

March 2013

Have you experienced assault? Have you ever been criminally harassed? Did you experience abuse as a child? Have you been the victim of domestic violence? If the answer is yes to these questions or if you have been the victim of another violent crime, you may be able to apply for compensation from the Criminal Injuries Compensation Board ("CICB"). The CICB is a program funded by the Ontario government to provide money to victims of violent crime. This program is governed by the *Compensation for Victims of Crime Act*.

You can apply for compensation from the CICB if you have suffered physical, mental, emotional, or psychological injuries as a result of a violent crime that was committed against you. In some cases, if you have been harmed as a result of an injury to another person you will be allowed to apply. An example of such a situation would be if you were the child of a murder victim.

Compensation awards can include, for example, money to cover treatment expenses, travel costs to treatment, loss of income as well as damages for pain and suffering.

To apply for compensation, the crime must have taken place in Ontario. In addition, you must start your application to the CICB within 2 years of the crime taking place. However, if you were injured while still a child then you must start your application within 2 years of turning 18. In special circumstances, an extension of time may be granted if you have missed the 2 year deadline.

In your application, you will have to provide:

- Detailed information about when the crime of violence occurred;
- The name of the offender;
- Location of the crime; and
- If you received medical treatment or counselling.

An application form can be obtained through the CICB website (link at end of article) or by phoning the CICB directly.

Applying for compensation is easier when the person who committed the crime has been convicted of that crime. However, you can still apply for compensation even if no charges have been laid or a conviction made. In doing so, however, you will need to have some evidence to show that it is "more likely than not" the crime of violence occurred.

It can take anywhere from 12-18 months to have your claim processed. In some cases, a hearing may be held.

You do not need a lawyer to make an application but having one is always recommended and can make the process much easier. In addition, legal advice is always a good idea because you have an option to sue your offender for hurting you as well.

Further information on the CICB is available at <http://www.cicb.gov.on.ca> and at <http://yourlegalrights.on.ca/criminal-law/criminal-injuries-compensation>. The Community Advocacy & Legal Centre also has information available on its website at http://www.communitylegalcentre.ca/legal_information/CICB.htm

This column is not intended to provide legal advice. It provides general legal information and is written by the staff of community legal clinics, student legal aid societies, volunteer local lawyers and Legal Aid Ontario. The law can change. You should contact a lawyer to determine your legal rights and obligations. If you are living on a low income, you may be eligible for free legal help from Legal Aid Ontario (criminal, family or immigration) or your local community legal clinic (income security programs, employment law, tenants' rights, consumer law, or human rights). You can reach Legal Aid Ontario at 1-800-668-8258 or visit them online at www.legalaid.on.ca. Contact the Community Advocacy & Legal Centre at 1-877-966-8686 for more information or visit www.communitylegalcentre.ca.

www.communitylegalcentre.ca

158 George Street, Level 1
Belleville, ON K8N 3H2
Tele: (613) 966 8686

Toll Free: 1 877 966 8686
Fax: (613) 966 6251
TTY: (613) 966 8714

Your community legal clinic