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BUILDING A **SAFE AND RESILIENT CANADA**



Victims of Crime Staying Informed

National Office for Victims
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Canada

The information in this booklet is presented in English. This publication is also available in other languages through the National Office for Victims at **www.publicsafety.gc.ca/nov** or email **ps.nationalofficeforvictims-bureaunationalpourlesvictimes.sp@canada.ca**.

Les renseignements contenus dans le présent livret sont présentés en anglais. Il est également possible d'obtenir la publications dans une autre langue auprès du Bureau national pour les victimes d'actes criminels à l'adresse **www.securitepublique.gc.ca/bnv** ou par courriel à **ps.nationalofficeforvictims-bureaunationalpourlesvictimes.sp@canada.ca**.

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Victims of Crime - Staying Informed

Under Canadian law, victims of federal offenders (offenders who have received a sentence of incarceration of two years or more or who are under the jurisdiction of Correctional Service of Canada (CSC) or Parole Board of Canada (PBC)) are entitled to receive certain information about the person who harmed them. This information is not provided automatically – a written request must be made to either CSC or PBC via a process commonly referred to as registering.

The recently passed *Canadian Victims Bill of Rights* (CVBR) has increased the amount and type of information to which registered victims are entitled. This booklet provides victims with information on what they are entitled to know, including the new entitlements contained in the CVBR, how to obtain that information, the role victims can play in CSC's and PBC's decision-making process, and other services offered at the federal level.

Are You Entitled to Receive Information?

You are entitled to receive information about a federal offender if:

- you have suffered physical or emotional harm, property damage or economic loss as a result of someone committing a criminal offence, even if the person who harmed you has not been prosecuted or convicted for the offence against you, but you have made a complaint to the police or Crown Attorney; or
- you are a victim's spouse, relative, common-law partner or dependant, or responsible for the care or support of a victim, by law or custody, where the victim is unable to act for him/herself (e.g., the victim is ill, incapacitated or is a child); or
- you are responsible for the care or support of a victim's dependant(s) in the case where the victim is deceased or otherwise unable to act for him/herself.

How Can You Receive Information?

Information about an offender is not provided automatically. You or someone you have authorized in writing to act on your behalf are required to submit a written request for information, commonly referred to as “registering”. Should the offender be serving a sentence of two years or more, individuals may contact either CSC or PBC to request information. Once you register with one or the other organization, you will be entitled to receive information from both.

Should the offender be under provincial jurisdiction (i.e. the offender is serving a sentence of less than two years), you may contact either the provincial victim service office or PBC to receive information. In Ontario and Quebec you will need to contact the provincial parole boards of those provinces.

How Can You Register?

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

Correctional Service of Canada
1-866-806-2275 (toll-free)
csc-scc.gc.ca/victims-victimnes

Parole Board of Canada
1-866-789-4636 (toll-free)
canada.ca/en/parole-board/index.html

To ensure that you continuously receive timely notifications from CSC or PBC, it is important that you inform these agencies if your contact information changes.

To find out how to register for provincial victim notification services, you may contact your regional victim services, PBC, or for the province of Ontario, the Ontario Parole Board at **1-888-579-2888**, or for the province of Quebec, the Quebec Parole Board at **1-866-909-8913**. For contact information for the provincial or regional victim services in your area,

you can search the national online Victim Services Directory (VSD), administered by the Policy Centre for Victim Issues (PCVI) at the Department of Justice Canada. You can access the VSD at: justice.gc.ca/eng/cj-jp/victims-victimes/vsd-rsv/index.html.

What Information are You Entitled to Receive?

By registering with CSC or PBC, you **will** be provided with the following:

- the offender's name;
- the offence the offender was convicted of and the court that convicted the offender;
- when the sentence began and the length of the sentence; and
- the eligibility and review dates applicable to the offender for temporary absences or parole.

