

# **NORTHERN TERRITORY OF AUSTRALIA**

## **LOCAL COURT (CRIMES (VICTIMS ASSISTANCE)) RULES**

As in force at 20 April 1992

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# NORTHERN TERRITORY OF AUSTRALIA

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As in force at 20 April 1992

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## LOCAL COURT (CRIMES (VICTIMS ASSISTANCE)) RULES

### Rules under the *Local Court Act*

#### 1 Citation

These Rules may be cited as the *Local Court (Crimes (Victims Assistance)) Rules*.

#### 2 Commencement

These Rules shall come into operation on 20 April 1992.

#### 3 Application of Rules and transitional

- (1) These Rules apply to an application in respect of an offence committed on or after 1 August 1990.
- (2) These Rules apply, with the necessary modifications, to an application referred to in subrule (1) that was commenced in the Court before the commencement of these Rules.
- (3) An application in respect of an offence committed before 1 August 1990 shall continue, or be made, in accordance with the procedure in force before the commencement of these Rules (including but not limited to the procedure in force under the *Crimes Compensation Regulations*), subject to practice directions made under section 21 of the *Local Court Act*.

#### 4 Definitions

In these Rules, unless the contrary intention appears:

**Act** means the *Crimes (Victims Assistance) Act*.

**applicant** has the same meaning as under the Act.

**offender** has the same meaning as under the Act.

**Solicitor for the Northern Territory** means the Solicitor for the Northern Territory established under section 8 of the *Law Officers Act*.

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## **5 Compliance with Rules**

The Court may dispense with compliance with these Rules before or after the occasion for compliance arises.

## **6 Forms**

- (1) An application under:
  - (a) section 5(1) of the Act shall be in accordance with Form 5(1);
  - (b) section 5(2) of the Act shall be in accordance with Form 5(2);  
and
  - (c) section 5(3) of the Act shall be in accordance with Form 5(2A).
- (2) An assistance certificate issued under section 8 pursuant to an application under section 5 of the Act shall be in accordance with Form 8 and shall be signed by the Registrar.
- (3) A notice for the purpose of section 8(4) of the Act shall be in accordance with Form 8(4).
- (4) A notice of payment under section 21(2) of the Act shall be in accordance with the form prescribed by regulations made pursuant to the Act for the purposes of that section.

## **7 Service**

- (1) A document required or permitted to be served under the Act or these Rules shall be served personally if personal service is required by the Act or these Rules or by the order of the Court.
- (2) Subject to section 6 of the Act and to subrule (3), a copy of an application shall be served personally on:
  - (a) the Solicitor for the Northern Territory; and
  - (b) where his or her identity is known, the offender,not later than 3 months after the application has been filed in the Court.
- (3) Subject to section 6 of the Act, the Court may give directions about the method of service (including service by post) and may extend the time for service of an application or a document required or permitted to be served under the Act or these Rules.
- (4) Notwithstanding subrules (1), (2) and (3), it is sufficient service of a copy of an application or of a supporting document on an offender, who is in a prison or a juvenile detention centre in the Territory, for

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the application or document to be delivered to or sent by pre-paid post addressed to the offender, care of the superintendent of the prison or juvenile detention centre in which the offender is detained.

- (5) An affidavit, statutory declaration or unattested declaration of service in relation to service of an application or document referred to in this rule shall be filed as soon as practicable in the office of the Court in which the application was filed.
- (6) In the case of personal service of a document, an affidavit or declaration of its service shall state by whom it was served, the hour, day and date on which it was served, the place of service and the manner of identification of the person served.
- (7) In the case of service, other than personal service, of a document, an affidavit or declaration of its service shall state, with relevant dates, the facts constituting service.
- (8) A document purporting to be an affidavit or declaration of service shall be taken to be evidence of the proper service of the document unless the contrary is proved.

