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Ministère de la Justice
Canada

**FEDERAL VICTIMS STRATEGY
MID-TERM EVALUATION
Final Report**

May 2008

**Evaluation Division
Office of Strategic Planning and Performance Management**

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EXECUTIVE SUMMARY

1. Introduction

The federal Victims of Crime Initiative (VCI) was launched in March 2000. It was renewed in 2005 with a second mandate (2005-2010) with \$25M in funding spread over five years. The 2006 federal budget committed an additional \$7.6M per year for five years (2006-2011). In 2007, the Department of Justice used this additional funding to expand the VCI and create the Federal Victims Strategy (FVS).

The objective of the FVS is to improve the experience of victims of crime in the criminal justice system by:

- working with partners to enhance victim participation in the criminal justice system;
- ensuring that victims of crime and their families are aware of their role in the criminal justice system and services and assistance available to support them;
- enhancing capacity to develop policy, legislation and other initiatives which take into consideration the perspectives of victims;
- increasing the awareness of criminal justice system personnel, allied professionals and the public about the needs of victims of crime, legislative provisions designed to protect them and services available to support them; and,
- developing and disseminating information about effective approaches both within Canada and internationally to respond to the needs of victims of crime.

In order to fulfil a central agency requirement to report on progress of the former VCI and the implementation of the FVS, a mid-term evaluation was conducted. The focus of the evaluation is on the activities undertaken in 2005/2006 and 2006/2007 with a view to providing information that will assist the Policy Centre for Victim Issues (PCVI) in strengthening the design and delivery of the FVS for the balance of its mandate.

The evaluation was conducted by the Department of Justice Evaluation Division using in-house resources. The methodology consisted of: a file and document review including a data extraction from the Department's Grants and Contributions Information Management System (GCIMS); a survey of 14 non-governmental member organizations from across the country that make up the Victims of Crime Advisory Committee; 28 key informant interviews with provincial, territorial and federal officials; and a survey of 18 successful and unsuccessful applicants to the Victims Fund.

The evaluation used the questions and issues identified in the 2007 Results-based Management and Accountability Framework (RMAF). More specifically, the evaluation assessed the appropriateness of the program design to support the achievement of FVS objectives; reviewed the structure and management of the PCVI; and examined the outputs generated and short-term outcomes achieved under the following key activity areas:

- grants and contributions through the Victims Fund;
- criminal law reform and policy development;
- Federal/Provincial/Territorial (FPT) Secretariat Coordination;
- developing and/or providing public legal education and information (PLEI) materials and products; and,
- building capacity of Northern service providers.

2. Key Findings

During the two years being evaluated, the PCVI undertook several activities to help build the capacity of Northern service providers, including: paying the salary for three Crown Witness Coordinators (CWCs) (one in each territory); holding two annual meetings; supporting CWCs to attend victim-related training events; and developing manuals and other resources to assist in their work. In addition to supporting the CWCs, there were a number of projects that were funded through the Victims Fund.

Overall, the Victims Fund grants and contributions were found to be directed to the objectives and anticipated outcomes described in the RMAF. The Victims Fund continues to be considered an effective vehicle to contribute to the improvement of the experience of victims of crime in the criminal justice system.

More specifically, the Victims Fund has helped to increase the willingness of victims/witnesses to participate in the criminal justice system by ensuring more support and accommodations. Financial assistance provided to victims or their family members has reduced the financial hardship of attending early eligibility (homicide) parole hearings and federal parole hearings.

Raising public awareness through public legal education and information materials and designing programs and policies to help ensure that victims of crime have access to support and services remain important aspects of the Strategy. These materials also give service providers and criminal justice personnel a better understanding of victim issues and legislation and the services available for victims, thereby ensuring they can better assist victims in gaining access to services. In addition, research activities assist provinces, territories and service providers in developing approaches and products for new and enhanced programs for victims.

Generally, *Criminal Code* provisions have been put into place as intended and are considered to be a relevant and effective way of providing a concrete, meaningful role for victims in the criminal justice system. However, there were some suggestions from some provincial and territorial respondents that there continues to be a need for work with respect to raising awareness and understanding of the *Criminal Code* amendments among key criminal justice personnel. In particular, the interviewees noted that the PCVI should commit further attention to raising awareness of the provisions ensuring the mandatory usage of testimonial aids with children upon application (unless it interferes with the proper administration of justice) and the elimination of mandatory competency hearings for children.

The Federal/Provincial/Territorial Working Group on Victims of Crime provides a forum for sharing and discussing lessons learned and approaches to common issues. The meetings enable integration in two directions: firstly, by ensuring that federal policies are informed by FPT stakeholders; and secondly, that provinces and territories continue to integrate federal policies, legislation and objectives into their work. Conferences, research papers and policy and legal advice have further incorporated victims' concerns in policies and practices.

1. INTRODUCTION

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In order to fulfil a central agency requirement to report on progress of the former VCI and the implementation of the FVS, a mid-term evaluation was conducted. The focus of the evaluation is on the activities undertaken in 2005/2006 and 2006/2007 with a view to providing information that will assist the Policy Centre for Victim Issues (PCVI) in strengthening the design and delivery of the FVS for the balance of its mandate.

1.1. Evaluation Objectives and Issues

The mid-term evaluation focuses on the achievement of short-term outcomes and the design of the FVS. The evaluation did not look at intermediate or long-term outcomes, as it is still too early to assess fully the impacts and effects of the FVS. The summative evaluation will examine the success (from the perspective of intermediate and long-term results), relevance and cost-effectiveness of the FVS.

The evaluation used the questions and issues identified in the 2007 Results-based Management and Accountability Framework (RMAF). More specifically, the evaluation assessed the appropriateness of the program design to support the achievement of FVS objectives; reviewed the structure and management of the PCVI; and examined the outputs generated and short-term outcomes achieved under the following key activity areas:

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- Federal/Provincial/Territorial (FPT) Secretariat Coordination;

- developing and/or providing public legal education and information (PLEI) materials and products; and,
- building capacity of northern service providers.

1.2. Methodology

The evaluation was conducted by the Department of Justice Evaluation Division using in-house resources. The methodology consisted of: a file and document review including a data extraction from the Department's Grants and Contributions Information Management System (GCIMS); a survey of 14 non-governmental member organizations from across the country that make up the Victims of Crime Advisory Committee; 28 key informant interviews with provincial, territorial and federal officials; and a survey of 18 successful and unsuccessful applicants to the Victims Fund.

The evaluation framework guided all aspects of the methodology to ensure that relevant information was applied to each research question and issue. A description of each of the data collection methods appears below.

1.2.1. File and Document Review

A number of reports, program documentation, databases and select files were reviewed including:

- Victims Fund files and GCIMS records;
- publications (communications, PLEI media releases, reports and articles, Websites);
- meeting minutes and records of decisions;
- relevant Research and Statistics Division and Programs Branch files and documents;
- completed evaluation work on the VCI;
- briefing notes;
- victims of crime research conducted/planned within the Department of Justice; and
- information from jurisdictions on services and activities collected by the PCVI.

1.2.2. Victims of Crime Advisory Committee Survey

A questionnaire was sent to all 14 members of the Victims of Crime Advisory Committee. The Committee, which is comprised of representatives from victim service providers, advocates and non-government organizations (NGOs), was established to identify concerns, develop options and strategies, share information and develop capacity to respond to victim needs. The survey obtained this stakeholder group's feedback on the design and impacts of the FVS. Three members completed and returned a survey to the Evaluation Division.

