

## GOSNELLS COMMUNITY LEGAL CENTRE INC. – VICTIM COMPENSATION PROGRAM

### *Self help guide to filing your Criminal Injuries Compensation claim*

This self help guide provides general information only and basic guidelines to the steps in filing your application with the Chief Assessor of Criminal Injuries Compensation and should not be considered as legal advice. Should you require legal advice you should contact a lawyer prior to filing your application.

#### **Step 1:**

Complete an application for Criminal Injury Compensation  
[http://www.courts.dotag.wa.gov.au/files/criminal\\_injuries\\_compensation](http://www.courts.dotag.wa.gov.au/files/criminal_injuries_compensation)

#### **Step 2:**

Obtain supporting documents\*

#### **Step 3**

Sign the Application. Attach supporting documents\* and keep a copy for yourself

#### **Step 4**

Send the Application together with the supporting documents\* to the Chief Assessor, Criminal Injuries Compensation, G.P.O Box F317 Perth WA 6841.

#### **\*Supporting documents**

- (1) *Physical and /or mental injury reports*
- (2) *Police reports or documents*
- (3) *Statement from the employer's worker's compensation insurer or private insurer (if applicable)*
- (4) *Proof of expenses (if applicable)*
- (5) *Signed victim impact statement by the victim of how the offence occurred and its' effect on the victim*
- (6) *Statements by witnesses who have seen the mental and physical effects of the injuries of the victim (if applicable)*

## **Step 1: Apply**

- (1) Download / print and complete an Application for Criminal Injuries Compensation from [http://www.courts.dotag.wa.gov.au/files/criminal\\_injuries\\_compensation.pdf](http://www.courts.dotag.wa.gov.au/files/criminal_injuries_compensation.pdf)
- (2) If you are under 18 years old a parent or guardian can fill in your Application on your behalf.
- (3) You can also get a paper copy of the Application and file it with the Chief Assessor, Criminal Injuries Compensation, Department of the Attorney General GPO Box F317, Perth WA 6841 Telephone (08) 9424 3250.

## **Step 2: Obtain supporting documents**

- (1) Physical and / or mental injury reports

These reports are to be obtained from the medical providers who treated your injuries. The reports need to include dates of consultations for your injuries, results of any tests, the diagnosis, if the offence was the only reason for your injury, the type of treatment you got and whether you still require treatment.

- (2) Police reports or documents

(a) If the offender was charged and convicted, you can request the “permissible information”. The permissible information request form is available online from <https://www.police.wa.gov.au/Police-Direct/Permissible-Information> and can be submitted online;

(b) If the offender was not charged and convicted, you can request information by completing a Freedom of Information request form. The form is available online from <https://www.police.wa.gov.au/Police-Direct/Freedom-of-Information>

(c) You can also request these forms from and post the forms to the Information Release Centre at the Office of Information Management, Judicial Services Level 4 Eastpoint Plaza, 233 Adelaide Terrace, Perth, Phone (08) 9260 7777.

- (3) Workers’ compensation or other insurance reports (if applicable)

If you have also claimed against workers’ compensation or private insurance you will have to submit, with the Criminal Injuries Compensation Application, a statement from your employer’s worker’s compensation insurer or your private insurer regarding the amounts paid to you and the dates when they were paid to you.

- (4) Proof of expenses (if applicable)

If you are asking for an interim payment for any expenses you have already paid such as to obtain medical reports, or for those you are anticipating incurring before the final determination of the claim, you will need to attach copies of receipts for expenses paid or invoices for expenses yet to be paid.

If you are applying as a close relative of a person killed as a result of an offence, you may also claim for reasonable funeral expenses.

- (5) Signed statement by the victim of how the offence occurred and its effect on the victim

Prepare a statement that contains details of how the offence occurred, the type and extent of your physical and mental injuries, the loss of enjoyment in your life and the effects of the offence on your life from the time it occurred up to the present time.

- (6) Statements by witnesses who have seen the effects of the injuries on you (if applicable)

Request witness statements that support your statement from family or close friends who have seen the mental and physical effects of the injuries suffered by you. If there were witnesses who saw the offence taking place, you can ask them to write a statement about what they saw or heard and add these statements to your application.

### **Step 3: Sign and photocopy**

When you have filled in all the information in the application and obtained all the necessary supporting documents, you should sign the application. If you are over 18 years you can sign it yourself while a parent or guardian can sign it on your behalf if you are under 18 years.

Once you have signed your application make sure to photocopy it and the supporting documents so you have a copy for your records.

### **Step 4: File**

The application and the supporting documents should be sent to the Chief Assessor, Criminal Injuries Compensation GPO Box F317 Perth 6841. Remember to complete the Acknowledgement of Application slip on the front of the application form.

The Application should be filed within three (3) years of the offence occurring unless you have requested and received an extension of time from the Assessor. There is no fee payable to file the Application.