



ANNUAL REPORT 2021-22

Office of Criminal Injuries Compensation
Department of Justice Western Australia





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 2021/22

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 2022.

Yours faithfully

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

C Holyoak-Roberts
CHIEF ASSESSOR OF CRIMINAL INJURIES COMPENSATION

September 2022



CONTENTS

Chief Assessor's overview	4
Our projects.....	6
Future projects	8
Office of Criminal Injuries Compensation overview	9
Statistical data	11
Recovery of debt.....	21
Family and Domestic Violence ...	22



Chief Assessor Holyoak-Roberts

Photo taken by Fionn Holyoak-Roberts

Chief Assessor's overview

Overall, it has been another busy year for the OCIC. The number of new applications accepted for processing increased by 27% in the 2022 financial year. Finalisations of applications increased by 37.8%, with a 35.5% increase in awards made. There was an overall decrease in caseload of 10% despite a 27% increase in applications accepted for lodgement. Victims of crime received outcomes much sooner than in the previous year with assessment times decreasing by approximately 8 months to 8.2 months overall. A total of 6475 awards were made to a total value of \$100,356,000.00. The average per application is \$15,490.00 which is consistent with past years.

Our Recoveries staff have also been very busy discharging the functions of this part of the OCIC's services. Staff in recoveries are tasked with recovering from convicted offenders, compensation paid to applicants who were injured as a result of the offenders offending. Recoveries substantially increased their collection amount in 2021/2022 by 16.9% recovering a total of \$2,427,435.00. In addition, Recoveries developed and are currently running a pilot program with Roebourne Prison to inform offenders of their rights and obligations as part of the pre-release program. The pilot program has a goal of improving prisoner engagement with Recoveries and making repayment of any debt to

the State part of their pre-release planning. It is hoped this project can be expanded to other prisons and Corrective Services generally.

These outcomes are as a result of the continued monitoring and development of processing and procedural improvements internally and externally. In addition, comprehensive and intensive staff training has been undertaken to ensure all OCIC staff are appropriately informed sufficient to complete their role. Ongoing consultation with many external information providers has led to the development and drafting of agreements as to information service delivery in a timely manner. We are looking forward to implementing additional improvements in service delivery next year, particularly targeting services provided by Recoveries to increase the scope of service delivery and vary the nature of reporting the very valuable work they do.

The final part of OCIC's service delivery is participation in community service initiatives. Assessors have been proactive in delivering seminars and engaged in public speaking opportunities providing educational and training opportunities for the profession.

The 2020 to 2022 Business Strategy has remained the primary focus for the OCIC, looking to continue to monitor and meet the objectives set out therein. The OCIC has continued to improve service delivery with increases in statistical reporting in both the Awards and Recoveries sections of the office. The Aboriginal Justice Program has continued in remote and regional communities in

Western Australia with approximately 100 applications for compensation received through this program, increasing the ability to access justice for those persons located in these communities. In addition, the OCIC has delivered its services to Perth metropolitan areas as part of the Departments Aboriginal Justice initiative. The success of the program, however, is not just measured in the number of applications the OCIC receives. The program provides opportunities for OCIC staff to meet, consult with and share information to stakeholders providing wrap around services for Aboriginal and Torres Strait Islander people in the regions we visit. Some of the services the OCIC interact with include Women's refuges, the WA police, local community legal services, financial assistance services and counselling services. As a result of this program, OCIC staff have identified a need for WA specific cultural awareness training to assist with ongoing service delivery to Aboriginal and Torres Strait Islander people. This is currently being facilitated by the Department authorising myself to undertake a Graduate Certificate in Aboriginal Studies with the University of Notre Dame (UND). This 4 unit certificate commenced with completing 2 intensive units on campus and on country at UND's Broome campus: the Silent History and the Cultural and Spiritual Life of Aboriginal People. At the completion of the certificate, in line with the Departments cultural awareness training, CIC specific cultural awareness training will be developed. In addition, the OCIC delivered seminars to regional stakeholders and provided information and advice regarding

OCIC's services. The OCIC remains committed to improve outcomes for Aboriginal and Torres Strait Islander victims of crime in Western Australia in a trauma informed, culturally appropriate way.

The OCIC is now almost at the end of the 2020 to 2022 Business Strategy. As such, the development of a new 3 year strategy will be undertaken in the first half of the 2023 financial year, as will the development of a Recoveries specific Business Strategy to expand and improve Recoveries service delivery. The OCIC remains committed to progressing the recommendations identified in the *Report on the findings of the Review of the Criminal Injuries Compensation Scheme in Western Australia* tabled in Parliament in February 2020 and is liaising with Departmental staff regarding progressing those recommendations, some of which will have a direct beneficial consequence to Aboriginal and Torres Strait Islander people.

In addition, the OCIC has been fortunate to be able to continue supporting Aboriginal Trainees as part of the Aboriginal Business Traineeship Program in the hope the OCIC may recruit and retain Aboriginal employees within the office.

The improvement in and expansion of OCIC's service delivery could not be achieved without the continued support and dedication of all members of staff. Their hard work and diligence in the face of challenging circumstances and an increasing caseload and complexity of cases is commendable. The implementation of governance strategies within the OCIC since 2019 has provided a place

and space for OCIC staff to develop these improvements and make suggestions and recommendations for further skills development and training which has been facilitated by OCIC management and/or delivered by the Assessors.

This structure provides for an informed, team-centred, positive and collegiate workplace which benefits not only victims of crime in Western Australia but the staff who work within the office despite being confronted with very challenging content within the applications. I congratulate each and every one concerned and thank you all for providing a positive and productive workplace.



Charmaine Holyoak-Roberts

CHIEF ASSESSOR
CRIMINAL INJURIES COMPENSATION

Our projects

The OCIC continues to improve service delivery by undertaking a number of projects outlined below.

Aboriginal Justice Open Days

This year, the OCIC expanded its participation in the Aboriginal Justice Program by attending a number of metropolitan open days. This program facilitated an Assessor and case manager to accompany service delivery stakeholders to bring OCIC's services to metropolitan communities, similar to the model adopted for service delivery to remote communities. The expanded metropolitan open days allowed for extended service delivery within the community and provided a forum for OCIC staff to develop and expand their knowledge of service providers who assist Aboriginal and Torres Strait Islander people. Around 100 applications were received for the combined remote and metropolitan open days and contact with a number of stakeholders providing wrap around services was made. This year our program was delivered to communities in Roebourne/Karratha, Broome/the Dampier Peninsula, Fitzroy Crossing and Esperance/Norsman/Coolgardie.

In addition, the OCIC commenced a pilot program through Roebourne Prison to assist offenders in addressing any Recoveries issues prior to being released into the community.



Artwork at Roebourne 50 Cent Hall

Staff Training

OCIC Assessors have continued to deliver diverse training to OCIC staff. In addition, OCIC management has facilitated additional staff training in key learning areas. The focus has been on more practical training as compared to the comprehensive theoretical training in the previous year. The OCIC is planning to develop formal training modules next year for OCIC staff.

Aboriginal Business Traineeship

The OCIC has had the pleasure of contributing to the completion and graduation of our Aboriginal business trainee of her traineeship for the development of on-the-job administration skills whilst completing her Certificate III in Government or Business. We hope to continue to provide support and opportunities to Aboriginal trainees in the future and to increase the representation of Aboriginal and Torres Strait Islander people in OCIC's workforce.

Online Applications and eLodgment

Since the development and rollout of eLodgment via the eCourts portal which has been operational since September 2020 it was recommended via internal audit, the OCIC mandate eLodgement. Not wanting to limit the ability of self-represented applicants to access OCIC's services, the OCIC resolved to mandate eLodgment only for solicitors. This will commence in the coming financial year, whilst self-represented applicants still have the choice of alternative lodgment methods.

