

Annual Report 2020–2021



VICTIMS OF
CRIME ASSISTANCE
TRIBUNAL



Year at a Glance



Year at a Glance



7,075 APPLICATIONS FILED,
DOWN BY 12%



7,917 ORDERS
FINALISING APPLICATIONS,
DOWN BY 6.8%



5,319 AWARDS OF
ASSISTANCE MADE,
DOWN BY 0.5%



\$63.9 MILLION
AWARDED,
UP BY 4.1%



JUDICIAL REGISTRARS
MADE 18.9%
OF FINAL AWARDS



KOORI LIST
APPLICATIONS
DOWN BY 14.3%



AVERAGE AWARD
AMOUNT \$8,291,
UP BY 4.2%



INTERIM AWARDS
FOR ASSISTANCE
UP BY 1.5%



7,717 PENDING
APPLICATIONS,
DOWN BY 5.5%



2,483 ONLINE
APPLICATIONS FILED,
BEING 35.1% OF ALL
LODGEMENTS



103,700 UNIQUE VISITS
TO OUR WEBSITE,
DOWN BY 49.2%

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Letter to Minister

01/09/2021

The Honourable Jaclyn Symes 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 2021.

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

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Lisa Hannan', with a stylized, flowing script.

Judge Lisa Hannan
Chief Magistrate



Chief Magistrate's Message

THE HONOURABLE CHIEF MAGISTRATE, JUDGE LISA HANNAN

In its 24th year of the operation, the Victims of Crime Assistance Tribunal has transformed the way in which it has assisted victims of crime to access financial assistance to aid their recovery. In response to the COVID-19 pandemic, at a time when all jurisdictions within the Magistrates' Court of Victoria were pivoting from court-based hearings, it was determined that access to financial assistance for victims of crime was to be a priority for the Court. The Tribunal moved swiftly to modify its processes and became an early adopter of the Online Magistrates Court. Applicants and their legal representatives were offered the opportunity to appear via Webex link for all types of hearings – directions and final hearings. As the online court hearings developed and expanded, applications by victims of crime continued to be prioritised.

Where applicants wished to have their applications heard in open court, the Tribunal facilitated those hearings, at times when it was safe and appropriate to do so. The overwhelming majority of hearings have occurred via Webex. This, in turn, has improved the experience of applicants, in that they have been able to participate in a hearing, at a place of their choosing – from home, or their legal representative's office, with support people around them, without the stress of attending a court building. This has also eliminated the need to travel distances to court, in particular for applicants in rural or remote areas.

The Tribunal also permitted applicants to receive counselling online and continues to do so. Again, the ability to attend counselling online offers many benefits to applicants. For those who have difficulty accessing transport or who live in rural and remote areas, online counselling greatly reduces the time and stress associated with accessing appointments. And at a time when COVID-19 restrictions are impacting individuals and families in a range of ways, it is more important than ever that victims of crime are able to easily access their awarded counselling.

While we might have thought, in early 2020, that these measures were temporary, they have become "COVID normal" and are likely to be a permanent feature of the way that the Tribunal supports victims of crime. We recognise that there may be periods of time when court buildings are not able to facilitate the number of hearings previously listed, due to the need to protect members of the public. The Tribunal will work to offer opportunities for court-based hearings when safe to do so and will continue to offer online hearings.

COVID-19 restrictions meant that fewer staff were able to work on-site. This did mean that for some periods of time, some Tribunal staff worked from home, while others remained on-site. The Tribunal put in place technological and procedural changes to enable staff to work from home, which allowed much of the Tribunal's work to continue throughout even the most significant lockdown periods. The Tribunal prioritised urgent interim applications throughout all lockdown periods.

The statistics for 2020–2021 show that there has been a reduction in applications lodged with the Tribunal, with a total number of 7,075 applications lodged, down 12% from the previous year. Given the lengthy lockdown in 2020, together with additional lockdowns in 2021, this result may reflect trends observed in crime statistics across the state, with a reduction in some areas of criminal activity. Pleasingly, the continued work and commitment of Tribunal Members and staff has seen a reduction in the number of pending files, now 7,717, a reduction of 5.5% on the previous year.

Despite the reduction in new applications, as a proportion of applications, family violence offences continue to represent over a third of the applications received by the Tribunal. Applications involving sex offences comprise approximately 16% of the applications before the Tribunal. Those applications will continue to be dealt with by Magistrates, state-wide.

The statistics also reflect the unavoidable consequence of reduced staff numbers – an increased delay in the finalisation of files. The Tribunal is working to address those delays and has been significantly assisted by the funding of the new positions of Tribunal Officers. The State Budget of 2021 included \$3.6 million for VOCAT, over 3 years, to employ 10 Tribunal Officers, positions which were created by legislation in 2020. The budget also gave an additional \$6.3 million dollars to cover an anticipated increase in awards.

I have delegated authority to Tribunal Officers to make decisions in applications where the applicant agrees to have the application finalised without a hearing and where the allegations do not involve sex offences or family violence offences. It is intended that Tribunal Officers will be able to consider the finalisation of a significant number of applications, in a timely way. They are a key component of preparing to transition from the Tribunal to the new Financial Assistance Scheme. I welcome this new group of staff to the Tribunal and look forward working with them.

The Tribunal has also contributed to the development of the new Financial Assistance Scheme, through membership of the Whole of Government Steering Committee and the Working Group. Discussions progress about preparation for the transition to the new scheme, with particular focus on the finalisation of applications prior to transition and on the transitional arrangements in future legislation.

I wish to acknowledge the leadership and commitment of Supervising Magistrate Fiona Hayes and Rod Ratcliffe, Principal Registrar of VOCAT. Throughout this period of significant change, they ensured that VOCAT continued to serve the people of Victoria without interruption to the essential services the tribunal provides to victims of crime. Together they have expertly guided VOCAT and supported staff, state-wide, in adapting and embracing new ways of working.

I also commend the outstanding work of the VOCAT staff over the last year and recognise their commitment and dedication to applicants in this jurisdiction. Their overwhelming concern during lockdowns has been to ensure the continued progression of applications, to ensure that applicants had information about their applications and to avoid delays.

My thanks also to the VOCAT Coordinating Committee which brings together judicial officers and the administrative team to plan, implement and respond to issues evolving in the work of the Tribunal. Their work has supported and assisted the Supervising Magistrate and leadership team, as well as judicial officers and staff at all of the Tribunal locations throughout Victoria.

Judge Lisa Hannan
Chief Magistrate



About VOCAT

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

Who we are

VOCAT is now in its 24th year of operation and was established by the *Victims of Crime Assistance Act 1996* (the VOCA Act). We are located within the Magistrates' Court of Victoria and operate at all Court venues across the state. Each of the Court's 142 Magistrates including the Chief Magistrate, are also Tribunal Members. The Court's 17 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. Magistrate Fiona Hayes has been the sole Supervising Magistrate for the Tribunal throughout 2020/21.

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

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

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

What we do

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

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

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

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

In the last 24 years, VOCAT has received 124,478 applications for financial assistance, and awarded \$987.5 million to victims of crime. This has included 93,834 awards of financial assistance, and tens of thousands of awards of interim financial assistance.

Applications to VOCAT have increased almost every year and this year was on track to do the same but numbers dropped slightly when COVID-19 led to a drop in lodgements. There were 7,075 applications received in the current reporting period.



Supervising Magistrate Fiona Hayes

Much has been written about the impact of COVID-19 on individuals, families, workplaces and communities and, no doubt, a deeper collective understanding of the impact will emerge over time. What was clear though was that we were all in the same situation – working out the best way to continue to do our jobs, support our families and maintain our health. This last year has seen a rapid and monumental shift in the way that the justice system hears from victims of crime, as witnesses and participants and determines accountability for acts of violence. Hearings and trials have been heard online and when possible, in open court. Multiple lockdowns have interrupted carefully crafted recovery plans and delays in accessing all sorts of services have been an inevitable consequence. The Victims of Crime Assistance Tribunal has recognised and responded to these challenges by making changes to ensure that applications are heard in timely and safe way. This means that applicants can then access the financial assistance they need in order to recover and to manage those other aspects of their lives which demand their time and energy.

When we started to hear applications online, we were unsure to what extent applicants would avail themselves of the opportunity. We wanted to give applicants a choice, but as lockdowns continued, the prospects of large number of matters returning to open court became less likely. As it turned out, the majority of applicants wished to avail themselves of hearings via Webex, as did their legal representatives and the technology proved less of a barrier than we might have thought. There was also a concern about whether online hearings would allow for the same quality of communication between the Tribunal Member and the applicant. We discovered that, once technological issues were sorted, online hearings could still allow for hearings that enabled applicants to safely speak about their experience, to be heard and determined in a way that recognised that experience.

As we plan to emerge from lockdown, even with repeated lockdowns, we will continue to offer online hearings. We also look forward to listing in-person hearings when it is safe and appropriate to do so.

Other reforms included simplifying the process of online applications, together with removing the need to make declarations of truth in relation to the forms. The Tribunal made changes to enable easier access to psychological counselling, with online counselling performing an important role in assisting applicants. This is particularly so when, during COVID-19 restrictions, other services awarded to improve health outcomes are not open or available online. The Tribunal has received a number of applications to vary final orders to services which have made themselves accessible online.

It makes logical sense that stay-at-home orders would result in less of some types of crime, including violent crime associated with venues where alcohol is served, public transport and street offences, which in turn, would result in fewer applications for assistance. Indeed, the statistics from this year show an overall reduction in the number of applications. However, applications in matters involving family violence remain over a third of the applications received over the year, consistent with previous years. Applications involving sex offences have also remained consistent with previous years, although it is important to note that the Tribunal receives many applications in relation to sex offences which occurred many years earlier.

The Tribunal awarded a total of \$57,508,632.00 in 2020–2021, the highest amount awarded to date. This figure does not include legal costs, which separately amounted to \$6,425,467, which has remained largely consistent with previous years.

We did see an increase of nearly \$700,000.00 in the amount of financial assistance awarded by way of interim awards. This reflects the priority given to considering urgent applications, during lockdown.

Overall, nearly every court region has reduced its number of pending applications, which reflects the continued priority given to VOCAT applications during the pandemic. As we move closer to the establishment of the new Financial Assistance Scheme, the Tribunal will be focussing resources on the consideration and finalisation of pending files. In addition to the employment of Tribunal Officers, the Tribunal will be working with metropolitan and regional courts, legal practitioners and applicants to ensure that applications are progressed in as timely way as possible. The Tribunal has engaged additional project management expertise to strategically plan for a smooth and efficient transition to the new Financial Assistance Scheme.

This last year has thrown many challenges at us and I have been so grateful for the unfailing enthusiasm and leadership demonstrated by Rod Ratcliffe, Principal Registrar, together with Donna Caruana and Suzanne Frawley, Standards and Compliance Managers. My thanks also to all of the registry and administrative staff throughout Victoria, who have worked steadfastly to continue to assist victims of crime with their applications.

