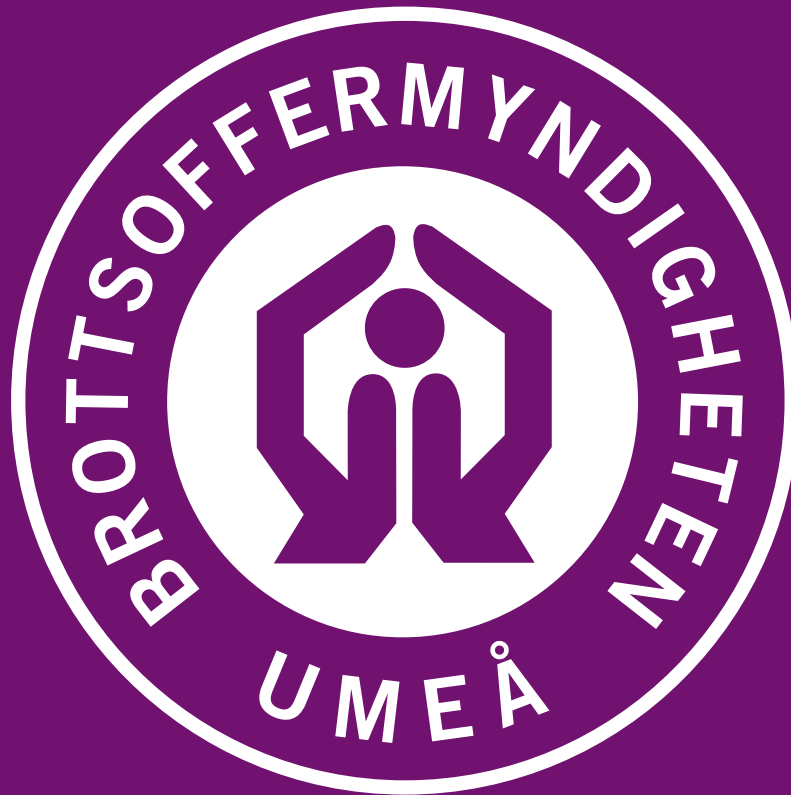


THE CRIME VICTIM COMPENSATION
AND SUPPORT AUTHORITY

SWEDEN



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THE CRIME VICTIM COMPENSATION AND SUPPORT AUTHORITY

The main aim of the Crime Victim Compensation and Support Authority is to work reparatively by serving the needs and interests of crime victims to minimise the damage caused by criminal acts. The authority has national responsibility for the following three areas:

- **Criminal Injuries Compensation (Brottsskadeersättning)**

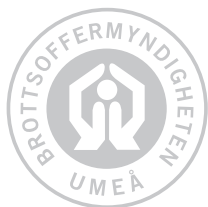
If the offender is unable to pay the damages, and if there is no insurance to cover the damages, the victim may be entitled to criminal injuries compensation from the state (Brottsskadeersättning). This may also be the case when the offender is unknown. Criminal injuries compensation is primarily intended for personal injury and violation of personal rights.

- **The Crime Victim Fund (Brottsofferfonden)**

The resources of the fund are made available to both non-governmental organisations (NGOs) and public bodies that provide help to victims of crime, as well as for research in the victimological sphere. The fund is mainly financed through a special fee of 500 SEK (about 55 Euro) which everyone convicted of a crime punishable by imprisonment must pay. The fund annually grants around 30 million SEK (about 3 265 000 Euro).

- **Centre of Competence (Kunskapscentrum)**

The authority is responsible for gathering and distributing information and results of research with a view to improving the way in which victims of crime are cared for and treated. This is done, for example, by sending information to authorities, non-governmental organisations and victims of crime. The authority also organises courses, seminars and arranges training for groups. Furthermore, the authority is running a number of projects in order to develop crime victim work in Sweden.



