



WOOR-DUNGIN
A New Partnership between Aboriginal Organisations and Philanthropy

Getting insurance if you have a criminal record

What is a criminal record?

Victoria Police keeps a record of any crimes you have been found guilty of, and any ongoing investigations against you by the police. They can also check records kept by other states and territories.

Can I get insurance if I have a criminal record?

There is no law to stop people with a criminal record from getting insurance, but insurance companies are allowed to ask about your criminal history when they decide if they will insure you or not.

Some insurance companies might think that it is more risky to insure you if you have a criminal record. This might mean that you have to pay more for your insurance, or it may be harder to find insurance.

Do I have to tell the insurance company that I have a criminal record?

You must answer any questions from an insurance company honestly.

- If an insurance company asks you about your criminal record, you must tell them about times you have been found guilty of a crime.
- Many insurance companies only ask about crimes from the past 5 or 10 years.

If you don't tell an insurance company about a criminal record when you are asked, they could find out later if you make a claim from them.

If this happens they might reduce the amount of money that they will pay you, or in some cases they can cancel your policy and you won't be paid any money.

What crimes will count against me?

Insurers are mostly worried about crimes that relate to the insurance you are buying. For example:

- If you have been found guilty of fraud (e.g. if you've made a fake insurance claim), you might find it more difficult to get insurance
- If you have been caught drink-driving you might have to pay more for car insurance.

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- If you have committed criminal damage you might find it more difficult to get home insurance.

Which companies will insure me if I have a criminal record?

Many companies will still insure you – it depends on the type of crime you’ve been found guilty of and the type of insurance you are applying for.

There are home contents and car insurance policies that are available that **will not take your criminal history into account** when deciding whether to insure you, and **will not ask** you about your criminal history. Contact a financial counsellor if you would like more information about insurance like this.

What if I think I’ve been treated unfairly?

Insurers must comply with the General Insurers Code of Practice, which means they need to have proper reasons for refusing insurance and they must have a complaints process. If you have concerns about a decision you can ask the Financial Ombudsman Service to investigate.

For more information, contact:

Consumer Action Law Centre

www.consumeraction.org.au

Consumer legal advice: 1800 466 477 (toll free)

MoneyHelp (financial counselling)

www.moneyhelp.org.au

1800 007 007 (toll free)

Financial Ombudsman Service Australia

www.fos.org.au

1800 367 287 (toll free)

Victorian Aboriginal Legal Service

www.vals.org.au

1800 064 865 (toll free)

Victoria Legal Aid

www.legalaid.vic.gov.au

1300 792 387

Eastern Community Legal Centre

www.eclc.org.au

5962 1665

This fact sheet is for people in Victoria, Australia. It is for information only and is not legal advice. Accuracy or completeness cannot be guaranteed. If you need advice, please contact a lawyer. June 2017.

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