

## Financial support for family members of homicide victims

Please read this guide, it will assist you to understand your entitlements to victims support under the *Victims Rights and Support Act 2013*. If you have any questions please go to [www.victimsservices.justice.nsw.gov.au](http://www.victimsservices.justice.nsw.gov.au) or call 1800 633 063.

### Who can apply?

All family members of a homicide that occurred in NSW can apply for free counselling. Immediate family members can also receive financial assistance for a range of expenses related to the homicide.

### Eligibility

To be eligible for financial support you must provide copies of documents to establish that at the time of the death of the homicide victim you were an immediate family member of the deceased.

An immediate family member is:

- a person who is the victim's spouse, or
- defacto spouse or partner of the same sex who cohabited with the victim for at least two years, or
- a parent, guardian or step-parent of the victim, or
- a child or step-child of the victim or other child of whom the victim was the guardian, or
- a brother, sister, step-brother or step-sister, half brother or half sister of the deceased.

If you are applying as a spouse you must have been married to the homicide victim. If you were in a defacto relationship, you must have been living together for a period of at least two years or living together for less than two years if you have a child with the deceased. Evidence of relationship can include a marriage certificate, relationship register certificate or documents that show the financial contributions you made to the relationship.

### Time frame

There is no time limit to apply for counselling. Claims for financial support and a recognition payment must be lodged within two years after the death of the homicide victim. If the family member is a child an application should be made on the child's behalf before they turn 20 years of age. Recognition payments made to a child will be held in trust and managed on their behalf until they turn 18 years of age.

### Support types

Relatives of the homicide victim can apply for free counselling, however additional support such as financial assistance and a recognition payment is only available for members of the immediate family.

### Counselling

The Approved Counselling Service provides up to 20 hours free counselling to help address the trauma and psychological impact of losing a family member. If you are a relative or member of the extended family you are also eligible to seek support in the form of counselling. You can get the name of a Victims Services approved counsellor from our website or we can select a counsellor for you based on your preferences.

### Funeral expenses

An amount up to \$8,000 is available for funeral expenses. Funeral expenses can be paid to the family member or payment can be made directly to the funeral director. With your approval the funeral director can contact Victims Services and arrange for the funeral expense to be paid. Reimbursement can also be made to a person who paid for the funeral and is not a family member.

### Crime scene cleaning

If the homicide occurred in the family home we will pay for expenses relating to crime scene cleaning up to \$5,000. The amount paid for this expense will be deducted from your financial assistance for immediate needs.

### Financial assistance

An amount up to \$5,000 is available for immediate needs as a direct result of the act of violence. This can include travel to funerals, security upgrade and/or relocation. An amount up to \$5,000 is available for economic loss for expenses in attending court, coronial and justice related meetings. The following table explains some of the expenses we can consider.

<b>Travel – Day</b>	If you need to travel for a justice related event you can receive an allowance for meals, snacks and incidentals. The allowance is based on the distance from your residence to the destination, for example court. For travel up to 100km the allowance is \$30. For travel further than 100km the allowance is \$100.  In addition to this allowance receipts for parking, public transport and taxi can also be considered.
<b>Travel – Overnight</b>	If you need to travel a long distance to attend a justice related event you can receive an allowance of \$300 for each overnight stay. This amount covers accommodation, all meals/snacks and incidentals including parking, public transport and taxi cost.  Flights and fuel expenses to travel to justice related events will be considered separately.
<b>Fuel</b>	If you travel using your own vehicle you can request reimbursement of fuel at the rate of 26.4c per kilometre. Your distance is calculated from where you start your trip to the destination.
<b>Flights</b>	We can consider payment of flights for immediate family members and one support person.

*Note: Victims Services will not pay for accommodation deposits, vehicle rental bonds, alcohol, cigarettes and any damage to property.*

## Recognition

A recognition payment acknowledges and recognises the violent crime that led to the loss of the deceased. Where you establish that you were a financially dependent family member, or a parent, step-parent or guardian of the deceased at the time of their death, you can be eligible for a recognition payment. A recognition payment can be paid in the sum of \$15,000 to an applicant who was a member of the immediate family and was financially dependent on the deceased at the time of their death. A parent, step-parent or guardian of a deceased who was not financially dependent on the deceased can be paid a recognition payment in the sum of \$7,500.

## Support person

You may need a support person to go with you to court or other meetings relating to the homicide. A person travelling as a support person can receive an allowance to cover meals, snacks and incidentals. The amount paid to a support person is 50 per cent of the allowance paid to the immediate family member and will be deducted from your financial assistance.

## The application process

When we receive your application we will assign a claim number and we will inform you of that number. You should write the claim number on any further correspondence with us. Victims Services will obtain documents from the NSW Police Force, Courts and Births, Deaths & Marriages to support the application for financial support. You will need to provide documents to support relationship and financial dependency. An immediate family member

who is a child under 18 years is considered financially dependent and supporting documentation is not needed.

For some expenses you will need to provide a quote/invoice or receipt, for other expenses we will provide you with an allowance to manage payment of expenses such as food and accommodation. We will advise you what is required

The timeframe for the application process can vary dependent on how quickly Victims Services receives information relating to the homicide. Other factors such as the homicide victim's behaviour at the time of his or her death may require further investigation and impact on payment of financial support.

We will inform you in writing if financial support has been approved, and if additional documents need to be completed for monies to be paid we will send these documents to you. If your application for financial support is dismissed you will be provided with a written decision explaining the reasons.

## Review of decision

If you do not agree with the Assessor's decision you can request a review of the decision. The request must be in writing and received by Victims Services within 28 days of the decision.

## Confidentiality

In general, the material in our possession is not released to other people. However, information may need to be made available to the offender if restitution action is taken to recover the money awarded. We may also be required to produce documents to a court where there is other legal action. Your personal contact details will not be released.