



# Help starts here.

Information for Victims of Crime



Ministry of  
Public Safety  
and Solicitor General



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## Help is Available

What happens if crime touches your life? What do you do, where do you go for help and what can you expect?

The Government of British Columbia funds more than 150 Victim Service programs across the province. These programs are staffed by Victim Service Workers who are trained to assist victims and others whose lives have been impacted by crime.

An important step in dealing with the effects of crime is to talk about it with someone. Victim Service Workers can provide assistance and support to all victims of crime.

If you are a victim of a crime, Victim Service Workers can provide:

- emotional support
- practical assistance, such as going with you to talk to the police
- information about the criminal justice system, the court process and the status of your case
- court orientation and accompaniment
- assistance with Crime Victim Assistance Program applications, if eligible
- referrals to other agencies and services
- help to prepare a Victim Impact Statement

**Help starts here.** Call VictimLINK at 1-800-563-0808 to locate a victim service program near you.

## Dealing with the aftermath of a serious crime

If you have been a victim of a serious crime, you may suffer physical and/or emotional effects which are not only painful but may be confusing and frightening as well. You may also feel frustrated by the incident and by the complexity of the criminal justice system.

Crime affects everyone differently. Not everyone will respond the same way, even to the same crime. There are some common reactions experienced by people who have been victimized. As a victim of crime you may feel:

- shocked
- numb
- a sense of violation
- powerless
- angry
- scared
- anxious
- ashamed
- depressed
- a sense of grief
- confused
- alone
- a loss of trust

You may find that your reactions change as the days, weeks and months go by. Some people may experience a wide range of emotions within a very short period of time and others may experience these feelings for a long time after the crime has occurred. If you feel overwhelmed by the effects of the trauma or your symptoms persist, you should seek professional assistance. Consult with your family physician, therapist or counsellor.

It is important for you to look after yourself and get the help and support you need. There are things you can do to make this time easier right now and improve things for yourself in the future.

- If you are frightened, ask someone to stay with you, stay at a friend's place or with a member of your family. If going out alone frightens you, ask someone to go with you.
- Talking about the experience can be a good way to express your feelings and reactions. Family and friends can be a great support.
- Try to eat regularly, even if you eat small amounts, and get lots of rest. Exercise is also important. Rest, exercise and sleep help you cope more easily with the stress of the event.
- If you have been physically injured, or fear that you may experience physical effects as a result of this crime, seek medical assistance.



- Signs of stress, such as difficulty sleeping, depression or anxiety usually fade with time. Should any physical or emotional symptoms continue, see your family physician for advice.
- Participate in activities that relieve stress or are healing and enjoyable. Try to maintain your daily routine as much as possible.
- Ask the police or your local Victim Services program to do a security check on your home and talk with you about ways you can protect yourself. These precautions will make you feel safer – and that you have some power to protect yourself.

## Your Rights

The British Columbia *Victims of Crime Act* provides certain rights to victims of crime including:

- The right to be treated with courtesy and respect and without discrimination by all justice personnel.
- The right to receive information on the justice system, victim services, and related legislation.
- The right to receive certain case-specific information on the investigation, prosecution, sentencing, and release.
- The right to be given a reasonable opportunity to provide victim impact information for presentation to the court before sentencing.
- The right to receive independent legal representation, provided free of charge where they cannot afford it, regarding the disclosure of their personal records.

Throughout the criminal justice process, Victim Service Workers can assist you to obtain case-specific information and act as a liaison with the police, Crown Counsel, courts and corrections.

## Reporting Crime to the Police

If you have been the victim of a serious crime and are reluctant to involve the police, or are unsure if you want to, you can get help and support from Victim Services or other support organizations. Contact VictimLINK at 1-800-563-0808 for information and referral services.

If you decide to report that you have been a victim of a crime to the police, it is helpful to report as soon as possible. Early reporting may increase the chances of finding and preserving evidence and of apprehending and/or prosecuting the accused.

