



**IVAC COMPENSATION APPLICATION GUIDE
FOR ADULT VICTIMS OF CRIME (AGE 18 OR OVER)**



**Indemnisation
des victimes
d'actes criminels**



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Legal deposit – Bibliothèque et Archives nationales du Québec, 2018

Legal deposit – Library and Archives Canada, 2018

ISBN 978-2-550-80295-2 (PDF)

January 2018

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IVAC COMPENSATION APPLICATION GUIDE

For adult victims of crime (18 or over)

This guide sets out the information you need to have before sending us your application. It provides assistance in filling out the form and gathering the required documents.

This is not a legal document. For information of a legal nature, please refer to the *Crime Victims Compensation Act* or the *Workmen's Compensation Act*.

IMPORTANT NOTE: If you were the victim of several different crimes committed by different offenders, please submit a separate application for each crime.

Example 1: Sylvia suffered conjugal violence at the hands of her spouse from June 1 to 30, 2015. Before that, she was sexually assaulted by a stranger in a bar on January 15, 2015. Sylvia therefore fills out two applications: one for the conjugal violence and the other for the sexual assault.

Example 2: Walking along Saint-Laurent on the evening of March 22, 2015, Anthony was attacked by three strangers. Although there were several attackers, this was a single crime and Anthony therefore fills out only one application.

If you need help filling out the application, you should contact a crime victims assistance centre (Centre d'aide aux victimes d'actes criminels, [CAVAC](#)), a rape crisis centre (Centre d'aide et de lutte contre les agressions à caractère sexuel, [CALACS](#)) or an integrated university health and social services centre (Centre intégré universitaire de santé et de services sociaux, CIUSSS). You can find contact information for the CAVAC, CALACS or CIUSSS nearest to you online.

CAN I FILE FOR COMPENSATION?

You can file for compensation if you are 18 or over and have been injured as a result of a criminal offence that is listed in the schedule to the Crime Victims Compensation Act (CVCA) and took place in Québec.

You can file for compensation on behalf of a victim who died of a criminal offence that is listed in the schedule to the CVCA and took place in Québec or is incapable.

If you reside outside the province and are the victim of a crime in Québec, you are entitled to the same compensation as a Québec resident.

A person who suffers material damage as a result of assisting a peace officer in making an arrest or preventing a crime is considered a victim even if the person is not killed or injured. A person who is killed or injured in such circumstances is also considered a victim.

As of November 24, 2016, a parent of a child murdered by the other parent is recognized as a victim under the CVCA. The principle here is that the actual intent behind such an act is to harm the other parent. Consequently, the murder itself is enough to consider that the other parent is a victim; no other proof is required to make the application eligible.

IMPORTANT NOTE: Victims who are eligible under this new directive (in effect since November 24, 2016) may file for compensation even if the crime was committed more than two years ago, **in the case of crimes committed before November 24, 2016**. For crimes committed after that date, the two-year limitation stipulated in the CVCA applies.

Any victim of a crime—or his/her dependants if the victim is killed—may obtain the indemnities provided for in the CVCA as well as any applicable benefits.

Special cases: It may happen that a person is injured or killed in certain circumstances that give rise to indemnities, for the victim or the victim's dependants, under other legislation. For example:

If the crime occurred at the person's workplace: The claim must be filed with the Commission des normes, de l'équité, de la santé et de la sécurité du travail (CNESST) or the workers' compensation board in the province or country of residence. If the CNESST rejects the claim, you may submit it to IVAC with the CNESST's rejection letter attached. For more information, call the CNESST at 1 866 302- 2778 or visit the CNESST website at www.cnesst.gouv.qc.ca.

If the crime involved a motor vehicle: If you were intentionally injured with a motor vehicle, you may be considered a crime victim and choose to be compensated under the CVCA or under the *Automobile Insurance Act*. For more information, call the Direction de l'IVAC at 1 800 561-4822 or visit our website at www.ivac.qc.ca.

WHEN MUST THE APPLICATION BE FILED?

To obtain the benefits provided for in the CVCA, your application must be sent to us within two years after the material damage, injury or death. For crimes committed before May 23, 2013, the time limit for filing an application is one year.

If you fail to file the application within that time, you are considered to have waived the right to any indemnities provided for in the CVCA.

