

YOU HAVE RIGHTS. YOU CAN GET HELP. YOU CAN WORK FOR POSITIVE CHANGE.

YOU CAN GET HELP

Hundreds of programs provide services and sanctuary to crime victims throughout Canada. These programs may be provided by government agencies, non-profit organizations or charitable organizations. They generally provide compensation and practical assistance.

Compensation

In provinces where compensation programs exist (all provinces except Newfoundland and the territories), victims and survivors of violent crime such as (homicide, rape, domestic violence and child sexual abuse and neglect) may be compensated for the crime that was perpetrated against them. Compensation may be provided to pay for medical expenses, counselling, funeral/burial costs, lost wages, loss of support and pain and suffering.

Victim services

Crime victim assistance programs provide a range of services, including crisis intervention, counselling, emergency shelter, advocacy, short and long-term emotional support, accompaniment throughout the justice system, court preparation, and referrals. These assistance programs are offered by a variety of victim services agencies, including police-based services, court-based services, government and non-profit or charitable organizations.

Contact the Canadian Resource Centre for Victims of Crime if you have questions about a program or for a referral to victim services in your area.

YOU CAN WORK FOR POSITIVE CHANGE

During the last twenty-five years, Canada has made significant progress in improving the treatment afforded to crime victims. The progress that has been made is due largely to the efforts of many individual crime victims who have turned their victimization into a positive voice for change. Victims and survivors of homicide, sexual assault, child abuse, domestic violence, impaired driving and other serious offences have worked tirelessly to ensure that other victims will receive compassionate treatment and meaningful assistance.

Yet, much remains to be done. The people and families who have been victimized know best that there needs to be a balancing between the rights of offenders and victims. Billions of dollars are spent annually in Canada on apprehending, prosecuting, incarcerating and rehabilitating offenders. Much less is devoted to serving crime victims, to ensure their safety, recover from the trauma of crime and provide resources to help victims get their lives on track.

Many victims and survivors volunteer their time resources to create and staff programs such as shelters and crisis hotlines, conduct legislative advocacy, and public education. You can get involved too!

NATIONAL ORGANIZATIONS TO ASSIST YOU

For information about national organizations to provide assistance to you, visit our web site at <http://www.crcvc.ca/en/links/>.

What you can do if you become a victim of crime



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What you can do if you become a victim of crime

Becoming a victim of crime is frightening and devastating experience for thousands of Canadians each year. As recently as twenty-five years ago, almost no services were available to help crime victims or their survivors repair the damage to their lives or cope with the trauma and frustration associated with the criminal justice system. Today, however, because of victim services programs offered by each province and territory, and the dedicated efforts of advocates, lawmakers and crime victims, an extensive range of services and resources is available to help victims of crime.

The Canadian Resource Centre for Victims of Crime wants you to know that you do have rights if you or someone you love is a victim of crime. You can get help and you can work for positive change.

YOU HAVE RIGHTS

Both the federal and provincial governments play an equally important role with regard to victims of crime. While the federal government enacts and reforms criminal law (mainly in the *Criminal Code*), it is the provinces who have the responsibility of the enforcement, administration and prosecution of those laws.

The federal government has given victims the following rights:

- The right to have input at sentencing (e.g. victim impact statements presented orally or in writing). Judges are required to ask Crowns if the victim has been informed of their right to complete an impact statement. If the victim chooses to prepare a victim impact statement, it must be taken into consideration by the sentencing judge.

- Police and judges must consider the safety of victims in all bail decisions.
- Young victims and witnesses are protected from personal cross-examination by accused persons representing themselves.
- Victims and witnesses are permitted to have a support person present when giving testimony.
- Judges are permitted to ban the publication of the identity of victims and witnesses in appropriate circumstances.
- Victims have the right to obtain information about the conviction, sentence, imprisonment and release of the offender. They may also attend federal parole hearings and submit victim impact statements to the parole board (in writing, orally, or by audio/video tape).

Most provinces and territories have enacted legislation giving rights to victims of crime based on the *United Nations Declaration of Basic Principles of Justice for Victims of Crime* For example:

- Victims should be treated with respect, courtesy and compassion;
- Victims should be notified of all court proceedings related to the offence;
- Victims should be informed of services, given information about the justice system and the progress of the case;

- Victims should be protected from harassment/intimidation;
- Victims should receive prompt and fair redress for the harm they suffered; and
- Victims' views should be considered.

If you are a victim of crime these principles apply to you. You may obtain further information about them through your local victim/witness assistance program (usually working in conjunction with the Crown Attorney's office) or through the police and their victim services program.

It is important to note that most provincial legislation does not give victims true 'rights'; they are really statements of principles as to what victims 'should' have. Most of the legislation is non-committal and does not provide a complaint mechanism for victims (except for Manitoba). The language of the legislation uses terms such as "victims should have access to..." or "Subject to limits..." It does not truly entrench the right of victims to receive services or be guaranteed a certain type of treatment. Thus, the 'rights' of victims are not truly enforceable.