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Services to Victims and Witnesses of Crime in Canada

by

Geoff Norquay and Richard Weiler

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SERVICES TO VICTIMS AND WITNESSES OF CRIME IN CANADA

by

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CURRENTLY AVAILABLE

CLARK, Lorene M.G. and ARMSTRONG, Simon

A Rape Bibliography, with Special Emphasis on Rape Research in Canada. Ottawa: A Research Division report published by the Communication Division, Ministry of the Solicitor General, 1979. (130 pages, Cat. No. JS22-50/1979).

CUNNINGHAM, J. Barton and McINNIS, Charles I.

Community Program Evaluation: A Suggested Approach. Ottawa: A Research Division report published by the Communication Division, Ministry of the Solicitor General, 1978. (185 pages, Cat. No. JS32-1/6).

ENGSTAD, Peter and LIOY, Michèle, Editors

Report of the Proceedings. Workshop on Police Productivity and Performance. Ottawa: A Research Division report published by the Communication Division, Ministry of the Solicitor General, 1980. (326 pages, Cat. No. JS22-52/1980E).

HANN, Robert G.

Deterrence and the Death Penalty: A Critical Review of the Econometric Literature. Ottawa: A Ministry of the Solicitor General Research Division report published by the Department of Supply and Services, 1977. (64 pages, Cat. No. JS32-1/5). Price: Canada - \$2.50; Other countries - \$3.00.

LEVENS, Bruce R., and DUTTON, Donald G.

The Social Service Role of the Police - Domestic Crisis Intervention. Ottawa: A Research Division report published by the Communication Division, Ministry of the Solicitor General, 1980, (240 pages, Cat. No. JS22-55/1980E).

McKAY, H. Bryan, JAYEWARDENE, C.H.S. and REEDIE, Penny B.

The Effects of Long-Term Incarceration and a Proposed Strategy for Future Research. Ottawa: A Research Division report published by the Communication Division, Ministry of the Solicitor General, 1979. (125 pages, Cat. No. JS22-48/1979).

MOYER, Sharon and HARRIS, S.B.

Self-Evaluation in Community-Based Residential Centres.
Volume 1: Guide. Ottawa: A Research Division report published by the Communication Division, Ministry of the Solicitor General, 1978. (85 pages, Cat. No. JS42-5/1978-1).

Volume 2: Prospects and Pitfalls. Ottawa: A Research Division report published by the Communication Division, Ministry of the Solicitor General, 1978. (198 pages, Cat. No. JS42-5/1978-2).

MOYER, Sharon

Diversion from the Juvenile Justice System and its Impact on Children: A Review of the Literature. Ottawa: A Research Division report published by the Communication Division, Ministry of the Solicitor General, 1980. (201 pages, Cat. No. JS22-54/1980E).

RIZKALLA, Samir, BERNIER, Robert and GAGNON, Rosette

Bibliographical Guide: The Economics of Crime and Planning of Resources in the Criminal Justice System. Ottawa: A Research Division report published by the Communication Division, Ministry of the Solicitor General, 1978. (488 pages, Cat. No. JS22-45/1978).

SCARFF, Elisabeth, ZAHARCHUK, Ted, JACQUES, Terrence and McAULEY, Michael

Evaluation of the Canadian Gun Control Legislation. First Progress Report. Ottawa: A Research Division report published by the Communication Division, Ministry of the Solicitor General, 1981. (248 pages, Cat. No. JS22-56/1981E).

SHEARING, Clifford, D., LYNCH, Jennifer, and MATTHEWS, Catherine J.

Policing in Canada: A Bibliography. Ottawa: A Research Division report published by the Communication Division, Ministry of the Solicitor General, 1979. (362 pages, Cat. No. JS22-51/1979).

STANLEY, Paul R.A.

Crime Prevention Through Environmental Design: A Review. Ottawa: A Research Division report published by the Communication Division, Ministry of the Solicitor General, 1977. (57 pages, Cat. No. JS22-43/1977).

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Firearms and The Private Security Industry in Canada. Ottawa: A Research Division report published by the Communication Division, Ministry of the Solicitor General, 1979. (114 pages, Cat. No. JS22-49/1979).

WASSON, David K.

Community-Based Preventive Policing: A Review. Ottawa: A Research Division report published by the Communication Division, Ministry of the Solicitor General, 1977. (198 pages, Cat. No. JS22-42/1977).

WEILER, Richard, and Associates Ltd., Editors

Report of the Proceedings. National Workshop on Services to Crime Victims. Ottawa: A Research Division report published by the Communication Division, Ministry of the Solicitor General, 1981.

ZAHARCHUK, Ted and LYNCH, Jennifer

Operation Identification - A Police Prescriptive Package. Ottawa: A Research Division report published by the Communication Division, Ministry of the Solicitor General, 1978.

ZAHARCHUK, Ted, ATCHESON, R.M., SHEARING, C.D., HANN, R.G. and PALMER, J.

Study of Police Management Information Systems. Ottawa: A Research Division report published by the Communication Division, Ministry of the Solicitor General, 1981. (58 pages, Cat. No. JS22-58/1981E).

PREFACE

This report indicates that the development of victim and witness assistance programs is increasing rapidly in Canada. The inventory of services described in this report will therefore become dated quickly. In order to maintain current information for the use of individuals and organizations who may wish to consider establishing services in this field, it would be appreciated if information on new Canadian victim and witness assistance programs could be forwarded to the Causes and Prevention Section, Research Division, Ministry of the Solicitor General of Canada, Ottawa, K1A 0P8.

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Any errors of judgement or interpretation that appear in the report are, of course, the responsibility of the authors.

ABSTRACT

In the past decade, both citizens and public officials have begun to question the criminal justice system's overwhelming emphasis on offenders and begun to argue for more attention to the needs of crime victims.

This study documents the emerging system of services to victims of crime in Canada, and assesses the impact of growing concern about victims on public and voluntary policies and programs.

The objectives of the study are—

1. to identify and analyse current trends and programs aimed at assisting crime victims in Canada;
2. to consider the relevance to the Canadian scene of key service trends and models of victim services evolving in other countries, particularly the United States; and
3. to identify possible adjustments to existing policies and programs relating to services for crime victims in Canada.

Based on a questionnaire survey of some 800 public and voluntary criminal justice and social development agencies, the study identifies five broad types of services to crime victims:

1. Services that deal with the crisis of victimization;
2. Services that assist victims and witnesses to participate effectively in the criminal justice system while protecting their rights;
3. Services aimed at compensating the victim for personal damages incurred as the result of a crime;

4. Services aimed at achieving restitution, reconciliation or both, between the offender and the victim;
5. Services that assist the victim to locate and use appropriate existing services.

The study identifies and assesses the principal types of victim services that currently exist or are being developed within these five groups and makes suggestions for future policy and program development in the following areas: federal-provincial relationships; the need for a national focal point; crime compensation, federal funding mechanisms; provincial roles ; local planning of services; and the role of police and victim rights.

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Executive Summary

Introduction

Over the past two hundred years, the criminal justice system in most western countries has become overwhelmingly oriented towards the offender. In the past decade, concern over rising expenditures for the detection, apprehension, incarceration, and rehabilitation of offenders has led both citizens and public officials to question the traditional practices of the criminal justice system and to argue for more attention to the needs of crime victims.

This is the first study to document the emerging system of services to victims of crime in Canada, and to assess the impact growing concern about victims has had on public and voluntary policies and programs.

The study was undertaken—

1. to identify and analyse current service trends and programs aimed at assisting crime victims in Canada;
2. to consider the relevance to the Canadian scene of key service trends and models of victim services evolving in other countries, particularly the United States; and
3. to identify possible adjustments to existing policies and programs relating to services for crime victims in Canada.

While some initiatives to develop victim services have come from the traditional elements of the criminal justice system, (police, courts, and provincial Attorney General/Solicitor General Departments), many services required by crime victims are provided by public and voluntary agencies in the social development field.

Some of these services focus on the needs of specific types of victims (sexual assault centres, transition homes and child abuse programs), while other needs experienced by crime victims are met by agencies that serve broader client groups (telephone crisis lines, community information centres and family counselling agencies). With this mix of services in mind, the study started from the premise that services relevant to the needs of crime victims would likely be found in both the criminal justice and social development service systems.

Methodology

The following methods were employed to obtain the information required for the review:

1. Based on the current literature and discussions with experts in the criminal justice and social development fields, a general framework for obtaining and analysing the data was developed.
2. A questionnaire was developed to gather information on the nature of current Canadian services to victims and witnesses of crime. A generic description of various types of victim services was developed to assist respondents to the questionnaire (Appendix 1).
3. The questionnaire and description of services were sent to over 800 organizations representing social development and criminal justice interests at all levels of government and within the voluntary sector throughout Canada. They included law enforcement, advocacy, co-ordination, planning and service delivery organizations and associations; organizations concerned with programming for specific groups of citizens, such as the elderly, children, Natives, women and handicapped; and agencies providing services in the fields of health care, social services, culture, recreation and education.

4. Approximately 300 organizations completed and returned the questionnaire. Their responses were then categorized according to type of service, and were reviewed to identify issues, trends and specific service programs.
5. Experts in the design and delivery of victim service programs in Canada and the United States were interviewed.
6. The draft report was reviewed for completeness and accuracy by senior provincial representatives within the criminal justice field, federal officials within the Departments of Justice, Solicitor General, and Health and Welfare; and officials of national associations in the field.

Major Service Trends

The emerging system of services for victims of crime in Canada falls into five broad categories:

A. Services That Deal With the Crisis of Victimization

Crisis intervention services can be divided into three groups: services for specific types of victims, generalized services based in community agencies, and police-based services.

1. Services for specific types of victims

The report identifies current concerns in relation to victim services for several specific groups: the disabled, the elderly, native Canadians, recent immigrants, abused children, sexually assaulted women and abused spouses.

The Disabled

While no specialized services to assist disabled victims were identified by the review, there is increased recognition among disabled people and groups acting on their behalf that the physically and mentally disabled frequently have service needs that become more compelling as a result of having become victimized. Transportation and translation services may be critical to the disabled victim's successful involvement in the criminal justice system. There is continuing concern that persons with certain kinds of handicaps have little protection from being victimized by the services and institutions established to assist them.

The Elderly

The principal concern in this area is the impact of crime upon the elderly, rather than the number of elderly citizens being victimized. Many organizations working with or representing senior citizens reported undertaking initiatives to prevent crime against the elderly, lessen the impact of victimization and assist the elderly in dealing with the criminal justice system. While no research has yet documented the extent of the problem in Canada, increased concern is being expressed about parental abuse.

Natives

While no services specifically directed towards Natives were identified, some Native court worker programs are beginning to expand their focus from assisting offenders to include Natives who have been victimized.

Recent Immigrants

No victim services directed towards specific ethnic groups were identified. Several respondents suggested that many of the services provided by these organizations are generally responsive to the needs of victims, particularly in establishing better communication between ethnic communities and the police and courts.

Abused Children

The last decade has seen a significant increase in concern for abused children throughout Canada. Improved systems for reporting and responding to child abuse, public education and improved co-ordination among agencies and professionals have all resulted from increased recognition of this problem among governments and voluntary agencies.

Despite these positive developments, there remains considerable cause for concern about child abuse in Canada. While statistics are limited and require intensive interpretation, over 7,000 Canadian children were reported as abused in 1978. Because reported cases are likely only a fraction of actual cases, the actual number of abused children is probably much higher.

Professionals in the health, social development and criminal justice systems are particularly concerned about children who are victims of sexual abuse. Early in 1981, the Federal Ministers of Justice and National Health and Welfare appointed a Committee on Sexual Offences Against Children and Youth to study this subject and make recommendations for necessary legislative and program amendments.

Sexually Assaulted Women

During the past decade, sexual assault centres have been established in more than fifty communities across Canada. These centres provide a range of services to victims of rape, attempted rape, indecent assault, incest and other forms of sexual abuse. Services provided by sexual assault centres include crisis counselling, police liaison, referral to other services, advocacy, and information on criminal justice processes.

Recognition of the need for the kinds of services provided by sexual assault centres coincided with the growing impetus for restraint in public spending that began in the mid-1970s and continues today. Government restraint policies, combined with the insensitivity of some politicians and bureaucrats, have made it difficult in several provinces for sexual assault centres to receive the funding they require. While funding is now somewhat easier for centres to obtain than it was five years ago, it is by no means assured for the future in some provinces.

The Battered Spouse

Over the past five years spouse battering has become recognized as a significant social problem throughout Canada. Transition homes or interval houses have been established in more than eighty communities to provide shelter and services to women and children who are "in transition" from an intolerable domestic situation involving physical abuse. Like sexual assault centres, transition homes have faced considerable difficulties in obtaining stable funding. Planning for the development of victim services in Canada must recognize the importance of this issue and ensure stable funding for the survival and expansion of transition homes.

2. Generalized Crisis Services Based in Community Agencies

In many communities across Canada, generalized crisis intervention services have been developed by voluntary community agencies. These services are not specifically oriented towards crime victims but they often provide services to victims following self-referral or referral by police.

3. Police Based Crisis Services

This review confirms the conclusions reached by previous studies on the importance of the role played by police in responding to the crisis needs of victims. In some police departments officers have undertaken special training to increase their capabilities in this area, and in some departments links have been established with community-based agencies providing either general crisis intervention services or services to particular types of victims. At least one major police department (London) has established a specialized unit to assist officers dealing with families in crisis, while another community (Restigouche) has initiated a corps of volunteers to assist police with family violence situations. Several of the examples cited above involve police reaching out to establish closer links with community-based crisis intervention agencies. The reverse is also true; police departments are increasingly represented on the boards of generalized crisis information and counselling centres.

The Edmonton Police Department has developed a Victim Service Unit that goes far beyond crisis intervention to concentrate on improvement of all police services to crime victims, particularly the provision of information to crime victims on the status of their case, stolen property, and court processes. The Calgary Police Department is currently studying the expansion of a similar program to assist victims.

B. Services that assist victims and witnesses to participate effectively in the criminal justice system while protecting their rights

This is likely the weakest area of the emerging system of services to victims and witnesses of crime.

Some police departments have changed their operating procedures to ensure that victims are better informed about the status of their cases. In rural and isolated areas, police often play an important role in providing transportation to court and in explaining court procedures to victims. Some provinces have developed pamphlets to inform victims and witnesses about court processes. The report describes one witness assistance program that began operations in Edmonton in mid-1980.

Despite these few positive developments, much remains to be done to provide both victims and witnesses with the information and services necessary for their effective participation in the criminal justice system. Few court buildings have reception centres to direct victims and witnesses and few provide waiting areas separate from those that may be used by the accused and his or her family and friends.

C. Services aimed at compensating the victim for personal damages incurred as the result of a crime

All provinces and territories except for Prince Edward Island and Nova Scotia provide direct financial assistance to crime victims through crime compensation programs. Eligibility for compensation is limited to victims of violent crimes and does not include reimbursement for property loss or damage. In 1977-78, there were approximately 2,000 claims for compensation made in the eight provinces with programs. In the same year compensation payments totalled \$6.5 million.

D. Services aimed at achieving restitution, reconciliation or both between the offender and the victim

Restitution and reconciliation programs are receiving increased use as alternative sentencing options in several parts of the country.

In Prince Edward Island, over two-thirds of probation cases involve a restitution order. Both Ontario and the Northwest Territories are also making increased use of restitution.

Victim-offender reconciliation programs are being developed in several provinces, notably Ontario, Manitoba and British Columbia. These programs, like the Victim Offender Reconciliation Project in Kitchener, Ontario, seek to resolve the dispute between the victim and the offender through face-to-face negotiation facilitated by a mediator.

E. Services that assist the victim to locate and use appropriate existing services.

Information and referral for crime victims is provided by several elements of the criminal justice and social development systems. Because they are often the first agency to have contact with crime victims, police play a major role in providing information and referral. Several police departments reported that they had recently taken efforts to become more aware of agencies and resources in their communities. As indicated earlier in this chapter, sexual assault centres and transition houses play a major role in providing information and making referral to other social, health and legal services. Several of the programs have developed brief information pamphlets to inform victims about services they may need and to assist them in following the progress of their case. This report

identifies the information and referral activities of several major victim/witness programs currently operating in Canada and the United States.

In both countries, victim service projects focus primarily on reducing the financial, emotional and physical consequences of victimization and on assisting victims in dealing effectively with the criminal justice system. Services provided by victim service projects can be grouped under the following headings: emergency services, counselling, police-related services, court services, and claims assistance.

Witness service projects were developed with the primary intention of increasing the participation of witnesses in the criminal justice process. Services include streamlined notification of court appearances, information on court procedures, court reception services and child or elderly relative care. Witness service projects are not as numerous as victim service projects.

Victim/witness service projects serve both client groups, providing a mixture of the services provided by victim service and witness service projects. Victim/witness projects generally use a variety of methods to identify potential clientele, including screening of police reports, prosecutor referral, telephone hotlines and case schedule review.

The development of a variety of victim/witness assistance programs in the United States has had a considerable influence on Canada. While much can be learned from the United States experience, it is less clear which specific aspects of the American experiences are relevant to the Canadian scene. It is important to identify the distinctive features of the two countries, particularly variations in the roles and responsibilities of governments, and differences in the structure, programs and policies of the criminal justice and social development systems.

These factors include --

1. differences between the two countries in the rate and nature of crime;
2. the greater responsibility of provinces than the states to determine service design, delivery, availability and auspices;
3. the more subtle role played by the federal government in Canada in program development and in the encouragement of new program initiatives and national standards through cost-sharing;
4. the election of judges and prosecutors in the United States as opposed to the system of appointment employed in Canada;
5. greater consistency of policing in Canada than in the United States.

Future Issues

The following issues will require consideration in the future development of victim/witness services in Canada.

1. Federal-Provincial Relationships

To this point, the development of victim/witness services has taken place in a spirit of co-operation between the two levels of government. Further success in the development of services will require that this co-operation continue.

2. Need for a National Focal Point

There is need for the creation of a national focal point for information and research on victim/witness services to act as an information clearinghouse and provide consultative advice to provincial governments and voluntary agencies.

3. Crime Compensation

A significant issue to be addressed in the future is the possible extension of crime compensation programs to include compensation for property crimes.

4. Federal Funding Mechanisms

The Canada Assistance Plan (CAP) provides for federal sharing in the costs of provincial, municipal and voluntary social service programs, including some victim services such as sexual assault and transition homes. The requirement to prove that clients are "in need" or "likely to become in need" often makes cost-sharing for these services difficult to obtain because it would be inappropriate to apply a needs test to individuals in extreme personal crisis. In addition, if sexual assault centres or transition homes wish to provide legal advice and assistance to their clients, the costs of these services will not be considered shareable under CAP.

These aspects of the CAP should be reviewed to ensure that this program contributes more effectively to the development and operations of sexual assault centres and transition homes.

5. Provincial Roles

This report makes three suggestions on interdepartmental jurisdiction over victim/witness services at the provincial level:

- a) The goal of ensuring the availability of services sensitive to the continuum of victim/witness needs should be considered a legitimate responsibility of the criminal justice system.

- b) Provincial criminal justice systems should assume leadership in the development of services necessary to meet those needs of victims and witnesses directly related to the criminal justice process.

- c) The future development of services to victims and witnesses will require considerable co-ordination among departments responsible for criminal justice and between those departments responsible for social development services.

6. Local Planning of Services

This report proposes a number of general guidelines for developing victim/witness services in local communities. These relate to organizational models, assessment needs, clarification of program objectives and activities, and public information and evaluation.

7. The Role of Police

In many communities in Canada, police have recognized the need to respond to the crisis needs of crime victims. In some cases, this has involved training of officers to deal with crisis situations. In others, specialized crisis approaches have been developed, involving volunteer support, closer liaison with existing crisis intervention services, or the creation of special crisis units within police departments. In addition to their involvement in crisis intervention, several police departments and detachments responding to the survey indicated that information services to victims and witnesses are being provided as a matter of standard policy and procedure, and represent an integral component of their operations.

The involvement of police in assisting victims and witnesses of crime can be expected to increase. Canadian police departments should continue to develop both staff and procedural capabilities to respond to the needs of victims and witnesses.

8. Victim Rights

A variety of rights for crime victims have been proposed. This report suggests the following rights be considered by legislators and policy makers:

- The right to protection from violence and crime.
- The right to financial and social service assistance required as a result of victimization. This includes the right to be informed of available programs and how to apply for them.
- The right to be kept informed of the process of the investigation, and once a charge has been laid, to be informed on the progress of the case.
- The right to timely notification of the need to appear in court.
- The right to a secure waiting area during court proceedings.
- The right to be heard in the judicial process.
- The right to be advised of the offender's sentence and the rationale for the sentence, and particularly, the right to an explanation of any discretionary disposition made in the case.
- The right of restitution or compensation.
- The right to have stolen property required as evidence returned as expeditiously as possible.
- The right to receive reasonable witness compensation.

CHAPTER 1

The Victim in Perspective

1. The Forgotten Victim

"We spend so much time and energy dealing with the offender. When are we going to pay some attention to the crime victims?"

These sentiments have long been heard in social agencies, police departments, courts and hospitals. Finally, they are being expressed by political leaders and senior public officials in Canada. Concern over rising expenditures for offender detection, apprehension and incarceration has recently led many people to question the traditional practices of the criminal justice system and to argue for more attention to the needs of victims.

The victim was not always ignored by the system. Reference to victim compensation can be found in the Code of Hammurabi, the Iliad and the Old Testament. In the Middle Ages, British monarchs established rules that came to be known as "The King's Peace." Included in these rules was the practice of victim compensation, its principal purpose being the prevention of destructive violence and feuding among lords of the realm.

Over the past two hundred years, the state has effectively assumed responsibility for bringing the offender to justice. Unfortunately, this assumption of responsibility has also involved "the appropriation of all proceeds from criminal fines, leaving the victim with limited and generally ineffectual civil remedies to recover any losses incurred as a result of the crime."¹ This

1. Deborah M. Carrow, Crime Victim Compensation, (Washington: U.S. Department of Justice, 1980), p. 3.

development has contributed to the removal of the victims from the criminal justice process to the point that they are virtually ignored. In the early nineteenth century, the British political theorist Jeremy Bentham commented on this trend in terms that carry an uncanny modern ring:

Has a crime been committed? Those who have suffered by it, either in their person or their fortune, are abandoned to their evil condition. The society which they have contributed to maintain, and which ought to protect them, owes them, however, an indemnity, when its protection has not been effectual.²

Until recently, the state has also shown little concern for the personal and social needs of victims. The criminal justice system has come to emphasize offenders -- their detection and apprehension, the adjudication and disposition of their cases, their incarceration and rehabilitation, and ultimately, their reintegration into society. Further, efforts to reform the criminal justice system have been generally directed towards protecting the rights of the accused and towards humanizing the treatment of offenders. These efforts are laudable, but in the meantime, the victim is largely forgotten.

2. The Needs of Victims

The consequences of a crime on the victim depend on many factors, including the type and severity of the crime; the victim's age and physical condition; the impact of the crime on the victim's mental and physical health; the reaction of family and friends; and subsequent involvement of the victim with the criminal justice system. The needs that result from victimization can be social,

2. John Bowring, ed., *The Works of Jeremy Bentham*, (Edinburgh: Tait, 1843) vol. I, pp. 386-388, cited in Herbert Edelhertz and Gilbert Geis, Public Compensation to Victims of Crime, (New York: Praeger Publishers, 1974), p. 7.

psychological, property-related or financial in nature. Personal reactions can include shock, disbelief, fear, rage, denial and resentment.³ The personal trauma experienced by victims may be resolved relatively quickly, but it may also remain with the victim for a long time, affecting personal relationships, lifestyle and earning capacity.

