



Annual Report
2021–2022



VICTIMS OF
CRIME ASSISTANCE
TRIBUNAL

Year at a Glance

7,325 applications filed
UP BY 3.5%



7,441 orders finalising applications
DOWN BY 6%



Judicial Registrars made
18.7% OF FINAL ORDERS



Tribunal Officer List made
23.5% OF FINAL ORDERS



Interim awards of assistance
DOWN BY 15.4%



Variation awards of assistance
UP BY 10.9%



123,242 unique visits to our website
UP BY 18.8%



5,000 awards of assistance made **DOWN BY 6%**



\$60.8 million awarded **DOWN BY 4.8%**



Koori List applications **UP BY 24.7%**



Average award amount \$8,386 **UP BY 1.1%**



8,018 pending applications **UP BY 3.9%**



2,778 online applications filed being **37.9% OF ALL LODGEMENTS**



Tribunal's operating cost **UP BY 36.4%**





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Letter to Minister

1 September 2022

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 2022.

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

Yours sincerely,



Justice Lisa Hannan
Chief Magistrate



Chief Magistrate's Message

THE HONOURABLE JUSTICE LISA HANNAN, CHIEF MAGISTRATE

The Victims of Crime Assistance Tribunal, established by the *Victims of Crime Assistance Act 1996*, has been in operation for 25 years. Over that period of time the Tribunal has received 131,803 applications and has awarded \$1.05 billion to applicants. Sitting within the jurisdiction of the Magistrates' Court of Victoria, the Tribunal has provided financial assistance to victims of crime and their families, in recognition of the impact of criminal acts of violence and to assist with their psychological and physical recovery.

This year has seen significant reforms to the way in which VOCAT operates. These reforms include COVID recovery, the Tribunal Officer List and the Koori VOCAT Dhumbumana Healing Strategy.

The Tribunal has continued its work throughout the COVID pandemic, while embedding practical changes to ensure ease of access to the Tribunal during periods of lockdown. These included improved electronic submission of applications and supporting documentation, online hearings and access to online counselling.

Although restrictions abated within the 2021/22 financial year, there remained very good reasons why the changes implemented by VOCAT should continue. First among those was the need to ensure that applicants are able to access the Tribunal and counselling in ways consistent with good public health practice; to ensure access when applicants may be in isolation and in recognition that, in many cases, not least for rural and regional applicants, online hearings and counselling provide greater access to justice. Many applicants have benefited from the ability to appear before the Tribunal, online, from the safety and security of their own home, supported by the people that they want around them. Where online hearings have not been preferred or appropriate, the Tribunal continues to list matters in court.

In preparation for the transition of VOCAT to a new Financial Assistance Scheme, the Tribunal established in 2021 a new Tribunal Officer List. Authority was delegated 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. All such matters are now dealt with by the Tribunal Officer List, based at the Melbourne registry. Aply led by Senior Tribunal Officer, Brent Casey, the Tribunal Officer List is dealing with a quarter of the applications before the Tribunal and has been making final orders in a timely way. This list will contribute significantly to speedier outcomes for applicants and the finalisation of applications prior to the commencement of the new Financial Assistance Scheme.

The Tribunal continues to work with the Victorian Government in preparation for the commencement of the Financial Assistance Scheme, with transitional arrangements being an area of significant importance for the Tribunal.

The third area of reform for VOCAT is the development of the Dhumbumana Healing Strategy, which builds on the existing VOCAT Koori List to enhance access to the Tribunal for Koori victims of crime.

The VOCAT Koori List acknowledges the complexity of generational grief and trauma that the Aboriginal and Torres Strait Islander community experience and how this impacts the way these communities engage with the Tribunal. The Koori List was established to provide victims with a better opportunity to participate in the Tribunal process, to emphasise healing and to enable the Tribunal to engage with the Aboriginal and Torres Strait Islander community in a culturally sensitive way. Building on the Koori List, the Dhumbumana Healing Strategy 2021–2023 will support VOCAT in delivering services that are culturally sensitive and well regarded by the Koori community. The Dhumbumana Healing Strategy will also improve access to financial assistance.

Dhumbumana is a word derived from the language of the Wurundjeri Woi Wurrung people of the Kulin Nation which means help. Dhumbumana is culturally symbolic to the principles of VOCAT which assists victims of crime. The Dhumbumana Healing Strategy is focused on continuous improvement within the Koori List and enhancing the Tribunal's capacity to engage with Aboriginal and Torres Strait Islander communities to assist in their journey to healing. The strategy aligns with the self-determination principles of the Victorian Aboriginal Justice Agreement 4 (Burra Lotjpa Dunguludja) and the Court Services Victoria Self-Determination Plan (Yaanadhan Manamith Yirramboi).

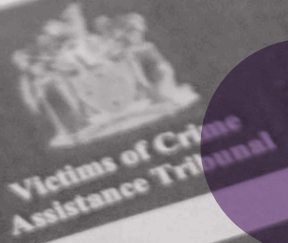
The strategy will enhance the Tribunal's support of Aboriginal and Torres Strait Islander applicants and promote meaningful, targeted outreach programs to local Aboriginal and Torres Strait Islander communities. It is anticipated that by enhancing VOCAT's cultural capability to support Aboriginal and Torres Strait Islander people, we will be able to better plan for their future needs.

I wish to acknowledge the leadership and commitment of Supervising Magistrate Fiona Hayes and Donna Caruana, Principal Registrar of VOCAT. Throughout this period of significant change, they ensured that VOCAT continued to serve the people of Victoria so that applicants were able to access the essential services the Tribunal provides to victims of crime. Together they have expertly guided VOCAT and supported staff, statewide, in adapting and continuing the important work of the Tribunal.

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. At a time when the court is addressing COVID impacts in all jurisdictions, they have ensured we are able to prioritise VOCAT applications.

I am also grateful 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.

Justice Lisa Hannan
Chief Magistrate



APPLICATION FOR ASSISTANCE

1. DETAILS OF PERSON WANTING ASSISTANCE

Surname

Address

Telephone

Occupation

Gender

Email

(H)

(M)

Male

Female

Indeterminate/Intersex/Unspecified

Are you of Aboriginal or Torres Strait Islander origin?
Persons of both Aboriginal and Torres Strait Islander origin should mark **Yes, Torres Strait Islander**
Persons of Aboriginal origin should mark **Yes, Aboriginal**
Persons of Torres Strait Islander origin should mark **Yes, Torres Strait Islander**

A person of Aboriginal or Torres Strait Islander origin means a person who is described as an Aboriginal or Torres Strait Islander by an Aboriginal or Torres Strait Islander community member or a person who is described as an Aboriginal or Torres Strait Islander by an Aboriginal or Torres Strait Islander community member.

This information will enable the Tribunal to provide you with information to assist you in making an application for assistance/criminal justice support.

Have you previously made an application for assistance/criminal justice support in respect of this offence?

Have you previously made an application for assistance/criminal justice support in respect of this offence?

Please nominate which category applies to you

Primary victim

Secondary victim

Witness



About VOCAT

The Victims of Crime Assistance Tribunal (VOCAT) is an integral part of Victoria's 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 25th 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 147 Magistrates including the Chief Magistrate, are also Tribunal Members. The Court's 18 Judicial Registrars and 11 Tribunal Officers 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 can receive 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 a Supervising Magistrate to support VOCAT's effective operation. Magistrate Fiona Hayes has been the Supervising Magistrate for the Tribunal throughout 2021/22.

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, one Judicial Registrar, the Executive Director Specialist Courts and Programs, the Principal Registrar of VOCAT, two Standards and Compliance Officers, Learning and Development Advisor, Transition Project Lead, Senior Tribunal Officer and the Registry Manager, Melbourne.

The Chief Magistrate has delegated certain powers under the VOCA Act to Judicial Registrars and newly created Tribunal Officer roles, VOCAT's Principal Registrar and other Registrars of VPS grade 3 and above. For Registrars, 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 25 years, VOCAT has received 131,803 applications for financial assistance, and awarded \$1.05 billion to victims of crime. This has included 98,834 awards of financial assistance, and tens of thousands of awards of interim financial assistance.

Pre-pandemic, applications to VOCAT had increased almost every year, dropping to 7,075 in 2020/21, increasing again to 7,325 applications received in the current reporting period. The number of applications filed this financial year is 9.2% lower than the highest number recorded by the Tribunal – 8,067 applications in 2018/19.





Supervising Magistrate Fiona Hayes

Throughout 2021/22, the Tribunal continued to receive high numbers of applications, with the number of applications lodged up this year by 3.5% (7325). This increase brings the Tribunal numbers up to the lodgements seen in previous years and may reflect the cessation of COVID lockdowns. Our statistics also reflect that we have a higher number of pending files (8018), 3.9% up on last year, together with a slight decrease in finalisations and final awards. We have seen a reduction in applications for interim awards, but an increase in the numbers of requests for variations of final orders by 10.9%. We have also seen a significant increase in the number of applications in the Koori VOCAT list (24.7%).

The Tribunal Officer List commenced operation this year. Eleven Tribunal Officers were recruited, inducted and began to assess applications. Approximately 900 files were immediately drawn from around the state – files which were in the early stages of their assessment and allocated to the List. From that point, all eligible files (those not involving allegations of family violence or sexual offences) went straight into the List. Once fully established, the List has been assessing approximately one quarter of the Tribunal's applications and doing so in a timely way.

For matters involving family violence or sex offences, Magistrates continue to determine those applications at the regions where they are lodged. The creation of the Tribunal Officer List is reducing the number of applications going to regions outside the Melbourne Registry, with the greater emphasis for Magistrates now on matters involving family violence and sexual offences.

Applications involving family violence comprised approximately a third of the applications lodged this year, consistent with recent years. Applications involving sex offences comprise 16.6% of the applications lodged, again consistent with last year.

The Tribunal will continue to focus significant resources to ensure that all applications are considered in a timely and trauma-informed way. Work continues to explore ways to ensure that staff and Tribunal Members can consistently prioritise VOCAT applications and listings in the context of a multi-jurisdictional court. As with the entire community, all areas of the Tribunal have been affected at times by the impact of COVID and the flu. The Tribunal has endeavoured to support regions where backlogs occur for this reason.

The Tribunal was very proud to launch the Dhumbumana Healing Strategy, to support applicants in the VOCAT Koori List. The Koori List was established to create a culturally safe environment for Koori applicants and the Dhumbumana Healing Strategy significantly enhances that opportunity. Importantly, under the strategy, applicants will be able to complete a Cultural Support Plan, which will provide the Tribunal with important cultural information about the applicant and the services that the applicant is engaged with and supported by.

Dhumbumana is the result of the work of Maggie Smith, VOCAT Koori List Engagement Registrar, together with the VOCAT Leadership Team. I want to thank them for their excellent work in bringing Dhumbumana into reality, for their thoughtful and thorough consultation and engagement. The experience of applicants and the Tribunal will be richer for it.

I would also like to acknowledge that, behind the statistics presented in this report, is the work of the Leadership Team within the Tribunal, which has done such great work in the establishment of the Tribunal Officer List. This included the recruitment, induction and training of Tribunal Officers. It also included the transfer of files and the establishment of administrative support for the List. Naomi Nolet, Learning and Development Advisor developed and delivered this significant amount of training, which has been further expanded to provide ongoing training to Registrars throughout Victoria. At a time when so much is asked of court staff, I am grateful that they have access to such well-considered, victim-centred and expert training.

