

VICTIMS OF
CRIME ASSISTANCE
TRIBUNAL
2013–14
Annual Report



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Letter to Minister

01 September 2014

The Honourable Robert Clark 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 2014.

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

Yours sincerely,

A handwritten signature in black ink, appearing to read 'P. Lauritsen', followed by a long horizontal line extending to the right.

Peter Lauritsen
Chief Magistrate

Chief Magistrate's Message

It is now 41 years since the Victorian government first funded assistance for victims of crime in this state. The Victims of Crime Assistance Tribunal (VOCAT) commenced operations in June 1997, replacing the former Crimes Compensation Tribunal, and has become a key component of the Victorian criminal justice system in its 17 years of operation.

VOCAT is not the only source of assistance for victims of crime, but it can often be the most effective. For example, a victim may apply to the sentencing court for an order requiring the offender to pay compensation; however, this is of little value if the offender has no assets, which is frequently the case. This option is not available at all if the perpetrator of the crime has not been identified, or if an offender has been charged, but found not guilty after a hearing. In each of these cases, VOCAT may still offer victims an avenue of assistance for the payment of medical, counselling and other expenses to assist their recovery. It also provides a forum for victims to tell their story and have their experiences acknowledged.

This year, VOCAT finalised 6,611 applications and received 5,722 new applications, being slightly less (141) than were lodged in the previous year. Pleasingly, the combined efforts of staff, judicial registrars and Tribunal members saw the number of pending applications reduced to the lowest number since 2008, at 5,843. The time taken to process cases has also steadily improved over the last three years; this year, 50 per cent of applications were finalised within nine months of being submitted, and at the 12 month mark, this proportion rose to 65.2 per cent. Consistent with these trends, the age of the pending caseload has also decreased.

While the reduction in the number of applications may play a role in these positive trends, in my view the outcomes are also the result of continued efforts to improve our efficiency. For example, changes in our case management practices have reduced double handling of files and ensured that Tribunal members preside over the hearings of those applications that they have worked on. A continued focus on training and development has improved the knowledge and efficiency of registry staff, who work hard at ensuring that legal and evidentiary requirements are met before passing files on for decision, and who make urgent interim awards of assistance.

I wish to particularly acknowledge the substantial contribution that judicial registrars have made to the work of VOCAT, especially in enabling the speedy resolution of less complex matters. Judicial registrars undertake prescribed Tribunal functions delegated to them by the Chief Magistrate. This year's figures show that our eight judicial registrars were responsible for 19 per cent of all finalisations across the state. This percentage represents 983 matters that were finalised "on the papers" by way of an offer under section 33 of the Act, and the conducting of 62 VOCAT hearings. The excellent work of judicial registrars frees up Tribunal members to focus on more complex VOCAT applications in a timelier way.

Although the number of applications to VOCAT has decreased slightly over the last two years, I do not expect this trend to continue. As a community, we continue to experience increasing rates of reporting and policing of family violence offending, as well as sexual offending. The Magistrates' Court has experienced significant increased workloads in these areas - and this may in turn result in increased VOCAT applications. Given the life-long damage, such offending inflicts on its victims, it is to be hoped that VOCAT will be a resource that they turn to assist in their recovery.

This year, the Tribunal awarded just over \$42.3 million in financial assistance to victims of crime, and an additional \$5.5 million in legal costs to lawyers assisting applicants. The Tribunal made 4,755 awards of financial assistance over the reporting period, with the average amount of financial assistance awarded on final determination being \$7,336. The average amount of Special Financial Assistance over this time was \$2,958

I would like to thank VOCAT's registry staff for their contribution. Registry staff hold unique positions in the Magistrates' Court because they closely manage VOCAT applications, gathering information to ensure that Tribunal members have the evidence they need to make timely decisions about victims' entitlements. The volume of work is high and staff have frequent direct contact with victims of crime through phone conversations and correspondence, requiring them to be professional and empathic. The Tribunal is fortunate to have such skilled and committed staff, and all Tribunal members value their contribution.

Thanks are also due to the members of the VOCAT Coordinating Committee for their leadership and problem solving skills. The Committee meets monthly and focuses on developing and overseeing initiatives to improve VOCAT's operation. I thank VOCAT Supervising Magistrates Andrew Capell, Catherine Lambie and Johanna Metcalf for their hard work and leadership. Special recognition is due to Melanie Quinn, who continued in the role of Acting Principal Registrar over the past year. She has been a resourceful and efficient colleague, and she will be much missed upon her return to the Magistrates' Court.



CHIEF MAGISTRATE
PETER LAURITSEN

About VOCAT

The Victims of Crime Assistance Tribunal (VOCAT) is an integral part of Victoria's criminal justice system. 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 17th year of operation and was established by the *Victims of Crime Assistance Act 1996* (the Act). We are located within the Magistrates' Court of Victoria and operate at all 54 Court venues across the state. Each of the Court's 114 magistrates and 14 reserve magistrates, including the Chief Magistrate, are also Tribunal members.

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

The Chief Magistrate is responsible for the arrangement of VOCAT's business, and appoints Supervising Magistrates to support VOCAT's effective operation. Since January 2014, Andrew Capell and Johanna Metcalf have jointly supervised the Tribunal.

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

VOCAT has a Coordinating Committee that supports the Supervising Magistrates to carry out these duties.

The Chief Magistrate has delegated certain powers under the Act to judicial registrars, VOCAT's Principal Registrar and other registrars.

What we do

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

VOCAT determines who is eligible to receive financial assistance in accordance with the Act. We can make awards to cover:

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

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 17 years, VOCAT has received 74,358 applications for financial assistance, and awarded \$599 million to victims of crime. This has included 54,830 awards of financial assistance, and thousands of awards of interim financial assistance.

Applications to VOCAT have increased almost every year. There were just over 1,000 applications in 1997–98, while more than 5,700 applications were received in the current reporting period; slightly fewer than in the preceding year.

Supervising Magistrate Andrew Capell: Related victims

When Parliament enacted the *Victims of Crime Assistance Act 1996*, it clearly acknowledged the “ripple effect” of a crime on a victim’s family and on those who shared a special bond with them. Parliament introduced the concept of a “related victim” into the Act to enable grants of assistance to those left behind after a loved one’s death, where that death came about because of another person’s criminal act.

A related victim may be a close family member or dependant of the deceased person, or someone who shared an intimate personal relationship with them.

Whilst the concept of financial assistance (including special financial assistance) as a “symbolic expression by the State of the community’s sympathy and condolence” was only introduced in 2000, the acknowledgement of “distress” suffered by a related victim has always been a key feature of the Act.

I, and I believe many other Tribunal Members, find the hearing of related victim applications the most harrowing aspect of our dual roles as magistrates and Tribunal members. We are often exposed to the very raw emotions experienced by family members who have not only lost a loved one, but who have also been through a protracted criminal investigation and Court process. Where the perpetrator has been found guilty after a trial, or has pleaded guilty, the ability to make a victim impact statement may provide some solace to those affected by the death. However, a not guilty verdict can exacerbate the distress experienced.

It is particularly in this latter situation that a Tribunal hearing can be of significant value to a related victim. In a recent hearing, I was satisfied, on the balance of probabilities that the deceased person had died as a result of a criminal act, despite a not guilty verdict in the criminal trial. Both parents had prepared victim impact statements to read aloud at court, but because of the verdict at the trial, had never had the opportunity to present their statements and tell the court about how their son’s death had affected them. At the Tribunal hearing, they finally had that opportunity.

I quote from the mother’s victim impact statement:

“How does one explain the horror, the torment, the shock and the misery of discovering that your beloved son has been brutally murdered in his own home. How does one ever come to terms with something so hideous? The impact my son’s death had on me is unimaginable. The pain, the anger and the complete and utter hopelessness has taken a devastating toll on me and the rest of the family”.

There are many times when I am struck by the power of the human spirit to overcome adversity, as I was this year in the presence of a young mother and father whose baby had been senselessly murdered whilst asleep in the peace of his home. Not only were these parents the victims of an appalling crime, but they were also the victims of persistent media attention, rumour, innuendo, and suspicion in their community.



To face them at a hearing was humbling. I listened to their story and was able to acknowledge what they had been through. On behalf of the State, the Tribunal provided them with a monetary award for “distress” in recognition of their suffering over the loss of their son. However, they were more interested in ensuring this could never happen to anyone else. Their bravery was inspiring. For this family, the State’s recognition of their experience is an important part of their journey to recovery.

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 Victims Support Agency (VSA), Victims Helpline and the statewide network of victim support services and programs. Many victims of crime learn about VOCAT either from the Victims Helpline, the police, Victims Assistance and Counselling Program, or other victim support services. These services can support victims through the process of applying to VOCAT for financial assistance. Victims can also receive assistance from lawyers.

Who can apply?

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

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

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

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

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

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

The application process

It is free to apply to VOCAT. All applicants must, however, complete and lodge an Application for Assistance form, available at www.vocat.vic.gov.au or from any Magistrates' Court venue in Victoria.

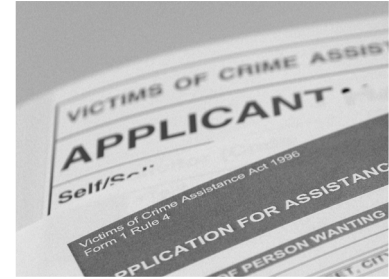
Applicants can usually lodge forms at the Court venue closest to where they live, however, applications must be lodged at the Melbourne Magistrates' Court if:

- » 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.

"VOCAT provides a forum for victims to tell their story and have their experiences acknowledged."

CHIEF MAGISTRATE PETER LAURITSEN



Most applicants are legally represented and the Victims Assistance and Counselling 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 four months to provide this information; however, they can request further time, if needed.

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

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

How long before a result?

The 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 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 unnecessary delay.

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

Applicants who need urgent assistance (e.g. for counselling, funeral or safety related expenses) can seek an interim award of financial assistance. If awarded, this can be paid to them 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, members 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.

Members 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 members 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. The Tribunal may also, on its own initiative, direct that the whole or any part of the hearing be closed to members of the public.

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.

In situations where we are asked to decide whether a crime occurred, we may consider it appropriate to ask alleged offenders if they want to be heard. To reduce any possible stress and anxiety where an alleged offender is notified, VOCAT will generally meet the cost of the alleged offender's legal representation and make directions for the hearing to 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 Act. Our role is to ensure victims receive their full entitlement under the 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.

