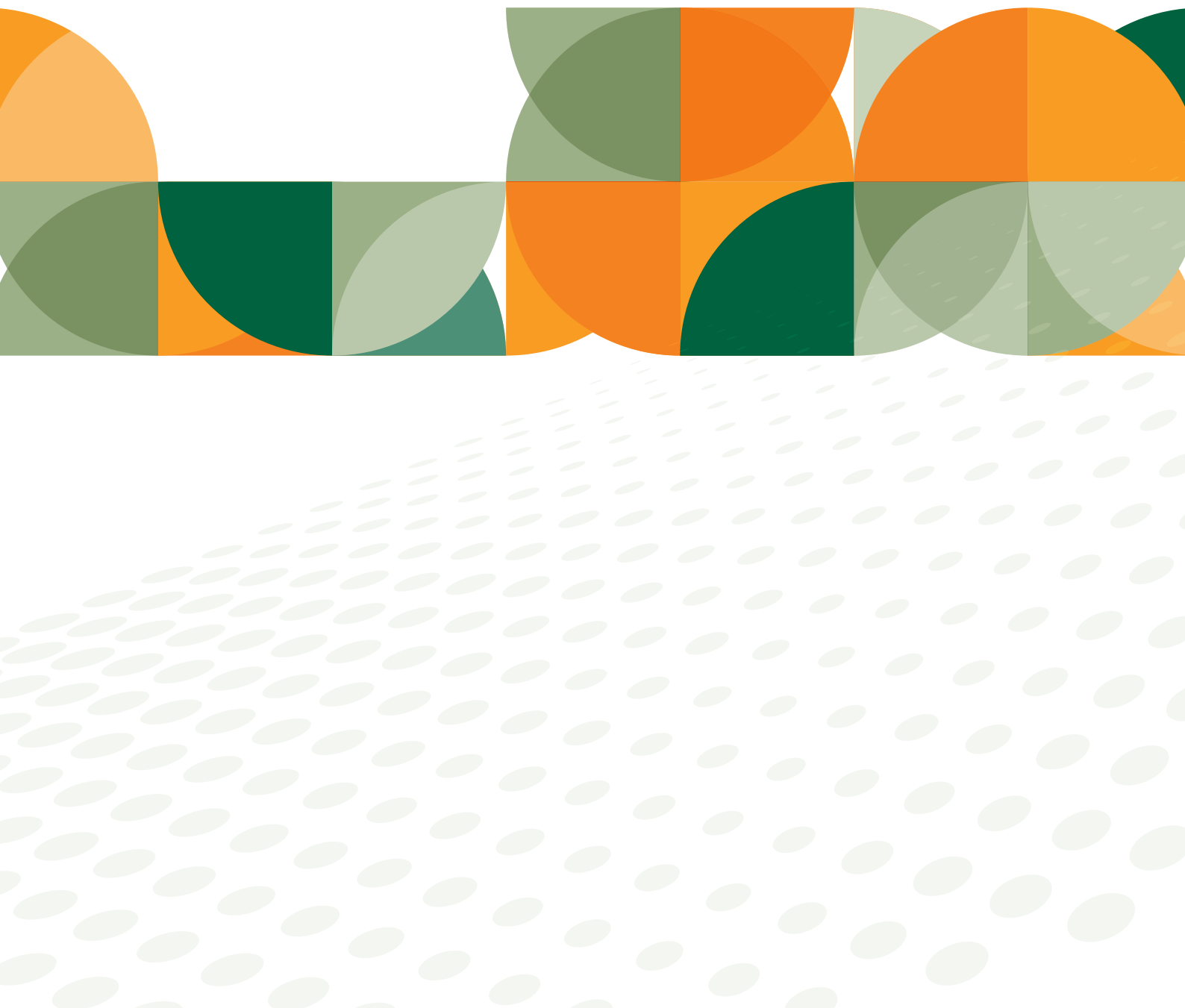




OFFICE OF CRIMINAL INJURIES COMPENSATION
Department of Justice Western Australia
Annual Report

2019/20





CRIMINAL INJURIES COMPENSATION

The Honourable John Quigley, MLA
Attorney General of Western Australia
5th Floor, Dumas House
2 Havelock Street
WEST PERTH WA 6005

Dear Attorney General

STATUTORY REPORT - CRIMINAL INJURIES COMPENSATION 2019/20

Pursuant to section 62 of the *Criminal Injuries Compensation Act 2003* I submit my report on the operation of the Office of Criminal Injuries Compensation for the year ending 30 June 2020.

Yours faithfully

A handwritten signature in black ink, reading "C. Holyoak-Roberts".

C Holyoak-Roberts
CHIEF ASSESSOR OF CRIMINAL INJURIES COMPENSATION

September 2020

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CHIEF ASSESSOR'S OVERVIEW



During the 2019/2020 financial year, the Office of Criminal Injuries Compensation (OCIC) experienced a substantial improvement in output and service delivery, benefitting from the appointment of our fourth assessor the previous financial year, the implementation of targeted projects and the planning and implementation of internal changes.

Statistical data in this report identifies a 12.5% increase in applications accepted for processing and a 33.7% increase in finalised applications compared to last year. Of these, 47.5% arose from offences involving family and domestic violence, reflective of similar trends in previous years. Recent events, however, may have an impact on the number of applications involving family and domestic violence in future years. In the article *The prevalence of domestic violence among women during the COVID-19 pandemic* (Australian Institute of Criminology Statistical Bulletin 28, July 2020), Boxall, Morgan and Brown reported of the women surveyed, over half

said their experience of family and domestic violence had increased in frequency or severity since the onset of the COVID-19 pandemic in February 2020. In addition, changes to legislation by the *Family Violence Legislation Reform Act 2020* created new offences. Both these may have an impact on the number and type of applications received by the OCIC in the future. Our case load continues to increase, this year by 27.6% despite the increase in finalisations. The cost of the scheme to the state has also increased, as expected, with 4 assessors now assessing applications. 2,488 awards were made to a total value of \$45,376,156.00, an increase of 36.0%. The OCIC, through its recoveries section, recovered \$1,684,177.00 from offenders, an increase of 2.9%.

The OCIC has also seen many positive changes this financial year with a shift in focus to meet the objectives set out in the inaugural Business Strategy for 2020 to 2022 to improve processing times and service delivery to victims of crime in Western Australia. The Business Strategy informs the OCIC's decisions, projects and future direction and is designed to improve efficiencies and outcomes in service delivery with a vision to provide an accessible and timely service in a trauma informed manner.

Our objectives have been actioned through a number of projects developed by the OCIC, outlined in this report. It has been a very busy year for the staff in the OCIC. Their ability to adapt to change has impressed me immensely, particularly with the added complication of managing our workspace and habits in line with the WA Government COVID-19 directives. We have seen the development and implementation of a new structure within the OCIC,

supported by additional staff to assist with our ever increasing workload. By the time of writing this overview, many of the projects the OCIC set out to achieve this year, as outlined in this report, have either been completed or are in progress.

Moving forward, the OCIC is continuing to develop and implement projects to meet the objectives set in the Business Strategy. These projects are designed to improve service delivery and diversify our role in the community.

The statistics measuring the performance of the OCIC in 2019-20 reveal a continued increase in the caseload which has placed increased pressure on all staff to meet the needs and expectations of the community. The provision of additional resources to the office has now been finalised and continues to be implemented such that the OCIC should be fully staffed and trained in the coming financial year, which will assist with maintaining the standard of this important service to victims of crime.

All members of staff have continued to produce excellent output in the face of the continued very high workload and changes in the staffing structure, processes and workplace. All are to be commended for the dedication they show to their work, in the face of very demanding work-load pressure. On behalf of the community I congratulate and thank each of the officers concerned.

A handwritten signature in black ink, reading 'C. Holyoak-Roberts'.

Charmaine Holyoak-Roberts

Chief Assessor
Criminal Injuries Compensation

OUR PROJECTS

To improve outcomes and service delivery, this year the focus has been streamlining practices within the OCIC. Our projects have focussed on how best to deliver timely services to applicants in a trauma informed manner and to meet the objectives identified in the Business Strategy for 2020. These projects are outlined below.

Staff Realignment and Recruitment

With the appointment of our fourth Assessor last financial year, the structure of the division of tasks within the OCIC was varied to streamline processes and improve service delivery. Additional staff were recruited to support the fourth assessor and existing file management practices reorganised to an 'end to end' service delivery model. This means case managers are allocated applications and are responsible for all tasks on a matter, from lodgement to completing the award made by the Assessor, providing a single point of contact for applicants accessing our services, reducing the risk of retraumatisation. It also provides perspective for our case managers who can manage an application to conclusion, understanding and being involved in the final outcome and obtaining a better appreciation of the applicants they assist.

The Department of Justice conducted an internal review to assess the outcome of the implementation of the ICMS case management system last financial year. This review recommended a position be created for a staff member dedicated to reception duties. This year saw the implementation of that recommendation with our receptionist commencing in March, providing a single point of initial contact for people who access our services



and allowing case managers and recoveries officers to concentrate on their specified tasks.

Additional staff were recruited to fill vacant positions in the Recoveries team to continue with the recovery functions prescribed by the Act.

Work Space

With the lease on International House coming to an end and the staffing numbers within the OCIC growing to meet the demand for services, the Department of Justice commenced planning for the relocation of the OCIC to new premises. The OCIC moved into new premises at Golden Square in June, being provided with appropriate ergonomic working facilities and a fresh new outlook. The staff at the OCIC work in an open office plan arrangement to facilitate open communication and discussion. The move was seamless, thanks to the careful planning and co-ordination of the Department and the OCIC representative. We are now working in an office environment commensurate with growing staff numbers and modern work practices in accordance with our Business Strategy.

Staff Training

The caseload and content of applications received by the OCIC continues to present challenges to staff. To assist with managing these challenges, the OCIC organised staff to attend a trauma management and resilience course which was scheduled to take place in April. However, due to COVID-19 restrictions, the training was postponed to next financial year.

