

A Guide to Criminal Injuries Compensation Claims

Background to the Scheme

The scheme allows financial awards to be made;

- To recognise physical and mental injuries caused by a violent crime.
- In certain circumstances to compensate for future lost earnings or expenses caused by a violent crime.
- For the death of a close relative as a result of a violent crime, including in some cases compensation for the lost earnings for the person who was killed.

The scheme deals with injuries suffered in Great Britain that is England, Scotland and Wales. The scheme provides for a payment in recognition of someone who has been injured as a result of a crime of violence.

Am I Eligible to apply?

You may be eligible if:-

- You have been injured seriously enough to qualify for at least the minimum award of £1000.
- You were injured in an act of violence In England, Scotland or Wales. The offender does not necessarily have to be convicted or charged with the crime.
- You must make your application within two years of the incident that caused your injury.

You will not be eligible if:-

- You were injured before 1 August 1964.
- You have already applied for compensation for the same injury under the 2008 scheme or under any earlier scheme.
- The injury happened before 1 October 1979 and you and the person who injured you were living together at the time as members of the same family in the same household.
- The act of violence took place outside England, Scotland or Wales.

An application can also be refused or reduced because of:-

- Your own behaviour before, during or after the incident in which you were injured.
- Your own criminal record.
- Any failure on your part to cooperate with the police.
- Any delay on your part in informing the police of the incident.

What compensation can I receive?

Assuming your application has been accepted, the award in respect of your injuries is based upon a Tariff scheme. The minimum award is £1000 but if your injury is not serious enough to qualify for a £1000 payment no award can be made. The maximum award before any deductions is £500,000.

You may also qualify for compensation for **lost earnings** and **special expenses**. You will not be able to recover lost earnings for the first 28 weeks of incapacity. Special expenses may be the cost of medical treatment which cannot reasonably be provided by the NHS, the cost of care or supervision you may require and the cost of adaptations that may be needed to your home but all of these must be as a result of the injuries sustained by you.

If a parent, child, husband, wife or partner has died as a result of a violent crime you may also be entitled to compensation.

What can I do if my application is rejected?

You can ask for a review of the decision by a different claims officer. This must be received by the authority within 90 days of the decision.

What can I do if my review fails?

You may appeal to the appeals panel for a hearing at which you would be entitled to appear with representation. Your appeal must be made within 90 days of the date of the review decision.

Who pays the costs?

The CICA do not pay anything towards your legal costs. If you wish to make an application to the CICA without legal representation you are free to do so and you will not then incur any costs. If you instruct Levenes to pursue your claim we may offer to pursue your case on a Contingency Fee basis. We would make a charge if the claim succeeded. You should check any insurance you have, for example household insurance, to see if you have legal expenses insurance which might cover your legal costs.

Further Information

More information can be obtained from www.cica.gov.uk.