The eLodgment facility for applicants and third parties to lodge documents directly into the OCIC's case management system has been in operation this year. A substantial number of external stakeholders have made use of this facility which has increased data security and timeliness of application processing.



Point Samson



Assessor Guthrie near Wickham

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;
- the Murdoch University Indigenous Law Unit; and
- the Law Society of Western Australia Seminar Series;
- the Bar Association Seminar Series; and
- delivery of seminars to remote and regional stakeholders.

In addition, 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 for the year ahead



The Lagoon, Port Smith

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 Open Days

Working from the success of the Aboriginal Justice Project Open Days for regional communities, the OCIC will be expanding the project to incorporate the Recoveries services of the office. On the back of the Roebourne Prison project and upon completion of the Recoveries Business Strategy, the OCIC plans to deliver recoveries services and information in prisons pre-release and in the community via community corrections officers. With an over-representation of Aboriginal people in prison, it is anticipated this expansion project will assist offenders with managing their debts and affairs prior to release.

Cultural Awareness Project

Following the development and implementation of the Aboriginal Justice Program and in line with the Department's Reconciliation Action Plan, the OCIC plans to develop a cultural awareness training program. The Department is currently investigating broad Department wide cultural awareness training following which it is envisaged OCIC specific cultural awareness training will follow. Currently, I am in the process of completing a Graduate Certificate of Aboriginal Studies to gain inherent, practical and academic knowledge of the experiences of Aboriginal people since colonisation. Once complete, the OCIC specific training program will be developed, running parallel to and in conjunction with the Department's cultural awareness training.

Mandating eLodgment for Solicitors

Following on from the mandating initiative identified last year, information and training sessions have now been provided to assist solicitors working in this area to feel comfortable with and understand the process and to provide information and feedback for improvements. We anticipate mandated eLodgement to commence 1 July 2022 and will contribute to improved processing times and improved data security.

Improvements in Aboriginal Staff levels

The OCIC remains dedicated to improving the number of Aboriginal and Torres Strait Islander employees within it's office and seeks to achieve this via the Aboriginal Business Traineeship program.

Recoveries

The OCIC is seeking to improve the services provided by the Recoveries section of the office to assist with improved recovery rates and collection and reporting on all aspects of the recoveries process. Once the business strategy for Recoveries is complete, it is anticipated a number of objectives will be implemented to allow for future change and improvement.

Office of Criminal Injuries Compensation overview

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 in an informal and expeditious manner. 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 any 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 committed 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 who are 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 in a trauma informed manner 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, treatment expenses and some personal items damaged in the commission of the offence.

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.



Road to Port Smith

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 and award if they are satisfied an offence has occurred. Payments can be made to primary victims, that is, those victims injured as 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, by email using the OCIC's application form, available at https://cict.justice.wa.gov.au/_files/criminal_injuries_compensation.pdf or via electronic means using the eCourts portal available on the OCIC's website <https://cict.justice.wa.gov.au>. 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, the Senior Case Manager will allocate it to a Case Manager who will review the application 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 2022 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).

Key data for 2022

- 7,555 new applications for compensation were received.
- 6,320 applications were accepted for processing, an increase of 27%.
- 7,708 applications were finalised, an increase of 37.8%.
- 6,475 awards were made to a total value of \$100,356,000.00 an increase of 35.5%.
- The average award was \$15,490.00.
- 543 applications were refused.
- 16 hearings were held into applications for compensation.
- The caseload decreased by 495 to 4,454 applications on hand, a decrease of 10%.
- \$2,427,434.00 of debt owed to the State was recovered, an increase of 16.9%.
- 3,282 finalised applications arose from offences involving family and domestic violence, being 42.6% of the finalised applications.

Statistical Profile

	2017/18	2018/19	2019/20	2020/21	2021/22
New Applications Received	3,173	3,626	3,615	5,612	7,555
Accepted Applications	2,640	2,753	3,096	4,979	6,320
Rejected Applications	463	873	519	633	1,235
Resubmitted Applications	279	55	719	727	1,177
Awards granted	1,526	1,829	2,488	4,777	6,475
Applications refused	177	345	481	536	543
Applications closed or discontinued	116	199	204	280	681
Applications outstanding at 30 June	4,188	4,311	5,502	4,949	4,454

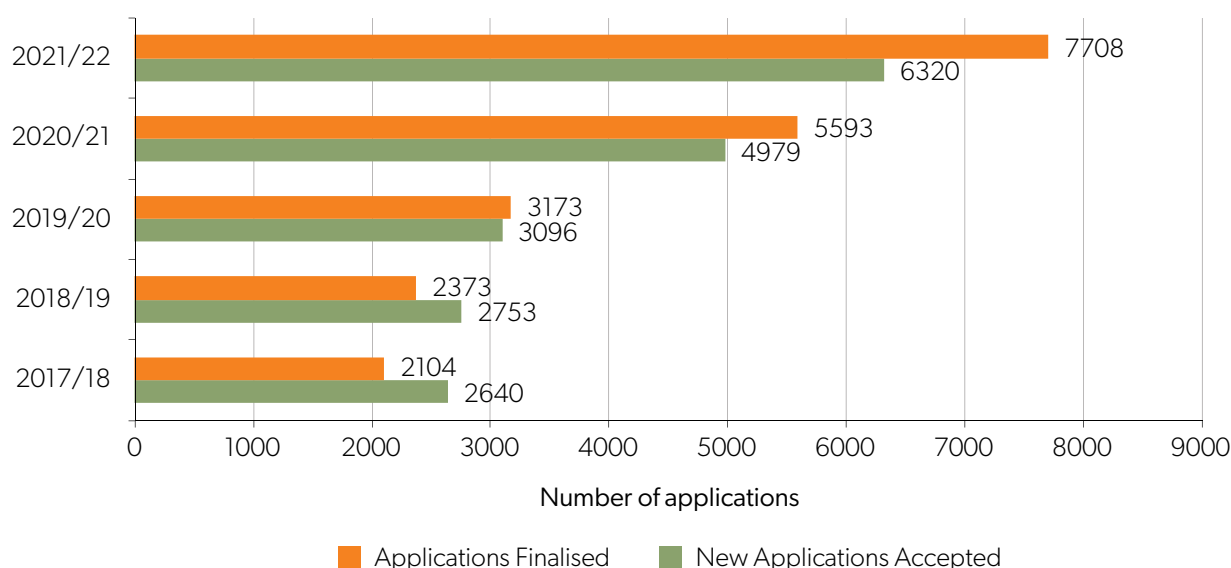
The counting rules for 2021/22 were changed for rejected and resubmitted applications from counting applications lodged to counting numbers of incidents contained in an application.

