In the primitive societies the responsibility of protecting oneself against crimes and of punishing the offenders rested with the individuals which reflect the idea of private vengeance. Under this system compensation had to be paid by wrongdoer to the injured person. As societies got organized in form of state the responsibility of punishing violators of criminal law shifted from the hands of private individuals to the hands of the political authorities. At the end of medical ages however the idea of crime as an act against the state took its shape. In such a situation the state was considered to be the proper authority to punish the offender; the victim of crime however become an irrelevant factor.

In the 19th Century however the concept of compensation to victims of crime was sought to be revived by eminent criminologists like Garofalo and Ferri in Italy and Bentham in England under the influence of these theories a system of compensation was evolved whereby the victim had to be compensated out of fines imposed on the offender, the States also has accepted the responsibility of paying compensation in varying degrees. Thus, in 1926 Sweden introduced a system in which victims were paid compensation out of the fine imposed on the offenders; some concrete progress was made in Europe, USA and some other countries commencing from early sixties. The scheme to pay the victims out of public funds were introduced in Southern and Western countries of Europe,

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1 Ahmed Siddique, Criminology, Problems and Perspectives, 1998, F.581. provisions whereby offenders may compensate their victims for the harm is recognized in the United Nations Declaration;
Canada, Australia, New Zealand, and Switzerland. In many countries victim assistance and victim compensation have been provided in their criminal laws. The importance of including "Offenders or third parties responsible for their behaviors should, where appropriate make fair restitution to victims, their families or dependants. Such restitution should include the return of property or payment for harm or loss suffered, reimbursement of expenses incurred as a result of the victimization; the provisions of services and restoration of rights"\(^2\).

An attempt has been made to ascertain the nature and extent of compensation available to the victims of crime in different countries. Towards this, information has been collected from the website of 29 countries. It is found that the compensation to the victims of crime is being given by the State itself in Australia, Bermuda, Canada, Denmark, Finland, France, Hong Kong, Israel, Italy, Japan, Luxembourg, Netherland, Norway, Philippines, Poland, Sweden, United Arab Emirates and United States while in Austria and Belgium the compensation is being realized from the accused. In 8 countries, namely, Colombia, Cyprus, Czech Republic, Germany, Portugal, Republic of Ireland, Spain and Switzerland it is not specified whether the compensation is being given by the state or the offender. It would not be out of place to mention here that in United States the victim of crime is being compensated by the State as well as by the offender.

**I. Compensation Programme in England.**

Compensation are payable in the United kingdom under the Criminal Injuries Compensation Scheme, 1964. A criminal Injuries compensation Board is constituted. The Board is provided with funds through a grant-in-aid and its net expenditure must be approved by votes of the Home Office and the Scottish Home and Health Department. This scheme was modified in 1969, 1979, 1990, 1995- when a new Jarrif Scheme was introduced under the Criminal Injuries

\(^2\) Quoted in Joutsen, 1987:311
Compensation Act, 1995 is an attempt to curb the spirally cost of payments and improve administrative efficiency.

A. Compensation Payable by Offender-

In U.K. Compensation payable by the offender was introduced in the Criminal Justice Act, 1972: this gave the courts powers to make an ancillary order for the compensation to the main penalty in cases where injury, loss or damages had resulted. The Criminal Justice Act, 1982 made it possible to order compensation as the sole penalty and required that in cases where fines and compensation are given together, the payment of compensation should take priority over fine.

These developments signified a major shift in penological thinking, reflecting the growing importance attached to reparation over the most narrowly retributive aims of conventional punishment. The Criminal Justice Act, 1988 furthered this shift requiring the court to consider making compensation in every case of death injury, loss or damage, and where such an order was not given, imposed a duty on the court to record reasons for not doing so. The Criminal Justice Act, 1991 contains a number of provisions which directly or indirectly encourages a greater role for compensation.3 In England, the Criminal Justice Act, 1988 transformed the Criminal Injuries Compensation Board (CICB), from a body created and supported by

(i) Citizenship and residence.

B. Concept of Victim: From the outset, the British Scheme has applied to any person, irrespective of nationality, domicile, or language of residence, who sustain a criminal injury in England, Wales or Scotland or on board a British vessel or aircraft, or aircraft coverage is not, however, provided for any British

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3 Jogindra Patjoshi, "Rape Victim and Compensation Law" Victimological conference held at National Law School of India University’s Bangalore, 1996 1.5. administrative fiat to a statutory body.
Citizen injured abroad. For all practical purposes, a crime victim in Britain has a legally enforceable right to compensation⁴.

(ii) Compensating Event.

(a) **Crime of violence**- From the outset, the British Scheme operate on the basis that the principle of public compensation could justifiably be restricted to the victims of crimes of violence. Similarly, compensation under VOCA is payable to victims of criminal violence.

(b) **Domestic Violence**- Prior to 1979, the British Scheme did not allow compensation for most injuries arising from domestic violence. Where victim and offender happen to be of the same family, the Board must satisfied that there was no likelihood of their living together before the application was made for compensation.

(iii): Motor Vehicles-An injury attributed to a traffic offence was never compensable under the British Scheme, unless it was due to “a deliberate attempt to run the victim down.

C. **Concept of Injury:**

(i) Physical injury – Under British Scheme death and physical (or bodily) injuries resulting from a crime of violence qualify a victim for compensation.

(ii) Emotional Distress- Under the British Scheme, Compensation, in the form of a fixed sum (now £7500, or approximately $11,250), is payable by way of “bereavement” but only to the deceased’s lawful spouse or to the parents of an unmarried minor (i.e. a victim under the age of eighteen)- Unless a person has suffered ‘nervous shock’ as a direct result of a criminal injury to a close relative of friend.⁵

⁴ The U.K. has also satisfied a convention on the compensation of victims, which is known as the European Convention on the compensation of Victims of violent crimes.

⁵ See e.g. Ragina v Criminal Injuries comp-Board, ex-parte Johnson.
D. Refusal or reduction of compensation
One of the most noteworthy features of the British Scheme is its restriction of payment of compensation to innocent victims. From the outset the Board has been required, or has been given discretion, to refuse compensation altogether or to make a reduced award to “unmeritorious” victims who otherwise qualify for compensation.