My Tribunal Member colleagues have conducted their VOCAT work with intellect, diligence, wisdom and compassion. I thank them for their ongoing commitment, collegiality and support.

Fiona Hayes

Supervising Magistrate, Victims of Crime Assistance Tribunal







Supporting Victims of Crime

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

Accessing VOCAT

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

Who can apply?

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

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

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

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

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

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

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

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 sexual and physical abuse.

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

What happens after an application is lodged?

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

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

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

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

How long before a result?

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

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

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

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

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

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

The hearing process

Our intention is to create a sympathetic and compassionate forum for applicants to relate their experiences as victims of crime. The hearing process can assist in restoring an individual victim's sense of dignity. It can enable applicants to explain directly the impact of the crime on them and the supports that they seek and why. If they have not been awarded the level of assistance sought, the hearing affords the opportunity to hear the reasons why.

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

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

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

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

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

How we make decisions

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

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

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

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

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

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

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

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

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

What we can award

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

Types of assistance

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

- ▶ counselling
- ▶ medical treatment, including dental, optometry, physiotherapy, hospital and ambulance
- ▶ lost or damaged clothing worn at the time of the crime
- ▶ measures to help a victim feel safe, for example, change of locks and other measures to increase home security

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.

- ▶ providing a funeral for a deceased victim and
- ▶ in exceptional circumstances, VOCAT can award any other type of assistance that will go to the heart of assisting victims in their recovery. Examples include tutoring costs to assist child victims to refocus on their schooling, training to allow victims to return to work and some alternative approaches to healing.

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

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

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

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

Amount of financial assistance available

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

We can award:

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

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

Awards held in trust

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



JUDICIAL REGISTRARS MADE 18.9% OF FINAL AWARDS



KOORI LIST APPLICATIONS DOWN BY 14.3%

Tribunal Officers

In November 2020, the *Victims of Crime Assistance Act 1996* was amended to give the Chief Magistrate the power to delegate certain powers of the Act to a new class of decision maker known as Tribunal Officers. Tribunal Officers will have the power to make final determinations without a hearing in less complex matters.

In May 2021, the state Government announced that VOCAT would receive additional funding to appoint Tribunal Officers and to establish a Tribunal Officer list located at Melbourne. Recruitment for these roles was well underway at the end of June 2021.

It is anticipated that the legislative amendment and the newly funded Tribunal Officer List will drastically reduce the number of pending cases throughout the 2021/22 financial year.

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 2020/21 financial year, Judicial Registrars heard and determined 1,494 VOCAT applications, down from 1,630 in the previous year. This figure constitutes 18.9% of all VOCAT final awards. Judicial Registrars also made 15.2% of all variation awards and 10.3% of all interim awards.

There are now 17 Judicial Registrars appointed to the Magistrates Court each of whom do a significant amount of VOCAT work. While there are more Judicial Registrars than ever, increases to their jurisdiction within Magistrates’ Court of Victoria has seen them doing more non-VOCAT work during the reporting period.

Koori VOCAT List

The VOCAT Koori List commenced operation in 2006 as a pilot and continues to operate today as an ongoing part of the Tribunal. With a focus on ensuring culturally safe access, the Koori List manages all matters where the applicant identifies as Aboriginal and/or Torres Strait Islander. However, as outlined in Practice Direction 2 of 2009, an exception exists for any applications that fall within the Family Violence Division of the Magistrates’ Court of Victoria at Heidelberg or Ballarat, or within the jurisdiction of the Neighbourhood Justice Centre.

The administration of the Koori List is conducted at Tribunal’s Principal Registry in Melbourne, currently located at the William Cooper Justice Centre. The applications are managed by a small group of dedicated Tribunal Members and staff to allow a culturally sensitive focus and consistent approach. With an emphasis on responding with maximum flexibility, steps are taken to create a culturally safe environment for Koori victims of crime.

The Koori List adopts practices to promote access to the assistance available through the Tribunal and to address barriers which exist for Koori applicants. These developments include engaging with specific services, having Aboriginal flags and artworks displayed, hearing rooms ceremonially smoked, re-drafting of standard letters, cultural awareness training and flexibility in listing practices.

The processes and procedures utilised within the VOCAT Koori List are continually updated by staff to ensure its effective operation. To address the timely management of applications and mitigate the impact of limited resourcing, the Tribunal is constantly reviewing processes within the List to address delay and improve quality of service. With the ongoing impact of

COVID-19, the introduction of new initiatives such as WebEx hearings allows more flexibly. With these new introductions, the Tribunal Members and staff continue to work together to review these processes to ensure the objectives of the List are still met.

At the conclusion of the financial year, the Tribunal was managing 431 applications in the Koori List at Melbourne. The Koori List saw 312 new applications, a decrease of 14.3% compared to the previous financial year. The impact of COVID-19, the restrictions of lockdown and the limited opportunities for the Tribunal and stakeholders to engage with applicants are all factors which need to be considered in the decline of new lodgements.

The overall number of finalisations significantly increased by 34.1% to 388. This demonstrates the ability of the VOCAT Koori List to work flexibly to continue to finalise applications in record numbers, achieving its largest number of finalisations in a financial year so far.

2021 has seen the appointment of Maggie Smith, as the Koori List Engagement Officer. Maggie originally from Torres Strait Islands, joins the team offering extensive experience in community engagement and working with remote Aboriginal communities. Maggie's appointment will assist in strengthening ties with the Koori community and promote a more accessible service

VOCAT Family Violence Case Study

Sharon (not her real name¹) is a 65-year-old retired woman from the Eastern suburbs of Melbourne. She has lived alone since her husband died in 2006. Her only son, Mark (33), has regularly moved in and out of home over the past decade. Mark was a qualified engineer until ice addiction led to unemployment, criminal behaviour, and occasional homelessness.

In August of 2018, Mark visited Sharon's house and knocked frantically on the door. Sharon could see that Mark was agitated and did not open the front door. He gained entry through a side window and confronted his mother. He demanded money and the keys to her car.

Sharon refused and following an argument, Mark pushed her into a wall. He then took a cricket bat and began smashing furniture and other items in the house. Sharon attempted to call the police, but Mark struck the phone out of her hand with the bat, breaking her arm. Mark then took Sharon's car keys and drove off in her car.

Sharon contacted the police the following day to report the incident. Mark was charged with aggravated burglary and recklessly causing injury. Mark pleaded guilty and was sentenced to 2 years and 3 months imprisonment.

Sharon applied to the Tribunal in July of 2020. She sought special financial assistance, counselling, a security system, medical expenses, and 12 months of yoga classes.

The Tribunal awarded counselling (10 sessions) and the security system (cameras and secure windows) as an interim award. On 15 February 2021 a final award was made by a Tribunal Member including special financial assistance of \$3,250 (category B) as well as a further 10 sessions of counselling and 12 months of yoga classes. The Tribunal reimbursed \$480 worth of out-of-pocket medical expenses for treatment of the broken arm.

The losses to property are not covered by VOCAT.

Sharon is entitled under the legislation to apply to vary the award until 15 February 2027 if the need arises for further assistance.

1. Some details have been altered to ensure that the applicant is unable to be identified by this case study.



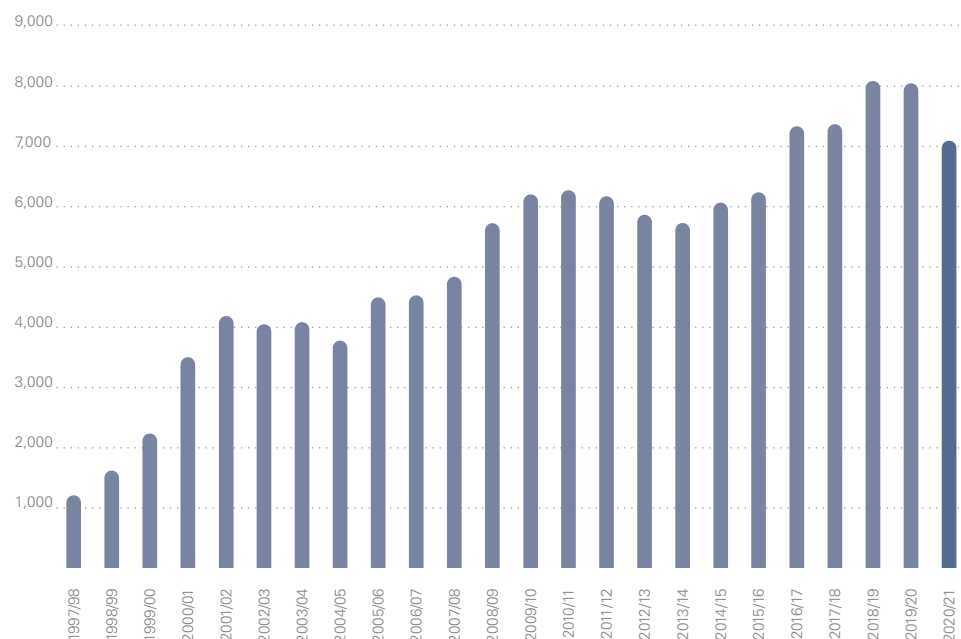
**7,075 APPLICATIONS
FILED, DOWN
BY 12%**



**5,319 AWARDS OF
ASSISTANCE MADE,
DOWN BY 0.5%**

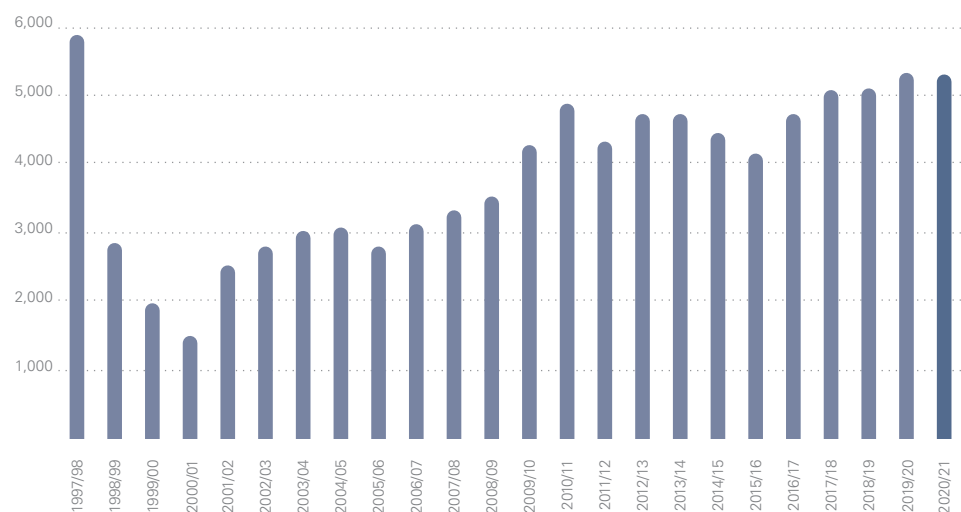
Demand and financial assistance awarded

CHART 1: Number of applications for financial assistance lodged annually 1997/98 – 2020/21