The Leadership Team has also been preparing for the transition of VOCAT to the new Financial Assistance Scheme. Charlene Griffin, Transition Project Lead, has the responsibility of identifying and developing options for the management of applications, present and past, prior to the new Scheme commencing. This is a significant role, with many component parts. Charlene was also heavily involved in the successful establishment of the Tribunal Officer List.

The work of the above roles has been expertly supported by Suzanne Frawley and Stephanie Oliver, who together fill the role of Standards and Compliance Officer. Individually and combined, they embody a wealth of deep knowledge and passion for the victims of crime jurisdiction. Their expertise has been invaluable throughout the year.

This year also saw a change in the leadership of the Tribunal, with the secondment of Rod Ratcliffe to the Supreme Court. Although the Tribunal was very sorry to farewell Rod, Donna Caruana has taken up the mantle with no small amount of skill, knowledge and diligence. I am very grateful to Donna for her skilful execution of the role of Principal Registrar, for her leadership and commitment to the work of the Tribunal.

I wish to thank the VOCAT Coordinating Committee, made up of Tribunal Members and the Leadership Team, who provide expert guidance and support on a range of issues relevant to the Tribunal.

I also acknowledge the dedicated and hard-working Tribunal Officers, and staff members of VOCAT throughout the state, who support and assist applicants, as well as Tribunal Members.

Thank you finally to all Tribunal Members – Magistrates and Judicial Registrars – for their ongoing commitment, compassion and expertise.

Fiona Hayes

Supervising Magistrate,
Victims of Crime Assistance Tribunal



GOING TO THE MAGISTRATES' COURT

PROBATION SERVICE UNIT
ASSISTANCE TRIBUNAL

APPLICANT



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 the physical or psychological impacts of crime, 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 Victim Services, Support and Reform (VSSR) within the Department of Justice and Community Safety (DJCS), who oversee the Victims of Crime Helpline and the statewide Victims Assistance Program. Many victims of crime learn about VOCAT either from the Victims of Crime Helpline, Victims Assistance Program, other victim support services or from Victoria Police.

These services can support victims through the process of applying to VOCAT for financial assistance.

Victims can also receive assistance from lawyers to prepare 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 Principal Registry if:

- ▶ they relate to the death of a person
- ▶ the applicant lives outside Victoria
- ▶ the applicant identifies as Aboriginal or Torres Strait Islander (for inclusion in the VOCAT Koori List), or
- ▶ the applicant is a primary victim where the offence doesn't relate to sexual offending or family violence, and the applicant has reported the act of violence to police (for inclusion in the Tribunal Officer 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.

The screenshot shows the 'Application for Assistance' form on a mobile device. The form is titled 'Victims of Crime Assistance Tribunal' and includes a navigation menu on the left with options: 'Before You Apply', 'Applicant Details', 'Offence Details', 'Your Application', 'Deceased Details', 'Authorisation', 'Supporting Material', 'Legal Representation', 'Acknowledgement', 'Review Application', and 'Confirmation'. The main form area is titled 'Application for Assistance' and contains the following sections:

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

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 to prepare for final hearing. 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 (OMC), it has been possible to significantly reduce listing delays. It is now possible to list urgent matters for directions hearing 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, Tribunal Officer 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.

In March 2022, changes to the VOCA Act took effect prohibiting an alleged offender from being notified of a Tribunal hearing in matters that relate to family violence, sexual offences or offences related to stalking, threats to kill or threats to commit serious injury.

How we make decisions

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

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

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

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

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

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

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

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

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

What we can award

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

Types of assistance

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

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

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

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.

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 2021*, and the particular circumstances of the primary victim or the injury suffered.

Awards held in trust

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

Right of review

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

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

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

Tribunal Officer List

The VOCAT Tribunal Officer List (TOL) commenced in July 2021. An outline of the TOL model was included in the Magistrates' Court / VOCAT submissions to the 2017 Victorian Law Reform Commission (VLRC) review of the VOCA Act. The submissions advocated for the creation of a new layer of VOCAT decision maker to provide a more effective way to determine certain categories of applications. The proposed model aimed to provide assistance to victims more efficiently and reduce the backlog of pending matters.

Informed by these submissions and the subsequent VLRC recommendations, amendments were proposed to the VOCA Act to establish the TOL and provide for the delegation of decision-making powers to Tribunal Officers. The *Justice Legislation Amendment (Supporting Victims and Other Matters) Act 2020* carried these changes through to Royal Assent on 17 November 2020 and came into effect the following day.

The Chief Magistrate, Justice Hannan signed the Instrument of Delegation to Tribunal Officers on 9 March 2021, conferring decision making powers on Tribunal Officers and establishing the limits of those powers. Practice Direction 3 of 2021- Tribunal Officer List, was subsequently issued by the Chief Magistrate on 18 May 2021 which provided a practical framework for the delegated powers to be exercised.

Pursuant to the delegation of powers and Practice Direction, Tribunal Officers have the power to determine primary victim applications pursuant to section 33 of the VOCA Act, save for applications where the act of violence alleged is sex or family violence related or was not reported to police within a reasonable time. All new files statewide from 1 July 2021 that fall within the Tribunal Officer delegation are referred to and managed by the TOL.

In May 2021, the Victorian State Budget provided an allocation of \$3.6 million over three years to establish the TOL. This allocation provided funding for the following positions on a fixed term basis until 31 December 2023:

- ▶ Senior Tribunal Officer (VPS 5)
- ▶ VOCAT Transition Lead (VPS 5)
- ▶ Learning & Development Advisor (VPS 5)
- ▶ 10 Tribunal Officers (VPS 4)
- ▶ 2 Administrative Deputy Registrars (VPS 2)
- ▶ Finance Officer (VPS 2).

To commence operations there was an initial intake of approximately 900 applications from across the state in the lead up to July 2021. The number of pending matters increased quickly with an average of 250 applications received each month thereafter. This was supplemented by the call in of several smaller tranches of files from selected regional and suburban courts during late 2021.

As at 30 June 2022, the number of pending applications managed by the List was 1,921, which represents approximately twenty-four percent of pending applications statewide.

Recruitment for TOL staff was initiated in June 2021. To facilitate the initial transfer of files to TOL and establish the List as a working entity, the roles of Transition Lead and several Administrative Deputy Registrars (ADRs) were onboarded first.

Ten Tribunal Officers and a Senior Tribunal Officer were subsequently recruited and commenced employment over several stages, with the majority of Tribunal Officers onboarded during September and October 2021. Subsequent Tribunal Officer recruitment processes were finalised in February and May 2022.

All Tribunal Officers participated in preparatory training and education programs tailored by our Learning and Development Advisor. Each Tribunal Officer carried out research and assessment tasks before being permitted to make their own determinations.

From mid-November 2021 the first group of Tribunal Officers commenced making determinations with later groups to follow. Prior to the completion of this process, all determinations had been referred to Judicial Registrars.

Currently the List is supported by four ADRs comprised of two fixed term VPS employees and two Hays Contractors (engaged until December 2022). ADRs carry out a range of administrative and case management tasks and provide crucial assistance to the TOL.

Tribunal Officers continue to work closely with and receive valuable support from Judicial Registrars, Ms Shannon Dellamarta and Ms Leah Hickey. In the twelve months to 1 July 2022, the Judicial Registrars have been responsible for close to thirty percent of the final determinations ultimately recorded on TOL matters.

Applications are referred to the Judicial Registrars in instances where an award proposed by a Tribunal Officer pursuant to section 33 of the VOCA Act has been rejected by an applicant, where a hearing is otherwise required, or at the discretion of the Tribunal Officer. Since July 2021 there have been eight directions hearings conducted by Judicial Registrars on TOL matters, with three listed for future dates.

In all applications referred to Judicial Registrars, the assigned Tribunal Officer retains case management responsibility for the duration of the matter.

During the first year of operation, 1,183 final awards have been made on TOL applications. This represents almost twenty-four percent of the final awards made across the state during the 2021/2022 period.

With close to forty percent of all new applications being lodged with TOL, a significant volume of VOCAT workflow has been diverted away from suburban and regional court venues. The performance snapshot for the first year of TOL operation demonstrates the potential contribution that TOL can make to backlog reduction and efficient processing of applications.

The list has not reached full capacity with the final Tribunal Officer expected to finalise training in early July 2022 and COVID impacts limiting the List's productivity over various months throughout the year. It is hoped that full capacity will be realised in coming months as COVID impacts continue to ease.

Focus on Judicial Registrars

In the 2021/22 financial year, Judicial Registrars heard and determined 1,393 VOCAT applications, down from 1,494 in the previous year. This figure constitutes 18.7% of all VOCAT final orders. Judicial Registrars also made (277) 10.4% of all variation awards and (412) 12% of all interim awards.

There are now 18 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 and the introduction of TOL has seen them doing more non-VOCAT work during the reporting period.

TOL Performance Snapshot

Between 1 July 2021 and 30 June 2022, 1,748 applications managed by TOL have had disposal orders recorded against them. This includes applications disposed by final awards, refusal, strike out and withdrawal.

	Applications Lodged	Final Orders Made ¹	Awards Made	Interim Awards	Variation Awards	Pending Applications
2021/2022 TOL totals	2,864	1,748	1,183	818	65	1,921
As a percentage of state total	39.1% of 7,325	23.5% of 7,441	23.7% of 5,000	23.9% of 3,429	2.4% of 2,657	23.9% of 8,018

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

VOCAT Koori List

The VOCAT Koori List commenced operation in 2006 as a pilot and continues to operate 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 and publications, 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 flexibility. With these new initiatives, the Tribunal Members and staff continue to work together to review processes to ensure the objectives of the List are still met.

At the conclusion of the financial year, the Tribunal was managing a record number of applications (559) in the Koori List at Melbourne. The Koori List saw 389 new applications, an increase of 24.7% compared to the previous financial year and the highest number of new applications in a financial year since the List commenced.

The overall number of finalisations in the List decreased by 25% to 291 matters. The impact of COVID-19, and associated public health restrictions, and the limited opportunities for the Tribunal and stakeholders to engage with applicants are all factors which need to be considered in the decline in finalisations within the List.

In 2021 the Tribunal appointed Maggie Smith, as the Koori List Engagement Registrar. Maggie is originally from the Torres Strait Islands and joined the team offering extensive experience in community engagement and working with remote Aboriginal communities. Maggie's appointment has assisted in strengthening ties with the Koori community, promoting culture in our practices and creating a more accessible service.

Dhumbumana Healing Strategy

The Tribunal launched its Dhumbumana Healing Strategy in late June 2022, focused on continuous improvement within the VOCAT Koori List and enhancing VOCAT's capacity to engage with Koori communities and assist in their journey to healing.

Dhumbumana (pron: thum-boo-mah-nah) is a traditional word derived from the language of the Wurundjeri Woi Wurrung people of the Kulin Nation and means help.

VOCAT will use the Dhumbumana Healing Strategy to better support Koori applicants and deliver a targeted outreach program to improve our engagement with local Koori communities.

