

Relatives for Justice Advice Services
to support applications to the
**Permanent Disablement Payment
Scheme** for Victims and Survivors of
the Conflict & Commonly
Asked Questions



The Permanent Disablement Payment Scheme

This scheme - sometimes known as the pension for the injured - was introduced by the British government in 2019.

This publication explains the scheme, and also explains what support you can expect from Relatives for Justice.

It is for your information and reference - but will not answer every question.

If you have more questions please speak with our advice workers.

It should be read with RFJ's family support pack - your journey towards recovery from harm is supported by many support services within RFJ. This is only one possible avenue of support.

Notice/Fógra

As the Payments Scheme is a British government scheme the scheme contains exclusions and terminology that Relatives for Justice finds offensive. RFJ is publicly engaged in confronting this legislation in its current form.

Relatives for Justice will continue lobbying for a more inclusive and appropriate scheme for the injured

and a separate human rights-based reparations scheme for the bereaved of the conflict.

Relatives for Justice will provide independent and rights-based advice in all engagements, including in face-to-face assessments and appeals representation.

What you can expect from Relatives for Justice Advice Workers

Relatives for Justice will provide a safe space for any person injured during the conflict who wishes to apply for this scheme.

We will support you throughout this process to ensure your experiences are valued and heard. This will be carried out in a professional manner that is compassionate, non-judgemental, caring and that will reduce any additional harms. The support mechanisms for your application will be carried out in a step-by-step basis. These necessary steps will be known as the pathway of support.

The services that our Payment Scheme Advice workers will provide are listed below:

1. We will provide telephone and email support service

offering confidential advice to questions or queries that you may have.

2. We will provide a face-to-face appointment service in our office at Brompton Park, Ardoyne, Belfast, and Irish Street Dungannon.

Please note this service will be affected by prevailing Covid conditions

3. RFJ will assist you in completing online or hard copy application forms on your behalf if requested.
4. We will ensure that your experiences are recorded within the application process, so you do not have to repeatedly recollect painful experiences.
5. During the application process our Payment Scheme Advice Workers will advise you on the relevant medical information and any other key documentation that will be required for an application.
6. This is your application, and we will support you throughout the process and will be guided by you and the pace at which you wish to complete the form.
7. We can accompany you to

face-to-face assessments if you wish.

8. We have developed a data base that will be used and stored for the purposes of the Victims' Payments Scheme in line with GDPR guidelines.
9. If at any stage you wish to appeal decisions regarding the award, we can provide representation at the appeals process if you wish.
10. We will provide support for non-successful applicants. We understand that for some there may be disappointment regarding the decisions made by the Victims' Payments Board and RFJ is here to support you.
11. Relatives for Justice will be supporting bereaved relatives with a Payment Scheme Research for the Bereaved project. This will assist with the pension scheme to ensure that Relatives for Justice bears witness to your experiences.
12. Any documentation recovered or recordings will be compiled or undertaken with the highest levels of confidentiality and in accordance with GDPR guidelines.

What is the Payment Scheme for the Permanently Disabled?

This scheme - sometimes known as the pension for the injured - is an acknowledgement payment for people who have been permanently disabled in a conflict related incident that occurred in the North of Ireland or on the island of Britain or in Europe.

Who is eligible?

People born in the north of Ireland or were a British Citizen at the time of a conflict related incident that occurred between 01/01/1966 and 12/04/2010 and who have been permanently physically or psychologically injured and that injury is determined to be more than 14%.

Who is NOT eligible?

People who have been deemed to have been "injured by their own hand" and subsequently imprisoned as a result of that action.

People whose injury is measured at less than 14%.

People who have not been injured in a conflict related incident.

People whose injury is not deemed to be permanent.

Some people whose psychological injury is a result of losing a loved one (see below).

People whose injury occurred in the South of Ireland, or were born in the South of Ireland or in regions other than the North of Ireland or Britain.

When does the scheme open?

The Scheme will be opening for applications from the 31st of August 2021. Applications can be made to the scheme up until the 31st of August 2026.

It may be extended if the British Secretary of State directs that it be extended

How do I make an application?

