

Review of the Criminal Injuries Compensation Scheme

Terms of Reference

The Secretary of State for Justice has commissioned a review of the Criminal Injuries Compensation Scheme (the Scheme) as part of a wider package of measures within the Victims Strategy to ensure victims receive the support they need throughout their experience of the criminal justice system.

The review will examine whether the Scheme remains fit for purpose, reflects the changing nature of violent crime and effectively supports victims in their recovery. It will consider:

- 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, *inter alia*, 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 review will explore existing research on criminal injuries compensation and international examples of compensation and redress. It will take full account of the findings of the Independent Inquiry into Child Sexual Abuse.

The review will focus on the Scheme itself and will not examine the performance of the Criminal Injuries Compensation Authority, or alternatives to financial compensation.

The review will be informed by the following principles:

- Compensation offers a public acknowledgment of harm suffered by victims of violent crime.
- Compensation is an important part of government provision of end-to-end support for victims of violent crime, which also includes emotional and practical assistance for victims.
- Compensation should be protected for those most seriously affected by their injuries, including in cases where injuries are not immediately evident nor their impacts easily quantifiable.
- The Scheme offers support for victims of violent crime who have been unable to seek compensation by other means.
- The Scheme complies with domestic and international legal obligations to provide compensation for victims of violent crime.
- As a general rule, future changes to the Scheme do not apply retrospectively.

The review will engage with key stakeholders, including victims, victims' representatives and groups, Police and Crime Commissioners, the judiciary, relevant criminal justice agencies, and others with expertise or an interest in criminal injuries compensation.

The Government will consult publicly on proposals in 2019.