



VICTIMS OF
CRIME ASSISTANCE
TRIBUNAL

Annual Report 2018–2019



Year at a Glance



**8,067 APPLICATIONS
FILED, UP BY 9.7%.**



**7,666 ORDERS
FINALISING APPLICATIONS,
UP BY 0.1%.**



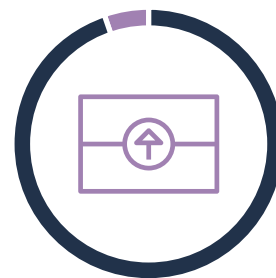
**5,119 AWARDS OF
ASSISTANCE MADE,
UP BY 0.3%.**



**\$59.4 MILLION
AWARDED,
UP BY 7.2%.**



**JUDICIAL REGISTRARS
MADE 21% OF
FINAL AWARDS.**



**KOORI LIST
APPLICATIONS
UP BY 5.1%.**



**AVERAGE AWARD
AMOUNT \$8,001,
UP BY 3.9%.**



**INTERIM AWARDS
FOR ASSISTANCE
UP BY 18.4%.**



**8,176 PENDING
APPLICATIONS,
UP BY 12.1%.**



**1,703 ONLINE
APPLICATIONS FILED,
UP BY 13.2%.**



**168,969 UNIQUE VISITS
TO OUR WEBSITE,
UP BY 207%.**



**TRIBUNAL'S
OPERATING COST
UP BY 2.8%.**

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Letter to Minister

01/09/2019

The Honourable Jill Hennessy MP
Attorney-General
121 Exhibition Street
Melbourne Vic 3000

Dear Attorney-General,

In accordance with the requirements of section 68 of the *Victims of Crime Assistance Act 1996*, I am pleased to present the annual report of the Victims of Crime Assistance Tribunal for the year ending 30 June 2019.

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 blue ink, appearing to read 'P. Lauritsen', with a long horizontal stroke extending to the right.

Peter Lauritsen
Chief Magistrate



Chief Magistrate's Message

THE HONOURABLE CHIEF MAGISTRATE, PETER LAURITSEN

The Victims of Crime Assistance Tribunal (VOCAT) commenced operation 22 years ago in July 1997. The 22nd year has proved to be one of the most significant in Victoria's efforts to provide assistance to victims of crime.

In November 2016, the Victorian Law Reform Commission (VLRC) was asked to consider the operation and effectiveness of the *Victims of Crime Assistance Act 1996* (VOCA Act) for family violence victims. In July 2017, the Attorney-General expanded the terms of reference of the review to consider the operation and effectiveness of the VOCA Act for all victims. The expanded terms of reference also asked the VLRC to consider whether there were other operational models that would more effectively deliver assistance to victims of crime.

As part of the consultation process, VOCAT, along with the Magistrates' Court and the Children's Court made submissions outlining responses to all statutory issues raised in the consultation papers. This included a detailed proposal to reform VOCAT's operational model.

On 19 September 2018, the Victorian Law Reform Commission tabled its final report in Parliament. At paragraph 21 of that report the VLRC stated:

"The Commission acknowledges that VOCAT could be reformed and that a reformed VOCAT model as proposed by VOCAT, the Magistrates' Court of Victoria and the Children's Court of Victoria contains significant reforms and would likely result in improved assistance for victims..."

However, the Commission concludes that a reformed judicial model no longer represents a contemporary model that would most effectively deliver assistance to victims, especially in terms of timeliness, minimising trauma and reducing reliance on legal representation, and that it would also not be the most efficient or sustainable model for the state."

The report went on to say:

In the Commission's view, the most effective model to meet each of the reference objectives and to deliver Victoria's state-funded financial assistance scheme is a new administrative model, focussed on assisting victims in their recovery from a criminal act, separate from Victoria's criminal court system and any potential for involvement by the alleged perpetrator. Accordingly, the Commission recommends that a new state-funded financial assistance scheme be established, led by an independent and dedicated decision maker whose powers and functions are prescribed in legislation (proposed scheme), and that the VOCAA be repealed and replaced with a new Act (proposed Act) which establishes the proposed scheme and incorporates the legislative reforms recommended in this report.

The Government announced that it accepts, in principle, the recommendations of the VLRC. Pending implementation of the new scheme, the Tribunal will continue to accept and manage applications for assistance. The Tribunal will also be actively involved in discussions around the development and implementation of the new scheme.

Tribunal Members and VOCAT staff remain committed to providing the best possible service to victims of crime and I have no doubt that they will continue to do so.

Without knowledge of the timing of the implementation of the new scheme and the details of the transition, there is a need to ensure that the Tribunal continues to assist victims and manage the large volume of applications that it continues to receive.

Over the reporting year, the Tribunal continued to experience a steady increase in the number of new applications, reflected in a record number of applications for assistance in the reporting period. There were 8,067 applications lodged in 2018/19 which is an increase of 9.7% over the previous financial year (7,351). In the same period, the number of applications that were finalised remained steady (7,655 in 2017/18 and 7,666 in 2018/19).

While the number of orders finalising applications has remained steady, the overall workload has increased. The number of awards for interim assistance has increased by 18.4%, the number of variation awards has increased by 1.6% and the number of payments of authorised expenses increased by 21.9% during this financial year. These are all indicators that there is proportionately more work flowing from each application.

The increase in new applications has resulted in a greater number of pending matters - an increase by 12.1% in the number of active cases. As at 30 June 2019, 8,176 applications were awaiting finalisation, an unprecedented number. The Tribunal has had to manage this increase without additional resourcing, which has inevitably led to an increase in the average time taken to finalise applications.

The Tribunal is conscious that delays are undesirable and can undermine the effectiveness of the scheme.

The challenge it is to fulfil its statutory remit to provide timely and effective assistance, in the face of growing demand and overstretched administrative resources.

The Tribunal welcomed the news in early 2019 that VOCAT received funding through the fourth phase of the Aboriginal Justice Agreement to employ a VOCAT Koori list engagement officer. That position was filled in June 2019. We believe that this resource will increase awareness of the rights of Koori victims under the VOCAT legislation and assist us in providing a better, more culturally sensitive response to Koori victims.

The Tribunal has made a concerted effort to engage with family violence agencies and service providers in 2018/19. As a result of the increased awareness of the VOCAT scheme, there has been a continued increase in the number of applications for assistance that have arisen from an act of family violence. 36.3% of VOCAT applications were family violence related in 2018/19 up from 32.8% in 2017/18 and 28% in 2016/17.

During the reporting period, the Tribunal awarded \$59.4 million in financial assistance to victims of crime, and an additional \$6.2 million in legal costs to lawyers assisting applicants. The Tribunal made 5,119 awards of financial assistance over the reporting period, with the average amount of financial assistance awarded on final determination increasing slightly to \$8,001.

Judicial Registrars once again made a significant contribution throughout the year to assisting victims of crime, finalising 1,609 applications for assistance in 2018/19, down from 1,779 in 2017/18. This constitutes approximately 21% of the total number of applications finalised throughout the year.

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

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

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

It is important to acknowledge the work of the VOCAT Coordinating Committee for its guidance, support and ongoing oversight of the scheme throughout this year. I also wish to extend sincere thanks to the Tribunal's Supervising Magistrates, Jo Metcalf, and Fiona Hayes for their dedication and leadership.

Last, but by no means least, I wish to acknowledge the achievements of the Registrars and Tribunal staff throughout 2018/19. Registrars deal day by day with numerous files that each tell a unique and detailed story of disturbing crime. This material, in conjunction with an ever-increasing workload, means that at times VOCAT can be a stressful and challenging place to work. Yet to a person, the Registry staff have been diligent, innovative and sensitive, and carry out their responsibilities to an extremely high standard. Without their efforts, Tribunal Members would not be able to fulfil their own functions as effectively.



Judge Peter Lauritsen
Chief Magistrate





About VOCAT

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

Who we are

VOCAT is now in its 22nd year of operation and was established by the *Victims of Crime Assistance Act 1996* (the Act). We are located within the Magistrates' Court of Victoria and operate at all 51 Court venues across the state. Each of the Court's 140 Magistrates including the Chief Magistrate, are also Tribunal Members. The Court's 13 Judicial Registrars also have Tribunal powers delegated to them by the Chief Magistrate to determine certain types of applications.

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

The Chief Magistrate is responsible for the arrangement of VOCAT's business and appoints Supervising Magistrates to support VOCAT's effective operation. Since February 2018, Johanna Metcalf and Fiona Hayes 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 within which VOCAT operates. Additionally, they have input into developments within the wider justice system that may affect victims of crime.

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

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

What we do

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

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

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

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

In the last 22 years, VOCAT has received 109,362 applications for financial assistance, and awarded \$862 million to victims of crime. This has included 83,170 awards of financial assistance, and tens of thousands of awards of interim financial assistance.

Applications to VOCAT have increased almost every year and this year is no exception. There were 8,067 applications received in the current reporting period, the most in any single year in the Tribunal's history. There were just over 1,000 applications lodged in 1997–98.



Supervising Magistrates Jo Metcalf and Fiona Hayes

In September 2018, the Victorian Law Reform Commission published its Review of the *Victims of Crime Assistance Act 1996*. Chief among the recommendations was the establishment of a new state-funded financial assistance scheme for victims of crime, separate from the court and tribunal system, and instead sited within the Office of the Victims of Crime Commissioner. The Victorian Government is now considering how best to implement those recommendations.

The Victims of Crime Assistance Tribunal welcomes the Law Reform Commission's Report and the benefits that will flow to victims of crime from a reformed scheme. VOCAT will work with the Victorian Government to ensure that there is a smooth transition to the new model. At this stage, there is no firm timeframe for the implementation of the new scheme and so the Tribunal will continue to accept and determine applications for assistance for the time being. The Tribunal has also noted the findings of the Review in relation to the negative effects of delays in determining applications, instances of overly procedural and evidentiary processes and the need for a greater focus on a victim-centred approach. The Tribunal will attempt to address these issues in the interim.

The Tribunal's workload continues to rise. The 2018–19 year saw an increase in applications for assistance, at an unprecedented level, with 8,067 applications lodged. The number of new applications is steadily increasing, month by month.

