

**APPLICATION
FOR
STATE COMPENSATION TO VICTIMS OF CRIME**

The State awards compensation for **personal injury** inflicted by violation of the **Criminal Code**.

The State does **not** pay compensation for any injury inflicted by violation of the Road Traffic Act, police regulations or other special acts.

Some of the conditions for being eligible for compensation are:

- that the crime has been reported to the police without undue delay
- that you have claimed compensation from the offender if the case has been to court
- that an application for compensation has been sent to the Board within two years of the incident

You may get compensation for:

- treatment expenses
- pain and suffering (days of sickness)
- lost earnings
- permanent injury
- loss of earning capacity
- clothing and other personal property as well as small amounts of cash that you were carrying when the injury was inflicted.

You will only get compensation for treatment expenses, personal property and lost earnings if you have not received compensation from others.

You will only get compensation for property damage if the crime was committed by a specific category of persons, such as inmates of a criminal institution.

An excerpt of the State Compensation to Victims of Crime Act is provided on the back of the form.

1. Applicant's name, address and other details

Family name:	First name(s):	Civil Reg. No.:
Address:	Postal code:	Town:
Occupation:	Tel. (home):	Tel. (work):

1.a Guardian/receiver, if relevant

Family name:	First name(s):
Address:	Tel. (home): Tel. (work):

2. Offender

Family name:	First name(s):
--------------	----------------

3. When was the offence committed? 3.a Was the offence committed at work?

Date:	Time:	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
-------	-------	------------------------------	-----------------------------	--

4. Has the offence been reported to the police?

Yes <input type="checkbox"/>	Where?	Date:	Time:
No <input type="checkbox"/>	Why not?		

5. Claim for compensation as a result of the offence:

Have you had days of sickness ? No <input type="checkbox"/>		
Yes <input type="checkbox"/>	From:	To:

Have you lost earnings ? No <input type="checkbox"/>	Yes <input type="checkbox"/>	From:	To:	Total DKK:
---	------------------------------	-------	-----	------------

Have you received sick pay or sickness benefits from your employer ? Yes <input type="checkbox"/>	Total DKK:
No <input type="checkbox"/>	Why not?

Have you received sickness benefits from your local authority ? Yes <input type="checkbox"/>	Total DKK:
No <input type="checkbox"/>	Why not?

Have you had expenses for:	Medicine, DKK:	
Medical certificate, DKK:	Dental treatment, DKK:	Psychologist, DKK:
Physiotherapy, DKK:	Other expenses for treatment (type and amount), DKK:	

Have you had other expenses or losses (e.g. ruined clothing, other personal property, small amounts of cash, transport):

RECEIPTS, ETC., MUST BE ENCLOSED

INSURANCE AT THE TIME OF YOUR INJURY

6. Are you covered by one or more of the following insurances?

a. Household insurance		No <input type="checkbox"/> Yes <input type="checkbox"/>	Insurer's name, policy and claim No.:
Payment:	DKK:	Compensation for:	

b. Accident insurance		No <input type="checkbox"/> Yes <input type="checkbox"/>	Insurer's name, policy and claim No.:
Payment:	DKK:	Compensation for:	

c. Group accident insurance (possibly through trade union)		No <input type="checkbox"/> Yes <input type="checkbox"/>	Insurer's name, policy and claim No.:
Payment:	DKK:	Compensation for:	

d. Health insurance "danmark"		No <input type="checkbox"/> Yes <input type="checkbox"/>	
Payment:	DKK:	Compensation for:	

7. Have you received compensation from:

Offender	No <input type="checkbox"/>	Yes <input type="checkbox"/> DKK:	Compensation for:
Local authority	No <input type="checkbox"/>	Yes <input type="checkbox"/> DKK:	Compensation for:

8. Any other comments?

--

Misrepresentation will make you liable to a fine or imprisonment for up to four months pursuant to section 163 of the Danish Criminal Code.

Date

Signature

The form must be sent to the police of the district in which the offence was committed.

The police will forward the application to the Criminal Injuries Compensation Board, but only when the police investigation and any court proceedings have been completed.

The Board will notify you when it has received your application.

Excerpts from the Act on State Compensation to Victims of Crime

Part 1

Personal injury

1. (1) The State awards compensation and damages for personal injury inflicted by violation of the Criminal Code where any such violation is committed within Danish territory. The same applies to personal injury that occurs in connection with assistance to the police during arrest or in connection with acts done for the purpose of lawful arrest by a private citizen or prevention of criminal offences.
(2) Compensation is further awarded for damage to clothing and other usual personal property, including minor amounts in cash that the victim was carrying when the personal injury was inflicted.
(3) In special situations, compensation is awarded for injury inflicted by acts committed outside Danish territory if the victim is a Danish resident or a Danish national or at the time of the offence in the service of a Danish foreign mission abroad. Compensation may also be awarded where any such acts are committed against a victim residing in Denmark, but pursuing his trade or profession outside Danish territory.
2. If the victim dies, compensation is awarded under sections 12 to 14a and 26a of the Liability in Damages Act.

