

LES VICTIMES D'ACTES
CRIMINELS SE TIENNENT
AU COURANT



VICTIMS OF CRIME
STAYING INFORMED

Under Canadian law, victims of crime have a right to certain information about the person who harmed them while that person is under the jurisdiction of the Correctional Service of Canada or the National Parole Board. This information is not provided automatically – a written request must be made to either agency. This booklet is a guide to what victims are entitled to know, how to obtain that information, and the role victims can play in providing information that may affect decisions about offenders.

ARE YOU A VICTIM OF CRIME?

You are considered a victim of crime if:

- you have been harmed (suffered loss or have been physically or emotionally hurt) as a result of someone committing a criminal offence. Even if the person who harmed you has not been prosecuted or convicted, if you have made a complaint to the police or Crown Attorney, you are entitled to receive information.
- you are a spouse, conjugal partner, relative of, or person responsible for a victim who has died or is not able to act for himself or herself (e. g., the victim is ill or a child).

HOW CAN YOU RECEIVE INFORMATION?

Information about an offender is not provided automatically. You, or someone you have authorized in writing to act as your representative, are required to contact either the National Parole Board or the Correctional Service of Canada to receive information. If the offender is incarcerated in a provincial institution (except in British Columbia, Ontario and Quebec) the request should be directed to the National Parole Board. A written request is required for you to receive information that is available only to victims. You will then be kept informed until the end of the offender's sentence or until you ask to no longer be notified.

WHAT INFORMATION ARE YOU ENTITLED TO RECEIVE?

Upon request, you shall be provided with the following:

- the offender's name;
- the offence and the court which convicted the offender;
- the sentence commencement date and length of sentence;

- the offender's eligibility and review dates for temporary absences, day parole and full parole.

In addition, upon request, you *may* be provided the following information where, in the opinion of the Commissioner of the Correctional Service of Canada or the Chairperson of the National Parole Board, your interest in the disclosure clearly outweighs any invasion of the offender's privacy that could result from the disclosure:

- the offender's age;
- the location, name and security level of the penitentiary where the sentence is being served;
- the date, if any, on which the offender is to be released on unescorted or escorted temporary absences, work release, parole or statutory release;
- the date of any National Parole Board hearing;
- any conditions attached to the offender's temporary absence, work release, parole or statutory release;

- the offender's destination when released on any temporary absence, work release, parole or statutory release and whether the offender will be in your vicinity while travelling to that destination;
- whether the offender is in custody and, if not, why not;
- whether or not the offender has appealed a National Parole Board decision and the result of the appeal.

You may also request National Parole Board decisions from the Parole Board's Decision Registry, including reasons for decisions related to conditional release, return to prison, detention, and the decisions and reasons made by the Appeal Division of the Board. The Board may exempt information in these written decisions that could reveal a confidential source of information, jeopardize a person's safety or hinder an offender's return to society as a law-abiding citizen.

YOU HAVE A VOICE IN THE CORRECTIONS AND PAROLE PROCESSES

The Correctional Service of Canada and the National Parole Board welcome any information you may have about safety concerns and the effect the offence has had on you, your family or the community. You may choose to provide a victim statement, detailing information regarding the physical, emotional or financial impact the offence has had on you, as well as any other information you think is relevant. You can also request special conditions be imposed on the offender's release for the Correctional Service of Canada or the National Parole Board to consider. It should be noted that you can provide information to either agency at any time.

As a victim, you are also entitled to make an oral presentation to the National Parole Board at the offender's parole hearing (if you do not wish to present a statement you may apply to observe a parole hearing). You have the choice to read a written statement at the hearing or to record it on audio or videotape for presentation should

you not be able to attend the hearing or prefer this option. The Board will require a written copy of your statement prior to the hearing.

WILL THE INFORMATION YOU PROVIDE BE SHARED WITH THE OFFENDER?

Personal information about you, such as your address, telephone and facsimile numbers, is not shared with the offender. However, the law requires the National Parole Board and the Correctional Service of Canada to disclose to the offender any information that will be considered during the decision-making process, including information provided by a victim, or a summary of that information.

HOW IS THE INFORMATION YOU PROVIDE USED BY THE CORRECTIONAL SERVICE OF CANADA?

If you have filed a Victim Impact Statement at sentencing, the Correctional Service is required, by law, to obtain a copy. In the absence of a Victim Impact Statement, a community assessment may be completed by a community parole officer to obtain information from you to assist the

Correctional Service in assessing the offender's progress. Victim information is used as follows:

- in making decisions on the institutional security level required to protect society;
- in making a recommendation to the National Parole Board as to whether the offender should be granted a conditional release, such as parole, and what additional special conditions to impose on the release being considered;
- in making decisions as to whether the offender should be released on a temporary absence or a work release; and
- in evaluating the offender's overall risk of re-offending and programming needs.

HOW IS THE INFORMATION YOU PROVIDE USED BY THE NATIONAL PAROLE BOARD?

The information you provide to the National Parole Board is a valued aid in understanding the seriousness of the offence committed and assessing whether the offender recognizes the harm he or she has done. The information will help the Board assess:

- whether the offender is likely to reoffend if released on conditional release;

- whether additional conditions might be necessary to manage a particular risk to society that the offender might present, especially if the offender will be living near you or is a member of your family. The Parole Board may, for example, impose a special condition for the offender not to contact you.

HOW CAN YOU REGISTER?

To find out how to register for the victim notification service and other general information, please call:

1-866-789-INFO (4636)

This toll-free victim information line can be called from anywhere in Canada and the United States.

ADDITIONAL CONTACT INFORMATION

For more information about victim services in your area, please contact your local police force, check the government blue pages for “victim services”, or visit the following Web sites:

- Correctional Service of Canada –
www.csc-scc.gc.ca (under *Programs*)

- National Parole Board of Canada – *www.npb-cnrc.gc.ca* (under *Information for Victims*)
- Department of Public Safety and Emergency Preparedness Canada – *www.psepc-sppcc.gc.ca* (under the *Public Safety Portal*, click on *Criminal Activity/Policing*, then *Victims Assistance*)
- Department of Justice Canada – *www.canada.justice.gc.ca/victim*

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