



**VICTIMS OF CRIME INITIATIVE  
MID-TERM EVALUATION  
Technical Report**

**February 2003**

**Evaluation Division  
Policy Integration and Coordination Section**



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## LIST OF ACRONYMS

CCJS	Canadian Centre for Justice Statistics
CCRA	<i>Corrections and Conditional Release Act</i>
CSC	Correctional Service of Canada
DOJ	Department of Justice
EiP	Excellence in Programs
FPS	Federal Prosecution Service
FPT	Federal-Provincial-Territorial
FPTWG	Federal-Provincial-Territorial Working Group
FTE	Full-Time Equivalent
GCIMS	Grants and Contributions Information Management System
NCPC	National Crime Prevention Centre
NGO	Non-Governmental Organization
NOVA	National Organization for Victim Assistance
NPB	National Parole Board
PCS	Project Control System
PCVI	Policy Centre for Victim Issues
PLEI	Public Legal Education and Information
RCMP	Royal Canadian Mounted Police
VCI	Victims of Crime Initiative
VWA	Victim Witness Assistant
YCJA	<i>Youth Criminal Justice Act</i>



## **EXECUTIVE SUMMARY**

### **Background**

The federal Victims of Crime Initiative (VCI) was launched in March 2000 with \$25M in funding spread over five years. In essence, the VCI set up the Policy Centre for Victim Issues, which includes funding to support policy development, consultation, research, coordination, and communication activities. The VCI also established a Victims Fund (approximately \$10 million or \$2 million for each of 5 years) that provides grants and contributions to provincial and territorial governments and non-governmental organizations to develop, promote and enhance services and assistance for victims.

In order to fulfil a central agency requirement to report on progress of the Victims of Crime Initiative, a midterm (implementation) evaluation was conducted. The focus of the evaluation is on process and management issues with a view to providing information that will assist the PCVI in strengthening the design and delivery of the VCI for the balance of its mandate. This report is the implementation evaluation of the VCI.

### **Overview of the Victims of Crime Initiative**

The overall goal of the Victims of Crime Initiative is to increase the confidence of victims of crime in the criminal justice system by:

- ensuring that victims of crime and their families are aware of their role in the criminal justice system and of services and assistance available to support them;
- enhancing the Department of Justice's capacity to develop policy, legislation and other initiatives which take into consideration the perspectives of victims;
- increasing the awareness of criminal justice system personnel, allied professionals and the public about the needs of victims of crime, legislative provisions designed to protect them and services available to support them;

- developing and disseminating information about effective approaches to respond to the needs of victims of crime both within Canada and internationally; and
- by supporting provinces and territories that work with victims, the Initiative will also enhance the role of victims within the criminal justice system.

One of the primary mechanisms employed to support these objectives is the Victims Fund.

The Fund is comprised of four components, each with its own objectives:

*1) Provincial and territorial implementation:* This component provides assistance provinces and territories to implement legislation for victims of crime; in particular the provisions of the Criminal Code (e.g., victim impact statement, consideration of victim safety at bail, publication bans, restitution) through the development/enhancement of police, court, Crown, or system-based victims assistance programs.

*2) Innovative pilot projects and activities:* This component provides assistance to governmental and non-governmental organizations to promote development of new approaches to meet victims' needs, encourage establishment of service provider networks, respond to emerging issues in victimization, and provide support to victims engaged in restorative justice or alternative measures through innovative projects, public education initiatives, enhanced assistance to victims of crime, increased awareness of and access to services and assistance, establishment of referral networks, training initiatives and other initiatives.

*3) Northern and rural:* This component provides assistance to governmental and non-governmental organizations to contribute to the development of and expansion of victim services and assistance and to increase access to such services in northern and rural communities.

*4) Financial assistance:* This component provides limited emergency financial assistance to individual victims of crime or surviving family members faced with unusual or extreme hardship due to criminal victimization where no other adequate source of financial assistance is available. In addition, it provides financial assistance to surviving family members of homicide victims to attend early parole eligibility hearings (s. 745.6) including travel, accommodation and meal allowances in accordance with prevailing Treasury Board guidelines.

## Evaluation Objectives and Issues

The implementation evaluation examines the design and delivery of the VCI as well as lessons learned to provide management of the PCVI with the information needed to strengthen and adjust the activities supported by the VCI for the balance of its mandate. It assesses the appropriateness of the program design to support the achievement of VCI objectives. It also reviews the structure and management of the PCVI as well as the sufficiency of resources to support the work of the PCVI in activity areas such as:

- research and policy development;
- coordination and integration;
- communications and public legal education information (PLEI);
- support to and from provinces and territories; and
- support to victim organizations and the victims they serve.

Finally, the evaluation examines the adequacy of the performance measurement strategy and associated data collection practices to support the ongoing oversight and management of the VCI.

A total of 40 evaluation questions were examined by the midterm evaluation. These were grouped into five main categories of issues:

- status of activities implemented to date;
- effectiveness of implementation and the role of the PCVI;
- extent to which coordination and integration of activities occurred;
- effectiveness of the Victims Fund in targeting its audience and likelihood of meeting its objectives; and,
- extent to which the VCI assists provinces/territories to implement *Criminal Code* amendments.

This evaluation did not look at outcomes, as it is still too early to assess the impacts and effects of the VCI. Impacts and effects will be looked at in the summative evaluation, although early indications of success are evident.



## **Methodology**

The methodology for the midterm evaluation of the VCI consisted of a file and documentation review, a survey of Victims Fund applicants (both successful and unsuccessful applicants), and 34 key informant interviews. The evaluation covers the time period from March 2000 to June 2002 (approximate).

## **Evaluation Findings**

The principal findings from the mid-term evaluation are summarized below:

### **Issue 1: Status of activities implemented to date**

#### *Research and policy development*

- The PCVI has been involved in various victim-related research projects. Key stakeholders are aware of the PCVI's research activities, and a number of stakeholder groups request information and research materials from the Policy Centre. One of the primary benefits of the PCVI's research efforts that was expressed by key informants is that it allows stakeholders to become informed and aware of policy directions, intentions regarding legislation and services related to victims of crime, and concerns and emerging issues across jurisdictions.
- Key informants believe the Policy Centre's work to be appropriately focused to guide policy and legislation decisions and to present the perspectives of victims.

#### *Communications and public legal education information (PLEI)*

- The PCVI is involved in a number of activities related to communications and PLEI including the development of a website, brochures and handbooks, fact sheets, media scans, a newsletter, and PCVI kiosk.
- The most effective methods for information sharing with stakeholders are reported to be the PCVI web site, the FPTWG meetings, consultations, and the dissemination of reports. Overall, there is satisfaction with the format and content of communications materials.
- Some key informants suggested that better use could be made of technology for the distribution of materials to key stakeholders (e.g., e-mail, web sites, fax, etc.). A few key informants also suggested that more conferences and workshops would increase visibility of

the PCVI and the VCI. Both of these suggestions reflect a desire for more of what the Policy Centre has already been doing.

- Funding applicants and others involved with victims' issues desire more information about services, assistance and legislation pertaining to victims.

#### *Support to and from provinces and territories*

- The PCVI works very closely with its provincial and territorial counterparts. Regular meetings are held by the *Federal Provincial Territorial Victims of Crime Working Group (FPTWG)*, a forum that provides input on proposed law reforms, solicits feedback from the jurisdictions on activities undertaken by the PCVI, guides PCVI priorities and facilitates a coordinated approach to delivery of services for victims of crime across Canada. These meetings are an excellent opportunity for information sharing among jurisdictions and key stakeholders; they provide the PCVI with the opportunity to collect information on victim programs, services and related activities within the provinces and territories. Thus far, the FPTWG has been a very active and productive venue.

#### *Support to victim organizations and the victims they serve*

- The PCVI has demonstrated support for victim organizations and the victims whom they serve by increasing communications, promoting networking, and funding projects through the Victims Fund.

#### *Coordination and integration*

- The PCVI is responsible for overseeing the VCI and undertakes several levels of activities in the area of coordination and integration. Beyond coordination efforts within the DOJ and, to the extent possible, with other federal departments, the PCVI has had a significant consultation role at the provincial/territorial level with various stakeholders, including provincial/territorial governments, criminal justice system professionals, service providers, and advocates. The PCVI has facilitated networking and information sharing among federal, provincial, and territorial governments, NGOs, and others. Overall, key informants are satisfied with the coordination and integration activities of the Policy Centre.

*Other activities: Victim Witness Assistants in the North*

- The PCVI has provided valuable support for Victim Witness Assistants (VWAs) in the North. Continued and expanded support is essential as VWAs in the North work under challenging and stressful circumstances that require them to have a variety of capabilities with limited access to training. VWAs in the North are often required to take on a number of responsibilities that exceed those of VWAs in other parts of the country.

**Issue 2: Effectiveness of implementation and the role of the PCVI**

- With an extremely limited staff complement, the PCVI has been involved in a great number of activities in a short period of time. This has occurred in spite of an organizational structure that restricts efficiency and effectiveness. The Policy Centre's staff is made up of internal employees (located within the PCVI reporting to the Director) and external employees (located in other Divisions but under service agreements with the PCVI). These external employees must deal with conflicting priorities as a result of reporting to different people. The PCVI ultimately suffers as employees are pulled in different directions, causing the PCVI to experience delays in accomplishing its work. In addition, ongoing changes in research personnel disrupt the continuity of the work and require internal staff to continually spend time training, briefing and educating new external research staff.
- Key informants consider the Policy Centre to be a locus of expertise on federal legislation and policy development for victims' issues. Though some remain unclear about the role of the PCVI and others would like more information on the Victims Fund, most key informants credit the Policy Centre with disseminating relevant high quality materials to stakeholders across the country.

**Issue 3: Extent to which coordination and integration of activities occurred**

- Overall, the PCVI maintains positive and open relationships with key stakeholders, demonstrating a concerted and coordinated effort toward the advancement of victims' issues within the criminal justice system.
- The majority of key informants could not specifically think of any other stakeholders who should be, but are not, involved in the activities of the PCVI. However, a few key informants mentioned that more local-level service providers could become more involved.
- Key informants perceive the FPTWG as one of the most effective coordination efforts of the PCVI. The PCVI has had considerable success supporting the exchange of information among jurisdictions through this forum. These meetings represent an opportunity for

information sharing among jurisdictions and key stakeholders; they provide the PCVI with the opportunity to collect information on victim programs, services, and related activities within the provinces and territories. Most key informants acknowledged the value of face-to-face meetings, but because of the time commitment required from provincial and territorial representatives, and the cost to the PCVI of bringing everyone together, some suggested increasing the use of technology and cost-effective communication through, for example, teleconferences and e-mail, as alternatives.

#### **Issue 4: Effectiveness of the Victims Fund in targeting its audience and meeting its objectives**

- Successful applicants to the Victims Fund have tended to be well established and experienced in preparing funding applications, and the same organizations have tended to apply repeatedly for funds. Victims Fund applicants report that they would like to receive more information on the Victims Fund.
- One of the more successful features of the Victims Fund noted by staff and key informants is the flexibility in reallocating resources among the various components of the Fund. In addition, the financial assistance component has been very effective in being able to respond quickly to urgent needs. Both recipients of financial assistance and applicants to other components of the Fund reported that, in general, they were satisfied with the administration of the Fund. Most also felt that they were informed about the purpose and process for funding.
- Staff noted that they work closely with organizations to improve their proposals or refine the projects. A review of funded projects revealed that they have developed partnerships, initiated joint ventures, and secured other sources of funding. While limited information on detailed funding arrangements is available (16 project files), these projects show that the leveraged funds are sizeable, with almost one dollar of leveraged funding arising for each dollar granted from the Victims Fund. In addition to funding, partners are reported to be involved in planning, delivery, and evaluation of projects. The majority of survey respondents generally agreed that the Victims Fund is an appropriate way to test new approaches to service delivery for victims of crime.
- Once funding is awarded, it can be difficult to obtain reports from projects. This directly affects the Policy Centre's ability to measure performance. While this challenge is not specific to the Victims Fund, key informants reported that it warrants attention.
- Although no formal project evaluations have yet been completed, an evaluation framework has been developed, and project evaluations will be underway in 2003. Once information

from projects is received and results from the evaluations are collected, the impacts of the VCI and any lessons learned will be more easily identified.

- Those applicants who have been denied funding through the Victims Fund desire more feedback on the reasons for being denied funding.

#### **Issue 5: Extent to which the VCI assists provinces/territories to implement Criminal Code amendments**

- According to key informants, the Victims Fund has assisted in funding projects to enable the jurisdictions to better respond to the increasing demands for victim services; the recent amendments to the *Criminal Code* have resulted in significant increases in victim-related caseloads for the provinces and territories. Funded projects have allowed jurisdictions to participate in and conduct consultations and workshops examining victims' issues in greater detail. In addition, provinces and territories have been able to provide training sessions to employees and criminal justice professionals, conduct awareness sessions, and develop print materials, thereby increasing outreach. However, jurisdictional needs are ongoing and are not completely met by available resources.

#### **Conclusions**

The PCVI has demonstrated a great deal of success to date in implementing the VCI and administering the Victims Fund. The PCVI has encouraged networking, enhanced a variety of partnerships, and facilitated consultations among stakeholders. It is also becoming known as a clearinghouse for information on victims' issues; the PCVI has become a valuable source of information for those involved in policy development or services for victims. As well, its research and publication materials have assisted the jurisdictions in the development of appropriate strategies to address victims' needs and concerns.

The PCVI has increased the recognition and awareness of victims' perspectives and concerns and has generally assisted in gaining prominence for victims issues in the courts. Furthermore, the PCVI has contributed to the acknowledgment of provincial/territorial victim services as a component of the criminal justice system. According to key informants, the leadership within the PCVI and the dedication of the staff have contributed greatly to raising the profile of victims' perspectives and concerns in the criminal justice system.

# 1. INTRODUCTION

During the 1990s, victims of crime and their advocates became increasingly vocal in their plea for an enhanced role for victims in the criminal justice system and for further recognition of victims' interests. The federal government responded by reviewing the role of victims in the criminal justice system, which led to the 1999 amendments to the *Criminal Code* and the allocation of \$25 million over five years to the implementation of the Victims of Crime Initiative (VCI).

In essence, the VCI set up the Policy Centre for Victim Issues, which includes funding to support policy development, consultation, research, coordination, and communication activities. The VCI also established a Victims Fund (approximately \$10 million or \$2 million for each of 5 years) that provides grants and contributions to provincial and territorial governments and non-governmental organizations to develop, promote and enhance services and assistance for victims.

The VCI's funding submission provides for an evaluation strategy consisting of an implementation and summative evaluation, evaluation sub-studies, annual reporting, and performance measurement. This report is the implementation evaluation of the VCI.

