



Women and Equalities Committee

27 November 2024

Linda Brown
Chief Executive
Criminal Injuries Compensation Authority

Non-consensual intimate image abuse

Dear Ms Brown

Last week, the Women and Equalities Committee met with survivors of non-consensual intimate image (NCII) abuse. The survivors told us that they had applied for compensation from Criminal Injuries Compensation Authority (CICA) to help fund access to mental health support but that their applications had been rejected.

In one letter of rejection, CICA states:

"I cannot be satisfied that the crimes the offender committed can be considered crimes of violence under the terms of the [CICS]".

The letter further described the need for a physical act to have taken place for the injury to be considered eligible under the scheme:

"For sexual activity to be considered a crime of violence there has to be a physical sexual assault to which the person did not consent. I understand that the offender has been charged with criminal offences, but that none of these involved any form of sexual physical contact.

Whilst the actions the offender took were abhorrent and clearly criminal, there is no provision within the Scheme to make any award for a crime of this nature. This is because the criminal activity would not be classified as a crime of violence, as defined in Annex B of the Scheme, as they did not involve a physical sexual assault."

Another survivor received the below response which similarly outlines the requirement of (the threat of) physical or sexual assault for "image-based sexual abuse to qualify under the scheme":



Women and Equalities Committee

"[CICA] must be satisfied that an injury was sustained from a "crime of violence", which has a specific meaning under Annex B of the Scheme. In addition to crimes involving physical or sexual assault, the definition also includes threats against a person which caused fear of immediate violence in circumstances that would have caused a person of reasonable firmness to be put in such fear.

For image-based sexual abuse to qualify under the Scheme, the injury sustained by this behaviour would need to satisfy this definition"

On Wednesday 20 November, the Committee took evidence from Alex Davies-Jones MP, the Parliamentary Under-Secretary of State at the Ministry of Justice. We raised with her our concerns that victims of NCII abuse were being told they were ineligible for compensation from CICA. The Minister told us:

"The point about CICA is not true. I am aware of victims and survivors who have had redress through the scheme. The scheme is not set up for specific offences, but for what has happened to someone as the result of a violent crime. One of the awards can be made as the result of disabling mental injury. The independent body will award on a case-by-case basis, and I repeat that I am aware of victims and survivors who have had redress through the scheme.

Given the apparent disparity between Minister Davies-Jones statements to our Committee and what survivors have been told by CICA, I would be grateful if you could provide the following information:

- 1) Under what circumstances, if any, are victims of non-consensual intimate image abuse eligible for compensation under the CICS?
- 2) How many victims of NCII abuse have successfully claimed compensation under the CICS in the last five years, and how much, on average, they have been awarded?

The Committee is keen to publish its report on this issue as soon as possible. I would appreciate a response to this letter by 6 December.

A copy of this letter and your reply may be placed in the public domain.



**Women and Equalities
Committee**

Yours sincerely,

A handwritten signature in cursive script that reads "Sarah Owen".

Sarah Owen MP
Chair, Women and Equalities Committee



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BY EMAIL ONLY

05 December 2024

Dear Ms Owen

Non-consensual intimate image (NCII) abuse

Thank you for your letter of 27 November 2024 to our former Chief Executive Officer, Linda Brown. Linda Brown left the civil service on 31 July 2024. I am replying as the Deputy Chief Executive Officer with interim responsibility for CICA.

You asked CICA to clarify the circumstances under which victims of NCII abuse may be eligible for an award under the Criminal Injuries Compensation Scheme 2012 (the Scheme). You also asked how many victims of NCII abuse have been awarded compensation under the Scheme in the last five years, and for an average payout.

How the Scheme applies to NCII abuse

A victim of NCII abuse may be eligible for compensation if the incident meets the definition of a “crime of violence” as set out in Annex B to the Scheme, and they have sustained a “disabling mental injury”, as defined by the Tariff of Injuries set out in Annex E to the Scheme.

Annex B to the Scheme provides that a “crime of violence” includes “a threat against a person, causing fear of immediate violence in circumstances which would cause a person of reasonable firmness to be put in such fear”. Offences committed from a distance, like NCII abuse, will be considered a “crime of violence” if they fall within this definition.

A “disabling mental injury” is a mental injury with a substantial adverse effect on someone’s ability to carry out normal day-to-day activities.

Number of awards

CICA cannot provide figures which are specifically about NCII abuse. This is because awards of compensation are made in respect of the physical and/or mental injuries sustained by the victim rather than the type of offence committed.

CICA deeply sympathises with all victims of sexual crimes and recognises the trauma suffered by victims of these abhorrent offences. Each claim for compensation is considered on its own merits and decided using all the information available from the applicant, the police, and other relevant sources.

I hope that you and the Committee find this information useful.

I am copying this letter to Alex Davies-Jones MP, Parliamentary Under-Secretary of State for Victims and Violence against Women and Girls.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Lynne Henderson', with a long, wavy horizontal line extending to the right.

Lynne Henderson
Deputy Chief Executive Officer
Criminal Injuries Compensation Authority