

**THE CRIMINAL DAMAGE (COMPENSATION)
(AMENDMENT) (NORTHERN IRELAND) ORDER 2009**

S.I. 2009 884 N1.1

EXPLANATORY MEMORANDUM

7.

POLICY BACKGROUND

What is being done and why

- 7.1. The Government shares the concern which has been expressed by all political parties about criminal attacks on community halls. The damage caused by these attacks, the loss of the facility and the costs falling to the community halls of repairing that damage can have a very negative impact on the local communities which use the halls. The role played by community halls is vital in maintaining and strengthening the social infrastructure in the areas they serve.
- 7.2. The aim of the instrument is to create a targeted approach to compensation for community halls that are criminally damaged but do not otherwise meet the criteria of the current scheme. The intention is to create an additional eligibility criterion that would compensate community halls, for criminal damage above the statutory deduction level, whilst protecting the public purse from acquiring significant liabilities.
- 7.3. The Government's aim is to enable community halls which are exempt from rates, under either Article 41(2)(e) or Article 41A of the Rates (Northern Ireland) Order 1977 (No. 2157 (N.I. 28)) to be eligible, through an additional route, for statutory compensation where they are criminally damaged, for damage costing more than the statutory deduction (currently £200). This will mean that if an eligible community hall cannot prove that damage was caused by three or more persons, or as a result of an act committed maliciously by a person acting on behalf of in connection with an unlawful association, they can still receive compensation. If a community hall is not eligible under the new criterion because it does not enjoy the specific rates exemption, it will still be eligible for compensation for criminal damage if it fulfils the existing criteria under the principal Order. The proposed amendment to the principal Order will cover a sufficiently wide range of community halls to ensure that the potential effect of the criterion would not be restricted to a single tradition. The level of public interest in this policy is likely to be moderate.

Consolidation

- 7.2. The Northern Ireland Office has no plans at present to consolidate the principal Order.