

Australian Capital Territory

# Victims of Crime (Financial Assistance) Amendment Regulation 2024 (No 1)

Subordinate Law SL2024-7

made under the

*Victims of Crime (Financial Assistance) Act 2016*, sections 25 and 97 (CPI and WPI indexation of certain prescribed amounts)

## EXPLANATORY STATEMENT

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The *Victims of Crime (Financial Assistance) Act 2016* (the Act) commenced on 1 May 2017 to provide financial assistance for people affected by acts of violence.

This regulation amends the *Victims of Crime (Financial Assistance) Regulation 2016*, which prescribes payment amounts and limitations for victims of crime under the Act.

Section 25 of the Act requires yearly Consumer Price Index (CPI) increases for payments provided to victims under four sections:

- a) maximum total financial assistance (section 24),
- b) recognition payment for primary victim (section 28),
- c) recognition payment for class A related victim (section 29), and
- d) recognition payment for class B related victim (section 30).

This regulation will bring payment amounts under these sections in line with the All Groups CPI (Canberra) for March 2023 to March 2024 (as issued by the Australian Statistician) at 3.3 per cent. These amounts have then been rounded up to the nearest dollar.

Section 97 of the *Victims of Crime (Financial Assistance) Act 2016* requires yearly Wage Price Index (WPI) increases for limitations on lawyers legal costs under section 96.

This regulation will bring limitation amounts under this section into line with the All Groups WPI (Canberra) for March 2023 to March 2024 (as issued by the Australian Statistician) at 4.1 per cent. These amounts have been rounded to the nearest dollar.

## CLAUSE NOTES

### Clause 1 Name of regulation

This clause provides that the regulation is the *Victims of Crime (Financial Assistance) Amendment Regulation 2024 (No 1)*.

### Clause 2 Commencement

This clause provides that the regulation commences on 1 July 2024.

### Clause 3 Legislation amended

This clause provides that the regulation amends the *Victims of Crime (Financial Assistance) Regulation 2016* (the 2016 Regulation).

### Clause 4 Section 5

This clause amends section 5 of the 2016 Regulation by increasing the maximum total financial assistance amounts payable in line with the All Groups CPI (Canberra) issued by the Australian statistician for the period March 2023 to March 2024. The increases are set out below:

- a) for a primary victim – from \$62,074 to \$64,123,
- b) for a class A related victim – from \$37,242 to \$38,471,
- c) for a class B related victim – from \$24,828 to \$25,648,
- d) for a class C related victim – from \$12,412 to \$12,822, and
- e) for a homicide witness – from \$12,412 to \$12,822.

If an application for financial assistance relates only to an act of violence that occurs in the course of a family violence offence, the amount will increase from \$12,412 to \$12,822.

### Clause 5 Table 8

This clause amends Table 8 of the 2016 Regulations by increasing the recognition payment amounts for primary victims with the All Groups CPI (Canberra) issued by the Australian statistician for the period March 2023 to March 2024. The increases are set out below:

<b>column 1 item</b>	<b>column 2 offence in course of which act of violence must occur</b>	<b>column 3 recognition payment— general</b>	<b>column 4 recognition payment – 1 circumstance of aggravation</b>	<b>column 5 recognition payment— 2 or more circumstances of aggravation</b>	<b>column 6 recognition payment— very serious injury that is likely to be permanent</b>
1	sexual offence punishable by imprisonment for 14 years or more	from \$18,620 to \$19,235	from \$23,276 to \$24,045	from \$27,931 to \$28,853	from \$32,588 to \$33,664
2	attempt or conspiracy to commit homicide	from \$18,620 to \$19,235	from \$23,276 to \$24,045	from \$27,931 to \$28,853	from \$32,588 to \$33,664
3	sexual offence punishable by imprisonment for 10 years or more, but less than 14 years	from \$9,931 to \$10,259	from \$12,412 to \$12,822	from \$14,897 to \$15,389	from \$17,378 to \$17,952
4	offence against the person resulting in grievous bodily harm	from \$9,931 to \$10,259	from \$12,412 to \$12,822	from \$14,897 to \$15,389	from \$17,378 to \$17,952
5	attempt or conspiracy to commit a sexual offence punishable by imprisonment for 14 years or more	from \$9,931 to \$10,259	from \$12,412 to \$12,822	from \$14,897 to \$15,389	from \$17,378 to \$17,952
6	sexual offence punishable by imprisonment for less than 10 years	from \$2,480 to \$2,562	from \$3,101 to \$3,204	from \$3,724 to \$3,847	from \$4,344 to \$4,488

<b>column 1 item</b>	<b>column 2 offence in course of which act of violence must occur</b>	<b>column 3 recognition payment— general</b>	<b>column 4 recognition payment – 1 circumstance of aggravation</b>	<b>column 5 recognition payment— 2 or more circumstances of aggravation</b>	<b>column 6 recognition payment— very serious injury that is likely to be permanent</b>
7	offence against the person resulting in actual bodily harm	from \$2,480 to \$2,562	from \$3,101 to \$3,204	from \$3,724 to \$3,847	from \$4,344 to \$4,488
8	robbery in company or with an offensive weapon	from \$2,480 to \$2,562	from \$3,101 to \$3,204	from \$3,724 to \$3,847	from \$4,344 to \$4,488
9	attempt or conspiracy to commit a sexual offence punishable by imprisonment for 10 years or more but less than 14 years	from \$2,480 to \$2,562	from \$3,101 to \$3,204	from \$3,724 to \$3,847	from \$4,344 to \$4,488
10	attempt, threat or conspiracy to commit an offence against the person resulting in grievous bodily harm	from \$2,480 to \$2,562	from \$3,101 to \$3,204	from \$3,724 to \$3,847	from \$4,344 to \$4,488
11	offence involving deprivation of liberty (including kidnapping, forcible confinement)	from \$2,480 to \$2,562	from \$3,101 to \$3,204	from \$3,724 to \$3,847	from \$4,344 to \$4,488

<b>column 1 item</b>	<b>column 2 offence in course of which act of violence must occur</b>	<b>column 3 recognition payment— general</b>	<b>column 4 recognition payment – 1 circumstance of aggravation</b>	<b>column 5 recognition payment— 2 or more circumstances of aggravation</b>	<b>column 6 recognition payment— very serious injury that is likely to be permanent</b>
12	offence against the person not resulting in actual bodily harm	from \$1,239 to \$1,280	from \$1,541 to \$1,592	from \$1,862 to \$1,924	from \$2,170 to \$2,242
13	attempt or conspiracy to commit a sexual offence punishable by imprisonment for less than 10 years	from \$1,239 to \$1,280	from \$1,541 to \$1,592	from \$1,862 to \$1,924	from \$2,170 to \$2,242
14	attempt, threat or conspiracy to commit an offence against the person resulting in actual bodily harm	from \$1,239 to \$1,280	from \$1,541 to \$1,592	from \$1,862 to \$1,924	from \$2,170 to \$2,242

**Clause 6      Section 9**

This clause brings section 9, recognition payment for class A related victim, in line with CPI from \$24,828 to \$25,648.

**Clause 7      Section 10**

This clause brings section 10, recognition payment for class B related victim, in line with CPI from \$12,412 to \$12,822.

**Clause 8      Section 12**

This clause brings section 12, limitations on lawyers legal costs in line with WPI and rounded to the nearest dollar for the following amounts:

- 1) From \$1,310 to \$1,364
- 2) From \$2,620 to \$2,727