In addition, as a registered victim, you **may** also be provided with the following information, if the Commissioner of CSC or the Chairperson of PBC believes that your interests clearly outweigh any invasion of the offender's privacy that could result from the release of this information:

- the offender's age;
- the name and location of the penitentiary in which the sentence is being served;
- if the offender is transferred, a summary of the reasons for the transfer and the name and location of the penitentiary in which the sentence is being served, including advance notice, whenever possible, of transfers to minimum-security institutions;
- notification by CSC of the removal of the offender from Canada under the *Immigration and Refugee Protection Act* before the end of the sentence;
- the programs in which the offender is participating or has participated;
- the serious disciplinary offences that the offender has committed;

- the date of any hearing for the purposes of a PBC review;
- whether the offender is in custody and, if not, why;
- whether or not the offender has appealed a PBC decision and the outcome of that appeal; and
- the reason for a waiver of the right to a hearing under section 140(1) of the *Corrections and Conditional Release Act* (CCRA) if the offender gives one.

The following information **may** also be released to you by the Chairperson of PBC¹ or the Commissioner of CSC²:

- the date, if any, on which the offender is to be released on temporary absence, work release, parole or statutory release;

¹ If the Chairperson of PBC (or delegated staff) determines that the interest of the victim clearly outweighs an invasion of the offender's privacy that could result from the disclosure.

² If the Commissioner of CSC (or delegated staff) determines that the disclosure of the information would not have a negative impact on the safety of the public.

- any of the conditions attached to the offender's unescorted temporary absence, work release, parole or statutory release and the reasons for any temporary absence; and
- the destination of the offender when released on any temporary absence, work release, parole, or statutory release, and whether the offender will be in the vicinity of the victim while travelling to that destination.

When this information is provided to you by the Commissioner of CSC, it is to be provided 14 days before the offender's release, if possible. Moreover, the Commissioner of CSC must notify you if any of this information changes.

If the offender is transferred to a provincial correctional facility, you may receive the name of the province in which that facility is located.

As a registered victim, you may withdraw your request for information regarding an offender at any time.

Additional information you are entitled to receive from the Parole Board of Canada:

Victims and the general public may request PBC decisions from the PBC's Decision Registry. These documents may include the reasons for decisions related to conditional release, an offender's return to prison, detention, and the decisions and reasons of the Appeal Division of PBC. PBC may exempt information in these written decisions that could reveal a confidential source of information, jeopardize a person's safety or hinder an offender's return to society as a law-abiding citizen.

You Have a Voice in the Corrections and Parole Processes

CSC and PBC welcome any information you may have about safety concerns and the effect that the offence has had on you, your family or the community. Victims may, at any time, provide this information or any other information they think is relevant to either CSC or PBC. You may also

request to attend the offender's parole hearing as an observer and may read a written statement to PBC Board members, detailing the physical, emotional and/or financial impact (including property damage or economic loss) the offence has had on you. You may also submit a video or audio recording of your statement, to be presented to PBC members during the parole hearing. A written copy of your statement must accompany any oral presentation. PBC will require a written copy of your statement 30 days prior to the hearing if it does not require translation and 45 days prior if it does.

You may also apply to the Victims Fund, administered by the Department of Justice Canada, for financial assistance to attend PBC hearings of the offender who harmed you. You must register with CSC or PBC to obtain this assistance. The Victims Fund also provides financial assistance for a support person to accompany a registered victim at PBC hearings.

For information regarding the Victims Fund, you may visit the Department of Justice Canada's website at: **justice.gc.ca/eng/fund-fina/cj-jp/fund-fond/attend-audience.html**

Will the Information You Provide be Shared with the Offender?

Personal information about you, such as your address, telephone number and other contact information is not shared with the offender. However, the law requires CSC and PBC to disclose to the offender any information that will be considered during the decision-making process, including information provided by a victim, or a summary of that information.

How does CSC use the Information You Provide?

