

CRIMINAL INJURY COMPENSATION CLAIMS

A Comprehensive Guide

How Criminal Injury
Compensation Claims
Work in England and
Wales



NJS Law

Criminal injury compensation claims arise where a person suffers **physical** or **psychological** harm as a result of a violent crime. Unlike standard personal injury claims, these cases are not brought against the offender. Instead, compensation is sought through the **Criminal Injuries Compensation Authority** (CICA), a government body that administers a statutory compensation scheme. These claims commonly involve incidents such as **physical assault**, **sexual assault** or **abuse**, **domestic violence**, **knife crime**, **robbery**, **hate crime**, **historic abuse**, and **psychological trauma** following violent events.

Criminal injury claims are not simply about financial compensation. They are about **recognition**, **accountability** through the state compensation scheme, and helping victims **move forward** after traumatic experiences. Early legal advice can help ensure applications are submitted correctly, evidence is preserved, and any avoidable refusals are challenged promptly.

This guide explains how criminal injury compensation claims work in England and Wales, what makes them **different** from other personal injury claims, and what to expect at each stage.

Related Services:

[Physical Injuries Claims](#) | [Psychological Injuries Claims](#) | [Domestic Abuse Claims](#) | [Sexual Abuse Claims](#) |

WHAT QUALIFIES AS A CRIMINAL INJURY?

Under the Criminal Injuries Compensation Scheme, compensation may be awarded for injuries caused by a **crime of violence**.

This includes:

- Physical attacks
- Sexual offences
- Arson
- Poisoning
- Certain cases involving children witnessing domestic violence

The injury must be **directly attributable** to the criminal act.

TYPES OF INJURY COVERED

Compensation may be available for:

- Broken bones
- Facial injuries
- Scarring
- Internal injuries
- Head injuries
- Sexual assault injuries
- Severe psychological trauma
- Post-Traumatic Stress Disorder (PTSD)
- Anxiety and depressive disorders linked to the crime

In some cases, multiple injuries are assessed together under the Scheme's tariff system.

IMMEDIATE PRIORITIES AFTER A VIOLENT CRIME

Reporting the Crime

For most CICA claims, the incident **must** be reported to the police as soon as reasonably practicable.

CICA will require:

- A crime reference number
- Police confirmation of cooperation
- Evidence that the incident was investigated

Failure to report promptly can result in refusal unless there are exceptional circumstances (for example, **childhood abuse**).



IMMEDIATE PRIORITIES AFTER A SERIOUS INJURY

Medical evidence is critical. This may include:

These records help establish the nature of the injury, the severity of the harm suffered, and the link between the crime and the resulting physical or psychological impact.

A&E records

GP records

Hospital treatment

Sexual assault referral centre (SARC) reports.

Psychological therapy records

PRESERVING EVIDENCE IN CRIMINAL INJURY CASES

Although CICA obtains police records directly, additional evidence may assist, including:

- Photographs of injuries
- Therapy reports

Applicants are **not expected** to investigate the crime themselves. However, providing **clear** and **consistent** information strengthens the application.



TYPES OF CRIMINAL INJURY CLAIMS

Criminal injury compensation claims can arise from a wide range of violent offences. The eligibility requirements remain governed by the **Criminal Injuries Compensation Scheme**, but the nature of the harm and supporting evidence will vary depending on the circumstances.

Physical Assault Claims

Common examples include:

- Assault occasioning actual **bodily harm** (ABH)
- Grievous bodily harm (GBH)
- Knife crime
- Blunt force trauma
- **Fractures** and **dislocations**
- **Facial** and **dental** injuries

Compensation is assessed under the tariff of injuries within the Scheme.

Sexual Assault and Abuse Claims

CICA recognises claims arising from:

- Rape
- Sexual assault
- Child sexual abuse
- Grooming
- Historic sexual abuse

These cases frequently involve **significant** psychological injury alongside **physical harm**. Historic abuse claims may still qualify even where the abuse occurred many years ago, provided **reporting** and **evidential** requirements are satisfied or exceptional circumstances apply.

Domestic Violence Claims

Victims of domestic abuse may apply for compensation where violence results in **physical** or **psychological injury**. Police reporting and cooperation requirements apply, although CICA recognises the **complexities** and **sensitivities** often present in domestic abuse cases.

Child Victims of Violence

Children who suffer injury as a result of **violent crime** may be eligible for compensation.

This includes:

- Physical abuse
- Sexual abuse
- Assault outside the home
- Witnessing serious domestic violence (in certain circumstances)
- Grooming

Special time limit rules apply to child applicants. In many cases, the two-year limitation period does not begin until the child turns **18**.

Where appropriate, a **parent** or **litigation** friend may submit an application on the child's behalf.

Child cases are often particularly sensitive and require careful presentation of **medical**, **educational**, and **safeguarding** evidence.



Psychological Injury Claims

Compensation may be awarded for **psychological injury** even where there is no significant **physical harm**.

