

Victim/Witnesses of Crime:
The Criminal Injury Compensation Board Process
By Michelle Donio-King, Victim Witness Liaison
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The overall mandate of the Victim Witness Liaison Service is to improve the quality of service to victims / witnesses of crime using a wholistic approach, to encourage and empower clients in a non-intrusive manner and provide alternative justice options, such as the restorative justice process.

Part of the mandate of the Victim Witness Liaison Service is to assist victims / witnesses with their Criminal Injuries Compensation Board (CICB) applications. While the Victim Witness Liaison does not attend CICB Hearings with you, an application can be made to Legal Aid Ontario to obtain legal representation for CICB Hearings.

CRIMINAL INJURIES COMPENSATION BOARD (CICB)
COMPENSATION FOR VICTIMS OF CRIME

YOU MAY BE ELIGIBLE FOR COMPENSATION IF:

- You have been injured as a result of a violent crime in Ontario. Your injuries may be *physical* or *psychological*.
- You are responsible for the maintenance of a victim of a crime who has suffered monetary loss or incurred expenses as a result of the injury.
- You are the dependant of a deceased victim of crime.
- You are not a dependant of the victim of crime, but you have incurred expenses as a result of the death of the victim of crime.
- You were injured while trying to prevent a crime or while assisting a Police Officer in making an arrest.

COMPENSATION MAY BE AWARDED FOR:

- Loss of wages up to \$50.00 per day or a maximum of \$250.00 per week in cases where total or partial disability affects the victim's ability to work.
- Financial loss to the dependants of a deceased victim of crime.
- Pain and suffering.
- Maintenance of a child born as a result of a Sexual Assault.
- Expenses incurred or to be incurred as a result of the victim's injury or death. (This would include the cost of counseling, physiotherapy, eye glasses, dentures, etc.)
- Emergency expenses incurred as a result of injury or death. (These expenses include such items as medical costs, funeral costs and interim counseling.)

COMPENSATION IS NOT AWARDED FOR:

- Property damage or theft.
- An incident involving a motor vehicle unless the injuries were inflicted intentionally by the use of the vehicle as a weapon.
- Legal fees incurred for criminal and / or civil proceedings.

TO BE ELIGIBLE:

- The claim must be filed within one year of the date of the crime. A request for an Extension may be granted if there is a good reason for the late filing.
- The claim for a minor victim, one under 18 years of age, must be signed by a parent, guardian or a legal representative.

WHEN ASSESSING COMPENSATION THE BOARD WILL CONSIDER IF:

- The victim has received any benefits, compensation or indemnity paid by private insurance, the Worker's Compensation Board or any other source. This does not include welfare assistance (ie. Ontario Works) or family benefits.
- The victim refused reasonable cooperation with or failed to report the offense promptly to the Police.
- The victim's behaviour caused or contributed to the injury or death.

HOW DOES THE BOARD DECIDE ON YOUR CLAIM?

The Board decides whether you are entitled to compensation in one of three ways:

- **Documentary Hearing**
- **Oral Hearing**
- **Electronic Hearing**

Documentary Hearing: applications which are simple and straight forward may be decided with your permission on documentary evidence (written application) alone. This reduces travel time, expenses, and the need to take time away from work.

Oral Hearing: in a relaxed setting, you can present information explaining your claim to two members of the Board. Oral Hearings may be held in public or in private. Hearings are held in numerous locations, including Thunder Bay and Sioux Lookout. You are given 4 to 6 week's notice of a Hearing date.

Electronic Hearing: this is where the Applicant attends at the location where the Board is sitting and the Offender / Alleged Offender, along with their witness(es) attends at another location. The Offender / Alleged Offender participates in the Hearing by means of a telephone conference call.

To File an Application:

Contact the Criminal Injuries Compensation Board (CICB)

Office hours are: 8:30 am to 4:30 pm, Monday to Friday.

Call, write or visit:

Criminal Injuries Compensation Board
439 University Avenue, 4th Floor
Toronto, ON M5G 1Y8

Telephone: (416) 326-2900 Toll Free: 1-800-372-7463 Fax:(416) 326-2883

For assistance in completing your CICB application, including how to apply for Legal Aid for CICB Hearings or with other victim witness matters, please contact the Victim Witness Liaison worker in the Thunder Bay Office. Contact information can be found on the on the staff directory in the back of this newsletter.