"I, and I believe many other Tribunal members, find the hearing of related victim applications the most harrowing aspect of our dual roles as magistrates and Tribunal members."

SUPERVISING MAGISTRATE ANDREW CAPELL

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

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

What we can award

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

Types of assistance

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

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

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

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

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

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

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.

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.

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.

Review of decisions of Judicial Registrars

An applicant who is not satisfied with VOCAT's decision, where a Judicial Registrar was presiding, may apply to review the final decision of a judicial registrar. The review is considered by a Tribunal member *de novo*, with the Tribunal able to determine the application on the material submitted or by conducting a hearing.

On review, the Tribunal member may:

- » affirm the final decision of the judicial registrar; or
- » set aside the final decision and make another in substitution.

Koori VOCAT List

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

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

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

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

"You cannot begin to deal with or understand the issues faced by Koori victims of crime until there is an acknowledgement of their history and background"

MAGISTRATE ANN COLLINS

Magistrate Ann Collins: Cultural Connections

The Koori VOCAT List has been operating within the Victims of Crime Assistance Tribunal for 10 years now. It was originally set up as a two year pilot project which, due to its success, continued on as part of the Tribunal's operations.

Mistrust of the system, communication issues and poor cultural understandings have led to many Koori victims of crime not getting the recognition and financial assistance to which they are entitled. Respect for culture – to make the processes and procedure of the Koori VOCAT list culturally appropriate is therefore an important part of the list

You cannot begin to deal with or understand the issues faced by Koori victims of crime until there is an acknowledgement of their history and background.

Respect is shown to culture by the acknowledgement to country that occurs before each sitting.

To ensure that the voices of the applicants are heard the list operates with as much informality as is possible. The tribunal member sits at a table with the applicant and their legal representative. Applicants are encouraged to bring family or support people to sit at the table. The idea is to create an environment that encourages communication.

Because of its informality, the VOCAT Koori List allows detailed and personal information to come out. There's no formal swearing in to a witness box, it is not adversarial; it is about actually hearing what people have to say. The Tribunal member and the lawyers are quiet and the applicant is the one who has the voice. Therefore, you get genuine information about what they need to assist them.

The success of the List relies on a case by case approach to the management of the applications and a willingness by the Tribunal to adapt its procedures to the individual experience.



The Tribunal – Year in Review

Through the sustained efforts of our VOCAT members, judicial registrars, registrars and staff, this year we finalised a record number of applications. We achieved this while working within our existing resources and continuing to accommodate high numbers of lodgements, many of which are also growing in complexity.

Applications lodged

We received 5,722 applications for financial assistance in the reporting period, slightly fewer than last year's number of 5,863. Female applicants again comprised the majority, at 52.7 per cent, compared to 51.9 per cent in the previous year.

Applications arising from allegations of assault comprised 55.4 per cent of applications. This is similar to last year, when applications for assault were 55.8 per cent of all applications. Male applicants made up 56.2 per cent of applicants in this category. Applications where the alleged crime was identified as a homicide offence numbered 568 (approximately 10 per cent of all applications received) compared to 407 (approximately 7 per cent of all applications received) in the previous reporting period.

We received 213 applications where the alleged crime was identified as a rape offence, compared to 262 in the previous year. There were 21 male applicants (compared to 40 in the previous year), and 192 female applicants (compared to 222 in the previous year) in this category.

See page 30 for further details about applications lodged.

Application outcomes

We finalised 6,611 applications in the reporting period. Recent years have shown an increase in finalisations. This year our clearance rate was 116 per cent, which can be compared to the clearance rate of 88 per cent in 2008/09.

We awarded 4,755 applicants financial assistance (representing 71.9 per cent of all orders made) compared to 4,751 in the previous year. Additionally:

- » applications were determined at hearings in 25 per cent of cases, consistent with 25 per cent in the previous year.
- » 229 applications were refused, compared to 219 in the previous year. Refused applications comprised 3.5 per cent of all finalising orders made.
- » 1,627 applications were withdrawn by the applicant or struck out by the Tribunal, compared to 1,921 in the previous year (a decrease of 15.3 per cent).
- » as in previous years, the majority of awards (86.4 per cent) went to primary victims, with 4,106 awards being made this reporting period, compared to 3,984 last year (an increase of 3.1 per cent).

- » we made 269 awards of financial assistance to secondary victims, compared to 335 last year. Secondary victims represented 5.7 per cent of all awarded applicants, which are a smaller proportion than the previous year.
- » for related victims, 365 awards of financial assistance were made, compared to 414 in the previous year. Related victims represented 7.7 per cent of all awarded applicants, which are a smaller proportion than the previous year.

See page 31 for further details about application outcomes.



Financial assistance awarded

In the reporting period, we awarded a total of \$47.9 million in financial assistance and legal costs to victims of crime, compared to \$49.1 million in the previous year (a decrease of 2.6 per cent).

The average amount of financial assistance awarded was \$7,336, compared to \$7,763 in the previous year.

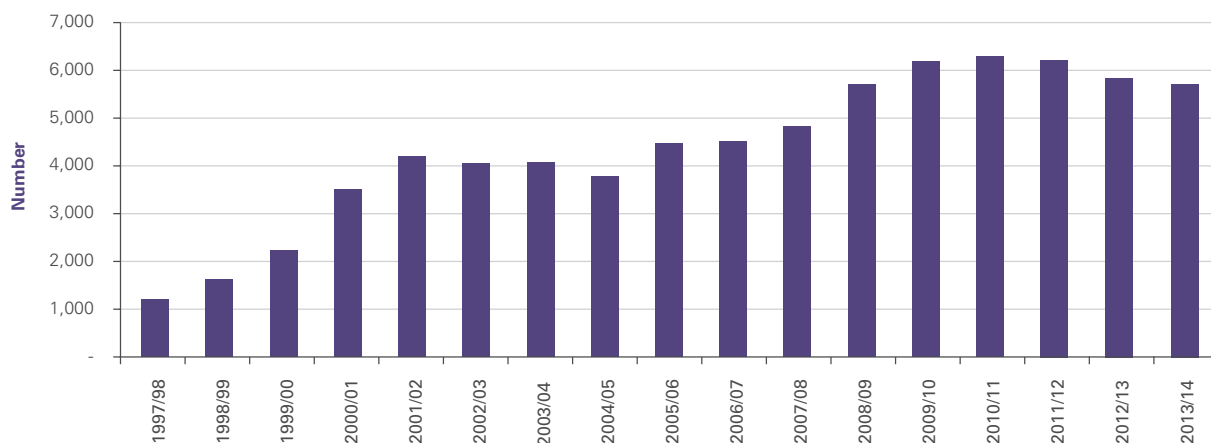
Almost all primary victims (96.6 per cent) were awarded special financial assistance. The average amount of special financial assistance awarded was \$2,958.

Additionally, we awarded:

- » over \$3.4 million in interim financial assistance (an 11 per cent increase on the \$3.1 million awarded in the previous financial year). Most awards of interim financial assistance were for counselling expenses, and registrars made interim awards of assistance in 26.9 per cent of cases for expenses already incurred.
- » \$1.68 million in safety related expenses, compared to \$1.65 million in the previous reporting period. This category of financial assistance for primary victims has been available since July 2010, allowing the Tribunal to make awards for safety related expenses without applicants needing to demonstrate exceptional circumstances.
- » \$5.54 million for all legal costs (including disbursements) incurred in relation to applications, with an average amount of \$1,132 per award of assistance made.

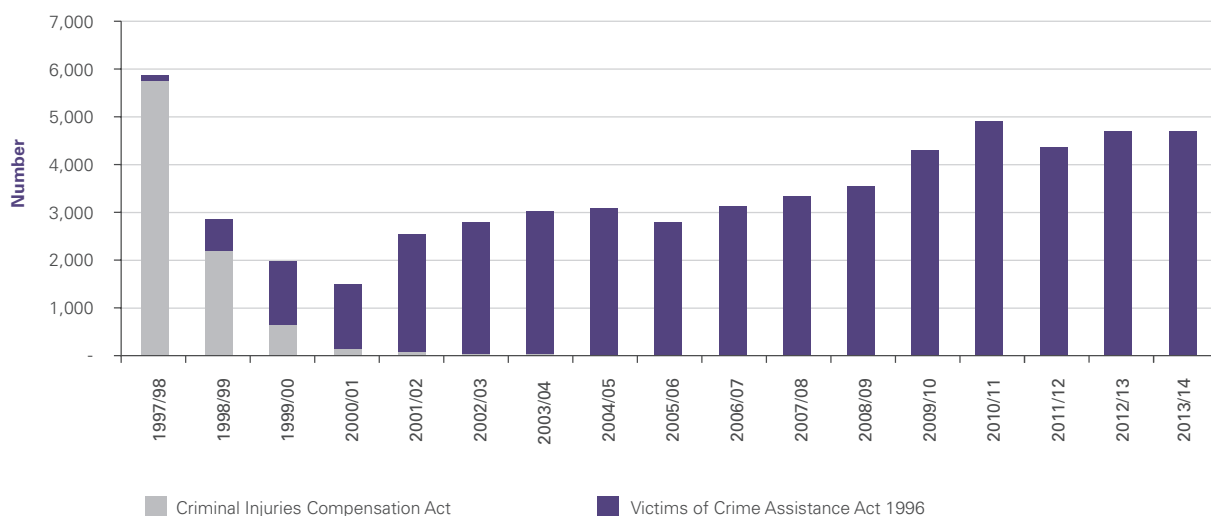
Increasing demand and financial assistance awarded

Chart 1: Number of applications for financial assistance lodged annually, 1997/98 – 2013/14



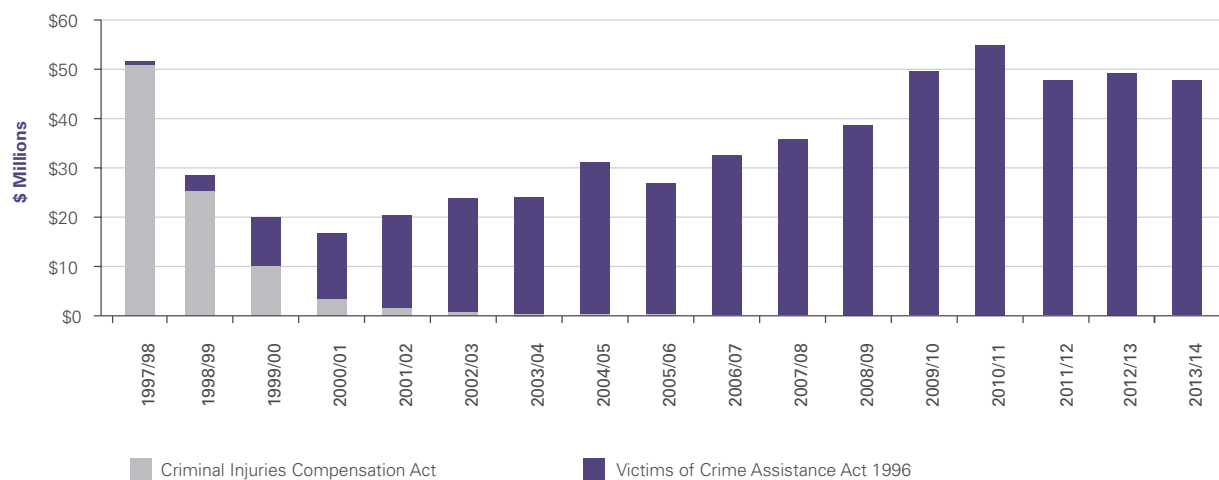
Demand for financial assistance from victims of crime has increased almost every year since the Tribunal commenced on 1 July 1997, with a slight decrease in the last two reporting periods.