Online applications for the Payments Scheme can be completed and downloaded from [Publications | Victims' Payment Board \(victimspaymentsboard.org.uk\)](https://www.victimspaymentsboard.org.uk)

Hard Copy Applications can also be filled in - copies are available from our offices.

Whichever way you choose to do

your application we will support you.

There is no right way to make an application and you can work at your own pace whichever way you choose and receive the same support from RFJ, but whichever way you choose please bear the following in mind:

Online applications might be processed more easily by the Payments Board and so might be a little quicker in consideration and decision.

Hard copy (paper) applications might be more comfortable for some people as it will allow them to work at their own pace with comfort and ease and share information within their family.

Whatever path you choose, we strongly recommend you get advice and do not rush an application. You get to make one application only.

What evidence will be needed?

Medical: Evidence of your injury and its permanence will be required. The Payments Board will ask your GP and any medical person you mention as having treated you for notes with your permission. It may be that you

have your own medical evidence which you would like to include in your application – the more information you provide the easier it will be for your application to be assessed.

It is expected that to be eligible for the scheme that an applicant with a psychological injury must have a diagnosis from a clinical psychologist or consultant psychiatrist. The guidance also notes that a working diagnosis will be accepted. Our advice workers will support you to access your diagnosis or a working diagnosis.

If you receive or have received disability related benefits you should provide this information to support your application.

You may also have received support from the Victims and Survivors Service (VSS). You might indicate this, or you might like to ask the VSS for the information they hold using a Subject Access Request. Your Payment Scheme Advice Worker can assist with this.

Conflict Related Incident: Evidence that your injury is a result of a conflict related incident. Every application will be checked with the PSNI for evidence that this incident happened and if you might have been present.

It is recognised that for lots of reasons the PSNI may not hold such information. Any evidence you can provide will be very useful for assessing your application. This might be statements you made after your injury to community workers, lawyers, the media, NGOs such as Amnesty International, the Association for Legal Justice, the Citizens Defence Committee, your lawyer or to priests. Whatever information or evidence you have will be useful.

Our advice workers will assist you in the process of trying to obtain relevant evidence as you work to make your application

What will the Payments Board do with my application?

Your application will be first assessed for eligibility - have you proven you are permanently injured over 14%; have you proven that you were injured in a conflict related injury?

Your medical evidence will then be assessed by medical assessors. Capita has been appointed to carry out this assessment. It is hoped that most assessments will be desk top assessments, based on the evidence you have

already provided. However, in instances where there is not enough information for the assessors to determine the extent of your injury, the percentage to be determined or other questions, you may be asked to attend a face-to-face assessment. Our workers can accompany you at any such assessment. We will ensure that you are supported so that this is not retraumatising, and you are supported.

Note: Any information and the most updated medical guidance to applicants surrounding the Victims' Payments Scheme can be located on the [Publications | Victims' Payment Board \(victimspaymentsboard.org.uk\)](https://victimspaymentsboard.org.uk).

Following these checks and the medical assessment your application is then passed to the Payments Board to make a decision on your application. They will consider all of the information you have provided and based on this information and the assessment determine if your application is successful and what award is appropriate.

*It is anticipated that this process will take some time. With a high number of applications and the newness of the scheme it is not

anticipated that any awards will be made before December. Our advice workers will keep you informed of the status of your application at any given time.*

Who makes the decisions on my application?

The Payments Board will make all decisions on your application.

How will I be told any decisions?

You will be updated by the Payments Board as your application progresses through the assessment system. Your RFJ advice worker will also keep you updated.

Can I appeal any decisions?

Yes. An appeal to any decision will be dealt with by different members of the Payments Board to those who made the original decision. If an applicant wishes to appeal an application or decision by the board it must be done so within one year of the decision. Your RFJ advice worker will support you with any appeal.

Will it affect my benefits?

If you live in the North of Ireland or on the island of Britain your payment will not affect your benefits.

If you live in any other jurisdiction you may need to check with your benefits office. RFJ Advice and Welfare workers will support you in this process.

Will previous compensation affect my application?

If you have previously received compensation the Board may reduce your award.

All mitigating factors will be taken into account.

