. Registrars are delegated the power to strike out an application where no response is given or where the applicant’s solicitor fails to file material requested by the Tribunal. The applicant retains the right with all administrative strike-outs to reinstate the application.

2. “Final orders” includes awards of assistance, applications refused, applications struck out and applications withdrawn.

Seven Year Trend – Pending Cases



Number of pending (active) cases at 30 June each year since 2014 with trendline.

Active applications

One of the best indicators of VOCAT's level of demand is the number of cases that are active or "pending" at any given time. Pending cases are applications that have been lodged with the Tribunal but not yet finalised. The number of pending cases decreased slightly from 8,176 at 30 June 2019 to 8,169 at 30 June 2020.

With a reduction in lodgements throughout the COVID-19 period and an increase in applications that were struck out with a right of reinstatement, the pending cases did not increase as had been forecast. At the end of March 2020, the number of pending cases was sitting at 7,965.

The number of pending cases has continued to grow over the past 6 years. There has been a 39.8% increase since 30 June 2014.

Financial assistance awarded

In the reporting period, we awarded a total of \$61.4 million in financial assistance and legal costs to victims of crime, up slightly from the \$59.4 million awarded in the previous year.

The average amount of financial assistance awarded to each victim was \$7,887 compared to \$8,001 in the previous year. This figure has remained fairly consistent over the past 23 years showing that Tribunal Members are applying the legislation consistently.



8,169 PENDING APPLICATIONS, DOWN BY 0.09%



\$61.4 MILLION AWARDED, UP BY 3.4%



2,493 ONLINE APPLICATIONS FILED, UP BY 46.4%

Review applications from VOCAT

In the reporting period, 16 applications for review of VOCAT decisions were determined by VCAT. The Victorian Government Solicitor's Office represents VOCAT (as the original decision maker) in all review matters. In four of those matters the Tribunal's decision was overturned or varied in some way and in three more the matter was remitted to VOCAT for reconsideration. To put this in perspective, only 0.05% of finalised cases were varied on review.

Online applications

Applications for financial assistance can be completed and filed via the Tribunal's website by clicking the 'Apply Online' link on our website's homepage. Hard copy forms are available from any court location but more and more people each year are choosing to utilise the electronic form of lodgement. Approximately 31% of VOCAT applications are now lodged online up from just 21.1% last year.

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.

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 2020), 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.

Legal and community education

We continued 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 as well as VSSR, Victim Assistance Program and other stakeholder training events.

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

The Tribunal also conducted presentations for international jurists and senior administrators from Sri Lanka, Thailand and Vietnam.

COVID-19

Consistent with workplaces all over the world, from March 2020 VOCAT Tribunal Members and staff were presented with the challenge of finding ways to work remotely. For reasons of privacy and impracticality, the thousands of active files were not permitted to be taken offsite. This meant that at all times throughout the pandemic crisis, at least some VOCAT staff remained on-site as essential workers.

Processes were introduced and tasks divided in such a way that allowed staff to maintain remote productivity despite not having access to the hard copy files. Technology was introduced that allowed staff to log in to a virtual desktop from their own devices at home. This provided a secure and effective way of accessing the Tribunal's case-management system and all relevant email accounts.

From March, the Tribunal started hearing directions hearings by phone and also final hearings, where appropriate to do so.

In June 2020, the first Tribunal directions hearing was conducted using the WebEx system. In early July 2020 the Tribunal also commenced listing final hearings via the WebEx platform, enabling the continued finalisation of Tribunal matters in a victim centred, therapeutic way. It is hoped that this mode of finalisation will be used to reduce future backlog in Tribunal hearings.

It is a testament to our Tribunal Members, registry staff as well as solicitors, service providers and the police that despite the pandemic the Tribunal awarded a record number of applications to victims of crime over the financial year.





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 VOCAT's 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 considers 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.

Committee Chairs: Supervising Magistrates Fiona Hayes and Johanna Metcalf (until December 2019).

Members: Deputy Chief Magistrate Felicity Broughton, Magistrates Andrew Capell (until February 2019), David Fanning, Duncan Reynolds (until October 2019), Sharon McRae and Simon Guthrie. Judicial Registrar Ruth Andrew, Principal Registrar Rod Ratcliffe, Acting Principal Registrar Melanie Riccardo, Standards and Compliance Officer Donna Caruana, Acting Standards and Compliance Officer Suzanne Frawley, Acting Melbourne Registry Managers Ashley Hart and Daniela Danci.

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

- ▶ The review of Tribunal Counselling, Funeral and Legal Cost guidelines
 - ▶ Ongoing oversight of the Koori VOCAT List, including the establishment of a Koori List Engagement Officer following AJA4 funding for VOCAT's enhancement of the Koori List
 - ▶ The expansion of the Tribunal's Judicial Registrar delegation of powers, allowing Judicial Registrars to manage applications where an act of violence has not been reported to police
 - ▶ The inclusion of VOCAT into the Magistrates Court Specialist Family Violence Court model
 - ▶ The establishment of the 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
- ▶ Staff well-being initiatives and the ongoing monitoring of the impact increased demand is having on registry staff
 - ▶ The introduction of WebEx listings for VOCAT
 - ▶ COVID-19 responses, changes to processes and procedures
 - ▶ Relocation of Melbourne Registry to William Cooper Justice Centre
 - ▶ VOCAT User Group meetings, attended by the Supervising Magistrates, Principal Registrar, Standards and Compliance Officer, registry staff and core Tribunal stakeholders
 - ▶ 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), pending caseload and the amount of assistance awarded
 - ▶ Victorian Civil and Administrative Tribunal 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 and Judicial Registrars
 - ▶ The provision of VOCAT training for new MCV staff
 - ▶ The provision of VOCAT training to key stakeholder agencies such as VSSR, Court Network and Victim Assistance Programs
- ▶ The provision of VOCAT specific training as part of the Victoria Police Academy curriculum
 - ▶ Training presentations and stakeholder engagements with Drummond Street Services, the Victorian Aids Council, Women's Health West, inTouch Multicultural Centre Against Family Violence and Victoria Police GLLOs (LGBTI Liaisons)
 - ▶ Presentations to official delegates from Sri Lanka, Thailand and Vietnam
 - ▶ Meetings with representatives of VSSR 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
 - ▶ The Magistrates Court 'Walk in her shoes' presentations with Family Violence agencies across the state
 - ▶ Membership of the Whole of Government Steering Committee in relation to the proposed Financial Assistance Scheme.

