

Restitution & Recovery: (Charges must be laid)



If a victim has suffered financial loss as a result of a crime, they have the right to seek restitution payment from the offender. The judge is required to consider restitution in the case. If it's not ordered, the judge must tell the victim why.

Restitution is a court order that requires the offender to pay the victim for any out-of-pocket losses directly relating to the crime, including:

- Damage, destruction and loss of property
- Bodily or psychological harm
- Expenses incurred in moving out of the offender's house
- Losses incurred by unknowingly purchasing or lending money on stolen property
- Expenses incurred in re-establishing your identity, and correcting your credit history and credit rating, after identity theft

Restitution may also be sought from young offenders, but there are limitations. For instance, the judge may order young offenders to make restitution through other ways, such as community service, rather than paying with money.

RDCVSU can assist victims in filling out this form. They return the Request for Restitution form(s) to RDCVSU and the form will be forwarded to the Crown Prosecutor.

1. Offer this document when **charges are laid**.
2. Document on VSCM that the VIS was offered:
 - a. Under Packages | All Forms | Select Request for Restitution
 - b. Under Packages | Package Type = **Court Notification Form** | Select appropriate options
 - c. Under Documents | Document Type = **Statement: Restitution & Recovery** | Select Victim Name and Print
3. When providing or sending VIS fill in the following on the cover envelope:
 - a. Police Agency Code
 - i. For Red Deer City RCMP enter "**RRDC**".
 - ii. Always check the Code listed in VSCM.
 - b. Detachment Name as listed in VSCM
 - c. Police File #
 - d. Accused Name(s)
 - e. Court Docket Number # (shown under Accused tab in VSCM)
 - f. Mailing Envelope: Restitution Form can either be mailed to or dropped off at RDCVSU.

*****The Victim(s) must provide proof of loss with receipts or quotes. This can be for things like ambulance bills, lost wages, etc.***

*****A judge may order restitution as part of sentencing therefore submission of this document is time sensitive, as an accused can plead guilty at any time (the matter does not have to go to trial.)***

***** Ensure Client selects "Opt-in to Restitution Recovery Program" so the court collects for the Client.***



Statement on Restitution

Name of the accused: John DOE

Offence(s): Assault

Date of Offence(s): 2015-01-01 (YYYY-MM-DD)

Place of offence(s): Red Deer, Alberta

Police file number: 20150000111

It is important to give this request to the police quickly so the court can consider it if the accused person is found guilty and convicted.

To the court that is sentencing _____ who was convicted, or was discharged under section 730 of the *Criminal Code*, of an offence under that Act.

I, _____ declare that (*check the appropriate box*):

(i) I am *not* seeking restitution for the losses and damages I suffered as the result of the commission of the offence.

(ii) I am seeking restitution in the amount of \$_____ for the following losses and damages I suffered as the result of the commission of the offence.

I declare that I have suffered the following losses and damages as the result of the commission of the offence: (*Complete the following table if seeking restitution.*)

Description (<i>describe each loss and damage</i>)	Amount of loss and damage (<i>state the amount of each loss and damage</i>)
1. _____	\$ _____
2. _____	\$ _____
3. _____	\$ _____
4. _____	\$ _____
5. _____	\$ _____
	Total: \$ _____

I understand that the amount of my losses and damages must be readily ascertainable by the court. For that purpose, I am responsible for providing the court with all necessary documents, including bills, receipts and estimates, in support of my claim for restitution.

Dated this _____ day of _____ 20____, at _____

Signature of declarant _____