

23.03.21

19 Deputy M. Tadier of the Minister for Home Affairs regarding the Criminal Injuries Compensation Scheme (OQ.53/2023)

Will the Minister advise what recommendations, if any, have been made by the consultants that were instructed by the Government to review the Criminal Injuries Compensation Scheme, and what plans the Government has for reform of the scheme to ensure that it is fit for purpose and compliant with Jersey's domestic and international obligations towards the victims of crime?

Deputy H. Miles (The Minister for Home Affairs):

Thank you for the question. I understand the shortcomings of the Criminal Injuries Compensation Scheme were highlighted in 2018. Subsequent internal review commenced but was disrupted when officers were abstracted to support the pandemic response in 2020. At that time, the Council of Ministers authorised expenditure for consultants to continue this work and make proposals for improving the scheme. The findings were broadly consistent with previous observations and included that the application process was seen as intrusive, there were significant delays in the process, the possibility for compensation to be reduced through the applicant's own behaviour, that anecdotally victims felt shame and embarrassment at having to seek compensation, and that the 3-year period of victims to claim compensation was no longer in line with many other jurisdictions, particularly where this affected children who suffered abuse in childhood and did not make claims within 3 years of turning 18. As a consequence, I intend to redevelop the scheme to ensure that it is victim-focused, accessible, fair, timely, and in line with international standards. I have already had initial meetings with officers to set out that direction and work is scheduled to commence once the Taskforce Against Violence Against Women and Girls has reported in July and staff become available.

3.19.1 Deputy M. Tadier:

I thank the Minister for that answer. I am particularly glad that she mentioned the time-barring issue, especially when one is dealing with events that may have occurred a long time ago where there have subsequently been societal changes and victims may feel more empowered now to speak out than they did in the past. The time-barring factor will be very welcome for review and I would encourage her to be strong on that. Can she give a definite timeframe of when these changes are likely to happen? Do they need to be brought back to the Assembly, for example, as well?

[12:30]

Deputy H. Miles:

Yes, I agree. As far as I know the 1990 Act that set up that C.I.C.S. (Criminal Injuries Compensation Scheme) is not retrospective and those time limits are problematic for victims. In respect of the other question, I am hoping that it would probably be the first quarter of 2024 by the time we would have a draft scheme for probably scrutiny by the Scrutiny Panel. But I think I am right in saying it does not have to come before the Assembly for debate.