When you report to the police that you have been the victim of a crime, you will normally be asked to provide a statement. A police officer will talk to you and ask you questions about what happened. It is important to tell the police everything that you remember about the incident. You may be asked to write your own statement or a police officer may compile a written statement based on what you have said. You will be asked to read through the statement and sign it to ensure it is correct. In some cases your statement may be recorded in a videotaped interview. Sometimes, the police may need to speak with you more than once.

If you make the decision to report that you have been the victim of a crime and provide a statement to the police, this does not ensure that a suspect will be apprehended. In order to pursue criminal charges, the police must investigate the crime and may need to gather evidence in addition to the statement you have provided. When the police investigation is complete, if police believe there is enough evidence to support a charge, they will prepare a Report to Crown Counsel recommending charges.

## Crown Counsel and the Courts

Crown Counsel are government lawyers who prosecute criminal cases. In Canada, crimes are dealt with as wrongs against society as a whole and therefore, Crown Counsel acts on behalf of all members of the public and is not acting as your personal lawyer.

It is the Crown Counsel who will decide whether there is enough evidence to lay a criminal charge and, if so, what charges to lay. Crown Counsel must be satisfied that there is enough evidence to have the suspect found guilty beyond a reasonable doubt in order to lay criminal charges. If charges are not laid in your case, this does not mean that the police and Crown Counsel do not believe you, or that a crime did not occur. It may mean that there is not enough evidence to prove the criminal charge in court.

If charges are laid by Crown Counsel, the accused may be charged and released until a scheduled court appearance at a later date or the accused may be charged and taken into custody and not released unless granted bail at a bail hearing. Once a person is charged with an offence, the Court may place them on conditions that must be followed until the court case is complete. One possible condition is to have no contact with the victim of the offence.

Everyone charged with a criminal offence in Canada is entitled to a trial in court. A trial is considered the fairest way to determine if a person has broken the law. If the accused person pleads guilty to the charges, a trial is not conducted.

In the event a trial date is set, you will likely receive a subpoena to testify in court. A subpoena is a court order requiring a person to attend court and give evidence at a trial. Crown Counsel is responsible for prosecuting the case against the accused person and your testimony is a very important part of the Crown Counsel's case.

You may have a lot of questions about the court process. You may also have fears or concerns about testifying in court. Victim Service Workers can provide you with information about what to expect in court and can let you know about options that may make testifying easier for you.

## Sentencing and Corrections

If the accused person is found not guilty, they are acquitted of the charge and are free to go.

If the accused person pleads guilty or is convicted following a trial, the Court is responsible for imposing a sentence. Sentencing may occur right away, or it may be set for another date.

In determining an appropriate sentence, the court may take a number of factors into consideration including the circumstances surrounding the crime, the accused's criminal record (if any) and personal history and the impact of the crime on the victim. The court will also take into consideration sentences for similar crimes and circumstances across Canada.

Sentences can vary widely and there are many types of sentences or combination of penalties that a court can impose. The most serious sentence under Canadian law is imprisonment.

In the event the person found guilty is sentenced to a term of imprisonment, you may be entitled to certain information about that person such as the length of their sentence, where the sentence is being served and their eligibility and review dates for parole.

Parole is the conditional release of an offender from custody and allows the offender to serve a portion of their sentence under supervision in the community. In most cases, parole boards hold hearings to consider whether an offender will be granted parole. In British Columbia, the B.C. Board of Parole conducts



hearings for offenders serving a sentence of less than two years and the National Parole Board conducts hearing for offenders serving sentences of more than two years.

You can request to attend a parole hearing and may provide information to the parole board about the impact of the crime. Speak to your Victim Service Worker for more information about providing information to the parole board or attending a parole board hearing.

If you are seeking parole information about an offender who may be in custody in a provincial correctional centre, you can contact the Victim Safety Unit toll free at 1-877-315-8822.