The Tribunal finalised 53.5% of applications received within 9 months of lodgement and finalised 68.9% of applications received within 12 months of lodgement. These figures are slightly higher than last year. However, there is a growing caseload of applications which are older than 12 months – at year end this figure was 2,265 up by 14.6% from 1,976 the previous year. The reasons vary as to why an application may take longer than 9 or 12 months and usually relate to more complex matters, for instance, where the Tribunal may be awaiting the outcome of a criminal trial to finalise a matter, or where the Tribunal may need to hear evidence.

The steady increase in the number of applications continues to pose challenges for the Tribunal, which has had to manage this increased demand for assistance within existing administrative resources. The increased workload will inevitably result in further delays, compounding the issues identified by the VLRC.

The Tribunal has also seen a rise in the number of applications for assistance from victims of family violence. This increase reflects a growing awareness of eligibility to apply and also, the availability of increased assistance from the Tribunal and support services in the community to victims. The Tribunal's dedicated Family Violence Registrar had the combined tasks of assisting family violence victims directly, as well as raising awareness among support agencies of the assistance which is available through VOCAT. It is with sadness that we farewell Shelly Taylor, the most recent incumbent in this position, as the funding for the role is no longer available through the Family Violence Project Initiative Funding. This was an unfunded position, which the Family Violence Program funded from internal resources. The Program does not have the capacity to continue to fund the position from July 2019.

What we know about family violence applications is that applicants may be living in an unsafe environment, may have limited access to income and supports, may be socially isolated, may have medical and psychological issues, all the while fulfilling parenting and other responsibilities. Urgent access to assistance has become far more achievable through community agencies. The Tribunal, being part of the Magistrates' Court, is sometimes the first port of call for a victim-survivor of family violence, and consequently has a very important role to play in identifying what that person's needs might be. Unfortunately, the workload pressures on the Tribunal impede our ability to meet that need in a more nuanced and holistic way.

On a more positive note, the Tribunal was allocated funding to appoint a Koori Engagement Officer to the Koori VOCAT list. The Tribunal was pleased to appoint Majella McGrath to this position, who is working with Jess Allen in the List. We look forward to improving the awareness of eligibility for victims of crime assistance among the Koori community and to understanding better how the Tribunal can meet their needs for assistance, in a culturally safe environment.

We thank our Tribunal Member colleagues for their ongoing care, diligence and compassion when considering and dealing with applications by victims and when hearing from victims themselves.

We also extend our gratitude to every VOCAT Registrar and staff member across the state. The Registry and Tribunal staff are a professional and dedicated team, who deal directly with victims as their applications are being processed. We acknowledge their skills and expertise and greatly appreciate the assistance they provide to Tribunal Members.

We also thank Rod Ratcliffe, Principal Registrar, for his leadership, particularly during this period of transition. We also acknowledge the excellent work of Donna Caruana and Suzanne Frawley, Standards and Compliance Managers.

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





Supporting Victims of Crime

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

Accessing VOCAT

VOCAT has strong links with the Community Operations and Victims Support Agency (COVSA) (now Victim Services, Support and Reform) in the Department of Justice and Community Safety, Victims of Crime Helpline and the state-wide network of victim support services and programs. Many victims of crime learn about VOCAT either from the Victims of Crime Helpline, Victoria Police, Victims Assistance Program, or other victim support services. These services can support victims through the process of applying to VOCAT for financial assistance. Victims can also receive assistance from lawyers who can assist in preparing their claim without reducing the award amount.

Who can apply?

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

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

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

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

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

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

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

The application process

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

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

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

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

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

The screenshot shows the 'Application for Assistance' form on the VOCAT website. The form is titled 'Application for Assistance' and is divided into several sections. On the left, there is a navigation menu with the following items: 'Before You Apply', 'Applicant Details', 'Offence Details', 'Your Application', 'Deceased Details', 'Authorisation', 'Supporting Material', 'Legal Representation', 'Acknowledgement', 'Review Application', and 'Confirmation'. The main content area is titled 'Application for Assistance' and contains the following fields:

- Applicant Details**: A dropdown menu for 'Status' with 'New' selected.
- Details of Person Wanting Assistance**: A section with the following fields:
 - * Surname (text input)
 - * Given Names (text input)
 - Former Names (text input)
 - * State (dropdown menu)
 - Telephone (please provide at least one phone number) (text input)
 - Phone (After Hours / Home) (text input)

What happens after an application is lodged?

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

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

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

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

How long before a result?

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

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

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

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

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

The hearing process

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

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

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

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

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

How we make decisions

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

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

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

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

- ▶ a violent crime occurred
- ▶ the applicant is a primary, secondary or related victim of that crime, or a person who has incurred funeral expenses
- ▶ the applicant is eligible to receive the assistance and
- ▶ the applicant does not qualify for financial assistance from another source for the loss or expense sought from VOCAT.

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

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

Any financial assistance available under the 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.

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.

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

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

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

Amount of financial assistance available

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

We can award:

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

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

Awards held in trust

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



**KOORI LIST
APPLICATIONS
UP BY 5.1%.**

Right of Review

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

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

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

Focus on Judicial Registrars

In the 2018/19 financial year, Judicial Registrars heard and determined 1,609 VOCAT applications, a decrease of 9.6% from last year (1,779). This figure constitutes 21% of all VOCAT final awards. Judicial Registrars also make approximately 23.5% of all variation awards and 11.2% of all interim awards.

There are now 13 Judicial Registrars appointed to the Magistrates Court each of whom do a significant amount of VOCAT work. Judicial Registrars undertake work in the Tribunal at all metropolitan Tribunal venues and also in the Barwon South West, Gippsland and Grampians regions.

On the 12 June 2019, the Chief Magistrate signed a new instrument of delegation regarding the powers of Judicial Registrars. The change now allows Judicial Registrars to make determinations in applications where the matter had not been reported to police. It is anticipated that this will allow a small increase in the number of applications that can be finalised by Judicial Registrars in the next financial year.

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

Koori VOCAT List

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

In the reporting period there were 291 applications for assistance by victims who identified as Koori. This is an increase of 5.1% on the previous year. VOCAT has observed that the number of applications for assistance is affected by the most recent level and effectiveness of engagement with the Koori community.

A new Koori List Engagement Officer, Majella McGrath was appointed in June of 2019. Majella is a proud Palawa woman with strong ties to the Koori community. It is anticipated that this will assist both in the effective engagement with Koori services and the timely management of Koori applications for assistance.

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

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

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

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





**FAMILY VIOLENCE
MADE UP 36.3%
OF ALL VOCAT
APPLICATIONS
IN 2018/19.**

VOCAT Family Violence Registrar

The 2018/2019 year has seen a continued trend in the increase of family violence applications. Approximately 36.3% of all VOCAT applications arise from an act of family violence. This percentage continues to grow.

Raising awareness of VOCAT amongst victims of family violence has remained a key focus throughout the year. This has been achieved through stakeholder engagement and an unfettered commitment to ongoing training.

Internal stakeholder engagement has involved working alongside applicant practitioners in the courts, specialist Koori practitioners, Victorian Police, lawyers, Women's Legal Service and Court Network workers.

Referral packs continue to be distributed by Family Violence Registrars and applicant practitioners conducting interviews with victims applying for intervention orders. All staff are trained to identify eligibility for VOCAT so appropriate referrals can be made.

The Family Violence Programmes and Initiatives Unit is working on operational guidelines for the Specialist Family Violence Courts. Ensuring appropriate VOCAT integration into the operational model to determine scope for referral, eligibility and case management both practically and efficiently within the Family Violence Court Division model is currently being worked through.

External stakeholder engagement has commenced with Family Safety Victoria (FSV) who fund multiple agencies across Victoria to provide family violence flexible support packages. Flexible support packages are designed to provide a new individualised approach to respond to victim/survivors experiencing family violence. Tailored packages of up to \$10,000 are available, with an average package of \$3000.

Discussions as to where FSV and VOCAT intersect are underway. Initial indicators are that FSV can assist more immediately when victim/survivors are in crisis stage, where VOCAT assistance is often a slower process due to strict eligibility criteria. VOCAT continues to make urgent interim awards of assistance, however due to the complexity of family violence applications these can take considerable time to be determined.

Engagement has been maintained with COVSA and Victoria Police. VOCAT presentations and training has been provided to the VPOL Family Violence Investigation Units across the State via the Divisional Training Officers and the Family Violence Training Officers.

Future engagement is planned to target those who come face-to-face with victims, including Ambulance officers, Emergency Department triage staff, GPs and a range of Family Violence service providers in the community. Presentations outline the criteria that must be met, a breakdown of the assistance available from VOCAT as well as case study examples.

As we go to print it is unfortunate to report that funding for the VOCAT Family Violence Registrar role is not being continued.

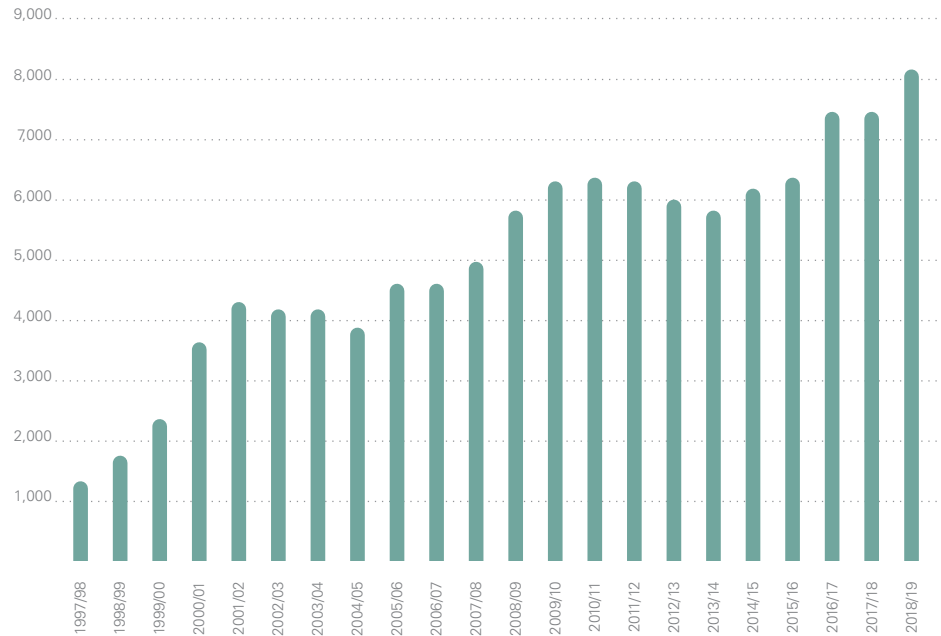




8,067 APPLICATIONS FILED, UP BY 9.7% FROM LAST YEAR.

