



**SUMMATIVE EVALUATION OF THE
VICTIMS OF CRIME INITIATIVE**
Summary, Recommendations and Management Response

July 2004

**Evaluation Division
Policy Integration and Coordination Section**



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1. INTRODUCTION

The federal Victims of Crime Initiative (VCI)¹ was launched in March 2000 with \$25M in funding spread over five years. The VCI is administered by the Department of Justice through the Policy Centre for Victim Issues (PCVI). The Initiative 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 five 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 evaluate the success, relevance and cost-effectiveness of the Victims of Crime Initiative, a summative evaluation was conducted. The focus of the evaluation was on the results of the VCI. This summary report presents the findings from the summative evaluation of the VCI².

1.1 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;

¹ Also referred to in this document as the Initiative.

² For more details on the results of the evaluation and the success of the VCI, please see the complete evaluation document (Evaluation Division, 2004).

- 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; and,
- developing and disseminating information about effective approaches to respond to the needs of victims of crime both within Canada and internationally.

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 to 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 the 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.

2. EVALUATION OBJECTIVES AND ISSUES

The Summative Evaluation responds to the evaluation framework developed at the outset of the VCI and approved by Treasury Board. The purpose of the Summative Evaluation was to examine the continued relevance of the Initiative, how successful it has been at meeting its objectives and key outcomes, as well as the cost-effectiveness and alternatives for delivery of the VCI. The evaluation also assessed how effective the Policy Centre has been at monitoring the impacts of Bill C-79, and how effective it has been at assisting the provinces/territories.

Evaluation questions were grouped into three main categories of issues and reports on:

- continued relevance of the Initiative;
- success of the Initiative (including the effectiveness of Legislative Provisions³); and,
- cost effectiveness and alternative ways to meet Initiative objectives.

The evaluation covers the time period from March 2000 to March 2004. The last year of the VCI mandate, 2004-2005 is not included as the evaluation was conducted in 2003-2004 in order to meet a Treasury Board commitment.

2.1 Methodology

The evaluation methodology consisted of a file and document review, group interviews with PCVI staff, nine case studies (consisting of interviews with project managers who received funding through the Victims Fund, victims, key stakeholders including both governmental and non-governmental organizations), and a two-day focus group with key stakeholders, including

³ While legislative evaluation was not part of the formal evaluation strategy, several questions/issues were of great interest to provinces and territories, and to some degree to non-government organizations regarding Bill C-79 and were therefore included in the evaluation.

PCVI staff, the Federal Provincial Territorial Working Group on Victims of Crime and several other program analysts from Justice Canada.

The evaluation framework guided the methodological approach to ensure that relevant information was obtained for each research question and issue. However, several innovative approaches to the evaluation were employed that were not originally included as part of the evaluation framework (such as the focus group and surveys of key stakeholders during the focus group). These proved to be a valuable source of stakeholder input.

3. EVALUATION FINDINGS

The principal findings from the summative evaluation are summarized below

3.1 Relevance

Relevance focuses on whether or not program or policy instruments continue to address strategic priorities and/or actual needs. Evidence of continued relevance of victims issues and a federal response to those issues can be found in a number of key documents and federal activities.

3.1.1 United Nations' Declaration of Basic Principles of Justice for Victims of Crime

In recognition of the *United Nations' Declaration of Basic Principles of Justice for Victims of Crime*, the Federal and Provincial Ministers Responsible for Criminal Justice agreed, in 1988, on ten principles that should guide Canadian society in promoting access to justice, fair treatment and provision of assistance for victims of crime. In 2003, the Federal and Provincial Ministers Responsible for Criminal Justice renewed the *Canadian Statement of Basic Principles of Justice for Victims of Crime*, and by doing so renewed their commitment to victims of crime. The new *Statement* recognizes that all provinces and territories as well as the federal government share the responsibility and obligation to improve the experience of the victim in the criminal justice system, while working within each jurisdiction's respective mandates.

3.1.2 Report of the Standing Committee on Justice and Human Rights in 1998, Entitled Victim's Rights – A Voice, not a Veto

This report continues to provide the foundation for the relevance of federal involvement in victims issues. Those appearing before this committee in 1998 urged that the criminal justice system be further opened up to accommodate their needs and interests.

“Victims argue that their rights and entitlements can coexist with and complement the long-recognized and Charter-entrenched rights of accused persons and offenders. To summarize, victims ask for a voice in, not a veto over, what happens at each stage of the criminal justice process. They ask for information and notification - about how the criminal justice system functions, about the programs and services available to them, and about the various stages of the case in which they are involved. They argue that they are entitled to be treated with dignity. They urge the provision of adequate financial, human, and other resources to programs intended for victims of crime. They identify as a critical problem the uneven availability of victims' programs and services both between provinces and territories, and within them. In their view, addressing all of these issues will restore the imbalance they see in the criminal justice system. Responding meaningfully to the needs and interests of victims will, they argue, also go a considerable way to restoring confidence in the criminal justice process.”

