



Special Financial Assistance Minimum/Maximum Awards by Act of Violence

(from 1 July 2007)

Victims of Crime Assistance Tribunal

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

Section 8A(5) of the *Victims of Crime Assistance Act 1996* sets out minimum and maximum amounts of special financial assistance that may be awarded by the Victims of Crime Assistance Tribunal by act of violence. The *Victims of Crime (Special Financial Assistance) Regulations 2021* specifies the acts of violence / classes of acts of violence that are categorised as category A, B, C or D.



Provisions to Uplift Category

Victims of Crime Assistance Tribunal

Victims of Crime Assistance (Special Financial Assistance) Regulations 2021

Rule 7	When category A maximum amount is available for category B, C or D acts of violence	The maximum amount in relation to a category A act of violence is prescribed as the maximum amount in relation to a category B, C or D act of violence where, as a direct result of the act of violence the victim has— (a) suffered a very serious physical injury; or (b) has been infected with a life-threatening disease, including HIV; or (c) is a victim of a series of related criminal acts that are acts of sexual penetration or sexual assault.
Rule 8	When category B maximum amount is available for category C or D acts of violence	The maximum amount in relation to a category B act of violence (apart from regulation 7) is prescribed as the maximum amount in relation to a category C or D act of violence where, as a direct result of the act of violence, the victim has— (a) suffered a serious injury; or (b) been the victim of related criminal acts of violence; or (c) suffered a deprivation of their liberty— and at the date of the occurrence of the act of violence or, in the case of related criminal acts of violence, any of those acts, the victim was a child under the age of 18, elderly or had impaired mental functioning.
Rule 9	When category C maximum amount is available for category D acts of violence	The maximum amount in relation to a category C act of violence (apart from regulation 7 or 8) is prescribed as the maximum amount in relation to a category D act of violence where— (a) as a direct result of the act of violence, the victim has been the victim of related criminal acts of violence; or (b) at the date of the occurrence of the act of violence or, in the case of related criminal acts of violence, any of those acts, the victim was a child under the age of 18, elderly or had impaired mental functioning.

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

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