Demand and financial assistance awarded

CHART 1: Number of applications for financial assistance lodged annually 1997/98 – 2018/19



Demand for financial assistance from victims of crime has increased almost every year since the Tribunal commenced on 1 July 1997, with the trend continuing upward this financial year.



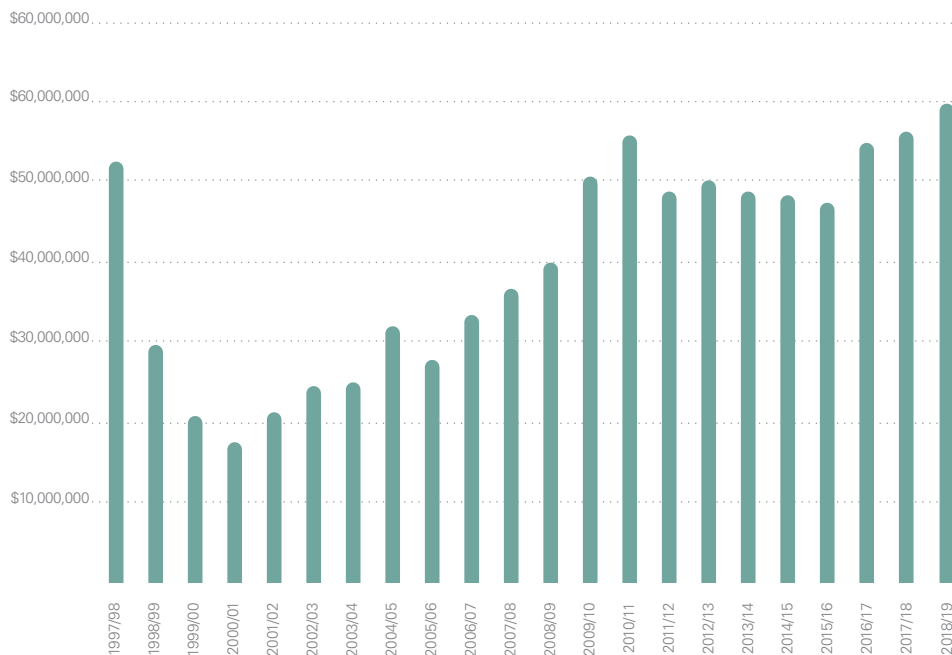
5,119 AWARDS OF ASSISTANCE MADE, UP BY 0.3%.

CHART 2: Number of awards made annually 1997/98 – 2018/19



The number of awards made annually remains steady and is only marginally higher than it was in 2010/11.

CHART 3: Total amount of financial assistance awarded including legal costs ordered annually 1997/98 – 2018/19



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

CHART 4: Average amount of financial assistance awarded under the *Victims of Crime Assistance Act 1996* on determination of applications 1997/98 - 2018/19



The average amount of financial assistance has remained steady throughout the 22 year history of the Tribunal. This indicates that Tribunal Members are applying the legislation in a consistent manner.



\$59.4 MILLION AWARDED, UP BY 7.2%.



AVERAGE AWARD AMOUNT \$8,001, UP BY 3.9%.

VICTIMS OF CRIME ASSISTANCE
APPLICANT

Self/Spouse
Victims of Crime Assistance Act 1996
Form 1 Rule 4

APPLICATION FOR ASSISTANCE

1. DETAILS OF PERSON WANTING ASSISTANCE

Surname
Address

CITIZEN
 22 MAN STREET, CITYVILLE

Telephone (06) 5676 5432
Occupation STUDENT FARMER

(06) 5676 3434

Are you an eligible person under the Act?
Yes No
Are you a victim of a crime?
Yes No
Are you a victim of a crime that is a violent crime?
Yes No

The Tribunal – Year in Review

Applications lodged

There were 8,067 applications filed in the reporting period which represents an increase of 9.7% over the previous year (7,351).

More than one third of applications (36.3%) arose from an incidence of family violence.

Aside from Melbourne, Dandenong has taken over as the Tribunal venue with the highest demand. There were 710 applications for assistance lodged at Dandenong in 2018/19, up from 556 last year. Ringwood (666), Sunshine (635), Frankston (544), Heidelberg (522) and Broadmeadows (483) also received very high numbers.

Application outcomes

We finalised 7,666 applications in the reporting period. This is only 0.1% higher than the previous year.

We awarded 5,119 applicants financial assistance (representing 66.8% of all final orders made) compared to 5,104 in the previous year. Additionally:

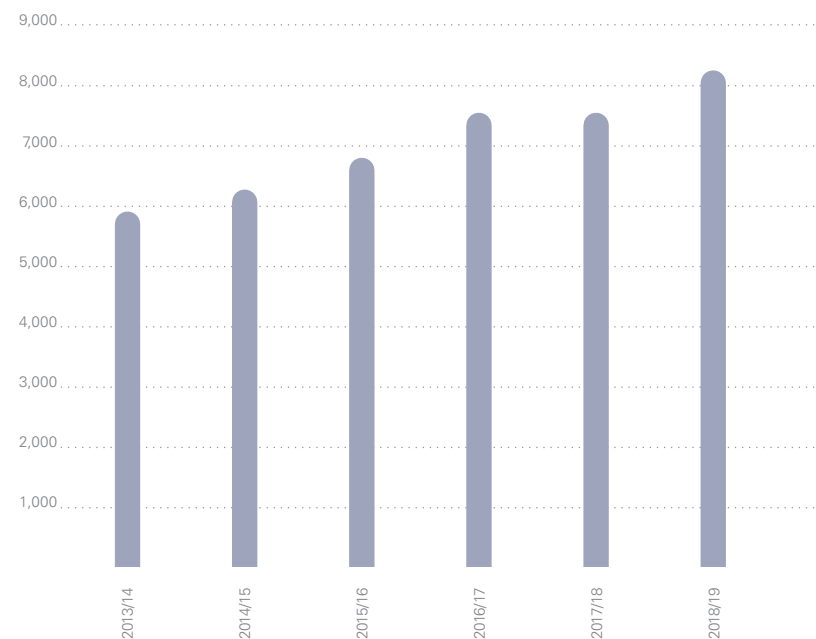
- ▶ Applications were determined at hearings in 10.6% of cases up slightly from 10.4% in 2017/18.
- ▶ As in previous years, the majority of awards (85.9%) went to primary victims, with 4,396 awards being made this reporting period, compared to 4,423 last year. Secondary victims made up 7.1% and Related victims made up 6.8% of all applications for assistance.
- ▶ The overall number of interim awards increased considerably to 4,435 (up by 18.4% from 3,746) and the average amount awarded per victim at the interim stage increased by 2.8% to \$1,653.

Pending Applications

One of the best indicators of VOCAT's level of demand is the number of cases that are active or "pending" at any given time. Pending cases are applications that have been lodged with the Tribunal but not yet finalised. The number of pending cases increased from 7,292 at 30 June 2018 to 8,176 at 30 June 2019. That's an increase of 12.1% over the financial year.

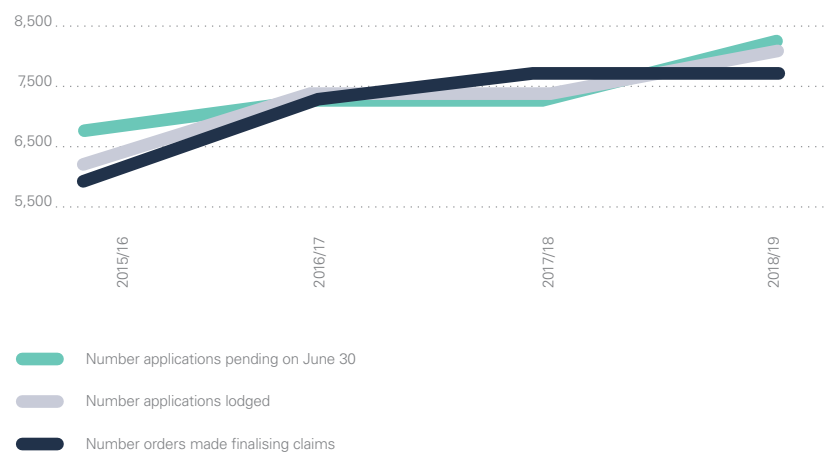
The number of pending applications at end of financial year has continued to grow over the past 5 years. There has been a 39.9% increase since 30 June 2014.

Trend in Pending Cases 2013/14-2018/19



As can be seen from the graph below, the dark blue line indicates that the number of finalisations has plateaued in 2018/19, whilst the number of lodgements (light blue line) has continued to increase. Accordingly, the number of pending cases (green line) has increased accordingly.

VOCAT Demand 2015/16-2018/19



Delay

It is predictable that if demand increases without a requisite increase in capacity or efficiency, then some applications will take longer to process. This is particularly the case when the number of complex cases, such as those related to family violence, is also increasing. It is at all times the goal of the Tribunal to finalise matters as soon as possible for the benefit of all victims. This becomes increasingly difficult as demand increases.

The case processing times in Table 1 (page 44) shows that during the 2018/19 reporting period VOCAT processed a slightly higher percentage of applications within 9 or 12 months. However, because of the increase in the number of applications, in 2018/19:

- ▶ The number of cases pending for longer than 12 months increased to 2,265, up from 1,976 in 2017–18.
- ▶ The number of cases pending for longer than 9 months increased to 3,180 cases, up from 2,713 in 2017–18.

Analysis

VOCAT has analysed four years of data in order to establish whether there is evidence that increasing delays in the processing time of VOCAT cases are driven or exacerbated by the increase in VOCAT's workload.