## **8 Material in support of application**

- (1) An application may be accompanied by an affidavit or a statutory declaration in support of the application and, where the applicant is in possession of a medical report on which he or she intends to rely at the hearing of the application, shall be accompanied by a copy of the report.
- (2) Order 18 of the *Local Court Rules* applies to a supporting affidavit referred to in subrule (1).

## **9 Mention date**

- (1) On the filing of an application under section 5 of the Act, a date shall be fixed for mention of the application.
- (2) The date fixed under subrule (1) shall be 28 days after the filing of an application or as soon as practicable thereafter.
- (3) Where under subrule (1) a mention date has been fixed, each party shall:
  - (a) attend at the time of the mention date:
    - (i) in person;
    - (ii) by a legal practitioner;

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- (iii) by an articulated clerk unless the Court otherwise orders; or
    - (iv) by some other person by leave of the Court;
  - (b) be prepared to answer a question asked by the Court concerning the application; and
  - (c) be in a position to respond properly to an offer or consent agreement made by some other party.
- (4) At a mention date:
- (a) the applicant shall, as far as practicable, be in a position to indicate the precise extent, and all the particulars, of the application; and
  - (b) each offender shall, as far as practicable, be in a position to indicate the issues, if any, on which liability is denied and the grounds on which it is denied.
- (5) If a party fails:
- (a) to attend a mention date after receiving notice to attend; or
  - (b) to comply with subrule (3)(b) or (c),
- the Court may:
- (c) in the case of failure by an applicant, dismiss the claim; or
  - (d) in the case of failure by a legal practitioner acting for a party:
    - (i) adjourn the mention date to a later date and require the attendance of the party in person;
    - (ii) order that the legal practitioner is not entitled to claim costs related to the failure against his or her client; or
    - (iii) make an order for an award of costs against the legal practitioner personally.
- (6) At a mention date the Court may:
- (a) give such directions as it thinks necessary for the expeditious determination of the proceedings;
  - (b) of its own motion or on application by a party:
    - (i) adjourn the mention date and fix a date for the adjourned mention date;

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- (ii) fix a date for its hearing;
  - (iii) fix a date after which a party may apply for a formal determination of the proceeding;
  - (iv) order that service on the offender of the application and other documents required by these Rules be dispensed with;
  - (v) give directions about the method of service and extend the time for service of the application or a document in accordance with rule 7(3);
  - (vi) where the application for an assistance certificate is made in pursuance of section 5(2A) of the Act, make an order for service of the application on another person in pursuance of section 8(4)(b) of the Act;
  - (vii) in pursuance of section 10A of the Act, issue an assistance certificate;
  - (viii) order the adjournment of proceedings under section 16 of the Act; or
  - (ix) make such orders as it thinks necessary with regard to the exchange of the reports of persons, in their capacity as experts, on which the parties intend to rely at the hearing of the application,

or a combination of them and give leave, on such terms and conditions as it thinks fit, for a party to apply; or

- (c) on application by an offender or by the Solicitor for the Northern Territory, make such orders as it thinks necessary requiring the applicant to submit to an examination by a medical expert, including orders as to the costs of such examination, the filing of the medical report, and the delivery of a copy of the medical report to the applicant.
- (7) For the purpose of, but without limiting the generality of, subrule (6)(a), directions given by the Court may relate to:
- (a) the service of documents;
  - (b) the settling of issues for the hearing of an application;
  - (c) particulars to be provided in relation to an application;
  - (d) the attendance of the parties to give evidence, whether or not on oath, at a mention date or at the hearing of a proceeding;

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- (e) the facilitating of an agreement between the parties;
  - (f) the giving of evidence and the calling of witnesses;
  - (g) the admission into evidence of facts or documents; and
  - (h) expediting further hearings.

## **10 Fees**

- (1) The amount of the fee payable for filing an application under section 5 of the Act is the same as the amount of the fee prescribed by the *Local Court Rules* payable for commencing proceedings for a non-monetary amount.
- (2) The amount of the fee payable for service of a document in accordance with the Act and these Rules is the same as the amount the fee would be if the service of the document were in accordance with the *Local Court Act* or *Local Court Rules*.

