

**Which type of crime can I get compensation for?**

The law arranges one-off financial compensation for people who have been injured as a result of premeditated violent crimes; other crimes are not subject to compensation. The crimes involved are, in particular, murder and bodily harm. The law considers the crimes of sexual abuse, sexual violence and rape as a specific category of offence, for which compensation for moral injury is awarded.

**Which type of injury can I get compensation for?**

Victims of violent crime are compensated only to the extent of bodily harm (compensation for pain and suffering, and diminished social function). For the offences of rape, sexual abuse and sexual violence, the law provides for compensation for moral injury.

**Can I get compensation if I'm a relative or dependant of a victim who has died as a result of a crime? Which relatives or dependants can get compensation?**

If a person has died as a result of a violent crime, under law the relatives of that person also have the option of claiming compensation, namely the surviving spouse and the surviving children of the deceased, and if there are no children, the surviving parents of the deceased, and if there are no parents, the person to whom the deceased had a maintenance obligation.

**Can I get compensation if I'm a relative or dependant of a victim who has survived? Which relatives or dependants can get compensation in this case?**

No, in this case the law does not allow compensation for the relatives of the crime victim.

**Can I get compensation if I'm not a national of an EU country?**

Compensation may be claimed by a victim who is a citizen of the Slovak Republic or a citizen of another Member State or a stateless person having permanent residence in the territory of the Slovak Republic or in another Member State, or a foreign national under the conditions and to the extent stipulated by an international treaty ratified and promulgated in the manner provided for by the law, if the bodily harm occurred in the territory of the Slovak Republic.

**Can I claim compensation from this country if I live here or am from here (this is country of my residence or nationality) even if the crime was committed in another EU country? Could I do this instead of claiming compensation in the country where the crime took place? If so, under what conditions?**

No, the Slovak legal code does not allow for such a procedure. Compensation may be claimed only if the bodily harm occurred in the territory of the Slovak Republic.

**Do I have to have reported the crime to the police first, to be able to claim compensation?**

Compensation may be claimed only if the outcome of the investigation indicates that a crime has been committed and that it was the cause of bodily harm. Therefore, compensation can only be provided if criminal prosecution has first taken place, but it is not important whether this is based on the victim's report or other instigation.

**Do I have to await the outcome of any police investigations or criminal proceedings before I can claim?**

Yes, submitting a claim for compensation is conditional on the existence of a lawful decision by which the offender has been found guilty of committing a crime that caused bodily harm to the victim, or of a judgment by which the defendant has been acquitted, since he or she is not criminally responsible on the grounds of insanity. If the offender whose crime caused the bodily injury to the victim is not known, his or her whereabouts are unknown, or his or her criminal prosecution is prevented by a lawful impediment, the victim may seek compensation on the basis of a decision by the competent authority setting out the abovementioned facts. In such a case, however, the outcome of investigation or summary investigation by criminal prosecution bodies must not give rise to reasonable doubts as to whether the crime by which bodily harm was caused to the victim occurred.

**Do I have to first seek compensation from the offender – if they have been identified?**

Filing an application for compensation from an offender is not a condition for claiming compensation, but if the victim does not take measures to receive compensation from the offender, the deciding authority may reduce the amount of compensation awarded.

**If the offender has not been identified or convicted, can I still qualify for compensation? If so, what evidence do I need to present to support my claim?**

If the offender whose crime caused the bodily harm to the victim is not known, his or her whereabouts are unknown, or his or her criminal prosecution is prevented by a lawful impediment and the victim's bodily harm has not otherwise been fully compensated, the victim may claim compensation if the outcome of investigation or summary investigation by criminal prosecution authorities does not raise justified doubts as to whether the crime by which bodily harm was caused to the victim actually occurred. The claim must be supported by the lawful decision of the criminal prosecution authority or court that last considered the matter proving the abovementioned facts.