Applications submitted past the limitation period may be accepted in some situations, for example if you can show that you were incapable of filing the application, or if your child was murdered by the other parent before November 24, 2016.

In addition, if the date on which you become aware that your injuries were caused by a crime is different from the date on which it took place, your application may be accepted even though it is late. Such situations are evaluated on a case-by-case basis.

WHAT DOCUMENTS MUST BE ATTACHED TO AN APPLICATION FOR BENEFITS?

When you file your claim, you must provide proof of injury. If you have a document issued by a member of a professional order or a healthcare establishment that factually reports the injuries caused by the crime, you must attach it to your application.

The document could be a medical report or a psychological or psychosocial assessment report, for example. The appendix in this guide lists the documents that could be accepted as objective proof of injury for the purposes of determining the eligibility of your claim.

The other documents requested are needed to speed up the processing of your claim and may be used in the calculation of any indemnities.

WHAT INFORMATION MUST BE PROVIDED?

For a file to be opened, your claim must include certain essential pieces of information, which are listed below. If any of these are missing, your file will be returned to you.

The following information is required:

- ▶ Identity of the victim, including health insurance number and social insurance number (Section 1)
- ▶ Date of crime (Section 3)
- ▶ Description and location of crime (Section 3)
- ▶ Notice of Election, signed (Section 13)
- ▶ Claimant's signature (Section 15)

INSTRUCTIONS FOR COMPLETION OF THE APPLICATION FORM

1 – Identification of victim

Please provide all information requested in this section. This information is mandatory.

If the victim has died, please enter the date of death and attach the death certificate.

A death certificate is an official document issued by the Directeur de l'état civil attesting to the person's death. To obtain a death certificate, please go to www.etatcivil.gouv.qc.ca, or call 514 644-4545 (in Montréal) or 1 877 644-4545 (toll-free).

Home address

Please enter the address at which you live most of the time. We will send your correspondence to this address.

2 – Claimant

Fill out this section only if the victim is incapable or deceased. Please consult the glossary (page 20) before deciding in what capacity you are filing the claim.

Note: If you are not a dependant but have paid for funeral expenses, transportation of remains or cleaning of the crime scene, you may submit a claim and have those expenses reimbursed.

To find out the eligible amounts and conditions of reimbursement, go to the “Dècès” tab on our website at www.ivac.qc.ca.

3 – Crime

If you were the victim of several different crimes committed by different offenders, please file a claim for each crime.

Please provide information about the date of the crime.

You must provide a date or period of time during which the crime occurred:

If the crime occurred only once, it is a single event. Please provide the exact date (year/month/day) of the event. If you are not sure or do not remember, enter your best approximation.

Example: Annie was a victim of a sexual assault in 1996, when she was 10 years old. She doesn't remember the exact date, but she knows it was summer vacation and she was wearing summer clothes when the assault took place. When filling out her form, she decides to enter July 1, 1996, under single event.

If the crime was repeated, it is considered to consist of events over a period of time. Please indicate the start date (year/month/day) and end date (year/month/day) of these events.

Example: Bianca was a victim of conjugal violence (blows to the head, belly, legs, etc.) that began in November 2006 and lasted nine years. After the last assault, which took place on December 10, 2015, she left her spouse. When filling out Section 3 of the application form, Bianca selects **events over a period of time**, indicating November 1, 2006, as the start date and December 10, 2015, as the end date.

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- Location, city and/or address

Indicate the location and city where the crime took place.
If you know the exact address, please include it.

- Description of circumstances

Give a detailed description of your experience.
Use a separate sheet if the space provided is insufficient.

Example 1: January 24, 2016.

I was at the home of some friends for dinner and my friend's husband punched me in the nose. I was bleeding a lot. My friend called the police, who arrived quickly and arrested my attacker. I was taken to the hospital and came out several hours later.

Example 2: October 1, 1986, to November 1, 1989.

I was sexually assaulted by my uncle from the age of five to the age of eight. During that time, he touched my genitals under my clothes, forced me to touch his genitals, and made me watch while he masturbated. I was also subjected to vaginal penetration. The assaults took place in my home about once a month. They ceased when my brother reported them to my father, but my parents never pressed charges.