Our Registries

During this reporting period VOCAT's principal registry was 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 2020, the Tribunal funded 27 registry positions across Victoria and was further supported by Registrars and administrative staff of the Magistrates' Court.

The Melbourne office of VOCAT 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 from the Magistrates' Court 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 \$5,000.

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.



204,142 UNIQUE VISITS TO OUR WEBSITE, UP BY 20.8%

VOCAT Website

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

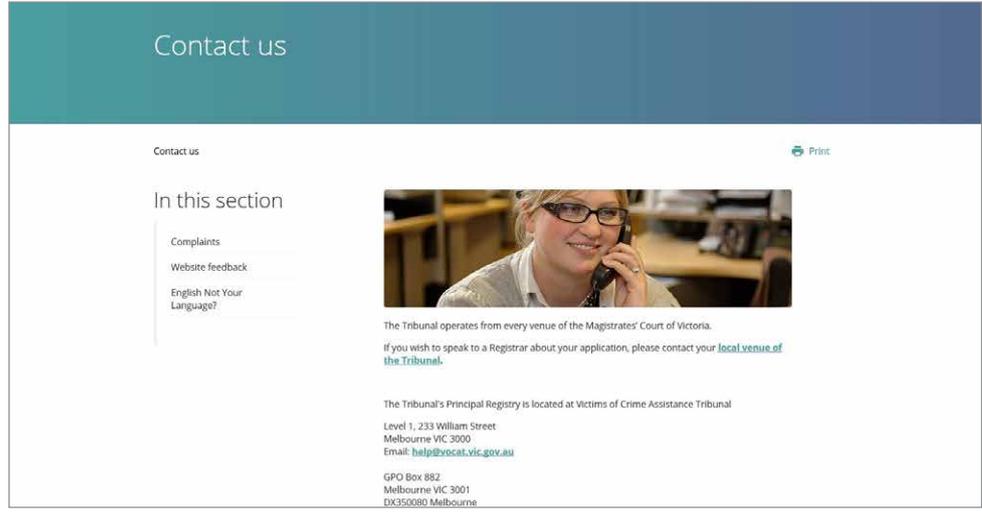
- ▶ application forms and guides
- ▶ information about what VOCAT does
- ▶ links to victim support services and resources
- ▶ practice directions and guidelines
- ▶ publications such as reports and brochures and
- ▶ review decisions that VOCAT considers important

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

The VOCAT website can be used on any device including smart phones, tablets and PCs. This means it can be used anywhere and at any time. The ease of access and friendly user experience has seen a dramatic increase in visitors to the website.

This year the website received **204,142** unique visits, compared to **168,969** in the previous year.

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 **1,361** times into just the top 20 languages.







Our Statistical Report

The tables in this section 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, 2017/18 to 2019/20

	2017/18	2018/19	2019/20
Caseload			
Number applications lodged	7,351	8,067	8,041
Number orders made finalising claims	7,655	7,666	8,492
Number applications pending on 30 June	7,292	8,176	8,169
Case processing times³			
Proportion of applications finalised within 9 months of lodgement	51.4%	53.5%	54.8%
Proportion of applications finalised within 12 months of lodgement	67.4%	68.9%	69.8%
Age of pending caseload⁴			
Proportion of applications pending for 9 months or more on 30 June	37.2%	38.9%	41%
Proportion of applications pending for 12 months or more on 30 June	27.1%	27.7%	30.8%

Applications lodged by applicant gender and category of crime

TABLE 2A AND 2B: NUMBER OF APPLICATIONS FOR FINANCIAL ASSISTANCE LODGED BY CATEGORY OF OFFENCE, AND GENDER OF APPLICANT, 2019/20⁵**TABLE 2A: Applications lodged by offence type and gender of applicant**

	Male		Female		Indeterminate/ Unspecified/ Intersex (X)		Total	
	Total Male	Male FV	Total Female	Female FV	Total X	X FV	Total	FV
Abduction / Kidnap	11	5	23	12	0	0	34	17
Assault	1,875	284	1,577	758	1	0	3,453	1,042
Agg ¹ Burglary	291	18	325	48	0	0	616	66
Criminal Damage by Fire	16	4	12	2	0	0	28	6
Family Violence	165	165	679	679	0	0	844	844
Harrassment	32	14	143	58	0	0	175	72
Homicide	207	28	271	39	0	0	478	67
Other	126	14	170	36	0	0	296	50
Rape	32	14	330	137	0	0	362	151
Robbery	226	1	116	3	0	0	342	4
Sex Crime (non Rape)	198	57	815	375	0	0	1,013	432
Threats	144	50	255	133	1	0	400	183
Totals	3,323	654	4,716	2,280	2	0	8,041	2,934