**Is there a time limit within which I have to claim compensation?**

The claim must be filed within 6 months from the entry into force of the criminal conviction of the offender. If the offender is not known or his or her criminal prosecution is prevented by a lawful impediment, the claim must be filed within 6 months from the entry into force of the decision by the criminal prosecution authority or court that last considered the matter.

**Which losses and expenses are covered by the compensation?**

For example, will the compensation cover:

Compensation is paid solely to the extent of bodily harm (compensation for pain and suffering, and diminished social function), and to the extent of moral injury in statutory cases. Compensation does not include other loss or expenses.

**(a) For the victim of the offence:****– Material (non-psychological) damage:**

*medical costs of injury (medical treatment — outpatient and hospital treatment, recovery),*

*additional needs or costs arising from injury (i.e. care and assistance, temporary and permanent treatment, prolonged education physiotherapy, adaptation of housing, special aids, etc.),*

*permanent injury (e.g. invalidity and other permanent disabilities),*

*loss of earnings during medical treatment and after (including lost earnings and loss of ability to earn or diminished maintenance, etc.),*

*loss of opportunity,*

*expenses linked to legal proceedings related to the incident causing the damage, such as legal fees, court costs),*

*compensation for stolen or damaged personal property,*

other.

– **not applicable**

– **Psychological (moral) damage:**

*pain and suffering of the victim — compensation for moral injury for the crimes of rape, sexual abuse and sexual violence*

**(b) For eligible persons or relatives of a victim:**

– **Material (non-psychological) damage:**

*funeral costs,*

*medical costs (e.g. therapy for a family member, ambulant and hospital treatment, rehabilitation),*

*loss of maintenance or of opportunity.*

– **not applicable**

– **Psychological damage:**

*pain and suffering of relatives or eligible persons/compensation to survivors if the victim died — survivors of a victim of a violent crime who died are paid compensation at the statutory maximum of 50 times the minimum wage at the time when the offence was committed. This concerns a claim that is distributed proportionately among all entitled survivors.*

**Is the compensation paid out in a single payment or monthly instalments?**

Compensation is paid in one payment.

**In what way could my own behaviour in relation to the crime, my criminal record or failure to cooperate during the compensation proceedings affect my chance of receiving compensation, and/or the amount I receive?**

Any record in the criminal register has no impact on receiving compensation from the Slovak Republic. The deciding authority may reduce the compensation if the victim is jointly culpable for the bodily harm or does not take measures to receive compensation directly from the offender.

**In what way could my financial situation affect my chance of receiving compensation and/or the amount?**

The financial situation of the victim has no impact on the decision on compensation.

**Are there any other criteria that could affect my chance of receiving compensation and/or the amount?**

The amount of compensation may be affected by the extent of the victim's culpability for the bodily harm or the fact that the victim has not taken measures to receive compensation directly from the offender.

**How will the compensation be calculated?**

If the bodily harm has been recognised by court judgment, compensation is based on the extent of bodily harm stated in the judgment; otherwise, if bodily harm is involved, the provisions of special legislation governing the provision of compensation for pain and suffering, and for diminished social function, apply commensurately to the calculation of compensation. Compensation for moral damage in the case of the crimes of rape, sexual violence or sexual abuse is ten times the minimum wage (at the time when the harm occurred) and compensation for moral injury to the relatives as appropriate.

**Is there a minimum/maximum amount that can be awarded?**

The law does not provide for a minimum amount of compensation. The maximum amount of compensation is set at 50 times the minimum wage at the time when the offence was committed (note: currently € 21 750).

**Am I expected to quote the amount in the claim form? If so, do I get any instructions on how to calculate it or on other aspects?**

If the bodily harm was recognised as part of a criminal conviction, the determination of the amount of compensation is based on this judgment. Otherwise, a medical report that also contains the data necessary to determine the specific amount of compensation is required. The rules for determining the amount of compensation are specified by legislation governing the rules for calculating bodily harm in general, not only for the purpose of compensating victims of violent crimes.

