

Reference No: E109/63/89; **Date:** 26/05/95

26/05/1995 LP:- Compensation for staff assaulted on duty

Dear Personnel Officer

Discussions have been underway for some time at the General Council on a claim for a scheme of compensation for civil servants who are assaulted on account of their official duties.

In responding to the claim, the Official Side pointed out that, for some years past, it has been the practice for Departments, with this Department's sanction, to make ex-gratia payments, generally of a modest nature, to staff who are assaulted on account of their official duties. However, we did not accept the case made for the introduction of a formal scheme of compensation. Our view was that such a scheme was not necessary from a practical point of view as the number of cases is so small that they can be quite adequately dealt with on an ad-hoc basis. Furthermore, in principle, we could not accept that we are liable to compensate staff in such circumstances. We do not regard the payments which have been made as compensation as such (victims are, of course free to pursue legal redress against the perpetrators although there would frequently be little point in doing so). Rather they are intended as a gesture of support for officers who were unfortunate enough to be subjected to assault in such circumstances.

In the course of discussions, it was argued that the present arrangements are not operating satisfactorily due, apparently, to uncertainty in some Departments about the practice in this regard and delays resulting from the reference of every case to this Department. To overcome these problems, it has been decided to delegate to Departments the authority to make ex-gratia payments, up to a limit of £1,000 in any case, to officers who are physically injured as a result of assaults on them by members of the public with whom they come in contact in the course of their official duties. This Department's sanction will continue to be required in the unlikely event that a payment in excess of the limit was considered warranted. It is hoped that this arrangement will permit cases to be disposed of with greater expedition than heretofore.

Any queries about the above arrangements should be directed to this Department (ext. 3543 or 3544).

Yours sincerely

Brian Whitney
Principal