

#### **4.3 Senator F. du H. Le Gresley of the Minister for Home Affairs regarding the maximum award available to the Criminal Injuries Compensation Board:**

Could the Minister advise why his review of the maximum award available to the Criminal Injuries Compensation Board, as detailed in the report and accounts for 2010 - R.34/2011 - has not been concluded and whether funding to meet higher awards has been sought from the Treasury?

#### **Senator B.I. Le Marquand (The Minister for Home Affairs):**

The current scheme was approved by the States on 10th September 2009 and Article 25 sets a maximum award amount of £100,000. Awards are made solely in relation to personal injuries which are suffered as a result of a crime of violence. The funding of the scheme has created difficulties for a number of years. Funding is currently part of the Home Affairs budget but the amounts awarded have exceeded the budgeted sum in recent years; in 2010 by over £100,000. The raising of the maximum limit from £100,000 to £250,000 would further increase both the total costs and the fluctuations. One case alone could represent an extra £150,000 and there was one such case in 2010. There is a strong argument for underwriting of the costs from the Criminal Offences Confiscations Fund, which is what used to occur until the Fund ran out of money in one particular year but there are also some difficulties with that approach. However, there are substantial calls on that Fund to finance court and case costs in relation to major criminal investigations. In the present circumstances in which this Assembly has agreed to find cuts in existing public expenditure of the order of £65 million over 3 years and where there are significant pressures to increase public expenditure in a variety of areas, I am not able to recommend to the States an increase in the maximum award of £100,000.

#### **4.3.1 Senator F. du H. Le Gresley:**

Supplementary, if I may. I do not think the Minister has answered my question as to when the result of the review is going to be announced or informed to the House and also to the members of the Board.

#### **Senator B.I. Le Marquand:**

There has not been a formal review as such. What has happened is the issue has been raised with me in successive years by the Board and I have said I am considering it, but have privately, as it were, informally indicated to the chairman of the Board that I did not think I could go ahead at this stage. I am quite happy now to formally indicate that I do not think I can go ahead with the proposition for an increase upon the basis I have just outlined.

#### **4.3.2 Senator F. du H. Le Gresley:**

Could I have a final question? I would like to ask the Minister if he agrees with the statement by the Board in their report who say that they are very concerned that some very deserving applicants are suffering considerable hardship as a result of the failure to increase the maximum award. Does he agree with this statement?

#### **Senator B.I. Le Marquand:**

There is a philosophical and political issue here as to how any State deals with the issue of people who are injured as a result of assaults and countries vary. For instance, in New Zealand, I understand they have a very, very extensive 'no fault' basis scheme of compensation but it is incredibly expensive. That is one extreme.

Other countries have set the limit at different levels. Jersey has set the limit at a particular level. It would be nice to be able to increase that level but we live in hard times and we have to make tough decisions.

[11:00]

In the light of the savings of £65 million which we are seeking to make, this is a “nice to have”, perhaps a very “nice to have”, which cannot practically be proceeded with.