

Application for state compensation to victims and families of victims having suffered personal injury due to violent crimes.

Exempt from public disclosure when completed.

Fields marked * are mandatory and must be completed before the application can be processed.

To be sent to The Norwegian Criminal Injuries Compensation Authority, P O Box 253, 9951 Vardø. Prior to filling in the form, you should read pages 3 and 4.

1.1 Personal information about the applicant *		
Applicant's name		National identity number (11 digits)
Street address	Postal code and city	
Applicant's e-mail address	Phone or mobile phone number	
Applicant's occupation	Employer	Taxation municipality
1.2 Personal information in matters concerning survivor's compensation		
Name of the deceased		The identity number of the deceased (11 digits)
Last mailing address		Date of death
The applicant's relation to the deceased, including dependencies		
2. Have you received criminal injuries compensation for this criminal act previously? *		
		<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes <input type="checkbox"/> From the county governor in	County	<input type="checkbox"/> From the Norwegian Criminal Injuries Compensation Authority
3. The criminal act *		
Place (where did the injury occur?)		Date of injury
Municipality		
The culprit's name		
Brief description of the criminal act		
Is more than one person seeking compensation for the same offence? <input type="checkbox"/> Yes <input type="checkbox"/> No		
4. Police report *		
Has the criminal act been reported to the police? <input type="checkbox"/> Yes <input type="checkbox"/> No	Reported to the following police district	Date of report
Is there a sentence from a court in this case? <input type="checkbox"/> Yes <input type="checkbox"/> No	Report number	
If the criminal act has not yet been reported to the police, please describe, briefly, the reason why		
5. Describe the inflicted injury (enclose medical reports, etc., and a medical expense specification) *		
The nature of the injury		

6. Insurance *

Which insurance policies does the applicant have?

- Travel insurance
 Accident insurance
 Disability insurance
 Occupational insurance
 Home contents insurance
 No insurance
- Yes No
 Yes No
 Yes No
 Yes No
 Yes No

Other – please specify

Insurance company name

Contact person

Policy No.

Has the injury been reported to the insurance company?

Yes No

Insurance benefits have been awarded/paid, totalling NOK

Enclose the insurance company decision

7. Social security benefits granted to injured party or survivors due to this injury *

The applicant has received the following social security benefits

- Sickness benefits
 Work assessment allowance
 Incapacity benefits
 Occupational injury benefits
- The injury is not covered by any social security benefits
 Other – please specify

Enclose NAV decision

Have applications for social security benefits been submitted as a consequence of this injury – and if so, applications for which benefits?

8. Compensation paid by the culprit or the Norwegian National Collection Agency (NCA) *

Amount received NOK From the NCA From the culprit Not received

If compensation has not been sought from the culprit, state the reason why

9. Compensation amount

9.1 Financial loss. State, specify, and document losses that are a consequence of the injury

<input type="checkbox"/> Loss of income (Please enclose a copy of your tax returns from two years before the injury occurred and until present day)	Amount
<input type="checkbox"/> Loss of future income	Amount
<input type="checkbox"/> Loss of dependency	Amount
<input type="checkbox"/> Medical expenses (doctors, dentists, psychologists, etc.)	Amount
<input type="checkbox"/> Dental expenses (You must also apply for reimbursement from Helfo. See the appendix section 9)	Amount
<input type="checkbox"/> Travel expenses associated with treatment (You must also apply for reimbursement from Patient travel. See the appendix section 9)	Amount
<input type="checkbox"/> Other – please specify	Amount

9.2 Damage to property

<input type="checkbox"/> Clothing damaged as a consequence of the injury (document the loss if possible)	Amount
<input type="checkbox"/> Other personal items damaged as a consequence of the injury (describe and document the loss)	Amount

9.3 Compensation for permanent injury. In applications for compensation for permanent injury, a specialist statement must be enclosed

Compensation for permanent injury is sought Is a specialist statement available? Yes No

If applicable, comments or remarks to the application

9.4 Damages for non-pecuniary loss. Damages for pain and suffering, as well as for other injury and loss of a non-pecuniary nature may be awarded. These damages are discretionarily awarded. Give a brief explanation for this application. Use a separate sheet of paper, if necessary.