The report concluded that a strategy which recognizes the role of both the federal and provincial/territorial governments is essential for improvements to the criminal justice system when addressing the needs of victims of crime regarding entitlement to information, services and assistance, and the victims' role in criminal proceedings.

The concerns and issues expressed in this report reflect changes that will take a significant time to implement and much collaboration between the federal government and the provinces and territories.

3.1.3 Throne Speeches

Evidence of the continued relevance of victims' issues is also present in recent Throne Speeches. In the September 2002 Speech from the Throne victim issues were addressed and the government noted that *“parents have the primary responsibility for providing their children with the tools to learn and develop. But Canadians also have a collective responsibility to protect Canada's children from exploitation in all its forms, and from the consequences of family breakdown. The government will therefore reform the Criminal Code to increase the penalties for abuse and neglect, and provide more sensitive treatment for children who take part in justice proceedings as victims or as witnesses.”* Direct mention of victim issues were also in the January 2001 Speech from the Throne where it was said that *“the Government of Canada will continue to work with provinces and territories, communities, and all its partners to implement a*

balanced approach to addressing crime — focusing on prevention as much as punishment, strengthening penalties for serious crime, and considering the needs of victims.”

Victim issues are also key to the commitments made in Throne Speeches as they relate to governmental priorities in the area of safe and healthy neighbourhoods, human rights issues, community justice and Aboriginal justice. In 2002 the Throne Speech stated that the Government “*will work with these communities to build their capacity for economic and social development, and it will expand community-based justice approaches, particularly for youth living on reserves and Aboriginals in the North.*” In January 2001, working with provinces, territories, and communities, the government committed efforts to strengthen the capacity of local communities to deal with conflict, prevent crime, and address drug abuse. Victim issues play a key role in many of these areas and the ‘victims lens’ has been brought to the table when Justice Canada discussions and policy work in these areas are advanced.

3.1.4 Consensus from Evaluation Participants

There was unanimous consensus from all evaluation participants about the continuing need for the VCI and ongoing attention to victim issues. Support for this finding is best described through the words of those who participated in the focus groups:

- *“If a coordinated approach does not come from the federal level, then how will coordination be achieved?. We cannot afford to lose a centre of expertise.”*
- *“The criminal justice system is offender-centered, but this requires that victims’ voices be heard.”*
- *“It takes more than five years to change the system.”*
- *“Victims are not a fad – we don’t need another Montreal disaster to justify this program”*
- *“Victims feel that this is not a static field and there is a need for government leadership.”*
- Sustainability of victims’ issues and support depends on funding: *“We have created expectations in the last four years and there will be bad optics if we do not continue.”*

While all focus group participants felt that the VCI should be a Government of Canada priority and expressed the desire for its continued existence, there was an overwhelming sense that support at political and the highest senior levels of the public service (both federal and in some cases provincial) on victims issues is needed to ensure this area remains a priority for future governments.

Based on federal statements, activities and stakeholder responses, victim issues at the federal level remain a relevant concern. The VCI continues to be instrumental in addressing the needs of victims of crime.

3.2 Success

Part of the evaluation of success focuses on the degree to which program or policy instruments are meeting stated objectives and the overall program goal. This section of the report discusses the findings with respect to the success of the Victims of Crime Initiative in achieving its overall goal, objectives, and outcomes.

Success: Goal and Objectives

The Victims of Crime Initiative is broadly mandated to respond to the needs of victims of crime and increase their confidence in the Canadian criminal justice system. The objectives of the VCI are to:

- ensure victims and their families are aware of their role in the criminal justice system and the services and assistance available to support them;
- enhance the capacity of the DOJ to develop policy, legislation, and other initiatives that take into consideration the perspectives of victims (act as a 'victim's lens');
- increase the awareness of criminal justice personnel, allied professionals, and the public about the needs of victims of crime, legislative provisions designed to protect them, and the services available to support them; and
- develop and disseminate information about effective approaches both within Canada and internationally to respond to the needs of victims of crime (become a centre of expertise)

In the stakeholder focus groups the objective of enhancing the Department of Justice's capacity to develop policy, legislation and other initiatives which take into consideration the perspectives of victims, was considered fully achieved by a majority of evaluation participants. Of the other three objectives, participants concluded that they were partially achieved.

The overall goal was considered by a large majority of respondents (74%) to have been partially achieved.

The high number of partial achievement responses was due to several critical factors:

- Some of the stated objectives, as well as the scope of the VCI's goal was overly broad to participants. Participants found it difficult to directly attribute the changes they view happening as directly achieved by the VCI given the Department of Justice does not provide direct service to victims; this is the responsibility of the provincial/territorial jurisdictions.
- Many of the objectives are long-term in nature and are not achievable in a five-year mandate. The Evaluation Framework had also specified the objectives as being targeted over a 10-year timeframe. It was noted also that any progress on victim issues is successful, as all needs will never be met.