## 1.1 Evaluation Objectives and Issues

The implementation evaluation examines the design and delivery of the VCI as well as lessons learned to provide management of the PCVI with the information needed to strengthen and adjust the activities supported by the VCI for the balance of its mandate. The evaluation responds to the evaluation framework (Appendix A). It assesses the appropriateness of the program design to support the achievement of VCI objectives. It also reviews the structure and management of the PCVI as well as the sufficiency of resources to support the work of the PCVI in activity areas such as:

- research and policy development;
- communications and public legal education information (PLEI);
- support to and from provinces and territories;
- support to victim organizations and the victims they serve; and
- coordination and integration.

Finally, the evaluation examines the adequacy of the performance measurement strategy and associated data collection practices to support the ongoing oversight and management of the VCI.

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- extent to which the VCI assists provinces/territories to implement Criminal Code amendments.

This evaluation did not look at outcomes, as it is still too early to assess the impacts and effects of the VCI. Impacts and effects will be looked at in the summative evaluation.

## **1.2 Methodology**

The evaluation methodology consisted of a file and document review, key informant interviews, and a survey of applicants to the Victims Fund. The evaluation framework guided all aspects of the methodology to ensure that relevant information was applied to each research question and issue. A description of each of the data collection methods appears below.

### **1.2.1 File and Document Review**

A review of reports, program documentation, databases, and select files provided the essential understanding of the VCI and the PCVI. These included background and contextual information

on the VCI; information on the Victims Fund; an overview of PCVI activities, partnerships, and linkages; and a review of communication, education, and research materials.

The materials reviewed as part of this component of the evaluation included:

- Victims Fund files and database;
- documents outlining the responsibilities and activities of the Policy Centre staff;
- Policy Centre publications (communications, PLEI media releases, reports and articles, web sites);
- meeting minutes and records of decisions;
- relevant Research and Statistics Division and Programs Branch files and documents;
- Standing Committee reports;
- information requests from the e-mail box (VOC/VAC);
- completed evaluation work on the VCI;
- briefing notes and Question Period notes;
- victims of crime research conducted/planned within the Department of Justice (DOJ);
- information from jurisdictions on services and activities collected by the Policy Centre;
- VCI Mid-Mandate Report on Activities;
- Northern Region Crown and Victim Witness Assistants Meeting Proceedings, June 2002; and,
- other documents identified by the Policy Centre staff.

### **1.2.2 Key Informant Interviews**

Staff and key informant interviews formed the core of the evaluation. Thirty-four key informants participated in interviews between May and July 2002 and reflect the following stakeholder groups:

- PCVI personnel (8);
- provincial and territorial representatives, including directors of victim services and representatives of provincial/territorial justice departments (16);
- representatives from other DOJ branches and sections including the Aboriginal Justice Directorate, the Office of the Northern Region, and Youth Justice (6); and,
- representatives from other federal departments including the National Parole Board (NPB), the Royal Canadian Mounted Police (RCMP), and the Solicitor General of Canada (4).



### **1.2.3 Survey of Applicants**

A survey was distributed to 105 Victims Fund applicants (64 who had received funding from the Victims Fund and 41 who had not). These applicants represent departments and NGOs working with or on behalf of victims of crime. A total of 53 completed surveys were returned.

The evaluation also included a survey of victims and victims' families who had received emergency financial assistance from the Victims Fund. To ensure the confidentiality of this group, the Department of Justice mailed the survey package to 12 individuals. Victims and victims' families returned five completed surveys.

### **1.3 Organization of the Report**

The final report contains four sections including the present introduction (Section 1). Section 2 describes the VCI, including the background and policy context, objectives of the VCI and the Victims Fund, the mandate of the PCVI, and the process for reviewing project proposals. Section 3 presents the results of the interviews and surveys, and addresses the evaluation issues and questions. Section 4 provides conclusions.

## 2. DESCRIPTION OF THE VCI

This section presents the background and policy context for the VCI, describes the Initiative including its objectives and the objectives of the Victims Fund, and explains the operation of the Victims Fund.

### 2.1 Background and Policy Context

In the early 1970s, federal and provincial/territorial governments became involved in program development and legislative amendments in an attempt to address victims' issues and concerns. The federal government shares jurisdiction over criminal matters with provinces and territories, and as such, both levels of government have collaborated in developing strategies for victims of crime. The provinces and territories are responsible for providing direct services to victims while the federal government is responsible for legislative amendments to the *Criminal Code*.<sup>1</sup>

In 1973, the two levels of government entered into cost-sharing agreements on criminal injuries compensation programs where the federal government promoted minimum standards for compensation and encouraged provinces and territories to implement improvements to victim services. Furthermore, the federal government became involved in legislative reform and activities directed to victims issues throughout the 1980s. Examples include a Federal-Provincial Task Force on Justice for Victims of Crime, the establishment of a Victim Assistance Fund to promote the development of victim services in provinces and territories, and co-sponsoring and adopting the United Nations Declaration of Basic Principles of Justice for Victims of Crime, which resulted in a Canadian statement of basic principles.

As a result of fiscal restraint, federal support for the criminal injuries compensation schemes ended in 1992. With the cessation of federal funding, and facing their own fiscal restraints, some

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<sup>1</sup> Fourteenth Report of the Standing Committee on Justice and Human Rights. *Victims' Rights – A Voice, not a Veto*, Shaughnessy Cohen, M.P., Chair, October 1998.

provinces and territories cut back criminal injuries programs, while others terminated these programs altogether. Still other provinces reacted by introducing a victim surcharge on provincial offences or even by diverting provincial funds to expand victim services.

During this period, a prominent and vocal victims advocate movement emerged, partly in response to media accounts of high profile murders and sexual assaults. These groups highlighted the plight of victims in dealing with police, Crown, courts, and correctional services and emphasized the need for a criminal justice system that responded to the needs of victims of crime. They demanded more respect and a greater role for victims in the criminal justice system.

The federal government responded to this rising concern by proposing amendments to the *Criminal Code* that would consider victims' interests and concerns. It also called for studies to examine victims' issues. As a result, the House of Commons Standing Committee on Justice and Human Rights launched a comprehensive review of the role of victims of crime in the criminal justice system. The subsequent report, *Victims' Rights – A Voice, Not a Veto*, made many recommendations for change.

Several provincial and territorial initiatives have taken place simultaneously. All provinces and territories have implemented legislation, programs, and policies reflecting the philosophy of the Canadian Statement of Basic Principles of Justice for Victims of Crime. Most jurisdictions have established victim compensation schemes for damages incurred to victims as a result of their victimization and have established a number of victim services programs (police-based, court-based, community-based, and system-based). Many jurisdictions have also developed specialized victim services programs to address the specific needs of women, children, minority groups, etc.<sup>2</sup> Appendix B provides an historical overview of key events including the 1998 Report of the Standing Committee, the 1999 amendments to the *Criminal Code* (Bill C-79), and amendments to the *Corrections and Conditional Release Act* (CCRA).

### **2.1.1 Recommendations of the Standing Committee**

The 1998 Report of the Standing Committee not only highlighted the significance of the progress made in the area of victims of crime but also emphasized the need for continued effort and support of new and innovative initiatives. The report advances several recommendations regarding the role of victims in the criminal justice system including:

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<sup>2</sup> Ibid.

- that the Minister of Justice initiate a victims of crime strategy that recognizes the role of other levels of government in victims' issues and that uses the federal government's "*complementary role to facilitate co-operation and co-ordination among all participants*" in the criminal justice system<sup>3</sup>;
- that the *Criminal Code* be amended to further protect victims of crime and facilitate their involvement in the criminal justice system; and
- that the CCRA be amended to better serve victims and their families.

Although the CCRA is the responsibility of the Solicitor General of Canada, the PCVI (funded by the DOJ) is involved with initiatives to consult on the implementation of the recommendations to support victims of crime.

The federal government's response to the Report of the Standing Committee in December 1998 indicates its support for the recommendations and highlights the importance for the "*continuation and enhancement of consultation*" with the provinces and territories.<sup>4</sup> The government's response states that the Standing Committee's report has clarified the misperception that victims of crime are making unreasonable demands on the criminal justice system and demonstrated that legislated "rights" are not the only solution to addressing victims' concerns. Furthermore, this report was identified as the starting point for "*a federal plan of action and strategy to improve the situation of the victim,*" which is a key component of the "*broader goal to increase the confidence of the people of Canada in our criminal justice system.*"<sup>5</sup>

### **2.1.2 Amendments to the *Criminal Code* (Bill C-79)**

Another key development was the amendments to the *Criminal Code* (Bill C-79) in 1999. Parliament introduced this bill to "*enhance the safety, security and privacy of victims of crime in the criminal justice system.*"<sup>6</sup> The amendments highlighted the need to establish a balance between the rights of victims and witnesses and those of the accused, as well as the importance that the criminal justice system treats victims and witnesses with "*courtesy, security and*

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<sup>3</sup> Ibid.

<sup>4</sup> Government of Canada. "Response to the Fourteenth Report of the Standing Committee on Justice and Human Rights, *Victims' Rights – A Voice, not a Veto,*" December 1998.

<sup>5</sup> Ibid.

<sup>6</sup> DOJ. "Summary of Progress on Federal Initiatives for Crime Victims." Web site: <http://canada.justice.gc.ca/en/news>.

*privacy.*<sup>7</sup> Appendix C summarizes the changes to the *Criminal Code* with respect to victim impact statements, victim surcharge, publication bans, and facilitating testimony.

In addition, Bill C-79 prompted changes to provisions regarding bail decisions. The Standing Committee, along with victim advocates and service providers, stressed the importance of considering victims' safety in decisions relating to the release of a suspect or an accused person pending the first appearance in court. The amendments to the *Criminal Code* stipulate that a judicial officer responsible for a case – police officer, justice of the peace, or judge – must consider the safety of the victim in making a decision about bail. In the event that an offender is granted judicial interim release, the judge must consider including any condition of bail that is necessary to ensure the safety and security of the victim, including that the offender have no direct or indirect contact with the victim.

Further, the Report of the Standing Committee, as well as consultations with victims and victim advocates, concluded that victims receive insufficient information about the criminal justice system in general as well as the cases in which they are involved. For example, where an offender is convicted of murder and is sentenced to life imprisonment, Bill C-79 requires that judges inform victims' survivors when the offender is eligible to apply for early parole.

### **2.1.3 Amendments to the CCRA**

The final important legislative initiative in the evolution of the federal response to victims' needs emerged from a statutory review of the CCRA in 1999-2000 by a special subcommittee of the Standing Committee on Justice and Human Rights. Their May 2000 report, "A work in progress: The *Corrections and Conditional Release Act*," recommended changes that included:

- increasing the amount of information provided to victims of crime by the Correctional Service of Canada (CSC) and the NPB;
- giving victims the opportunity to prepare and read an impact statement at parole hearings; and,
- making it possible for victims to listen to a taped recording of the parole hearing.

The report also stressed the importance of the CSC's continuing efforts to prevent unwanted communications to victims from offenders in federal institutions, and the establishment of a

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<sup>7</sup> DOJ. "Proclamation of the *Act to Amend the Criminal Code (victims of crime)*." Web site: <http://canada.justice.gc.ca/en/news>.

national office to provide information to victims and to handle complaints regarding CSC and NPB victim-related activities.<sup>8</sup>

The government supported the recommendations in principle and promised to consult with victims and victim services providers on options to implement them. The Solicitor General, in partnership with the PCVI, hosted consultations in seven cities in March 2001. The consultations focused on three main themes: information needs of victims, Parole Board recommendations, and a proposed national office for victims.

Four general messages emerged from these consultations:

- Victims believe that there is an imbalance between their rights and the rights of offenders. On a number of occasions, victims stated that they feel “*discounted, and treated unfairly by the justice system.*”<sup>9</sup>
- Victims and their families want to be involved in decisions about the offender who harmed them. Victims want their perspective to be heard and respected and to have an impact. Some victims wish to be represented at every step of the criminal justice process and indicate a need for support from advocacy groups.
- Victims want to be treated with respect through all stages of the criminal justice process and by all criminal justice professionals (police officers, CSC or NPB staff, Crown, etc.). Many suggested training for criminal justice professionals on how to treat victims and their families.
- Victims are afraid for themselves and for their families. They fear being contacted by the offender, and they fear reprisals by the offender.

The Solicitor General of Canada has acted on the Subcommittee’s recommendations and the views of those who participated in the consultations. It announced that effective July 2001, victims of crime are entitled to present prepared impact statements at Parole Board hearings. Additional policy and legislative changes remain under review.

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<sup>8</sup> Subcommittee on Corrections and Conditional Release Act of the Standing Committee on Justice and Human Rights. “A Work in Progress: The *Corrections and Conditional Release Act*” May 2000.

<sup>9</sup> Solicitor General of Canada. “National Consultation with Victims of Crime: Highlights and Key Messages.” July 2001.

## **2.2 Overview of the VCI**

The federal Victims of Crime Initiative was launched in March 2000 with \$25M in funding spread over five years. In essence, the VCI set up the Policy Centre for Victim Issues, which includes funding to support policy development, consultation, research, coordination, and communication activities. The VCI also established a Victims Fund (approximately \$10 million or \$2 million for each of 5 years) that provides grants and contributions to provincial and territorial governments and non-governmental organizations to develop, promote and enhance services and assistance for victims.

The overall goal of the VCI is to increase the confidence of victims of crime in the criminal justice system. The main objectives are:

- ensuring that victims of crime and their families are aware of their role in the criminal justice system and services and assistance available to support them;
- enhancing the Department of Justice's capacity to develop policy, legislation and other initiatives which take into consideration the perspective of victims;
- increasing the awareness of criminal justice system personnel, allied professionals and the public about the needs of victims of crime, legislative provisions designed to protect them, and services available to support them;
- developing and disseminating information about effective approaches both within Canada and internationally to respond to the needs of victims of crime; and
- by supporting provinces and territories that work with victims, the Initiative will also enhance the role of victims within the criminal justice system.<sup>10</sup>

By supporting provinces' and territories' work with victims, the VCI will also enhance the role of victims in the criminal justice system.

### **2.2.1 Mandate of the PCVI**

In establishing the Policy Centre for Victim Issues, the federal government recognized the constitutional division of powers regarding the criminal justice system in Canada (refer to Table 1 on the following page). The intent is to work together with provinces and territories to bring about improvements that benefit victims. There was some concern at the provincial and

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<sup>10</sup> <http://canada.justice.gc.ca/en/ps/pb/fsvictims.html>

territorial level that the Policy Centre should not duplicate efforts and become implicated in service delivery. In addition, they were wary of creating a large bureaucracy that might divert funding away from services and programs. These concerns shaped the development of the Policy Centre, which is intended to provide leadership and to help facilitate provincial and territorial actions.