Chart 2: Number of awards made annually by legislative scheme, 1997/98 – 2013/14



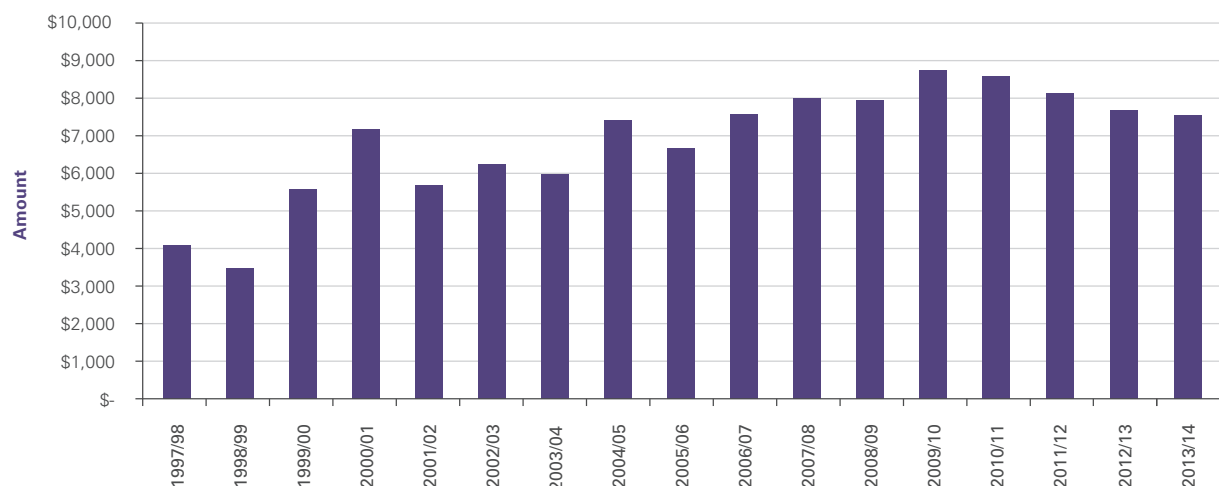
The number of applications for financial assistance finalised annually has generally grown.

Chart 3: Total amount of financial assistance awarded and legal costs ordered annually by legislative scheme, 1997/98 – 2013/14



The amount of financial assistance awarded under the *Victims of Crime Assistance Act 1996* has increased almost each year since the Tribunal commenced on 1 July 1997, however, decreased this year.

Chart 4: Average amount of financial assistance awarded under *Victims of Crime Assistance Act 1996* on determination of applications, 1997/98 – 2013/14



Despite the increasing amount of financial assistance awarded by the Tribunal most years since it commenced in July 1997, the average amount of assistance awarded to applicants each year has remained remarkably consistent, with a slight decrease in the year under review.

Supervising Magistrate Johanna Metcalf: Timely and responsive awards of assistance

All of us at VOCAT recognise that protracted delays in determining applications for assistance can add to the stress experienced by victims of crime and hamper their recovery. We aim to minimise unwarranted delays to the greatest possible extent. With this in mind, it is pleasing that the number of pending cases continued to fall, and the time taken to finalise applications continued to improve, over the last year.

Parliament expressly endorsed the importance of timely outcomes in Section 32 of the *Victims of Crime Assistance Act 1996* (VOCA Act), which places an obligation on Tribunal members to act - fairly; according to the substantial merits of the case; and with as much expedition as the requirements of the VOCA Act and a proper determination of the matter permit.

It must be acknowledged that a final decision in a proportion of applications will inevitably be delayed because of the need for Tribunal members to be satisfied of eligibility criteria set out in the Act. The Tribunal must make rulings and decisions about a victim's entitlements based on appropriate evidence, and it may take time for that evidence to be provided to VOCAT.

Often the Tribunal's ability to determine whether a victim is entitled to special financial assistance is tied to the outcome of police investigations into the crime, including whether the police consider that there is sufficient evidence to charge the alleged perpetrator. In other cases, the Tribunal must await the outcome of criminal or civil court proceedings before a linked VOCAT application can be finalised. In cases where VOCAT entitlements and compensation available from other statutory schemes may overlap (for example, a related victim

application arising out of the death of a loved one in the workplace, or in a transport accident) the Tribunal may need to await the outcome of a claim under the statutory scheme before the VOCAT application can be properly determined.

But even where it is not possible to finalise an application in a speedy way because of such factors, the Tribunal can nevertheless respond to urgent claims for assistance by providing an interim award for expenses that a victim has incurred, or will incur, as a result of a crime. VOCAT makes a large number of interim awards every year across the spectrum of applications, many of which are authorised promptly by registrars and judicial registrars without the need to refer the matter to a Tribunal Member.

In the last twelve months, VOCAT awarded just under \$3.5 million to victims of crime for interim assistance. As in previous years, awards for the provision of counselling sessions represented the largest proportion of interim approvals, at just over \$1.7 million. In addition, VOCAT will pay for the cost of an assessment undertaken by a counsellor to evaluate a victim's counselling needs, if any and to recommend an appropriate treatment plan - almost \$500,000 was awarded for the provision of such reports last year. Interim counselling awards are significant because research suggests that early intervention can prevent or reduce the severity of serious subsequent psychological injury, such as post-traumatic stress disorder. It is critical that a victim of crime receives timely, appropriate counselling where necessary to help them cope with the effects of the crime and to promote their rehabilitation.

For related victims who have suffered the death of a loved one as a result of a crime, an interim

award to pay for the deceased person's funeral expenses can be an enormous relief. VOCAT made awards of approximately \$442,000 last year for this purpose.

Interim awards can provide practical assistance in a range of other areas. Payments are made for lost earnings where victims are unable to work for a period because of the crime, to cover medical treatment for injuries and to enable clothing damaged in the crime to be replaced. Another significant area of practical interim assistance involves awards for safety-related expenses. In the last year, VOCAT awarded \$209,000 to improve victims' safety by, for example, paying for locks in the home to be changed.

In 2012, the Chief Magistrate delegated certain Tribunal functions to judicial registrars as part of a strategy aimed at improving timeliness. Judicial registrars are able to deal with straightforward applications, freeing up Tribunal members to focus on applications of greater complexity. Our eight judicial registrars have taken on their new responsibilities with enthusiasm, and were responsible for 19 per cent of all VOCAT finalisations across the state. Their work has contributed to improved case processing times, whereby half of all applications were completed within nine months, and two thirds within 12 months.

Sitting as a Tribunal member can be challenging and humbling, but it is also very satisfying to play a small role in helping a victim recover from the effects of a crime upon them. It is a privilege to hear victims' stories and to provide them with practical help and support, and my colleagues and I will continue our efforts to provide that assistance in a timely way.



Applications arising from major incidents – The 2009 Victorian Bushfires

We continued to manage applications for financial assistance arising from major incidents, such as the 2009 Victorian Bushfires, through our principal registry in Melbourne. This ensures a consistent, timely and coordinated approach for such applications.

We received 502 applications for financial assistance arising from the 2009 Victorian bushfires. The majority of applications relating to the Churchill and Delburn Complex fires have now been finalised.

The further consideration of applications relating to the Murrindindi fires was deferred pending the outcome of the Coronial process. The Phoenix Taskforce filed an inquest brief with the Coroner's Office in May 2012. VOCAT will continue to monitor the progress of the coronial proceedings.

Review Applications from VOCAT

In the reporting period, 28 applications for review of VOCAT decisions were determined by VOCAT. The Victorian Government Solicitor's Office represents VOCAT (as primary decision maker) in all VOCAT proceedings.

Counsel assisting the Tribunal

The Tribunal may engage counsel to assist with respect to an application for assistance. In the year under review, counsel was engaged to assist the Tribunal in two applications for assistance.

Timeliness

The time it took to finalise applications (measured from the time of lodgement) has slightly improved. Over 65 per cent of applications were finalised within 12 months, with 50 per cent being finalised within nine months. At the end of the reporting period, 5,843 applications were pending, compared to 6,370 in the previous year.

Some applications are more complex. This is a result of changing notions about what may constitute a violent crime and the possible ways in which a person can be victimised. Applications for assistance for family violence offences continue to rise and new offences, for example, cyber crimes, are becoming more prevalent. The complexity of applications impacts on the time it takes to finalise them.

Below are some of the initiatives we anticipate will assist in improving timeliness:

From 1st February 2012, a 12 month pilot programme commenced with judicial registrars managing selected VOCAT applications at Ringwood, Heidelberg and Melbourne Court venues. Due to the success of this trial, it was extended to all metropolitan courts in February 2013, and statewide in October 2013.

Judicial registrars can determine applications for assistance made by primary and secondary victims, except where:

- » the act of violence alleged is a sexual offence or
- » the act of violence arises in circumstances of family violence and the alleged offender is a family member.

Judicial registrars have had a considerable impact on the timeliness of finalising VOCAT applications. This year judicial registrars finalised 1,253 applications for assistance, being 18.9 percent of all finalisations, which has contributed to the overall reduction in pending applications with the Tribunal. At the end of 2012/13 there were 6,370 applications pending, whereas in the year ending 2013/14, 5,843 applications were pending – being a reduction of 8.3 percent.