## **11 Costs**

- (1) Subject to subrule (2), Order 36 of the *Local Court Rules*, and the Schedule to the Order, apply to an order made by the Court under section 8 of the Act that the Territory shall pay an amount of costs.
- (2) Where more than one application is heard by the Court at the same time, the Court may, in respect of the applications, order a reduction of costs as it thinks fit.



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**Schedule****Forms**

## FORM 5(1)

## NORTHERN TERRITORY OF AUSTRALIA

*Crimes (Victims Assistance) Act*section 5(1)  
rule 6(1)(a)

## APPLICATION FOR ASSISTANCE

IN THE LOCAL COURT  
AT

Application No:

Applicant

Name:

Date of birth:

Address:

Solicitor for applicant:

Address:

Solicitor for  
the Crown:Solicitor for the Northern Territory  
Safety House, Mitchell Street, DARWIN

Offender(s)

Name:

Address:

The applicant should complete the above details.

This application is made to the Local Court for assistance under the *Crimes (Victims Assistance) Act*. Details of the application are contained below.DETAILS OF APPLICATION  
(to be completed by applicant)

## 1. PERSON TO WHOM APPLICATION RELATES

NOTE: This section only to be completed if the person making the application is not the victim. Section 5(1) of the *Crimes (Victims Assistance) Act* provides that an application may be made only by the victim or by some other person who in the opinion of the Court represents the interests of the victim where the victim is an infant or not able to manage his or her affairs.

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Family name of person to whom application relates:  
Given names:  
Date of birth:  
Address:  
Applicant's relationship with the person (eg, mother/ father):

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## 2. OFFENCE

Time and date:  
Location:  
What happened:  
Did the offence occur at work? YES/NO  
If yes, give details:  
Did the offence arise out of the use of a motor vehicle?  
  
YES/NO

If yes, give details:

NOTE: Section 12(e) of the *Crimes (Victims Assistance) Act* provides that the Court shall not issue an Assistance Certificate arising out of the use of a motor vehicle except where the use constitutes an offence under the Criminal Code.

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## 3. REPORT TO POLICE

Time and date:  
Name of member of the Police Force (if known):  
Police Station:  
Reason for delay (if any) in reporting:

NOTE: Section 12(b) of the *Crimes (Victims Assistance) Act* provides that a certificate shall not be issued where the commission of the offence was not reported to the Police unless the Court is satisfied that circumstances existed which prevented the reporting of the offence.

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#### 4. COURT PROCEEDINGS

NOTE: Here insert details of any court proceedings against the offender of which you are aware including any criminal proceedings or any civil proceedings you may have commenced against the offender.

Court and location (if known):

Date (if known):

Offence(s)/Proceedings (if known):

Judge/Magistrate (if known):

Current position/result (if known):

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#### 5. INJURIES (brief details)

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#### 6. CONTINUING DISABILITIES (brief details)

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#### 7. EXPENSES (actual)(full details)

Medical, hospital, dental, chemist and other similar fees:

Fees for medical and other similar reports:

Name of private health fund (if a member):

Total of amounts for medical expenses, &c., received or receivable from:

1. Medicare:
2. Private health insurance:
3. Accident insurance:
4. Work health/workers compensation:
5. Other (eg, court proceedings):

NOTE: YOU WILL NEED TO SHOW PROOF OF THESE CLAIMS BY PRODUCING ACCOUNTS FOR PAYMENT, &c.

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8. LOSS OF EARNINGS (actual) (full details)

Name of employer:

Address of employer:

Period(s) absent from work:

Gross loss of income:

Nett loss of income:

Totals of amounts for loss of earnings received or receivable from other sources:

1. Gross sick pay:  
Nett sick pay:
2. Work health/workers' compensation:
3. Sickness/unemployment benefits:
4. Accident insurance:
5. Other (including the offender):

NOTE: Under section 13 of the *Crimes (Victims Assistance) Act* the Court is to have regard to amounts recoverable from other sources.