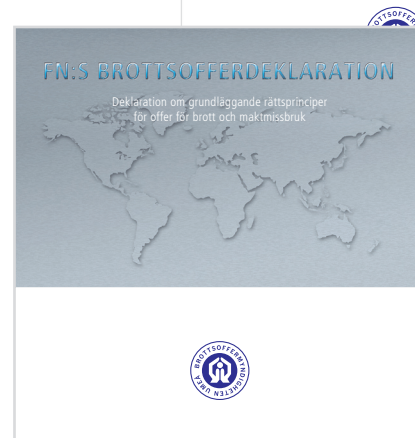
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CRIME VICTIMS

The word crime victim did not exist in the Swedish language until 1970. Of course, before then criminal acts had injured people, thus creating victims. In spite of this, it is only during the last decades that crime victims and their needs have been made visible. The women's movement has been one of the most driving forces and has pointed out the imbalance between society's efforts for offenders and the efforts made for victims. The demands for reforms for the benefit of victims of crime have gradually achieved public support, both nationally and internationally. The UN declaration on basic principles of rights for victims of crime and abuse of power, often called the Crime Victim Declaration, which was adopted by the General Assembly in 1985, is one of many examples of this.

The word crime victim is much discussed. It is often used with reference to a person subjected to a crime. The UN declaration also includes the victim's relatives. In Sweden too, there has been a certain move in this direction by granting close relatives of homicide victims a legal right to receive compensation if the death has caused psychological injury. There is reformation work in progress to give children who have witnessed violence in their family relations a stronger position as crime victims. In common law, children who have witnessed severe violence towards close relatives are more and more looked upon as an injured party, since they are considered to have been subjected to psychological assault. The legal term injured party is defined in Swedish law as "the one towards whom a criminal act is directed or who has been offended by or suffered damage through the act".

A clear acknowledgement of the importance of giving attention to crime victims is the establishment of the Crime Victim Compensation and Support Authority in 1994.



CRIMINAL INJURIES COMPENSATION

Someone who has been subjected to a criminal act may be entitled to criminal injuries compensation which is financed by tax revenue. One condition is that the crime must have been reported to the police; another condition is that other possibilities to receive compensation for the damage have been exhausted.

How to receive compensation

Firstly, one must try to receive compensation from the offender. At the same time as a report to the police is made, one should notify the police that a compensation claim will be made towards the offender and the prosecutor will present the claim during the court process. If the offender is found guilty and the court also orders the offender to pay damages, the court is obliged to send a copy of its decision to the Local Enforcement Agency in the place where the offender lives. The Local Enforcement Agency then offers to assist the claimant to collect the damages on his/her behalf. This service is provided free of charge for the claimant.

If the offender is unknown, or when the offender lacks any possibility of paying the damages, the next step is to examine whether any insurance policy may cover the damage. It might be the household insurance policy, a collective or individual accident insurance or insurance through membership in a union. If one is subjected to a crime while exercising one's profession, there is often a chance of compensation through a labour market insurance scheme.

If there are no insurances covering the damage, or if the insurance policy only covers part of the damage, the crime victim may have right to criminal injuries compensation. In that case, a special form, provided by the Crime Victim Compensation and Support Authority, must be filled in. The application must be sent to the authority within two years from the conclusion of the legal process, i.e. from the date on which the police or prosecutor decided to cancel the preliminary investigation or the court's decision was given. If no preliminary investigation was initiated, the two years count from the day when the crime was committed. When there are exceptional circumstances, the Crime Victim Compensation and Support Authority has the right to review an application even if it has been filed too late. This is mostly used for children when the

custodian has not acted for the children's right to criminal injuries compensation, or for persons whose trustee has been negligent about this.

Damage which is compensated

Criminal injuries compensation is primarily intended for personal injuries or violation of personal integrity. Compensation for personal injury as a consequence of crime may be paid out for medical costs and psychotherapy, as well as other costs which the victim or a close, supportive relative has had. Compensation may also be paid for loss of income. Further compensation may be paid for physical or psychological suffering of temporary character (pain and suffering), or of permanent character (disfigurements or other permanent disabilities), and substantial difficulties at work, or other specific inconveniences caused by the injuries, which led to permanent disabilities.

