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BUILDING A **SAFE AND RESILIENT CANADA**

Public Safety Canada National Victims Roundtables on the Right to Information in Federal Corrections and Conditional Release

Summary Report

February & July 2016



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Executive Summary

Stemming from the 1985 *United Nations (UN) Declaration of Basic Principles of Justice for Victims of Crime*, Federal-Provincial-Territorial (FPT) Ministers of Justice endorsed the [Canadian Statement of Basic Principles of Justice for Victims of Crime](#) in 1988 and again as revised in 2003 (see Appendix A).

As a means of strengthening the voice of victims within the criminal justice system (CJS), the National Office for Victims was created in 2005, the Federal Victims Strategy in 2006, and the Office of the Federal Ombudsman for Victims of Crime in 2007. Building on these initiatives, the 2013 Federal Speech from the Throne committed the Government to “restore victims to their rightful place at the heart of our justice system”. This commitment is reflective of consultations undertaken by Ministers of Justice and Public Safety in 16 cities across Canada in the spring and fall of 2013, from which three key themes emanated: 1) the need for information about criminal justice processes, decisions and victim services; 2) enhanced protection measures for victims; and 3) the consideration of victim input by decision-makers.

Canada subsequently adopted Bill C-32, the *Victims Bill of Rights Act* which came into force on July 23, 2015, and by the same token enacted the *Canadian Victims Bill of Rights* (CVBR) and amendments to the *Criminal Code*, the *Canada Evidence Act* and the *Corrections and Conditional Release Act* (CCRA) on that same date. Additional amendments to the CCRA included in Bill C-32 came into force on June 1, 2016¹. The CCRA governs both the Correctional Service of Canada (CSC) and the Parole Board of Canada (PBC).

The CVBR enshrines four main rights for victims of crime that include the Right to information, protection, participation, and to seek restitution. This legislation further clarifies crime victim rights and roles within the CJS and promotes consistency in the interpretation and application of existing federal law (including but not limited to, the *Charter of Rights and Freedoms*, the *Criminal Code*, the CCRA and the *Privacy Act*). Moreover, all federal departments and agencies with responsibilities under the CVBR must have a complaints process in place to receive complaints from victims and resolve any breaches of a victim's rights.

CVBR Implementation

In line with its mandate as a central resource for the provision of information to victims of federal offenders, Public Safety's National Office for Victims (NOV) develops policy and provides information and support on victim issues specific to corrections and conditional release; coordinates the development of publications targeting federal crime victims; plays a liaison and coordination function

¹ As of June 1, 2016, the CSC can share with a registered victim a photo of the offender who harmed them and provide the victim with information on the offender's correctional plan and their progress in meeting the plan's objectives. The PBC can share audio recordings of parole hearings with the registered victims who were not present at the hearings. Moreover, before PBC removes or varies a victim protection condition in cases where a victim statement has been provided, PBC must attempt to contact and consult with the victim.

amongst its Portfolio partners (CSC and PBC); and works collaboratively with provinces and territories to share information about existing services.

To support the CVBR implementation, the NOV has coordinated a series of discussions around victim rights in federal corrections and conditional release. The first stakeholder engagement on the **Right to Information** was conducted on February 9, 2016 to pilot the format with a small number of stakeholders. Following a pre-discussion questionnaire, roundtable discussions focused on how to better communicate the corrections and conditional release aspects of the CVBR. Participants were from the CSC, the PBC, Ontario, Quebec, and British Columbia Regional Victim Advisory Committees, Justice Canada, and Public Safety Canada.

A larger follow-up roundtable discussion was held on July 19, 2016. In advance of this roundtable, a pre-discussion questionnaire was circulated which targeted various victim services delivery agencies. In total, about ten organizations participated (see Appendix B for a summary of representation). The pre-discussion questionnaire was comprised questions intended to gauge participants' awareness of the NOV's publications; an assessment of what information may be lacking; and how best to ensure that victims have the information they need, when they need it (see Appendix C for details).