1.2.3. Key Informant Interviews

FPT government key informant interviews were conducted as part of the evaluation. The interviews obtained feedback on the design and impacts of the FVS. Twenty-eight key informants participated in interviews between June and August 2007 and reflect the following government stakeholders:

- Department of Justice PCVI personnel (5);
- Provincial and territorial representatives, including directors of victim services and representatives of provincial/territorial justice departments (11);
- representatives from other Department of Justice branches and sections including the Aboriginal Justice Directorate, the Office of the Northern Region, and Criminal Law Policy (4); and,
- representatives from other federal departments including the National Parole Board (NPB), the Royal Canadian Mounted Police (RCMP), and Public Safety and Emergency Preparedness Canada (PSEPC) (8).

1.2.4. Survey of Victims Fund Applicants

A questionnaire was sent to all applicants¹ (37) of the Victims Fund between April 1, 2005 and March 31, 2007, including those who were approved and denied funding. The questionnaire was not sent to recipients of financial assistance, as each recipient is sent a similar questionnaire

¹ An applicant can have multiple applications under the Victims Fund. As a result, the number of projects under the Victims Fund is more than 37, as discussed in Section 3.1.3 of this report.

when they receive their final payment². The purpose of the questionnaire was to examine from the applicant's perspective: how effective the Department is in communicating the objectives of the Fund, whether it is efficient in administering the Fund, how useful the Fund is, how well it works, and how it might be improved. In total, 18 applicants responded to the Victims Fund Survey.

1.2.5 Additional Lines of Evidence

The mid-term evaluation also includes the results of sub-studies that were conducted by the Evaluation Division over the course of the two years under consideration. These sub-studies include:

- 2006 National Victims of Crime Awareness Week³

National Victims of Crime Awareness Week (NVC AW) was launched in April 2006 to encourage and support locally based and national events over the course of one week to raise awareness about victim issues; to recognize the dedication of those who work to support and assist victims; and to draw specific attention to advancements made respecting victim issues in Canada. This sub-study assessed the effectiveness of the week in raising awareness of participants with respect to victim issues.

- 2005 and 2006 training of Crown Witness Coordinators (CWCs) Feedback Surveys

In 2005/2006 and 2006/2007, two training events/meetings were organized for CWCs⁴. Generally an annual event, these were the fourth and fifth meetings that the PCVI had planned with the support of the Regional Directors in the North to respond to training and information needs of CWCs in the territories. The training topics were selected in consultation with the CWCs and Regional Directors in the territories. CWCs were asked to provide feedback about their funded conference attendance/training workshops.

² Those who were not approved for funding through the financial assistance to attend NPB hearings were not sent questionnaires in an effort to minimize the emotional burden on those victims.

³ Sub-studies were conducted in 2006 and 2007 regarding National Victims of Crime Awareness Week. The 2007 National Victims of Crime Awareness Week took place outside of the timeframe of this evaluation.

⁴ While PCVI provides salary dollars for three CWC positions, all 10 CWCs benefit from the training organized by PCVI.

- Survey of recipients of financial assistance to attend NPB hearings

This sub-study examined the extent to which the financial assistance components have resulted in reduced financial hardship and increased the willingness of victims to participate in the criminal justice system. The sub-study consisted of surveys with victims who have received financial assistance through the Fund to attend national parole hearings either as observers or to present a Victim Impact Statement. This sub-study began in 2005 and will continue through 2011; however, results from 2005 to 2007 are reported for the purpose of inclusion in the mid-term.

1.3. Organization of the Report

This report contains four sections including the present introduction (Section 1). Section 2 describes the FVS, including objectives of the FVS, and program resources. Section 3 presents the evaluation findings. Section 4 provides conclusions and presents the recommendations and management response.

2. FEDERAL VICTIMS STRATEGY DESCRIPTION

2.1. Objectives of the Federal Victims Strategy

The objective of the FVS is to improve the experience of victims of crime in the criminal justice system by:

- working with partners to enhance victim participation in the criminal justice system;
- ensuring that victims of crime and their families are aware of their role in the criminal justice system and services and assistance available to support them;
- enhancing capacity to develop policy, legislation and other initiatives which take into consideration the perspectives of victims;
- increasing the awareness of criminal justice system personnel, allied professionals and the public about the needs of victims of crime, legislative provisions designed to protect them and services available to support them; and,
- developing and disseminating information about effective approaches both within Canada and internationally to respond to the needs of victims of crime.

2.2. Overview of the Federal Victims Strategy

Within the Department, the FVS activities are administered through the PCVI, which is mandated to develop and coordinate all federal policy and legislation relating to victims of crime, ensure that the victim's perspective is considered in the development of relevant federal policy and legislation, conduct research, develop PLEI material, provide a centre of expertise on victim issues, promote mutually agreed upon FPT initiatives, lead and support the FPT Working Group (FPTWG) on Victims of Crime, and administer the Victims Fund. With the Director of Public Prosecutions, the PCVI also supports the federal government in its responsibility for court-based victim support through support for CWCs in the three territories.

Each activity is described in more detail below.

2.2.1. Federal/Provincial/Territorial Working Group on Victims of Crime Secretariat coordination

The PCVI is the Secretariat responsible for co-coordinating and chairing the FPTWG on Victims of Crime. The FPTWG on Victims of Crime consists of Directors of provincial and territorial Victim Services from every Canadian province and territory and has representation from other federal departments (NPB, RCMP, Correctional Services Canada (CSC), PSEPC) as well as representation from other Department of Justice partners including the Family, Children and Youth Section, Sentencing Reform, and the Aboriginal Justice Strategy. Statistics Canada (Canadian Criminal Justice Statistics) also participates in the FPTWG on Victims of Crime. The FPTWG works jointly with other working groups such as the FPTWG on Restorative Justice, the Ad Hoc Working Group on Spousal Abuse and the FPT Working Group on Sentencing.

The purpose of the FPTWG on Victims of Crime is to:

- facilitate implementation of victim-related *Criminal Code* amendments by providing information and advice to provinces and territories and to identify challenges with its implementation;
- provide a forum to share information and expertise across jurisdictional boundaries as well as identify and discuss emerging issues;
- identify and conduct research needed to support the provinces and territories;
- strengthen inter-jurisdictional linkages;
- provide the Department of Justice/PCVI with information on jurisdictional priorities and expectations and experiences with the Victims Fund; and,
- provide a venue for informal evaluation of programs and legislation.

2.2.2. Criminal law reform and policy development

The activities undertaken under this component include: research, policy development, legal analysis and case law reviews, consultations and conference participation, as well as international activities such as participation in meetings of international bodies such as the United Nations and providing Canada's position with respect to international documents relating to victims.

Research activities include collecting data on victimization, developing and implementing research studies, conducting surveys, providing statistical services and analysis, assessing victim needs, undertaking polling research, and analyzing the results of research and policy implications. The PCVI monitors and assesses the implementation of victim-related *Criminal Code* amendments and develops options in this respect. Statistical and legal research is conducted by the PCVI to review related legislation from the perspective of victims, and identify the needs of victims and gaps in services and information.

