



Helping Victims of Crime

Description



Crime impacts everyone in many different ways. The Correctional Service of Canada (CSC) provides victims with the opportunity to access information about the offender who harmed them. As well, CSC victim services encourage victims to provide a victim statement about the impact of the crime. This gives victims

an opportunity to contribute to the correctional process and have their voices heard.

Classroom time required

1 hour (or more, depending on the time spent on proposed discussion activities).

Proposed external resources

Meeting with a victim of crime would certainly have a high impact on students.

The Correctional Service of Canada's Speakers Bureau can help. Contact us at <http://appsweb.csc-scc.gc.ca/bureau/welu.do?lang=eng>

Learning objectives

As part of their law and/or sociology coursework, this module will allow students to:

Law

- Acquire the knowledge required to better understand the causes of injustice;
- Apply critical thinking and ethics to various social justice issues.

Sociology

- Examine their own opinions and judgments so as to gain a wider appreciation of a topic or issue.

Victims' rights

The Correctional Service of Canada (CSC) is responsible for offenders who are serving a sentence of two years or more. Under Canadian law (*Corrections and Conditional Release Act*), the CSC, through the Victim Services Program is responsible for providing services to victims of crime. Victims have the right to contact CSC and receive certain information about the offender that harmed them. When a victim, or someone they appoint on their behalf, contacts CSC to exercise their rights, this is commonly known as "registering". There is no cost to registering. A child victim of crime under the age of 18 must be represented by an adult.

Who are victims of crime?

When a crime is committed, often there are victims. A victim may not know the offender, he or she may have been a friend or acquaintance of the offender or, in some cases, may be a family member of the offender. The CSC understands that victims have diverse needs and respects this for all of them.

Under the law of the *Corrections and Conditional Release Act* (CCRA), a victim is:

Someone is considered a victim of crime if they have been harmed or suffered physical or emotional hurt as a result of someone committing a criminal offence. Or where the person is dead, ill or otherwise incapacitated, the person's spouse, conjugal partner, relative of, or person responsible for a victim who has died or his not able to act for himself or herself. – CCRA

Victims are therefore persons who has been directly or indirectly affected by a crime committed against them, or against someone close to them.

Under the law of the CCRA, once a victim has registered with CSC, by the authority of the Commissioner, the Victim Services Officer:

Shall provide the victim with:

- the offender's name.
- the offence of which the offender was convicted and the court that convicted the offender.
- the date of commencement and length of the sentence that the offender is serving.
- eligibility dates and review dates applicable to the offender under this Act in respect of temporary absences or parole.

May disclose to the victim any of the following information about the offender, where in the Commissioner's opinion the interest of the victim in such disclosure clearly outweighs any invasion of the offender's privacy that could result from the disclosure:

- the offender's age.
- the location of the penitentiary.
- the date, if any, on which the offender is to be released on temporary absence, work release, parole or statutory release.
- the date of any hearing.
- any of the conditions attached to the offender's temporary absence, work release, parole or statutory release.
- the destination of the offender on any temporary absence, work release, parole or statutory release, and whether the offender will be in the vicinity of the victim while travelling to that destination.
- whether the offender is in custody and , if not, the reason why the offender is not in custody.

Victims' rights (continued)

Victims sharing information with CSC

Victims are entitled and encouraged to provide a Victim Impact Statement during the court proceedings. The statement is taken into consideration by the judge during the court process. CSC also encourages victims to provide a victim statement describing the impact of the crime on their lives and/or other information for consideration during key points in the correctional process. This information helps CSC when it makes decisions concerning the offender needs for programs and release. Personal information such as name, address, telephone and facsimile numbers are not shared with the offender.

However, the law requires that CSC disclose to the offender any information that will be considered during the decision-making process, including information provided by a victim, or a summary of that information.

Partners

There are other federal government departments that provide service to victims such as:

- Department of Justice
- Public Safety Canada
- National Parole Board
- Royal Canadian Mounted Police
- Service Canada

The Federal Ombudsman for Victims of Crime

The Office of the Federal **Ombudsman** for Victims of Crime was created in 2007 as an independent resource for victims in Canada. The Office ensures that the federal government meets its responsibilities to victims of crime.

Victims can contact the Office to learn more about their rights under federal law and the services available to them, or to make a complaint about any federal agency or federal legislation dealing with victims of crime. In addition to its direct work with victims, the Office also works to ensure that policy makers and other criminal justice personnel are aware of victims' needs and concerns, and to identify important issues and trends that may negatively impact victims. Where appropriate, the Ombudsman may also make recommendations to the federal government.

Classroom activities

Ask students to think about what kinds of things would make victims request information about the offender(s) who caused them harm. What do victims get out of it? How can it help them?

Glossaire

Ombudsman: A Scandinavian word for an independent official responsible for defending citizens' rights.