State compensation to victims of violence and abuse

THE CRIMINAL INJURIES COMPENSATION AUTHORITY

STATE COMPENSATION TO VICTIMS OF VIOLENCE AND ABUSE

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The Act relating to State Compensation for Personal Injury Caused by Criminal Acts, etc. (Compensation for Victims of Violent Crime Act, act no. 13/2001) applies to crimes committed after 1 July 2001. The Compensation for Victims of Violent Crime Act has been amended several times, effective as of 1 January 2008, 2009, and 2011, respectively. Different rules could apply to your case, depending on the date on which you became the victim of a crime. The Compensation for Victims of Violent Crime Regulations, including transitional provisions, cf. Section 19 of the Act, apply to crimes committed between 1975 and the date on which the Act came into force.

**Criminal injuries compensation**

If you have suffered injury as the result of a crime—if you have been assaulted, physically or sexually, or suffered injury in any other way—you may be entitled to criminal injuries compensation. Children who have witnessed violence against a close relative or caregiver may also be entitled to compensation. If the victim of a violent crime dies, his or her family may be entitled to compensation.

The Criminal Injuries Compensation Authority processes all claims for criminal injuries compensation.

This leaflet provides information about criminal injuries compensation—what you can be compensated for and how to proceed with your claim—and information about the Service for Victims of Crime. Go to our website, voldsoffererstatning.no, for more information.

**Which types of criminal acts can I be compensated for?**

You can be compensated for all types of personal injury, both physical and psychological, you have suffered as the result of a crime. The term personal injury includes all injuries to you as a person, including injuries that only manifest at a later stage, such as psychological trauma or long-term damage from a concussion.

In order for you to be eligible for compensation, there must be a preponderance of evidence indicating that a crime has been committed. You must substantiate that the injury for which you seek compensation actually was a result of the crime. Normally, your claim for criminal injuries compensation will not be processed until the criminal case has been finally settled. You may be eligible for compensation even if the criminal case was dropped.

In cases involving homicide, the victim's family may be entitled to compensation. Children may also be entitled to compensation, if they have witnessed violence against family members or caregivers.

**What do I have to do to claim compensation?**

If you wish to claim criminal injuries compensation, the crime must first be reported to police. When you report the crime, the police will ask you if you want to claim compensation in connection with the criminal case. To this, you must answer yes.

Submit your claim for criminal injuries compensation to the Criminal Injuries Compensation Authority. Submitting a claim is free. In general, you are expected to bear the costs associated with submitting a claim, e.g. costs in connection with obtaining medical records. However, if your claim is successful, you may be entitled to a refund for certain expenses.

You can obtain the claim form from our website, voldsoffererstatning.no, the police, and the regional offices of the Service for Victims of Crime.

**What can I be compensated for?**

You may be eligible for compensation for financial loss or permanent and significant injuries (compensation for permanent injury), damages for non-economic loss, or survivor's compensation in connection with homicide or death as the result of a criminal offence. The state criminal injuries compensation is subsidiary to all other forms of compensation. This means you must claim compensation through your insurance company and other public services before you can submit a claim to the Criminal Injuries Compensation Authority.

**Compensation for financial loss**

Through the criminal injuries compensation scheme, you can claim compensation for expenses and financial loss as the result of violent crime. This includes:

* Costs in connection with medical treatment, user fees and medication, as well as travel expenses in connection with treatment.
* Dentist costs in connection with repairing damaged teeth. Before you can be granted compensation for dentist costs, it must be determined whether, and if so, how much, of the treatment will be covered through HELFO (the Norwegian Health Economics Administration).
* Compensation for damaged clothes and other  personal effects you had with you at the time of the crime.
* Sustained and future loss of income as a result of the  injury.

You must substantiate your losses and document all your expenses. This means you should enclose documentation for the losses you claim compensation for. Such documentation could be cost estimates, receipts from your doctor or dentist, or receipts for clothes or other personal effects. A statement from your employer specifying loss of income or a copy of your tax return or tax settlement notice could serve to substantiate your loss of income. Our regional offices can assist you in this process.

**Compensation for permanent and significant injury**

If you have suffered permanent and significant injury as the result of a violent crime, you may be entitled to compensation for permanent injury. To qualify, a specialist must conclude that you have sustained a degree of medical disability of at least 15 percent, and that this condition will persist for at least 10 years.

It could take some time before anyone can conclude whether an injury will be permanent. In general, at least 2 years must have passed since the date of injury. In such cases, you may claim compensation for permanent injury at a later date.

