



1. Home (<https://www.gov.uk/>)
2. Regional and local government (<https://www.gov.uk/regional-and-local-government>)
3. Northern Ireland (<https://www.gov.uk/regional-and-local-government/northern-ireland>)

Guidance

Secretary of State issues Victims' Payments Guidance

The Secretary of State has issued guidance for the Victims' Payments Board. This guidance will support the independent Board when making decisions about applicants who have serious convictions or in other exceptional circumstances with regard to material evidence.

Published 14 August 2020

From:

Northern Ireland Office (<https://www.gov.uk/government/organisations/northern-ireland-office>) and The Rt Hon Brandon Lewis MP (<https://www.gov.uk/government/people/brandon-lewis>)

Documents

Guidance on decision-making for the Victims' Payments Scheme

(https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/909474/20200814_VP_guidance.pdf)

PDF, 90.2KB, 4 pages

Details

The Victims' Payment Regulations 2020 provide for a scheme that acknowledges the harm caused to the small number of people who, through no fault of their own, are living with a permanent disablement caused by serious injury in Troubles-related incidents.

The Regulations make clear that those injured at their own hand are excluded, and provide for the establishment of an independent Board, supported by the Executive, which will make case-by-case decisions.

The guidance says that anyone who has a conviction - terrorist or otherwise - which caused serious harm to anyone else, should ordinarily not receive a payment.

It is not for the Government to prejudge the Board's decisions which must rightly be taken on a case by case basis. But the guidance is intended to be helpful in setting out guiding principles to inform all relevant decisions.

It is not appropriate for payments to be made to people who have a serious conviction for an offence that caused serious harm to others. Nor is it appropriate for payments to be made to people who have a recent conviction for a terrorist related offence, whether the offence is serious or not. In the unlikely event that the Board decides to award payments in such cases, despite this guidance being engaged, the Government will reserve the ability to exercise a power of intervention.

The Board can only decide that victims' payments are inappropriate if the person has a relevant conviction or if there are exceptional circumstances. The guidance provides that the Board could decide that payments are inappropriate due to a range of factors, including the harm caused to someone else by the offence for which the applicant has a relevant conviction for, the specific nature of the offence and length of sentence, the age at the time of offence, or the passage of time since that offence and the individual's behaviour since.

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