

Native Legal Info

SEXUAL ASSAULT AND COMPENSATION

Éducaloi, in collaboration with the Quebec Native Women's Association, presents Native Legal Info. It is intended to inform Aboriginal women of their rights and the legal actions that can allow them to defend those rights.

Louise was the victim of a sexual assault about two months ago. She is trying to overcome this event that has disrupted her life. She is currently receiving psychotherapy, which is helping her to regain her self-confidence. Yet, she is still very fragile. Eva, her younger sister, comes to visit her everyday after school. She's hoping that her sister will recover quickly and does everything she can to help her.

Eva: Hello Louise, how are you today?

Louise: I'm feeling a bit better. I went to my psychologist's appointment. It helps a lot! Unfortunately, I don't know how much longer I'll be able to keep it up, I'm running out of money!

Eva: Actually, I wanted to talk to you about something. Today, at school, different community organizations came to visit and I met a CAVAC worker who gave me information that could help you!

Louise: What is CAVAC?

Eva: It's the Crime Victims Assistance Centre, where you can get information on your rights and recourses as a victim of a criminal act. Like for example, she said you have a right to receive compensation and that they could help you with the procedure to get compensation.

Louise: I have a right to compensation? How's that?

Eva: The assault you experienced is part of a list of criminal acts covered in the Compensation for Victims of Crime Act. You could ask for compensation for the damage caused by the assault. Like, for example, the money you lost from missing work! If you meet certain eligibility conditions, you will be compensated.

Louise: Oh yah? That would be really helpful right now!

Eva: Yes, and she also told me you could be compensated for your therapy costs. I also found out that you could seek compensation for the cost of your glasses and clothing that were damaged during the assault. I'm sorry

for bringing up these painful memories again, but I know that this whole thing has been financially difficult for you!

Louise: Don't worry! I'm slowly getting better and I know that you only brought it up for good reasons! So, tell me, how do I go about claiming compensation?

Eva: There are two ways. You can do it yourself by calling the CSST's compensation for Victims of Crime section and tell them you want to fill out a form to request compensation. You can also visit the CAVAC in person where someone can fill out the request for you and direct it to the right department!

Louise: Do I have a right to compensation if I don't file a complaint?

Eva: Yes, you are not obliged to file a complaint. However, you must convince the Office of crime victim's assistance that you have been a victim of a criminal act. I suggest you go to the Crime Victims Assistance Centre, you'll see that the people who work there are nice and are well informed about the actions to take.

Louise: You're right, I'm going to go down there tomorrow afternoon! It was very nice of you to find this out for me!

Eva: I know what you are going through is very hard... I am willing to do whatever it takes to help you get through this and close this ugly chapter.

If you are experiencing a similar situation and you would like to be compensated for the damage caused by a sexual assault, do not hesitate to contact the CAVAC in your area, or call the SOS Violence conjugale toll-free help line at 1 800 363-9010.

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