



## Victim Surcharge

### What is a victim surcharge?

A victim surcharge is a monetary penalty imposed on offenders at the time of sentencing. It is collected by the provincial and territorial governments, and the revenue is used to provide programs, services and assistance to victims of crime within their jurisdictions.

### How is the amount of the surcharge determined?

The amount of the victim surcharge is:

- 15% of any fine that is imposed on the offender as a sentence (e.g. a \$200 fine will result in a \$30 victim surcharge); and
- in the absence of a fine, \$50 for summary conviction offences (e.g. theft under \$5,000) and \$100 for indictable offences (e.g. aggravated assault).

The sentencing judge may order the offender to pay an increased amount as the victim surcharge in appropriate circumstances provided the judge is satisfied that the offender has the ability to pay an increased amount.

### What if an offender cannot afford to pay the surcharge?

An offender may ask the sentencing judge at the sentence hearing to be excused from payment of the victim surcharge because he or she cannot afford to pay. The judge may order that the offender be exempted from payment only if the judge is satisfied that paying the surcharge would cause **undue** hardship to the offender or to the offender's dependants.





## Who collects the surcharge and how does it help victims?

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The victim surcharge is not paid directly by the offender to the victim. The money from the victim surcharge is paid into a fund in the province or territory, usually called the Victim Assistance Fund. This fund is used by provincial and territorial governments to provide services and assistance for victims of crime. For example, this revenue may assist provinces and territories in providing police, court or community-based victim services and information lines.

## Where is more information available?

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If you or someone you know have been a victim of crime, help is available. All provinces and territories have services for victims of crime. They can help if you need information or other assistance.

For more information about Canada's justice system and links to victim services, visit our Web site:

<http://canada.justice.gc.ca/victim>

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