

NORTHERN TERRITORY OF AUSTRALIA

VICTIMS OF CRIME ASSISTANCE REGULATIONS

As in force at 1 May 2007

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NORTHERN TERRITORY OF AUSTRALIA

As in force at 1 May 2007

VICTIMS OF CRIME ASSISTANCE REGULATIONS

Regulations under the *Victims of Crime Assistance Act*

Part 1 Preliminary matters

1 Citation

These Regulations may be cited as the *Victims of Crime Assistance Regulations*.

2 Commencement

These Regulations commence on the commencement of the *Victims of Crime Assistance Act 2006*.

Part 2 Interpretation

3 Definitions

In these Regulations:

approved examiner means a psychologist, psychiatrist or other person approved under regulation 28.

category, see:

- (a) for a compensable violent act – regulation 14(1), (2) or (3); or
- (b) for a psychological or psychiatric disorder – regulation 15(1) or (2).

compensable injury, see regulation 16(1) and (2).

domestic violence injuries, see regulation 5.

offensive weapon, see section 1 of the Criminal Code.

pattern of abuse, see regulation 6.

serious harm, see section 1 of the Criminal Code.

standard amount, see:

- (a) for a compensable violent act – regulation 14(4); or
- (b) for a compensable injury – regulation 16(3).

4 Violent acts – sexual offences

For section 5(1)(a) of the Act, a criminal act that constitutes, or under section 5(2)(b) of the Act would otherwise constitute, an offence mentioned in Schedule 1, Part 1, 2 or 3, is a violent act.

Notes

- 1 Under section 5(1)(b) of the Act, other criminal acts are also violent acts.
- 2 Under section 7(1) of the Act, a violent act prescribed under this regulation is a compensable violent act.

5 Domestic violence injuries

- (1) A victim suffers domestic violence injuries if:
 - (a) the victim suffers 1 or more injuries as a direct result of:
 - (i) a violent act involving a pattern of abuse, committed by an offender with whom the victim is in a domestic relationship; or
 - (ii) a violent act of unlawful stalking under section 189 of the Criminal Code in contravention, or apparent contravention, of a restraining order; or
 - (iii) a combination of violent acts mentioned in subparagraphs (i) and (ii) if committed by the same offender; and
 - (b) the injuries are more than transient or trifling, though they need not be serious.

- (2) In this section:

domestic relationship, see section 3(2) of the *Domestic Violence Act*.

restraining order, see section 3(1) of the *Domestic Violence Act*.

6 Pattern of abuse

A violent act involves a pattern of abuse if:

- (a) the violent act is a series of 3 or more related criminal acts that occur over a period of time; and

- (b) the acts are committed against the same victim by the same offender.

Note

See section 5 of the Act for general information about related criminal acts.

7 Factor of aggravation

A factor of aggravation applies for an offence if:

- (a) the victim suffers serious harm as a direct result of the offence; or
- (b) the offence was committed by the use or threatened use of an offensive weapon; or
- (c) the offence was committed by a person in the company of another person.

Part 3 Applications for financial assistance

8 General information required

For sections 26(3)(j) and 32(1)(m) of the Act, an application for financial assistance must include the following information:

- (a) the eligible victim's name, address and date of birth;
- (b) if the application is made for the eligible victim by a person mentioned in section 25(5) of the Act – the person's name, address, date of birth and relationship to the eligible victim;
- (c) if the application is made because the violent act resulted in the death of the primary victim – the name, date of birth and date of death of the primary victim and the applicant's relationship to the primary victim;
- (d) if the applicant is applying for financial assistance for the loss of clothing or other personal effects – a description of the personal effects and the expenses incurred in replacing them.

9 Information required for application for immediate payment

For section 26(3)(j) of the Act, an application for an immediate payment must include the following information:

- (a) a statement of:
 - (i) all expenses or financial loss incurred or likely to be incurred by the applicant, substantiated by copies of relevant documents, including, for example, invoices and receipts; and
 - (ii) reimbursements expected by the applicant for expenses or financial loss incurred or likely to be incurred;
- (b) if the applicant is a primary victim or secondary victim of the violent act – a statement of whether the applicant has received, or is likely to receive, any refunds from Medicare or a private health insurer for financial loss for medical expenses.