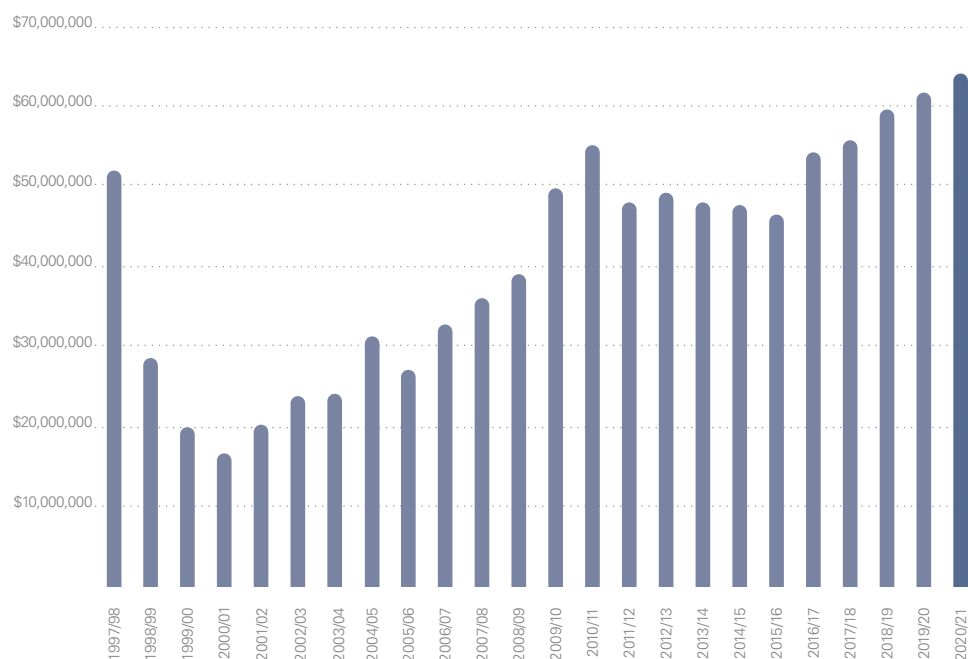


Demand for financial assistance from victims of crime has increased almost every year since the Tribunal commenced on 1 July 1997. The most likely reason for the drop in 2020/21 is the pandemic.

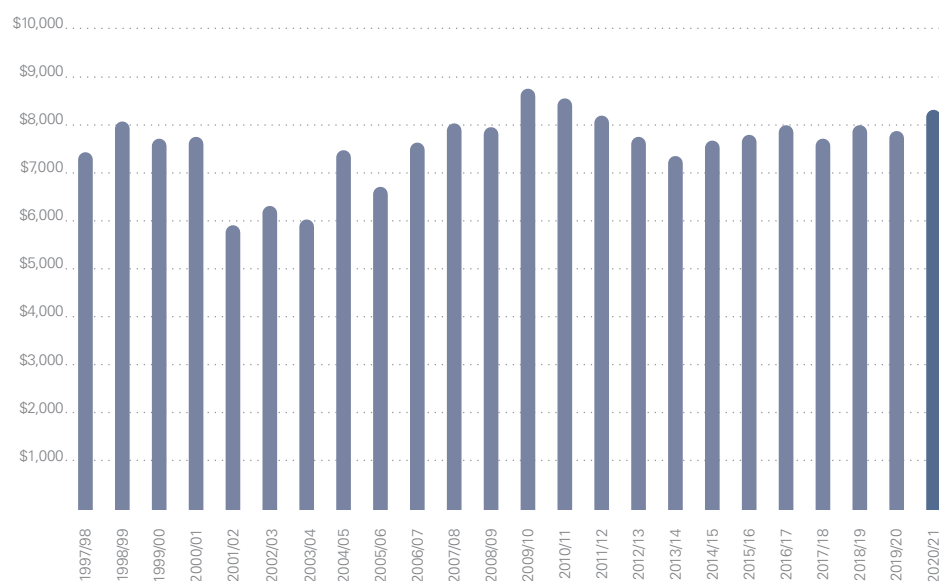
CHART 2: Number of awards made annually



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

CHART 3: Total amount of financial assistance awarded including legal costs ordered annually

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

CHART 4: Average amount of financial assistance awarded under the Victims of Crime Assistance Act 1996 on determination of applications 1997/98 – 2020/21

The average amount of financial assistance has remained steady throughout the 24 year history of the Tribunal. This indicates that Tribunal Members are applying the legislation in a consistent manner.



**\$63.9 MILLION
AWARDED,
UP BY 4.1%**



**AVERAGE AWARD
AMOUNT \$8,291,
UP BY 4.2%**



The Tribunal – Year in Review

Applications lodged

There were 7,075 applications filed in the reporting period which represents a decrease of 12% compared to the previous year (8,041).

More than one third of applications (35.9%) arise from an incidence of family violence.

Aside from Melbourne (1,606 applications), Ringwood is the Tribunal venue with the highest demand. There were 654 applications for assistance lodged at the Ringwood Court in 2020/21, down from 738 last year. Dandenong (546), Sunshine (522), Frankston (457), Broadmeadows (424) and Heidelberg (413) also received high numbers.

Application outcomes

VOCAT finalised 7,917 applications in the reporting period. This is only 6.8% lower than the previous year despite extensive lockdowns. It is a credit to the agility and dedication of staff and Tribunal Members that during a year with staff working partially from home due to COVID-19 restrictions, that such a high rate of finalisation was reached.

VOCAT awarded 5,319 applicants financial assistance representing 67.2% of all final orders² made in 2020/21. In 2019/20, the 5,345 awards of assistance made up just 62.9% of all finalisations. During the lengthiest of lockdowns during the year, VOCAT staff prioritised matters ready for finalisation which accounts for the increased percentage in awards per finalisation.

Additionally:

- ▶ Applications were determined at hearings in 4.7% of cases (376) down from 6.4% in 2019/20. This number was severely impacted by the inability for the Tribunal to conduct hearings safely during the initial COVID-19 lockdown period. As the Tribunal and the community became more adept at interacting remotely, that number started coming back up.
- ▶ As in previous years, the majority of awards (86.7%) went to primary victims, with 4,612 awards being made this reporting period, compared to 4,694 last year (a decrease of 1.7%). Secondary victims made up 7.4% (up from 7% in 2019/20) and related victims made up 5.8% (up from 4.9% in 2019/20) of all applications for assistance.

- ▶ The overall number of interim awards increased by 1.5% to 4,051 (up from 3,990). The average amount awarded per victim at the interim stage increased by 3.4% to \$1,915.
- ▶ There was a small increase in the number of variation applications following a sharp increase the year before. The number of variation awards increased by 0.4% in 2020/21 and the average amount awarded on variation remained steady at \$4,988.
- ▶ The average final award was up by 5.1% to \$8,291. This is the highest the figure has been since 2010/11 and reflects the greater complexity of cases being finalised during lockdowns.

Active Applications

One of the best indicators of VOCAT's current level of demand is the number of cases that are active or "pending" at any given time. Pending cases are applications that have been lodged with the Tribunal but not yet finalised. The number of pending cases decreased by 5.5% from 8,169 at 30 June 2020 to 7,717 at 30 June 2021.

With a 12% overall reduction in lodgements throughout the financial year there were some wild fluctuations in pending cases but with a general downward trend. June 2021 was the only month of the year with above average lodgement numbers.

The pending cases data over the last 8 years still shows an upward trend despite the recent drop off. It is hoped that even when lodgements recommence their upward trend, that the introduction of the new Tribunal Officers will push pending cases down even further.

While the decreasing number of active cases seemed to indicate an easing of backlog, the average waiting time³ for victims to receive their award increased in every category. This is because the drop in active cases was most notably caused by a decrease in the lodgement of new files rather than an increase in the efficiency of finalising files.

Less than half of all files were completed within 9 months of lodgement (49.2% down from 54.8% in 2019/20). Following health directions during repeated lockdowns, VOCAT staff were required to work from home and the registry on alternate days. Without access to files, much of what could be done from home was then printed out and filed on the physical file the next day back in the office. Even though staff worked hard to make this system work, there were inevitable inefficiencies that contributed to small increases in delay.

The other contributor to the increase in apparent delay was the decision to focus on more urgent matters due to COVID-19. Many of the urgent matters were the older applications where all relevant material had been filed by the applicant. The unintended consequence of the deliberate finalisation of older applications is the effect of increasing the percentage that were finalised after 9 months (and conversely decreasing the percentage filed within 9 months).

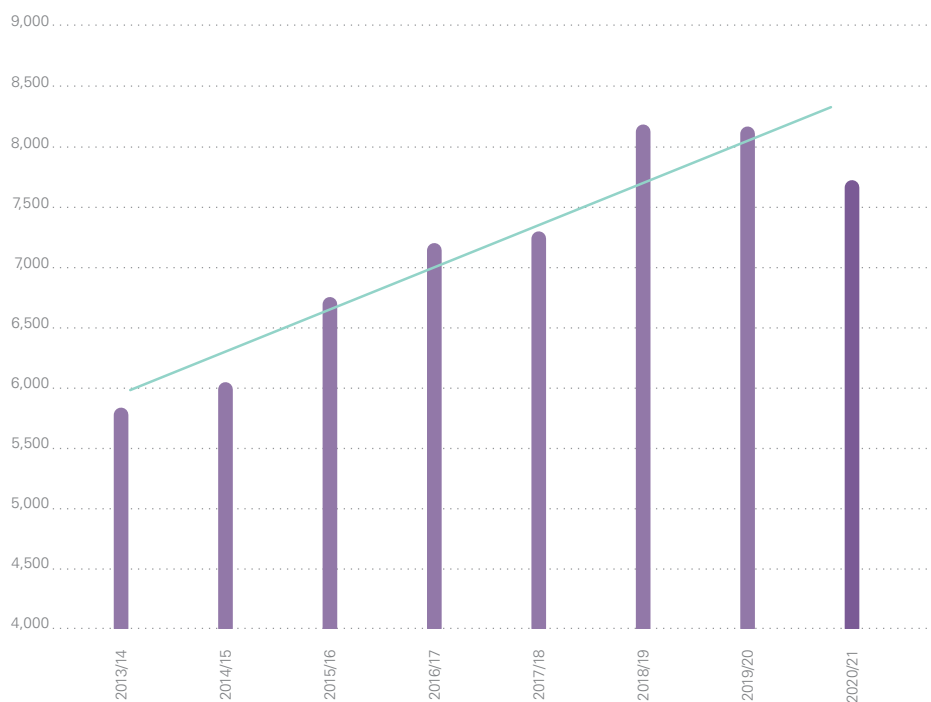
2. "Final orders" includes awards of assistance, applications refused, applications struck out and applications withdrawn.

3. See Table 1 below

Pending Cases 2020/21



Eight Year Trend – Pending Cases



Financial assistance awarded

In the reporting period, VOCAT awarded a total of \$63.9 million in financial assistance and legal costs to victims of crime, up by 4.1% from the \$61.4 million awarded in the previous year.

