

Criminal Compensation Seminar: An update report

April 2018

INTRODUCTION

1. The purpose of this report is to provide a summary of the seminar on criminal compensation, which was held on 21 February 2017 as part of the work of the Accountability and Reparations Investigation.
2. The investigation into Accountability and Reparations is particularly broad. Therefore, at its early stages of planning, the Inquiry decided that it was necessary for this investigation to use issues papers and seminars as a method of gathering relevant information, in addition to traditional public hearings.
3. The seminar on criminal compensation followed the Inquiry's first series of seminars on the civil justice system, held on 29 and 30 November 2016, again as part of the work of the Accountability and Reparations Investigation. This method of information-gathering will continue to form an important part of the Inquiry's programme of work more widely.
4. Following the consultation period and receipt of written submissions, the investigation team conducted a thematic analysis of responses. This assisted the team in identifying the topics for further discussion at the seminar, as well as a broad selection of stakeholders for each session. The Inquiry then published the written responses, a report summarising the themes raised by the respondents and an agenda for the seminars.²

At the seminars

Preparing for the seminars

4. The Inquiry decided to seek written submissions prior to the seminars for two main reasons: first, to identify individuals and organisations with the relevant expertise and/or experience to invite to participate in the seminars; and, second, to enable the seminars to be as focused as possible.
5. On 4 August 2016, the Inquiry published an issues paper on criminal compensation.¹ The deadline for receipt of written submissions was 29 September 2016, i.e. there was a consultation period of eight weeks. Some submissions were received after this date. Twenty-three responses were received from a range of individuals, survivors' organisations, legal representatives and other institutions.
7. The seminar on criminal compensation was held on 21 February 2017.
8. The aim of this seminar was to give a broad selection of individuals and organisations the chance to speak to their submissions, further develop their ideas and engage with the views of others. The Inquiry again would like to take the opportunity to thank all those who contributed to the issues paper process and attended the seminars.
9. This report is not intended to be a comprehensive analysis of all the views expressed at the seminars. Its purpose is to summarise the discussions and to highlight key areas for follow-up work by the Inquiry.

¹ See the Annex to this report.

² See the Annex to this report.

Session 1:

Introduction to criminal compensation

10. The following topics were discussed as part of an introduction to criminal compensation:
 - Criminal compensation orders (CCOs).
 - The Criminal Injuries Compensation Scheme (CICS).
 - Comparison of criminal compensation with the civil justice system.
11. CCOs may be made by the criminal courts when a perpetrator is convicted³ but the general view was that they are not made routinely. One attendee stated that reportedly *“in 2015, there were 147,983 defendants, but only 12 percent of those were actually given court-ordered compensation”*. A number of reasons were suggested for this. First, the focus of the criminal justice system is to punish perpetrators of abuse rather than provide compensation. Second, the victim/survivor is not represented at a criminal trial and therefore there is no one to advocate on their behalf. Third, defendants often have no means or assets, rendering a compensation order pointless. In addition, it is difficult to establish defendants' ability to pay compensation given that there is no formal assessment of their means. Even where CCO's are made, it was said that there is no real assessment of the value of the award as compared to what could be awarded in civil cases.
12. Attendees also referred to the difficulties in relation to payment of awards. The point was made that payments can often be made in instalments, which ties the victim/survivor to the perpetrator for a protracted period of time. Awards were also said to be difficult to enforce, with one attendee stating that reportedly 44 percent of awards remain outstanding after 18 months. Victims and survivors are also required to deduct any award under a compensation order from any compensation awarded by the Criminal Injuries Compensation Authority (CICA), whether or not they have actually received the amount ordered under the compensation order.
13. Attendees then discussed the CICS. When the scheme started in 1965, it was based on the common law. This continued until 1995, when a tariff-based scheme was introduced. The amount of compensation awarded for injuries is based on this tariff. There are also limits on the amount that can be awarded for loss of earnings. There are certain instances where awards can be made for care and medical expenses. The total compensation cap has remained at £500,000 for the past 22 years. In order to be awarded compensation through the scheme, victims and survivors must make an application and satisfy a number of eligibility requirements.⁴
14. Attendees stated that many victims and survivors are not aware of the scheme. They said that the police often do not inform victims and survivors of its existence when there is a pending criminal trial because they are concerned that

³ Under section 130 of the Power of Criminal Courts (Sentencing) Act 2000, the court has the power to make a compensation order requiring the person convicted to pay compensation for any personal injury, loss or damage resulting from the offence. Section 130(2A), which states that a court **must** consider making a compensation order, was inserted by the Legal Aid, Sentencing and Punishment of Offenders Act 2012.

