



Environment,
Labour and Justice

Victims of Crime Act 2012-2013 Annual Report



Twenty-fourth Annual Report

Victims of Crime Act

R.S.P.E.I. 1988, Cap. V-3.1

April 1, 2012 - March 31, 2013

Prince Edward Island Department of Environment, Labour and Justice
PO Box 2000, Charlottetown, PE C1A 7N8



Environment, Labour
and Justice

Environnement,
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August 2013

The Honourable H. Frank Lewis
Lieutenant Governor
Province of Prince Edward Island

May it Please Your Honour:

I have the honour to submit the Twenty-fourth Annual Report of
the administration of the *Victims of Crime Act*, R.S.P.E.I. 1988,
Cap. V-3.1 pursuant to section 36 of the *Act*, for the fiscal year ended March 31,
2013.

Respectfully submitted,

A handwritten signature in cursive script, reading "Janice A. Sherry".

Janice Sherry
Minister of Environment, Labour and Justice
and Attorney General

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Executive Summary

Trends in Client Demand

- There were 1,006 new cases referred to Victim Services in 2012-2013, in addition to approximately 825 cases carried forward from the previous year. As of March 31, 2013, there were 645 active cases across the province. The average monthly caseload in 2012-2013 was 822 cases.
- In 2012-2013, there were 211 victim impact statements prepared and filed with the court. Over the past ten years, the number of victim impact statements filed has ranged from 195 to 318.
- During the fiscal year 2012-2013, 40 new applications for criminal injuries compensation were filed, and 113 applications were carried over from the previous year. Thirty three final decisions and nine interim decisions were made in 2012-2013. A total of \$129,252 was awarded in criminal injuries compensation.
- In 2012-2013, there were 52 applications for Emergency Protection Orders under the *Victims of Family Violence Act*, and three applications for a Victim Assistance Order. Since the proclamation of the Act in December 1996, there have been a total of 631 Emergency Protection Orders granted.

Offence Type and Offender Information

- The most frequent types of crime for Victim Services cases in 2012-2013 were:
 - assaults (40 percent)
 - thefts (12 per cent)
 - uttering threats (11 per cent)
 - sexual assaults (7 per cent)
 - break and enter (6 per cent)
- In 311 cases (31%), there was a family type relationship between the victim and the suspect or offender. In 238 cases (24%), the suspect or offender was a male partner or ex-partner (either current or former husband, common-law husband, or boyfriend).

Highlights and Initiatives:

- An amendment to the *PEI Summary Proceedings Act Regulations* came into effect October 1, 2012 to increase the victim surcharge collected on provincial offences from \$20 to \$25. Victim surcharge is a payment introduced in both federal and provincial legislation so that people found guilty of an offence contribute to the assistance of victims of crime.
- In partnership with the PEI Child Sexual Abuse Advisory Committee, Victim Services assisted in the coordination and development of the updated PEI Child Sexual Abuse Protocol. Six government departments, all Island police services and both First Nations signed on to the protocol to support an integrated, collaborative response to child sexual abuse.
- Additional funds were allocated to the Criminal Injuries Compensation Program in 2012-2013 to reduce the backlog of claims awaiting adjudication.
- Victim Services partnered with the PEI Reproductive Care Program and the PEI School of Nursing through a student placement, to assist with implementation of the Period of PURPLE Crying Program. The program teaches families and caregivers about the normal patterns of infant crying. The teaching has proven to help prevent infant abuse and injuries due to shaking that is precipitated by infant crying.
- Assistance was provided in the development of a *Strategy to Reduce Impaired Driving in Prince Edward Island*, an initiative led by the Policy, Policing and Crime Prevention Division of the Department of Environment, Labour and Justice.

Sommaire

Tendances de la demande des clients

- En 2012-2013, 1 006 nouveaux cas ont été transmis au Service d'aide aux victimes, en plus d'environ 825 cas reportés de l'année précédente. En date du 31 mars 2013, il y avait 645 cas actifs dans la province. En moyenne, la charge de travail était de 822 cas par mois.
- En 2012-2013, le Service d'aide aux victimes a aidé à préparer et à déposer 211 déclarations de victime. Au cours des dix dernières années, le nombre de déclarations de victime déposées a varié de 195 à 318.
- Durant l'exercice financier 2012-2013, 40 nouvelles demandes d'indemnisation des actes criminels ont été déposées, 113 ont été reportées de l'exercice précédent et 33 décisions sans appel ainsi que 9 décisions provisoires ont été rendues. Un montant total de 129 252 \$ a été adjugé en indemnisation de victimes d'actes criminels.
- En 2012-2013, on a rendu 34 ordonnances de protection d'urgence dans le cadre de la *Victims of Family Violence Act* (loi sur les victimes de violence familiale) et trois ordonnances d'aide aux victimes. Depuis la proclamation de la loi en décembre 1996, un total de 631 ordonnances de protection d'urgence ont été rendues.

