



ASSAULT - What Can a Victim Do?



Criminal Charges

The first concern of an assault victim may be to seek medical treatment for any injuries. Then, the victim may choose to report the incident to the police. The police will gather evidence, and talk to any witnesses. A victim likely will have to sign a written statement about the incident.

If a suspect is arrested and charged they may be released, subject to certain conditions, such as conditions to have no contact with the victim. Or, the accused person may be held in jail until a trial if the victim is in danger or if there is a risk of the accused not appearing on future court dates.

If the accused person pleads not guilty, the victim may need to testify at a trial. The prosecutor will ask the victim questions about the assault. The lawyer for the accused then has the opportunity to ask questions. This is called cross-examination. The prosecutor can help prepare the victim for what to expect.

On the other hand, if the accused pleads guilty, a trial is not necessary. If the accused pleads or is found guilty, the judge can ask for a pre-sentence report, which gives background information about the offender. As well, the victim will have the opportunity to make a victim impact statement. A judge will consider all of this information, as well as the facts of the assault, in deciding what sentence to give the offender.

Civil Claim

The victim may be able to sue the person who assaulted them. This is because assault is not just a crime. It is also a tort, which means a civil wrong. Suing in civil court may result in an award of money to the victim. A lawyer can help the victim decide if suing the offender is a practical option.

To find a lawyer, the victim can ask a friend or look through the yellow pages.

Other Help for Victims

If the assault was part of a series of harassing conduct by the offender, a victim may be able to ask for a peace bond against the offender. This is a court procedure where the offender is restricted from having future contact with the victim. If the offender makes contact, they may be charged with a criminal offence.

An assault may result in medical expenses, damage to clothing or personal accessories such as eyeglasses, lost wages or counselling costs. Victims may be able to get assistance from the government for such expenses. If charges are laid, a victim has the option to submit a restitution application to the courts. If a victim has suffered physical and/or emotional injuries as a result of a criminal offence, regardless of charges, the victim has the option of submitting a Financial Benefits application.

Victims Services also provides a number of programs throughout the province, to provide information and general support to victims of crimes. To get more information, call **Red Deer City Victim Services Unit** at **403.406.2345**.