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9. ANY OTHER AMOUNTS RECEIVED OR RECEIVABLE FROM OTHER SOURCES (include any amount claimed or intended to be claimed)

NOTE: Under section 13 of the *Crimes (Victims Assistance) Act* the Court is to have regard to amounts recoverable from other sources.

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10. LOSS OF CLOTHING:

NOTE: Under section 9(j) of the *Crimes (Victims Assistance) Act*, payment may be made only for loss or damage to clothing worn when the injury occurred. You will need to show proof of these claims by producing accounts for payment, &c.

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11. ANY OTHER EXPENSES AND LOSSES (brief details):

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12. SUPPORTING DOCUMENTS:

You will need to show proof of your expenses, injuries, &c. In particular you will need to produce the following:

1. Medical (doctor, dentist, social worker, &c.) reports describing injuries, treatment, ongoing disability and prognosis.
2. If lost income is claimed, documents that establish:
  - (a) the period(s) absent from work as a result of the injury;
  - (b) the gross and net amounts of income that would have been earned during the period; and
  - (c) gross and net amounts of any sick leave or other payment made during the period.
3. Accounts/receipts/statements for treatment, reports and repair/replacement of personal effects.

Signed:

*(Applicant)*

or

*(Applicant's Solicitor)*

The address for service of the applicant shall be:

Postcode

(Your address for service is the address at which all documents can be forwarded to you)

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NOTICE TO ALL PARTIES  
(To be completed by court staff)

A mention date has been listed to take place at *(time)* am/pm on *(date)* at *(address of court)*

You must attend at this conference personally, by your legal practitioner or by some other person with leave of the Court.

If you do not attend the Court may proceed to hear the application in your absence.

Date filed: 19 .

Registrar

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PROOF OF SERVICE

I, (1) do solemnly and sincerely declare that I duly served the Crown with this application by delivering a true copy to:

The Solicitor for the Northern Territory  
at Safety House, Mitchell Street, Darwin

at (hour) am/pm on (day) the (date) of 19 and duly served the offender (2) at (hour) am/pm on (day) the (date) of 19 with this application by

(3)

And I make this solemn declaration by virtue of the *Oaths Act* conscientiously believing the statements contained in this declaration to be true in every particular.

Declared at on 19 .

(4)

NOTE: A person wilfully making a false statement in a declaration is liable to a penalty of \$2,000 or imprisonment for 12 months, or both.

- (1) Name and address of person making the declaration.
- (2) Name and address of offender.
- (3) Here insert details of service including place of service and manner of identification. Where the offender is in a prison or juvenile detention centre the application may be served by delivering or sending it by pre-paid post to the Superintendent of the prison or detention centre.
- (4) Signature of the person making the declaration.

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FORM 5(2)

## NORTHERN TERRITORY OF AUSTRALIA

*Crimes (Victims Assistance) Act*section 5(2)  
rule 6(1)(b)

## APPLICATION FOR ASSISTANCE FOR DEPENDANTS

IN THE LOCAL COURT  
AT

Application No:

Applicant

Name:

Date of birth:

Address:

Solicitor for applicant:

Address:

Solicitor for  
the Crown:Solicitor for the Northern Territory  
Safety House, Mitchell Street, DARWIN

Offender(s)

Name:

Address:

The applicant should complete the above details.

This application is made to the Local Court for assistance under the *Crimes (Victims Assistance) Act*. Details of the application are contained below.

## DETAILS OF APPLICATION

## 1. RELATIONSHIP WITH DEPENDANTS

NOTE: Section 5(2) of the *Crimes (Victims Assistance) Act* provides that an application on behalf of the dependants of a deceased victim can only be made by a person who in the opinion of the Court is a suitable person to represent the interests of the dependants of a deceased victim.