If one is subjected to certain crimes, one may also have the right to compensation for violation of personal integrity. The crime must be considered as being a serious violation of someone's person, freedom, peace or honour. Together with the Supreme Court, the authority governs the praxis of the compensation levels for violation of personal integrity. The authority's levels of compensation have made a great impact on judicial custom. In 1999, the authority's decisions on raised compensation levels led to a rise in the standard level of compensation for violation of personal integrity caused by rape from 50 000 SEK (about 5 400 Euro) to 75 000 SEK (about 8 150 Euro). In 2001, the standard level of compensation to children subjected to serious sexual assault was set to at least 150 000 SEK (about 16 300 Euro). The authority's praxis is published in a report (Referatsamling), and in the Newsletter as well as on the homepage.

The possibilities of receiving compensation for loss of or damage to property, for example by theft, or purely financial loss, for example by fraud, are very limited. Such compensation will normally only be paid if the offender, when the crime was committed, had escaped or was on leave from prison or a home providing care for juvenile offenders or a police arrest cell. Otherwise, compensation for loss of/damage to property or purely financial loss will only be paid in cases where there are particularly



distressing circumstances. The Crime Victim Compensation and Support Authority will review when this is the case.

More and more applications

The authority receives more and more applications for criminal injuries compensation. The increase may be a result of the authority's information on the right to compensation being spread efficiently.

PAID CRIMINAL INJURIES COMPENSATION (,000 SEK)

Year	Personal injuries	Damaged property/ Financial loss	Total
2001	79 726	400	80 126
2002	84 236	557	84 793
2003	83 733	231	83 964
2004	94 626	380	95 006
2005	87 530	172	87 702

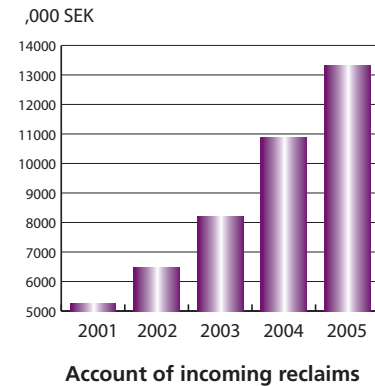
Service

When an application for criminal injuries compensation has been sent to the authority, a letter of confirmation is sent to the applicant. In the letter, information on a number of matters is given, for example the name and telephone number to the lawyer who is handling the case. Furthermore, the authority provides a telephone help-line during office hours, where lawyers give answers to all kinds of questions about compensation claims, criminal injuries compensation, possibilities of support and assistance, the criminal justice process, and many other issues concerning crime victims. This possibility to talk to a trained person and get quick answers is highly appreciated. The staff receives about one hundred calls a day from crime victims, their close relatives, lawyers and other persons in the judicial system as well as from non-governmental organisations.

Reclaim department

When criminal injuries compensation is paid to the victim, it also means that the authority takes over the right to claim compensation from the offender up to the

sum paid by the authority. Thus, as is the case when insurance companies have paid compensation for damages, the authority has the right to reclaim the paid sum from the offender. In almost all cases where the offender is known, the authority sends demands for reclamation. This is done even if one of the conditions to receive criminal injuries compensation is that the offender is unable to pay the damages. It is usually the case that many of the offenders lack any real possibility of paying. Over the years, the reclaim department at the authority has presented increasing results. This shows that there are possibilities to reclaim damages from the offenders, even if the repayment schedule often cannot start until the debtor's economical situation has improved. In many cases the repayment time will also be of long duration.



THE CRIME VICTIM FUND

The purpose of the Crime Victim Fund is to provide economic support to different activities aimed at improving the situation for crime victims. These activities vary from small information leaflets to extensive research. The main aim is to improve the situation for crime victims in general through better knowledge and understanding. Around 30 million SEK (around 3 265 000 Euro) each year is channelled through the fund and, in total, around 210 million SEK (around 22 845 000 Euro) has been granted to different activities.

The authority has been commissioned by the government to give special priority to activities focusing on battered women, children and young people, and on victims of racist, xenophobic, anti-Semitic, Islam-phobic or homophobic crimes.