Aboriginal Business Traineeship

As part of the Affirmative Measure program under section 51 of the *Equal Opportunity Act 1984* (WA), the Department of Justice offers nationally recognised traineeships to Aboriginal or Torres Strait Islanders for the development of on-the-job administration skills to support business areas whilst completing a Certificate III in Government or Business. In May 2020, the OCIC was pleased to welcome two trainees from the Aboriginal Business Traineeship program. Our trainees have been learning OCIC focussed office and administrative skills, providing support to our receptionist and case managers



and carrying out targeted projects within the OCIC. The traineeship is for 12 months and we continue to receive the benefit of their skills development and support.

Online Applications and eLodgment

The OCIC is continuing to explore and develop strategies to improve the timeliness of assessing applications. In consultation with OCIC staff, the ICMS Implementation Review recommended an online application process be developed. Currently, applications are received either in paper form or via email. Once received, these applications are sorted and in the case of paper applications scanned, and then lodged into the ICMS system. This process of

sorting, scanning and lodging is time consuming and onerous. Therefore, to streamline the lodgment process, an OCIC representative worked with Courts Technology Group (CTG) to develop an online application process so applicants and their representatives have an online wizard facility to lodge applications. We expect this facility to be available later this year.

In addition to an online application process, the OCIC representative and CTG developed an eLodgment facility allowing applicants and third parties from whom documents are sought, to lodge those documents directly into the OCIC's case management system. Currently, these documents are provided in paper form, by email, USB or CD and are lodged manually. Again, this process is time consuming

so eLodgment has been developed to streamline the receipt of documents. This facility will be launched at the same time as the online application wizard.

Both of these facilities will save OCIC staff a significant amount of time in manual tasks such that more time can be spent on processing applications.

Community Service

During the year Assessors have participated in a number of public speaking engagements and education and training opportunities, including at:

- the John Curtin Institute of Public Policy;
- Curtin University;
- the Aboriginal Family Law Service CLE day;
- Community Legal Services' Quarterly CLE day;
- the SCALES Community Legal Centre seminar series;
- the ANZAPPL seminar series;
- the Legal Aid Commission of WA CLE day;
- the LegalWise Seminar series; and
- the Murdoch University Indigenous Law Unit and
- Australian Lawyers Alliance seminar series.

In addition, the OCIC presented an inaugural 'Meet the Assessor' event to provide an update to stakeholders of our services and service delivery and provide members of the legal profession the opportunity to meet the OCIC decision makers. The OCIC continues to provide opportunities by way of internships for Murdoch University Law Students to complete research work in the area of criminal injuries compensation law, to contribute to the degree program.

FUTURE PROJECTS

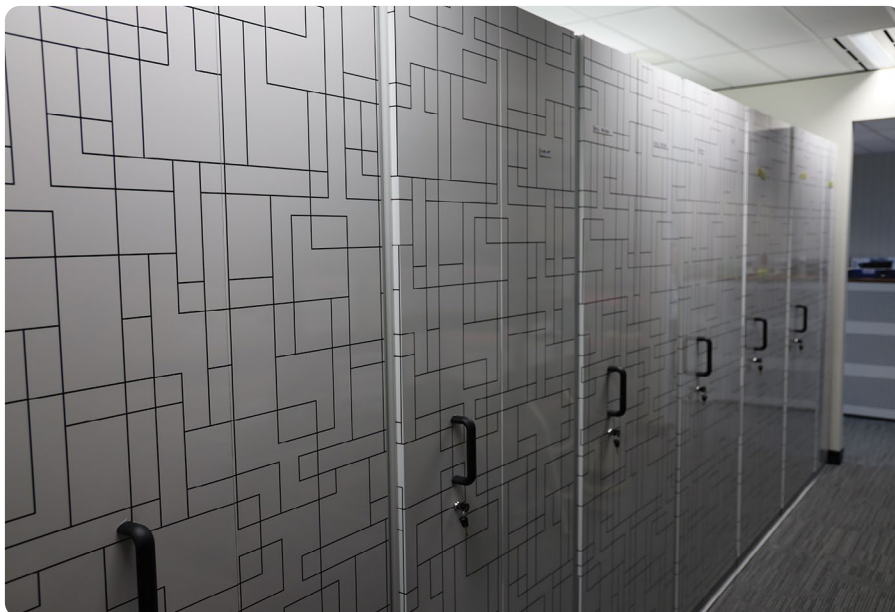
To further the objectives identified in the Business Strategy, the OCIC has been planning for the roll out of projects in the next financial year. These include the following.

Aboriginal Justice Program Open Days

The Assessors acknowledge an increasing number of family and domestic violence related applications and applications alleging neglect. These applications are initiated by some of our most vulnerable members of the community including those in remote and regional communities who face reduced access to our services and to supports to access our services. This has highlighted significant gaps in access to services and service delivery between metropolitan communities and remote and regional communities. The OCIC is therefore planning for a regional and remote access inclusion program to commence in the next financial year. This will see an Assessor and staff member of the OCIC accompany service delivery stakeholders in the Department of Justice's Aboriginal Justice Program to bring OCIC services to remote aboriginal communities. This program will be supported by our online application process and eLodgment.

Internal Staff Training Project

Training, skills development and education are an important part of the role of staff within the OCIC. As such, the Assessors are developing an internal training program to provide insight for staff into their role in meeting the requirements of the Act. In addition, the OCIC is developing a regular program of guest speakers to provide perspective and insight to the OCIC staff on the work carried out by them.



External Stakeholder Workshops

Educating the community as to the services offered by the OCIC and our processes is at the forefront of our objectives next financial year. As such, a series of external stakeholder workshops is being developed to lift community awareness within the legal profession and generally of the OCIC and our services.

Homeless Connect

Each year, Homeless Connect Perth organises an event to help homeless and disadvantaged people. The OCIC is planning to be a part of the Homeless Connect event in the coming financial year to raise awareness of our services to these members of our community.

National Benchmarking Project

Currently there is a lack of national action and benchmarking for Criminal Injuries Compensation within Australia. Whilst different states operate different schemes, the OCIC is confident there are some similarities that can be assessed. In addition, the

creation of a national initiative will encourage conversation about the benefits and pitfalls of the criminal injuries compensation scheme in each state and territory so improvements can be made to the Western Australian Scheme.

CIC Review Report

In 2017, the Department of Justice prepared a Discussion Paper seeking submissions as to whether it was appropriate to make any changes to the Criminal Injuries Compensation Scheme in Western Australia. Those submissions were considered and a Report on the findings of the Review of the Criminal Injuries Compensation Scheme in Western Australia was prepared and tabled in Parliament on 11 February 2020. The report can be accessed here www.parliament.wa.gov.au.

Next financial year the OCIC will participate in the implementation of the recommendations of the review to improve legislation in this area.



OFFICE OF CRIMINAL INJURIES OVERVIEW

Currently located at Level 10, Golden Square, 32 St Georges Terrace, Perth, the Office of Criminal Injuries Compensation (OCIC), is established pursuant to the *Criminal Injuries Compensation Act 2003* (the Act). The OCIC is a specialist tribunal providing a flexible, informal and responsive approach to determining applications for compensation by victims of crime in a trauma informed manner, acting informally and expeditiously. The tribunal consists of the Chief Assessor and 3 Assessors together with case managers, recoveries officers and clerical staff. To qualify for appointment, the Chief Assessor and Assessors are required to be an Australian Lawyer of at least 8 years' legal experience. Most applications are determined on the papers in a non-adversarial fashion, without the need for a hearing. Assessors are not bound by the rules of evidence in assessing applications and have inquisitorial powers to inform themselves in any manner they see fit.

Applicants can claim compensation for injuries and some losses suffered as a consequence of an offence or alleged offence. Compensation can be awarded for bodily harm, mental and nervous shock and pregnancy and includes pain and suffering and loss of enjoyment of life. The maximum amount payable is \$75,000.00 for an offence committed in Western Australia after 1 January 2004, and lesser amounts for offences prior to that. Where there are multiple offences or alleged offences perpetrated by the same offender over a period of time, an applicant can be entitled to a maximum of \$150,000.00.

Interim payments of up to \$2,250.00 can be made for medical reports or treatment costs which can facilitate the applicant accessing urgent treatment.

Interim payments are also available for funeral expenses which are paid in full if reasonable and can be made on an urgent basis.

Priority is given to applicants over the age of 70 years and secondary victims of offences where the offence caused the death of the primary victim.

The OCIC supports victims of crime by determining claims for compensation and providing financial assistance to:

1. Acknowledge their pain and suffering by a lump sum payment; and
2. Provide for some losses including loss of income, the cost of reports, some personal items damaged in the commission of the offence and treatment expenses.

The data contained in this annual report is based on the most accurate statistics obtained at the time of preparation of the report from ICMS. The ICMS system is a live data capture system which means data may change from time to time, depending upon data entry processes and delays. The OCIC continues to improve processes and procedures to best capture and record live data.

In addition to its core business areas of awards and recoveries, the OCIC has continued to have an active role in the provision of information relevant to applicants for National Redress, responding to a large number of requests for information from the Office of the Commissioner for Victims of Crime which co-ordinates the provision of information to the Commonwealth body.

Who Can Apply

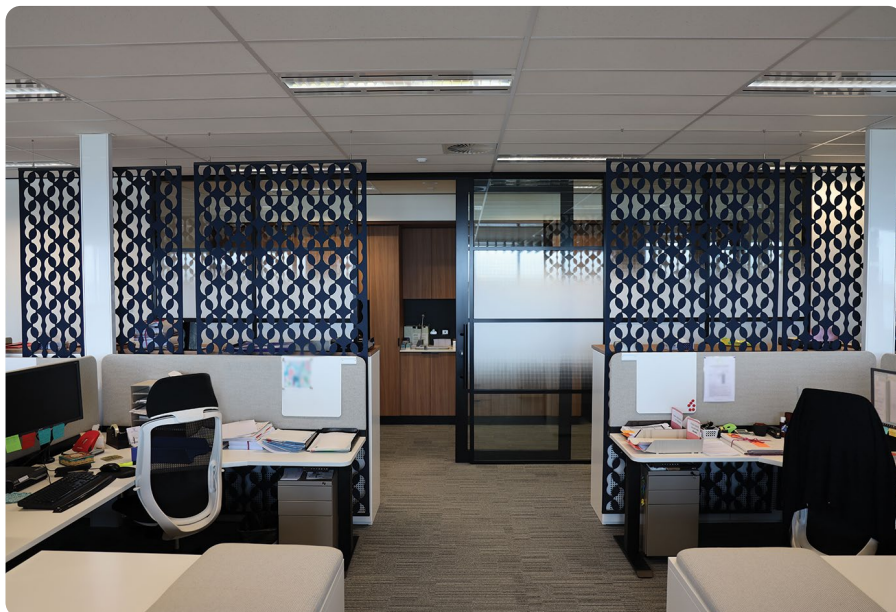
Assessors can award compensation under the Act to any person who has suffered injury as a consequence

of an offence or alleged offence. The offence may be proved by a conviction in a criminal court or if an alleged offender has not been charged or the case not completed in court the Assessor may make an award if they are satisfied an offence has occurred. Payments can be made to primary victims, that is, those victims injured as a direct result of the offence and in certain circumstances to secondary victims who were present when or immediately after the offence was committed or who qualify as close relatives of the injured or deceased victim.