10 Information required for application for award

- (1) For section 32(1)(m) of the Act, an application for an award must include the following information:
 - (a) a statement of whether the applicant has received, or is likely to receive, any refunds from Medicare or a private health insurer for financial loss for medical expenses;
 - (b) if the applicant has suffered a compensable injury described in Schedule 3 – a description of the injury in accordance with the description in Schedule 3;
 - (c) if the applicant has suffered a compensable injury that is not described in Schedule 3:
 - (i) a description of the injury; and
 - (ii) the period for which the injury has caused symptoms or disability; and
 - (iii) the injury described in the Schedule that is most similar to it;
 - (d) if the applicant is applying for financial assistance for more than 1 injury suffered as a result of the same violent act – identification of the most serious injury, second most serious injury and third most serious injury as defined in regulation 18(2);

- (e) a statement of whether, since the occurrence of the injury described in the application or during the 2 years before the occurrence, the applicant has:
 - (i) suffered another injury as a direct result of a violent act and, if so, the name of the offender (if known); and
 - (ii) made another application for financial assistance relating to the other injury.
- (2) For section 32(3)(c) of the Act, an application for an award must be accompanied by the following documents:
 - (a) if the application is for financial assistance for loss of earnings – copies of all relevant documents to substantiate the loss, including, for example, a statement by the applicant's employer or the applicant's payslips or business records;
 - (b) if the application is for financial assistance for a compensable injury for a category 1 or 2 psychological or psychiatric disorder – a written report about the applicant's condition.

Note for regulation 10

Under regulation 29, the assessor may require the victim to undergo an examination by an approved examiner.

11 Amendment of application and lodgment of further information

- (1) On receiving an application for an award, the Director may require the applicant to amend it so that it complies with the Act and these Regulations.
- (2) After accepting an application for an award, the Director must accept further relevant information or documents given by the applicant.

12 Costs of giving information or documents

The reasonable expenses of a person in giving information or documents required under section 36(2) or (4) of the Act are payable by the Territory.

13 Application relating to injury suffered in course of employment

- (1) This regulation applies in relation to an application for an immediate payment or award if:
 - (a) the person who suffered the injury described in the application (the injured person) has made a claim for compensation under the *Work Health Act* for the same (or substantially the same) injury; and
 - (b) the injured person has been notified under that Act of the employer's decision to dispute liability for compensation claimed; and
 - (c) the injured person has referred the dispute to mediation or started a proceeding for a determination (including an interim determination) of the claim; and
 - (d) at the time the application is considered by the Director or assessor, the injured person's entitlement to compensation has not been determined.
- (2) For section 18 of the Act, the Director or assessor must presume the injured person is not entitled to compensation under the *Work Health Act* for the injury and decide the application accordingly.
- (3) However, if exceptional circumstances exist, the assessor may defer consideration of the application until the injured person's entitlement to compensation is decided.

Example for regulation 13(3)

The injured person has applied for financial assistance only a short time before the person's claim for compensation is to be determined.

Part 4 Compensable violent acts and injuries and standard amounts**14 Compensable violent acts and standard amounts**

- (1) A violent act mentioned in Schedule 1, Part 1, is a category 1 compensable violent act.
- (2) A violent act mentioned in Schedule 1, Part 2, is a category 2 compensable violent act.
- (3) A violent act mentioned in Schedule 1, Part 3, is a category 3 compensable violent act.

- (4) The standard amount for a compensable violent act is specified in Schedule 3, Part 1.

15 Categories of psychological and psychiatric disorders

- (1) A category 1 psychological or psychiatric disorder is a recognisable psychological or psychiatric disorder that:
- (a) is moderately disabling and chronic; and
 - (b) is suffered as a direct result of an offence against the Criminal Code specified in Schedule 2.
- (2) A category 2 psychological or psychiatric disorder is a recognisable psychological or psychiatric disorder that is severely disabling and chronic.

16 Compensable injuries and standard amounts

- (1) An injury described in Schedule 3, column 1, is a compensable injury.
- (2) Also, an injury not described in Schedule 3, column 1, can be a compensable injury if an assessor is satisfied the injury:
- (a) is similar to an injury described in Schedule 3, column 1; and
 - (b) has caused symptoms or disability lasting for at least 6 weeks.
- (3) The standard amount for a compensable injury is:
- (a) for an injury described – the amount, or an amount within the range, specified opposite the injury; or
 - (b) for another injury – the standard amount that may be awarded for the most similar compensable injury.

Notes for regulation 16(3)

- 1 Under regulations 18 and 19, the standard amount that may be awarded for compensable injuries may be limited or reduced in certain circumstances.
- 2 Under regulation 22, a victim may apply for an award for each compensable injury instead of an award of the standard amount for domestic violence injuries.

Part 5 Awards of financial assistance

17 Award for compensable violent act without evidence of injury

If the eligible victim of a compensable violent act does not give the assessor evidence of an actual injury, the assessor may award the victim only the minimum standard amount for the category of the compensable violent act.

Note

Under section 10(4) of the Act, the eligible victim of a compensable violent act may apply for an award for the mere commission of the violent act or for the compensable injuries suffered as a direct result of the violent act.