The fund is mainly financed by offenders. All offenders convicted for an offence punishable by a prison sentence are liable to pay a special fee of 500 SEK to the fund. This constitutes a specific legal requirement which is applied

THE DEVELOPMENT OF THE CRIME VICTIM FUND

Year	Received applications	Granted applications	Sum of granted means (SEK)
2001	503	311	21 692 757
2002	650	356	22 363 422
2003	669	411	25 386 950
2004	702	419	29 479 750
2005	672	415	29 596 185

over and above sanctions. Also, sentenced offenders employing electronic monitoring have to pay a sum every day during the time the supervision is carried out, the maximum amount being 6 000 SEK. The fund is also open for donations from the public, organisations and companies. Gifts can be sent to the fund's bank giro 5319-6879, and every gift is acknowledged with a thank-you card.

Money is channelled twice a year. Application times are April I and October I.

Non-governmental organisations and researchers have been the most frequent applicants for means from the fund. It is important to state that the means of the fund can be used for development and experimental activities, as well as for educational programmes directed towards several professions. In this way, the fund contributes to more active co-operation in crime victim issues.

By means of financial contribution from the fund, at least one project focusing on crime victims is going on in almost every town in the country. Due to good results, many of the projects have become financed by other institutions or become integrated into ordinary daily work. The education and information measures which have been financed through means from the fund have contributed to a sharper focus on the situation of crime victims. These measures have increased the level of knowledge on different reactions to being subjected to a crime, e.g. that repeated exposure to crime will result in a more difficult recovery from a crisis reaction, and how domestic violence

leads to a destructive normalisation of the violence for both the perpetrator and the victim. This knowledge has led to an increased respect for and an improved reception of crime victims in the legal process and the public authorities, and strengthened the non-governmental organisations' expertise. Many of the projects have attracted media attention which in turn has led to an increased debate on and public awareness of crime victim issues, at both local and national levels.

The Crime Victim Compensation and Support Authority has founded a yearly award of distinction for crime victim work. The prize consists of an honourable mention and a sum of money. To encourage young students to take an interest in crime victim issues and to stimulate research work, the authority also



regularly arranges a competition for papers on the theme “Focusing on crime victims”. The papers must be at least at C-level and have crime victims as the main topic. The three top papers are rewarded with a prize given at a small ceremony. The Crime Victim Fund has also founded a national pedagogical prize which will be given to a university teacher or researcher who has distinctly introduced or made visible a crime victim perspective in his or her work.

Nowadays, the fund also contributes to permanent activities at crime victim NGOs. The fund is for example the biggest financier for The Swedish Association for Victim Support and contributes to all local Victim Support centres. The fund has also played a major role in the establishment of witness support activities in the courts of Sweden.

It must also be said that the fund has contributed in a vital way in raising the importance of having a crime victim perspective in general. Furthermore it has raised the awareness of and knowledge about crime victim groups which previously have not received any attention. The Crime Victim Fund and ongoing projects are presented on the authority’s homepage and in the Newsletter which is distributed three times a year.



CENTRE OF COMPETENCE

Through the experiences and knowledge from all the applications for criminal injuries compensation as well as from different projects financed through the Crime Victim Fund, the authority has gained a unique competence which is important for its reach-out work.

The authority runs active and extensive information campaigns about crime victim issues. The overall ambition is to reach individual crime victims and to educate public institutions working with problems related to crime victims, and to give the general public a broader understanding of reactions to crime.