Success: Outcomes

This evaluation also explored the degree to which program or policy instruments are meeting stated key outcomes, and without unwarranted, undesirable outcomes. Main findings regarding success for nine key VCI outcomes are presented below.

I. Increased access to victim services and information for victims of crime

Focus group participants were not able to make a direct link from the Initiative to actual service delivery, which is a provincial responsibility. In addition, data on the level of service (i.e. number of victims) was not collected across jurisdictions at an aggregate level pre-Initiative making it impossible to numerically report whether an increase had in fact occurred. This information was also not available at the time of the evaluation.

However, other sources have provided some evidence that some victims who otherwise might not have been able to access services were able to access services as a result of funding provided by the VCI.

Support to Crown Witness Coordinators (previously known as Victim Witness Assistants) in the three Northern regional offices has increased access to services and information for victims of crime in the three territories. There are eleven Crown Witness Coordinators, and three of them, one per territory, are resourced by the VCI. This enhancement of court-based victim service providers (where the Department of Justice does have responsibility for victim services) has had an impact, although actual numbers are not available, in the northern communities. The VCI also provides training and support for all eleven VWAs. This has increased their capacity to

meet the needs of victims/witnesses and has provided them with the resources they need to carry out their job effectively and respond to their ‘self-care’ and ‘vicarious trauma’ concerns.

In addition, large amounts of project contribution funding, through the Victims Fund, has gone directly to non-governmental organizations, provinces, or territories to staff Victim Support Workers (VSWs) who deliver services directly to victims of crime⁴. Case studies of individual projects provided evidence that victims have improved their level of access to services because services were brought directly to rural communities where services were not previously available.

In addition, through the Victims Fund, special groups/categories of victims have experienced increased access to services, such as seniors, Aboriginals/First Nations, and victims in rural/isolated communities. Actual caseload numbers were not available but could range from 25 to 150 open cases (with one or multiple victims) during a year.

Some stakeholders in First Nations communities reported that First Nations generally have a harder time accessing programs outside of the community because they mistrust services provided off the reserve. In several Victims Fund projects studied, stakeholders reported that access to victim services has increased with an Aboriginal Support Worker (ASW) located on the reserve who speaks the language of those accessing the services.

II. More integrated approach to victims’ policy/service delivery

Evaluation participants agreed that this outcome has been achieved. Prior to the Initiative, individual jurisdictions and governments worked in relative isolation, developing their own policies and programs, without the benefit of a national network.

Participants pointed to the Federal/Provincial/Territorial Working Group on Victims of Crime (FPTWG) as a key source of evidence in how the PCVI has met this evaluation outcome. The PCVI finances, organizes and acts as a secretariat for the FPTWG. The FPTWG has created a forum for sharing information and facilitates integration of victim- related policy and services between provinces, territories, and federal departments involved in the criminal justice system. Evaluation participants agreed that there is a need for ongoing partnerships to recognize, explore and discuss similarities and differences of jurisdictions, an important activity supported through the FPTWG.

⁴ Most provinces and territories have permanent victim services workers and receive project funding from the Victims Fund for additional staff.

This outcome would not have been achieved without the PCVI – provincial and territorial evaluation participants in particular were of a consensus that a central point of contact in the Department of Justice, such as the PCVI, with an ongoing presence at inter-departmental fora has furthered the integration of victims’ policy into the work of criminal justice policymakers and stakeholders. It was suggested that champions at the highest senior levels of the public service would assist in raising the profile of victims’ issues.

Victims Fund case studies also provided support of achievement of an integrated approach to service delivery. Several projects funded through the Victims Fund involved funding for provincial Victim Support Workers (VSW). Police⁵ interviewed as part of the case studies reported that in certain circumstances, victims respond better to communicating with a VSW than with the police. This has assisted in providing a more integrated approach to service delivery since the police can work with the VSW to get the information they need. Other conclusions drawn from the case studies that provide evidence of more integration regarding victim service delivery include:

- The VSW projects have allowed the key players such as Crown and police in the justice system to liaise more frequently with victims.
- There was evidence of the development of many good partnerships (with police, Crown, Province, Justice community) and capacity building opportunities across programs because of individual projects.
- Many project stakeholders spoke about common protocols/policies that have been developed.

III. More effective responses to the needs of victims (long-term outcome)

Case studies provided strong evidence that this outcome has been overwhelmingly achieved. In particular, Crown who were interviewed during the case studies were confident that Victims Fund project funding had enabled those victims who benefited from the involvement of a VSW on their file to receive an effective response to their needs in supporting their emotional needs and helping to reduce their anxiety. Crown report that victims get better service because the Crown and police don’t always have the time to follow-up or explain things to victims. Crown across a number of projects reported that the presence and involvement of VSWs in their cases has enabled victims of crime to better understand the process and how the different players

⁵ In most cases, police interviewees were RCMP officers.

operate, to be more effective witnesses, and to be less intimidated and less fearful of the criminal justice process.