The PCVI advises the Minister of Justice on emerging issues. It also analyses proposals for *Criminal Code* amendments, and those specifically related to victims of crime, and reviews related legislation to ensure it includes a victims of crime perspective. An essential element of the PCVI's work is to consult closely with NGOs, including service providers, advocates and other criminal justice system representatives (e.g., police, bar) on victim issues, at both the national and regional levels. An Advisory Committee (the Victims of Crime Advisory Committee) to the PCVI composed of victim service providers, advocates and NGOs has been established to identify concerns, develop options and strategies, share information and develop capacity to respond to victim needs. The PCVI also provides and obtains advice on victim issues from other Department of Justice program areas that also deal with victims of crime (e.g., family violence, Aboriginal justice, youth justice, restorative justice). In addition, the PCVI provides support to litigators on interpretation and Charter litigation.

Two key changes related to victims were brought about to amend the *Criminal Code* in 2005:

- Bill C-2 – *An Act to Amend the Criminal Code* (Protection of Children and other Vulnerable Persons) and the *Canada Evidence Act* (SC 2005, c 32)

Under Bill C-2, which received Royal Assent in 2005, amendments were made to facilitate the testimony of child victims and witnesses under 18 years of age as well as other vulnerable victims and witnesses by providing a clearer and more consistent test for the use of aids such as screens, closed-circuit television and support persons.

More specifically, testimonial aids are now mandatory upon application for all child victims and witnesses under the age of 18, unless it interferes with the proper administration of justice. In addition, testimonial aids are available on a discretionary basis to facilitate the testimony of vulnerable adult victims and witnesses, such as victims of spousal abuse and sexual assault. The aids are available to adult victims and witnesses where it can be demonstrated that because of the surrounding circumstances (including the nature of the

offence and any relationship between the victim/witness and the accused) they would be unable to provide a full and candid account without the testimonial aid. In cases involving victims of criminal harassment where the accused is self-represented, an order is mandatory upon application for the appointment of counsel to conduct the cross-examination of the victim, unless the judge believes it interferes with the proper administration of justice.

Testimonial aids have been available to assist victims and witnesses since 1988; however, these amendments are intended to provide greater clarity and consistency to the testimonial aids provisions which had been amended in a piecemeal fashion over the previous twenty years. The amendments are intended to provide young victims with greater certainty that testimonial aids will be granted and make testimonial aids available to adult victims and witnesses for the first time.

- Bill C-10 – *An Act to Amend the Criminal Code* (Mental Disorder) and to make consequential amendments to other acts (SC 2005, c 22)

Bill C-10 modernized the law relating to mentally disordered accused, persons found not criminally responsible on account of mental disorder and persons found unfit to stand trial. The imperative came after a statutory review of the legislation undertaken by the Standing Committee on Justice and Human Rights in 2002 and related consultations with victim advocates and service providers brought to light related victim issues.

In terms of the victim-related amendments to the legislation, the amendments permit victims to read their Victim Impact Statements at Review Board Hearings, unless the Review Board decides there are compelling reasons why this would be inappropriate. The amendments were designed to ensure that sufficient notice is given to victims about disposition hearings and provides Review Boards with similar powers to the courts to protect the identity of victims.

2.2.3. Grants and Contributions through the Victims Fund

The overall aim of the Victims Fund is to improve the experience of victims of crime in the criminal justice system. For 2005-2006 and 2006–2007, the Fund had \$2 million a year to meet its objectives. Funding was provided under three components: provincial and territorial implementation, projects and activities, and financial assistance. The objectives for each of these components for the first two years of the Strategy are described below.

Provincial and Territorial Implementation

The purpose of this component is to support implementation of FPT legislation for victims of crime, particularly provisions of the *Criminal Code* and the *Canadian Statement of Basic Principles of Justice for Victims of Crime*. Funding from this component supports the establishment or enhancement of programs to support the implementation of victim-related FPT legislation (including capital expenditures, PLEI, training).

Projects and Activities

This component provides financial assistance through grants and contributions to government and non-government organizations to encourage the development of new approaches, promote access to justice, improve the capacity of service providers, and foster the establishment of referral networks and/or increase awareness of services available to victims of crime and their families. The following types of projects and activities may be supported: pilot projects; evaluation of service delivery approaches; public education initiatives; enhanced assistance to victims of crime; increased awareness of and access to services and assistance; establishment of referral networks and training initiatives; projects that increase access to such services in northern, rural and Aboriginal communities; projects that respond to emerging issues in victimization; and initiatives that support victims engaged in restorative justice, community justice and/or alternative measures.

Financial Assistance

This component provides the following: (a) limited financial assistance to individual victims of crime or surviving family members faced with unusual or extreme hardship due to criminal victimization where no other adequate source of financial assistance is available; (b) financial assistance to surviving family members of homicide victims to attend early eligibility parole hearings; and (c) financial assistance to victims of federally sentenced offenders to attend NPB hearings.⁵

⁵ Funding for financial assistance to victims of federally sentenced offenders to attend NPB hearings became available in November 2005.

2.2.4. Developing and/or providing public legal education and information materials and products

The PCVI collects and synthesizes studies and reports and acts as a clearinghouse of information. It maintains up-to-date information on available programs and services for victims in Canada. Specifically, the PCVI maintains a Website and prepares fact sheets, guides/manuals and brochures on *Criminal Code* amendments, funding available and victim issues. Provincial and territorial governments, as well as other federal departments, send new policy direction documents or training material to the PCVI for inclusion in their resource centre.

Other activities include: the in-house development of new materials (e.g., additional fact sheets, updates to a Resource Guide for National Victims of Crime Awareness Week); the development of some materials under contract with PLEI organizations and other non-governmental groups; ongoing Website development and maintenance; supporting National Victims of Crime Awareness Week (NVCAW) activities; displays at conferences and other events, as well as the distribution of material generally; and press releases and backgrounders or summaries announcing new legislative initiatives, international developments, research and grants and contributions.

2.2.5. Building the Capacity of Northern Service Providers

The rate of violent crime and victimization in the North is significantly higher⁶ than similar crimes in the rest of Canada. The high concentration of victimization is further compounded by the remoteness and isolation of communities that characterize much of the North and the consequential lack of social and criminal justice services, especially for victims, in these communities.

The federal government plays a unique role in the North. Whereas *Criminal Code* offences are prosecuted by provincial Attorneys General, the situation in the territories is different. In

⁶ According to Canadian Centre for Criminal Justice Statistics “Crime Statistics in Canada, 2005” (<http://www.statcan.ca/english/freepub/85-002-XIE/85-002-XIE2006004.pdf>), the overall crime rate is approximately 3.6 times higher in the North than in the rest of Canada, and the rate of violent crime (homicide, assault, sexual assault and robbery) is approximately five times higher in the North than in the rest of Canada.

Nunavut, Northwest Territories and the Yukon, responsibility for prosecuting *Criminal Code* offences resides with the federal Attorney General⁷.

Since 2001, the PCVI has undertaken activities to enhance the capacity of service providers in the three territories. Working with territorial governments, the PCVI provides funding for training, networking, research and consultations. With other federal government departments, the PCVI conducts activities to increase the capacity of federal CWCs. It provides funding for the salary of three CWCs, specialized training events and networking meetings.

Federal CWCs work within the Public Prosecution Service of Canada to undertake many tasks on behalf of court-based victims/witnesses and the Crown Prosecutors in their territory. With the Crown, in a culturally relevant manner, they inform victims and witnesses about the criminal justice system. Their role is to explain the victim's rights under the law and provide referral services, where they exist, and to keep victims and witnesses informed of what is going on from the beginning of the court proceedings to the end, including follow up after the case is over, as much as possible. Central to their role, given the cultural context of the victims they assist, is that they provide key court information to victims and witnesses in a culturally relevant manner. In addition, CWCs provide significant support to victims given that many communities in the territories have no services for victims to draw upon. As a result, the federal CWC may be the only support available to the victim.