The Application Process

Applications are currently received in paper form or by email using the OCIC's application form, available at https://courts.justice.wa.gov.au/_files/criminal_injuries_compensation.pdf. There is no fee payable to make an application to the OCIC. Applications ought to be lodged within 3 years of the offence though in some circumstances Assessors can extend this timeframe. Applications should be lodged with supporting documents, including medical and other health professional reports, evidence of any losses (such as loss of wages or costs incurred in treatment), a statement of circumstances of the incident and a victim impact statement.

Once the application is received, a Senior Case Manager will allocate it to a Case Manager who will review it before referring it to the Assessor. The Assessor may reject the application for a variety of reasons. Alternatively, the Assessor may accept the application in which case information requests will be made about the incident and prosecution (if there was one) to help



determine whether an offence has occurred. Requests may also be made for other information, such as medical and hospital notes, depending on the application. Almost all claims are determined on the material provided to or obtained by the Assessor.

The process of case management and assessment takes time, which varies according to the complexity of the application and workload within the OCIC. Finalisation of applications is delayed if the Assessor is awaiting the outcome of a criminal investigation or prosecution, required to make further inquiries about the incident, the injury or losses, if the Assessor determines a hearing is required or if there is a delay in the applicant providing information to the OCIC or responding to inquiries by the Assessor. Processing times for the 2020 year are identified in this report.

Staff

The team at the OCIC consists of 4 full time assessors and 21.1 full time equivalent administrative (FTE) employees, including staff working on recovery of compensation payments from convicted offenders (the Recoveries Office).

Statistical Profile

	2015/16	2016/17	2017/18	2018/19	2019/20
New Applications Received	2,769	3,189	3,173	3,626	3,615
Accepted Applications	2,734	3,167	2,640	2,753	3,096
Rejected Applications	707	762	463	873	519
Resubmitted Applications	557	699	279	55	719
Awards granted	1,987	2,279	1,526	1,829	2,488
Applications refused	222	226	177	345	481
Applications closed or discontinued	53	80	116	199	204
Applications outstanding at 30 June	2,731	3,313	4,188	4,311	5,502

Key Data for 2020

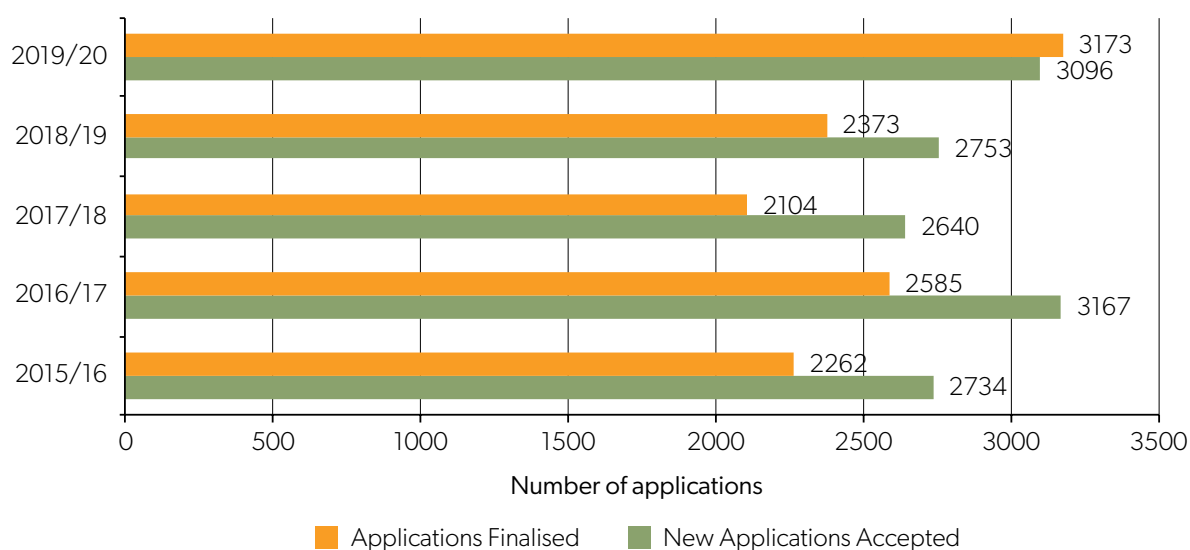
- 3,615 new applications for compensation were received.
- 3,096 applications were accepted for processing, an increase of 12.5%.
- 3,173 applications were finalised, an increase of 33.7%.
- 2,488 awards were made to a total value of \$45,376,156.00, an increase of 36.0%.
- The average award was \$18,238.00.
- 481 applications were refused.
- 5 hearings were held into applications for compensation.
- The caseload increased by 1191 to 5,502 applications on hand, an increase of 27.6%.
- \$1,684,177.00 of debt owed to the State was recovered, an increase of 2.9%.
- 1507 finalised applications arose from offences involving family and domestic violence, being 47.5% of the finalised applications.

STATISTICAL DATA

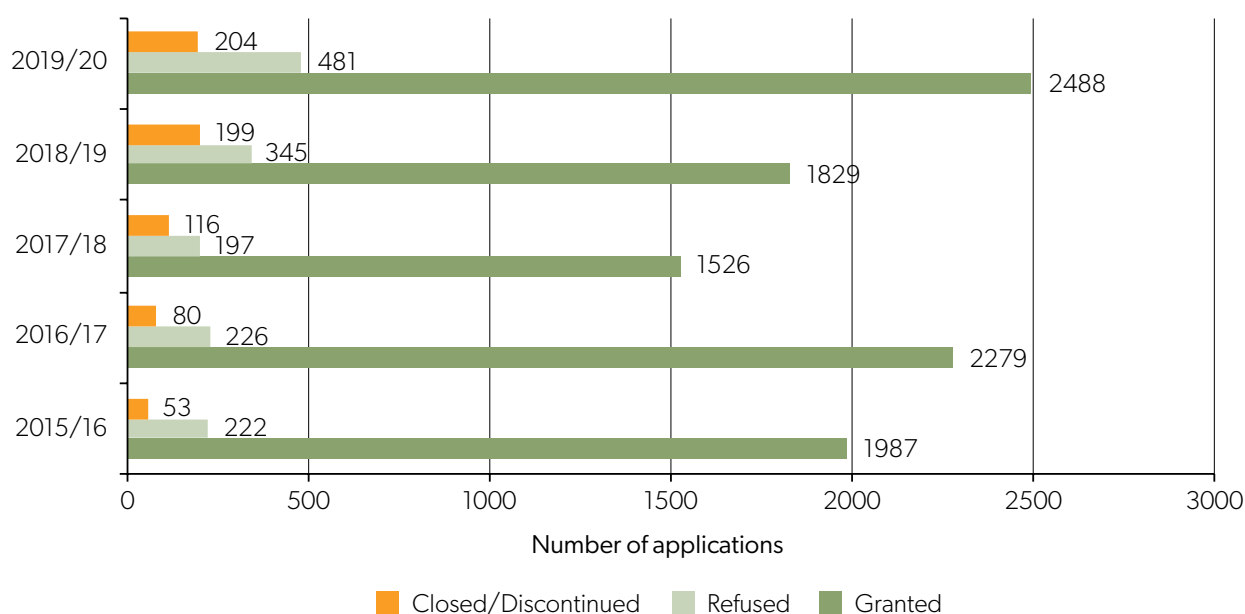
New applications received

During 2019/20, 3,096 new applications were accepted for processing, 343 more than in the previous year. In 2019, 2,373 applications were finalised, and in 2020, 3,173 were finalised, an increase of 800. The case load increased this year by 1,191 applications, a reflection of the impact of raised awareness by the OCIC of the scheme and the lodging of more complicated multiple offence/offender applications, particularly those relating to applicants experiencing family and domestic violence.

