

Claim loss of earnings – for victims of violence

We may be able to reimburse loss of earnings if you have been injured by violence that happened in Queensland and you had to take time off work.

Primary victim claims

A primary victim is a person who was injured by an act of violence that was committed against them.

As a primary victim you can claim loss of earnings if you:

1. were working when the violence was committed or had a formal contract to start working
2. had to take time off work within 2 years from the date of the violence
3. took this time off because of the violence – to recover from injuries or to attend medical, police or court appointments
4. couldn't earn anything or earned less than you were before the violence.

Parent secondary victim claims

A parent secondary victim is a person who was injured by learning that violence was committed against their child (under 18).

As a parent secondary victim you can claim loss of earnings if:

1. because of your circumstances or the nature of the act, the violence has had an unusual, special or out of the ordinary effect on you.
2. you were working when you learned about the violence against your child or you had a formal contract to start working
3. you had to take time off work within 2 years from learning about the violence against your child
4. your circumstances meant you couldn't earn anything or earned less than you were before the violence (e.g. you need to take time off to attend court or medical appointments).

Witness secondary victim claims

A witness secondary victim is a person psychologically injured by seeing or hearing violence being committed against someone else.

As a witness secondary victim you can claim loss of earnings if:

1. you witnessed fatal violence (a homicide or dangerous driving causing death)

2. because of your circumstances or the nature of the act, the violence has had an unusual, special or out of the ordinary effect on you
3. you were working at the time you witnessed the violence
4. had to take time off work within 2 years of witnessing the violence
5. your circumstances meant you couldn't earn anything or earned less than you were before the violence (e.g. you need to take time off to attend court or medical appointments).

Approved reimbursements

You can claim up to \$20,000 lost earnings. We can only reimburse actual losses of personal taxable income. We cannot reimburse business income.

How to claim

To claim loss of earnings, you must:

- apply for financial assistance using a financial assistance application form
- complete the loss of earnings section of the form
- provide identity document(s).

You must also provide:

- documents about your income immediately **before** the act of violence (4 payslips, tax statements or a letter from your tax accountant)
- documents showing why you couldn't work and how long you were unable to work (a medical certificate, a letter from your doctor, proof you were attending an appointment)
- documents from your employer stating how long you were off work and if you had any leave entitlements (a pay summary that shows your leave, a letter from your employer, payslips for time off work)
- information about any other income or financial assistance you received while not working or working less (Centrelink statements, income protection insurance, other payslips, tax statements).

If you took time off to attend a medical, police or court appointment, you need to provide:

- proof that you attended the appointment (a letter or other document from the medical centre, police or court).
- Send your application and other documents to:
 - VictimAssist@justice.qld.gov.au
 - Victim Assist Queensland, GPO Box 149, Brisbane, Qld 4001.

Self-employed people

If you were self-employed, you need to provide:

- evidence showing why you couldn't work and how long you couldn't work for (e.g. a medical certificate, letter from your doctor, proof you were attending an appointment)
- a letter from your tax accountant and copies of any supporting documents that show how much **personal taxable income** you lost and how that was calculated. We cannot reimburse business income.

Limitations

We cannot reimburse:

- loss of earnings incurred after more than 2 years
- loss of earnings greater than \$20,000
- loss of earnings not caused by the violence
- loss of business profits
- loss of superannuation contributions
- **paid** sick leave or **paid** domestic and family violence leave
- loss of earnings that were also claimed (or could be claimed) through income protection insurance, total and permanent disability insurance, workers compensation or Centrelink
- loss of opportunities for income you might have earned in the future (unless you had a formal contract to start work).

Timeframes

Due to the high number of claims already queued, it may be many months before we're able to assess your application and pay approved expenses.

If you have an urgent expense, and meet the conditions for claiming urgent expenses, we may prioritise the assessment of these expenses. If we decide the expenses don't meet these conditions, we'll let you know. Non urgent expenses will be queued for general assessment within normal timeframes.

Work related violence

You can apply for some financial assistance from Victim Assist Queensland if injured by an act of violence at work, on the way to or from work, or while on a work break.

See the *Work-related violence* factsheet for more details.

Other support

Cost of living support – see <https://www.qld.gov.au/community/cost-of-living-support>

Losing your job or income – see <https://www.qld.gov.au/community/losing-your-job-income>

National debt helpline – call 1800 007 007

Other factsheets you may need

You should also read the following instructions:

- Reporting requirements for all applicants
- Providing information about your injuries
- Prove your identity when you apply
- Claiming urgent expenses.

All instructions, forms and reports talked about in this factsheet are available at www.qld.gov.au/victimsapply.

If you do not have internet access, please call 1300 546 587 during business hours and request the information via post.