Applicant's relationship with dependants of deceased victim  
(eg, mother/father):  

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## 2. DEPENDANTS

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Name of dependant	Age	Relationship to deceased victim (eg, son/daughter)
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(The names and details of all dependants should be provided)

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## 3. PARTICULARS OF DECEASED

Name: (*surname*)                      (*other names*)  
Date of death:  
at:    (*location*)

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## 4. OFFENCE

Time and date:

Location:

What happened:

Did the offence occur at work?                      YES/NO

If yes, give details:

Did the offence arise out of the use of a motor vehicle?  
YES/NO

If yes, give details:

NOTE:            Section 12(e) of the *Crimes (Victims Assistance) Act* provides that the Court shall not issue an assistance certificate arising out of the use of a motor vehicle except where the use constitutes an offence under the Criminal Code.

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5. REPORT TO POLICE

Time and date:

Name of member of the Police Force (if known):

Police Station:

Reason for delay (if any) in reporting:

NOTE: Section 12(b) of the *Crimes (Victims Assistance) Act* provides that a certificate shall not be issued where the commission of the offence was not reported to the Police unless the Court is satisfied that circumstances existed which prevented the reporting of the offence.

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6. COURT PROCEEDINGS

NOTE: Here insert details of any court proceedings against the offender of which you are aware including any criminal proceedings or any civil proceedings you may have commenced against the offender.

Court and location (if known):

Date (if known):

Offence(s)/Proceedings (if known):

Judge/Magistrate (if known):

Current position/result (if known):

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7. DETAILS OF FINANCIAL LOSS OF DEPENDANTS

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8. DETAILS OF AMOUNTS RECEIVED/RECEIVABLE BY THE DEPENDANTS FROM:

1. Social welfare payments (including pensions)
2. Superannuation payouts
3. Work health/workers compensation
4. Insurance policies
5. Other (including the offender)

NOTE: Under section 13 of the *Crimes (Victims Assistance) Act* the Court is to have regard to amounts recoverable from other sources.

## 9. SUPPORTING DOCUMENTS

The Court may require proof of the relationship between the dependants and the deceased eg:

1. Birth certificate
2. Death certificate
3. Marriage certificate

The Court may require proof of the amounts received/ receivable by the dependants eg:

1. Statements of payments made, &c.

Signed:

(Applicant)

or

(Applicant's Solicitor)

The address for service of the applicant shall be:

Postcode

(Your address for service is the address at which all documents can be forwarded to you)

NOTICE TO ALL PARTIES  
(To be completed by court staff)

A mention date has been listed to take place at (time) am/pm on (date) at (address of court)

You must attend at this mention date personally, by your legal practitioner or by some other person with leave of the Court.

If you do not attend the Court may proceed to hear the application in your absence.

Date filed: 19 .

Registrar

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PROOF OF SERVICE

I, (1) do solemnly and sincerely declare that I duly served the Crown with this application by delivering a true copy to:

The Solicitor for the Northern Territory  
at Safety House, Mitchell Street, Darwin

at (hour) am/pm on (day) the (date) of 19 and duly  
served the offender (2) at (hour)  
am/pm on (day) the (date) of 19 with  
this application by (3)

And I make this solemn declaration by virtue of the *Oaths Act* conscientiously believing the statements contained in this declaration to be true in every particular.

Declared at on 19 .

(4)

NOTE: A person wilfully making a false statement in a declaration is liable to a penalty of \$2,000 or imprisonment for 12 months, or both.

- (1) Name and address of person making the declaration.
- (2) Name and address of offender.
- (3) Here insert details of service including place of service and manner of identification. Where the offender is in a prison or juvenile detention centre the application may be served by delivering or sending it by pre-paid post to the Superintendent of the prison or detention centre.
- (4) Signature of the person making the declaration.

## FORM 5(2A)

## NORTHERN TERRITORY OF AUSTRALIA

*Crimes (Victims Assistance) Act*section 5(2A)  
rule 6(1)(c)

## APPLICATION FOR GRIEF

IN THE LOCAL COURT  
AT

Application No:

Applicant

Name:

Date of birth:

Address:

Solicitor for applicant:

Address:

Solicitor for  
the Crown:Solicitor for the Northern Territory  
Safety House, Mitchell Street, DARWIN

Offender(s)

Name:

Address:

The applicant should complete the above details.