Statistical data

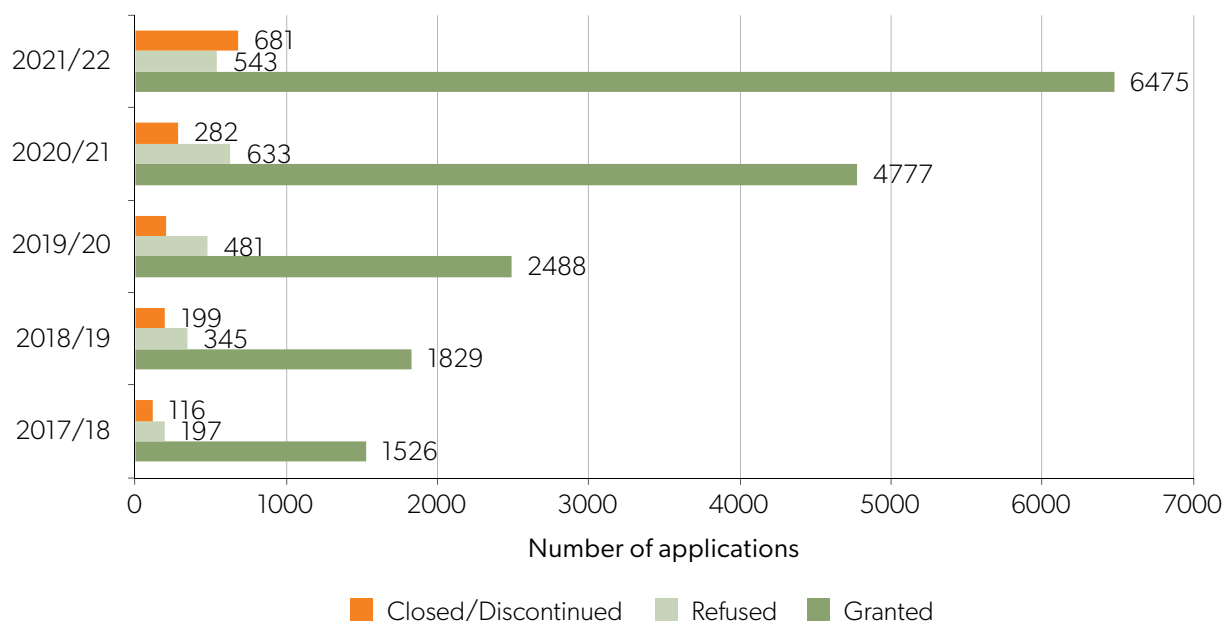
New applications received

During 2021/22, 6,320 new applications were accepted for processing, 1,341 more than in the previous year. In 2021, 5,593 applications were finalised, and in 2022, 7,708 were finalised, an increase of 2,115. The case load decreased this year by 495 applications despite an increase of 27% in applications accepted for processing, a reflection of the impact of improved, targeted and dedicated processes to improve processing times in a trauma informed manner.

Applications accepted and finalised 2017/18 to 2021/22



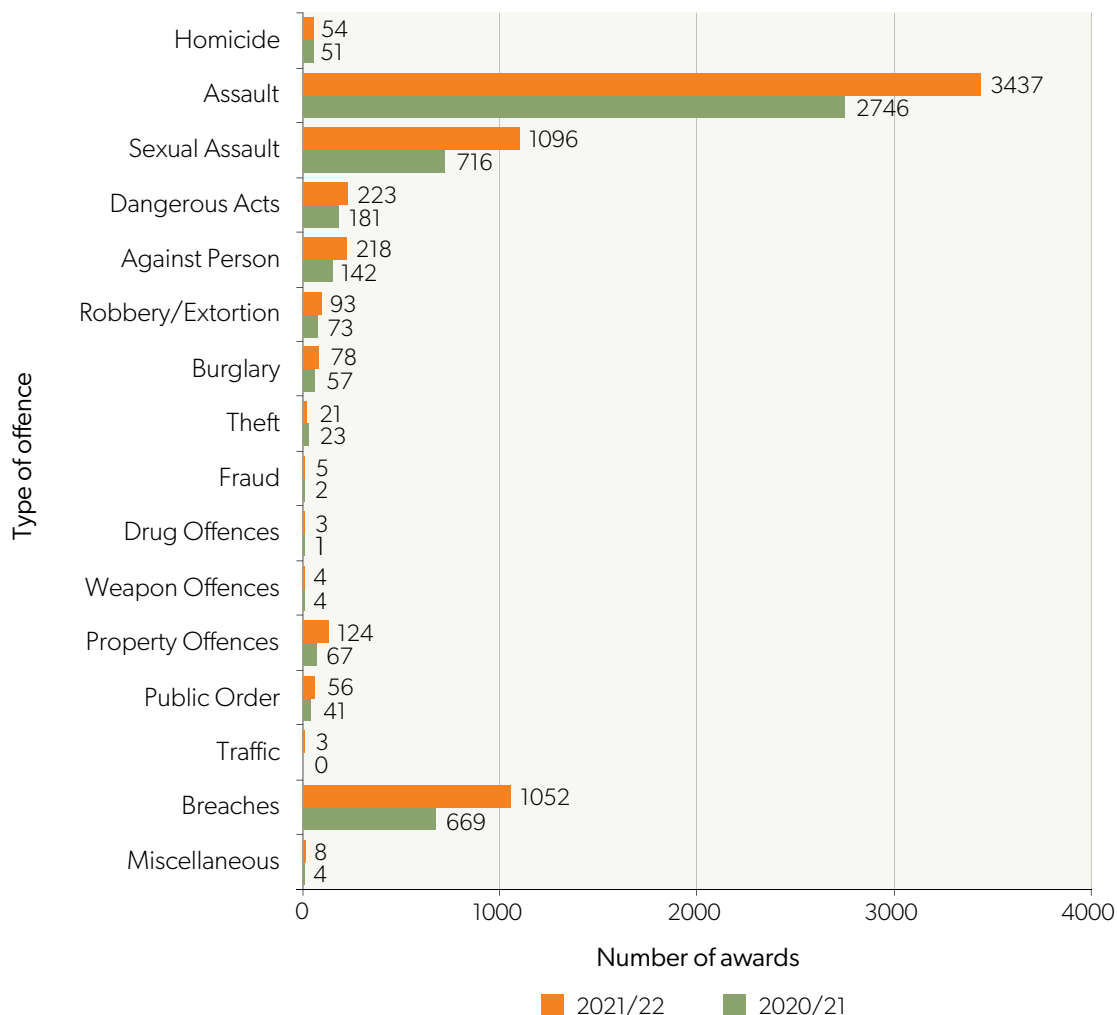
Claims finalised 2017/18 to 2021/22



Nature of Offences Involved

The chart below illustrates the types of offences for which awards were made, with a comparison between 2020/21 and 2021/22.

Offences for which awards were made 2020/21 to 2021/22

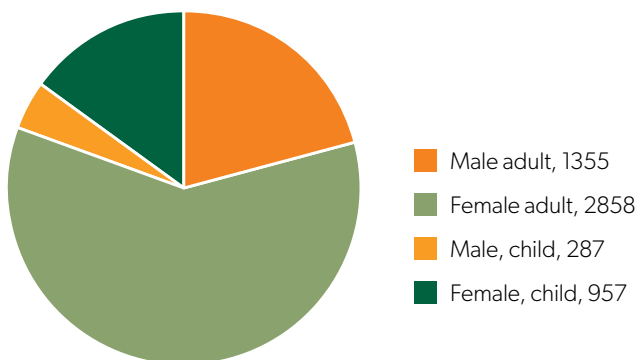


Number of Males and Females to whom Awards were made

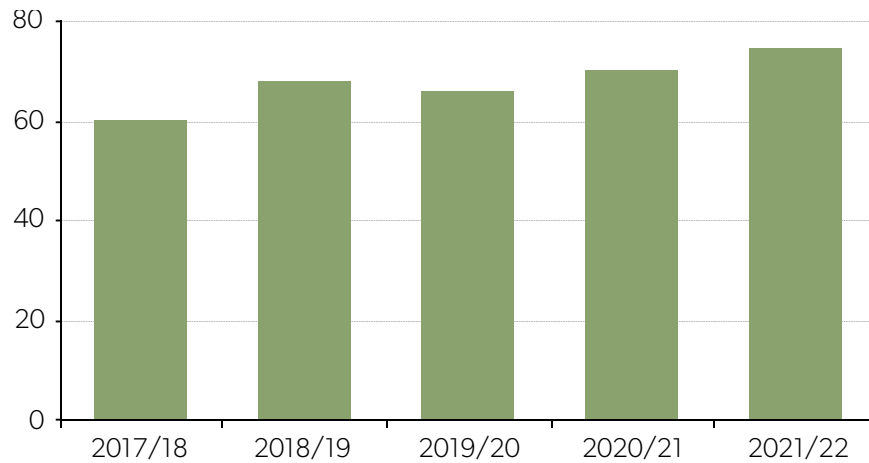
The following chart shows the gender of persons to whom awards were made and the number of adults and children involved. Overall, 25.6% of recipients were male and 74.4% female, an increase in the number of female applicants over the previous year, likely connected with an increase in female applicants for incidents of family and domestic violence.