3. Case processing time indicates the time lapsed between date of lodgement and the finalisation of an application.

4. Age of pending caseload refers to the time lapsed since lodgement on pending applications.

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

TABLE 2B: Distribution %

	Male	Female	X	% of total applications lodged	FV
Abduction / Kidnap	32%	68%	0%	0.4%	50%
Assault	54%	46%	0.03%	42.9%	30.2%
Agg' Burglary	47%	53%	0%	7.7%	10.7%
Criminal Damage by Fire	57%	43%	0%	0.3%	21.4%
Family Violence	20%	80%	0%	10.5%	100%
Harrassment	18%	82%	0%	2.2%	41.1%
Homicide	43%	57%	0%	5.9%	14%
Other	43%	57%	0%	3.7%	16.9%
Rape	9%	91%	0%	4.5%	41.7%
Robbery	66%	34%	0%	4.3%	1.2%
Sex Crime (non Rape)	20%	80%	0%	12.6%	42.6%
Threats	36%	64%	0.25%	5%	45.8%
Totals	41%	59%	0.02%	100%	36.5%

Outcome of finalised applications

TABLE 3: Number of orders made upon final determination of applications for financial assistance, by order type, 2017/18 to 2019/20

	2017/18		2018/19		2019/20	
	No.	%	No.	%	No.	%
Application granted/award made	5,104	66.7%	5,119	66.8%	5,345	62.9%
Application refused	129	1.7%	134	1.7%	126	1.5%
Application struck out/withdrawn	2,422	31.6%	2,413	31.5%	3,021	35.6%
Total	7,655	100%	7,666	100%	8,492	100%

TABLE 4: Number of awards of financial assistance made upon final determination of applications for assistance, by award type, 2017/18 to 2019/20

Award Type	2017/18		2018/19		2019/20	
	No.	%	No.	%	No.	%
Primary victim award	4,423	86.7%	4,396	85.9%	4,694	87.8%
Secondary victim award	352	6.9%	363	7.1%	373	7%
Related victim award	320	6.3%	349	6.8%	261	4.9%
Award for funeral expenses only	5	0.1%	2	0%	2	0%
Award made under <i>Criminal Injuries Compensation Act 1983</i>	0	0%	0	0%	0	0%
Other	4	0.1%	9	0.2%	15	0.3%
Total	5,104	100%	5,119	100%	5,345	100%

TABLE 5: Number of awards of financial assistance made, by age and gender of awarded applicants, 2019/20

Age at Award	Number of Awards			Distribution %		
	Male	Female	Total	Male	Female	Total
0 – 18 years	333	329	662	50.3%	49.7%	12.4%
19 – 25 years	312	251	563	55.4%	44.6%	10.5%
26 – 35 years	454	410	864	52.5%	47.5%	16.2%
36 – 60 years	759	733	1,492	50.9%	49.1%	27.9%
61 years +	180	158	338	53.3%	46.7%	6.3%
Unknown	315	1,111	1,426	22.1%	77.9%	26.7%
Total	2,353	2,992	5,345	44%	56%	100%

TABLE 6: Number of active cases by Tribunal venue, 2017/18 to 2019/20

Region	Tribunal venues within region	Pending		
		No. of active cases as at 30 June 2018	No. of active cases as at 30 June 2019	No. of active cases as at 30 June 2020
BARWON SOUTH WEST	Colac	26	18	25
	Geelong	278	300	449
	Hamilton	41	20	42
	Portland	37	47	30
	Warrnambool	79	81	134
	Total	461	466	680
BROADMEADOWS	Broadmeadows	422	549	493
DANDENONG	Dandenong	357	479	399
FRANKSTON	Dromana	101	122	79
	Frankston	504	596	502
	Moorabbin	334	302	300
	Total	939	1,020	881
GIPPSLAND	Bairnsdale	49	70	80
	Korumburra	43	52	42
	Latrobe Valley	251	275	248
	Moe	0	3	0
	Sale	56	91	104
	Wonthaggi	25	30	54
	Total	424	521	528
GRAMPIANS	Ararat	24	23	25
	Ballarat	119	219	146
	Horsham	46	57	29
	Bacchus Marsh	12	19	35
	St Arnaud	7	10	8
	Stawell	6	4	3
	Total	214	332	246
HEIDELBERG	Heidelberg	461	501	507
HUME	Benalla	25	35	26
	Cobram	0	0	1
	Mansfield	0	1	1
	Seymour	20	20	38
	Shepparton	100	91	133
	Wangaratta	35	46	15
	Wodonga	39	40	44
	Total	219	233	258
LODDEN MALLEE	Bendigo	119	202	160
	Castlemaine	29	22	13
	Echuca	37	48	48
	Kerang	3	8	17
	Kyneton	19	35	36
	Maryborough	24	22	33
	Mildura	105	108	143
	Swanhill	10	17	22
	Total	346	462	472
MELBOURNE	Melbourne	1,781	1,909	1,942
	Koori List	375	386	478
	Total	2,156	2,295	2,420
NJC	Collingwood	62	98	74
RINGWOOD	Ringwood	630	561	583
SUNSHINE	Sunshine	489	539	516
	Werribee	112	120	112
	Total	601	659	628
Total		7,292	8,176	8,169

TABLE 7: Number of applications for assistance lodged, final orders and awards made by Tribunal region, 2019/20

Region: **BARWON SOUTH WEST**

Tribunal venues within region:	Colac	Geelong	Hamilton	Portland	Warrnambool
Applications Lodged	21	372	43	19	128
Final Orders Made	14	221	27	30	81
Awards Made	9	146	20	18	55

Barwon South West Totals



Applications Lodged
7.3% OF
STATEWIDE
TOTAL



Final Orders Made
4.4% OF
STATEWIDE
TOTAL



Awards Made
4.6% OF
STATEWIDE
TOTAL

Region: **BROADMEADOWS**Tribunal venues within region: **Broadmeadows**

Applications Lodged	519
Final Orders Made	588
Awards Made	352

Broadmeadows Totals



Applications Lodged
6.5% OF
STATEWIDE
TOTAL



Final Orders Made
6.9% OF
STATEWIDE
TOTAL



Awards Made
6.6% OF
STATEWIDE
TOTAL

Region: **DANDENONG**Tribunal venues within region: **Dandenong**

Applications Lodged	697
Final Orders Made	853
Awards Made	506

Dandenong Totals



Applications Lodged
8.7% OF
STATEWIDE
TOTAL



Final Orders Made
10% OF
STATEWIDE
TOTAL



Awards Made
9.5% OF
STATEWIDE
TOTAL

Region: **FRANKSTON**

Tribunal venues within region:	Dromana	Frankston	Moorabbin
Applications Lodged	79	520	277
Final Orders Made	138	685	291
Awards Made	76	376	179

