
STATUTORY INSTRUMENTS

1977 No. 1248

**Criminal Injuries (Compensation)
(Northern Ireland) Order 1977**

Exclusions from compensation, etc.

6.—(1) Subject to paragraph (2), compensation in respect of any pecuniary loss shall not (after applying Article 5(3)) exceed one hundred and four times the amount of average weekly industrial earnings multiplied by such factor as is appropriate having regard to the age of the victim and such other matters as are relevant.

(2) Paragraph (1) does not apply where the criminal injury was caused by a person acting on behalf of or in connection with an unlawful association.

(3) Without prejudice to Article 5(2), compensation shall not be payable to or for the benefit of, or in respect of a criminal injury to, any person—

- (a) who has been a member of an unlawful association at any time whatsoever, or is such a member; or
- (b) who has been engaged in the commission, preparation or instigation of acts of terrorism at any time whatsoever, or is so engaged.

(4) Compensation shall not be payable to or for the benefit of any person by virtue of Article 5(1) (e) in respect of any injury which is caused by his mental reaction to the act arising out of which the application for compensation is made, or to the consequences of that act, if the amount of that compensation which, but for this paragraph, would be so payable is less than £1,000.

(5) Compensation shall not be payable to or for the benefit of any person if the amount of compensation which, but for this paragraph, would be so payable (after applying Article 5(3)) is less than^{F1} £250^{F1}.

(6) Compensation shall not, where the criminal injury was caused by a sexual offence and, as a result of the offence, the victim gives birth to a child, be payable in respect of the maintenance of that child.

(7) Where the chief constable is of the opinion that any criminal injury was caused by a person acting on behalf of or in connection with an unlawful association he shall, if an applicant makes an application to him, issue to the applicant a certificate in the form set out in the Schedule or in such other form as may be prescribed.

(8) A certificate purporting to be issued by the chief constable under paragraph (7) shall, until the contrary is proved, be evidence that the criminal injury referred to in the certificate was caused by a person acting on behalf of or in connection with an unlawful association.

(9) If the chief constable certifies that it is in the public interest not to disclose the information on which any certificate issued under paragraph (7) is based that information shall not be disclosed in any court in proceedings under this Order.

(10) The Secretary of State may withhold payment of all or part of compensation until the applicant has complied with all reasonable requests for information and assistance which might lead to the identification and apprehension of the offender.

Changes to legislation: *There are currently no known outstanding effects for the Criminal Injuries (Compensation) (Northern Ireland) Order 1977, Section 6. (See end of Document for details)*

(11) In this Article “average weekly industrial earnings” means the average gross weekly earnings for all full-time men aged 21 and over in all industries and services (excluding those whose pay was affected by absence) as set out in the Digest of Statistics prepared by the Department of Finance and published from time to time by Her Majesty's Stationery Office.

F1 SR 1982/51

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