Denemarken

You will be considered a **victim of crime** if you have suffered damage, e.g. you have been injured or your property has been damaged or stolen, etc., as a result of an incident that constitutes a crime according to national law. As a victim of crime, the law grants you certain individual rights before, during and after court proceedings (trial). You can also benefit from various forms of assistance and claim compensation for the damages caused by the crime.

Criminal proceedings in Denmark include investigation and trial. During the investigation the police and the public prosecutor investigate the case to find the offender and collect evidence. If there is sufficient proof that the alleged offender has committed the crime the case is brought to the court for trial. The court, after examining the collected evidence, decides whether the offender is guilty and convicts or acquits him/her.

The following factsheets will take you through the different steps of the procedure, describing your rights during the investigation of the crime, during the trial or after the first trial. Also, read more about the help and support you can get.

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1 - My rights during the investigation of a crime

How and where can I report a crime?
How can I follow up on what the authorities do after I report a crime?
How can I be involved in the investigation of the crime?
What are my rights as a witness?
I am a minor. Do I have additional rights?
What information can I obtain from police or victim support organisations during the investigation of the crime?
Can I receive legal aid?
How can I get protection, if I am in danger?
What services and assistance can I be given during the investigation of the crime?
Are there opportunities to reach settlement/conciliation or to start mediation between the offender and myself?
How will my case continue after the end of the investigation?
Can I appeal if my case is closed without reaching the court?
I am a foreigner. How are my rights and interests protected?
More information

How and where can I report a crime?

If you have suffered from a crime in Denmark you can report it to the Danish Police. You can do this by going to the nearest police station or by calling 114. In very urgent cases you can call the emergency number 112. If you have become a victim of theft you can also report online by filling in the special form available on the website of the Danish Police.

There is no obligatory form you have to use when reporting a crime. When you visit a police station or call by phone the police officer to whom you speak will draft a written report. You do not need to sign the report. Anonymous reports are also accepted.

There is no deadline for reporting a crime to the police. However, the law provides for certain time limits after which the crime will not be investigated. After that period you can still submit a report but the police will not open an investigation.

In your report you have to include all relevant information related to the incident as well as any evidence you have at your disposal. It is recommended that you include as much information as possible because based on your report the police will decide whether a crime has been committed and whether an investigation has to be opened.

If you do not speak Danish you can report a crime in a language you understand. If necessary, the police will find an interpreter and translate the relevant documents for you.

In most cases after receiving your report the police will take over and investigate the case. However, if you have become victim of a minor crime like slander or libel you have to go through a different procedure. For such crimes no police investigation takes place and you need to submit a complaint directly to the court. Your complaint must be submitted within **six months** after you learned about the offence. Based on your complaint the court will start a trial against the alleged offender.

How can I follow up on what the authorities do after I report a crime?

When you report a crime the police will immediately issue a receipt. The receipt will be handed to you personally or will be sent to you by post. This receipt contains a reference number, which you can use to receive information from the police about the progress of your case. You can also check how your case is proceeding by using your personal registration number or social security number.

How can I be involved in the investigation of the crime?

In principle, the investigation of the crime is a responsibility of the police. The police will inform you on a regular basis about important developments regarding your case, e.g. arrest of a suspect. If you wish, you can also check the progress of your case by using the reference number of your receipt or your personal registration number or social security number.

According to Danish law victims are not allowed to be present during investigative actions. If you have a lawyer, he/she may personally check the documentation of the case. Your lawyer may share such information with you only with the consent of the police. After the case is closed you will also be allowed to check the entire documentation.

During the investigation the police and the public prosecutor will collect all the relevant evidence on your case. You as a victim do not need to prove any aspects of the crime you have suffered from. However, if you have some evidence that you wish to present you can give it to the police officer or the public prosecutor in charge of your case.

What are my rights as a witness?

In the course of the investigation you may be asked by the police to appear for an interview as a **witness**. During the interview you are allowed to remain silent. The only information you are obliged to share with the police at this stage is your personal data (e.g. name, birth date, address).

Every time the police call you for an interview as a witness they will explain to you when and how you can ask for the appointment of a lawyer.

During your interview you will be provided with an interpreter free of charge. The documents related to your interview will also be translated for you free of charge.

If you are victim of violence, threat or a sexual offence and you are expected to appear in court as a witness you will be provided with a contact person from the local police station or prosecution office. This person will assist you when you contact the police or the public prosecution.

I am a minor. Do I have additional rights?

If you are a child the court will appoint a lawyer for you who will assist you throughout the proceedings. During the investigation the lawyer will accompany you during your interview at the police. He/she will explain to you the procedure and may also ask you additional questions to help you better understand the questions asked by the police.