The average amount of financial assistance awarded to each victim was \$8,291 compared to \$7,887 in the previous year. This figure has remained fairly consistent over the past 24 years showing that the Tribunal Members are applying the legislation consistently.

There was a small reduction in assault matters during COVID-19 lockdowns when bars and other establishments were closed. Total awards for victims of assault are usually lower than for the awards granted to victims of homicide, family violence or sexual offences. This likely explains the increase in the average award for the reporting period.

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 three of those matters the Tribunal's decision was overturned or varied in some way and in two more the matter was remitted to VOCAT for reconsideration. To put this in perspective, only 1 in every 1,583 finalised cases was varied on review.

Online Applications

Applications for financial assistance can be completed and filed via the Tribunal's website by clicking the 'Apply Online' link on our website's homepage. Hard copy forms are available from any court location but more and more people each year are choosing to utilise the electronic form of lodgement. Approximately 35.1% of VOCAT applications are now lodged online up from just 31% last year.

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

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

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

Legal and other professional help for applicants

Access to justice for victims of crime is of paramount importance, and VOCAT generally pays for victims' legal representation. In the reporting period, we amended the Legal Costs Guideline (Guideline 1 of 2021), 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.

COVID-19

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

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

Throughout 2020/21 directions hearings and final hearings were routinely conducted using the Webex system. The Tribunal is now more capable than ever to determine applications in a therapeutic way and in a manner most convenient to the applicant.



Managing VOCAT

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

Our Coordinating Committee

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

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

Committee Chair:

Supervising Magistrate Fiona Hayes

Members:

Judicial Head of Division Pauline Spencer, Deputy Chief Magistrate Felicity Broughton, Magistrates Andrew Capell, Jo Metcalf, David Fanning, Sharon McRae and Simon Guthrie. Judicial Registrars Ruth Andrew and Samantha Dixon, Principal Registrar Rod Ratcliffe, Standards and Compliance Officers Donna Caruana and Suzanne Frawley, Acting Melbourne Registry Manager Stephen Paxino and Transition Project Lead Charlene Griffin.

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

- ▶ The review and update of the Tribunal's Legal Cost guideline
- ▶ The review and update of Tribunal's Counselling Fee guideline, expanding them to include new practitioner categories
- ▶ The update of Funeral Expense guidelines to include overseas funeral expenses
- ▶ An update of the Tribunal's Counselling Practice Direction to include counsellor qualification and non-attendance requirements as well as Medicare Gap payment guidance
- ▶ The payment of Medicare Gap fees
- ▶ The inclusion of VOCAT into the Magistrates Court Specialist Family Violence Court model
- ▶ Staff well-being initiatives and the ongoing monitoring of the impact of increased demand and COVID-19 on Tribunal staff
- ▶ The continuation of Webex listings for VOCAT

- ▶ Provision of remote counselling and changes in invoicing practices and guidelines
- ▶ The Tribunal's COVID-19 responses, changes to processes and procedures and operational recovery
- ▶ Relocation of the Melbourne Principal Registry to the William Cooper Justice Centre
- ▶ Development of the Tribunal's Backlog Reduction Strategy in readiness for transition to the new Financial Assistance Scheme, including legislative changes and guidelines for the development of new Tribunal Officer roles
- ▶ The expansion of Registrar variation powers
- ▶ Archiving and disposal of Tribunal records, including proposed redrafting of the Tribunal's Records Disposal Authority
- ▶ Review of the Tribunal's Independent Clinical Panels
- ▶ The discussion of professional development and training events for Magistrates, Judicial Registrars and Registrars
- ▶ Monitoring of statistical information across venues regarding the number of applications for assistance lodged and determined, awards of assistance made (including interim awards), pending caseload, types of pending matters across venues and the amount of assistance awarded
- ▶ Ongoing oversight of the Koori VOCAT List, and
- ▶ 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 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 and updates to key stakeholder agencies such as the Victim Services, Support and Reform team
- ▶ Meetings with representatives of the Victims of Crime Commissioner and the Victim Services, Support and Reform within the Department of Justice and Community Safety, to discuss issues relating to services for victims of crime
- ▶ An online State-wide VOCAT Registrar conference
- ▶ MCV Senior Registrars meetings to provide VOCAT updates
- ▶ Meetings of the Victims of Crime Consultative Committee
- ▶ Membership of the Whole of Government Steering Committee and working group in relation to the proposed Financial Assistance Scheme
- ▶ Membership of the Koori Self Determination Committee
- ▶ Specialist Courts and Programs Leadership Committee

Workshops for the development of MCV's new Case Management System.

Our Registries

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

At 30 June 2021, the Tribunal funded 27 registry positions across Victoria and was further supported by Registrars and administrative staff of the Magistrates' Court.

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

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

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

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

VOCAT Registrars

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

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

The functions of the Registrars include:

- ▶ 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.

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 VOCAT website can be used on any device including smart phones, tablets and PCs. This means it can be used anywhere and at any time. The ease of access and friendly user experience saw a dramatic increase in visitors to the website after it was redeveloped in 2016. However, this year the website received 103,700 unique visits, compared to 204,142 in the previous year.

There are three possible explanations for this drop-off. The first is a general drop in lodgements and therefore less need to access the website.

The second is that we have received feedback from solicitors that they have become more adept at the processes and the website's resources and accordingly access it less often.

Lastly, and perhaps most significantly, victims with complex claims usually come to VOCAT via referral pathways such as family violence services and are therefore less likely to search for the website themselves.

The decrease in less complex matters due to COVID-19 would therefore account for a drop in website traffic.

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 5,459 times including 4,180 times into Chinese languages such as Mandarin and Cantonese.







Our Statistical Report

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

TABLE 1: Summary – applications for assistance lodged, finalised and pending, 2018/19 – 2020/21

	2018/19	2019/20	2020/21
Caseload			
Number applications lodged	8,067	8,041	7,075
Number orders made finalising claims	7,666	8,492	7,917
Number applications pending on 30 June	8,176	8,169	7,717
Case processing times			
Proportion of applications finalised within 9 months of lodgement	53.5%	54.8%	49.2%
Proportion of applications finalised within 12 months of lodgement	68.9%	69.8%	64.3%
Age of pending caseload			
Proportion of applications pending for 9 months or more on 30 June	38.9%	41.0%	43.9%
Proportion of applications pending for 12 months or more on 30 June	27.7%	30.8%	34.4%

Applications lodged by applicant gender and category of crime

TABLE 2A and 2B: Number of applications for financial assistance lodged by category of offence, and gender of applicant, 2020/21¹

TABLE 2A

	Male		Female		Indeterminate/ Unspecified/ Intersex (X)		Total	
	Total Male	Male FV	Total Female	Female FV	Total X	X FV	Total	FV
Abduction / Kidnap	19	3	38	22	0	0	57	25
Assault	1812	255	1520	669	3	1	3335	925
Agg' Burglary	246	17	310	48	0	0	556	65
Criminal Damage by Fire	9	0	11	1	0	0	20	1
Family Violence	127	127	558	558	1	1	686	686
Harassment	30	13	141	58	0	0	171	71
Homicide	130	36	162	39	0	0	292	75
Other	166	17	190	37	0	0	356	54
Robbery	38	0	29	1	0	0	67	1
Sex offenses	189	65	956	423	4	1	1149	489
Threats	165	43	220	103	1	1	386	147
Totals	2931	576	4135	1959	9	4	7075	2539

TABLE 2B:

	Male	Female	X	% of total applications lodged	FV
Abduction / Kidnap	33%	67%	0.00%	0.8%	43.9%
Assault	54%	46%	0.09%	47.1%	27.7%
Agg' Burglary	44%	56%	0.00%	7.9%	11.7%
Criminal Damage by Fire	45%	55%	0.00%	0.3%	5.0%
Family Violence	19%	81%	0.15%	9.7%	100.0%
Harassment	18%	82%	0.00%	2.4%	41.5%
Homicide	45%	55%	0.00%	4.1%	25.7%
Other	47%	53%	0.00%	5.0%	15.2%
Robbery	57%	43%	0.00%	0.9%	1.5%
Sex offenses	16%	83%	0.35%	16.2%	42.6%
Threats	43%	57%	0.26%	5.5%	38.1%
Totals	41%	58%	0.13%	100.0%	35.9%

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, 2018/19 to 2020/21

	2018/19		2019/20		2020/21	
	No.	%	No.	%	No.	%
Application granted/award made	5,104	66.7%	5,119	66.8%	5,345	62.9%
Application refused	129	1.7%	134	1.7%	126	1.5%
Application struck out/withdrawn	2,422	31.6%	2,413	31.5%	3,021	35.6%
Total	7,655	100%	7,666	100%	8,492	100%

TABLE 4: Number of awards of financial assistance made upon final determination of applications for assistance, by award type, 2018/19 to 2020/21

Award Type	2018/19		2019/20		2020/21	
	No.	%	No.	%	No.	%
Primary victim award	4396	85.9%	4694	87.8%	4612	86.7%
Secondary victim award	363	7.1%	373	7.0%	391	7.4%
Related victim award	349	6.8%	261	4.9%	306	5.8%
Award for funeral expenses only	2	0.0%	2	0.0%	1	0.0%
<i>Award made under Criminal Injuries Compensation Act 1983</i>	0	0.0%	0	0.0%	0	0.0%
Other	9	0.2%	15	0.3%	9	0.2%
Total	5119	100%	5345	100%	5319	100%

TABLE 5: Number of awards of financial assistance made, by age and gender of awarded applicants, 2020/21

Age at Award	Number of Awards				Distribution %			
	Male	Female	Other	Total	Male	Female	Other	Total
0 – 18 years	297	307		604	49.2%	50.8%	0%	11.4%
19 – 25 years	267	293		560	47.7%	52.3%	0%	10.5%
26 – 35 years	456	369	1	826	55.2%	44.7%	0.1%	15.5%
36 – 60 years	774	759	1	1534	50.5%	49.5%	0.1%	28.8%
61 years +	163	149		312	52.2%	47.8%	0%	5.9%
Unknown	305	1177	1	1483	20.6%	79.4%	0.1%	27.9%
Total	2262	3054	3	5319	42.5%	57.4%	0.1%	100.0%

TABLE 6: Number of active cases by Tribunal venue, 2018/19 to 2020/21.