'Number of lodgements' was used as proxy for 'workload', as this constitutes the number of new cases that have to be processed by VOCAT staff. Similarly, 'Age at Finalisation' was used as proxy for the length of time it takes VOCAT to finalise a case.

Results

In the analysed data, it was shown (Figure 1) that the increase in workload correlates directly to the time taken for VOCAT case finalisation.

With a persistent increase in lodgements (green trendline) the proportion of cases finalised (in 6 months or less) decreases (dashed trendline). This trend suggests that as demand increases, so does delay.

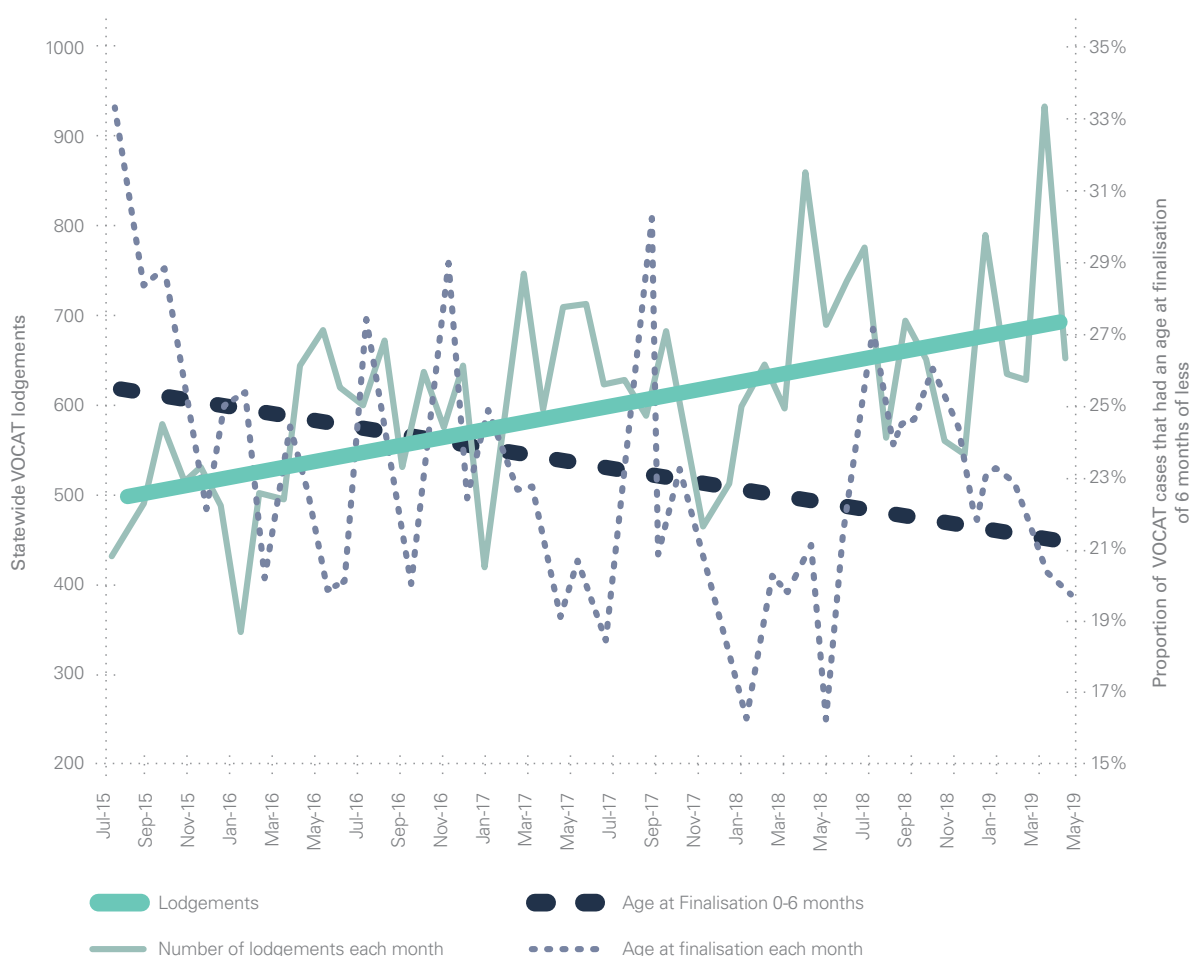


Figure 1: Number of VOCAT lodgements and proportion of VOCAT cases with an age at finalisation of 6 months or less, by month



**INTERIM AWARDS
FOR ASSISTANCE
UP BY 18.4%.**



**1,703 ONLINE
APPLICATIONS FILED,
UP BY 13.2%.**

Financial assistance awarded

In the reporting period, we awarded a total of \$59.4 million in financial assistance and legal costs to victims of crime, up from the \$55.4 million awarded in the previous year.

The average amount of financial assistance awarded to each victim was \$8,001 compared to \$7,701 in the previous year. This figure has remained fairly consistent over the past 22 years showing that Tribunal Members are applying the legislation consistently.

Review applications from VOCAT

In the reporting period, 14 applications for review of VOCAT decisions were determined by VOCAT. The Victorian Government Solicitor's Office represents VOCAT (as the original decision maker) in all review matters. In four of those matters the Tribunal's decision was overturned or varied in some way. To put this in perspective, only 0.05% of finalised cases were varied on review.

Online applications

The Tribunal launched an online application process in 2014. Applications for financial assistance can now be completed and filed via the Tribunal's website by clicking the 'Apply Online' link on our website's homepage. Approximately 21.1% of VOCAT applications are now lodged online.

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

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

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

At the conclusion of this reporting period the Tribunal had received 1,703 on-line applications, up from 1,504 in 2017/18, an increase of 13.2%. Applications can be filed by legal practitioners and unrepresented applicants at any time of day or night and from anywhere in the world.

Legal and other professional help for applicants

Access to justice for victims of crime is of paramount importance, and VOCAT generally pays for victims' legal representation. In the reporting period, we amended the Legal Costs Guideline (Guideline 1 of 2019), increasing the amount we can award to legal practitioners who represent VOCAT applicants. It is hoped this increase will recognise and encourage high quality legal services for victims of crime. It must be noted that the amount of costs paid to legal practitioners is never deducted from the victim's award. It is hoped that the use of legal practitioners will assist victims to receive the maximum award available under the current legislation.

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

Working with our stakeholders

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

Supervising Magistrates contributed to ongoing discussions with the Department of Justice and Community Safety policy-makers about issues affecting victims of crime.

Legal and community education

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

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

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



8,176 PENDING APPLICATIONS, UP BY 12.1%.



Managing VOCAT

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

Our Coordinating Committee

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

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

Committee Chairs: Supervising Magistrates Fiona Hayes and Johanna Metcalf

Members: Deputy Chief Magistrates Felicity Broughton and Lance Martin (Retired from the Committee Apr 2019), Magistrates Andrew Capell, Timothy Bourke (Retired from the Committee Dec 2018), Ann Collins (Retired from the Committee Dec 2018), David Fanning, Duncan Reynolds and Sharon McRae. Judicial Registrar Ruth Andrew, Principal Registrar Rod Ratcliffe, Standards and Compliance Officer Donna Caruana, Acting Standards and Compliance Officer Suzanne Frawley, Melbourne VOCAT Registry Manager Sandra Tennant, Acting Registry Managers Fergus Dunipace and Ashley Hart, and VOCAT Family Violence Registrars Sarah Sivell and Shelly Taylor.

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

- ▶ Recommendations arising from the Family Violence Royal Commission
- ▶ Drafting of submissions to the VLRC review into the *Victims of Crime Assistance Act 1996* as recommended in the Royal Commission into Family Violence and the ongoing management of the VLRC's recommendations
- ▶ The review of Tribunal Counselling, Funeral and Legal Cost guidelines
- ▶ The review of the Tribunal's application form to allow for non-binary gender selection
- ▶ Ongoing oversight of the Koori VOCAT List, including the establishment of a Koori List Engagement Officer following AJA4 funding for VOCAT's enhancement of the Koori List
- ▶ The expansion of the Tribunal's Judicial Registrar delegation of powers, allowing Judicial Registrars to manage applications where an act of violence has not been reported to police
- ▶ The inclusion of VOCAT into the Magistrates' Court Specialist Family Violence Court model
- ▶ The establishment of the National Redress Scheme as a key recommendation of the Royal Commission into Institutional Responses to Childhood Sexual Abuse and the impact of the Redress Scheme on the Tribunal and its processes
- ▶ Drafting of combined MCV submission to the Sentencing Advisory Council's review of Restitution and Compensation orders and review of recommendation report
- ▶ Consideration of issues preventing the destruction of the Tribunal's historical archived records
- ▶ Staff well-being initiatives and the ongoing monitoring of the impact increased demand is having on registry staff
- ▶ VOCAT User Group meetings, attended by the Supervising Magistrates, Principal Registrar, Standards and Compliance Officer, registry staff and core Tribunal stakeholders
- ▶ Discussion of professional development and training events for Magistrates and Registrars
- ▶ Monitored statistical information across venues regarding the number of applications for assistance lodged and determined, awards of assistance made (including interim awards), pending caseload and the amount of assistance awarded
- ▶ Victorian Civil and Administrative Tribunal's reviews of VOCAT decisions to ensure that Tribunal Members are informed of relevant decisions and that decisions of sufficient interest are placed on the VOCAT website

Members of the Committee also participated in:

- ▶ The provision of materials and information sessions about VOCAT for new Magistrates and Judicial Registrars
- ▶ The provision of VOCAT training for new MCV staff
- ▶ The provision of VOCAT training to key stakeholder agencies such as Court Network and Victim Assistance Programs
- ▶ Liaison with the Aboriginal Family Violence Prevention Legal Service
- ▶ The provision of VOCAT specific training as part of the Victoria Police Academy curriculum
- ▶ Training presentations and stakeholder engagements with Drummond Street Services, the Victorian Aids Council, Women's Health West, In Touch Multicultural Centre Against Family Violence and Victoria Police GLLOs (LGBTI Liaisons)
- ▶ A presentation to a Sri Lankan victim and witness protection international study visit
- ▶ Meetings with representatives of COVSA to discuss issues relating to services for victims of crime
- ▶ Attendances at State-wide VOCAT Registrar conferences
- ▶ Meetings of the Victims of Crime Consultative Committee
- ▶ The Magistrates Court 'Walk in her shoes' presentations with Family Violence agencies across the state

Our Registries

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

At 30 June 2019, the Tribunal funded 27 registry positions across Victoria and was further supported by registrars and administrative staff of the Magistrates' Court.