Key Highlights

Roundtable discussions point to victims' need to better understand:

- Federal and Provincial/Territorial division of powers and responsibilities with respect to victims of crime (including criminal justice processes, procedures, and service delivery structures);
- The roles and responsibilities of the various federal departments with victim related mandates;
- The need to register with the CSC and/or the PBC in order to receive information as victims of federal offenders and the advantages of doing so;
- The required balance between the desire for more information about offenders that are common among some (but not all) victims and the offenders' rights to privacy and potential for successful rehabilitation and reintegration;
- The complaints processes of both the Provincial-Territorial and Federal departments and portfolio agencies; and
- The services available to victims of federal offenders.

More specifically, respondents have indicated that:

- the NOV's publications at <https://www.canada.ca/en/services/policing/victims/publications.html> are deemed useful for front line service providers who use these products as reference material; to provide crime victims with additional information; and to share knowledge and/or foster collaboration between victim serving agencies;

- the information is deemed useful in a corrections context; however, given the complexity of the CJS, respondents would like more rather than less detail in information products. Concrete examples explained using simple language is a must. Materials should also clearly indicate the types of services offered by each federal department so that victims can easily navigate through the information based on their specific needs;
- expanding the reach of information products and awareness building efforts requires some creativity. This is particularly true considering that the general public is more likely to inform themselves on this topic only once they or someone they know is affected by crime. Information products that explain victim rights under the CVBR, including the various stages of the federal correctional process should be available to victims in various formats, including those that also target marginalized populations (i.e., persons with disabilities, the elderly, persons with mental health issues, immigrants and refugees, Indigenous populations living in remote communities);
- the definition of victim as per the CVBR and CCRA may not be well understood nor are the roles played by the CSC, the PBC, and by volunteers dealing with victims across the CJS spectrum;
- there is a need to better communicate the Federal-Provincial-Territorial division of powers with respect to victims in the CJS; to dispel myths about restorative justice processes; and to ensure that the staff of victim serving agencies is properly trained;
- there needs to be added consideration to the notion of offenders as victims and to tailor publications and/or means of sharing culturally relevant, audience-specific information with various victim subsets; and
- consideration should be given to better streamlining information sharing and complaints processes for victims.

Victim groups have provided a number of suggestions for building awareness, sharing information, and meeting the needs of federal crime victims. Work is underway to consider and respond to these suggestions. To build on what we have learned to date, the NOV plans to host a second Roundtable in 2017 to explore victim participation in federal corrections and conditional release.

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National Victims Roundtable

Background

Stemming from the 1985 *United Nations (UN) Declaration of Basic Principles of Justice for Victims of Crime*, Federal-Provincial-Territorial (FPT) Ministers of Justice endorsed the [Canadian Statement of Basic Principles of Justice for Victims of Crime](#) in 1988 and again as revised in 2003. The ten principles are the foundation of current procedures, policies, programs and legislation pertaining to crime victims and are intended to harmonize victim interests (see Appendix A).

Given the division of powers under the *Constitution Act, 1867* and the *Charter of Rights and Freedoms (Charter)* (1982), law and policy as they apply to the Canadian Criminal Justice System (CJS) are shared between the Federal and Provincial-Territorial (FPT) governments. Generally speaking, the federal government is responsible for criminal law, for example, the *Canadian Criminal Code* (CCC) while the provinces and territories are responsible for the administration of justice.

More specifically, the federal government is also responsible for prosecutions under other federal statutes such as the *Immigration and Refugee Protection Act* (IRPA), the *Controlled Drugs and Substances Act* (CDSA), and the *Crimes Against Humanity and War Crimes Act*. The implementation of the *Corrections and Conditional Release Act* (CCRA) and the delivery of federal corrections (sentences of two years or more) fall within federal jurisdiction. Moreover, law enforcement and prosecution in the three northern territories are also a federal responsibility.

With respect to criminal justice, the provinces and territories are responsible for prisons and adult corrections involving sentences of less than two years. They are also responsible for the administration of youth justice programs and services under the federal *Youth Criminal Justice Act* (YCJA).