Region	Tribunal venues within region	Pending		
		No. of active cases as at 30 June 2019	No. of active cases as at 30 June 2020	No. of active cases as at 30 June 2021
BARWON SOUTH WEST	Colac	18	25	17
	Geelong	300	449	469
	Hamilton	20	42	24
	Portland	47	30	25
	Warrnambool	81	134	105
	Total	466	680	640
BROADMEADOWS	Broadmeadows	549	493	429
DANDENONG	Dandenong	479	399	372

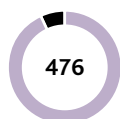
Region	Tribunal venues within region	Pending		
		No. of active cases as at 30 June 2019	No. of active cases as at 30 June 2020	No. of active cases as at 30 June 2021
FRANKSTON	Dromana	122	79	77
	Frankston	596	502	406
	Moorabbin	302	300	304
	Total	1020	881	787
GIPPSLAND	Bairnsdale	70	80	84
	Korumburra	52	42	26
	Latrobe Valley	275	248	200
	Moe	3	0	0
	Sale	91	104	78
	Wonthaggi	30	54	26
	Total	521	528	414
GRAMPIANS	Ararat	23	25	17
	Ballarat	219	146	172
	Horsham	57	29	23
	Bacchus Marsh	19	35	43
	St Arnaud	10	8	14
	Stawell	4	3	5
	Total	332	246	274
HEIDELBERG	Heidelberg	501	507	334
HUME	Benalla	35	26	8
	Cobram	0	1	1
	Mansfield	1	1	3
	Seymour	20	38	37
	Shepparton	91	133	112
	Wangaratta	46	15	24
	Wodonga	40	44	45
	Total	233	258	230
LODDEN MALLEE	Bendigo	202	160	138
	Castlemaine	22	13	12
	Echuca	48	48	25
	Kerang	8	17	11
	Kyneton	35	36	38
	Maryborough	22	33	38
	Mildura	108	143	99
	Swanhill	17	22	19
	Total	462	472	380
MELBOURNE	Melbourne	1909	1942	2006
	Koori List	386	478	431
	Total	2295	2420	2437
NJC	Collingwood	98	74	64
RINGWOOD	Ringwood	561	583	783
SUNSHINE	Sunshine	539	516	420
	Werribee	120	112	153
	Total	659	628	573
Total		8176	8169	7717

TABLE 7: Number of applications for assistance lodged, final orders and awards made by Tribunal region, 2020/21.

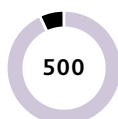
Region: **BARWON SOUTH WEST**

Tribunal venues within region:	Colac	Geelong	Hamilton	Portland	Warrnambool
Applications Lodged	19	336	22	15	84
Final Orders Made	26	308	43	16	107
Awards Made	21	221	37	12	74

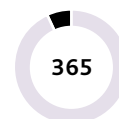
Barwon South West Totals



Applications Lodged
6.7% OF
STATEWIDE
TOTAL



Final Orders Made
6.3% OF
STATEWIDE
TOTAL



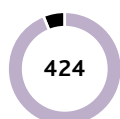
Awards Made
6.9% OF
STATEWIDE
TOTAL

Region: **BROADMEADOWS**

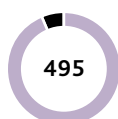
Tribunal venues within region: Broadmeadows

Applications Lodged	424
Final Orders Made	495
Awards Made	308

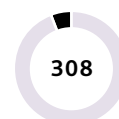
Broadmeadows Totals



Applications Lodged
6.0% OF
STATEWIDE
TOTAL



Final Orders Made
6.3% OF
STATEWIDE
TOTAL



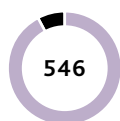
Awards Made
5.8% OF
STATEWIDE
TOTAL

Region: **DANDENONG**

Tribunal venues within region: Dandenong

Applications Lodged	546
Final Orders Made	639
Awards Made	447

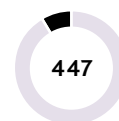
Dandenong Totals



Applications Lodged
7.7% OF
STATEWIDE
TOTAL



Final Orders Made
8.1% OF
STATEWIDE
TOTAL



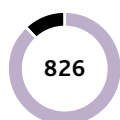
Awards Made
8.4% OF
STATEWIDE
TOTAL

Region: **FRANKSTON**

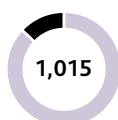
Tribunal venues within region: Dromana Frankston Moorabbin

Applications Lodged	78	457	291
Final Orders Made	97	621	297
Awards Made	62	359	207

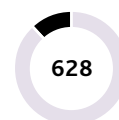
Frankston Totals



Applications Lodged
11.7% OF
STATEWIDE
TOTAL



Final Orders Made
12.8% OF
STATEWIDE
TOTAL



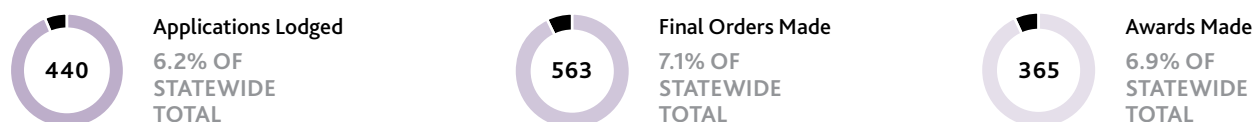
Awards Made
11.8% OF
STATEWIDE
TOTAL

TABLE 7: Number of applications for assistance lodged, final orders and awards made by Tribunal region, 2020/21.

Region: **GIPPSLAND**

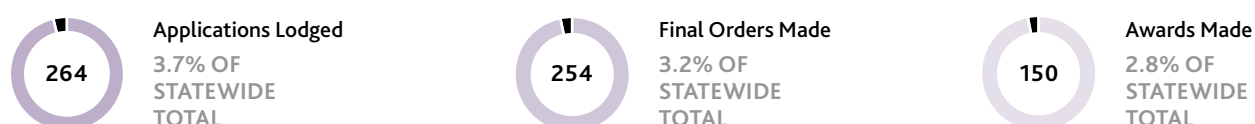
Tribunal venues within region:	Bairnsdale	Korumburra	Latrobe Valley	Moe	Sale	Wonthaggi
Applications Lodged	81	27	235	0	64	33
Final Orders Made	82	33	288	0	89	71
Awards Made	57	24	186	0	48	50

Gippsland Totals

Region: **GRAMPIANS**

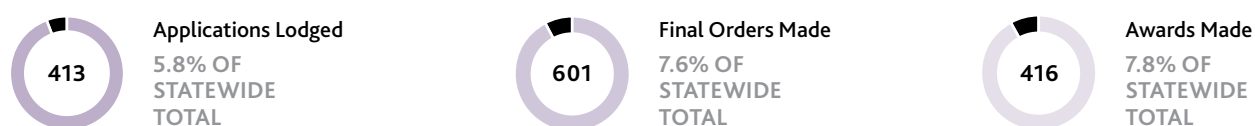
Tribunal venues within region:	Ararat	Bacchus Marsh	Ballarat	Horsham	St Arnaud	Stawell
Applications Lodged	9	38	184	16	15	2
Final Orders Made	16	35	167	26	10	0
Awards Made	11	25	94	13	7	0

Grampians Totals

Region: **HEIDELBERG**

Tribunal venues within region:	Heidelberg
Applications Lodged	413
Final Orders Made	601
Awards Made	416

Heidelberg Totals

Region: **HUME**

Tribunal venues within region:	Benalla	Cobram	Mansfield	Seymour	Shepparton	Wangaratta	Wodonga
Applications Lodged	6	0	6	41	108	38	51
Final Orders Made	25	0	5	44	136	36	45
Awards Made	15	0	2	28	84	11	26

Hume Totals

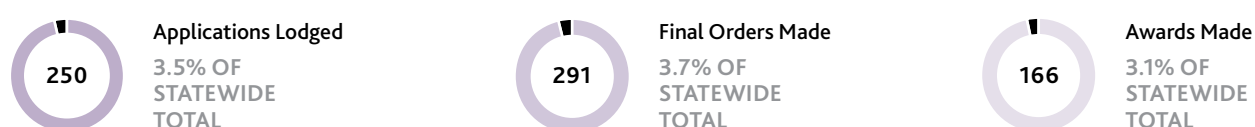
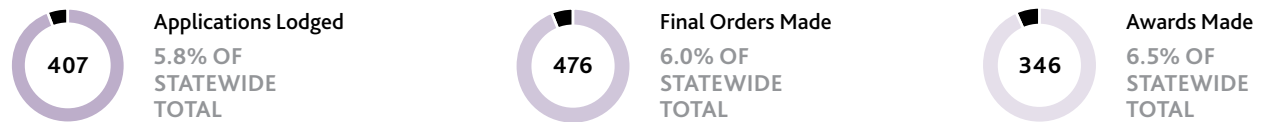


TABLE 7: Number of applications for assistance lodged, final orders and awards made by Tribunal region, 2020/21.

Region: **LODDON MALLEE**

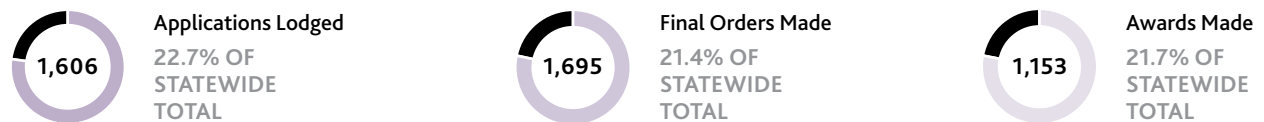
Tribunal venues within region:	Bendigo	Castlemaine	Echuca	Kerang	Kyneton	Maryborough	Mildura	Swanhill
Applications Lodged	184	12	29	8	37	29	90	18
Final Orders Made	204	14	47	12	32	25	120	22
Awards Made	148	5	37	9	24	20	85	18

Loddon Mallee Totals

Region: **MELBOURNE**

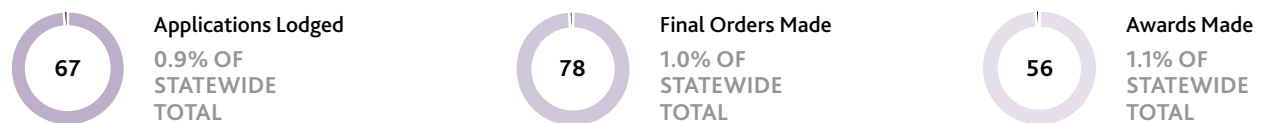
Tribunal venues within region:	Melbourne	%	Koori List	%
Applications Lodged	1294	18.3%	312	4.4%
Final Orders Made	1307	16.5%	388	4.9%
Awards Made	927	17.4%	226	4.2%

Melbourne Totals

Region: **NEIGHBOURHOOD JUSTICE CENTRE**

Tribunal venues within region:	Collingwood
Applications Lodged	67
Final Orders Made	78
Awards Made	56

Neighbourhood Justice Centre Totals

Region: **RINGWOOD**

Tribunal venues within region:	Ringwood
Applications Lodged	654
Final Orders Made	485
Awards Made	369

Ringwood Totals

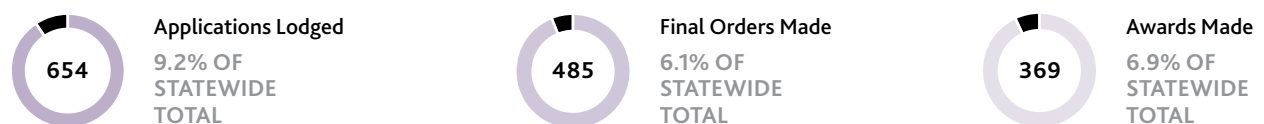
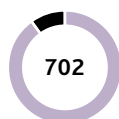


TABLE 7: Number of applications for assistance lodged, final orders and awards made by Tribunal region, 2020/21.