Applications accepted and finalised 2015/16 to 2018/19



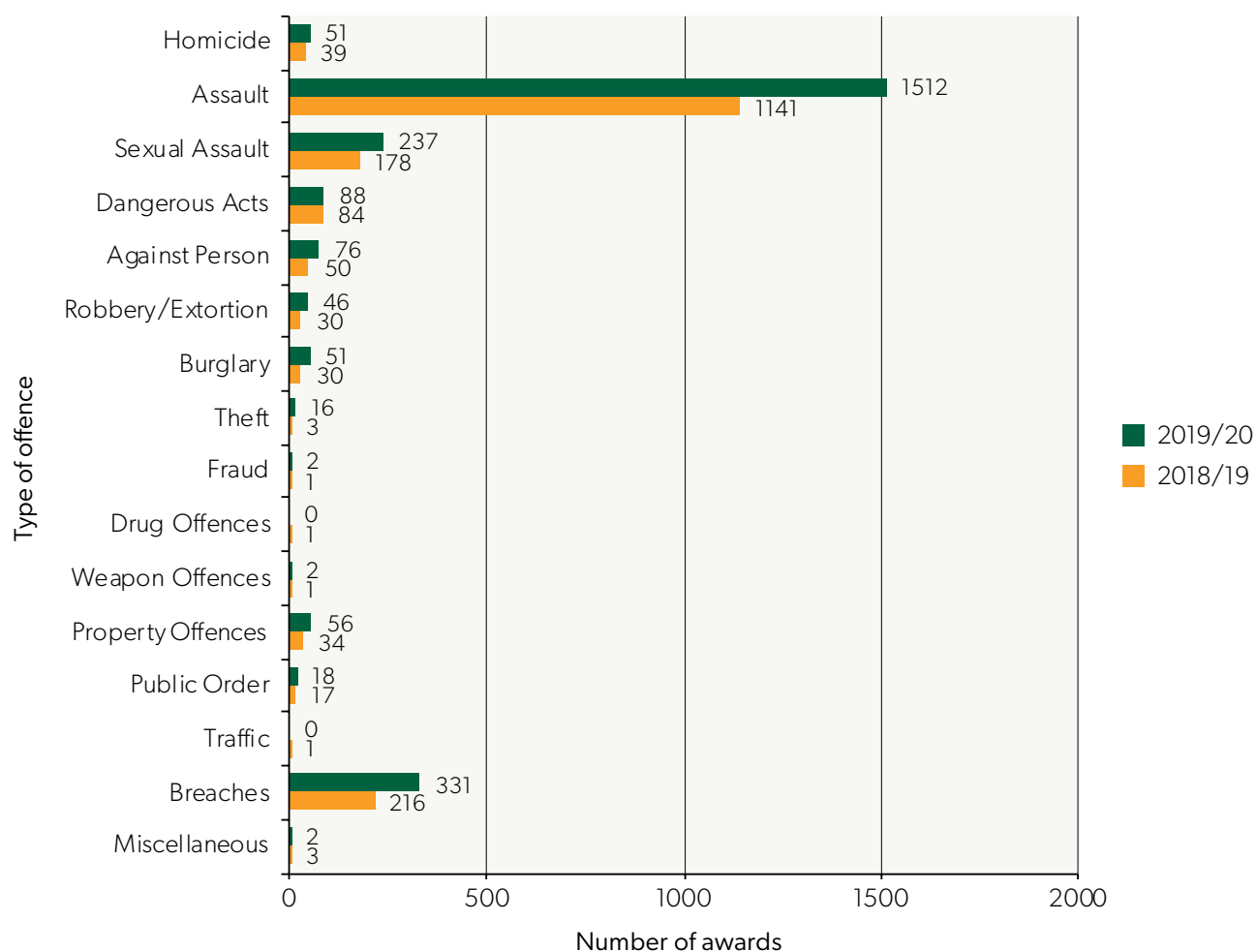
Claims finalised 2015/16 to 2019/20



Nature of Offences Involved

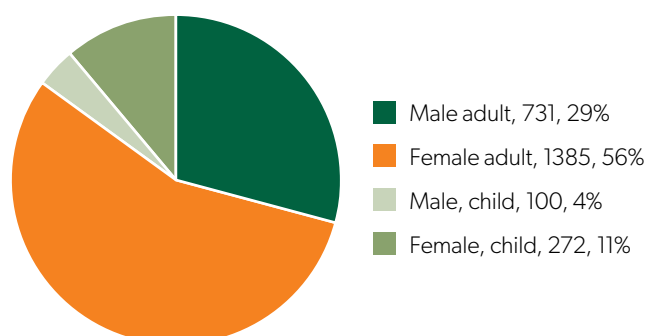
The chart below illustrates the types of offences for which awards were made, with a comparison between 2018/19 and 2019/20.

Offences for which awards were made 2018/19 to 2019/20



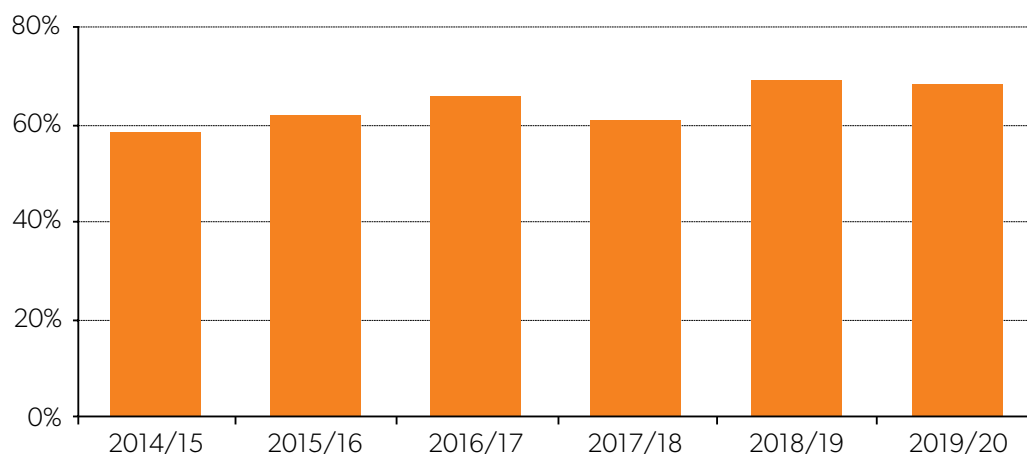
Number of Males and Females to whom Awards Were Made

The following chart shows the gender of persons to whom awards were made and the number of adults and children involved. Overall, 34% of recipients were male and 66% female, a decrease in the number of female applicants over the previous year.





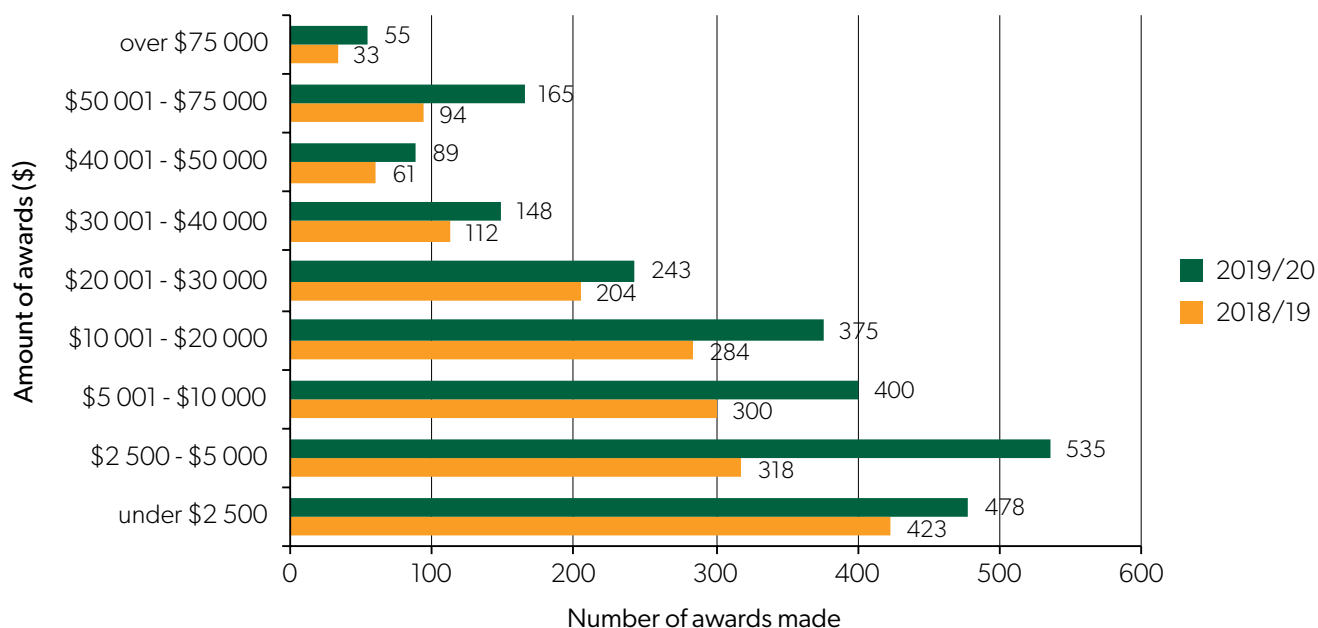
Percentage of female applicants

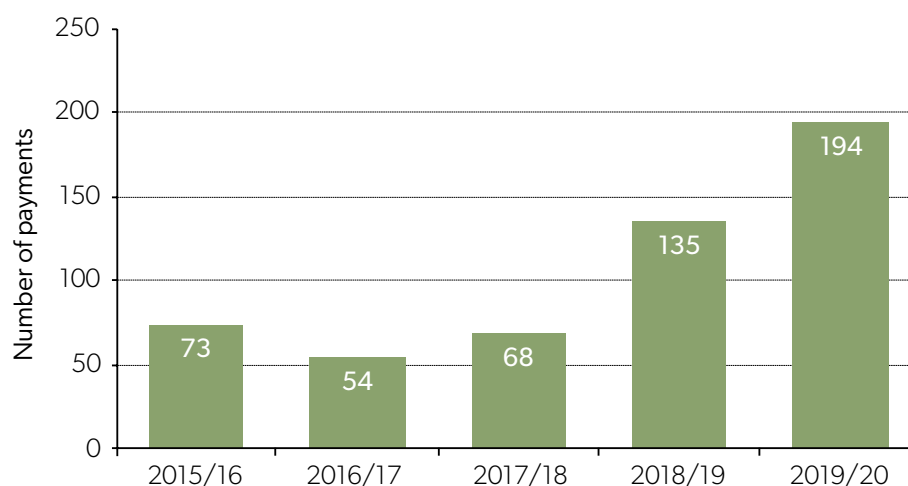
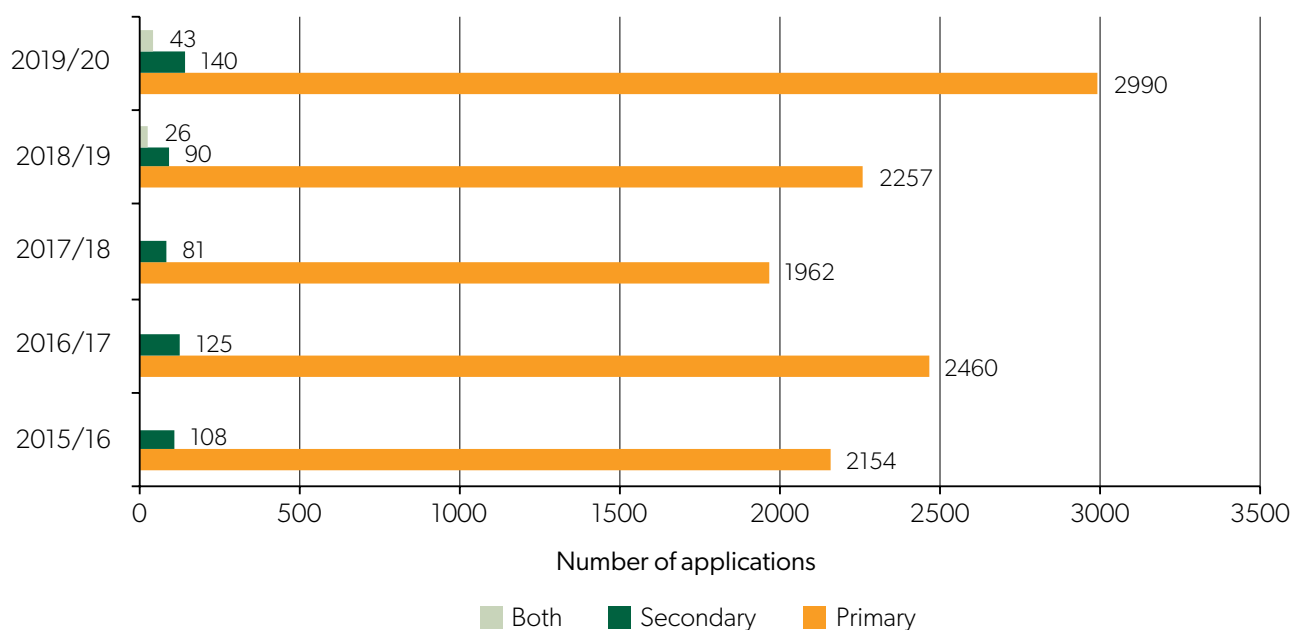