⁴ Discussed further below.

defence counsel will cross-examine victims and survivors on the basis that “*they are only in it for the money*”. The police are more likely to advise a victim and survivor when the criminal trial comes to an end but, by then, time limit issues will be more acute.⁵ It was said that time limits may act as a deterrent to a large number of people. The problem of local authorities not applying for compensation on behalf of children who are looked after was also raised.

15. Attendees were asked which of the three main mechanisms for financial reparation – the civil justice system, criminal compensation orders and the scheme – was preferable. They made clear that it depends on the victim and that more should be done to make them aware of the various different routes to compensation. Some victims and survivors do not want to receive money from, and be tied to the perpetrator, whereas others consider that more appropriate than the state having to provide compensation.
16. The focus of criminal proceedings is on the punishment of perpetrators, not compensation. In this sense, it was said that the criminal system could provide accountability (where there is a successful prosecution) but not effective reparations. Conversely, the civil justice system could provide reparations but often no accountability. The point was made that

one of the important things about the CICS was that there does not have to be a successful prosecution in order for an award to be made. However, another point was made that any award from CICA is “*tokenistic*” and in that sense a last resort. Reference was made to the perception that decisions are delayed because of financial pressures towards the end of the financial year. There was also debate about the extent to which the scheme is in fact a more timely and less intrusive process than the civil justice system.

⁵ Ibid.

Session 2: Eligibility for awards under the Criminal Injuries Compensation Scheme

17. Topics discussed in this session included:

- consent;
- the 1964 cut-off date;
- the 'same roof' rule;
- the grounds for withholding or reducing awards (focusing on criminal convictions and character);
- time limits.

18. Attendees discussed the definition of 'crime of violence' and what constitutes 'true' consent.⁶ Their view was that the scheme should be consistent with the criminal law.⁷ Attendees were also particularly concerned with the issue of grooming, including internet grooming. The point was made that it is necessary to move away from outdated notions of sexual assault and have a better understanding of issues such as grooming. Attendees stressed the need for specialist trained decision makers.

19. The cut-off date of 1964⁸ was thought to cause real difficulty, albeit to a diminishing number of people. One attendee stated that there appeared to be no further utility for the cut-off date.

20. Attendees then discussed the same 'roof rule'.⁹ One attendee stated that nearly 1,500 claims had been rejected over the past ten years under this rule. The rule was

thought to have been designed to prevent perpetrators in the same household as the victim/survivor from benefiting from any award of compensation. However, attendees thought it is entirely unfair. One attendee stated that his organisation was supporting two sisters, one of whom was eligible and one of whom was not because of this rule. Attendees discussed the difficulty in trying to explain the rule to victim and survivors, with one stating that it was "*just one of those rules in CICA which, when you tell people who are seeking legal advice, they just look at you with complete disbelief*". It was said to re-victimise victims and survivors.

21. **There are several provisions** which awards can be withheld or reduced, including the rules on unspent criminal convictions.¹⁰ It was stated that, unlike in previous versions of the scheme, where there was discretion to make a full or reduced award to applicants who had certain unspent criminal convictions, there is no such discretion in the 2012 Scheme. Attendees thought that these rules are unfair and fail to take into account the link between sexual abuse and criminal behaviour.

22. Victims and survivors have also been refused awards under the rules relating to

⁶ A person is only eligible for an award if they sustain a criminal injury that is directly attributable to their being a direct victim of a crime of violence. A 'crime of violence' includes a sexual assault to which a person 'did not in fact consent'. See para 4 and Annex B of the 2012 Scheme.