Frankston Totals



Applications Lodged
10.9% OF
STATEWIDE
TOTAL



Final Orders Made
13.1% OF
STATEWIDE
TOTAL



Awards Made
11.8% OF
STATEWIDE
TOTAL

TABLE 7: Number of applications for assistance lodged, final orders and awards made by Tribunal region, 2019/20 (continued)

Region: **GIPPSLAND**

Tribunal venues within region:	Bairnsdale	Korumburra	Latrobe Valley	Moe	Sale	Wonthaggi
Applications Lodged	92	39	298	0	82	30
Final Orders Made	87	38	324	0	67	21
Awards Made	66	31	223	0	50	17

Gippsland Totals



Applications Lodged
6.7% OF
STATEWIDE
TOTAL



Final Orders Made
6.3% OF
STATEWIDE
TOTAL



Awards Made
7.2% OF
STATEWIDE
TOTAL

Region: **GRAMPIANS**

Tribunal venues within region:	Ararat	Bacchus Marsh	Ballarat	Horsham	St Arnaud	Stawell
Applications Lodged	23	39	194	33	11	1
Final Orders Made	21	25	278	60	13	2
Awards Made	8	18	161	32	5	2

Grampians Totals



Applications Lodged
3.7% OF
STATEWIDE
TOTAL



Final Orders Made
4.7% OF
STATEWIDE
TOTAL



Awards Made
4.2% OF
STATEWIDE
TOTAL

Region: **HEIDELBERG**Tribunal venues within region: **Heidelberg**

Applications Lodged	471
Final Orders Made	489
Awards Made	299

Heidelberg Totals



Applications Lodged
5.9% OF
STATEWIDE
TOTAL



Final Orders Made
5.8% OF
STATEWIDE
TOTAL



Awards Made
5.6% OF
STATEWIDE
TOTAL

Region: **HUME**

Tribunal venues within region:	Benalla	Cobram	Mansfield	Seymour	Shepparton	Wangaratta	Wodonga
Applications Lodged	23	1	3	45	142	27	51
Final Orders Made	29	0	3	42	106	64	54
Awards Made	24	0	3	21	77	37	28

Hume Totals



Applications Lodged
3.6% OF
STATEWIDE
TOTAL



Final Orders Made
3.5% OF
STATEWIDE
TOTAL



Awards Made
3.6% OF
STATEWIDE
TOTAL

TABLE 7: Number of applications for assistance lodged, final orders and awards made by Tribunal region, 2019/20 (continued)

Region: **LODDON MALLEE**

Tribunal venues within region:	Bendigo	Castlemaine	Echuca	Kerang	Kyneton	Maryborough	Mildura	Swanhill
Applications Lodged	207	12	45	20	45	42	82	24
Final Orders Made	258	23	40	10	40	30	42	15
Awards Made	193	13	33	7	29	22	36	14

Loddon Mallee Totals



Applications Lodged
5.9% OF
STATEWIDE
TOTAL



Final Orders Made
5.4% OF
STATEWIDE
TOTAL



Awards Made
6.5% OF
STATEWIDE
TOTAL

Region: **MELBOURNE**

Tribunal venues within region:	Melbourne	%	Koori List	%
Applications Lodged	1,334	16.6%	364	4.5%
Final Orders Made	1,375	16.2%	291	3.4%
Awards Made	894	16.7%	170	3.2%

Melbourne Totals



Applications Lodged
21.1% OF
STATEWIDE
TOTAL



Final Orders Made
19.6% OF
STATEWIDE
TOTAL



Awards Made
19.9% OF
STATEWIDE
TOTAL

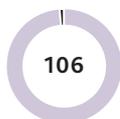
Region: **NEIGHBOURHOOD JUSTICE CENTRE**

Tribunal venues within region:	Collingwood
Applications Lodged	80
Final Orders Made	106
Awards Made	67

Neighbourhood Justice Centre Totals



Applications Lodged
1% OF
STATEWIDE
TOTAL



Final Orders Made
1.2% OF
STATEWIDE
TOTAL



Awards Made
1.3% OF
STATEWIDE
TOTAL

Region: **RINGWOOD**

Tribunal venues within region:	Ringwood
Applications Lodged	738
Final Orders Made	768
Awards Made	500