In addition to suffering these complex personal reactions, crime victims may also suffer a "second injury" that results from the psychological impact of victimization and from the quality of help they receive:

Essentially, the second injury is the victim's perceived rejection by -- and lack of expected support from -- the community, agencies, and society in general, as well as family and friends. This second injury often follows any sudden, unexpected helplessness. ...Victims feel that society has let them down by allowing them to be vulnerable to danger, for not protecting them from the humiliation of the experience -- including the community's response to their victimization.⁴

3. Rediscovering the Victim

During the past ten years, society has gradually begun to rediscover the victim. Sexual assault centres have been established in many Canadian communities. Doctors, hospitals and social agencies are taking concerted action to identify and deal with child abuse. With federal assistance, most provinces have established crime compensation programs. Several jurisdictions are making extensive use of restitution and victim-offender reconciliation. Transition houses

3. For a more detailed analysis of victim response, see Irvin Waller and Norman Okihiro, Burglary: The Victim and the Public, (Toronto: University of Toronto Press, 1978), pp. 35-49.

4. Martin Symonds, "The 'Second Injury' to Victims," in Evaluation and Change, Special Issue, (Minneapolis: Program Evaluation Resource Centre, 1980), p. 38.

for battered women are beginning to appear across the country. Police departments are training their officers to respond with greater understanding to victims of crime and domestic violence. Court officials are beginning to recognize the need to explain processes and procedures to victims and victim/witnesses. In short, crime victims are being rediscovered, and services are being developed to meet their needs.

4. Crime and the Victim

Arriving at a simple definition of crime is next to impossible. The general focus established at the outset of this study was on behaviours defined as criminal by the Criminal Code of Canada and other legislation such as the Juvenile Delinquents Act and provincial child welfare and highway traffic acts. Excluded were white collar crime, abuse of power and corporate or institutional crime, such as damaging the environment or selling dangerous or defective products, in order to focus on the individual victim of criminal acts.

It is important to note three additional dimensions of the crime-victim relationship. First, some crimes are not reported for a variety of reasons, such as fear of involvement with police or fear of personal safety. In such cases, victims' needs are just as great as if the crime had been reported. Second, the victim's need for services must be assumed to begin at the time of the criminal act. Apprehension of the accused, the laying of charges and the formal decision about guilt or innocence may all take place long after victimization occurs. In the meantime, the victim has needs that may be immediate, and which may also continue for some time. Third, the needs of victims require a response regardless of whether the perpetrator is apprehended, diverted to a non-legal alternative, charged, appears in court, or is found guilty or innocent. After

the victim's immediate needs have been met, it is important that the victim be referred to other appropriate agencies if necessary, and the police and court officials continue to advise the victim of the status of the case.

5. Crime and Victim Response

The impact of crime on victims is underscored by the preliminary findings of two recent victimization studies conducted in Vancouver and Toronto. For cases of assault, approximately one in twelve victims were estimated to require medical attention, and one in four victims were injured but did not require medical aid. In cases involving break and entry, approximately one-third of the victims sustained losses over \$200, one-third involved losses of less than \$200 and one-third suffered no loss. In addition

it is estimated that there were between 100,000 to 300,000 assaults and 270,000 to 450,000 break and enter incidents in Canada in 1977. On the basis of these estimates, there would have been between 8,000 and 24,000 assaults requiring medical attention and between 90,000 and 150,000 break and enter incidents involving losses over \$200.⁵

A final factor relating to the social and personal impact of crime is the "attrition of events" that occurs as the individual crime victim's case moves through the stages of the criminal justice system. It is estimated that--

- (a) over one-third of all break and enter offences are never reported by victims;
- (b) only one-tenth of all break and enters eventually result in a charge being laid (This is one-sixth of the cases reported to police.);

5. Solicitor General of Canada, Selected Trends in Canadian Criminal Justice, (Ottawa: 1979), p. 10.

(c) only one in 17 break and enters ultimately lead to a conviction.⁶

What are the implications of these statistics for services to victims and witnesses of crime in Canada? First, it is clear that Canadians who are victims of crime each year can be counted in the thousands. Given the magnitude of the problem, it is surprising that concern over services for victims has only recently emerged. Second, the fact that a substantial proportion of break and enter offences are not reported to police raises questions about victims' perceptions of the event and the ability of the police to do something about it. Do crimes go unreported because of fear or mistrust of law enforcement agencies, because of lack of understanding or confidence in the criminal justice process, or because of a general reluctance to get involved?

One recent victimization survey sheds some light on these questions. In a study of 116 burglary victims in Toronto, Waller and Okihiro found in 1978 that 38 per cent of the victims did not report the crime to the police. Many of these victims (31 per cent) indicated that they had not reported the crime because they felt the police would be ineffective in dealing with it. A surprising proportion (25 per cent) said they had not reported the crime because they "thought it was a private, not a criminal matter," indicating possibly that the victim likely knew the identity of the burglar.⁷

It is clear that the attitude of victims towards reporting crimes is central to the effective operation of the criminal justice system. Equally important is the response to the crime by the

6. Ibid., p. 14.

7. Irvin Waller and Norman Okihiro, Burglary: The Victim and the Public, pp. 40-41.

criminal justice and social development systems:

Those who want to reduce criminal victimization in the future should pay more attention to those who have been victims in the past. For it is the distress calls of victims, as much as the deployment strategies of police officials which mobilize successful searches for criminal suspects. And it is the evidence provided by victims, as much as the forensic skills of prosecutors, which enables courts to identify and pass judgements on criminal offenders.

The victim's role in law enforcement is absolutely crucial. It is probably true that as individuals, most victims act voluntarily on private motives. Nonetheless ...crime victims are important public figures, entrusted with critical responsibilities for the welfare of others. ...If crime victims would better observe their public responsibilities, the number of criminals who escape detection, prosecution and conviction would decline dramatically.⁸

6. A Proposed Classification for Victim Services

Having identified some initial dimensions of victimization and crime, we now suggest a simple classification of services that attempts to meet the needs of crime victims.

Current classifications of victim services are many and varied. Some classify services according to the populations they serve (victim, witness, women, children, aged), while others categorize services according to the organizational auspices under which they are provided (court-based, police-based, community-based, corrections-based). The difficulty with these various classifications is that they tend to be somewhat rigid and impractical. Many combinations of target populations and auspices are possible. No single combination is right or wrong; we suspect that how services are organized in a given locale likely has more to do with attitudes among service providers and the availability of key community

8. John H. Stein, Better Services for Crime Victims: A Prescriptive Package, (Washington: Blackstone Institute, 1977), pp.1-2.

resources than with preconceived notions of how services "should" be provided.

Based on the literature and on a review of the Canadian scene, we suggest the following initial classification of victim services. It stresses the broad objectives of services and leaves open the question of organizational auspices. Further, the five categories proposed are of equal value; a balanced victim service system would have a reasonable mix of services from all five categories.

(a) Services that deal with the crisis of victimization

This group of services attempts to meet the variety of immediate needs experienced by individuals as a result of being victims of a criminal act. Specific services include transportation, emergency medical treatment, shelter, psychological assessment, counselling, physical protection, information, and referral.

Victim crisis services can be provided through a wide variety of institutions and community agencies: hospitals, rape crisis centres, transition homes, information and referral centres, telephone hot lines and family or general counselling agencies. The role played by police departments is pivotal because police officers are usually the first public authority to respond to victim needs. In some cases, police provide many of the services identified above; in others the police provide the necessary linkage to existing institutions and agencies.

(b) Services that assist the victims and witnesses to participate in the criminal justice system while protecting and exercising their rights

These services help victims and witnesses to negotiate their way through the system with a minimum of discomfort and a maximum of understanding. Of particular importance is the role these services play in protection and enhancement of victims' rights. Services in this category include court reception centres,

information on court processes and procedures, briefing and preparation, notification of court dates, witness fees, child care, escort services, physical protection and employer intervention.

These services may be court-based but may also be provided by police departments, victim/witness focused programs operated by community agencies, community legal clinics or advocacy groups such as rape crisis centres.

(c) Services compensating the victim for personal damages incurred as the result of a crime

Many jurisdictions in Canada and the United States have established crime compensation programs. In general, these programs provide compensation for such items as expenses not covered by private insurance and public programs, loss of income because of disability, loss to dependents resulting from the victims' death, and pain and suffering experienced by the victim.

Eight of the ten provinces have established crime compensation programs. Cost-sharing is provided by the federal Department of Justice.

(d) Services aimed at achieving restitution, reconciliation or both, between the offender and the victim

The services in this category are generally directed towards two objectives. Restitution involves the partial or full repayment of damages to the victim by the offender. Restitution may be accomplished through the payment of the victim's costs or through such other means as the repair of damaged property.

Victim-offender reconciliation is aimed at the resolution of the victim-offender dispute through a face-to-face meeting in the presence of a third party acting as mediator.

Restitution and victim-offender reconciliation programs may be provided separately or as different parts of the same program.

(e) Services that assist the victim to locate and use appropriate existing services

While some of these services have already been alluded to in (a) above, the linkage between victims and the services they require is sufficiently important to warrant separate identification in this classification system. The services in this grouping all serve to match victims with services necessary to meet their immediate and long-term needs and ultimately regain their equilibrium.

Victim linkage services include advice, information, referral and crisis intervention. These services are provided by the police and by a variety of community agencies such as information and referral centres, crisis lines, transition houses for women, senior citizens' groups, and sexual assault centres.

7. Study Purpose and Methods

This is the first study to address itself to the emerging victim services movement in Canada.

While some initiatives to develop victim services have come from the traditional elements of the criminal justice system, (police, courts, and provincial Attorney General/Solicitor General departments), many services required by victims are provided by agencies in the social development field. Some services (sexual assault centres, transition houses and child abuse programs) focus on the needs of specific types of victims, while other needs are met by agencies (telephone crisis lines, community information centres and family counselling agencies) that serve broader needs.

With this mix of services in mind, the study started from the premise that services relevant to the needs of crime victims would likely be found in both the criminal justice and social development systems.

This study's initial mandate involved--

- (a) the identification and analysis of current service trends and programs aimed at assisting crime victims;
- (b) the consideration of key trends and models of service as they are evolving in other countries, particularly in the United States; and
- (c) the identification of possible adjustments to existing policies and programs relating to crime victims.

The following methods were employed to obtain the information required for the review:

- (a) Based on the current literature and discussions with experts in the criminal justice and social development fields, a general framework for obtaining and analysing the data was developed.
- (b) A questionnaire was developed to gather information on the nature of current Canadian services to victims and witnesses of crime. A generic description of various types of victim services was developed to assist respondents to the questionnaire. (The questionnaire and description of possible services appear in Appendix 1).
- (c) The questionnaire and description of services were sent to over 800 organizations representing social development and criminal justice interests at all levels of government and within the voluntary sector throughout Canada. They included law enforcement, advocacy, co-ordination, planning and service delivery organizations and associations; organizations concerned with programming for specific groups of citizens, such as the elderly, children, Natives, women and handicapped; and agencies providing in the fields of health care, social services, culture,

recreation and education.

- (d) Approximately 300 organizations completed and returned the questionnaire. Their responses were then categorized according to type of service, and were reviewed to identify issues, trends and specific service programs.
- (e) Experts in the design and delivery of victim service programs in Canada and the United States were interviewed.
- (f) The draft report was reviewed for completeness and accuracy by senior provincial representatives within the criminal justice field, federal officials within the Departments of Justice, Solicitor General and Health and Welfare; and officials of national associations in the field.

In preparing this report, the authors have attempted to meet a number of needs and interests that were identified during the course of the review. First, because the victim services movement is evolving rapidly in Canada, an effort has been made to make the report descriptive and illustrative. Second, because the services that assist victims may be based in either the criminal justice or social development systems, the report addresses the relationship of each system to victims in some detail. Third, because services to victims are developing in different ways in different parts of the country, the report identifies both general trends and specific types of services that have been established. Sources of available information, much of which is currently unpublished, have been cited to permit follow-up by the individual reader.

CHAPTER 2

The Canadian Criminal Justice and Social Development Systems

Introduction

This chapter sketches the essential features of the two principal service systems that relate to victims of crime. To experts from either system, the following descriptions may appear to be rudimentary. However, because the future development of victim services will require co-operation and understanding between the two systems, it is important that each has a basic appreciation for the structure and operations of the other.

A. The Canadian Criminal Justice System

This report does not address in detail the historical development of the various elements of the criminal justice system in Canada. Certain characteristics are worth noting, however, because they affect the place of both victims and witnesses within this system.

1. Administration of Justice

As indicated in Chapter 1, the basic legislation of concern to this review includes such federal statutes as the Criminal Code of Canada and the Juvenile Delinquents Act, and such provincial legislation as child welfare and highway traffic acts. The primary responsibility for the administration of justice in relation to the Criminal Code is shared between the federal and provincial levels of government. Child welfare cases are heard at the provincial family court level.

Federal Responsibilities

The British North America Act gives exclusive jurisdiction to Parliament over the Criminal Code and procedure in criminal matters. In addition, the Act provides for the federal appointment of county, district and superior court judges in each province, except for the courts of probate in New Brunswick and Nova Scotia.

At the federal level, two government departments are responsible for the administration of justice. The Department of Justice has primary responsibility for policy development and the drafting of legislation concerning several areas of the justice system, including criminal, civil and public law, legislative programming and civil litigation. Of particular interest is that this Department is responsible for a federal-provincial agreement through which the federal government provides cost-sharing for provincial crime compensation programs.

The Solicitor General of Canada is responsible for three major areas of jurisdiction within the criminal justice system: the Royal Canadian Mounted Police, penitentiaries and parole. In addition, the Ministry shares responsibility with the Department of Justice for the development of some new legislation. It is also active in research and in the promotion of policies in such areas as crime prevention and victim assistance which relate to the operation of the criminal justice system generally.

Provincial Responsibilities

Section 92 of the British North America Act gives provincial legislatures the exclusive right to make laws respecting "the administration of justice in the province, including the constitution, maintenance, and organization of provincial courts, both of civil and criminal jurisdiction and including procedures in civil matters in those courts." Enforcement of the Criminal Code is also the responsibility of provincial governments, falling within the jurisdiction

of each Attorney General or Solicitor General. Provinces have chosen from a variety of administrative alternatives to organize and arrange their responsibilities for justice. All provinces have attorneys general. In recent years, some provinces have split responsibilities for judicial and policing functions and placed responsibility for the latter within departments of the solicitor general.

2. Policing

There are three levels of police forces in Canada. The federal force, the RCMP, is responsible to the federal Solicitor General. Two provinces -- Quebec and Ontario -- have established their own provincial police forces. All other provinces have entered into agreements with the Solicitor General of Canada to have the RCMP enforce provincial laws and the Criminal Code. Finally, most large urban municipalities in Canada have established their own police forces, although in Quebec and Ontario, municipalities may enter into agreements with the provincial police for the provision of services at the local level.

3. The Criminal Justice System and Crime Victims

Although the balance of this report deals extensively with the relationship between the criminal justice system and crime victims, it may be helpful at the outset to identify some general trends.

Of all components of the criminal justice system, police have the most direct involvement with victims of crime. This is primarily because police are generally the first representative of the system to intervene following the occurrence of a crime. Throughout this report we will be identifying the different ways in which Canadian police are developing appropriate responses to the immediate needs of victims.

We have already noted the development of crime compensation programs in eight of the ten provinces in the past decade. While restitution and victim-offender reconciliation programs have begun to develop recently in some provinces, the general response of the courts and provincial corrections systems to victims has tended to be largely informal and limited. Until very recently, courts have shown little interest in victim needs for information about their particular case or information about court processes.

It is difficult to identify specific reasons for this general lack of attention to victim needs but some partial hypotheses can be advanced. There is no doubt that the criminal justice system has traditionally been preoccupied with the offender. This has reflected society's prevailing view that criminals should simply be caught, tried and punished. There has been little room in "criminal justice" for "victim justice." Another factor has been the attitudes of court officials. As we will report later, some officials do not appear to be overly concerned with the needs of victims, while others have an interest, but question whether theirs is the appropriate component of the criminal justice system to provide services. Finally, like any other new service, victim assistance must compete for resources with the older and established programs in the system. It is increasingly difficult to get funds for new social programs of any type, and particularly difficult when the new needs are not being articulated and emphasized.

B. The Canadian Social Development System

The historical development of Canada's social welfare institutions and programs has been amply documented in several sources.⁹ For the

9. See, for example, Dennis Guest, The Emergence of Social Security in Canada, University of British Columbia Press, Vancouver, 1980; Andrew Armitage, Social Welfare in Canada, McClelland and Stewart, Limited, Toronto, 1975, Appendix 2, pp. 213-20; and The Income Security System in Canada, Report prepared by the Interprovincial Task Force on Social Security for the Interprovincial Conference of Ministers Responsible for Social Services, Canadian Intergovernmental Conference Secretariat, Ottawa, 1980.

purposes of this report, it is necessary only to sketch the general outlines of the system as it relates to the needs of crime victims.

Not surprisingly, the Fathers of Confederation did not envisage the development of the modern welfare state. Although the federal level had authority over such specific groups as Natives, veterans and immigrants, many of the social welfare functions that have come to be recognized as necessary in the twentieth century fall within the responsibilities of the provinces.

Because the provinces have authority to levy only direct taxes, they have traditionally lacked the tax base necessary to meet growing social welfare needs. Consequently, the provinces have generally (but not always) welcomed federal initiatives to assume shared or direct responsibility for the financing of income security and social services. One early example of this was the 1935 attempt by the federal government to assume responsibility for unemployment insurance, but this subsequently required a constitutional amendment to transfer jurisdiction from the provincial to the federal level. During the 1950s and 1960s, cost-shared programs became a frequently used response to accommodate what might be termed "de facto" joint responsibility in areas where provinces did not have adequate financial resources and the federal government had an interest in ensuring national program standards.

The Canada and Quebec Pension Plans (CPP/QPP), the Canada Assistance Plan, (CAP), medicare and hospitalization are all examples of federal-provincial cost-sharing arrangements that were developed between 1950 and 1970. Each of these programs is of significance to victims of crime:

- (a) The CPP/QPP may assist victims and their families through their disability pension and surviving spouse provisions.
- (b) Through the CAP, which took effect in 1967, the federal government shares in the costs of provincial and municipal social assistance and social service programs provided to people

"in need" or "likely to become in need." Provincial and municipal social assistance programs are of relevance to crime victims because either short or long-term income support may be required because of victimization.

Social services are of major significance to the victims of crime. As a result of victimization, individuals may require crisis intervention, information and referral, or the assistance of rape crisis centres and transition houses. All of these services may be provided through a variety of agencies funded by provincial and municipal governments and cost-shared through the CAP. It should be noted that the CAP is permissive legislation, that is, provinces must make the decision to provide a given service within the Plan's cost-sharing criteria in order to benefit from federal funding.

- (c) Through Canada's medicare scheme, Canadians are generally guaranteed access to health care regardless of their economic circumstances. While this benefit of Canadian citizenship tends to be taken for granted, it is of major importance to crime victims because they need not be concerned with medical costs that may result from being the victim of a crime. The American literature on crime victims makes frequent reference to individuals who suffer major financial losses as a result of medical costs caused by victimization.

The intergovernmental and financial considerations form the backdrop to the organizational framework for addressing social development issues in Canada. Describing this framework concisely is no mean task, because it involves federal, provincial and municipal governments, as well as a substantial voluntary sector that is deeply involved in the design and delivery of social service programs. With respect to funding, there are programs that are exclusively federal, exclusively provincial, and exclusively municipal, jointly funded by the federal, provincial or municipal levels, jointly funded by the public and voluntary sectors and exclusively funded by the voluntary sector. As we will see in subsequent

chapters of this report, services to victims and witnesses of crime can be found throughout this range of organizational and funding alternatives.

CHAPTER 3

Current Trends in Victim Service Development

Introduction

This chapter presents the principal trends in the recent development of victim services in Canada. Based on the response to the questionnaire, reviews of relevant Canadian literature and interviews with decision-makers and program managers, we have attempted to identify the significant emerging patterns of service focus, organization and delivery. Major innovative projects that illustrate these emerging patterns are presented in Chapter 4 and the individual programs are described in Appendix 2.

A. Services That Deal With the Crisis of Victimization

Crisis intervention services can be divided into three groups: services for specific types of victims, generalized services based in community agencies and police-based services.

1. Services for Specific Types of Victims

Several population groups have disabling conditions or particular needs that are met through a variety of continuing social service programs. Individuals in these groups may become victims and their resulting needs for assistance may even be greater than others in society. This section identifies current concerns in relation to victim services for several specific groups: the disabled, the elderly, Natives, recent immigrants, abused children, sexually assaulted women and abused spouses.

The Disabled

The review uncovered considerable interest among organizations involved with, or acting on behalf of disabled citizens. While no

specialized victim services were identified, the following views and issues were identified:

- (a) Physically disabled and handicapped people frequently have service needs that become all the more compelling as a result of having been victimized. Transportation, translation services and similar needs may be quite critical to the disabled victim's involvement in the criminal justice system.
- (b) Special protection and services are often required when an individual becomes disabled as the direct result of victimization.
- (c) There is continuing concern that persons with certain types of handicaps have little protection from being victimized by the services provided for them. This is a particular concern in certain institutional programs for the mentally retarded and mentally ill. Some questionnaire respondents identified the need for patient rights, safeguards in treatment programs and patient and family involvement in determining treatment plans as the most critical areas requiring attention.

One important initiative directed towards the provision of legal advice and advocacy support for the handicapped was identified by the review. The Canadian Association for the Mentally Retarded is currently developing a network of legal advisors across the country to assist mentally handicapped persons. While the initial focus of this initiative is on the general protection of rights and on the retarded as accused offenders, the question of the handicapped as victim is beginning to receive more serious consideration.¹⁰

The Elderly

Most respondents suggested that the principal area of concern was not the number of elderly citizens victimized but rather the degree

10. See Autonomy, (National Legal Resources Service, National Institute on Mental Retardation, Toronto, 1980), Vol. 1, No.2.

of trauma that results when victimization occurs. The following trends and concerns were identified:

- (a) While no services whose sole purpose is to respond to the needs of the elderly victim were identified, general concern was expressed about the vulnerability of the elderly to criminal victimization.
- (b) Many organizations working with or representing senior citizens reported undertaking program initiatives focusing on crime prevention, on lessening the impact of victimization, and on the role of senior citizens in the criminal justice system. These initiatives are included as part of the continuing educational activities of these agencies.
- (c) The increased incidence of parental abuse was reported by representatives of social development agencies, hospitals and police departments. This disquieting trend appears to result from the emotional, physical and financial stresses experienced by families when faced with the long-term dependency of an aged parent in the home. In light of the increasing proportion of the elderly in the Canadian population, this problem deserves future attention by social development and criminal justice agencies.

Natives

While the review was unable to identify services specifically directed towards Natives who suffer victimization, some related services are provided through more generally focused programs such as Native friendship centres. Some Native court worker programs provide information about the criminal justice system to both offenders and victims. For example, the Labrador Legal Services provides such services as translation, crisis intervention, referral to social agencies and information on court processes and rights to Native clients regardless of whether they are offenders or victims.