Gender of recipients 2021/22

Number of awards made (total 6,475)



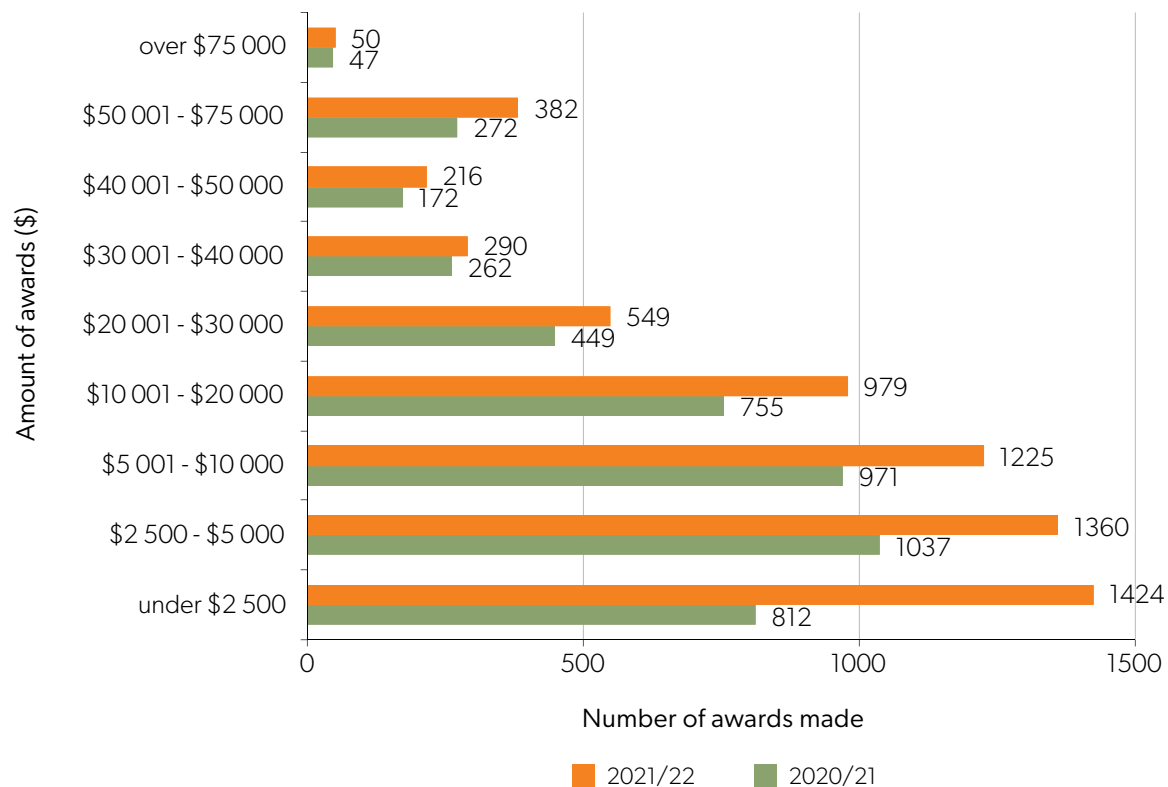
Percentage of female applicants



Range of Awards Made

The chart below illustrates the monetary range of awards made, with a comparison between 2020/21 and 2021/22. 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.

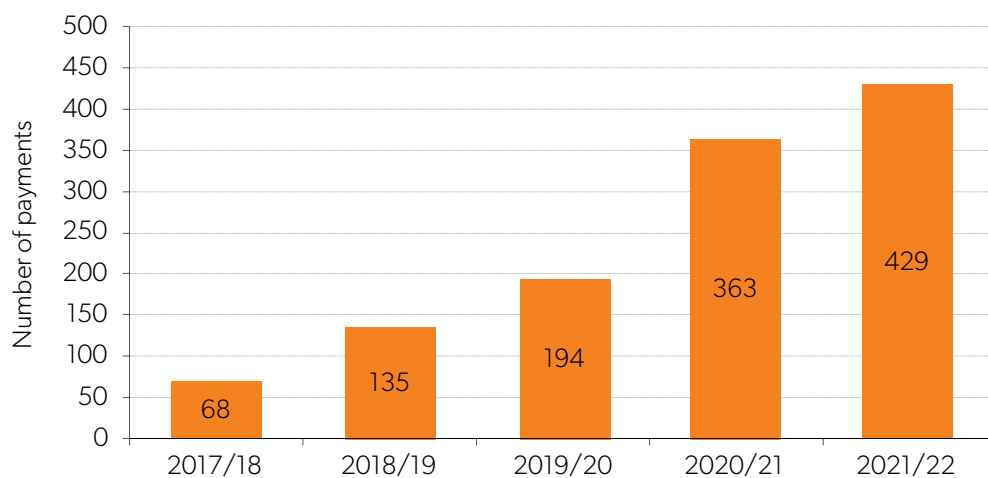
Range of monetary awards 2020/21 and 2021/22



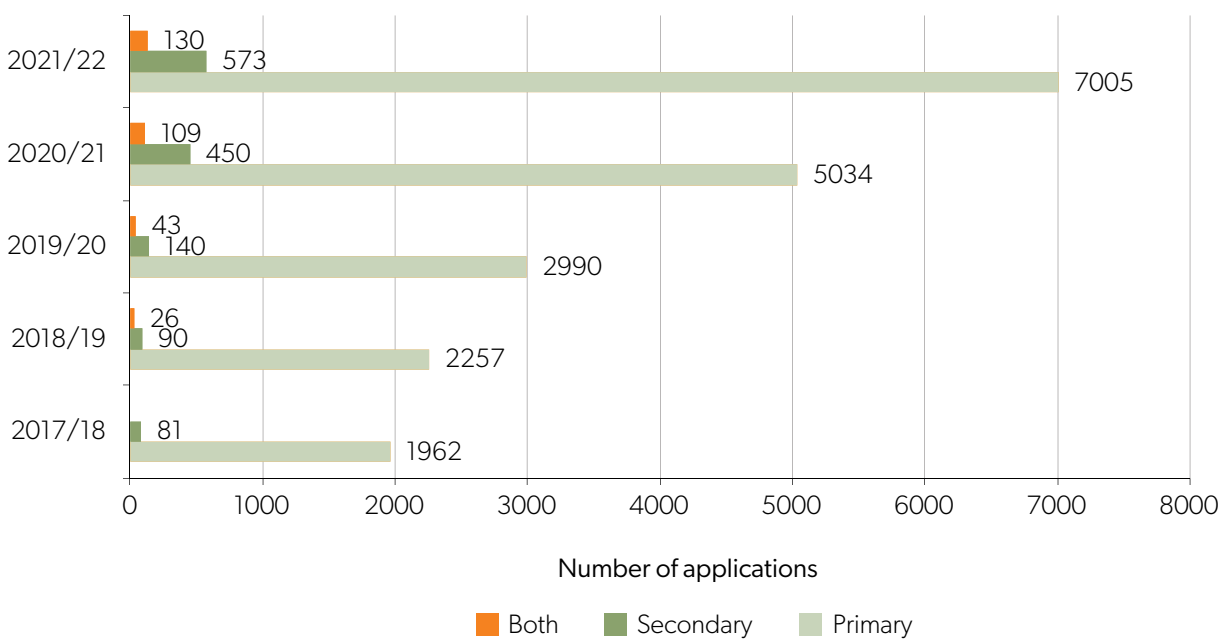
Interim Payments

An Assessor may authorise an interim payment before the finalisation of a claim, to a maximum of \$2,250.00 for expenses incurred as a consequence of a death or injury. The table below shows the number of applicants to whom interim payments were made.

