



GUIDANCE NOTE (GN19/24): DATE OF OCCURRENCE OF A TROUBLES-RELATED INCIDENT

DECEMBER 2024

1. The Victims' Payments Regulations 2020 set out the eligibility requirements for a payment from the Troubles Permanent Disablement Payment Scheme. Regulation 5(1)(d) provides that a person is entitled to victims' payments in respect of injury caused by a Troubles-related incident if the Troubles-related incident took place on or after 1 January 1966 but before 12 April 2010.
2. The Regulations also provide:

“5(5) Paragraph (1)(d) does not apply in any case where a panel considers that the application of that paragraph would undermine the purposes of this Scheme.

5(6) For the purpose of paragraph (5), the purposes of this Scheme are to:

 - (a) acknowledge the harm suffered by those injured in the Troubles, and
 - (b) promote reconciliation between people in connection with **Northern Ireland's troubled past.**”
3. Given the overwhelming majority of Troubles-related incidents took place within the date limitations, applications where the date of the incident falls outside of the specified dates are likely to occur infrequently.
4. This guidance note sets out how the Victims' Payments Board will apply discretion in relation to date parameters when considering entitlement to a payment under the Troubles Permanent Disablement Payment Scheme.
5. To be eligible for victims' payments, a panel must be satisfied, on the balance of probabilities, the applicant was injured in a Troubles-related incident. Troubles-related incident is defined as:

“an incident involving an act of violence or force carried out in Ireland, the United Kingdom or anywhere in Europe for a reason related to the constitutional status of Northern Ireland or to political or sectarian hostility between people there.”
6. Each case will be considered on its individual merits and on a case-by-case basis.

7. When considering an incident which would be rendered ineligible solely on the basis it occurred outside the dates specified in regulation 5(1)(d), a panel must first consider whether applying the date limitations would undermine the purposes of the Scheme (as above).
8. In exercising its discretion, the panel should have regard to whether the incident appears to be so manifestly Troubles-related that it would be appropriate to consider it in the interests of fulfilling the purposes of the Scheme (as referenced in the [Government's consultation paper response](#)). **Please see the Annex to this Guidance Note for relevant extracts from the consultation paper response.**

Relevant Extracts from “A legal framework for a Troubles-related incident Victims Payment Scheme: Government response”

“Date parameters

- 63 ...this scheme is an exceptional one designed to provide acknowledgement to those injured during the worst of the NI Troubles and whose lives were irrevocably changed by incidents in that dark period of our past. Other state-sponsored mechanisms are also in place to support and recompense those injured in crime and criminality today, including victims of paramilitary activity.
64. In the Stormont House Agreement our political leaders recognised that Northern Ireland was in transition to long-term peace and stability, but that an approach to dealing with the past was necessary. But there was also recognition that the past was firmly in the past. Although the Fresh Start Agreement set out a commitment to deal with the scourge of paramilitarism, there was no suggestion of equating organised criminality and dissident violence - often in response to the peace process – with the everyday horrors of the Troubles.
65. Given the journey of Northern Ireland society since the signing of the Belfast/Good Friday Agreement...the difference between the present day and the height of the Troubles, we do not believe that it would be appropriate to have an open ended scheme and to imply that the Troubles continue today....The Board overseeing the scheme will also have a limited discretion to consider incidents either before or after these dates which appear to be so manifestly Troubles-related that it would be right to consider them in the interests of reconciliation and fulfilling the aims of the scheme.”