The strategy will enable VOCAT to:

- ▶ increase awareness of VOCAT as a culturally specific financial assistance scheme for Koori victims of crime
- ▶ recognise and reduce barriers to accessing VOCAT
- ▶ better understand how Koori people use our services
- ▶ improve our current practices to better promote cultural safety and
- ▶ better support Koori victims of crime during VOCAT hearings.

The cultural support provided by the Dhumbumana Healing Strategy will put greater emphasis on Koori applicants' physical, psychological and emotional safety throughout the VOCAT process and will also enable referrals to legal and family violence support services in the community, as well as other support agencies where appropriate.

As part of the strategy, VOCAT has introduced a formal process to ensure cultural information is considered when an award of financial assistance is being made, to acknowledge that an applicant's cultural journey affects their ability to heal.

The strategy creates opportunities for Koori applicants who have been affected by trauma to regain a sense of empowerment and control over their lives. It promotes reconnecting with culture to assist in establishing pathways back to country to heal spiritually.



7,325 applications filed
UP BY 3.5%



7,441 orders finalising applications
DOWN BY 6%



5,000 awards of assistance made
DOWN BY 6%

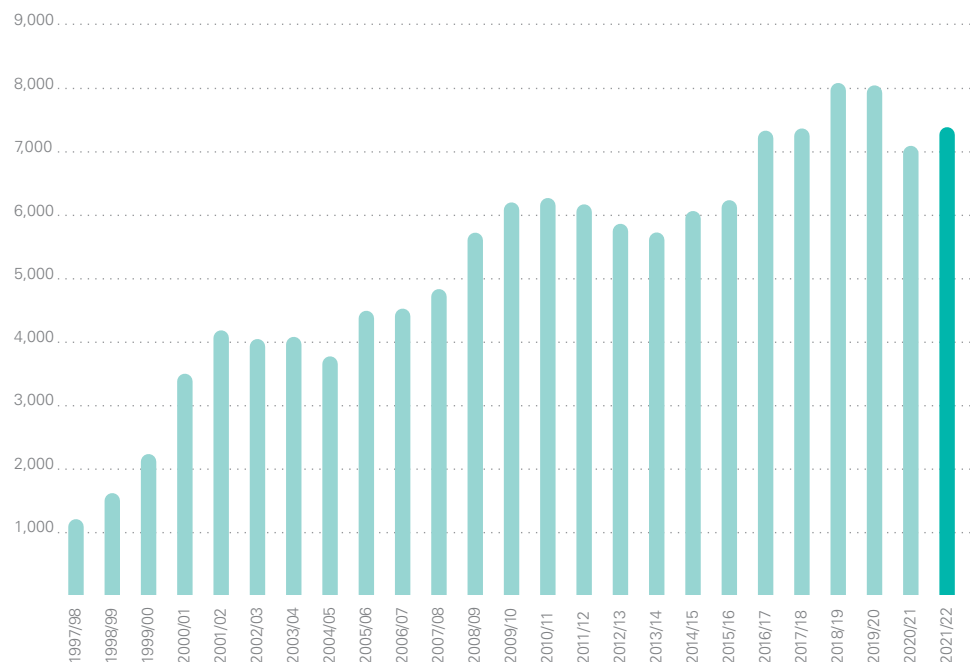


\$60.8 million awarded
DOWN BY 4.8%



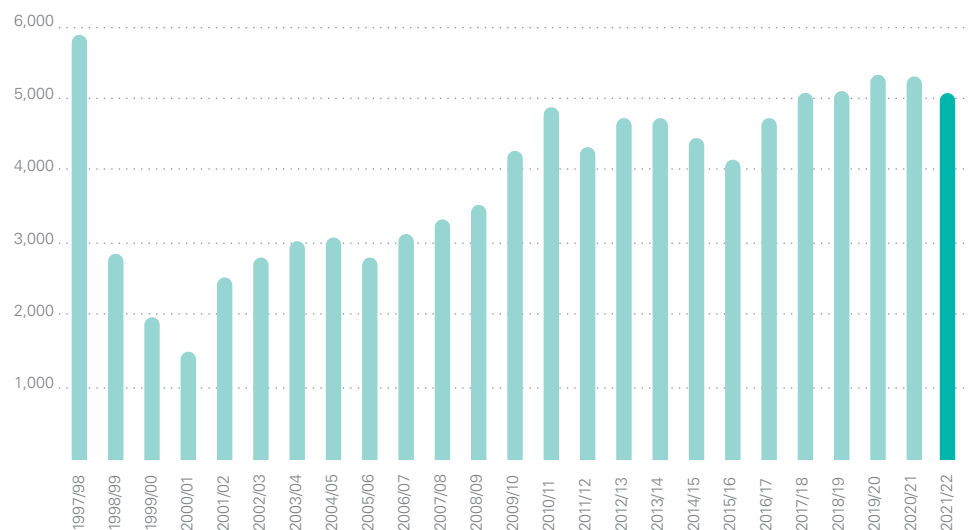
Demand and financial assistance awarded

CHART 1: Number of applications for financial assistance lodged annually



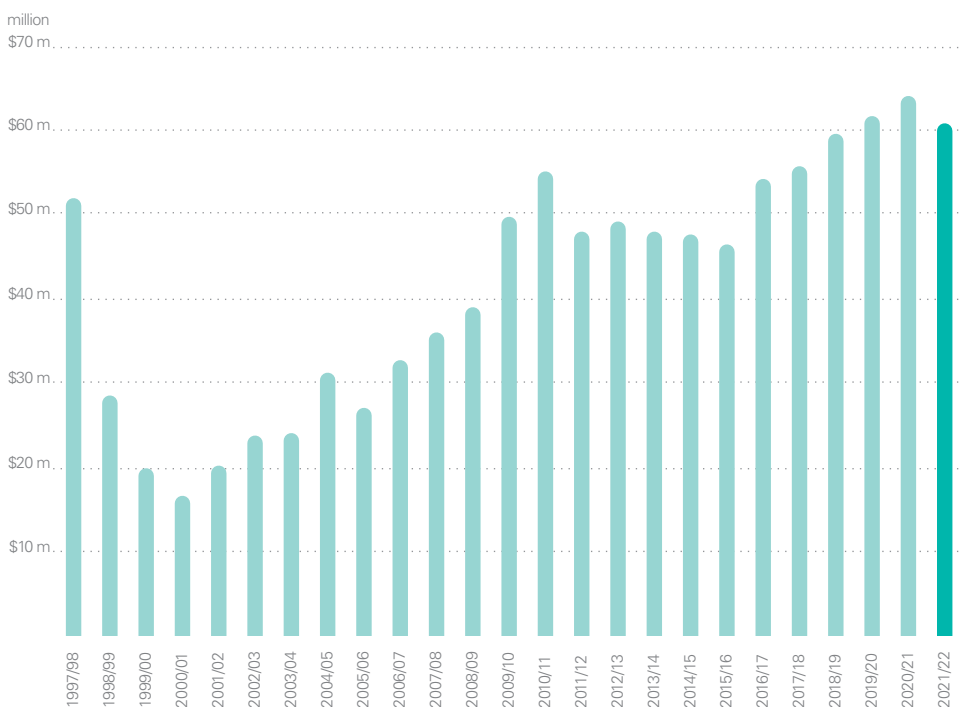
Demand for financial assistance has increased almost every year since the Tribunal commenced on 1 July 1997. The most likely reason for the recent reduction is the pandemic.

CHART 2: Number of awards made annually



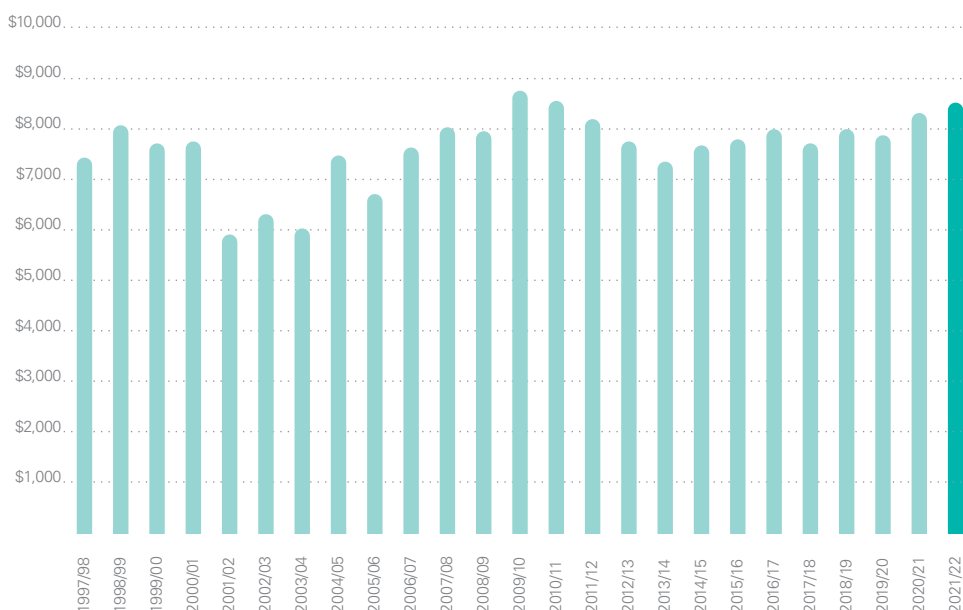
The number of awards made annually had increased marginally over the previous four years, dropping this reporting period.

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



There had been an upward trend in the amount of final assistance awarded for the five years prior to this reporting period.

CHART 4: Average amount of financial assistance awarded under the *Victims of Crime Assistance Act 1996* on determination of applications



The average amount of financial assistance has remained steady throughout the 25 year history of the Tribunal. This indicates that Tribunal Members are applying the legislation in a consistent manner.

Average award amount \$8,386
UP BY 1.1%



Interim awards of assistance
DOWN BY 15.4%



Variation awards of assistance
UP BY 10.9%



Koori List applications
UP BY 24.7%







The Tribunal – Year in Review

There were 7,325 applications filed in the reporting period which represents an increase of 3.5% compared to the previous year (7,075). The Tribunal recorded higher than average lodgements for ten months of the reporting period.

Applications lodged

There were 7,325 applications filed in the reporting period which represents an increase of 3.5% compared to the previous year (7,075). The Tribunal recorded higher than average lodgements for ten months of the reporting period.

More than one third of applications (34.3%) arise from an incidence of family violence.

Aside from Melbourne (4,219 applications including TOL), Ringwood was the Tribunal venue with the highest number of applications filed. There were 339 applications for assistance lodged at the Ringwood Court in 2021/22, down from 654 last year. Sunshine (332 down from 522), Dandenong (271 down from 546), Broadmeadows (246 down from 424), Heidelberg (232 from 413) and Frankston (205 down from 457) also saw significant reductions in lodgement numbers diverted to TOL.