18 Award for multiple compensable injuries

- (1) If an eligible victim has suffered more than 1 injury as a result of the same violent act, the standard amount that may be awarded for all the injuries is the total of the following amounts:
 - (a) the standard amount for the victim's most serious injury;
 - (b) 30% of the standard amount for the victim's second most serious injury;
 - (c) if there are more than 2 injuries – 15% of the standard amount for the victim's third most serious injury.
- (2) For subregulation (1):
 - (a) the victim's most serious injury is the injury, or 1 of the injuries, for which is prescribed the highest standard amount out of all the victim's injuries (the first amount); and
 - (b) the victim's second most serious injury is:
 - (i) if there is another injury for which the first amount is prescribed – that injury; or
 - (ii) the injury, or 1 of the injuries, for which is prescribed the second highest standard amount out of all the victim's injuries (the second amount); and
 - (c) the victim's third most serious injury is:
 - (i) if paragraph (b)(i) applies and there is a further injury for which the first amount is prescribed – that injury; or
 - (ii) if paragraph (b)(ii) applies and there is a further injury for which the second amount is prescribed – that injury; or

(iii) the injury, or 1 of the injuries, for which is prescribed the third highest standard amount out of all the victim's injuries.

- (3) No financial assistance may be awarded for another injury suffered by the victim as a result of the same violent act.
- (4) This regulation does not apply in relation to financial assistance awarded for domestic violence injuries.

19 Reduction of standard amount because of existing condition

If a violent act results in a compensable injury because of the aggravation, acceleration, exacerbation or deterioration of an existing condition, the standard amount that may be awarded for the injury must be reduced by the proportionate amount the assessor considers is attributable to the existing condition.

20 Assessment of financial assistance in certain circumstances

- (1) In deciding the extent of an injury, the assessor must disregard the extent to which the injury, or effect of the injury, may be reduced or limited by an external removable aid or appliance.
- (2) If the victim has only 1 leg, arm, eye or other body part, an injury to the remaining body part is taken to be an injury to both of the body parts.

21 Burns and scarring

- (1) An award for burns or scarring is subject to a reasonable inspection of the injury as required by the assessor.
- (2) The assessor must not award financial assistance for scarring unless the scarring is permanent.
- (3) The assessor must not award financial assistance for both burns to a part of the body and scarring of that part of the body caused by burns.

22 Domestic violence injuries

- (1) Instead of applying for an award for domestic violence injuries, a victim may apply for an award for each compensable injury (separate domestic injuries) suffered as a direct result of the violent act.

- (2) The assessor must not award financial assistance to an eligible victim for separate domestic injuries if:
 - (a) the victim has applied for an award for the domestic violence injuries and the separate domestic injuries occurred before the victim made the application; and
 - (b) the same offender is responsible for the domestic violence injuries and the separate domestic injuries.
- (3) Subregulation (2) does not prevent the assessor from taking the separate domestic injuries into account in making an award for the domestic violence injuries.

23 Calculation of loss of earnings

- (1) This regulation applies if:
 - (a) a primary victim of a violent act applies for financial assistance for loss of earnings mentioned in section 10(5)(a) of the Act; or
 - (b) a secondary victim of a violent act applies for financial assistance for loss of earnings mentioned in section 12(6)(a) of the Act.
- (2) The amount of financial assistance to which the applicant is entitled for each week during the period when the loss of earnings is suffered (the relevant period) is calculated as the lesser of the following amounts:
 - (a) 75% of the difference between average weekly earnings at the date of the violent act and the applicant's net weekly earnings during the relevant period;
 - (b) 75% of the difference between the applicant's net weekly earnings at the date of the violent act and the applicant's net weekly earnings during the relevant period.
- (3) In this regulation:

average weekly earnings means the Average Weekly Earnings for Full Time Adult Persons, Weekly Ordinary Time Earnings for the Northern Territory last published by the Australian Statistician before the date on which the applicants weekly actual loss of earnings is calculated, less a notional deduction for income tax.

Part 6 Appeals costs

24 Costs allowable to legal practitioner

The costs allowable to a legal practitioner for work done in an appeal are 80% of the costs allowable for the work under the *Supreme Court Rules*.

25 Territory's liability for appellant's costs

The Territory is liable to pay the costs of an appellant under Part 2, Division 6, of the Act in the following circumstances:

- (a) for an appeal against a decision of the Director to refuse to accept a late application notified under section 31(4) of the Act – if the Court sets aside the decision, accepts the application for an award and refers it to the Director for a decision by an assessor under Part 4, Division 4, of the Act;
- (b) for an appeal against a decision of the assessor notified under section 44(5) of the Act:
 - (i) if the Court varies the decision by increasing an amount of an award; or
 - (ii) if the Court sets aside a decision refusing to award financial assistance and substitutes a decision awarding financial assistance;
- (c) for an appeal for an increased award notified under section 46(9) of the Act:
 - (i) if the Court varies the decision by further increasing an amount of an increased award; or
 - (ii) if the Court sets aside a decision refusing to increase the award and substitutes a decision increasing the award;
- (d) for an appeal against a decision of the assessor requiring a refund notified under section 47(3) of the Act:
 - (i) if the Court varies the decision by decreasing the amount to be refunded; or
 - (ii) if the Court sets aside a decision requiring a refund.