Types d'infractions et renseignements sur les contrevenants

- Les types de crime les plus fréquents dans les causes traitées par le Service d'aide aux victimes en 2012-2013 ont été les suivants :
 - voies de fait (40 pour cent)
 - vols (12 pour cent)
 - profération de menaces (11 pour cent)
 - agressions sexuelles (7 pour cent)
 - introduction par effraction (6 pour cent)
- Dans 311 cas (31 pour cent des cas), il y avait une relation familiale entre la victime et le suspect ou le contrevenant. Dans 238 cas (24 pour cent des cas), le suspect ou le contrevenant était un partenaire ou un ex-partenaire mâle (soit le mari actuel ou l'ex-mari, le conjoint de fait ou le petit ami).

Faits saillants et initiatives

- Une modification aux règlements de la *Summary Proceedings Act* est entrée en vigueur le 1^{er} octobre 2012, faisant passer la suramende compensatoire imposée sur les infractions provinciales de 20 \$ à 25 \$. Une suramende est un paiement imposé aux personnes reconnues coupables d'une infraction en vertu des lois fédérales et provinciales pour aider à dédommager les victimes d'actes criminels.
- En partenariat avec le Comité consultatif provincial sur l'exploitation sexuelle des enfants, le Service d'aide aux victimes a contribué à la coordination et à l'élaboration du nouveau protocole provincial d'intervention dans les cas de violence sexuelle à l'égard des enfants. Six ministères, tous les services policiers de l'Île et les deux groupes des Premières nations ont pris part à ce protocole, favorisant ainsi une intervention intégrée et concertée dans les cas de violence sexuelle à l'égard des enfants.

- Des fonds supplémentaires ont été attribués au programme d'indemnisation des victimes d'actes criminels en 2012-2013 pour aider à rattraper le retard en matière de demandes en attente de traitement.
- Le Service d'aide aux victimes a collaboré avec le programme de soins périnataux de l'Î.-P.-É. et l'école de sciences infirmières de l'Î.-P.-É. par l'intermédiaire d'un placement étudiant pour appuyer la mise en oeuvre du Period of PURPLE Crying Program (période de pleurs extrêmes et inconsolables). Le programme est conçu pour informer les familles et les personnes qui doivent prendre soin d'un bébé pour la première fois sur les pleurs des bébés. Il s'est révélé efficace pour prévenir la violence et les blessures qui peuvent survenir si l'on secoue un bébé lorsqu'il pleure.
- Le Service d'aide aux victimes a contribué à l'élaboration d'une stratégie pour lutter contre la conduite avec facultés affaiblies à l'Île-du-Prince-Édouard, une initiative menée par la Division des politiques, des services policiers et de la prévention du crime du ministère de l'Environnement, du Travail et de la Justice.

Part I

Introduction

The *Victims of Crime Act*, R.S.P.E.I. 1988, Cap.V-3.1 was proclaimed in force September 30, 1989. Regulations and orders under the act also came into force on that date. Extensive amendments to the act came into effect August 7, 1999.

The Statement of Principles contained in Part I of the *Victims of Crime Act* sets out the following principles for the guidance of persons in providing justice for victims of crime:

- a) Victims should be treated with courtesy and compassion and with respect for their dignity, privacy, and convenience.
- b) Victims should receive prompt and fair financial redress for the harm they have suffered.
- c) Victims should be informed of and should have access to services including social, medical, legal, and mental health assistance.
- d) Victims should be informed about the progress of the investigation and prosecution of the offence, court procedures, the role of the victim in court proceedings, and the ultimate disposition of the proceedings.
- e) Victims are entitled, where their personal interests are affected, to have their views and concerns brought to the attention of the court where consistent with criminal law and procedure.
- f) Victims and their families should be protected from intimidation, retaliation, and harassment.