CWCs also act as a liaison between the Crown and the victim/witness. They prepare the victim/witness for what they can expect from their meeting with the Crown, and they provide feedback to the Crown about any concerns related to victim/witness, including risk and safety issues, and other issues which might impede the involvement of a victim/witness in the criminal justice system.

2.3. Federal Victims Strategy Resources

The budget for the FVS comprises two amounts of approved funding administered by the PCVI. The sum of \$25 million was approved in 2005 to extend funding for the victims initiatives over five years⁸ which will sunset in 2009-2010. In addition, \$30.4 million was approved in 2006-

⁷ For most of the period under examination for the evaluation, the Attorney General of Canada, like the PCVI, was within the mandate of the DOJ. As of December 2006, the Public Prosecution Service of Canada became a separate prosecution arm for the federal government.

⁸ This amount excludes funding for victims to attend parole hearings for federally sentenced offenders, which is managed by the Department under the FVS funding for PSEPC.

2007 for enhancements to the Strategy flowing through the PCVI for four years set to sunset in 2010-2011. (The 2006 budget provides \$52 million in total over four years for the Federal Strategy: PCVI is responsible for \$30.4 million of that total, the remaining funds are within PSEPC and the Office of the Ombudsman.)

In total, the annual budget of PCVI is approximately \$12.5 million. Of that, \$7.75 million is dedicated to the Victims Fund.

Table 1: Federal Victims Strategy Resources

Year	VCI	Enhancements	Total under FVS
2005/2006	\$5M	-	\$5M
2006/2007	\$5M	-	\$5M
2007/2008	\$5M	\$7.6M	\$12.6M
2008/2009	\$5M	\$7.6M	\$12.6M
2009/2010	\$5M	\$7.6M	\$12.6M
2010/2011	-	\$7.6M	\$7.6M
Total	\$25M	\$30.4M	\$50.4M

3. FINDINGS

This section presents findings from the interviews, surveys and file and document review, where relevant. It is organized according to the evaluation issues identified in the RMAF.

3.1. Design and Delivery

The evaluation examined how the FVS was designed and delivered. More specifically, the evaluation looked at what activities have been carried out under the FVS; which organizations have been involved in these activities; if there have been any challenges to implementing these activities or implementing the new *Criminal Code* provisions; the extent to which programs, policies and legislation include a victim's lens; and whether the Victims Fund is well targeted and reaching its intended beneficiaries.

3.1.1. Federal/Provincial/Territorial Working Group on Victims of Crime

The FPTWG meeting minutes indicate that the group met four times over the two years being reviewed for the evaluation. In addition to exchanging information amongst members of the working group, the following presentations were identified as being helpful in understanding the dynamics and sensitivities around victimization:

- Dr. James Hill – half-day presentation on package supporting Victim Services workers by understanding vicarious trauma
- Use of computers in the court
- Child Internet pornography
- Human trafficking
- Hate crimes
- Alberta Victims of Crime Protocol

3.1.2. Criminal Law Reform and Policy Development

Policy Development

A key role of the PCVI is to provide a victims lens by ensuring that victims' perspectives are considered in relation to the general federal policy development process. Examples provided by provincial, territorial and federal interviewees of areas where the PCVI participated and informed the policy process by providing a victims lens included the following, as noted by interviewees:

- hate crimes;
- immigrant women;
- restorative justice;
- Foetal Alcohol Spectrum Disorder (FASD);
- family violence;
- publications;
- development of an information guide for victims of federal offenders;
- training with CSC and NPB;
- development of the National Office for Victims at the Department of Public Safety; and,
- victim liaison positions (National Office for Victims, CSC).

Research

During the course of the two years being evaluated, seven research reports were completed. Six of them had been released and one was pending Web publication. An additional six draft reports were completed. Three research projects are ongoing and three more research projects are in development. Finally, a "victims lens" was applied in at least five other research project proposals.

Completed projects included:

- A Review of research on Criminal Victimization and First Nations, Métis, and Inuit Peoples, 1990-2001

- Victims of Trafficking in Persons: Perspectives from the Canadian Community Sector
- Bill C-46: Records Applications Post-*Mills*, A Case law Review
- Victim Impact Statements at Sentencing: Judicial Experiences and Perceptions - A Survey of Three Jurisdictions
- *JustResearch*, No. 14 – special issue on victims of crime research

International Work

The PCVI was also involved in the creation, implementation and evaluation of United Nations (UN) victim-related instruments. The PCVI participated in an UN Expert Meeting to develop a questionnaire on norms and standards, which looked at the extent to which member countries used a variety of non-binding victim-related instruments. The PCVI also participated in the UN Commission on Crime Prevention and Criminal Justice to have guidelines adopted regarding child witnesses and victims of crime. Finally, the PCVI worked closely with Foreign Affairs Canada in order to establish a financial assistance scheme for Canadians victimized abroad, which was announced as part of the FVS enhancements in April 2007.

3.1.3. Grants and Contributions through the Victims Fund

Reach of Victims Fund

The following two tables present the distribution of projects across the Projects and Activities and Provincial/Territorial Implementation components of the Victims Fund and the distribution of resources by these components for 2005-2006 and 2006-2007. The Financial Assistance component of the Victims Fund is discussed further under the outcome of increasing participation in the criminal justice system.

Table 2: Distribution of projects under Victims Fund

	Provincial/Territorial Implementation (# of agreements)	Projects & Activities (#)	Total number of agreements/projects
2005/2006	8	20	28
2006/2007	8	75	85
Total	16	95	113

(Source: Programs Branch files)

Table 3: Distribution of resources by Victims Fund components

	Provincial/Territorial Implementation (\$)	Projects & Activities (\$)	Total amount
2005/2006	\$299,967	\$396,104	\$696,071
2006/2007	\$399,324	\$1,394,076	\$1,806,879
Total	\$699,291	\$1,790,180	\$2,502,950

(Source: Programs Branch files)

In 2006/2007, there was a substantial increase in resource distribution of the Projects and Activities component primarily due to the Victims Fund being fully accessible in this fiscal year after having been delayed in the first fiscal year⁹. The difference in funding can also be partly attributed to 28 NVCAW projects funded in 2006/2007 for a total of \$152,398. The number of agreements under the Provincial/Territorial Implementation component remained the same over both years, although the amount of funding increased. With only eight agreements in each of the two years, not all jurisdictions are accessing this component of the Victims Fund.

The amounts of available funding and administrative requirements to obtain funding were found by some provincial and territorial respondents to be barriers to achieving the anticipated outcomes of the Strategy. The project-funding model was noted by certain provincial and territorial respondents to be problematic because it does not recognize the amount of time a new project can take to become sustainable, especially in small, remote communities. Moreover, the burden of re-applying annually for funding for a new phase of the same project was noted as taking away from the ability to focus those efforts on the actual project implementation. Finally, in terms of project funding, the process of expending the money first to be reimbursed later limited the number of new projects that could be undertaken for some provincial and territorial respondents.

⁹ Funding was delayed due to Parliament being dissolved for the December 2005 election just days before funding was to be authorized by the supplementary estimates process through Parliament's Standing Committee on Public Accounts. To begin distributing approved funding in the interim, the Department treasury managed until a Governor General's warrant was obtained for \$1M in January 2006.