Interim awards for safety-related expenses

Since July 2010, VOCAT has been able to make awards to primary victims for safety related expenses without them needing to demonstrate exceptional circumstances.

Judicial Registrars at VOCAT

Judicial registrars are independent judicial decision makers appointed by the Governor in Council to assist the Magistrates' Court in disposing of a variety of matters that come within the court's jurisdictions.

There are currently eight judicial registrars appointed to the Magistrates' Court of Victoria. They sit at various court locations across the Melbourne metropolitan area, as well as regional and rural court venues.

We have previously reported that a 2010 amendment to the *Victims of Crime Assistance Act 1996* enabled the Chief Magistrate to delegate certain VOCAT functions and powers to judicial registrars. This created the potential for VOCAT to respond to increasing demand by using judicial registrars to decide applications that are more straightforward.

This has allowed VOCAT to respond more quickly and effectively to victims of family violence. Many of these applicants are at risk of further violence and require urgent assistance to improve their security, such as new locks or security alarms at their homes. Some must leave their homes and incur relocation or accommodation expenses. In some cases, magistrates are able to make family violence protection orders and then, sitting as VOCAT members and using the evidence they heard in the intervention order application, make urgent awards of financial assistance.

Timely hearings

We continued to list matters for hearing according to the Chief Magistrate's listings protocol, which promotes consistency and timeliness in our listing practices. This means we aim to list hearings:

- » within six to ten weeks of a VOCAT member deciding to conduct a hearing or
- » where an applicant asks for a hearing, within six to 10 weeks of the applicant advising that they have filed all their supporting material, and VOCAT is satisfied that all relevant material has been filed.

More efficient case management

We have moved towards a more efficient case management model for VOCAT applications at Melbourne Magistrates' Court. This model is replicated in all other regions.

Last year we commenced our listings and case management practices whilst this year we reviewed the changes. Part of our approach means individual VOCAT members will, whenever possible, maintain carriage of files from start to finish. This means fewer files move between members at different stages of the decision-making process, thus optimising operational efficiency.

There has been a reduction in the time members spent reading files and dealing with unexpected procedural issues. Applicants have benefited from members deciding their cases in a quicker, more responsive manner.

Improving access

VOCAT provides registry services at all of Victoria's 54 Magistrates' Court venues, making it accessible to applicants across the state. Members conduct hearings at these venues so that, in most cases, applicants do not have to travel far. We are also exploring the use of non-Court venues to make VOCAT hearings even more accessible, and considering how to best meet the needs of VOCAT applicants within our existing Court venues.

Set out below are some of the ways in which we improved accessibility to VOCAT in the reporting period.

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 2013), 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.

Lawyers are not the only professionals who help victims of crime to access VOCAT. The Government-funded Victims Assistance and Counselling Program, and non-government counselling services, also play a role. This reporting period, we worked with the Department of Justice and other stakeholders in reviewing and considering issues related to how victim counselling services are regulated. 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.

VOCAT website

To improve access to information regarding VOCAT, we have a translation feature on our website. Visitors to our site can now click on one of 57 languages and the Google Translation feature will change the contents of our site to their chosen language.

Next year we will be working on an online application form to make it easier for people to access assistance.

Changing the way we communicate

The first step in ensuring VOCAT's accessibility is ensuring people are aware of us. This means plain language information about VOCAT must be available to assist applicants to access, understand and navigate through VOCAT's practices and procedures. In the reporting period, we continued to review all VOCAT's written information and, in response to demand for more user-friendly information, we finalised a plain language brochure, and a guide to completing the application form.

We also continued to review and change our correspondence in an effort to better inform applicants and their lawyers about the progress of their applications.

Contributing to our community

In 2013-14, we continued to contribute to the community we serve by working with our stakeholders, strengthening our public presence, and educating people about our processes. Below are some examples.

Working with our stakeholders

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

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

Strengthening our public presence

Once again, we participated in the Court's Open Day, a feature event of the Victoria Law Foundation's Law Week, held in May each year. Alongside Magistrates' Court staff and stakeholders, VOCAT staff presented a public information session about VOCAT.

Legal and community education

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

Tribunal members and registrars statewide regularly attend at or present at relevant community engagement forums, particularly during Victim Awareness Week.

Victims of Crime Consultative Committee

Supervising Magistrate Andrew Capell is a member of the Victims of Crime Consultative Committee which has been set up by the Attorney-General to, among other things, provide a forum for victims of crime and relevant justice and victim service agencies to discuss victims' policies, practices and service delivery and to promote the interests of victims in the administration of justice.

- » launching an online application form on the VOCAT website
- » refining and improving case management processes
- » improving how we communicate with victims and legal representatives by reviewing the form and content of standard correspondence
- » continued improvement of external communications
- » continued professional development and training of Tribunal members, judicial registrars and registry staff.

We have a designated Koori List registrar who, like our list members, participates in cultural awareness training. The Koori List registrar enables us to enhance our links with stakeholders such as the Victorian Aboriginal Legal Service, VSA's Aboriginal Victims of Crime Coordinator and the Aboriginal Family Violence Prevention and Legal Service who represent most Koori VOCAT applicants.

The registrar is a consistent point of contact for applicants and helps improve communication between members. This provides greater consistency in the way we conduct matters within the List.

The future

Although there has been a small decrease in the number of applications in the current financial year, we do not anticipate this trend to continue. The Tribunal will soon have an online application form, which will make it easier for people to make an application for assistance.

We also anticipate more complex applications as new laws come into effect dealing with different ways crimes can be committed against the person, for example, cyber crime.

To ensure we remain accessible and responsive to victims of crime, we will continue to build on this year's initiatives, including:

- » supporting the professionalism of lawyers and other service providers who work with victims of crime
- » improve arrangements for the management of funds for adults under disability

Koori VOCAT List

This year, 166 applications were lodged in the Koori List, being an increase of 28.7 per cent. Although this suggests a significant increase, these figures are consistent with the number of applications lodged prior to 2012-13. We finalised 221 applications this year. This is greater than the 201 applications finalised last year.

Access

Koori VOCAT List members are Melbourne-based magistrates who travel throughout Victoria to conduct hearings at venues closer to where applicants live. This reduces the need for applicants in rural or regional areas to travel to Melbourne for hearings.

Timeliness

Having a dedicated registrar has also helped to speed up many of our processes. However, the events giving rise to their need for VOCAT assistance can severely disrupt applicants' lives. They may not have permanent addresses or be able to contact lawyers to give instructions. They may live in remote locations. Wherever possible, the Koori VOCAT List makes allowances for applicants in these situations, and this can impact on the time it takes to finalise matters.

Working with our stakeholders

We have regular discussions with the Aboriginal Family Violence Prevention Legal Service and Victorian Aboriginal Legal Service which increases our understanding of their needs and alerts us to ways in which we can be more responsive. By making our processes clear, we hope to remove some of the barriers to justice that Koori victims of crime face.

In the first half of the year under review, the Court employed two Koori Family Violence Support Officers who were located at the Specialist Family Violence Service at Melbourne. VOCAT was able to liaise with those officers to ensure Koori victims of family violence were aware of VOCAT's role in assisting them.

Future

The Koori Family Violence Court Support workers will be funded again in 2013-14 and we will build on this to improve services for Koori victims of family violence.



Managing VOCAT

A Principal Registrar, Standards and Compliance Officer, and staff across 54 venues throughout Victoria all support VOCAT's goal of providing a timely, empathetic, informal and cost-effective service. Our Coordinating Committee is dedicated to continually improving our performance, including investing in professional development for all members, registrars and staff. This promotes a consistent, compassionate and responsive approach to the needs of victims of crime.

Our Coordinating Committee

VOCAT's Coordinating Committee drives many of the initiatives aimed at improving VOCAT's operation, increasing our community presence, and contributing to positive outcomes for victims of crime.

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 Members

Supervising Magistrates Andrew Capell and Johanna Metcalf co-chair the Coordinating Committee. Its members include:

- » Deputy Chief Magistrates Dan Muling, Felicity Broughton and Lance Martin
- » Magistrates Amanda Chambers, Susan Wakeling, Duncan Reynolds, Ann Collins, Catherine Lamble and David Fanning
- » Judicial Registrar, Sharon McRae

- » VOCAT Principal Registrar, Robert Challis; Acting Principal Registrar, Melanie Quinn; Standards and Compliance Officer, Donna Caruana and Melbourne VOCAT Registry Manager, Sandra Tennant.

Having decision makers as well as those who manage the administrative functions of VOCAT on the committee promotes consistency between members and registrars, and takes into account issues affecting them.

Committee Initiatives

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

- » continued monitoring of the delegation of VOCAT cases (that do not involve allegations of sexual offences or family violence) to judicial registrars. The Committee evaluated the pilot that commenced in February 2012 and it was decided to expand the role of the judicial registrars to all metropolitan courts. In the 2013-14 financial year, judicial registrars will consider VOCAT applications across the state

- » ongoing oversight of the Koori VOCAT List including arranging meetings for Tribunal members sitting in the list to ensure they are able to keep each other informed of developments
- » development and publication of amended guidelines for:
 - Legal costs
 - Counselling fees
 - Funeral expenses
- » considering issues raised by systemic deficiencies in the regulation of counselling services provided to victims of crime
- » considering the Victorian Civil and Administrative Tribunal's (VCAT's) reviews of VOCAT decisions to ensure that Tribunal members are informed of relevant decisions and that decisions that are of sufficient interest are placed on the VOCAT website
- » discussing professional development and training events for magistrates and registrars
- » monitoring statistical information across venues regarding the number of applications for assistance lodged and determined, awards of assistance made (including interim awards), and the amount of assistance awarded



- » considering issues of confidentiality arising from the issue of summons to produce Tribunal files for the hearing of criminal charges and civil proceedings, to protect confidential documents held by the Tribunal
 - » undertaking a review of legal publications and information guides to ensure plain language information about the Tribunal is available to assist applicants, the victim support network and wider community to access, understand and navigate through the Tribunal's practices and procedures
 - » reviewing and amending correspondence generated by the Tribunal's case management system to victims and agents to better inform them of the progress, requirements and outcomes of their application before the Tribunal
 - » developing listing and case management practices aimed at improving the timeliness of VOCAT decision-making
 - » discussing issues arising from the 2009 Victorian Bushfires.
- » liaison with the Aboriginal Victims of Crime Coordinator at the Victims Support Agency and with the Aboriginal Family Violence Prevention Legal Service
 - » providing information about the Tribunal at an Open Day at the Melbourne Magistrates' Court during Law Week 2014
 - » regular meetings with the Victims Support Agency to discuss issues relating to services to victims of crime
 - » regular meetings of the Victim Impact Statement Steering Committee, convened by the Department of Justice, leading to legislative reform in this area.
- » familiarising new magistrates with VOCAT, including providing information sessions and developing an induction manual for new magistrates and judicial registrars
 - » contributing to the VOCAT Practice Page on the Judicial College of Victoria website
 - » reviewing and publishing relevant VOCAT and Court of Appeal decisions on our website
 - » considering how to best manage confidential information when responding to subpoenas for VOCAT files
 - » reviewing and updating Tribunal Guidelines and Practice Directions.