Damages for non-pecuniary losses are sought

10. Have you received legal assistance? * Yes No

If yes, what kind?		
<input type="checkbox"/>	Counsel for the victim in the criminal case was appointed	
<input type="checkbox"/>	Benefits under the Legal Aid Act / Law on free legal aid	
<input type="checkbox"/>	Legal expences insurance	
<input type="checkbox"/>	Private legal assistance (private lawyer or other)	

If applicable: To what extent was legal assistance granted?	Number of hours	Amount
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11. Other information – further information may be given on a separate sheet

12. Signature *

I hereby certify that the information contained herein is accurate and as comprehensive as possible.

I consent that the deciding authority may obtain statements from doctors, dentists, psychologists, etc., as well as from tax assessment offices, insurance companies, employers, county governors, etc., regarding my, and if applicable, the decedent's financial circumstances, as well as financial and medical information from the welfare system and NAV.

I consent that my claim against the culprit will be transferred to the state, in the extent the state pays compensation to me.

I consent that compensation for dentistry work, psychologist appointments, etc., may be paid to the person or institution providing my care, unless I present a receipt documenting that the amount was paid by me.

The application must be signed by the applicant.
If the applicant is a minor, the guardian must sign the application.

..... Account number Place and date
..... Account owner Applicant's signature

Instructions for filling out this form (appendix)

<p>Section 1 Name and national identity number must always be provided. Mailing address, phone number, and, if applicable, e-mail address are useful information for later contact and correspondence. Once the application has been processed, the applicant will receive the decision at his or her mailing address, or, if applicable, at his or her attorney's office.</p> <p>Section 3 In order to be able to identify the crime reported to the police, it is important that information provided under this section is as comprehensive as possible. If the description of the criminal act is included in other documents enclosed with the application, you need not repeat it here. In applications concerning children who have experienced violence against a person close to them, it is very important that a description of the case is enclosed. Also enclose any written confirmations and documentation that may exist in the case.</p> <p>Section 4 Normally, the criminal act must be reported to the police in order for the injured party to be eligible for compensation. Prior to making a decision in regards to the application, all the police documents pertaining to the case are obtained. Fill in where and when the criminal act was reported to the police. All reported cases are given a report number. Include this report number on the application if you have it. The report number may, inter alia, be found on the «Confirmation of reported crime», which the injured party shall receive from the police.</p> <p>Section 5 The scope and duration of the injury should be briefly described and documented by enclosing a statement from the doctor that treated you, the hospital, dentist, psychologist, etc.</p> <p>Section 6-7-8 Financial benefits the applicant has been granted or is entitled to as a consequence of the injury, will be deducted from the compensation amount. If the applicant has had all or parts of his or her losses covered through insurance, he or she may have the insurance</p>	<p>deductible covered, if applicable. If the culprit has paid compensation to the applicant, the applicant must provide the amount, as well as the basis on which this compensation was paid, unless this was determined in a court of law.</p> <p>Compensation may be reclaimed if the applicant provides false information or withholds matters of significance or if the claims are covered from other sources.</p> <p>Section 9 A specific amount must be stated for the financial losses for which compensation is sought. The claim for compensation must be documented. This documentation can be for example receipts, pay slips from employers, etc. If the application includes a claim for compensation for permanent injury (Section 9.3), the applicant must provide a specialist statement determining the applicant's percentage of disability, discussing the expected duration of said disability. Compensation for permanent injury is not granted for a disability below 15 percent. In determining the compensation amount (Section 9.4), the criminal act, the consequences this act has had for the applicant, and current precedent in similar cases are taken into account. When applying for compensation for permanent injury and damages for non-pecuniary loss, a claim amount is not required. For dental injuries that occurred after January 1st 2008, the applicant must apply for reimbursement from HELFO (The Norwegian Health Economics Administration). See www.helfo.no and the regulation concerning coverage of dental expences (FOR-2007-12-13-1412) Section 1 no 13. For patient travels see www.pasientreiser.no</p> <p>Section 12 <u>As the signature on this form serves as a power of attorney, it is not sufficient that other parties, such as the applicant's attorney, sign the form on the applicant's behalf.</u></p> <p>Uncompleted forms will be returned without being processed.</p>
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State compensation for personal injury due to criminal acts