Evidence of effective responses was also demonstrated in case studies of several other Victims Fund pilot projects, in particular, those operating on First Nations reserves. Interviewees reported that prior to the development of these pilot projects, victims often did not find out the outcome of a case; now they have someone who can explain it to them in their own language and act as a translator or voice for the victim to communicate with the Crown. They noted that victims are also better prepared for both favorable and unfavorable outcomes. Interviewees also noted that victims from remote, rural, and First Nations communities now have someone to accompany them to court, provide support, and explain procedures in their own language. It was also reported that many of these projects have increased the likelihood that victims will get in-person service rather than telephone or letter contact.

Similar findings were also reported in the northern communities as a result of the support the VCI provides to the federal Crown Witness Coordinators. Victims who otherwise might not have received information on services and assistance given the lack of capacity in the north, now have an increased opportunity for getting more effective court-based victim services that are offered in their own language as several CWCs speak Inuktitut.

The Victims Fund includes a financial assistance component which provides emergency financial support for victims and their families. While this was not examined in the summative evaluation, the mid-term evaluation of the VCI found that the emergency financial assistance component has been very effective in being able to respond quickly to urgent needs. Comments from those who had accessed the funding included: *“the Fund was very helpful...the peace of mind was so immense”* and *“the Victims of Crime Fund is excellent... and should be available for those who really need it.”*

IV. Increased awareness and knowledge of victim rights

The PCVI has participated in and/or supported a number of conferences to share information to support the generation of new knowledge and the sharing of new ideas. One of the most significant contributions toward increasing awareness that was made by the VCI was the National Victims Conference held in November 2003 entitled, “Moving Forward: Lessons Learned from Victims of Crime”. This conference, the first of its kind ever held in Canada brought together victims of crime, victim service providers, advocates and government representatives. Seventy percent of those that completed an evaluation form said that they were

either completely or somewhat satisfied with the overall conference and eighty-one percent of those that completed evaluation forms reported that the conference met their expectations in terms of knowledge acquired.

Another source of evidence for increases awareness and knowledge of victims rights can be found through the case studies of Victims Fund projects. Many police and Crown interviewed for the case studies reported that victims are better educated about their rights through funding of VSW projects because the police, as first responders, don't have the time to explain all of the details to victims, especially in explaining a victim's right to complete a victim impact statement. This gap in service has been filled by the project-funded VSWs⁶. In addition, VSWs reported that presentations in the community and dialogue with community residents has raised awareness about victim issues and victim rights. Informal recognition and thanks offered to Victim Services demonstrates the appreciation of victims for being made aware of their rights.

V. Innovative approaches to help victims of crime

Focus group participants queried the definition of "innovative" and felt that it was difficult to be innovative i.e. 'new' given the huge resource challenge of simply providing infrastructure and core ('standard') service delivery. In addition to the inability of provinces to commit to sustaining innovative projects given the cost for the basic services, the participants also noted that the ongoing needs of victims of crime – information, counselling, support - don't necessarily lend themselves well to innovativeness. There was a theme through the discussion that core infrastructure needed to be developed before moving to the innovative aspect of projects. Another key issue for provincial/territorial focus group participants with respect to this outcome was sustainability of projects. Many felt that project funding could not be sustained at the provincial/territorial level once federal funding (focused on innovativeness) comes to an end.

Notwithstanding this, identification of innovative approaches to help victims of crime have resulted from Victims Fund project funding. Stakeholders interviewed during the case studies commented frequently that what is not considered innovative to one person could be innovative to someone else. For example, some project funding enabled VSWs to travel to remote communities or in the case of ASWs to live in remote communities. Stakeholders considered these examples as innovative approaches to service delivery since it is not just waiting for clients to come to the project for services, but actually going to the clients to provide the service. It is also an innovative solution to providing services because trying to find a VSW to live in the

⁶ Most provinces and territories have permanent paid and volunteer victim services workers (VSWs). Provinces, territories and non-governmental organizations can access funding for additional victim services workers (VSWs) from the Victims Fund.

community full-time and to work in a highly trauma-ridden community all the time is difficult and often not realistic.

VI. Enhanced capacity among service providers

The cooperative working relationships that have been established as a result of the FPTWG on Victims of Crime provide evidence of enhanced capacity among service providers. The FPTWG is made up of Directors of Victim Services. Through regular meetings and correspondence outside of formal meetings, the FPTWG draws upon the knowledge and experiences of their colleagues from other jurisdictions. This is a forum for information sharing, identification of priority issues at the national level, as well as sharing best practices on issues and concerns in the area of victim service delivery and the implementation of victim-related *Criminal Code* provisions.

Police interviewed during the case studies report that project funding of VSWs has enhanced their capacity as police officers since they are unable to dedicate much time to individual victims. The VSW helps to make the service better and improves the success/likelihood of concluding an occurrence for the RCMP. Further, police and Crown interviewed report that their capacity has been enhanced because they are better able to contact victims/witnesses because of project funded VSWs.