<b>Jurisdiction</b>	<b>Main Responsibilities</b>
Federal Government <sup>11</sup>	<ul style="list-style-type: none"> <li>• Enacting criminal law (<i>Criminal Code, Young Offenders Act, Corrections and Conditional Release Act</i>)</li> <li>• Correctional Services Canada and National Parole Board provide information and limited role for victims through <i>Corrections and Conditional Release Act</i></li> <li>• Research and encouraging program development through project funding and public information</li> <li>• Law reform and policy development</li> <li>• Evaluation and monitoring of national programs and <i>Criminal Code</i> amendments (e.g., Bill C-79)</li> <li>• Crown prosecution in territories</li> </ul>
Provinces and Territories	<ul style="list-style-type: none"> <li>• Enforcing the law, prosecuting offences, and administering justice</li> <li>• Delivery of victim services</li> <li>• Victim legislation (may include principles, administration of Victims Fund, criminal injuries compensation, surcharge on provincial offences, service standards)</li> <li>• Evaluation and monitoring of jurisdictions' programs, services, and delivery models</li> <li>• Research</li> </ul>

Responsibilities of the PCVI include:

- increasing confidence of victims of crime in the criminal justice system;
- coordinating, managing, and developing all federal victim initiatives;
- encouraging the development and support of a Federal/Provincial/Territorial (FPT) “strategy” on victims' issues; and,
- ensuring that the perspectives of representatives of all components of the criminal justice system are reflected in victim-related policies and programs.

<sup>11</sup> Note: The Policy Centre for Victim Issues also funds the delivery of services in the three Territories. We have included this responsibility under the jurisdiction of provinces and territories.



## 2.2.2 Objectives of the Victims Fund

The Victims Fund is a primary mechanism that supports the VCI. The Fund provides grants and contributions to provincial and territorial governments and NGOs to develop, promote, and enhance services and assistance for victims. It does not provide ongoing (core) funding for projects. The Fund has four components, each with its own objectives:

- *Provincial and territorial implementation* – assists provinces and territories to implement legislation for victims of crime, in particular the provisions of the *Criminal Code* (e.g., victim impact statements, consideration of victim safety at bail, publication bans, restitution), through the development/enhancement of police, court, Crown, or system-based victims assistance programs;
- *Innovative pilot projects and activities* – assists government and NGOs to promote the development of new approaches to meet victims’ needs. It encourages the establishment of service provider networks, responds to emerging issues in victimization, and provides support to victims engaged in restorative justice or alternative measures. This component pursues its objectives with innovative projects; public education initiatives; enhanced assistance to victims of crime; increased awareness of and access to services and assistance; and the establishment of referral networks, training initiatives, and other initiatives;
- *Northern and rural projects and activities* – assists government and NGOs to contribute to the development and expansion of victim services and assistance to increase access to such services in northern and rural communities; and
- *Financial assistance component*<sup>12</sup> – provides limited financial assistance to individual victims of crime or surviving family members faced with unusual or extreme hardship due to criminal victimization where no other adequate source of financial assistance is available. In addition, it provides financial assistance to surviving family members of homicide victims to attend early parole eligibility hearings (s. 745.6) including travel, accommodation, and meal allowances in accordance with prevailing Treasury Board guidelines.

## 2.3 Victims Fund: Review of Project Proposals

Provincial and territorial government departments, victim services, and NGOs may apply to the first three components of the Victims Fund. The three stages of the proposal review are:

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<sup>12</sup> This is the only component of the Fund that provides direct support to victims of crime.

1. *Preliminary review stage:* Proposals and budgets are reviewed to ensure that all required information is present. If adjustments or additions need to be made, or if reviewers have questions, the proposal is returned to the organization for revision;
2. *Examination stage:* Policy Centre staff, staff located within other initiatives in the DOJ (e.g., Family, Children and Youth), and provincial/territorial departments responsible for victim services review the proposal. Stakeholders involved in other DOJ initiatives may provide feedback on the applications for funding, and provincial/territorial victim services review the compatibility of projects with the jurisdiction's mandate. During this process, proposals are often evaluated against other similar types of projects. In addition, the proposed budget and funding mechanisms are scrutinized (e.g., the amount of funding requested, the history and risk associated with an organization, etc.). If a project is innovative and fits the funding requirements, but the proposal needs further work or the project needs refinement, the PCVI will assist the organization in adjusting the proposal or project. Since few projects are completely funded by the Victims Fund, staff usually request that projects find other sources of funding by forming partnerships or establishing linkages with other organizations or departments; and
3. *Funding decision:* If a proposal is rejected, a letter is sent to the organization explaining the reason for the rejection. If a proposal is accepted, the organization will receive either a grant or a contribution. A grant will request that the organization sign a letter of offer before the grant is sent. If a contribution is granted, an agreement with specific conditions is executed, and organizations are asked to submit mid-term reports, project progress reports, project summaries, and a final report. The reports are to contain information about partnerships, objectives, activities, communications, etc. Policy Centre staff follow up with funded projects to make certain that the projects are progressing as planned.

## **2.4 Summary**

The federal government responded to increasing victims advocacy with legislative changes and the creation of the VCI. The PCVI administers the Initiative, a key element of which is the Victims Fund. The main issue for this implementation evaluation is the effectiveness of the design and delivery of the VCI by the PCVI.



### **3. EVALUATION FINDINGS**

This section presents findings from the interviews, surveys, and file and document review, where relevant. It is organized according to the issues and questions in the evaluation framework (see Appendix A).

#### **3.1 Status of Activities Implemented to Date**

The PCVI engages in a number of activities that speak to its broad and multi-faceted mandate and objectives.

The evaluation framework identifies five main activity areas that are discussed in the remainder of this section:

- research and policy development;
- communication and public legal education;
- support to provinces and territories;
- support to victim organizations and the victims they serve; and,
- coordination and integration.

##### **3.1.1 Research and Policy Development**

A cornerstone of the PCVI mandate is to produce relevant, timely, and meaningful research that documents what victims of crime need, how their situation can be improved, and advances a victim agenda in all relevant agencies and departments at both the federal and provincial/territorial level. To facilitate this, a five-year research plan has been developed. This workplan covers areas such as *Criminal Code* amendments, victim related criminal justice

research (e.g. restorative justice, best practices in service delivery, special needs) as well as case law research.<sup>13</sup>

Key activities for the PCVI in the area of research and development include:

- advising the Minister of Justice on emerging issues (e.g., preparing briefing notes);
- reviewing related legislation and ensuring it includes a victims of crime perspective (e.g., *Corrections and Conditional Release Act*);
- responding to Ministerial requests, preparing questions, and answering documentation on an as needed basis;
- providing legal analysis and advice within government;
- undertaking legal research and reviewing case law;
- analyzing proposals for general *Criminal Code* amendments, and those specifically related to victims of crime;
- forecasting and environmental scanning;
- preparing a research plan to support the Centre's efforts;
- collecting data, developing and implementing research initiatives;
- evaluating existing programs and assessing their adaptability to other areas;
- providing statistical services and analysis;
- assessing victim needs and undertaking polling research;
- monitoring implementation of victim-related *Criminal Code* amendments (e.g., Bill C-79);
- monitoring international trends and legislation;
- Providing support to litigators on interpretation and possible Charter litigation;
- developing options for implementing legislation, including *Criminal Code* amendments;
- encouraging research to identify the needs of victims and gaps in services and information; and,
- evaluating legislation affecting victims of crime.

The majority of key informants are aware of the PCVI's research and reported that it is disseminated through the PCVI web site, mail outs, fact sheets, conferences, and meetings (FPT and other). Several groups of stakeholders, both internal to the department such as Family Violence and Aboriginal Justice, and external stakeholders, including academics, provincial victim services, criminal justice professionals, and NGOs, request information and research materials from the PCVI. One of the primary benefits of the PCVI's research efforts that was expressed by key informants is that it allows them to become informed and aware of policy

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<sup>13</sup> Source VCI Mid-Mandate Report on Activities

directions, intentions regarding legislation and services related to victims of crime, and concerns and emerging issues across jurisdictions.

Key informants believe the Policy Centre's work to be appropriately focused to guide policy and legislation decisions and to present the perspectives of victims. The variety and breadth of research that has been completed or is currently underway is presented in Appendix D.

### 3.1.2 Communications and Public Legal Education

One of the key objectives of the PCVI is to ensure that victims, their families, and criminal justice professionals know about the services available to victims of crime. The PCVI is also committed to ensuring that Canadians are aware of the key issues for victims of crime and how that impacts community activities. Over the past two years the PCVI has been active in developing and disseminating information about the victim's role in the criminal justice system through a variety of mediums.<sup>14</sup>

More specifically, the PCVI is involved in the following PLEI and communications-related activities:

- In 2001, the Policy Centre conducted a media scan to determine the level of media coverage the PCVI and the VCI had received. Coverage was limited, and it appears that issues, policy, and legislation related to victims are not high priorities for the media;
- The PCVI is planning to distribute a victim newsletter to FPT representatives; dissemination will eventually be expanded to other stakeholders;
- A new PCVI kiosk was developed for use at conferences and information sessions to display literature and promote the VCI;
- The PCVI has produced a pamphlet entitled *Victims Matter*, which briefly describes some of the provisions within the *Criminal Code* that protect the safety, security, and privacy of victims and ensures that the voices of victims will be heard in criminal proceedings. The PCVI has also published a handbook called *A Victim's Guide to the Criminal Justice System*, which answers many questions victims of crime may have regarding the criminal justice system, including (but not limited to) their role in (and the larger objectives of) the investigation stage, bail, trial, sentencing, appeal and parole. There is also a glossary of terms and contact information included;

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<sup>14</sup> Note that these resources compliment the wealth of material developed, generated and disseminated by the provincial/territorial victim services divisions. Source: VCI Mid-Mandate Report on Activities.

- The PCVI has developed eight fact sheets on topics relevant to victims of crime and within federal jurisdiction. Topics include: Publication Bans, Victim Surcharge, Restitution Orders, Victim Impact Statements, Restorative Justice, Conditional Sentences, Impaired Driving, and the Victims Fund; and
- The PCVI has also developed a web site describing the VCI, the role of the PCVI, and the Victims Fund. The web site provides information on publications, legislation, and news releases, as well as links to other Internet resources. The Policy Centre has set up an e-mail box (VOC/VAC) where individuals can send information requests.

PLEI materials have mainly focused on *Criminal Code* provisions and amendments, the role of the victim in the criminal justice system, the availability of the Victims Fund, and the criminal justice system in general. A few key informants believe that PLEI materials should focus increasingly on the role of victims and their families.

Key informants reported that the PCVI has been effective in disseminating relevant information to stakeholders across the country and has been especially successful in developing high quality materials in a short period of time. They identified the VCI web site, the FPTWG meetings, consultations, and the dissemination of reports as the most effective mediums for information sharing. Mention was made that better use could be made of technology for the distribution of materials to key stakeholders (e.g., e-mail, web sites, fax, etc.) and that more conferences and workshops would increase visibility of the PCVI and the VCI. Both of these suggestions reflect a desire for more of what the PCVI has already been doing.

According to staff and key informants, various stakeholders and groups request information from the PCVI including: DOJ colleagues and other federal departments, provincial/territorial victim services, community groups, the public, victims and their families, and police and other criminal justice professionals. Based on responses to the survey of applicants, Table 2 below shows the extent to which organizations requesting funding from the Victims Fund utilize publication materials from the Policy Centre.

<b>Table 2: Funding applicants who have used information from the PCVI (n=53)</b>		
	<b>Have used information</b>	<b>Have not used information</b>
Information on the Victims Fund	75%	25%
Information on the Victims of Crime Initiative	68%	32%
Information about victims' issues written for the public	57%	43%
Information on new legislation or policy	55%	45%
Information on other funding available for victims' issues	49%	51%
Information on work taking place in other departments or jurisdictions	47%	53%
Information on networking opportunities	43%	57%
Information on the opportunity for coordination or joint ventures	36%	64%

A total of 68% of survey respondents indicated that they have used information from the PCVI on the VCI. Three-quarters of survey respondents used information on *the Victims Fund*, which is not surprising because respondents are funding applicants. As well, just over half used information on “victims' issues written for the public” (57%) and “new legislation or policy” (55%).

More than 50% of the applicants who responded to the survey did not use information on “other funding available for victims' issues,” “work taking place in other departments or jurisdictions,” “networking opportunities,” or “opportunity for coordination or joint ventures.”

As shown in Table 3, the majority of survey respondents *who reported using the information* found it to be *useful* or *very useful*. The information found to be *not at all useful* was “information on networking opportunities,” followed “by information on work taking place in other departments or jurisdictions.”



**Table 3: Usefulness of information from the PCVI**

	Very useful	Useful	Somewhat useful	Not at all useful
Information on the Victims Fund (n=40)	30%	43%	28%	-
Information on the Victims of Crime Initiative (n=36)	28%	53%	17%	3%
Information about victims' issues written for the public (n=30)	23%	53%	20%	3%
Information on new legislation or policy (n=29)	24%	41%	31%	3%
Information on other funding available for victims' issues (n=26)	12%	54%	31%	4%
Information on work taking place in other departments or jurisdictions (n=25)	20%	32%	24%	24%
Information on networking opportunities (n=23)	13%	35%	30%	22%
Information on the opportunity for coordination or joint ventures (n=19)	21%	37%	21%	21%

Note: Totals may not sum to 100% due to rounding.

Over three-quarters of survey respondents (77%) indicated that the PCVI has provided information and material in an appropriate format. When asked about the best ways for them to receive information from the PCVI, 68% of survey respondents said “e-mail,” and 55% said “regular mail.”

### 3.1.3 Support to and from Provinces and Territories

As discussed previously in this report, the mandate of the Policy Centre is to provide support to provinces and territories to help them implement victim-related Criminal Code amendments (e.g. Bill C-79).

Key activities in this area for the PCVI include:

- funding projects through the Victims Fund<sup>15</sup> to facilitate implementation of the *Criminal Code* amendments and the Canadian Statement of Basic Principles of Justice for Victims of Crime;
- facilitating implementation of the amendments by providing information and advice to provinces and territories;
- facilitating action on the Canadian Basic Principles of Justice for Victims of Crime, to which the federal, provincial, and territorial governments are joint signatories;

<sup>15</sup> The Victims Fund is discussed in Section 4.

- undertaking joint projects between FPT governments;
- leading and supporting participation in FPTWGs by the jurisdictions;
- sharing information; and
- identifying and conducting research needed to support the provinces and territories.

The federal government and provincial/territorial governments share the responsibility to respond to the needs and concerns of victims of crime and to articulate the victims' role in the criminal justice system. The implementation of the VCI and the mandate and activities of the PCVI were developed, and operate within, an awareness and respect for the jurisdictional division of powers that guide the federal government's responsibility and the limited role it plays in directly providing assistance to victims of crime in Canada.