While some jurisdictions received a sufficient amount for their needs and capacities, other jurisdictions found that their allotted amount has been too small or too targeted a contribution relative to their spending on services for victims. Moreover, the limited amount of funding coupled with the administrative requirements to obtain the funds resulted in at least one province not seeking its allotment at all. Timing is also a concern when the decision to not take up funding by the provinces and territories is not communicated to the Department in a timely manner. This has led to funds not being re-allocated quickly enough to other areas or jurisdictions given the administrative requirements.

Federal officials also noted the delays in securing funding and thus, in having it flow to intended recipients as an obstacle to achieving the outcomes of the Strategy. The process required to secure additional funding meant that the first year of funding under the Strategy (2005/2006) was lapsed.

Rejected Applications and Projects

The following table presents the number of applications/projects that were rejected for funding by reason for 2005-2006 and 2006-2007.

Table 4: Number of Rejected Projects by Reason

Rejection Reason	2005/2006	2006/2007	% of Total
Fund requirements not met	20	14	50%
Not proceeding	16	10	38%
Unsuccessful	5	3	12%

(Source: GCIMS)

The most common (50%) reason that an application was rejected across components and years was that the project did not meet the terms and conditions of the Victims Fund, there was insufficient time to process the request, or there was no response from the applicant. The next most common (38%) reason that an application was rejected was not proceeding because the project was entered in error¹⁰, or when the application was incomplete¹¹. Finally, a small proportion (12%) of applications were rejected because the projects were deemed to have insufficient funding partners and/or were requesting too much funding, there was insufficient resources in the Victims Fund, or the projects were not sufficiently innovative, which are requirements of the Fund.

¹⁰ This occurred in four instances in 2005/2006 when GCIMS was being implemented and data was inputted.

¹¹ There is also a category “none” but it is unclear what reasons would be included. One possible explanation is that files had been opened under the Victims of Crime Initiative, then closed and re-opened under the new FVS.

Victims Fund Distribution by Activities within Projects

Victims Fund recipients undertook a range of activities with which to achieve the anticipated outcomes of their projects. The following table presents the distribution of the types of activities funded through projects.

Table 5: Victims Fund Activities

Activity	% of all Victims Fund Project Activities
Information sharing	46%
Service enhancement	14%
Training and education	11%
Research	6%
PLEI	6%
System development	5%
Unidentified	5%
Other	4%
Pilot project	2%
Translation	1%

(Source: GCIMS)

Partnerships

Across both fiscal years, a total of 38 (40%)¹² of the projects funded included partnerships with community-based organizations, media, advocacy organizations, and municipal and provincial governments. The nature of the partnerships included financial, in-kind and planning supports. The average number of partnerships for those projects with partners was just over one and a half. Of the partnered projects, the average financial contribution of the Department of Justice was 53%.

National Victims of Crime Awareness Week

One of the most significant undertakings to raise the profile of victim issues by the PCVI during the first two years of the FVS was to establish the *National Victims of Crime Awareness Week* (NVCAW) in Canada in April 2006. The PCVI's intention was to encourage and support locally based and national events over the course of one week to raise awareness about victim issues. In terms of support, small amounts of grants and contributions (on average, approximately \$5,000) were made available through the Victims Fund to organizations interested in organizing an event.

¹² Source: Programs Branch files

The purpose of the week was to:

- raise awareness of the needs of victims of crime;
- recognize the dedication of those who work to support and assist victims; and,
- draw specific attention to advancements made respecting victim issues in Canada.

3.1.4. Public Legal Education and Information (PLEI)

Building on a communication/PLEI package used from 2000 to 2005, the PCVI developed fact sheets for the public on recent enhancements made available through legislation and funding. The fact sheet regarding *Financial Assistance for Victims to Attend National Parole Board Hearings* provides a basic overview of the purpose of the assistance, eligibility requirements and policies and instructions on how to apply for the assistance. Two fact sheets on testimonial aids available to witnesses in criminal proceedings were created, published and disseminated. One fact sheet is specifically designed for child witnesses and the other fact sheet provides an overview of testimonial aids for all vulnerable witnesses, including children.

The PCVI also organized a national-level opening ceremony and symposium in Ottawa focusing on victim issues to commemorate the NVCAW. The audience of approximately 100 people was comprised mainly of federal government stakeholders and community-based representatives from the Ottawa area. A Resource Guide including fact sheets, sample speeches and media materials was developed and distributed both electronically and by mail in order to assist organizers in planning and hosting events for the NVCAW. The Resource Guide was made publicly available on the NVCAW Website of the Government of Canada.

3.1.5. Building the Capacity of Northern Service Providers

The PCVI collaborates with the Department of Public Prosecutions to support CWCs. The PCVI undertook several activities during the evaluation period to support the CWCs, including: paying the salary for three of ten CWCs (one in each territory); holding two annual meetings including workshops on issues such as vicarious trauma; supporting CWCs to attend victim-related training events; and developing manuals and other resources to assist in their work.

In addition to the funding dedicated to CWCs, Victims Fund projects are intended to ensure that funding gets to small remote communities where there is limited access to services and social

and crime issues are at very high levels. Examples of how the Victims Fund has been used in the North include:

- Purchase of screens to be used as testimonial aids;
- positions for a victims coordinator, a victims program intern, and an outreach youth and victim worker;
- expansion of victim services in six of seven Kivalliq communities in Nunavut;
- training for victim services and regional Community Justice Committees;
- development of a Family Violence Protocol in Yellowknife;
- development of a national mobile training module for shelter workers in Inuit communities; and,
- services to meet the needs of child witnesses to domestic violence.

3.1.6. Organizational Configuration of the Policy Centre for Victim Issues

Some human resource challenges were identified during the evaluation. Several respondents noted that the Director of the PCVI has been acting in multiple senior management roles for an extended period of time. As a result, the Director has to manage additional highly pressing priorities, which inevitably has an impact on the PCVI's access to the Director. The knowledge, experience, leadership and links to other sections and initiatives in the Criminal Law Policy sphere that the Director is found to bring to the FPTWG on Victims of Crime as Chair was noted as invaluable by several provincial and territorial respondents.

The evaluation found that there were some resource challenges with the development and implementation of the new FVS. To secure the funding for victims of crime identified in the 2006 Budget by the government, the PCVI spent a significant amount of time developing a new Strategy to distribute this new allocation. In addition to the new Strategy, the PCVI was also responsible for the establishment of the new office of the Federal Ombudsman for Victims of Crime. The PCVI staff originally in place to undertake the activities related to the second Victims of Crime Initiative had to re-distribute their work accordingly. This work included further research, consultations, the development of new models and the preparation of two Memoranda to Cabinets as well as a Treasury Board Submission. These processes, which took approximately 9 to 12 months, meant foregoing some of the activities that would have been

undertaken to support the Victims of Crime Initiative launched in 2005, including maintaining an active Advisory Committee, conducting case law reviews, performing Victims Fund mining activities and completing Consultation Reports.

In addition, the current organizational configuration of the PCVI, with both permanent FTEs and others secured through service agreements from other Minister of Justice sections, has resulted in some periods of turnover and limiting the continuity and priority of some files.

3.2. Success

The evaluation examined short-term results in order to assess the extent to which the FVS is in line with attaining its long-term objective of improving the experience of victims of crime in the criminal justice system.

More specifically, the evaluation examined the extent to which programs, policies and legislation are relevant to victims; if there has been an increase in the capacity to deliver victim services; whether there has been an increase in the participation of victims in the criminal justice system; if there is an increase in the awareness of victims issues, services and legislation; and whether there is an increase in the sharing of information and materials related to victims issues.