The Compensation for Victims of Violent Crime Act came into force on July 1st 2001, and applies to criminal acts committed after this date. Amendments to the Compensation for Victims of Violent Crime Act came into force on January 1st 2008, January 1st 2009 and January 1st 2011. For cases where the criminal act was committed between January 1st 1975 and July 1st 2001, the regulations relating to compensation for victims of violent crime, with transitional provisions, shall apply. This form shall be used regardless of when the criminal act was committed. More information on compensation for victims of violent crime can be obtained from the Norwegian Criminal Injuries Compensation Authority, phone number 78 98 95 00, e-mail: post@voldsoffererstatning.no or www.voldsoffererstatning.no.

Applicants may also seek assistance from the Service for Victims of Crime, phone number 815 20 077 / 789 89 500, www.kriminalitetsofre.no, or turn to the Support Hotline for Victims of Crime, phone number 800 40 008.

1. Who can seek compensation?

Individuals who sustain an injury as victims of a criminal act as specified in Sections 2.1 and 2.2, may be awarded compensation from the state. Children, who have experienced violence against a person close to them after January 1st 2008, provided that experiencing this violence is or has been detrimental to their trust or sense of security, may also be entitled to compensation. If the injured party dies, the decedent's dependents are eligible for compensation. Other survivors, such as family members, may also be eligible.

In addition, people who:

a) in connection with assisting the police, or others with police authority, during arrest, in connection with averting or attempted prevention of crime or in connection with a lawful arrest or attempt to do so,

and from January 1st 2011, people who:

b) in connection with providing aid to victims of a criminal act that violates life, health or freedom, or to prevent or limit damage following the offense

may apply for criminal injuries compensation.

The violent act must have taken place in Norway, on Svalbard, or onboard a Norwegian vessel, offshore rig, aircraft, or other facility established for research purposes or the extraction of natural resources on the Norwegian Continental Shelf. In special cases, compensation may be awarded for injuries sustained abroad, provided that the injured party was a resident of Norway at the time of injury.

2. When are you eligible for compensation?

2.1 For criminal acts committed in the period between January 1st 1975 and January 1st 2008, compensation may be awarded to individuals who have suffered personal injury as a consequence of intentional bodily harm or another criminal act involving elements of violence or coercion.

2.2 For criminal acts committed after January 1st 2008, compensation may be awarded to individuals who have suffered personal injury as a consequence of criminal acts that threaten or infringe upon life, health, or liberty.

The term personal injury covers both physical and psychological injury. Compensation may be awarded even when the injuring party is unknown, dead, under the age of 15, or unfit to stand trial, or when the limits of self-defence have been exceeded, which is exculpatory pursuant to Section 48, Subsection 4 of the Penal Code. Compensation may be awarded even when the case is dropped by the prosecution, or the injuring party is acquitted in criminal proceedings. The applicant has the burden of proof to substantiate with a qualified preponderance that he or she has been the victim of a violent crime. The application must be submitted to the Criminal Injuries Compensation Authority before the claim for damages against the person causing the injury is barred under the provisions of the Limitation Act. However, it is still considered sufficient if the claim is submitted before the statutory period of limitation of the injuring party's criminal liability, if applicable, expires pursuant to the provisions of the Penal Code, or the injured party turns 21 years old. The period of limitation is interrupted by submitting a claim to the Norwegian Criminal Injuries Compensation Authority. The regulations relating to compensation for victims of violent crime has no formal period of limitation. If the applicant is in some way culpable for, or has contributed to, the injury, the compensation amount may be reduced, or compensation may be denied entirely. No compensation is awarded under the provisions of the Compensation for Victims of Violent Crime Act for injuries covered by the provisions of the Automobile Liability Act or the Patient Injury Act.