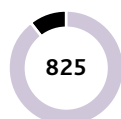
Region: **SUNSHINE**

Tribunal venues within region:	Sunshine	Werribee
Applications Lodged	522	180
Final Orders Made	685	140
Awards Made	468	82

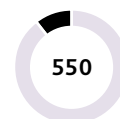
Sunshine Totals



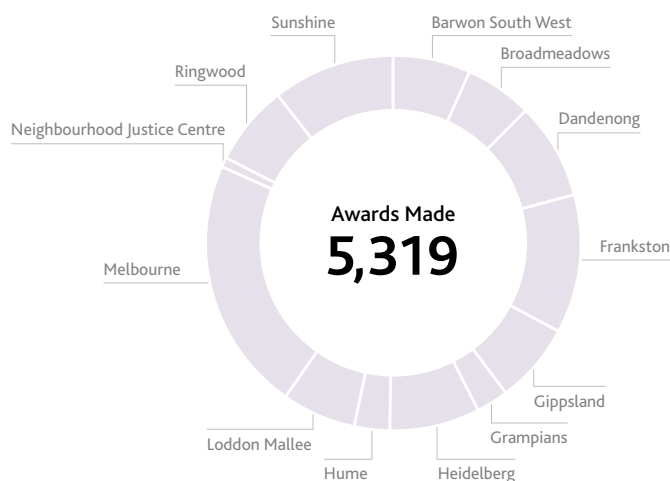
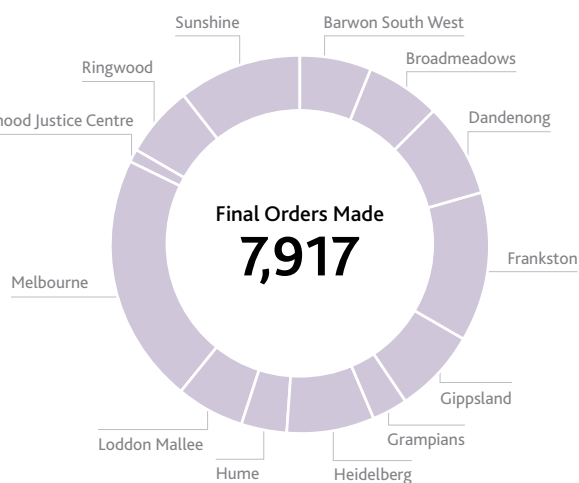
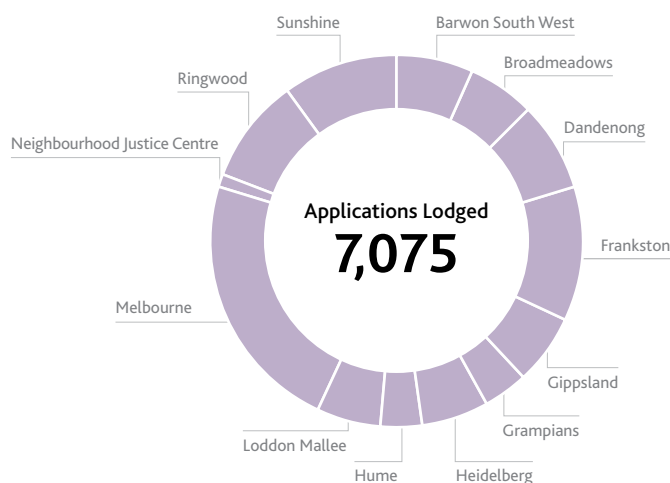
Applications Lodged
9.9% OF
STATEWIDE
TOTAL



Final Orders Made
10.4% OF
STATEWIDE
TOTAL



Awards Made
10.3% OF
STATEWIDE
TOTAL



Financial assistance awarded and legal costs

TABLE 8: Total amount of financial assistance awarded and legal costs ordered (interim, final determination, by variation and on review), 2018/19 to 2020/21

	2018/19		2019/20		2020/21	
Financial assistance	\$53,156,828	89.5%	\$54,961,072	89.5%	\$57,508,632	89.9%
Legal costs	\$6,212,841	10.5%	\$6,438,533	10.5%	\$6,451,530	10.1%
Total	\$59,369,669	100%	\$ 61,399,605	100%	\$63,960,162	100.0%

TABLE 9: Total amount of financial assistance awarded, 2018/19 to 2020/21

	2018/19		2019/20		2020/21	
Financial assistance for expenses already incurred and lump sum payments (special financial assistance, distress, loss of earnings)	\$37,512,921	70.6%	\$37,500,443	68.2%	\$38,155,483	66.3%
Financial assistance for expenses not yet incurred	\$15,643,907	29.4%	\$17,460,629	31.8%	\$19,353,149	33.7%
Total	\$53,156,828	100%	\$54,961,072	100%	\$ 57,508,632	100%

TABLE 10: Total amount of financial assistance awarded by assistance type, and legal costs ordered, 2020/21

Assistance Type	Interim Award	Final Award	Award on Variation	Award on Review	Total	
					Total \$	% of Total
Special financial assistance	\$15,050	\$13,272,346	\$36,050	\$1,300	\$13,324,746	20.8%
Pain and suffering	\$0	\$0	\$0	\$0	\$0	0.0%
Distress	\$0	\$5,551,387	\$0	\$0	\$5,551,387	8.7%
Funeral expenses	\$441,168	\$89,310	\$26,000	\$0	\$556,478	0.9%
Loss of earnings	\$210,368	\$3,550,256	\$314,692	\$0	\$4,075,316	6.4%
Dependency	\$0	\$0	\$0	\$0	\$0	0.0%
Loss/damage to clothing	\$6,176	\$158,012	\$5,010	\$0	\$169,198	0.3%
Counselling/ psychological/ psychiatric reports	\$959,723	\$1,313,634	\$206,589	\$0	\$2,479,946	3.9%
Counselling sessions	\$4,522,985	\$7,284,828	\$2,337,542	\$5,690	\$14,151,045	22.1%
Medical expenses	\$630,452	\$2,589,272	\$995,943	\$1,240	\$4,216,907	6.6%
Other expenses to assist recovery	\$224,662	\$6,404,018	\$1,215,202	\$8,750	\$7,852,632	12.3%
Safety Related Expenses	\$746,489	\$3,888,187	\$496,301	\$0	\$5,130,977	8.0%
Subtotal	\$7,757,073	\$44,101,250	\$5,633,329	\$16,980	\$57,508,632	89.9%
Legal Costs		\$6,270,868	\$133,599	\$21,000	\$6,425,467	10.1%
Total	\$7,757,073	\$50,372,118	\$5,766,928	\$37,980	\$63,934,099	100%

TABLE 11: Amount of financial assistance awarded as a lump sum payment and for expenses already incurred, by type of assistance, 2020/21

Assistance Type	Interim Award	Final Award	Award on Variation	Award on Review	Total	
					Total \$	% of Total
Special financial assistance	\$15,050	\$13,272,346	\$36,050	\$1,300	\$13,324,746	34.9%
Pain and suffering	\$0	\$0	\$0	\$0	\$0	0.0%
Distress	\$0	\$5,551,387	\$0	\$0	\$5,551,387	14.5%
Funeral expenses	\$400,458	\$87,180	\$13,000	\$0	\$500,638	1.3%
Loss of earnings	\$210,368	\$3,550,256	\$314,692	\$0	\$4,075,316	10.7%
Dependency	\$0	\$0	\$0	\$0	\$0	0.0%
Loss/damage to clothing	\$4,787	\$148,959	\$3,432	\$0	\$157,178	0.4%
Counselling/ psychological/ psychiatric reports	\$959,723	\$1,313,634	\$206,589	\$0	\$2,479,946	6.5%
Counselling sessions	\$513,313	\$2,163,708	\$970,708	\$3,140	\$3,650,869	9.6%
Medical expenses	\$195,106	\$1,559,281	\$545,794	\$1,240	\$2,301,421	6.0%
Other expenses to assist recovery	\$63,726	\$2,881,490	\$696,283	\$1,045	\$3,642,544	9.5%
Safety Related Expenses	\$159,417	\$2,026,245	\$285,776	\$0	\$2,471,438	6.5%
Total	\$2,521,948	\$32,554,486	\$3,072,324	\$6,725	\$38,155,483	100%

TABLE 12: Amount of financial assistance awarded for *expenses not yet incurred*, by type of assistance, 2020/21

Assistance Type	Interim Award	Final Award	Awarded on Variation	Awarded on Review	Total	
					Total \$	% of Total
Counselling sessions	\$4,009,672	\$5,121,120	\$1,366,834	\$2,550	\$10,500,176	54.3%
Medical expenses	\$435,346	\$1,029,991	\$450,149	\$0	\$1,915,486	9.9%
Loss/damage to clothing	\$1,389	\$9,053	\$1,578	\$0	\$12,020	0.1%
Other expenses to assist recovery	\$160,936	\$3,522,528	\$518,919	\$7,705	\$4,210,088	21.8%
Funeral expenses	\$40,710	\$2,130	\$13,000	\$0	\$55,840	0.3%
Safety related	\$587,072	\$1,861,942	\$210,525	\$0	\$2,659,539	13.7%
Total	\$5,235,125	\$11,546,764	\$2,561,005	\$10,255	\$19,353,149	100.0%

TABLE 13: Number of final awards of financial assistance made, and average amount of financial assistance awarded on final determination, 2018/19 to 2020/21

	2018/19	2019/20	2020/21
Number of awards of financial assistance made	5,119	5,345	5319
Amount of financial assistance awarded	\$40,956,427	\$42,153,724	\$44,101,250
Average amount of financial assistance awarded	\$8,001	\$7,887	\$8,291

TABLE 14: Number of primary victims awarded special financial assistance and amount awarded on determination of application, by category, 2018/19 to 2020/21

	Number			Distribution		
	2018/19	2019/20	2020/21	2018/19	2019/20	2020/21
Number of primary victims who were awarded special financial assistance by category						
Category A	803	793	842	19.0%	18.0%	18.9%
Category B	1006	1064	1150	23.9%	24.2%	25.8%
Category C	1473	1613	1483	34.9%	36.6%	33.2%
Category D	935	932	991	22.2%	21.2%	22.2%
Total	4217	4402	4466	100%	100%	100.0%
Amount of special financial assistance awarded by category						
Category A	\$6,791,496	\$6,766,986	\$7,297,539	55.4%	53.2%	55.0%
Category B	\$3,021,215	\$3,223,875	\$3,488,877	24.6%	25.4%	26.3%
Category C	\$1,864,790	\$2,051,540	\$1,878,335	15.2%	16.1%	14.1%
Category D	\$582,590	\$667,710	\$615,095	4.8%	5.3%	4.6%
Total	\$12,260,091	\$12,710,111	\$13,279,846	100%	100%	100.0%
Average amount of special financial assistance awarded by category						
Category A	\$8,458	\$8,533	\$8,667			
Category B	\$3,003	\$3,030	\$3,034			
Category C	\$1,266	\$1,272	\$1,267			
Category D	\$623	\$716	\$621			
Total	\$2,907	\$2,887	\$2,974			