E. Quantification of Compensation
Until 1994, a victim who came within the British Scheme qualified, in principle, for compensation assessed on the basis of common law damages. The Board allots damages in accordance with common law by setting the amount at what a civil court would award for a similar injury. Therefore, awards were designed to reimburse financial losses and expenses in full, and to provide a reasonable sum to victim’s pain and suffering and loss of amenities.

F. Collateral Benefits
From the outset, criminal injuries programmes in Britain, adopted a policy against double compensation so that victim does not obtain compensation from the programme in addition to financial assistance from social security, insurance and other sources. To make the restitution fund meaningful, it must be limited to compensating financial losses not offset by support payments which would not have been received except for the criminal act.

I. Compensation Programme in USA
In the year 1966, California became the first State to enact a victim compensation Law. In New York, the Crime Compensation Board pays a maximum of 20,000/- Dollars to eligible victims of crime for the lost of income with no limit for

6 The Board may withhold or reduce compensation if they consider that....having regard to conduct of the applicant before, during or after the events giving rise to the claims or to his character as shown by his criminal convictions or unlawful conduct.....It is inappropriate that a full award, or any award at all, be granted. British Scheme.

7 Fierro Vs. State Bd. Of Control, 236 Cal Rptr. 516.
medical expenses. The eligibility criterion is that only victims of violent crimes entitled for compensation, the victim is to report the crime to the police within 48 hours of occurrence, the victim should not have been living with or be a relative of offender.

**Victim Assistance:** Under the Victim Assistance Progamme, the victims are provided with a number of services like:

**B. Counseling** referral to various agencies and information intended to help victims in coping with the emotional, social and practical consequences of crime. The Rape crises centres provide information, referral services, temporary shelter, emotional support and counseling to rape victims. Sometimes the aid is extended beyond the trial period, till the victim was adjusted herself in the society. At times the crisis centres provide staff to accompany the victim to report the offence and to present with the victim at the time of police interrogation and court appearance.

**C. Concept of Victims:** In the United-States, State compensation is now paid to any person victimized by the offences covered by the relevant statutes and by the relevant statutes and not just to the State residence. A further extension in 87 States was that compensation was paid to the victims of drunken driving and even if the victim continues to live with the offender to victims of domestic violence.

**D. Administration:** The Compensation Programmes are administered through the following agencies-

(i) An Administrative agency especially created for the purpose.

(ii) An existing machinery lie the one dealing with workmen’s compensation.

(iii) Courts of Law.

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9 Robin D.Gerland, Introduction to Criminal Justice System n.d. p.507
II. Compensation Programme in France.

In France, awards are paid on the basis of the applications received. In addition, a special fund is established for the victims of terrorism. The money for the fund is collected through additional assessment of five francs on all home insurance policies. Total reserves of some 400 million francs have thus far being amassed. Suggestions have been made that these reserves could be made available for the benefit of all the victims. The Swedish State Compensation Law was amended as on 1st July, 1988 to make such compensation available also to a victim of an offence against personal freedom or other criminal molestation, and not solely to a victim of a violent offence. Poland, in February, 1986 established a fund for assistance for victims, the "Foundation for Assisting Victims of Crime". The purpose of the fund is to provide financial assistance to victims of crime or their dependants. The award is discretionary, depending not only on the possibility of victim getting compensation from other source but also on the seriousness of the loss, the financial and living conditions of victims and his possible contribution to the commission of the offence.

III. Compensation Schemes in other European Countries.

Since the establishment of the first General European Crime Victim Compensation Scheme in the United Kingdom similar schemes have been adopted by almost half of the Europe countries. By the end of 1988 compensation schemes existed in Austria, Belgium, Denmark, the RFG, Finland, France, Ireland, Luxembourg, the Netherlands, Northern Ireland, Norway, Poland and Sweden. Switzerland also passed a constitutional amendment calling for such a scheme. With regard to the modality of implementation, though the general outlines of these schemes are similar they differ greatly in matters of detail. For example, the types of crimes covered for compensation range from deliberate acts of serious crimes (Austria) to any criminal act that results in injury (the Nordic countries). Some other countries like France and Finland even cover some
property offences. There are also considerable differences in the loss or harm and the obligation to cooperate with the authorities, and the attitude taken towards the conduct of the victim.

**Brief Details of the Compensation payment provisions to the victims of crime in foreign countries:**
Some Salient features of this compensation schemes applicable to the victims of crime prevailing in different countries are given in the succeeding paras.

**A. Countries where the Compensation to the Victims of Crime is being given by the State**

1. **Australia**

**Australian Crime Victim Compensation Programs (by State)**
Crime victim compensation schemes that provide financial assistance to victims of violent crime are state-based in Australia. Each state administers its own program in accordance with its state statute.

**Eligibility Requirements**

**Report to Police**: Yes; some exceptions may be made for cause.

**Filing Period**: 1 year is typical; time limits vary from state to state.

**Claimants**
- Victims of crime
- Dependents of homicide victims
- Relatives of victims of crime; eligible in some states
- Foreign citizens; eligible in most states

**Procedures**
The claimant must file an application with the compensation agency or court in the state where the crime occurred. Victims of crimes occurring in Tasmania must
obtain clearance from the Director of Public Prosecutions to apply for compensation.

The New South Wales compensation scheme provides monetary compensation according to a schedule of injuries which specifies the amount of compensation payable for a particular injury.

**Benefits & Award Limits**
- Most states can pay a maximum combined award of between $AUS15,000 and $AUS60,000.
- Compensable Costs (varies by state)
  - Medical expenses
  - Mental health counseling
  - Lost wages
  - Funeral
  - Travel expenses
  - Loss of enjoyment of life
  - Incidental

**Emergency Awards**
Some states in Australia provide emergency awards or expedite processing for victims faced with an extraordinary financial hardship.