Application outcomes

VOCAT finalised 7,441 applications in the reporting period. This is only 6% 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 5,000 applicants financial assistance representing 67.2% of all final orders² made in 2021/22. In 2020/21, the 5,319 awards of assistance also made up 67.2% 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 3.9% of cases (291) down from 4.7% in 2020/21. This number was severely impacted by the inability for the Tribunal to conduct in person hearings safely during the COVID-19 lockdown periods. 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 (88.6%) went to primary victims, with 4,430 awards being made this reporting period, compared to 4,612 last year (a decrease of 3.9%). Secondary victims made up 6.4% (down from 7.4% in 2020/21) and related victims made up 4.9% (down from 5.8% in 2020/21) of all awards of assistance upon final determination.
- ▶ The overall number of interim awards decreased by 15.4% to 3,429 (down from 4,054). The average amount awarded per victim at the interim stage only slightly decreased by 0.5% to \$1,906 from \$1,915.
- ▶ The number of variation awards increased by 10.9% in 2021/22 and the average amount awarded on variation remained consistent at \$2,217 (\$2,352 in 2020/21). The Tribunal observed a steady increase in the number of variation awards in the second half of the reporting period, noting in June 2022 variation awards were recorded at 49% above last year's average.
- ▶ The average final award remained consistent with 2020/21, up by only 1.1% to \$8,368. This is the highest the figure has been since 2010/11 and reflects the greater complexity of cases being finalised.

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 increased by 3.9% from 7,717 at 30 June 2021 to 8,018 at 30 June 2022.

As seen in Chart 5, pending cases increased steadily in the first half of this financial year to a peak of 8,373 in December 2021. This steady increase was largely driven by higher than average lodgements, the inefficiencies of COVID workforce restrictions coupled with the delayed determination of Tribunal officer matters whilst these decision makers were trained and assessed.

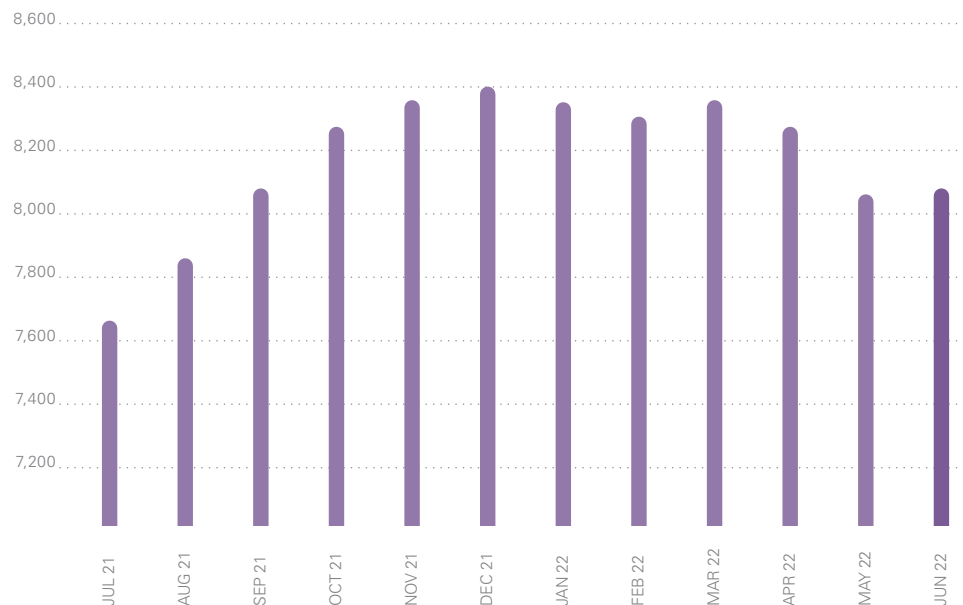
Commencement of Tribunal Officer independent determinations, coupled with the return of workforce to onsite operations in mid-November 2021 enabled a shift in the pending trend through to February. February and April both again saw significant COVID impact on registry operations and pending caseload. May and June 2022 observed higher than average finalisation rates for the Tribunal and a notable decrease in pending numbers.

Less than half of all files were completed within 9 months of lodgement (48.2% down from 49.2% in 2020/21). Following health directions during repeated lockdowns, VOCAT staff were required to work from home and the registry on alternate days/weeks throughout the pandemic. 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.

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

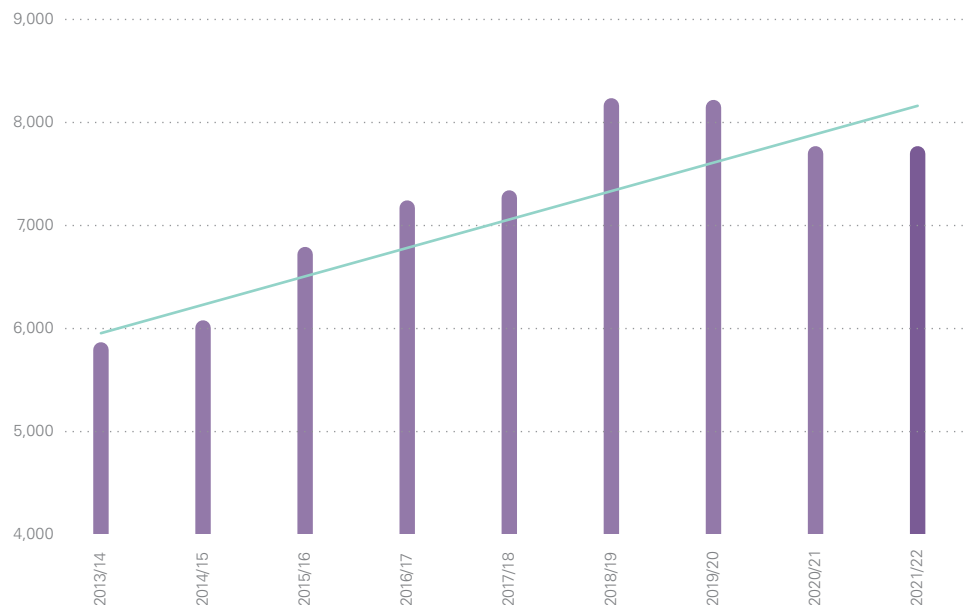
The other contributor to the increase in apparent delay was the decision to focus on more urgent matters due to COVID-19. Many of the urgent matters were the older applications where all relevant material had been filed by the applicant. The unintended consequence of the deliberate finalisation of older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

CHART 5: Pending cases 2021/22



The pending cases data over the last 9 years still shows an upward trend despite the drop off last year. It is hoped that the finalisation of all TOL recruitment and training and the easing of COVID workforce impacts will enable consistency in VOCAT resourcing and the full capacity of TOL to be realised, pushing pending cases down.

CHART 6: Nine year trend – pending cases



Financial assistance awarded

In the reporting period, VOCAT awarded a total of \$60.8 million in financial assistance and legal costs to victims of crime, down by 4.8% from the \$63.9 million awarded in the previous year.

The average amount of financial assistance awarded to each victim was \$8,386 compared to \$8,291 in the previous year. This figure has remained fairly consistent over the past 25 years showing that 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, 11 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 five 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 into perspective, less than 0.07% of VOCAT's finalised cases were varied on review.

Online applications

Applications for financial assistance can be completed and filed via the Tribunal's website by clicking the 'Apply Online' link on our website's homepage. Hard copy forms are available from any court location but more and more people each year are choosing to utilise the electronic form of lodgement. In this reporting period the Tribunal received 2778 online applications, this constitutes 37.9% of VOCAT applications lodged online up from 35.1% last year.

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

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

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

Legal and other professional help for applicants

Access to justice for victims of crime is of paramount importance, and VOCAT generally pays for victims' legal representation. In the reporting period, we amended the Legal Costs Guideline (Guideline 1 of 2022), 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 pandemic, 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 2021/22 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.

Backlog reduction

Despite remote working capability, COVID-19 workforce restrictions reduced the Tribunal's capacity onsite with a significant impact upon the Tribunal's backlog of various administrative tasks.

In response to the growing backlog, particularly at Melbourne, the Tribunal implemented a backlog reduction strategy, creating a backlog blitz plan and a backlog data management report that was designed to monitor a variety of workload performance indicators. The report is supported by a monthly data dashboard – a visual tool to monitor and recognise the vital work of each registry team, as well as assisting staff with time management of competing priorities to ensure focus on all elements of case management.

This report and the stemming initiatives were implemented in early 2022. Since then, improvements have been monitored across various workload components such as the initiation of applications, email correspondence, payment of authorised future expenses and the general proactive management of applications. A time management table was created to address specific tasks for the Principal Registry team and ensure adequate time allocation each week.

The Melbourne Tribunal also expanded the knowledge and skill of current ADR positions. ADR duties initially were clerical in nature and have been expanded to allow for ADR's to assist Registrars with processing future expenses, checking applications and actioning files that require a final direction for preparation of claim letter to be sent. The Tribunal has also utilised budget underspend to secure additional staff into ADR roles to support the growing backlog and subsequent workload. These changes are allowing a high volume of work to be completed daily.

Since the implementation of these changes, the Tribunal's Principal Registry has seen a significant shift in workload and heightened staff morale. The response times to emails has reduced, as has the timeframe for the processing of applications. This reduction in backlog has placed staff in a superior position to proactively case manage files and sustain volumes of incoming correspondence to better assist victims.

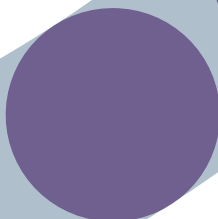
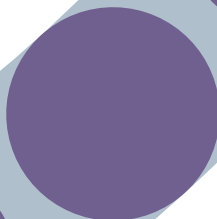
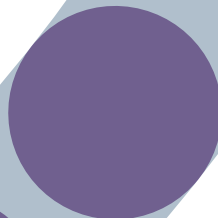
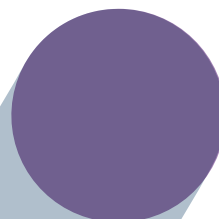
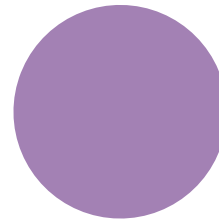
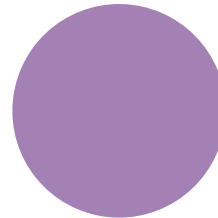
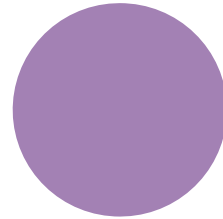
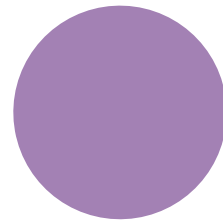
In conjunction with backlog reporting being implemented at the Melbourne registry, the Tribunal has also redirected resources to various suburban and regional locations to assist with the identified backlog across the state. This additional support has been welcomed by Senior Registrars in these locations and has seen urgent tasks attended to without further delay. The redirection of resources to these locations observed pending claim reduction, and an increased volume of files processed to chambers as well as the processing of authorised future expenses for these locations.





Managing VOCAT

A Principal Registrar, leadership team 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, tribunal officers, 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 Registrar Samantha Dixon, Executive Director, Specialist Courts and Programs Jane Craig, Principal Registrars Rod Ratcliffe and Donna Caruana, Standards and Compliance Officers Suzanne Frawley and Stephanie Oliver (Acting), Senior Tribunal Officer Brent Casey, Acting Melbourne Registry Managers Stephen Paxino and Daphne Chrysis, Transition Project Lead Charlene Griffin and Learning and Development Advisor Naomi Nolet.

