

Minister's Office Block B,  
Castle Buildings  
Stormont Estate  
Ballymiscaw  
Belfast  
BT4 3SG  
Tel: 028 9076 5725  
[DOJ.MinistersOffice@justice-ni.x.gsi.gov.uk](mailto:DOJ.MinistersOffice@justice-ni.x.gsi.gov.uk)

Christine Darrah  
Clerk to the Committee for Justice  
Room 242  
Parliament Buildings  
BELFAST  
BT4 3XX

1 October 2020

Dear Christine,

**Domestic Abuse and Family Proceedings Bill – Compensation Payments for Victims of Sexual Abuse in the Home**

Thank you for your letter of 25 September 2020.

At its meeting on 21 September 2020, the Committee for Justice considered an issue that had been drawn to the attention of the Chairman in the context of the Domestic Abuse and Family Proceedings Bill regarding compensation payments for victims of sexual abuse in the home.

The Committee requested clarification from the Department regarding whether the current position in Northern Ireland does not provide for an individual to claim compensation for being sexually abused by a parent in the home and if so, what proposals there are to address this issue either in the Domestic Abuse Bill or in some other way given this situation was recently remedied in England with a change to the law.

I can confirm that the current Northern Ireland Criminal Injuries Scheme permits applications from victims of sexual abuse by a parent in their home.



From 1 March 1969 until 30 June 1988, both the Criminal Injuries to Persons (Compensation) Act 1968 and the Criminal Injuries (Compensation) (Northern Ireland) Order 1977 excluded claims for injuries inflicted on victims who were living as members of the same household as their assailant. This bar on eligibility was changed from 1 July 1988 onwards.

On 23 November 2018, the Court of Appeal in Northern Ireland delivered a judgment on a Judicial Review overturning the 'same household' rule contained at Paragraph 7 of the NI Criminal Injuries Compensation Scheme.

You will recall that the Justice Committee granted its approval to proceed with the amendment to the Northern Ireland Criminal Injuries Compensation Scheme 2009 to remove the same household rule on 14 May 2020.

On 9 June 2020, the Northern Ireland Assembly approved the amendment to The Criminal Injuries Legislation to remove the same household rule. The change to the legislation means that anyone previously denied compensation under the same household rule, or put off from coming forward because of it, will now be able to make a fresh application.

The amendment to the same household provision has brought the Northern Ireland Criminal Injuries Scheme into line with the GB Scheme and addresses the Court of Appeal judgement.

I trust that this clarifies the position for the Committee.

**TIM LOGAN**  
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