**Damages for non-economic loss**

Damages for non-economic loss is a lump sum paid as compensation for pain, suffering and non-economic loss. The level of compensation in damages for non-economic loss is based on administrative and legal precedents.

**Survivor's compensation**

The family members of someone who dies as the result of a crime may be entitled to criminal injuries compensation. Criminal injuries compensation for loss of provider can be extended to individuals who were entirely or partially dependent on the deceased. Burial costs and other expenses incurred in connection with the death may also be compensated. Damages for non-economic loss may be granted to the deceased's spouse, cohabitant, children, parents, and, in certain cases, siblings.

Survivors who have suffered personal injury may be entitled to compensation for financial loss, such as medical expenses and loss of income.

**Service for Victims of Crime**

The Service for Victims of Crime is a public, nation-wide service for anyone who has been subjected to violence or other criminal activity.

Our advisors have the necessary experience and expertise to help you claim criminal injuries compensation. They can help you move on with your life after having been the victim of a crime. At the regional offices of the Service for Victims of Crime, you can get information about your rights and other support services, and they can help you claim compensation. Family members of victims and others who have been affected by crime are also free to contact our offices.

Our advisors can offer support to witnesses before, during and after court proceedings. Feel free to contact our offices anonymously if you prefer.

Call 815 20 077 or go to voldsoffererstatning.no to find out which regional office is closest to you. The police can also provide more information about our services.

**Other questions**

**How much can I receive in compensation?**

If your injury happened in 2011 or later, you may be eligible for up to 60 times the National Insurance basic amount (G) at the date of injury. The basic amount is adjusted as of 1 May every year. Under certain circumstances, compensation in excess of this may be paid if it is deemed necessary to maintain a reasonable standard of living.

Other limits for maximum compensation apply to injuries sustained before 2011.

*"The basic amount is adjusted as of 1 May every year"*

|  |  |
| --- | --- |
| Date of injury | Maximum compensation |
| 1975–1993 | NOK 150,000 |
| 1994–30 June 2001 | NOK 200,000 |
| 1 July 2001–2008 | 20 G at the date of injury |
| 2009-2010 | 40 G at the date of injury |
| 2011 and later | 60 G at the date of decision |

*"Even if the criminal case has been dropped, you may still be eligible for compensation"*

**Can I be compensated for injuries I sustained abroad?**

Under certain circumstances you may qualify for compensation for crimes that took place abroad. The Service for Victims of Crime can in certain cases assist you in claiming compensation from equivalent compensation schemes in other countries.

**Administrative procedure**

All procedural steps take place in writing. Normally, no decision regarding compensation will be made until the criminal case has been finally settled. Even if the criminal case has been dropped, you may still be eligible for compensation. The Criminal Injuries Compensation Authority will conduct an independent assessment of the evidence in your case.

**Information to offender**

The offender is not considered party to a case involving criminal injuries compensation. The Criminal Injuries Compensation Authority will determine whether the criminal injuries compensation is to be sought recovered from the offender. If so, the offender would be party to the recovery case, and would be entitled to access relevant documents from the compensation case.

**Limitation**

As a general rule, the civil law period of limitation is three years from the time the violence occurred. However, a claim for compensation will not be stale until the criminal offence is barred by lapse of time pursuant to the Penal Code. If a final and enforceable judgment has been rendered in the criminal case, only the civil law period of limitation applies.

**Complicity**

If you were complicit in the situation that led to your injury, your compensation may be reduced or your right to compensation may lapse entirely.

**What kind of evidence is required?**

In order for you to be eligible for criminal injuries compensation, there must be a preponderance of evidence indicating that a crime has been committed.

**Where can I get more information?**

The information in this leaflet is not exhaustive. For more information, go to our website, voldsoffererstatning.no, or contact our service centre.

Feel free to contact us for assistance in claiming criminal injuries compensation.

Online: voldsoffererstatning.no

E-mail: post@voldsofferstatning.no

Telephone: 78 98 95 00

Mailing address:

The Criminal Injuries Compensation Authority

PO Box 253

9951 Vardø

**The Criminal Injuries Compensation Authority**

Online: voldsoffererstatning.no

E-mail: [post@voldsofferstatning.no](mailto:post@voldsofferstatning.no)

Telephone: 78 98 95 00

Mailing address:

The Criminal Injuries Compensation Authority

PO Box 253

9951 Vardø

**Service for Victims of Crime**

Nation-wide service offering advice and guidance to victims of crime, as well as assistance in claiming criminal injuries compensation.

Online: voldsoffererstatning.no

E-mail: [post@voldsoffererstatning.no](mailto:post@voldsoffererstatning.no)

Telephone: 815 20 077