- g) Victims should have their stolen property returned to them as soon as possible after recovery by law enforcement authorities.
- h) Victims are entitled to prepare a victim impact statement and have it considered by the court at sentencing.
- i) Victims are entitled to be informed about the offender's status, including release dates, parole eligibility, and probation terms.

The *Victims of Crime Act* also establishes the Victim Services Advisory Committee, the Victim Services Program, the Victim Assistance Fund, and the Criminal Injuries Compensation Program.

Part II

Report of the Victim Services Advisory Committee

Committee Mandate

The Victim Services Advisory Committee is established under *Victims of Crime Act* with the mandate to:

- a) review existing laws, policies and procedures and recommend changes to benefit victims;
- b) assist law enforcement agencies, social agencies and other organizations with the development of guidelines that promote the principles set out in this *Act* relating to their role in respect of victims;
- c) assist with establishing and updating procedures for the handling of complaints by victims;
- d) assist with the research, development and distribution of information pertaining to the needs, rights and concerns of victims;
- e) provide opportunities for research, discussion, and resolution of issues of concern to victims; and
- f) advise on other matters that the Minister may refer to the Committee for consideration.

The Committee may make recommendations to the Minister relating to:

- a) the development of policies and legislation respecting assistance to victims;
- b) the provision of services, including criminal injuries compensation, to victims; and
- c) any other matters that the Minister refers to the Committee for its recommendation.

Committee Membership and Meetings

Members of the Victim Services Advisory Committee as of March 31, 2013, and the organizations they represent are as follows:

David Daughton	Community Legal Information Association
Yolande Richard	Law Society of Prince Edward Island
Jeff MacDonald	Crown Attorneys
Ellie Reddin	P.E.I. Rape and Sexual Assault Centre
Paula Finkle	Community Programs, Department of Environment, Labour and Justice
Chief Lewis Sutherland	P.E.I. Association of Chiefs of Police
Sgt. Andrew Blackadar	R.C.M.P. "L" Division
Phil Matusiewicz	PEI Family Violence Prevention Inc.
Melissa Coffin	PEI Association for Newcomers to Canada
Janet O'Brien	Court Services
Lori St. Onge	Aboriginal Community
Sr. Norma Gallant	Francophone Community and Seniors
Maureen MacEwen	Child and Family Services

The Committee is assisted in its operations by the Victim Services Provincial Manager and Secretary. The Director of Policy, Policing and Crime Prevention, Department of Environment, Labour and Justice, and the Adjudicator for Criminal Injury Compensation with Legal Services Division also provide assistance and information to the committee.

During the 2012-2013 fiscal year, the Victim Services Advisory Committee held meetings in June, September and December. The Committee was co-chaired by Lori St. Onge and Paula Finkle. The activities of the Committee during 2012-2013 included the following:

Police Referrals to Victim Services

The Committee was advised that there has been an increase in police referrals to Victim Services in 2012-2013, following agreements having been signed between Police Agencies and the Province to enhance the referral process, supported by a Ministers Directive Regarding Assistance for Victims of Crime.

Correspondence to Ministers

The Victim Services Advisory Committee sent correspondence to the Minister of Environment, Labour and Justice and the Minister of

Transportation and Infrastructure Renewal to express concern regarding the continued high incidence of impaired driving in PEI and the tragic consequences that occur in impaired driving causing death and injury cases. The Committee reviewed statistics that suggest PEI has one of the highest rates of impaired driving in the country, and impaired driving offenders represent a high proportion of the adults incarcerated in provincial facilities. The Committee offered support, and encouraged a renewed focus on crime reduction and crime prevention initiatives to address this serious public safety issue.

Children and Youth in the Justice System

The Committee discussed the needs and concerns of children and youth victims and offenders in the justice system, and the particular challenges in cases where the victim and offender are members of the same family. Specifically, situations of sibling sexual abuse and abuse of parents by adolescent children were identified as presenting unique challenges. Several guest speakers were invited to discuss the issues, and the Committee decided to request that a representative from Child and Family Services be appointed to the Victim Services Advisory Committee.

Increase to Provincial Victim Surcharge

An amendment to the *PEI Summary Proceedings Act Regulations* came into effect October 1, 2012 to increase the victim surcharge collected on provincial offences from \$20 to \$25. Victim surcharge is a payment introduced in both federal and provincial legislation so that people found guilty of an offence contribute to the assistance of victims of crime.