4 – Bodily or psychological injury

In your own words, name and describe any physical or psychological injury you have sustained as a result of the crime. Use a separate sheet if necessary.

Examples of physical injury: abrasions, contusions, fractures, cranial trauma, broken teeth

Examples of psychological injury: acute stress, adjustment disorder, post-traumatic stress disorder, severe depression, panic attacks.

Examples of symptoms: anxiety, insomnia, nightmares, melancholy, hypervigilance, fears, phobias, flashbacks.

Manifestation of injuries

Indicate the date on which the injuries became evident; use a separate sheet if necessary.

If the injuries manifested on the same day as the crime, check *on the date of the crime.*

Example: On September 2, 2015, Carl was assaulted in a bar. He was taken to the hospital, where he was diagnosed with a fractured jaw.

.....

If the injuries manifested after the crime, check *on another date.*

Indicate the date as precisely as possible (year/month/day), and explain the delay.

Example: On July 23, 1995, at the age of 11, Edward was sexually assaulted by his camp monitor. He never talked about it. He went on with his activities and studies, got married and became the father of two children. On May 6, 2015, he saw on TV that his abuser had just been arrested and charged with sexual assault on juveniles between 1990 and 2000. He had a panic attack and went to his doctor, who diagnosed post-traumatic stress disorder. When filling out his claim, he should check “at another date” and indicate 2015/05/06 for the date on which his injuries manifested.

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If you later became aware of a connection between the injuries and the crime you suffered, check *on another date.* Please indicate the exact date (year/month/day) and explain the discrepancy.

Example 1: On July 10, 2000, at age 15, Catherine was raped by her uncle. After that, she had nightmares, panic attacks and severe loss of appetite, and began taking drugs regularly. In November 2015, she decided to go into rehabilitation. On December 12, 2015, during therapy, her therapist said he suspected she was suffering from post-traumatic stress and brought her to the realization that her condition and her injuries were caused by the assault she had suffered when she was 15. When filling out her claim, she should check “on another date” and indicate 2015/12/12, since that is when she became aware that her injuries were attributable to the assault at age 15.

Example 2: From May 23, 1981, to June 4, 1987, Denise was sexually assaulted by a cousin when she was a child. Since then, she presents different symptoms: crying, sleeplessness and anxiety. She had several episodes of depression. On April 12, 2014, after another diagnosis of depression by her GP, she went to see a psychologist. That was when she discovered that her depression was connected to the sexual abuse. On April 20, 2014, she submitted her application for IVAC. When filling out the form, Denise checked

“on another date” and entered 2014/04/12, since that is when she became aware that her injuries were caused by the abuse experienced as a child.

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If you have gradually become aware that your injuries were caused by a crime, indicate the day on which you began to think about it as the start date and the day on which you became fully aware of the connection as the end date.

Example: Sebastian was sexually abused by his hockey coach from age 10 to 15 (in 2005). He then had difficulty with life, suffering from nightmares and anxiety. He became a homeless drug addict. On January 5, 2015, at age 25, he met with a counsellor from a community organization and talked about his problems and the childhood abuse. The counsellor sent him to a rehab centre, where he went into therapy while continuing to see the community counsellor. The rehab therapy and the counselling continued for a year and a half. During that time, Sebastian gradually came to understand that he was suffering from post-traumatic stress and that there was a connection between his injury (the post-traumatic stress) and the abuse he suffered. On June 30, 2017, when he clearly understood the connection, Sebastian decided to report the incident to the police with the help of the community counsellor. The awareness came about gradually through Sebastian’s work with the rehab centre and his counsellor.

In the form, Sebastian’s start date should be 2015/01/05 and his end date 2017/06/30. He should provide details on the process he went through with the community counsellor and the rehab centre therapist.

5 – Medical follow-up

Here you must list all the health providers you have consulted because of injuries arising from the crime; use a separate sheet if necessary.

Indicate the exact date (year/month/day) of the first consultation in connection with injuries caused by the crime, the name and address of the health professional consulted, and the name of the hospital or establishment where you were treated or hospitalized, if applicable.

If you have not yet consulted a healthcare professional but have made an appointment, please indicate the date of the appointment, along with the professional’s name and address and the name of the hospital or establishment where the appointment will take place.