To this end, law, policy, and services with respect to victims are equally a shared FPT responsibility. Federally, statutory provisions for victims of crime are not written as “rights”; yet, the Supreme Court of Canada² has held that under the *Charter*, victims do have rights to privacy, security, and equality. All provinces and territories have crime victim legislation; however, there is no uniform approach to victim services nationally. Rather, victim services are provided through a variety of measures across the country in an effort to address crime victims’ often diverse needs.

In an effort to strengthen the voice of victims within the criminal justice system, the National Office for Victims was created in 2005, the Federal Victims Strategy in 2006, and the Office of the Federal Ombudsman for Victims of Crime in 2007. Building on these initiatives, the 2013 Federal Speech from the Throne committed the Government to “restore victims to their rightful place at the heart of our justice system”. This commitment is reflective of consultations undertaken by Ministers of Justice and Public Safety in 16 cities across Canada in the spring and fall of 2013, from which three key themes

² R. v. Mills, [1999] 3 S.C.R. 668

emanated: 1) the need for information about criminal justice processes, decisions, and victim services; 2) enhanced protection measures for victims; and 3) the consideration of victim input by decision-makers.

Canada subsequently adopted Bill C-32, the *Victims Bill of Rights Act* which came into force on July 23, 2015, and by the same token enacted the *Canadian Victims Bill of Rights* (CVBR) and amendments to the CCC, the *Canada Evidence Act* and the CCRA on that same date. Additional amendments to the CCRA included in Bill C-32 came into force on June 1, 2016³. The CVBR entrenches crime victim rights into law.

More specifically, the CVBR ensures four main rights for victims of crime:

1. **The Right to Information** (see sections 6, 7 and 8):

- general information about the criminal justice system;
- specific information about the progress of a case (investigation, prosecution, sentencing, incarceration and conditional release of a convicted offender); and
- information about available victim services.

2. **The Right to Protection** (see sections 9 through 13):

- security and privacy of the victim is to be considered at all stages of the CJS;
- reasonable and necessary measure are to be taken to ensure that victims are protected from intimidation and/or retaliation; and
- victim identities are to be safeguarded from public disclosure.

3. **The Right to Participation** (see sections 14 and 15):

- victims are entitled to have their views known and considered by CJS professionals across all stages of the system; and
- they also have the right to present a victim impact statement at sentencing and to share a victim statement during hearings pertaining to an offenders conditional release into the community.

4. **The Right to Seek Restitution** (see sections 16 and 17):

- includes victims' right to have the court consider making a restitution order in cases involving offences for which financial losses are easily discernable; and
- where restitution is not paid, the victim can have the restitution order entered as an enforceable civil court judgement against the offender.

CVBR rights must be applied in a reasonable manner so that they are not likely to interfere with investigations or prosecutions, endanger someone's life or safety, or injure national interests such as national security.

³ As of June 1, 2016, the CSC can share with a registered victim a photo of the offender who harmed them and provide the victim with information on the offender's correctional plan and their progress in meeting the plan's objectives. The PBC can share audio recordings of parole hearings with the registered victims who were not present at the hearings. Moreover, before PBC removes or varies a victim protection condition in cases where a victim statement has been provided, PBC must attempt to contact and consult with the victim.

There are limits to the CVBR – the CVBR does not grant victims:

- the right of standing in a criminal court (e.g. to be a party to the case);
- a cause of action (e.g. grounds to go to civil court);
- a right to damages (e.g. compensation for losses); or
- a right of appeal from any decision or order (e.g. to appeal a criminal court order).

Importantly, the CVBR doesn't affect rights under the *Charter*. Rather, the CVBR may be regarded as an umbrella legislation that further clarifies crime victim rights and roles within the CJS and which promotes consistency in the interpretation and application of existing federal law (including but not limited to for example, the *Charter*, the CCC, the CCRA and the *Privacy Act*). Moreover, all federal departments and agencies with responsibilities under the CVBR must have a complaints process in place to receive complaints from victims and resolve any breaches of a victim's rights.

