

# Restitution

You have the right to have the Court consider ordering restitution. Restitution is a way for the offender to repay you for damaged property, lost money, or extra expenses due to a crime. Contact your local Victim Service Unit if you have any questions about submitting your statement on restitution.

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## A statement on restitution CAN include:

- Costs to replace items that you lost
- Costs to repair and restore damaged property
- Expenses for temporary housing, food, childcare and transportation due to moving out of the offender's household
- Services such as a counselor or psychologist
- Lost wages
- Costs to replace pieces of personal identification or correct your credit history
- Expenses to remove a personal image from the Internet or other digital network
- Lost money or property as a result of fraud



## A statement on restitution CANNOT include:

- Future expenses
- Pain or suffering
- Expenses covered / paid by other sources
- Amounts exceeding the value of the lost item



## To prove you lost money or property due to a crime:

- Complete both sides of the Statement on restitution form
- Clearly describe what has been lost or damaged
- Include copies of receipts and other information such as paystubs, repair estimates, or photographs of damage

## How to submit a statement on restitution:

- Access the statement on restitution form online at <http://formsmgmt.gov.ab.ca/Public/VIC12466.xdp> or through a Victim Service Unit
- Complete and sign both sides of the statement
  - Make sure to check your choice to opt-in or opt-out of the Restitution Recovery Program (see page two)
  - Attach copies of your receipts (keep the originals)
  - Make a copy of the completed statement to keep for your records
- Submit the statement
  - If you received the statement from the Victim Service Unit;
    - You will receive two envelopes – one with restitution information on it, and one with the Crown prosecutor’s address on it.
    - Mail or deliver the envelopes to the Crown prosecutor
  - If you downloaded the statement, you can;
    - Email, mail, or deliver the statement to the Crown prosecutor
    - Emails and addresses can be found at: <http://alberta.ca/contact-the-alberta-crown-prosecution-service>

## If the court decides to order restitution and the offender has not paid in full by the due date stated on the Order, then:

- a) If you opted-in to the Restitution Recovery Program (see page two of the statement on restitution form), the judge may allow the government to attempt to enforce payment from the offender, at no cost to you; or
- b) If you opted-out of the Restitution Recovery Program, (or if the judge did not accept your request to opt-in) it is your choice to enforce payment or not. If you want to attempt enforcement, you will need to file the Order of Restitution in the Court of Queen’s Bench, at no cost to you. Any further enforcement action will be your responsibility, and your own cost.

For more information, refer to the court booklet *Getting and Enforcing Your Judgement in Alberta*, available online at: <http://albertacourts.ca/pc/areas-of-law/civil/forms>

## If the court does not order restitution:

You can sue the offender in civil court. You may want to hire a lawyer for this. There will be court and legal fees.



### Note

- The accused could be sentenced at any time so **submit your statement quickly**
- Submit the statement on Restitution **to the Crown prosecutor**
- Update your address with the Crown prosecutor and/or the court clerk, as needed
- If you have additional expenses, you can re-submit the statement any time prior to sentencing
- The accused and their lawyer will receive a copy of your statement on restitution