If you are a child victim of sexual offence the offender will not be allowed to be present during your interview. Furthermore, you can agree to have your interview videotaped by the police or the prosecutor, which will allow you not to give testimony in court. Instead, the videotape of your interview will be shown to the judges. When your interview during the investigation is videotaped so that it can be used during the trial, the lawyer of the offender may be allowed to be present.

What information can I obtain from police or victim support organisations during the investigation of the crime?

The police are obliged to provide you with information to help you overcome the consequences of the crime. This information will include:

how to appoint a lawyer;

how to claim compensation from the offender during the criminal proceedings;

how to receive compensation from the State;

how to receive counselling from the Victims Counselling Service;

what your rights and duties as a witness are.

During the investigation the police will inform you about important developments on your case, e.g. the arrest of a suspect. If the police decide to schedule a hearing they will send you or your lawyer a notification about the date and time of the hearing.

If you are a victim of a serious crime like violence or sexual offence the police will also explain to you the expected development of your case.

If the police decide not to open an investigation on your report or to discontinue an ongoing investigation, you as a victim will receive a notification. You will also be notified if the public prosecutor decides to dismiss charges against a suspect. You will receive the same notifications if you are a close relative to a victim who has died as a result of the crime.

Can I receive legal aid?

Free legal aid is available primarily to victims of specific crimes like violence and sexual offences. If you are a victim of violence you can make a request to the court and the court will appoint a lawyer free of charge to represent you. If you are a victim of sexual crime you do not need to make any specific request; the court will automatically appoint a lawyer to represent you.

For other crimes you can also ask the court to appoint a lawyer for you. However, in such cases the court will first consider whether the seriousness of the crime and your specific need of assistance (e.g. low income) justify such an appointment and may reject your request if it finds it unjustified.

How can I get protection, if I am in danger?

If you are a victim of violence you can ask the police to order the offender not to contact or molest you. Usually, the police will issue such an order if there have been several incidents of harassment or molestation or if there is a serious threat that the offender will continue to molest you in the future.

As a victim of violence you can ask the police to provide you with a special phone with a built in GPS function so that your location can easily be established.

If you are a victim of domestic violence and you live with the offender you can ask the police to ban the offender from staying at your common home. The ban will be lifted if you and your partner resume your relationship.

You can also ask the police and the prosecutor dealing with your case to delete your name and other personal details from the case file before presenting it to other participants in the proceedings. If the crime you have suffered from was a sexual offence this information will be removed from the case file, even without a specific request by you.

What services and assistance can I be given during the investigation of the crime?

If you are a victim of violence, threat or a sexual offence and you are expected to appear in court as a witness you will be provided with a contact person from the local police station or prosecution office to assist you when you contact the police or the public prosecution.

Irrespective of the crime you have suffered from you can use the services provided by the Victims Counselling Service. The police will explain to you how to get in contact with the Victims Counselling Services.

If you are a victim of robbery, violence or a sexual offence and you have used the assistance of a psychologist you have the right to be reimbursed for part of your expenses for up to 12 consultations.

You can receive medical services free of charge if you have a valid health insurance. Citizens of the 27 EU Member States, Iceland, Liechtenstein, Norway and Switzerland can benefit from the European Health Insurance Card.

Are there opportunities to reach settlement/conciliation or to start mediation between the offender and myself?

In the course of the investigation the police may suggest that you to reconcile with the offender. This means that the offender has confessed the commitment of the crime and is willing to reconcile with you. The outcome of the conciliation procedure will not stop the investigation but may subsequently lead to a lighter penalty for the offender.

How will my case continue after the end of the investigation?

After the completion of the investigation the police or the public prosecutor in charge of your case will decide how to proceed further. If sufficient evidence has been collected to bring charges against the offender the case will be sent to the competent court for a trial. Otherwise the police or the public prosecutor will close the case at this stage.

Can I appeal if my case is closed without reaching the court?

The police or the public prosecutor may decide to close the case without bringing it to court. In this case you will receive a notification and will also be allowed to check the entire documentation of the case. You have the right to appeal against the decision to close the case.

If the police have closed the case you can submit your appeal to the regional public prosecutor.

If the decision to close the investigation was made by a regional public prosecutor, it can be appealed before the Director of Public Prosecutions (the head of the Danish Prosecution Service).
The deadline for submitting the appeal is four weeks.

I am a foreigner. How are my rights and interests protected?