6 – Police department

Please provide all useful information.

Check *Yes* if a complaint against the offender was filed with the police. Indicate the name of the police department that received the complaint, the name and telephone number of the investigator and the police report number. If you have a copy of the police report, attach it to your application to speed up processing.

7 – Witness(es) to the crime (if applicable)

Provide the names and contact information of witnesses, if known. The Direction de l'IVAC may have to contact and meet with them if additional information is needed to determine the eligibility of your application.

8 – Persons allegedly responsible for the crime (if known)

Provide the names and contact information (address and telephone number) of the alleged perpetrators, if known. The Direction de l'IVAC may have to contact them if it decides to file for damages.

9 – Expenses and treatment

Check each type of expense, treatment or service you want to claim. **The Direction de l'IVAC will assess each claim submitted and will let you know whether it is accepted or rejected.** To be eligible for reimbursement, an expenditure must have been incurred because of an injury caused by the crime, and the **original receipts** must be presented.

- Ambulance* if you were taken by ambulance to a healthcare establishment for treatment of injuries caused by the crime and you paid for the service. The original ambulance service receipt or invoice must be attached.
- Living and/or transportation expenses* if you travelled to obtain medical care necessitated by injuries caused by the crime.

To find out the rates in effect, see the form Demande de remboursement des frais (expense reimbursement application), available on our website at www.ivac.qc.ca.

- Childcare expenses* if, due to injuries caused by the crime, you have had to use a childcare service to take care of your children under 16 or an invalid. This expense is eligible for reimbursement if you have sole custody of and responsibility for the children or the invalid and had to be absent to receive care or treatment for injuries caused by the crime.

- Moving expenses* *Alarm system* ou *Self-defence course* if one of these services has been or will be used because of the crime and it is shown that the service is necessary for your rehabilitation.
- Medication* if prescribed for treatment of an injury caused by the crime. To be reimbursable, it must be on the list of medications covered by the Québec basic drug insurance plan unless you are not a resident of Québec.
- Dental treatments* made necessary by injuries arising from the crime. Please include a dental treatment plan and a panoramic X-ray of your teeth.
- Physiotherapy and occupational therapy* if these treatments were prescribed by a physician to treat an injury caused by the crime. They must be administered by a member of the Ordre professionnel de la physiothérapie du Québec. For the reimbursement procedure, please go to our website at www.ivac.qc.ca.
- Psychotherapy for the victim* if you have had or would like to have help from a psychotherapist. Make sure the therapist you consult has a psychotherapy permit issued by the Ordre des psychologues du Québec.
- Psychotherapy for close relation* relation if you are filing as a close relation of a deceased victim and are claiming expenses for psychotherapy or wish to receive psychotherapy. Make sure you fit the description of a close relation as defined in the glossary (page 22). You must enter the name of each close relation who wishes to receive psychotherapy in Appendix 2 of the application form. Psychotherapy must be administered by a therapist with a psychotherapy permit issued by the Ordre des psychologues du Québec.

If you are the victim of a crime other than homicide or murder, you may designate a person of your choice to receive psychotherapy as a close relation. You may designate someone who has a significant relationship with you or who fits the definition of close relation (see the glossary on page 22).

- Personal home care* if, because of injuries caused by the crime, you are not able to take care of yourself and perform, unassisted, most of the household chores and activities of daily living (e.g., cleaning, preparing meals, dressing, bathing) you usually do at home. After a needs assessment and under certain conditions, the Direction de l'IVAC will determine any amount to which you are entitled, given the nature of your injuries and the resulting limitations.
- Routine home maintenance* if, because of injuries caused by the crime, you are not able to perform everyday upkeep (e.g., mowing the lawn and clearing snow from the driveway) and must hire someone to do it. After a needs assessment and under certain conditions, the Direction de l'IVAC will determine whether such expenses should be reimbursed. Reimbursement may be made after submission of two quotes.

- Availability allowance* if, because of your condition, you must be accompanied when receiving treatment. For the reimbursement procedure, please go to our website at www.ivac.qc.ca and see the section on rehabilitation under indemnities and services.
- Damaged spectacles or contact lenses*, *Damaged prostheses or orthotics*, *or Damaged clothing* if you wish to be reimbursed for the value of these items. No receipt is required for clothing. However, for reimbursement of glasses, prostheses or orthotic devices, a quote from a health professional indicating the replacement value is required.
- Other* if you foresee any other expenses needed to treat the injuries caused by the crime.