Part 7 Levy for victims assistance fund

26 Imposition of levy – exceptions

For section 61(2) of the Act, a levy is not imposed on any of the following persons:

- (a) a person found guilty of an offence against any of the following:
 - (i) the *Work Health Act*;
 - (ii) the *Public Sector Employment and Management Act*;
 - (iii) the *Public Health Act*;
 - (iv) the *Litter Act*;
 - (v) Part 12 of the *Australian Road Rules*;
 - (vi) a by-law made by a council as defined in the *Local Government Act* or a by-law made by the Jabiru Town Council under the *Jabiru Town Development Act*;
 - (vii) the *Territory Parks and Wildlife Conservation By-Laws*;
 - (viii) a by-law made under section 60H, or a rule made under section 60J, of the *Education Act* by a council as defined in section 40 of that Act;
- (b) a person issued a notice under a law of the Territory specified in paragraph (a) providing for the payment of a prescribed amount instead of a penalty that may otherwise be imposed for an offence against the law;
- (c) a person found guilty of an offence prosecuted by 1 of the following:
 - (i) a municipal council or community government council, as defined in the *Local Government Act*, under a power vested in it under a law of the Territory;
 - (ii) a council, as defined in the *Local Government Act*, under an arrangement or agreement with the Territory under that Act under which the council administers regulations or exercises power or performs functions under a law of the Territory in its council area.

Part 8 Administrative matters**27 Supply and lodgment of documents**

- (1) The CVSU must supply approved forms free of charge.
- (2) No fee is payable for the lodgment of an application or document at an office of the CVSU or with a person acting for the CVSU.

28 Approved examiners

For section 35 of the Act, the Director may approve:

- (a) a medical practitioner, psychologist or psychiatrist to conduct examinations and make reports; and
- (b) approve other persons to conduct examinations of, and make reports about, victims who may have a recognisable psychological or psychiatric disorder.

29 Assessor may require examination by approved examiner

If:

- (a) a report mentioned in regulation 10(2)(b) is made by a person who is not an approved examiner; and
- (b) the assessor considers the report does not give sufficient information about the eligible victim's condition;

the assessor may, under section 35 of the Act, require the victim to undergo an examination by an approved examiner.

Schedule 1 Violent acts and categories of compensable violent acts

regulations 4 and 14(1), (2) and (3)

PART 1 – CATEGORY 1

1. An offence against section 127(1)(b) of the Criminal Code of act of gross indecency on a child under 16.
2. An offence against section 130(2) of the Criminal Code of sexual intercourse with, or act of gross indecency on, a mentally ill or handicapped person committed by a provider of disability support services.
3. An offence against section 130(3A)(b) of the Criminal Code of act of gross indecency on a mentally ill or handicapped child under 16 committed by a provider of disability support services.
4. An offence against section 188(1) of the Criminal Code of unlawful assault if section 188(2)(a), (c) and (k) apply.
5. An offence against section 192(6) of the Criminal Code of attempted sexual intercourse without consent with a person under 16 committed by an adult.

PART 2 – CATEGORY 2

1. An offence against section 127(1)(a) of the Criminal Code of sexual intercourse with a child under 16.
2. An offence against section 130(3A)(a) of the Criminal Code of sexual intercourse with a mentally ill or handicapped child under 16 committed by a provider of disability support services.
3. An offence against section 186B of the Criminal Code of female genital mutilation.
4. An offence against section 192(3) of the Criminal Code of sexual intercourse without consent.
5. An offence against section 192(8) of the Criminal Code of attempted sexual intercourse without consent causing serious harm.
6. An offence against section 192B of the Criminal Code of coerced sexual self-manipulation.

PART 3 – CATEGORY 3

1. An offence mentioned in Part 1 or 2, or a combination of such offences, involving a pattern of abuse.
2. An offence against section 127 of the Criminal Code of sexual intercourse with, or gross indecency on, a child under 16 if a factor of aggravation applies to the offence.
3. An offence against section 130(2) or (3A) of the Criminal Code of sexual intercourse with, or act of gross indecency on, a mentally ill or handicapped person by a provider of disability support services if a factor of aggravation applies to the offence.
4. An offence against section 131A of the Criminal Code of sexual relationship with a child.
5. An offence against section 192(3) of the Criminal Code of sexual intercourse without consent if a factor of aggravation applies to the offence.
6. An offence against section 192B of the Criminal Code of coerced sexual self-manipulation if a factor of aggravation applies to the offence.

