Instruction 1 - Procedure for administering the Criminal Injuries Compensation Scheme

Topic: Deadline for acceptance or, where applicable, appeal of a Tribunal decision

Effective from 01/09/20 until Withdrawn or Amended

1. Paragraph 19\(^1\) of the Criminal Injuries Compensation Scheme provides that the Tribunal is free to draw up and publish any instructions it considers necessary regarding the procedure for administering the Scheme.

2. When issuing a decision of the Tribunal to an applicant or appellant in writing, the Tribunal secretariat will specify the deadline for acceptance or appeal in writing to be received in the secretariat’s offices.

3. The Tribunal has decided that with effect from 1 September 2020, applicants will have three months from the date on which the Tribunal writes to an applicant advising them of a decision of the Tribunal at first instance, to submit their acceptance or appeal of that decision in writing to the Tribunal secretariat. The onus will be on an applicant to accept or appeal a decision at first instance in writing within three months to the Tribunal secretariat.

4. The Tribunal has further decided that an appellant will have three months from the date on which the Tribunal writes to an appellant within which to accept a decision of the Tribunal on appeal in writing.

5. The Tribunal may extend these deadlines for acceptance in exceptional circumstances, including but not limited to allowing a Ward of Court application to proceed. In such circumstances determined by the Tribunal to be exceptional, those circumstances must have been communicated to the Tribunal in writing when they first arose. Only the Tribunal may extend deadlines for acceptance of its decisions.

6. On expiry of three months from the date of correspondence to an applicant or appellant communicating a Tribunal decision, if no response in writing has been received from such applicant or appellant by the Tribunal secretariat and no extension of the deadline has been granted by the Tribunal, the Tribunal secretariat shall close and archive the files and an award made by the Tribunal in such decision, if any, shall be void and unenforceable.

\(^1\) Reference to ‘Paragraph 20’ has been changed to ‘Paragraph 19’ on 20/4/21 to reflect amendments to the Scheme on that date whereby what was previously Paragraph 20 of the Scheme became Paragraph 19.