10 – Inability to work, attend school or go about most of your usual activities

You may be entitled to indemnities for the period of temporary total disability (TTD) during which you are unable to work, attend school or perform most of your usual activities of daily living.

Only a physician can determine whether you are unable to work, attend school or perform most of your usual activities. If you checked *Yes*, you must attach a medical certificate, or other document issued by a doctor, confirming your inability to work, attend school or perform most of your usual activities of daily living due to injuries caused by the crime. If you were employed, you must complete Appendix 1A of the application form.

TTD indemnities are based on your annual revenue at the time you stopped working.

If you were in school or unemployed on the date when the injuries caused by the crime began preventing you from attending school or performing your usual activities, the indemnities will be based on the minimum wage in effect on that date.

11 – Marital status

The Direction de l'IVAC needs to know your family situation in order to calculate and pay the indemnities for temporary total disability and for permanent disability, if applicable. Your family situation must be as declared in your provincial and federal tax returns.

Please see the glossary (page 22) for definitions of possible family situations. Then check the one that corresponds to your situation on the date of the crime (in the case of a single event) or the start date of the crime (for events over a period of time) (see Section 3).

Please indicate the number of dependants of the victim, including dependent adults and spouse.

IMPORTANT NOTE: If you have been unable to work, attend school or perform most of your usual activities, you must indicate your family situation as at the date of disability,

i.e., the date on which you stopped working, attending school or performing most of your usual activities. You must also indicate the number of your dependants (both over and under 18 years of age) as at the date of disability.

12 – Employment status and sources of income

In the left-hand column, indicate your status and income sources as at the date of the crime (in the case of a single event) or the start date of the crime (for events over a period of time) (see Section 3).

In the right-hand column, indicate your status and income sources as at the date of disability, i.e., the date on which you stopped working, attending school or performing your usual activities.

You must fill out the left-hand column. The right-hand column is to be filled out only if you checked *Yes* in Section 10 to declare a disability. If you checked *No*, do not fill out the right-hand column in Section 12.

Please check each response that applies:

Working et *Employee* if you were working full time, part time, seasonally or were on call for an employer and were receiving a salary. If so, you must fill out and attach Appendix 1A or 1B of the compensation application:

- ▶ Attach Appendix 1A if you were placed on leave immediately after the crime because of injuries caused by the crime.
- ▶ Attach Appendix 1B only if you were not placed on leave because of injuries caused by the crime.
- ▶ Attach appendices 1A and 1B if the date of disability is different from the date of the crime.

If you do not provide Appendix 1A or 1B, please attach one of the following:

- ▶ Copies of your pay stubs for the 12 months preceding the crime or the date of disability
- ▶ A letter from your employer confirming that you work there and stating your job title, when you were hired, your annual salary, your work schedule and a brief description of your duties
- ▶ A termination letter from your employer if you are no longer employed
- ▶ Employment insurance benefit statements showing the amount of unemployment insurance you are receiving and your benefit weeks

- Employed* et *Self-employed* if, on the date of the crime or the date of disability, you were operating your own business and were acting as a service supplier to customers. If such was the case, you must enclose the following with your application:
- ▶ Your detailed assessment notice for the year before the crime or the disability. If you did not keep your notice, you can request a copy from Revenu Québec or the Canada Revenue Agency
 - ▶ Proof that your business was a going concern at the date of the crime or the date of disability (subject to acceptance by the Direction de l'IVAC, the proof may be a receipt for supplies, a lease for commercial premises, a service contract or any other document showing that your business was active)
 - ▶ If you are the president of an incorporated company (Inc.) and you pay yourself a salary and dividends, you must include, in addition to the above documents, your Relevé 3 or Relevé T5 for the year before disability
 - ▶ If you are not a resident of Canada, any official document proving your income. This type of document is usually required by the tax authorities of most countries and territories (the equivalent of Revenu Québec or the Canada Revenue Agency)
- Unemployed* if you were unemployed on the date of the crime or the date of disability.
- Full-time student* if, on the date of the crime or the date of disability, you were attending an educational institution full time. You must attach an attestation of attendance issued by the registrar of your educational institution.