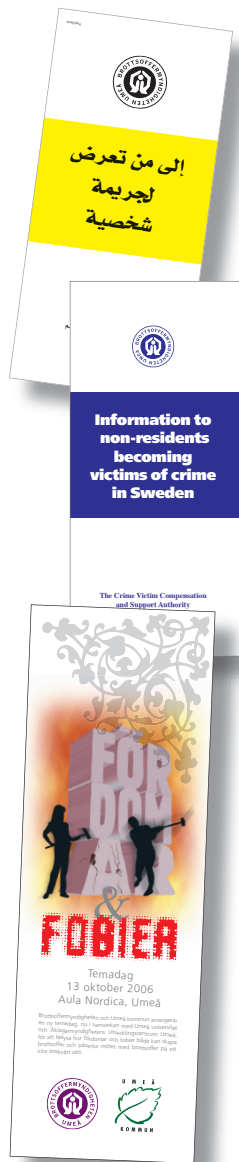
The authority publishes a range of information material, folders, leaflets and reports mostly in Swedish but also in other languages. Most importantly, all the material is

available on the authority's homepage. The authority is also creating a special library with both Nordic and international literature on victimology. The library also contains films and a unique collection of unpublished material, for example information material, papers and degree theses.

In its role as Information Centre, the authority holds conferences, seminars and arranges training for groups, especially within the criminal justice system, but also for NGOs. Every year, the International Crime Victim Day is celebrated on February 22 with a seminar in Stockholm in co-operation with a number of NGOs. Often, the authority's staff also contributes with seminars on damages, criminal injuries compensation and other important crime victim issues in different university courses and educational activities arranged by The Swedish Bar Association, the National Courts Administration, the National Police Board and the Office of the Prosecutor General, and in regional or local education programmes for staff in medical and health care, social services, the correctional system and members of the NGOs.

The authority has initiated the project "Court Proceedings Introduction" ("Rättegångsskolan"). The Court Proceedings Introduction starts off with the participants being shown around the district court premises. They are shown for instance where the toilets are, where you leave your coat, where the witness support room is and which entrances and exits there are. Then follows two lectures, one on the trial process and one on the reactions commonly felt after being subjected to a crime. After the lectures there is a short break when the audience may ask the speakers questions. The Court Proceedings Introduction rounds off with a court case film. Before going home the participants are given a book on court proceedings. The book is written in such a way so as to be easily understood by all. The book can also be found on the authority's homepage. The purpose of the Court Proceedings Introduction is to give crime victims a better understanding of how and why a trial takes place the way it does and also to prepare them for trial proceedings.

The authority has also initiated a project to make an inventory of knowledge of so called hate crimes, with a special focus on victims of xenophobic crimes. The project will survey research activities as well as ongoing efforts made by public authorities and NGOs. A seminar is planned for the end of 2006 in order to gather more information



to improve support for victims of hate crimes. The project will be concluded by the writing of a report.

The authority is also represented in a number of reference groups and working teams within different ministries and other authorities, e.g. concerning the national authority collaboration for women's peace and the Children's Ombudsman's authority network. The Government has also commissioned other authorities to consult the Crime Victim Compensation and Support Authority in their work, for example the National Council for Crime Prevention in its work with meddling, and the Office of the Prosecutor General in its work with Children's Houses.

Governmental commissions

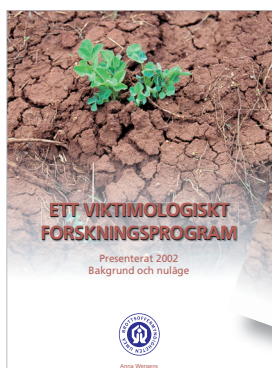
The authority has received a number of commissions from the Government. It has for example been commissioned to establish co-operation groups with others to implement the women's peace reform, which concerns problems connected with men's violence against women. The authority has also been commissioned to develop co-operation groups between authorities and NGOs, at both local and regional levels, and to provide training for these groups. These projects have made impression in many places in Sweden: Örebro, Linköping, Gävle and Malmö, for instance. Together with the National Courts Administration it has been commissioned to develop Witness Support in all district courts and appeal courts in Sweden. The project has been reported to the Government and is continually in action by the tasks set by the Government in the yearly budget document. The authority still has overall responsibility for the education of those who want to become witness support service persons. When follow-ups have been done, it is clear that the witness support service is highly appreciated and has been welcomed by both witnesses and injured persons as well as by the courts. It has created a greater security for witnesses and injured persons, which in turn has led to improved statements and accordingly improved evidence material in the trials. A survey made by the authority in the autumn of 2005 showed that witness support was available at every district court and appeal court in the country. Every year, the authority invites all witness support co-ordinators to a day of education and exchange of experiences.