Complaints resolution mechanisms under the CVBR require that alleged infringements and/or a denial of rights are reviewed; where admissible, recommendations for remedy are made; outcomes of both review and recommendations are communicated in simple terms to complainants; and should the parties involved not be satisfied with the proposed remedy complaints they may file a complaint with the authority that has jurisdiction to review complaints for that department or agency (see CVBR section 25 for details). Section 26 outlines similar provisions in relation to provinces and territories whereby a victim who feels that their rights have been breached by a provincial or territorial department/or agency can seek redress in accordance with provincial-territorial legislation. Further details with respect to the complaints process can be found at:

<https://www.canada.ca/en/services/policing/victims/rolerights.html>.

The CVBR is subject to a 5 year Parliamentary Review. This will provide an opportunity to further investigate how the legislation has been applied; what is working well and what gaps persist and/or require amendment. In the meantime, the implementation of the CVBR is monitored which provides an opportunity to identify emerging issues as they arise and to work to address policy implications going forward.

CVBR Implementation

In line with its mandate as a central resource for the provision of information to victims of federal offenders, Public Safety's National Office for Victims (NOV) develops policy and provides information on victim issues specific to corrections and conditional release; coordinates the development of publications targeting federal crime victims; promotes awareness of victim services available through both the CSC and/or the PBC; and works collaboratively with provinces and territories to share information about existing services.

To support CVBR implementation, the NOV has coordinated a series of discussions around victim rights in the federal corrections and criminal justice system. These discussions centered first on the right to information and subsequently on the rights to participation and protection as outlined in the CVBR. The rights to protection and to restitution fall more specifically within the purview of the CSC and the PBC.

The first stakeholder engagement sessions on the **Right to Information** were piloted on February 9, 2016. Following a pre-discussion questionnaire, roundtable discussions focused on how to better communicate the corrections and conditional release aspects of the CVBR. Participants were comprised largely of representatives from the CSC, the PBC, Ontario, Quebec, and British Columbia Regional Victim Advisory Committees, a representative non-governmental organization (NGO), Justice Canada, and Public Safety Canada. Subsequently, a roundtable discussion was held on July 19, 2016 with a larger group of stakeholders using a similar format and incorporating lessons learned from the pilot session. In total, about ten organizations participated (see Appendix B for a summary of representation). The pre-discussion was comprised of questions intended to gauge participants' awareness of the NOV's publications; an assessment of what information may be lacking; and how best to ensure that victims have the information they need, when they need it (see Appendix C for the list of questions).

Highlights

- There is some general awareness of the NOV's publications which can be found at: <https://www.canada.ca/en/services/policing/victims/publications.html>. The information is deemed useful for front line service providers who use these products as reference material; to provide crime victims with additional information; and to share knowledge and/or foster collaboration between victims serving agencies.
- The information is deemed useful in a corrections context; however, given the complexity of the CJS, respondents would like more rather than less detail in information products. Concrete examples explained using simple language is a must. Materials should also clearly indicate the types of services offered by each federal department so that victims can easily navigate through the information based on their specific needs.
- Expanding the reach of information products and awareness building efforts requires some creativity. This is particularly true considering that the general public is more likely to inform themselves on this topic only once they or someone they know is affected by crime. Information products that explain victim rights under the CVBR, including the various stages of the federal correctional process should be available to victims in various formats, including those that also target marginalized populations (i.e., persons with disabilities, the elderly, persons with mental health issues, immigrants and refugees, Indigenous populations living in remote communities).
- The definition of victim as per the CVBR and the CCRA may not be well understood nor are the roles played by the CSC, the PBC, and volunteers assisting victims across the CJS spectrum.
- There is a need to better communicate the Federal-Provincial division of powers with respect to victims in the CJS; to dispel myths about restorative justice processes; and to ensure that the staff of victim serving agencies is properly trained.
- There needs to be added consideration to the notion of offenders as victims and to tailor publications and/or means of information sharing to various victim audiences and subsets thereof.
- Consideration should be given to better streamlining information sharing and complaints processes for victims.

What follows is a more detailed synopsis of the perspectives shared by respondents at both the February 9, 2016 and the July 19, 2016 Roundtables. Findings are organized by key themes in accordance with the Roundtable questions as outlined in Appendix C.