TABLE 15: Number of related victims awarded financial assistance for distress and amount awarded on final determination, 2018/19 to 2020/21

	2018/19	2019/20	2020/21
Number of related victims who were awarded financial assistance for distress	348	254	292
Amount of financial assistance awarded to related victims for distress on determination of application	\$6,723,260	\$5,375,605	\$5,551,387
Average amount of financial assistance awarded to related victims for distress	\$19,320	\$21,164	\$19,012

TABLE 16: Amount of legal costs ordered to be paid on the final determination of applications for financial assistance, and average legal costs ordered, 2018/19 to 2020/21

	2018/19	2019/20	2020/21
Number of awards of financial assistance made	5,119	5,345	5,319
Amount ordered to be paid for legal costs	\$6,101,635	\$6,217,641	\$6,292,666
Average amount of legal costs ordered to be paid per awarded applicant	\$1,192	\$1,163	\$1,183

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 2018/19 to 2020/21

	2018/19	2019/20	2020/21
Number of interim awards of assistance made by Tribunal members	1399	1249	1352
Number of interim awards of assistance made by judicial registrars	299	243	220
Number of interim awards of assistance made by registrars	816	685	573
Total number of interim awards of assistance made for expenses already incurred	2,514	2,177	2145
Proportion of interim awards made by registrars	32.5%	31.5%	26.7%
Amount of interim financial assistance awarded for expenses already incurred	\$2,828,477	\$2,566,467	\$2,521,948
Average amount of interim financial assistance awarded for expenses already incurred	\$1,125	\$1,179	\$1,176

TABLE 18: Number of interim awards of financial assistance made where financial assistance was awarded for expenses not yet incurred, and amount awarded, 2018/19 to 2020/21

	2018/19	2019/20	2020/21
Number of interim awards of assistance made by Tribunal members	1065	1077	1234
Number of interim awards of assistance made by judicial registrars	197	187	164
Number of interim awards of assistance made by registrars	659	549	511
Total number of interim awards of assistance made for expenses not yet incurred	1,921	1,813	1,909
Proportion of interim awards made by registrars	34.3%	30.3%	26.8%
Amount of interim financial assistance awarded for expenses not yet incurred	\$4,503,376	\$4,562,456	\$5,235,125
Average amount of interim financial assistance awarded for expenses not yet incurred	\$2,344	\$2,517	\$2,742

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, 2018/19 to 2020/21

	2018/19	2019/20	2020/21
Number of awards varied to award further financial assistance for expenses already incurred	1,219	1,512	1,539
Amount of financial assistance awarded on variation for expenses already incurred	\$2,756,778	\$3,023,395	\$3,072,324
Average amount of financial assistance awarded on variation for expenses already incurred	\$2,262	\$2,000	\$1,996

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, 2018/19 to 2020/2

	2018/19	2019/20	2020/21
Number of awards varied to award further financial assistance for expenses not yet incurred	824	874	856
Amount of financial assistance awarded on variation for expenses not yet incurred	\$2,037,357	\$2,612,817	\$2,561,005
Average amount of financial assistance awarded on variation for expenses not yet incurred	\$2,473	\$2,989	\$2,992

Applications for review of decisions

TABLE 21: Number of applications for review finalised by the Victorian Civil and Administrative Tribunal, by outcome, 2018/19 to 2020/21

	2018/19		2019/20		2020/21	
Outcome						
Original order/award set aside and new award made on review	3	21.4%	3	18.8%	2	14.3%
Award varied on review	1	7.1%	1	6.3%	1	7.1%
Order affirmed on review	2	14.3%	4	25.0%	5	35.7%
Application for assistance remitted to original decision-maker for determination	5	35.7%	3	18.8%	2	14.3%
Application for review dismissed	0	0.0%	1	6.3%	1	7.1%
Application for review struck out / withdrawn / abandoned	3	21.4%	4	25.0%	3	21.4%
Total	14	100%	16	100%	14	100.0%

TABLE 22: Number of awards of financial assistance made or varied by the Victorian Civil and Administrative Tribunal on review, and average amount of financial assistance awarded on review, 2018/19 to 2020/21

	2018/19	2019/20	2020/21
Number awards of assistance made or varied on review	4	4	3
Amount of financial assistance awarded on review	\$74,413	\$42,213	\$16,980
Average amount of financial assistance awarded on review	\$18,603	\$10,553	\$5,660





Our Financial Report

This year, VOCAT continues to operate as efficiently as possible. This is a challenge in the current environment, particularly in light of COVID-19. More than usual was spent on temporary administrative staff to assist in reducing backlog and delays caused by repeated lockdowns. It is a credit to judiciary and staff that the number of final awards only decreased by 0.5% despite significant disruptions to normal work patterns. Priority throughout the year was given to urgent matters including finalising older claims.

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.²

Financial assistance paid

In the year ending 30 June 2021, the Tribunal paid a total amount of \$46,443,727 (compared to \$44,045,661 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 2021, VOCAT's operating costs were \$4,110,500 compared to \$3,554,161 in the previous year (an increase of 15.7%). Higher than usual legal costs for reviews and set up costs for the Tribunal Officer list account for much of the increase in operating costs.

There were also additional information technology costs to better resource the Tribunal for remote hearings.

As stated above, the Tribunal spent more than usual on temporary administrative staff to reduce delays.

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

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

The Magistrates' Court absorbs a proportion of VOCAT's operating costs, including Magistrates' salaries³ 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 2021, the average cost per finalised application for financial assistance was \$519⁴ compared to \$419 in the previous year. This represents an increase of 23.9%.

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

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

3. 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.

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

Financial Statement for year ending 30 June 2021

	Note	2018/19	2019/20	2020/21
Special appropriations	1			
Salaries, Overtime & Ann. Leave		\$2,049,699	\$2,436,631	\$2,836,717
Superannuation		\$168,872	\$164,649	\$170,019
Payroll Tax		\$97,952	\$93,057	\$96,302
Provision For Long Service Leave		\$72,030	\$44,947	\$16,494
Workcover Levy		\$16,870	\$8,654	\$7,321
Fringe Benefits Taxation		–	–	–
Total salaries and associated expenditure		\$2,405,423	\$2,747,937	\$3,126,853

Operating expenditure				
Travel & Personal Expenses		\$9,388	\$7,426	\$928
Printing, Stationery & Subscriptions		\$36,810	\$36,543	\$42,963
Postage & Communication		\$8,048	\$11,164	\$1,441
Contractors and Professional Services	2	\$327,755	\$160,405	\$325,010
Training and Development		\$5,816	\$9,863	\$9,778
Motor Vehicle Expenses		–	\$59	–
Operating Expenses		\$535,706	\$532,993	\$532,933
Information Technology Costs		\$27,002	\$19,914	\$43,445
Rent Utilities and Property Services		\$27,553	\$27,857	\$27,148
Repairs and Maintenance				
Total operating expenditure		\$978,078	\$806,224	\$983,647
Total salaries and operating expenditure		\$3,383,501	\$3,554,161	\$4,110,500

Special appropriations				
Award Payments		\$46,208,092	\$44,045,661	\$46,443,727
Total awards	3	\$46,208,092	\$44,045,661	\$46,443,727

Notes to and forming part of the financial statement

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

Note 1: The special appropriation for the salaries and on-costs of tribunal members (magistrates) during the reporting period is reported in the annual report of the Magistrates' Court of Victoria for the year ending 30 June 2021.

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 2021. Our Directory of Tribunal Members & Judicial Registrars in the year under review

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

CHIEF MAGISTRATE

Her Honour Judge Lisa Hannan

DEPUTY CHIEF MAGISTRATES

Ms Felicity Broughton

Mr Lance Martin
(Retired August 2020)

Ms Susan Wakeling

MAGISTRATES

Ms Ian Alger

Ms Marita Altman

Ms Susan Armour

Ms Megan Aumair

Mr Julian Ayres

Mr Guillaume Bailin
(Appointed September 2020)

Ms Donna Bakos

Mr Stephen Ballek

Ms Hayley Bate

Ms Luisa Bazzani

Mr John Bentley

Ms Amina Bhai

Ms Jacqueline Billings

Ms Angela Bolger

Ms Jade Bott

Mr Timothy Bourke

Mr Jennie Bowles

Mr Gerard Bryant

Ms Abigail Burchill

Mr Anthony Burns

Ms Carolyn Burnside

Ms Alexandra Burt
(Appointed September 2020)

Mr Darrin Cain

Ms Suzie Cameron

Ms Victoria Campbell

Mr Andrew Capell

Mr Michael Coghlan

Ms Ann Collins

Mr Greg Connellan

Ms Suzette Dootjes

Mr Peter Dotchin

Ms Alanna Duffy

Mr Peter Dunn

Ms Michelle Ehrlich

Ms Caitlin English
(Deputy State Coroner)

Ms Rosemary Falla

Mr David Fanning

Mr David Faram

Mr Bernie FitzGerald

Ms Lesley Fleming

Mr Justin Foster

Mr Simon Garnett

Mr Timothy Gattuso

Ms Jane Gibson

Mr Kieran Gilligan

Mr Phillip Goldberg

Ms Anne Goldsbrough

Ms Julie Grainger

Mr Martin Grinberg

Ms Jennifer Grubissa

Mr Simon Guthrie

Mr Andrew Halse

Mr John Hardy

Ms Tara Hartnett

Ms Annabel Hawkins

Ms Kate Hawkins

Ms Fiona Hayes
(Supervising Magistrate – VOCAT)

Mr Rodney Higgins

Ms Meghan Hoare

Mr Tim Hoare

Ms Michelle Hodgson

Mr Franz Holzer

Ms Gail Hubble

Mr Trieu Huynh

Ms Audrey Jamieson

Mr Graham Keil

Mr Russell Kelly

Ms Meagan Keogh

Mr Constantinos Kilias

Dr Michael King

Mr Randell Kune

Mr Nunzio La Rosa

Ms Elizabeth Langdon

Mr Stephen Lee

Mr Dominic Lennon

Mr Gerard Lethbridge

Ms Denise Livingstone

Ms Mary-Anne MacCallum

Ms Jan MacLean

Ms Kay Macpherson

Ms Urfa Masood

Mr Ross Maxted

Ms Therese McCarthy

Ms Ann McGarvie

Mr Andrew McKenna

Mr Greg McNamara

Mr Michael McNamara

Ms Sharon McRae

Ms Fran Medina

Mr Peter Mellas

Ms Johanna Metcalf

Mr Peter Mithen

Ms Helen Murphy

Ms Michelle Mykytowycz
 Mr John O'Callaghan
 Ms Julie O'Donnell
 Ms Kim Parkinson
 Mr Anthony Parsons
 Mr Shiva Pillai
 Mr Richard Pithouse
 Ms Roslyn Porter
 Ms Vicky Prapas
 Mr Hugh Radford
 Mr Peter Reardon
 Mr Michael Richards
 Ms Kay Robertson
 Mr Gregory Robinson
 Ms Kristen Rose
 Mr Ronald Saines
 Mr Marc Sargent
 Mr Paul Smith
 Ms Sharon Smith
 Mr Patrick Southey
 Ms Paresa Spanos
 Ms Pauline Spencer
 (Head of Specialist Courts)
 Mr David Starvaggi
 Ms Melissa Stead
 (Appointed September 2020)
 Ms Fiona Stewart
 Mr Mark Stratmann
 Ms Jacinta Studham
 Ms Stella Stuthridge
 Ms Mia Stylianou
 Ms Kimberley Swadesir
 (Appointed September 2020)
 Mr Charles Tan
 Ms Noreen Toohey
 Ms Cynthia Toose