Another extensive and long-term task from the Government is to prepare, design and carry out a five-year programme for victimological research, which will be in progress during 2002-2007. Victimology is a new research area in Sweden and the Government has considered it important to broaden and deepen such research. The authority's work has also been conducive in getting other research organisations, as well as the Crime Victim Fund, to finance positions and projects within preferred areas of victimology. The authority also supports the exchange between already established and new researchers by for example arranging research seminars.



In the budget document for 2006, the Government has charged the authority with new tasks. One of them is to create a national co-operation programme for crime victim issues together with other authorities such as the National Courts Administration, the Office of the Prosecutor General, the National Police Board, the National Board of Health and Welfare and the National Council for Crime Prevention. The aim is to suggest how co-operation on crime victim issues should be managed at a local and national level. A special part of the co-operation programme will focus on the work with sex crime victims. Another special assignment for the authority is to create a crime victim portal on the Internet. Through the portal, crime victims will be able to find plain and clear information about their rights and ways of gaining help and support. The task also includes creating a website with information about sexual abuse.



International activities

The authority has expanded its activities to include projects and conferences at an international level, especially within the European Union. In 1999, it published a comparative survey in the systems of legislation, compensation and support to crime victims in the fifteen Member States of the European Union, entitled "Crime Victims in the European Union". It was the result of a co-operation project between the authority and the Swedish Ministry of Justice, financed by the Grotius Programme of the European



Union. This programme also financed the Expert Meeting on Compensation to Crime Victims in the European Union, organised in Umeå in October 2000, with participants from all Member States. The Expert Meeting invited the European Commission to elaborate upon the recommendations made at the meeting in a Green Paper, in order to establish minimum standards on compensation to victims of crime. It subsequently led to the development of a handbook on the various systems for state compensation in the European Union intended for officials dealing with compensation matters and for crime victims: "Repairing the Irreparable". The authority's efforts have led to new or changed national legislation in all Member States, including Sweden.

The authority has arranged several Nordic conferences on different crime victim issues. In 2000, a conference on the possibilities of establishing a Crime Victim Fund in the Nordic countries was held in Umeå. In 2002, the authority arranged the second conference for researchers and practitioners working with crime victim issues, "Victims of Violence – our responsibility!" in Stockholm. The very first conference was held in Norway in 1999 and the next will be held in Finland, probably within the next year. In 2004, the theme for the authority's Nordic conference was Witness Support. The Nordic Council of Ministers has always contributed to the Nordic conferences. The authority has also been involved in a number of crime victim projects directed towards the Baltic States.

In 2005, the authority was represented in a number of Nordic and international conferences, for example by a lecture on Swedish criminal injuries compensation, at an international meeting in Riga which was part of the research programme "Gender and violence in the Nordic countries". It held four seminars in Tbilisi within a Sida-project (Swedish international development co-operation agency) about Rule of Law in Georgia. It took part in the conference "Nordic Women against Violence" in Reykjavik and in ISPCANs European conference in Berlin. One of the lawyers at the authority has been appointed expert in the European Council's special group for "Assistance to Victims and Prevention of Victimisation", which will update the Recommendation No 21 of 1987 on support to crime victims and prevent victimisation.



The authority is also usually represented at the European Forum for Victim Service's yearly meetings and at the World Society of Victimology's international symposiums which are held every third year.

Further information

The authority has several ways of channelling its information: the Newsletter, the report on levels of compensation, the telephone help-line and the homepage. The homepage is becoming more and more important with about 500 visits every day. It has also gone through a re-construction which aims to improve availability and possibilities for interaction. Through the homepage it is possible to read and print out all information brochures and leaflets in many different languages, application forms, Newsletters, programmes for conferences and seminars, statements on matters which have been submitted to the authority for consideration, etc. For those who want to order printed information material, which is often free of charge, there is a simple order routine. Most of the authority's reports and other publications are available in full text on the homepage but are also distributed in printed version through Fritzes.





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