Ringwood Totals



Applications Lodged
9.2% OF
STATEWIDE
TOTAL



Final Orders Made
9% OF
STATEWIDE
TOTAL

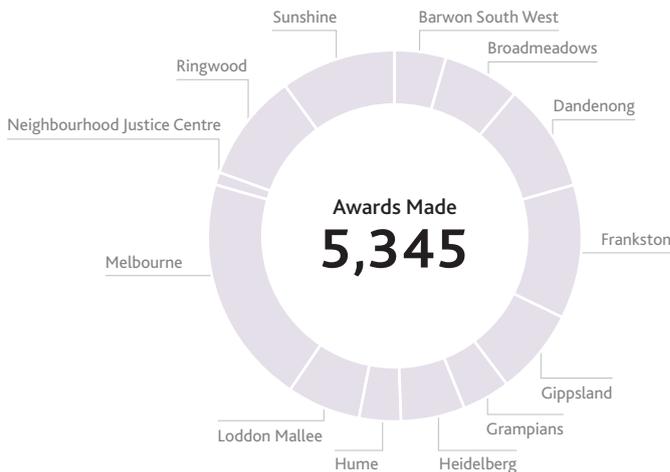
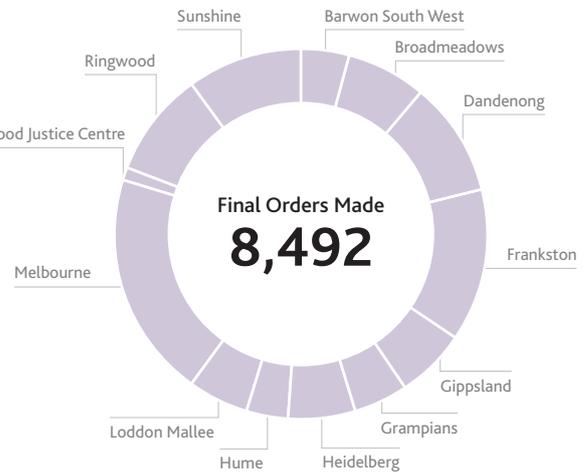
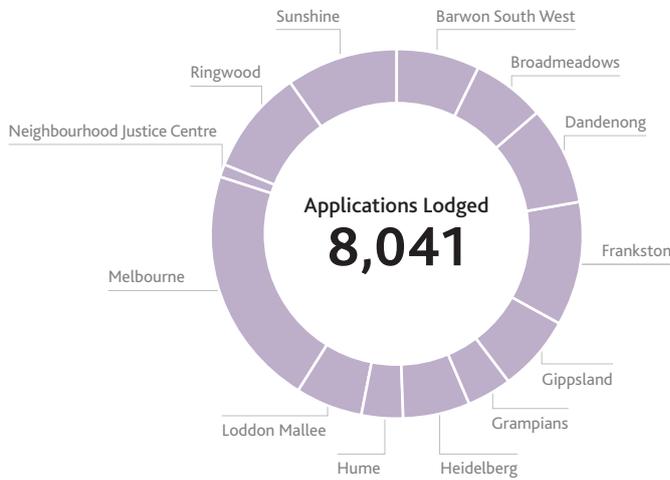
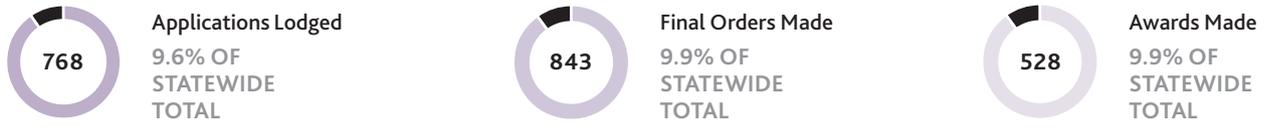


Awards Made
9.4% OF
STATEWIDE
TOTAL

TABLE 7: Number of applications for assistance lodged, final orders and awards made by Tribunal region, 2019/20 (continued)

Region: SUNSHINE		
Tribunal venues within region:	Sunshine	Werribee
Applications Lodged	627	141
Final Orders Made	698	145
Awards Made	421	107

Sunshine Totals



Financial assistance awarded and legal costs⁶

TABLE 8: Total amount of financial assistance awarded and legal costs ordered (interim, final determination, by variation and on review), 2017/18 to 2019/20

	2017/18		2018/19		2019/20	
Financial assistance	\$49,461,630	89.2%	\$53,156,828	89.5%	\$54,961,072	89.5%
Legal costs	\$5,992,003	10.8%	\$6,212,841	10.5%	\$6,438,533	10.5%
Total	\$55,453,633	100%	\$59,369,669	100%	\$61,399,605	100%

TABLE 9: Total amount of financial assistance awarded, 2017/18 to 2019/20

	2017/18		2018/19		2019/20	
Financial assistance for expenses already incurred and lump sum payments (special financial assistance, distress, loss of earnings)	\$35,734,157	72.2%	\$37,512,921	70.6%	\$37,500,443	68.2%
Financial assistance for expenses not yet incurred	\$13,727,473	27.8%	\$15,643,907	29.4%	\$17,460,629	31.8%
Total	\$49,461,630	100%	\$53,156,828	100%	\$54,961,072	100%

TABLE 10: Total amount of financial assistance awarded by assistance type, and legal costs ordered, 2019/20

Assistance Type	Interim Award	Final Award	Award on Variation	Award on Review	Total	
					Total \$	% of Total
Special financial assistance	\$22,600	\$12,710,111	\$60,800	\$11,100	\$12,804,611	20.9%
Pain and suffering	\$0	\$0	\$0	\$0	\$0	0%
Distress	\$0	\$5,375,605	\$0	\$0	\$5,375,605	8.8%
Funeral expenses	\$476,454	\$119,181	\$0	\$0	\$595,635	1%
Loss of earnings	\$164,909	\$4,053,294	\$331,832	\$3,000	\$4,553,035	7.4%
Dependency	\$0	\$0	\$0	\$0	\$0	0%
Loss/damage to clothing	\$7,006	\$150,475	\$5,840	\$80	\$163,401	0.3%
Counselling/ psychological/ psychiatric reports	\$906,809	\$1,263,720	\$170,824	\$0	\$2,341,353	3.8%
Counselling sessions	\$4,018,147	\$6,477,655	\$2,057,397	\$3,905	\$12,557,104	20.5%
Medical expenses	\$625,329	\$2,127,289	\$978,077	\$14,318	\$3,745,013	6.1%
Other expenses to assist recovery	\$337,492	\$6,368,971	\$1,509,954	\$9,540	\$8,225,957	13.4%
Safety related expenses	\$570,177	\$3,507,423	\$521,488	\$270	\$4,599,358	7.5%
Subtotal	\$7,128,923	\$42,153,724	\$5,636,212	\$42,213	\$54,961,072	89.5%
Legal Costs	\$0	\$6,217,641	\$195,627	\$25,265	\$6,438,533	10.5%
Total	\$7,128,923	\$48,371,365	\$5,831,839	\$67,478	\$61,399,605	100%