**Funding Sources**
Compensation schemes in Australia are funded from consolidated revenue of the State.

2. **Bermuda**

Bermuda has a crime victim compensation program to provide financial compensation to victims of violent or personal crime.
Eligibility Requirements

Report to Police: Yes, as soon as possible.

Filing Period: Within 1 year. Exceptions may be made.

Claimants

- Victims of crime
- Dependents of homicide victims
- Foreign citizens

Procedures

Claimant must obtain an application form from and file it with the Criminal Injuries Compensation Board. The claimant will receive notification of the program's decision between 2 weeks and 6 months. Compensation is received between 1 day and 3 weeks. This decision can be appealed to an independent committee of three persons, appointed by the government, which is the final decision maker.

Benefits & Award Limits

The maximum award in $B is 200,000.

Compensable Costs

- Medical expenses
- Mental health
- Lost wages for disabled victims
- Lost support for dependents of deceased victims
- Funerals
- Travel
- Rehabilitation for disabled victims
- Services to replace work in the home previously performed by the victim
Emergency Awards
The program may give a prepayment if the award decision is delayed due to no fault of the claimant, and it would be reasonable to do so.

Funding Sources
The program is funded through tax revenue.

3. Canada
Canada has crime victim compensation programs to provide financial compensation to victims of violent or personal crimes. The programs are administered by the Canadian provinces, according to their own rules and standards.

Eligibility Requirements

Report to Police: Generally within 1 year, (2 years for some provinces) and many exceptions are made.

Filing Period: Generally within 1 year, (2 years for some provinces) and many exceptions are made.

Claimants
-Victims of Crime
-Dependents of homicide victims
-Foreign citizens

Procedures
A claimant may obtain an application by contacting the program within the province in which the crime occurred. The application should be sent directly to the program office. Decisions are generally made between 1 and 5 years after an
application is made. Compensation will be paid to the claimant in approximately
4 weeks.

Benefits & Award Limits

The maximum award benefits range between $5,000 and $25,000 Canadian Dollars.

Compensable Costs and Limits

- Medical expenses
- Mental health expenses
- Lost wages for incapacitated or disabled victims
- Lost support for dependents of victims
- Funeral expenses
- Rehabilitation for disabled victims
- Services to replace work in the home previously performed by the victim

Emergency Awards

Expeditied compensation is offered for aged or terminally ill victims.

Funding Sources

Each of the provincial programs are funded through either consolidated revenue
of the province, surcharge revenue, general tax revenue, or a combination of
these.

4. Denmark

Denmark has a crime victim compensation program to provide financial
compensation to victims who suffer serious injuries as a consequence of crime.

Eligibility Requirements

Report to Police: Within 24 hours.
Filing Period: Within 2 years; exceptions are made.

Claimants
- Victims of crime
- Dependents of homicide victims
- Foreign citizens
- Danish citizens victimized in a foreign country

Procedures
The victim must report the crime to the police. The claimant must then file an application for compensation with the police or send it to the concerned authority called as Naevnet vedrorende erstatning til ofre for forbrydesler at the specified address. The length of time it takes for the claimant to be notified of the program's decision depends on the case, but the earliest is 4 weeks. After a decision is made, it will take 14 days for a claimant to receive compensation.

Benefits & Award Limits
There is no maximum award limit.

Compensable Costs
- Medical expenses
- Mental health
- Lost wages for disabled or incapacitated victims
- Lost support for dependents of victims
- Funeral expenses
- Travel expenses
- Rehabilitation for disabled victims
- Clothing worn or personal effects carried by the victim at the time of the crime — up to 1,000 Danish Kroner

Emergency Awards
The program does not provide emergency compensation awards.
Funding Sources
The program is funded by State appropriations.

5. Finland
Finland has a crime victim compensation program to provide financial compensation to victims of violent or personal crime.

Eligibility Requirements
Report to Police : No time limit.
Filing Period : 10 years; exceptions are made.

Claimants
-Victims of crime
-Dependents of victims of crime
-Foreign citizens
-Citizens of Finland victimized in a foreign country

Procedures
A crime victim may obtain an application from the State Treasury, the police, or local offices of the Social Insurance Institution. Abroad, applications are normally available at Embassies and Consulates of Finland. The application should be sent either directly to the State Treasury or to any local office of the Social Insurance Institution. It will take 6 months, on an average, for a victim to receive notification of the program's decision. Compensation is paid immediately after the decision is made.

Benefits & Award Limits
The maximum awards in Finnish Marks are:
Personal injury : 270,000
Property damage : 135,000
Loss of income: Finnish Marks 660 a day

**Compensable Costs**
- Medical expenses
- Mental health
- Lost wages for disabled victims
- Lost support for dependents of homicide victims
- Funerals
- Any clothing, articles for daily use, spectacles, and dental plates damaged by the crime
- Litigation expenses to recover compensation from the offender

**Emergency Awards**
The program does not offer emergency compensation. However, the Act obliges the State Treasury to pay advance compensation where the applicant's right to compensation is evident and the decision is delayed.

**Funding Sources**
The program is funded by the State.

**6. France**
France has a crime victim compensation program to provide financial compensation to victims of violent or personal crimes.

**Eligibility Requirements**
**Report to Police:** Yes.

**Filing Period:** Within 3 years after the crime, or 1 year after the last decision of justice. Within 10 years for terrorist acts.
Victims of Terrorist Acts

Full compensation is payable in respect to personal injury or death caused by an act of terrorism which occurred either on French soil or, in the case solely of French nationals, outside France.

Claimants
- Victims of crime
- Dependents of victims
- Foreign citizens
- Victims of terrorism
- French nationals who are victimized in a foreign country

Procedures

The victim must report the crime to the police. The claimant must file an application with the Fonds de Garantie (compensation fund), with the National Insurance, and with the Department of Civil War Veterans. S.O.S. Attentats help claimants complete application forms.

Benefits & Award Limits

There is no maximum award limit.