Eligible conditions may include:

- Post-Traumatic Stress Disorder (PTSD)
- Severe anxiety disorder
- Clinical depression
- Adjustment disorders
- Other medically recognised psychiatric injuries

To qualify, psychological injury must:

- Be directly attributable to a crime of violence
- Be confirmed by medical evidence
- Meet the threshold of severity required by the Scheme

Temporary distress **alone** will not usually qualify unless it meets the required **diagnostic criteria**.

Human Trafficking and Modern Slavery

Victims of **human trafficking** and **modern slavery** may be eligible for compensation under the Scheme.

This can include individuals subjected to:

- Sexual exploitation

These cases may involve **complex evidential issues**, including **delayed reporting**, **immigration concerns**, or ongoing **safeguarding procedures**.

CICA recognises that victims of trafficking may face **barriers** to immediate reporting, and exceptional circumstances may **justify** extensions to the usual time limits.



Terrorism-Related Claims

Compensation may be available to victims injured as a result of acts of terrorism occurring in **England and Wales**.

This may include:

- Physical injury caused by **explosions** or **attacks**
- **Psychological trauma** resulting from terrorist incidents
- Secondary victims present at the scene

Separate statutory schemes may apply where incidents occur **outside** England and Wales.

These cases often involve **significant trauma** and complex evidential issues, particularly where multiple agencies are involved.

Fatal Criminal Injury Claims

Where a violent crime results in **death**, certain relatives may claim:

- A bereavement payment
- Funeral expenses
- Financial dependency payments

Eligibility depends on the nature of the **relationship** and **financial dependency** under the Scheme rules.

HOW CRIMINAL INJURY CLAIMS DIFFER FROM PERSONAL INJURY CLAIMS

1 The Offender Does Not Pay

Compensation is paid by the state, not by the individual offender.

It is possible to claim even if:

- The offender was not caught
- The offender was acquitted
- No prosecution took place

Provided the police accept that a crime of violence occurred

Fixed Tariff System

CICA uses a fixed tariff of injuries.

- Each qualifying injury has a set compensation amount.
- Where multiple injuries occur, only limited additional sums are added.
- Loss of earnings is assessed separately under strict criteria.

This differs from personal injury claims, where damages are individually assessed.

3 Strict Eligibility Criteria

Applicants must:

- Report the incident promptly
- Cooperate fully with police
- Submit the claim within time limits
- Have no unspent serious criminal convictions (these may reduce or bar compensation)

TIME LIMITS

The Standard Two-Year Rule

CICA applications must usually be made within **two years** of the date of the incident.

Exceptions to the Two-Year Rule

Children

If the incident occurred when the applicant was **under 18**:

- The two-year period may run from their **18th birthday** if the incident was reported to police.
- Different rules apply where it was not reported at the time.

Historic Abuse

In cases of childhood **sexual abuse** or where trauma prevented **earlier reporting**, extensions may be granted if:

- There are exceptional circumstances, and
- Evidence supports the delay.

Legal advice is particularly important in historic cases.

WHAT CAN BE CLAIMED UNDER THE CICA SCHEME?

Tariff Award for Injury

Based on the official Scheme tariff.

Loss of Earnings

Available only if:

- The applicant was unable to work for **more than 28 weeks**, and
- There is **sufficient medical evidence**.

Loss of earnings is calculated at statutory sick pay rate, not full salary.

Special Expenses

These may include:

- Care costs
- Adaptations
- Specialist equipment
- Mobility aids

Only where necessary and not otherwise available free of charge.

Special Expenses

In fatal cases, qualifying relatives may receive:

- A fixed bereavement award
- Funeral expense contribution
- Financial dependency payments



THE APPLICATION PROCESS

Stage 1: Submitting the Application

Applications are made online to CICA.

Information required includes:

- Crime reference number
- Medical details
- Criminal conviction history

Stage 2: Evidence Gathering

CICA will obtain:

- Police reports
- Medical records

They may request additional documentation.

Stage 3: Initial Decision

CICA will issue a written decision outlining:

- Whether eligibility criteria are met
- The tariff award

Any deductions

Stage 4: Review

If the decision is incorrect, a review can be requested (usually within 56 days).

Additional evidence may be submitted.

Stage 5: Appeal to the First-tier Tribunal

If the review does not resolve the issue, an independent tribunal appeal may be lodged.

This is separate from CICA and can overturn decisions.

CRIMINAL CONVICTIONS AND DEDUCTIONS

CICA may:

- Reduce compensation
- Refuse compensation

If the applicant has unspent criminal convictions. Each case is assessed individually under the Scheme rules.

INTERIM PAYMENTS

CICA does not routinely make interim payments.

In limited circumstances, interim awards may be considered where:

- Liability is clear
- Serious financial hardship exists

TIMESCALES

Criminal injury claims typically take:

- 12–18 months for straightforward cases
- Longer where complex medical evidence or appeals are required

Tribunal appeals may extend timescales further.

The Emotional Impact of Violent Crime

Criminal injury claims often follow **deeply traumatic events**.

Victims may experience:

- Anxiety
- Sleep disturbance
- PTSD
- Depression
- Loss of confidence
- Social withdrawal

Compensation **cannot undo the harm**. However, it can provide recognition and practical financial support during recovery.



