



## CRIMINAL INJURIES COMPENSATION BOARD

Telephone: 416-326-2900 ♦ Toll Free: 1-800-372-7463

---

### FACT SHEET

#### INJURY KNOWN AS MENTAL OR NERVOUS SHOCK

Most claims considered by the Board are as a result of physical injuries suffered by victims of crimes of violence. However, in cases of extreme and unusual violence where a person was not physically harmed but suffered severe psychological trauma, the Board may consider the injury known as mental or nervous shock. "Mental or nervous shock" is a legal question not a medical diagnosis and the Board follows the common law as expounded by the courts.

The Board considers the following criteria when making a decision as to whether a claimant has suffered the injury known as mental or nervous shock:

- The degree of violence which was involved in the occurrence
- The closeness of the relationship between the claimant and the person injured or killed in the occurrence
- Whether the claimant was at the scene of the occurrence or came upon the scene
- How the claimant learned of the occurrence

**To be compensable, the claimant must establish that he/she suffered psychiatric/psychological injury induced by the shock resulting from the violent occurrence. The Board requires medical and/or psychological evidence to support the claim of the injury known as mental or nervous shock.**

Problems in dealing with the aftermath of the occurrence, such as difficulty in adjusting to a new lifestyle, stress, financial problems or having to attend court are **not** compensable.

In the event of a death occurring as a result of an act of criminal violence, the Board does not award compensation for the grief and sorrow which normally follow a death.

Revised: April 2004

---