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 the Tribunal's counselling fee guideline
- ▶ the update of funeral expense guidelines
- ▶ introduction and establishment of the Tribunal Officer List
- ▶ alleged offender notification legislative amendments
- ▶ consideration of the Financial Assistance Scheme Bill drafting and transitional provisions
- ▶ 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 introduction of VOCAT's Koori List Dhumbumana Healing Strategy and cultural support plan
- ▶ the continuation of Webex listings for VOCAT
- ▶ review of the Access to Information Practice Direction and digital recording policy
- ▶ guidelines for the provision of remote counselling extension
- ▶ the Tribunal's COVID-19 responses, changes to processes and procedures and operational recovery
- ▶ 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 Family Violence Specialist Courts
- ▶ Tribunal user group meetings
- ▶ plans for the management of archiving and disposal of Tribunal records, including proposed redrafting of the Tribunal's Records Disposal Authority
- ▶ 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 VOCAT Koori List, and
- ▶ Victorian Civil and Administrative Tribunal reviews of VOCAT decisions to ensure that Tribunal Members are informed of relevant decisions and that decisions of sufficient interest are placed on the VOCAT website.

Members of the Committee also participated in:

- ▶ the provision of materials and information sessions about VOCAT for new Magistrates, Judicial Registrars and Tribunal Officers
- ▶ the provision of VOCAT training for new Magistrates' Court of Victoria staff
- ▶ the provision of VOCAT training and updates to key stakeholder agencies such as VSSR, Victim Assistance Programs and Funds in Court
- ▶ meetings with representatives of DJCS, the Victims of Crime Commissioner and VSSR to discuss issues relating to services for victims of crime
- ▶ an online statewide 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, and
- ▶ workshops for the development of MCV's new case management system.

Our Registries

During this reporting period VOCAT's Principal Registry was located at the William Cooper Justice Centre in Melbourne; 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 2022, the Tribunal funded 44 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 Tribunal's leadership team, comprising the Principal Registrar, Standards and Compliance Officers, Transition Lead, Learning and Development Advisor, Registry Manager, Senior Tribunal Officer and Finance Team Leader
- ▶ our Melbourne registry, consisting of 7 Registrars and 2 Admin Deputy Registrars
- ▶ our Tribunal Officer List, inclusive of 10 Tribunal Officers and 2 Admin Deputy Registrars, in addition to
- ▶ 2 Finance Officers and an archivist.

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 from the Magistrates' Court provide additional support. The operation of the Tribunal's Principal Registry was also significantly supported this reporting period by the engagement of fixed term contract staff in an attempt to combat increased backlog attributed to COVID workforce restrictions.

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 support to the Tribunal Members in their consideration of 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 applications for interim financial assistance up to \$5000 and can make minor variations up to \$500.

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.

Learning and development

A new Learning and Development Advisor position was created and commenced in August 2021. Since then, a number of notable outcomes have been achieved.

A comprehensive induction and training package was created and delivered to 55 MCV Registrars, Administrative Deputy Registrars and Tribunal Officers statewide. This 4.5 day package explores the case management process as well as an introduction to communicating with applicants, building and maintaining resilience, the risk of vicarious trauma and promoting self-care. The modular nature of this package enables new staff to attend comprehensive training, or experienced staff to access limited components of the training as a refresher.

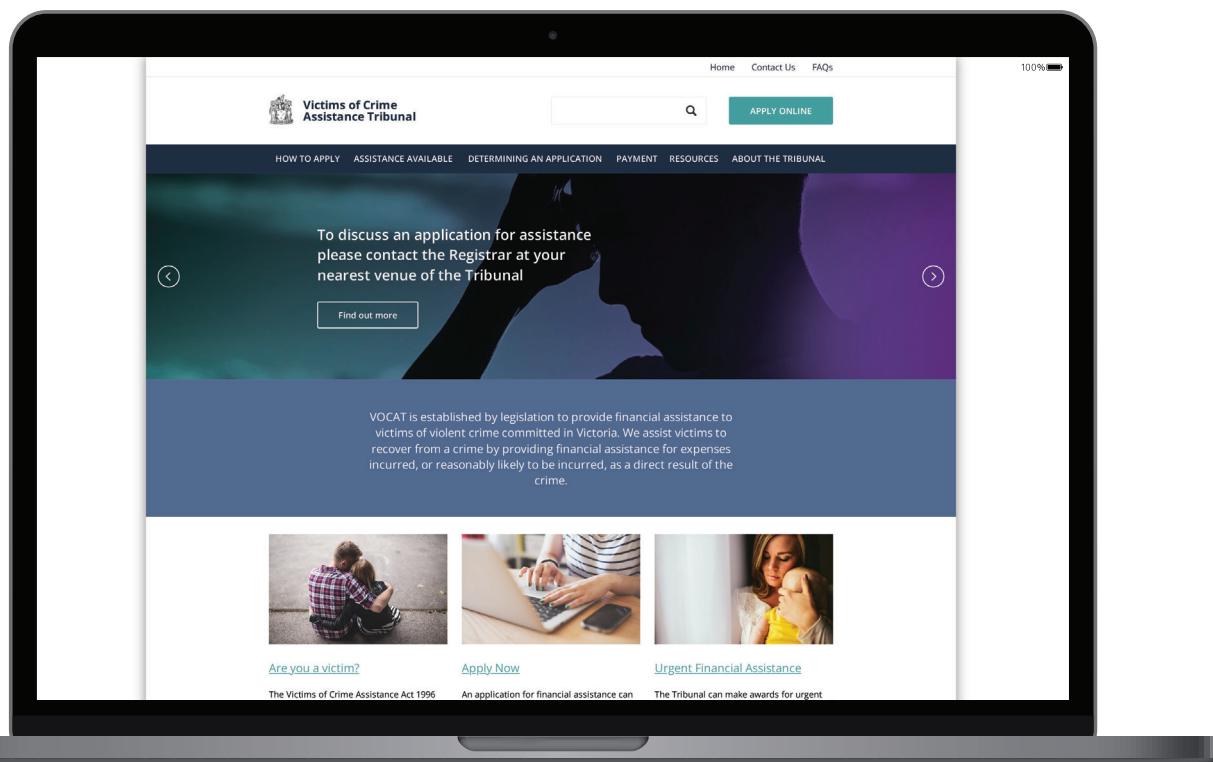
In addition to the above training and induction package, 11 Tribunal Officers have completed specialised decision-making and legal research training and assessment prior to commencing independent decision-making. Ongoing professional development has also been facilitated by experienced Tribunal Members.

A newly created 'Introduction to VOCAT' e-learning module outlining key knowledge, referrals and initiating new applications has been delivered to 68 new trainee court registrars appointed from January 2022. This module is also accessible to all MCV staff, and an additional 19 registry staff and 11 Specialist Courts and Programs staff have completed the module. VOCAT Interim Awards and Family Violence for VOCAT Registrars e-learning modules have also been created to enhance professional development for our staff statewide.

The Learning and Development Advisor also created a pilot development program for 10 Administrative Deputy Registrars at the Melbourne registry aiming to increase their operational skills to aid in backlog reduction, including a focus on bench-clerking and broader administrative duties alongside a personalised development plan.

VOCAT staff statewide have also participated in Koori Cultural Awareness training and Managing Challenging Calls training, as well as wellbeing sessions focused on burnout, fatigue and self-care, vicarious trauma, and information sessions facilitated by the Victims of Crime Commissioner and VSSR.

The next priorities for learning and development within the Tribunal are to support the Tribunal's transition plans in the lead up to the commencement of the new Financial Assistance Scheme, continued development of a suite of e-learns on case management topics and providing further training opportunities on trauma-informed practice.



VOCAT website

The Tribunal's current website (www.vocat.vic.gov.au) contains useful information, including:

- ▶ application forms and guides
- ▶ information about what VOCAT does
- ▶ links to victim support services and resources
- ▶ news items
- ▶ 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 user-friendly experience saw a dramatic increase in visitors to the website after it was redeveloped in 2016. This year the website received 123,242 unique visits, compared to 103,700 in the previous year, an increase of 18.8%.

As with the previous year, the 'Application for Assistance form' was the most commonly downloaded publication/form and most common page views related to how to apply for financial assistance and victim categories. The current website enables the content to be translated into other languages. This reporting period the site was translated 5,217 times including 4,594 times into Chinese languages such as Mandarin and Cantonese.





Our Statistical Report

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

TABLE 1: Summary – applications for assistance lodged, finalised and pending, 2019/20 – 2021/22

	2019/20	2020/21	2021/22
Caseload			
Number applications lodged	8,041	7,075	7,325
Number orders made finalising claims	8,492	7,917	7,441
Number applications pending on 30 June	8,169	7,717	8,018
Case processing times			
Proportion of applications finalised within 9 months of lodgement	54.8%	49.2%	48.2%
Proportion of applications finalised within 12 months of lodgement	69.8%	64.3%	63.0%
Age of pending caseload			
Proportion of applications pending for 9 months or more on 30 June	41.0%	43.9%	46.1%
Proportion of applications pending for 12 months or more on 30 June	30.8%	34.4%	35.6%

Applications lodged by applicant gender and category of crime

TABLE 2A and TABLE 2B: Number of applications for financial assistance lodged by category of offence, and gender of applicant, 2021/22³

	Male		Female		Indeterminate/ Unspecified/ Intersex (X)		Total	
	Total Male	Male FV	Total Female	Female FV	Total X	X FV	Total	FV
Abduction / kidnap	21	4	28	15	0	0	49	19
Assault	1,670	203	1,248	597	8	2	2,926	802
Aggravated burglary	299	17	309	31	1	0	609	48
Criminal damage by fire	17	0	9	1	0	0	26	1
Family violence	120	120	643	643	1	1	764	764
Harassment	34	11	121	35	1	0	156	46
Homicide	192	31	216	30	0	0	408	61
Other	257	19	290	62	2	0	549	81
Robbery	166	1	78	3	0	0	244	4
Sex offences	154	55	1,058	464	5	2	1,217	521
Threats	142	50	234	112	1	0	377	162
Totals	3,072	511	4,234	1,993	19	5	7,325	2,509

TABLE 2B:

	Distribution %				
	Male	Female	X	% of total applications lodged	FV
Abduction / kidnap	43%	57%	0.00%	0.7%	38.8%
Assault	57%	43%	0.27%	39.9%	27.4%
Aggravated burglary	49%	51%	0.16%	8.3%	7.9%
Criminal damage by fire	65%	35%	0.00%	0.4%	3.8%
Family violence	16%	84%	0.13%	10.4%	100%
Harassment	22%	78%	0.64%	2.1%	29.5%
Homicide	47%	53%	0.00%	5.6%	15.0%
Other	47%	53%	0.36%	7.5%	14.8%
Robbery	68%	32%	0.00%	3.3%	1.6%
Sex offences	13%	87%	0.41%	16.6%	42.8%
Threats	38%	62%	0.27%	5.1%	43.0%
Totals	42%	58%	0.26%	100%	34.3%

3. 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, 2019/20 to 2021/22

	2019/20		2020/21		2021/22	
	No.	%	No.	%	No.	%
Application granted/award made	5,345	62.9%	5,319	67.2%	5,000	67.2%
Application refused	126	1.5%	70	0.9%	122	1.6%
Application struck out/withdrawn	3,021	35.6%	2,528	31.9%	2,319	31.2%
Total	8,492	100%	7,917	100%	7,441	100%

TABLE 4: Number of awards of financial assistance made upon final determination of applications for assistance, by award type, 2019/20 to 2021/22

