

Victims of Crime (Financial Assistance) Amendment Regulation 2026 (No 1)

Subordinate Law SL2026-8

made under the

Victims of Crime (Financial Assistance) Act 2016

EXPLANATORY STATEMENT

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 2025 to March 2026 (as issued by the Australian Statistician) at 3.7 per cent.

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 2025 to March 2026 (as issued by the Australian Statistician) at 3.2 per cent.

CONSISTENCY WITH HUMAN RIGHTS

The amendments outlined in the *Victims of Crime (Financial Assistance) Amendment Regulation 2026 (No 1)* do not engage human rights as prescribed under the *Human Rights Act 2004*.

CLAUSE NOTES

Clause 1 Name of regulation

This clause provides that the regulation is the *Victims of Crime (Financial Assistance) Amendment Regulation 2026 (No 1)*.

Clause 2 Commencement

This clause provides that the regulation commences on 1 July 2026.

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 (1)

This clause amends section 5(1) 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 2025 to March 2026. The increases are set out below:

- a) for a primary victim – from \$65,534 to \$67, 959,
- b) for a class A related victim – from \$39,318 to \$40,773,
- c) for a class B related victim – from \$26,213 to \$27,183,
- d) for a class C related victim – from \$13,105 to \$13,590, and
- e) for a homicide witness – from \$13,105 to \$13,590.

Clause 5 Section 5 (2)

This clause amends section 5(2) of the 2016 Regulation. 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 in line with All Groups CPI (Canberra) from \$13,105 to \$13,590.

Clause 6 Table 8

This clause amends Table 8 of the 2016 Regulation by increasing the flat-rate payment amounts for primary victims with the All Groups CPI (Canberra) issued by the Australian statistician for the period March 2025 to March 2026.

The changes to Table 8 are set out below:

Column 1	Column 2	Column 3
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Item	Offence in course of which act of violence must occur	Recognition payment
1	sexual offence punishable by imprisonment for 14 years or more	\$20,386
2	attempt or conspiracy to commit homicide	\$20,386
3	sexual offence punishable by imprisonment for 10 years or more, but less than 14 years	\$10,873
4	offence against the person resulting in grievous bodily harm	\$10,873
5	attempt or conspiracy to commit a sexual offence punishable by imprisonment for 14 years or more	\$10,873
6	sexual offence punishable by imprisonment for less than 10 years	\$2,716
7	offence against the person resulting in actual bodily harm	\$2,716
8	robbery in company or with an offensive weapon	\$2,716
9	attempt or conspiracy to commit a sexual offence punishable by imprisonment for 10 years or more, but less than 14 years	\$2,716
10	attempt, threat or conspiracy to commit an offence against the person resulting in grievous bodily harm	\$2,716

11	offence involving deprivation of liberty (including kidnapping, forcible confinement)	\$2,716
12	offence against the person not resulting in actual bodily harm	\$1,357
13	attempt or conspiracy to commit a sexual offence punishable by imprisonment for less than 10 years	\$1,357
14	attempt, threat or conspiracy to commit an offence against the person resulting in actual bodily harm	\$1,357

Clause 7 Section 9

This clause brings section 9, recognition payment for class A related victim, in line with CPI from \$26,213 to \$27,183.

Clause 8 Section 10

This clause brings section 10, recognition payment for class B related victim, in line with CPI from \$13,105 to \$13,590.

Clause 9 Section 12 (1)

This clause brings section 12 (1), limitations on lawyers legal costs that relate to an application for financial assistance, in line with WPI from \$1,410 to \$1,455.

Clause 10 Section 12 (2)

This clause brings section 12 (2), limitations on lawyers legal costs relating to an appeal or review of a decision made under the Act, in line with WPI from \$2,820 to \$2,910.