Recent Immigrants

No victim services directed towards specific ethnic groups were identified. Several respondents suggested that many of the services provided by these organizations are generally responsive to the needs of victims, particularly in building better communication between ethnic communities and the police and courts.

Abused Children

Society's concern for the protection of children led to the creation of many of the earliest social welfare programs in Canada. Between 1867 and 1925, all provinces enacted legislation to provide for the protection and care of children.¹¹ Today, all provinces have specific child welfare legislation and devote considerable staff and financial resources to protect children from neglect, exploitation and abuse. While the vast majority of child welfare cases are handled under provincial child welfare legislation, serious child abuse can be dealt with under the Criminal Code.

The last decade has seen a significant growth in awareness and concern for abused children throughout Canada. This concern has been translated into extensive efforts on the part of governments, voluntary agencies, professionals and the public at large to develop more effective means of preventing, detecting and treating child abuse cases. These efforts have been reflected in major educational, legal, policy and program initiatives on the part of provincial government departments, child welfare agencies, hospitals and professional associations:

- (a) Significant adjustments have been made by most provinces in legislation relating to child abuse. Many of these changes

11. For an historical overview of the development of child welfare legislation programs, see H. Philip Hepworth, Foster Care and Adoption in Canada, Canadian Council on Social Development, Ottawa, 1980, pp. 9-17.

involve the clearer definition of responsibility for reporting child abuse and the clarification of roles of child care, health and criminal justice professionals and organizations.¹²

- (b) Extensive educational efforts have been made, including media advertising and pamphlets directed towards the general public and special workshops, conferences and training sessions for various professional groups. These activities are directed towards several objectives, including prevention, early detection, appropriate referral to helping agencies and the development of comprehensive treatment approaches.
- (c) In recognition of the fact that in the past there have been significant problems in getting professionals and agencies to work together on this issue, inter-agency co-ordination bodies involving child care authorities, health professionals and police have been established in some areas. These bodies generally co-ordinate service plans and monitor case management.
- (d) Despite these positive developments, there remains considerable cause for concern about child abuse in Canada. While statistics are limited and require intensive interpretation, over 7000 Canadian children were reported as abused in 1978. Because reported cases are likely only a fraction of actual cases, the actual number of abused children is likely much higher.¹³
- (e) One particular aspect of the child as victim is currently attracting concern among service providers. Professionals in the health, social development and criminal justice systems are giving increased attention to children who are victims of sexual abuse. Early in 1981, the Federal Ministers of Justice

12. Several provinces have announced new policies in this area. One of the most comprehensive is the Child Abuse/Neglect Policy Handbook, which was published in 1979 by the Government of British Columbia.

13. Information presented to Government/Private Sector Meeting on Child Abuse, Ottawa, March 9-10, 1981.

and National Health and Welfare appointed a Committee on Sexual Offences Against Children and Youth to study this subject and make recommendations for necessary legislative and program amendments.

Sexually Assaulted Women

This area of concern has received considerable attention in Canada during the last decade. The primary interest has been on rape victims but has also included concern for victims of other forms of sexual assault and harrassment. Public awareness in this field has increased largely as a consequence of the advocacy activities of voluntary sector organizations directly associated with the women's movement and human rights issues.

Efforts to improve services for sexually assaulted women have included the following activities:

- (a) Major educational initiatives have been directed towards professional groups and service agencies to develop better appreciation of the nature of sexual abuse and appropriate service responses.¹⁴ These initiatives have included special training programs for hospital emergency staff, police and the staff of counselling programs and have been designed to create a more humanitarian and effective response to victims of sexual assault.
- (b) There has been increased interest in research on the phenomenon of sexual abuse and the treatment of its victims by government departments, law reform commissions, women's advocacy groups

14. See Helping the Victims of Sexual Assault, Provincial Secretariat for Justice, Province of Ontario, 1979. This excellent handbook provides an extensive overview of the implications of sexual assault and suggests procedures and practices for groups involved in assisting victims.

and human rights commissions regarding appropriate reforms in the areas of criminal law and human rights legislation.

- (c) The first rape crisis centres were opened in Vancouver and Toronto in 1974; there are now more than fifty centres across Canada.¹⁵ Rape crisis centres provide a range of services to victims of rape, attempted rape, indecent assault, incest and other forms of sexual abuse. Services include crisis counselling, police liaison, referral to other service, advocacy and information on criminal justice processes.

Information obtained during the review suggests that some rape crisis centres are currently expanding their focus in several areas. Some are broadening their scope to work with men and children associated with women who have been sexually assaulted. Several centres indicated increased interest in providing assistance to clients involved in the criminal justice system. They are strengthening their client advocacy role, providing advice to victims on pre-trial processes and ensuring victims' interest and rights are recognized and protected. Finally, the increased militancy of certain rape crisis centre organizations in confronting offenders must be noted. Within the past year, one Vancouver group held a public confrontation with an alleged sexual assault offender, a most controversial advocacy strategy.

These changes in the orientation of rape crisis centres have been taking place against the broader background of change respecting the rights of women in Canadian society. Changes in laws concerning communal property, family law and the human rights of women have taken place in several provinces. Recently proposed amendments to the Criminal Code will help update the law on sexual assault.

15. While the terms "rape" and "rape crisis centre" have been commonly used across the country, this terminology is rapidly being replaced by "sexual assault" and "sexual assault centre." Recently proposed changes to the Criminal Code will likely hasten this change in terms.

It is not possible to discuss the recent emergence of sexual assault centres without reference to their funding problems. Recognition of the need for these services coincided with the growing impetus for restraint in public spending that began in the mid-1970s and continues today. Government restraint policies, combined with the insensitivity of some politicians and bureaucrats, have made it difficult in several provinces for sexual assault centres to receive the funding they require. While funding is now somewhat easier for centres to obtain than it was five years ago, it is by no means assured for the future in some provinces.

The Battered Spouse

Recognition of spouse battering as a significant social issue has developed throughout Canada during the past five years. Several conferences and studies¹⁶ have resulted from this concern, and a new network of services designed to meet the specific needs of battered women has begun to develop. These programs are directed towards women and children who are "in transition" from an intolerable domestic situation involving physical abuse. They provide emergency shelter, crisis and legal counselling and referral to other appropriate services. Counselling, legal advice and referral are usually provided to those women who do not wish or require emergency shelter. The review also found that other methods of addressing the problem, (such as the development of group treatment programs for husbands who batter their spouses) are being given a trial.

Like sexual assault centres, transition houses have faced considerable difficulties in securing stable funding. Planning for

16. Three reports are particularly helpful in this area: Patricia D. Ross, (ed.), Family Violence, United Way of Greater Vancouver, 1977; Margaret V. Ostrowski, Legal Process for Battered Women, United Way of the Lower Mainland, Vancouver, 1979; and Linda Macleod, Wife Battering in Canada: The Vicious Circle, Canadian Advisory Council on the Status of Women, Ottawa, 1980.

the future development of victim services must recognize the importance of this issue, and ensure stable funding for the survival and expansion of transition houses.

2. Generalized Crisis Services Based in Community Agencies

In many communities across Canada, generalized crisis intervention services have been developed under the auspices of voluntary community agencies. These services are "generalized" in the sense that they respond to personal crises of all kinds, such as domestic conflict and violence, loneliness, psychological crisis and potential suicide. Most are attached to an emergency telephone number and provide over-the-telephone counselling and referral to individual counselling.

These services are not specifically oriented towards crime victims, but they often provide assistance to victims upon self-referral or referral by the police.

3. Police-Based Crisis Services

This review confirms the conclusions reached by previous studies on the importance of the role played by police in responding to the crisis needs of victims. Some police departments have undertaken special training to increase their capabilities in this area, while other departments have established links with community-based agencies providing either general crisis intervention services or services to particular types of victims. At least one major police department (London) has established a specialized unit to assist officers dealing with families in crisis, while one community (Restigouche) has initiated a corps of volunteers to assist police with family violence situations. Several of the examples cited above involve police reaching out to establish closer links with community based crisis intervention agencies. The reverse is also true; police departments are increasingly represented on the boards of generalized crisis information and counselling centres.

B. Services that assist victims and witnesses to participate effectively in the criminal justice system while protecting their rights

This group of services is likely the weakest area of the emerging victim/witness services system. While some police departments are increasingly aware of the need to inform victims and witnesses about the criminal justice process, with the notable exception of the projects identified in the following chapter, there is not a great deal of activity in this area.

Specific activities in this area proved difficult to document. Some police departments reported changing their operating procedures to ensure that crime victims are better informed about the status of their case. In rural and isolated communities, police play an important role in providing transportation to court and in explaining court procedures to victims. Some provinces have developed pamphlets to explain court processes to both victims and witnesses. One program specifically designed to assist witnesses was identified in the review; it is described in the next chapter.

Despite these positive developments, much remains to be done to provide victims and witnesses with the information and related services necessary to support their effective participation in the criminal justice system. For example, few court buildings have separate waiting areas for victims and witnesses. It is not uncommon for a victim of sexual assault to be forced to sit in the same waiting room as the alleged offender and his family and friends. In one case that received wide coverage in London in December 1980, a woman who had charged her former employer with threatening, had the charge dismissed because she was unable to arrange child care while she was in court. In dismissing the case, the judge was quoted as commenting that it would not be "in the interest of justice or fairness to the accused" to delay the case further.¹⁷

17. "Lack of Sitter Loses Case," Ottawa Citizen, December 2, 1980.

C. Services aimed at compensating the victim for personal damages incurred as the result of a crime

All provinces and territories, except for Prince Edward Island and Nova Scotia, provide direct financial aid to victims through crime compensation programs.¹⁸ Eligibility is limited to victims of violent crimes and does not include compensation for property loss or damage. As a rule, those eligible for compensation have been victims of one of a specified list of crimes, or are the dependents of a fatally injured victim. Individuals injured while attempting to prevent the commission of a crime or assisting a peace officer to do so are also eligible for assistance.

Individuals wishing to seek assistance make application to a provincial or territorial crime compensation board. (In some provinces, crime compensation is provided through the workers' compensation program.) Adjudication of each case is based on several factors, including proof of criminal injury, co-operation with the police, and victim culpability. Compensation may be paid for the victim's out-of-pocket expenses, loss of income due to injury or permanent disability, pain and suffering, and loss to dependents resulting from the victim's death. Compensation payments may be made in a lump sum, in continuing monthly payments, or in a combination of lump sum and monthly payments. In determining the level of reimbursement, crime compensation programs offset other forms of income or support that are available to the victim and his or her dependents, including private insurance payments, public pension plan benefits and damages that may result from civil action.

In 1977-78, there were just under 2,000 claims for compensation made in the eight provinces with programs. In the same year, compensation payments totaled \$6.5 million.

18. A comprehensive description of the history and operations of these programs can be found in Criminal Injuries Compensation 1980, Statistics Canada, Catalogue 86-502 (Occasional) 1980.

Provincial crime compensation programs are cost-shared by the Federal Department of Justice.

D. Services aimed at achieving restitution, reconciliation or both between the offender and the victim

Restitution is permitted as a sentencing option under the Criminal Code of Canada and is exercised at the discretion of the judge. Restitution involves the payment of money or services by offenders to victims and is often an integral component of broader diversion, reconciliation and mediation programs.

The extent and use of this option in meeting the needs of victims varies across the country. Several provinces are currently emphasizing restitution as a sentencing option. In Prince Edward Island, over two-thirds of probation cases involve a restitution order. The Northwest Territories have recently been experimenting with restitution involving repair of damaged property by offenders. Ontario reports making increased use of restitution.

Victim-offender reconciliation programs are being developed in several provinces, particularly Ontario. These programs are generally under the management of voluntary organizations and are usually funded by provincial ministries responsible for corrections.

E. Services that assist the victim to locate and use appropriate existing services

Information and referral services have become an important part of the social development system during the past decade. They are usually located in urban areas and provide information and referral usually through a well publicized telephone line. These services are not specifically designed to assist crime victims but will, of course, provide information or make a referral if a victim contacts them. It was not possible to assess the degree to which victims make use of existing information and referral services.

Information and referral for crime victims is provided by several elements of the criminal justice and social development systems. Because they are often the first agency to have contact with crime victims, police play a major role in providing information and referral. Several police departments reported that they had recently undertaken efforts to become more aware of agencies and resources in their communities. As indicated earlier in this chapter, sexual assault centres and transition houses play a major role in providing information and making referral to other social, health and legal services. Several of the programs described in detail in the next chapter have developed pamphlets to assist victims in finding services they may need and in following the progress of their case.

CHAPTER 4

Major Canadian Victim/Witness Projects

Introduction

During the course of the review, several significant projects specifically designed to assist victims and witnesses were identified.¹⁹ This chapter highlights and describes these projects against the general background of service development trends described in Chapter 3.

A. Domestic Crisis Intervention and the Police

In recent years, police departments across Canada have been increasingly preoccupied with the need to develop more appropriate capabilities for dealing with domestic violence. The reasons for this concern are common to both Canada and the United States:

- (a) A high percentage of police calls involve domestic violence.
- (b) The role of the police officer is not always clear to family members involved in the situation.
- (c) Becoming involved in a domestic dispute is potentially dangerous for police; many officers have been seriously injured or killed intervening in domestic violence.
- (d) Police officers have not traditionally been trained to play the role of arbiter in a highly charged domestic situation. In addition, police often face difficulties in balancing the

19. All projects specifically oriented to victims and witnesses are listed in the inventory presented in Appendix 2.

crisis intervention role with the other major responsibilities they carry.²⁰

A variety of domestic intervention approaches have been developed by police departments. One approach is the development of formal or informal closer working relationships between police departments and existing community agencies with crisis intervention capabilities. A second model involves the assumption of direct responsibility for crisis intervention by police departments. This function may be assigned to all officers (the generalist model) or assigned to a special unit (the specialist model).

1. Co-ordination Between Police and Other Agencies

In several communities, police departments and community agencies have developed a variety of approaches to bring their respective services more closely together. Usually such developments begin with efforts to familiarize police officers with the range of crisis intervention and related services available locally, key points of contact and operating policies. Subsequently, direct referral to existing community-based crisis intervention agencies has become more formally linked through membership in inter-agency co-ordinating committees or by police officers becoming members of agency boards.²¹

In one area of New Brunswick, an innovative approach to meeting the concerns of police involved in domestic crises has been

20. For a more detailed discussion of these issues, see chapter 3, "Specialist and Generalist Models in Police Domestic Crisis Intervention," pp. 34-38, in Peter Jaffe and Judy Thompson, Family Consultant Service with the London Police Force: A Prescriptive Package, Report prepared for the Solicitor General of Canada, Ottawa, 1979, (unpublished), and Bruce R. Levens with D. Dutton, Domestic Crisis Intervention, Solicitor General of Canada, Ottawa, 1978.

21. See Annual Report, 1979-80, Prince Albert Mobile Crisis Unit Co-operative, Ltd.

developed. This approach is of particular interest because of its strong community base and its extensive reliance on volunteers.

The Restigouche Family Crisis Interveners Program

A grass roots approach involving both community representatives and concerned agencies in the criminal justice and social development sectors has been developed in New Brunswick's Restigouche County.

Restigouche is predominantly rural with five small population centres separated by bush and farmland. The town of Dalhousie has its own police force, while the other four communities are served by the RCMP.

The Family Crisis Interveners Program was initiated because of widespread community concern about an abnormally high incidence of violent family situations and an above average suicide rate in the area. These problems were often associated with unemployment and extreme alcohol and drug abuse. The local police expressed concern not only with the danger presented to them by domestic violence but also with the lack of time and manpower to counsel families repeatedly involved in crisis situations.

A local advisory committee of citizens and representatives of police, mental health, corrections, churches, hospitals and social service agencies began meeting in 1977 to address the social problems present in Restigouche County. This committee developed a proposed plan of action which was considered and approved for funding as a research and demonstration project by the Department of the Solicitor General of Canada.

The purpose of the program is--

- (a) to prevent family crises from becoming violent, by providing a back-up service to police;
- (b) to encourage the interdisciplinary application of skills and experience by police and social service and health professionals in responding to families in crisis;

- (c) to gather and keep current information regarding relevant services available in the county to meet the needs of families in crisis.

Four teams of volunteers, drawn from the communities involved in the program, have been established. Volunteers are interviewed by a screening committee, which comprises the Program Co-ordinator, the Chief of Police of the area in question, and a representative of the citizen's committee that oversees the program. Successful candidates are then provided with a two-day training session to become acquainted with available community agencies and methods of encouraging clients to seek help.

The "typical intervention" involving a volunteer ... begins after police have restored order in the home. If the police think that mediation with an intervener might be beneficial and the parties concerned agree, an intervener is called. Usually a team of four interveners take turns being on call 24 hours a day, seven days a week. The intervener carries with him or her (80 per cent of the volunteers are women) a directory of social services so if the person needs or wants an introduction to the sometimes frightening world of social service, he can get a guiding hand from the volunteer.²²

The Restigouche Family Crisis Intervenors Program is an innovative approach to meeting the needs of police for community support in dealing with domestic violence. Experience gained through this program will likely be of assistance to similar rural communities and their police forces throughout Canada.

2. Direct Police Auspices

Another approach to supporting police in domestic violence situations is the development of a civilian crisis intervention capability within police departments. An excellent example of this

22. "Police and Community Join Forces in Restigouche Family Crisis Program," Liaison, Volume 7, Number 3, Ministry of the Solicitor General, Ottawa, March, 1981.

approach is the Family Consultant Service established by the London Police Force.

Family Consultant Service, City of London Police Force

Creation of this program was initially stimulated in 1970 by the London Chief of Police in reaction to widespread community concern about the increasing dependency of the community on the police to deal with domestic problems. The police were frequently frustrated because they lacked the time, training and support to respond to domestic problems, including violence.

Through the leadership of the senior police staff, extensive efforts were made to acquaint community leaders with police concerns and to solicit their support for an extensive training program for police officers. Funds obtained from private foundations in 1972 were used to carry out this training program, which involved lectures by social workers, lawyers, and representatives of social agencies and hospitals.

Soon after the completion of this training program, various levels of government were approached in 1974 to provide resources for a civilian multi-professional crisis intervention and counseling team to be located in the police department and available to officers on call. The program was initially developed as a two-year experimental project and funding was obtained from the federal and Ontario Departments of the Solicitor General. Except for certain research costs that are covered by the federal Department of the Solicitor General, the cost of the program is now being borne by the municipal government.

The specific goals of the family consultant service are to—

- (a) assist officers by providing immediate assessment and intervention in crisis situations and supply information about or arrange referrals to appropriate community resources;

- (b) aid in the prevention of serious social and/or emotional dysfunctions through early detection and intervention;
- (c) facilitate increased understanding and co-operation between mental health and law enforcement professionals;
- (d) increase community awareness of the social role of the police force;
- (e) provide a model of human services to other communities through careful documentation and evaluation;
- (f) provide informal in-service and field training for police officers in the area of crisis intervention.²³

The heart of the program is a corps of family consultants who

assist police officers in dealing with individuals and families in personal crisis situations, refer families and individuals for continued support to existing social service agencies, respond to early indications of social and/or emotional dysfunctions, and become involved in community work, training of officers and the training of new family consultant staff.²⁴

This service operates directly out of the headquarters of the police department, from 9 a.m. to 4 a.m. on weekdays and from noon to 4 a.m. on weekends. The consultants are in constant radio contact with police officers. They are mobile and can, therefore, provide immediate assistance to police crisis calls. Officers determine whether to involve the service based on their evaluation of the case and the perceived likelihood that the participants will avail themselves of the service. (A small percentage of the cases result in no meaningful intervention because the family refuses counselling.)

23. Jaffee and Thompson, p. 7.

24. Ibid., p. 5.

The organization and management of the program have been structured to ensure support from all agencies involved. The Management Committee, comprising representatives from key law enforcement and mental health agencies, reports directly to the London Police Commission. A Professional Advisory Committee liaises between community agencies and provides professional consultation to the service. The Family Consultant Services Co-ordinator supervises day-to-day operations and is responsible for ensuring that evaluation of the program takes place through a Research Co-ordinator.

Based on the evaluation of this project conducted by Jaffee and Thompson, the following summary comments can be made concerning the effectiveness of the Family Consultant Service:²⁵

1. The Family Consultant Service is not considered to overlap with the mandates and operations of existing social service agencies. Eighty-eight per cent of the cases handled by the program arise at times when other services are unavailable.
2. The immediacy of intervention by family consultants results in a more positive response to assistance from individuals and families involved in domestic disputes:

Eighty-five per cent of the families/individuals referred to agencies by FCs accepted appointments if the contact was 24 hours or less following the FC intervention. In contrast, approximately 30 per cent of the families did not accept appointments with agencies if the time lapse between the crisis intervention and the agency contact was more than 24 hours.²⁶

3. The evaluators found that the program enjoys the support and understanding of the majority of police officers. They generally consider the service staff as co-operative, competent,

25. See Jaffee and Thompson, pp. 14-18.

26. Ibid., p. 15.

appreciative and understanding of the role of the police officer. The unit is now considered an essential and integral component of the police department.

4. Evaluation of the reaction of community agencies to the service indicates that the majority of professionals consider the service generally accurate in its assessments. Family consultants are considered co-operative in their handling of referrals and are seen as having a good understanding of other agencies' roles and responsibilities. The service is recognized as having increased co-operation among law enforcement and mental health service organizations and officials.

B. Victim Service Projects

1. Victim Service Unit - Edmonton Police Department

With the public's support, the City of Edmonton in 1979 established a Victim Service Unit in the Edmonton Police Department. The Unit is housed in the Department's Community Services Section and employs a sergeant, two constables and three clerical workers. The Unit is staffed during regular business hours.

The development of the program represents the Edmonton Police Department's awareness of the "conspicuous absence of any consideration for the crime victim" and that "in far too many instances the victims of a crime are unaware of what avenues of assistance are open to them."²⁷ The program's activities are directed towards closing the communications gap between victims and necessary services, and specifically to--

- (a) maximize public awareness of community service sources;

27. Victim Services Unit, (Final Report) Edmonton Police Department, Edmonton, 1980, p. 1.

- (b) maximize efficient use of community service sources (e.g., Edmonton Social Services, Crime Compensation Board, etc.);
- (c) enhance the rapport between the Police Department and the community; and
- (d) demonstrate clearly to the community that while we assist victims of crime, the Police Department does have viable and ongoing educational programs to reduce crime.²⁸

The program has developed through three distinct phases over the past two years. In the initial phase which began in July 1979, the focus was on house and shop break-ins. Subsequently, services were expanded in November of 1979 to include all robbery complaints. In April 1980, the Unit expanded its scope to serve all victims of assault and injury accidents.

The following approaches were developed during the first and second phases to respond to the needs of break-ins and robberies:

(a) Revised Departmental Systems

The police department has established detailed procedures allowing the Unit to have continuing case information regarding the status of all break, enter and robbery offences including occurrence, follow-up and property reports.

(b) Information

An information card has been developed. This card informs the victim of the existence of the Unit, provides the Unit's phone number and indicates what information is available to the victim. The card is provided to the victim by the initial investigating officer.

28. Ibid., p. 1.

(c) Correspondence

Within 40 days after the initial report has been received, the Unit will correspond with the victim to provide information on the status of the case. The correspondence indicates whether the case has been concluded, is still under investigation, or has been suspended.

