

Legislative Council—No 108

As introduced and read a first time, 30 August 2023

South Australia

**Victims of Crime (Compensation) Amendment
Bill 2023**

A BILL FOR

An Act to amend the *Victims of Crime Act 2001*.

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The Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

This Act may be cited as the *Victims of Crime (Compensation) Amendment Act 2023*.

Part 2—Amendment of *Victims of Crime Act 2001*

2—Amendment of section 20—Orders for compensation

Section 20(3)(a)(i)—delete subparagraph (i)

3—Amendment of section 25—Legal costs and disbursements

(1) Section 25(1)(a)—delete paragraph (a) and substitute:

- 10 (a) costs awarded in proceedings under this Act must not exceed—
- (i) in relation to costs awarded to a solicitor for all work involved in a claim for compensation that is not a limited claim or a related claim—\$2 500 (indexed); or
 - 15 (ii) in any other case—the amounts prescribed by regulation in relation to such costs (plus GST) as at the time of commencement of the proceedings; and

(2) Section 25(1)(b)—delete "regulation" and substitute:

paragraph (a)

(3) Section 25(3)—after the definition of *GST law* insert:

- 20 **limited claim**—a claim for statutory compensation is a **limited claim** if it is limited to a claim for compensation for 1 or both of the following:
- (a) grief suffered in consequence of the commission of a homicide (see section 17(2));
 - (b) funeral expenses (see section 17(4));

related claim—a claim for statutory compensation is a related claim if—

- 5
- (a) in proceedings under this Act, the same legal practitioner represents more than 1 victim of an offence claiming compensation in respect of injury arising from the offence; or
 - (b) in proceedings under this Act, the same legal practitioner represents more than 1 victim of a series of offences claiming compensation in respect of injury arising from the series of offences;

series of offences means—

- 10
- (a) offences committed consecutively by 1 offender, or offences committed simultaneously or consecutively by offenders acting in concert; or
 - (b) offences committed in circumstances in which those offences constitute a single incident,

(see section 23).