Interim payments made 2017/18 to 2021/22



Primary and secondary victims 2017/18 to 2021/22



Funeral Expenses

In 2020/21 the OCIC received 62 applications arising from a homicide, and in 2021/22 there were 54 applications. In 2020/21, 7 applications for compensation for funeral expenses were received and compensation totalling \$43,733.04 was paid, at an average of \$6,099.00 per claim. In 2021/22 there were 10 claims for compensation for funeral expenses and compensation totalling \$81,940.00 was paid, at an average of \$8,194.00 per claim.

Representation

The last 12 months has seen the proportion of applicants having legal representation remain at 62% of applicants being represented, comparable to the previous year.

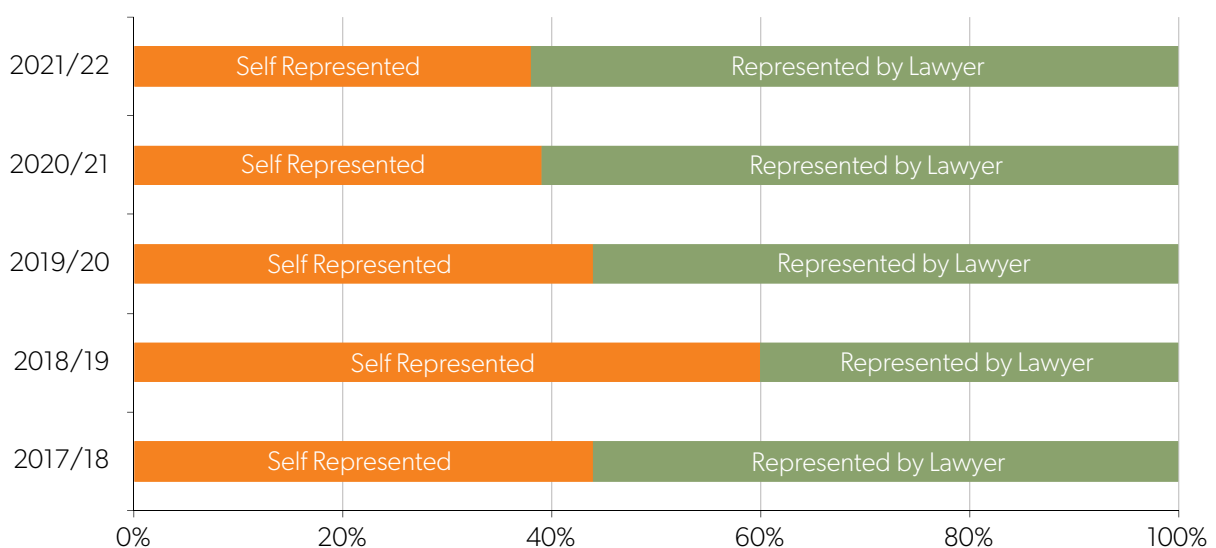
Appeals

25 appeals were lodged with the District Court following the determination of a compensation application. 28 appeals were finalised and of these 19 were successful, 2 were unsuccessful, 0 were abandoned and 7 were discontinued.



Cable Beach, Broome

Representation 2017/18 to 2021/22



Refusals

Awards were refused on 543 applications, for the reasons detailed below. Of these refusals, 297 (54.6%) 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 63.4% in the previous year.

Section of Act	No. of Refusals	Family and Domestic Violence Matters Refused	Reason for Refusal
No Jurisdiction	64	31	No Jurisdiction
No Reason Given	0	0	No Reason Given
Section 10(1)	5	0	Death of person entitled to compensation ends entitlement
Section 12(1)	9	5	Proved offence
Section 12(2)	0	0	Proved offence - Personal representative of the deceased
Section 13(2)	42	21	Alleged offence: acquittal
Section 13(3)	0	0	Alleged offence: acquittal - Personal representative of the deceased
Section 13(4)	1	1	Alleged offence: acquittal – Alleged offence committed by a person other than the person acquitted
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)	6	4	Alleged offence: charge not determined
Section 17(2)	234	162	Alleged offence: no person charged
Section 17(5)	14	11	Alleged offence: no person charged - Not criminally responsible
Section 21(1)	0	0	Mental and nervous shock, compensation for limited to certain persons - Bodily harm/Pregnancy
Section 35(2)(a)	2	0	Mental and nervous shock, compensation for limited to certain persons - Bodily harm/Pregnancy
Section 35(2)(a)	2	0	Mental and nervous shock, compensation for limited to certain persons - Bodily harm/Pregnancy
Section 35(2)(c)	0	0	Mental and nervous shock, compensation for limited to certain persons - Victim personally present
Section 35(2)(e)	6	0	Mental and nervous shock, compensation for limited to certain persons - Victim close relative and living with
Section 35(3)	0	0	Mental and nervous shock, compensation for limited to certain persons - Victim committing offence
Section 36	0	0	No award if compensation likely to benefit offender
Section 37	6	0	No award if injury is from motor vehicle in certain cases
Section 38	26	11	No award if applicant did not assist investigators
Section 39(1)	45	15	No award if victim was engaged in criminal conduct
Section 39(2)	3	2	No award if victim was engaged in criminal conduct - Personal representative of the deceased
Section 40(2)	6	1	No award if compensation already awarded or refused
Section 40(3)	0	0	No award if compensation already awarded or refused - Personal representative of the deceased
Section 41	17	8	Behaviour etc. of victim to be considered
Section 42(2)	5	0	Insurance payments etc. to be deducted from award - Loss
Section 42(3)	4	0	Insurance payments etc. to be deducted from award - Injury or loss
Section 42(4)	2	0	Insurance payments etc. to be deducted from award - Injury or loss Personal representative of the deceased
Section 9(2)	41	22	Time limit for making compensation application

* An extension of time was granted on 1,043 applications.

Reductions to Awards for Contribution

Section 41 of the Act requires 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 25 awards during 2021/22. Of these, 17 awards were reduced by 20% or less and 8 awards were reduced by over 20%. 17 applications were refused for contributory behaviour. One of the applications on which a reduction was made for contributory behaviour involved family and domestic violence.