3. What is compensated?

3.1 Financial losses

Compensation for financial losses shall cover the loss already suffered, as well as any future losses, such as loss of income, medical expenses and travel expenses. The compensation scheme also covers damage to regular clothes and personal effects (glasses, watch, and mobile phone) the injured party had on his or her person at the time of the injury. Stolen items and cash are not covered by the compensation scheme. Deductions will be made for compensation and benefits the applicant stands to receive / is entitled to from other sources, such as social security and pension benefits, insurance payments, and damages paid by the injuring party.

3.2 Compensation for permanent injury

The applicant is entitled to compensation for permanent injury whenever he or she has suffered permanent and significant medical injuries, and the degree of disability is 15 percent or higher. The applicant must provide a specialist statement, determining the degree of disability, the duration of the disability, and the causal link between the disability and the criminal act.

3.3 Damages for non-pecuniary loss

The injured party may be awarded damages in the form of a lump sum as compensation for «pain and suffering».

3.4 Survivors

In the case involving deaths prior to the amendments of January 1st 2008, the decedent's spouse / domestic partner, parents, and children are entitled to damages for non-pecuniary loss. Compensation may be awarded to cover funeral expenses and loss of dependency. Siblings are not entitled to compensation. In cases involving deaths after the amendments of January 1st 2008, the decedent's spouse / domestic partner, parents, and children are also entitled to compensation for personal injuries, pursuant to provisions in Section 4 of the Act. Siblings may, in special cases, be awarded compensation and damages.

Losses that do not exceed NOK 1,000 will not be compensated. From January 1st 2011, the maximum amount payable as compensation for each injury was increased from 40 times to 60 times the Social security basic amount at the time of the processing of the application, in special cases, the upper limit may be waived. From January 1st 2009 the maximum amount payable as compensation for each case was increased from 20 times to 40 times the Social security basic amount at the time of the injury. For injuries suffered as a consequence of criminal acts committed prior to July 1st 2001, the maximum amount payable as compensation is NOK 200,000 and for criminal acts committed prior to January 1st 1994 the maximum amount payable is NOK 150,000.

4. Administrative procedures

In order to be eligible for criminal injuries compensation, the matter must be reported to the police. For criminal acts committed prior to, and including, December 31st 2007, there is an additional requirement of reporting the matter without undue delay. For criminal acts committed after January 1st 2008, this requirement has been stricken, and it is sufficient to have reported the matter to the police. Furthermore, the applicant must request that the claim for compensation be included in a possible criminal prosecution against the injuring party. In special cases, exceptions to the requirement of reporting the matter without undue delay and the requirement of including a claim for compensation in the criminal prosecution may be waived. The Norwegian Criminal Injuries Compensation Authority must put claims for compensations on hold until a final decision on the matter has been reached in a court of law, or the criminal case has been dropped by the prosecution. In special cases, and for claims submitted after the amendments of January 1st 2008, the Authority may cover expenses related to retrieving statements from doctors, dentists, psychologists, etc., if these statements are necessary in order to shed light on the case.

It is very important that the information provided by the applicant is as comprehensive and accurate as possible. Claims for compensation for financial loss and damage to property must be documented by providing receipts or other forms of documentation. Health-related consequences of the injury must also be documented in the form of a medical statement. The applicant may be liable to reimburse the state for compensation granted if the applicant provides inaccurate information or withholds information significant to the payment, or if the applicant's claim is paid by another party. The listed injuring parties are not party to the application for compensation, and will not be notified thereof. The state will claim right of recourse from the injuring party in all cases involving a conviction, dismissal of criminal proceedings, or accepted fine. In procedures involving right of recourse, the injuring party becomes party to the case and has the right to access the documents pertaining to the case.

5. Appeal

Decisions made in connection with the claim for compensation may be appealed to the Compensation Board for Victims of Violent Crime. The appeal is to be sent to the Norwegian Criminal Injuries Compensation Authority. Costs and expenses associated with an appeal may be covered pursuant to Section 36 of the Public Administration Act, provided that the decision on appeal is changed in favour of the appellant. For more information on proceedings during the appeal see www.sivilrett.no. After January 1st 2011, it is possible to bring the Compensation Board's decision to court for review, if a criminal proceeding against the culprit has been conducted without settling the claim for non-pecuniary compensation.