Members of the Committee participated in:

- » the provision of materials and information sessions about VOCAT for new magistrates
- » the provision of VOCAT training for judicial registrars
- » continuing professional development and information sessions for staff of the Victims Assistance and Counselling Program

Consistency and Responsiveness

Apart from working on initiatives, the Committee also monitors VOCAT's activities, keeping up-to-date with trends in application numbers and awards of assistance. It promotes exchange of information with stakeholders and plays a major role in the professional development of Tribunal members and staff. This helps to ensure consistent decision-making across VOCAT. It also helps VOCAT remain responsive to the needs of victims of crime and to prioritise issues according to areas of need.

Ways in which the Committee contributed to responsiveness and consistency include:

- » contributing to the ongoing professional development of Tribunal members, including presenting a session at the Court's Professional Development day



Our Registry

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

At 30 June 2014, the Tribunal funded 24 registry positions across Victoria and was further supported by registrars and administrative staff of the Magistrates' Court.

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

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

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

Although one position is funded at each venue, registrars and finance officers funded from the Magistrates' Court operating budget provide significant 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, undertaking much of the lead-up work that helps Tribunal members to determine applications.

This 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 and
- » providing administrative support in relation to applications for the variation of awards.

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

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

At major Court venues, registrars perform VOCAT work for six- to 12-months. The relevant legislation is complex, and it takes time to develop expertise in this area. VOCAT therefore benefits significantly from having dedicated registrars for extended durations. Registrars also gain valuable experience through their VOCAT work, which in turn benefits all Court jurisdictions.

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

"Over the last 10 years, I have witnessed a number of beneficial changes within VOCAT.....some have come from careful consideration of best practice and the drive for service improvement."

REGISTRAR SIMONE JACOB

Registrar Simone Jacob: A decade of change at VOCAT

Over the last 10 years, I have witnessed a number of beneficial changes within VOCAT, affecting applicants and their solicitors, as well as registrars, judicial registrars, Tribunal members and support staff. Whilst most of these changes have occurred as the world moves into the century of technology and takes the Tribunal with it, some have come from careful consideration of best practice and the drive for service improvement.

Increasing the maximum payment that a registrar can authorise from \$1000 to \$5000 has enabled faster turn around times of urgent awards for interim assistance, particularly counselling, whereby a number of sessions are often required to facilitate a victim's recovery from the crime.

Another initiative, which has increased timeliness, is the successful introduction of judicial registrars into the VOCAT field. The initial pilot program was expanded to include further suburban metropolitan and regional locations, following which their delegations increased to widen the matters they were empowered to deal with.

Applicants have also benefitted from the provision of direct deposit options for the transfer of award funds and the availability of some of correspondence via email. Arrangements have also been put in place to respond to an increase in domestic violence related

applications. Most metropolitan locations now have video link facilities available, which applicants can use in cases where alleged offenders may also be attending a hearing. This ensures that applicants do not have to be in the same room as the alleged offender.

From a registrar's perspective, beneficial training material and checklists have been introduced making training and registrar transitions much easier. Regular registrar meetings allow both the experienced and new registrars to have input into the agenda, discuss common issues and workloads, find solutions and learn about new procedures.

The VOCAT website is a fantastic source of information and resources for applicants, representatives and court staff – including myself!

An exciting prospect on the near horizon is the online lodgement of an application for assistance. In time, the electronic application should be linked to our software, which will save registrars inputting applications into our software and mean that applicants would receive an instantaneous acknowledgement of their application.

Who knows what changes the future might bring? Applications might be lodged via a Smartphone app with 24/7 electronic access to registrars. We could see briefs and



other supporting material being lodged electronically and correspondence that is solely email based. It may even be that applicants and their legal representative could attend 'virtual' Tribunal hearings via a hologram.

Once thing is for certain, all those at VOCAT will continue to look for ways to improve how we manage applications for the benefit of victims of crime.

Simone Jacob has been with VOCAT and the Magistrates' Court as a registrar for fourteen years.

VOCAT Website

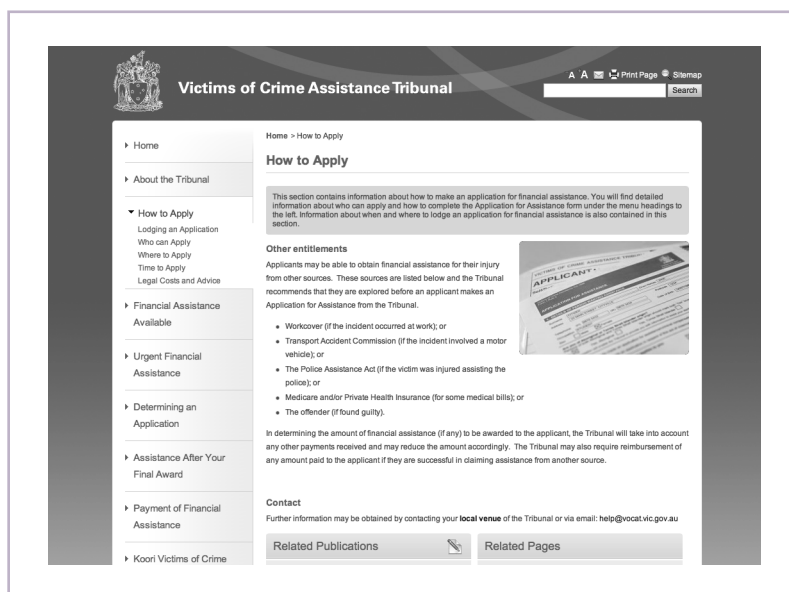
Our website (www.vocat.vic.gov.au) was redeveloped in 2011 and contains useful information, including:

- » 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
- » appeal decisions that VOCAT considers important.

We are continuing to improve the website as an education and communication tool.

We have included a new translation feature to our website. Visitors to our site can now simply click on a language and the Google Translation feature will change the contents of our site to their chosen language. 57 languages can be selected. This year 250 users converted the website into a language other than English.

This year the website received 24,802 unique visits, compared to 23,999 in the previous year. As with the previous year, the 'Application for Assistance form' was the most commonly downloaded publication/form.



Professional Development

VOCAT's Coordinating Committee works closely with the Magistrates' Court Professional Development Committee. This ensure judicial registrars and magistrates are equipped for their roles as VOCAT decision-makers.

Because decision-makers have wide discretion under the Act, professional development is an important tool in maximising a level of consistency in their decision-making. Additionally, professional development days help keep VOCAT members – who are also magistrates, located across 54 Victorian Court venues – in touch with each other's practices. This allows them to benefit from the pool of available expertise, which also helps ensure high quality, consistent approaches.

VOCAT's supervising magistrates conduct information sessions on the Act for newly appointed magistrates and judicial registrars, and provide them with written materials and information about the VOCAT website and the Judicial College's VOCAT Practice Page.

Professional development in 2013–14 also included:

- » regular VOCAT registrar meetings, focusing on training to promote consistency. The meeting provides a forum to discuss current issues
- » reviewing and distributing to Tribunal members VCAT decisions in relation to appeals from VOCAT and
- » publishing on the internal website any relevant papers written by magistrates for judicial decision-makers.

"Sitting as a Tribunal member can be challengeing and humbling, but it is also very satisfying to play a small role in helping a victim recover from the effects of a crime upon them."

SUPERVISING MAGISTRATE
JOHANNA METCALF

Our Statistical Report

For the fourth consecutive year, we finalised more than 6,000 applications, being a record number finalised. The tables below also 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, 2011/12 – 2013/14

	2011/12	2012/13	2013/14
CASELOAD			
Number applications lodged	6,163	5,863	5,722
Number orders made finalising claims	6,403	6,894	6,611
Number applications pending on 30 June	6,957	6,370	5,843
CASE PROCESSING TIMES			
Proportion of applications finalised within 9 months of lodgement	47.1%	47.8%	50.0%
Proportion of applications finalised within 12 months of lodgement	62.8%	62.4%	65.2%
AGE OF PENDING CASELOAD			
Proportion of applications pending for 9 months or more on 30 June	45.4%	45.0%	41.1%
Proportion of applications pending for 12 months or more on 30 June	34.8%	34.9%	31.8%

Applications lodged by applicant gender and category of crime

Table 2: Number of applications for financial assistance lodged by category of offence, and gender of applicant, 2013/14¹

OFFENCE CATEGORY	NUMBER OF APPLICATIONS			DISTRIBUTION		
	MALE APPLICANT	FEMALE APPLICANT	TOTAL	MALE APPLICANT	FEMALE APPLICANT	TOTAL
Homicide ²	264	304	568	46.5%	53.5%	9.9%
Rape	21	192	213	9.9%	90.1%	3.7%
Sex (non-Rape) ³	163	531	694	23.5%	76.5%	12.1%
Robbery	199	174	373	53.4%	46.6%	6.5%
Assault ⁴	1,783	1,389	3,172	56.2%	43.8%	55.4%
Abduction/Kidnap	26	27	53	49.1%	50.9%	0.9%
Criminal damage by fire	6	8	14	42.9%	57.1%	0.2%
Burglary	149	146	295	50.5%	49.5%	5.2%
Harassment	21	101	122	17.2%	82.8%	2.1%
Other	73	145	218	33.5%	66.5%	3.8%
TOTAL	2,705	3,017	5,722	47.3%	52.7%	99.8%

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

2 The *Homicide* category includes offences such as murder, manslaughter and culpable driving.

3 The *Sex (non-rape)* category includes offences such as indecent assault, incest, and sexual penetration of a child.

4 The *Assault* category includes offences such as intentionally/recklessly cause serious injury, reckless conduct endangering life, unlawful assault, assault with weapon.