Check *Retired* if you were retired on the date of the crime or the date of disability.

Check *Beneficiary* AND each situation that applies:

- Last-resort financial assistance (social assistance)* if you were receiving government social assistance on the date of the crime (and the date of disability if applicable)
- Employment insurance* if you were receiving employment insurance benefits. Please attach an employment insurance (EI) statement covering the date of the crime (and the date of disability if applicable), or an employment termination notice, or all pay stubs covering the 12 months preceding the crime (and the date of disability if applicable)
- Private or group disability insurance* if you were receiving benefits under a private or group disability insurance plan. Please have your employer fill out Appendix 1A or 1B of the application, or attach all pay stubs covering the 12 months preceding the date on which you began receiving disability insurance benefits
- CNESST benefits* if you were receiving compensation from the CNESST following an occupational injury. Please have your employer fill out Appendix 1A or 1B of the application, or attach proof of employment or a letter from your employer confirming that you work there

- SAAQ benefits** if you were receiving compensation from the Société de l'assurance automobile du Québec (SAAQ) following a vehicle accident. Please have Appendix 1A or 1B of the application filled out by the person who employed you at the time of the accident, or attach proof of employment, a letter from your employer confirming that you worked there at the time of the accident, or all pay stubs covering the 12 months preceding the date of the accident
- QPP benefits** if you were receiving benefits from the Régie des rentes du Québec (RRQ)
- Other** if none of the above categories apply, and specify your employment situation on the date of the crime or the date on which you became unable to work, attend school or perform most of your usual activities

13 – Notice of Election

If you are a victim of a crime, you may elect one of two options:

- Sue the offender in the civil courts for all damages suffered

- Apply for compensation under the Crime Victims Compensation Act (CVCA)

If you elect to apply for compensation, you must complete the Notice of Election and sign it in the presence of a witness to inform us of your choice.

Once you have signed the application for compensation and filed it with the Direction de l'IVAC, the CNESST may sue the offender in your stead without having to ask for your permission. This is allowed under the law, even if you are receiving the compensation provided for in the CVCA.

If you already filed a civil suit before applying to the Direction de l'IVAC for compensation, you must inform us of the amount claimed and, if the court has already handed down a ruling, of the amount received. If the latter is less than the compensation you could have received under the CVCA, you may be entitled to an amount making up the difference. To be eligible, you must notify the CNESST within the year following the court ruling.

14 – Authorization to collect information on my health status

To determine your right to certain benefits, measures and reimbursements, the Direction de l'IVAC requires information about your state of health. We therefore need your consent to collect this information from your attending physician or other health professional, or from a healthcare establishment, clinic or healthcare worker.

Please sign this section to indicate your consent. Enter the date beside your signature.

15 – Declaration

You must date and sign the compensation application form. Your signature testifies to the truthfulness of the information provided in the appendices attached (if applicable). If the form is not signed and dated, it will be returned to you.

APPENDIX 1A

Information on employee’s remuneration at date of work interruption

If you checked *Yes* in Section 10, please have your employer fill out Appendix 1A. This information will be used to calculate the amount of your temporary total disability (income replacement) benefit, if applicable.

APPENDIX 1B

Information on employee’s salary at date of the crime

If you checked *Employee* in Section 12, please have your employer fill out Appendix 1B, even if you are not claiming any income replacement. This information will be used to calculate the amount of your permanent disability benefit in case of lasting effects of injuries sustained as a result of the crime.

You must sign the form authorizing the employer to disclose the information to us.

APPENDIX 2

Assistance for victim’s close relations

Complete Appendix 2 only if the victim is deceased, to identify all close relations who could be eligible for assistance. One or more close relations could be entitled to the number of psychotherapy sessions stipulated in the regulation.

APPENDIX 3

Victim’s dependents

Appendix 3 is to be filled out only if the victim is deceased and had dependants at the time of the crime.

Please see the Glossary (page 22) for the definition of “dependent.”