Legislation

Key informants noted that the changes brought about with Bill C-2 and Bill C-10 have provided a more meaningful role for victims in the criminal justice system and are a real, concrete form of assistance directly to victims. These changes are considered by provincial and territorial key informants to have better taken into account the needs of victims and the recognition of their concerns. The changes were seen by provincial and territorial officials to highlight advances made in terms of the participation of victims in the criminal justice system and in the humanization of procedures, notably in the areas of sexual assault and those regarding child victims.

Satisfaction with Victims Fund Administration

Overall, Victims Fund applicants who responded to the survey administered as part of the evaluation indicated that they were satisfied with their experience with the Victims Fund

application process. The most satisfactory aspects included¹³ communication, information, fairness of the approval process and feeling that they were treated with courtesy and respect. The least satisfactory aspects of their experience were reported to be ease in completing the application process (12.5%), which was considered lengthy (6%), and understanding the objectives of the Fund (6%), which was considered as somewhat difficult to match with project objectives.

Victims Fund Distribution by Victims Fund Outcomes

According to the assignment of Victims Fund outcomes to projects by the Program Manager in the GCIMS, projects often contribute to more than one outcome¹⁴. The most common outcome to which projects were reported to contribute was increasing the capacity to deliver victim services. The sharp rise in projects in 2006/2007 that contributed to the outcome of increasing access to victim services is due to the take-up of funding for events related to NVCAW in 2006/2007.

Table 6: Victims Fund Distribution by Fund Outcomes

Outcome ¹⁵	2005/2006		2006/2007	
	# of Projects	Total \$	# of Projects	Total \$
Increase capacity to deliver victim services	22	\$639,445	42	\$1,194,976
Enhance capacity to implement victim-related legislation	11	\$338,542	15	\$680,275
Develop new approaches and/or products to help victims and deliver services	15	\$416,421	17	\$553,458
Increase awareness and understanding among criminal justice personnel, service providers and victims of victims issues/legislation/ services available	1	\$6,250	30	\$525,943
Increase access to victims services for victims	0	\$0	28	\$416,706
<i>Unidentified</i>	2	\$52,900	7	\$105,691

(Source: GCIMS and Victims Fund manager project files)

Most of the NVCAW projects were identified as contributing to the outcome of increasing access to victim services; however, they could have also been attributed to the outcome of increasing awareness among criminal justice personnel, service providers and victims of victim issues, legislation and services available.

¹³ Each of these aspects received a very satisfied or satisfied rating by all of the survey respondents.

¹⁴ Since projects often contribute to more than one outcome, the numbers and dollar amounts do not total to the allocated amounts for the Victims Fund of \$2 million a year.

¹⁵ Outcomes were assigned to projects by the Victims Fund Program Manager in the GCIMS.

The findings of the evaluation indicate that several types of NVC AW events hosted were perceived by their planners as being successful. Typically, the planners most frequently pointed to high levels of community member involvement and positive responses from the community and other organizations as a measure and indicator of success.

In terms of challenges, all event planners wrestled with shortage of time and some also had to contend with being short staffed or having a tight budget. Furthermore, it was difficult for some event planners to measure the level of success in reaching their intended audience. Nonetheless, event planners generally reported that their NVC AW events were successful because they attracted attention and elicited positive reactions from the community and other local organizations.

The findings of the evaluations undertaken on the 2006 NVC AW were used to inform the planning of the 2007 NVC AW by making changes to the Resource Guide and ensuring its earlier distribution and earlier availability of funding.

3.2.1. Increased Capacity to Deliver Victim Services

Federal interviewees and survey respondents, including Northern representatives, indicated that it is currently impossible to provide CWCs for every case, leaving them to work on only the most severe cases, such as murder, personal violence, victims with mental disabilities and cases involving children as victims or witnesses. Without a CWC, the victim has to work directly with the Crown who is generally on circuit and because of their very heavy workloads often do not have the time or cultural expertise to fully assist the victim/witness. One CWC respondent noted that more young women are speaking out and reporting crimes but they have no information or guidance to carry through with the charge. This can lead to victim retractions in order to avoid any more conflict with the accused.

Two training events/meetings were organized for CWCs between 2005/2006 and 2006/2007¹⁶. Generally an annual event, these were the fourth and fifth meetings that the PCVI has planned with the support of the Regional Directors in the North to respond to training and information needs of CWCs in the territories. The training topics were selected in consultation with the CWCs and Regional Directors in the territories.

¹⁶ While PCVI provides salary dollars for three CWC positions, all 10 CWCs benefit from the training organized by PCVI.

The goal of the meetings was to contribute to the capacity (knowledge and awareness) of CWCs in their work by providing an opportunity for them to network, learn about and discuss common and specific issues about victim problems amongst each other, other service providers and experts. Given the unique nature of the role of CWCs in the Department, the distance between them geographically, the opportunity to come together, share experiences and interact with co-workers was reported to be very important.

All CWCs who participated in both meetings organized by the PCVI completed an evaluation questionnaire. The questionnaire consisted of several closed and open-ended questions that enabled participants to describe the particular benefits that they accrued from the conference, as well as suggest future support activities.

As a whole, the CWCs' evaluations of the meetings were positive. Training sessions were reported to be well organized and an appropriate amount of relevant information had been presented. For the 2006 meeting, CWCs reported that their level of knowledge increased. On average, participants rated their level of knowledge before the conference as three out of five, whereas after the conference they rated their knowledge as four out of five (five out of five being "excellent"). Moreover, participants reported having "learned somewhat more than they expected" at the conference. Gaining greater understanding of topics such as family/domestic violence, sexual assault, suicide and gay/lesbian issues were noted as particularly pertinent to their work.

The participants agreed or strongly agreed that they learned new information that would help them in assisting victims and that the conference increased their ability to respond to the needs of victims. Several CWCs identified information on interacting with victims, including behaviours and reactions that are typical of victims after different types of victimization and how these experiences figure into cycles of violence and addictions, as key lessons. CWCs noted that they felt better equipped to respond to victims (e.g. "listen better", "understand their background") and better understood the role they can play in the healing process, including referrals, when appropriate, to alternative justice programs.

The annual training organized by the PCVI for CWCs was noted in the surveys and interviews with territorial officials to have had a strong impact in improving the quality of services by support workers by enhancing their knowledge around issues of working with court-based victims and witnesses.

3.2.2. Increased Participation in Criminal Justice System

The emergency financial assistance component of the Victims Fund provides limited emergency financial assistance to individual victims of crime or surviving family members faced with unusual or extreme hardship due to criminal victimization, whether domestically or internationally. In the years 2005/2006 to 2006/2007, two individuals received funding under this component for a total of \$13,479.

As of November 1st, 2005, financial assistance became available to registered victims who wish to attend NPB hearings of the offender (under sentence in a federal institution or under CSC supervision) who harmed them. Funding is intended to allow victims to participate more fully in the criminal justice system by defraying the financial burden of travel and accommodations. The NPB funding is administered by the PCVI at the Department of Justice. In consultation with the Department's Evaluation Division, surveys were mailed to victims of crime who had received financial assistance through this Fund. There were 156 respondents based on survey data received by March 31st 2007.

In the two fiscal years covered by this evaluation, 757 applications were submitted for funding under this component. Of these, 74 were denied funding and 509 of the approved applications received funding. The total amount of money requested was \$487,672, while the total amount approved was \$445,096 and the total amount paid was \$312,949.83.¹⁷

Most respondents felt satisfied with their experience with completing the application, communicating with Victims Fund staff and/or manager, being provided with the necessary information to complete the application, being treated with courtesy and respect, the fairness of the approval process, and the time it took to receive assistance. Supporting documentation (i.e. Fact Sheet, Questions & Answers) was provided to applicants to assist them in the application process. Most respondents received these supporting documents and 90% found them very easy/easy to understand. The information provided was useful in helping them complete the application and understand the approval process.