Compensable Costs
- Medical and mental health expenses
- Lost wages
- Loss of support
- Funeral expenses
- Pain and suffering
- Disfigurement
- Any clothing, spectacles, and dental damages
- Physical therapy
- Vocational rehabilitation
-Rehabilitation for disabled victims
-Services to replace work in home previously performed by the victim

Emergency Awards
The victim receives an advance in a minimum of 2 days and a maximum of 1 month.

Funding Sources
The program is funded by tax revenue.

7. Hong Kong
Hong Kong has a crime victim compensation program to provide financial compensation to victims of violent or personal crime.

Eligibility Requirements
Report to Police: Yes; no time limit.
Filing Period: Within 2 years from the date of the crime.

Claimants
-Victims of crime who suffer serious injuries
-Dependants of deceased victims

Procedures
The victim must report the crime to the police, and the police must confirm the victimization. A claimant can obtain an application from the Board's office or police station. The claimant should sign the application and send it to the Criminal and Law Enforcement Injuries Compensation Boards at the above address. The time necessary to process an application depends upon how promptly the needed information can be supplied by relevant sources. Decisions are rendered by the Compensation Board, and applicants will be notified in writing.
Benefits and Award Limits
Compensation will be based on the same rates of compensation as are paid under the Emergency Relief Fund. The maximum awards are as follows:

Burial Grant: HK$10,700
Death Grant: From HK $84,000 to HK$119,000
Disability Grant: Up to HK$100,800
Injury Grant: From HK$504 up to HK$41,770
Interim Maintenance Grant: Up to HK$7,000 per month for 6 months.

Compensable Costs
-None. The program provides the above lump sum grants.

Emergency Awards
-In the event of homicide, payment may be ordered for funeral expenses to be made expeditiously in case of need and urgency.

Funding Sources
The program is funded by the National Expenditure.

8 Israel
Israel operates a program to provide financial compensation to victims of terrorism. Foreign national victims are eligible for compensation under the scheme. Israel does not currently have a program for compensating victims of violent or personal crime.

Eligibility Requirements
Report to Police: Yes; within 1 year.
Filing Period: Within 1 year after the terrorist act.

Claimants
-Victims of crime
- Dependents of victims
- Foreign citizens

**Procedures**
The victim must file an application with the National Insurance, Department for Victims of Violence. Applications may be obtained from any branch of the National Insurance and may be sent to any branch for processing.

**Benefits & Award Limits**
The maximum award for funeral expenses is NJ $4400 unless the victim is a foreign citizen and is buried abroad in which case the maximum is U.S. $1,300. Other compensation is case specific.

**Compensable Costs**
- Medical expenses
- Rehabilitation
- Pension for disabled victims
- Lost wages or support
- Rest and recreation allowances
- Funeral expenses
- Replacement services

**Emergency Awards**
Emergency or expedited claims are handled on a case-by-case basis.

**Funding Sources**
The program is funded by general appropriations.

9. **Italy**
Italy operates a program to provide financial compensation to victims of terrorism or organized crime. Foreign national victims are eligible for compensation under
the scheme. Italy does not currently have a general scheme for compensating victims of violent or personal crime.

Eligibility Requirements
Report to Police: Yes.
Filing Period: Within 3 years after the crime; 1 year after the last decision of justice; within 10 years for terrorist acts.

Victims of Terrorist Acts
Full compensation is payable with respect to personal injury or death caused by an act of terrorism which occurred either on Italian soil or, in the case solely of Italian nationals, outside Italy.

Claimants
-Victims of crime
-Dependents of victims
-Foreign citizens

Procedures
The victim must report the crime to the police and provide details of the date, place, and resulting injuries and losses of the crime. The claimant then must "apply" for compensation, although application forms do not exist. Victim Support Schemes help to explain the procedures and conditions of presenting a demand and obtaining compensation. The prosecutor may decide to try a Penal Mediation. In the case of injuries or property crimes with small prejudices, Penal mediation may help the victim to obtain compensation from the offender without a trial.

Benefits & Award Limits
There is no maximum award limit.
Compensable Costs
Criminal injuries
Entire compensation for all prejudices supported by victims and their family
Property crimes (condition of resources)

Emergency Awards
The program does not provide for emergency compensation awards.

Funding Sources
The program is funded by State appropriations.

10. Japan
Japan has a crime victim compensation program to provide financial compensation to victims of violent or personal crime.

Eligibility Requirements
Report to Police: Yes; no time limit.
Filing Period: Within 2 years from the day the applicant recognizes the crime, and within 7 years from the day the crime is committed.

Claimants
-Victims of crime who suffer serious injuries
-Dependants of deceased victims if they legally reside in Japan
-Foreign citizens if the victim was a legal resident of Japan when the crime occurred

Procedures
The victim must report the crime to the police, and the police must recognize the victimization. A claimant can obtain an application from any police station or Prefectual Police Department. The claimant should send the application to the Prefectual Public Safety Commission through the police station or the Prefectual Police Department that has jurisdiction over the address of the claimant. It takes
approximately 5 months for the applicant to be notified of the decision, and it takes approximately 2 more weeks for the applicant to receive the benefit.

**Benefits and Award Limits**
The maximum awards in Yen:
(a) **Bereaved Family Benefit**: 10,790,000;
(b) **Incapacity Benefit**: 12,730,000

**Compensable Costs**
None. The program provides the above lump sum awards.

**Emergency Awards**
If the program cannot quickly render the judgment because the offender is unknown or the degree of disability is unclear, the program offers the provisional benefit to the applicant.

**Funding Sources**
The program is funded by the National Expenditure. For bereaved children, scholarships are available through the Crime Victims' Relief Fund.

11. **Luxembourg**
Luxembourg has a crime victim compensation program to provide financial compensation to victims for losses resulting from personal crime. Compensation will only be granted when adequate financial compensation cannot be obtained from other sources such as the social security system, personal insurance, or the perpetrator.