Adjustments will be made for ongoing payments for the same injury through other schemes such as Injury on Duty Pensions, War Pensions, Industrial Injuries, disablement payments etc.

How are payments made?

If the Victims Payments Board (VPB) determines that you are entitled to payments under the scheme, payments will be made monthly, or as a lump sum in certain circumstances.

If payments are being made monthly, the first payment will be made as soon as reasonably practicable after the determination of payments payable by the Victims' Payments Board. Payments will be made via BACS transfer on the third last banking day of each month.

Can I apply if I was a carer and my loved one who was disabled as a result of a conflict related incident has died?

You can make a claim if you were a partner or carer to a person who would have qualified for the Scheme but has passed away.

Can I apply if I have a conviction?

If your injury was deemed as being "at your own hand" and you were subsequently imprisoned as a result of that incident, you will not be eligible.

If you have a permanent disability as a result of a conflict related incident but this was not considered to be "at your own hand" you can make an application whether or not you have a

previous conviction.

If your conviction was for more than 30 months you will be assessed for "appropriateness", this is governed by the British Secretary of State guidelines published. Details of the British government's guidelines on this may be found here <<https://www.gov.uk/government/publications/secretary-of-state-issues-victims-payments-guidance>>

It is important to recognise that all applications will be considered on their own merits, and you should include all relevant information.

For instance, your age at the time of the conviction will be relevant if you were under 18yrs. If you experienced torture or abuse in holding centres or in prison you might give details of this experience and provide any relevant evidence.

If you have been involved in community work, peace building or community relations since your conviction this will be relevant to your application.

Our advice workers can assist with this section of the application.

Please remember RFJ's core values include non-judgemental approaches to all victims of the

conflict. We welcome all of those injured as a result of conflict harms without judgement and on an equal basis.

Can I apply if I have a psychological injury?

If that psychological injury has a diagnosis or working diagnosis a result of a conflict related incident, and is considered permanent, and of over 14% you may apply to the scheme.

If your injury is as a result of the killing of your loved one, please see below:

Can I apply if my psychological injury is a result of my loved one being killed in a conflict related incident?

If you were at the scene of the killing of your loved one, or in the immediate aftermath, and suffer from a permanent psychological injury as a result you may apply to the scheme.

Bereaved relatives who are deemed not to have been at the scene or in the immediate aftermath may not be eligible.

Relatives for Justice recognise the complexities with the Victims'

Payments Scheme given the fact that many of those impacted were not present at the scene or the immediate aftermath of the "Troubles Related Incident". We will ensure that your voice and experience is heard through the Bereaved Research Project which will hopefully help widen the boundaries of the Victim's Payments Scheme in the time to come.

Victims Payments Board indicative (not exhaustive) list of incidents in a conflict context which could be considered as involving an act of violence or force for the purpose of a “Troubles-related incident”.

Please note this list is NOT from an RFJ document and uses judgemental language RFJ would not use

- Common assault
- Murder
- Manslaughter
- Riot
- Affray
- Kidnapping
- False imprisonment
- Assault occasioning actual bodily harm
- Malicious Damage (inc interference with railway)
- Wounding (with intent to cause grievous bodily harm)
- Grievous bodily harm
- Explosion, injured by explosive substance or corrosive liquid (with intent to cause grievous bodily harm)
- Breaking prison by force or violence
- Rescuing or assisting or permitting to escape from lawful custody persons other than persons under sentence of death or life imprisonment
- Robbery
- Aggravated burglary
- Intimidation
- Petrol bomb injury
- Hijacking
- Other act of terrorism
- Criminal Damage
- Arson
- Destroying or damaging property with intent to endanger life
- Threats to destroy or damage property
- Aiding and abetting or accessory to a criminal act

- Torture (physical and psychological)
 - Conspiracy to murder
 - Soliciting murder
 - Assisting an offender
 - Incitement to commit an offence or offences
 - Criminal coercion / racketeering
- Serious sexual offences:
 - Rape
 - Attempted rape
 - Gross indecency
 - Indecent assault
 - Indecent assault of/conduct towards a child
 - Blackmail
 - Threats to Kill
 - Poisoning

Relatives for Justice Contact Details:

Our Dedicated Regional Advice Office
is located:

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