Part 2

Property damage

3. (1) The State awards compensation for property damage caused by violation of the Criminal Code within Danish territory where such violation is committed by persons:
 - (i) in preventive detention in an institution of the Prison and Probation Service;
 - (ii) arrested for the purpose of being imprisoned or in custody;
 - (iii) transferred to an institution outside the Prison and Probation Service pursuant to section 49(2) of the Criminal Code;
 - (iv) admitted to a residential institution for children and young people under the Act on Social Services;
 - (v) admitted to a prolonged stay at an accommodation facility suitable for long-term accommodation of persons with substantial and permanent impairment of their physical or mental function due to mental retardation, cf. section 92 of the Act on Social Services; or
 - (vi) hospitalised or detained against their own will at a hospital or another institution referred to in section 1 of the Act on Hospitalisation of Mentally Ill Persons.
(2) Compensation is awarded for damage caused within the bounds of the institution or during authorised stays outside the bounds, or in case a person fails to return from leave or escapes.
(3)
(4) ...

Part 3

Common provisions, etc.

6. Compensation is awarded even if the offender is:
 - (i) unknown or nowhere to be found;
 - (ii) under 15 years; or
 - (iii) of unsound mind.
- 6a. Decisions on compensation under this Act are subject to the general rules of Danish law on the liability of offenders, including the rules on reduction or lapse of compensation due to the victim's or the deceased's contribution to the injury or damage or acceptance of the risk of injury or damage.
7. (1) No compensation is awarded where the injury or damage is compensated by the offender or covered by insurance moneys or any other payment in the nature of genuine damages.

(2) No compensation is awarded to cover any claims for indemnity against the offender.

10. (1) It is a condition for payment of compensation that the offence was reported to the police without undue delay and that the victim raises a claim for compensation during any criminal proceedings against the offender.

(2) The rules of subsection (1) hereof may be deviated from if circumstances make it appropriate.

(3) The police shall counsel the victim about his right to obtain compensation under this Act.

11. (1) Any decision on compensation is made by a Criminal Injuries Compensation Board to be set up by the Minister of Justice.

(2) The Board consists of a chairman, who must be a judge, and two other members, one of whom must be appointed upon nomination by the Minister for Social Affairs and the other upon nomination by the Council of the Danish Bar and Law Society. Members and their substitutes are appointed for a term of four years.

(3) The Minister of Justice shall lay down the rules of procedure and the rules on submission of applications.

11a. (1) If the victim's claim for compensation and damages from the offender has been decided by judgment, the compensation to be paid under this Act is the amount fixed by the judgment, but cf. sections 7 to 10.

(2) Subsection (1) hereof does not apply in the event that the offender is deemed to have accepted the claim or the amount claimed during the trial.

(3) Notwithstanding subsection (1) hereof, the Board may award a larger compensation or higher damages than the amount fixed in the judgment if particular circumstances make it appropriate.

13. The Board may not consider any applications submitted more than two years after the offence, except in exceptional circumstances.

14. (1) The Board may invite the applicant to provide further evidence, including to appear before the Board in person, to submit to medical examination in case of personal injury, and, if required, to submit to observation and treatment, possibly by hospitalisation. The Board may also request details deemed essential from other persons with knowledge of such details. To this end the Board may procure case notes from hospitals.

(2) The Board may demand an examination in court.

(3) If the applicant fails to provide the evidence requested by the Board within a certain time-limit, the Board may decide the application on the basis of the information available.

15. (1) Costs pertaining to Board proceedings, inclusive of costs pertaining to the examinations referred to in section 14(1), are payable by the State.

(2) In special cases, the Board may decide that costs defrayed by the applicant in connection with the case must be reimbursed in full or in part.

16. The Board makes the final administrative decision on cases referred to the Board.

17. The State will be subrogated to the victim's claim against the offender to the extent that it pays compensation.

18. (1) If the applicant has given incorrect information or failed to disclose particulars of relevance to the compensation, repayment of any amount wrongfully received may be claimed.

(2) Repayment may also be claimed if the offender subsequently compensates the injury or damage, or the injury or damage is covered by insurance moneys or any other payment in the nature of genuine damages.