If you are a foreigner you have all the rights described above. If you do not speak Danish you can report a crime in a language you understand. The police are obliged to undertake the necessary measures to accept your report irrespective of the language you use.
During the investigation you will be provided with an interpreter free of charge. The interpreter will assist you during your interview as a witness. The documents related to your interview will also be translated for you free of charge.

More information:

Administration of Justice Act (Lovbekendtgørelse nr. 1053 af 29/10/2009 Retsplejeloven) – in Danish
Act on the Police (Lov nr. 444 af 09.06.2004 Politiloven) – in Danish
Penal Code (Lov nr. 1034 af 29.10.2009 Straffeloven) – in Danish
Act No. 467 of 12.06.2009 on legal advice in connection with a criminal offense (Lov nr. 467 af 12.06.2009 om konfliktråd i anledning af en strafbar handling) – in Danish
Executive Order No. 1108 of 21 September 2007 (Bekendtgørelse nr. 1108 af 21.09.2007 om politiets og anklagemyndighedens pligt til at vejlede og orientere forurettede i straffesager og til at udpege en kontaktperson for forurettede) – in Danish
Circular Letter No. 10094 of 22.12.2006 amending the system of counselling services (Cirkulæreskrivelse 10094 af 22/12-2006 om ændring af ordningen med offerrådgivningen) – in Danish
Decree No. 674 of 26.06.2008 on subsidies for psychological treatment of particularly vulnerable groups (Bekendtgørelse nr. 674 af 26.06.2008 om tilskud til psykologbehandling i praksissektoren for særligt udsatte persongrupper) – in Danish

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2 - My rights during the trial

How can I be involved in the trial?
What are my rights as a witness?
I am a minor. Do I have additional rights?
Can I receive legal aid?
How can I get protection, if I am in danger?
How can I claim damages from the offender or receive compensation from the state?
Are there opportunities to reach settlement/conciliation or to start mediation between the offender and myself?
I am a foreigner. How are my rights and interests protected?
More information

How can I be involved in the trial?

During the trial you can be present at all public court hearings. If the court decides to hold a private hearing the judge will decide whether to allow you to stay in the courtroom or not. In practice, in most cases the court will allow you to be present during private hearings unless there are some specific confidentiality concerns. In any case, according to Danish law the sentence is always pronounced at a public court hearing at which you can be present.
Danish law does not allow victims of crime to ask questions to the other participants in the trial.
If you believe there is some evidence relevant to the case you can ask the police officer or the public prosecutor in charge of your case to present it to the court. However, the police officer or the public prosecutor is free to decide whether to present such evidence or not.
If you wish to speak before the court but you have not been called as a witness you can ask the public prosecutor to add you to the list of witnesses. The final decision belongs to the prosecutor who may refuse to call you if he/she believes that your testimony is not necessary to prove the crime.
If the court has interviewed you as a witness during the trial you have the right to receive reimbursement of the expenses (1) you have made to attend the court hearing.
In order to receive reimbursement you need to submit a special reimbursement form, which is available at the Danish courts' website (in Danish). In the form, you need to indicate your bank account. Advance payments are also possible but you need to contact the court for that.

What are my rights as a witness?

You will probably also be called for an interview as a **witness.** In this case the court may not allow you to be present in the courtroom during the questioning of other persons (the defendant, other witnesses, experts, etc.). The reason for such a decision is that listening to other participants in the trial may influence your own testimony. Once your interview is over you will be allowed to stay in the courtroom and be present at the next hearings.
If you are called for an interview as a witness you have to appear before the court and give testimony. You may refuse to give testimony only if you are a close relative to the defendant.
During your interview your lawyer may ask you additional questions in order to help you better explain the circumstances of the incident.

I am a minor. Do I have additional rights?

If you are a child the court will appoint a lawyer for you to assist you throughout the proceedings. During the trial the lawyer will accompany you during your interview in the court. He/she will also explain to you the procedure and may ask you additional questions to help you better understand the questions asked by the judge.
A representative of the municipality will also accompany you and assist you during the interview.

Can I receive legal aid?

You can receive legal aid free of charge during the trial if you have claimed compensation from the offender and your annual income is less than a certain amount: 236.000 Danish Krone (approximately 31.700 euro) if you are single, 300.000 Danish Krone (approximately 40.300 euro) for cohabiting couples and 41.000 Danish Krone (approximately 5.500 euro) for each child under 18 years of age.
If you are victim of violence or sexual offence you can request the appointment of a lawyer free of charge irrespective of your income.
If you are a relative to a victim who has died as a result of the crime, the court will appoint a lawyer for you to assist you for the calculation of compensation.

How can I get protection, if I am in danger?