APPENDIX 4

Application for benefits submitted after deadline

You must fill out Appendix 4 if you are filing for compensation more than two years after manifestation of your injuries in the case of a crime committed after May 23, 2013, or more than one year after the manifestation of your injuries in case of a crime committed before that date.

Example: Francine was physically assaulted by her spouse, Gilles, on several occasions between March 12, 2008, and June 15, 2012. She filed for compensation on July 5, 2015, more than three years after the last assault.

In Appendix 4, Francine explains that Gilles made death threats to her and her family while they were living together. He did not let her use the phone, leave the house or see her friends or family unless he was present. He also prevented her from working outside the home and controlled the bank accounts, so that she was under his complete control. On June 15, 2012, another assault by Gilles put Francine in the hospital. She pressed charges and went to a women's shelter. She then suffered a severe depression and had to be hospitalized for several months. When she was released from hospital, Gilles continued to harass and threaten her. In January 2015, Gilles was sentenced to three years in prison. Francine's condition began to improve. On July 5, 2015, she filed for compensation.

If Francine's proof is conclusive, IVAC may determine that it was impossible for her to submit her claim within the period prescribed by law. Consequently, even though her application was filed late, her claim may nevertheless be accepted.

CHECKLIST OF DOCUMENTS THAT MIGHT BE REQUIRED

To speed up the processing of your file, we strongly recommend attaching all documents that are required or that could support and justify your claim. A representative of the Direction de l'IVAC may contact you to request any other document deemed useful.

Check box if document is attached to the application	Documents
<input type="checkbox"/>	Attestation of school attendance
<input type="checkbox"/>	Medical certificate
<input type="checkbox"/>	CNESST medical certificate
<input type="checkbox"/>	Other official document proving income
<input type="checkbox"/>	Other report
<input type="checkbox"/>	Assessment notice for year preceding the crime
<input type="checkbox"/>	Copies of birth certificates of dependants, including mother's and father's names
<input type="checkbox"/>	Copy of death certificate
<input type="checkbox"/>	Copy of marriage or civil union certificate
<input type="checkbox"/>	Provincial or federal tax return
<input type="checkbox"/>	Court order of tutorship (guardianship) or curatorship (trusteeship)
<input type="checkbox"/>	Dental treatment plan and panoramic X-ray
<input type="checkbox"/>	Psychological assessment report
<input type="checkbox"/>	Psychosocial assessment report
<input type="checkbox"/>	Police report
<input type="checkbox"/>	Medical report
<input type="checkbox"/>	Original receipt for transportation of remains
<input type="checkbox"/>	Original receipt for crime scene cleaning expenses
<input type="checkbox"/>	Original receipt for funeral expenses
<input type="checkbox"/>	Original receipt or invoice for ambulance service
<input type="checkbox"/>	Receipt for personal aid services
<input type="checkbox"/>	Employment insurance benefits statement
<input type="checkbox"/>	Quote for eyeglasses, prosthesis or orthotic device
<input type="checkbox"/>	Quotes for routine home maintenance services
<input type="checkbox"/>	Pay stubs for the past 12 months or letter from employer

GLOSSARY

Spouse

The following persons are recognized as the victim's spouse:

- ▶ Any person who is joined to the victim by marriage or civil union and who cohabited with the victim at the time of the incident
- ▶ Any person who at the time of the incident had cohabited with the victim in a conjugal relationship for at least three years (or one year if a child was born or adopted during the union) and who is publicly recognized as the victim's spouse. The spouse and the victim may be of the same or opposite sex

Dependent spouse

The victim's spouse is considered a dependent spouse if, on the date of the crime, the victim was able to claim a total or partial tax credit or a tax deduction for alimony.

Non-dependent spouse

The victim's spouse is considered a non-dependent spouse if, on the date of the crime, the victim was not claiming any tax credit or tax deduction for alimony.

Date of manifestation of injury

The date on which the injury caused by the crime manifests itself. To be eligible for compensation under the IVAC program, the injury must be reported in a document issued by a member of a professional order or by a healthcare establishment. The appendix to this guide lists the documents that may be accepted as objective proof of injury.

Date of disability

The date on which a physician certifies, in a medical report or a CNESST medical assessment, that you are unable to work, attend school or perform your usual activities of daily living (housework, making meals, getting dressed, bathing, etc.).