Note for Part 3

Regulation 6 defines the factors of aggravation applying for an offence.

Schedule 2 Category 1 offences for psychological or psychiatric disorder

regulation 15(1)

1. An offence against section 132(2) of the Criminal Code of indecent dealing with a child under 16 or other act mentioned in the section in relation to a child under 16.
2. An offence against section 188(1) of the Criminal Code of unlawful assault if section 188(2)(c) and (k) apply.
3. An offence against section 156 of the Criminal Code of murder.
4. An offence against section 192(7) of the Criminal Code of attempted sexual intercourse causing harm.
5. An offence against section 194 of the Criminal Code of kidnapping for ransom.
6. An offence against section 195 of the Criminal Code of kidnapping.
7. An offence against section 196 of the Criminal Code of deprivation of liberty if the offence was committed by a person on the person's unlawful entry of a building under section 213 of the Code.
8. An offence against section 202 of the Criminal Code of abduction of a child under 16.
9. An offence against section 211(1) of the Criminal Code of robbery using or threatening the use of violence if section 211(2) applies to the offence.

Schedule 3 Compensable violent acts, compensable injuries and standard amounts

regulations 14(4) and 16

PART 1 – STANDARD AMOUNTS FOR COMPENSABLE VIOLENT ACTS

The standard amount for a compensable violent act is:

- (a) for a category 1 compensable violent act – an amount between \$7 500 and \$10 000; or
- (b) for a category 2 compensable violent act – an amount between \$10 000 and \$25 000; or
- (c) for a category 3 compensable violent act – an amount between \$25 000 and \$40 000.

PART 2 – COMPENSABLE INJURIES AND STANDARD AMOUNTS

Description of compensable injury	Standard amount of financial assistance \$
Brain damage	
moderate impairment of social or intellectual functions	30 600
serious impairment of social or intellectual functions	40 000
permanent – extremely serious (no effective control of functions)	40 000
Burns	
multiple third degree burns covering at least 25% of body	40 000
<i>Note</i> <i>For other burns to a part of the body, see burn injuries listed under that part of the body</i>	

Description of compensable injury	Standard amount of financial assistance \$
Disease or other recognised medical illness causing disability (not being a disease or illness of the mind)	
disability lasting 6 to 13 weeks	2 000
disability lasting 14 to 28 weeks	8 200
disability lasting over 28 weeks (but not permanent)	15 300
permanent disability	40 000
Domestic violence injuries	7 500 – 10 000
Epilepsy	
fully controlled	15 300
partially controlled	25 500
uncontrolled	40 000
Head	
burns (other than face): minor	3 100
burns (other than face): moderate	8 200
burns (other than face): severe	15 300
burns (face): minor	4 100
burns (face): moderate	10 200
burns (face): severe	40 000
ear: fractured mastoid	2 000
ear: loss of 1 ear	20 400
ear: loss of both ears	35 700
ear: partial deafness of 1 ear – remaining hearing socially useful with hearing aid if necessary	7 500
ear: partial deafness of both ears – remaining hearing socially useful with hearing aid if necessary	15 300
ear: total deafness of 1 ear	30 600

Description of compensable injury	Standard amount of financial assistance \$
ear: total deafness of both ears	40 000
ear: partial loss of ear(s)	8 200
ear: perforated ear drum	3 600
ear: temporary partial deafness – lasting 6 to 13 weeks	2 000
ear: temporary partial deafness – lasting more than 13 weeks	3 100
ear: tinnitus (ringing noise in ears) – lasting 6 to 13 weeks	2 000
ear: tinnitus – lasting more than 13 weeks	6 100
ear: tinnitus – permanent (moderate)	15 300
ear: tinnitus – permanent (very serious)	30 600
eye: blow out fracture of orbit bone cavity containing eyeball	6 100
eye: blurred or double vision – lasting 6 to 13 weeks	2 000
eye: blurred or double vision – lasting more than 13 weeks	3 600
eye: blurred or double vision – permanent	15 300
eye: cataracts 1 eye (requiring operation)	6 100
eye: cataracts both eyes (requiring operation)	15 300
eye: cataracts 1 eye (permanent or inoperable)	15 300
eye: cataracts both eyes (permanent or inoperable)	35 700
eye: corneal abrasions	4 100
eye: damage to iris resulting in hyphaema (bleeding in ocular chamber)	5 100
eye: damage to irises resulting in hyphaema (bleeding in ocular chamber)	12 200
eye: degeneration of optic nerve	4 100
eye: degeneration of optic nerves	10 200
eye: detached retina	10 200
eye: detached retinas	25 500
eye: dislocation of lens	10 200