Award Type	2019/20		2020/21		2021/22	
	No.	%	No.	%	No.	%
Primary victim award	4,694	87.8%	4,612	86.7%	4,430	88.6%
Secondary victim award	373	7.0%	391	7.4%	318	6.4%
Related victim award	261	4.9%	306	5.8%	247	4.9%
Award for funeral expenses only	2	0.0%	1	0.0%	0	0.0%
Award made under <i>Criminal Injuries Compensation Act 1983</i>	0	0.0%	0	0.0%	0	0.0%
Other	15	0.3%	9	0.2%	5	0.1%
Total	5,345	100%	5,319	100%	5,000	100%

TABLE 5: Number of awards of financial assistance made, by age and gender of awarded applicants, 2021/22

Age at Award	No. applications				Distribution %			
	Male	Female	Other	Total	Male	Female	Other	Total
0 – 18 years	345	379	0	724	47.7%	52.3%	0.0%	14.5%
19 – 25 years	245	373	0	618	39.6%	60.4%	0.0%	12.4%
26 – 35 years	513	743	2	1,258	40.8%	59.1%	0.2%	25.2%
36 – 60 years	825	1,185	2	2,012	41.0%	58.9%	0.1%	40.2%
61 years +	186	198	2	386	48.2%	51.3%	1.0%	7.7%
Unknown	1	1	0	2	50.0%	50.0%	0.0%	0.0%
Total	2,115	2,879	6	5,000	42.3%	57.6%	0.1%	100%

TABLE 6: Number of active cases by Tribunal venue, 2019/20 to 2021/22

Region	Tribunal venues within region	Pending		
		No. of active cases as at 30 June 2020	No. of active cases as at 30 June 2021	No. of active cases as at 30 June 2022
Barwon South West	Colac	25	17	4
	Geelong	449	469	245
	Hamilton	42	24	15
	Portland	30	25	15
	Warrnambool	134	105	50
	Total	680	640	329
Broadmeadows	Broadmeadows	493	429	440
Dandenong	Dandenong	399	372	278

Region	Tribunal venues within region	Pending		
		No. of active cases as at 30 June 2020	No. of active cases as at 30 June 2021	No. of active cases as at 30 June 2022
Frankston	Dromana	79	77	24
	Frankston	502	406	230
	Moorabbin	300	304	127
	Total	881	787	381
Gippsland	Bairnsdale	80	84	87
	Korumburra	42	26	17
	Latrobe Valley	248	200	185
	Moe	0	0	0
	Sale	104	78	58
	Wonthaggi	54	26	18
	Total	528	414	365
Grampians	Ararat	25	17	18
	Ballarat	146	172	118
	Horsham	29	23	30
	Bacchus Marsh	35	43	54
	St Arnaud	8	14	14
	Stawell	3	5	3
	Total	246	274	237
Heidelberg	Heidelberg	507	334	263
Hume	Benalla	26	8	7
	Cobram	1	1	0
	Mansfield	1	3	5
	Seymour	38	37	27
	Shepparton	133	112	97
	Wangaratta	15	24	15
	Wodonga	44	45	44
	Total	258	230	195
Loddon Mallee	Bendigo	160	138	124
	Castlemaine	13	12	14
	Echuca	48	25	33
	Kerang	17	11	12
	Kyneton	36	38	24
	Maryborough	33	38	23
	Mildura	143	99	34
	Swan Hill	22	19	16
	Total	472	380	280
Melbourne	Melbourne	1,942	2,006	1,771
	Koori List	478	431	559
	Tribunal Officer List	0	0	1,921
	Total	2,420	2,437	4,251
Neighbourhood Justice Centre	Collingwood	74	64	31
Ringwood	Ringwood	583	783	503
Sunshine	Sunshine	516	420	403
	Werribee	112	153	62
	Total	628	573	465
Total		8,169	7,717	8,018

TABLE 7: Number of applications for assistance lodged, final orders and awards made by Tribunal region, 2021/22

Region: **BARWON SOUTH WEST**

Tribunal venues within region:	Colac	Geelong	Hamilton	Portland	Warrnambool
Applications Lodged	4	114	13	11	40
Final Orders Made	10	260	19	19	85
Awards Made	6	145	10	12	59

Barwon South West Totals



Applications Lodged
2.5% OF
STATEWIDE
TOTAL



Final Orders Made
5.3% OF
STATEWIDE
TOTAL



Awards Made
4.6% OF
STATEWIDE
TOTAL

Region: **BROADMEADOWS**

Tribunal venues within region: Broadmeadows

Applications Lodged	246
Final Orders Made	215
Awards Made	167

Broadmeadows Totals



Applications Lodged
3.4% OF
STATEWIDE
TOTAL



Final Orders Made
2.9% OF
STATEWIDE
TOTAL



Awards Made
3.3% OF
STATEWIDE
TOTAL

Region: **DANDENONG**

Tribunal venues within region: Dandenong

Applications Lodged	271
Final Orders Made	367
Awards Made	232

Dandenong Totals



Applications Lodged
3.7% OF
STATEWIDE
TOTAL



Final Orders Made
4.9% OF
STATEWIDE
TOTAL



Awards Made
4.6% OF
STATEWIDE
TOTAL

Region: **FRANKSTON**

Tribunal venues within region: Dromana Frankston Moorabbin

Applications Lodged	33	205	139
Final Orders Made	86	397	273
Awards Made	47	226	174

Frankston Totals



Applications Lodged
5.1% OF
STATEWIDE
TOTAL



Final Orders Made
10.2% OF
STATEWIDE
TOTAL



Awards Made
8.9% OF
STATEWIDE
TOTAL

TABLE 7: Number of applications for assistance lodged, final orders and awards made by Tribunal region, 2021/22

Region: **GIPPSLAND**

Tribunal venues within region:	Bairnsdale	Korumburra	Latrobe Valley	Moe	Sale	Wonthaggi
Applications Lodged	49	7	140	0	48	15
Final Orders Made	36	15	143	0	65	21
Awards Made	32	12	95	0	48	19

Gippsland Totals



Applications Lodged
259
3.5% OF
STATEWIDE
TOTAL



Final Orders Made
280
3.8% OF
STATEWIDE
TOTAL



Awards Made
206
4.1% OF
STATEWIDE
TOTAL

Region: **GRAMPIANS**

Tribunal venues within region:	Ararat	Bacchus Marsh	Ballarat	Horsham	St Arnaud	Stawell
Applications Lodged	18	39	116	23	10	2
Final Orders Made	10	24	153	15	6	5
Awards Made	7	18	83	10	6	2

Grampians Totals



Applications Lodged
208
2.8% OF
STATEWIDE
TOTAL



Final Orders Made
213
2.9% OF
STATEWIDE
TOTAL



Awards Made
126
2.5% OF
STATEWIDE
TOTAL

Region: **HEIDELBERG**

Tribunal venues within region:	Heidelberg
Applications Lodged	232
Final Orders Made	317
Awards Made	236

Heidelberg Totals



Applications Lodged
232
3.2% OF
STATEWIDE
TOTAL



Final Orders Made
317
4.3% OF
STATEWIDE
TOTAL



Awards Made
236
4.7% OF
STATEWIDE
TOTAL

Region: **HUME**

Tribunal venues within region:	Benalla	Cobram	Mansfield	Seymour	Shepparton	Wangaratta	Wodonga
Applications Lodged	11	1	4	37	105	20	64
Final Orders Made	13	2	4	39	102	34	62
Awards Made	12	2	1	25	77	23	36

Hume Totals



Applications Lodged
242
3.3% OF
STATEWIDE
TOTAL



Final Orders Made
256
3.4% OF
STATEWIDE
TOTAL



Awards Made
176
3.5% OF
STATEWIDE
TOTAL

TABLE 7: Number of applications for assistance lodged, final orders and awards made by Tribunal region, 2021/22

Region: **LODDON MALLEE**

Tribunal venues within region:	Bendigo	Castlemaine	Echuca	Kerang	Kyneton	Maryborough	Mildura	Swan Hill
Applications Lodged	163	10	30	9	15	17	58	23
Final Orders Made	167	6	17	9	28	29	125	22
Awards Made	121	3	10	8	24	26	82	17

Loddon Mallee Totals



Applications Lodged
4.4% OF STATEWIDE TOTAL



Final Orders Made
5.4% OF STATEWIDE TOTAL



Awards Made
5.8% OF STATEWIDE TOTAL

Region: **MELBOURNE**

Tribunal venues within region:	Melbourne	%	Koori List	%	Tribunal Officer List	%
Applications Lodged	966	13.2%	389	5.3%	2,864	39.1%
Final Orders Made	1,163	15.6%	291	3.9%	1,748	23.5%
Awards Made	781	15.6%	185	3.7%	1,183	23.7%

Melbourne Totals



Applications Lodged
57.6% OF STATEWIDE TOTAL



Final Orders Made
43% OF STATEWIDE TOTAL



Awards Made
43% OF STATEWIDE TOTAL

Region: **NEIGHBOURHOOD JUSTICE CENTRE**Tribunal venues within region: **Collingwood**

Applications Lodged	31
Final Orders Made	63
Awards Made	42

Neighbourhood Justice Centre Totals



Applications Lodged
0.4% OF STATEWIDE TOTAL



Final Orders Made
0.8% OF STATEWIDE TOTAL



Awards Made
0.8% OF STATEWIDE TOTAL

Region: **RINGWOOD**Tribunal venues within region: **Ringwood**

Applications Lodged	339
Final Orders Made	507
Awards Made	348

Ringwood Totals



Applications Lodged
4.6% OF STATEWIDE TOTAL



Final Orders Made
6.8% OF STATEWIDE TOTAL



Awards Made
7.0% OF STATEWIDE TOTAL

TABLE 7: Number of applications for assistance lodged, final orders and awards made by Tribunal region, 2021/22

Region: **SUNSHINE**

Tribunal venues within region:	Sunshine	Werribee
Applications Lodged	332	62
Final Orders Made	351	118
Awards Made	265	83