Filing date

The date on which the Direction de l'IVAC receives your application for compensation. The date is stamped on the application when it is received.

Date of crime

The date on which you were the victim of a crime. If you were the victim of a criminal act repeated over a period of time, it is important to state when the criminal acts began and when the last criminal act occurred.

Date of awareness of connection between the injury and the crime

The date on which you became aware that the injury for which you are requesting care was caused by the crime of which you were the victim.

Single-parent family

A family is considered single-parent when the adult victim is solely responsible for the care of the children, either because he or she is the sole living parent or because he or she has sole custody following a separation. To claim single-parent status for purposes of the compensation application, the victim must be recognized as a single parent under the *Income Tax Act* and must claim the corresponding tax credits.

Dependant

Anyone for whom you can claim a total or partial tax credit or a deduction for alimony may be considered a dependant. The following may be dependants:

1. Your spouse
2. A person from whom you are separated or divorced and who, at the time of the crime, was entitled to alimony under a court order or agreement
3. Your adopted or biological children under 18 years of age
4. Your adopted or biological children over 18 years of age who are attending an educational institution full time or who are invalids
5. Any other person, whether a blood relative or not, who acts as a parent toward you or toward whom you act as a parent and who, at the time of the crime, was living totally or partially from your income

Incapacity

Incapacity means a person is unable to care for himself/herself or manage his/her affairs.

Incapacity may be declared due to a mental or degenerative illness, stroke, intellectual disability, head injury or weakened state as a result of old age that alters the mental faculties or physical ability to express one's wishes.

Close relation

The victim's close relations may receive compensation if the victim has died.

The following are considered close relations:

- Deceased victim's spouse
- Deceased victim's father and mother
- Person standing in loco parentis, acting as a parent to the deceased victim
- Deceased victim's child
- Child of the deceased victim's spouse
- Deceased victim's brother and sister

- Deceased victim's grandfather and grandmother
- Child of the spouse of either of the deceased victim's parents

If the victim is not deceased, he or she may designate as a close relation any of the persons listed above or another person with whom he or she has a significant relationship.

Tutor of an incapacitated person

Adults are considered incapacitated when they are unable to care for themselves or manage their affairs. Incapacity may be declared due to a mental or degenerative illness, stroke, intellectual disability, head injury or weakened state as a result of old age that alters the mental faculties or physical ability to express one's wishes.¹

Such a person may be protected under a system called tutorship (or guardianship). The tutor is someone appointed by the court to protect an incapacitated adult, manage his/her affairs and exercise his/her civil rights, given the incapacitated adult's lack of autonomy. The tutor may be a spouse, family member, friend or other close relation of the person needing protection.²

If no one is able or willing to be the tutor of the incapacitated adult, the court appoints the Curateur public as tutor.

1. <http://www.curateur.gouv.qc.ca/cura/en/majeur/inaptitude/protection/index.html>

2. <https://www.educaloi.qc.ca/en/capsules/tutorship-adults>

APPENDIX: Documents establishing objective proof of injury for purposes of eligibility for compensation - Adult victim

For compensation to be paid under the *Crime Victims Compensation Act*, the compensation application form submitted to the Direction de l'IVAC must be accompanied by a document proving injury caused by the crime (except in case of sexual assault of a minor).

A number of different documents are acceptable for this purpose; for example, a medical report diagnosing the injury or a psychological assessment report. Effective June 1, 2017, other documents may be accepted as objective proof of injury, copies of the following in particular: Medical or psychosocial consultation notes

- ▶ Medical record
- ▶ Psychological or psychosocial assessment report

These documents must be written by:

- ▶ **A healthcare professional working in the public system or a private establishment** (medical clinic, rehabilitation centre, CLSC, youth centre, etc.)
- ▶ **A member of a professional order who has provided support to the victim** (psychologist, psychotherapist, sexologist, nurse, social worker, etc.)

For one of these documents to be accepted as objective proof of injury, it must factually describe the physical or psychological impacts of the crime on the victim.

In the case of psychological injury, if the victim cannot supply a document providing objective proof of injury, the Direction de l'IVAC may pay for a psychological assessment.

If you are not sure that the document you have is acceptable as objective proof of injury, please contact the Direction de l'IVAC.



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Indemnisation
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