The Melbourne office of VOCAT is staffed by the Principal Registrar, a Standards and Compliance Officer, an Acting Standards and Compliance Officer, a Registry Manager, six Registrars, two trainee Registrars and two Finance Officers.

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

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

Although one position is funded at each venue, Registrars and Finance Officers from the Magistrates' Court provide additional support.

VOCAT Registrars

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

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

The functions of the Registrars includes:

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

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

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

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



168,969 UNIQUE VISITS TO OUR WEBSITE, UP BY 207%.

VOCAT Website

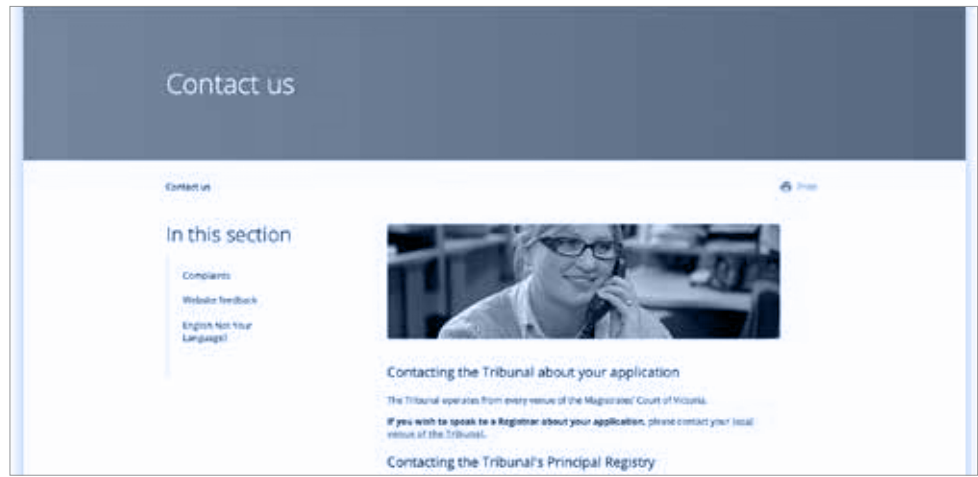
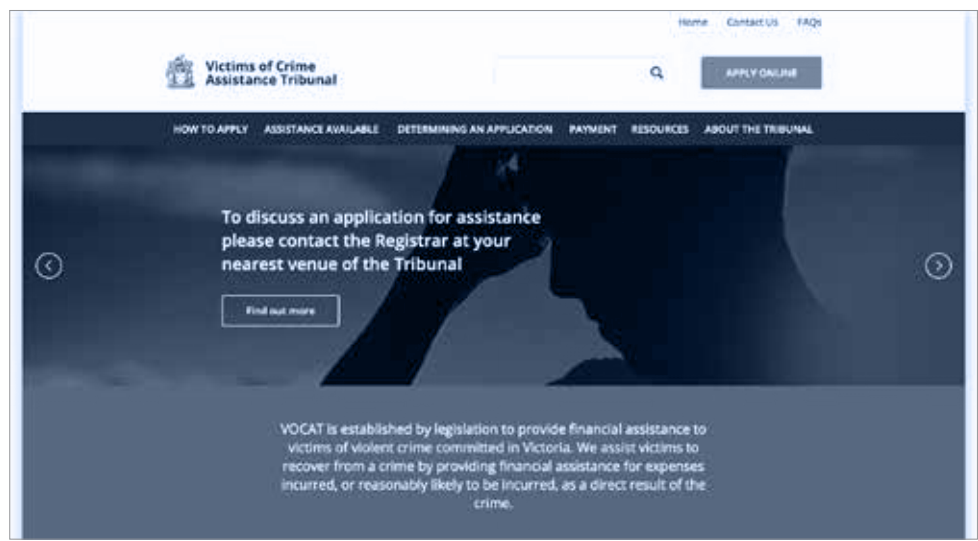
The Tribunal’s current website (www.vocat.vic.gov.au) was redeveloped in 2016 and contains useful information, including:

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

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

This year the website received **168,969** unique visits, compared to 55,019 in the previous year, an incredible increase of **207%**. This remarkable increase in the traffic through our website could be as a result of the increase in demand. It could also be the reason for the increase in demand.

As with the previous year, the ‘Application for Assistance form’ was the most commonly downloaded publication/form. The current website also enables the content to be translated into other languages, this reporting period the site was translated 1,289 times into 92 separate languages.







Our Statistical Report

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

TABLE 1: Summary – applications for assistance lodged, finalised and pending, 2016/17 to 2018/19

	2016/17	2017/18	2018/19
Caseload			
Number applications lodged	7,312	7,351	8,067
Number orders made finalising claims	7,209	7,655	7,666
Number applications pending on 30 June	7,207	7,292	8,176
Case processing times			
Proportion of applications finalised within 9 months of lodgement	51.5%	51.4%	53.5%
Proportion of applications finalised within 12 months of lodgement	65.7%	67.4%	68.9%
Age of pending caseload			
Proportion of applications pending for 9 months or more on 30 June	36.1%	37.2%	38.9%
Proportion of applications pending for 12 months or more on 30 June	26.6%	27.1%	27.7%

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, 2018/19¹

	Male		Female		Total		Distribution %			
	Total Male	Male FV	Total Female	Female FV	Total	FV	Male	Female	% of total applications lodged	FV
Abduction / Kidnap	11	5	23	12	34	17	32%	68%	0.4%	50.0%
Assault	1919	284	1599	765	3518	1049	55%	45%	43.6%	29.8%
Agg ¹ Burglary	281	18	318	47	599	65	47%	53%	7.4%	10.9%
Criminal Damage by Fire	4	2	12	2	16	4	25%	75%	0.2%	25.0%
Family Violence	164	164	675	675	839	839	20%	80%	10.4%	100.0%
Harrassment	33	14	147	59	180	73	18%	82%	2.2%	40.6%
Homicide	209	29	274	38	483	67	43%	57%	6.0%	13.9%
Other	125	14	167	35	292	49	43%	57%	3.6%	16.8%
Rape	32	14	355	154	387	168	8%	92%	4.8%	43.4%
Robbery	205	0	112	1	317	1	65%	35%	3.9%	0.3%
Sex Crime (non Rape)	200	57	792	357	992	414	20%	80%	12.3%	41.7%
Threats	148	49	262	133	410	182	36%	64%	5.1%	44.4%
Total	3331	650	4736	2278	8067	2928	41%	59%	100%	36.30%

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

Outcome of finalised applications

TABLE 3: Number of orders made upon final determination of applications for financial assistance, by order type, 2016/17 to 2018/19

	2016/17		2017/18		2018/19	
	No.	%	No.	%	No.	%
Application granted/award made	4739	65.7%	5104	66.7%	5119	66.8%
Application refused	374	5.2%	129	1.7%	134	1.7%
Application struck out/withdrawn	2096	29.1%	2422	31.6%	2413	31.5%
Total	7209	100%	7655	100%	7666	100%

TABLE 4: Number of awards of financial assistance made upon final determination of applications for assistance, by award type, 2016/17 to 2018/19

Award Type	2016/17		2017/18		2018/19	
	No.	%	No.	%	No.	%
Primary victim award	4058	85.6%	4423	86.7%	4396	85.9%
Secondary victim award	314	6.6%	352	6.9%	363	7.1%
Related victim award	357	7.5%	320	6.3%	349	6.8%
Award for funeral expenses only	4	0.1%	5	0.1%	2	0.0%
Award made under <i>Criminal Injuries Compensation Act 1983</i>	0	0.0%	0	0.0%	0	0.0%
Other	6	0.1%	4	0.1%	9	0.2%
Total	4739	100%	5104	100%	5119	100%

TABLE 5: Number of awards of financial assistance made, by age and gender of awarded applicants, 2018/19

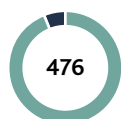
Age at Award	No applications			Distribution %		
	Male	Female	Total	Male	Female	Total
0 – 18 years	293	333	629	46.8%	53.2%	12.2%
19 – 25 years	307	247	554	55.4%	44.6%	10.8%
26 – 35 years	444	385	829	53.6%	46.4%	16.2%
36 – 60 years	769	690	1459	52.7%	47.3%	28.5%
61 years +	170	130	300	56.7%	43.3%	5.9%
Unknown	313	1038	1351	23.2%	76.8%	26.4%
Total	2,296	2,823	5119	44.9%	55.1%	100%

TABLE 6: Number of active cases by Tribunal venue, 2016/17 to 2018/19

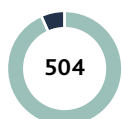
Region	Tribunal venues within region	No. of active cases as at 30 June 2017	Pending	
			No. of active cases as at 30 June 2018	No. of active cases as at 30 June 2019
Barwon South West	Colac	28	26	18
	Geelong	240	278	300
	Hamilton	24	41	20
	Portland	25	37	47
	Warrnambool	90	79	81
Broadmeadows	Broadmeadows	518	422	549
Dandenong	Dandenong	428	357	479
Frankston	Dromana	128	101	122
	Frankston	354	504	596
	Moorabbin	298	334	302
Gippsland	Bairnsdale	28	49	70
	Korumburra	36	43	52
	Latrobe Valley	242	251	275
	Moe	0	0	3
	Sale	56	56	91
	Wonthaggi	27	25	30
Grampians	Ararat	25	24	23
	Ballarat	175	119	219
	Horsham	30	46	57
	Bacchus Marsh	0	12	19
	St Arnaud	7	7	10
	Stawell	0	6	4
Heidelberg	Heidelberg	539	461	501
Hume	Benalla	23	25	35
	Mansfield	0	0	1
	Seymour	35	20	20
	Shepparton	104	100	91
	Wangaratta	33	35	46
	Wodonga	36	39	40
Lodden Mallee	Bendigo	148	119	202
	Castlemaine	15	29	22
	Echuca	26	37	48
	Kerang	4	3	8
	Kyneton	41	19	35
	Maryborough	18	24	22
	Mildura	87	105	108
	Swanhill	11	10	17
Melbourne	Melbourne	1642	1781	1909
	Koori List	374	375	386
NJC	Collingwood	72	62	98
Ringwood	Ringwood	577	630	561
Sunshine	Sunshine	422	489	539
	Werribee	241	112	120
Total		7207	7292	8176