Outcome of finalised applications

Table 3: Number of orders made upon final determination of applications for financial assistance, by order type, 2011/12 – 2013/14

ORDER	2011/12		2012/13		2013/14	
Application granted/award made	4,346	67.9%	4,751	68.9%	4,755	71.9%
Application refused	212	3.3%	219	3.2%	229	3.5%
Application struck out/withdrawn	1,843	28.8%	1,921	27.9%	1,627	24.6%
Other disposal	2	<0.1%	3	<0.1%	0	0%
TOTAL	6,403	100%	6,894	100%	6,611	100%

Table 4: Number of awards of financial assistance made upon final determination of applications for assistance, by award type, 2011/12 – 2013/14

AWARD TYPE	2011/12		2012/13		2013/14	
Primary victim award	3,658	84.2%	3,984	83.9%	4,106	86.4%
Secondary victim award	365	8.4%	335	7.1%	269	5.7%
Related victim award	306	7%	414	8.7%	365	7.7%
Award for funeral expenses only	2	<.1%	4	<0.1%	2	<0.1%
Award made under <i>Criminal Injuries Compensation Act 1983</i>	1	<.1%	0	<0.1%	1	<0.1%
Other	14	0.3%	14	0.3%	12	0.3%
TOTAL	4,346	100%	4,751	100%	4,755	100%

Table 5: Number of awards of financial assistance made, by age and gender of awarded applicants, 2013/14

AGE AT AWARD	NUMBER OF AWARDS			DISTRIBUTION		
	MALE APPLICANT	FEMALE APPLICANT	TOTAL	MALE APPLICANT	FEMALE APPLICANT	TOTAL
0 – 18 years	446	625	1,071	41.6%	58.4%	22.5%
19 – 25 years	448	336	784	57.1%	42.9%	16.5%
26 – 35 years	487	444	931	52.3%	47.7%	19.6%
36 – 60 years	803	905	1,708	47.0%	53.0%	35.9%
61 years +	124	129	253	49.0%	51.0%	5.3%
Unknown	2	6	8	25%	75.0%	0.2%
TOTAL	2,310	2,445	4,755	48.6%	51.4%	100%

Table 6: Number of awards of assistance made by category of offence and gender of awarded applicant, 2013/14

OFFENCE CATEGORY	NUMBER OF AWARDS			DISTRIBUTION		
	MALE APPLICANT	FEMALE APPLICANT	TOTAL	MALE APPLICANT	FEMALE APPLICANT	TOTAL
Homicide	184	218	402	45.8%	54.2%	8.5%
Rape	25	185	210	11.9%	88.1%	4.4%
Sex (non-Rape)	112	463	575	19.5%	80.5%	12.1%
Robbery	235	174	409	57.5%	42.5%	8.6%
Assault	1,573	1,103	2,676	58.8%	41.2%	56.3%
Abduction/Kidnap	7	19	26	26.9%	73.1%	0.5%
Criminal damage by fire	7	9	16	43.8%	56.3%	0.3%
Burglary	110	147	257	42.8%	57.2%	5.4%
Harassment	12	58	70	17.1%	82.9%	1.5%
Other	45	69	114	39.5%	60.5%	2.4%
TOTAL	2,310	2,445	4,755	48.6%	51.4%	100%

Table 7: Number of applications for assistance lodged, final orders and awards made by Tribunal region, 2013/14

		APPLICATIONS LODGED		FINAL ORDERS MADE		AWARDS MADE	
REGION	TRIBUNAL VENUES WITHIN REGION	NUMBER	AS % OF STATEWIDE TOTAL	NUMBER	AS % OF STATEWIDE TOTAL	NUMBER	AS % OF STATEWIDE TOTAL
Barwon South West	Colac, Geelong, Hamilton, Portland, Warrnambool	406	7.1%	434	6.6%	304	6.4%
Broadmeadows	Broadmeadows	374	6.5%	435	6.6%	280	5.9%
Dandenong	Dandenong	439	7.7%	505	7.6%	397	8.3%
Frankston	Dromana, Frankston, Moorabbin	612	10.7%	741	11.2%	549	11.5%
Gippsland	Bairnsdale, Korumburra, Latrobe Valley, Moe, Omeo, Orbost, Sale, Wonthaggi	297	5.2%	261	3.9%	196	4.1%
Grampians	Ararat, Bacchus Marsh, Ballarat, Edenhope, Hopetoun, Horsham, Nhill, St Arnaud, Stawell	271	4.7%	287	4.3%	223	4.7%
Heidelberg	Heidelberg, Moonee Ponds, Preston	411	7.2%	500	7.6%	344	7.2%
Hume	Benalla, Cobram, Corryong, Mansfield, Myrtleford, Seymour, Shepparton, Wangaratta, Wodonga	212	3.7%	255	3.9%	165	3.5%
Lodden Mallee	Bendigo, Castlemaine, Echuca, Kerang, Kyneton, Maryborough, Mildura, Ouyen, Robinvale, Swan Hill	254	4.4%	242	3.7%	167	3.5%
Melbourne	Melbourne	1,296	22.6%	1,355	20.5%	956	20.1%
Neighbourhood Justice Centre	Collingwood	53	0.9%	61	0.9%	47	1.0%
Ringwood	Ringwood	540	9.4%	587	8.9%	425	8.9%
Sunshine	Sunshine, Werribee	557	9.7%	948	14.3%	702	14.8%
TOTAL		5,722	100%	6,611	100%	4,755	100%

Financial assistance awarded and legal costs⁵**Table 8: Total amount of financial assistance awarded and legal costs ordered (interim, final determination, by variation and on review), 2011/12 - 2013/14**

	2011/12		2012/13		2013/14	
Financial assistance	\$42,739,212	89.4%	\$43,726,609	89.0%	\$42,315,273	88.4%
Legal costs	\$5,068,174	10.6%	\$5,412,037	11.0%	\$5,542,800	11.6%
TOTAL	\$47,807,386	100%	\$49,138,646	100%	\$47,858,073	100%

Table 9: Total amount of financial assistance awarded, 2011-12 / 2013/14

	2011/12		2012/13		2013/14	
Financial assistance for expenses already incurred and lump sum payments (special financial assistance, distress, loss of earnings)	\$32,460,416	75.9%	\$34,052,070	77.9%	\$32,765,285	77.4%
Financial assistance for expenses not yet incurred	\$10,278,796	24.1%	\$9,674,539	22.1%	\$9,549,988	22.6%
TOTAL	\$42,739,212	100%	\$43,726,609	100%	\$42,315,273	100%

⁵ Individual figures shown for amounts of financial assistance have been rounded to the nearest dollar. Percentages may therefore not add up to 100%.

Table 10: Total amount of financial assistance awarded by assistance type, and legal costs ordered, 2013/14

ASSISTANCE TYPE	INTERIM AWARD	FINAL AWARD	AWARDED ON VARIATION	AWARDED ON REVIEW	TOTAL	AS %
Special financial assistance	\$9,300	\$11,707,537	\$81,350	\$650	\$11,798,837	24.7%
Pain and Suffering ⁶	-	\$35,000	\$12,500	-	\$47,500	0.1%
Distress	\$63,905	\$6,566,576	\$69,220	-	\$6,699,701	14.0%
Funeral expenses	\$442,495	\$133,022	\$9,564	-	\$585,081	1.2%
Loss of earnings	\$66,415	\$3,049,829	\$274,575	-	\$3,390,819	7.1%
Dependency	-	-	-	-	-	0%
Loss/damage to clothing	\$1,847	\$177,637	\$2,845	-	\$182,329	0.4%
Counselling/ psychological/ psychiatric reports	\$489,852	\$1,000,143	\$117,054	-	\$1,607,049	3.4%
Counselling sessions	\$1,710,820	\$3,555,560	\$796,875	\$4,440	\$6,067,695	12.7%
Medical expenses	\$316,467	\$2,357,154	\$1,314,855	\$54,627	\$4,043,103	8.4%
Other expenses to assist recovery	\$161,846	\$4,972,378	\$1,075,017	-	\$6,209,241	13%
Safety related expenses	\$208,915	\$1,328,284	\$140,228	\$6,491	\$1,683,918	3.5%
SUBTOTAL	\$3,471,862	\$34,883,121	\$3,894,083	\$66,208	\$42,315,273	88.4%
Legal costs	-	\$5,383,380	\$87,371	\$72,049	\$5,542,800	11.6%
TOTAL	\$3,471,862	\$40,266,501	\$3,981,454	\$138,257	\$47,858,073	100%

⁶ Awards for pain and suffering are made where the *Criminal Injuries Compensation Act 1983* applies, and applications cannot be made under the *Victims of Crime Assistance Act 1996*.

Table 11: Amount of financial assistance awarded as a *lump sum payment* and for *expenses already incurred*, by type of assistance, 2013/14

ASSISTANCE TYPE	INTERIM AWARD	FINAL AWARD	AWARDED ON VARIATION	AWARDED ON REVIEW	TOTAL	AS %
Special financial assistance	\$9,300	\$11,707,537	\$81,350	\$650	\$11,798,837	36.0%
Pain and Suffering		\$35,000	\$12,500	-	\$47,500	0.1%
Distress	\$63,905	\$6,566,576	\$69,220	-	\$6,699,701	20.4%
Funeral expenses	\$438,165	\$133,022	\$9,564	-	\$580,751	1.8%
Loss of earnings	\$66,415	\$3,049,829	\$274,575	-	\$3,390,819	10.3%
Dependency	-	-	-	-	-	0%
Loss/damage to clothing	\$1,648	\$173,944	\$2,845	-	\$178,437	0.5%
Counselling/ psychological/ psychiatric reports	\$489,852	\$1,000,143	\$117,054	-	\$1,607,049	4.9%
Counselling sessions	\$170,196	\$1,031,656	\$381,714	-	\$1,583,566	4.8%
Medical expenses	\$157,819	\$1,509,494	\$790,176	\$5,427	\$2,462,916	7.5%
Other expenses to assist recovery	\$78,402	\$2,765,789	\$664,884	-	\$3,509,075	10.7%
Safety related expenses	\$46,063	\$750,156	\$103,924	\$6,491	\$906,634	2.8%
TOTAL	\$1,521,765	\$28,723,146	\$2,507,806	\$12,568	\$32,765,285	100%

Table 12: Amount of financial assistance awarded for *expenses not yet incurred*, by type of assistance, 2013/14