If you are seeking information about an offender who may be in custody in a federal institution, you can contact the National Parole Board's Victim Information Line at 1-866-789-INFO (4636) for details on the victim notification service and general information.

### Victim Safety Unit

The Victim Safety Unit provides a coordinated and enhanced response to victims of crime. The Victim Safety Unit promotes victim safety by:

- Notifying victims and civil restraining order protected parties regarding the provincial custody status of offenders

*If you are a victim of crime or a protected party in a protection order (e.g. a probation order, peace bond or Family Restraining Order), and you wish to be notified when the offender is released from custody, speak to a Victim Service Worker to obtain a registration form or contact the Victim Safety Unit toll free at 1-877-315-8822.*

- Administering the Victim Travel Fund, which facilitates victim and immediate family member attendance at justice related proceedings
- Working with local victim service programs to ensure that victims are aware of and have access to a range of services to ensure their safety

### Victim Impact Statement

A Victim Impact Statement is a written description of how a crime has affected you and is used at sentencing if the accused is found guilty or pleads guilty.

Completing a Victim Impact Statement is a choice. Information in a Victim Impact Statement is valuable to Crown Counsel and to the Judge because it helps them to fully understand how the crime has affected you.

A Victim Impact Statement does not include a description of the crime or how the crime occurred. That information is included in your witness statement to the police and relates to the trial.

A Victim Service Worker can help you write your Victim Impact Statement, and will most likely collect it from you, to later be passed on to the Crown Counsel if necessary. If you are not able to complete a Victim Impact Statement, someone else, such as a family member, may complete the statement on your behalf.

### Crime Victim Assistance Program

If you are injured (physically or emotionally) as a result of certain crimes, you can apply for benefits under the Crime Victim Assistance Act to assist in your recovery from the offence and with costs resulting from the injury.

# Help Starts Here.

## Information for Victims of Crime

The benefits offered through the Crime Victim Assistance Program are intended to help victims of violent offences, their immediate family members and some witnesses recover from the effects of violent crime.

The benefits available to victims of crime include:

- Medical and dental expenses
- Prescription costs
- Disability aids, expenses to modify a home or vehicle to accommodate a victim's disability
- Counselling
- Protective measures such as security devices
- Replacement or repair of eyeglasses, contact lenses, disability aids or clothing damaged or destroyed as a result of the offence
- Income support where an employed victim becomes unemployable as a result of their injuries, on a short term or long term basis
- Lost earning capacity benefits for a victim who was not working at the time but who has suffered significant injuries that will impact their future employability
- Maintenance of a child born as a result of a sexual assault (if child resides with, or is financially supported by, the victim)
- Vocational services if the injury affects the victim's ability to continue with their current employment
- Transportation expenses
- Homemaker, childcare and personal care expenses

Immediate family members of injured or deceased victims may also be eligible for benefits such as counselling, prescription expenses, and transportation expenses, as well as funeral expenses and income support if they are a dependent immediate family member of a victim killed as a result of a violent offence.

Some witnesses who have a close personal relationship with a victim, and who were present when the victim was killed or suffered a life threatening injury may also be eligible for counselling expenses, prescription costs and transportation expenses to attend counselling.

A Victim Service Worker can provide you with an application form and assist you in completing the application. If you have questions about general eligibility and the benefits provided through the program, you can also contact the program directly at 604-660-3888 or toll free in B.C. 1-866-660-3888.

### VictimLINK

VictimLINK (1-800-563-0808) is a toll-free, province-wide telephone service, available 24 hours a day, 7 days a week. It provides information and referral services to all victims of crime, and immediate crisis support to victims of family and sexual violence.

The line is TTY accessible and provides interpretation services for all the major languages spoken in British Columbia. Call TTY at 604-875-0885; to call collect, please call the Telus Relay Service at 711.

Name of Victim Service Worker: .....

Number of Victim Service Worker: .....

Case Number: .....

Other Important Numbers: .....

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**Please note:** *This pamphlet provides general information only. It is not a legal document.*

