

# COMPENSATION BOOKLET

## The Crime Victims' Compensation Recovery Assistance Service (SARVI)

AUGUST 2020



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## THE SARVI

Victims of crime sometimes feel that they are the forgotten victims of justice.

To be sure, the French victim compensation system, structured around the Crime Victims Compensation Boards (CIVI) and the Guarantee Fund for Victims of Terrorist Acts and Other Offences (FGTI), provides real protections for victims.

Nevertheless, those concerned are mainly victims of the most serious crimes, with those who have suffered minor personal injury or some property damage being excluded. These types of losses constitute the bulk of criminal cases. Victims find it very difficult to enforce court decisions awarding damages against convicted persons. Every year, thousands of victims are left to pay their own trial costs and also have to forego the recovery of compensation awarded to them.

It is to remedy this situation that the law of 1 July 2008 was adopted. It created a crime victims' compensation recovery assistance service, SARVI, which came into force on 1 October 2008.

## WHO CAN APPLY TO THE SARVI ?

- You are a private individual.
- You were the victim of a crime.
- You filed a complaint.
- You instituted civil proceedings.
- The criminal court sentenced the perpetrator to pay you compensation.
- You cannot receive compensation from the Crime Victims Compensation Board (CIVI).
- If the court decision was issued on or after 1 October 2008 and is final, you can refer the matter to the SARVI.

## WHY APPLY TO THE SARVI ?

You obtained a criminal court decision issued as of 1 October 2008 which awarded you damages and possibly the reimbursement of all or part of the costs of the procedure (Articles 475-1 or 375 of the Criminal Procedure Code).

You cannot obtain full compensation for your loss from an insurance company or under a specific compensation scheme :

- acts of terrorism with the FGTI,
- traffic accidents (if the at-fault party is not insured) with the FGAO,
- exposure to asbestos with the FIVA
- medical mishaps with the ONIAM.

The convict has not paid you the sums awarded to you by the criminal court.  
You can refer the matter to the SARVI, which will help you to obtain payment.

## WHEN TO APPLY TO THE SARVI ?

### **You must wait two months...**

You can refer the matter to the SARVI if the convicted person does not pay you within two months of the date on which the court decision became final.

A decision is final when it can no longer be challenged, the time limits for exercising recourse (appeal, objection, cassation petition) having expired.

### **...and you must act within a year.**

Your claim must be made no later than one year from the date on which the court decision became final.

If you attempted to obtain compensation from the CIVI and your claim was rejected, you have one year to file a claim with the SARVI from the date of notification of the rejection.

## WHAT CAN BE OBTAINED FROM THE SARVI ?

### **The criminal court awarded you sums of up to €1,000 :**

The SARVI pays you in full. This amount is paid to you within two months of receiving your application for recovery assistance, if your claim is complete.

### **The criminal court awarded you sums in excess of €1,000 :**

The SARVI pays you an advance equal to 30% of the total amount, with a minimum of €1,000 and a maximum of €3,000. This amount is paid to you within two months of receiving your application for recovery assistance, if your claim is complete. The SARVI then takes care of obtaining from the convicted person payment of the sums for which they are liable, plus a penalty. Depending on the sums it manages to recover from the perpetrator, the SARVI will pay you the supplement to the sum awarded to you by the criminal decision.

## HOW TO APPLY TO THE SARVI ?

You must gather the following documents :

- 1. Copy of proof of identity**
- 2. Banking information (RIB or RIP)**
- 3. Copy of the decision of the CIVI and its notification (if applicable)**
- 4. Attestation on honour indicating the amount received from the at-fault party or the payment schedule, or the lack of payment**
- 5. Additional information on assets, income, the at-fault party's employer, to be provided on unstamped paper**
  - *Reminder: the law requires you to communicate to the Guarantee Fund for Victims any information that may facilitate the recovery of a debt. The information you provide will increase the chances of recovery against those responsible.*

6. **A certified true or enforceable copy of the criminal decision awarding you damages.**
7. **Certificate of no appeal, no objection, or no petition indicating the date and method of notification.**
  - *To obtain a copy of the criminal decision awarding you damages as well as the certificate of no appeal, no objection, or no petition indicating the date and method of notification, you must contact the clerk's office of the court that handed down the decision. You can download the 'criminal court decision claim' or 'certificate of no appeal or no objection claim' forms or submit your claim directly online at the following website: <http://www.vos-droits.justice.gouv.fr>*

You must fill out the form :

**« Recovery Assistance Claim » and send it with supporting documents to :**

**GUARANTEE FUND FOR VICTIMS - SARVI**  
TSA 10316  
94689 VINCENNES CEDEX  
Tél : 08 20 77 27 84

**Fonds de Garantie des Victimes**

**- Siège social -**

64 bis avenue Aubert  
94682 Vincennes cedex  
Tel : 01 43 98 77 00

**Fonds de Garantie des Victimes**

**- Délégation -**

39, boulevard Vincent Delpuech  
13281 Marseille cedex 06  
Tel : 04 91 83 27 27



[www.fondsdegarantie.fr](http://www.fondsdegarantie.fr)