Given this, the PCVI works very closely with their provincial and territorial counterparts. Regular meetings are held by the *Federal Provincial Territorial Victims of Crime Working Group (FPTWG)*, a forum that provides input on proposed law reforms, solicits feedback from the jurisdictions on activities undertaken by the PCVI, guides PCVI priorities and facilitates a coordinated approach to delivery of services for victims of crime across Canada. These meetings are an excellent opportunity for information sharing among jurisdictions and key stakeholders; they provide the PCVI with the opportunity to collect information on victim programs, services and related activities within the provinces and territories.

The PCVI plays a secretariat role as it organizes the meetings, develops an agenda (based on the input of the jurisdictions), and provides the resources for the Directors (or their delegates) to attend. This facilitates the participation of all jurisdictions. Meetings have been held in a number of jurisdictions and often take place to coincide with other victim - related events for attendees to participate in.

The Federal-Provincial-Territorial network is essential given the primary role of provinces/territories in delivering front-end victim services and court-based victim services. Thus far, it has been a very active and productive venue, serving a number of purposes. By bringing all the key jurisdictional stakeholders together the FPTWG network:

- provides a forum to share information and expertise;
- allows for joint exploration of initiatives;
- provides a venue to identify and discuss emerging issues;
- is a venue for informal evaluation of programs and legislation;
- provides a forum to identify research needs;

- provides the Department of Justice/PCVI with information on jurisdictional priorities and expectations and experiences with the Victims Fund; and
- strengthens inter-jurisdictional linkages.

In these meetings the PCVI actively engages the expertise of the members and prepares and distributes discussion papers and charts for the members to review, and consult with their provincial colleagues to provide comment.<sup>16</sup> Some key areas that the FPTWG have been asked to provide input on include: proposed legislative amendments, bill C-79 implementation issues, renewal of the Canadian Statement of Basic Principles of Justice for Victims of Crime, research priorities, emerging issues, and the Victims Fund.<sup>17</sup>

### **3.1.4 Support to Victim Organizations and the Victims They Serve**

Augmenting dialogue with victims' groups and advocates is important, since the Policy Centre is to serve as a "victim lens," and to incorporate victims' perspectives into the development of new legislation and policies that affect victims of crime.

Key activities for the Policy Centre in this area include:

- conducting and participating in consultations with non-government organizations;
- providing funding to develop innovative approaches to help victims of crime;
- sharing information;
- encouraging the development of programs and services in northern and rural areas;
- referring victims and victim advocates to the appropriate agencies working with victims of crime;
- funding to NGOs to enhance their capacity; and,
- financial assistance to victims in emergency situations.

As the effectiveness of the Victims Fund was one of five key issues that was examined in this evaluation, a separate section in this report (Section 3.4) presents the findings.

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<sup>16</sup> Many of the same issues are discussed at various meetings and this is an indicator of the complexity and importance of the issues that are being put forward for discussion; these items are key priorities for the PCVI and the FPTWG members. The issues are not often resolved in one short meeting.

<sup>17</sup> Note that the FPTWG on Victims of Crime was established in 1996. Between 1996 and 2000 many meetings were held that played a significant role in the formation of the PCVI.

### 3.1.5 Coordination and Integration

One of the responsibilities of the Policy Centre is to ensure victim perspectives are considered in the development of all criminal law policies, legislation, and initiatives funded by other sectors in the Department of Justice. Also, the Victims of Crime Initiative is intended to ensure links are made with initiatives related to victims that are the responsibility of other departments and agencies (e.g., National Parole Board, Royal Canadian Mounted Police).

Key activities in this area include:

- providing funding to address victims' needs;
- managing a project information and control system to provide information on the status of projects;
- identifying and coordinating project funding from related departmental initiatives (e.g., crime prevention) with the needs of victims of crime;
- consultations with non-government organizations;
- participation in FPTWGs;
- working jointly with the FPTWG on Restorative Justice;
- participation in international and national conferences, and supporting international activities;
- developing an inventory of victim legislation, programs, and services in Canada that is updated annually;
- participation in departmental and interdepartmental working groups;
- providing and obtaining advice on victim issues from other program areas that also deal with victims of crime (e.g., Crime prevention, family violence, Aboriginal justice, youth justice, restorative justice); and,
- establishing a network of experts in the area of victim issues.

Interviews indicate that the Policy Centre encourages and facilitates networking, the development of partnerships, and the inclusion of all principal stakeholders. For example, the PCVI has participated in and continues to be involved in many provincial and national conferences such as the Aboriginal Women's Justice Consultation, the UN Experts Meeting, and National Organization for Victim Assistance (NOVA) conferences. The Policy Centre facilitates and coordinates roundtable discussions, conferences, and workshops in which many stakeholders participate, including the RCMP, provincial and territorial justice departments, the National Crime Prevention Centre (NCPC), the Solicitor General, the NPB, the Canadian Centre for Justice Statistics (CCJS), CSC, directors of provincial victim services, and NGOs.

The PCVI collaborates with other initiatives and other federal departments such as the Family, Children and Youth section on victims' issues related to family violence and children. The Policy Centre also works closely with Youth Justice on the development of the *Youth Criminal Justice Act* (YCJA), reviewing all sections dealing with victims of crime. The Policy Centre liaises and consults with Aboriginal Justice, the NCPC, Northern Region section, and the Sentencing Reform Team and has also been involved in consultations with the FPS.

The extent to which integration and co-ordination of activities occurred is explored in Section 3.3 of this report.

### **3.1.6 Other Activities: Victim Witness Assistants in the North<sup>18</sup>**

While not originally described in the evaluation framework as an activity of the PCVI, several questions were added to the evaluation to examine how the PCVI has supported the introduction of Victim Witness Assistants in the North.

In order to understand the relationship between the PCVI and Victim Witness Assistants (VWAs) in the North, it is important to understand how victim services are delivered in this unique region. In the provinces, *Criminal Code* offences are prosecuted by the provincial Attorney General/Crown, while in the territories, criminal offences are prosecuted by the federal Attorney General/Crown. This division of responsibility affects how services are delivered to victims. Victims of crime in the provinces are supported exclusively through provincial organizations and services, while victims of crime in the North receive assistance from both territorial organizations and services (first response, police-based support) and federal northern VWAs (court-based support). Northern VWAs are employed by the DOJ and work closely with northern Crowns. The PCVI currently funds three VWA positions in the North (one in each territory), and five additional positions are funded through the Federal Prosecution Service (FPS) within the DOJ.

Current/ongoing PCVI activities that support VWAs include:

- working with VWAs and Northern Region Crown to develop a VWA Manual/Deskbook;
- forging linkages with territorial victim services;

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<sup>18</sup> The main source of information for this section is "Northern Region Crown and Victim Witness Assistants Meeting Proceedings," June 2002.

- liaising with the Northern Region to advance/explore a VWA Employee Assistance Program;
- translating of existing PLEI materials into northern dialects and development of new PLEI materials; and
- developing electronic victim services directories and inventories of victim services in the North.

In addition, the PCVI has hosted two multi-day meetings with VWAs and Regional Directors of the DOJ representing all three territories: Nunavut, Yukon, and the Northwest Territories. The most recent meeting, held in early summer of 2002, provided participants with a forum for discussion and an opportunity to share information about:

- the various programs and responsibility centres that affect victims in the North as well as northern victim-related research activities under way;
- *Criminal Code* provisions related to victims and witnesses;
- the development of northern-specific PLEI; and
- key issues for VWAs, such as articulating their role and responsibilities in the criminal justice system, addressing the challenges they face in that role, and identifying their personal and professional needs.

From the document review of the proceedings of the summer 2002 meeting, it is evident that VWAs in the North undertake many activities and have a number of varied duties. As discussed by the VWAs and the Crown present at the meeting, some of the responsibilities of the VWAs include:

- supporting victims/witnesses when they go to court (e.g., court orientation; making the court process as “painless as possible” for victims so as not to re-victimize them; assisting victims in the preparation of victim impact statements; and advocating on behalf of the victim within the criminal justice system);
- acting as a liaison or “go-between” with the Crown and victim (e.g., educating the Crown about the victim's perspectives and needs; advising the victim, in conjunction with Crown, on the decision not to prosecute; understanding the special needs of some victims (e.g., Elders); and interpreting the language, law, and culture); and
- providing advice and feedback to the Crown (e.g., about the victim's ability to endure the often difficult criminal justice process and how it will affect his/her well-being; and feedback to the Crown regarding community sentiment about the outcome of the case).

Clearly, the role of northern VWAs is extremely broad, and one of their main challenges is that they must perform many varied activities with limited resources. The Crown and VWAs identified key challenges that northern VWAs face in carrying out their activities. Some of these include:

- recanting witnesses;
- witnesses with multiple issues;
- isolation;
- going against the community or traditional process, which can impact the VWAs and their families' personal safety;
- physical interventions;
- differences in dialects (language issues);
- covering broad geographic areas of the territories;
- recruitment of VWAs in small communities;
- confusion about the roles and responsibilities of government departments and services in the North;
- lack of specialized training (e.g., suicide prevention) and access to training;
- lack of resources and capacity in the community;
- burnout and little support to resolve it;
- the nature of the work possibly evoking personal experiences;
- stress of delivering “unsatisfactory” news; and
- divided loyalties.

The role of the VWAs and PCVI–VWA-related activities were not fully explored in this evaluation (nor were the challenges that VWAs face on a day-to-day basis).<sup>19</sup> Nevertheless, it is clear from the meeting proceedings and key informant interviews that VWAs undertake a broad range of responsibilities and activities in their work with victims and the Crown. It is also clear that they work in environmental, social, and regional conditions that are very different from those of their southern counterparts – conditions that challenge them in unique ways.

The PCVI contributes very important support to northern VWAs. The Policy Centre provides them with opportunities to come together as a group and network, and to express their views in a safe environment. It also assists them by developing products and tools, such as the manual, translation, and development of PLEI. The document review and key informant interviews both

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<sup>19</sup> This was not initially part of the research, but was included as an area of interest to the DOJ.

identify a need for the PCVI to explore whether these activities are meeting their objectives and whether the Policy Centre could engage in further issues and activities.

### **3.2 Implementation of the VCI and the role of the PCVI**

The evaluation framework contains nine questions that address the issue of effectiveness of implementation and the role of the PCVI in implementing the VCI. As many of these questions are addressed in other sections of this report, the focus here is on the structure of the PCVI and the PCVI as a center of expertise.

#### **3.2.1 Structure of the PCVI**

While some other initiatives in the DOJ are delivered through a team arrangement contained within one unit (e.g., National Crime Prevention Centre), the PCVI works through a quasi-team, co-managed model. The advantage of the team format would be that all needed skills and resources would be located within the Policy Centre, while the quasi-team model relies on internal and external team members. The Policy Centre accesses external staff through service agreements with other units within the DOJ. Therefore, while external staff report to the Director of the Policy Centre, they are employees of other groups. This means that the Policy Centre has a partly “*virtual nature*” in terms of its organizational delivery structure. In effect, the PCVI relies on a core team and personnel from other sections to carry out its work.

Initially, the PCVI consisted of only the Director and the Program Manager. Structural and departmental issues delayed staffing of some of the Policy Centre's positions for over a year. The PCVI is currently composed of the Director, one additional counsel, three policy analysts (two of whom are part-time), and two full-time support staff.<sup>20</sup> The PCVI also maintains service agreements with the Research and Statistics Division for one and a half full-time equivalents (FTEs) and with the Evaluation Division for half of an FTE. As well, the PCVI has a service agreement with the Programs Branch whereby the Program Manager administers the Victims Fund but remains in the Programs Branch and is supported by the administrative structure of that Branch. The PCVI has additional service agreements with the Programs Branch for audits, review of claims and issuance of payments. The Policy Centre also has a full-time position for a Communications Advisor.

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<sup>20</sup> The PCVI also funds three Victim Witness Assistant positions in the North.



Staff and key informants pointed out some advantages of the organizational configuration of the PCVI, such as:

- the promotion of greater knowledge and awareness of other areas within the DOJ for both the PCVI staff and those working through service agreements; and
- the opportunity for PCVI staff to benefit from external expertise and to establish linkages.

However, staff (both internal and external) expressed concern that the “virtual” structure frustrates the work of the Policy Centre. Some of the disadvantages noted include the following:

- It undermines efforts to have a cohesive group working together because the team is dispersed throughout different sites;<sup>21</sup>
- External staff members are often required to manage competing demands and have less time to spend on their PCVI commitments than initially planned or expected. For example, although the Policy Centre has a full-time position for a Communications Advisor, other departmental priorities have pre-empted some of the work on the VCI. Conflicting priorities have also been a problem for research staff; and
- Various external staff working through service agreements may not be familiar with victims’ issues. For example, the PCVI has experienced various changes in research personnel. This diminishes continuity and creates additional work for internal staff members, who are required to familiarize new people with the issues and history of the initiative.

### **3.2.2 The PCVI as a Centre of Expertise**

A goal of the VCI is to establish a centre of expertise on emerging issues and trends in the area of victim issues. As such, one of the lines of questioning in the evaluation explored whether the PCVI is considered to be a centre of expertise on legislation, policies, services, and assistance for victims of crime.

Key informants had varying perceptions of the PCVI as a centre of expertise. Most key informants indicated that they consider the PCVI a centre of expertise on federal legislation and policy development. It was suggested, however, that the Policy Centre does not have demonstrated expertise on provincial services or legislation. Some stated that the PCVI is still in development – that the Policy Centre is relatively new and expertise is an evolutionary process.

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<sup>21</sup> The PCVI has since moved into the DOJ building. Key informants noted that having the PCVI in the same building as the other DOJ staff may increase cohesiveness within the group.

Key informants noted that the PCVI consists of a few staff juggling several competing priorities with high demands. Even so, key informants described the PCVI as successfully becoming a central resource centre dedicated to victims' issues. It was noted, however, that the diversity and amount of information required in becoming a national clearinghouse is significant, and the challenge for the PCVI is to stay up-to-date with information that changes rapidly.

Finally, a few key informants were unclear about the role of the PCVI. Uncertainty extended to a few federal key informants and a few provincial/territorial respondents who wanted reassurance that the PCVI would continue to focus on supporting agencies that provide direct assistance and services to victims and not move beyond its mandate. Although some expressed this concern, there was no indication that the PCVI had ever moved beyond its mandate.

### **3.3 Extent to Which Coordination and Integration of Activities Occurred**

One of the issues that was explored in the key informant interviews, beyond simply looking at the activity of coordination and integration, was to examine the short-term outcomes such as coordinated activities, more information sharing, and improved federal/provincial/territorial relations and cooperation that is expected to result from the PCVI's activities. This section also discusses the Policy Centre's relationship with key stakeholders involved in the criminal justice system.