(d) Victim Information

On request, the Unit provides information to victims regarding the status of their case, the status of stolen property involved, general information concerning criminal code offences and other laws, information about the practices and procedures of the police, court and other elements of the criminal justice system, and referral information related to non-police services.

(e) Liaison

The Unit acts as a liaison between the victim and investigating officer.

The Edmonton Police Department's May 1980 report on the Victim Services Unit makes the following comments on the program's third phase, "assault and injury accidents."

Parties involved in domestic disputes, where consequently an assault took place, are well informed by the investigating member of the procedure they must undertake in laying charges. Therefore no correspondence is required. The Unit, however, does provide correspondence to other victims of assault where the status of a particular case has changed. No correspondence is involved in dealing with accident victims. Assistance is provided by personal visits.²⁹

While it is rather early in the development of this program to undertake a comprehensive evaluation, the Department has taken

29. Ibid., p. 17.

steps to collect basic service statistics and to test user reaction to the services.³⁰ Several of the conclusions of an evaluation report completed in May 1980, warrant repeating here, for they speak eloquently of the needs of victims and the value of victim services:

- (a) While victims' reactions to their victimization and the degree of trauma from injury or loss, vary among our cases, one factor appears predominant in each case we handle; namely, that the innocent victims are almost overwhelmed by the fact that someone actually cares about their safety and well-being.
- (b) While all crime victims suffer some degree of trauma, the elderly appear to suffer the most and require the greatest amount of attention and crime prevention counselling. This conclusion was reached soon after our program began, therefore we sought out the elderly victims to provide them with the necessary assistance.
- (c) Injury and loss are not necessarily the factors creating the greatest pain and suffering. The terror generated by the criminal act and the fear of repetition are equally responsible for the subsequent need to comfort and counsel victims. For this reason, we seek out whenever possible those who have simply been victims of an attempted criminal offence.
- (d) Most victims are more frightened than many people realize. However, we found that a calm and friendly review of their case with perhaps some basic crime prevention counselling goes a long way towards stabilizing our victims.³¹

The Edmonton Police Department's Victim Services Unit is the most advanced and best documented program of its type in the country. Other cities are developing similar programs. In Calgary, for example, the City Police Department is in the process of expanding a victim services program that has been in existence since 1978. With the assistance of the Department of the Solicitor General of Canada, the Department has recently hired a co-ordinator and

30. Ibid., pp. 35-45.

31. Ibid., p. 47.

researcher, and is studying both victim needs and services available in the community to meet these needs.

2. Victim Services Project - Victoria Diversion Centre

This project is of particular interest because it grew out of a community-based diversion program. It developed because staff of the Victoria Diversion Centre (which is operated by the Community Diversion/Mediation Services unit of the British Columbia Department of the Attorney General) recognized victims needs were not being met.

While the principal focus of the Victoria Diversion Centre is on offenders, its staff have for some years been involved with victims in cases where mediation is necessary: "Diversion workers may thus facilitate the agreement of terms for restitution and reconciliation with the victim, including the sharing of feelings regarding the incident and its consequences."³² The more specific focus on victims, which the Centre developed as a new project in 1980, is considered to be a logical extension of the non-adversarial approach used by the Centre in its restitution and reconciliation programs.

The Victim Services project has three goals:

- (a) To provide a community-based approach to meet the practical and emotional needs of victims in a manner that is personalized and immediate
- (b) To work in close conjunction with other community organizations (i.e., government, law enforcement, and social agencies) to reduce the degree of frustration, ... delay, and aggravation that victims experience following a crime
- (c) To increase public awareness and responsiveness ... to the viability of victims' needs and concerns, and

32. "Victim Services Project," Victoria Diversion Centre, 1980 (unpublished), p. 3.

the impact such an experience can make on one's personal, emotional, work and family life. To educate the general public with regard to what steps they should take following a crime perpetrated against them.³³

A twenty-four hour a day telephone line is the principal vehicle for contact with clients. A resource file has been developed from which information on community agencies and their services can be obtained by staff and made available to callers. In some cases, project staff will meet with the client and provide advocacy assistance and referral to necessary services or contacts with the criminal justice system.

The project telephone line is handled by a combination of fulltime staff (victim aides) and volunteers. The volunteers provide the same services to victims as the project staff. A format has been developed for the collection of data which involves the recording of basic demographic information on each caller, his or her neighbourhood and the type of offence that has prompted the call.

Because this project began operations during the past year, no case or evaluative data are yet available.

3. Victim Care Program: Salvation Army, Metropolitan Toronto

This project arises from the long-standing interest of the Salvation Army in assisting offenders in prison and on parole. Traditionally the Salvation Army has attempted to provide various forms of assistance to offenders to encourage a sense of self-worth and to assist in rehabilitation. The Victim Care Program is considered by its

33. Ibid., p.4.

sponsor as a logical extension of this focus:

The anxieties and concerns experienced by victims of crime parallel those of the offender. Although numerous resources exist for victims within the community, concern continues to mount over the obvious lack of structured guidance available to deal with their immediate needs.³⁴

In the summer of 1980, the Salvation Army Etobikoke Temple conducted a two month feasibility study for a victim/witness assistance program. This study was conducted with the assistance of the Rexdale Area Office of the Ontario Ministry of Correctional Services' Probation and Parole Service.

The Rexdale Victim/Witness Assistance Program is now operating on a demonstration basis. The area served by the program corresponds to Division 23 of the Metropolitan Toronto Police. The project provides staff and volunteers to assist victims referred by the police. Specific services include immediate crisis counselling, help with transportation and babysitting, and referrals to other services available in the community. Crisis intervention services are available 24 hours a day.

A similar program, the Victim/Witness Assistance Project, has recently begun operations in Ottawa. This project is also sponsored by the Salvation Army.

4. Victim Assistance Program: John Howard Society of British Columbia

This program was begun in Burnaby in March 1981, and is sponsored by the John Howard Society of British Columbia.

34. "Victim Care," pamphlet prepared by the Salvation Army Volunteer Endeavour, Toronto.

The program's rationale is that

both the victim of crime and society are damaged and weakened when the victim's emotional and physical needs are not properly met. By attempting to assist victims through the use of trained volunteers we are strengthening the social fabric and enhancing the quality of life for all. This is done both through helping other human beings on an individual basis and also by carrying out activities endemic to the program, such as making the general public more aware of the needs and plight of the victim, promoting the establishment of resources to deal with problems encountered by victims and promoting crime prevention in general through counselling and referrals.³⁵

The program, through trained volunteers, provides direct service to victims of property crimes. Services provided include crisis intervention, referral and transportation to other community services, assistance in securing residences following a break-in, assisting in the return of stolen property, and provision of information about court processes.

The program is managed by a paid co-ordinator supported by a screening committee that assists in the selection of volunteers and a training committee that orients new volunteers to the needs of victims and community resources.

In its first two months of operation, the Victim Assistance Program responded to twenty-three requests for service, fourteen of which were from victims of property crimes and nine of which were from victims of violent crimes.³⁶

35. Descriptive Package: Aid to Victims of Crime, John Howard Society of British Columbia, 1981.

36. Correspondence between the author and J. Philipson, Co-ordinator of Community Services, John Howard Society of British Columbia, May 19, 1981.

5. Victim-Offender Reconciliation Project (VORP) Kitchener

This is one of several such projects established during the past three years in different parts of Ontario. The Kitchener VORP, which was initiated in 1976, was the first of these projects. A key feature of this project is the involvement of a sub-committee of the Mennonite Central Committee, which is the social service agency of the Mennonite and Brethren in Christ Churches.

The principal emphasis of this and other victim-offender reconciliation projects is on the offender's responsibility both to society and the victim, for his or her act: "In VORP, the approach is to assume competence on the part of both victim and offender in working at resolving the matter that brings them together. The emphasis is on change in the relationship, rather than change in the individuals, per se."³⁷ The main approach used by victim-offender reconciliation meetings is the face-to-face meeting between the victim and offender:

Victim/offender meetings...become problem solving meetings rather than win-lose meetings of adversaries. The third party mediator, though intensely involved in the meeting does not determine the outcome. The decisions are made by the principals, not by an adjudicator.³⁸

All participation in victim-offender meetings is voluntary. A decision by the offender not to participate in a proposed reconciliation is not considered a mark against the offender. In the case of the Kitchener project, a significant motivating factor in its initiation, and for the continued involvement of volunteers, is religious as "the persons involved in initiating the project...

37. Wendy MacPherson and Mark Yantzi, Victim-Offender Reconciliation Program (unpublished), Kitchener, Ontario, 1979, p. 3.

38. Ibid., p. 4.

saw the need for Christians to assume a peacekeeping stance, whatever their vocation".³⁹

Following a finding of guilt or a conviction, judges may recommend that the program become involved in the case. Project staff contact both the victim and offender to ascertain whether they are willing to get together and if so, a meeting is convened with the aim of reaching agreement. At the time of sentencing, the judge places the offender on probation on the condition that the agreement be carried out. When the agreement is completed, probation is ended.

Judges can also request VORP involvement when making a probation order, by requesting that the victim and offender meet to see if they can agree on how restitution can be made. It is usually expected that if an agreement has not been reached through this process, the matter will be referred back to the judge after a specified period.

The Kitchener project is staffed by a co-ordinator who is responsible for the recruitment, training and supervision of volunteers. In addition, he is expected to make case assignments and to debrief volunteers following reconciliation meetings and is also responsible for promoting the use of the project among provincial probation staff and judges.

This project is strongly supported by the Ontario Ministry of Correctional Services. The Co-ordinator is a member of the Ministry's staff and the Ministry has continued to provide assistance with funds for publications and promotion.

39. Ibid., p. 3.

Assessment of Needs and Possible Expansion

In 1980, the Kitchener VORP conducted a detailed assessment of the needs of crime victims in the Waterloo Region. The study, which was based on a sample of 200 individual crime victims, found that 32 per cent of the victims interviewed felt their needs had not been satisfied by existing services. The two most common needs identified were for services to provide emotional support immediately after victimization and for longer-term services providing information on the progress of investigations and court processes.⁴⁰

This needs assessment has now resulted in a proposal from the Kitchener project for a program that would provide a wider range of services than victim-offender reconciliation.

C. Witness Services

1. Witness Central Unit - Edmonton

The Alberta Attorney General's Department has developed what is apparently the first Canadian program specifically directed to the needs of witnesses. The Witness Central Unit was established in June 1980, in Century Plaza, which is the principal location of provincial court facilities in Edmonton. A similar unit is being implemented in Calgary.

The development of these units was prompted by surveys indicating that witnesses in Edmonton and Calgary were dissatisfied with the inconvenience they were made to suffer while fulfilling their roles as witnesses. Needs identified by witnesses included information on roles and duties, adequate parking, a central

40. Stephen D. Brown and Mark Yantzi, Needs Assessment for Victims and Witnesses of Crime, Sententica Inc., Elmira, Ontario, 1980 (unpublished).

information telephone number, better information to witnesses appearing in court, and better court reception services.

The basic rationale for the creation of these units is that the reduction of inconvenience to witnesses will help to ensure their participation in the criminal justice system. The scope of the Edmonton unit includes the Provincial Court and the Court of Queen's Bench in Edmonton. The unit reports to the Senior Agent of the provincial Attorney-General for Edmonton and is housed in that department's offices.

A variety of basic services for witnesses have been developed by the unit in Edmonton and similar services are planned for Calgary:

(a) Subpoena Preparation and Distribution for Service

The subpoenas for both the Provincial Criminal and the Court of Queen's Bench cases are prepared in the unit. Two unit staff have been permitted restricted Justice of the Peace appointments, empowering them to sign subpoenas, which are then distributed to the appropriate local police or RCMP detachments for action.

(b) Witness Cancellation

At the direction of prosecutors, the unit informs all civilian and police witnesses of cancellation of their scheduled appearance.

(c) Subpoena Service Monitoring

The unit and the Edmonton City Police co-operate on the return of subpoenas. There are clear procedures related to the serving of subpoenas and follow-up. If a subpoena has not been served seven days before scheduled court appearance, the prosecution is contacted for further advice on how to proceed.

(d) Central Telephone Service

All witnesses' requests and problems are forwarded to the unit where staff assume responsibility for finding the answers.

(e) 24-Hour Answering Service

When staff are not available, an answering service takes messages.

(f) Social Service Assistance

At the request of witnesses, the staff provide a complete listing of available social services.

(g) Travel and Accommodation Arrangements

These are made by unit staff if required.

(h) Interpreters

Necessary arrangements for interpreters are made by the unit's staff.

(i) Emergency Transportation

If witnesses requires in-city transportation, the court staff arrange for the service to be provided.

(j) Acknowledgement Letters

Letters are sent to thank witnesses who have appeared in court.

In the second phase of the project, the unit expects to add such services as witness payment, courthouse reception, on-call

alert to expert witnesses and employer intervention. 41

D. Conclusions

The Canadian experience in providing services specifically directed to victims and witnesses of crime is still in its infancy, but new services are developing rapidly. Based on the trends identified in Chapter 3 and on the specific services described in this chapter, a number of summary comments can be made about the current state and future development of services to crime victims and witnesses:

1. There are divergent views about the types of services that should be given priority for future development. Some strongly favour the development of police-based crisis intervention services, while others would prefer to see court information services or victim-offender reconciliation given priority. Voluntary sector organizations such as the John Howard Society and the Salvation Army are obviously interested in playing a direct role in developing services for crime victims.
2. The majority of existing victim/witness service programs are located in urban areas. There is a need for more demonstration projects in rural communities to develop techniques for delivering services in sparsely populated areas.
3. Some Crown attorneys expressed support for the development of court based victim/witness services. Others expressed concern that such services could threaten the impartiality of courts by influencing victim/witness testimony.
4. There is a tendency for victim service programs to start with a narrow focus and then expand their services, either to other types of victims, or through the creation of additional services. It is too early to assess the impact of this trend.

41. Employer intervention involves urging employers to continue paying wages to an employee called to court to serve as a witness, or at least, not to discourage the employee from honouring the subpoena.

CHAPTER 5

The American Experience

Introduction

Because the development of at least some kinds of victim/witness services has progressed considerably further in the United States than in Canada, this chapter summarizes the American experience and assesses its relevance for Canada.

The American experience in developing victim/witness services is instructive for several reasons. First, the federal government has given considerable national leadership to the victim/witness service field. Second, a variety of service and delivery models have been developed to meet local needs and circumstances. Third, many of the projects have now been operating long enough for useful evaluations to be available.

1. Law Enforcement Assistance Administration

In response to a number of influences in the late 1960s and early 1970s, the federal government undertook several initiatives to assist in the creation and development of local victim/witness assistance projects throughout the United States. The reasons that prompted these initiatives included—

- (a) pressure from women's groups for the criminal justice system to victims of sexual and family violence and for the development of services for the victims of such crimes;
- (b) growing concern among politicians and justice officials about diminishing public confidence in the criminal justice system;

- (c) increasing evidence that the least powerful groups in society — the young, the old, the uneducated and the poor — were most affected by crimes;
- (d) recognition that the criminal justice system had come to devote the vast majority of its resources to the offender while the victim was largely forgotten; and
- (e) recognition of a strong possibility that unresponsiveness towards victims and witnesses causes criminal justice ineffectiveness and inefficiency.

Starting in late 1974, the Law Enforcement Assistance Administration (LEAA), a division of the United States Department of Justice, developed a number of programs to meet these challenges. Since 1974, LEAA's initiatives have centred on three areas of activity:

- (a) an initial thrust towards developing local services through the Victim/Witness Assistance Program;
- (b) local project development more specifically tailored to particular victim groups; and
- (c) general support activities directed towards refining and encouraging a national commitment to provide better services to victims and witnesses.

The LEAA initiatives have been backed by a considerable investment of federal funds made available through both block funding and discretionary methods. These funds have been used to support the development of victim/witness service models under the auspices of law enforcement, prosecution, social service and voluntary agencies. These services have been directed towards a variety of issues and clients, including the needs of the victims of violent crimes, the needs of witnesses and jurors, and the need for preventive programs to combat citizen indifference towards crimes affecting public and private property.

In particular, the Citizen's Initiative Program, which started in 1974, is aimed at reducing the occurrence of crime through more active citizen involvement in the criminal justice process. This program is based on the premise that improving the relationship between the public and the justice system will result in greater participation in both prevention and prosecution, and thus help restore public confidence in the system.

In 1977, the LEAA undertook two new initiatives to support the Victim/Witness Assistance Program started earlier in the decade. The Integrated Police Prosecution Witness Assistance Program and the Family Violence Program grew out of recognition of the need to develop specific programs for selected groups of crime victims such as the elderly, battered women and abused children.

2. Development of a National Strategy

In addition to these initiatives to foster the development of victim/witness services and models of delivery, the LEAA has since 1978 been engaged in a conscious effort to develop a national strategy for victim/witness assistance involving all levels of government and the voluntary sector. This includes attempts to co-ordinate continuing services and to develop national promotional and information sharing activities. The LEAA has undertaken to develop state support networks to assist existing projects and to stimulate co-operation between public and voluntary sector agencies and groups. These activities have three components:

(a) Development of State-wide Co-ordinating Networks

This component has supported state-wide co-ordination networks to link more successfully all victim/witness programs within each of the six participating states. This effort was directed towards promotion of new victim/witness services and improvement of service delivery to all victims and witnesses of crime.

Specific programs have included creation of state-wide organizations; assessments of needs; analysis of gaps in delivery systems; training and technical assistance programs; collection, preparation and dissemination of training and informational materials; promotion of state-wide efforts to collect victim/witness related data; and creation of a public information mechanism.

(b) Support for Non-Government Efforts

This component was directed to national non-profit organizations in or outside the criminal justice system. The objective of this initiative is to relate the organizations' respective approaches to improving and assisting the continued involvement of the victim/witness in the criminal justice system.

The program included public awareness campaigns, mobilization of membership to assist victims and witnesses, and the development of national directories, training programs and procedures to assist in these efforts.

(c) Development of Joint Intergovernmental Programs

The LEAA has entered into agreements with other federal departments to include victim/witness activities in local social service experiments conducted by those agencies.

In summary, the influence of the Law Enforcement Assistance Administration has been quite significant in supporting the development of victim/witness programs in the United States. To date, it is estimated that the LEAA has been instrumental in the creation of more than 400 local projects. However, because of the recent cut-backs in budgets, the extent of continued support for victim/witness services by the federal government in the United States remains uncertain.

In addition many national non-government organizations have also become involved in the field. These include such groups as the American Bar Association, the National District Attorneys Association, and several national women's organizations.

In 1976, the National Organization for Victim Assistance (NOVA) was formed by agencies interested in relieving the plight of victims and in humanizing the criminal justice system through victim advocacy. Its present membership includes academic researchers, volunteers, service providers, representatives of the criminal justice system and concerned citizens. In addition to lobbying for victim-oriented legislation, NOVA acts as a clearinghouse for information on victim service programs, performs legal research and provides technical support to victim assistance programs.

3. Local Victim/Witness Assistance Projects

In its recent comprehensive study of services for the Law Enforcement Assistance Administration, the American Institutes for Research proposes three broad groupings of projects: victim, witness, and victim/witness projects. Because this study presents the most exhaustive analysis of American programs for victims and witnesses, it forms the basis for the following description of services in the United States.⁴²

Victim Service Projects

Projects of this type were initially influenced by early efforts to

42. See Roberta C. Cronin and Blair B. Bourque, National Evaluation Program Phase 1 Assessment of Victim/Witness Assistance Projects, Institute for Neighbourhood Initiatives, American Institutes for Research, Washington, 1980, pp. 23-27. Note that this study excluded sexual assault, domestic violence, child abuse, restitution and compensation programs.

assist police in dealing more effectively with situations involving sexual assault and domestic violence. More recently, victim based projects have expanded their focus to include victims of other types of crime.

Victim-focused services are primarily concerned with reducing the financial, emotional and physical consequences of victimization as well as with assisting victims in dealing affectively with the criminal justice system. Projects of this type usually reflect a desire, albeit secondary, to support the efficiency and effectiveness of the criminal justice system. Their goals often include crime prevention and better reporting of crime.

Victim-focused programs often offer training for professionals in agencies involved in dealing with victims. Many programs entail research on the use and impact of their services. Many are involved in public education activities.

Most projects in this group provide service to victims whether or not an arrest has or will be made. The majority offer on-site intervention and follow-up when requested. Generally, referrals are made by police or by the victims referring themselves. The latter often result from police advice to the victim or the victim's own awareness of the service. Many of the projects operate on a seven days a week, 24 hours-a-day basis. Varied methods of maintaining night time availability are used, such as answering services, hot lines, and police radios.

The American Institutes for Research study suggests that services within victim-focused projects can be grouped under the following headings: emergency services, counselling services, police related services, court services and claims assistance:

- (a) Emergency services include the provision of financial assistance, repair of property and personal and property security.

The nature and extent of emergency assistance appear to depend on when the agency intervenes and the specific target population of the agency involved.

- (b) Counselling, in particular crisis intervention, is the most commonly available service. It can be provided by volunteers or professionals either by telephone or in person.
- (c) Police related services include prevention of intimidation, property return and advice on case status. They may be provided directly by police or initiated by a victim advocate in a voluntary sector program.
- (d) Court services include information on court procedures, notification of court dates and transportation. The study found that these are relatively infrequently used because of the low percentage of cases that proceed to court.
- (e) Claims assistance includes referral to emergency financial aid, provision of help regarding victim compensation, restitution payments and private insurance claims.

Victim-focused service projects are found in a variety of settings throughout the United States. They are organized on a neighbourhood, city or county basis. The study suggests that most victim-focused projects currently enjoy positive working relationships with police and prosecution officials. These relationships have developed over time and their positive nature is generally attributed to the style and approach of project staff.

The study suggests that future service priorities will be in the areas of crisis intervention and follow-up services with less demand for emergency assistance and court-based programs.

Witness Service Projects

This type of project emerged with the primary intention of increasing the participation of the witness in the criminal justice process. Witness service projects generally focus on streamlining

notification processes and on meeting court related needs, such as preparation of witnesses for testifying. Most are sponsored by or located in prosecutors' offices. While pre-prosecution services are often available, they are not as systematically organized or as available to the witness as are victim-focused services.

Witness-focused projects provide service in most types of criminal cases and particular emphasis is given to witnesses who are also victims. Clients are usually identified through review of scheduled cases, review of subpoena lists or prosecutors' files, and to a lesser degree, through police and other agency referrals. The usual procedure for contacting witnesses is by mail or telephone contact. Staff follow-up is often a component of the project's operation.

Few witness-focused projects provide after hours service and few offer twenty-four hour coverage. The majority of projects provide some kind of reception service in court buildings as well as such related assistance as free parking, transportation and employer intervention. Because mail and telephone contact is the principal form of service delivery, costs per service unit are generally much lower for witness services than victim services.

While the general goals of witness-focused projects are similar to those of victim-focused projects -- to humanize the system and make it more effective -- witness-focused projects tend to give greater emphasis to system efficiency. Given the concern expressed by some Canadian Crown attorneys at the prospective development of witness services in this country, it is interesting that most officials of American witness-based projects see little

conflict between the goals of the individual and the goals of the system.⁴³

Victim/Witness Projects

Victim/Witness models, the least common of the three types of projects, provide services for both client groups. They provide a mixture of the services offered by victim-focused and witness-focused projects. Most provide counselling, police related services, claims assistance and court related services. Victim/witness projects usually have greater resources and more staff than the other two types and their clientele is correspondingly large.