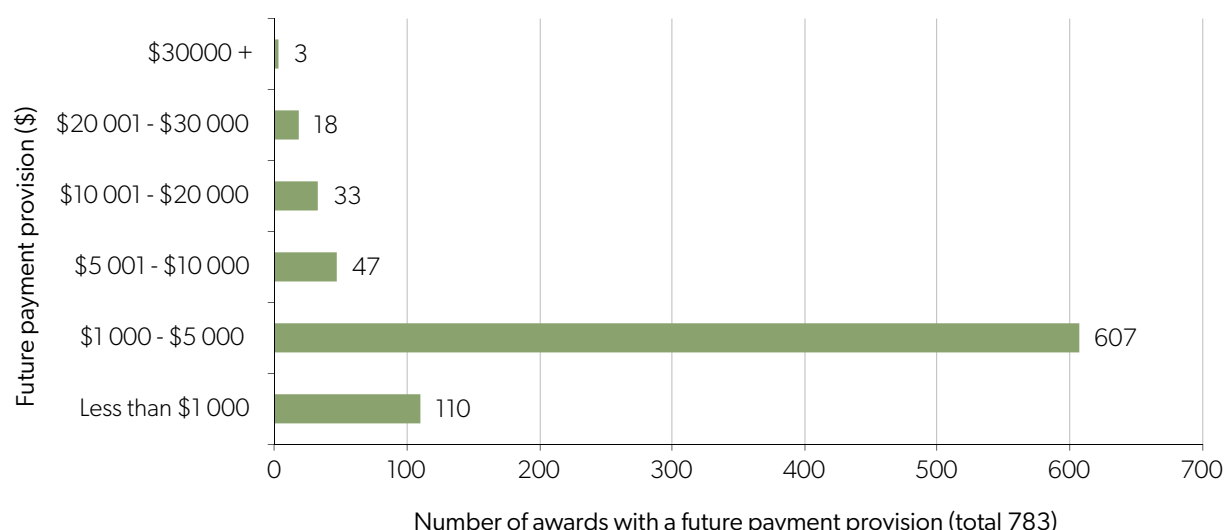
Future Payments Provision

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

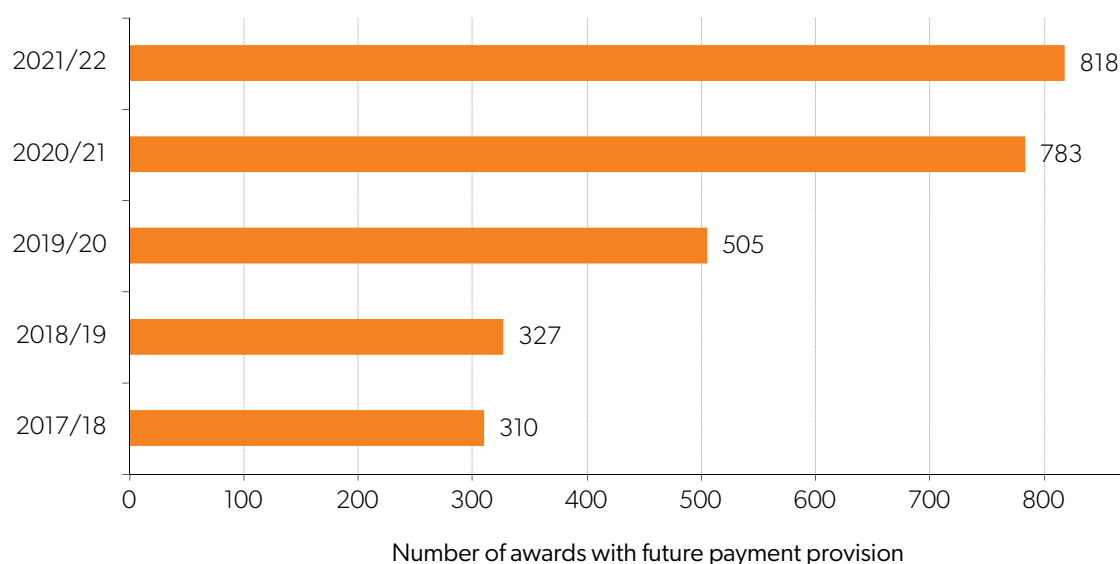
is the later. The amendment to the Act which introduced the 10 year limit on claims against a future treatment provision came into effect on 31 July 2008, and therefore began to have an effect on the entitlement to claim from 31 July 2018.

In 2021/22 provision was made in 818 awards for future treatment expenses totalling \$2,866,248.00 increasing the total provision made under the Act since 1 July 2004 to \$23,071,335.82. Of this, \$416,482.82 was paid out in 2021/22 bringing the total paid since the commencement of the Act on 1 July 2004 to \$4,055,343.92.

Range of future payments provision 2021/22



Future payment provisions 2017/18 to 2021/22





Performance Measures

	Q1 21/22	Q2 21/22	Q3 21/22	Q4 21/22	Annual
Lodgements Accepted	1,500	1,484	1,616	1,720	6,320
New Applications	1,771	1,869	1,906	2,009	7,555
Finalisations	2,195	2,038	1,756	1,719	7,708
39 weeks and less	795	1091	1145	1032	4,063
39 to 52 weeks	234	199	220	228	881
52 weeks or more	1,166	748	391	459	2,764
Listings matters heard	88	103	121	88	400
Cases on hand	4,474	4,297	4,213	4,454	4,454
39 weeks and less	3,307	3,353	3,284	3,590	3,590
39 to 52 weeks	235	315	326	323	323
52 weeks or more	932	629	603	541	541
Applications New and Resubmitted	2,083	2,223	2,215	2,211	8,732
Applications Rejected	271	385	290	289	1,235
Applications Resubmitted	312	354	309	202	1177



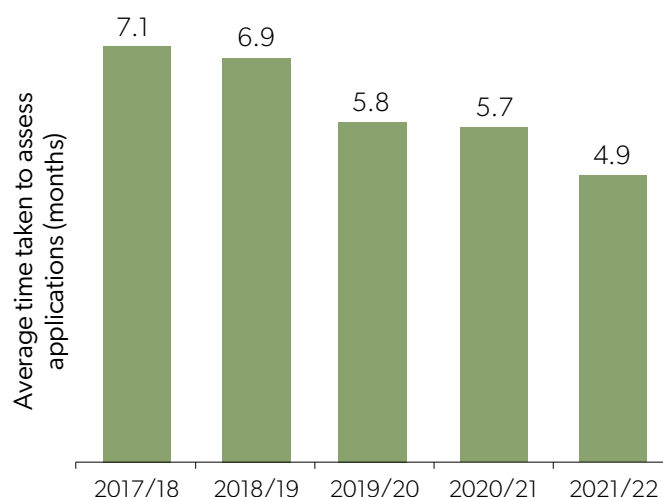
Cable Beach Broome

Assessment Time

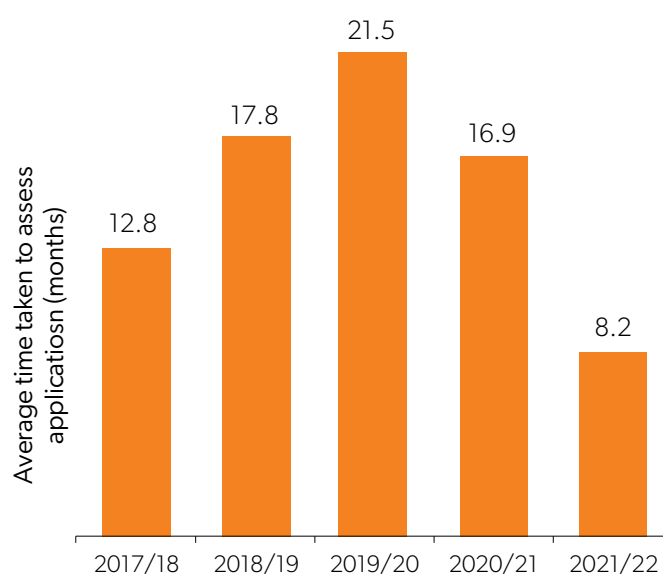
The calculation of the average time taken to finalise an application has in the past been made based only on those applications finalised *in less than 12 months from receipt*. This assumption reflected the likelihood that, in cases which take more than 12 months to finalise, the delay is usually caused 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 2021/22 was 4.9 months, a decrease from 5.7 months in 2020/21. However, the assessment time over *all applications finalised in the financial year* was 8.2 months.

The table below compares the assessment time of applications determined in less than 12 months for the years 2017/18 to 2021/22, with *all applications* determined in those years. The OCIC works towards consistently maintaining finalisation of 80% of applications within 12 months of lodgement, acknowledging 20% of applications will be delayed as a result of external factors and the complexity of some matters.