⁷ For example, ss 5–8 of the Sexual Offences Act 2003 make it an offence to engage in sexual activity with a child under the age of 13 regardless of any purported consent; ss 9–12 draw a distinction between sexual activity with a child under 13 (where consent is irrelevant) and sexual activity with a child between 13 and 16 where there is "*reasonable belief*" that the child is 16 or over; ss 30–44 concern offences committed against persons with a mental disorder; s 74 defines consent in the following terms: "*a person consents if he agrees by choice, and has the freedom and capacity to make that choice*"; ss 75 and 76 set out some statutory presumptions about consent.

⁸ Applications can only be made in respect of injuries sustained on or after 1 August 1964.

⁹ An award will not be made in respect of a criminal injury sustained before 1 October 1979 if, at the time of the incident giving rise to that injury, the applicant and the assailant were living together as members of the same family. See para 19 of the 2012 Scheme.

¹⁰ Paras 22–28 and Annex D of the 2012 Scheme.

character. Attendees spoke of applications being refused for reasons such as lack of cooperation with the police, not responding to letters and not completing the necessary forms. The point was made that victims and survivors of child sexual abuse might find it difficult to remain engaged throughout the process, and that it was unfair to categorise that as non-cooperation.

23. Time-limits were seen as a major issue and it was stated that they were even more stringent under the 2012 Scheme than under previous schemes. Under the 2012 Scheme, an application must be sent so that it is received by the Authority as soon as reasonably practicable after the incident giving rise to the criminal injury to which it relates, and in any event within two years from the date of that incident.¹¹
24. Where the applicant is aged under 18 at the time of the incident, the application must be sent so that it is received (a) in the case of an incident reported to the police before the applicant's 18th birthday, within the period ending on their 20th birthday; or (b) in the case of an incident reported to the police on or after the applicant's 18th birthday, within two years from the date of the first report to the police in respect of the incident.¹²
25. These time-limits are extendable, but only if a claims officer is satisfied that (a) due to

exceptional circumstances the applicant could not have applied earlier; and (b) the evidence presented in support of the application means that it can be determined without further extensive enquiries.¹³

26. It was said that the time limits do not fit with the pattern of disclosure of child sexual abuse. In addition, many victims and survivors will fall foul of the two-year time limit if advised to wait until after the conclusion of criminal proceedings. An attendee had previously stated that sometimes she wrote to CICA to put them on notice of a claim without actually submitting it, although this did not always work. The point was also made that victims and survivors can still be cross-examined about the fact that they have previously approached solicitors and so are motivated by the desire for compensation. Civil lawyers have also been called into court to give evidence on the legal advice provided to victims and survivors.
27. One attendee stated that he expects virtually every client to be refused on the first application. It is then necessary to have a review of the decision and produce medical evidence to show why there has been a delay either in bringing the claim or in the report to the police. Attendees stated that it is really difficult to overcome the hurdle of "exceptional circumstances" without specialist legal advice.

¹¹ Para 87 of the 2012 Scheme.

¹² Para 88(1) of the 2012 Scheme. However, even then an application will not be accepted under this provision unless a claims officer is satisfied that the evidence presented in support of the application means that it can be determined without further extensive enquiries (para 88(2)).

¹³ Para 89 of the 2012 Scheme.

Session 3:

The administration of the Criminal Injuries Compensation Scheme

28. This session looked at the administration of the CICS, including issues such as accessibility, legal representation and funding, and the application process.
29. Attendees stated that most victims and survivors they come across are not aware of the scheme. They said that more should be done by those involved in the criminal justice system to inform victims and survivors of its existence and help guide them through the process.
30. Attendees felt that specialist assistance and representation could make a significant difference to the outcome of applications, for example in relation to the instruction of medical experts to support claims, the preparation of any hearings before the tribunal and the ultimate size of the awards. Some attendees from victims' organisations, while not trained lawyers, were experienced in assisting victim and survivors through the process. However, one attendee, a trained lawyer, stated that while such organisations may have expertise in what they do, they should not be expected to step into the role of a professional body. Nor, as had been suggested happens, should a tribunal chair have to act as an advocate when the applicant was unrepresented.
31. Linked to this was the issue of funding for legal representation. Attendees stated that there is currently no public funding available for applying to CICA. Instead victims and survivors without private funds have to enter into some form of conditional fee agreement (CFA).¹⁴ Attendees stated that because these cases often fall at the lower end of the scale in terms of compensation, it might not always be viable for lawyers to take them on, nor for the victims and survivors themselves to instruct lawyers, given that the legal costs may be disproportionate when compared to any likely award.
32. Several issues were discussed in relation to the application process. The point was made that the online application form is not designed with victims and survivors of sexual abuse in mind. In addition, it was stated that recent changes, such as the online consent form and the fact that enquiries can no longer be made by telephone but only in writing, cause difficulties for those who cannot read and write, do not have representation, have learning disabilities, or do not read and write English as their first language. The need for better written communication was also raised.
33. Attendees stated that many applications are initially refused and have to proceed to the review and/or appeal stage, sometimes on numerous occasions depending on the issue under review or appeal. One attendee stated anecdotally that fewer than 50 percent of his cases receive an award in the first instance. Attendees stated that

¹⁴ A CFA is a funding arrangement whereby the claimant will pay their solicitor's fees only if successful. CFAs are informally referred to as 'no win, no fee' agreements.

there were not enough specially qualified and trained staff making the decisions, and stressed the need for improvement in this area. It was said that CICA refused to accept evidence from specially qualified counsellors in relation to psychiatric injuries.

34. Attendees also stressed the need for greater acknowledgement by the authority. It was stated that once a decision is made on eligibility the authority sends a letter asking for medical details, which suggests that the victim/survivor is eligible but does not explicitly state this. The point was made that there is a general lack of transparency in relation to the decision-making process.
35. Upon a successful application, victims and survivors may be awarded damages for the injury under the tariff system, although the recurring theme throughout all the sessions was the low level of compensation under the scheme. In addition to any awards for injury, victims and survivors may have a loss of earnings claim. It was stated that the 2012 Scheme has introduced further conditions for such an award.¹⁵ For example, the applicant must have no – or very limited – capacity for paid work, and must have been a) in paid work at the time of the incident giving rise to the injury, and b) have been in regular paid work for a period of at least three years prior to the incident. It was further stated that

while under the 2008 Scheme such a claim would be calculated with reference to the applicant's earnings as they would have been during the period of loss, under the new scheme loss of earnings are calculated using the rates of statutory sick pay. In addition, it is no longer possible to claim for the cost of private medical treatment under the 2012 Scheme.¹⁶ Attendees raised issues in relation to the availability and quality of therapeutic support under the NHS. The restriction of claims for care under the 2012 Scheme was also raised.¹⁷

36. The final issue discussed in this session was the appeal process. Attendees stated that the appeal hearing is a daunting experience for victims and survivors, in particular the need to go through the details of the claim again in front of strangers and the process of being cross-examined. Attendees did acknowledge that the appeal panels provide an opportunity for victims and survivors to tell their accounts directly to CICA, despite the difficulties it may have taken to reach that stage.

¹⁵ See paras 42–49 of the 2012 Scheme.

¹⁶ See para 52 of the 2012 Scheme.

¹⁷ Ibid.