Individuals who work directly with VSWs (i.e. other VSWs funded through their respective provinces) and project managers all reported that funding for additional VSWs has allowed them to redistribute very high caseloads (although caseloads are increasing and the additional resources are not sufficient to keep pace in many provinces) and reduce overtime levels of other VSWs (non-project related/provincially funded VSWs) to more manageable levels. Project funding has also enabled VSWs (project and non-project staff) to conduct outreach and participate in community programs that have a direct relationship to victim services. For example, one VSW reported participating on a homophobia task force in PEI. These are programs that they otherwise would not have been able to liaise with had they not received additional resources.

On the other hand, several project managers interviewed during the Victims Fund case studies reported that their project has not necessarily enhanced the capacity of victims services in their own jurisdiction but (more importantly) has allowed them to sustain services with a focus on providing a certain quality of service. It has taken victim service delivery out of a crisis situation

and brought it back to a more manageable situation and has increased the responsiveness of victim services to respond to victims in a timely manner.

VII. Improved practices to implement Criminal Code provisions

Provincial and territorial focus group participants reported that funding was insufficient to offset the significant increased costs incurred by Victim Service divisions to implement the Code reforms (e.g. notification to victims re victim impact statements). In addition, case studies and file review support the view that a majority of funding that was accessed was not to improve practices but rather to simply sustain already under funded services. It should be recognized that every jurisdiction would have had to implement *Criminal Code* provisions with or without the VCI.

VIII. More consistent service delivery

Victim service delivery models are varied across the country and the FPTWG has made substantial strides in improving the consistency of services in their own region / jurisdiction. One advantage of our federal system is that criminal legislation applies across the country in all provinces and territories thereby providing statutory protections for victims (although limited). The implementation of the provisions, however, permits some degree of flexibility – for example victim impact statements are considered at sentencing but the form and procedure for submitting a VIS and the assistance available to prepare the VIS varies from province to province. Other provisions designed to facilitate testimony can be adapted to meet local practice and resources. However, the case can be made to try to ensure that standards do not differ radically within Canada. On this note, the FPTWG will be exploring whether national level service standards should be developed to fully implement and reflect the Canadian Statement of Basic Principles of Justice for Victims of Crime.

IX. Ability to monitor impacts of Criminal Code provisions

The VCI has been successful in monitoring the impacts of *Criminal Code* provisions intended to benefit victims. While many provincial/territorial focus group participants expressed a need for stronger benchmarking and evaluation of the success of legislative provisions in the *Criminal Code*, it was also recognized that this would be quite a resource-intensive exercise and would require the commitment from all jurisdictions to support a large data collection endeavor.

Through the FPTWG the VCI has been able to effectively monitor that impacts of the Criminal Code provisions intended to benefit victims. The ongoing cooperation of jurisdictions to bring these issues to the FPT forum to discuss the various impacts of the provisions within their own jurisdictional contexts has been an invaluable and timely source of information for the PCVI on how the provisions – old and recent – are operating and what the emerging issues are. Indeed, once raised, possible solutions are the next point of discussion.

The VCI has also advanced research to understand the impacts of the Criminal Code provisions. The *Multi-Site Survey of Victims of Crime and Criminal Justice Professionals Across Canada* (hereinafter Multi-site Study), a comprehensive study undertaken by the VCI between 2001 and 2003, revealed that while all respondent groups who participated in the study (Crown Attorneys, defence counsel, judges, victims, police, victim service providers, victim advocacy groups, correctional personnel) included some comments on the limitations of the impact of the *Criminal Code* provisions, most comments on the provisions revealed positive accomplishments. The two biggest accomplishments are the creation of a more balanced criminal justice system through increased awareness of the concerns and interests of victims and the provision of more formal mechanisms to ensure that the victims have opportunities to participate and have a voice in the system.

3.3 Cost-Effectiveness and Alternatives to Delivery

Alternatives and Cost-effectiveness focus on whether the most efficient means are used to achieve objectives relative to alternative approaches including whether another level of government could assume responsibility for the policy or program instrument.

Focus group participants saw the possibility of VCI no longer existing as a step backward. This alternative would result in a more provincially-focused approach with less information sharing. There would be a lower profile given to victims' issues at the federal level in the development of legislation. As one participant put it: "*We (Victim Service Directors and service providers) would return to becoming a cry in the wilderness. There needs to be a driver to avoid losing the focus.*" Integration and co-ordination would be lost. The following specific comments were made:

- "*There is still a lot of work to do to understand victim needs and issues, which requires resources for evidenced-based decisions and supporting knowledgeable human resources.*"

- *“Expectations have been raised and these would no longer be met with concomitant impacts on current progress with victims and supporting organizations.”*
- *“A permanent “seat at the table” would be lost causing a lowering of federal legitimacy in this area within the academic and government communities.”*
- *“Duplication would occur involving wasted money and poor coordination. A silo mentality would prevail resulting in lost opportunities for the exchange of information.”*