Assessment time 2017/18 to 2021/22



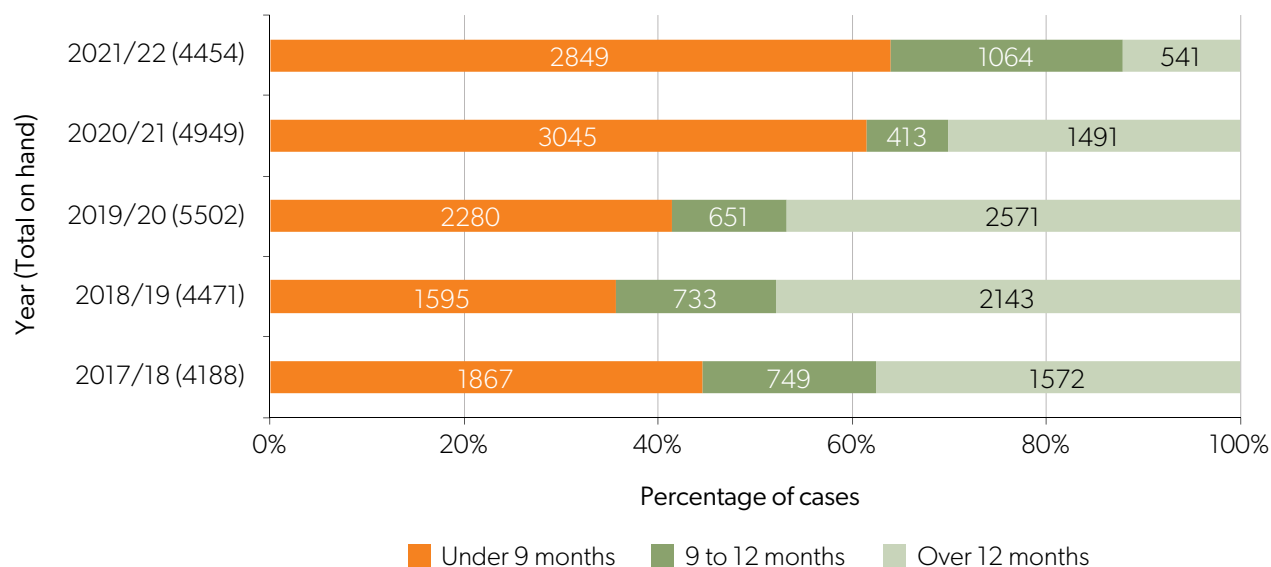
Assessment time 2017/18 to 2021/22 – files over 12 months



Outstanding Applications

On 30 June 2022, 4,454 applications were on hand, a decrease of 495, or 10.1% 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 decreased by 60.3%.

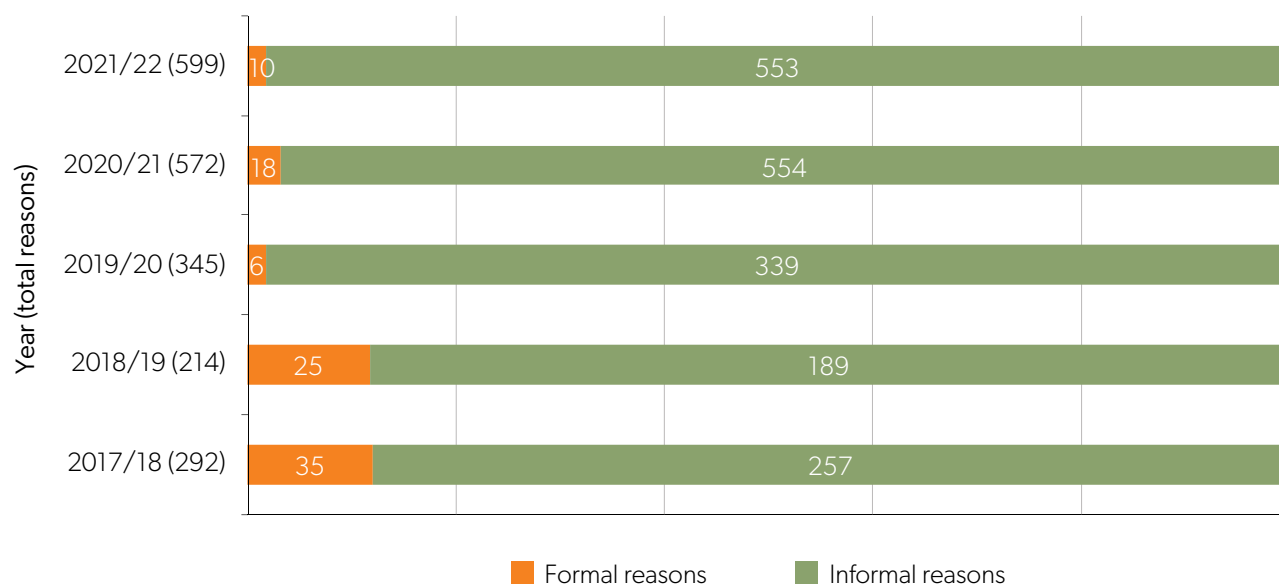
Applications on hand – 30 June



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. 563 cases had reasons provided during 2021/22 compared to 572 in the previous year. This represents a 1.5% decrease in reasons provided. The chart below sets out the breakdown of these reasons.

Reasons provided 2017/18 TO 2021/22



Recovery of debt

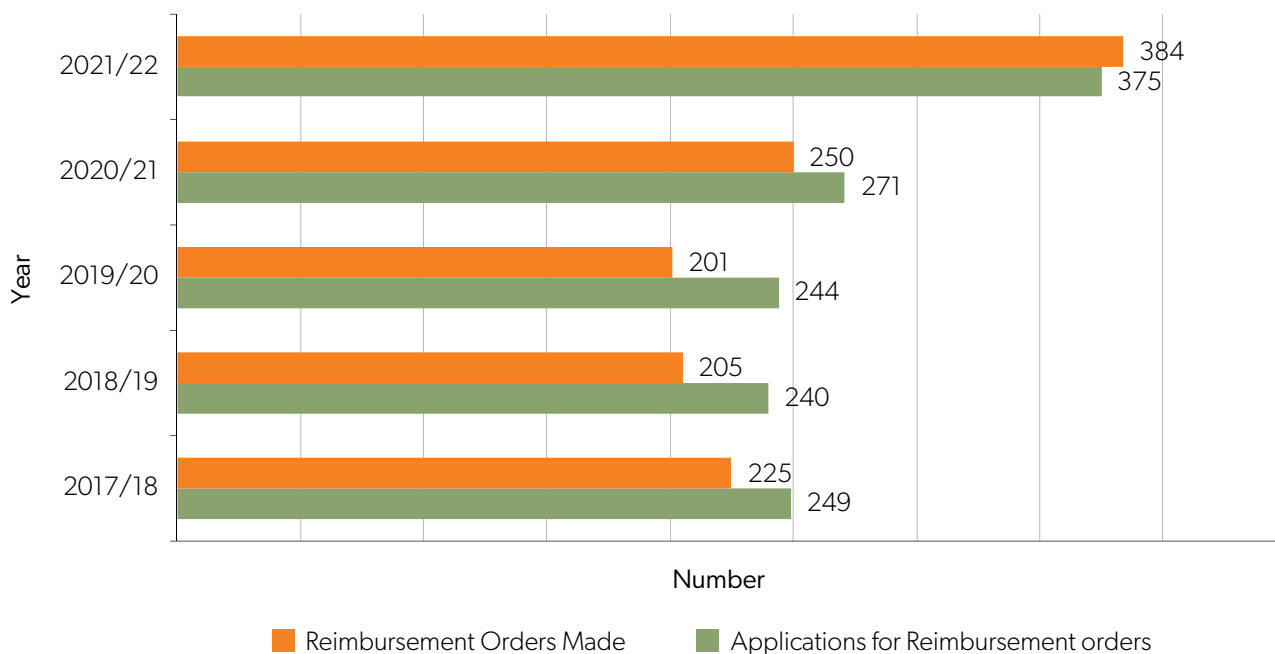
When a compensation award is made in a case where an offender was convicted, the State may apply to an assessor for a Compensation Reimbursement Order (CRO) to determine whether the offender should be required to repay the amount awarded, to fix the amount of the debt and in an appropriate case to provide 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. In 2022, there has been a sharp increase in the number of CRO applications brought as well as the orders made. This has resulted in an increase in workload for the recoveries staff.

In 2021/22, \$2,427,434.00 of debt owed to the State was recovered, compared to \$2,076,500.00 in the previous year. This represents a 16.9% increase in the amount recovered.