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

TABLE 11: Amount of financial assistance awarded as a lump sum payment and for expenses already incurred, by type of assistance, 2019/20

Assistance Type	Interim Award	Final Award	Award on Variation	Award on Review	Total	
					Total \$	% of Total
Special financial assistance	\$22,600	\$12,710,111	\$60,800	\$11,100	\$12,804,611	34.1%
Pain and suffering	\$0	\$0	\$0	\$0	\$0	0%
Distress	\$0	\$5,375,605	\$0	\$0	\$5,375,605	14.3%
Funeral expenses	\$429,327	\$107,833	\$0	\$0	\$537,160	1.4%
Loss of earnings	\$164,909	\$4,053,294	\$331,832	\$3,000	\$4,553,035	12.1%
Dependency	\$0	\$0	\$0	\$0	\$0	0%
Loss/damage to clothing	\$6,227	\$143,472	\$3,618	\$80	\$153,397	0.4%
Counselling/ psychological/ psychiatric reports	\$906,809	\$1,263,720	\$170,824	\$0	\$2,341,353	6.2%
Counselling sessions	\$480,395	\$1,992,252	\$860,532	\$3,905	\$3,337,084	8.9%
Medical expenses	\$304,980	\$1,396,882	\$464,081	\$6,974	\$2,172,917	5.8%
Other expenses to assist recovery	\$112,922	\$3,000,318	\$818,983	\$7,340	\$3,939,563	10.5%
Safety related expenses	\$138,298	\$1,834,425	\$312,725	\$270	\$2,285,718	6.1%
Total	\$2,566,467	\$31,877,912	\$3,023,395	\$32,669	\$37,500,443	100%

TABLE 12: Amount of financial assistance awarded for expenses not yet incurred, by type of assistance, 2019/20

Assistance Type	Interim Award	Final Award	Awarded on Variation	Awarded on Review	Total	
					Total \$	% of Total
Counselling sessions	\$3,537,752	\$4,485,403	\$1,196,865	\$0	\$9,220,020	52.8%
Medical expenses	\$320,349	\$730,407	\$513,996	\$7,344	\$1,572,096	9%
Loss/damage to clothing	\$779	\$7,003	\$2,222	\$0	\$10,004	0.1%
Other expenses to assist recovery	\$224,570	\$3,368,653	\$690,971	\$2,200	\$4,286,394	24.5%
Funeral expenses	\$47,127	\$11,348	\$0	\$0	\$58,475	0.3%
Safety related	\$431,879	\$1,672,998	\$208,763	\$0	\$2,313,640	13.3%
Total	\$4,562,456	\$10,275,812	\$2,612,817	\$9,544	\$17,460,629	100%

TABLE 13: Number of final awards of financial assistance made, and average amount of financial assistance awarded on final determination, 2017/18 to 2019/20

	2017/18	2018/19	2019/20
Number of awards of financial assistance made	5,104	5,119	5,345
Amount of financial assistance awarded	\$39,304,150	\$40,956,427	\$42,153,724
Average amount of financial assistance awarded	\$7,701	\$8,001	\$7,887

TABLE 14: Number of primary victims awarded special financial assistance and amount awarded on determination of application, by category, 2017/18 to 2019/20

	Number			Distribution		
	2017/18	2018/19	2019/20	2017/18	2018/19	2019/20
Number of primary victims who were awarded special financial assistance by category						
Category A	819	803	793	19%	19%	18%
Category B	1,017	1,006	1,064	23.6%	23.9%	24.2%
Category C	1,468	1,473	1,613	34.1%	34.9%	36.6%
Category D	1,004	935	932	23.3%	22.2%	21.2%
Total	4,308	4,217	4,402	100%	100%	100%
Amount of special financial assistance awarded by category						
Category A	\$6,803,287	\$6,791,496	\$6,766,986	55%	55.4%	53.2%
Category B	\$3,080,330	\$3,021,215	\$3,223,875	24.9%	24.6%	25.4%
Category C	\$1,869,335	\$1,864,790	\$2,051,540	15.1%	15.2%	16.1%
Category D	\$608,373	\$582,590	\$667,710	4.9%	4.8%	5.3%
Total	\$12,361,325	\$12,260,091	\$12,710,111	100%	100%	100%
Average amount of special financial assistance awarded by category						
Category A	\$8,307	\$8,458	\$8,533			
Category B	\$3,029	\$3,003	\$3,030			
Category C	\$1,273	\$1,266	\$1,272			
Category D	\$606	\$623	\$716			
Average SFA	\$2,869	\$2,907	\$2,887			

TABLE 15: Number of related victims awarded financial assistance for distress and amount awarded on final determination, 2017/18 to 2019/20

	2017/18	2018/19	2019/20
Number of related victims who were awarded financial assistance for distress	318	348	254
Amount of financial assistance awarded to related victims for distress on determination of application	\$5,669,588	\$6,723,260	\$5,375,605
Average amount of financial assistance awarded to related victims for distress	\$17,829	\$19,320	\$21,164

TABLE 16: Amount of legal costs ordered to be paid on the final determination of applications for financial assistance, and average legal costs ordered, 2017/18 to 2019/20

	2017/18	2018/19	2019/20
Number of awards of financial assistance made	5,104	5,119	5,345
Amount ordered to be paid for legal costs	\$5,870,528	\$6,101,635	\$6,217,641
Average amount of legal costs ordered to be paid per awarded applicant	\$1,150	\$1,192	\$1,163