Range of Awards Made

The chart below illustrates the monetary range of awards made, with a comparison between 2018/19 and 2019/20. The fact the significant majority of applicants are compensated at a figure below the available maximum indicates the scheme is adequately compensating the majority of applicants.

Range of monetary awards 2018/19 and 2019/20



Interim payments made 2015/16 to 2019/20*Primary and secondary victims 2015/16 to 2019/20***Funeral Expenses**

In 2018/19 the OCIC received 73 applications arising from a homicide, and in 2019/20 there were 44 applications. In 2018/19, 10 applications for compensation for funeral expenses were received and compensation totalling \$102,704.00 was paid, at an average of \$10,270.40 per claim. In 2019/20 there were 3 claims for compensation for funeral expenses and compensation totalling \$24,297.14 was paid, at an average of \$8,099.00 per claim.



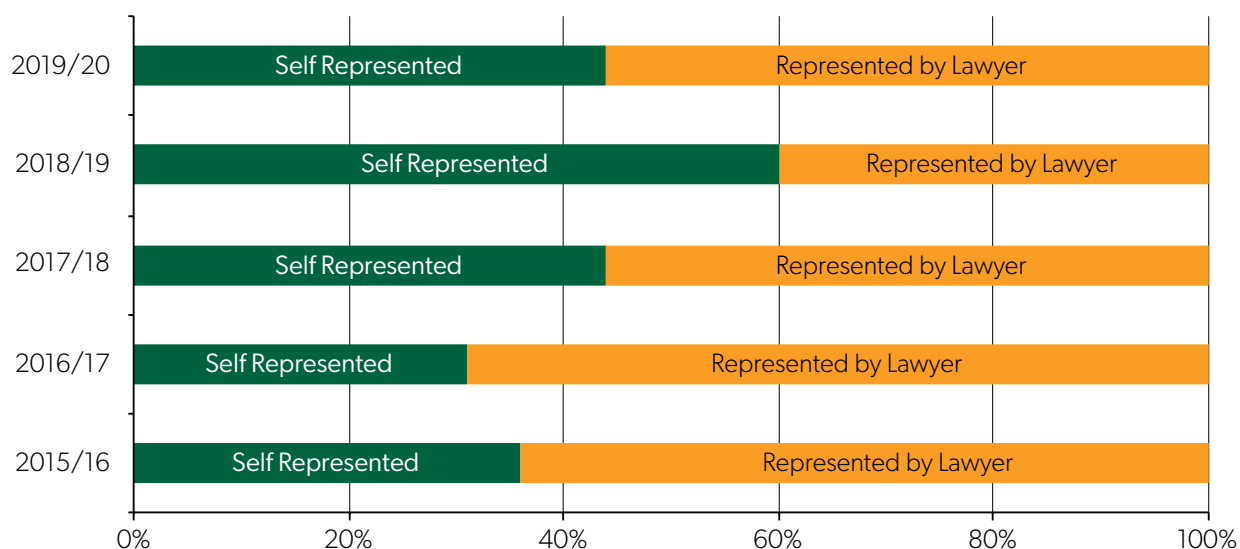
Representation

The last 12 months has seen an increase in the proportion of applicants having legal representation, with 56% of applicants being represented, compared to 40% in the previous year.

Appeals

30 appeals were lodged with the District Court following the determination of a compensation application. 30 appeals were finalised and of these 16 were successful, 0 were unsuccessful, 0 were abandoned and 14 were discontinued.

Representation 2015/16 to 2019/20



Refusals

Awards were refused on 481 applications, for the reasons detailed below. Of these refusals, 270 (56.1%) relate to matters involving allegations of family and domestic violence. This represents a decrease in the percentage of refusals relating to family and domestic violence from 76.1% in the previous year.

Section of Act	No. of Refusals	Family and Domestic Violence Matters Refused	Reason for Refusal
No Jurisdiction	15	7	No Jurisdiction
No Reason Given	11	4	No Reason Given
Section 10(1)	36	14	Death of person entitled to compensation ends entitlement
Section 12(1)	16	7	Proved offence
Section 12(2)	1	1	Proved offence - Personal representative of the deceased
Section 13(2)	22	9	Alleged offence: acquittal
Section 13(3)	1	0	Alleged offence: acquittal - Personal representative of the deceased
Section 13(5)	1	1	Alleged offence: acquittal - Alleged offence to be taken not to have been committed if person not criminally responsible
Section 16(2)	3	2	Alleged offence: charge not determined
Section 17(2)	165	108	Alleged offence: no person charged
Section 17(5)	1	0	Alleged offence: no person charged - Not criminally responsible
Section 21(1)	2	1	Applicant may be required to enforce other remedies
Section 35(2)(a)	2	0	Mental and nervous shock, compensation for limited to certain persons - Bodily harm/Pregnancy
Section 35(2)(b)	4	1	Mental and nervous shock, compensation for limited to certain persons - Victim
Section 35(2)(c)	8	8	Mental and nervous shock, compensation for limited to certain persons - Victim personally present
Section 35(2)(e)	3	0	Mental and nervous shock, compensation for limited to certain persons - Victim close relative and living with
Section 35(3)	3	0	Mental and nervous shock, compensation for limited to certain persons - Victim committing offence
Section 36	12	12	No award if compensation likely to benefit offender
Section 37	3	0	No award if injury is from motor vehicle in certain cases
Section 38	51	37	No award if applicant did not assist investigators
Section 39(1)	38	12	No award if victim was engaged in criminal conduct
Section 39(2)	2	0	No award if victim was engaged in criminal conduct - Personal representative of the deceased
Section 40(2)	12	11	No award if compensation already awarded or refused
Section 40(3)	1	1	No award if compensation already awarded or refused - Personal representative of the deceased
Section 41	27	18	Behaviour etc. of victim to be considered
Section 42(2)	9	1	Insurance payments etc. to be deducted from award - Loss
Section 42(3)	6	1	Insurance payments etc. to be deducted from award - Injury or loss
Section 42(4)	1	1	Insurance payments etc. to be deducted from award - Injury or loss Personal representative of the deceased
Section 9(2)	25	13	Time limit for making compensation application

* An extension of time was granted on 163 applications.

Reductions to Awards for Contribution

Section 41 of the Act requires that regard be had to “any behaviour, condition, attitude, or disposition of the victim that contributed, directly or indirectly, to the victim’s injury or death”, and authorises the assessor to refuse or reduce the award. Reductions for contributory behaviour, ranging from 5% to 50%, were made in 18 awards during 2019/20. Of these, 6 awards were reduced by 20% or less and 12 awards were reduced by over 20%. No application was refused for contributory behaviour. Five of the applications on which a reduction was made for contributory behaviour involved family and domestic violence.

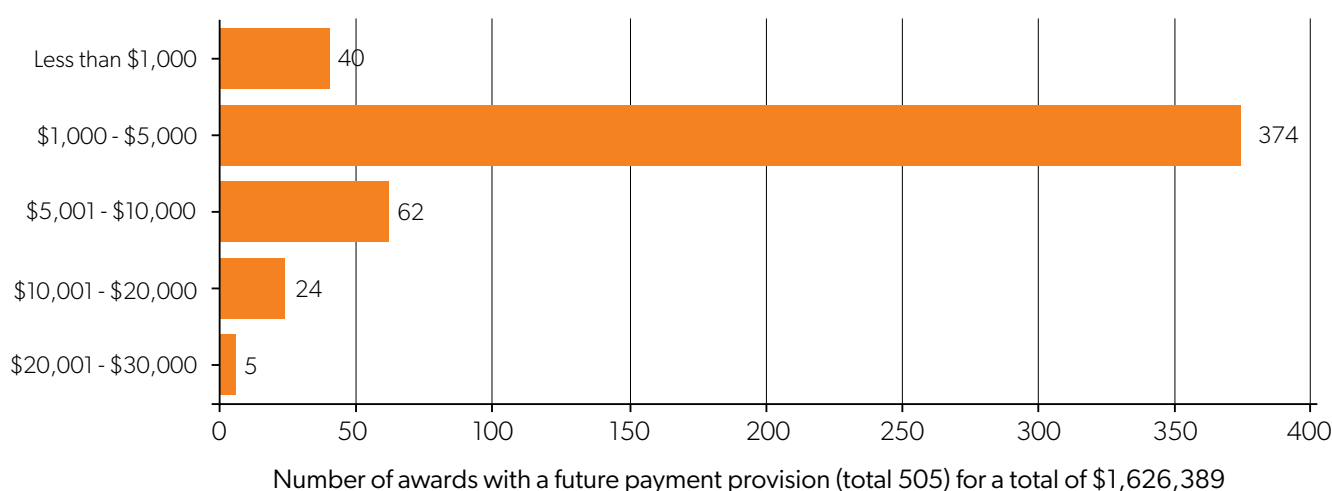
Future Payments Provision

As part of an award, an Assessor may make provision for future treatment costs, which can be claimed by the applicant when relevant costs are incurred within 10 years