Victim/witness projects are generally located in prosecutors' offices, although they require close cooperation with police services. They employ a number of methods in identifying clientele including police report screening, hotlines, case schedule review, and prosecutor referrals. The patterns of organization of the victim and witness service components vary; some are specialized service units, others are integrated units.

Those victim/witness projects that have been assessed as successful tend to be located in communities that have a wide range of other services, and exhibit considerable interaction with and acceptance by related criminal justice and social development agencies.

Victim/witness projects usually have larger budgets and therefore tend to be better organized and more capable of maintaining records and documentation than the other two types. Some, in fact, maintain a research capability. Many are permanent programs.

43. Cronin and Bourque, p. 61.

4. Observations on the American Experience

Based on the American Institutes for Research study, some interesting observations can be made on the experience of victim/witness assistance projects in the United States:

- (a) While many projects identify a wide range of available services, there are indications that only a few core services are routinely requested and provided to the majority of clients. These services are crisis intervention, counselling and notification of court dates.
- (b) Costs vary substantially among the different project models according to the design and mix of services and the type and level of staff employed. Service costs tend to be higher in victim based projects than in witness based projects, that is, an estimated \$46.00 per case unit versus \$6.00 per case unit.⁴⁴ This reflects the obvious differences in the types of services and their method of delivery. Services required by victims (crisis intervention, counselling, emergency financial assistance, property repair) are more expensive than services generally required by witnesses (notification, information on court processes). Similarly, costs vary significantly depending on whether crisis counselling is provided by volunteers, police or civilian professionals.
- (c) While all types of projects have increased in numbers during the past five years, use of the comprehensive victim/witness model is developing at the most rapid rate. Prosecutors' offices are regarded as the preferred location for victim/witness programs. This may be attributed to the political recognition given to victim/witness concerns by prosecutors in many communities.
- (d) Many projects are becoming less dependent on direct federal funding and are gaining support from municipal, county and

44. Ibid., pp. 76.

state governments. Institutionalization of projects appears to be highly dependent on their ability to attract the support of the local chief of police or prosecutor. Victim based projects appear to have greater difficulty in achieving continuing status than do witness and victim/witness projects.

5. Evaluation

This section touches briefly on a few general findings arising from recent evaluations of American victim/witness programs, particularly the recent study produced by the American Institutes for Research:

- (a) Clients generally view favourably the services they have received.
- (b) Certain types of services, particularly court notification and scheduling, have created clear-cut and documented time savings for victims, witnesses, expert witnesses, the courts and law enforcement agencies.
- (c) There is reasonable evidence to support the provision of backup crisis intervention capabilities to police. Such services reduce the pressure and danger faced by police in responding to family violence situations. Crisis intervention support services also appear to reduce the rate of continued contact with police following the initial contact.
- (d) Reliable research information is still not available on a number of key assumptions and expectations that were postulated in the earlier development of victim/witness projects. There is little evidence of change in dismissal or conviction in communities where services are available. It is not clear whether many of the services provided have in fact encouraged victim/witness participation in the criminal justice system.
- (e) There is a significant gap in information regarding the actual impact of services in diminishing trauma. It is not clear what

percentage of victims seek other available services if a specific victim service is not present. The impact of advocacy and public information programs on the criminal justice system is unknown.

- (f) The importance of systematic planning studies, management information systems, and program evaluations are being increasingly recognized as essential to the success and continuation of projects in this field.

6. Relevance of the American Experience for Canada

The development of a variety of victim/witness services in the United States during the past ten years has had considerable influence on Canada. Canadians responsible for developing and managing victim/witness services, have made extensive use of American materials and have made numerous visits to study programs in the United States.

While it appears that much can be learned from the United States, it is less clear which specific aspects of the American experience are relevant to Canada. Many individuals contacted during this review stressed the need to ensure that the Canadian context be fully appreciated in determining which aspects of the American experience might be applicable in Canada. It is therefore important to identify the distinctive features of the two countries, and in particular, variations in the roles and responsibilities of governments and differences in the structures, programs and policies of the criminal justice and social development systems.

Origins of Concern for Victims and Witnesses

Much of the early initiative in the American victim/witness service movement came from the development of rape crisis services and programs to assist battered women in the late 1960's. At roughly the same time, practitioners, policy makers and academics within the

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criminal justice field began to advocate the need for more attention to the development of services for victims. These two trends came together to create a broadly based movement focused on the needs of victims. Underlying this movement was a consensus that the capability of the criminal justice system to respond more humanely to victims should be improved. This view was also supported by officials concerned about the apparent lack of commitment by victims and witnesses to the criminal justice system and the obvious implications of this disaffection for the system's efficiency and effectiveness.

In Canada, the development of sexual assault centres and transition homes has not yet formed the basis for a comprehensive victim/witness services movement. This can be attributed to several factors. First, both sexual assault centres and transition homes have tended to seek funding from provincial social service departments rather than from provincial attorney generals' departments. Until recently at least, this aspect of victim service has been seen as a social service issue rather than as a criminal justice issue. Second, the level of crime is considerably higher in the United States than in Canada; consequently public concerns about "the crime problem" have been higher in the United States. Third, the lack of a "crisis of confidence" in the Canadian criminal justice system has been a factor in preventing crime victims from being a major public policy concern. Finally, the existence of universally accessible health care in Canada removes one of the major concerns facing many victims in the United States.

Governmental Roles

The federal government in the United States has exercised considerable influence over the development of victim/witness services. This aggressive role resulted from a variety of concerns, including the need to stimulate participation by victims and witnesses to increase the efficiency and effectiveness of the criminal justice

system and to restore confidence in criminal justice generally. While the need to encourage participation exists in Canada, it has only recently begun to be expressed by political leaders and experts within the criminal justice field.

The federal government in Canada has clearly not taken as aggressive a role as the American government in the development of victim/witness services. Differences between the two countries in the availability of services, variances in the rate of crime, and intergovernmental factors may account for the less substantial involvement of the Canadian federal government. A number of criminal justice officials interviewed in the course of this study suggested that Canadians in general feel a stronger sense of responsibility to make the system work, and that this has lessened the need for services to encourage participation in criminal justice processes.

The relationship of the various levels of government differ considerably between the two countries. The evolution of jurisdiction between the federal and provincial governments in the criminal justice and social development fields in Canada leaves significant responsibility with the provinces for service availability, service design and delivery, and use of federal funds to support services. The flexibility open to the provinces is clearly evident in the different approaches to victim/witness services described in previous chapters.

Finally, the federal government in Canada generally plays a more subtle role in program development than does its United States counterpart. Because provinces generally are responsible for program delivery, federal initiatives in the human services field have tended to emphasize the establishment of national standards through cost-sharing and the use of federal funds in demonstration and research projects, rather than direct intervention in program delivery.

The Criminal Justice System

One key difference between the criminal justice systems of the two countries is the election of judges and prosecutors in the United States as opposed to the system of appointment that is used in Canada. One may suspect that much of the support for victim/witness services in the United States results from the selection of prosecutors through the electoral process. Indeed, prosecutors' offices are becoming the most popular organizational location for victim/witness services in the United States. In contrast, Canadian Crown attorneys are totally dependent on provincial justice departments for their resources. Several Crown attorneys approached during this review indicated support for increased services to victims and witnesses but made it clear that these changes require a commitment by their respective provincial departments. Some Crown attorneys questioned the appropriateness of their public advocacy in support of services and suggested that services should be housed in police departments or social service agencies.

Policing

For a variety of reasons, policing is considerably more consistent in Canada than in the United States. The RCMP fosters consistency throughout Canada in exercising its federal responsibilities and in the provision of police services to several provinces. Uniformity is also encouraged by the increasing interdependence of provincial and national police training centres and through such organizations as the Canadian Association of Chiefs of Police.

Conclusion

We can learn much from the recent American experience in developing comprehensive victim/witness services. In using this experience as a base for service development in Canada, it is important to be aware of the significant differences between the two countries.

CHAPTER 6

Towards A Canadian Victim/Witness Service System

Introduction

This study outlines the emerging system of services for victims and witnesses of crime in Canada. This concluding chapter recapitulates the principal findings of the study and offers suggestions to assist in the strengthening of existing services and in the development of new services.

1. Federal-Provincial Jurisdiction

The review found considerable concern about who should be responsible for services to victims and witnesses of crime. This concern is illustrated by attempts in different parts of the country to define "system responsibility" for victims and witnesses and for the various services required to meet their needs. This process of defining responsibility is natural because specialized services for particular types of victims (rape crisis centres and child abuse programs) developed first under the social development system. Now that the broader needs of victims and witnesses are becoming apparent within the criminal justice system, there is a need to define responsibilities within that system and to clarify relationships with social development services relevant to victims.

The creation of a comprehensive system of services for crime victims will require close co-operation between the federal and provincial governments. Federal funding mechanisms such as the Canada Assistance Plan and the arrangements through which federal support is provided to provincial crime compensation programs will likely continue to play a major role in the development of victim

services. Through the RCMP, the federal government has the potential to assist directly in the development of police-based victim services in most parts of Canada. The role played by provincial and local police and provincial courts in implementing the provisions of the Criminal Code presents another avenue for federal-provincial co-operation in recognizing the needs and rights of victims.

To this point, the development of victim/witness services has taken place in a spirit of co-operation between the two levels of government. Success in the further development of services will require that this co-operation continue.

2. Federal Roles

Current federal involvement in services to victims and witnesses of crime is concentrated in three departments:

- (a) The Secretariat of the federal Ministry of the Solicitor-General has been active in the promotion of victim services through demonstration projects and in the area of research and evaluation of some existing projects. To date, the Secretariat's principal focus has been on the development of innovative police-based programs to deal more effectively with family violence.
- (b) The Federal Department of Justice cost-shares provincial crime compensation programs across Canada.
- (c) The Department of National Health and Welfare continues to fund the Canada Assistance Plan, which is federal cost-sharing legislation supporting the development and operation of provincial social assistance programs and a wide range of provincial, municipal and voluntary social service programs. National Health and Welfare also funds provincial health care programs through the Established Programs Financing Arrangements. While medical services are required by some

victims, the existence in Canada of pre-paid universal medicare removes the potential impact of medical costs on crime victims. In addition, the Department has funded several research and demonstration projects on such issues as child abuse and family violence through its National Welfare Grants Program.

Information and Research

The need for national information resources on services to victims and witnesses of crime was amply confirmed by the response of individuals and organizations contacted through the review. Information needs identified by respondents included--

- (a) types of services required by victims and witnesses;
- (b) determination and measurement of need;
- (c) available research on the strengths and weaknesses of alternative service delivery models;
- (d) planning and evaluation of victim/witness services; and
- (e) American projects and organizational models.

The range of information needs identified in the review suggests that there would be merit in the development of a national focal point for information and research on victim/witness services. This mechanism could--

- (a) act as a clearinghouse for information on such issues as assessment of community needs, organizational alternatives and funding;
- (b) provide consultative advice to provincial governments and community agencies interested in developing victim/witness services; and
- (c) provide information and support for the design and implementation of planning and evaluation activities.

A national focal point with responsibilities of this type

could do much to improve access to information and support the informed development of services.

The potential sensitivity of this suggestion in relation to federal-provincial cooperation in the criminal justice field is recognized. Some provinces might view the creation of a national mechanism as a federal incursion into provincial jurisdiction. On the other hand, there appears to be some support for a federal presence in the victim/witness services field, as suggested by a recent statement by Ontario's Provincial Secretary for Justice: "It seems to me the time has arrived for the federal and provincial governments to give serious attention to formalizing a number of services for the victim of crime, including the entrenchment of victim rights in the Criminal Code."⁴⁵

The development of a national focal point for information and research would support and assist current provincial initiatives⁴⁶ to give greater emphasis to the needs of victims and witnesses. An additional factor supporting a federal information and research role in this sector is the involvement of the RCMP in national and provincial policing activities and training. Given the pivotal role played by police in responding to victim and witness needs, it is likely that the RCMP will be increasingly expected to be attentive to these needs.

Finally, creation of a national capability to provide information and support research should not be viewed as a duplication of services currently available. Instead, such a mechanism would likely be instrumental in communicating experiences with different organizational models and in preventing the replication of

45. The Honourable Gordon Walker, Globe and Mail, September 25, 1980.

46. For example, the British Columbia Police Commission is currently conducting a study similar to this project on the current state of victim/witness services in that province.

approaches that have not proven effective. It could be a significant factor in stimulating and supporting initiatives of both the federal and provincial governments and voluntary agencies across Canada.

Crime Compensation

Although provincial crime compensation programs were not a major focus of this study, federal and provincial officials responsible for this area of service were contacted. While extensive data were not collected on these programs, there appears to be one particular issue that would benefit from further study. Taken as a group, crime compensation programs are only one of a surprisingly large number of income security programs in Canada. The recent report of the Interprovincial Task Force on Social Security, noted that "in 1977-78 the social security system in Canada consisted of more than eighty programs affecting the incomes of individuals and families."⁴⁷

Provincial crime compensation program administrators are required by federal-provincial cost-sharing arrangements to consider income from other sources first in determining eligibility for compensation. A difficulty arises when a crime victim becomes eligible for other federal and provincial income security programs as a result of victimization. The requirement to consider other sources of income in determining eligibility for compensation results in the right to crime compensation being governed by eligibility for other programs.

Another issue to be addressed in the future is the possible extension of crime compensation programs to include compensation for property crimes. Some support for such an expansion was identified in the review. Given the large number of property crimes in Canada, it is clear that compensating victims of these types of crimes would be expensive.

47. Interprovincial Task Force on Social Security, The Income Security in Canada, Canadian Intergovernmental Conference Secretariat, Ottawa, 1980, p. 2.

Funding

The Canada Assistance Plan (CAP) is the framework for federal-provincial cost sharing of many social service programs at the provincial and local levels. CAP provides for cost sharing of "welfare services" to persons "in need" or "likely to become in need." This generally means that in order for services to be shareable, it must be proven through an income test that the individual or family receiving services requires financial assistance.

The CAP is "permissive" legislation, that is, a province must agree to spend money on a social service program and begin funding that program before it claims a federal contribution. Therefore, in order for federal funding to be made available for rape crisis centres and transition houses, such programs must first establish themselves and then the province must agree to provide a grant towards operations or agree to purchase services from the program. Thus CAP is only of use after the province has made this decision, and in a time of increased restraint, some governments have been slow to recognize the needs represented by these programs. In too many cases, rape crisis and transition home programs have had to combat provincial and local government indifference to their financial needs.

A second problem relates to the requirement to prove that clients are "in need" or "likely to become in need." In order for a province to receive a federal contribution towards its expenditures, it must be able to prove that the recipients of services are in need or likely to become in need. Because it would be obviously inappropriate to apply an income test to a rape victim, many rape crisis centres have refused to do so, and in taking this position, no longer meet the cost-sharing criteria required by the Canada Assistance Plan. Transition houses face similar difficulties. The financial needs of women required to leave their homes because of personal danger may be easier to document, but battered women from all income levels may require the services provided by transition

houses. The administrative complexity of proving that clients meet cost-sharing eligibility criteria sometimes operates as a barrier to funding. Some provinces have taken the view that for relatively small programs, the administration required to obtain federal funding is not worth the bother.

There is one final issue concerning the cost-sharing provisions of the Canada Assistance Plan. The CAP limits cost sharing to "welfare services", which are defined as "services having as their object the lessening, removal or prevention of the causes and effects of poverty, child neglect or dependence on public assistance." This definition creates problems in identifying and approving shareable costs when programs are provided on an integrated basis or stretch the boundaries of what is generally considered the "social welfare system." If a rape crisis centre wishes to provide services that go beyond crisis intervention and referral to include advocacy within the criminal justice system, provision of information on court procedures, and assistance to clients in court, the costs of these services will not be considered shareable under the CAP.

If services to the crime victims represented by these programs are to develop as they should, then attention must be given to these funding issues by both the federal and provincial governments.

3. Provincial Roles

Provincial criminal justice systems vary considerably across Canada and these differences make it difficult to provide definitive suggestions about the appropriate location of responsibility for victim/witness services at the provincial level. It is possible, however, to make some general observations on the question of inter-departmental jurisdiction at the provincial level:

- (a) The goal of ensuring the availability of services sensitive to the continuum of victim/witness needs should be considered a

legitimate responsibility of the criminal justice system.

This statement speaks to the over-all approach that provincial criminal justice systems should take in meeting the needs of victims and witnesses. Provincial criminal justice authorities should become the principal advocates for the development of comprehensive victim/witness services.

These suggestions do not mean that criminal justice systems at the provincial level should be directly responsible for all victim/witness services or for their funding. Some victim/witness needs will most likely continue to be met through services funded through provincial social development systems. It may be necessary, however, for provincial criminal justice authorities to be stronger advocates of more secure funding from other provincial departments.

- (b) Provincial criminal justice systems should assume leadership in the development of services necessary to meet those needs of victims and witnesses directly related to the criminal justice process.

While some services relevant to the needs of victims are funded through the social development system, there are many other services required by victims and witnesses that would humanize criminal justice processes and support effective victim/witness participation. Services that deal with the impact of the criminal justice system on individuals should be the primary responsibility of that system.

- (c) The future development of services to victims and witnesses will require considerable co-ordination among departments responsible for criminal justice and between those departments and those responsible for social development services.

For provinces with more than one department involved in the provision of criminal justice, the need for roles to be made explicit is essential. This is because victim/witness programs may

be initiated and funded by provincial departments of corrections, attorney general or solicitor general. Recognition of the need for co-ordination of approaches among such departments appears to be growing. For example, the Ontario Cabinet Committee on Justice recently established an inter-ministerial committee involving that province's Attorney General, Solicitor General, Minister of Correction Services and Provincial Secretary for Justice to plan for the development of victim/witness services.

The development of co-operative relationships between departments responsible for criminal justice and departments responsible for social development services is also critical. Victims and witnesses of crime require two basic types of assistance: services to meet their specific needs, and linkage to those services. The first of these needs is obvious. In the case of victims, needs can include medical, financial, emotional and rehabilitative assistance, as well as such practical help as information about the criminal justice system and services to support participation in its processes. In the case of witnesses, the major needs are for information about court operations and such support services as notification, free parking and child care. Because victims and witnesses have many potential needs, and because the services to meet these needs can come from so many sources, it is imperative that linkage to appropriate services be a major preoccupation of service providers. Services that are not used because people do not know about them or because of jurisdictional rivalries are of little use. Because victim/witness services can involve several departments of government as well as many voluntary community agencies, the need for sensitivity and co-operation is critical. Consultation between provincial departments involved in criminal justice programs and social development ministries will be necessary in the future to ensure the co-operative development of a balance and co-ordinated service system.

4. Local Planning of Services

This review prompted many requests for information and advice about how to plan and organize services at the community level. Based on the data collected through the questionnaire and interviews, and an extensive review of current Canadian and American literature, the following general guidelines for developing victim/witness services are proposed.

(a) Organizational Models

Several factors suggest the need for caution in considering the question of organizational models. The range of services that can be provided to victims and witnesses, combined with the various organizational approaches currently in place, seriously question whether there is a "right" or "wrong" model for service delivery. Comprehensive services can be provided either through all-inclusive organizational models or through well co-ordinated delivery systems involving many service providers. In addition, the most appropriate organizational approach for a given community can be strongly influenced by such factors as geographic size, population distribution and availability of existing social development services. Clearly the choice of the best approach for each community must be made after needs have been assessed and existing capabilities have been identified.

(b) Assessment of Needs

It is essential that planning for any victim/witness service begin with an assessment of community needs and resources. This should include consideration of such factors as the local population profile, crime patterns and victim characteristics, data from victim surveys, operational characteristics of the criminal justice system and the availability and resources of existing social development service agencies. Information of this type is critical in providing evidence of needs and resources to potential funders. It is

recognized that some of this information may be difficult to obtain, but it is essential that needs and resources be categorized. Some projects have ignored this step only to find that their services are inappropriate to community needs and expectations.

It is important that both criminal justice and social development planners take part in the assessment of needs and resources. All key agencies that will be involved in a service or network of services should be involved in the initial planning exercise to ensure their understanding and support.

(c) Clarification of Program Objectives and Activities

At this stage of the planning process, the community's needs and resources are matched and decisions made concerning the type of service or services required. The range of possibilities is extremely broad and can include the development of a very specific response, such as the Family Consultant Service in London, the creation of better co-ordinating mechanisms, or changes in the policies and procedures of one or more existing agencies. Clarification of program objectives and activities does not necessarily require that a sophisticated planning model be applied although that may be necessary if a more comprehensive approach is being planned for a complex urban community. The essential point is that whatever response to needs is being planned, program objectives and activities should be logical, consistent, clearly described and understood by the agencies that will be involved.

The importance of clarifying roles and relationships among agencies cannot be underestimated. Co-ordinating bodies that also take on a direct service function that is perceived as being the same as or similar to the services of an existing agency run the risk of criticism and loss of local support. In addition, co-ordinating bodies that take on a direct service function with the intention to hand the function to another agency at a later date are often expected to retain service responsibility. All of these

dangers underscore the need to clarify and define carefully the objectives, activities and roles of new programs for victims and witnesses.

(d) Public Information

When a new service is created it is essential that considerable attention be given to the communication of its existence, location, function and telephone number to the general public.

(e) Evaluation

Much has been written in North America on the problems associated with the evaluation of criminal justice and social development programs. The increasing scarcity of public resources for human service programs makes the need for evaluation all the more critical.

The traditional (and unsatisfactory) approach has been to establish human service programs without regard for evaluation, and then subsequently to search, often in vain, for measurable data to assess program effectiveness. The need to collect evaluative data must be recognized when programs are being designed and the collection of data should be the responsibility of program staff. Evaluation should be seen as neither a mystical nor threatening process. While external evaluations are sometimes necessary, much more can be done to make the collection of evaluation data a planned and continuing part of program operations. Because many communities will likely be developing services for victims and witnesses of crime in the next few years, they will have the opportunity for planning to meet future evaluative needs when programs are being created.

5. The Role of Police

The critical role played by police in the provision of services to victims and witnesses of crime has been addressed at several points in this report. Interest on the part of police in serving victims and witnesses of crime is part of a general broadening of the scope of police activities that has been taking place in recent years in Canada. Police have been steadily expanding their mandate from its traditional law enforcement base to include the encouragement of public involvement in policing activities and the provision of social services related to policing functions. Examples of this expansion of roles include innovative crime prevention activities, the greater use of public education approaches, and the development of specialized programs or approaches for delinquent children and youth, Natives, immigrant groups, and crime victims and witnesses.

In many communities in Canada, police have recognized the need to respond to the crisis needs of crime victims. In some cases, this has involved training of officers to deal with crisis situations. In others, specialized crisis approaches have been developed, involving volunteer support, closer liaison with existing crisis intervention services, or the creation of special crisis units within police departments. In addition to their involvement in crisis intervention, several police departments and detachments responding to the survey indicated that information services to victims and witnesses are being provided as a matter of standard policy and procedure, and represent an integral component of their operations.

These trends indicate a generally favourable attitude on the part of police and police organizations towards their involvement in services for crime victims and witnesses. It is important to recognize, however, that some criminal justice officials believe that police should not become involved in providing any but the most essential services to victims and witnesses. This position is taken

for several reasons, including concern about limited resources and capabilities within police departments and fears of duplication of already existing social services. Some also take the position that the principal police function is law enforcement and that these additional roles will result in incompatible expectations on police officers.

