

# New compensation scheme for victims of terrorism

- government to consult on new compensation process for victims of terror
- part of wider proposed reforms to simplify and improve criminal injuries compensation
- increased pay-outs for bereaved families

The proposals aim to better address the particular needs of victims and their families following a terrorist incident, and ensure applications are processed as rapidly as possible. The changes follow a commitment to improve the compensation process following the Manchester Arena Terror Attack, and support the government's wider review of the support available to terror victims, including families and loved ones, to ensure more victims get the support and advice they need, faster.

The plans form part of a package of reforms Ministers are pursuing through a consultation launched today (16 July 2020) which seeks to improve the Criminal Injuries Compensation Scheme (CICS) – making the scheme simpler and more transparent, while ensuring it keeps pace with the changing nature of crime.

The Scheme provides compensation to victims injured by violent crime as public acknowledgement of their suffering, paying out more than £130 million last year – making it one of the most generous of its kind in the world. This includes £11 million to victims who were previously barred from accessing compensation under the pre-1979 'same roof' rule after the government scrapped the unfair rule last year.

The key proposals in the consultation include:

- Creating a standalone scheme for victims of domestic and overseas terrorism to improve awareness of the support on offer and ensure applications are processed as rapidly as possible.
- Scrapping completely the 'same roof' rule which blocks victims from receiving compensation if the attacker was a family member they were living with at the time of the incident. Ministers abolished part of the rule in 2019, which has led to £11 million being paid to victims previously denied compensation.
- Simplifying the list of injuries included in the CICS and the tariff of payments associated to them.
- Giving a single payment to bereaved families of £8,000 – an increase of £2,500 for the majority of applicants while speeding up the claims process.
- Increasing support for funeral costs to a single payment of £4,500 – from the previous basic sum of £2,500 to reflect the rise in funeral costs.
- Seeking views on whether families bereaved by homicide abroad should

have access to compensation.

Justice Minister Alex Chalk said:

All too recently we've witnessed the devastating effects of terrorism, which is why this government is determined that victims get the support they need to rebuild their lives.

While no amount of compensation can ever make up for the suffering they've endured, our reforms will ensure the system for claiming awards better reflects the needs of victims, and that applications are processed as rapidly as possible.

But this is only one part of our plans to boost the support available for people injured by violent crime. We are simplifying the Scheme making it easier to understand, as well as increasing pay-outs for bereaved families.

Today's announcement follows a comprehensive review which found that for the vast majority of applicants the Scheme is working well, with the Criminal Injuries Compensation Authority (CICA) which operates the Scheme reporting a 95% customer satisfaction rating.

The review concluded that the principles underpinning the Scheme must be maintained – that it exists to support all eligible victims of violent crime who have suffered the most serious injuries, and that compensation is an important and public recognition of their ordeal. It carefully considered the Scheme's scope and eligibility criteria, and while it recognised concerns around application time limits and the unspent conviction rule, it found that any change would undermine the Scheme's ethos of treating all victims in a fair and consistent manner.

However, the review revealed some areas where improvements could be made, including to reduce the complexity of the process – which can deter some from applying – as well as enhancing the support offered to victims. Ministers are therefore consulting on package of changes which would inform the detail of a new and improved Scheme.

The move builds on commitments to improve the support on offer at every stage of the justice system outlined in the first-ever cross-government Victims Strategy as well as a raft of reforms to protect victims and pursue perpetrators. This includes:

- a 50 per cent increase in funding for victims of sexual violence.
- abolishing the pre-1979 'same roof rule' which has paid out £11 million to new and past applicants.
- consulting on a new Victims Code setting out what support victims should expect from the justice system.
- Improving court environments, with new victim-friendly waiting areas and an emphasis on accessibility for the most vulnerable.
- Extending the Unduly Lenient Sentence so more victims and the public can

have sentences reconsidered by the Court of Appeal.

## Notes to editors

- The Criminal Injuries Compensation Scheme (the Scheme) is a statutory scheme that exists to compensate victims of violent crime in Great Britain where no other option of financial redress is available.
- A [consultation will run from 16 July to 9 October 2020](#).
- The Criminal Injuries Compensation Authority (CICA) deals with over 30,000 applications a year, and has a high satisfaction rating of 95% from applicants who had been in contact in 2018/19.
- In 2018/19 the Criminal Injuries Compensation Authority (CICA) paid out more than £130 million to victims.
- The review examined whether the Scheme remains fit for purpose, reflects the changing nature of violent crime and effectively supports victims in their recovery.
- It considered:
  - The scope of the Scheme, including the definition of violent crime for the purposes of compensation for injury, and the type of injuries that are covered by the Scheme.
  - The eligibility rules including, among other things, concerns about time limits for making applications, unspent convictions, and consent in sexual offences cases.
  - The requirements of the Scheme in relation to decision-making, including issues such as the level of evidence required for compensation claims, and the timeframes for accepting or rejecting awards.
  - The value and composition of awards available through the Scheme, including the balance struck between serious and less serious physical and mental injuries.
  - The impact of the Scheme on particular groups, including victims of child sexual abuse and victims of terrorism.
  - Opportunities to simplify the Scheme.
  - The affordability and financial sustainability of the Scheme.
- The Scheme operates a tariff-based system for determining injury awards which describes the qualifying injuries and the associated awards. Our proposals will simplify this list of injuries and awards to achieve more transparency and consistency for victims.
- 'Same roof' rule
  - The rule was intended to ensure perpetrators would not benefit from compensation paid to victims they lived with.
  - In 2019 the pre-1979 'same roof' rule was abolished. This meant victims of violent crimes which took place before 1979 were blocked from receiving compensation if the attacker was someone they were living with at the time of the incident.
  - However, the post 1979 'same roof' rule remained intact. The changes recommend abolishing this rule completely, so that familial relationships will not prevent victims from accessing compensation to which they would otherwise be entitled, provided that there is no possibility of the assailant benefitting.
  - An amended Scheme coming into force on 13 June 2019. The changes

allow victims previously denied criminal injuries compensation under the rule, or who have never applied, to make fresh applications; applications must be received by the Criminal Injuries Compensation Authority (CICA) within two years, by 13 June 2021.

- Victims of domestic terrorism can already claim from CICS and Victims of FCO-designated terrorist attacks abroad can claim compensation from the Victims of Overseas Terrorism Compensation Scheme.
- A standalone scheme for victims of terrorism would require primary legislation.
- The consultation also explains rationales for not changing certain aspects of the Scheme. This includes:
  - The scope of the Scheme and whether it could be extended to include crimes of grooming, online exploitation and grooming.
  - The review found that expanding to such crimes could present operational difficulties given the wide range of other offences that may also have similar harmful impacts and operation difficulties in establishing evidence.
- The government is also reviewing the wider support available to victims of terrorism, including families and loved ones, and investing £500,000 to increase the support provided, to ensure more victims get the support and advice they need, faster.
- The Home Secretary made an announcement on the 26 March regarding a competed grant, available to organisations who want to provide support to victims of terrorism. Organisations were able to bid for up to £500,000, to provide advice and support to individuals and their families affected by terrorist attacks. The outcome will be announced shortly.
- The government has committed to an internal review of the wider support package available to victims of terrorism. The review is currently being scoped and we will take forward its recommendations in due course.