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, 2017/18 to 2019/20

	2017/18	2018/19	2019/20
Number of interim awards of assistance made by Tribunal Members	1,203	1,399	1,249
Number of interim awards of assistance made by Judicial Registrars	305	299	243
Number of interim awards of assistance made by Registrars	614	816	685
Total number of interim awards of assistance made for expenses already incurred	2,122	2,514	2,177
Proportion of interim awards made by Registrars	28.9%	32.5%	31.5%
Amount of interim financial assistance awarded for expenses already incurred	\$2,435,284	\$2,828,477	\$2,566,467
Average amount of interim financial assistance awarded for expenses already incurred	\$1,148	\$1,125	\$1,179

TABLE 18: Number of interim awards of financial assistance made where financial assistance was awarded for expenses not yet incurred, and amount awarded, 2017/18 to 2019/20

	2017/18	2018/19	2019/20
Number of interim awards of assistance made by Tribunal Members	944	1,065	1,077
Number of interim awards of assistance made by Judicial Registrars	213	197	187
Number of interim awards of assistance made by Registrars	467	659	549
Total number of interim awards of assistance made for expenses not yet incurred	1,624	1,921	1,813
Proportion of interim awards made by Registrars	28.8%	34.3%	30.3%
Amount of interim financial assistance awarded for expenses not yet incurred	\$3,590,927	\$4,503,376	\$4,562,456
Average amount of interim financial assistance awarded for expenses not yet incurred	\$2,211	\$2,344	\$2,517

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, 2017/18 to 2019/20

	2017/18	2018/19	2019/20
Number of awards varied to award further financial assistance for expenses already incurred	1,200	1,219	1,512
Amount of financial assistance awarded on variation for expenses already incurred	\$2,355,322	\$2,756,778	\$3,023,395
Average amount of financial assistance awarded on variation for expenses already incurred	\$1,963	\$2,262	\$2,000

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, 2017/18 to 2019/20

	2017/18	2018/19	2019/20
Number of awards varied to award further financial assistance for expenses not yet incurred	676	824	874
Amount of financial assistance awarded on variation for expenses not yet incurred	\$1,723,285	\$2,037,357	\$2,612,817
Average amount of financial assistance awarded on variation for expenses not yet incurred	\$2,549	\$2,473	\$2,989

Applications for review of decisions

TABLE 21: Number of applications for review finalised by the Victorian Civil and Administrative Tribunal, by outcome, 2017/18 to 2019/20

	2017/18		2018/19		2019/20	
Outcome						
Original order/award set aside and new award made on review	2	9.5%	3	21.4%	3	18.8%
Award varied on review	8	38.1%	1	7.1%	1	6.3%
Order affirmed on review	7	33.3%	2	14.3%	4	25%
Application for assistance remitted to original decision-maker for determination	2	9.5%	5	35.7%	3	18.8%
Application for review dismissed	1	4.8%	0	0%	1	6.3%
Application for review struck out / withdrawn / abandoned	1	4.8%	3	21.4%	4	25%
Total	21	100%	14	100%	16	100%

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, 2017/18 to 2019/20

	2017/18	2018/19	2019/20
Number awards of assistance made or varied on review	10	4	4
Amount of financial assistance awarded on review	\$52,664	\$74,413	\$42,213
Average amount of financial assistance awarded on review	\$5,266	\$18,603	\$10,553





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 5%

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.⁷

Financial assistance paid

In the year ending 30 June 2020, the Tribunal paid a total amount of \$44,045,661 (compared to \$46,208,092 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.

Within the reporting period the amount awarded at each of interim⁸, final⁹ and variation¹⁰ award stages for costs yet to be incurred, was higher than the previous year. So, while the amount awarded increased, the amount paid out has dropped by 4.7%. These amounts will likely be paid out during the next financial year as receipts and invoices are filed with the Tribunal.

Operating costs

In the year ending 30 June 2020, VOCAT's operating costs were \$3,554,161 compared to \$3,383,501 in the previous year (an increase of 5%).

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 absorbs a proportion of VOCAT's operating costs, including Magistrates' salaries¹¹ and infrastructure costs.

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.

Average cost per finalised claim

For the year ending 30 June 2020, the average cost per finalised application for financial assistance was \$419¹² compared to \$441 in the previous year. This represents a decrease of 5%.

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.

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

8. See table 18.

9. See table 9.

10. See table 20.

11. 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.

12. This figure is a simple calculation of the total operating budget divided by the number of applications for assistance that were finalised during the reporting period.

Financial Statement for year ending 30 June 2020

	Note	2017/18	2018/19	2019/20
Special appropriations				
	1			
Salaries, Overtime & Annual Leave		\$2,118,032	\$2,049,699	\$2,436,631
Superannuation		\$179,981	\$168,872	\$164,649
Payroll Tax		\$102,833	\$97,952	\$93,057
Provision For Long Service Leave		\$52,579	\$72,030	\$44,947
Workcover Levy		\$17,891	\$16,870	\$8,654
Fringe Benefits Taxation		-	-	-
Total salaries and associated expenditure		\$2,471,316	\$2,405,423	\$2,747,937

Operating expenditure				
Travel & Personal Expenses		\$5,383	\$9,388	\$7,426
Printing, Stationery & Subscriptions		\$42,149	\$36,810	\$36,543
Postage & Communication		\$7,044	\$8,048	\$11,164
Contractors and Professional Services	2	\$159,900	\$327,755	\$160,405
Training and Development		\$1,778	\$5,816	\$9,863
Motor Vehicle Expenses		\$71	\$0	\$59
Operating Expenses		\$533,535	\$535,706	\$532,993
Information Technology Costs		\$50,318	\$27,002	\$19,914
Rent Utilities and Property Services		\$21,176	\$27,553	\$27,857
Repairs and Maintenance		\$0	\$0	\$0
Total operating expenditure		\$821,354	\$978,078	\$806,224
Total salaries and operating expenditure		\$3,292,670	\$3,383,501	\$3,554,161

Special appropriations				
Award Payments		\$42,600,993	\$46,208,092	\$44,045,661
Total awards	3	\$42,600,993	\$46,208,092	\$44,045,661

Notes to and forming part of the financial statement

This Financial statement is based upon financial data available as at 10 August 2020.