TABLE 7: Number of applications for assistance lodged, final orders and awards made by Tribunal region, 2018/19

Region: BARWON SOUTH WEST					
Tribunal venues within region:	Colac	Geelong	Hamilton	Portland	Warrnambool
Applications Lodged	16	309	28	24	99
Final Orders Made	26	304	48	22	104
Awards Made	18	212	24	16	65

Barwon South West Totals

Applications Lodged
476
5.9% OF
STATEWIDE
TOTAL



Final Orders Made
504
6.6% OF
STATEWIDE
TOTAL

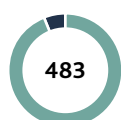


Awards Made
335
6.5% OF
STATEWIDE
TOTAL

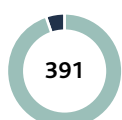
Region: BROADMEADOWS

Tribunal venues within region: Broadmeadows

Applications Lodged	483
Final Orders Made	391
Awards Made	282

Broadmeadows Totals

Applications Lodged
483
6% OF
STATEWIDE
TOTAL



Final Orders Made
391
5.1% OF
STATEWIDE
TOTAL

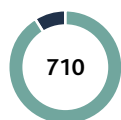


Awards Made
282
5.5% OF
STATEWIDE
TOTAL

Region: DANDENONG

Tribunal venues within region: Dandenong

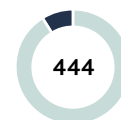
Applications Lodged	710
Final Orders Made	638
Awards Made	444

Dandenong Totals

Applications Lodged
710
8.8% OF
STATEWIDE
TOTAL



Final Orders Made
638
8.3% OF
STATEWIDE
TOTAL



Awards Made
444
8.7% OF
STATEWIDE
TOTAL

Region: FRANKSTON

Tribunal venues within region: Dromana, Frankston, Moorabbin

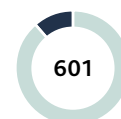
Applications Lodged	127	544	332
Final Orders Made	99	483	387
Awards Made	63	288	250

Frankston Totals

Applications Lodged
1,003
12.4% OF
STATEWIDE
TOTAL



Final Orders Made
969
12.6% OF
STATEWIDE
TOTAL



Awards Made
601
11.7% OF
STATEWIDE
TOTAL

TABLE 7: Number of applications for assistance lodged, final orders and awards made by Tribunal region, 2018/19

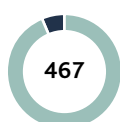
Region: GIPPSLAND

Tribunal venues within region:	Bairnsdale	Korumburra	Latrobe Valley	Moe	Sale	Wonthaggi
Applications Lodged	74	41	311	0	74	28
Final Orders Made	53	33	308	0	43	30
Awards Made	38	19	224	0	29	19

Gippsland Totals



Applications Lodged
528
6.5% OF
STATEWIDE
TOTAL



Final Orders Made
467
6.1% OF
STATEWIDE
TOTAL



Awards Made
329
6.4% OF
STATEWIDE
TOTAL

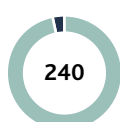
Region: GRAMPIANS

Tribunal venues within region:	Ararat	Ballarat	Baccus Marsh	Horsham	St Arnaud	Stawell
Applications Lodged	18	243	23	39	8	2
Final Orders Made	16	157	17	40	5	5
Awards Made	4	105	13	20	3	3

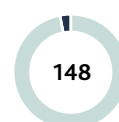
Grampians Totals



Applications Lodged
333
4.1% OF
STATEWIDE
TOTAL



Final Orders Made
240
3.1% OF
STATEWIDE
TOTAL



Awards Made
148
2.9% OF
STATEWIDE
TOTAL

Region: HEIDELBERG

Tribunal venues within region:	Heidelberg
Applications Lodged	522
Final Orders Made	500
Awards Made	347

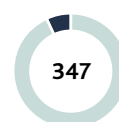
Heidelberg Totals



Applications Lodged
522
6.5% OF
STATEWIDE
TOTAL



Final Orders Made
500
6.5% OF
STATEWIDE
TOTAL



Awards Made
347
6.8% OF
STATEWIDE
TOTAL

Region: HUME

Tribunal venues within region:	Benalla	Mansfield	Seymour	Shepparton	Wangaratta	Wodonga
Applications Lodged	38	1	19	114	45	42
Final Orders Made	33	0	20	131	36	49
Awards Made	23	0	10	90	25	34

Hume Totals



Applications Lodged
259
3.2% OF
STATEWIDE
TOTAL



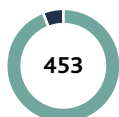
Final Orders Made
269
3.5% OF
STATEWIDE
TOTAL



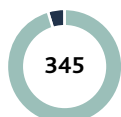
Awards Made
182
3.6% OF
STATEWIDE
TOTAL

TABLE 7: Number of applications for assistance lodged, final orders and awards made by Tribunal region, 2018/19**Region: LODDON MALLEE**

Tribunal venues within region:	Bendigo	Castlemaine	Echuca	Kerang	Kyneton	Maryborough	Mildura	Swanhill
Applications Lodged	218	27	34	10	41	28	70	25
Final Orders Made	148	33	22	3	28	31	63	17
Awards Made	113	22	21	3	19	21	57	16

Loddon Mallee Totals

Applications Lodged
5.6% OF STATEWIDE TOTAL



Final Orders Made
4.5% OF STATEWIDE TOTAL



Awards Made
5.3% OF STATEWIDE TOTAL

Region: MELBOURNE

Tribunal venues within region:	Melbourne	Koori List
Applications Lodged	1493	291
Final Orders Made	1466	308
Awards Made	938	189

Melbourne Totals

Applications Lodged
22.1% OF STATEWIDE TOTAL



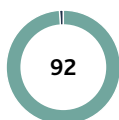
Final Orders Made
23.1% OF STATEWIDE TOTAL



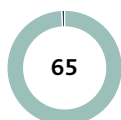
Awards Made
22.0% OF STATEWIDE TOTAL

Region: NEIGHBOURHOOD JUSTICE CENTRE

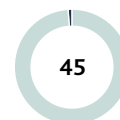
Tribunal venues within region:	Collingwood
Applications Lodged	92
Final Orders Made	65
Awards Made	45

Neighbourhood Justice Centre Totals

Applications Lodged
1.1% OF STATEWIDE TOTAL



Final Orders Made
0.8% OF STATEWIDE TOTAL



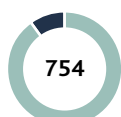
Awards Made
0.9% OF STATEWIDE TOTAL

Region: RINGWOOD

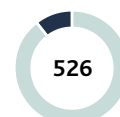
Tribunal venues within region:	Ringwood
Applications Lodged	666
Final Orders Made	754
Awards Made	526

Ringwood Totals

Applications Lodged
8.3% OF STATEWIDE TOTAL



Final Orders Made
9.8% OF STATEWIDE TOTAL



Awards Made
10.3% OF STATEWIDE TOTAL

TABLE 7: Number of applications for assistance lodged, final orders and awards made by Tribunal region, 2018/19

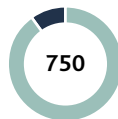
Region: **SUNSHINE**

Tribunal venues within region:	Sunshine	Werribee
Applications Lodged	635	123
Final Orders Made	627	123
Awards Made	398	83

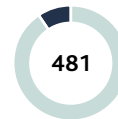
Sunshine Totals



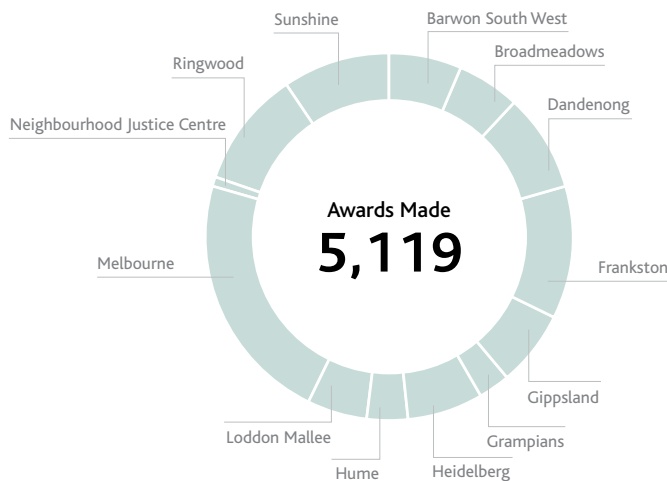
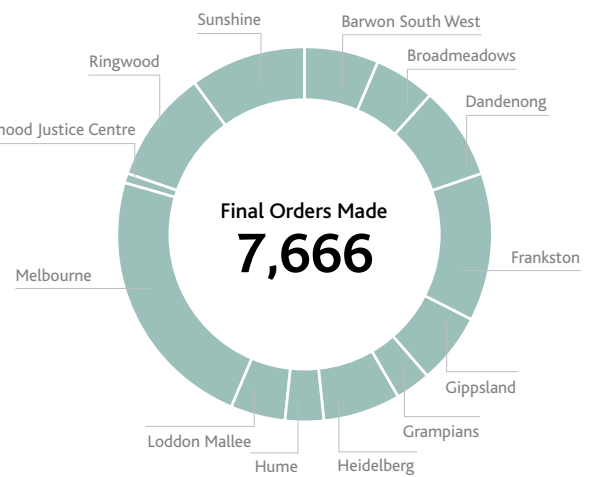
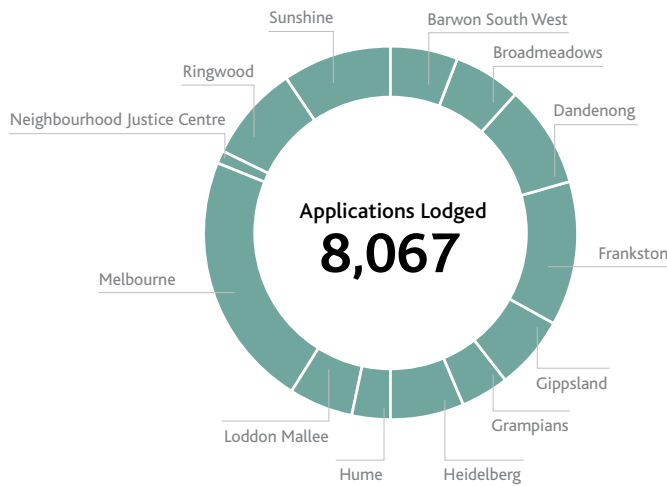
Applications Lodged
758
9.4% OF STATEWIDE TOTAL