Description of compensable injury	Standard amount of financial assistance \$
eye: dislocation of lenses	25 500
eye: glaucoma	5 100
eye: loss of 1 eye	40 000
eye: loss of both eyes	40 000
eye: loss of sight of 1 eye	40 000
eye: loss of sight of both eyes	40 000
eye: partial loss of vision – 6/9	15 300
eye: partial loss of vision – 6/12	20 400
eye: partial loss of vision – 6/24	25 500
eye: partial loss of vision – 6/36	30 600
eye: partial loss of vision – 6/60	35 700
eye: residual floaters	10 200
eye: traumatic angle recession of eye	5 100
facial: dislocated jaw	4 100
facial: fractured malar or zygomatic or fractured malar and zygomatic – cheek bones	4 100
facial: fractured mandible or maxilla or fractured mandible and maxilla – jaw bones	6 100
facial: permanently clicking jaw	10 200
facial: temporary numbness or loss of feeling – lasting 6 to 13 weeks	2 000
facial: temporary numbness or loss of feeling – lasting more than 13 weeks (recovery expected)	3 100
facial: permanent numbness or loss of feeling	8 200
nose: deviated nasal septum	2 000
nose: deviated nasal septum requiring septoplastomy	4 100
nose: undisplaced fracture of nasal bones	2 000
nose: displaced fracture of nasal bones	3 100
nose: partial loss (at least 10%)	8 200
nose: partial loss of smell or taste (or both)	10 200

Description of compensable injury	Standard amount of financial assistance \$
nose: loss of smell or taste	20 400
nose: loss of smell and taste	30 600
scarring (face): minor disfigurement	3 100
scarring (face): significant disfigurement	7 500
scarring (face): serious disfigurement	15 300
scarring (other than face): visible, minor disfigurement	3 100
scarring (other than face): significant disfigurement	6 100
scarring (other than face): serious disfigurement	10 200
skull: balance impaired – permanent	15 300
skull: brain haemorrhage (full recovery)	8 200
skull: brain haemorrhage (residual minor impairment of social/intellectual functions)	15 300
skull: concussion (lasting at least 1 week)	3 100
skull: simple fracture (no operation)	5 100
skull: depressed fracture (no operation)	8 200
skull: depressed fracture (requiring operation)	12 200
skull: stroke (full recovery)	10 200
skull: subdural haematoma – treated conservatively	8 200
skull: subdural haematoma – requiring evacuation	15 300
teeth: chipped front teeth requiring crown	2 000
teeth: fractured tooth/teeth requiring crown	2 000
teeth: loss of crowns	2 600
teeth: loss of 1 tooth other than front tooth	2 000
teeth: loss of 2 or more teeth other than front tooth	3 100
teeth: loss of 1 front tooth	3 100
teeth: loss of 2 or 3 front teeth	4 100
teeth: loss of 4 or more front teeth	6 100
teeth: slackening of teeth requiring dental treatment	2 000
tongue: impaired speech – slight	4 100
tongue: impaired speech – moderate	10 200

Description of compensable injury	Standard amount of financial assistance \$
tongue: impaired speech – serious	20 400
tongue: impaired speech – severe	35 700
tongue: loss of speech – permanent	40 000
tongue: loss of tongue	40 000
Lower limbs	
ankle: fracture of 1 ankle (full recovery)	6 100
ankle: fracture of 1 ankle (with continuing disability)	10 200
ankle: fracture of both ankles (full recovery)	15 300
ankle: fracture of both ankles (with continuing disability)	20 400
ankle: sprain of 1 ankle (disabling for at least 6 to 13 weeks)	2 000
ankle: sprain of 1 ankle (disabling for more than 13 weeks)	5 100
ankle: sprain of both ankles (disabling for at least 6 to 13 weeks)	4 100
ankle: sprain of both ankles (disabling for more than 13 weeks)	7 500
burns: minor	3 100
burns: moderate	8 200
burns: severe	20 400
femur: fracture of both legs (full recovery)	15 300
femur: fracture of both legs (with continuing disability)	20 400
femur: fracture of thigh bone (full recovery)	6 100
femur: fracture of 1 leg (with continuing disability)	10 200
fibula: fracture of both legs (full recovery)	15 300
fibula: fracture of both legs (with continuing disability)	20 400
fibula: fracture of 1 leg (with continuing disability)	10 200
fibula: fracture of slender bone from knee to ankle (full recovery)	6 100

