



Information on the application for crime victims' compensation

in accordance with the Act on Compensation to Victims of Violent Crime
(Crime Victims Compensation Act – OEG)

Have you been the victim of an act of violence and would like to apply for compensation under the Crime Victims' Compensation Act because of the health and financial consequences you have suffered? You can do so with the social compensation authority responsible for you. If the act of violence occurred in Germany, it falls within the responsibility of the social compensation authority of the Bundesland (*federal state*) in which it took place. If the act of violence occurred abroad, it falls within the responsibility of the *Bundesland* in which you reside.

Find out here which is your point of contact <http://www.bmas.de/SharedDocs/Downloads/DE/Thema-Soziale-Sicherung/adressen-und-internetseiten-der-landesversorgungsbehoerden.html>.

Please fill in the application form for crime victims' compensation, which is also available on our website, as completely as possible, sign it and send it to the social compensation authority responsible for your case.

Please note: Damages for pain and suffering (*Schmerzensgeld*) can only be claimed from the perpetrator(s).

Do you need help filing your application?

It is possible that you will find it disturbing to provide some of the information asked for in the form. Should you need help with filling in the form for this or other reasons, please do not hesitate to contact the social compensation authority responsible for your case.

Support is of course also available from all victims' support organisations. The WEISSE RING e.V. for example offers an advisory service for crime victims and operates a Europe-wide free helpline, which you can call on 116 006. It will put you in touch with regional field offices or other organisations near you. Victims of sexual abuse can anonymously phone the free helpline of Germany's Independent Commissioner for Questions related to Child Sexual Abuse at 0800-2255530. The helpline hours are: Mondays from 8 a.m. to 2 p.m., Tuesdays, Wednesdays and Fridays from 4 p.m. to 10 p.m. and Sundays from 2 p.m. to 8 p.m.

Women who have become victims of violent acts can phone the number 08000 116 016 free of charge around the clock to seek advice from female contact persons staffing the nationwide helpline "Violence against Women" (*Gewalt gegen Frauen*). The service is available in several languages and in accessible format. In addition, counselling via e-mail or live chat is also available (www.hilfetelefon.de).

If you need help in connection with coming to terms with the psychological injuries caused by the crime you experienced, you can contact a psychotherapist or a corresponding counselling centre. Your health insurance fund, your family practitioner or victims' support organisations will help you find a specialist. The Sexual Abuse Help Portal (*Hilfeportal Sexueller Missbrauch*) (www.hilfeportal-missbrauch.de) of the Independent Commissioner for Questions related to Child Sexual Abuse offers a nationwide database to this end.

What information do you have to provide about the act of violence?

The competent social compensation authorities of the *Länder* (federal states) are required to examine each case on an individual basis to assess whether the victim is eligible for compensation. This means that they must investigate the facts of the case irrespective of the criminal proceedings and in this process they depend on your participation.¹

For example, if there are no witnesses and if the crime cannot be proven in any other way, you may have to provide very detailed information about the act of violence. If you are unable to do so, approximate information about the crime scene and time will initially suffice (e.g. "From the beginning of 1977 to mid-1977, not only but also in my own flat").

If criminal proceedings have already been initiated or conducted, the findings can be very helpful for a swifter clarification of the facts surrounding the crime. Moreover, this may spare you the strain of having to provide information about the crime once more. Therefore you are asked to provide the police/public prosecutor's file number so that the social compensation authority can request the investigation files. Even if the perpetrator was not convicted or could not be identified, you may still be entitled to compensation under certain conditions.

How long does it take until a decision on your application is taken?

The social compensation authorities of the *Länder* endeavour to decide on your application without undue delay. Please understand that this process may take several months in the case of a comprehensive investigation into the circumstances surrounding the case. Of course we will keep you informed about the status of the case regularly. In exceptional cases compensation pursuant to the Crime Victims' Compensation Act may already be provided before the completion of the investigation (e.g. for dental treatment or psychological first aid). You may want to contact the official responsible for you to clarify whether this is possible in your case. The acknowledgement of receipt you will get from the social compensation authority after having received your application will include the necessary contact information.

Additional information

In order to enable the state to prosecute the perpetrator, the Crime Victims Compensation Act provides, that the applicant reports the crime to the police without delay. In cases where this is particularly hard on the victims - this includes cases of sexual abuse in the family or domestic violence - an exception can be made. Please explain, where applicable, why you have not reported the crime or do not want to do so. Finally, we would like to inform you that your claims for damages against the perpetrator (with the exception of damages for pain and suffering) will pass to the state when submitting an application under the Crime Victims' Compensation Act. This means that as a general rule the social compensation authority responsible for your case will have to reclaim potential compensation payments from the perpetrator. As a consequence he/she will become aware of your application. If you fear that this will lead to considerable disadvantages for yourself or your family members, it may be possible to refrain from reclaiming the benefits granted.

¹ Your obligation to cooperate is laid down in sections 60-64 of Book I of the German Social Code, section 65 of Book I of the German Social Code governs the limits of your cooperation.