**Eligibility Requirements**
*Report to Police*: As soon as possible, but within 1 year.
*Filing Period*: Within 1 year; exceptions are made.
Claimants
- Citizens of Luxembourg who are victims of crime
- Dependents of homicide victims
- Luxembourg citizens victimized in a foreign country

Procedures
The victim must report the crime to the police. The victim must send or present a letter requesting compensation with the Ministry of Justice of Luxembourg or may first contact the concerned authority called as Service D'Accueil et D'Information Juridique. The Ministry forwards the letter to a Commission, who will contact the victim for additional information. The commission makes recommendations to the Minister of Justice who makes the final decision on granting compensation and the amount of the award. The length of the process is indeterminate.

Benefits & Award Limits
The maximum award limit Luxfrs 2,000,000 (U.S. $ 7,000).

Compensable Costs
- Medical expenses
- Mental health
- Lost wages for disabled or incapacitated victims
- Funeral expenses
- Family home aid for disabled victims

Emergency Awards
The program may grant partial compensation awards prior to a final judgment if the victim can prove urgent financial need.

Funding Sources
The program is funded by general appropriations.
12. Netherlands
The Netherlands has a crime victim compensation program to provide financial compensation to victims of violent or personal crime.

Eligibility Requirements
Report to Police: Within 3 years; exceptions are made.
Filing Period: No time limit.

Claimants
-Victims of crime who suffer serious injuries
-Dependants of homicide victims
-Foreign citizens

Procedures
A claimant can obtain a compensation application, by phone or mail, from the concerned authority called as Schadefonds Geweldsmisdrijven. The duly filled application should be sent there as well. It takes approximately 17 months for a claimant to receive notification of the program's decision. Compensation will be received 4 weeks after notification.

Benefits & Award Limits
The maximum awards in Gilders:
(a) Material damage: 50,000
(b) Immaterial damage (not for dependents of deceased victims): 20,000

Compensable Costs
-Medical expenses
-Mental health
-Lost wages for disabled victims
-Lost support for dependents of homicide victims
-Funerals
- Travel
- Rehabilitation for disabled victims
- Services to replace work in the home previously performed by the victim
- Removal expenses
- Legal aid
Any other expense reasonably related to the injury

Emergency Awards
The program makes emergency awards when the request meets all of the eligibility conditions (except the exact extent of the damage), and when a good reason for expedition exists.

Funding Sources
The program is funded by the national government and the Department of Justice.

13. Norway
Norway has a crime victim compensation program to provide financial compensation to victims of violent or personal crime.

Eligibility Requirements
Report to Police: As soon as possible; exceptions are made.
Filing Period: No time limit.

Claimants
- Victims of crime
- Dependents of homicide victims
- Foreign citizens
- Citizens of Norway victimized in a foreign country

Procedures
A claimant can obtain an application form from the Police Station, the Chief Administrative Officer of the county, or the Ministry of Justice. The duly filled-
up application should be sent to the Chief Administrative Officer of the County. The claimant will receive notification of the program's decision between 2 weeks and 6 months, dependent on whether a complaint is forwarded. Compensation is received between 1 day and 3 weeks. This decision can be appealed to an independent committee of three persons, appointed by the government, which is the final decision maker.

**Benefits & Award Limits**
The maximum award in Krones is 200,000.

**Compensable Costs**
- Medical expenses
- Mental health
- Lost wages for disabled victims
- Lost support for dependents of deceased victims
- Funerals
- Travel
- Rehabilitation for disabled victims
- Services to replace work in the home previously performed by the victim

**Emergency Awards**
The program may give a prepayment if the award decision is delayed due to no fault of the claimant, and it would be reasonable to do so.

**Funding Sources**
The program is funded through tax revenue

**14. Philippines**
The Philippines has a victim compensation program to provide financial compensation to victims of violent or personal crime.
Eligibility Requirements

Report to Police: Yes; no time limit.
Filing Period: Within 6 months of the crime.

Claimants
Victims of crime
Dependents of homicide victims
Foreign citizens

Procedures
A claimant can obtain an application from the Board of Claims through the Justice Department. U.S. citizens in Philippines may obtain applications from the U.S. Embassy in Manila. The Board of Claims is required to render a decision within 30 days. Victims should request copies of all medical records from treating hospitals and physicians.

Benefits & Award Limits
The maximum award in Pesos is 10,000 (U.S. $400).

Compensable Costs
- Medical expenses
- Mental health
- Lost wages
- Lost support for dependents of homicide victims

Emergency Awards
The program does not offer emergency compensation awards.

Funding Sources
The program is funded by the government of the Philippines.
15. Poland
Poland has a crime victim compensation program to provide financial compensation to victims of violent crime.

Eligibility Requirements
Report to Police: Yes.
Filing Period: Within 2 years from the date of the crime.

Claimants
-Victims of crime
-Dependents of victims of crime
-Foreign citizens

Procedures
A crime victim must apply to the Foundation Office. There is no special application form required. Applicants may submit a letter describing their situation along with a court sentence or a document stating that the investigation has been discontinued by the prosecutor.

A police report is not required and is not honored.
Decisions to award or deny an application are issued within a month from receipt of the application.

Benefits & Award Limits
The amount of assistance depends on the economic status of the victim and their range of losses.
-Compensable Costs
-Medical expenses
-Mental health expenses
-Lost wages
-Loss of support
Emergency Awards
No formal emergency program exists. But expedited compensation is paid to children of victims to cover their medical expenses while investigations are underway.

Funding Sources
The program is not run or financed by the Polish Government. Since 1991, it has been operated solely on donations from individuals and institutions.

16. Sweden
Sweden has a crime victim compensation program to provide financial compensation to victims of violent or personal crime.

Eligibility Requirements
Report to Police : Yes; no time limit.
Filing Period : 2 years; exceptions are made.

Claimants
-Victims of crime
-Dependents of homicide victims
-Foreign citizens
-Citizens of Sweden victimized in a foreign country

Procedures
Application forms are available at the local Police Stations, District Courts, the local enforcement service offices, and insurance companies. Applications can also be ordered from the Criminal Victim Compensation and Support Authority. The application must be sent to the Criminal Victim Compensation and Support Authority which is a central agency covering criminal injuries throughout the country. The claimant is notified of the program’s decision within a few days. It then takes another week or two to receive the award.
Benefits & Award Limits
The maximum awards in Kroners:-
(a) **Personal Injuries** : limited to twenty times the basic amount or SEK 704 000.
(b) **Property Damage** : half of the above sum.