Description of compensable injury	Standard amount of financial assistance \$
heel bone: fracture of 1 foot (full recovery)	5 100
heel bone: fracture of 1 foot (with continuing disability)	10 200
heel bone: fracture of both feet (full recovery)	10 200
heel bone: fracture of both feet (with continuing disability)	20 400
knees: injury requiring arthroscopy (investigative surgery/repair) – no fracture	4 100
leg: loss of leg below knee	40 000
leg: loss of leg above knee	40 000
leg: loss of both legs	40 000
metatarsal bones: fracture of 1 foot (full recovery)	5 100
metatarsal bones: fracture of 1 foot (with continuing disability)	15 300
metatarsal bones: fracture of both feet (full recovery)	10 200
metatarsal bones: fracture of both feet (with continuing disability)	30 600
patella: dislocation of 1 leg (full recovery)	2 000
patella: dislocation of 1 leg (with continuing disability)	15 300
patella: dislocation of both legs (full recovery)	4 100
patella: dislocation of both legs (with continuing disability)	35 700
patella: fracture of knee cap (full recovery)	15 300
patella: fracture of 1 leg (with continuing disability)	20 400
patella: fracture of both legs (full recovery)	30 600
patella: fracture of both legs (with continuing disability)	40 000
phalanges: fracture of toes	3 100
scarring: minor disfigurement	2 600
scarring: significant disfigurement	3 600
scarring: serious disfigurement	10 200
tarsal bones: fracture of 1 foot (full recovery)	5 100

Description of compensable injury	Standard amount of financial assistance \$
tarsal bones: fracture of 1 foot (with continuing disability)	15 300
tarsal bones: fracture of both feet (full recovery)	10 200
tarsal bones: fracture of both feet (with continuing disability)	30 600
tendons or ligaments: minor damage (full recovery)	2 000
tendons or ligaments: minor damage (with continuing disability)	6 100
tendons or ligaments: moderate damage (full recovery)	4 100
tendons or ligaments: moderate damage (with continuing disability)	10 200
tendons or ligaments: severe damage (full recovery)	6 100
tendons or ligaments: severe damage (with continuing disability)	15 300
tibia: fracture of shin bone (full recovery)	6 100
tibia: fracture of shin bone (with continuing disability)	10 200
tibia: fracture of both legs (full recovery)	15 300
tibia: fracture of both legs (with continuing disability)	20 400
toe: fracture of 1 big toe	5 100
toe: fracture of 2 big toes	10 200
Neck	
burns: minor	3 100
burns: moderate	8 200
burns: severe	20 400
neck: strained (disabling for 6 to 13 weeks)	2 000
neck: strained (disabling for more than 13 weeks)	3 600
neck: strained – seriously disabling (not permanent)	10 200
neck: strained – seriously disabling (permanent)	20 400
scarring: minor disfigurement	3 100
scarring: significant disfigurement	6 100

Description of compensable injury	Standard amount of financial assistance \$
scarring: serious disfigurement	8 200
paralysis of all 4 limbs (quadriplegia or tetraplegia), paralysis of 1 side of body (hemiplegia), paralysis of the lower limbs (paraplegia), paralysis of 1 lower limb, paralysis of 1 or both upper limbs	40 000
Psychological or psychiatric disorder	
category 1	7 500 – 15 000
category 2	25 000 – 40 000
Torso	
back: fracture of vertebra (full recovery)	5 100
back: fracture of vertebra (continuing disability)	10 200
back: fracture of more than 1 vertebra (full recovery)	8 200
back: fracture of more than 1 vertebra (continuing disability)	15 300
back: prolapsed intervertebral disc or discs – seriously disabling (not permanent)	10 200
back: prolapsed intervertebral disc or discs – seriously disabling (permanent)	15 300
back: ruptured intervertebral disc or discs requiring surgical removal	20 400
back: strained back – disabling for 6 to 13 weeks	2 000
back: strained back – disabling for more than 13 weeks	5 100
back: strained back – seriously disabling (not permanent)	10 200
back: strained back – seriously disabling (permanent)	15 300
burns: minor	3 100
burns: moderate	8 200
burns: severe	20 400
clavicle: fracture of collarbone	4 100
clavicle: fracture of both collarbones	10 200

Description of compensable injury	Standard amount of financial assistance \$
coccyx: fracture of tail bone	5 100
fertility: loss of fertility	40 000
genitalia: injury requiring medical treatment (no permanent damage)	3 600
genitalia: injury requiring medical treatment (permanent damage)	10 200
hernia	7 500
hip: dislocated (full recovery)	3 600
hip: dislocated (with continuing disability)	15 300
hip: fractured	15 300
injury requiring laparotomy	7 500
kidney: loss of kidney	40 000
lung: collapse of lung	7 500
lung: collapse of both lungs	15 300
lung: puncture of lung	6 100
lung: puncture of both lungs	12 200
lung: smoke inhalation in both lungs (permanent and disabling damage)	10 200
pelvis: fracture of pelvis	15 300
rib: fracture of rib	2 000
rib: fracture of 2 or more ribs	3 100
scapula: fracture of shoulder blade	5 100
scapula: fracture of both shoulder blades	12 200
scarring: minor disfigurement	2 600
scarring: significant disfigurement	5 100
scarring: serious disfigurement	10 200
shoulder: dislocated (full recovery)	3 600
shoulder: dislocated (with continuing disability)	10 200
shoulder: frozen	7 500
spleen: loss of spleen	8 200
sternum: fracture of breast bone	5 100