Sunshine Totals



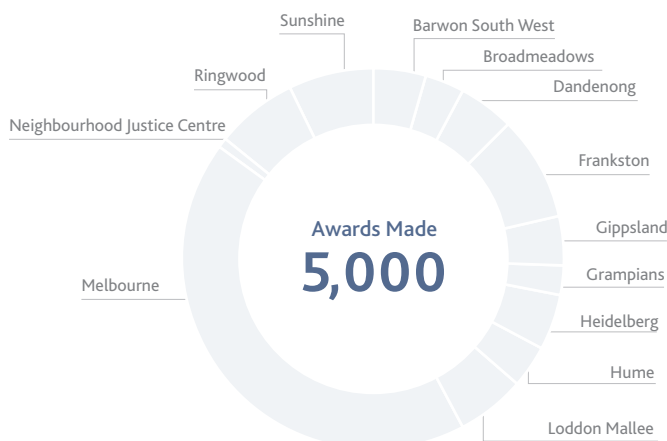
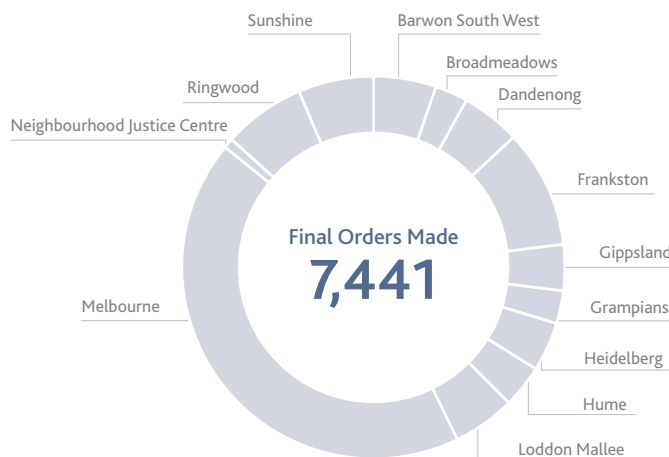
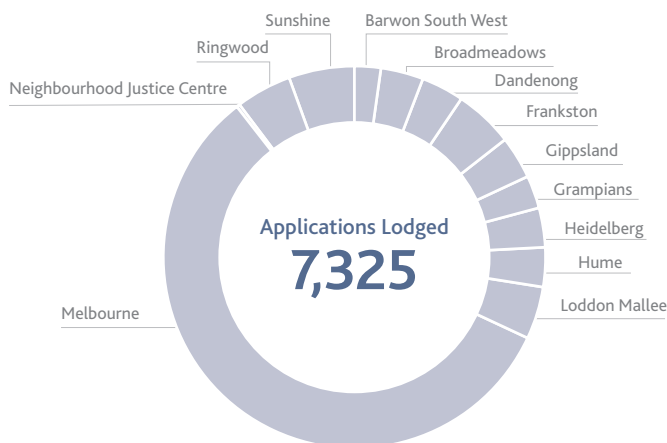
Applications Lodged
5.4% OF STATEWIDE TOTAL



Final Orders Made
6.3% OF STATEWIDE TOTAL



Awards Made
7.0% OF STATEWIDE TOTAL



Financial assistance awarded and legal costs⁴

TABLE 8: Total amount of financial assistance awarded and legal costs ordered (interim, final determination, by variation and on review), 2019/20 to 2021/22

	2019/20		2020/21		2021/22	
Financial assistance	\$54,961,072	89.5%	\$57,508,632	89.9%	\$54,435,121	89.6%
Legal costs	\$6,438,533	10.5%	\$6,451,530	10.1%	\$6,326,454	10.4%
Total	\$61,399,605	100%	\$63,960,162	100%	\$60,761,575	100%

TABLE 9: Total amount of financial assistance awarded, 2019/20 to 2021/22

	2019/20		2020/21		2021/22	
Financial assistance for expenses already incurred and lump sum payments (special financial assistance, distress, loss of earnings)	\$37,500,443	68.2%	\$38,155,483	66.3%	\$36,137,959	66.4%
Financial assistance for expenses not yet incurred	\$17,460,629	31.8%	\$19,353,149	33.7%	\$18,297,162	33.6%
Total	\$54,961,072	100%	\$57,508,632	100%	\$54,435,121	100%

TABLE 10: Total amount of financial assistance awarded by assistance type, and legal costs ordered, 2021/22

Assistance Type	Interim Award	Final Award	Award on Variation	Award on Review	Total \$	as %
Special financial assistance	\$1,650	\$12,115,161	\$75,405	\$0	\$12,192,216	20.1%
Pain and suffering	\$0	\$0	\$0	\$0	\$0	0.0%
Distress	\$0	\$5,330,488	\$15,500	\$0	\$5,345,988	8.8%
Funeral expenses	\$440,663	\$178,440	\$9,690	\$0	\$628,793	1.0%
Loss of earnings	\$65,394	\$3,075,855	\$268,538	\$0	\$3,409,786	5.6%
Dependency	\$0	\$0	\$0	\$0	\$0	0.0%
Loss/damage to clothing	\$3,586	\$171,947	\$787	\$0	\$176,320	0.3%
Counselling/ psychological/ psychiatric reports	\$824,520	\$1,280,028	\$184,362	\$0	\$2,288,910	3.8%
Counselling sessions	\$4,049,956	\$7,684,640	\$2,555,351	\$11,160	\$14,301,107	23.5%
Medical expenses	\$382,237	\$2,591,977	\$1,083,641	\$3,331	\$4,061,186	6.7%
Other expenses to assist recovery	\$250,561	\$5,651,659	\$1,298,529	\$14,269	\$7,215,017	11.9%
Safety related expenses	\$518,140	\$3,852,273	\$398,055	\$47,330	\$4,815,798	7.9%
<i>Subtotal</i>	<i>\$6,536,706</i>	<i>\$41,932,468</i>	<i>\$5,889,857</i>	<i>\$76,090</i>	<i>\$54,435,121</i>	<i>89.6%</i>
Legal costs	\$0	\$6,142,613	\$155,841	\$28,000	\$6,326,454	10.4%
Total	\$6,536,706	\$48,075,081	\$6,045,698	\$104,090	\$60,761,575	100%

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

TABLE 11: Amount of financial assistance awarded as a lump sum payment and for expenses already incurred, by type of assistance, 2021/22

Assistance Type	Interim Award	Final Award	Awarded on Variation	Awarded on Review	Total \$	as %
Special financial assistance	\$1,650	\$12,115,161	\$75,405	\$0	\$12,192,216	33.7%
Pain and suffering	\$0	\$0	\$0	\$0	\$0	0.0%
Distress	\$0	\$5,330,488	\$15,500	\$0	\$5,345,988	14.8%
Funeral expenses	\$410,538	\$168,291	\$9,690	\$0	\$588,519	1.6%
Loss of earnings	\$65,394	\$3,075,855	\$268,538	\$0	\$3,409,786	9.4%
Dependency	\$0	\$0	\$0	\$0	\$0	0.0%
Loss/damage to clothing	\$3,586	\$167,794	\$787	\$0	\$172,167	0.5%
Counselling/ psychological/ psychiatric reports	\$824,520	\$1,280,028	\$184,362	\$0	\$2,288,910	6.3%
Counselling sessions	\$505,929	\$2,351,738	\$1,107,985	\$0	\$3,965,651	11.0%
Medical expenses	\$192,271	\$1,608,743	\$547,026	\$451	\$2,348,492	6.5%
Other expenses to assist recovery	\$93,610	\$2,599,625	\$655,835	\$5,671	\$3,354,741	9.3%
Safety related expenses	\$143,292	\$2,060,650	\$267,547	\$0	\$2,471,489	6.8%
Total	\$2,240,790	\$30,758,373	\$3,132,674	\$6,122	\$36,137,959	100%

TABLE 12: Amount of financial assistance awarded for expenses not yet incurred, by type of assistance, 2021/22

Assistance Type	Interim Award	Final Award	Awarded on Variation	Awarded on Review	Total \$	as %
Counselling sessions	\$3,544,027	\$5,332,902	\$1,447,367	\$11,160	\$10,335,455	56.5%
Medical expenses	\$189,965	\$983,234	\$536,615	\$2,880	\$1,712,694	9.4%
Loss/damage to clothing	\$0	\$4,154	\$0	\$0	\$4,154	0.0%
Other expenses to assist recovery	\$156,951	\$3,052,033	\$642,693	\$8,598	\$3,860,276	21.1%
Funeral expenses	\$30,125	\$10,149	\$0	\$0	\$40,274	0.2%
Safety related expenses	\$374,848	\$1,791,623	\$130,508	\$47,330	\$2,344,309	12.8%
Total	\$4,295,916	\$11,174,095	\$2,757,183	\$69,968	\$18,297,162	100%

TABLE 13: Number of final awards of financial assistance made, and average amount of financial assistance awarded on final determination, 2019/20 to 2021/22

	2019/20	2020/21	2021/22
Number of awards of financial assistance made	5,345	5,319	5,000
Amount of financial assistance awarded	\$42,153,724	\$44,101,250	\$41,932,468
Average amount of financial assistance awarded	\$7,887	\$8,291	\$8,386

TABLE 14: Number of primary victims awarded special financial assistance and amount awarded on determination of application, by category, 2019/20 to 2021/22

	Number			Distribution		
	2019/20	2020/21	2021/22	2019/20	2020/21	2021/22
Number of primary victims who were awarded special financial assistance by category						
Category A	793	842	754	18.0%	18.9%	17.5%
Category B	1,064	1,150	1,034	24.2%	25.8%	24.0%
Category C	1,613	1,483	1,428	36.6%	33.2%	33.1%
Category D	932	991	1,100	21.2%	22.2%	25.5%
Total	4,402	4,466	4,316	100%	100%	100%
Amount of special financial assistance awarded by category						
Category A	\$6,766,986	\$7,297,539	\$6,519,154	53.2%	55.0%	53.8%
Category B	\$3,223,875	\$3,488,877	\$3,117,000	25.4%	26.3%	25.7%
Category C	\$2,051,540	\$1,878,335	\$1,800,155	16.1%	14.1%	14.9%
Category D	\$667,710	\$615,095	\$678,852	5.3%	4.6%	5.6%
Total	\$12,710,111	\$13,279,846	\$12,115,161	100%	100%	100%
Average amount of special financial assistance awarded by category						
Category A	\$8,533	\$8,667	\$8,646			
Category B	\$3,030	\$3,034	\$3,015			
Category C	\$1,272	\$1,267	\$1,261			
Category D	\$716	\$621	\$617			
Total	\$2,887	\$2,974	\$2,807			

TABLE 15: Number of related victims awarded financial assistance for distress and amount awarded on final determination, 2019/20 to 2021/22

	2019/20	2020/21	2021/22
Number of related victims who were awarded financial assistance for distress	254	292	237
Amount of financial assistance awarded to related victims for distress on determination of application	\$5,375,605	\$5,551,387	\$5,330,488
Average amount of financial assistance awarded to related victims for distress	\$21,164	\$19,012	\$22,492

TABLE 16: Amount of legal costs ordered to be paid on the final determination of applications for financial assistance, and average legal costs ordered, 2019/20 to 2021/22

	2019/20	2020/21	2021/22
Number of awards of financial assistance made	5,345	5,319	5,000
Amount ordered to be paid for legal costs	\$6,217,641	\$6,292,666	\$6,142,613
Average amount of legal costs ordered to be paid per awarded applicant	\$1,163	\$1,183	\$1,229

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 2019/20 to 2021/22

	2019/20	2020/21	2021/22
Number of interim awards of assistance made by Tribunal Members	1,249	1,352	995
Number of interim awards of assistance made by Judicial Registrars	243	220	237
Number of interim awards of assistance made by Tribunal Officers	0	0	331
Number of interim awards of assistance made by Registrars	685	573	325
Total number of interim awards of assistance made for expenses already incurred	2,177	2,145	1,888
Proportion of interim awards made by Tribunal Officers	0	0	17.5%
Proportion of interim awards made by Registrars	31.5%	26.7%	17.2%
Amount of interim financial assistance awarded for expenses already incurred	\$2,566,467	\$2,521,948	\$2,240,790
Average amount of interim financial assistance awarded for expenses already incurred	\$1,179	\$1,176	\$1,187

TABLE 18: Number of interim awards of financial assistance made where financial assistance was awarded for expenses not yet incurred, and amount awarded, 2019/20 to 2021/22

