

The background features abstract, overlapping geometric shapes in various shades of green, ranging from light lime to dark forest green. The shapes are primarily triangles and polygons, creating a dynamic, layered effect. The central text is set against a white background that is framed by these green shapes.

STATE-FUNDED VICTIMS OF CRIME COMPENSATION

VICTIMS OF CRIME FUND

- ▶ The Fund consists of—
 - ▶ the money provided by Parliament for the purposes of the Fund; and
 - ▶ any amounts paid into the Fund as the prescribed proportion of the aggregate amount paid into General Revenue by way of fines; and
 - ▶ any amounts recovered by way of levy under this Part; and
 - ▶ any amounts recovered by the Attorney-General under this Act; and
 - ▶ any money paid into the Fund under any other Act.

STATE-FUNDED VICTIMS OF CRIME COMPENSATION

- ▶ Since 1969, South Australia has provided compensation to injured victims of crime even if the offender cannot be found or cannot pay.
- ▶ Injuries caused by crimes committed between **1 July 1978 and 31 December 2002**, are dealt with under the repealed Criminal Injuries Compensation Act 1978 (SA) and the Victims of Crime (Transitional) Regulations 2017 (SA).
- ▶ Injuries caused by crimes committed **on or after 31 December 2002** are dealt with under the Victims of Crime Act 2001 (SA).
- ▶ The scheme compensates people who are injured by a crime, for example, a person who is assaulted, raped or robbed. This can include mental as well as physical injury - for example, a person who suffers an anxiety disorder after a home invasion or an armed robbery can be compensated even if they were not physically harmed.
 - ▶ It can also include pregnancy resulting from a sexual offence. Close family members of a homicide victim can also be compensated.
- ▶ The scheme does not compensate for property loss or damage as a result of a crime.

TYPES OF CLAIMS

- ▶ Claim for injury
- ▶ Claim for grief
- ▶ Claim for financial loss
- ▶ Claim for funeral expenses
- ▶ Children and young people

EX GRATIA PAYMENTS

- ▶ In some cases where a claim cannot succeed for legal reasons, the Attorney-General can make a **grace (or *ex gratia*) payment**.
- ▶ Examples of when grace payments can be made include:
 - where there cannot be a conviction because the suspect has a legal defence of intoxication, duress or automatism; or
 - where the offence occurred, and the offender was convicted, in another jurisdiction, but the victim has tried unsuccessfully to obtain compensation through the legal system there. The victim must normally live in South Australia, and the Attorney-General must be satisfied that the victim would have been entitled to compensation if the offence had happened here; or
 - in other cases where, for any other reason, the Attorney-General thinks it is in keeping with the Act to make a payment.

DISCRETIONARY (GRACE) PAYMENTS

- ▶ For offences committed on or after 1 January 2003, the Attorney-General has power to make a grace payment to help a victim recover from the effects of criminal offending or to advance their interests in any other way [s 31(2)].
- ▶ This applies whether or not the victim was injured.
- ▶ A victim can request a payment by writing to the Attorney-General.