Compensable Costs
- Medical expenses
- Mental health
- Lost wages for disabled victims
- Lost support for dependents of deceased victims
- Funerals
- Travel
- Rehabilitation for disabled victims
- Services to replace work in the home previously performed by the victim
- Pain and suffering
- Violation of personal integrity
- Inconveniences resulting from the injury

Emergency Awards
When the victim is in urgent need of medical care, therapy, or has been infected by HIV, an emergency award can be made.

Funding Sources
The program is funded by tax revenue.

17. United Arab Emirates
The United Arab Emirates court system provides financial compensation to victims of violent or personal crime.

Eligibility Requirements
Report to Police: Yes; within 3 years.
Filing Period: No time limit; exceptions are made.

Claimants
- Victims of all violent personal offenses
- Foreign citizens

Procedures
The victim must report the crime to the police within 3 years of its occurrence. The claimant can obtain an application for compensation from the police. The police will then send the case to the G.P. within 48 hours after which it will be sent to the court of hearing. The claimant will receive notification of the court's decision within 1 week. Compensation will be paid within 1 month of the court's decision.

Benefits & Award Limits
There is no maximum award limit.

Compensable Costs
Information regarding compensable costs is not currently available.

Emergency Awards
The program does not offer emergency or expedited compensation awards.

Funding Sources
The compensation program is funded by the federal government.

18. United Kingdom
The United Kingdom (which includes England, Scotland, Wales, and Northern Ireland) has a crime victim compensation program to provide financial compensation to victims of violent or personal crime.
Eligibility Requirements

**Report to Police**: As soon as possible; exceptions are made.

**Filing Period**: Within 2 years; exceptions are made.

**Claimants**
- Victims of crime
- Dependents of homicide victims
- Foreign citizens

**Procedures**
A claimant can obtain an application from police stations, hospitals, CICA, local Victim Support Schemes, Crown Court Witness Service, or local Citizens Advice Bureaus. The completed application should be sent to the CICA. The program's initial decision should be made within 12 months, while reviews and hearings take several months longer. Compensation will be paid as soon as CICA receives notification that the claimant accepts the decision.

**Benefits & Award Limits**
The maximum award in Pounds is 500,000.

- Compensable Costs
- Medical expenses
- Mental health expenses
- Lost wages for disabled victims
- Lost support for dependents of homicide victims
- Funerals
- Travel
- Rehabilitation for disabled victims
- Pain and suffering
- Bereavement
- Loss of parental services
Emergency Awards
Interim payments may be made where a final decision as to the appropriate award is uncertain, for example, when the victim's medical prognosis is unclear.

Funding Sources
The program is funded by the Government/Taxpayers' revenue.

B. Countries where the Compensation to the Victims of Crime is being given by the Offender

1 Austria
Austria has a crime victim compensation program to provide financial compensation to victims of severe crime who have suffered physical/mental injuries.

Eligibility Requirements
Report to police: Yes.
Filing period: 6 months from the month in which the crime occurred for current costs; 2 years for the cost of medical help.

Claimants
-Victims of crime who suffer serious injuries
-Family of homicide victims
-Citizens of EEC countries unless victim is eligible to receive similar compensation in his/her own country

Procedures
The applicant files a claim at any one of the six places called as "Bundessozialaut" located in Austria.
It is required that the applicant provide details of the date and place that the crime occurred, as well as a full list of injuries and losses incurred.

**Benefits & Award Limits**
There is no maximum award limit.

**Compensable Costs** (in Austrian Schillings)
- Medical expenses
- Mental health expenses
- Burial - up to 27,500
- Lost wages
- Lost support
- Assistance for family of victim
- General social aid to foreign citizens
- Travel expenses (summons-related)
- Rehabilitation
- Disabilities

**Emergency Awards**
The program does not provide emergency compensation awards but can be advanced or made available prior to an offender's conviction.

**Funding Sources**
The program is funded through fines imposed on convicted offenders and other sources.

2 **Belgium**
Belgium has a crime victim compensation program to provide financial compensation to victims who suffer serious criminal injuries.
Eligibility Requirements
Report to Police: Yes.
Filing Period: 1 year after the sentence or 1 year after conclusion of the instructing magistrate if the offender is unknown.

Claimants
-Victims who suffer serious criminal injuries except when the result of manslaughter, property crimes, and traffic offenses
-Foreign citizens

Procedures
Victims must report the date, place, and details of the crime to the police. They must also provide the program with a full list of injuries and losses incurred.

Benefits & Award Limits
There is no maximum award limit.

Compensable Costs
- Medical expenses
- Lost wages
- Serious disability

Emergency Awards
The program does not provide emergency compensation awards.

Funding Sources
The program is funded through fines imposed on convicted offenders and other sources.
C. Countries where the Compensation to the Victims of Crime is being given both by the State and the Offender

1 United States
Each of the 50 States in the U.S., plus the District of Columbia and the U.S. Virgin Islands operate a crime victim compensation program to provide financial assistance to victims of violent or personal crime. Each State administers its own program in accordance with its State statute. The U.S. Department of Justice provides supplemental funding and technical support to the States. The following information is generally applicable to all State compensation programs. For specific information regarding individual programs, a list of State programs is provided on the next page.

Eligibility Requirements

Report to Police: Usually within 72 hours; exceptions are made for good cause.
Filing Period: One year is typical; time limits vary from State to State.

Victims of Terrorist Acts
- Compensation is payable for residents and nonresidents who are injured by crimes involving terrorism occurring within the State or, in the case of U.S. citizens, outside of the U.S.

Claimants
- Victims of crime
- Dependents of homicide victims
- Relatives of victims of crime
- Foreign citizens; eligible in most States
Procedures
The claimant must file an application with the compensation agency in the State in which the crime occurred. Based on information submitted by the victim, the agency determines if the claimant is eligible and has suffered a financial loss. In most States, the victim can appeal the agency's decision to deny or reduce the award of compensation.