If you have filed a Victim Impact Statement with the court at sentencing, CSC will receive it along with other court documents on the offender's file. At any point during the sentence, a written statement can be submitted providing information to assist CSC in their decision-making process. Victim information provided to CSC is shared with PBC and used:

- in making decisions on the institutional security level required to protect society;

- in making a recommendation to PBC as to whether the offender should be granted a conditional release, such as parole, and what additional special conditions to impose on the release;
- in making decisions as to whether the offender should be released on a temporary absence or a work release; and
- in evaluating the offender's overall risk of re-offending and need for programs.

How does PBC use the Information You Provide?

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

- the offender is likely to re-offend if released on conditional release; and

- additional conditions might be necessary to manage a particular risk to society that the offender might present, especially if the offender will be living near you or is a member of your family.

Changes contained in the CVBR require PBC to include reasonable and necessary victim safety conditions on offenders who are under a Long-Term Supervision Order when a victim statement has been provided. The CCRA already allows the Board to impose victim safety conditions on offenders who are on an unescorted temporary absence, parole or statutory release. For example, the Board may impose a condition that an offender not contact you, or must maintain a certain distance from your residence.

Preparing for the Release of a Federal Offender?

If you have safety concerns regarding the conditional release of the offender who has harmed you, there are a number of things you may wish to consider

doing in advance of that offender's return to the community. For example:

- stay informed – register with CSC or PBC;
- advise CSC or PBC of your concerns;
- advise your local police agency about the upcoming release of the offender;
- seek community support;
- develop safety plans based on specific needs and circumstances including personal security measures at home and in public;
- maintain all documentation about the offender from police, courts and corrections/parole and record any unwanted contact(s);
- report any new offences or violations committed by the offender; and
- apply for a peace bond.

FEDERAL SERVICES FOR VICTIMS

Public Safety Canada: National Office for Victims

The National Office for Victims, Public Safety Canada, is a central resource working to improve victims' experience with the federal corrections and conditional release system. As part of its mandate, the office:

- develops information products for victims of federal offenders, victim service providers and the general public;
- consults regularly with victims, victim advocates and other stakeholders;
- ensures that a victims' perspective is reflected in national policy development;
- works collaboratively with key federal and provincial partners on emerging victim issues; and
- leads and participates in policy development and advice to the Minister of Public Safety and Emergency Preparedness Canada on victim

issues, including reform of federal legislation such as the CCRA that has an impact on victims in corrections.

For more information, please visit the National Office for Victims website at: publicsafety.gc.ca/nov.

Correctional Service of Canada: Victim Service Unit

In addition to registering victims, CSC's Victim Services Unit has dedicated Regional Victim Services Managers and Victim Services Officers who provide information described earlier as set out in section 26 of the *Corrections and Conditional Release Act* (CCRA). The Unit provides victim notification, receives victim statements, answers victims' questions about federal corrections and parole supervision, and provides general information about CSC's restorative justice programs and victim-offender mediation services, as well as referrals to local, provincial, federal and territorial victim service agencies. For more information, call CSC toll-free at **1-866-806-2275** or visit their website at: csc-scc.gc.ca/victims-victimnes.

Correctional Service of Canada: Restorative Justice Unit

CSC provides victim-offender mediation (VOM) services through its Restorative Opportunities (RO) program. VOM offers victims of crime a chance to communicate with the offender who harmed them with the help of an experienced mediator to address the impacts caused by the crime. The RO program can provide victims with the opportunity to tell their story, ask questions, hold the offender accountable, and achieve a sense of closure on some issues. VOM is guided by participants' needs and can take many forms including written correspondence, video message and / or a face-to-face meeting.

Participation in the RO program is entirely voluntary. To find out more, you can contact CSC's Restorative Justice Unit by telephone at **613-947-7309**, by email at **restorativejustice@csc-scc.gc.ca**, or visit their website at: **csc-scc.gc.ca/text/rj/index-eng.shtml**.

