

Have you seen 'VCL' on your inmate trust account statement?

What is VCL?

VCL stands for 'Victims Compensation Levy'.

What is the Victims Compensation Levy?

If you are convicted of an offence you will have to pay a 'Victims Compensation Levy'.

It applies to all types of offences, and it doesn't matter whether or not you have been given a jail sentence. However it does not apply to offensive language, offensive conduct, public transport fare avoidance and parking offences. It also does not apply if you get a section 10 dismissal, unless the offence carries a jail term.

The levy is separate from other amounts you might also have to pay, including a fine, court costs, legal costs and victims compensation restitution.

If you are paying off the victims compensation levy it will appear on your inmate trust account statement as 'VCL'.

The levy is \$71 for Local Court convictions and \$161 for District Court (current at August 2013), however this amount changes from time to time.

Is the Victims Compensation Levy the same as financial assistance or a lump sum paid to the victim (previously known as victims compensation)?

No. Victims support, including financial assistance and lump sum recognition payments, are part of a NSW government scheme through which victims of violence can seek financial help and support.

The scheme is funded by (1) the Victims Compensation Levy and (2) recovery from an offender of compensation paid to a victim (called 'restitution').

What is restitution?

If you caused an injury to someone (a victim) they can apply for victims support. If they are awarded financial assistance and/or a recognition payment (a lump sum amount) and you were convicted of an offence in relation to that injury, you will most likely have to pay **restitution**.

I've received a 'Provisional Order for Restitution' but I'm already paying the Victims Compensation Levy. Why do I have to pay twice?

Restitution is very different from the victims compensation levy and is a much larger amount of money, running into thousands of dollars.

If you caused an injury to someone (a victim) they can apply for victims support (previously called victims compensation) from the NSW government. If they are

awarded financial assistance and/or a recognition payment (a lump sum amount) and you were convicted of an offence in relation to that injury, you will most likely have to pay **restitution**.

A 'provisional order' for restitution will be sent to you in jail by Victims Services (a NSW Government Department). You can object to the order by returning the Notice of Objection within 28 days. **You should send back an objection.**

Your objection can include any reason why you want to dispute the order, for example, because you can't afford to pay it, or because the victim contributed to the offence. You can also include if someone else was convicted for the same matter, or if you were under 18 at the time of the offence. You can include this in your form, or in a letter, and you can also attach any supporting documents.

Victims Services will consider your objection and make a decision about how much you should pay.

Victims Services have time limits in which to make a provisional order against you. Usually, it is up to 2 years from when the victim had to make a claim for financial assistance and/or a recognition payment.

If you do not object to the provisional order, the order for restitution will be automatically confirmed and Victims Services can start enforcing it. This means they can arrange for money to be deducted from your inmate trust account to pay off the restitution amount.

If you have received a provisional order you can get legal advice from a Legal Aid solicitor (put your name in the Legal Aid book) or call LawAccess (#2 on the CADL prison phone system). LawAccess can either give you advice about the provisional order or transfer you to the Prisoners Legal Service.

How do I pay the Levy?

While you are in jail, the amount can be deducted from your prison earnings (for example if you are employed by Corrective Services Industry (CSI) or employed by an outside organisation on work release).

The amount deducted will appear on your inmate trust account statement with the letters 'VCL'.

If you still owe the levy when you are released from jail, you can arrange to pay the amount you owe in instalments deducted from your dole (Newstart allowance) or weekly earnings.

Need more help?

If you need more help you can get legal advice from a Legal Aid solicitor (put your name in the Legal Aid book) or call LawAccess NSW (#2 on the CADL prison phone system).