Federal Income Support for Parents of Murdered or Missing Children

The Committee was advised of a new federal income support program announced by the Federal Government intended to help ease the financial hardship of parents coping with the death or disappearance of a child which occurred as a result of a crime. The new income support benefit came into effect January 1, 2013.

Guest Speakers

The Committee invited guest speakers on a number of topics:

- Gordon Garrison, Policing Services Manager, Department of Environment, Labour and Justice provided an overview of the role and operation of the PEI High Risk Offender Advisory Committee in managing high risk offenders.
- Dr. Edward Hansen, Manager of Clinical Services and Lindy Affleck, Sexual Deviance Clinician presented on the work of the Clinical Services Team of the Community and Correctional Services Division, which provides assessment and treatment to offenders and high risk community members.
- Jeannine LaPierre, Intake Supervisor, Provincial Assessment Unit, Child and Family Services gave an overview of the Provincial Assessment/Intake Unit, the referral process, and current trends in child protection referrals.

Information Items

A number of information items were brought to the attention of the Victim Services Advisory Committee during the year. Some of these included:

- Legislative Updates:
 - amendments to federal and provincial legislation which have implications for victims and witnesses;
 - Bill C-10 (Safe Streets and Communities Act).
- Program/Policy Development
 - review and update of provincial Child Sexual Abuse Protocol;
- Awareness Initiatives:
 - Purple Ribbon Campaign Against Violence - December 2012
 - Family Violence Prevention Week - February 14-20, 2012
 - National Victims of Crime Awareness Week activities - April 22-28, 2012
 - World Elder Abuse Awareness Day - June 15, 2012
 - Launch of Period of PURPLE Crying Program - November 2012
- Conference Announcements:
 - Identification and Care of Strangulation Victims - June 2012
 - Anti-Racism Training - June 2012
 - Aboriginal Justice Forum - October 19, 2012
- Statistics Canada Reports
 - Homicide in Canada, 2011
 - Youth Crime, 2011
 - Crime, 2011
 - Measuring Violence Against Women: Statistical Trends, 2013

- Other Information Items:

Federal/provincial initiatives

- reports from meetings of the F/P/T Ministers of Justice; and the F/P/T Working Group on Victims of Crime;
- federal funding sources and criteria for victims of crime initiatives;

Access to legal information

- Think Tank on Family Justice - Recommendations and Follow-up
- presentation on Child Advocacy in Ontario's Legal System
- information on Supreme Court Family Section pilot project utilizing pre-motion conferences in family law cases;
- information sessions on the Courts in PEI, delivered by Supreme Court Judges and retired Judges;

- feasibility of creating a Registry of Protection Orders to provide better linkages between criminal and family court in cases of family violence involving children;
- information sessions on "Best Interest of the Children in Custody and Access";
- information regarding PEI Criminal Code Review Board;
- Community Legal Information Association: new publications and project updates .

Respectfully submitted,



Lori St. Onge, Co-chair



Paula Finkle, Co-chair

Part III

Report of the Victim Services Program

Victim Services has provided a criminal justice system-based service to victims of crime province-wide since April, 1989. The system-based approach has the following key attributes:

- operates within the criminal justice system, but independently from the police, Crown attorneys, or the courts;
- is client-centred;
- maintains close working relationships with criminal justice personnel and community agencies;
- assists victims of crime at all stages of the criminal justice process;
- uses an outreach approach.

Mandate

Section 7 of the *Victims of Crime Act* states that the purpose of Victim Services is:

- a) to assist victims as needed throughout their contacts with the criminal justice system;
- b) to help victims to access other needed services;
- c) to receive applications for criminal injuries compensation and investigate claims on behalf of the Minister;
- d) to assist with the preparation and filing of victim impact statements;
- e) to assist justice personnel and community agencies in providing services to victims;
- f) to promote the Statement of Principles set out in section 2 of the *Act*.

Mission Statement

Victim Services provides a client-centred service for victims of crime, ensuring respect for their dignity and privacy. Victim Services assists clients throughout their involvement with the criminal justice process.

Vision Statement

Victims Services' vision is that:

- all victims of crime on Prince Edward Island who require assistance through the criminal justice process will be referred at the earliest opportunity to Victim Services; and
- the response of all criminal justice personnel will be guided by the Statement of Principles in the *Victims of Crime Act*.