Session 4: Reform

37. At the conclusion of the seminar, attendees were asked to state briefly whether or not the existing schemes should be reformed or replaced, and to identify their key proposals for reform generally.
38. One attendee advocated for the abolition of criminal compensation orders on the basis that the criminal justice system is there to punish offenders, not provide compensation. The remainder of attendees who commented on criminal compensation orders did not go so far. One attendee restated the point that there were difficulties in terms of the victim and survivor recovering money from the perpetrator, and that people involved with the criminal justice system should look at that. Others stated that the compensation ordered by the courts should be paid to victims and survivors immediately, and that the government should then seek to recover those monies from the perpetrators.
39. Again, only one attendee explicitly called for the replacement of the CICS with a completely independent body in respect of child abuse cases. While he did not suggest removing criminal compensation orders, he stated that he would like to ensure that these were enforced and that would money would be fed into the funding of this system. Another attendee advocated for a single scheme, whether that was a new scheme or an amended version of the existing scheme. Other attendees were in favour of reforming the existing scheme. The proposals for reform of the scheme included the following:
- Removal of the same-roof rule.
 - Redefinition of consent and 'crime of violence'.
 - No letters to children stating that they consented to the abuse.
 - Removal of the 1964 cut-off date.
 - Amendment and/or removal of the time limit provisions.
 - Re-introduction of the pre-2012 loss of earnings rules.
 - Re-introduction of special expenses.
 - Increase of the compensation cap.
 - Amendment to the rules on criminal convictions.
 - Improved awareness of the scheme.
 - Adequate compensation.
 - Support and therapy during the process.
 - Specialist training of staff and panel members.
 - Access to funding, including legal aid.
 - Introduction of a victim and survivor's advocate.
 - Increased assistance from the police or the Crown Prosecution Service to victims and survivors in making an application.
40. The point was also made that there could be scope for joining up the three systems for obtaining compensation – that is, the civil justice system, criminal compensation orders and the CICS.

Future work

41. The seminar provided an invaluable starting-point for the Inquiry's work. Further consideration will be given to the issues discussed through the case studies and research modules of this investigation. The Inquiry will also continue to engage with relevant stakeholders, including those who attended the seminar.

Annex

Issues paper number 2

Criminal compensation

Background

The Accountability and Reparations Investigation is one of 13 investigations announced in November 2015. In her update statement, the Chair of the Independent Inquiry into Child Sexual Abuse stated that the Inquiry would investigate the extent to which existing services and legal remedies available to victims and survivors of child sexual abuse effectively deliver reparations for the harm they have suffered, and the extent to which such mechanisms for support and compensation help or hinder the delivery of the right to truth, accountability, compensation and guarantees of non-recurrence. It is important to note that, in accordance with the Inquiry's terms of reference, this issues paper only addresses sexual abuse claims in cases where there has been institutional failure.

Financial compensation is one way in which reparation may be delivered to victims and survivors. Alongside civil litigation, claims to the Criminal Injuries Compensation Authority ('CICA', previously the Criminal Injuries Compensation Board [CICB]) are the main means by which victims and survivors can recover financial compensation. In addition, under the Powers of Criminal Courts Sentencing Act 2000 ('PCC(S)A'), a criminal court may make a compensation order in respect of a victim of crime. The Inquiry seeks to understand what victims and survivors consider adequate reparation, and the extent to which this can be delivered through these processes. The Inquiry

acknowledges that many victims and survivors of child sexual abuse may seek broader outcomes from any reparations process than those that can be delivered through criminal compensation. While the focus of this paper is on criminal compensation, the Inquiry hopes that the views provided will feed into any wider investigation into possible reforms and/or alternatives to the existing procedures for criminal compensation.

The Criminal Injuries Compensation Scheme

The scheme was first established in 1964 by the government and administered at that time by the CICB. Before 1996, awards were made according to what the victim would have received following a successful civil claim. Since April 1996, the level of compensation has been fixed according to a tariff set by Parliament. In 1996, the CICA was established to administer this scheme in England and Wales (and in Scotland). The scheme was revised in 2001, 2008 and 2012.¹⁸

Under the current scheme, a person may be eligible for an award under the tariff-based scheme if they have sustained a criminal injury that is directly attributable to their being a direct victim of a 'crime of violence'. Such a crime may involve a sexual assault to which a person did not 'in fact' consent. In cases of child sexual abuse, the issue of consent may therefore be raised. Subject to the additional eligibility criteria, a victim and survivor may make an application to CICA. The general rule is that an

¹⁸ The CICA website can be found at: <https://www.gov.uk/government/organisations/criminalinjuriescompensationauthority>

application must be received by CICA as soon as reasonably practicable after the incident giving rise to the criminal injury, and in any event within two years from the date of that incident. CICA is able to extend this time-limit.