	2019/20	2020/21	2021/22
Number of interim awards of assistance made by Tribunal Members	1,077	1,234	854
Number of interim awards of assistance made by Judicial Registrars	187	164	175
Number of interim awards of assistance made by Tribunal Officers	0	0	281
Number of interim awards of assistance made by Registrars	549	511	231
Total number of interim awards of assistance made for expenses not yet incurred	1,813	1,909	1,541
Proportion of interim awards made by Tribunal Officers	0	0	18.2%
Proportion of interim awards made by Registrars	30.3%	26.8%	15.0%
Amount of interim financial assistance awarded for expenses not yet incurred	\$4,562,456	\$5,235,125	\$4,295,916
Average amount of interim financial assistance awarded for expenses not yet incurred	\$2,517	\$2,742	\$2,788

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, 2019/20 to 2021/22

	2019/20	2020/21	2021/22
Number of awards varied to award further financial assistance for expenses already incurred	1,512	1,539	1,792
Amount of financial assistance awarded on variation for expenses already incurred	\$3,023,395	\$3,072,324	\$3,132,674
Average amount of financial assistance awarded on variation for expenses already incurred	\$2,000	\$1,996	\$1,748

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, 2019/20 to 2021/22

	2019/20	2020/21	2021/22
Number of awards varied to award further financial assistance for expenses not yet incurred	874	856	865
Amount of financial assistance awarded on variation for expenses not yet incurred	\$2,612,817	\$2,561,005	\$2,757,183
Average amount of financial assistance awarded on variation for expenses not yet incurred	\$2,989	\$2,992	\$3,187

Applications for review of decisions

TABLE 21: Number of applications for review finalised by the Victorian Civil and Administrative Tribunal, by outcome, 2019/20 to 2021/22

Outcome	2019/20		2020/21		2021/22	
	Count	Percentage	Count	Percentage	Count	Percentage
Original order/award set aside and new award made on review	3	18.8%	2	14.3%	1	9.1%
Award varied on review	1	6.3%	1	7.1%	4	36.4%
Order affirmed on review	4	25.0%	5	35.7%	3	27.3%
Application for assistance remitted to original decision-maker for determination	3	18.8%	2	14.3%	2	18.2%
Application for review dismissed	1	6.3%	1	7.1%	0	0.0%
Application for review struck out / withdrawn / abandoned	4	25.0%	3	21.4%	1	9.1%
Total	16	100%	14	100%	11	100%

TABLE 22: Number of awards of financial assistance made or varied by the Victorian Civil and Administrative Tribunal on review, and average amount of financial assistance awarded on review, 2019/20 to 2021/22

	2019/20	2020/21	2021/22
Number awards of assistance made or varied on review	4	3	5
Amount of financial assistance awarded on review	\$42,213	\$16,980	\$76,090
Average amount of financial assistance awarded on review	\$10,553	\$5,660	\$15,218





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. 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.⁵

Financial assistance paid

In the year ending 30 June 2022, the Tribunal paid a total amount of \$42,979,559 (compared to \$46,443,727 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 2022, VOCAT's operating costs were \$5,605,882 compared to \$4,110,500 in the previous year (an increase of 36.4%). An increase in the Tribunal's staffing profile, higher than usual contractor engagements to manage backlog and increased demand, and set up costs for TOL 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 and Judicial Registrars as decision-makers and
- ▶ being supported by Magistrates' Court Registrars.

The Magistrates' Court absorbs a proportion of VOCAT's operating costs, including Magistrates' salaries⁶ 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 2022, the average cost per finalised application for financial assistance was \$753⁷ compared to \$519 in the previous year. This represents an increase of 45%.

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 Judicial salaries. The figures therefore do not accurately reflect the true costs of VOCAT's operations.

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

6. 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.

7. 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 2022

	Note	2019/20	2020/21	2021/22
Special Appropriations				
	1			
Salaries, Overtime & Annual Leave		\$2,436,631	\$2,836,717	\$ 3,368,335
Superannuation		\$164,649	\$170,019	\$286,107
Payroll Tax		\$93,057	\$96,302	\$174,924
Provision for Long Service Leave		\$44,947	\$16,494	\$118,230
Workcover Levy		\$8,654	\$7,321	\$11,822
Fringe Benefits Taxation		–	–	–
Total salaries and associated expenditure		\$2,747,937	\$3,126,853	\$ 3,959,418

Operating Expenditure				
Travel & Personal Expenses		\$7,426	\$928	\$4,553
Printing, Stationery & Subscriptions		\$36,543	\$42,963	\$69,907
Postage & Communication		\$11,164	\$1,441	\$13,009
Contractors and Professional Services	2	\$160,405	\$325,010	\$833,795
Training and Development		\$9,863	\$9,778	\$51,564
Motor Vehicle Expenses		\$59	–	–
Operating Expenses		\$532,993	\$532,933	\$535,632
Information Technology Costs		\$19,914	\$43,445	\$107,804
Rent Utilities and Property Services		\$27,857	\$27,148	\$30,200
Repairs and Maintenance		–	–	–
Total operating expenditure		\$806,224	\$983,647	\$1,646,464
Total salaries and operating expenditure		\$3,554,161	\$4,110,500	\$5,605,882

Special Appropriations				
Award payments		\$44,045,661	\$46,443,727	\$ 42,979,559
Total Awards	3	\$44,045,661	\$46,443,727	\$ 42,979,559

Notes to and forming part of the financial statement

This Financial statement is based upon financial data available as at 12 July 2022.

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 2022.

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 2022.

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

Chief Magistrate

Justice Lisa Hannan

Deputy Chief Magistrates

Ms Felicity Broughton

Ms Susan Wakeling

Magistrates

Mr Ian Alger
(until 26 July 2021)

Ms Marita Altman

Ms Susan Armour

Ms Megan Aumair

Mr Julian Ayres

Ms Donna Bakos

Mr Guillaume Bailin

Mr Stephen Ballek

Ms Julia Barling
(from 15 June 2022)

Ms Hayley Bate

Ms Luisa Bazzani

Mr John Bentley

Ms Amina Bhai

Ms Jacqueline Billings

Ms Angela Bolger

Ms Jade Bott

Ms Caroline Boulton
(from 14 December 2021)

Mr Tim Bourke

Ms Jennifer Bowles

Mr Gerard Bryant

Ms Abigail Burchill

Mr Tony Burns

Ms Carolyn Burnside

Ms Alexandra Burt

Mr Darrin Cain

Ms Suzanne Cameron

Ms Victoria Campbell

Mr Andrew Capell

Mr Michael Coghlan

Ms Ann Collins

Mr Gregory Connellan

Ms Erica Contini
(from 1 March 2022)

Ms Suzette Dootjes

Mr Peter Dotchin

Ms Alanna Duffy

Mr Peter Dunn

Ms Michelle Ehrlich
(until 28 February 2022)

Ms Rosemary Falla

Mr David Fanning

Mr David Faram

Mr Bernard 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 Timothy Greenway
(from 14 December 2021)

Ms Kirstie Grigor
(from 15 June 2022)

Mr Martin Grinberg

Ms Jennifer Grubissa

Mr Simon Guthrie

Mr Andrew Halse

Ms Robyn Hamilton
(from 15 June 2022)

Mr John Hardy

Ms Tara Hartnett

Ms Annabel Hawkins

Ms Kate Hawkins
(until 10 August 2021)

Ms Fiona Hayes
(VOCAT Supervising Magistrate)

Mr Rodney Higgins
(until 14 July 2021)

Mr Timothy Hoare

Ms Meghan Hoare

Ms Michelle Hodgson

Ms Cecily Hollingworth
(from 21 September 2021)

Mr Franz Holzer

Ms Gail Hubble

Mr Trieu Huynh

Ms Meagan Keogh

Mr Graeme Keil

Mr Russell Kelly

Mr Costas Kiliadis

Dr Michael King

Mr Randall Kune

Ms Elizabeth Langdon

Mr Nunzio La Rosa

Mr Rohan Lawrence
(from 21 September 2021)

Mr Stephen Lee

Mr Dominic Lennon

Mr Gerard Lethbridge

Ms Denise Livingstone

Ms Cynthia Lynch
(from 21 September 2021)

Ms Mary-Anne MacCallum

Ms Ann McGarvie

Ms Jan Maclean

Ms Kay MacPherson

Ms Urfa Masood

Mr Ross Maxted

Ms Therese McCarthy

Mr Andrew McKenna

Mr Gregory McNamara
(until 3 October 2021)

Mr Michael McNamara

Ms Sharon McRae

Ms Frances Medina

Mr Peter Mellas

Ms Johanna Metcalf

Mr Peter Mithen

Ms Helen Murphy

Ms Michelle Mykytowycz

Mr John O'Callaghan

Ms Julie O'Donnell

Mr Jason Ong
(from 21 September 2021)

Ms Kim Parkinson

Mr Anthony Parsons

Mr Shiva Pillai

Mr Richard Pithouse

Ms Roslyn Porter

Ms Samantha Poulter
(from 14 December 2021)

Ms Vicky Prapas

Mr Hugh Radford

Mr Peter Reardon

Mr Michael Richards

Mr Gregory Robinson

Ms Kay Robertson

Ms Kristen Rose

Mr Mark Sabljak
(from 15 June 2022)

Mr Ronald Saines

Mr Marc Sargent

Mr Paul Smith

Ms Sharon Smith

Mr Patrick Southey

Ms Pauline Spencer

Mr David Starvaggi

Mr Robert Stary
(from 14 December 2021)

Ms Melissa Stead

Ms Fiona Stewart

Mr Mark Stratmann

Ms Jacinta Studham

Ms Stella Stuthridge

Ms Mia Stylianou

Ms Kimberley Swadesir

Mr Charles Tan

Ms Noreen Toohey

Ms Cynthia Toose

Ms Letizia Torres

Ms Jennifer Tregent

Ms Olivia Trumble

Ms Belinda Wallington

Mr Tim Walsh

Ms Nahrain Warda

Mr Mike Wardell

Mr Ian Watkins

Mr Matthew White
(from 21 September 2021)

Mr Michael Wighton

Ms Christina Windisch
(from 15 June 2022)

Mr Brian Wright
(until 18 July 2021)

Mr Simon Zebrowski

Mr Francis Zemljak

Reserve Magistrates

Mr Tom Barrett

Mr Ross Betts

Mr Barry Braun

Mr Brian Clifford

Mr Bruce Cottrill

Mr Rodney Crisp

Mr John Doherty

Ms Michelle Ehrlich

Ms Margaret Harding

Mr Louis Hill

Mr Frank Jones

Mr Jonathan Klestadt

Mr Bob Kumar

Ms Cathy Lamble

Mr John Lesser

Mr Gregory Levine

Mr Lance Martin

Mr Ian McGrane

Mr Gregory McNamara

Mr Peter Mealy

Mr Daniel Muling

Mr John Murphy

Mr John O'Brien

Ms Jelena Popovic

Mr Steven Raleigh

Mr Duncan Reynolds

Mr Charlie Rozencwajg

Mr Barry Schultz

Mr Michael Smith

Mr Alan Spillane

Mr Iain West

Mr Brian Wright

Judicial Registrars

Ms Ruth Andrew

Mr Julian Bartlett

Mr Michael Bolte

Ms Shannon Dellamarta

Ms Samantha Dixon

Ms Kristie Eales

Ms Kathryn Fawcett
(from 10 February 2022)

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
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223 William Street, Melbourne
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