Benefits & Award Limits
Most States can pay a maximum of between $15,000 and $25,000. A few States have higher or lower maximums.

Compensable Costs
- All States will cover the following:
  - Medical expenses
  - Mental health counseling
  - Lost wages for disabled victims
  - Lost support for dependents of homicide victims
  - Funeral

In addition, many States cover the following:
Travel for medical treatment
Services to replace work previously performed by the victim
Cleaning of homicide scene if a residence
Essential personal property
Rehabilitation

Emergency Awards
Some States provide emergency awards or expedite processing for victims faced with an extraordinary financial or health crisis.
Funding Sources
Most States obtain their funding from fees or charges assessed against offenders. Some States receive appropriations from general revenue. OVC provides supplemental funds from Federal criminal fines.

D. Countries where the Compensation to the Victims of Crime is being given by the State or Offender (specific Information Not Available).

1 Colombia
Colombia operates a compensation program for civilian Colombian citizens who, as a result of any terrorist act, guerrilla attack, combat, or massacre, are personally injured or suffer economic or property losses. Colombia does not currently have a compensation program for victims of other violent or personal crime.

Eligibility Requirement
Report to police: Yes, within 1 year of the incident.
Filing period: Within 1 year of the incident.

Foreign citizen eligibility:
Citizens of foreign countries are not eligible to apply for compensation.

Claimants
-Victims of a terrorist act, guerrilla attack, combat, or massacre
-Dependents of victims of a terrorist act, guerrilla attack, combat, or massacre

Procedures
To receive compensation, the victim must obtain a certification from a competent authority stating the reason the applicant believes she or he is a victim of terrorist violence. Application forms and assistance in applying are available from the
nearest Territorial Unit of the Social Solidarity Network (Redde Solidaridad Social).

**Benefits and Award Limits**
- Compensation is awarded on a case-specific basis.
- Compensable costs
- Medical expenses
- Rehabilitation and transportation expenses
- Replacement or repair of lost or damaged property
- Funeral expenses
- Family housing allowance

**Emergency awards.**
Emergency or expedited claims are handled on a case-by-case basis.

**Funding sources.**
Information not available.

2 Cyprus
Cyprus has a crime victim compensation program to provide financial compensation to victims of violent crime.

**Eligibility Requirements**
**Report to Police**: Within 5 days after the crime.
**Filing Period**: As soon as possible; within 2 years.

**Claimants**
- Victims of crime
- Dependents of homicide victims
- Foreign citizens
Procedures
The claimant must file an application with the Director of Social Insurance. The claimant will receive notification of the program's decision as soon as it is reasonably possible for the Director of Social Insurance to establish eligibility in accordance with the provisions of the law and upon the review of police and medical reports. Temporary disability allowances are paid for a period of 6 months.

Benefits & Award Limits
Compensation is awarded on a case specific basis.
-Compensable Costs
-Medical expenses
-Hospitalization expenses in Public Institutions
-Lost wages
-Disability and Dependents Pension
-Funeral expenses

Emergency Awards
Information not available.

Funding Sources
Information not available.

3 Czech Republic
The Czech Republic has a crime victim compensation program to provide financial compensation to victims of violent crime.

Eligibility Requirements
Report to police: Yes.
Filing period: No later than 1 year following the date of commission of the criminal act.

Claimants
- Victims of crime who suffer physical injury
- Survivors of victims
- Citizens of the Czech Republic, or to stateless persons authorized to reside permanently or for an extended period in the territory of the Czech Republic
- Foreign nationals to the extent provided by a valid international agreement to which the Czech Republic is party

Procedures
The victim must submit an application to the Ministry of Justice.
The Ministry of Justice shall dispense aid within 3 months following submission of the application and appropriate documentation.

Benefits & Award Limits
There is no maximum award limit.

Compensable Costs
- Medical expenses
- Burial
- Lost support
- Emergency Awards
- Information not available.

Funding Sources
Information not available.

4. Germany
Germany has a crime victim compensation program to provide financial compensation to victims of violent or personal crime.

**Eligibility Requirements**

**Report to Police**: Yes.

**Filing Period**: Within 1 year; exceptions are made.

**Claimants**
- Victims of crime
- Dependents of homicide victims
- Foreign citizens; if the crime was committed after June 30, 1990 and the victim has stayed in Germany for more than 3 years
- EU country citizens from reciprocal states

Foreign citizens of the victim are from a country (or state) which has a reciprocal agreement covering German citizens

**Procedures**

The victim must report the crime to the police and provide details of the date, place, and resulting injuries and losses of the crime.

A claimant can obtain an application from Versorgungsamt (war pension office) in almost every large town. Weisser Ring also helps claimants complete the compensation forms. Notification can take approximately 6 months but compensation follows almost immediately.

**Benefits & Award Limits**

There is no maximum award limit.

**Compensable Costs**
- Medical expenses
- Psychological care
- Vocational rehabilitation
- Pensions for disabled victims if victim's earning capacity is reduced by at least 25 percent for 6 months or more.
- Benefits for dependents of homicide victims
- Physical therapy
- Funeral expenses
- Lost support for dependents
- Services to replace work in the home previously performed by the victim

**Emergency Awards**
The program does not provide emergency compensation awards.

**Funding Sources**
Information not available.

5 Portugal
Portugal has an official program available for compensation and assistance to victims of crime. It is managed by a committee, namely, comissao De Proteccao as Victims De Crime Violento, coordinated by the Portuguese Ministry of Justice.

**Eligibility Requirements**
**Report to Police:** Yes; no specific time limit.
**Filing Period:** 1 year after the crime.

**Claimants**
- Victims of crime
- Dependents of victims of crime
- Foreign citizens
- Portuguese citizens victimized in a foreign country if compensation was not available.
Procedures
There is no specific application form required. A claim may be filed by sending a letter that explains the facts surrounding the crime and the victimization. A statement reflecting the amount of compensation requested should be included with the letter. The letter should be directed to the Portuguese Ministry of Justice at the above address.

The committee must conclude their investigation and forward a recommendation to the Ministry for a final decision.