This application is made to the Local Court for assistance under the *Crimes (Victims Assistance) Act*. Details of the application are contained below.DETAILS OF APPLICATION  
(to be completed by applicant)

## 1. RELATIONSHIP TO DECEASED

The applicant's relationship to the deceased victim is:

widow/widower

de facto widow/de facto widower

parent

(Delete whichever is inapplicable)

NOTE: Only widows/widowers/de facto widows/de facto widowers or parents of a deceased victim under the age of 18 years are able to bring an application for grief.

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## 2. NAME OF OTHER PEOPLE ENTITLED TO BRING APPLICATION

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Name	Address	Relationship
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NOTE: Section 8 of the *Crimes (Victims Assistance) Act* requires the Court to hear together all possible applications for grief. The Court may adjourn an application to make sure all possible applications have been brought. The maximum amount payable (\$3,000) is to be distributed between all applicants.

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## 3. PARTICULARS OF DECEASED

Name: (*surname*) (*other names*)

Date of death:

at: (*location*)

Age of deceased:

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## 4. OFFENCE

Time and date:

Location:

What happened:

Did the offence occur at work? YES/NO

If yes, give details:

Did the offence arise out of the use of a motor vehicle?

YES/NO

If yes, give details:

NOTE: Section 12(e) of the *Crimes (Victims Assistance) Act* provides that the Court shall not issue an assistance certificate arising out of the use of a motor vehicle except where the use constitutes an offence under the Criminal Code.

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## 5. REPORT TO POLICE

Time and date:

Name of member of the Police Force (if known):

Police Station:

Reason for delay (if any) in reporting:

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NOTE: Section 12(b) of the *Crimes (Victims Assistance) Act* provides that a certificate shall not be issued where the commission of the offence was not reported to the Police unless the Court is satisfied that circumstances existed which prevented the reporting of the offence.

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## 6. COURT PROCEEDINGS

NOTE: Here insert details of any court proceedings against the offender of which you are aware including any civil proceedings you may have commenced or been commenced on your behalf.

Court and location (if known):

Date (if known):

Offence(s)/Proceedings (if known):

Judge/Magistrate (if known):

Current position/result (if known):

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## 7. SUPPORTING DOCUMENTS

The Court may require proof of the death of the deceased, the relationship between the applicant and the deceased and, where appropriate, the age of the deceased eg:

1. Death certificate
  2. Birth certificate
  3. Marriage certificate
- 

Signed:

(Applicant)

or

(Applicant's Solicitor)

The address for service of the applicant shall be:

Postcode

(Your address for service is the address at which all documents can be forwarded to you)

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NOTICE TO ALL PARTIES  
(To be completed by court staff)

A mention date has been listed to take place at *(time)* am/pm on *(date)* at *(address of court)*

You must attend at this mention date personally, by your legal practitioner or by some other person with leave of the Court.

If you do not attend the Court may proceed to hear the application in your absence.

Date filed:

Registrar

PROOF OF SERVICE

I, (1) do solemnly and sincerely declare that I duly served the Crown with this application by delivering a true copy to:

The Solicitor for the Northern Territory  
at Safety House, Mitchell Street, Darwin

at *(hour)* am/pm on *(day)* the *(date)* of 19 and  
duly served the offender (2) at *(hour)* am/pm  
on *(day)* the *(date)* of 19 with this application by  
(3)

And I make this solemn declaration by virtue of the *Oaths Act* conscientiously believing the statements contained in this declaration to be true in every particular.

Declared at on 19 .  
(4)

NOTE: A person wilfully making a false statement in a declaration is liable to a penalty of \$2,000 or imprisonment for 12 months, or both.