While no one would want to promote the involvement of police in providing services that already exist, it is difficult to see how police will be able to avoid greater involvement in services required by victims and witnesses of crime. The necessity of police acquiring more sophisticated capabilities in responding to situations of domestic violence has been amply documented. The involvement of police with rape victims and elderly crime victims clearly requires sensitivity to social and psychological needs. In addition, if a humane and supportive approach to victims and witnesses builds public confidence in the criminal justice system, police officers and departments will be among the main beneficiaries of these more positive attitudes.

What then is the appropriate future role for police departments in the emerging system of services to victims and witnesses of crime? The issues and differing points of view identified in this section suggest a fairly wide range of choices:

- (a) A limited response would involve the continued incremental growth in general police capabilities in dealing with the victims and witnesses of crime.

While considerable activity in this area has been identified in this report, there are still many communities in which police responses to victims and witnesses are extremely limited. The incremental growth of these responses could be accomplished through continued attention to victim concerns in police training colleges and through police staff training programs to sensitize officers to victim needs and community resources.

- (b) A more aggressive response would be to pursue the development of specific services to victims by police departments.

This would include the creation of specialized units or approaches similar to those currently implemented in London, Edmonton, Calgary, and Restigouche County. It would also involve the revision of basic police procedures concerning such activities as property return and notification to ensure that they are responsive to victim needs. This option would give a high profile to victim concerns within police activities and would fit well with the growing emphasis given by police to crime prevention, concern for special groups, and community involvement.

With this option, the mandate of police-based victim or victim/witness units would require careful definition. As indicated earlier in this chapter, comprehensiveness of approach does not require an all encompassing organizational structure. Therefore the degree to which police departments become involved in actually providing services must depend on the nature of victimization in the community and on the availability and appropriateness of existing community resources.

Police will always require some crisis intervention capabilities, because they usually have the first contact with victims in crisis. This responsibility can be met through a variety of informal or formal responses. Dealing with the long-term impact of victimization should not be a police responsibility, but if appropriate community resources to meet these needs do not exist, police departments should not hesitate in working with agency and community leaders to develop those resources through volunteers or through voluntary agencies.

6. The Role of Volunteers

A major issue to be addressed in the future development of victim/witness services in Canada is the role of the volunteer. There is

considerable evidence in both Canada and the United States that volunteer support is often a critical resource in the creation and operation of services to victims and witnesses of crime.

The use of volunteers has always been a significant part of the social development system and is increasingly supported in certain types of criminal justice programs, such as crime prevention, victim-offender reconciliation programs and crisis intervention programs. This trend is consistent with efforts to encourage increased community responsibility for criminal justice activities. It is also compatible with the need to seek lower-cost alternatives to traditional, publicly funded services.

While efforts should continue to be made to involve volunteers in the criminal justice system,-- particularly in services for victims and witnesses of crime -- several factors should not be overlooked:

- (a) Volunteers should not be seen as a cheap substitute for necessary professional staff.

The practice of substituting volunteers for paid professionals is of concern to many groups in Canada.⁴⁸ The use of volunteers should be complementary to staff capabilities and blended with continuing agency activities.

- (b) Care must be taken to ensure that volunteers are sufficiently trained and supervised and that their basic out-of-pocket expenses are met by the program using their services.

It is important that the needs of volunteers be anticipated and

48. See, for example, People in Action, Report of the National Action Committee on Voluntary Action, Department of the Secretary of State, Ottawa, 1977; Nova Carter, Volunteers: The Untapped Potential, Canadian Council on Social Development, Ottawa, 1975; and Henry Chapin, Tapping the Untapped Potential: Towards a National Policy on Volunteerism, Canadian Council on Social Development, Ottawa, 1977.

met by voluntary organizations using their services. First, volunteers require a reasonable training period to learn the roles they will be expected to perform. Particularly when they are continuously dealing with people in crisis, volunteers require training and assistance to ensure that they are able to cope with trauma and the personal stress that results from this involvement. Adequate training for volunteers is also essential when they are involved in legal processes where the advice and assistance they provide might influence the necessary co-operation of witnesses with law enforcement agencies and the courts.

In addition, it is important that consideration be given to assisting volunteers with their expenses. It is critical that financial considerations do not become a deterrent to volunteer activity.

7. Victim Rights

The literature reviewed in the preparation of this report suggests a growing interest in the issue of victim rights, both in Canada and the United States. Approaching victim needs from a "rights" perspective will likely be a key step in the reorientation of the criminal justice system away from its overwhelming preoccupation with the offender, and towards the creation of a better balance of concerns and resources between the offender and the victim.

A number of rights have been proposed for crime victims. While the question of the rights of witnesses has not yet been extensively addressed in the literature, some of the following examples of rights for victims apply equally to witnesses. Therefore, just as the offender is seen as having the right to a suitable defence and a fair trial, so society has an obligation of ensuring that all of its citizens, whether they become victims or witnesses, have the following rights.

(a) The right to protection from criminal violence and crime

While the existence of this right is likely assumed by most Canadians, it is not currently spelled out in either the British North American Act or in the Criminal Code of Canada. It is interesting to note that the current draft Constitution Act includes "the right to life, liberty and security of the person and the right not to be deprived thereof except in accordance with the principles of fundamental justice."⁴⁹

Whether victims' rights are provided for in the constitution or the Criminal Code, the right to protection from crime should be accompanied by an obligation to co-operate with law enforcement agencies and the criminal justice system. While a strong case can be made for entrenching the obligation to co-operate along with the right to protection, it must be noted that the degree to which co-operation is possible may be dependent on the existence and availability of certain services. It is not uncommon for victims to refuse to participate in the criminal justice process because of lack of understanding of court processes, the absence of adequate notification, fear of the accused, or lack of services to provide care for a child or elderly family member. These needs, along with others identified throughout this report, suggest a wide range of specific rights that should be accorded both victims and witnesses.

(b) The right to financial and social service assistance required as a result of victimization including the right to be informed of available programs and how to apply for them

The obvious difficulties involved in providing a right to services that may not be universally available are

49. Proposed Resolution for a Joint Address to Her Majesty the Queen Respecting the Constitution of Canada, sec. 7.

acknowledged, but these should not preclude this right being adopted as a goal of the criminal justice and social development systems.

The need for immediate and appropriate intervention to assist victims has been identified throughout this report. Furthermore, referral to appropriate existing community services is as important a service as the provision of the service itself. In many cases of victimization, adequate help from the beginning is of critical importance; immediate support and reassurance can prevent the need for more serious intervention at a later date.

(c) The right to be kept informed of the process of the investigation, and once a charge has been laid, to be informed on the progress of the case

There is a basic need for crime victims to be kept informed by the criminal justice system once they become involved in its processes. It should be remembered that a victim's participation may entail emotional and financial costs. These may include the requirement to tell and retell strangers of a personally painful and psychologically damaging experience, feelings of guilt, fear of the consequences of testifying, and problems in making personal arrangements to attend court. Therefore, the least the criminal justice system can do for the crime victim is provide timely and complete information on the investigation of the crime as it proceeds, and on the status of the case once a charge has been laid.

(d) The right to timely notification of the need to appear in court

This right speaks to one of the most frustrating aspects of involvement with the criminal justice system. While preparing this report, the authors were made aware of some instances in

which notification for court appearances was inadequate. While this study did not specifically address this question it appears that notification procedures may be weak in some areas of the Canadian criminal justice system. If the system expects both victims and witnesses to participate in its processes, then it must recognize that they have employment and family commitments that may require rearrangement and special planning.

e) The right to a secure waiting area during court proceedings

To prevent further traumatization, discomfort and harassment, crime victims should be provided secure waiting areas when they are waiting to appear in court. Secure waiting areas are necessary to prevent additional personal confrontation or intimidation between the victim and the alleged offender and family and friends.

f) The right to be heard in the judicial process

This fundamental right is largely ignored at present by the criminal justice system. It is possible for a victim to hear nothing more from the system after the investigating officer leaves the scene of the crime: "The informal hearings of Ontario's Criminal Injuries Compensation Board, for example, represent for many victims the only time after their contact with the police that somebody in authority seems to show any interest in what happened to them."⁵⁰

One recent proposal for ensuring that victims are heard in the judicial process is to require the preparation of a victim study,⁵¹ prior to trial, which would in a sense parallel the

50. Honourable Gord Walker, Provincial Secretary for Justice and Minister of Correctional Services, Address to the Canadian Association of Crime Victims Compensation Boards, Toronto, August 21, 1980, pp. 5-6.

51. Ibid., p. 6.

parallel the pre-sentence report on offenders which is frequently prepared by probation officers, and would present to the court an assessment of the impact of the crime on the victim and a description of any needs that may result from victimization.

g) The right to be advised of the offender's sentence and the rationale for the sentence, and particularly, the right for an explanation of any discretionary disposition made in the case

Crime victims cannot currently expect to be advised by the criminal justice system of the offender's sentence. In addition, no effort is made to explain the rationale for the particular sentence. These difficulties could be overcome by inviting the victim to attend court when the offender is to be sentenced to hear not only the decision of the court but also the rationale for the sentence chosen.

Where plea bargaining occurs, there is particular danger of victims becoming alienated from the criminal justice process:

Frequently, the victim is simply told he is no longer required as a witness because the offender has pleaded guilty to one charge and the other charges have been dropped. Not surprisingly, the victim feels he has been given short-shrift because he doesn't really understand what happened in the negotiations.

What I am raising for consideration is a requirement that the judge explain directly to the victim in court why the charge is not being proceeded with or the Crown be requested by the judge to explain. The authority of the bench and the fullness of a formal explanation are integral to the individual's belief that justice is, indeed, going to be done.⁵²

52. Honourable Gord Walker, p. 9.

h) The right to restitution, compensation or both

This right is much closer to implementation than the other rights identified in this section. Eight of the ten provinces provide crime compensation. Restitution is provided for in the Criminal Code and is used in varying degrees across the country.

Restitution can serve the victim by remedying the damage done, the offender by encouraging him to face his responsibilities, and society, by confirming its responsibility to see that the victim is recompensed for his loss. At the present time, Section 663 of the Criminal Code allows for a judge to order restitution of the victim's loss or damage. Because this provision is discretionary, victims' rights could be strengthened by giving them the right to request restitution:

This would mean quite simply that the victim would have the right to ask the court for compensation from the offender. Armed with the victim impact study I mentioned earlier, the judge would be in a position to assess the claim and evaluate the ability of the offender to comply. This might help to a small degree to unclog the civil courts, and would definitely make compensation more accessible and cheaper for the victim to obtain.⁵³

i) The right to have stolen property required as evidence returned as expeditiously as possible

This study does not address this question in detail; consequently we are unable to assess the adequacy of current property return procedures in Canada. Special property return procedures have been adopted by some police departments in this country. In the United States, property return has been found to be a major problem, with victims often being deprived of

53. Honourable Gord Walker, p. 13.

their property for months or years because it is being held as evidence.

j) The right to receive reasonable witness compensation

There is increasing criticism in Canada that witness fees have not kept pace with the cost of living and that they do not meet the financial burdens that may result from involvement in the criminal justice process. Inadequate witness fees may serve to minimize the importance of witness participation in the process and may also discourage the public's willingness to become involved.

We are not aware of any current studies of the adequacy of witness fees in Canada. The preparation of such a study would be a useful first step towards determining whether they meet current income replacement needs. One current American proposal worth considering has been developed by the National District Attorneys' Association. It suggests that employers be required to provide leave with pay to employees for court appearances in exchange for a tax deduction of the amount equal to the salary paid the employee while serving as a witness.

8. Concluding Comments

The community of interests represented by institutions and agencies involved in the provision of services to victims and witnesses of crime in Canada is tremendously broad. It includes government and voluntary agencies in both the criminal justice and social development systems and thousands of individuals working in salaried and voluntary capacities.

The victim/witness service field is on the verge of considerable development and expansion in Canada. As this study was

being prepared, the authors became aware of several programs that are currently being planned for implementation. In addition, current and future policy shifts to give greater emphasis to the needs of victims and witnesses are also apparent in several jurisdictions. These changes are being supported by a variety of groups in both the criminal justice and social development fields. It is likely that advocacy for greater attention to victim needs will increase as such groups as rape crisis and transition home coalitions and federal and provincial advisory bodies on women and the elderly press their various points of view. Governments, it is hoped, will respond to these representations by planning and implementing programs that respond in a sensitive, creative and above all, co-ordinated fashion to the needs of crime victims and witnesses in our society.

APPENDIX 1
CANADIAN COUNCIL ON SOCIAL DEVELOPMENT
SERVICES TO VICTIMS OF CRIME

Questionnaire

We would appreciate your assistance in providing information in the following areas:

1. Have any specialized services for victims or witnesses as witnesses been developed under the auspices of and/or with the support of your organization? Could you explain? (Note: If you are reporting on more than one service, please use one questionnaire for each service.)

a) Objectives of Service

b) Description of Service

c) Target Population

d) Sponsoring Organization(s)

e) Use of Volunteers

2. Are you aware of services developed by other organizations in this field? If so, please elaborate.

3. Comments.

The following information was provided to all recipients of the questionnaire:

Some Characteristics/Types of Victim/Witness Services

Categorizing the universe of existing victim/witness services in Canada is no mean task. Based on our review of current literature, and communication with key individuals in the criminal justice and social development systems, we can offer the following tentative descriptions and examples.

Objectives

Victim/witness services can be provided to meet a number of objectives including the meeting of the physical, emotional, and financial needs of the victims, increasing the capacity (opportunity) of the victim to participate in the criminal justice system to meet society's responsibility and interest in achieving social justice and to assist in the over-all effectiveness of the criminal justice system.

Organizational Auspices

Victim/witness services can be made available under a variety of organizational auspices in the criminal justice system (police, prosecutors, courts, etc.) and the health social development systems through voluntary agencies.

Methods of Delivery

Victim/witness services can be present as specific activities administered through a given agency with a much broader mandate, e.g., sending case progress reports to victims. They can represent a specific component of a special program, directed to diminishing further criminal initiatives, e.g., crime prevention assistance. They can be organized as a special program within an organization,

e.g., the presence of a specialized, victim/witness unit within a police department. Finally some services are organized as independent service organizations solely directed to serving victims, e.g., rape crisis centres.

Examples of Victim/Witness Services

With this general overview, we offer the following examples of victim/witness services to assist you in responding to our request for information. We emphasize that the services in this list are illustrative in nature and do not purport to be an exhaustive or comprehensive catalogue of all possible victim/witness services.

Types of services to victims can include--

- . repair or protection of property, e.g., replacing locks, provision of crime prevention information following the occurrence of a crime,
- . crisis intervention, counselling, referral to social and health agencies,
- . provision of short term housing,
- . information assistance on the availability of services, understanding of the criminal justice system, the role and responsibilities of the witness,
- . specific information related to the process of the case, time of witness appearance in court, disposition of the case, etc.,
- . provision of services to victim/witness related services, related to court appearances, e.g., transportation, information services, victim/witness waiting facilities and day care services,
- . financial assistance, i.e., compensation*, restitution.

*We are aware that several provinces have established criminal injury compensation programs. We will obtain information directly from the jurisdictions responsible, hence it is not necessary for you to report on the existence of these programs.

APPENDIX 2

INVENTORY OF CANADIAN VICTIM/WITNESS SERVICES

Introduction

This inventory lists the current organizational units providing services that have as their principal focus the provision of services to victims and witnesses of crime. Several purposes can be served by an inventory of this type. In the most general sense, it illustrates the type and breadth of services already in existence, as well as their distribution across the country. In addition it allows for an over-all assessment of gaps in services and in their geographic accessibility. Finally, it provides a ready reference for all of the projects identified in this report as well as others not specifically mentioned.

Information on the projects included in this inventory was collected in mid-1980 and updated in early 1981. Projects initiated after March 1981 are not included.

Format

Developing the organizational structure for this inventory presented significant difficulties. As indicated throughout the report, victim/witness services in Canada do not fall neatly into logical groups or divisions. Whether one attempts to categorize according to auspices, service objectives or type of victims, programs tend to overlap and thus often require arbitrary assignment to one grouping or another. In addition, a victim focus has recently been added to many existing types of service organizations, requiring judgements to be made as to the proportion of their activities being devoted to victim concerns.

The type of service units identified in the inventory are therefore divided into two broad groupings: units responsible for specific victim services and general victim service units. Specific victim service units include those whose programs are directed towards particular groups such as, victims of sexual assault and victims of domestic violence. General victim services include those services with a broader focus, and do not generally distinguish between the types of victims served.

Exclusions

Many services provided to the general public by both government and voluntary agencies may also be provided to victims. To prevent this inventory from becoming unwieldy, we have exercised some discretion over the services included. The major criterion for inclusion is that the principal objective of the service unit must be to assist crime victims. Following this approach, several types of services have been excluded:

- (a) Service units that, while relevant to the needs of victims, do not have victims as their principal focus. This includes such services as income support, family or general counselling services, and hospitals.
- (b) Service units that provide general information about available social and community services, and those that provide referral to those services, that is, community information centres, information and referral centres.
- (c) Organizations that represent, act on behalf of, and/or provide support to groupings of victim services. Examples of this type of organization include national and provincial associations of rape crisis centres, crime compensation boards, etc.¹
- (d) Restitution, diversion and community service programs have generally been excluded. Some programs in these categories are

1. See Canadian Association for the Prevention of Crime, Justice Directory of Services, Ottawa, 1980.

identified in those cases where there is an explicitly stated involvement of the victim in the program.²

- (e) General crime prevention programs have been excluded. We recognize that in many cases, police contact victims to assist them in preventing a recurrence of victimization, but because these efforts are usually part of an over-all preventive thrust, they are not included in the inventory.³
- (f) It was necessary to exercise some judgement about what constitutes a "specialized service" to victims. While many agencies reported having modified their approach to service delivery to serve victims better, we have generally required evidence of specialized program or administrative structure to justify inclusion in the inventory. In no way does this indicate a bias against integrating a victim focus into the operating procedures and services of other programs or agencies. This selective approach was necessary to focus on programs specifically oriented to victims.

Use of this Inventory

Inventories of this type are of limited use when they become out of date. In the case of this inventory, it can be expected to become dated quickly. The field of services to victims and witnesses of crime in Canada appears to be poised at a point of major expansion. The development of potential initiatives at the federal level and in certain provinces will likely result in the creation of many new projects and programs during the next few years. Once this development begins to take shape, it will be much easier to identify the principal types of services emerging, as well as national organizational and program trends. In order to update this inventory

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2. See Solicitor General of Canada, National Inventory of Diversion Projects - An Update, Ottawa, 1979, Ministry of Supply and Services and Solicitor General of Canada, Diversion Information Resource Package, Ottawa, 1979.
 3. See David K. Wasson and John D. Crawford and Co., Ltd., Community Based Preventive Policing: A Review, Solicitor General of Canada, Ottawa, 1975.

periodically, information on new Canadian victim and witness assistance programs should be forwarded to the Causes and Prevention Section, Research Division, Ministry of the Solicitor General of Canada, Ottawa, Ontario, K1A 0P8.

A. SPECIFIC VICTIM SERVICES

All of the services in this group are directed to meeting the needs of specific types of victims, such as those who have suffered victimization through domestic violence or sexual assault. Child abuse services would normally be listed in this group but they were excluded from this study because a separate report focusing specifically on these services has recently been completed.⁴

TRANSITION HOMES

1. Objectives

To provide emergency assistance to women unable to remain in their homes due to domestic violence.

2. Description of Service

- a) provide emergency and short-term physical shelter to women and their children;
- b) provide immediate personal counselling to women requiring emergency shelter;
- c) provide general advice to battered women about the personal alternatives facing them; and

4. Mary Van Stolk, Inventory of Canadian Research and Demonstration Projects on Child Abuse and Neglect. Ottawa: Ministry of the Solicitor General of Canada and National Health and Welfare, 1981.

d) Provide referral if necessary to existing community law enforcement, health and social service agencies.

3. Target Population

Women (and their children) who are unable to remain in their homes due to domestic violence.

4. Sponsoring Organizations

Transition homes are generally operated by voluntary community boards.

5. Use of Volunteers

Due to funding difficulties that exist in most parts of the country, transition homes make extensive use of volunteers to provide their reception and counselling services.

TRANSITION HOMES**

BRITISH COLUMBIA

CHESTERFIELD HOUSE

*
North Vancouver, B.C.
604-985-1369

EMILY MURPHY HOUSE

*
North Vancouver, B.C.
604-987-6913

ISHTAR TRANSITION HOUSE

*
Langley, B.C.
604-530-9442

OWL HOUSE SOCIETY

*
Vancouver, B.C.
604-873-8114

POWELL PLACE SANCTUARY FOR WOMEN

*
Vancouver, B.C. V6A 1G5
604-683-0919

SURREY EMERGENCY SHELTER

*
Surrey, B.C. V3V 5S2
604-588-7446

BURNABY EMERGENCY SHELTER FOR
WOMEN AND CHILDREN

*
Burnaby, B.C.
604-291-1218/291-1219

COQUITLAM WOMEN'S TRANSITION
HOUSE

*
P.O. Box 213
Port Coquitlam, B.C.
604-464-2020

VANCOUVER TRANSITION HOUSE

*
c/o Pam Sleeth
Vancouver, B.C.
604-874-5116

VICTORIA WOMEN'S TRANSITION
HOUSE

*
P.O. Box 6271
Station E
Vancouver, B.C. V8P 4G0
604-385-6611

VERNON WOMEN'S TRANSITION
HOUSE

*
Vernon, B.C.
604-542-1473

KELOWNA WOMEN'S EMERGENCY
SHELTER

*
Kelowna, B.C. 603-832-961

MUNROE HOUSE

*
Vancouver, B.C.
604-683-2531

ALBERTA

CALGARY WOMEN'S EMERGENCY
SHELTER

938-15th Ave., S.W.
Calgary, Alta.
403-245-5901

EDMONTON WOMEN'S SHELTER
LTD.

WIN House
c/o 2702-10020-103rd Ave.
Edmonton, Alta.
403-479-0058

* To ensure confidentiality, address not available for publication.

** Telephone numbers confirmed with recent sources, e.g., Listing of Women's Groups - Canada 1981. Secretary of State, Women's Programs.

SASKATCHEWAN

BATTLEFORD INTERVAL HOUSE
SOCIETY
11315 St. Laurent Dr.
North Battleford, Sask.
306-445-2742

INTERVAL HOUSE
211-5th Ave. North
Saskatoon, Sask.
306-244-0185

LLOYDMINSTER TRANSITION HOUSE
*
P.O. Box 1523
Lloydminster, Sask.
S9V 1K5

MOOSE JAW TRANSITION HOUSE
*
Box 1866
Moose Jaw, Sask. S6H 7N6
306-693-6511

PESIM WASKAYIKAN INTERVAL HOUSE
*
Prince Albert, Sask.
S6V ON7
306-922-2100

REGINA NATIVE WOMEN'S RESIDENCE
AND RESOURCE CENTRE
1689 Toronto St.
Regina, Sask.
306-545-2062

TRANSITION HOUSE
c/o 2022 Retallack St.
Regina, Sask.
306-569-2292

MANITOBA

OSBORNE HOUSE
54 Balmoral St.
Winnipeg, Man.
204-775-8197

WESTMAN WOMEN'S SHELTER
148-11th Street
Brandon, Man.
204-727-1130

ONTARIO

ANSELMA HOUSE
127 Duke St. East
Kitchener, Ont.
519-742-5894

ATIKOKAN CRISIS HOUSING
COMMITTEE
Box 1798
Atikokan, Ont.

