

Criminal injuries compensation awards factsheet

This factsheet has been prepared to provide you with an indication of what you can expect when making a claim to the Criminal Injuries Compensation Authority. Hopefully, it will answer some of your questions however if you have any queries then please feel free to contact us to discuss them.

What is the Criminal Injuries Compensation Authority (CICA)?

The CICA are a government organisation that can pay compensation to people who have been blameless victims of a violent crime (including sexual offences) and who have suffered from physical or mental injuries as a result.

Compensation is obtained by making an application under what is called the 'Criminal Injuries Compensation Scheme'. This scheme is administered by the CICA i.e. the CICA processes the application and make a decision as to whether an applicant is entitled to any compensation under the scheme and, if so, how much.

What kind of compensation is available under the Criminal Injuries Compensation Scheme?

Under the current CICA scheme the maximum amount of compensation that can be claimed is £500,000.

There are four main types of compensation that can be applied for:

1. Compensation for Injuries – the "Tariff award"

This is compensation provided for a physical or mental injury. This is known as the 'tariff award' because there is a set tariff for all injuries i.e. there is a set amount of compensation that can be obtained for each injury. For example, a broken leg (fracture of the fibula) attracts an award of between £2,500 to £3,800 dependent upon the seriousness of the injury and how well the victim recovers.

If you have multiple injuries, you can obtain compensation for the 3 most serious types of injury, but a discount is applied to the second and third injuries.

2. Compensation for loss of earnings

If you have lost earnings for more than 28 weeks as a result of not being able to work due to an injury, then an amount for loss of earnings can be claimed from the 29th week after the incident.

3. Compensation for 'special expenses'.

"Special expenses" are the financial losses and expenses arising out of having an injury. For example, the cost of medical treatment or aids and equipment and the cost of care for an injured person fall into this category.

As with the loss of earnings claim, the CICA will only consider claims under this heading where an applicant has not been able to work for a period of 28 weeks due to their injuries, however, unlike the loss of earnings claim, if special expenses are claimable then they are payable from the date of the injury and not from week 29.

4. Compensation for death as a result of a violent crime

If a victim died as the result of a violent crime, a 'qualifying claimant' can claim compensation for the death. A qualifying claimant will usually include a spouse / civil partner, cohabiting partner (for at least 2 years prior to the death), a parent or a child. The compensation is known as a 'bereavement award'. The amount of the award is dependent upon the amount of qualifying applicants but is usually £11,000 if there is one person claiming, or £5,500 each if there is more than one person claiming. Reasonable funeral expenses can usually also be claimed under this head of claim.

In addition, if a qualifying claimant can show that they were financially or physically dependent upon the deceased person then additional compensation may be payable.

Who is eligible to apply for compensation under the scheme?

An applicant must have been injured as a result of a violent crime in England, Scotland or Wales and they must have reported the crime to the police. However, it is not always a necessity that the person who committed the crime has been charged or convicted of the crime.

An applicant has to have injuries that are serious enough to qualify for the minimum tariff award under the Scheme, which is currently £1,000.

An applicant must apply to the scheme within 2 years of the crime which caused their injuries. In some circumstances, it is possible that an application can be made after this time limit but only if it can be shown that there is a reasonable reason for the delay in making the application and that there is still evidence available that can be considered.

The CICA can reduce an award to an applicant, or refuse to make one altogether, if the applicant has a criminal record, or on the basis of the applicant's behavior before, during or after the incident when they were injured.

An applicant who is under 18 can apply for compensation under the Scheme through a representative who applies on their behalf. This would usually be a parent or legal guardian.

Are you eligible to make an Application under the Scheme?

If you have been the victim of a violent crime and suffered injury and think that you may be eligible to pursue a claim under the Criminal Injuries Compensation Scheme then please feel free to call a member of our team to discuss the matter further:

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