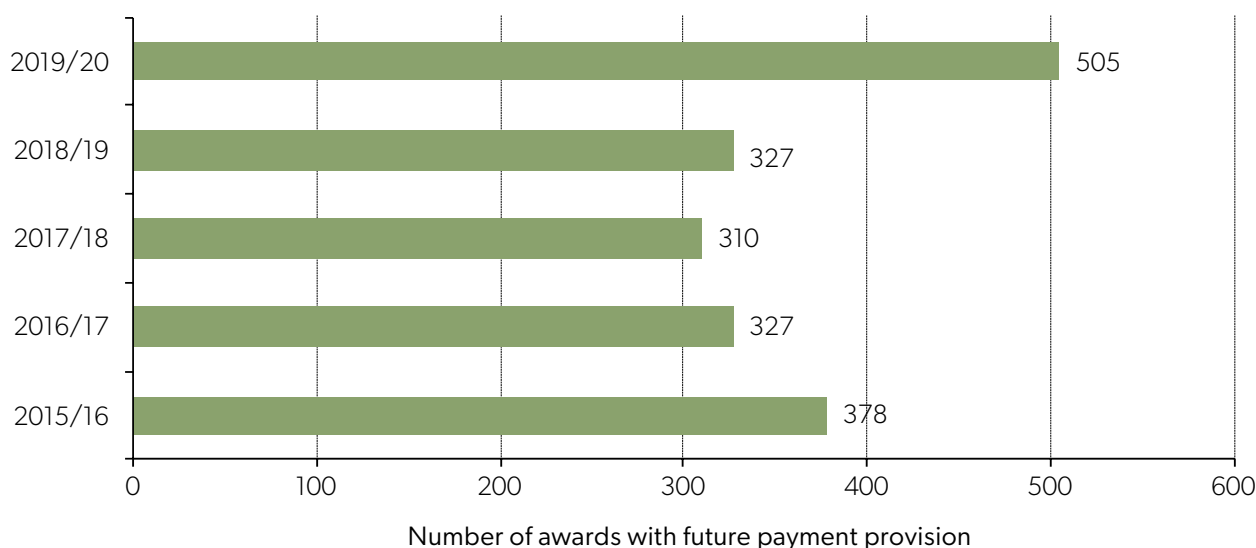
of finalisation of the application. Pursuant to section 48 of the Act, payment is not made until expenses have been incurred and any available Medicare or private health insurance rebate has been claimed. Payment may only be authorised by an assessor if the expense was incurred before the expiry of 10 years after the date of the award or after the date the applicant reached 18 years of age, whichever is the later. The amendment to the Act which introduced the 10 year limit on claims against a future treatment provision came into effect on 31 July 2008, and therefore began to have an effect on entitlement to claim from 31 July 2018.

In 2019/20 provision was made in 505 awards for future treatment expenses totalling \$1,626,389.00, increasing the total provision made under the Act since 1 July 2004 to \$18,004,100.00. Of this, \$286,963.00 was paid out in 2019/20 bringing the total paid since the commencement of the Act on 1 July 2004 to \$3,224,656.20.

Range of future payments provision 2019/20



Future payment provisions 2015/16 to 2019/20



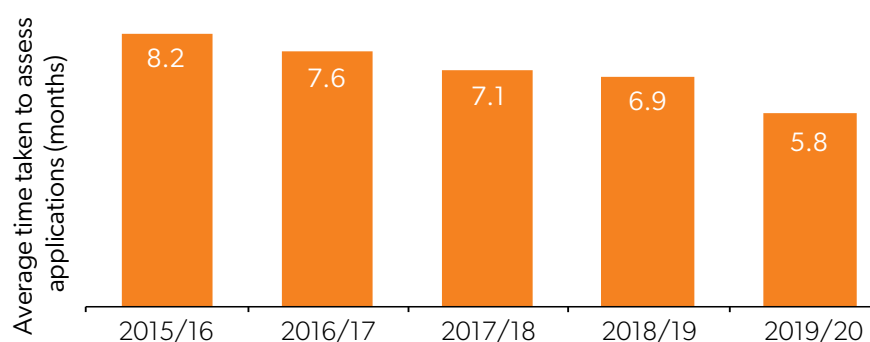
Performance Measures

	Q1 19/20	Q2 19/20	Q3 19/20	Q4 19/20	Annual
Lodgements Accepted	708	931	745	712	3,096
New Applications	910	1,041	823	841	3,615
Finalisations	948	687	868	670	3,173
39 weeks and less	167	169	124	132	592
39 to 52 weeks	110	70	35	43	258
52 weeks or more	671	448	709	495	2,323
Listings matters heard	3	1	0	1	5
Cases on hand	4,341	5,164	5,002	5,502	5,502
39 weeks and less	1,425	2,000	1,188	2,280	2,280
39 to 52 weeks	728	623	1326	651	651
52 weeks or more	2,188	2,541	2,488	2,571	2,571
Applications New and Resubmitted	1,124	1,236	945	1029	4,334
Applications Rejected	202	110	78	129	519
Applications Resubmitted	214	195	122	188	719

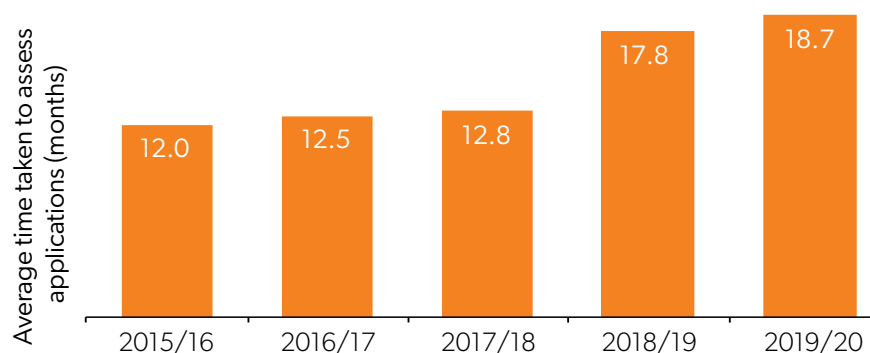
Assessment Time

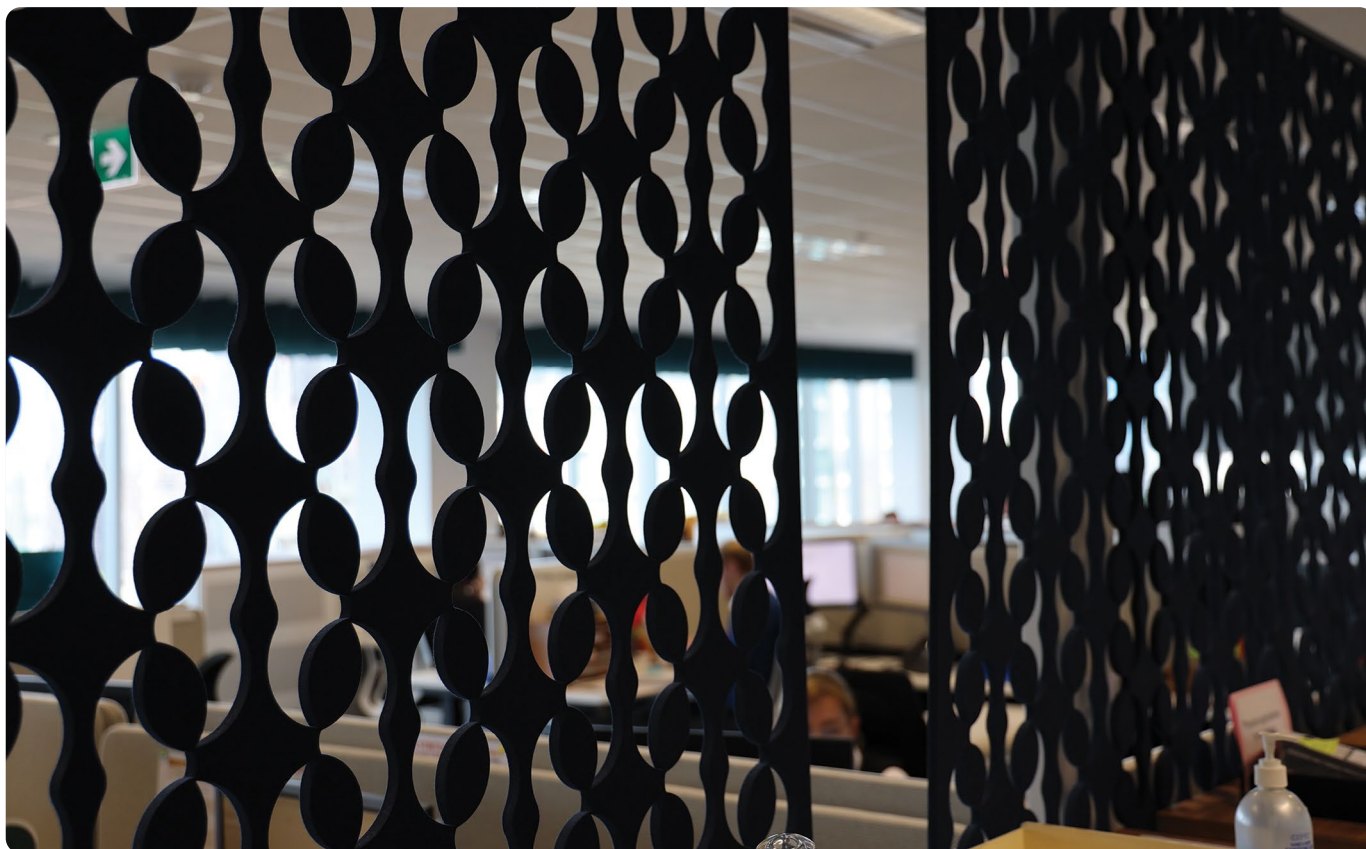
The calculation of the average time taken to finalise an application has in the past been made based only on those applications finalised *in less than 12 months from receipt*. This assumption reflected the likelihood that, in cases which take more than 12 months to finalise, the delay is usually caused by external factors such as ongoing treatment, finalisation of the prosecution, and resolution of other avenues for compensation. On this basis, the assessment time during 2019/20 was 5.8 months, a decrease from 6.9 months in 2018/19. However, the assessment time over *all applications finalised in the financial year* was 18.7 months. The table above compares the assessment time of applications determined in less than 12 months for the years 2015/16 to 2019/20, with *all applications* determined in those years. The increased time taken to finalise applications continues to be significantly contributed to by the volume of the work of the office, the complexity of applications lodged and this year has also been impacted upon by the need to train new staff and existing staff in new processes to facilitate the end to end service delivery model.