Awareness of the NOV's Publications

- Most participants indicated at least some awareness of the NOV's publications, especially - *An Information Guide to Assist Victims: Federal Corrections and Conditional Release* <https://www.publicsafety.gc.ca/cnt/rsrscs/pblctns/2016-gd-ssst-vctms/index-en.aspx> which is shared with victims when they register to receive information; and *Victims of Crime: Staying Informed Booklet* <https://www.publicsafety.gc.ca/cnt/rsrscs/pblctns/vctms-crm-styng-nfrmd/vctms-crm-styng-nfrmd-eng.pdf>
- However, half of stakeholders were unaware of Preparing Victims for Release of a Federal Offender (brochure) <https://www.publicsafety.gc.ca/cnt/rsrscs/pblctns/prprng-vctms-rls-fdrl-ffndr/index-eng.aspx>. The same is true regarding the poster: Overview of the CVBR <https://www.securitepublique.gc.ca/cnt/rsrscs/pblctns/vrvw-vctm-bll-rghs/vrvw-vctm-bll-rghs-en.pdf>
- The majority were unaware of Overview of Federal Corrections and Criminal Justice Victim-Centred Information and Assistance (poster) <https://www.publicsafety.gc.ca/cnt/rsrscs/pblctns/vrvw-vctm-cntrd-nfrmtn-ssstnc/index-eng.aspx>

NOTE: All publications produced by the NOV are provided to the general public free of charge and can be found online at: <https://www.canada.ca/en/services/policing/victims.html> or <https://www.publicsafety.gc.ca/cnt/cntrng-crm/crrctns/ntnl-ffc-vctms-en.aspx>. Alternatively, copies can be ordered by email at: mps.nationalofficeforvictims-bureaunationalpourlesvictimes.sp@canada.ca

Relevance of CVBR Information within the Corrections and Conditional Release Context

The CVBR strives to balance the desire for more information about offenders that is common among some (but not all) victims and the offenders' rights to privacy and potential for successful rehabilitation and reintegration.

Although respondents indicated that the publications provide good information to victims within the corrections context, there is a need to simplify it. More specifically, respondents have asked for:

- a plain language guide to the CVBR and its regulations;
- a simple, plain language explanation of victim rights (e.g., Privacy, Safety and Security), and especially as new provisions come into force (e.g., audio recordings);
- a brochure similar to *Preparing Victims for the Release of a Federal Offender* that explains the application of the CVBR in family situations and which distinguishes between the rights of family members as direct victims of crime versus secondary or consequential victims;
- additional information on the practical application of the CVBR, particularly within the northern context (i.e., remote locations and funding constraints are often an impediment to participation both in court and at parole hearings, which in turn, can impede healing; Indigenous approaches to crime and restoration are often less adversarial than the mainstream justice system);
- conferences and workshops as a means of sharing best practices/lessons learned through networking opportunities; and
- facilitating collaboration between service providers and the CSC/PBC in transitioning victims between provincially and federally available victim services.

Information Requiring Added Emphasis

- De-mystifying the criminal justice system as a whole is essential for victims;
- victims would like greater clarification around restitution orders and the roles of federal corrections and conditional release officials with respect to their enforcement as well as PT restitution collection programs;
- victim-offender mediation processes are not well known or understood by victim communities;
- there is a need for greater clarity with respect to the specific redress mechanisms in place across the various agencies sharing responsibility for victim issues. Processes, both formal and informal, as well as service standards vary. Concrete examples are needed with respect to the scope, limitations, and of existing redress mechanisms, including remedies what is and is not a legitimate complaint. Moreover, these need to be communicated via a single window or "one stop shop" approach;
- while CSC's Restorative Opportunities program is described as excellent, there are challenges to participation (e.g., general unawareness; existing family/community dynamics; the risk of re-victimization which may be higher depending on the nature of the offence; the exclusion of

secondary or consequential victims of crime; the exclusion of cases as a result of charges having been dropped as part of plea bargains; the lack of victim services at the offender reintegration stage of the CJS; a lack of services for victim family members); and

- there seems to be a lack of knowledge among victims with respect to service delivery to Indigenous victims, particularly within the Territories (e.g., awareness of Aboriginal Community Liaison Officers and their mandates, National Advisory Committees, and culturally sensitive crisis interventions).