Awards may be withheld and/or reduced for a number of reasons, including where the incident has not been reported to the police as soon as reasonably practicable, where the applicant has not cooperated as far as reasonably practicable in bringing the assailant to justice or where the applicant's character as shown by their unspent convictions makes it inappropriate. Awards made may include injury payments determined in accordance with the tariff and other types of payment, including special expenses and loss of earnings. Some decisions may be challenged through a review and appeals process.

Criminal compensation orders

Under the PCC(S)A, a criminal court may make a compensation order against a convicted person requiring them to pay compensation for personal injury, loss or damage resulting from the offence, or any other offence, and this is taken into consideration by the court in determining sentence. A court must consider making a compensation order in any case where it is empowered to do so.

The Inquiry

The Inquiry seeks to understand what people with experience of criminal compensation in England and Wales, whether in a personal or professional capacity, consider to be the most important elements of an effective procedure for

criminal compensation. The Inquiry also wishes to understand the reasons why victims and survivors may not have made an application for criminal compensation, either because they were unable to do so or because they chose not to do so.

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 to 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?
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?

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 non-recurrence, and support services?
4. Which of the above have the existing procedures for criminal compensation successfully delivered?
5. If there are elements you have identified as not always successfully delivered, then what, in your experience, have been the reasons for this?
6. In your experience, why have some victims and survivors chosen not to apply for criminal compensation?
7. In your experience, why are some victims and survivors unable to apply for criminal compensation despite wanting to do so?
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 Criminal Injuries Compensation Scheme (administered by the Criminal Injuries Compensation Authority)

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

9. Are there elements of the CICA process that 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:
 - the definition of 'crime of violence' and 'consent';
 - the eligibility criteria for persons who were present at, and witnessed, the sexual abuse of another person or its immediate aftermath;
 - the nonapplicability to injuries before 1 August 1964, the date on which the first scheme was introduced;
 - the 'same roof' rules precluding awards of compensation to victims and survivors who were living with their assailants at the time as members of the same family.
- c. The application process, including:
 - the role of the police;
 - time limits;
 - costs of making the application, for example instructing lawyers or obtaining expert evidence;
 - reviews and appeals.
- d. The circumstances in which an award may be withheld or reduced.
- e. The relationship between the CICS 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 that 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?

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?
17. In your experience, have people who needed these services and support been able to access them? If not, why not?
18. How do you think the current provision of support could be improved?

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 you represent.
- Your job title and how long you have 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 that 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 **29 September 2016**.

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

- electronically to crimcomp@iicsa.org.uk or
- in writing to: **Criminal Compensation Issues Paper, PO Box 72289, London, SW1P 9LF**

Please contact the Inquiry if you require this information in any other format, such as Braille, large font or an alternative language. The Inquiry is able to receive MP3 files should you wish to make an audio submission.

Please send your audio file to the email address above. Please note the Inquiry intends to publish all relevant submissions. Please state on the attached questionnaire if you do not wish your name to appear in any Inquiry publication. We will consider any request for anonymity in accordance with our statutory obligations.

If you have any queries regarding the issues paper or your proposed response, please contact the Inquiry at the email address above.

Inquiry Seminar 21 February 2017

Accountability and Reparations: Criminal Compensation

AGENDA

Seminar 1: Introduction to criminal compensation

- 1000 Welcome by Chair
- 1005 Opening comments by Facilitator
- 1010 Discussion to include awareness of criminal compensation orders and criminal injuries compensation schemes, delivery of accountability and reparations through criminal compensation, a comparison with the civil justice system
- 1125 Break

Seminar 2: Eligibility for awards under the Criminal Injuries Compensation Scheme

- 1140 Opening comments by Facilitator
- 1145 Discussion to include eligibility provisions, grounds for withholding and/or reducing awards, time limits
- 1300 Lunch

Seminar 3: The administration of the Criminal Injuries Compensation Scheme

- 1400 Opening comments by Facilitator
- 1405 Discussion to include accessibility, legal representation and funding, the application Process, the decision-making process, reviews and appeals
- 1515 Break

Seminar 4: Reform

- 1530 Opening comments by Facilitator
- 1535 Discussion on changes and/or alternatives to existing criminal compensation procedures
- 1625 Chair's concluding remarks
- 1630 Close