



CRIMINAL INJURIES COMPENSATION BOARD

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FACT SHEET

PERSONAL INJURY

INJURY KNOWN AS MENTAL OR NERVOUS SHOCK

Most claims brought before the Board are as a result of physical injuries suffered by victims of crimes of violence. However, where a person suffers mental or nervous shock as a result of witnessing or learning about a violent crime committed against someone else, he or she may pursue a claim for losses associated with that shock.

“Mental or nervous shock” is a legal question, not a medical diagnosis. It usually involves severe psychological trauma that substantially affects one’s ability to function (eg results in a period of hospitalization or an inability to work for an extended period). The most common cases involve immediate family members of homicide victims.

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 will request 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.

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