PCVI staff and key informants identified the main stakeholders involved in victims' issues as criminal justice personnel (i.e., police, Crown, defense counsel, judges, and corrections), other federal departments, other branches/divisions within the DOJ, provincial and territorial governments, NGOs, researchers, victim advocacy groups, victims and families of victims.

Key informants reported that the relationships between the PCVI and the principal stakeholders are positive, open, and inclusive. The majority of key informants could not specifically think of any other stakeholders who should be, but are not, involved in the activities of the PCVI. However, a few key informants pointed out that anyone concerned with victims' issues could benefit from being involved in the work of the Policy Centre. A few key informants mentioned that more local-level service providers could become more involved; in particular, some key informants identified the importance of enhancing communication with and providing training/orientation/protocol packages to criminal justice professionals such as police, judges, and prosecutors.

Key informants perceive the FPTWG as one of the most effective coordination efforts of the PCVI. These meetings represent an opportunity for information sharing among jurisdictions and key stakeholders; they provide the PCVI with the opportunity to collect information on victim programs, services, and related activities within the provinces and territories. Most key informants acknowledged the value of face-to-face meetings, but because of the time commitment required from provincial and territorial representatives, and the cost to the PCVI of bringing everyone together, some suggested increasing the use of technology and cost-effective communication through, for example, teleconferences and e-mail, as alternatives.

Overall, key informants are satisfied with the coordination and integration activities of the Policy Centre. According to key informants, these activities have enabled the PCVI to:

- effectively promote information sharing and increase awareness of the Policy Centre;
- successfully establish communications, networks, and partnerships among key stakeholders; many relationships have been enhanced and some new ones have been created as a result of the PCVI's activities;
- raise the profile of the VCI and the importance of considering victims' perspectives and concerns; and
- identify areas where legislative reform is needed and identify gaps in research.

As well as the many successes highlighted, key informants identified some challenges associated with the coordination and integration of activities and the provision of communications and PLEI materials. These challenges are summarized below:

- The sizeable number and different types of stakeholders make it difficult for the PCVI to identify who to target for coordination activities and at what level; depending on their roles, stakeholders may have very distinct interests. Diverse issues within each jurisdiction can also complicate coordination;
- High turnover, particularly among the NGOs, hampers the ability of staff keep their lists up-to-date;
- A large amount of information is distributed to many stakeholders whose requirements vary. It is difficult to keep track of what different stakeholders need and the best way to deliver materials to them; and
- Disseminating information to Aboriginal peoples in northern and remote regions of the country can be particularly complicated by limited use of the Internet in these areas as well as potential language and literacy limitations.

### 3.4 The Victims Fund

The administration of the Victims Fund is a significant part of the PCVI's role, and as such, the evaluation also examines how the Fund has advanced the mandate of the VCI. This section describes the types of projects and organizations that have received funding, analyses the administration of the Fund based on key informant and survey data, and evaluates the systems in place to support future performance measurement.<sup>22</sup> The review of the financial assistance funding to victims and their families, which is a distinct component of the Victims Fund, appears in Section 3.4.3.

#### 3.4.1 Applications for Funding

The PCVI database contains files for 145 proposals, 84 of which received funding. About half of funded proposals are “grants” (51%), and the other half “contributions” (49%). Looking at the specific amounts of requested funding, unfunded proposals were more likely to request small amounts (less than \$5,000)<sup>23</sup> or very large amounts (over \$100,000). Funded proposals were more likely to request between \$25,000 and \$50,000 from the Victims Fund, as Table 4 shows.

<b>Request category</b>	<b>Funded</b>		<b>Unfunded</b>	
Up to \$5,000	18	21%	22	36%
\$5,000 to \$10,000	6	7%	4	7%
\$10,000 to \$25,000	14	17%	9	15%
\$25,000 to \$50,000	20	24%	5	8%
\$50,000 to \$75,000	9	11%	8	13%
\$75,000 to \$100,000	7	8%	3	5%
Over \$100,000	10	12%	10	16%
Total	84	100%	61	100%
Mean	\$45,300		\$53,900	

Table 5 shows that provincial/territorial governments and non-profit organizations tended to be relatively more successful in receiving funding compared to other organizations.

<sup>22</sup>Note that this section includes findings from the file/database review and the survey of applicants. Throughout the report, statistics are presented as numbers or percentages, as appropriate for clarity and the sample size.

<sup>23</sup> Many of the unfunded proposals requesting small amounts were organizations applying for funding to attend a NOVA conference. These may have been funded by their province or territory.

<b>Table 5: Organizations Submitting Proposals to the Victims Fund</b>				
<b>Organization type</b>	<b>Funded</b>		<b>Unfunded</b>	
Provincial and territorial governments	34	40%	9	15%
Non-profit community organizations <sup>24</sup>	27	32%	37	61%
Non-profit national or provincial organizations	13	15%	9	15%
Regional/Municipal governments	3	4%	-	-
Canadian institutions of education	2	2%	2	3%
Bands and Tribal Councils	1	1%	2	3%
Individuals	1	1%	1	1%
International organizations	1	1%	-	-
Professional organizations	1	1%	-	-
Public Legal Education & Information organizations	1	1%	-	-
Private sector organizations	-	-	1	1%
<b>Total</b>	<b>84</b>	<b>100%</b>	<b>61</b>	<b>100%</b>

Several key informants reported that often the same groups apply for funding. Although this is a general issue for all funding initiatives, this may indicate that the Victims Fund, having been created in 2000, is still not a visible source of funding for many other organizations. The range of groups supported may not as yet reflect the diversity of need among victims.

It is useful to note that when the Victims Fund was set up in August 2000, most of the available funds were directed to provinces and territories under the provincial/territorial component. For fiscal years 2000/2001 and 2001/2002, an amount of \$950,000 was available to support them with the implementation of federal and provincial/territorial legislation for victims of crime, particularly provisions of the *Criminal Code*, through the development or enhancement of police, court, Crown, or system based-victim assistance programs. As of fiscal 2002/2003, additional funding will be available for innovative projects since funding under the provincial/territorial component will fall by \$500,000. This redistribution of funding into the innovative pilot project component may encourage NGOs to submit proposals to the Policy Centre.

Throughout this section, we refer to proposals or projects as either funded or “unfunded.” Although often referred to as “rejected,” references to unfunded files include those that were rejected, transferred, withdrawn, or cancelled. Of the 61 proposals that did not receive funding,

<sup>24</sup> Fund administrators classified the organizations by "type". Victim services, including those that are police-based or RCMP-based, are generally categorized as non-profit community organizations.

40 were rejected, 12 were transferred,<sup>25</sup> seven were withdrawn, and two were cancelled. Please see Table 6 for details on the 40 “rejected” proposals.

<b>Rejected Reason</b>	<b>Number of Files</b>	
Not within departmental/fund priorities	16	25%
Not innovative	5	13%
Not feasible	4	10%
Provincial jurisdiction	4	10%
Requesting core costs/sustaining funding	4	10%
Insufficient funding partners	2	5%
In need of too much developmental work	1	3%
It's a federal department requesting funding	1	3%
Funding not accessed*	3	8%
<b>Total</b>	<b>40</b>	<b>100%</b>

\* In early stages, some provinces did not access funding under the provincial/territorial component of the Victims Fund. While categorized as “rejected” by the PCVI, these projects may more closely resemble projects cancelled, transferred, or withdrawn.

Survey respondents provided more detailed information on applications for funding. Fifty-three surveys of applicants were returned; about half of respondents (25) had submitted one proposal for funding, while 24 respondents reported that they had submitted two or more proposals (4 did not know, or could not recall).

About one-third (18) have had a proposal that was **not** accepted the first time it was submitted. Respondents whose proposal was not accepted reported that they were told:<sup>26</sup>

- the project did not meet the criteria of the Fund (6);
- the project duplicated other work, or a similar proposal had already been received (5);
- there was a shortage of funds (4);
- their proposal needed to include more information (2);
- no support from province/territory (1);
- don't know/No response (1); and
- other reasons (1)

<sup>25</sup> Proposals or projects that are transferred are those that the PCVI staff refer to other programs or initiatives within the DOJ and also, though quite rarely, to other programs or initiatives in other departments. They are transferred because it is considered that their objectives would more adequately be met by other programs or initiatives.

<sup>26</sup> Could provide more than one response.

Program staff work closely with applicants to improve proposals and to communicate funding requirements. In accordance with this finding, most of these 18 survey respondents reported that they were told to provide more information (5), restructure the project and reapply (3), or apply to a different source of funding (4). Five survey respondents provided “other” responses (saying that they were told to work with a partner organization that was funded, told to wait for a future call for proposals, unable to get information on other sources of funding, told project could not be funded because of provincial government funding changes, or told that a negative response is a final decision). However, 4 out of 18<sup>27</sup> reported having received a rejection letter without any further instruction or information.<sup>28</sup>

Policy Centre staff reported that the extent to which proposals meet the terms and conditions of the Victims Fund largely depends on the organizations applying for funding. Larger and more established organizations are generally more knowledgeable about the requirements for funding and more experienced in submitting proposals.

While the number of rejected and transferred proposals (52 out of 145) suggest that many applicants remain unclear about the objectives of the Victims Fund, staff indicated that there are several reasons for this high number. For example, despite project objectives not corresponding with the Fund, some organizations apply to several different initiatives in the hope that their proposal will be accepted by at least one. Staff also refer submissions to other programs or sources of funding as appropriate. If the submission includes a victim component, the PCVI may collaborate with the lead funder. Additionally, as noted above, some requests for funding to attend a NOVA conference were rejected because the applicants' home province or territory could provide the support.

At the same time, however, the survey shows that few applicants have a complete understanding of the Victims Fund and the application process. A majority (74%) reported that they were not fully informed about the Victims Fund.

### **3.4.2 Funding Recipients**

In this section, projects that have received funding from the Victims Fund are described in two ways – using project files for basic descriptive information and using survey responses for more detailed information and feedback on evaluation issues.

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<sup>27</sup> Total responses do not sum to 18 because survey respondents could provide more than one answer.

<sup>28</sup> Staff noted that in some cases, it might not be possible or appropriate to provide additional information.

According to files (n=84), projects were most likely to have received funding for:

- conference/workshop/meeting attendance (30);
- pilot projects (24);
- PLEI (11);
- research projects (8); and
- other diverse projects (11).<sup>29</sup>

Of the projects funded, 29% received less than \$5,000 in funding, and 10 projects received more than \$100,000 in funding with an average award of \$42,900 (and a median of \$25,000). Projects with large amounts of committed funding usually span more than one fiscal year.

PCVI staff indicated that projects need to align with objectives of the VCI as a criterion for funding. Survey respondents who had received funding rated the relevance of each objective of the VCI to their projects, as an indicator of where their project was focused (see Table 7). Most rated more than one objective as relevant or very relevant to their project, with the final objective of enhancing services to Aboriginal victims being rated as applicable to the fewest number of organizations.

<b>Table 7: Please indicate the focus of your projects with respect to these theme areas (n=63)</b>					
	<b>Very relevant</b>	<b>Somewhat relevant</b>	<b>Not very relevant</b>	<b>Not at all relevant</b>	<b>DK/NR</b>
	<b>%</b>	<b>%</b>	<b>%</b>	<b>%</b>	<b>%</b>
Increasing confidence of victims of crime in criminal justice system	67%	16%	3%	-	14%
Developing or enhancing victim services in northern or rural areas	49%	25%	5%	-	21%
Implementing a pilot project or new approach	48%	10%	8%	5%	30%
Implementation of <i>Criminal Code</i> provisions	46%	11%	13%	3%	27%
Implementation of victims legislation	44%	13%	8%	6%	29%
Developing or enhancing services for Aboriginal victims of crime	25%	37%	5%	-	33%

### ***Partnerships***

Survey respondents provided information on project partnerships. The 37 respondents whose projects received funding from the Fund identified 74 organizations as partners (see Table 8).<sup>30</sup>

<sup>29</sup> Projects could report more than one type of activity. Activities were classified by PCVI staff.



<b>Table 8: Who were the main partners involved in your projects? (n-37)</b>		
	<b>Number of partner organizations</b>	<b>%</b>
<b>Government Partners</b>		
Provincial/territorial department of justice	13	38%
Solicitor General/Attorney General	6	14%
Other federal departments/initiatives (e.g., Youth Justice, NCPC)	6	14%
Provincial/federal corrections agencies	2	5%
Department of Justice, Canada	1	3%
Other provincial/territorial government	1	3%
<b>Other Partners</b>		
NGOs	17	46%
Police/RCMP	10	27%
Victim services	3	8%
Aboriginal leaders/organizations/bands	1	3%
Law societies/law organizations	1	3%
Other various departments, organizations, or initiatives	13	35%
<b>Total</b>	<b>74</b>	
Note: Respondents could choose more than one answer. Totals may sum to more than 100%.		
Note: If more than one NGO, police organization, etc. was listed for one project, each was counted as a separate partnership.		

Almost two-thirds of these survey respondents (24 of 37) said that their project had actually been a joint venture with their partners. Of the 74 partners identified in the survey:

- 46 (62%) were involved in planning;
- 37 (50%) were involved in funding;<sup>31</sup>
- 49 (66%) were involved in delivery; and
- 41 (55%) were involved in evaluation.

Some 27 partnerships were with government, including departments of justice, Solicitor/Attorney General, and CSC. In addition, 32 partnerships were formed with NGOs, police and RCMP, victim services, or various other organizations. This reveals that the range of the funded projects extends well beyond the lead proponent, and that more organizations participate in and benefit from the Fund than may be apparent by looking only at the organization applying for funding.

<sup>30</sup> Note that of the 53 survey respondents, 37 had projects funded and 18 had at least one proposal rejected (two were rejected but then went on to receive funding).

<sup>31</sup> While 37 partners contributed funding, some projects may have had several sources of funding and others did not.

### ***Other Sources of Funding***

About 40% (15 of 37) of survey respondents indicated that they had cost-sharing arrangements in place. Five received in-kind support, and 11 received financial support.<sup>32</sup>

Project files recorded more detailed information and contained the actual value of other sources of funding for 16 projects.<sup>33</sup> These 16 projects partnered with a total of 41 other organizations. The value of these partnerships is substantial. Based on the file and database review, funded projects received an average of \$100,000 of total financial or in-kind support from their partners. Each partner contributed an average of \$40,000, which compares with the average award from the Fund of \$42,900.

- Most partners (31 of 41) contributed finances to the projects. In total, they contributed \$1,315,095.
- Ten partners provided in-kind support valued at \$304,919.
- Half (8 of 16) of projects received less than \$25,000 support, while the other half received more than \$25,000 support. Four projects received more than \$100,000 from sources other than the Victims Fund.

Table 9 shows the distribution of these funds. In general, recipients of the Victims Fund demonstrate a good capacity to leverage federal funding in support of victims.