AVOCA HOUSE
Box 338
Eganville, Ont.
613-628-2154

BEENDIGEN INC., NATIVE
WOMEN'S CRISIS HOUSE
401 North Cumberland St.
Thunder Bay, Ont.
807-622-5101

BERNADETTE McCANN HOUSE
13 Hilda St.
Pembroke, Ont.
613-732-3131

CAMBRIDGE ROTARY FAMILY
CENTRE
64 Water Street South
Cambridge, Ont.
519-621-6830

CARLETON PLACE INTERVAL
HOUSE
Carleton Place, Ont.
613-257-5960

CHATHAM WOMEN'S CENTRE
8-137 King St. West
Chatham, Ont.
519-354-3630

* To ensure confidentiality, address not available for publication.

COMMUNITY RESIDENCE
Thunder Bay, Ont.
P7B 3A7
807-623-2711

FAMILY CENTER
*
London, Ont.
N8C 1B1
519-433-0641

GUELPH TRANSITION HOME
177 Norfolk
Guelph, Ont.
519-836-1110

HALTON WOMEN'S PLACE
48 Hugh St.
Milton, Ont.
416-878-8555

HAMILTON HOSTEL RESEARCH PROJECT
39 Guelph St.
Georgetown, Ont.

HIATUS HOUSE
644 California
Windsor, Ont.
519-253-4458

HOPE HAVEN
984 Montclair
Hamilton, Ont.
416-547-1815

INASMUCH
P.O. Box 368
Hamilton, Ont.
416-529-8149

INTERIM PLACE
P.O. Box 245
Port Credit Post Office
Mississauga, Ont.
416-291-1860/1861

INTERVAL HOUSE
43 Eccles St.
Ottawa, Ont.
613-234-5181

* To ensure confidentiality, address not available for publication.

INTERVAL HOUSE
129 Mary St.
Carleton Place, Ont.
613-257-5960

INTERVAL HOUSE
243 Division St.
Kingston, Ont.
613-546-1777

INTERVAL HOUSE
*
Ottawa, Ont.
613-234-5181

INTERVAL HOUSE
*
Toronto, Ont.
416-924-1491

KENORA WOMEN'S CRISIS
INTERVENTION CENTRE
*
Kenora, Ont.
807-468-5905

MAISON D'AMITIE
P.O. Box 122, Stn. A
Ottawa, Ont.
613-234-7204

MISSION SERVICES
480 Maitland
London, Ont.
519-433-2807

NELLIES' WOMEN'S HOSTEL
*
Toronto, Ont.
416-461-1084

NIAGARA WOMEN IN CRISIS
6985 Waterloo Dr.
Niagara Falls, Ont.
416-354-8223

NORTHERN WOMEN'S CENTRE
*
Thunder Bay, Ont.
807-345-7802

WOMEN IN TRANSITION
143 Spadina Rd.
Toronto, Ont.
416-472-7265

WOMEN'S HABITAT
Etobicoke, Ont.
M8V 1N5
416-252-5829

WOMEN'S PLACE
9 Salina St.
St. Catharines, Ont.
416-684-8331

WOMEN IN CRISIS
Box 1451
Guelph, Ont.
519-836-5710

WOMEN'S EMERGENCY CENTRE
768 Lawrason St.
Woodstock, Ont.
519-539-1439

WOMEN'S COMMUNITY HOUSE
267 Piccadilly St.
London, Ont.
519-439-4543

WOMEN'S INTERVAL HOUSE
209 Essex
Sarnia, Ont.
519-336-5200

WOMEN IN CRISIS
442 Barrie Rd.
Orillia, Ont.
705-325-0665

WOMEN'S PLACE
316 Bay St.
Thunder Bay, Ont.
807-354-5841

WOMEN IN CRISIS INC.
447 McDonald Ave.
Sault Ste. Marie, Ont.
P6B 2H9
705-256-7101

YWCA
6058 Culp St.
Niagara Falls, Ont.
416-357-4555

YWCA Emergency Housing
St. Thomas, Ont.
519-631-9800

QUÉBEC

ACCUEIL DU SANS ABRI
Valleyfield, Québec
J6T 3R7
514-373-4380

AUBERGE DE TRANSITION
C.P. 266, Succ. NOG
Montréal, Québec
H4A 3P6
514-481-0495
514-481-0496

CARREFOUR POUR ELLE
Longueuil, Québec
J4J 3P3
514-651-5800

CENTRE D'ANIMATION ET DE
DÉPANNAGE
Touraine, Québec
819-561-0881

CENTRE DE DÉPANNAGE LA
PASSERELLE
Alma, Québec
418-668-4671

CENTRE FÉMININ DU SAGUENAY
Chicoutimi, Québec
G7H 5G4
418-549-4343

CENTRE REFUGE MONTRÉAL, INC.
C.P. 399, Succ. de Lorimer
Lorimer, Québec
H2H 2N7
514-523-1095

* To ensure confidentiality, address not available for publication.

LA PASSERELLE
Amos, Québec
819-732-9161

LE PHARE
Sorel, Québec
514-742-0910

LE TREMPLIN
Shawinigan, Québec
819-537-1273

MAISON D'ACCUEIL KINSMEN
Québec, Québec
418-688-9024

MAISON D'ACCUEIL CLAIRE FONTAINE
Victoriaville, Québec
819-758-1473

MAISON DES FEMMES DE LA
CÔTE-NORD
Baie Comeau
Cté. Manicouagan, Québec
G4Z 1M7
418-296-4733

MAISON L'ESCALE
Sherbrooke, Québec
J1N 3N1
819-569-3611

MAISON L'ESPLANADE
Montréal, Québec
514-845-0151

MAISON STE-CLAIRE
C.P. 244, Succ. K
H1N 3L1
Montréal, Québec
514-351-3374

MAISON UNIVERS FEMMES
Touraine, Québec
J8T 2P9
819-568-4710

REFUGE AMICAL DE LA BAIE
C.P. 245
Ville de la Baie
Saguenay, Québec
G1S 2J5
418-544-4626

REFUGE MONTRÉAL
Montréal, Québec
514-931-3374

REFUGE FOUR FEMMES WEST
ISLAND/
WEST ISLAND WOMEN'S SHELTER
C.P. 203
Roxboro, Québec
H8Y 3E9
514-620-4845

RÉSIDENCE DE L'AVENUE A
Trois-Rivières, Québec
G8Z 2X2
819-376-8311

(LA) ROSE DES VENTS DE
DRUMMOND INC.
Drummondville, Québec
J2C 3P5
819-472-5444

(LE) TOÛT DE L'AMITIÉ
C.P. 37
La Tuque, Québec
G9X 3P1
819-523-2589

WOMEN'S AID
C.P. 82, Succ. E
Québec H2T 3H5
514-270-8291

P.E.I.

TRANSITION HOUSE ASSOC.
Public Education Office
81 Prince Street
Charlottetown, P.E.I.
902-892-3790

NEW BRUNSWICK

CENTRE AIDE LE ROYER
St-Basile, N.B.
506-263-5935

LE MONT STE-MARIE
Edmunston, N.B.
E3V 3K2
506-735-3897

NEW BRUNSWICK continued

TRANSITION HOUSE
P.O. Box 3443
Fredericton, N.B.
506-454-1498

NOVA SCOTIA

BRYONY HOUSE
P.O. Box 3453 South
Halifax, N.S.
B3J 3J1
902-422-7650

YUKON TERRITORIES

WOMEN'S TRANSITION HOME
Whitehorse
Yukon Territories
403-668-5733

SEXUAL ASSAULT (RAPE CRISIS) CENTRES

1. Objectives

To provide services to victims of sexual assault, promote social and legal change, and provide public education on sexual assault.

2. Description of Service

- a) Provide crisis intervention and personal counselling to victims of sexual assault;
- b) provide advice on appropriate community criminal justice, health and social services and referral to these services;
- c) provide advice on legal options and court processes;
- d) promote social and legal change through general public advocacy, presentation of brief to government agencies and representatives, reaction to existing and planned legislation,
- e) provide public education on issues relating to sexual assault.

3. Target Population

Women who have suffered sexual assault, particularly rape.

4. Sponsoring Agencies

Rape crisis centres are generally operated by voluntary boards.

5. Use of Volunteers

All centres make extensive use of volunteers to carry out their activities. Depending on the availability of government and community funding, some centres employ staff to manage and co-ordinate volunteers.

SEXUAL ASSAULT CENTRES ACROSS CANADA (BY PROVINCE) *

BRITISH COLUMBIA

DAWN
2906 - 32nd Street, #7
Vernon, British Columbia
V1T 5L3

KAMPLOOPS RAPE RELIEF
201-421 St. Paul Street
Kamploops B.C.
V2C 2J5
604-372-9620

NANAIMO RAPE RELIEF
361 Vancouver Avenue
Nanaimo, British Columbia
V9S 4G3
604-735-1021 (Crisis)

NORTHWEST WOMEN IN CRISIS
Box 821
Terrace, B.C.
V8G 4R1

PORT ALBERNI RAPE CRISIS CENTRE
2759 - 14th Avenue
Port Alberni, British Columbia
V9R 2X6

RAPE ACTION LINE
Prince George Women's Centre
1306 - 7th Avenue
Prince George, British Columbia
V2L 3P1
604-563-1214 (Crisis)

RAPE ASSAULT CENTRE
Victoria, British Columbia
604-383-5545

VANCOUVER RAPE RELIEF CENTRE
4-45 Kinsway,
Vancouver, British Columbia
V5T 3H7
604-732-1613 (Crisis)
604-872-8212 (Business)

VICTORIA RAPE RELIEF
1947 Cook Street
Victoria, British Columbia
V8T 3P8
604-383-3232 (Crisis)

ALBERTA

CALGARY RAPE CRISIS CENTRE
733-14th Street, North West #202
Calgary, Alberta
T2N 2A4
403-265-7273 or
403-265-7274

CAMROSE AID LINE
Camrose, Alberta
403-672-2833

EDMONTON RAPE CRISIS CENTRE
10010 - 105th Street, 4th
Floor
Edmonton, Alberta
T5J 1C4
403-423-4125 (Crisis)
403-423-4121 (Crisis)
403-423-4102 (Business)

MEDICINE HAT RAPE CRISIS
CENTRE
218 - 2nd Street, North East #309
Medicine Hat, Alberta
T1A 5L6

SASKATCHEWAN

BATTLEFORD AREA RAPE CRISIS
CENTRE
Box 1044
North Battleford, Sask.
S9A 3E6
306-937-3222

PRINCE ALBERT RAPE CRISIS
CENTRE
Prince Albert Mobile Crisis
Unit
68 - 11th Street, West
Prince Albert, Saskatchewan
S6V 3A9
306-764-1011

REGINA RAPE CRISIS LINE
219-1810 Smith St.
Regina, Saskatchewan
S4P 2N3
306-523-0434

SASKATOON RAPE CRISIS CENTRE
B124 - 5th Avenue, North
Saskatoon, Saskatchewan
S7K 2R8
306-244-2224

MANITOBA

THOMPSON WOMEN'S CRISIS
CENTRE
155 Selkirk
Thompson, Manitoba
R8N 0M5
204-677-9668

WINNIPEG RAPE CRISIS CENTRE
567 Broadway Avenue
Winnipeg, Manitoba
R3C 0W3
204-786-6943 (Business)
204-786-8686 (Crisis)

ONTARIO

ALGOMA DISTRICT SEXUAL ASSAULT
CENTRE
Box 785
Sault Ste. Marie, Ontario
705-254-6888 (Telecare)
705-979-5200 (Crisis)

CARSA - NIAGARA FALLS
5017 Victoria Avenue
Niagara Falls, Ontario
L2E 4C9
416-356-9662

CORNWALL RAPE CRISIS CENTRE
Women's Crisis Centre
Box 1141
Cornwall, Ontario
613-938-9076 (Business)
613-938-9070 (Crisis)

GUELPH RAPE CRISIS CENTRE
Box 43, U.G.C.S.A.
University of Guelph
Guelph, Ontario
519-836-5710 (Crisis)
519-836-1110 (Business)

HAMILTON RAPE CRISIS CENTRE
215 Main Street, West
Hamilton, Ontario
L8P 1J4
416-525-4593 (Business)
416-525-4162 (Crisis)

KENORA RAPE CRISIS CENTRE
55 Main Street, Room 124
Kenora, Ontario
P9N 1T1 (807)

KINGSTON RAPE CRISIS PROJECT
P.O. Box 1461
Kingston, Ontario

NORTH BAY RAPE CRISIS CENTRE
Box 1912
North Bay, Ontario
D1B 8K3
705-476-3355

OSHAWA DURHAM RAPE CRISIS
CENTRE
P.O. Box 2373
Oshawa, Ontario
416-725-2241 (Business and
Crisis)

OTTAWA RAPE CRISIS CENTRE
P.O. Box 35, Station B
Ottawa, Ontario
K1P 6C3
613-238-6667 (Business)
613-238-6666 (Crisis)

PETERBOROUGH RAPE CRISIS
CENTRE
P.O. Box 1697
Peterborough, Ontario
K9J 7S4
705-748-5901

*Telephone numbers confirmed with recent sources.

ONTARIO (continued)

SAULT STE. MARIE RAPE CRISIS CENTRE
36 Hugell Street
Sault Ste. Marie, Ontario
P6A 9E5
705-942-2679

THE SEXUAL ASSAULT CRISIS CENTRE
1598 Ouellette Avenue
Windsor, Ontario
N8X 1P7

THUNDER BAY RAPE CRISIS CENTRE
Box 314
Bay Street
Thunder Bay "F", Ontario
807-344-4502

TORONTO RAPE CRISIS CENTRE
Box 6597, Station A
Toronto, Ontario
416-964-7477 (Business)
416-964-8080 (Crisis)

WOMEN IN CRISIS--RAPE CRISIS AND SEXUAL HARASSMENT CENTRE
Norfolk and Suffolk Streets
Guelph, Ontario

QUÉBEC

CENTRE D'AIDE ET DE LUTTE CONTRE LES AGRESSIONS SEXUELLES
C.P. 1584
Sherbrooke, Québec
J1H 5M4
819-569-3847

C.P. 272, Succ. Basse-Ville
Québec, G1K 6W3
418-692-2252

C.P. 1872, Succ. B
Hull, Québec
J8X 3Z1
613-238-6666

MONTREAL PROJECT VIOLENCE
3956 St-Denis, -1
Montréal, Québec
514-844-5708 (Business)

MOUVEMENT CONTRE LE VIOL
846 rue Mont-Royal est
Montréal, Québec
H3G 2M9

QUÉBEC VIOL-SECOURS
C.P. 284
Chateauguay, Québec
J6J 4Z6
418-691-8258

TROIS-RIVIÈRES RAPE CRISIS CENTRE
C.P. 776
Trois-Rivières, Quebec
819-373-1232

NEW BRUNSWICK

MONCTON RAPE CRISIS CENTRE
P.O. Box 907
Station H
Moncton, New Brunswick
E1E 3N3
506-388-4333

FREDERICTON RAPE CRISIS CENTRE
Box 174, 384 Queen St.
Fredericton, New Brunswick
E3B 4Y9
506-454-0437

NOVA SCOTIA

HALIFAX RAPE CRISIS CENTRE
c/o Halifax Infirmary Emergency
Ward - Social Work Dept.
Halifax, Nova Scotia
902-428-3062 or
902-422-7444 (Help Line)

NEWFOUNDLAND

JANEWAY CHILDRENS HOSPITAL
St. John's, Newfoundland

RAPE INFORMATION CENTRE
Newfoundland Status of Women
Council
P.O. Box 6072
St. John's, Newfoundland
A1X 5X8
709-726-1411

YUKON

VICTORIA-FAULKNER WOMEN'S CENTRE
302 Steele Street
Whitehorse, Yukon
403-667-2693
Contact: Diana Feidel

NORTHWEST TERRITORIES

YELLOWKNIFE RAPE CRISIS CENTRE
N.W.T. Status of Women
P.O. Box 2397
Yellowknife, N.W.T.

OTHER SPECIFIC VICTIM SERVICES

Family Crisis Counsellor
Unified Family Court Project
21 King's Bridge Road
St. John's, Newfoundland
A1C 3K4

1. Objectives

- a) To offer crisis counselling and after hours crisis intervention specifically to family members victimized by or participants in family violence;
- b) To facilitate the development of new services to victims of family violence; and
- c) To increase public awareness of family violence.

2. Description of Service

A social worker located in the St. John's Unified Family Court provides para-legal and family counselling to court clients and also works with community groups towards the establishment of a transition house and related facilities.

3. Target Population

Battered women and the community at large.

4. Sponsoring Organization

The project is funded by National Health and Welfare, administered by the Newfoundland Department of Justice and supervised within the Unified Family Court Project.

5. Volunteers

None.

Family Consultant Service
City of London Police Force
Chief of Police
Post Office Box 3415
London, Ontario
N6A 4K9

1. Objectives

- a) Assist officers by providing immediate assessment and intervention in crisis situations and supply information about or arrange referrals to appropriate community resources.
- b) Aid in the prevention of serious social and emotional dysfunctions through early detection and intervention.
- c) Facilitate increased understanding and co-operation between mental health and law enforcement professionals.
- d) Increase community awareness of the social role of the police force.
- e) Provide a model of human services to other communities through careful documentation and evaluation.
- f) Provide informal in-service and field training for police officers in the area of crisis intervention.

2. Description of Service

A corps of family consultants assists police in the following activities:

- a) Assisting families and individuals in crisis;
- b) referral to appropriate community agencies;
- c) response to early indicators of social and emotional/social dysfunction;
- d) training of new police officers.

3. Target Population

Families and individuals in crisis.

4. Sponsoring Agency

City of London Police Force.

5. Volunteers

None.

NOTE: It could be argued that this program is not a specialized victim service because families and individuals other than those victimized by domestic violence are served. It is included here because a substantial proportion of its service load involves domestic violence situations, and because of its innovative and successful nature.

Restigouche Family Crisis Intervention Project

Probation Services

Room 307

P.O. Box 5001

City Centre

Campbellton, New Brunswick

E3N 3H5

1. Objectives

- a) Through the provision of a back-up service to police, prevent family crises from becoming violent;
- b) To encourage the interdisciplinary application of skills and experience by police and social service and health professionals in responding to families in crisis;
- c) To gather and keep current information regarding relevant services available in the county to meet the needs of families in crisis.

2. Description of Services

- a) A corps of volunteers has been selected and trained to provide back-up support to police in handling domestic crisis situations during nights and weekends when social service agencies are closed;
- b) volunteers provide assessment, referral and shelter to victims of domestic violence;
- c) volunteers follow through on referrals to see that the case is resolved.

3. Target Population

Victims of domestic violence.

4. Sponsoring Agency

Probation Services, New Brunswick, Department of Justice, Campbellton, N.B.; Dalhousie City Police, Dalhousie, N.B.; and Solicitor General of Canada.

5. Volunteers

Extensive use, as described above.

Race and Ethnic Relations Program
Hamilton-Wentworth Regional Police
155 King Williams Street
Hamilton, Ontario
L8R 1A6

1. Objectives

To provide liaison and a "quality check" in cases involving persons of various cultural backgrounds.

2. Description of Service

All cases where victimization has occurred because of race or ethnic background are followed through by officers of the Crime Prevention Branch to ensure that the most effective resolution has been obtained.

3. Target Population

Recent immigrants who have suffered victimization due to their race or ethnic background.

4. Sponsoring Organization

Community Services Section, Hamilton-Wentworth Regional Police.

5. Use of Volunteers

None.

B. GENERAL VICTIM SERVICE PROGRAMS

VICTIM OFFENDER RECONCILIATION/MEDIATION PROGRAMS

1. Objectives

To mediate, reconcile, and if possible, resolve the relationship between the victim and the offender.

2. Description of Services

- a) Following a finding of guilt or a conviction, the judge recommends reconciliation/mediation;
- b) the program staff or volunteers contact both parties to ascertain whether both are willing to meet;
- c) if so, a meeting is arranged with the aim of reaching agreement between the two;
- d) at sentencing, the offender is placed on probation on condition that the agreement be carried out;
- e) when the agreement is completed, probation is ended.

3. Target Population

Generally cases of victimization that result from relatively minor crimes.

4. Sponsoring Agencies

Provincial Departments of Corrections or Solicitor General, Probation Services, often in conjunction with church groups or informal community volunteer groups.

5. Volunteers

Many of these programs make use of volunteers directly in the reconciliation/mediation process.

Victim-Offender Reconciliation/Mediation Programs

Saskatchewan

Mediation-Diversion Project
101-1822 Scuth Street
Regina, Saskatchewan

Manitoba

Victim/Offender Mediation Program
Mennonite Central Committee
340-9th Street
Brandon, Manitoba
Winnipeg, Manitoba

Ontario

Victim-Offender Reconciliation Program
8 Water Street N.
Kitchener, Ontario

Victim-Offender Reconciliation Program
Probation and Parole Service
Second Floor
415 Dundas Street
London, Ontario

Victim-Offender Reconciliation Program
Reaching Out, Inc.
1787 Walker Road
Windsor, Ontario
N8W 3P2

Victim-Offender Reconciliation Program
Probation and Parole Service
Ontario Ministry of Correctional Services
84 Ignatius Street
Sudbury, Ontario
P3C 5G3

Victim-Offender Reconciliation Services
(Old City Hall and College Park Courts)
Salvation Army of Canada
Ste. 320
86 Richmond St. E.
Toronto, Ontario
M5C 1P1

Victim-Offender Reconciliation Program
(East Mall Courts)
John Howard Society
2365 St. Clair St. W.
Toronto, Ontario
M6N 1K9

St. Phillip's Community Resource Centre
of North York
201 Caribou Road
Toronto, Ontario
M5H 3B5

Help-Mate Information and Referral Services, Inc.
10 Trench Street
Richmond Hill, Ontario
L4C 4Z3

Victim-Offender Reconciliation Program
(Scarborough Courts)
John Howard Society
2296 Eglinton St. E.
Toronto, Ontario
M1K 2M2

Community Oriented Sentencing Program
Ste. 105
157 Front Street
Belleville, Ontario
K8N 3Y6

Community Oriented Sentencing Program
County Courthouse
44 Union St.
Picton, Ontario
K0K 2T0

Victim-Offender Reconciliation Program
John Howard Society of Kingston
771½ Montreal Street
Kingston, Ontario
K7K 2J4

Victim-Offender Reconciliation Program
Committee for Offender Reconciliation
and Diversion
Stratford Probation and Parole Office
100 Erie Street
Stratford, Ontario
N5A 2M4

Victim-Offender Reconciliation Program
Social Planning Council of Burlington
760 Brant Street
Suite 406A
Burlington, Ontario
L7R 4B7

Nova Scotia

Youth Alternative Project
P.O. Box 1473-N
Halifax, Nova Scotia
B3K 5H7

VICTIM/WITNESS SERVICES

Victim Services Project
610 Gorge Road, E.
Victoria, B.C.
V8T 2W6

1. Objectives

To provide information, emotional support and practical assistance to victims of crime in the Capital Region (Greater Victoria).

2. Description of Service

- a) Provide on-site support and practical assistance on a 24 hour a day basis to victims of crime;
- b) collect and provide information to victims on community services relevant to their needs;
- c) provide referral to other community services as appropriate.