- (1) Name and address of person making the declaration.
- (2) Name and address of offender.
- (3) Here insert details of service including place of service and manner of identification. Where the offender is in a prison or juvenile detention centre the application may be served by delivering or sending it by pre-paid post to the Superintendent of the prison or detention centre.
- (4) Signature of the person making the declaration.

## FORM 8

## NORTHERN TERRITORY OF AUSTRALIA

*Crimes (Victims Assistance) Act*section 8  
rule 6(2)

## ASSISTANCE CERTIFICATE

IN THE LOCAL COURT  
AT

Application No:

Applicant

Name:

Date of birth:

Address:

Solicitor for applicant:

Address:

Solicitor for  
the Crown:Solicitor for the Northern Territory  
Safety House, Mitchell Street, DARWIN

Offender(s)

Name:

Address:

Date of order:

By whom order made:

S.M.

## ABSTRACT OF ORDER

THE COURT ORDERED THAT:

(details of order i.e, amount of assistance; payable to whom; apportionment (if any); conditions imposed by the Court (if any))

I certify that this certificate fully and accurately sets out the particulars of an order of the Local Court at \_\_\_\_\_ that the Territory shall pay assistance in accordance with the details of the order.

Dated 19 .

Registrar



## FORM 8(4)

## NORTHERN TERRITORY OF AUSTRALIA

*Crimes (Victims Assistance) Act*section 8(4)  
rule 6(3)

## NOTICE UNDER SECTION 8(4)

IN THE LOCAL COURT  
AT

Application No:

Applicant

Name:

Date of birth:

Address:

Solicitor for applicant:

Address:

Solicitor for  
the Crown:Solicitor for the Northern Territory  
Safety House, Mitchell Street, DARWIN

Offender(s)

Name:

Address:

Name of deceased victim:

The applicant should complete the above details.

## NOTICE

To:

of:

TAKE NOTICE that the Court, on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_ on hearing the above application, determined that you may apply for assistance for grief under section 5(2A) of the *Crimes (Victims Assistance) Act* and ordered that you be notified of the date of hearing of the application and served with a copy of the application.

The hearing of the application has been listed to take place at *(time)* am/pm on *(date)* at *(address of court)*

If you do not attend the hearing of the application the Court may determine the application in your absence and you will be barred from making an application under section 5(2A) of the Act in respect of the victim in relation to whose death the within application has been made.

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A copy of the application is attached.

Dated 19 .

Registrar

### PROOF OF SERVICE

I, (1) do solemnly and sincerely declare that I duly  
served (2) at (hour) am/pm on (day) the  
(date) of 19 at (place) with this  
notice by .(3)

I, (1) do solemnly and sincerely  
declare that I duly served (2) at (hour) am/pm on  
(day) the (date) of 19 at (place) with this  
notice by .(3)

And I make this solemn declaration by virtue of the *Oaths Act* conscientiously believing the statements contained in this declaration to be true in every particular.

Declared at on 19 .

(4)

NOTE: A person wilfully making a false statement in a declaration is liable to a penalty of \$2,000 or imprisonment for 12 months, or both.

- (1) Name and address of person making the declaration.
- (2) Name of person served with notice.
- (3) Here insert details of service.
- (4) Signature of the person making the declaration.

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## ENDNOTES

### 1

#### KEY

Key to abbreviations

amd = amended  
app = appendix  
bl = by-law  
ch = Chapter  
cl = clause  
div = Division  
exp = expires/expired  
f = forms  
*Gaz* = *Gazette*  
hdg = heading  
ins = inserted  
lt = long title  
nc = not commenced

od = order  
om = omitted  
pt = Part  
r = regulation/rule  
rem = remainder  
renum = renumbered  
rep = repealed  
s = section  
sch = Schedule  
sdiv = Subdivision  
SL = Subordinate Legislation  
sub = substituted

### 2

#### LIST OF LEGISLATION

***Local Court (Crimes (Victims Assistance)) Rules (SL No. 17, 1992)***

Notified	16 April 1992
Commenced	20 April 2001 (r 2)