Final Orders Made
750
9.8% OF STATEWIDE TOTAL



Awards Made
481
9.4% OF STATEWIDE TOTAL



Financial assistance awarded and legal costs²

TABLE 8: Total amount of financial assistance awarded and legal costs ordered (interim, final determination, by variation and on review), 2016/17 to 2018/19

	2016/17		2017/18		2018/19	
Financial assistance	\$48,156,216	89.3%	\$49,461,630	89.2%	\$53,156,828	89.5%
Legal costs	\$5,762,959	10.7%	\$5,992,003	10.8%	\$6,212,841	10.5%
Total	\$53,919,175	100%	\$55,453,633	100%	\$59,369,669	100%

TABLE 9: Total amount of financial assistance awarded, 2016/17 to 2018/19

	2016/17		2017/18		2018/19	
Financial assistance for expenses already incurred and lump sum payments (special financial assistance, distress, loss of earnings)	\$35,438,319	73.6%	\$35,734,157	72.2%	\$37,512,921	70.6%
Financial assistance for expenses not yet incurred	\$12,717,897	26.4%	\$13,727,473	27.8%	\$15,643,907	29.4%
Total	\$48,156,216	100%	\$49,461,630	100%	\$53,156,828	100%

TABLE 10: Total amount of financial assistance awarded by assistance type, and legal costs ordered, 2018/19

Assistance Type	Interim Award	Final Award	Award on Variation	Award on Review	Total	
					Total \$	% of Total
Special financial assistance	\$42,050	\$12,260,091	\$86,680	\$9,800	\$12,398,621	20.9%
Pain and suffering	\$0	\$0	\$0	\$0	\$0	0.0%
Distress	\$5,672	\$6,723,260	\$0	\$0	\$6,728,932	11.3%
Funeral expenses	\$542,311	\$83,941	\$852	\$0	\$627,104	1.1%
Loss of earnings	\$221,471	\$3,706,055	\$365,633	\$17,832	\$4,310,991	7.3%
Dependency	\$0	\$0	\$0	\$0	\$0	0.0%
Loss/damage to clothing	\$7,681	\$142,249	\$2,644	\$0	\$152,574	0.3%
Counselling/psychological/psychiatric reports	\$968,235	\$1,090,880	\$158,606	\$0	\$2,217,721	3.7%
Counselling sessions	\$3,945,520	\$5,328,337	\$1,685,002	\$16,188	\$10,975,047	18.5%
Medical expenses	\$660,736	\$2,509,311	\$1,007,055	\$14,090	\$4,191,192	7.1%
Other expenses to assist recovery	\$371,553	\$6,539,617	\$1,074,527	\$16,503	\$8,002,200	13.5%
Safety related expenses	\$566,624	\$2,572,686	\$413,136	\$0	\$3,552,446	6.0%
Subtotal	\$7,331,853	\$40,956,427	\$4,794,135	\$74,413	\$53,156,828	89.5%
Legal Costs	\$0	\$6,101,635	\$111,206	\$0	\$6,212,841	10.5%
Total	\$7,331,853	\$47,058,062	\$4,905,341	\$74,413	\$59,369,669	100%

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

TABLE 11: Amount of financial assistance awarded as a lump sum payment and for *expenses already incurred*, by type of assistance, 2018/19

Assistance Type	Interim Award	Final Award	Awarded on Variation	Awarded on Review	Total	
					Total \$	% of Total
Special financial assistance	\$42,050	\$12,260,091	\$86,680	\$9,800	\$12,398,621	33.1%
Pain and suffering	\$0	\$0	\$0	\$0	\$0	0.0%
Distress	\$5,672	\$6,723,260	\$0	\$0	\$6,728,932	17.9%
Funeral expenses	\$504,843	\$78,356	\$852	\$0	\$584,051	1.6%
Loss of earnings	\$221,471	\$3,706,055	\$365,633	\$17,832	\$4,310,991	11.5%
Dependency	\$0	\$0	\$0	\$0	\$0	0.0%
Loss/damage to clothing	\$6,626	\$134,579	\$2,644	\$0	\$143,849	0.4%
Counselling/psychological/psychiatric reports	\$968,235	\$1,090,880	\$158,606	\$0	\$2,217,721	5.9%
Counselling sessions	\$479,823	\$1,641,581	\$709,837	\$3,448	\$2,834,689	7.6%
Medical expenses	\$330,011	\$1,545,959	\$612,613	\$14,090	\$2,502,673	6.7%
Other expenses to assist recovery	\$147,294	\$3,350,584	\$622,428	\$13,523	\$4,133,829	11.0%
Safety related expenses	\$122,452	\$1,337,628	\$197,485	\$0	\$1,657,565	4.4%
Total	\$2,828,477	\$31,868,973	\$2,756,778	\$58,693	\$37,512,921	100%

TABLE 12: Amount of financial assistance awarded for *expenses not yet incurred*, by type of assistance, 2018/19

Assistance Type	Interim Award	Final Award	Awarded on Variation	Awarded on Review	Total	
					Total \$	% of Total
Counselling sessions	\$3,465,697	\$3,686,756	\$975,165	\$12,740	\$8,140,358	52.0%
Medical expenses	\$330,725	\$963,352	\$394,442	\$0	\$1,688,519	10.8%
Loss/damage to clothing	\$1,055	\$7,670	\$0	\$0	\$8,725	0.1%
Other expenses to assist recovery	\$224,259	\$3,189,033	\$452,099	\$2,980	\$3,868,371	24.7%
Funeral expenses	\$37,468	\$5,585	\$0	\$0	\$43,053	0.3%
Safety related	\$444,172	\$1,235,058	\$215,651	\$0	\$1,894,881	12.1%
Total	\$4,503,376	\$9,087,454	\$2,037,357	\$15,720	\$15,643,907	100%

TABLE 13: Number of final awards of financial assistance made, and average amount of financial assistance awarded on final determination, 2016/17 to 2018/19

	2016/17	2017/18	2018/19
Number of awards of financial assistance made	4,739	5,104	5,119
Amount of financial assistance awarded	\$37,831,189	\$39,304,150	\$40,956,427
Average amount of financial assistance awarded	\$7,983	\$7,701	\$8,001

TABLE 14: Number of primary victims awarded special financial assistance and amount awarded on determination of application, by category, 2016/17 to 2018/19

	Number			Distribution		
	2016/17	2017/18	2018/19	2016/17	2017/18	2018/19
Number of primary victims who were awarded special financial assistance by category						
Category A	787	819	803	20.0%	19.0%	19.0%
Category B	953	1,017	1,006	24.2%	23.6%	23.9%
Category C	1,402	1,468	1,473	35.6%	34.1%	34.9%
Category D	797	1,004	935	20.2%	23.3%	22.2%
Total	3,939	4,308	4,217	100%	100%	100%
Amount of special financial assistance awarded by category						
Category A	\$6,681,604	\$6,803,287	\$6,791,496	56.5%	55.0%	55.4%
Category B	\$2,866,049	\$3,080,330	\$3,021,215	24.2%	24.9%	24.6%
Category C	\$1,775,997	\$1,869,335	\$1,864,790	15.0%	15.1%	15.2%
Category D	\$505,313	\$608,373	\$582,590	4.3%	4.9%	4.8%
Total	\$11,828,963	\$12,361,325	\$12,260,091	100%	100%	100%
Average amount of special financial assistance awarded by category						
Category A	\$8,490	\$8,307	\$8,458			
Category B	\$3,007	\$3,029	\$3,003			
Category C	\$1,267	\$1,273	\$1,266			
Category D	\$634	\$606	\$623			
Total	\$3,003	\$2,869	\$2,907			

TABLE 15: Number of related victims awarded financial assistance for distress and amount awarded on final determination, 2016/17 to 2018/19

	2016/17	2017/18	2018/19
Number of related victims who were awarded financial assistance for distress	361	318	348
Amount of financial assistance awarded to related victims for distress on determination of application	\$7,236,119	\$5,669,588	\$6,723,260
Average amount of financial assistance awarded to related victims for distress	\$20,045	\$17,829	\$19,320

TABLE 16: Amount of legal costs ordered to be paid on the final determination of applications for financial assistance, and average legal costs ordered, 2016/17 to 2018/19

	2016/17	2017/18	2018/19
Number of awards of financial assistance made	4,739	5,104	5119
Amount ordered to be paid for legal costs	\$5,628,709	\$5,870,528	\$6,101,635
Average amount of legal costs ordered to be paid per awarded applicant	\$1,188	\$1,150	\$1,192

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 2016/17 to 2018/19

	2016/17	2017/18	2018/19
Number of interim awards of assistance made by Tribunal Members	1201	1203	1399
Number of interim awards of assistance made by Judicial Registrars	276	305	299
Number of interim awards of assistance made by Registrars	743	614	816
Total number of interim awards of assistance made for expenses already incurred	2,220	2,122	2514
Proportion of interim awards made by Registrars	33.5%	28.9%	32.5%
Amount of interim financial assistance awarded for expenses already incurred	\$2,377,286	\$2,435,284	\$2,828,477
Average amount of interim financial assistance awarded for expenses already incurred	\$1,029	\$1,148	\$1,125