You can receive special protection if you are appearing as a witness during the trial.
If you feel uncomfortable to speak in the presence of the defendant you can ask the court to remove him/her from the courtroom during your interview. In this case your testimony will be explained to the defendant afterwards.
Courts are obliged to have separate waiting rooms for victims of crime where you can wait for your interview without meeting the defendant, his/her relatives or other witnesses. This is a relatively new rule and some courts may not have prepared such rooms yet.
If you are afraid of reprisal you can also ask the court not to disclose to the defendant and his/her lawyer your personal data like name, address, occupation, etc.
If you have suffered from a sexual offence you can ask the court to hold a private hearing when you are giving your testimony as a witness. You can also ask the court not to disclose the names of the participants in the trial and to prevent the publication of information in the media about the case. In such cases the court will also delete your name and other personal data from the documentation before granting access to the case file to the other participants in the trial.

How can I claim damages from the offender or receive compensation from the State?

You have the right to claim compensation from the offender for the damages caused by the crime. During the trial you can ask the public prosecutor to claim damages on your behalf. The court may refuse to consider the claim if it is too complicated to be examined as part of the trial. In this case you can submit a separate claim against the offender before a civil court.
You can also claim compensation from the State. Please consult the factsheets on compensation to victims of crime in the EU Member States of the European Judicial Network.

Are there opportunities to reach settlement/conciliation or to start mediation between the offender and myself?

Opportunities for conciliation exist only during the investigation when the police may suggest you reconcile with the offender. The outcome of the conciliation procedure will not close the case but may lead to a lighter penalty for the offender.

I am a foreigner. How are my rights and interests protected?

If you are a foreigner you have all the rights described above.
In addition, if you do not speak Danish and you have been called for an interview as a witness, the court will appoint an interpreter to assist you while giving your testimony.

More information:

Administration of Justice Act (Lovbekendtgørelse nr. 1053 af 29/10/2009 Retsplejeloven) – in Danish
Act No. 467 of 12.06.2009 on legal advice in connection with a criminal offense (Lov nr. 467 af 12.06.2009 om konfliktråd i anledning af en strafbar handling) – in Danish
Consolidated Act on Liability for Damages (Bekendtgørelse af lov nr. 885 af 20.09.2005 om erstatningsansvar) – in Danish
Consolidated Act on State Compensation ot Victims of Crime (Bekendtgørelse af lov nr. 688 af 28.06.2004 om erstatning fra staten til ofre for forbrydelser) – in Danish
Executive Order No. 1108 of 21 September 2007 (Bekendtgørelse nr. 1108 af 21.09.2007 om politiets og anklagemyndighedens pligt til at vejlede og orientere forurettede i straffesager og til at udpege en kontaktperson for forurettede) – in Danish
Decree No. 79 of 04.02.1998 on community assistance for children and young people during legal interrogation (Bekendtgørelse nr. 79 af 04.02.1998 om kommunens bistand til børn og unge i forbindelse med uden- og indenretlig afhøring) – in Danish

Note:

1. Reimbursement of the expenses

If the court has interviewed you as a witness during the trial you will be reimbursed for your expenses. You will receive 80 Danish Krones (approximately 10.50 euro) for the first four hours spent in court. If you have spent more time, including your travel, you will receive additional money depending on the time spent.

Additional expenses related to your participation as a witness (e.g. lost income) can also be reimbursed if you provide documents certifying such expenses (e.g. a statement from your employer with the number of hours and the your daily rate).

Travel expenses are also reimbursed if the distance to the court is more than three km. If you have used a bus, train or ferry, you will be paid the cost of a standard ticket. You will not be reimbursed if you have paid for a taxi. If you have used your own car, you will receive reimbursement, which would normally be equal to the cheapest public transport.

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3 - My rights after the (first) trial

Can I appeal against a sentence or if the defendant is declared not guilty?
Is further appeal possible?
What rights do I have after the court sentence enters into force?
More information

Can I appeal against a sentence or if the defendant is declared not guilty?

Once the trial is over your lawyer will receive a copy of the court decision. With the permission of the court he/she may share this copy with you.
If the public prosecutor has claimed damages on your behalf and the court has decided on that claim you will be notified and will receive a copy of the court decision. The notification and the copy of the decision will be in Danish.
You cannot appeal against the conviction/acquittal of the defendant or against the penalty imposed by the court. You can only appeal against the court decision regarding the claim for compensation, if such a claim has been submitted. Such an appeal is not part of the criminal proceedings and has to be submitted according to rules of civil procedure. The deadlines for appeal are:
four weeks when you appeal against a decision of a County Court before the High Court;
eight weeks when you appeal against a decision of the High Court before the Supreme Court.