3. Target Population

Victims of crime in the Capital Region (Greater Victoria).

4. Sponsoring Agency

Community Diversion Association

5. Volunteers

Five students at time of reporting with plans for additional volunteers.

Victim Care Program
Salvation Army of Canada
Correctional Office
291 Yonge Street
Toronto, Ontario
M5B 1R3

1. Objectives

To meet the personal needs and give personal support to persons victimized by criminal acts against themselves or their property.

2. Description of Service

To assist all Metro Toronto Police Divisions in dealing with victims in trauma.

3. Target Population

Metropolitan Toronto

4. Sponsoring Agency

Correctional Office, Salvation Army of Canada

5. Volunteers

Currently uses fifty volunteers.

Victim Services Unit
Calgary Police Service
316-7th Avenue S.E.
Calgary, Alberta
T2G 0J2

1. Objectives

To provide enhanced police response to inquiries from victims respecting case status and property return.

2. Description of Services

- a) Every occurrence report is referred to the Unit which begins its work by sending the victim a brochure on police procedures and services;
- b) victims are invited to call the Unit for information on their case;
- c) the Unit provides information on property return and also uses photographs of property in court to speed property return to victims;
- d) other services include information on court appearances, arranging for baby sitting, advice respecting crime compensation and referral to other services.

3. Target Population

City of Calgary.

4. Sponsoring Agency

City of Calgary Police Service and Department of the Solicitor General of Canada.

5. Volunteers

None at present; long range plans call for use in counselling.

Victim Service Unit
Edmonton Police Department
4 Sir Winston Churchill Square
Edmonton, Alberta
T5J 2C2

1. Objectives

To improve communications with victims of crime and to ensure that they are aware of available services.

2. Description of Service

- a) Services are provided to victims of robbery, assault and injury;
- b) specific services include detailed information on police processes and procedures, case status and property information, general information on court procedures and referral to non-police services.

3. Target Population

Victims of robbery, assault and injury.

4. Sponsoring Agency

Edmonton Police Department.

5. Volunteers

None.

Victim/Witness Assistance Program
Probation and Parole
Halton-Peel Region
Ministry of Correctional Services
440 Elizabeth Street
Burlington, Ontario
L7R 2M1

1. Objectives

To provide comprehensive assistance to victims of crime.

2. Description of Services

Services provided include crisis counselling, emergency assistance, referrals to community agencies, explanation of court procedures, notification of case disposition.

3. Target Population

Victims of crime (not specified).

4. Sponsoring Agency

Ontario Ministry of Correctional Services

5. Volunteers

Use of volunteers as case-aides is planned.

New Westminster Police/Probation Victim Service Program

Second Floor
The Law Courts
Begbie Square
New Westminster, B.C.
V3M 1C9
604-525-5471

1. Objectives

To provide assistance to individual victims who are residents of New Westminster and who as victims of crime suffer emotional trauma, physical injury or economic loss.

2. Description of Services

Services include:

- a) Arranging emergency funds;
- b) emergency care for children of injured victims;
- c) location of translators;
- d) assistance with insurance claims;
- e) general counselling.

3. Target Population

See #1 above.

4. Sponsoring Agency

New Westminster Police

5. Volunteers

None

Victim/Witness Assistance Project

The Salvation Army
Correctional Services
192 Somerset Street West
Ottawa, Ontario
K2P 0J4

1. Objectives

To provide assistance and referral to crime victims who are unusually upset or who have no effective support systems of family, friends or neighbours to support them.

2. Description of Services

- a) Referrals are provided by the police;
- b) volunteers contact the victim immediately, assess needs, provide initial counselling and suggest referral;
- c) service is available 24 hours a day.

3. Target Population

See #1 above.

4. Sponsoring Agency

Correctional Services, Salvation Army

5. Volunteers

Project uses volunteers for crisis intervention and referral.

Aid Victims of Crime Program
John Howard Society of British Columbia
435 West Broadway
Vancouver, B.C.
V5Y 1R4
604-872-5651

1. Objectives

To assist the victim of crime to overcome the trauma, discomfort, and inconvenience caused by victimization.

2. Description of Services

- a) Volunteer aides act as counsellors, brokers and advocates;
- b) services include care and comfort, transportation, assistance with insurance and legal problems, employee intervention, house/apartment cleaning property repair, escort to court, information on case status and court proceedings.

3. Target Population

Initial target population was victims of property crime; victims of violent crimes are also served.

4. Sponsoring Organization

John Howard Society of British Columbia

5. Use of Volunteers

Programs is manned by volunteer aides.

C. CRIME COMPENSATION PROGRAMS

1. Objectives

To compensate for injury or death as a result of specified violent crime.

2. Description of Service

- a) The federal government has agreed to cost-share compensation in respect of approximately forty types of crimes under the following headings: homicide, attempted murder, sexual offences, assault, robbery, offensive weapons and other criminal offences.¹ Each jurisdiction may compensate for other crimes in addition to those for which the federal government has agreed to share costs.
- b) Application is generally made to the provincial tribunal. In the case of New Brunswick, application is made to the Clerk of the Court of Queen's Bench of the appropriate judicial district. Residents of the Yukon and Northwest Territories make application to the Clerk of the Territorial Supreme Court.
- c) Adjudication is based on a variety of factors, including victim culpability, co-operation with the police and proof of criminal injury. "Conviction of an offender is usually taken as proof that an offence has taken place but a conviction does not prescribe a right to an award.... Moreover, a conviction is not a necessary condition for the granting of an award...."²
- d) With some exceptions, there is no guiding legislative principle for determining the amount of compensation.

1. For a detailed listing of offences covered for cost-sharing, see Criminal Injuries Compensation, Statistics Canada, Catalogue 86-502, Occasional, Ottawa, 1980, p. 15.

2. Ibid., pp. 19-20.

Generally compensation can be made for expenses incurred as the result of injury or death, financial loss, pain and suffering.

3. Target Population

See #1 above.

4. Sponsoring Organizations

Provincial and territorial governments.

5. Use of Volunteers

None.

Crime Compensation Programs

British Columbia

Workers' Compensation Board
5255 Heather Street
Vancouver, B.C.
V5Z 3L8

Alberta

The Crimes Compensation Board
The Madison Building
9919-105 Street
Edmonton, Alberta
T5K 2E8

Saskatchewan

Department of the Attorney
General
Administrative Services Branch
City Hall, 2476 Victoria Avenue
Regina, Saskatchewan
S4P 3V7

Crime Compensation Board of
Saskatchewan
10th floor, Sturdy Stone Centre
122-3rd Avenue North
Saskatoon, Saskatchewan
S7K 2H6

Manitoba

The Criminal Injuries Compensation Board
333 Maryland Street
Winnipeg, Manitoba
R3G 1M2

Ontario

Criminal Injuries Compensation Board
439 University Avenue
17th Floor
Toronto, Ontario
M5G 1Y8

Québec

Commission des Accidents du Travail du Québec
Service de l'indemnisation des victimes d'actes criminels
4 Parc Samuel Holland
Bureau 252
Québec, P.Q.
G1S 3R3

New Brunswick

Department of Justice
Legal Services Division
Centennial Building
Fredericton, New Brunswick
E3B 5H1

Newfoundland

Criminal Injuries Compensation
319 Duckworth Street
St. John's, Newfoundland
A1C 1G9

Department of Justice
General Administration Division
Confederation Building
St. John's, Newfoundland
A1C 5T7

Yukon

Legal Affairs
Government of the Yukon Territory
Box 2703
Whitehorse, Yukon
Y1A 2C6

Northwest Territories

Legal Counsel
Department of Public Services
Government of the Northwest Territories
Yellowknife, N.W.T.
X1A 2L9

APPENDIX 3

ANNOTATED BIBLIOGRAPHY OF KEY MATERIALS ON VICTIMS AND WITNESSES

Written materials concerning the needs of victims and witnesses and on services designed to meet these needs are becoming more available across Canada. There is also a vast literature in the United States on victims and witnesses.

In conducting the literature review necessary to undertake this project, all relevant Canadian materials were considered. Several hundred American reports, articles and books were also studied for relevance to the Canadian scene.

The purpose of this appendix is to provide an overview of key information sources that will be of interest to individuals and organizations wishing to evaluate or develop services. It is divided into two sections. The first identifies key Canadian documents and reports; the second provides a sampling of relevant American materials. In choosing the material cited, we have exercised considerable discretion, emphasizing representative works that will allow the reader to pursue more detailed interests identified in each document.

A. CANADIAN MATERIAL

1. Helping the Victims of Sexual Assault

Provincial Secretariat for Justice
Province of Ontario
1979

This excellent booklet was developed in response to widespread public concern in Ontario about rape and sexual assault. The

booklet resulted from a major consultative undertaking by the Secretariat for Justice and the work of an implementation committee representing all types of relevant agencies within the criminal justice, social development and health systems.

Helping the Victims of Sexual Assault presents four chapters specifically directed to assisting police, medical personnel, rape crisis workers and teachers. Each chapter has detailed practical suggestions and checklists to help service providers better understand their own role and the roles of other professionals in responding to victims of sexual assault. Additional chapters deal with education and local liaison for better services, and provide a useful glossary of terms. Of particular assistance is the brief description and evaluation of twenty-eight films about sexual assault. The final chapter of the booklet is directed towards victims, and provides a brief overview of services, means of assisting the criminal justice system in the apprehension and conviction of offenders, and court proceedings.

2. Family Violence

Patricia D. Ross
United Way of the Lower Mainland
Vancouver, B.C.
1977

Family Violence contains the proceedings that resulted from a symposium on family violence held in Vancouver in March of 1977. It provides the texts of addresses to the symposium on such issues as the incidence and prevention of family violence, domestic dispute intervention by police, child abuse and deprivation, family violence and the law and crime, stability and social change. Brief reports on sixteen workshops are also presented.

3. Legal Process for Battered Women

Margaret V. Ostrowski
United Way of the Lower Mainland
Vancouver, B.C.
1979

One of the more practical documents encountered during the review, this handbook was developed by the Task Force on Family Violence, under the United Way of Vancouver, to assist battered wives. The document is directed to non-legal professionals and volunteers working with battered wives. It is also designed to assist women who have made the decision to engage the legal process in order to protect themselves from the violence of husbands or partners.

The booklet is comprehensive and the language is clear. The first section describes emergency action procedures for the battered women. It provides data and specific contacts regarding appropriate legal services and other forms of needed services such as transition homes. It describes various actions which a woman might wish to explore should she be in need of help, such as how to obtain a non-entry order prohibiting a spouse from entering the home. The second section explains the structure and operations of the court system.

Part 3 of the report includes a detailed discussion of the various legal remedies and actions available to women who have been beaten. The booklet explains the implications of the province's Family Relations Act and the related procedures for obtaining orders under the Act, including the right of a spouse to qualify, the preparation of an application, the process involved in a hearing, and types of orders which can be applied should an order be broken. This part of the booklet also addresses the relevant sections of the Criminal Code that apply to the battered spouse and identifies related procedures that can be taken.

Part 4 of the report explores the question of criminal charges that can result from assault and outlines the procedures for laying criminal charges.

4. The Social Service Role of the Police - Domestic Crisis Intervention

Bruce R. Levins with Donald Dutton
A Research Report Published by
Communications Division
Ministry of the Solicitor General, Ottawa, 1980.

This report presents a detailed analysis of the way in which police officers and social agencies handle domestic disputes. The findings of the study are organized around five key objectives:

1. To legitimize and routinize police involvement in domestic dispute intervention;
2. To increase the police department's understanding of domestic conflict;
3. To improve control of police officers' handling of domestic crisis;
4. To increase the repertoire of police responses to domestic disputes; and
5. To change the relationship of the police to the external network of social services and community resources.

The concluding section of the report addresses the police implications of these objectives for law enforcement agencies, the social service system, and the criminal justice system.

5. Child Abuse/Neglect Policy Handbook

Ministry of Human Resources
Province of British Columbia
1979

This comprehensive book was produced by an inter-ministerial committee of officials from the ministries of Human Resources, Health, Education, Science and Technology, and

Attorney General. The handbook is designed as a resource book for professionals. It also outlines policies, procedures and responsibilities of various professionals encountering situations of suspected and actual child abuse. The book describes the role of the teacher, community health nurse, mental health professionals, the social worker, the police, correction officials and physicians. The specific responsibilities of various government and non-government organizations are also presented.

The booklet also includes a discussion of the various legal responsibilities regarding the types of offences which relate to child abuse, the forms of legal protection for the child and reporting responsibilities. It also provides suggestions for detecting various forms of child abuse and details various forms of reporting in cases of suspected abuse.

6. Family Consultant Service with the London Police Force: A Prescriptive Package (Unpublished Research Report)

Peter Jaffee and Judy Thompson
Solicitor General of Canada
Ottawa
1979

This report presents a detailed description of an important Canadian approach to victim services. It maintains a reasonable balance between theory and practical example, exploring such issues as the history and development of the London program, specialist and generalist models in police domestic crisis intervention, the relationship between police and other helping professionals, the importance of immediate response, and crisis management and resolution techniques.

The concluding summary of the report provides helpful guidelines for implementing similar programs.

7. Restitution

Carole Mayne and Gordon Garrison
Department of Justice
Prince Edward Island
1979

This report was prepared as an analysis of the use of restitution during the year 1977 in the Provincial Court of Prince Edward Island. Its contents include reference to research on existing North American restitution programs, a basic examination of legal issues relating to restitution, and a detailed analysis of the Provincial Court experience throughout 1977. An extensive bibliography is included.

8. An Annotated Bibliography of Current Research on Rape and Other Sexual Offences

Gary Resnick
Provincial Secretariat for Justice
Ontario
December, 1979

This bibliography is intended to provide a general introduction to material and sources regarding rape and other sexual offences. It includes reference to Canadian research as well as an extensive sampling of significant American studies and research from other countries. The bibliography focuses on relatively recent empirical studies.

The booklet provides information on rape surveys, research regarding the victim and offender in rape experiences, and information on other sexual offences. A number of book reviews related to this field are provided. There is also reference to relevant anthologies, bibliographies, and statistical sources on the subject. Authors/researchers are identified by country. The book provides a summary including discussion of methodological and conceptual gaps and suggested areas for future research.

9. Post-Charge Pre-Trial Diversion: A Bibliographic Review

Sharon Moyer
Solicitor General of Canada
Ottawa
1978
(unpublished)

This document provides a review of the major literature on diversion programs and projects in Canada and the United States, identified according to their specific strategies and approaches to intervention. It also provides references to materials on diversion activities affecting the victim.

10. Selected Trends in Canadian Criminal Justice

Solicitor General of Canada
1979

This publication addresses four key aspects of the Canadian criminal justice system:

- crime and its impact;
- persons processed through the criminal justice system;
- criminal justice expenditures and caseloads; and
- criminal justice effectiveness and public expectations in the next ten years.

Detailed statistics on each of these areas are provided.

11. Services to Crime Victims: Summary of a National Workshop

Richard Weiler
Solicitor General of Canada
1981

This publication provides a summary of the proceedings of a

national workshop held in March 1980. The report provides a brief summary of the victim/witness services initiative taken by the federal government of the United States during the past ten years, and an overview of the New York Victims Services Agency and the Pima County Victim/Witness Program in Arizona.

Representative examples of Canadian services and service models are explored: the Calgary Police Department program for victims, victim-offender programs of the Ontario Government, the Prince Edward Island restitution program, and services designed to assist the victims of family violence.

12. Victims Have Rights, Too

"Liaison"
Volume 6, Number 3
Solicitor General of Canada
March 1980

This article provides a brief description of the operations and objectives of one of the most comprehensive American programs, the New York Victim Services Agency.

13. Wife Battering in Canada: The Vicious Circle

Linda McLeod
Canadian Advisory Council on the Status of Women
Ottawa, 1980

This important book provides the first national study of wife battering in Canada. It explores in detail the causes of domestic assault, and the response of law enforcement agencies, the courts and community service agencies to battered women.

14. Criminal Injuries Compensation

Social Security Provincial Programs
Catalogue 86-502 Occasional
Statistics Canada
1980

This is the first comprehensive publication on crime compensation programs in Canada. It offers a history of these programs, a description of their administration and funding, the types of crimes covered, eligibility criteria and compensation provided.

15. Victim Services Unit

Edmonton Police Department
Edmonton 1980

This important report outlines and evaluates the operations of the Edmonton Police Department's Victim Services Unit. Part 1 of the report describes the development of the unit and its objectives, providing detailed information on procedures and roles respecting property release, correspondence with victims, provision of information to victims, etc. Part 2 of the report describes the results of an evaluation of the unit's first year of operations.

16. The Victim of Crime

Gerry J. Leger
Ministry of the Solicitor General of Canada
Ottawa 1980
(unpublished)

This paper provides an overview of key trends and documents respecting such issues as financial aid to victims, victim/witness

This paper provides an overview of key trends and documents concerning such issues as financial aid to victims/witness assistance, and victimization surveys. The paper contains a useful bibliography of recently published material on initiatives to assist victims and witnesses.

17. So You're Going To Be a Witness

Court Services Division
Ministry of the Attorney General
Province of British Columbia
Vancouver

The pamphlet is directed to explaining the importance of the role of the witness within the criminal justice system. It explains the meaning and content of subpoenas, priorities of court procedures and matters related to witness fees and expenses.

The pamphlet assists the potential witness with views on how to prepare to meet his or her responsibilities, and describes means of gaining assistance regarding the court. It provides information regarding the specific Crown counsel phone numbers, phone contact with witness service, court case number and names of defendants, trial dates, etc., and advises individuals what to do in case they are unable to attend a court hearing.

B. AMERICAN MATERIAL

1. Victim/Witness Services: A Review of the Model

Emilio C. Viano
Law Enforcement Assistance Administration
United States Department of Justice
Washington
1979

This booklet, widely distributed in the United States, describes current American developments in victim/witness

services. It establishes a comprehensive picture of the various role difficulties within the criminal justice system. The book discusses a detailed approach to designing a victim/witness program including consideration of needs, resources, objectives, organization and evaluation techniques. The document also provides a detailed discussion of specific victim/witness services with considerable reference to source data, for example, identifying specific projects, specific evaluations, etc. It includes a detailed overview of court related victim/witness services, objectives, benefits and drawbacks and is most helpful in assessing what has been learned in the planning of projects.

2. Victim/Witness Services: A Review of the Literature

Emilio C. Viano
Law Enforcement Assistance Administration
United States Department of Justice
Washington
1979

This is a particularly valuable monograph because it provides a broad overview of the major findings and hypotheses contained in the current literature on victims, witnesses and services designed to meet their needs. The report summarizes the key conclusions of one hundred and sixty-one reports, books and articles under the following headings: victimization surveys, methodological issues, vulnerability to victimization, victim-offender relationships, responses to victimization and the relationship between the victim and the criminal justice system.

3. Victim/Witness Programs: Human Services of the 80s

Emilio C. Viano (ed.)
National Victim/Witness Resource Centre
Visage Press
Washington
1980

This monograph contains five useful articles on the following topics: the psychological impact of crime, the police perspective on victim/witness services, program management of services, and the methods of seeking and obtaining public and community support for programs.

The booklet includes specific examples of program formats, policies and procedures and identifies a number of areas of difference of opinion regarding the appropriate auspice for certain types of services.

4. Victim/Witness Services: Trainer's Handbook

Sheldon S. Steinberg (ed.)
University Research Corporation
Washington
1977

The handbook provides an overview of victim/witness services designed for use in orienting program staff and volunteers. It is based on a three day training workshop format. Issues addressed include: overview of victim/witness problems, crisis intervention, court related services, identification of priority needs and the development of a service plan to meet priority needs.

5. Victims, Crime and Social Control

Eduard A. Ziegenhagen
Praeger Publishers
New York
1977

This valuable book explores the theoretical background to many key issues in the relationship between victims, offenders and society. Two chapters on the role of the victim in differing historical societies and in the contemporary criminal justice system are particularly helpful in gaining a perspective on the evolution of society's attitude to victimization and the victim.

6. Victim/Witness Assistance: A Selected Bibliography

Anthony Cain and Marjorie Kravitz
Law Enforcement Assistance Administration
United States Department of Justice
Washington
1978

The bibliography has been compiled to highlight literature available in two major areas of victim/witness services. The first section focuses on the service models directed to victims and witnesses. The works referred to focus on the need for services, functions of services in providing protective, supportive and education assistance. It includes references to services directed to specific vulnerable victim groups, such as rape victims and battered women. It provides references to a number of specific evaluations of victim/witness service models.

The second section focuses on material concerned with compensation and restitution. Issues addressed include historical development both in the U.S. and other countries, the role of the state in this field and specifics regarding the design of various programs.

The material referred to includes some Canadian publications. A total of fifty-eight references are identified and described in this publication.

7. Crime Victim Compensation

Deborah McCarrow
United States Department of Justice
Washington
1979

While this comprehensive evaluation is directed to American decision makers who are involved in or are interested in developing

compensation programs, much of the material will be helpful to Canadian readers. It examines the concept of crime compensation as the program has developed in the United States with reference to the strengths and weaknesses of specific state program structures, operations and policy decisions.

8. The Victim Advocate

Commission on Victim/Witness Assistance
National District Attorneys' Association
undated

This booklet provides an overview of basic victim/witness programs under the following headings: property return, restitution, social service referral, witness brochures, reception centres, transportation, witness briefings, employer intervention, witness fees, witness intimidation and child care.

9. Better Services for Crime Victims: A Prescriptive Package

John Hollister Stein
Blackstone Institute
Washington
1977

This extremely valuable book provides a comprehensive overview of services to victims and witnesses. Based on three surveys of operating programs, the report explores the relationships among clients, services and service providers during the law enforcement and prosecution stages that follow criminal victimization. The appendices to the report include valuable sample descriptions of such programs as prompt property return, crisis identification and management, victim/witness notification and victim impact assessment and reporting.

10. Victim/Witness Assistance

Albert H. Resenblum and Carol Holliday Blew
Law Enforcement Assistance Administration
United States Department of Justice
Washington
1979

This publication is based on the survey of seventy-one victim/witness programs conducted by Stein in the preparation of Better Services for Crime Victims: A Prescriptive Package as well as data gathered through the National District Attorneys Association Commission on Victim/Witness Services. The report includes a discussion of specific services provided to crime victims and explores patterns of service, goals and auspices of major American projects. The report includes in-depth analysis of a number of specific projects in the United States, including the New York Victim Services Agency, the Victim/Witness Assistance Project in Brooklyn, Project Turnaround in Milwaukee County, the Victim Assistance Project in Multnomah County in Oregon and the Victim/Witness Advocate Program in Pima County, Arizona.

11. Services for Survivors

in "Evaluation and Change"
Special Issue, 1980

Program Evaluation Resource Center
Minneapolis Medical Research Foundation
Minneapolis, Minnesota
1980

This special issue of Evaluation and Change provides a useful compendium of short articles and excerpts from recent publications on victims and victim services. Of particular interest are several articles on the psychological reaction to different types of victimization. Several important American victim service programs are described in detail.

12. Ready for the Eighties: A Team Approach

Sixth Annual National Victim Assistance Conference
National Organization for Victim Assistance
8565 S.W. Salish Lane
Wilsonville, Oregon

This publication comprises background material prepared for participants at the 1980 Victim Assistance Conference. Specific subjects addressed include: third party litigation on behalf of crime victims, corporate responsibility for employees who are crime victims, community crime prevention, witness management and rape crisis programs and chronic victims.

END