

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 made a fake insurance claim in the past), you might find it more difficult to get insurance in general.

- If you have been caught drink-driving you might have to pay more for car insurance.
- If you have committed criminal damage you might find it more difficult to get home insurance.

If you want more advice about applying for insurance, ask one of the organisations below.

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.

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)

Peninsula Community Legal Centre

www.pclc.org.au

(03) 9783 3600

Victoria Legal Aid:

www.legalaid.vic.gov.au

1300 792 387

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. September 2016.