One key concern was raised about a second alternative: VCI continuing, but no PCVI delivery. This alternative would have Justice Canada integrate the victims’ mandate into other portfolios or sections of the Department (e.g. Aboriginal Justice, Youth Justice, Northern Region) with “generic” policy analysts providing some assessment of legal policy issues from a victim’s perspective. A solid and positive working relationship has already been established on victims’ issues between the PCVI, the provincial/territorial Directors of victim services, and other federal departments. Participants indicated that to create legislation that effectively integrates victims’ issues, there is a need to have one central area of expertise that looks at the issues in a focused manner. This proposed alternative would cause confusion and disharmony amongst the provinces/territories and the federal government. Having a victims lens requires expertise and as one participant put it: *“the alternative could do more harm than good.”*

Another alternative discussed was the elimination of the Victims Fund, but the continuance of the VCI and the PCVI. Evaluation focus group respondents concluded that this would not be feasible. They noted that all the efforts and work in this area would be back on the shoulders of the provinces and territories to the extent that they had funding. There would be a variability in the implementation of federal legislation and in program delivery across Canada. Northern and rural communities, as well as smaller provinces would be more significantly affected. Participants stated that: *“Unevenness and unfairness and disparity of access would prevail...Legislation has expanded provincial obligations. The alternative would foster an even poorer financial basis for fulfilling responsibilities for victims’ issues.”*

The area of cost-effectiveness was not examined in significant detail in this evaluation as participants had difficulty comparing the cost-effectiveness of the Initiative with any other options. Focus group participants commented that it costs money and takes time to build relationships with non-governmental organizations and service providers and four years of funding is not sufficient to establish a baseline for measuring cost-effectiveness.

Participants felt that funding for the Initiative was so limited that it was hard not to deem the Initiative cost-effective simply because it had done so much with so little resources. In addition, participants chose to identify areas where cost-effectiveness could be enhanced:

- Some jurisdictions suggested that cost-effectiveness would be enhanced at the provincial level if the PCVI revisited the terms and conditions of the Victims Fund such that funding could move away from pilot projects and more toward enhancing program delivery and core services.
- Participants wanted to see a loosening of application, budget reporting and accountability requirements for project and other funding. While this is not necessarily within the direct control of the VCI or the Department of Justice (government in general is heading toward more stringent accountability reporting), participants felt the issue needed to be brought forward in the evaluation especially when there is no proportionality between the size of a project and the costs of the necessary accountability requirements (i.e. whether a project receives \$5,000 or \$50,000, the same paperwork and reporting requirements must generally be met).

4. CONCLUSIONS

The VCI is highly relevant to its stakeholders and to the government's agenda. All stakeholders who took part in the evaluation felt that the Victims of Crime Initiative should be a Government of Canada priority and expressed the desire for its continued existence. At the same time, there was an overwhelming sense that support at the highest political and senior levels of the public service (both federal and in some cases provincial) on victims' issues is needed.

Given the strong commitment by the FPTWG to the Initiative, the examination of cost-effectiveness and alternatives to the VCI was a contentious issue during the focus group and angered many of the provincial/territorial participants that the federal government would even question other mechanisms of achieving objectives and outcomes. Focus group participants commented that it costs money and takes time to build relationships with non-governmental organizations and service providers and four years of funding is not sufficient to establish a baseline for measuring cost-effectiveness or for developing alternatives. In addition, the success of the Initiative has made it difficult to consider exploring other alternatives, especially when there is still a great deal of victim-related work already accomplished by the Department through the VCI that needs to be built upon.

The VCI has been extremely successful in achieving several of its outcomes and objectives. While some outcomes were not necessarily within the scope or mandate of the VCI alone, the contribution the Initiative has made toward their achievement is well documented. Much of the success of the Initiative is not only attributed to the PCVI but to the commitment, cooperation and participation of all provinces and territories and other federal departments toward victims issues in Canada. The FPTWG on Victims of Crime, project funding for Victim Support Workers, and funding for Crown Witness Co-ordinators in the northern territories are but only three of the many notable key successes of the Initiative. Positive and demonstrable impacts were evident in the policy and legislative instruments used by the VCI (e.g. FPTWG, research and policy activities), as well as through grant and contribution funding which has increased access to services, led to innovative approaches to help victims of crime, created more awareness about the rights of victims, enhanced capacity among service providers, created more integrated

approaches to victims' policy, and provided more effective responses to the needs of victims of crime. While these outcomes were evident on a much smaller scale (at the project level) rather than across the entire Initiative, it is noted that the amount of funding that would be needed to achieve this scale of change at a broader level is much greater than what is available to the VCI.

It should be noted that there are a number of external factors that impact on the ability of the VCI to achieve its key outcomes unrelated to the effort and commitment of those implementing and working with the VCI. These include issues of jurisdiction, lack of clarity around the meaning of some terms used in the evaluation framework, as well as the nature of responding to issues related to victims of crime (e.g. it is often very difficult to meet the needs of victims who have been harmed or traumatized, let alone measure the impact of an intervention such as the VCI).