Description of compensable injury	Standard amount of financial assistance \$
Upper limbs	
arm: loss of arm	40 000
arm: loss of both arms	40 000
arm: permanently and seriously impaired grip in 1 arm	15 300
arm: permanently and seriously impaired grip in both arms	30 600
burns: minor	3 100
burns: moderate	8 200
burns: severe	20 400
elbow: dislocation or fracture of 1 elbow (full recovery)	6 100
elbow: dislocation or fracture of 1 elbow (with continuing disability)	15 300
elbow: dislocation or fracture of both elbows (full recovery)	15 300
elbow: dislocation or fracture of both elbows (with continuing disability)	20 400
finger: loss of 1 other than index finger	10 200
finger: loss of index finger	15 300
finger: loss of 2 or more fingers	20 400
finger: partial loss of finger (1 joint) other than thumb or index finger	5 100
finger: partial loss of index finger (1 joint)	8 200
1 or more fingers or thumb: dislocated on 1 hand (full recovery)	2 600
1 or more fingers or thumb: dislocated on 1 hand (with continuing disability)	5 100
1 or more fingers or thumbs: dislocated on both hands (full recovery)	6 100
1 or more fingers or thumbs: dislocated on both hands (with continuing disability)	15 300
1 or more fingers or thumb: fractured on 1 hand (full recovery)	3 100

Description of compensable injury	Standard amount of financial assistance \$
1 or more fingers or thumb: fractured on 1 hand (with continuing disability)	7 500
1 or more fingers or thumbs: fractured on both hands (full recovery)	8 200
1 or more fingers or thumbs: fractured on both hands (with continuing disability)	15 300
hand: fracture of 1 hand (full recovery)	4 100
hand: fracture of 1 hand (with continuing disability)	10 200
hand: fracture of both hands (full recovery)	7 500
hand: fracture of both hands (with continuing disability)	15 300
hand: loss of 1 hand	40 000
hand: loss of both hands	40 000
humerus: fracture of upper arm bone (full recovery)	6 100
humerus: fracture of upper arm bone (with continuing disability)	10 200
humerus: fracture of both arms (full recovery)	15 300
humerus: fracture of both arms (with continuing disability)	20 400
radius: fracture of smaller forearm bone (full recovery)	6 100
radius: fracture of smaller forearm bone (with continuing disability)	10 200
radius: fracture of both arms (full recovery)	15 300
radius: fracture of both arms (with continuing disability)	20 400
scarring: minor disfigurement	2 600
scarring: significant disfigurement	5 100
scarring: serious disfigurement	8 200
tendons or ligaments: minor damage (full recovery)	2 000
tendons or ligaments: minor damage (with continuing disability)	6 100
tendons or ligaments: moderate damage (full recovery)	4 100
tendons or ligaments: moderate damage (with continuing disability)	10 200

Description of compensable injury	Standard amount of financial assistance \$
tendons or ligaments: severely damaged (full recovery)	6 100
tendons or ligaments: severely damaged (with continuing disability)	15 300
thumb: partial loss (1 joint)	8 200
thumb: loss of thumb	30 600
ulna: fracture of inner forearm bone (full recovery)	6 100
ulna: fractured ulna (with continuing disability)	10 200
ulna: fracture of both arms (full recovery)	15 300
ulna: fracture of both arms (with continuing disability)	20 400
wrist: fracture – colles type (full recovery)	8 200
wrist: fracture – colles type (with continuing disability)	15 300
wrist: fracture – including scaphoid (full recovery)	6 100
wrist: fracture – including scaphoid (with continuing disability)	12 200
wrist: fracture of both – colles type (full recovery)	15 300
wrist: fracture of both – colles type (with continuing disability)	20 400
wrist: fracture of both – including scaphoid fracture (full recovery)	12 200
wrist: fracture of both – including scaphoid fracture (with continuing disability)	20 400
wrist: sprain – disabling for 6 to 13 weeks	2 000
wrist: sprain – disabling for more than 13 weeks	3 100
wrist: sprain of both – disabling for 6 to 13 weeks	4 100
wrist: sprain of both – disabling for more than 13 weeks	6 100

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

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LIST OF LEGISLATION

Victims of Crime Assistance Regulations (SL No. 11, 2007)

Notified 2 May 2007

Commenced 1 May 2007 (r 2, s 2 *Victims of Crime Assistance Act 2006*
(Act No. 15, 2006) and *Gaz G17*, 26 April 2007, p 7)