

CRIMINAL INJURIES COMPENSATION CLAIMS

The Criminal Injuries Compensation Authority (CICA) is a government scheme set up to compensate innocent victims of violent crime.

If you have been physically or mentally injured as a result of a violent crime, you may be able to apply to the Criminal Injuries Compensation Authority for compensation. You can contact us on 0800 389 1978 if you have any questions about making a claim for criminal injuries.

CAN I APPLY?

The Criminal Injuries Compensation Scheme sets out the conditions which must be met before a victim will be considered eligible for compensation.

You may apply for compensation if:

- You were injured as a result of a violent crime
- The incident was reported to the police as soon as possible
- You have cooperated with police enquiries and investigations of the incident. An offender does not need to have been convicted or charged as a result of the incident
- The incident happened within the last two years
- Your injuries meet the minimum award of £1,000
- The incident occurred within England, Wales or Scotland

If the incident satisfies the above basic criteria, an application may be made to the CRIMINAL INJURIES COMPENSATION AUTHORITY.

HOW DO I APPLY?

An application must be made to the Criminal Injuries Compensation Authority using their online application form.

You can complete the application yourself, or you can get help from Victim Support or the Citizen's Advice Bureau. You can also instruct a solicitor to assist you, although you should be aware that the Criminal Injuries Compensation Authority do not pay anything towards legal costs. One of our solicitors will be happy to advise you further about whether you would be better to apply through a solicitor. This tends to be where the injuries are serious. Feel free to contact us on 0800 389 1978

WHAT CAN I CLAIM FOR?

- Compensation for injuries
'Injury' includes physical injury, mental injury and disease.
- Compensation for loss of earnings
You may claim if you have lost earnings, or the ability to earn, for longer than 28 weeks as a direct result of the injury.
- Compensation for special expenses
'Special expenses' can include private medical treatment, care provided by a residential home and adaptations made to your home as a result of the injury.
- Compensation because a loved one has died
This could be your parent, child, husband, wife or partner

WHAT HAPPENS AFTER I SEND OFF MY APPLICATION?

Once the Criminal Injuries Compensation Authority receives your application they will then process it. Information will be obtained from the police and the Criminal Injuries Compensation Authority will also look for confirmation of your injuries from either your Doctor or the Hospital. Details of any financial losses will also be requested. Once the Criminal Injuries Compensation Authority has sufficient information to make a decision, they will advise of their decision in writing.

HOW MUCH WILL I BE AWARDED?

If the Criminal Injuries Compensation Authority agree to make an award to you, it will be calculated in line with the Criminal Injuries Compensation Authority tariff scheme which allocates specific awards to specific injuries. The minimum award that can be made is £1,000 and the maximum is £500,000.

By way of example, the tariff of injuries includes the following awards:

- Broken nose - £1,500
- Scarring to face – from £1,500 - £11,000
- Loss of eye - £22,000

The Criminal Injuries Compensation Authority usually makes a single payment of compensation. However, if you are still suffering from your injuries or if your financial losses are unclear, the Criminal Injuries Compensation Authority may be able to make an interim payment to you. The amount of any interim payment would then be deducted from your final award once that is assessed.

MY APPLICATION HAS BEEN REJECTED - WHAT CAN I DO?

The Criminal Injuries Compensation Authority may still reject your application for a number of reasons. For example; if

- You have a criminal record
- your behaviour before, during or after the incident in which you were injured caused or contributed to the injuries
- You failed to co-operate with the police or with the Criminal Injuries Compensation Authority
- You delayed in informing the police of the incident

If you do not agree with the Criminal Injuries Compensation Authority's decision to reject your claim, you can ask for the decision to be reviewed and there is also an appeals process.

I HAVE BEEN AWARDED COMPENSATION BUT I DON'T THINK IT IS ENOUGH – REVIEWS AND APPEALS

If you are not happy with the amount of the award offered by the Criminal Injuries Compensation Authority, it is possible to have the decision reviewed by a second person at the Criminal Injuries Compensation Authority. This can be done by completing a review form. The matter will be reviewed by a different person at the Criminal Injuries Compensation Authority and a decision sent to you in writing.

If you are still not happy with the decision after the review, you can appeal to the Tribunals Service - Criminal Injuries Compensation (TS), who are independent of the Criminal Injuries Compensation Authority.

It is possible to appeal against a Criminal Injuries Compensation Authority decision. This can be done by using the Notice of Appeal. The Tribunal are independent of the Criminal Injuries Compensation Authority and can uphold the Criminal Injuries Compensation Authority's decision, reduce or increase the award, or give a 'nil' award.

If you have been the victim of a violent crime and you wish to discuss a potential Criminal Injuries Compensation Authority claim or you simply want some initial advice, please contact us on 0800 389 1978.

WHAT IS THE COST OF YOU HELPING ME?

The CICA do not pay anything towards legal costs. If you decide that you want Forster Dean to assist you with your CICA claim we will agree our level of fees with you at the outset. We conduct all CICA claims on what is known as a Contingency Fee basis. We charge you an agreed percentage of the total compensation awarded to you plus VAT and disbursements. Disbursements are additional expenses such as the costs of obtaining a medical report. In more complex claims or high value claims, we set a maximum charge for our fees at £20,000 plus VAT and disbursements.

WHEN DO I PAY FOR YOUR HELP?

We will only ask you to pay your legal costs of us dealing with your Criminal Injuries Compensation Authority claim when we have successfully completed your claim and when we have received your compensation payment from the Criminal Injuries Compensation Authority.

WHAT IF MY CLAIM DOES NOT SUCCEED?

There will be no costs to pay to us if your claim is unsuccessful.

If you have been the victim of a violent crime and you wish to discuss a potential Criminal Injuries Compensation Authority claim or you simply want some initial advice, please contact us on 0800 389 1978.