

Početna stranica>Vaša prava>Žrtve kaznenih djela>Naknada štete>Ako će se moj zahtjev razmatrati u ovoj državi

Otvoreni postupci u području građanskog pravosuđa koji su započeti prije isteka prijelaznog razdoblja nastaviti će se na temelju prava EU-a. Na temelju uzajamnog sporazuma s Ujedinjenom Kraljevinom na portalu e-pravosuđe do kraja 2024. ostat će dostupne informacije povezane s Ujedinjenom Kraljevinom.

If my claim is to be considered in this country

Sjeverna Irska

Which type of crime can I get compensation for?

The Northern Ireland criminal injuries Compensation Scheme is designed to compensate blameless victims of violent crime in Northern Ireland. The Criminal Damage Scheme is designed to compensate damage to property.

Which type of injury can I get compensation for?

We can make an award for a mental or physical injury following a crime of violence and for sexual or physical assault.

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?

Yes, we can compensate a relative or dependant of a victim who has died as a result of a crime of violence.

A qualifying relative is a spouse or civil partner of the deceased, a parent of the deceased and a child of the deceased.

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?

Yes, a relative of a crime victim can receive an award for mental injury if the victim has survived a crime of violence.

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

Yes, compensation is open to all nationalities.

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?

We can only consider compensation claims that occur in Northern Ireland.

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

The Scheme requires all applicants to report the crime to police without delay as soon as reasonably practicable.

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

No, but an application should be made within 2 years of the date of the incident.

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

No.

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?

Yes, you can still qualify for compensation if the offender has not been identified or convicted. However, the applicant must report all the relevant circumstances of the crime to police and co-operate with the enquiries.

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

An application should be made within 2 years of the date of the incident.

Which losses and expenses are covered by the compensation?

(a) For the victim of the offence:

- Material (non-psychological) damage:

medical costs of injury (medical treatment — ambulant 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 handicaps)

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

Compensation Services will consider awarding for loss of, or damage to, property or equipment costs associated with treatment for the injury, care costs, special equipment, adaptations to the applicant's accommodation, fees associated with the Court of Protection, costs associated with the administration of the applicant's affairs due to lack of mental capacity. Loss of earnings or earning capacity.

- Psychological (moral) damage:

Mental injury.

pain and suffering of the victim

(b) For entitled people 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

Compensation Services will pay reasonable funeral expenses. A qualifying relative may be eligible for a bereavement award.

- Psychological damage:

pain and suffering of relatives or entitled people/compensation to survivors if the victim died

A qualifying relative may be eligible for a mental illness award.

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

Compensation is normally paid as a single 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?

A claim may be reduced or no award made if the applicant's conduct contributed towards the incident, they have a criminal record with unspent criminal convictions and they fail to co-operate with the police or Compensation Services.

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

This will have no effect.

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

Compensation could be affected if the assailant could benefit from an award.

How will the compensation be calculated?

Compensation is calculated as per the tariff of injuries which is part of the Scheme.

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

The minimum injury award is £1,000 and the maximum injury award is £250,000. There is no cap on the total amount of compensation that can be awarded.

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?

No, the applicant is not expected to quote the amount, they are expected to tell us their injuries.

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?

Private insurance does not affect the amount of compensation paid. However, court compensation and civil compensation will be deducted from any award.

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

An interim award can be paid as long as there are no liability issues.

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

Yes, a case can be reopened where there has been such a material change in the victim's medical condition that an injustice would occur if the original assessment were allowed to stand.

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

A completed application form. Compensation Services will ask the applicant if any further information is required for example employment and income details.

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

There are no charges or fees.

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

The Northern Ireland Criminal Injuries Compensation Scheme.

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

Compensation Services, 6th Floor, Millennium House, 25 Great Victoria Street, Belfast, BT2 7AQ.

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

No.

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

The average time taken for a first decision is 11 months and a review decision is 6 months.

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

An applicant has the right of review and Appeal.

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

From our website <http://www.compensationni.gov.uk>

Is there a special helpline or website I can use?

Our website address is <http://www.compensationni.gov.uk>

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

Legal aid is not available under the Criminal Injuries Scheme. You can appoint a solicitor to assist with a Criminal Damage claim.

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

Victim Support NI can assist an applicant with the compensation process.

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