<b>Contributor</b>	<b>Number of files</b>
Private sector, business, non-government agency, foundation or organization	12
P/T - Justice, Solicitor General, Attorney General or equivalent	9
Federal government	7
Fundraising, donation, lottery, sales	5
Academic institution	3
Government or government -funded project	2
Crown corporation	1
Other - no other information	2
(n=16 unique files that received funding from 41 organizations)	

<sup>32</sup> Projects may receive both financial and in-kind support.

<sup>33</sup> This information is provided in the budget during the proposal stage or in the project report if it is complete. Note that the total funding (all sources) provided to these 16 projects varied widely.

## *Sustainability*

As shown in Table 10, survey respondents who had received funding from the Victims Fund emphasized that for their projects to become sustainable, forming long-term partnerships or agreements with other departments or organizations and securing future funding is vital.

	<b>Number of respondents</b>	<b>%</b>
Form long-term partnerships or agreements	11	30%
Secure future funding	26	70%
Other ways	3	8%
DK/NR	10	27%
Total	37	

Note: Respondents could choose more than one answer. Totals may sum to more than 100%.

The above sections on partnerships and other sources of funding demonstrate the extent to which projects have what is necessary to be sustainable. When partnerships are formed, projects receive support throughout the processes of planning, delivery, and evaluation. This type of ongoing support from government and non-government partners contributes to sustainability, and survey respondents reported many of these partnerships. However, project files and survey data provided less evidence of secure future funding. While 37 partners contributed funds to a project, only 15 survey respondents reported formal cost-sharing agreements, and information in project files included just 16 projects with other funding partners.

### **3.4.3 Financial Assistance Component**

This component of the Victims Fund offers emergency financial support for victims and their families. The consultant reviewed 17 financial assistance component files and completed a small survey of victims and victims' families who have received emergency funding.

The review of the financial assistance component files revealed the following:

- **Referrals** to the Fund are most often made by the Crown, victim services or provincial/territorial departments of justice, police or RCMP (including police-based victim services), or community organizations;

- **Requests** are reviewed, taking into consideration the availability of other sources of funding, extreme hardship, or special circumstances (e.g., child custody issues, crimes or victims located in another country, etc.); and
- **Funding** has been provided for transferring a victim's body to another country, for attendance at preliminary inquiries and parole hearings, and for allowing victims to read victim impact statements at sentencing hearings. Funding has also been provided for reimbursing victims or victims' families who had purchased plane tickets to go to a hearing that was later cancelled.

PCVI files indicated that victims frequently request funding to attend trials. Although the Fund was not designed for that purpose, individuals have been funded to attend preliminary inquiries or trials in “exceptional circumstances.”

The PCVI was responsible for reviewing each case and determining which would be appropriate to include in the evaluation. Twelve cases were deemed suitable to receive a survey. Staff carefully selected these cases to reduce the risk of causing further trauma to individuals. The Policy Centre then distributed an introductory letter and a brief survey (six questions) to the 12 financial assistance component recipients. Four completed surveys and one partially completed survey were returned. When interpreting these results, please note that sample sizes are very small.

### *Applying for Funding*

Respondents were asked about the level of difficulty they experienced in applying for and receiving funding from the Victims Fund. They described their experiences as:

- *Very easy or easy* (3). Respondents said that help from a liaison officer and being made aware that they should keep all receipts for (possible) reimbursement make the process easy.
- *Somewhat difficult* (2). One respondent had trouble claiming shared costs (e.g., two or three people sharing a hotel, rental car, etc.). Another had difficulty obtaining funding; even with assistance from victim services, funding was initially denied, and it reportedly took “*much persistence*” to receive partial funding.

Four of five respondents felt that the requirement to submit receipts was reasonable.

### ***Helpfulness of the Funding***

Four respondents said funding was *very helpful*, and one reported that it was *helpful*. However, four of five respondents also indicated that while the funding assisted them, they were still responsible for at least a portion of their total out-of-pocket expenses. All five-survey respondents were satisfied with their experiences with the Victims Fund in general. However, one person also expressed dissatisfaction with the expenses covered by the Fund.

Survey respondents who were satisfied said the Fund was “*very helpful...the peace of mind was so immense*” and “*the Victims of Crime Fund is an excellent organization and should be available for those who really need it.*” At the same time, about half offered specific remarks about how this component of the Fund could be improved.

- Increase awareness of the Fund (at the time of the incident) through victim services staff, police, etc. (1 respondent). Key informants indicated that this specific component of the Victims Fund is not well known among victims and their families. Victims and their families may be in particular need of more information about the existence of the Fund and about the objectives and requirements for the emergency financial assistance component.
- Broaden criteria to allow more victims to be eligible for funding (2 respondents), for example, by covering repatriation expenses or the cost of attending a funeral in another country and by considering the individual special circumstances of each case more carefully to determine eligibility and amount of funding. Some key informants also confirmed the desirability of broadening the scope of this particular component to allow for the funding of an additional number of applicants.

PCVI staff and key informants indicated that they would like funding requirements to be more inclusive. Specifically, they mentioned that the emergency financial assistance component is not broad enough; for example, it does not allow individuals to attend parole hearings. They also identified a need to assess how child violence and family issues fit into the Fund and would like to see a fifth component of the Fund to specifically provide support to Aboriginal/First Nations projects.

#### **3.4.4 Awareness of the Victims Fund**

As described above, at the time of this evaluation, the Victims Fund had received 145 proposals. The PCVI has promoted the Fund through the FPTWG, press releases, the web site, brochures,

fact sheets, grant/funding kits, information sessions, and consultations. Survey respondents confirm that these are the main ways in which they became aware of the Fund. They first heard about the Victims Fund:

- informally, through word of mouth/colleagues/other departments, meetings, or conferences (24);
- from the DOJ, PCVI, or through an FPT group (17); and
- using the Internet or reading other publications (11).<sup>34</sup>

However, a majority of these respondents (39 of 53), even though they had applied for funding, do not feel that they are *very informed* about the Victims Fund. Overall, Policy Centre staff and key informants agreed.

### **3.4.5 Administration of the Victims Fund**

Overall, survey respondents were satisfied with the administration of the Fund. However, as Table 11 shows, few respondents *strongly agreed* that many of the goals in administering the Fund had been met. Specifically, while most respondents agreed that the objectives of the Fund and the requirements to gain funding were clear to them, fewer than four in ten were able to *strongly agree*.

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<sup>34</sup> Three respondents said they became aware of the Fund in other ways, while nine did not know how they first heard of the Fund.

<b>Table 11: Q13. Agreement rating with regards to the process of applying for funding (n=53)</b>					
	<b>Strongly agree</b>	<b>Somewhat agree</b>	<b>Somewhat disagree</b>	<b>Strongly disagree</b>	<b>Not applicable Not sure</b>
<b>Applying for funding</b>					
Objectives of the Victims Fund were clearly outlined	38%	38%	6%	6%	13%
The requirements to gain funding were clearly outlined	30%	40%	13%	6%	11%
<b>Proposal review</b>					
The proposal review process was clear	21%	34%	15%	9%	21%
I am satisfied with the assistance the Policy Centre provided in submitting an application for funding	42%	23%	9%	11%	15%
The proposal review process was fair	28%	23%	8%	9%	32%
The proposal review process was timely	32%	30%	9%	13%	15%
Our project received funds promptly	49%	8%	4%	6%	34%
Note: The results presented in this table combine the responses of those whose proposals were rejected and those whose proposals were accepted.					

While the survey of applicants also indicates general satisfaction with the proposal review process, nearly one-quarter of survey respondents *disagreed* that the proposal review process was clear to them. A majority reported that they were satisfied with the assistance they received from the Policy Centre with their proposal and reported that they believe the proposal review process was both fair and timely. However, approximately one in five reported dissatisfaction in these areas:

- 17% *disagreed* that the proposal review process was fair;
- 20% were *not satisfied* with the assistance they received from the Policy Centre; and
- 22% *disagreed* that the proposal review process was timely.

After the review process, if funding was granted, most respondents said that funds were received promptly. Those respondents who indicated having submitted an application that was not accepted (n=18) were asked to rate their understanding of the reasons for rejection. The majority of survey respondents reported that they *did not understand* why their proposal did not receive funding:

- 11 *disagreed* with the statement: “I have a good understanding of the reasons our proposal was not accepted;”

- 4 *agreed* with the same statement, of which only 1 *strongly agreed*; and
- 3 were *not sure*.<sup>35</sup>

Survey respondents offered the following suggestions for improving administration:

- more funding (10), as well as clearer and broader funding requirements (3);
- more information on the PCVI or the Victims Fund (7) and information on the projects that received funding (2);
- less bureaucracy/paperwork (6) and improved timeliness of funding deadlines/proposal review (3); and
- more assistance from staff and direction to other sources of funding (2).

### 3.4.6 Resources

The resources allocated to the Victims Fund are approximately \$10 million or \$2 million for each of 5 years. Overall, Policy Centre staff believe that the resources allocated to the Victims Fund are sufficient to respond to the current number of proposals submitted. However, some key informants indicated that the needs of the projects cannot be entirely met by the Victims Fund because they exceed the scope and availability of funding; organizations and departments requesting funding have widespread and long-term needs. Most key informants believe that the distribution of resources between the four components of the Fund is appropriate. In fact, a main benefit of the Fund is its flexibility, which also minimizes the potential overlap of complementary components (e.g., northern and rural component and innovative pilot projects and initiatives). With respect to the provincial/territorial implementation component of the Fund, key informants generally agreed that, while it is helpful, the available funding does not meet the increased demands for service.

As seen in Table 12, survey respondents believe that the Victims Fund is an effective way to support work in the areas relevant to victims of crime and to a lesser extent, to fund services for victims. About half of survey respondents said that the level of funding they received was appropriate to achieve the objectives of their projects. However, approximately one in five reported that funding was too low, while about one-third were not sure. Respondents did not feel that receiving funding from the Victims Fund made it any easier to obtain funding from other sources.

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<sup>35</sup> Note that this question applied to a very small number of survey respondents.



	<b>Strongly agree</b>	<b>Somewhat agree</b>	<b>Somewhat disagree</b>	<b>Strongly disagree</b>	<b>Not applicable Not sure</b>
The level of funding provided was appropriate to achieve the objectives of the project	34%	17%	9%	8%	32%
The Victims Fund is an effective way of funding work in areas relevant to victims of crime	45%	26%	11%	4%	13%
The Victims Fund is an effective way of funding services for victims of crime	36%	19%	17%	9%	19%
Interaction with the PCVI Victims Fund helped secure other funding for our project(s)	9%	9%	4%	9%	68%

Although the Victims Fund is not intended to provide core funding, many organizations appear to be turning to the Victims Fund for such funding. According to staff and key informants, this may occur because applicants misunderstand the purpose of the Fund or because they have no other funding support for continuation of a worthwhile project. This is a dilemma, particularly in the North.

### ***Successes and Challenges***

Key informants and staff suggested that it is too soon to assess impact of the Victims Fund on the key expected outcomes. However, some early indications of success can be noted.

### ***Successes***

The Project Control System (PCS) is in place to monitor whether VCI objectives have been met, but no formal project evaluations have yet been completed. According to PCVI staff, an evaluation framework has been developed, and once information from projects is received and results from the evaluations are collected, the impacts of the VCI and any lessons learned will be more easily identified. Nonetheless, key informants and survey respondents could speak of successes and challenges with respect to the administration of the Fund, as well as its requirements and resource allocations.

Many organizations have submitted proposals and have been awarded funding through the Victims Fund. Larger organizations and departments have a good understanding of the terms

and conditions for funding, as well as of the objectives of the Victims Fund and the VCI. Awareness has mostly been generated through networking and communication activities, as well as through interdepartmental or FPT meetings. This attests to the usefulness of these activities. Project files, key informant interviews, and the survey of applicants show that PCVI staff are diligent in ensuring that the funded projects meet the requirements and guidelines of the Victims Fund and fulfill the mandate of the VCI. Furthermore, PCVI staff reported that they work closely with the organizations to improve their proposals or refine the projects.

Funded projects have also developed partnerships, initiated joint ventures, and secured other sources of funding. While limited information on detailed funding arrangements is available (16 project files), these projects show that the leveraged funds are sizeable, with almost one dollar of leveraged funding arising for each dollar granted from the Victims Fund. In addition to funding, partners are reported to be involved in planning, delivery, and evaluation of projects.

Key informants indicated that another important success of the Victims Fund is flexibility in reallocating resources among the various components of the Fund. Key informants believe this flexibility is needed to meet the requests and needs of organizations. Staff also noted that the emergency financial assistance component has been very effective in being able to respond quickly to urgent needs. Both recipients of emergency financial assistance and applicants to other components of the Fund reported that, in general, they were satisfied with the administration of the Fund. Most also felt that they were fairly well informed about the purpose and process for funding.

The majority of survey respondents (63%) indicated that they agreed or strongly agreed that the Victims Fund is an appropriate way to test new approaches to meet the needs of victims of crime. With respect to the Victims Fund helping to enhance victim services in northern and rural communities, 38% of respondents strongly or somewhat agreed with the statement (see Table 13).

<b>Table 13: Q13: Agreement rating with regards to the Victims Fund</b>					
	<b>Strongly agree</b>	<b>Somewhat agree</b>	<b>Somewhat disagree</b>	<b>Strongly disagree</b>	<b>Not applicable Not sure</b>
The Victims Fund is an appropriate way to test new approaches to meet the needs of victims of crime	40%	23%	11%	6%	21%
The Victims Fund helps enhance victim services in northern and rural communities to meet the needs of Aboriginal victims of crime	25%	13%	2%	8%	53%
Note: Totals may not sum to 100% due to rounding.					

Similarly, key informants from the jurisdictions reported that the PCVI and the VCI have contributed to the development and enhancement of victim services within the criminal justice system. The PCVI has served to enhance victim services by increasing their profile as an important component of the criminal justice system. In addition, the PCVI has succeeded in underscoring the consideration of the victim's perspective within the criminal justice system.

### ***Challenges***

The increased profile of victims in the criminal justice system has met with considerable resistance since victims' issues are new to many professionals within the system. According to key informants, the basic principles of the criminal justice system do not embrace concerns for victims of crime. Key informants believe that this remains a key challenge and that a change in attitude is essential to be able to respond to the needs of victims.

General awareness of the Victims Fund has not been as prominent as some other sources of funding (e.g., Crime Prevention). Moreover, some organizations require more information about the Fund and its processes.

As established in the preceding sections, there is a call for more information on the Victims Fund. Staff and key informants have acknowledged that the PCVI has been able to manage its financial resources, largely because the demand has not been high. Achieving a balance between increasing awareness and demand and limited financial resources will be challenging for the Policy Centre.