Means of Information Sharing with Victims

Responses are widely varied with regard to how best to communicate information to victims. Preferred means include printed materials (in a variety of languages); online resources (including static webpages that are simple and easy to navigate with links to victim services, support groups, and FPT government sites); live chats, podcasts, and social media; cable/radio; and presentations by dynamic speakers.

Although multiple channels should be used to disseminate information to victims, the majority of participants stated that victim service information, including victim rights under the CVBR and the various stages of the federal correctional process, should be summarized in short videos and shared via social media. This approach would extend the outreach to victims, as victim service organizations would be able to share the videos on their social media platforms. The audio/visual component would also help victims to better digest the information presented, including the elderly and those with disabilities. While creativity is important, participants also noted that information products should be available in various formats, including printed publications, in order to reach victims in remote communities who do not have access to social media.

It was further suggested that the reach of resource tools could be expanded through PDF's for print, as needed; and through the distribution of print materials at community events, in police stations, court houses, and in institutional waiting areas as well as by Health and Social Services, in schools, and in libraries. This is of course in addition to the provision of information by traditional front line victim service providers. With respect to the latter, respondents specified that it is imperative to ensure ongoing training for frontline staff as a means of ensuring an accurate portrayal of victim rights within the CJS context that goes beyond the services that their respective organizations/agencies provide. Means to do so could include workshops, webinars, and online training tools.

In the north in particular, a lack of Internet connection and emphasis on oral tradition requires that information be shared in person through conversation and dialogue and in some cases radio. It is important to realize that often, a trauma informed approach is needed since victims may not psychologically be in the best position to actively seek out or follow up on information needs and/or referrals. Further, historic distrust can impede receptivity to information available through the Royal Canadian Mounted Police (RCMP) detachments and even victim services that may be regarded as not culturally sensitive.

For all victims, it is important to keep in mind that relationship building and rapport are critical components to the flow of information. Dialogue needs to be ongoing and is not a one time, passive occurrence. Moreover, victims themselves can in some cases be homeless, be suffering from addictions and/or mental health issues, and/or have low literacy levels. This subset of the clientele may rely more heavily on word of mouth to obtain information. Regardless, given the vulnerability associated with victimization, the value of human contact and personalized care must be underscored.

Cultural Considerations in regards to CVBR Information Products

There are cultural considerations that should be considered in developing CVBR information products. Members of varied cultures should see themselves in the information products they may be inclined to use. These should be translated with requisite cultural sensitivity rather than literal translation whereby, the essence of the message can at times be lost. Information products (e.g., posters, pamphlets, fact sheets, videos, etc.) should further be developed in consultation with multi-cultural groups.

In addition to taking into account the infrastructure limitations common to small, remote communities and a likely preference for face-to-face communications, it is also important to remember that:

- in certain cultures, the definition of family goes beyond blood relatives, for example, among Indigenous Peoples family titles (e.g., parent, grandparent, relative, etc.) are often extended to significant others within the community;
- cultural considerations should be applied to the definition of victim, which in turn, can impact perceptions of criminal justice processes and roles. For example, in certain male dominated cultures, women may not perceive themselves as victims of a crime as defined by the CCC when they experience domestic violence. Reparation, in some cultures, is perceived in holistic terms rather than the mainstream crime and punishment perspective;
- further, there may be reluctance in some communities for participation in restorative justice processes given the close proximity between victim, offender, and other participants; and
- developing trust may pose additional challenges when dealing with some immigrant populations (e.g., language barriers, seeking out assistance and sharing grief with strangers may be uncomfortable). Multi-cultural organizations, community based cultural centres, faith based organizations, and non-profit organizations may be best suited as access points for the provision of information in a manner that is both respectful and meaningful to the recipients.

Culturally-Sensitive Outreach

Respondents provided a number of suggestions with respect to how culturally-sensitive outreach efforts could be undertaken to generate awareness about the CVBR within the context of corrections and conditional release.