¹⁷ The discrepancies in the amount of funding and number of recipients compared to approved applicants are a result of the unique nature of these funding agreements to individuals. Victims may request funding to attend NPB hearings and base their requests on estimated costs. However, hearings may be cancelled or postponed or victims may decide not to attend the NPB hearing or may attend but find that the costs entailed were less than they estimated. Once the NPB hearing is over, recipients send their receipts for eligible costs to the Department of Justice and are subsequently reimbursed, oftentimes for lower costs than had been estimated.

Almost all respondents (97%) found the funding amount they received to be “very helpful” or “helpful.” While most indicated that they would still have attended the hearing regardless of funding, some (19%) were unsure and 21% indicated they would not have been able to attend. Additionally, several respondents who stated they would have attended without the funding indicated that the funds still assisted them and eased their financial burden.

Several of the respondents who were only somewhat satisfied commented on having to pay expenses up front, loss of wages and lack of funding for childcare as being a financial burden. Some of these concerns have been addressed with the recent enhancements to the FVS, which have expanded the terms and conditions of the financial assistance.

Overall, most respondents (88%) were very satisfied/satisfied with the funding process. The ease in financial burden to travel, the respect and support received, and the helpfulness of the staff at NPB and Department of Justice were cited as the main reasons for their satisfaction. A large number of respondents also commented on the financial assistance allowing them to attend the hearing and engage in a process of healing. Most importantly, many noted attending the NPB hearing gave them the opportunity to participate and feel included in the criminal justice process and have their voice as victims heard.

3.2.3. Increased Awareness

Legislative Awareness

Some provincial/territorial officials indicated a continuing need to raise awareness and understanding of the amendments among criminal justice personnel. Examples of areas for further attention noted included the provisions ensuring the mandatory usage of testimonial aids with children upon application (unless it interferes with the proper administration of justice) and the elimination of mandatory competency hearings for children.

Awareness of Victims Fund

Key informants indicated several ways in which the Fund was promoted to provinces, territories, NGOs and victims and their families. FPTWG on Victims of Crime meetings were noted as a good vehicle for distribution and promotion to provinces and territories, and FPTWG members often disseminate the information to NGOs in their jurisdiction. Several provincial and territorial interviewees explained that dissemination of information to these organizations is not a formal process, and that they do not target all NGOs but rather focus efforts to NGOs “on their radar”.

A number of interviewees indicated that more could be done to raise awareness amongst NGOs in their jurisdictions, including through the media (radio and television), awareness campaigns and direct mailings, although they acknowledged that this would be hard to keep up to date.

The Victims of Crime Advisory Committee was also cited as a way in which the Victims Fund was promoted. Additionally, communications such as news releases, print materials (posters, mail-outs and fact sheets), Websites, word of mouth and conferences were strategies used to disseminate and promote information about the Victims Fund. Lastly, interview respondents noted that the Fund was promoted through other federal departments and sections, for example the Family Violence Initiative.

In terms of awareness of the Victims Fund among victims and their families, additional awareness-raising vehicles suggested included a “kit” outlining the role of the PCVI and the Victims Fund, as well as brochures for victims and families to be distributed via front-line service providers. Respondents also noted a need to educate victim services providers about the Victims Fund.

Conferences were used as another type of policy instrument by the PCVI to raise public awareness about victim issues. Conferences and symposia organizing, including a symposium on victims of terrorism, and limited attendance by victim services workers to attend conferences, have been funded through the Victims Fund. In addition to this financial support, the PCVI interview respondents indicated that they had attended, assisted in organizing and/or presented at numerous conferences and learning events over the first two years of the FVS.

Three sub-studies were undertaken as part of the 2006 NVCAW, which examined individual events, the Resource Guide and the organizing committee of the NVCAW. Surveys were used for each sub-study as a means to collect information on the event. The results of the sub-studies demonstrated that the overall quality of the Guide was high and that it was useful in terms of raising awareness about victim issues and programs and services for victims. The Guide was found to be potentially useful for planning NVCAW events, although most event planners did not make use of the Guide because they did not have access to it in time or they already knew how to plan an event of this nature. Event planners did, however, indicate the Guide was a valuable resource, not just for the NVCAW, but also as a source of information throughout the year. Suggestions for improvement included making the Guide available earlier prior to NVCAW events and providing additional information such as victim-related services, more tips on planning such as time management, how to better advertise and promote an event, and past examples of events and success stories.

3.2.4. Increased Information Sharing and Materials

Interviewees agreed that the FPTWG on Victims of Crime was attaining its intended objectives and that having a regular meeting of senior officials to discuss victim issues through the FPTWG forum is extremely valuable. It is the only such mechanism for information sharing, problem solving, discussions and feedback for its members on victim issues at a national level. The Working Group's Sub-Committee on Aboriginal Victims of Crime and the special meeting on Criminal Injuries Compensation were noted by a number of FPTWG members as examples of more formal undertakings of problem solving. Some provincial and territorial interviewees also noted the FPTWG as a vehicle for consultation and partnership between jurisdictions.

FPTWG on Victims of Crime interviewees noted the benefits of having a forum to discuss different approaches and perspectives to similar issues and best practices learned in various jurisdictions. It is seen as important to keep abreast of new developments in area of victim issues.

Finally, respondents from both the federal and provincial/territorial governments noted the strength of the feedback loop through the FPTWG when it comes to federal policies. Provincial and territorial members generally felt that their feedback was taken into consideration to inform, improve and develop federal policies. Departmental officials confirmed this role by noting the importance of having the perspectives of the FPTWG on Victims of Crime to inform federal policies. Provincial and territorial members are considered to be the key driving forces in ensuring that new federal policies, initiatives and legislation flow through to the respective front-line service deliverers in each jurisdiction.

FPT interviewees reported that the PCVI's research function is working effectively. Several interviewees commented on the important role that the Department of Justice is playing in building the research body around victim issues where it was previously lacking. Specifically, research was used to inform future policy directions and to monitor policy implementation. Research also continued to provide a solid evidence base from which to identify and discuss options and raise awareness of victim issues and responses to those issues.

Generally, research was disseminated through a variety of internal and external channels including: the FPTWG on Victims of Crime, conferences, the PCVI Website, the Victim Advisory Committee, active distribution by email to stakeholders and relevant departments, *JustResearch*¹⁸, international Directors of Justice Research Committee, the Canadian Centre for

¹⁸ A publication of the Research and Statistics Division of the DOJ, available to the public through the departmental Website

Justice Statistics/Statistics Canada's distribution network, and Statistics Canada's "Daily" research release.

Several types of information resources such as fact sheets are available on the PCVI Website. In total, 157,083 documents were accessed from the PCVI site between April 1, 2005 and March 2007 with an average of 6,545 being downloaded per month.

Effectiveness and Usefulness of Information

Victims Fund applicants, FPT officials, and Victims of Crime Advisory Committee members were asked to rate the extent to which the PCVI was effective in distributing information and the usefulness of that information.

