

Department of Justice *Canadian Victims Bill of Rights* Complaint Form

Privacy and Access to Information

(Please read this section before completing the form)

The information provided in this form is collected for the Department of Justice *Canadian Victims Bill of Rights* (CVBR) Complaints Mechanism under the authority of the CVBR and for the purpose of assessing whether or not a complaint meets the basic criteria of the CVBR. If the information provided on this form is incomplete, it may be determined that your complaint does not meet the basic criteria of the CVBR.

All personal information provided in this document will be stored, protected, used, and disclosed in accordance with the *Privacy Act*. Personal information may be disclosed for the purpose for which the information was obtained or compiled by the Department or for a use consistent with that purpose. The information collected will be kept for at least 2 years. For more information, please see <http://www.justice.gc.ca/eng/terms-avis/index.html>.

If you have a privacy concern and are not satisfied with our response to your concern, you may wish to file a complaint to the Privacy Commissioner by e-mail at: info@privcom.gc.ca or by telephone at 1-800-282-1376. In addition, every individual present in Canada has a right to request access to information relating to them that is under the control of a government institution under the *Privacy Act*, as well as the right to request the correction of their personal information.

Procedures

(Please read this section before completing the form)

The *Canadian Victims Bill of Rights* (CVBR) defines a victim as an individual who has suffered physical or emotional harm, economic loss or property damage as a result of a crime committed in Canada. All victims may exercise their rights under the CVBR while they are in Canada. Canadian citizens or permanent residents may exercise these rights even if they are outside of Canada, as long as the crime took place in Canada.

A victim may file a complaint if they are of the opinion that their rights under the CVBR have been infringed or denied (i.e. not respected) by a federal agency or department during their interaction with the Canadian criminal justice system. For example, a victim may be of the opinion that their right to information was not respected because the information they requested from a federal office was not provided and may decide to file a complaint through that federal office's complaint process.

The criminal justice system refers to the particular processes involved in the investigation and prosecution of offences in Canada, the corrections and conditional release process in Canada, and the proceedings of Canadian courts and Review Boards in respect of accused who are found not criminally responsible on account of mental disorder or unfit to stand trial.

The Department of Justice CVBR Complaints Policy

The Department of Justice CVBR Complaints Policy applies only to an alleged infringement or denial of rights provided under the CVBR by the Department of Justice Canada. The Department of Justice Canada is responsible for the following types of CVBR complaints:

- Complaints concerning general information requested by the complainant about the criminal justice system, which relates to the right to information ; and
- Complaints concerning victim access to the Parole Board Fund to attend parole board hearings, which relates to the right to participation.

If your complaint does not relate to one of the above, it may not be related to the Department of Justice CVBR Complaints Policy.

The following are not accepted as complaints under the policy:

- unsigned documents submitted as complaints;
- access to information and privacy requests;
- concerns expressed over the content or progress of legislation;
- concerns expressed over judicial proceedings;
- concerns expressed in respect of the justice system that do not fall under the mandate of the Department of Justice, including concerns related to policing or to the investigation or prosecution of a crime;
- internal grievances from Justice employees, agents, or former staff members;
- vexatious, frivolous or abusive submissions;
- complaints filed by a person who does not have standing to file a complaint as the person:
 - does not meet the definition of victim in the CVBR; or
 - their circumstances do not meet the application requirements of the CVBR;
- complaints filed outside the ninety (90) days of the events giving rise to the complaint;
- complaints regarding the Department of Justice Canadians Victimized Abroad program (with the exception of the rare case where investigations are conducted or charges are laid in Canada for the offence committed outside Canada); or
- complaints regarding a crime committed outside Canada, which have no link to the Canadian criminal justice system.

Your Contact Information
(You are the complainant)

First name		Last name	
Mailing address			
Town or city		Province or territory	Postal code
Home phone number (include area code)	Work phone number (include area code)	Cell phone number (include area code)	Fax number (include area code)
At which number(s) can we reach you during the day? <input type="checkbox"/> Home <input type="checkbox"/> Work <input type="checkbox"/> Cell (check all that apply)			
Can we leave a message at your <input type="checkbox"/> Home <input type="checkbox"/> Work <input type="checkbox"/> Cell (check all that apply)			
Your e-mail address: (yourname@domain.com)			
Please check here if your phone is a TTY (Text Telephone) <input type="checkbox"/>			
Do you have any special needs related to a disability that the Department of Justice should know about, such as a specific format for communicating with you?			

