

4 - Compensation

What is the process for claiming damages from the offender? (e.g. court case, civil claim, adhesion procedure)

Claims for compensation for a criminal offence are usually dealt with as part of the hearing of a criminal case in the same trial. You must notify your intention to claim damages to the police during the pre-trial investigation or, at the latest, in court.

You may ask the prosecutor to present your compensation claim for the crime in question in court. It is a good idea to inform the police of this during the pre-trial investigation. The prosecutor may pursue the compensation claim on your behalf if the matter is clear and simple. If the prosecutor does not present the compensation claim, they will notify you in writing.

You can also bring your claim for damages before the court during the criminal proceedings. This can be done by a legal counsel on your behalf.

If necessary, the claim for damages can also be handled in separate civil proceedings. You can also pursue your claim as a separate civil claim. If your claim is not handled together with the criminal case, a court fee will be charged for the proceedings.

The court ordered the offender to pay me damages/compensation. How do I make sure the offender pays?

If the offender fails to pay in accordance with the court decision voluntarily, the judgment can be carried out by way of enforcement. Enforcement will not be initiated automatically. You must file an enforcement request with the enforcement authority and attach the court decision to it.

You cannot claim compensation from the offender for any amount that you have received as state compensation from the State Treasury for the same loss or damage.

If the offender does not pay, can the state pay me an advance? Under what conditions?

You do not have to claim compensation from the offender in order to receive compensation out of state funds. However, you must submit a claim for compensation to the offender at the trial.

Am I entitled to compensation from the state?

If you (or a close relative) are the victim of a crime in Finland, you may be paid compensation out of state funds for the personal injury and suffering caused by the crime. You must report the crime to the police in order to claim compensation.

If the criminal case is heard by a court, you should seek to have your right to compensation upheld by means of a judgment. This means that you should present a claim for compensation against the offender during the court proceedings. Compensation for criminal damage is not generally paid out if you have failed to fulfil this obligation.

You must apply for compensation within three years of the date on which a judgment with legal force is issued in a

case of compensation. If the case has not been heard in court, compensation must be claimed within ten years of the date on which the crime was committed. There is only flexibility with these deadlines in special circumstances.

Your compensation claim will be processed by the State Treasury. You can either send your claim electronically to rikosvahingot@valtiokonttori.fi or print out the form and post it to: State Treasury, P.O. Box 50, 00054 State Treasury.

Am I entitled to compensation if the offender is not convicted?

You may apply for compensation even if the offender has not been identified. You must enclose a copy of the police record from the pre-trial investigation, or other reliable evidence of the events, with your compensation claim.

You are also entitled to compensation if the offender has been identified but is not convicted because the offender is under the age of 15 or lacks criminal responsibility.

Am I entitled to an emergency payment while I wait for the decision on my compensation claim?

You may submit a written application for an advance compensation payment if necessary. An advance compensation payment may be made if the processing of your compensation case is delayed for reasons beyond your control and you are entitled to a significant amount of compensation.

■ Last update: 09/07/2025

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