Initially the aim was to let the provinces and territories know the Fund existed. Now the challenge is to have a more balanced use of it. Successful applicants have more likely been well established and experienced in preparing funding applications and the same organizations have

tended to apply repeatedly for funds. The challenge is to encourage other groups to ask for money.

Once funding is awarded, it can be difficult to obtain reports from projects. This directly affects the Policy Centre's ability to measure performance. While this challenge is not specific to the Victims Fund, key informants reported that it warrants attention.

### **3.4.7 Data Collection and Performance Measurement**

This section outlines the data collection practices adopted by the PCVI and discusses the extent to which these practices are likely to support future evaluation and performance measurement. Note that performance measurement and data collection practices were not originally identified in the evaluation framework as issues for the implementation evaluation. As a result, they were not discussed in great detail with project staff. In addition, much of the information in this section is applicable across other departmental program areas and as such, does not focus solely on the data collection practices of the PCVI.

In terms of data collection, there is one main source of project data: the project face sheet. It is completed by the DOJ program analyst responsible for managing the project. The first part of the face sheet is completed for all project proposals received and contains information on the project such as: the organization submitting the proposal, information considered in the proposal review process, and the recommendation for funding approval and amount recommended. The second part of the face sheet is completed once information on the completed project has been obtained from the funding recipient and tracks changes to the project objectives, methods, and partners, and presents lessons learned and next steps.

The departmental Project Control System (PCS) contains some of the information found in the face sheets. The PCS is an Access-based database application that was developed in 1993/94 without the involvement of the Department's IM/IT Branch.<sup>36</sup> While quite limited in its capacity to track and report on huge volumes of project information, as of 1997/98, as mentioned above, the PCS can produce face sheets that provide the reader with an "at a glance" summary of the funded project.

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<sup>36</sup> The Flett Consulting Group Inc. (2000). Report on a Review of Selected Annual Grants in Justice Canada's Grants and Contributions Fund. Prepared for I.A.I. Directorate, Programs Branch, Department of Justice Canada.

In the 1998/99 fiscal years, an Information Sharing Working Group was created with the intention of promoting greater awareness and enhancing linkages across departmental funding programs around specific projects. This Working Group has since evolved into the Excellence in Programs (EiP). The EiP was formed in response to an internal audit of grants and contributions programs as well as a number of recent program evaluations that highlighted the need to strengthen linkages between departmental programs. The EiP has been in operation since the fall of 2000 and is comprised of representatives from each of the grants and contributions funding initiatives in the Department as well as representatives from the Electronic Communications, the Intergovernmental and External Relations Division and the Evaluation Division. At the time of this evaluation, the EiP had placed its priorities on: replacing the individualized Project Control Systems with an integrated system that has the capacity to monitor performance in grants and contributions department-wide (a new Grants and Contributions Information Management System or GCIMS); developing department-wide standards for managing grants and contributions programs; and developing the program community by providing training, opportunities to network and by developing ongoing linkages.

The results of previous departmental evaluations indicated that a number of issues had emerged over the past five years in relation to the utilization and effectiveness of some of the mechanisms identified above (i.e. face sheet, PCS etc..). Most commonly noted in previous evaluations, were the perceived limitations of the PCS.<sup>37 38 39 40</sup> Formal reviews of the PCS and feedback gathered through the key informant interviews as part of the current evaluation indicated that the system functions primarily as a project management, rather than an evaluation tool. While the PCS has undergone a number of enhancements over the last several years, the nature of the information available through the PCS (and contained within the face sheets) provides limited, if any, information on project outcomes, results or lessons learned.

Beyond the transition to a new departmental grants and contributions information management system, a review of the existing and emerging monitoring tools and mechanisms clearly indicates that progress has been made, and continues to be made, in the development of more effective performance measurement and ongoing monitoring mechanisms and processes within departmental funding programs, including the Victims Fund.

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<sup>37</sup> *Evaluation of Selected Discretionary Grants and Contributions Funds*. Programme Evaluation Division, Department of Justice Canada, 1994.

<sup>38</sup> *Suggestion for Improvements: Grants and Contributions Fund*. Evaluation Division, Department of Justice Canada, October 1997.

<sup>39</sup> *Discretionary Funding Programs: Coordination within the Department of Justice*. Prepared by the Departmental Working Group on Program Coordination and Information Sharing for the Department of Justice Canada, 2000.

<sup>40</sup> Audit and Management Studies Division (2001). *Grants and Contributions Programs*. Department of Justice Canada.

Victims Fund management and staff are well aware of these challenges and are in the process of making ongoing improvements to existing tools and resources and are participating in the EiP and the renewal/replacement of the PCS to GCIMS.

### **3.5 Assistance to Provinces and Territories in Implementing Criminal Code Amendments**

As mentioned in previous sections of this report, one of the key activities of the PCVI is the provision of support to and from the provinces and territories. A number of activities within the VCI aim to assist provinces and territories with the implementation of the *Criminal Code* amendments. The Policy Centre is involved in the FPTWG on Victims of Crime and arranges numerous meetings, consultations, and workshops involving the jurisdictions. The PCVI also has a research agenda and disseminates results to the provinces and territories. Research initiatives are currently under way, or being planned, to examine victim impact statement services and the impact of other *Criminal Code* provisions. A symposium on victim impact statements is also being planned. These activities will provide valuable information on best ways to facilitate implementation of *Criminal Code* amendments in the provinces and territories.

Key informants from the provinces and territories indicated that information sharing (FPTWG meetings, workshops, conferences, etc.), research, publications, and training for criminal justice professionals have been very helpful and have facilitated the work of the jurisdictions. Consultations have played a particularly important role by providing current information, highlighting research needs, and providing feedback to the jurisdictions on their activities. The PCVI consulted with the provinces and territories regarding the implementation of the *Criminal Code* amendments. While stakeholders considered these useful, various key informants indicated that additional contact with the jurisdictions, particularly before the implementation of new provisions, would be increasingly helpful.

The recent amendments to the *Criminal Code* have resulted in significant increases in caseloads for the provinces and territories. According to key informants, the Victims Fund has assisted in funding projects to enable the jurisdictions to better respond to the increasing demands for victim services. Funded projects have allowed jurisdictions to participate in and conduct consultations and workshops examining victims' issues in greater detail. In addition, provinces and territories have been able to provide training sessions to employees and criminal justice professionals, conduct awareness sessions, and develop print materials, thereby increasing outreach.

Resources from the Victims Fund have allowed certain jurisdictions to increase their use of technology for administrative functions, thereby enabling them to better respond to demands for service. Other jurisdictions have chosen to hire additional staff in order to enhance support for victims and victim impact statement services and to purchase aids for testifying (e.g., screens). According to key informants from the provinces and territories, funded projects have assisted in many ways; however, resources are not substantial enough to make a significant impact on the implementation of the amendments. Jurisdictional needs are ongoing and will not be completely met by the Victims Fund.

### ***Benchmarking***

The jurisdictions indicated that little benchmarking has been done to assess the implementation of *Criminal Code* provisions. Some jurisdictions monitor caseloads and the work that is being conducted. In addition, they report to the PCVI on the activities and progress of the projects that have been funded by the Victims Fund. PCVI staff noted that a benchmarking report of the VCI has been completed and that benchmarking on the awareness of legislation across NGOs and other stakeholder groups is in progress.

### **3.6 Summary**

With an extremely limited staff complement, the PCVI has accomplished a great deal in a short period of time. This has occurred in spite of an organizational structure that restricts efficiency and effectiveness. The Policy Centre's staff is made up of internal and external employees, the latter of which can only offer part-time focus. These external employees must deal with conflicting priorities, causing the Policy Centre to experience delays in accomplishing its work. Ongoing changes in research personnel disrupt the continuity of the work and require internal staff to continually spend time training new external staff.

Key informants consider the Policy Centre to be a locus of expertise on federal legislation and policy development for victims' issues. Though some remain unclear about the role of the PCVI and others would like more information on the Victims Fund, most key informants credit the Policy Centre with disseminating relevant material to stakeholders across the country.

Key informants described the FPTWG as one of the most effective coordination efforts of the PCVI. Awareness of the PCVI and the VCI has mostly been generated through networking and communication activities, as well as through interdepartmental or FPT meetings. According to

those interviewed, the Policy Centre has brought people together, encouraged networking, developed relationships, and facilitated information sharing. It has contributed similar support in the North involving three VWAs funded by the PCVI.

Thus far, the PCVI has been able to manage its financial resources, largely because the demand for funding has been limited. Successful applicants have tended to be well established and experienced in preparing funding applications, and the same organizations have tended to apply repeatedly for funds. Now the challenge is to encourage NGOs and community organizations to request funding.

One of the more successful features of Victims Fund noted by staff and key informants is flexibility in reallocating resources among the various components of the Fund. In addition, the emergency financial assistance component has been very effective in being able to respond quickly to urgent needs. Both recipients of emergency financial assistance and applicants to other components of the Fund reported that, in general, they were satisfied with the administration of the Fund. Most also felt that they were informed about the purpose and process for funding.

Staff noted that they work closely with organizations to improve their proposals or refine the projects. A review of funded projects revealed that they have developed partnerships, initiated joint ventures, and secured other sources of funding. While limited information on detailed funding arrangements is available (16 project files), these projects show that the leveraged funds are sizeable, with almost one dollar of leveraged funding arising for each dollar granted from the Victims Fund. In addition to funding, partners are reported to be involved in planning, delivery, and evaluation of projects. The majority of survey respondents generally agreed that the Victims Fund is an appropriate way to test new approaches to service delivery for victims of crime.

According to key informants, the Victims Fund has assisted in funding projects to enable the jurisdictions to better respond to the increasing demands for victim services; the recent amendments to the *Criminal Code* have resulted in significant increases in caseloads for the provinces and territories. Funded projects have allowed jurisdictions to participate in and conduct consultations and workshops examining victims' issues in greater detail. In addition, provinces and territories have been able to provide training sessions to employees and criminal justice professionals, conduct awareness sessions, and develop print materials, thereby increasing outreach.

Once funding is awarded, it can be difficult to obtain reports from projects. This directly affects the Policy Centre's ability to measure performance. While this challenge is not specific to the



Victims Fund, key informants reported that it warrants attention. However, the Project Control System is in place to monitor whether VCI objectives have been met. Although no formal project evaluations have yet been completed, an evaluation framework has been developed, and once information from projects is received and results from the evaluations are collected, the impacts of the VCI and any lessons learned will be more easily identified.

## 4. CONCLUSIONS

While the PCVI has faced many internal challenges, such as staffing delays and high turnover in certain areas, its list of accomplishments are impressive and external stakeholders appear to be very satisfied with the PCVI's activities and products. In addition, beyond the activity level, the PCVI has achieved many of its short-term outcomes listed in the evaluation framework.

Furthermore, beyond the expected benefits in terms of data collection and performance measurement from the introduction of a new grants and contributions information management system, a review of the existing and emerging monitoring tools and mechanisms clearly indicates that progress has been made, and continues to be made, in the development of more effective performance measurement and ongoing monitoring mechanisms and processes within departmental funding programs, including the Victims Fund. These tools will be prove to be valuable in the summative evaluation of the program which will examine objectives achievement, overall success of the VCI, and continued relevance and cost-effective of the VCI. While it is still too early to comment on the achievement of objectives, some early indications of success are evident.

The PCVI has demonstrated a great deal of success to date in implementing the VCI and administering the Victims Fund. The PCVI has encouraged networking, enhanced a variety of partnerships, and facilitated consultations among stakeholders. It is also becoming known as a clearinghouse for information on victims' issues as it has been a valuable source of information for those involved in policy development or services for victims. As well, its research and publication materials have assisted the jurisdictions in the development of appropriate strategies to address victims' needs and concerns.

The PCVI has increased the recognition and awareness of victims' perspectives and concerns and has generally assisted in gaining prominence for victims issues in the courts. Furthermore, the PCVI has contributed to the acknowledgment of provincial/territorial victim services as a component of the criminal justice system. According to key informants, the leadership within

the PCVI and the dedication of the staff have contributed greatly to raising the profile of victims' perspectives and concerns in the criminal justice system.

**APPENDIX A**  
**EVALUATION FRAMEWORK**



## Evaluation Framework for the Victims of Crime Initiative

Issues	Questions to Examine
Status of activities implemented to date	<ul style="list-style-type: none"> <li>• What activities have been carried out under the Victims of Crime Initiative and with what organizations?</li> <li>• What resources were spent on each of the VCI's activities?</li> <li>• Are there organizations that should be involved and are not? If so, why?</li> <li>• Have there been any challenges to implementing these activities?</li> <li>• How has the PCVI supported the introduction of Victim Witness Assistants in the North? What is working well? Where are improvements needed? What strategies have been developed to respond to these challenges?*</li> </ul>
Effectiveness of implementation and the role of the PCVI	<ul style="list-style-type: none"> <li>• What has been the role of the PCVI in implementing the VCI?</li> <li>• Is PCVI a centre of expertise on legislation, policies, services, and assistance for victims of crime?</li> <li>• To what extent has the PCVI supported public education regarding victims and their role in the criminal justice system?</li> <li>• How effective has the Policy Centre been at communicating its message(s) to key client groups?</li> <li>• To what extent is information sharing occurring, and with which stakeholders?</li> <li>• To what extent has the PCVI facilitated consultation and networking among key stakeholders?</li> <li>• To what extent have research activities supported the needs of stakeholders involved in the criminal justice system?</li> <li>• Is the PCVI's organizational configuration an appropriate and effective structure for implementing the VCI?</li> </ul>
Extent to which coordination and integration of activities occurred	<ul style="list-style-type: none"> <li>• What activities have been coordinated to date? Which stakeholders have been involved in these?</li> <li>• What has been the Policy Centre's relationship with other stakeholders involved in the criminal justice system?</li> <li>• What kind of partnerships and linkages were established with other jurisdictions? With other initiatives in the Department? With other federal departments? With non-governmental organizations (NGOs)?</li> <li>• Has the PCVI been effective at coordinating federal activities related to victims of crime?</li> <li>• Have these coordination activities better enabled the PCVI to promote and carry out its work?</li> </ul>
Effectiveness of Victims Fund in targeting its audience and likelihood of meeting its objectives	<ul style="list-style-type: none"> <li>• How many proposals have been received? To what extent do applications for funding meet the terms and conditions outlined in the guidelines for the Victims Fund?</li> <li>• What is the capacity of organizations submitting proposals? Do they understand the evaluation criteria?</li> <li>• How many proposals were declined or referred to other initiatives?</li> <li>• Has the Victims Fund been administered efficiently? Are there any improvements needed?</li> <li>• Are the processes on fund awards transparent and fair?</li> <li>• To what extent have funded projects supported or enhanced provinces' and territories' implementation of legislation, particularly <i>Criminal Code</i> provisions?</li> <li>• To what extent has the Victims Fund promoted innovative and new approaches to meet the needs of victims of crime?</li> <li>• To what extent has the Victims Fund contributed to the development and enhancement of victim services in the North, rural areas, and Aboriginal communities?</li> <li>• To what extent has the Victims Fund provided emergency assistance to victims of crime with unusual or extreme hardship or for attendance at an early parole hearing?</li> <li>• Is the existence of the Fund sufficiently well known among other orders of government and NGOs?</li> <li>• Are there sufficient resources to support the projects?</li> <li>• To what extent are funded projects sustainable?</li> <li>• To what extent have projects funded through the Victims Fund succeeded in leveraging funding from other sources? How are projects cost-shared in most cases?</li> <li>• How are the four components working together? Is there overlap between the funding programs?*</li> <li>• To what extent have gaps in funding been identified (i.e. where needs have been identified that are considered ineligible for funding under these programs)?*</li> <li>• To what extent are the resources appropriately distributed among the four funds?*</li> <li>• What is the capacity of the performance measurement strategy and associated data collection practices to support the ongoing monitoring and management of the Initiative?*</li> </ul>
Extent to which VCI assists provinces/territories to implement <i>Criminal Code</i> amendments	<ul style="list-style-type: none"> <li>• To what extent have activities conducted under the VCI facilitated provinces' and territories' implementation of <i>Criminal Code</i> provisions?</li> <li>• What has been the role of consultations in facilitating the provinces' and territories' implementation of the <i>Criminal Code</i> provisions?</li> <li>• To what extent has the PCVI been able to benchmark the impacts of the provinces' and territories' implementation of <i>Criminal Code</i> provisions?</li> <li>• Is there an effective flow of information among stakeholders to support the Centre?</li> <li>• To what extent has the Centre assisted the exchange/flow of information?</li> </ul>

