



# **Victim/Witness Assistance Program**

## **Ministry of the Attorney General**

**December 10, 2019**

**Delta Family Resource Centre**

**Presenter: Laurie Snowden, Manager, Toronto West Courthouse**

# Victim Services vs. Victim Witness

## Victim Services Toronto (VST)

- Point of engagement is commission of a crime.
- Works with **all** victims of crime and those impacted by sudden tragedy.
- Staff work out of Toronto Police Headquarters, and they sometimes attend crime scenes.
- Provides immediate on-site crisis, safety and support services.
- Aims to mitigate the harmful effects of trauma on the victim and their loved ones.
- Assists with VQRP+ Application process.

## Victim Witness Assistance Program (VWAP)

- Point of engagement is laying of charges.
- Works with vulnerable victims of crime **only**.
- Staff work out of provincial criminal courthouses.
- Provides information, assistance and support to victims and witnesses of crime.
- Aims to increase understanding of, and participation in, the criminal court process
- Assists with VVFF application process.

# VWAP Toronto Region

Ontario Court of Justice Sites

*College Park, Old City Hall, North York, Scarborough, Toronto West*

Superior Court of Justice

Court of Appeal

Ontario Review Board

Special Prosecutions (*a.k.a Guns & Gangs*)

- Youth Court – 311 Jarvis

# VWAP Mandate & Goals

## Program Mandate:

Provide information, assistance and support to victims and witnesses of crime throughout the ***criminal court process*** in order to improve their understanding of, and participation in, the criminal court process.

## Program Goals:

- (1) Enhance victim/witness understanding of and participation in the criminal justice system.
- (2) Assist the victim/witness to regain a sense of well-being.
- (3) Provide coordination of community support structures to assist victims of crime.

# Important Things to Know

V/WAP staff cannot:

- Discuss evidence with clients
- Fail to disclose information to the crown
- Provide legal advice to clients
- Provide counselling services to clients



# Core Client Groups

- intimate partner violence / domestic violence
- child abuse
- sexual assault – including historical sexual
- human trafficking
- families of homicide victims
- families of motor vehicle fatalities
- victims with disabilities
- elderly victims
- victims of hate crimes







# Core Services

- Information about the criminal justice process
- Case specific information
- Emotional support, including crisis intervention, advocacy & debriefing
- Needs assessment and appropriate referrals to community services
- Discussions of safety issues and referrals for comprehensive safety planning
- Communication with Crown Attorneys and Police regarding the victim's needs and input
- Coordination of interpretation services.
- Court preparation & orientation
- Safe waiting area prior to testifying
- Information about Victim Impact Statements.
- Information on services that assist once a case is closed.
- Court accompaniment for vulnerable clients where no other suitable support person or service is available
- Coordination of community services.
- Provision of court documents.

# Victim Impact Statements (VIS)

A written statement that describes the physical or emotional harm, property damage or economic loss that a victim has suffered.

Provides victims with a voice in the criminal justice system – by allowing them to explain to the court and the offender how the crime has affected them.

Victims have the right to read their VIS in court or to have the crown (or someone else ) read it on their behalf.

VIS does not have to be read at all – can be given to Judge.

VIS is purely voluntary – no requirement to complete.

VI. Crown attorney has an obligation to disclose (ie share) document with defence/accused.

# Barriers to Participation

A victim may be reluctant to report the abuse or participate in the criminal court process for a number of reasons:

- Fear/safety concerns

- Economic dependency

- Effects on children

- Cultural and religious considerations/barriers

- Hope that the abuser and/or situation will change

- Belief that the abuse won't happen again

- Concern that the abuse will escalate

- Victim may still love the abuser

- Feeling responsible for the abuse

- Systemic barriers/mistrust of justice system

- Additional fears/difficulties for LGBTTIQQ2S victims & victims with disabilities

# Recantations

V/WAP staff are available to discuss a victim's reluctance to participate in the process and may:

Emphasize that workers are not in a position to discuss evidence

Discuss the dynamics of domestic violence with the client.

Encourage clients to tell the truth.

Suggest that clients may wish to seek legal advice about the possible repercussions of recanting a sworn statement.

Discuss how the criminal justice system holds offenders accountable for their actions.

Facilitate a meeting with the Crown attorney and police, if appropriate.

Refer clients to the police if they express a desire to recant.

- Assess secondary issues keeping victim safety in mind

# Benefits of V/WAP Services

- Addresses client fears
- Reduces anxiety
- Facilitates trust
- Reduces long-term effects of trauma
- Addresses safety issues early
- Identifies and advocates for testimonial aids
- Provides timely access to case specific information
- Promotes coordinated service through referrals
- Enhances understanding of and participation in the criminal court process

# Questions?

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