CHOOSING NJS LAW

Criminal injury compensation claims require **more** than completing an online form. They require careful assessment of **eligibility**, **structured evidence gathering**, and, where necessary, **robust challenges** to refusals.

Many applicants come to us after receiving an unexpected rejection or reduced award. Others feel **overwhelmed** by the process, particularly where **trauma**, **historic abuse**, or complex **personal circumstances** are involved.

At NJS Law, we approach criminal injury claims with **clarity**, **sensitivity**, and **strategic** preparation.

A CLEAR AND HONEST ASSESSMENT

Not every incident qualifies under the Criminal Injuries Compensation Scheme. The rules are **strict** and **technical**.

From the outset, we provide straightforward advice on:

- Whether the incident meets the definition of a crime of violence
- Whether **time limits** may present an issue
- The likely tariff range
- The impact of any **unspent convictions**
- Whether exceptional circumstances may apply
- The realistic prospects of success

If a claim is **unlikely** to succeed, we will explain why. If further evidence is required before we can advise fully, we will outline the next steps clearly. Our priority is that you understand **your** position before making any decision.



EXPERIENCE IN REVIEWS AND APPEALS

CICA refusals are common.

Applications may be rejected due to:

- Alleged lack of cooperation with police
- Reporting delays
- Disputed medical evidence
- Criminal record deductions
- Technical interpretation of the Scheme rules

We regularly assist clients with:

- Drafting structured review submissions
- Identifying errors in decision-making
- Gathering additional medical or supporting evidence
- Preparing cases for appeal to the First-tier Tribunal

Many decisions are successfully overturned when properly challenged.



SENSITIVE HANDLING OF COMPLEX AND HISTORIC CASES

Some criminal injury claims involve deeply **personal** and **traumatic** circumstances, including:

- Childhood abuse
- Sexual violence
- Domestic abuse
- Psychological injury

We recognise that recounting these experiences can be **distressing**. Our approach is **measured**, **confidential**, and **supportive**.

You will never be pressured to disclose more than is necessary, and your case will be handled with discretion at every stage.

STRUCTURED, EVIDENCE-LED PREPARATION

Successful claims depend on **clear**, **consistent**, and **well-supported** applications.

We assist with:

- Ensuring police reporting requirements are **satisfied**
- Coordinating medical evidence
- Addressing **inconsistencies** before submission
- Explaining complex personal histories where relevant
- Presenting exceptional circumstances **clearly** and **persuasively**

Careful preparation at the outset reduces the risk of delay and refusal.

REALISTIC ADVICE ON VALUE

Unlike personal injury claims, CICA awards are based on a **fixed tariff system** rather than individually assessed compensation.

We provide clear, realistic guidance on key aspects of the process, including:

- The most likely **injury category** your case may fall under
- Whether the multiple injury rules apply and how they may affect the award
- Eligibility for loss of earnings payments
- Potential entitlement to special expenses
- Bereavement and dependency awards in fatal cases


By explaining these factors early on, we help clients **understand** how the CICA scheme works and what outcome they may reasonably expect. Managing expectations from the outset helps prevent **uncertainty** later in the claims process.

NO WIN NO FEE FUNDING

Many criminal injury compensation claims are handled under a **No Win No Fee** agreement:

- No upfront legal costs
- No legal fees if the claim does not succeed
- A capped success fee deducted only if compensation is awarded

Funding arrangements are explained clearly at the beginning, so you understand any potential deductions.



Criminal injury claims can feel impersonal when dealt with directly through an online system.

At NJS Law, you receive:

- Clear explanations at **every** stage
- Regular updates
- Advice **before** accepting any award
- Guidance through review or tribunal proceedings if necessary

You remain in control of all decisions. Our role is to **advise, prepare, and protect** your position

A CALM, PROFESSIONAL PROCESS

WHAT HAPPENS IF YOU CONTACT NJS LAW?

Your initial consultation is **confidential** and without obligation.

We will:

- **Listen carefully** to what happened
- Confirm whether police reporting requirements are met
- Explain **time limits**
- Assess **eligibility**
- Outline the likely value of the claim
- Advise on next steps

If you proceed, we manage the process with CICA and represent you through **review** or **tribunal** if necessary.

Our role is to **reduce stress**, protect your position, and ensure your claim is presented properly and fairly.



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Do I need the offender to be convicted?

No. A conviction is **not required**, provided there is **sufficient evidence** that a crime of violence occurred.

What if the attacker was not caught?

You may still qualify if you **reported** the incident and cooperated with police.

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What if I have previous convictions?

Certain unspent convictions may **reduce** or **prevent** compensation. Legal advice is recommended.

How long do I have to apply?

Usually **two years** from the incident, though exceptions may apply.

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Can I claim for psychological injury only?

Yes, provided it is **medically diagnosed** and **directly linked** to the crime.

Can I claim for historic abuse?

Yes. Extensions may apply in **exceptional circumstances**.

How much compensation will I receive?

Compensation is based on the CICA tariff. Awards vary depending on the **injury** and **severity**.

Will I have to attend court?

Not in most cases. Only tribunal appeals require attendance.

Is compensation taxable?

Criminal injury compensation is generally not subject to income tax, though **investment income** generated from it may be taxable.

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