\*Added to the evaluation framework



**APPENDIX B**

**HISTORICAL OVERVIEW OF POLICY DEVELOPMENTS RELATING  
TO VICTIMS OF CRIME**





### Historical Overview of Policy Developments Relating to Victims of Crime

Year	Description
1973	In an effort to support victim compensation schemes, the federal government enters into cost-sharing agreements with provincial/territorial governments. Federal support ended in 1992.
1981	Creation of the Federal/Provincial Task Force on Justice for Victims of Crime. The purpose was to examine the role of victims within the criminal justice system.
1983	The Task Force issues its recommendations, which include the provision of information to victims, the development of victim services, the introduction of victim impact statements at sentencing, and the provision of compensation for losses. Bill C-127 Amendments to the <i>Criminal Code</i> with respect to sexual assault and child abduction.
1984	The Solicitor General of Canada establishes a National Victims' Resource Centre for the collection and dissemination of information on victimization research, program development, evaluation, and victim services and programs. This collection is part of the Solicitor General library. In 1988, it is handed over to the DOJ and subsequently transferred to the Access to Justice Network for dissemination through their electronic network.
1985	The United Nations adopt the <i>Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power</i> . As a co-sponsor of the <i>Declaration</i> , Canada attempts to implement this philosophy through the establishment of policies, programs, and legislation.
1987	The Department of Justice establishes a Victim Assistance Fund to promote the development of victim services in provinces and territories. It is ended in 1992.
1988	FPT governments adopt the <i>Statement of Basic Principles of Justice for Victims of Crime</i> to guide all levels of government in the development and implementation of legislation, programs, and policy for victims. Bill C-89 is introduced and provides for amendments to the <i>Criminal Code</i> regarding victim impact statements, victim fine surcharge, and restitution for victims. Bill C-15 amended the <i>Criminal Code</i> further, to address problems encountered by child victims in the courts.
1992	Parliament introduces the <i>Corrections and Conditional Release Act</i> (CCRA), allowing for the provision of information regarding the Correctional Service of Canada (CSC) and the National Parole Board (NPB) to and from victims. The CCRA allows for the attendance of victims as observers at parole hearings. Bill C-49, is introduced and provides for amendments to the <i>Criminal Code</i> with respect to sexual offences.
1993	Amendments to the <i>Criminal Code</i> enhance provisions to facilitate testimony of children
1995	The <i>Young Offenders Act</i> is amended to allow for the consideration of victim impact statements in youth court (Bill C-37).
1996	The <i>Criminal Code</i> is amended, and a number of sentencing provisions are codified (Bill C-41), including the addition of sentencing principles referring to victims, mandatory consideration of victim impact statements, and the replacement of unproclaimed provisions on restitution.
1997	Bill C-46 is introduced and provides for amendments to the <i>Criminal Code</i> restricting the production of records of complainants in sexual offence prosecutions.
1998	The Standing Committee on Justice and Human Rights launches a comprehensive review of victims' role in the criminal justice system. Subsequently, the Standing Committee released the report <i>Victims' Rights – A Voice, Not a Veto</i> . The Government of Canada released its response to the report of the Standing Committee.
1999	Bill C-79 is introduced and comes into effect in December. The amendments intend to enhance the safety of victims and to facilitate their participation in the criminal justice system.



**APPENDIX C**

**SUMMARY OF *CRIMINAL CODE* PROVISIONS AMENDED  
BY BILL C-79**



**Summary of Criminal Code Provisions Amended by Bill C-79**

Provision	Description	Changes as a result of Bill C-79
<p>Sections 722 and 723 – Victim Impact Statements</p>	<p>A victim impact statement is “<i>a written statement prepared by a victim describing the harm and loss he or she suffered because of the crime.</i>” The victim is not obligated to prepare a victim impact statement but does so at his or her discretion. In the event that the victim chooses to prepare such a statement, the judge is required to consider it at the time of sentencing. A victim has the option to read his or her statement out loud at the time of sentencing.</p>	<p>Bill C-79 amended the <i>Criminal Code</i> so that:</p> <p>Victims may now read their impact statement if they wish to do so. A judge must consider the statement regardless of whether or not the victim reads it in court.</p> <p>A judge must inquire, before sentencing, whether the victim has been informed of the opportunity to prepare a victim impact statement.</p> <p>A judge can adjourn in order for the victim to prepare an impact statement or other evidence for the court about the consequences of the crime.</p> <p>In cases where the accused is found “not criminally responsible” by reason of mental disorder, the court or Review Boards are required to consider victim impact statements.</p> <p>Information from the surviving victims may be considered in proceedings pursuant to s. 745.6, where an offender sentenced to life for murder applies for a reduction in the number of years before he/she is eligible to apply for parole.</p>
<p>Section 737 – Victim Surcharge</p>	<p>A victim surcharge is “<i>an additional monetary penalty imposed on offenders at the time of sentencing.</i>” It is imposed on offenders convicted or discharged of a <i>Criminal Code</i> offence or an offence under the <i>Controlled Drugs and Substances Act</i>. The revenue generated by the surcharge is collected by the provincial and territorial governments and used to provide assistance to victims of crime through programs and services.</p>	<p>Prior to Bill C79, the surcharge had to be imposed by the judge and was an amount up to \$35 or up to 15% of the fine ( the amount was set out in regulations) . Following the amendments to the <i>Criminal Code</i>, the surcharge amount was fixed in the Code (i.e. not an amount up to) and the surcharge became automatically added on to the sentence unless waived by the judge due to undue hardship. The judge also has a power to increase the surcharge in appropriate circumstances.</p> <p>Finally, as a result of the amendments, a judge now has the discretionary power to increase the victim surcharge if such action is deemed appropriate in the circumstances and if the judge is satisfied that the offender can pay more.</p>

**Summary of *Criminal Code* Provisions Amended by Bill C-79**

Provision	Description	Changes as a result of Bill C-79
<p>Sections 276.2 and 276.3, section 486, and sections 715.1 and 715.2 –</p> <p>Publication bans and facilitating testimony</p>	<p>While criminal proceedings are generally held in open court, the <i>Criminal Code</i> sets out a number of exceptions in order to protect the privacy of victims.</p> <p><b>Publication bans:</b> judges must issue an order prohibiting publication of the identity of sexual offence victims on application. Where deemed necessary for the proper administration of justice, a judge may order a publication ban, upon application, on the identity of a victim or witness of any offence.</p> <p><b>Facilitating testimony:</b> in sexual offence proceedings, a support person may accompany a witness under the age of 14 years or who has a mental or physical disability. Additionally, a witness of specified offences, including sexual offences, who is under the age of 18 years or who has difficulty communicating can provide testimony from behind a screen or by closed circuit television.</p> <p>A judge may prohibit personal cross-examination, by a self-represented accused, of a witness under the age of 18 years in sexual or personal violence offences. The court may appoint counsel for the cross-examination.</p> <p>In proceedings relating to specified sexual offences, a victim/witness under the age of 18 years at the time of the alleged offence, or a victim/witness who has difficulty communicating, may provide testimony on videotape.</p>	<p>The amendments to the <i>Criminal Code</i> allow any victim or witness with a mental or physical disability to be accompanied by a support person while giving testimony in certain proceedings.</p> <p>Additionally, Bill C-79 extended the protections restricting personal cross-examination by self-represented accused, of witnesses/victims of sexual or violent crime who are under the age of 18 (up from 14).</p> <p>Publication bans may now be ordered for a wider range of victims and witnesses where the victim/witness establishes the need for the restriction and the judge determines it necessary for the proper administration of justice.</p> <p>Where a publication ban is ordered on the identity of a victim of a sexual offence, his or her identity will also be protected with regard to any other offence committed against him or her by the accused.</p>
<p>Source: DOJ and PCVI websites and fact sheets.</p>		

**APPENDIX D**

**PCVI VICTIM-RELATED RESEARCH COMPLETED OR UNDERWAY**





<b>Summary of PCVI Victim-Related Research</b>	
<b>Title</b>	<b>Description</b>
Focus Groups on Victim Impact Statements	Six focus groups comprising victims were organized to probe victims' awareness of victim impact statements and experiences with various issues pertaining to the preparation, presentation, and impact of these statements.
The Role of the Victim in the Criminal Process: A Literature Review	This review examined a decade of literature regarding the role of victims throughout history, victims' rights issues in Canada, the international experience with victims' rights, mediation and restorative approaches in relation to victim satisfaction with the criminal process.
Literature Review on Victims' Views of Restorative Justice	This study reviewed the academic literature on victims' experiences with, expectations and perceptions of restorative justice initiatives.
Feasibility study for a National survey of victim services	The objective of this study was to assess the feasibility of conducting a national survey of victim services.
Court Observation Project	This project, conducted by the Toronto Child Abuse Centre, examined issues related to the treatment of child witnesses. The study results were intended to identify measures facilitating the effective testimony of children.
Needs and Recommendations for Victim Services in Nunavut	The purpose of this project was to develop a comprehensive inventory of current services for crime victims in Nunavut, to identify gaps and challenges, and to make recommendations regarding appropriate victim service. An additional aim was to identify the victim-related needs of Crowns and victim/witness assistants in Nunavut.
Revising the Guidebook for Sexual Assault Victims	The aim of this project is to recommend changes to the existing Guidebook based on feedback received from various sources. The Guidebook describes the criminal justice process to sexual assault victims.
The Role of Victims in the Plea Negotiation Process: A Review of the Literature	This critical review of the literature addresses the nature and extent of involvement of victims in the plea negotiation process. This review includes experiences in foreign jurisdictions and assesses a model for victim involvement adopted in the United States.
Developmental Capabilities of Children—Effect on Child Testimony	This project reviews and assesses the social science and legal literature on the developmental stages of children and their bearing on the child's testimony and credibility.
Nova Scotia Restitution Project	The purpose of this project is to inform the Department of Justice Canada about the use of restitution, in Nova Scotia, as a sentencing option and the improvements required to enhance victim satisfaction. The study recommends strategies to improve the criminal justice system's response to victims with regard to the awarding and enforcement of restitution orders.

<b>Summary of PCVI Victim-Related Research</b>	
<b>Title</b>	<b>Description</b>
Bills C-46 and C-49: Key Informant Study	Through a series of interviews with criminal justice system personnel and third party record keepers, this study explores the impact of legislation that limits the production and disclosure of third party records in sexual assault proceedings, as well as the admissibility of information on the sexual history of sexual assault victims. Especially important is the impact of Bills C-46 and C-49 on the reporting of sexual assaults, on victim co-operation in prosecutions of sexual assault charges, and on the perception that the provisions of the two bills protect the privacy of complainants to the extent possible.
Inventory of Canadian Court-Support Services for Children and Youth	The aim of this project is to produce a comprehensive inventory of court-support services that is to be widely available. This inventory will be especially useful to those providing support to children involved with the criminal justice system.
Privacy Rights of Victims	Through a review of the literature and case law, this project explores the impact of violations of victims' privacy rights and the implications for publication bans and exclusion orders. The experience of other countries in relation to victim privacy issues is also an aspect of this study.
Cognitive processing and coping after traumatic events: Implications on victims of crime	A literature review on how individuals cope with traumatic events and what processed they use to recover from the trauma. This literature review will incorporate clinical experience to form recommendations on how services should be matched to meet the needs of victims of crime. Public-legal information will be created as a result of this work.
A literature review on the needs of victims of crime	An overview of the literature on the needs of victims of crime (domestic violence, sexual assault, and homicide). An emphasis will be placed on the physical, social and psychological needs of women victims throughout the process.
Bills C-46 and C-49: A Caselaw Review	The aim of this study is to assess the impact of Bills C-46 and C-49 on sexual assault victims through a review of the Caselaw, as well as of the academic and professional literature.
Multi-Site Survey of Victims of Crime and Criminal Justice Professionals Across Canada	This study gauges victims' and criminal justice personnel's awareness and views of legislation and services, needs in both urban and rural communities, satisfaction with the criminal justice system, and views regarding sentencing issues and restorative justice.
National Crime Research Project	This study is designed to ascertain the needs and concerns of Aboriginal victims of crime. The Policy Centre contributed in year one to this three-year study funded by SSHRCC. The PCVI contribution is specifically targeted to understanding the needs of Aboriginal victims residing in urban areas.
National survey of victim services	The objective of this study is to conduct a national survey of victim services.
Analysis of General Social Survey (GSS) Data	This analysis will determine the prevalence and correlates of victimization in order to determine levels of victimization in Canada and to identify those at high risk.

<b>Summary of PCVI Victim-Related Research</b>	
<b>Title</b>	<b>Description</b>
Needs and Recommendations for Victim Services in the Yukon and Northwest Territories	The purpose of this project is to develop a comprehensive inventory of current services for crime victims in the Yukon and Northwest Territories, to identify gaps and challenges, and to make recommendations regarding appropriate victim services in these territories. An additional aim was to identify the victim-related needs of Crowns and victim/witness assistants in the Territories.
Conditional Sentencing in the North	This is a descriptive report on the imposition of conditional sentences in the Territories.
Source: VCI Mid Mandate Report on Activities	