Parole Board of Canada: Regional Communications Officers

PBC has a team of Regional Communications Officers (RCOs) in each region to provide information and services to registered victims. These officers register victims and provide information and guidance to victims on the parole decision-making process and proceedings. RCOs also share release decisions with registered victims when requested; connect victims to other services and resources; provide assistance to victims on the preparation of victim statements to be presented at PBC hearings; and attend PBC hearings with victims to answer questions regarding the process.

For more information, contact the PBC at **1-866-789-4636**, or visit the website at: **canada.ca/en/parole-board/index.html**.

Department of Justice Canada: Policy Centre for Victim Issues

PCVI at the Department of Justice Canada leads federal policy development relating to victims of crime by:

- helping victims and their families understand their role in the criminal justice system and the laws, services and assistance available to support them;
- ensuring that the perspectives of victims are fully considered when relevant federal laws and policies are developed;
- increasing awareness both within Canada and internationally about the needs of victims of crime and effective approaches to respond to those needs.

The activities of PPCI include:

- **acting as a “victims’ lens”** for most federal laws and activities that impact victims of crime;
- **researching** victim-related issues in areas such as the effects of legislative reforms, best practices and emerging issues;

- **administering the Victims Fund**, a fund that supports projects that raise awareness and enhance services and assistance to victims of crime across Canada, and that provides limited financial assistance directly to victims of crime;
- **providing public legal education and information** about the role of victims in the criminal justice system and related legislation;
- **working closely with other federal departments** that share responsibility for providing information and services to victims of crime; and
- **consulting** with a broad range of stakeholders to share knowledge and expertise.

For more information, contact the PCVI by calling, toll-free, **1-866-544-1007** or visit the website at **justice.gc.ca/eng/cj-jp/victims-victimes/index.html**.

Federal Ombudsman for Victims of Crime

The Office of the Federal Ombudsman for Victims of Crime (OFOVC) is an arm's length federal government office that works to ensure that the federal government meets its responsibilities regarding victims of crime. Reporting directly to the Minister of Justice, the OFOVC helps victims of crime and their families by:

- informing victims about the federal programs and services that exist to help them;
- addressing complaints made by victims about federal government departments, agencies, employees, laws or policies;
- referring victims to programs and services in their city or province that may be able to assist them;
- identifying issues that have a negative impact on victims; and
- making recommendations to the federal government on how to effect positive change for victims of crime.

For more information visit the OFOVC website at www.victimsfirst.gc.ca, or contact the OFOVC by email at victimsfirst@ombudsman.gc.ca, by phone at **613-954-1651**, **1-866-481-8429** (toll-free) or **1-877-644-8385** (TTY), or by fax at **613-941-3498**.

How do you file a complaint if you believe your rights as a victim weren't respected by the federal government?

The CVBR requires that federal departments and agencies working with victims of crime have a complaints process in place to address any violations of a victim's rights.

If you believe that your rights under the CVBR have not been respected by CSC, PBC, the Royal Canadian Mounted Police (RCMP), the Canadian Border Services Agency (CBSA), Public Safety Canada (PS), or the Department of Justice of Canada (JUS) or if you have a complaint about a federal prosecutor or the services, procedures, practices or policies of Public Prosecution Service of Canada (PPSC), you have the right to file a complaint with the relevant department or agency.

Federal government departments and agencies are required by law to review your complaint, to make recommendations on how to remedy the situation, if possible, and to notify you of the results of their review and any recommendations that were made.

If you would like to file a complaint under the CVBR with CSC, PBC, RCMP, PS, JUS or PPSC, visit the following webpage for contact and process information: **justice.gc.ca/eng/cj-jp/victims-victimes/rights-droits/complaint-plainte.html**. If you would like to file a complaint under the CVBR with the CBSA, visit their Compliments, Comments and Complaints webpage: **cbsa-asfc.gc.ca/contact/com-eng.html**.