Ms Letizia Torres
 Ms Jenny 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
 Mr Francis Zemljak

RESERVE MAGISTRATES

Mr Tom Barrett
 Mr Ross Betts
 Mr Doug Bolster
 Mr Barry Braun
 Mr Len Brear
 Mr Phillip Byrne
 Mr Brian Clifford
 Mr Bruce Cottrill
 Mr Rodney Crisp
 Mr John Doherty
 Ms Margaret Harding
 Mr Lou Hill
 Mr Jon Klestadt
 Mr Robert Kumar
 Ms Cathy Lamble
 Mr John Lesser
 Mr Gregory Levine
 Mr Lance Martin
 Mr Ian McGrane
 Mr Peter Mealy
 Mr Dan Muling

Mr John O'Brien
 Ms Jelena Popovic
 Mr Steven Raleigh
 Mr Duncan Reynolds
 Mr Charles Rozencwajg
 Mr Barry Schultz
 Mr Michael Smith
 Mr Alan Spillane
 Mr Iain West

JUDICIAL REGISTRARS

Ms Ruth Andrew
 Mr Julian Bartlett
 Mr Mick Bolte
 Ms Shannon Dellamarta
 Ms Samantha Dixon
 Ms Kristie Eales
 Mr Gavin Green
 Mr Michael Gurvich
 Mr Anthony Gwynne
 Ms Leah Hickey
 Mr Barry Johnstone
 Mr Richard O'Keefe
 Ms Alison Paton
 Ms Katherine Rynne
 Mr Mark Sabljak
 Ms Angela Soldani
 Ms Allison Vaughan

Our Locations and Contact Details

ARARAT

Cnr Barkly and Ingor Streets
PO Box 86
Ararat 3377
Ph: 03 5352 1081
Fax: 03 5352 5172

BACCHUS MARSH

Main Street
PO Box 277
Bacchus Marsh 3340
Ph: 03 5367 2953
Fax: 03 5367 7319

BAIRNSDALE

Nicholson Street
PO Box 367
Bairnsdale 3875 (DX 214191)
Ph: 03 5152 9222
Fax: 03 5152 4863

BALLARAT

100 Grenville Street South
PO Box 604
Ballarat 3350 (DX 214276)
Ph: 03 5336 6200
Fax: 03 5336 6213

BENALLA

Bridge Street
PO Box 258
Benalla 3672 (DX 214472)
Ph: 03 5761 1400
Fax: 03 5761 1413

BENDIGO

71 Pall Mall
PO Box 930
Bendigo 3550 (DX 214508)
Ph: 03 5440 4140
Fax: 03 5440 4173

BROADMEADOWS

Cnr Pearcedale Parade
& Dimboola Road
PO Box 3235
Broadmeadows 3047 (DX 211268)
Ph: 03 9221 8900
Fax: 03 9221 8901

CASTLEMAINE

Lyttleton Street
PO Box 92
Castlemaine 3450
Ph: 03 5472 1081
Fax: 03 5470 5616

COBRAM

Cnr Punt Road and High Street
Cobram 3644
(C/- Box 607 Shepparton 3630)
Ph: 03 5872 2639
Fax: 03 5871 2140

COLAC

Queen Street
PO Box 200
Colac 3250 (DX 215272)
Ph: 03 5234 3400
Fax: 03 5234 3411

CORRYONG

11 Jardine Street
(C/- Box 50 Wodonga 3690)
Corryong 3707

DANDENONG

Cnr Foster & Pultney Streets
PO Box 392
Dandenong 3175 (DX 211577)
Ph: 03 9767 1300
Fax: 03 9767 1399

DROMANA

Codrington Street
PO Box 105
Dromana 3936
Ph: 03 5984 7400
Fax: 03 5984 7414

ECHUCA

Heygarth Street
PO Box 76
Echuca 3564
Ph: 03 5480 5800
Fax: 03 5480 5801

EDENHOPE

Shire Offices
West Wimmera Shire Council
49 Elizabeth Street
Edenhope 3318
(C/- PO Box 111, Horsham 3400)
Also see HORSHAM

FRANKSTON

Fletcher Road
PO Box 316
Frankston 3199 (DX 211788)
Ph: 03 9784 5777
Fax 03 9784 5757

GEELONG

Railway Terrace
PO Box 428
Geelong 3220 (DX 216046)
Ph: 03 5225 3333
Fax: 03 5225 3392

HAMILTON

Martin Street
PO Box 422
Hamilton 3300 (DX 216376)
Ph: 03 5572 2288
Fax: 03 5572 1653

HEIDELBERG

Jika Street
PO Box 105
Heidelberg 3084 (DX 211906)
Ph: 03 8488 6700
Fax: 03 9458 3456

HOPETOUN

Shire Offices
Shire of Karkaroc
75 Lascelles Street
Hopetoun 3396
(C/- Box 111, Horsham 3400)
Also see HORSHAM

HORSHAM

Roberts Avenue
PO Box 111
Horsham 3400 (DX 216519)
Ph: 03 5362 4444
Fax: 03 5362 4454

KERANG

Victoria Street
PO Box 77
Kerang 3579 (DX 216739)
Ph: 03 5452 1050
Fax: 03 5452 1673

KORUMBURRA

Bridge Street
PO Box 211
Korumburra 3950
Ph: 03 5658 0200
Fax: 03 5658 0210

KYNETON

Hutton Street
PO Box 20
Kyneton 3444
Ph: 03 5422 1832
Fax: 03 5422 3634

LATROBE VALLEY

134 Commercial Road
PO Box 687
Morwell 3840 (DX 217729)
Ph: 03 5116 5222
Fax: 03 5116 5200

MANSFIELD

Cnr High and Highett Street
PO Box 105
Mansfield 3722
Ph: 03 5775 2672
Fax: 03 5775 3003

MARYBOROUGH

Clarendon Street
PO Box 45
Maryborough 3465
Ph: 03 5461 1046
Fax: 03 5461 4014

MELBOURNE

223 William Street
GPO Box 882
Melbourne 3001 (DX 350080)
Phone: 03 9628 7855
Fax: VOCAT 03 9628 7853

MILDURA

56 Deakin Avenue
PO Box 5014
Mildura 3500 (DX 217506)
Ph: 03 5021 6000
Fax: 03 5021 6010

MOORABBIN

1140 Nepean Highway
PO Box 2042 Moorabbin
Highett 3190 (DX 212145)
Ph: 03 9090 8000
Fax: 03 9090 8001

MYRTLEFORD

Myrtle Street
Myrtleford 3737
Ph: 03 5752 1868
Fax: 03 5752 1981

**NEIGHBOURHOOD
JUSTICE CENTRE**

241 Wellington Street
PO Box 1142
Collingwood 3066 (DX 211512)
Ph: 03 9948 8600
Fax: 03 9948 8699

NHILL

110 MacPherson Street
(C/- PO Box 111, Horsham 3400)
Nhill 3418
Also see HORSHAM

OMEO

Shire Offices
Main Street
Omeo 3898
(C/- PO Box 367 Bairnsdale 3875)
Also see BAIRNSDALE

ORBOST

Wolsley Street
Orbost 3888
(C/- PO Box 367 Bairnsdale 3875)
Ph: 03 5154 1328
Also see BAIRNSDALE

OUYEN

Shire Offices
Oke Street
Ouyen 3490
(C/- PO Box 5014, Mildura 3500)
Also see MILDURA

PORTLAND

67 Cliff Street
PO Box 374
Portland 3305
Ph: 03 5523 1321
Fax: 03 5523 6143

RINGWOOD

39 Ringwood Street
PO Box 333
Ringwood 3134 (DX 212456)
Ph: 03 9871 4444
Fax: 03 9871 4463

ROBINVALE

George Street
Robinvale 3549
(C/- Box 5014 Mildura 3500)
Also see MILDURA

SALE

Foster Street (Princes Highway)
PO Box 351
Sale 3850 (DX 218574)
Ph: 03 5144 2888
Fax: 03 5144 7954

SEYMOUR

56 Tallarook Street
PO Box 235
Seymour 3660 (DX 218685)
Ph: 03 5735 0100
Fax: 03 5735 0101

SHEPPARTON

High Street
PO Box 607
Shepparton 3630 (DX 218731)
Ph: 03 5821 4633
Fax: 03 5821 2374

ST ARNAUD

Napier Street
PO Box 17
St Arnaud 3478
Ph: 03 5495 1092
Fax: 03 5495 1367
Also see MARYBOROUGH

STAWELL

Patrick Street
PO Box 179
Stawell 3380
Ph: 03 5358 1087
Fax: 5358 3781
Also see ARARAT

SUNSHINE

10 Foundry Road
PO Box 435
Sunshine 3020 (DX 212686)
Ph: 03 9300 6200
Fax: 03 9300 6269

SWAN HILL

121 Curlewis Street
PO Box 512
Swan Hill 3585 (DX 218991)
Ph: 03 5032 0800
Fax: 03 5033 0888

WANGARATTA

24 Faithful Street
PO Box 504
Wangaratta 3677 (DX 219436)
Ph: 03 5721 0900
Fax: 03 5721 5483

WARRNAMBOOL

218 Koroit Street
PO Box 244
Warrnambool 3280 (DX 219592)
Ph: 03 5564 1111
Fax: 03 5564 1100

WERRIBEE

Cnr Duncans Road
& Salisbury Street
PO Box 196
Werribee 3030 (DX 212868)
Ph: 03 9974 9300
Fax 03 9974 9301

WODONGA

5 Elgin Boulevard
PO Box 50
Wodonga 3690 (219762)
Ph: 02 6043 7000
Fax: 02 6043 7004

WONTHAGGI

Watt Street
PO Box 104
Wonthaggi 3995
Ph: 03 5672 1071
Fax: 03 5672 4587

Notes





vocat.vic.gov.au

Victims of Crime Assistance Tribunal
Ph: 1800 882 752
Authorised by Victims of Crime
Assistance Tribunal
223 William Street, Melbourne
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