

New Act relating to compensation from the Norwegian State for victims of violent crime (Compensation for Violent Crime Act) enters into force on 1 January 2023

The new Act will result in changes which may impact persons who are victims of violent crime and their right to receive compensation for violent crime. Among other things, changes have been made to the requirements as to where a violent offence has occurred, the violent offences for which compensation can be awarded and when the time limit for applying for compensation expires. This entails that persons who have been subjected to a violent offence, but who have not yet applied for compensation should review what the changes will entail for them, and whether or not it is necessary to apply for compensation before 1 January 2023 in order to be entitled to compensation from the Norwegian State.

The Norwegian Criminal Injuries Compensation Authority can be contacted for questions regarding the Act and compensation for violent crime, generally. The Criminal Injuries Compensation Authority has the following contact information:

Email: post@voldsoffererstatning.no

Phone: 78 98 95 00

Below are most important changes that may impact your case:

When do you have to apply?

Under the new Act, it is no longer necessary to apply for compensation for violent crime when the court has awarded compensation in a criminal case. However, you must submit a claim to the Criminal Injuries Compensation Authority for disbursement of the compensation for violent crime no later than six months after pronouncement of a legally enforceable judgement. This entails that if, on 1 January 2023, it has been more than six months since the court awarded you compensation, your right to compensation will cease to apply. If this applies to you, and you are seeking to compensation for violent crime, you must submit an application before 1 January 2023.

If your claim for compensation has not been considered in a criminal case before the courts, and you are nevertheless seeking compensation for violent crime, you must, under the new Act, apply for compensation for violent crime within one year after the criminal case was decided with final effect. This entails that if, on 1 January 2023, more than one year has passed since a final decision was made in the criminal case, and you are seeking compensation as a victim of violent crime, you must submit an application before 1 January 2023.

When must the violent offence have occurred?

The new Act applies to offences that have occurred while both the perpetrator and the victim of violent crime were present in Norway. It also applies to criminal offences committed abroad, but where the victim of violent crime was residing in Norway and a Norwegian court has made a decision in the criminal case. This entails that a person who has been subjected to violence who is residing in Norway is not entitled to compensation for violent crime when the offence has exclusively occurred abroad and the criminal case has also not been heard by a Norwegian court. Under the current Act, a person who has been subjected to violence who is residing in Norway may, in exceptional circumstances, be awarded compensation for violent crime for offences committed abroad. If this applies to you, and you are seeking to compensation for violent crime, you must submit an application before 1 January 2023.

What violent offences form grounds for compensation?

Under the new Act, persons who have been subjected to violence are no longer required to substantiate a claim that the person concerned has incurred an injury as a result of the violent offence. If you have been subjected to an offence that is mentioned in the Act, you will be entitled to compensation. Survivors of persons who have been subjected to an offence mentioned in the Act may also be entitled to compensation for violent crime under the new Act.

The following violent offences mentioned in the 2005 Norwegian Penal Code and corresponding offences in the 1902 Penal Code, are covered by the new scheme for compensation for violent crime:

Terrorist acts	Section 131	Slavery	Section 259	Genital mutilation	Section 284	Aggravated sexual assault on a child under 14 years of age	Section 301
Aggravated terrorist acts	Section 132	Aggravated threats	Section 264	Aggravated genital mutilation	Section 285	Sexual activity with a child between 14 and 16 years of age	Section 302
Aggravated violence, aggravated threats or aggravated vandalism against public officials	Section 155 a	Aggravated physical assault	Section 272	Sexual assault	Section 291	Aggravated sexual activity, etc. with a child between 14 and 16 years of age	Section 303
Coercion	Section 251	Bodily harm	Section 273	Aggravated sexual assault	Section 293	Sexual act with a child under 16 years of age	Section 304
Aggravated coercion	Section 252	Aggravated bodily harm	Section 274	Grossly negligent sexual assault	Section 294	Sexually offensive conduct, etc. directed at a child under 16 years of age	Section 305
Forced marriage	Section 253	Homicide	Section 275	Abuse of unequal power relationship, etc.	Section 295	Incest	Section 312
Aggravated deprivation of liberty	Section 255	Negligent causing of death	Section 281	Sexual activity with inmates, etc. in an institution	Section 296	Sibling incest	Section 313
Human trafficking	Section 257	Abuse in close relationships	Section 282	Sexual act performed without consent	Section 297	Sexual activity between other closely connected persons	Section 314
Aggravated human trafficking	Section 258	Aggravated abuse in close relationships	Section 283	Sexual assault on a child under 14 years of age	Section 299	Aggravated robbery	Section 328

This entails that if you have been, or are the survivor of a person who has been subjected to an offence that is not mentioned above, and you may be entitled to compensation for violent crime under the current Act, you must submit an application for such compensation before 1 January 2023 if you wish to receive compensation for victims of violent crime.