Reimbursement orders 2017/18 TO 2021/22



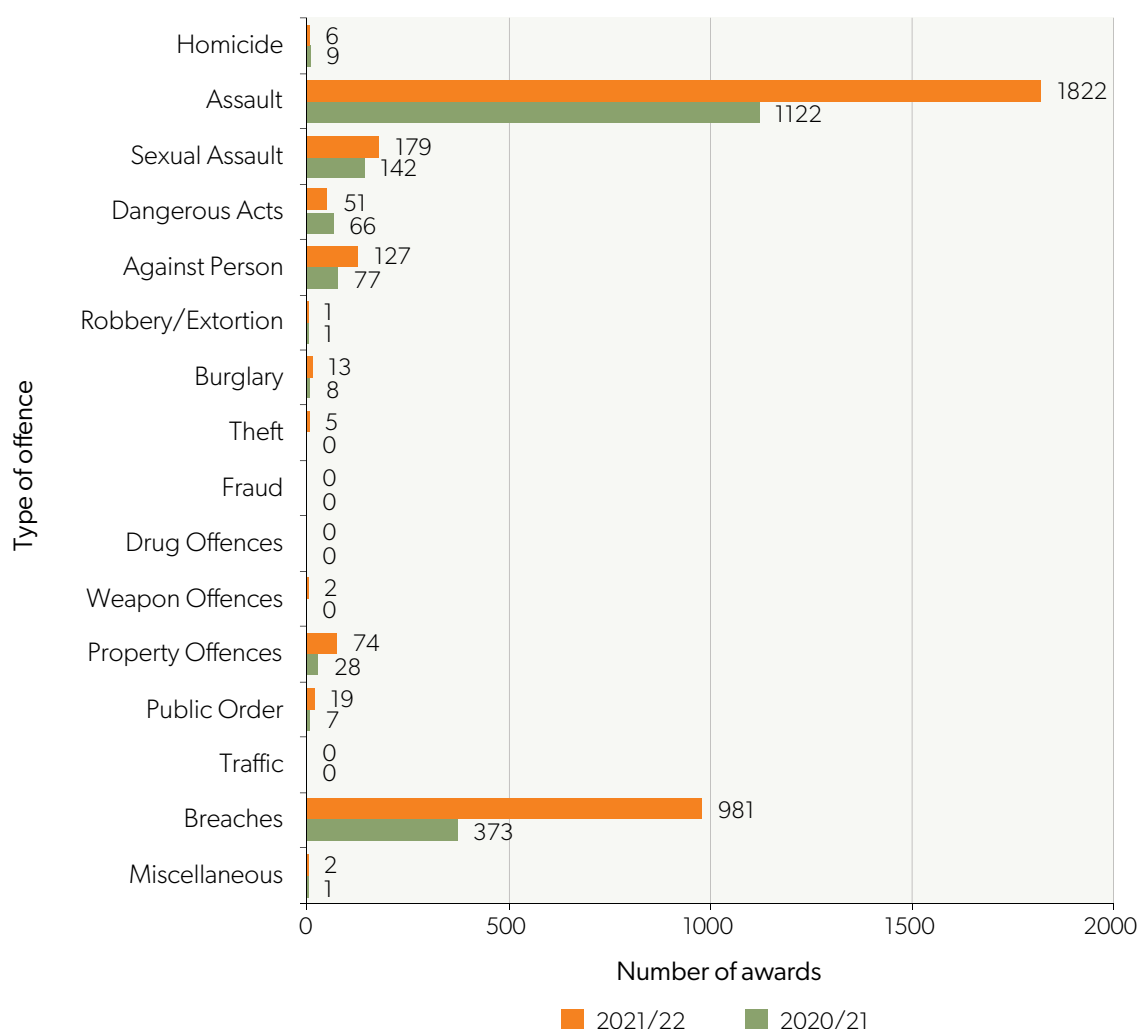
Family and Domestic Violence

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 3,282 awards granted this year involving family and domestic violence, compared to the data from 2020/21.

Nature of Offences Involved

The chart below illustrates the types of offences for which awards were made during 2020/21 and 2021/22 for offences committed in the context of family and domestic violence.

Offences for which awards were made 2020/21 to 2021/22



Domestic Violence Applications Finalised

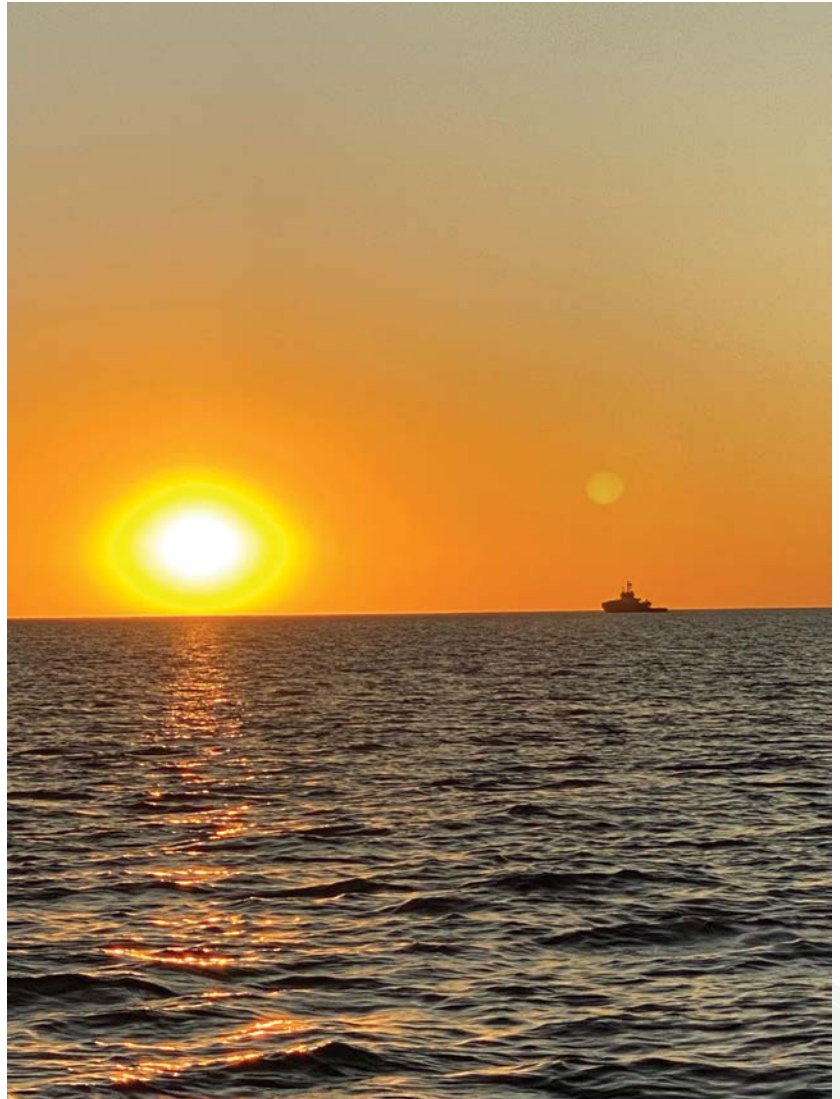
Victim Type	2020/21	2021/22
Both	51	32
Primary	2,292	3,139
Secondary	170	111

Domestic Violence Applications Refused

Victim Type	2020/21	2021/22
Both	2	0
Primary	247	215
Secondary	13	3

Gender of Applicants on Domestic Violence Applications

Victim Type	2020/21	2021/22
Both		
Female	2,302	3,105
Male	211	177



Cable Beach Broome



GOVERNMENT OF
WESTERN AUSTRALIA

OFFICE OF CRIMINAL INJURIES COMPENSATION

Department of Justice
Golden Square , Level 10,
32 St Georges Terrace, Perth WA 6000
GPO Box F317, Perth WA 6841
Tel 08 9425 3250

justice.wa.gov.au