Overall, 52% of FPT stakeholders and 46% of Victims Fund applicants found that the PCVI was effective or very effective in distributing information. The PCVI was more effective in distributing information to FPT stakeholders than to Victims Fund applicants in the areas of new criminal legislation, new federal policies related to victims, information taking place in other jurisdictions, opportunities for networking and opportunities for coordination or joint ventures. On the other hand, the PCVI was more effective in distributing information to Victims Fund applicants than FPT stakeholders on the Victims Fund, other funding opportunities, public legal education and information about victim issues and communication products.

Ten per cent of respondents found the PCVI not at all effective in distributing information. Areas where both groups of respondents found that the PCVI was not at all effective in distributing information included information on other funding available for victim issues and information on work taking place in other jurisdictions.

Overall, 56% of respondents found that the information received from the PCVI was useful or very useful¹⁹. Information distributed by the PCVI was found to be more useful to FPT stakeholders than Victims Fund applicants in all categories, except information on other funding available and communication products²⁰. PLEI and networking opportunities were found to be the same level of usefulness by both groups of respondents.

¹⁹ 8% found the information received from PCVI not at all useful.

²⁰ However, 17% of Victims Fund applicants and 14% of FPT stakeholders found information on other funding available for victims not at all useful.

4. CONCLUSIONS, RECOMMENDATIONS AND MANAGEMENT RESPONSE

Organizational Configuration

The configuration of the PCVI, with both core staff and staff in partner sections, leaves the FVS with certain vulnerabilities. While the configuration has worked more or less to date, there are inherent risks in its conceptualization and the way in which it has been implemented.

More core staff would be valuable to handle unanticipated activities, such as those that were required to secure the additional funding announced in the 2006 Budget, while still focusing on ongoing priorities. An expanded core would also enable more outreach work, both with the provinces and territories and with NGOs. This would enhance the PCVI's expertise and ability to understand and advance victim issues.

Recommendation 1: It is recommended that the PCVI review its internal structure, including with respect to the addition of analysts to cope with unanticipated activities and to begin to plan for the succession of its members, most notably, the Director.

Management Response

We agree with this recommendation. Staffing action will take place, firstly by staffing the two senior policy analyst positions (PM6 – one existing and one vacant) that, along with the existing ES5, will be able to undertake a high level of work while also acting for the Director in his/her absence. Secondly, the Director position will be staffed within the next six months.

Increased Capacity to Deliver Victim Services

During the two years being evaluated, the PCVI undertook several activities to help build the capacity of Northern service providers, including: paying the salary for three CWCs (one in each territory), holding two annual meetings, supporting CWCs to attend victim-related training events, and developing manuals and other resources to assist in their work. In addition to

supporting the CWCs, there were a number of projects that were funded through the Victims Fund.

Increased Participation of Victims in the Criminal Justice System

Overall, the Victims Fund grants and contributions were found to be directed to the objectives and anticipated outcomes described in the RMAF. The Victims Fund continues to be considered an effective vehicle to contribute to the improvement of the experience of victims of crime in the criminal justice system. This is reflected in the fact that Department of Justice officials reported that the demand for the Victims Fund is increasing.

More specifically, the Victims Fund has helped to increase the willingness of victims/witnesses to participate in the criminal justice system by ensuring more support and accommodations. Financial assistance provided to victims or their family members has reduced the financial hardship of attending early eligibility (homicide) parole hearings and federal parole hearings.

However, a key issue for provincial and territorial key informants relates to the short-term nature of funding. While some jurisdictions received a sufficient amount for their needs and capacities, other jurisdictions found that their allotted amount has been too small or too targeted a contribution relative to their spending on services for victims. Key informants also noted that funding to develop new services was available but that funding was unavailable to maintain the services. New projects require conceptualization, development and implementation, including staffing and training. This is reported to lead to reluctance to develop new programming. Recipients also reported an inability to plan long-term with short funding cycles (five years) and with the short-term nature of the funding agreements.

Recommendation 2: It is recommended that, wherever possible, the Victims Fund engage in multi-year agreements that support the conceptualization, development and implementation of projects.

Management Response

We agree with this recommendation. Multi-year Victims Fund agreements will continue to be supported to the extent possible. The results of the evaluation may support the rationale for more flexible terms and conditions for the Victims Fund when the Fund is renewed. The PCVI is currently obligated to operate within the more narrowly prescribed Treasury Board-approved terms and conditions. The PCVI cannot commit to

long-term funding which extends beyond the expiration dates of the current Victims Fund (2009-2010 and 2010-2011).

Increased Awareness

Raising public awareness through PLEI materials and designing programs and policies to help ensure that victims of crime have access to support and services remain important aspects of the Strategy. In addition, research activities assist provinces, territories and service providers in developing approaches and products for new and enhanced programs for victims.

Generally, *Criminal Code* provisions have been put into place as intended and are considered to be a relevant and effective way of providing a concrete, meaningful role for victims in the criminal justice system. However, there were some suggestions from some provincial and territorial respondents that there continues to be a need for work with respect to raising awareness and understanding of the *Criminal Code* amendments among key criminal justice personnel. In particular, the interviewees noted that the PCVI should commit further attention to raising awareness of the provisions ensuring the mandatory usage of testimonial aids with children upon application (unless it interferes with the proper administration of justice) and the elimination of mandatory competency hearings for children.

Recommendation 3: Continue to work with the provinces and territories to raise awareness of the *Criminal Code* provisions with special reference to the provisions ensuring mandatory usage of testimonial aids with children and the elimination of mandatory competency hearings for children.

Management Response

We agree with this recommendation. The PCVI will continue its efforts to raise awareness of the expanded testimonial aids provisions through research, public legal education and informal awareness-raising through avenues such as consultations with the bar, judiciary, Uniform Law Conference, and Coordinating Committee of Senior Officials.

The FPTWG on Victims of Crime provides a forum for sharing and discussing lessons learned and approaches to common issues. The meetings enable integration in two directions: firstly, by ensuring that federal policies are informed by provincial and territorial stakeholders; and secondly, that provinces and territories continue to integrate federal policies, legislation and

objectives into their work. Conferences, research papers and policy and legal advice have further incorporated victims concerns in policies and practices.

Although the grants and contributions through the Victims Fund have been used to expand the availability of accommodations for witnesses and victims of crime while testifying, the Victims Fund is not consistently communicated to NGOs. It is unclear what the information dissemination strategy for NGOs is with respect to the Victims Fund; it appears to be ad hoc and overly reliant on a tacit agreement with provinces and territories that they will distribute the information to NGOs in their jurisdictions.

Recommendation 4: A new communication plan should be developed in consultation with the FPTWG and the Victims of Crime Advisory Committee. The plan should include ways of better engaging and supporting Victims of Crime Advisory Committee members in informing federal policy and disseminating information on victim issues.

Management Response

We agree with this recommendation. The PCVI will develop a communication plan that will include the vehicles of the newly expanded Victims Fund and the National Victims of Crime Awareness Week. The data bank of NGOs will be used to share information about funding criteria and successes/lessons learned. The Victims Advisory Committee will be convened more regularly.

Increased Sharing of Information and Materials

Public legal education and information materials better inform victims so that they are made aware of the services available to them. These materials also give service providers and criminal justice personnel a better understanding of victim issues and legislation, and the services available for victims, thereby ensuring they can better assist victims in gaining access to services. Several types of information resources, including victim fact sheets, are made available publicly on the PCVI Website. During the two years included in the evaluation, a total of 157,083 documents were accessed from the PCVI site. This is an average of 6,545 documents being downloaded per month. The NVCAW has also been successfully undertaken, seeing an expansion in its second year to reach a greater number of Canadians.