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Response from Nottinghamshire Rape Crisis Centre (NRCC)

Re: Response to the Accountability and Reparation ICSA issue Paper Number 2-
Criminal injuries Compensation Scheme

This response is written on behalf of Nottinghamshire Rape Crisis Centre, where have been the Chief Executive Officer for 9 years and a Counsellor/Training Coordinator for 12 years. We do not require this response to be kept confidential.

Our response is written with reference to the Rape Crisis England and Wales (RCEW) Response to the Accountability and Reparation ICSA issue Paper, of which a copy is attached.

Whilst we endorse and uphold all the points made in the RCEW Response, we would like to add further information to some of the points as follows:

Question 2 - How do Rape Crisis adult/child survivors service users experience the CICA application process

In addition to the points made in the RCEW Response we would also like to add that:

- The forms are too simplistic for the complexities of some cases.

There are not enough "tick boxes" relating to the mental/emotional impact of rape/sexual assault and the space allowed for additional information is too small. Survivors feel then, that their suffering is not validated by this form and that they cannot be truly heard.

Question 5 - if there are elements you have identified as not always successfully

delivered, then what, in your experience, have been the reasons for this?

In addition to the points made in the RCEW Response we would also like to add the following observations:

- We regularly have cases that take over 1 year to resolve. We are currently supporting a CICA applicant who first submitted their paperwork in 2014. This delay can impact on clients, in that they are Worried that the delay indicates that they will not be believed, they might think that they will have to provide further information or go to a tribunal. Effectively, this delay can be detrimental in the survivor's process of moving on from and rebuilding their life after a CSA, sexual assault or rape.
- When ISVAS or survivors chase up their applications with CICA, the information they are given can be very non-specific - e.g. "the case is with the second assessors," and there is never an indication on timescale, which is not very reassuring to the applicants.
- Our ISVAs have been told that 'CICA have had no response from the police.' The survivor/ISVA is left powerless to chase this up with the police. We fully endorse RCEW's response calling for a best practice commitment for the time taken by the police, medical agencies or CICA etc. We also believe that every applicant should be given a named 'case manager' who can be aware of cases and respond to enquiries about cases on their caseload.

Question 6 - Why have some victims and survivors chosen not to apply for criminal compensation?

In addition to the points made in the RCEW response we would also like to add that some people choose not to apply because:

- They feel that the process would be so long it would prevent them from being able to move on as quickly as they would like.
- They don't want to see a "financial value" attached to their experiences.

Question 7 - Why are some victims unable to apply for criminal compensation despite

wanting to do so?

In addition to the points made in the RCEW Response we would also like to add the following observations:

- Where there are criminal procedures taking place, the police will often discourage victims/survivors from applying to CICA until the trial has been completed. This is because, if the defence are made aware that an application has been made, this could be used to prejudice the jury against the victim/survivor. As trials can take a long time to come to court, this can mean that the two year window to apply has been used up.

The police or CPS should be able to advise of the effect of the trial in writing, so that the applicant can enclose a copy with their application, allowing the 'out of time' rule to be discounted.

- Victims/survivors are often unaware that the CICA exists. We believe that the police should have to, as part of their role, tell victims/survivors about the CICA scheme. Where there is a worry about this prejudicing the trial, this could be done after this has taken place, if the above concessions are put in place.

We believe that there are other professionals, who are also in a position to let people know about CICA. It could be useful for CICA awareness to be done as part of the training for trainee counsellors. The current ISVA training does not include making or supporting people to apply to CICA, and this needs rectifying.

- If a victim/survivor has a criminal record, it is likely that their CICA application will be refused. This prevents many people from applying in the first instance. This is a very big judgement implying that a person who has committed an offence deserves to get raped. Additionally there are no concessions or awareness at CICA that some people may have committed such offences in response to the abuse they have suffered.
- The two year limit can be quite tight and many survivors, due to the effect of their experiences, are not in the right place to apply. Additionally, some Counselling services can have a very long waiting list, which means that a survivor who would need support to apply may not be able to get this in time to help them make an application.

There is some confusion about whether the two year limit starts from when the assault happened, or when it was reported to the police. A two year limit from when the assault/abuse happened would almost prevent all adult survivors of CSA from applying for compensation.

We believe that all sexual offences should be fully exempt from eligibility rules - with time limits being removed from the application.

- The 'same-roof rules' restricts survivors of childhood sexual abuse applying for compensation if the abuse took place before 1979 under the same roof as they were living and mostly relates to abuse taking place in families. This is very unfair, as it prevents many people from applying, even though as a child they would've had no choice over whether or not they lived with a perpetrator.

We totally agree with the RCEW response, as there is no reason Why CSA survivors should be discriminated against in this way, and this restriction needs to be rescinded immediately.

We hope that these comments, made as an addition to the Rape Crisis England and Wales (RCEW) Response to the Accountability and Reparation IICSA issue Paper, will help widen and inform the discussion of the application of CICA to survivors of CSA. We look forward to hearing of positive developments in the Way CICA assesses such claims and also to the wider issue of sexual violence as a whole.

Yours sincerely,

Novlet Holness

Chief Executive Officer

Nottinghamshire Rape Crisis Centre