Benefits & Award Limits
The maximum awards in Portuguese Escudos is 4,000,000.00 (U.S. $23,500)

Compensable Costs
- Medical expenses
- Lost wages
- Lost support for dependents of victims
- Funerals
- Rehabilitation for disabled victims

Emergency Awards
The program offers expedited or emergency compensation on a case-by-case basis.

Funding Sources
Information regarding funding for the Portuguese compensation programs was not available.
Republic of Ireland

The Republic of Ireland has a crime victim compensation program to provide financial compensation to victims of violent or personal crime.

Eligibility Requirements

Report to Police: Yes; exceptions may be made.

Filing Period: Within 3 months of the crime; exceptions may be made.

Claimants

- Victims of crime
- Foreign citizens

Procedures

The victim must report the crime to the police and provide details of the date and place that it occurred as well as a full list of injuries and losses suffered.

A claimant can obtain an application from the Criminal Injuries Compensation Tribunal.

Benefits & Award Limits

There is no maximum award limit.

Compensable Costs

- Medical expenses
- Loss of earnings
- Travel expenses
- Lost support (for dependents of victims)
- Funeral expenses
- Rehabilitation for disabled victims
- Services to replace work in the home previously performed by the victim

Emergency Awards

The program does not provide emergency awards.


8 Spain
On December 11, 1995, Spain passed a law initiating a victims' compensation and assistance program to provide financial compensation to victims of violent crimes that are committed in Spain and which cause serious bodily or mental injuries. The law provides for the establishment of a National Commission on Aid and Assistance to Victims of Violent Crimes and Crimes Against Sexual Freedom.

Eligibility Requirements
Report to Police: As soon as possible; exceptions are made.
Filing Period: Within 2 years; exceptions are made.

Victims of Terrorist Acts
Compensation is payable for physical and psychological injuries that are the result of crimes committed by an armed gang or terrorist organization.

Claimants
-Victims of crime
-Dependents of homicide victims and persons who have been living permanently with the deceased for 2 or more years.
-Foreign citizens (only when the country of nationality provides similar assistance to Spanish nationals)

Procedures
Petitions for assistance will be filed with the Ministry of Economy and Finance as soon as the compensation program is fully established. Decisions to award compensation shall be made after a hearing and after considering the report by the
Legal Services of the State, which shall participate in the processing of these cases.

**Benefits & Award Limits**
There is no maximum award. The amount of assistance shall in no event exceed the compensation determined in the court judgment.

**Compensable Costs**
- Medical expenses
- Mental health expenses
- Lost wages for disabled victims
- Lost support for dependents of homicide victims
- Funerals

**Emergency Awards**
Provisional assistance may be granted before a final court decision provided the precarious situation of the victim or his beneficiaries has been substantiated.

**Funding Sources**
Information regarding funding is not currently available.

**9 Switzerland**
In October 1991, the Swiss Government enacted the Federal Law on Crime Victims Assistance to be implemented at the Cantonal (State) level. The federal law sets forth general guidelines for crime victims assistance and calls for the establishment of local Counseling Centers. Crime victims must seek compensation and assistance through the Counseling Center in the state where the crime was committed. Each state establishes its own guidelines as to the amount and kind of compensation to be awarded.

**Eligibility Requirements**
Report to Police: Yes
Filing Period: Within 2 years.

Claimants
-Victims of crime
-Dependents of homicide victims
-Foreign citizens
-Swiss citizens victimized in a foreign country that does not have a compensation program.

Procedures
Applications must be filed with the Counseling Center in the canton (state) where the crime occurred.

The federal law provides for income limits unless the crime is particularly severe. If a victim's income is under the amount for social security and disability, the victim receives full compensation. If it is more than the amount, the victim's award is reduced.

Benefits & Award Limits
The amount of compensation available varies from state to state.

Compensable Costs
-Medical expenses
-Psychological care
-Lost wages
-Funerals

Emergency Awards
Crime victims can receive an advance if the victim needs immediate assistance.

Funding Sources
Information regarding funding for the Swiss compensation programs was not available at the time this directory was published. The aforesaid provisions for the payment of compensation to the victims of the crime have been tabulated and the same is appended at Annexure-A.

The salient features of these schemes prevailing in foreign countries are given below:-

(i) In most of the crime victims compensation programme of different countries cover the victims of violent crimes, personal crime, who suffer serious physical/mental injuries for their compensation. In addition to it, compensation programme of some countries like Italy and Colombia provide compensation to the victims of terrorist and guerrilla attacks, combat or massacre.

(ii) The claimants under crime victim compensation programme of different countries are not only the victims of crime but also their dependents relatives. Foreign citizen could also become the claimants for compensation.

(iii) The compensation is provided for medical expenses, mental health counseling, lost of wages, funeral, travel expenses, loss of enjoyment of life, rehabilitation for disabled victims and loss of support for dependents of deceased victims.

(iv) The limit of compensation to the victims of crime varies from country to country depending upon the nature of crimes and extent of victimization under different types of crimes.

(v) In most of the countries funds for compensation to the victims of crime are provided by the state themselves. In Poland, the funding is being provided for compensation to the victims by donations from individuals and Institutions. While in Austria and Belgium, the compensation is being realized from the fine imposed on convicted offenders and other sources.
(vi) In most of the countries the time limits for filling petition for compensation is one year. While in Denmark, Hong Kong, Japan, Poland, Sweden, U.K., Spain and Switzerland, the time limit is two years.

(vii) Most of the countries also provide emergency compensation to victims of crime except Italy, Denmark, Finland, United Arab Emirates (UAE), Austria, Belgium and Republic of Ireland.

Crime-victim compensation programme shows that out of about 200 countries in the world there are 29 countries in which the victim compensation scheme are prevalent, as culled out from the details posted on the websites of different countries. The amount of compensation varies from a very modest sum to unlimited amount depending upon the injuries sustained by the victim. All these countries where the victim compensation scheme are prevalent are not the most populous countries of the world like, China, USSR, Pakistan, Bangladesh, Egypt etc.