Is further appeal possible?

Further appeal is possible before the Supreme Court but the right to appeal belongs only to the defendant and the public prosecutor.

What rights do I have after the court sentence enters into force?

After the entry into force of the court sentence your role in the proceedings is generally over. Danish law does not provide victims of crime with the right to receive notification about the release of the perpetrator or to make a statement when a decision on the early release of the offender is being discussed.

More information:

Administration of Justice Act (Lovbekendtgørelse nr. 1053 af 29/10/2009 Retsplejeloven) – in Danish

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4 - Help and support for victims of crime

Crime Prevention Council
Victim Counselling Service
Victim Aid Denmark
Centre for Victims of Rape
National Association of Crisis Centres for Women
Reden International
Dannerhuset

Crime Prevention Council

The Crime Prevention Council is a council of representatives of organisations involved in crime prevention activities, focused in particular on prevention of domestic violence and sexual crime.

The Crime Prevention Council

is a council consisting of representative of about 50 different authorities, associations and private and public organisations specialised in settlement of conflicts

is involved in crime prevention activities, focused in particular on prevention of domestic violence and sexual crime

CONTACTS:

Website: http://www.dkr.dk/

Victim Counselling Service

The Victim Counselling Service in Denmark provides material, medical, psychological and social assistance through governmental, voluntary and community-based bodies.

The Victim Counselling Service

offers support to victims of burglary, mugging, robbery, threats, violence, rape and many other crimes

provides access to the mechanisms of justice and to fair treatment

facilitates the claiming of compensation from the offender and from the State

provides material, medical, psychological and social assistance through governmental, voluntary and community-based bodies

CONTACTS:

Website: http://www.offerraadgivning.dk/

For contact details of the local offices of the Victim Counselling Service click here.

Victim Aid Denmark

Victim Aid Denmark is a national association providing psychological help, legal assistance or help in relation to insurance or damages to victims of violence.

Victim Aid Denmark

is a national association providing psychological help, legal assistance and help in relation to insurance or damages to victims of violence

helps and guides victims of violence, rape, robbery and incest

monitors legislation in the above-mentioned areas and seeks to improve conditions for victims by influencing politicians and ministries

is involved in preventative work by means of talks, campaigns, advocacy and exhibitions.

CONTACTS:

Website: http://www.voldsofre.dk/

Centre for Victims of Rape

The Centre for Victims of Rape provides medical and psychological assistance to rape victims via eight centres in the country.

The Centre for Victims of Rape

has eight regional points in Denmark

offers care and support to victims of rape and their dependants provided by specially trained personnel

CONTACTS:

Website: http://www.voldtaegt.dk/

National Association of Crisis Centres for Women

LOKK is a coordinating organisation for the crisis centres which provide shelter to women who have been subject to domestic violence.

The National Association of Crisis Centres for Women

is the coordinating organisation with the main purpose to highlight and strengthen the individual crisis centres working to prevent and combat physical and psychological violence against women and their children

disseminates knowledge, information and experience in this area to the centres

establishes centres working in relevant areas

strengthens the cooperation between shelters and works with shelters in other Nordic and European countries

negotiates with public authorities on shelters' terms

CONTACTS:

Website: http://www.lokk.dk/

Reden International

Reden International provides access to the healthcare system, legal assistance, social benefits, preparation of repatriation and accommodation in crisis centres of prostituting victims of human trafficking in Denmark.

Reden International
is an organisation providing practical support for foreign women forced to prostitute in Denmark
has a national crisis centre, which conducts outreaching social work
provides access to the healthcare system, although such women usually do not have legal residence
provides legal assistance and representation at questionings and trials
facilitates communication with the Danish social system
provides assistance before repatriation (contact with local NGOs and support in the native country)
offers accommodation in a crisis centre – safe stay with guidance, care and activities
provides guidance and care – at all levels in the process based on the individual woman's situation
CONTACTS:
Website: http://www.redeninternational.dk/

Dannerhuset

Danner is a private foundation, which assists victims of domestic violence by providing shelter and/or counselling.
Dannerhuset
is a crisis centre and shelter for women victims of domestic violence
is run by 25 employees and approximately 200 volunteers
is the oldest and the largest crisis centre and shelter for women and children subjected to domestic violence in Denmark
is nationally and internationally engaged on the topics of women's rights and social politics on the basis of its expertise and experience on the subject of domestic violence
CONTACTS:
Website: https://danner.dk/

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1 - My rights as a victim of crime

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2 - Reporting a crime and my rights during the investigation or trial

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3 - My rights after trial

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4 - Compensation

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5 - My rights to support and assistance

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