TABLE 18: Number of interim awards of financial assistance made where financial assistance was awarded for *expenses not yet incurred*, and amount awarded, 2016/17 to 2018/19

	2016/17	2017/18	2018/19
Number of interim awards of assistance made by Tribunal Members	935	944	1065
Number of interim awards of assistance made by Judicial Registrars	192	213	197
Number of interim awards of assistance made by Registrars	616	467	659
Total number of interim awards of assistance made for expenses not yet incurred	1,743	1,624	1,921
Proportion of interim awards made by Registrars	35.3%	28.8%	34.3%
Amount of interim financial assistance awarded for expenses not yet incurred	\$3,564,957	\$3,590,927	\$4,503,376
Average amount of interim financial assistance awarded for expenses not yet incurred	\$2,045	\$2,211	\$2,344

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, 2016/17 to 2018/19

	2016/17	2017/18	2018/19
Number of awards varied to award further financial assistance for expenses already incurred	1,255	1,200	1,219
Amount of financial assistance awarded on variation for expenses already incurred	\$2,585,557	\$2,355,322	\$2,756,778
Average amount of financial assistance awarded on variation for expenses already incurred	\$2,060	\$1,963	\$2,262

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, 2016/17 to 2018/19

	2016/17	2017/18	2018/19
Number of awards varied to award further financial assistance for expenses not yet incurred	708	676	824
Amount of financial assistance awarded on variation for expenses not yet incurred	\$1,752,701	\$1,723,285	\$2,037,357
Average amount of financial assistance awarded on variation for expenses not yet incurred	\$2,476	\$2,549	\$2,473

Applications for review of decisions

TABLE 21: Number of applications for review finalised by the Victorian Civil and Administrative Tribunal, by outcome, 2016/17 to 2018/19

	2016/17		2017/18		2018/19	
Outcome						
Original order/award set aside and new award made on review	2	25.0%	2	9.5%	3	21.4%
Award varied on review	1	12.5%	8	38.1%	1	7.1%
Order affirmed on review	2	25.0%	7	33.3%	2	14.3%
Application for assistance remitted to original decision-maker for determination	1	12.5%	2	9.5%	5	35.7%
Application for review dismissed	0	0.0%	1	4.8%	0	0.0%
Application for review struck out/withdrawn/abandoned	2	25.0%	1	4.8%	3	21.4%
Total	8	100%	21	100%	14	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, 2016/17 to 2018/19

	2016/17	2017/18	2018/19
Number awards of assistance made or varied on review	3	10	4
Amount of financial assistance awarded on review	\$36,153	\$52,664	\$74,413
Average amount of financial assistance awarded on review	\$12,051	\$5,266	\$18,603



BALLARAT Law Courts



Our Financial Report

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



TRIBUNAL'S
OPERATING COST
UP BY 2.8%.

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.³

Financial assistance paid

In the year ending 30 June 2019, the Tribunal paid a total amount of \$46,208,092 (compared to \$42,600,993 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 2019, VOCAT's operating costs were \$3,383,501 compared to \$3,292,670 in the previous year (an increase of 2.8%).

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' salaries⁴ and infrastructure costs.

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

Average cost per finalised claim

For the year ending 30 June 2019, the average cost per finalised application for financial assistance was \$441 compared to \$430 in the previous year. This represents an increase of 2.6%.

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.

³ Section 69(1) of the *Victims of Crime Assistance Act 1996*

⁴ 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.

Financial Statement for year ending 30 June 2019

	Note	2016/17	2017/18	2018/19
Special appropriations	1			
Salaries, Overtime & Ann. Leave		\$1,893,319	\$2,118,032	\$2,049,699
Superannuation		\$163,197	\$179,981	\$168,872
Payroll Tax		\$113,038	\$102,833	\$97,952
Provision For Long Service Leave		\$45,909	\$52,579	\$72,030
Workcover Levy		\$16,342	\$17,891	\$16,870
Fringe Benefits Taxation				
Total salaries and associated expenditure		\$2,231,805	\$2,471,316	\$2,405,423

Operating expenditure				
Travel & Personal Expenses		\$11,642	\$5,383	\$9,388
Printing, Stationery & Subscriptions		\$26,062	\$42,149	\$36,810
Postage & Communication		\$1,929	\$7,044	\$8,048
Contractors and Professional Service	2	\$100,723	\$159,900	\$327,755
Training and Development		\$1,129	\$1,778	\$5,816
Motor Vehicle Expenses		\$0	\$71	
Operating Expenses		\$532,884	\$533,535	\$535,706
Information Technology Costs		\$28,847	\$50,318	\$27,002
Rent Utilities and Property Services		\$21,307	\$21,176	\$27,553
Repairs and Maintenance				
Total operating expenditure		\$724,523	\$821,354	\$978,078
Total salaries and operating expenditure		\$2,956,328	\$3,292,670	\$3,383,501

Special appropriations				
Award Payments		\$43,408,546	\$42,600,993	\$46,208,092
Total awards	3	\$43,408,546	\$42,600,993	\$46,208,092

Notes to and forming part of the financial statement

This Financial statement is based upon financial data available as at 26 July 2019.

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 2019.

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

Note 3: Award payments represents actual payments made for expenses, lump sum payments to applicants and legal costs paid in the reporting period. This does not include awards of financial assistance that were made in the reporting period but not paid as at 30 June 2019.

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

CHIEF MAGISTRATE

Judge Peter Lauritsen

DEPUTY CHIEF MAGISTRATES

Ms Felicity Broughton

Mr Franz Holzer

Mr Lance Martin

Ms Jelena Popovic

SUPERVISING MAGISTRATES VOCAT

Ms Fiona Hayes

Ms Johanna Metcalf

REGIONAL COORDINATING MAGISTRATES

Ms Ann McGarvie

Mr Martin Grinberg

Mr Jack Vandersteen

Mr Gerard Lethbridge

Mr Simon Garnett

Mr Ron Saines

Ms Meagan Keogh

Ms Stella Stuthridge

Dr Michael King

Ms Susan Wakeling

Mr David Fanning

Ms Jan Maclean

Ms Kay Robertson

MAGISTRATES AS AT 30 JUNE 2019

Mr Ian Alger

Ms Susan Armour

Ms Megan Aumair

Mr Julian Ayres

Ms Donna Bakos

Mr Stephen Ballek

Ms Luisa Bazzani

Mr John Bentley

Ms Angela Bolger

Ms Jade Bott

Mr Timothy Bourke

Mr Gerard Bryant

Ms Abigail Burchill

Mr Anthony Burns

Ms Carolyn Burnside

Ms Suzanne Cameron

Mr Andrew Capell

Mr Michael Coghlan

Ms Ann Collins

Mr Gregory Connellan

Ms Alana Duffy

Mr Peter Dunn

Ms Rosemary Falla

Mr David Faram

Mr Bernard Fitzgerald

Mr Timothy Gattuso

Mr Kieran Gilligan

Mr Phillip Goldberg

Ms Anne Goldsbrough

Ms Julie Grainger

Ms Jennifer Grubissa

Mr Simon Guthrie

Mr John Hardy

Ms Tara Hartnett

Ms Kate Hawkins

Mr Rodney Higgins

Mr Timothy Hoare

Mr Graham Keil

Mr Russell Kelly

Mr Costas Kiliias

Ms Elizabeth Lambden

Mr Nunzio LaRosa

Mr Stephen Lee

Ms Sarah Leighfield

Mr Dominic Lennon

Mr John Lesser

Ms Denise Livingstone

Ms Mary-Anne MacCallum

Ms Therese McCarthy

Mr Michael McNamara

Ms Urfa Masood

Mr Ross Maxted

Mr Andrew McKenna

Mr Gregory McNamara

Ms Sharon McRae

Ms Fran Medina

Mr Peter Mellas

Mr Peter Mithen

Ms Michelle Mykytowycz

Mr John O'Callaghan

Ms Julie O'Donnell

Mr Anthony Parsons
 Mr Richard Pithouse
 Ms Roslyn Porter
 Ms Vicky Prapas
 Mr Hugh Radford
 Mr Peter Reardon
 Mr Duncan Reynolds
 Mr Gregory Robinson
 Mr Charlie Rozencwajg
 Mr Marc Sargent
 Mr Paul Smith
 Mr Patrick Southey
 Ms Pauline Spencer
 Mr David Starvaggi
 Ms Fiona Stewart
 Mr Mark Stratmann
 Ms Jacinta Studham
 Ms Mia Stylianou
 Mr Charles Tan
 Ms Noreen Toohey
 Ms Cynthia Toose
 Ms Letizia Torres
 Ms Jennifer Tregent
 Ms Olivia Trumble
 Ms Belinda Wallington
 Mr Timothy Walsh
 Ms Nahrain Warda
 Mr Michael Wardell
 Mr Ian Watkins
 Mr Michael Wighton
 Mr Brian Wright
 Mr Simon Zebrowski

RESERVE MAGISTRATES

Mr Clive Alsop
 Mr Thomas Barrett
 Mr Ross Betts
 Mr Doug Bolster
 Mr Barry Braun
 Mr Len Brear
 Mr Phillip Byrne
 Mr Brian Clifford
 Mr Bruce Cottrill
 Mr Rodney Crisp
 Mr John Doherty
 Mr Lou Hill
 Mr Frank Jones
 Mr Jonathan Klestadt
 Mr Bob Kumar
 Ms Cathy Lamble
 Mr Gregory Levine
 Mr Ian McGrane
 Mr Peter Mealy
 Mr Dan Muling
 Mr John Murphy
 Mr John O'Brien
 Mr Peter Power
 Mr Steven Raleigh
 Mr Barry Schultz
 Mr Michael Smith
 Mr Alan Spillane

JUDICIAL REGISTRARS

Ms Ruth Andrew
 Mr Julian Bartlett
 Mr Michael Bolte
 Ms Shannon Dellamarta
 Ms Samantha Dixon
 Mr Anthony Gwynne
 Ms Leah Hickey
 Mr Barry Johnstone
 Mr David McCann
 Mr Richard O'Keefe
 Ms Alison Paton
 Ms Katherine Rynne
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Authorised by Victims of Crime
Assistance Tribunal,

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