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 2020.

Note 2: The expenditure for contractors and professional services relates predominantly to legal costs and contract labour hire.

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 2020.

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

CHIEF MAGISTRATE

Her Honour Judge Lisa Hannan
(Appointed Nov 2019)

DEPUTY CHIEF MAGISTRATES

Ms Felicity Broughton

Mr Franz Holzer

Mr Lance Martin

Ms Jelena Popovic
(Retired Mar 2020)

MAGISTRATES

Mr Ian Alger

Ms Marita Altman
(Appointed Jan 2020)

Ms Susan Armour

Ms Megan Aumair

Mr Julian Ayres

Ms Donna Bakos

Mr Thomas Barrett

Ms Hayley Bate
(Appointed Feb 2020)

Ms Luisa Bazzani

Mr John Bentley

Ms Amina Bhai
(Appointed Mar 2020)

Ms Angela Bolger

Mr Timothy Bourke

Ms Jennie Bowles

Mr Darren Bracken

Mr Gerard Bryant

Ms Abigail Burchill

Mr Anthony Burns

Ms Carolyn Burnside

Mr Darrin Cain

Ms Suzanne Cameron

Ms Victoria Campbell
(Appointed Mar 2020)

Mr Andrew Capell

Ms Rosemary Carlin

Mr Michael Coghlan

Ms Ann Collins

Mr Gregory Connellan

Ms Jillian Crowe

Ms Sarah Dawes

Mr Peter Dotchin

Mr Peter Dunn

Ms Michelle Ehrlich

Ms Caitlin English

Ms Rosemary Falla

Mr David Fanning

Mr David Faram

Mr Bernard Fitzgerald

Ms Lesley Fleming

Mr Justin Foster
(Appointed Feb 2020)

Mr Simon Garnett

Mr Timothy Gattuso

Ms Jane Gibson

Mr Kieran Gilligan

Mr Phillip Ginnane

Mr Phillip Goldberg

Ms Anne Goldsbrough

Ms Julie Grainger

Mr Martin Grinberg

Ms Jennifer Grubissa

Mr Simon Guthrie

Mr Andrew Halse
(Appointed Mar 2020)

Ms Margaret Harding

Mr John Hardy

Ms Tara Hartnett

Ms Annabel Hawkins

Ms Kate Hawkins

Ms Fiona Hayes
(SM – VOCAT)

Mr Rodney Higgins

Ms Meghan Hoare
(Appointed Sep 2019)

Ms Michelle Hodgson

Ms Gail Hubble

Mr Trieu Huynh
(Appointed Jan 2020)

Ms Audrey Jamieson

Mr Graham Keil

Ms Meagan Keogh

Dr Michael King

Mr Jonathan Klestadt

Ms Elizabeth Lambden

Ms Catherine Lamble

Ms Elizabeth Langdon
(Appointed Feb 2020)

Mr Nunzio LaRosa

Mr Peter Lauritsen
(Chief Magistrate –
Retired Nov 2019)

Ms Sarah Leighfield

Mr Dominic Lennon

Mr John Lesser

Mr Gerard Lethbridge

Ms Denise Livingstone

Ms Mary-Anne MacCallum

Ms Therese McCarthy

Ms Jan Maclean

Ms Kay Macpherson

Mr Raj Malhotra

Ms Urfa Masood

Mr Ross Maxted

Ms Ann McGarvie

Mr Andrew McKenna
 Mr Gregory McNamara
 Ms Sharon McRae
 Mr Peter Mealy
 Ms Fran Medina
 Mr Peter Mellas
 Ms Johanna Metcalf
 Mr Peter Mithen
 Ms Helen Murphy
 (Appointed March 2020)
 Mr John O'Brien
 Mr John O'Callaghan
 Ms Julie O'Donnell
 Ms Kim Parkinson
 Mr Anthony Parsons
 Mr Richard Pithouse
 Ms Roslyn Porter
 Mr Hugh Radford
 Mr Peter Reardon
 Mr Duncan Reynolds
 (Retired Nov 2019)
 Mr Michael Richards
 (Appointed Feb 2020)
 Ms Kay Robertson
 Mr Gregory Robinson
 Ms Kristen Rose
 (Appointed Feb 2020)
 Mr Charlie Rozencwajg
 (Retired Sep 2019)
 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
 (HOD – Specialist Courts)
 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 Tom Barrett
 Mr Ross Betts
 Mr Doug Bolster
 Mr Barry Braun
 Mr Len Brear
 Mr Phillip Byrne
 Mr Brian Clifford
 Mr Bruce Cottrill
 Mr Rodney Crisp
 Mr John Doherty
 Mr Lou Hill

Mr Frank Jones
 Mr Bob Kumar
 Ms Cathy Lambie
 Mr John Lesser
 Mr Gregory Levine
 Mr Peter Mealy
 Mr Ian McGrane
 Mr Dan Muling
 Mr John Murphy
 Mr John O'Brien
 Ms Jelena Popovic
 Mr Steven Raleigh
 Mr Duncan Reynolds
 Mr Charlie Rozencwajg
 Mr Barry Schultz
 Mr Michael Smith
 Mr Alan Spillane
 Mr Iain West

JUDICIAL REGISTRARS

Ms Ruth Andrew
 Mr Julian Bartlett
 Mr Mick Bolte
 Ms Shannon Dellamarta
 Ms Samantha Dixon
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 Ms Leah Hickey
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