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**Victim Support**  
Europe

# A JOURNEY FROM CRIME TO COMPENSATION

An analysis of victims' access  
to compensation within the EU

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REPORT ONLINE**

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**2019**



The 2012 Victims' Rights Directive and 2004 Compensation Directive establish the rights of victims following a **crime**. Despite this, many European citizens are unaware of their rights, and as such, do not exercise them.

In at least 22 countries, **reporting** a crime is necessary to receiving compensation. Yet, many crimes go unreported for many different reasons.

When crimes are reported, often police fail to inform victims of their right to claim compensation.

Victims must complete numerous, complicated forms, collect and provide evidence of the crime and its damage, and undertake repetitive medical examinations. Victims who have endured the **application** process speak of revictimisation and trauma as a common consequence.

Victims face a range of obstacles enforcing a compensation decision.

Sometimes, the offender cannot be found, or may not be able (or refuse) to pay. Sometimes the offender can only afford to pay in installments, meaning that the victim cannot cover their immediate, urgent expenses. Victims must also cover the financial costs of any **enforcement** procedure.



**CRIME**



**REPORTING**



**SUPPORT**



**APPLICATION**



**PROCEDURE**



**ENFORCEMENT**



**COMPENSATION**

# CHALLENGES AT EACH STEP OF THE JOURNEY

Decreased funding to support services is a major challenge to providing **support**. An absence of services, increasing closure of existing services, stringent access conditions and long waiting times are some of the many challenges victims face when accessing support.

Complex administrative requirements, invasive evidence gathering methods, unfair deadlines, delays and a lack of transparency are some of the most common issues during the **procedure**. Cross-border victims face particular difficulties. Most countries require the victim to claim compensation from the offender before accessing State Compensation, which comes with a whole host of its own issues.

If a victim receives **compensation**, it often arrives long after the crime was committed, not at the moment when they needed it most. 94% of victims are disappointed with the amount they finally receive.

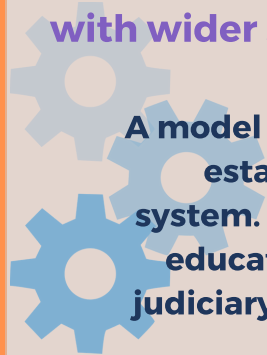
# AN IDEAL COMPENSATION MODEL

Following the journey from the committal of the crime until the victim receives compensation has allowed for the identification of major obstacles. Action at both a national and European level is necessary to minimise these obstacles, with a long-term aim to eradicate these barriers altogether. The most efficient method to achieving a fair compensation system is by determining an ideal model, with the creation of a unilateral strategic plan intended to advance Member States towards this model system. This ideal model comprises of four fundamental elements:

**A model compensation system is strategic and interconnected with wider social systems, integrated into a national framework for comprehensive victim support.**

1

A model compensation system is based on rights, driven by needs and established within the framework of the broader victim response system. It is interconnected with wider social systems, signifying that educational institutes, consulates and embassies, medical facilities, judiciary and police, social services and much more, make up part of a comprehensive national victim support framework.



2

**A model compensation system is inclusive.**

An ideal compensation system should be designed around maximising the number of eligible victims who receive fair and appropriate compensation each year. Eligibility criteria, when applied, evaluates the damage suffered rather than judging the nature of the crime as an exclusory factor.



**A model compensation system is easily understood by victims and professionals alike.**

In an ideal model, information about the compensation system is easily understandable and available to victims, first agencies of contact and support services, taking into account the range of communication needs of victims, and communicated in a victim sensitive and respectful manner.

3

4

**A model compensation system is accessible.**

The ideal compensation system will ensure that a maximum number and range of victims are able to access the compensation scheme. The model will ensure that applying for and obtaining compensation is fast, free and simple, and as painless as possible.



# KEY RECOMMENDATIONS FOR NATIONAL ACTION

## EU Member States are urged to evaluate their national compensation schemes, in particular:

- Ensure conformity with European legislation on victims' rights.
- Examine the appropriateness and fairness of applied eligibility criteria, deadlines, scope of national scheme, and administrative and evidential requirements placed upon victims.
- Guarantee that compensation schemes are designed to provide fair and appropriate compensation to all victims of crime, with safeguarding mechanisms in place for the most vulnerable victims.

## EU Member States should improve information to victims of crime:

- Conduct frequent awareness raising campaigns
- Increase victim-sensitive training of professionals who come into contact with victims (police, social workers, medical practitioners, embassy staff, etc.)
- Ensure information is accessible to all victims, including those with individual communication needs.

# KEY RECOMMENDATIONS FOR EU ACTION

## The EU should utilise its strength of coordination to :

- Reinststate a functioning network of national compensation authorities.
- Ensure that the different institutions of the EU are working in a coherent manner, that effective internal coordination mechanisms are focused on victims' rights and compensation.
- Create an EU Victims strategy which reflects a comprehensive approach to victims' rights.
  - Victims' issues should be on the agenda across multiple DGs, and present at Council and Parliament.
    - This should include the creation of a Victim Coordinator operating in a similar manner to that of the EU Anti-trafficking Coordinator .

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