In conclusion, the current combination of program and policy instruments which make up the VCI (PCVI, Victims Fund, and legislation) appear to be the most effective methods for federal involvement in the area of victims' issues. Provincial/territorial service delivery has been positively enhanced as a result of the Initiative and has assisted provinces and territories in managing some of the increased workload brought about through new victims' legislation. While many provinces and territories have insufficient funding to fully assist all victims in their respective jurisdictions, the federal involvement in victims' issues has helped to provide cost-effective alternatives to raising the profile and level of funding provided to victims' issues across the country.

If the role or level of federal support is diminished in the area of victims' issues, the impact will be twofold: it will have a negative impact on the provinces and territories as well as create an imbalance of federal focus between victims and offenders.

5. RECOMMENDATIONS AND MANAGEMENT RESPONSE

5.1 Relevance

ISSUE 1

The VCI is highly relevant to its stakeholders and to the agenda of the Government of Canada. While all stakeholders who took part in the evaluation felt that the Victims of Crime Initiative should be a Government priority and expressed the desire for its continued existence, there was an overwhelming sense that support at the highest political and senior levels of the public service (both federal and in some cases provincial) on victim issues is needed to ensure this area remains a priority for future governments.

It is recommended that:

The Department of Justice, through the PCVI, continue to seek the ongoing commitment from the highest senior levels of the public service to raise the profile of victim issues in order to advance a federal agenda where the federal government has responsibility for victim issues.

Management Response

It is agreed that this is a necessary ongoing activity for the PCVI. A renewed mandate will provide additional opportunities for raising the profile of victim issues and how the federal government can respond. Further dissemination of information kits, attending and supporting information sessions, using the communications networks that have been developed, and developing additional communication tools (e.g. national newsletter, web-based national discussion boards) will assist in meeting this need.

The PCVI will continue to work with the FPTWG on Victims of Crime, a key source for continuing the on-going work of ensuring that victim issues are profiled at all levels of government.

In addition, the PCVI will continue to link with other programs and initiatives to address priority issues that have a strong victim component (e.g. human trafficking). In many cases, the PCVI provides a vehicle for the federal government to respond to these emerging concerns.

5.2 Success

ISSUE 2

The VCI has been extremely successful in achieving several of its outcomes and objectives. While some outcomes were not necessarily within the scope or mandate of the VCI alone, the contribution the Initiative has made toward their achievement is well documented. With the exception of the Victims' Fund, a key challenge for evaluating the Initiative was distinguishing between the outcomes of the VCI and those of day-to-day Victim Services delivery.

It is recommended that:

The goals, objectives and outcomes of the VCI should be revised to provide more clarity. In addition, to ensure that performance can be measured, support for collecting information on outcomes achievement (i.e. performance indicators) should be sought from the FPTWG in the development of an RMAF for a renewed Initiative.

Management Response

Management agrees with this recommendation. In seeking a renewed mandate the VCI will propose clear goals, objectives and outcomes that are more specific and grounded in areas where the federal government has a key role to play in victim issues (i.e. implementing the renewed *Canadian Statement of Basic Principles of Justice for Victims of Crime* nationally, supporting the provinces and territories in their work with victims as direct service providers, gathering national and international information on best practices, innovative projects, and lessons learned regarding victims of crime, and reviewing how federal victim related legislation is operating).

Over the last 20 years there has been steady progress in the development of services and assistance to victims, law reforms, policy development and an overall change in attitude about the role of the victim of crime. However no single event or reform can be identified as completely successful in meeting victim needs or as the turning point in recognizing a role for victims. Efforts must continue so that further progress is made.

It is agreed that new data sources will be required in a renewed mandate. In undertaking an evaluation of the VCI 2000-2005 it became clear that more data (quantitative information) is needed to fully understand the impact of the wide range of activities undertaken by the PCVI (e.g. the extent of use of victim impact statements, the uses and benefits of the surcharge revenue and the challenges in collection, the use and benefits of testimonial assistance to children and others). There is significant variation in resources available for victim related data collection across the jurisdictions, and as a result there is little data currently collected by the jurisdictions, and where there is, it is not comparable. Given that the jurisdictions will be responsible for undertaking much of the data collection that may be required to report on the impact of the VCI (and ultimately for their own information), we will identify ways we can support them in that important venture so any progress can be more effectively tracked. The PCVI will ensure that this is done in a way that meets the needs of all jurisdictions and levels of government (e.g. development of methodology, shared costs for data collection, pilot surveys in selected jurisdictions).

ISSUE 3

The VCI outcome which focused on “innovative approaches to help victims of crime” posed a challenge for provincial/territorial focus group participants for a number of reasons. First, participants felt that it was difficult to be “innovative” given the resource challenge some jurisdictions face in simply providing infrastructure and core service delivery at the provincial/territorial level. Second, they made it clear that core infrastructure needed to be developed before moving to innovative approaches to victim service delivery. Third, the participants noted that many jurisdictions are not necessarily able to sustain innovative projects because limited resources need to go toward core service delivery. Fourth, the question of what the term ‘innovative’ means was raised: are projects/methods innovative in nature simply because they are doing something in their community that has not been done before, or is it something that has to be new for the Department of Justice (i.e. where is the source for defining innovation)?