ASSISTANCE TYPE	INTERIM AWARD	FINAL AWARD	AWARDED ON VARIATION	AWARDED ON REVIEW	TOTAL	AS %
Counselling sessions	\$1,540,624	\$2,523,904	\$415,161	\$4,440	\$4,484,129	47.0%
Medical expenses	\$158,648	\$847,660	\$524,679	\$49,200	\$1,580,187	16.5%
Loss/damage to clothing	\$199	\$3,693	-	-	\$3,892	<0.1%
Other expenses to assist recovery	\$83,444	\$2,206,589	\$410,133	-	\$2,700,166	28.3%
Funeral expenses	\$4,330	-	-	-	\$4,330	<0.1%
Safety related expenses	\$162,852	\$578,128	\$36,304	-	\$777,284	8.1%
TOTAL	\$1,950,097	\$6,159,974	\$1,386,277	\$53,640	\$9,549,988	100%

Table 13: Number of final awards of financial assistance made, and average amount of financial assistance awarded on final determination, 2011/12 - 2013/14

	2011/12	2012/13	2013/14
Number of awards of financial assistance made	4,346	4,751	4,755
Amount of financial assistance awarded	\$35,503,150	\$36,883,853	\$34,883,121
Average amount of financial assistance awarded	\$8,169	\$7,763	\$7,336

Table 14: Number of primary victims awarded special financial assistance and amount awarded on determination of application, by category, 2011/12 - 2013/14

	NUMBER			DISTRIBUTION		
	2011/12	2012/13	2013/14	2011/12	2012/13	2013/14
NUMBER OF PRIMARY VICTIMS WHO WERE AWARDED SPECIAL FINANCIAL ASSISTANCE BY CATEGORY						
Category A	834	798	863	23.8%	22.2%	21.6%
Category B	837	869	846	23.9%	24.2%	21.2%
Category C	1,207	1,277	1,484	34.4%	35.6%	37.2%
Category D	631	647	796	18.0%	18.0%	20.0%
TOTAL	3,509	3,591	3,989	100%	100%	100%
AMOUNT OF SPECIAL FINANCIAL ASSISTANCE AWARDED BY CATEGORY						
Category A	\$6,724,960	\$6,628,327	\$7,061,873	60.4%	57.8%	59.9%
Category B	\$2,517,488	\$2,705,383	\$2,412,352	22.6%	23.6%	20.4%
Category C	\$1,510,406	\$1,706,370	\$1,828,258	13.6%	14.9%	15.5%
Category D	\$380,930	\$427,770	\$495,705	3.4%	3.7%	4.2%
TOTAL	\$11,133,784	\$11,468,850	\$11,798,188	100%	100%	100%
AVERAGE AMOUNT OF SPECIAL FINANCIAL ASSISTANCE AWARDED BY CATEGORY						
Category A	\$8,127	\$8,307	\$8,183			
Category B	\$2,853	\$3,113	\$2,851			
Category C	\$1,239	\$1,336	\$1,232			
Category D	\$617	\$661	\$623			
TOTAL	\$3,141	\$3,194	\$2,958			

Table 15: Number of related victims awarded financial assistance for distress and amount awarded on final determination, 2011/12 - 2013/14

	2011/12	2012/13	2013/14
Number of related victims who were awarded financial assistance for distress	299	406	360
Amount of financial assistance awarded to related victims for distress on determination of application	\$5,345,067	\$7,341,596	\$6,566,576
Average amount of financial assistance awarded to related victims for distress	\$17,876	\$18,083	\$18,240

Table 16: Amount of legal costs ordered to be paid on the final determination of applications for financial assistance, and average legal costs ordered, 2011/12 - 2013/14

	2011/12	2012/13	2013/14
Number of awards of financial assistance made	4,346	4,751	4,755
Amount ordered to be paid for legal costs	\$5,068,174	\$5,286,043	\$5,383,380
Average amount of legal costs ordered to be paid per awarded applicant	\$1,166	\$1,113	\$1,132

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 2011/12 - 2013/14

	2011/12	2012/13	2013/14
Number of interim awards of assistance made by Tribunal members	1,149	1,040	893
Number of interim awards of assistance made by judicial registrars	3	53	223
Number of interim awards of assistance made by registrars	621	399	411
TOTAL NUMBER OF INTERIM AWARDS OF ASSISTANCE MADE FOR EXPENSES ALREADY INCURRED	1,773	1,492	1,527
Proportion of interim awards made by registrars	35.0%	26.7%	26.9%
Amount of interim financial assistance awarded for expenses already incurred	\$1,495,106	\$1,401,097	\$1,521,765
Average amount of interim financial assistance awarded for expenses already incurred	\$843	\$939	\$997

Table 18: Number of interim awards of financial assistance made where financial assistance was awarded for *expenses not yet incurred*, and amount awarded, 2011/12 - 2013/14

	2011/12	2012/13	2013/14
Number of interim awards of assistance made by Tribunal members	767	728	604
Number of interim awards of assistance made by judicial registrars	2	35	134
Number of interim awards of assistance made by registrars	533	314	347
TOTAL NUMBER OF INTERIM AWARDS OF ASSISTANCE MADE FOR EXPENSES NOT YET INCURRED	1,302	1,077	1,085
Proportion of interim awards made by registrars	40.9%	29.2%	32.0%
Amount of interim financial assistance awarded for expenses not yet incurred	\$1,950,478	\$1,727,220	\$1,950,097
Average amount of interim financial assistance awarded for expenses not yet incurred	\$1,498	\$1,604	\$1,797

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, 2011/12 - 2013/14

	2011/12	2012/13	2013/14
Number of awards varied to award further financial assistance for expenses already incurred	1,137	1,146	1,030
Amount of financial assistance awarded on variation for expenses already incurred	\$2,221,527	\$2,221,466	\$2,507,806
Average amount of financial assistance awarded on variation for expenses already incurred	\$1,954	\$1,935	\$2,435

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, 2011/12 - 2013/14

	2011/12	2012/13	2013/14
Number of awards varied to award further financial assistance for expenses not yet incurred	509	542	542
Amount of financial assistance awarded on variation for expenses not yet incurred	\$1,340,701	\$1,421,781	\$1,386,277
Average amount of financial assistance awarded on variation for expenses not yet incurred	\$2,634	\$2,623	\$2,558

Applications for review of decisions

Table 21: Number of applications for review finalised by the Victorian Civil and Administrative Tribunal, by outcome, 2011/12 - 2013/14

OUTCOME	2011/12		2012/13		2013/14	
Original order/award set aside and new award made on review	6	18.2%	4	13.3%	5	17.9%
Award varied on review	9	27.3%	3	10.0%	2	7.1%
Order affirmed on review	9	27.3%	13	43.3%	9	32.1%
Application for assistance remitted to original decision-maker for determination	0	-	1	3.3%	3	10.7%
Application for review dismissed	3	9.1%	1	3.3%	1	3.6%
Application for review struck out / withdrawn / abandoned	6	18.2%	8	26.7%	8	28.6%
TOTAL	33	100%	30	100%	28	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, 2011/12 - 2013/14

	2011/12	2012/13	2013/14
Number awards of assistance made or varied on review	15	7	7
Amount of financial assistance awarded on review	\$228,250	\$71,192	\$66,208
Average amount of financial assistance awarded on review	\$15,217	\$10,170	\$9,458

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 significant increase in demand.

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 2014, the Tribunal paid a total amount of \$39,983,982 (compared to \$40,875,682 in the previous year).

This amount comprises financial assistance paid to victims of crime and fees for service providers and legal practitioners. It represents actual payments made in the reporting period. It therefore does not include amounts relating to awards made in the current or previous reporting periods that were not paid in the current reporting period. Neither does it include financial assistance awarded for expenses not yet incurred or not used by applicants.

Operating costs

In the year ending 30 June 2014, VOCAT's operating costs were \$2,784,057 compared to \$2,515,697 in the previous year (an increase of 10.7 per cent, compared to our 1.3 per cent increase in the previous reporting period).

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

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

The Magistrates' Court therefore absorbs a large proportion of VOCAT's operating costs, including magistrates' salaries⁸, infrastructure costs and corporate service expenses (such as human resource and finance functions).

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

Average cost per finalised claim

In the year ending 30 June 2014, the average cost per finalised application for financial assistance was \$421 compared to \$365 in the previous year. This represents an increase of 15.3 per cent, following the previous year's decrease of 5.7 per cent.⁹

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 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.

⁹ This has been calculated by dividing the Tribunal's operating costs for the year ending 30 June 2014 by the number of orders made finalising claims over the same period.

Financial Statement for year ending 30 June 2014¹⁰

	NOTE	2011/12	2012/13	2013/14
SPECIAL APPROPRIATIONS	1			
Salaries, overtime and annual leave		\$1,440,363	\$1,433,280	\$1,606,799
Superannuation		\$122,231	\$125,891	\$141,846
Payroll taxation		\$77,536	\$75,984	\$85,433
Provision for long service leave		\$190,867	\$135,956	\$119,148
Work cover levy		\$10,063	\$8,852	\$12,717
Fringe benefits taxation			\$12	\$14
TOTAL SALARIES AND ASSOCIATED EXPENDITURE		\$1,841,060	\$1,779,975	\$1,965,957
OPERATING EXPENDITURE				
Travel and personal expenses		\$2,670	\$9,818	\$4,632
Printing, stationery and subscriptions		\$51,181	\$73,692	\$73,722
Postage and communication		\$76,453	\$62,651	\$75,276
Contractors and professional services	2	\$261,368	\$375,295	\$350,562
Training and development		\$7,903	\$7,300	\$14,009
Motor vehicle expenses		\$5,068	\$4,223	\$5,038
Operating expenses		\$1,915	\$2,670	\$9,356
Witness payments		-	-	\$252
Other financial costs		-	-	\$70
Information technology costs		\$45,256	\$19,082	\$26,838
Rent utilities and property services		\$177,109	\$169,944	\$245,089
Repairs and maintenance		\$13,256	\$11,047	\$13,256
TOTAL OPERATING EXPENDITURE		\$642,179	\$735,722	\$818,100
TOTAL SALARIES AND OPERATING EXPENDITURE		\$2,483,239	\$2,515,697	\$2,784,057
SPECIAL APPROPRIATIONS				
Award payments	3	\$38,650,065	\$40,875,682	\$39,983,982
TOTAL AWARDS		\$38,650,065	\$40,875,682	\$39,983,982

Notes to and forming part of the financial statement

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 2014.