Court workers, community justice workers, crisis counselors, and trained volunteers were primarily identified. However, respondents also pointed to the need for additional funding to support sharing

circles and consultations with various cultural groups (e.g., faith based organizations, NGOs, Indigenous groups, and women's groups). Funding is further needed to facilitate the participation of those living in remote/isolated communities in available victim services. Aside from high travel costs which often preclude direct victim participation in proceedings, there is a persistent disconnect perceived between the north and the south, particularly with the latter's appreciation of cultural sensitivity as it relates to the dissemination of information and/or victim services.

Who to Consult

As one might expect, the list of individuals, organizations, and communities that should be consulted with respect to sharing CVBR information is extensive. The most commonly identified groups include: social workers, court workers, and community counselors; parent groups, sibling groups, and women's groups; groups serving immigrants and refugees; victim services support agencies; elders and Indigenous groups; the John Howard Society; St. Leonard's Society; and the Elizabeth Fry Society; crown-witness coordinators and justice coordinators; the RCMP; Legal Aid; and public prosecutors.

Summary

Overall, Roundtable discussions point to victims' need to better understand the:

- Federal and Provincial/Territorial division of powers and responsibilities with respect to victims of crime (including criminal justice processes, procedures, and service delivery structures);
- roles and responsibilities of various federal departments and their mandates;
- need to register with the CSC and/or the PBC in order to receive information as victims of federal offenders and the advantages of doing so;
- required balance between the desire for more information about offenders that is common among some (but not all) victims and the offenders' rights to privacy and potential for successful rehabilitation and reintegration;
- the complaints processes of the Provinces/Territories and Federal departments, and portfolio agencies; and
- the services available to victims of federal offenders.

One of the common challenges in terms of building awareness is that people will tend to seek out information as needed. Thus, in the age of technology, there has to be a balance between the proliferation of useful information and information overload. That being said, there is an ongoing need to ensure greater awareness of victim rights through Canada.ca and other creative means. Persistent concerns for victims as articulated by Roundtable participants include the need for clear and simple guidelines on:

- what to expect in term of the federal criminal justice process – rights, roles, responsibilities, and options at each stage;
- dispelling misconceptions around the definition of victim and better defining the term for restorative justice purposes;
- demystifying related legislation – CVBR, CCRA, provincial victim legislation and accompanying regulations;
- sentencing – what it actually means in practice;
- victim-offender reconciliation processes and limitations;
- how to access victim support services across all stages of the CJS (e.g., via victim liaison services, Indigenous court workers, etc.);
- where and how to access offence specific victim community-based counselling and crisis intervention from one jurisdiction to the next;
- how to access funding to ensure victim participation in the CJS process as well as to provide training and networking opportunities for victim serving agencies;
- means of ensuring that victims and victim serving agencies are fully informed as to legislative amendments and updates; and
- the provision of culturally relevant victim information through direct, often face-to-face means for Indigenous, immigrant, and other minority groups developed through appropriate community consultations.

As detailed above, victim groups have provided a number of suggestions for building awareness, sharing information, and meeting the needs of victims of crime. The Roundtable discussions highlighted the perceived gaps not only in information about federal corrections and conditional release but the CJS in general. Information sharing is a work in progress requiring the commitment and collaboration of all who share an interest in victim issues. With this in mind, the NOV plans to host subsequent Roundtables to further explore the topic of victim participation and protection in corrections and conditional release.

APPENDIX A

Canadian Statement of Basic Principles of Justice for Victims of Crime

Stemming from the 1985 *United Nations (UN) Declaration of Basic Principles of Justice for Victims of Crime*, Federal-Provincial-Territorial (FPT) Ministers of Justice endorsed the [Canadian Statement of Basic Principles of Justice for Victims of Crime](#) in 1988 and again as revised in 2003. The importance of the *Canadian Statement of Basic Principles of Justice for Victims of Crime* is highlighted in the preamble of the recently enacted *Canadian Victims Bill of Rights* (2015).

These ten principles are the foundation of current procedures, policies, programs and legislation pertaining to crime victims and are intended to harmonize victim interests.