It is recommended that:

The terms and conditions of the Victims Fund be revisited to enable more flexibility to provide funding to applicants both to enhance service delivery and to conduct innovative pilot projects.

Management Response:

Management agrees with this recommendation. The PCVI is aware that provinces and territories have varying resources for victims of crime. While in some jurisdictions there is a readiness and ability to test new approaches and methods for meeting the needs of victims of crime, in others all available resources are dedicated to meeting the basic needs that victims have, and in some of these jurisdictions, there are many geographic areas where services are simply not available.

The PCVI also agrees that in a renewed mandate, there will be a need to ensure that the terms and conditions of the Fund allow the provinces and territories to access the Fund in a way that meets their needs for innovation or infrastructure support.

Given that the findings point to some confusion and difference of opinion regarding the meaning of innovation, the PCVI will consider the meaning of the term and define it in a way that is consistent with federal government policies and funding terms and conditions, while also meeting the needs of the jurisdictions. The PCVI will also ensure the Victims Fund stays relevant as a tool to respond to the unique issues that are raised in the area of victims of crime in Canada.

In addition, the PCVI has learned in the first five years of its mandate that there is a strong need for the PCVI to explore how the Victims Fund can provide core funding to non-governmental organizations at the community level, the regional level, and the national level. The need for this is grounded in concerns expressed by the provinces and territories about project funding to non-governmental organizations which can lead to raised and unmet expectations in the absence of sustainable funding as well as the need to support the jurisdictions as they seek to implement basic infrastructure in the area of victim services. Many small organizations have great potential and ability to deliver projects but cannot access necessary resources because they lack experience and capacity to develop proposals without sacrificing their day to day operations. This infrastructure (capacity) takes time to build.

The PCVI will also explore how the application process for key users of the Fund, the applicants, can be simplified to ensure that the Fund is accessed nationally, especially by communities and governments in the Northern territories where there are capacity issues that impact their ability to apply for funding.

The PCVI will continue to build on what we have learned to ensure that the Victims Fund stays flexible, accountable, in compliance with government wide requirements, and that there is room to identify priorities as they emerge.

5.3 Cost-effectiveness and Alternatives to Delivery

ISSUE 4

The existing combination of policy and program instruments that make up the VCI (PCVI, Victims Fund, and legislation) appear to be the most effective option for federal activities in the area of victim issues. Provincial/territorial service delivery has been positively enhanced as a result of the Initiative and it has assisted provinces and territories in managing some of the increased workload brought about through new victim legislation. Many provinces and territories have insufficient funding to fully assist all victims in their respective jurisdictions, and the federal activities in victim issues, through the VCI, has helped to provide a cost-effective method to raising the profile and level of funding provided to victim issues across the country. However, in terms of alternatives to delivery, further effort is needed in raising the profile of victim issues within the criminal justice community.

It is recommended that:

The VCI seek a renewed mandate with a more focussed set of activities and responsibilities geared toward the current objective of “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.”

Management Response

Management agrees with this recommendation. Consultations and research undertaken by the PCVI undertaken in the past four years have repeatedly pointed to the need to raise awareness among criminal justice professionals (police, crown attorneys, judges, and defence counsel) about the legislative provisions intended to benefit victims (some are not being used) as well as

clarification on how provisions relate to one another (e.g. sentencing principles and Victim Impact Statements). Many criminal justice professionals would also benefit from raised awareness about the general needs of victims of crime and the services available to them. By pursuing these activities, many of the concerns of victims of crime about how they are treated by criminal justice professionals may be addressed.

It should be noted that between 2000-2005 the PCVI has been very active in this area. Much has already been done to raise awareness and this recommendation affirms that more is needed.

Building on what has already been accomplished, in a renewed mandate the PCVI would develop a number of communications tools. These would include a Department of Justice Victims newsletter (perhaps with PSEPC to make it a federal newsletter), an enhanced, interactive PCVI website, as well as the development of Public legal Education and Information to respond to any new legislation (i.e. trafficking, child witness legislation). The PCVI will also keep the Victim Services Directory updated and maintained and continue to support conferences and networking opportunities to raise awareness of victim issues among criminal justice professionals.

The PCVI will also continue to support training/symposiums for criminal justice professionals on new legislative provisions and consultations to determine effectiveness, awareness, identified barriers, and ways to overcome them.

Other related professions have victim related PLEI and training needs as well. In a renewed mandate the PCVI will explore initiatives and activities that promote information sharing and understanding among such groups as mental health professionals, doctors and dentists, social workers, community agencies, and multicultural organizations regarding victimization. This would be done in collaboration with appropriate agencies and governments, recognizing that the need and target groups would be very different in each jurisdiction.