

GUIDANCE NOTE (GN 05/22): PRIORITISATION OF APPLICATIONS

6 JANUARY 2022

Revised- 15 November 2023

1. Regulation 11 of the Victims' Payments Regulations 2020 allows the Victims' Payments Board to decide the order of priority in which applications for victims' payments are to be determined. This is in keeping with the principles to which the Board must have regard when exercising its functions, as outlined in regulation 4(1)(a) and 4(1)(d).
2. In making a decision, the Board must, in particular, have regard to:-
 - a) whether evidence provided with an application, or otherwise in the possession of the Board, is likely to allow an application to be determined quickly,
 - b) the age of each applicant, and
 - c) so far as it is disclosed in the application, the health of each applicant.
3. The regulation also requires that the Board must give priority to applications made by applicants who:-
 - a) are terminally ill, and
 - b) disclose that fact to the Board.

Approach

4. The purpose of this Guidance Note is to set out the approach to be adopted by the Victims' Payments Board in prioritising the assessment of applications to the Troubles Permanent Disablement Payment Scheme.

a) Terminal Illness

In accordance with Regulation 11(3), the Victims' Payments Board will prioritise applications if the applicant indicates on their application that they have a terminal illness (by selecting 'Yes' to the question 'Does the Applicant/Beneficiary suffer from a terminal illness?').

For the purposes of the Regulations a person is “terminally ill” at any time if at that time the person suffers from a progressive disease and the person’s death in consequence of that disease can reasonably be expected within 12 months.

In accordance with published application guidance, applicants will be required to provide documentary evidence of being terminally ill – such evidence could be a letter from their GP or hospital doctor / consultant. If this supporting information is not provided with the application, the VPB will make efforts to obtain this from the applicant. Failure to provide such evidence could result in prioritisation being removed and the application being returned to the normal process for considering applications on a ‘date received’ basis. (see paragraph 5 below).

b) Age of Applicant

In accordance with Regulation 11(1) and having regard to the criteria set out in Regulation 11(2), the Victims’ Payments Board have decided to prioritise applications in which the applicant is age 80 years or over. If an applicant reaches the age of 80 years during the processing of an application, the Victims’ Payments Board will take steps to prioritise the application.

5. With the exception of the above circumstances, all other applications will be considered on a ‘date received’ basis. The rate at which applications progress through the assessment process will depend on a number of factors, including:
 - the degree of completeness of the application, including submission of required documentation and the extent of details provided of the incident (dates, etc) and injuries sustained;
 - the nature of the injuries (including the presence of a diagnosis or ‘working diagnosis’ of any psychological injury); and
 - the availability of information to support the application.
6. Should all of the above factors in relation to the application be met, and all requested information and evidence is submitted with the application, then this will allow an application to progress through the assessment process more quickly. Therefore it is in the applicant’s interest to provide as much information and evidence, as requested in the application, at an early stage.
7. Given the range of complexities that can attach to an application, it is not possible to estimate how long it will take for any given case to progress through the Scheme assessment process.

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