

CRIME – AND PUNISHMENT



I HAVE three children, and like most parents (on a good day) would say, without hesitation, that I would give my life for them. But what if the question were a different one? Would I give my to them? And what would I do if this s not enough?

I ask this because it is precisely what one my constituents, Peter Jones, has had to confront and consider during the last 11 years of his son's life. His son, Ross Jones, 14, only a matter of months older than my own youngest. But throughout all the years I have been out playing football with my son, Peter has had to nappy-change. When I went for walks with my children in the countryside, Peter would have to carry Ross around. Where I can watch in contentment as my children grow into adulthood and independence, Peter knows that his will be forever a child; forever dependent on those who love and care for him. At the

age of three, Ross was criminally kicked and battered. He lived, but is incontinent, will never walk on his own, will never have an adult's mind to put inside an adult's body.

But in three important ways Ross is very fortunate. He has a remarkable family which has been able to give him boundless love and support He also has had really good legal representation which has helped him claim the financial security he will certainly need. He is likely to receive up to 1m to pay for the future care he will certainly need. Ross's final piece of good fortune is to have had his claim dealt with by the Criminal Injuries Compensation Board before April 1994. because after that date the Government will be capping criminal injury awards. The new scheme would set a maximum limit of £250,000 to any award.

Before anyone starts to see this in terms of astronomical cash windfalls, let me put it in perspective. Almost £1 million of the claim covers the actual cost of caring for Ross. The family's greatest fear is that as Ross grows and his father and grandmother grow older, they simply will not be able to manage. Love will not be enough, Rheumatism, arthritis and old age are cruel arbiters of your ability, to change an incontinent adult. Under the new scheme Ross's family would be left to face the devil's alternative. Should they hope that Ross lives long enough to drag the family into abject poverty, and outlives his family so that he does so in abandonment and isolation? Or should they hope that he dies before the money runs out?

This is not the choice that victims of crime should face. But it is the resort to 'rough justice' that the Government will seek to impose. Let me spell this out further. Under the new 'tariff system', awards will be cash limited—£1,000 for child abuse (or a chipped tooth); £7,300 for rape (the same as for a broken knee); £10,000 for repeated rape; £20,000 for the loss of an eye (whether this is at the age of eight or 80). There will be no provision for Toss of earnings, or medical expenses, or for the impact of multiple injuries.

The police officer who was assaulted and is now permanently disabled received £121,167

compensation, Under the new scheme he would have been given £7,500.

The mother of two whose husband was stabbed to death and died on their doorstep received £137,236. the new Government rule would have cut this to £17,500.

The Minister has said that victims of criminal injuries will, under the reformed scheme, not be offered 'compensation' but merely an award which was "a tangible recognition of society's sympathy and con earn for the victim- Let me tell the Minister straight. Victims do not want his tea and sympathy. They have a more down-to-earth agenda—demanding justice and equality before the law; demanding fairness and the principle that awards should relate to the actual injuries and the actual costs of care. They do not wish to be stranded within a new scheme somewhere between the extremities of rough justice and no justice at all.

Government claims that they will offer a simpler quicker system of awards barely mask the real truth that it is all about saving money. Just a month ago the Minister admitted In Parliament that his changes will aim to save the Government £51 million in two years' time - a cut of 25% in compensation to victims. It will make a big difference to those most seriously injured, and it sounds a lot of money if you've got none. But let's put it into perspective.

The Government will save less than the average backhander on an international arms deal; less than the £57.6m 'bung' that it gave to BAe over the Rover sale (and which has now had to be repaid); less than one third of one percent of the £13.8 billion of debts they have written off in their privatisation programme. Real savings are dwarfed by the size of handouts elsewhere. What does come through as enormous is their contempt for the public, particularly those who are the most seriously damaged victims of criminal assault.

My contention is that we need a system based on simple, but radically different, set of principles. These are that:

- Victims should be entitled to equal I treatment to those who get compensation for injury through the civil courts.
- Compensation should cover the cost I of future care, lost of earnings, medical costs and a 'dependants' entitlement
- Legal aid should be available for criminal injuries claims.
- Dependent relatives should be covered for their financial loss following a victim's injury or death, and
- Those who are seriously injured should be able to claim 'structured settle-' menu' (based on the actual annual cost of care) rather than one-off payments.

All of these are provisions which operate, today, in Northern Ireland. It doesn't require the Government to develop skills of 'joined-up thinking' merely to listen and respond with a degree of humanity.

For as long as he lives Peter and his family will give Ross all the love they can muster. But he should not be asked to do so carrying the weight of Government indifference and mean mindedness on his shoulders. He and Ross, you and I, and all of those who have yet to become the innocent victims of crime,

deserve something more... a framework of compensation which is something better than an insult to innocence and an affront to decent values about human work

alansimpsonmp.co.uk Labour 