1. Victims of crime should be treated with courtesy, compassion, and respect.
2. The privacy of victims should be considered and respected to the greatest extent possible.
3. All reasonable measures should be taken to minimize inconvenience to victims.
4. The safety and security of victims should be considered at all stages of the criminal justice process and appropriate measures should be taken when necessary to protect victims from intimidation and retaliation.
5. Information should be provided to victims about the criminal justice system and the victim's role and opportunities to participate in criminal justice processes.
6. Victims should be given information, in accordance with prevailing law, policies, and procedures, about the status of the investigation; the scheduling, progress and final outcome of the proceedings; and the status of the offender in the correctional system.
7. Information should be provided to victims about available victim assistance services, other programs and assistance available to them, and means of obtaining financial reparation.
8. The views, concerns and representations of victims are an important consideration in criminal justice processes and should be considered in accordance with prevailing law, policies and procedures.
9. The needs, concerns and diversity of victims should be considered in the development and delivery of programs and services, and in related education and training.
10. Information should be provided to victims about available options to raise their concerns when they believe that these principles have not been followed.

APPENDIX B

February 2016 Consultation Participants

CSC/PBC Victim Advisory Committee (ON)
CSC/PBC Victim Advisory Committee (BC)
CSC/PBC Victim Advisory Committee (QC)
Parole Board of Canada
Canadian Resource Centre for Victims of Crime (ON)
Correctional Services of Canada
Policy Centre for Victims Issues at the Department of Justice Canada
Public Safety Canada

July 2016 Consultation Participants

Vancouver and Lower Mainland Multicultural and Family Support (BC)
Manitoba Organization for Victim Assistance (MB)
CSC/PBC Victim Advisory Committee for the ON/NU (ON)
Canadian Families and Corrections Network (ON)
MADD Canada (ON)
Ottawa Police Services Victim Crisis Team (ON)
Chatham-Kent Victim Services (ON)
CAVAC de l'Outaouais (QC)
JIM Friendship Centre (YK)
Pauktuutit Inuit Women of Canada (NU)
Public Prosecution Service of Canada
Public Safety Canada
Parole Board of Canada
Correctional Services of Canada

APPENDIX C

Consultation Questions on the Right to Information (July 19, 2016)⁴

1. Are you familiar with any of the publications produced by the National Office for Victims? If so, which ones and how do you use them?
 - a. An Information Guide to Assist Victims: Federal Corrections and Conditional Release
 - b. Victims of Crime: Staying Informed booklet
 - c. Overview of Federal Corrections and Criminal Justice Victim-Centred Information and Assistance Poster
 - d. Preparing Victims for the Release of a Federal Offender brochure
 - e. Overview of the *Canadian Victims Bill of Rights* poster
2. What information would be most useful to you and/or your organization/community to better understand the *Canadian Victim Bill of Rights* as it relates to federal corrections and conditional release?
3. Is there specific information about federal corrections and conditional release (i.e., restorative opportunities) that is lacking or requires emphasis?
4. How could information best be communicated to victims (e.g., print resources, online information) and can you suggest the best way to reach its intended audience (e.g., mass distribution of print material to victim-serving agencies, targeted distribution to non-criminal justice related spaces such as hospitals, libraries, static web pages, social media videos etc.)?
5. How important is it for accurate information about the corrections and conditional release systems to be accessible via social media as well as traditional, static websites? (answers rated on a scale of 0-5 where 0 indicates not important and 5 indicates very important)?
6. Does your organization have any preferred methods of sharing information with communities that have strong oral and storytelling traditions (i.e., is there a need for auditory information such as CDs or podcasts)?
7. Has your organization/agency noted any need for information in languages other than English or French? If yes, which languages?

⁴ Note: Similar questions were posed for the purposes of the initial pre-consultation and consultations in February 2016. The wording of some questions (Q4, Q5, and Q6) was further clarified for the purposes of the July roundtable discussions.

8. Are there cultural considerations that should be taken into account in the development of information products to better deliver information on the *Canadian Victim Bill of Rights* to you and your organization/community?
9. How should culturally sensitive outreach be undertaken in order to deliver information on the corrections and conditional release as it pertains to the *Canadian Victim Bill of Rights* to you and your organization/community?
10. Are there other specific individuals/communities /organizations that should be consulted?