**Will any compensation I receive for my loss from other sources (such as my employer's or a private insurance scheme) be deducted from compensation paid by the authority/body?**

Yes, compensation is provided only on the assumption that the harm has not been otherwise compensated (for example, from a private insurance scheme or directly by the violent offender).

**Can I get an advance on the compensation? If so, under what conditions?**

An advance on the compensation is not possible.

**Can I get complementary or additional compensation (following e.g. a change in circumstances or worsening health etc.) after the main decision?**

Such a procedure is possible; the victim may seek compensation again (for example, in the context of a change in situation or a deterioration in the state of health), but the application must also be filed within the base period (i.e. within 6 months from the entry into force of the criminal conviction by which the offender was found guilty, and if the offender is not known or his or her criminal prosecution is prevented by a lawful impediment, within 6 months from the entry into force of the decision of the criminal prosecution authority or court that last considered the matter). However, the total amount of compensation in the same case may not exceed 50 times the minimum wage.

**What supporting documents do I need to include with my claim?**

the final judgment or decision of the criminal prosecution authority that last considered the matter; if the victim cannot attach the decision, he or she should indicate the criminal prosecution authority or court that last considered the crime and, simultaneously, provide information about the person suspected of committing the offence that caused bodily harm to the victim, if that person is known to the victim, documentation of the bodily harm caused to the victim by the crime, including details of the extent to which it has already been compensated, or the extent to which it is justified to assume that it will be compensated, or evidence of decisions on compensation for bodily harm not yet executed, as well as information on measures the victim has taken to receive compensation from the offender whose crime caused the bodily harm to the victim, a document proving the relationship of relatives and the group of eligible persons if the crime caused the victim's death, a document proving the maintenance obligation of the deceased person or the provision of maintenance by the deceased if it is a person to whom the deceased had a maintenance obligation.

**Are there administrative or other charges to be paid when the claim is received and processed?**

Compensation proceedings are not subject to charges.

**Which authority decides on compensation claims (in national cases)?**

The Ministry of Justice of the Slovak Republic decides on claims for compensation.

**Where do I send the claim (in national cases)?**

The claim should be sent to: Ministerstvo spravodlivosti Slovenskej republiky, Župné námestie 13, 813 11 Bratislava

**Do I need to be present during the procedure and/or when my claim is being decided?**

The victim is not required to participate.

**How long does it take (approximately) to receive a decision on a claim for compensation from the authority?**

The Ministry of Justice of the Slovak Republic is obliged to decide on the claim for compensation within 6 months.

**If I'm not satisfied with the authority's decision, how can I challenge it?**

If the Ministry of Justice of the Slovak Republic does not satisfy the claim or only upholds it in part, the victim may seek compensation by court action against the Slovak Republic, represented by the Ministry of Justice of the Slovak Republic, no later than one year from the date of delivery of the decision on the claim.

**Where can I get the necessary forms and other information on how to claim?**

At the website of the Ministry of Justice of the Slovak Republic <http://www.justice.gov.sk/Stranky/default.aspx> Each victim is informed about the possibilities and conditions of receiving compensation from the Slovak Republic in the framework of criminal proceedings by the investigative authorities.

**Is there a special helpline or website I can use?**

Information on compensation for crime victims is published on the website of the Ministry of Justice of the Slovak Republic ( <http://www.justice.gov.sk/Stranky/Nase-sluzby/Trestne-pravo/Informacie-pre-obete-trestnych-cinov.aspx>). Simultaneously, when a victim is heard in criminal proceedings, he or she receives information about organisations providing aid and support to victims (along with contact details).

**Can I get legal aid (help from a lawyer) when preparing the claim?**

There is no legal aid specifically for the purpose of claiming compensation. It is possible to use general legal assistance provided by the State from the Legal Aid Centre. In addition, the Ministry of Justice of the Slovak Republic itself provides basic guidance for claiming compensation.

**Are there any victim support organisations that can help me claim compensation?**

Yes, there are organisations that provide aid and support to victims of violent crimes, but these currently operate independently from the State.

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