Assessment time 2015/16 to 2019/20 -- files under 12 months



Assessment time 2015/16 to 2019/20 -- files over 12 months

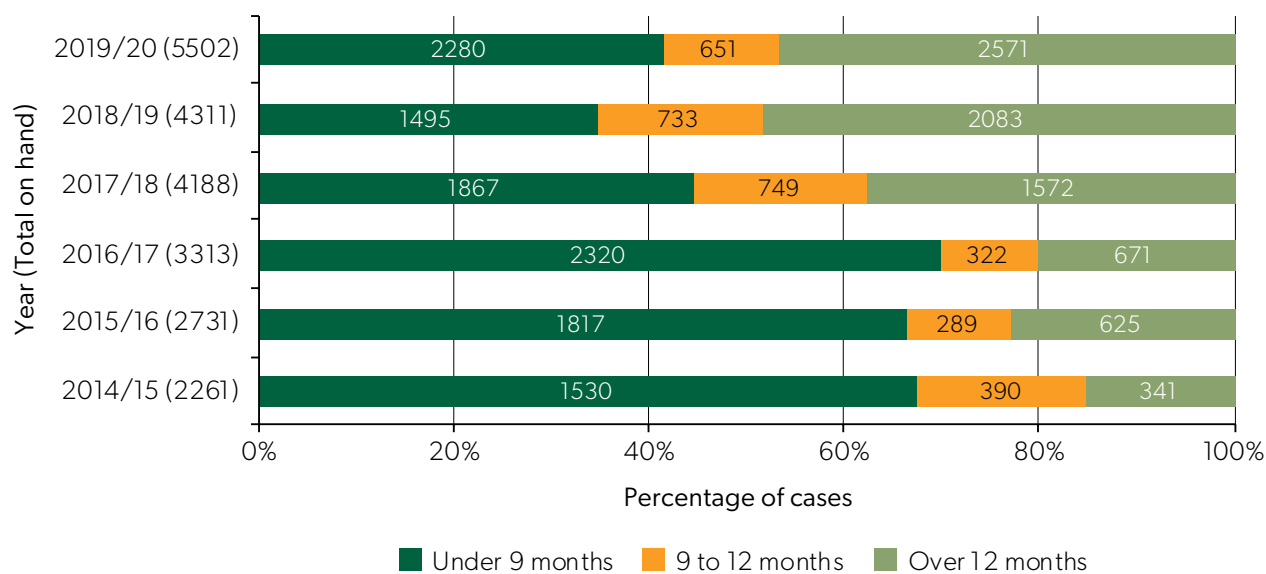




Outstanding Applications

On 30 June 2020, 5,502 applications were on hand, an increase of 1,191, or 27.6%, over the preceding 12 months. The breakdown of the age of the cases on hand in the table below shows that the number of applications which have been in the Office for more than 12 months has increased by 23.4%. There has also been a reduction of the percentage of cases on hand older than 12 months, from 49.3% in the 2019 financial year, to 46.7% this financial year.

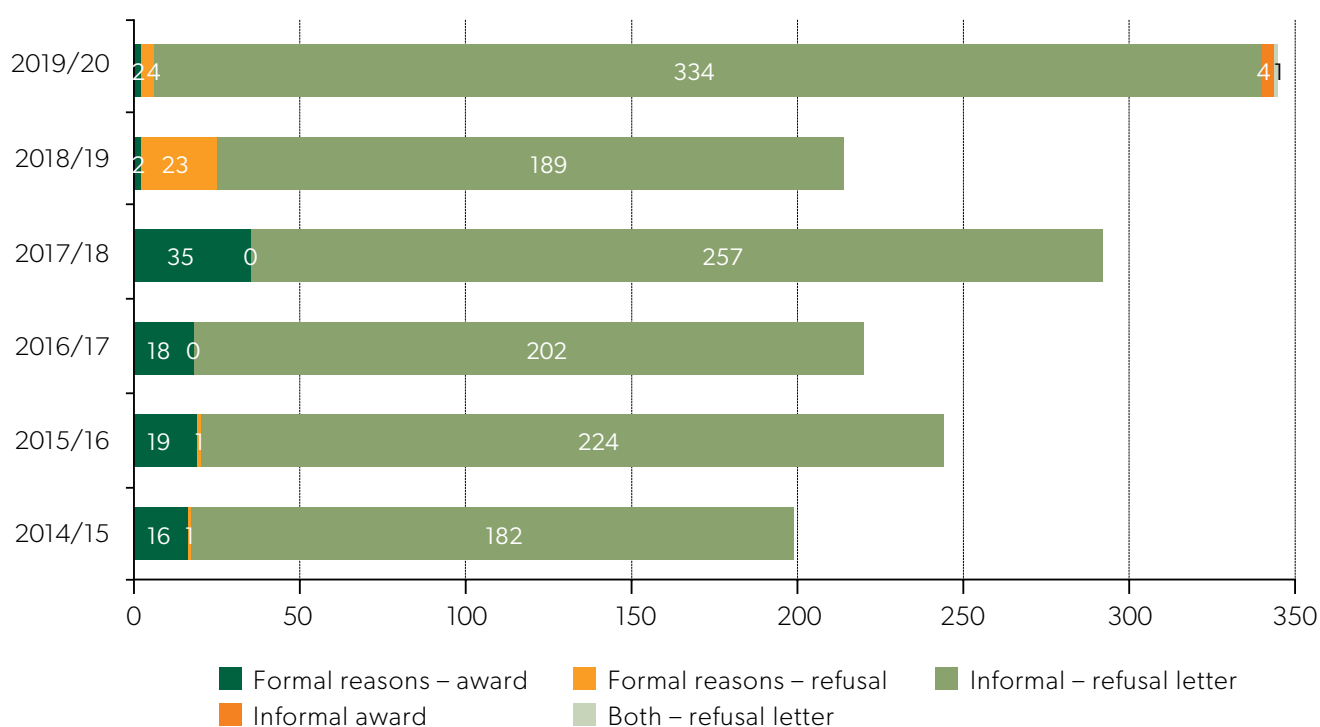
Applications on hand – 30 June



Provision of Reasons

An Assessor is required to give written reasons for the making of an award when requested to do so, and in all cases where the making of an award is refused. Where an Assessor forms the view that by reason of the operation of the legislation an applicant is ineligible for compensation, the applicant may be advised by letter of the reasons for that outcome, rather than in formal written reasons. During 2019/20, formal reasons for decision were provided in 6 cases and in total reasons were provided in 345 cases, an increase of 131 over the previous year. The chart below sets out the breakdown of these reasons.

Reason provided 2014/15 to 2019/20





Recovery of Debt

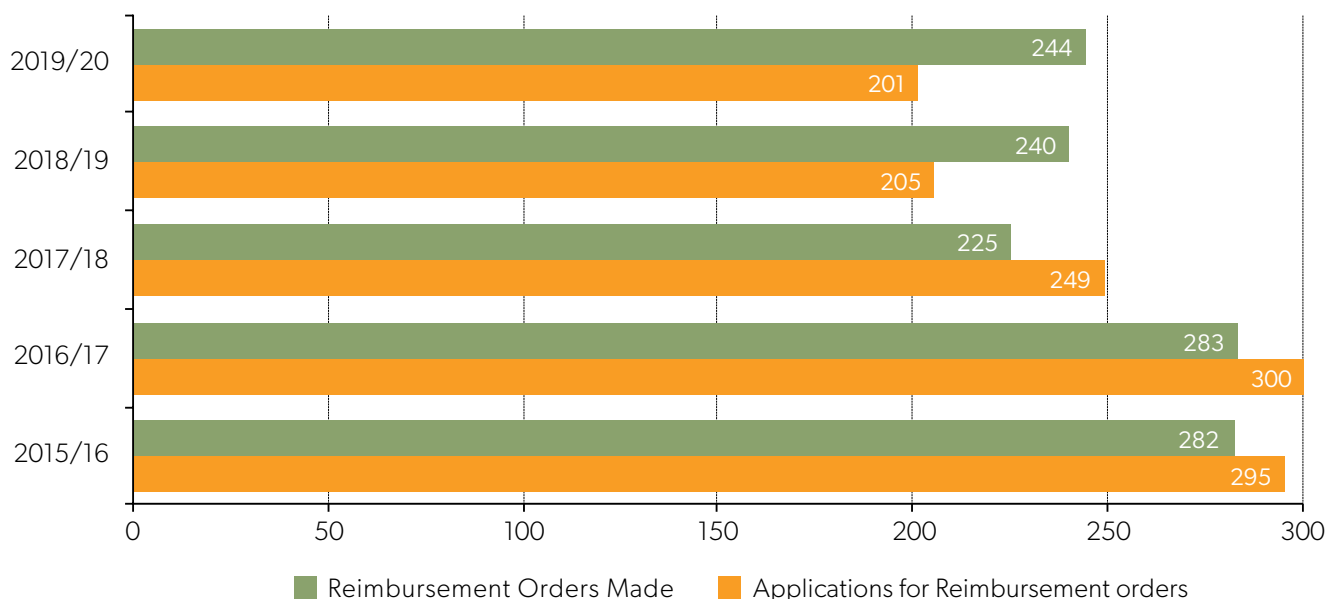
When a compensation award is made in a case where an offender was convicted, the State may apply to an assessor for a Compensation Reimbursement Order (CRO) to determine whether the offender should be required to repay the amount awarded, to fix the amount of the debt and in an appropriate case to provide for the method of repayment of the debt to the State. The application is listed before an assessor and the offender is served with a notice advising the date, time and purpose of the application. The State's opportunity to take action to recover compensation paid to a victim of crime from a convicted offender depends on the determination of the assessor of the appropriate amount of recovery, taking into account all of the circumstances. Issues which are relevant to this

determination include, for example, the offender's assets, the impact on the offender's earning capacity of a period of imprisonment and issues relating to the offence itself. Although there is no recoverable debt until a CRO is made, some offenders voluntarily make payment on demand under the Act without the requirement of a CRO.

