

0020005

The Inquiry seeks views on whether existing means of delivering financial compensation to victims and survivors of child sexual abuse are effective, which may include whether:

- The process is accessible for all victims and survivors;
- An appropriate amount of compensation is awarded;
- Decisions are made in as timely a manner as possible;
- Claims are investigated fairly and applicants treated equally;
- Applicants are treated with sensitivity.

Submissions are sought on the effectiveness of the existing procedures for criminal compensation and possible reforms. The Inquiry would welcome your views on the following issues. You should not feel that you need to answer every section, only those that are relevant to your experience or expertise.

Reparation generally

1. What outcomes should a criminal compensation scheme aim to deliver for victims and survivors of child sexual abuse?

The outcomes the CCS should seek to deliver is a measured amount complemented with support mechanisms to restart / continue their lives.

2. In your experience, how far do the two existing procedures for criminal compensation, i.e. the CICA scheme and the courts' criminal compensation orders, deliver these outcomes for victims and survivors?

Apart from monetary compensation none whatsoever.

3. How important are the following: the right to independent legal representation; the right to an independent and impartial investigation; the right to truth and accountability; compensation; guarantees of nonrecurrence; and support services?

All are important but the monetary compensation in my opinion should be the last consideration.

4. Which of the above have the existing procedures for criminal compensation successfully delivered?

All the above are delivered but the quality of the whole system is very much mistrusted / underfunded and biased against Survivors to recover. I work daily in this world and see the damage caused to survivors by a system that needs a complete overhaul with concentrated training and resources.

5. If there are elements you have identified as not always successfully delivered, then what, in your experience, have been the reasons for this?

The whole experience from report to court is not administered in a timely, compassionate and respectful way. (Can give many examples if you wish to discuss further).

6. In your experience, why have some victims and survivors chosen not to apply for criminal compensation?

Bureaucratic policy and procedures. Lack of support / guidance and signposting.

7. In your experience, why are some victims and survivors unable to apply for criminal compensation despite wanting to do so?

As above.

8. What are the advantages and disadvantages of the existing procedures for criminal compensation as a means of delivering reparation, when compared to the civil claims process?

The whole system of compensation for me darkens the process.

If compensation were to be given in the form of support / guidance / re integration / housing / work and training opportunities surely this would assist and support the survivor thus ploughing back monies into support services and society in general.

A circle of trust / support / respect thus healthier survivor physically and mentally will only be cost effective for the whole of society.

Giving a broken person a lot of money but not any support / guidance and assistance will in my opinion be counterproductive in all areas.

The Criminal Injuries Compensation Scheme (administered by CICA)

The following section deals explicitly with some of the legal issues relevant to the CICA process.

9. Are there elements of the CICA process which may obstruct the delivery of reparation to victims and survivors, and if so in what way? In particular, submissions are welcome on the following issues:

- a. The right to independent legal advice and representation;
- b. Eligibility provisions, including:
 - i. The definition of 'crime of violence' and 'consent';
 - ii. The eligibility criteria for persons who were present at, and witnessed, the sexual abuse of another person or its immediate aftermath;
 - iii. The non applicability to injuries before 1 August 1964, the date on which the first scheme was introduced;
 - iv. The 'same roof rules' precluding awards of compensation to victims who were living with their assailants at the time as members of the same family.
- c. The application process, including:
 - i. The role of the police;
 - ii. Time limits;

- iii. Costs of making the application, for example instructing lawyers or obtaining expert evidence;
 - iv. Reviews and appeals.
- d. The circumstances in which an award may be withheld or reduced;
- e. The relationship between the criminal injuries compensation scheme and other compensation processes (civil or criminal);
- f. Quantification of awards;
- g. The responsibility of local authorities to make applications on behalf of children.

10. Are there other elements of the CICA process which may obstruct the delivery of accountability and reparation to victims and survivors? If so what are they?

Criminal compensation orders

11. To what extent do criminal compensation orders made by the criminal courts provide adequate reparation for victims and survivors?
12. What are the advantages and disadvantages when compared to the civil claims process and/or the CICA process?

Changes, alternatives or additional routes for redress

13. In your experience, is there anything that has made it more difficult for victims and survivors to achieve accountability and reparation through the existing procedures for criminal compensation? If so what? What could be done to help people overcome these barriers?

14. What changes could be made to the existing procedures for criminal compensation in order to make it easier for victims and survivors to achieve accountability and reparation?

15. Are there any alternatives to the existing procedures for criminal compensation that could better deliver reparation to victims and survivors, either on their own or in conjunction with the existing procedures for criminal compensation? If so, what are they?

Please see Question 8 – can expand further if you believe this is a viable avenue to look at.

Support

16. What information, support and resources are you aware of to help victims and survivors (and/or their families) access reparation through the existing procedures for criminal compensation?

Postcode lottery.

17. In your experience, have people who needed these services and support been able to access them? If not, why not?

Again Postcode lottery. Fragmented services skewed pathways only create confusion for an already traumatised survivor and their network.

18. How do you think the current provision of support could be improved?

Where to start

As a long standing Child Protection Detective currently working with CPS within the RASSO also as a survivor of CSA myself I would be more than happy to discuss in length should you feel this would be of value to the inquiry.

In addition to the issues set out above, submissions are encouraged on any aspects of the existing procedures for criminal compensation, insofar as they relate to accountability and reparations for victims and survivors.

In making your submission you do not need to address every question. We encourage you to address those specifically relevant to your experience or expertise, both personal and professional. In your submission, please separate out responses to different questions, and indicate clearly which question(s) you are responding to.

Please include the following information on the attached questionnaire as part of your submission:

- Your age and gender;
- Whether you are responding on behalf of an organisation or as an individual;
- Which, if any, organisation do you represent;
- What is your job title and how long have you held this position;
- Whether you would like your response or personal details to be treated as confidential, and the reason for this.

Submissions will be publicly available on the Inquiry's website. The Inquiry will also publish a report summarising the key themes from the submissions received. This report will help inform seminars which will take place when the submission process has closed. A range of contributors will be invited to these seminars to consider in detail the themes identified from the submissions received.

The submission process will close at noon on the **29th September 2016**.

Submissions should be made in English or Welsh and submitted either:

- Electronically to crimcomp@iicsa.org.uk, or