Note 2

The expenditure for contractors and professional services relates to legal costs in the year under review.

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 2014.

¹⁰ This financial statement is based upon financial data available as at 22 July 2014.

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

Chief Magistrate

Mr Peter Henry Lauritsen

Deputy Chief Magistrates

Mr Barry Bernard Braun

Ms Felicity Anne Broughton

Mr Robert Krishnan Ashok Kumar

Mr Lance Ivan Martin

Mr Daniel John Muling

Ms Jelena Popovic

Magistrates

Mr Ian Christopher Alger
(appointed 10 September 2013)

Mr Henry Clive Alsop

Ms Susan Jane Armour

Ms Donna Bakos

Mr Thomas Arthur Dent Barrett

Ms Luisa Rita Bazzani

Mr John Stephen Bentley

Ms Angela Joy Bolger

Ms Jennifer Carolyn Anne Bowles

Mr Gerard Robert Bryant

Mr Darrin Cain

Ms Suzanne Lara Cameron

Mr Andrew Thomas Capell

Ms Rosemary Carlin

Mr James Maxwell Brooke

Cashmore
(retired 08 November 2013)

Ms Amanda Chambers

Mr Michael Patrick Coghlan

Ms Ann Elizabeth Collins

Mr Gregory Connellan

Mr Simon Mitchell Cooper
(resigned 12 August 2013)

Mr David Bruce Sidney Cottrill

Mr Rodney Leslie Crisp

Ms Jillian Mary Crowe

Ms Sharon Elizabeth Cure

Ms Sarah Kingsley Dawes

Mr John William Doherty

Mr Peter Gordon Dotchin

Mr Peter Stewart Dunn

Ms Michelle Pauline Elizabeth Ehrlich

Ms Caitlin Creed English

Ms Rosemary Elizabeth Falla

Mr David Kevin Fanning

Mr David Faram

Mr Bernard Robert FitzGerald

Ms Lesley Ann Fleming

Mr Simon Gerard Garnett

Mr William Paterson Gibb
(retired 12 July 2013)

Ms Jane Catherine Gibson

Mr Philip John Ginnane

Mr Phillip Goldberg

Ms Jennifer Anne Benn Goldsbrough

Mr Martin Grinberg

Ms Jennifer Margaret Grubissa

Ms Margaret Gill Harding

Mr John William Hardy

Ms Annabel Mary Hawkins

Ms Kate Isabella Hawkins

Ms Fiona Ann Hayes

Mr Louis Joseph Hill

Mr Francis Ross Hodgens
(retired 10 October 2013)

Ms Michelle Therese Hodgson

Mr Franz Johann Holzer

Ms Gail Anne Hubble

Ms Audrey Graham Jamieson

Mr Graham Douglas Keil

Mr Jonathan George Klestadt

Ms Elizabeth Anne Lambden

Ms Catherine Frances Lamble

Mr Nunzio La Rosa

Mr Dominic Lennon

Mr John Leon Lesser

Mr Gerard Michael Lethbridge

Mr Gregory John Zalman Levine

Ms Denise Mary Livingstone

Ms Mary-Anne Elizabeth MacCallum
(appointed 18 March 2014)

Ms Jan Maree Maclean

Ms Kay Helen Macpherson

Mr Ross Graeme Maxted

Ms Ann Judith McGarvie

Mr Andrew Richard McKenna

Mr Gregory Laurence McNamara

Mr Peter Harry Mealy

Mr Peter Mellas

Ms Johanna Margaret Metcalf

Mr Peter Patrick Mithen

Mr John Martin Murphy

Mr Stephen Paul Myall

Mr John Lawrence O'Callaghan

Ms Julie Ann O'Donnell

Ms Kim Michelle Willmott Parkinson

Mr Anthony William Parsons

Mr Richard John Pithouse

Ms Roslyn Jane Porter

Mr Reginald Hugh Storrier Radford

Mr Peter Anthony Reardon

Mr Duncan Keith Reynolds

Ms Mary Kay Robertson

Mr Charlie Rozencwajg
 Mr Ronald Norman Saines
 Mr Marc Anthony Sargent
 Mr Barry John Schultz
 (appointed 06 November 2013)
 Mr Michael Leslie Smith
 Mr Paul Anthony Smith
 Ms Sharon Elizabeth Smith
 Mr Patrick Southey
 Ms Paresa Antoniadis Spanos
 Ms Pauline Therese Spencer
 Ms Heather Margaret Spooner
 (retired 14 February 2014)
 Ms Fiona Margaret Stewart
 Mr Mark Francis Stratmann
 (appointed 06 November 2013)
 Ms Stella Maria Dolores Stuthridge
 Ms Noreen Mary Toohey
 Ms Cynthia Anne Toose
 Ms Jennifer Beatrix Tregent
 Mr Jack Vandersteen
 Ms Susan Melissa Wakeling
 Ms Belinda Jane Wallington
 Mr Timothy Walsh
 (appointed 12 November 2013)
 Mr Ian John Watkins
 Mr Iain Treloar West
 (Deputy State Coroner)
 Mr Michael Gerard Wighton
 Mr Brian Robert Wright
 Mr Richard Thomas Wright
 Mr Francis Patrick Zemljak

Reserve Magistrates

Mr Brian Sturtevant Barrow
 Mr John Douglas Bolster
 Mr Lewis Phillip Byrne
 (appointed 9 April 2013)
 Mr Brian Joseph Clifford
 Mr Thomas Kevin Hassard
 Ms Jacinta Heffey
 Mr Frank William Dudley Jones
 Mr Timothy John McDonald
 (5 year appointment ended
 14 April 2013)
 Mr Ian Thomas McGrane
 Mr Peter Thomas Power
 Mr Steven Raleigh
 Mr Ian Maxwell Von Einem
 (appointed 26 March 2013)
 Mr William Peter White
 Mr Terry John Wilson

Judicial Registrars

Ms Ruth Andrew
 Mr Michael Gerard Bolte
 (appointed judicial registrar
 31 July 2013)
 Mr Graeme John Horsburgh
 Mr Barry Raymond Johnstone
 Ms Sharon McRae
 Mr David Leigh McCann
 (appointed judicial registrar
 13 August 2013)
 Mr Richard O'Keefe
 Ms Angela Assunta Soldani

Our Locations

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Fax: 03 5871 2140

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Corryong 3707
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and Pultney Streets
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Fax: Criminal 03 9767 1399
Fax: Civil 03 9767 1352

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03 9628 7733
Fax: Criminal Coordinator
03 9628 7808
Fax: Criminal Registry
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03 9628 7736
Fax: Civil Pre-hearing
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Fax: Civil Registry
03 9628 7728
Fax: Family Law
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WERRIBEE

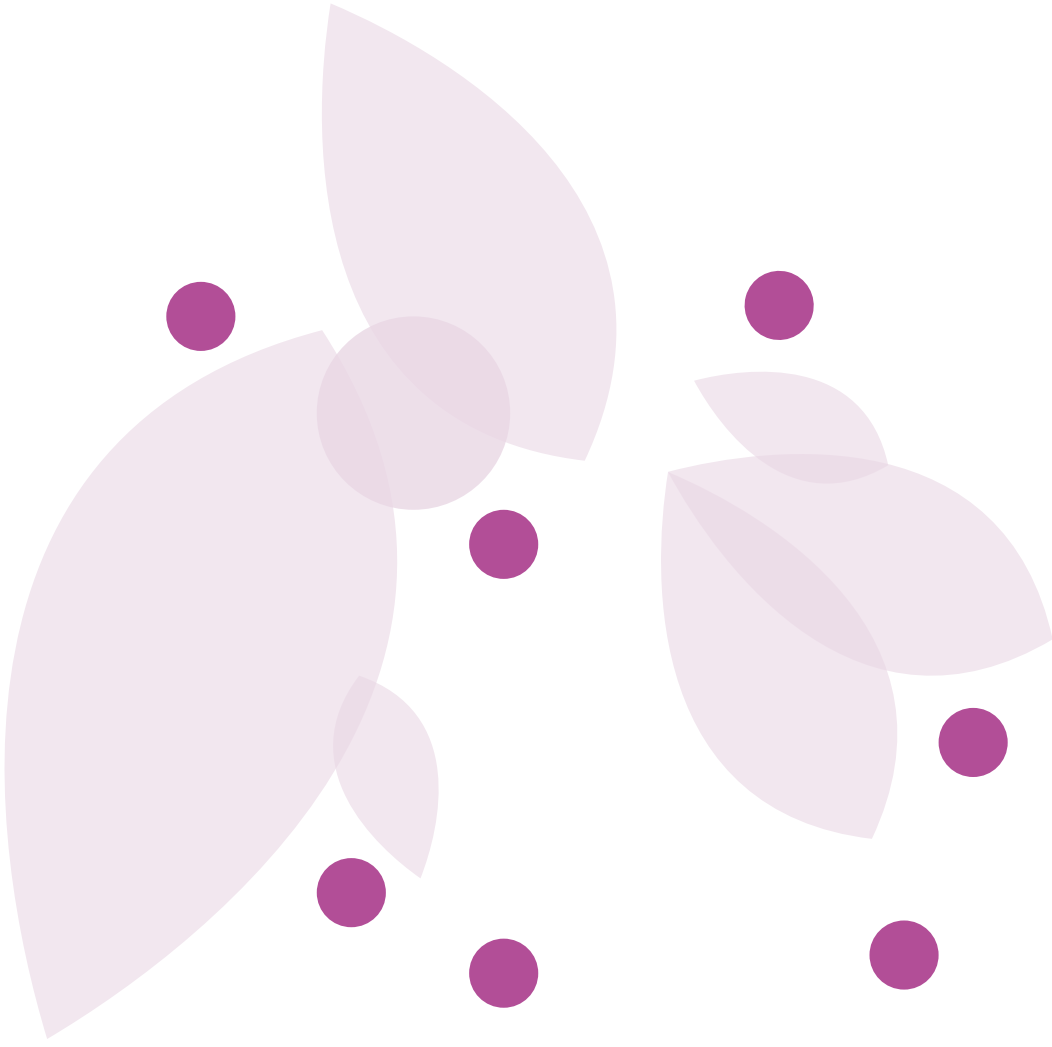
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Assistance Tribunal

Victims of Crime Assistance Tribunal,
Melbourne
Government of Victoria 2013