If any of your personal contact information changes during the complaint process, it is your responsibility to inform the Department of Justice. Your file may be closed if the Department of Justice cannot reach you because you did not provide your current contact information.

Your Complaint is Against the Department of Justice Canada
(This is the respondent)

Department of Justice Canada, Section, Program, Public Servant (if known):		
Town or city	Province or territory	Postal code
Telephone number (include area code)	Fax number (include area code)	

Please provide the following information:

Are you a victim of crime? “Victim” means: an individual who has suffered physical or emotional harm, property damage or economic loss as the result of the commission or alleged commission of a criminal offence in Canada.

Please select the box that applies to you:

- Yes
- No

Has the Department of Justice Canada infringed or denied your rights provided under the CVBR? **Please select the box that applies to you:**

- Yes
- No

Which rights were infringed or denied?

For information on victims' rights, we invite you to visit the Canada.ca web page on [Victims' Roles and Rights in the Criminal Justice System](#).

Please select the box/boxes that apply to you and briefly indicate how each right was infringed or denied.

Right to Information with respect to:

Right to Participation with respect to:

Right to Protection with respect to:

Right to seek Restitution with respect to:

You may submit a concern that does not relate to the CVBR through the following methods:

Email: webadmin@justice.gc.ca

Telephone: 613-957-4222

TDD/TTY: 613-992-4556

Fax: 613-954-0811

Mailing Address:

Department of Justice Canada
284 Wellington Street
Ottawa, Ontario
Canada K1A 0H8

Are you acting on a victim's behalf? Where a victim is deceased or otherwise incapable of exercising their rights under the CVBR, an individual may act on the victim's behalf if they are or were the victim's spouse or common-law partner, a relative or dependent of the victim, the parent or caregiver of the victim, or the parent or caregiver of the dependent of the victim.

Please select the box that applies to you:

- Yes
- spouse of the victim
 - common-law partner of the victim (cohabited for a period of at least one year immediately prior to the crime)
 - relative of the victim
 - dependant of the victim
 - parent of the victim
 - caregiver of the victim
 - caregiver of a dependent of the victim

No

Did the offence occur in Canada?

Please select the box that applies to you:

- Yes
 No

Please select the boxes that apply to you:

- I am a Canadian citizen or a permanent resident
 I am currently present in Canada
 None of the above

If you selected "none of the above", please explain your situation: _____

When did the breach of the rights under the CVBR take place? Give the start date and the end date of the alleged events below.

The Department of Justice Canada **can refuse to deal with a complaint** that is filed **more than ninety (90) days** of the events giving rise to the complaint.

Start date: (dd/mm/yyyy)
Last date: (dd/mm/yyyy)

Write a statement to support your complaint. Please include all of the following information:

- How were your rights under the *CVBR* infringed or denied (i.e. not respected)?
- Give the full names of the people involved in your complaint (if known).
- What happened? Give the dates of each event.

Instructions:

Please write out your allegations on separate paper and attach the pages to this form. The text must not be more than three (3) letter-sized (21.5 cm by 28 cm or 8 ½ by 11 inches) pages long, with margins of not less than 2.5 cm or 1 inch, and should be typed single-spaced in 12-point font or legibly printed in dark ink. Do not attach any other documents to the complaint. If your complaint is accepted, you may be asked for these documents at a later date. Complaints that are not in this format may be returned.

Please read the statements below and sign and date below to confirm your agreement:

I am making a complaint under the *Canadian Victims Bill of Rights* (CVBR) for assessment by the Department of Justice Canada (DOJ). I have reasonable grounds for believing that my rights under the CVBR as a victim of crime have been infringed or denied. I declare that the information I provided is true to the best of my knowledge or belief.

I understand that the personal information provided in this complaint form is collected under the authority of the CVBR and, along with all of the personal information obtained or compiled by the DOJ regarding this complaint, will be protected under the *Privacy Act*. Such information is to be used and/or disclosed for the purpose of the processing of this CVBR complaint (or some consistent purpose) or as otherwise required by law. As such, any and all of the information that I provide may be shared with the respondent.

I consent to the release to the DOJ of all information and documents concerning me that the DOJ considers necessary to deal with my complaint. Such documents may include my personal records or data which relate to the complaint.

Complainant's signature _____ **Date** _____

Consent

Please read the statement below and sign and date below if you consent:

I consent to the Department of Justice Canada sharing this application with other government departments or agencies, if necessary, where this application applies to another federal department's CVBR complaint mechanism:

Please select the box that applies to you:

- Yes (if yes, please sign and date below)
- No

Complainant's signature _____ **Date** _____