The Table below represents the number of applications for a CRO brought before an Assessor in each of the years listed, and the number of orders made. The number of applications was reduced after 2013 because of the demand on the Assessors' time brought about by the increasing caseload, but has been stable for the last five years.

In 2019/20, \$1,684,177.00 of debt owed to the State was recovered, compared to \$1,637,055.00 in the previous year. This represents a 2.9% increase in the amount recovered.

Reimbursement orders 2014/15 to 2019/20



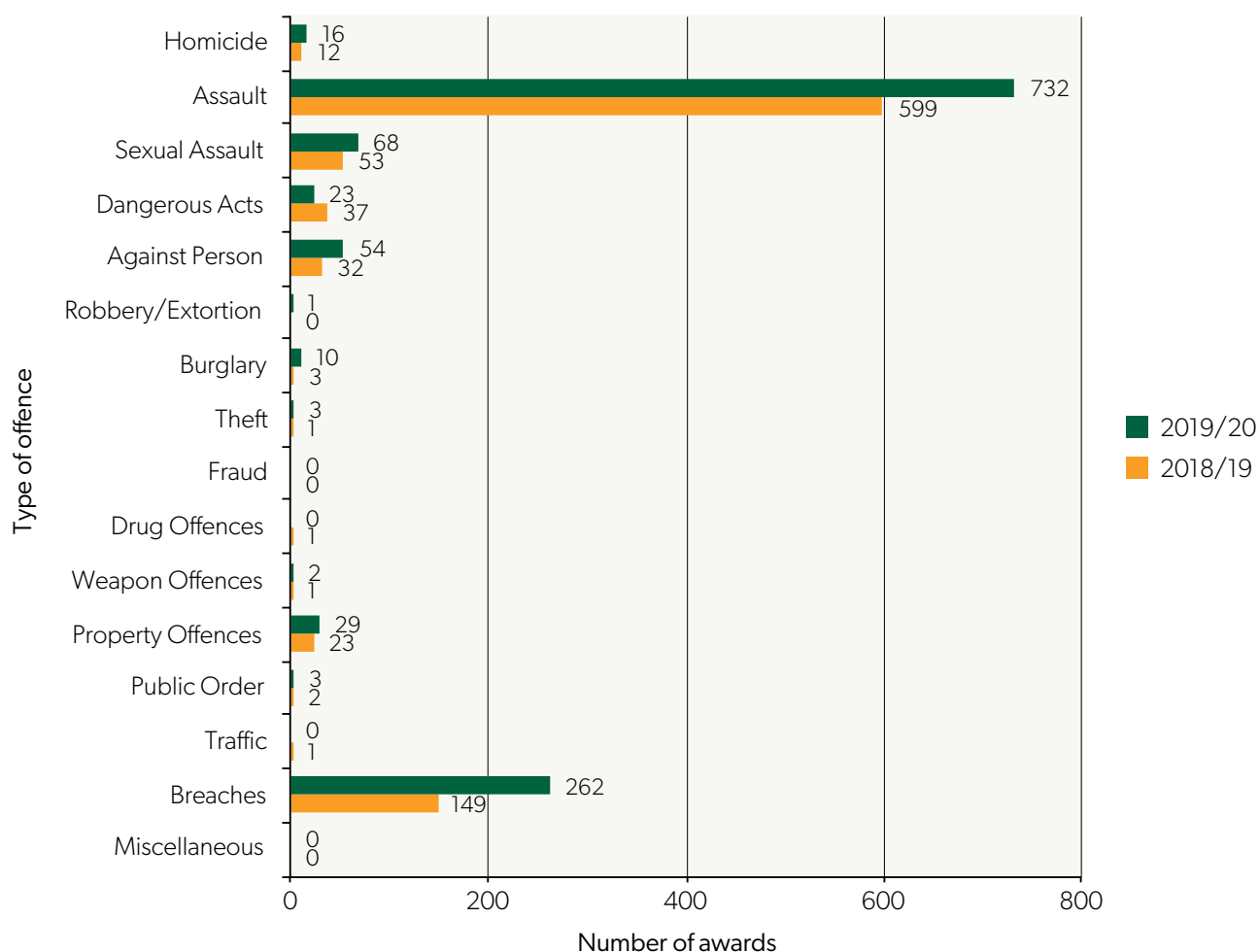
Family and Domestic Violence

As a result of the recommendations of the Law Reform Commission of Western Australia in the Final Report on Enhancing Laws Concerning Family and Domestic Violence, June 2014, the OCIC began collecting data concerning applications arising from allegations of family and domestic violence. The data below relates to the 1203 applications finalised this year involving family and domestic violence, compared to the data from 2018/19.

Nature of Offences Involved

The chart below illustrates the types of offences for which awards were made during 2018/19 and 2019/20 for offences committed in the context of family and domestic violence.

Offences arising from family and domestic violence for which awards were made 2018/19 to 2019/20





Domestic Violence Applications Finalised

Victim Type	2018/19	2019/20
Both	10	15
Primary	1,167	1,439
Secondary	34	53

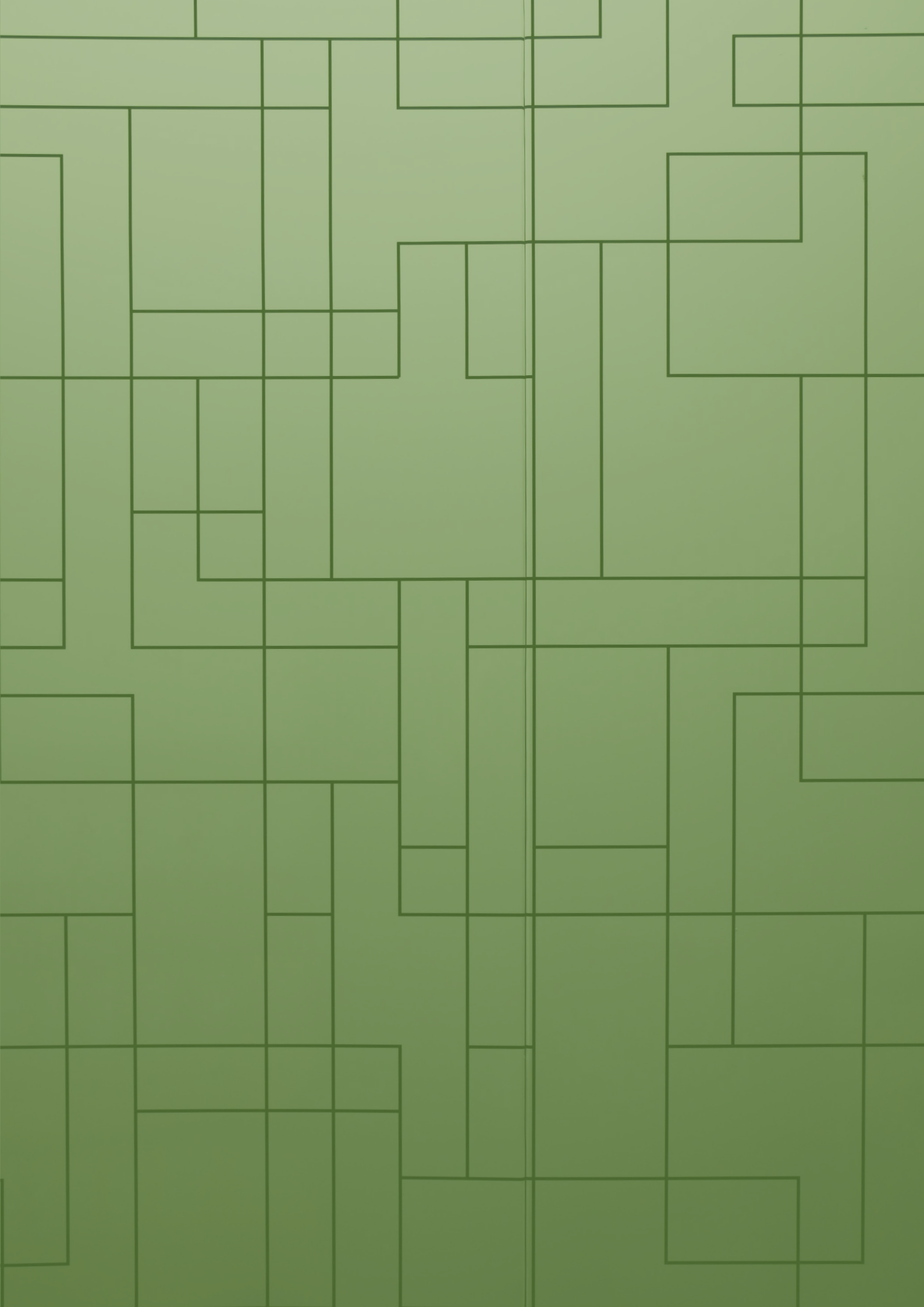
Domestic Violence Applications Refused

Victim Type	2018/19	2019/20
Both		1
Primary	209	257
Secondary	7	12

Gender of Applicants on Domestic Violence Applications

Victim Type	2018/19	2019/20
Both		
Female	1,126	1,406
Male	85	101

Our statistical data shows an increasing trend in the number and complexity of applications. The OCIC will continue to work towards improving processing times and outcomes using case management strategies developed throughout the year.





GOVERNMENT OF
WESTERN AUSTRALIA

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