Goals

Victim Services goals are:

- to provide prompt, effective assistance to victims of crime, especially victims of crimes against the person, but not excluding any victim who needs assistance through the criminal justice process;
- to tailor the assistance provided to meet the needs of the particular client;
- to provide services to any victim of crime requiring assistance, regardless of their geographic location on Prince Edward Island;
- to investigate criminal injuries compensation claims and complete the case analysis for each claim as quickly as possible;
- by working collaboratively with the police and Crown attorneys, to ensure that all victims of crimes in which charges are laid are informed of their right to prepare and file a victim impact statement;

- to ensure that victims understand the implications of preparing and filing a victim impact statement and do so voluntarily;
- to promote the use of the *Victims of Family Violence Act* in appropriate cases.

Statistical Overview

Assistance provided to victims of crime includes:

- information about case status, the criminal justice system, and court procedures;
- emotional support and short term counselling;
- referrals for legal, financial and long term counselling services;
- assistance through the court process and with preparation of victim impact statements;
- investigation of applications for criminal injuries compensation; and
- assistance under the *Victims of Family Violence Act*.

Victim Services cases are categorized in the following classifications: general, sexual abuse, female partner abuse, other family abuse, and commercial/business. The percentage breakdown of new cases by case classification in 2012-2013, and a comparison with previous years, are noted as follows:

Victim Services New Cases

Victim Services New Cases			
Type of Client			
	2010/11	2011/12	2012/13
General*	57	47	44
Female Partner Abuse	26	26	28
Other Family Abuse	7	10	12
Sexual Abuse	9	9	7
Commercial/ Business	1	8	9

* General includes break and enter, damage to property, theft, general assaults, impaired driving causing injury or death, etc.

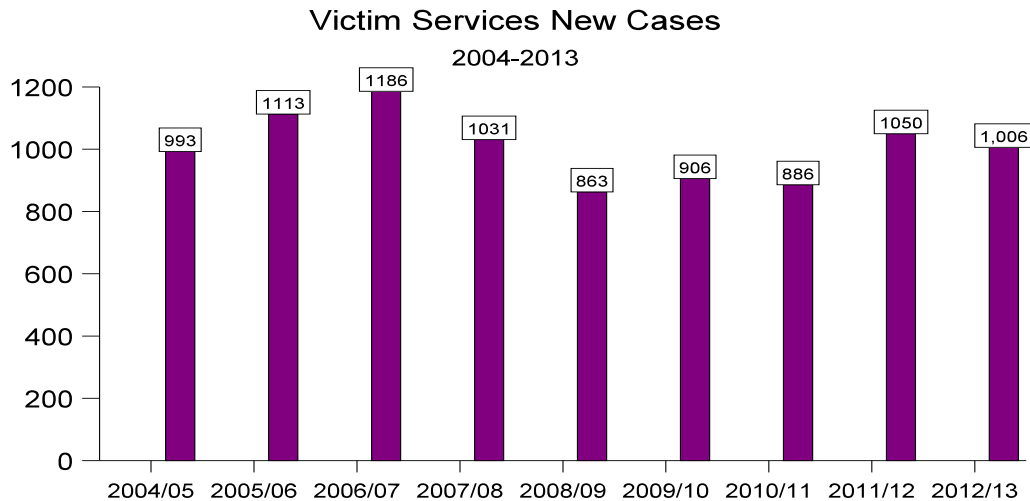
The following table illustrates the total and percentage of each type of case opened in 2012-2013. The table also indicates the police agency involved with each case.

Table I
Victim Case Classification: New Cases
2012-2013

Police Jurisdiction	General	Sexual Abuse	Female Partner Abuse	Other Family Abuse	Commercial/ Business	TOTAL
West Prince RCMP	11	4	35	19	1	70
Charlottetown PD	188	15	62	13	75	353
Queens District RCMP	47	21	67	24	4	163
Kensington PD	4	1	2	1	0	8
Montague RCMP	38	6	35	12	1	92
East Prince RCMP	37	10	18	21	1	87
Summerside PD	95	8	48	26	2	179
Souris RCMP	24	5	7	6	1	43
Out of Province/or Not Specified	4	1	5	1	0	11
Totals	448	71	279	123	85	1006
Percentile	44	7	28	12	9	100

Caseload Trends

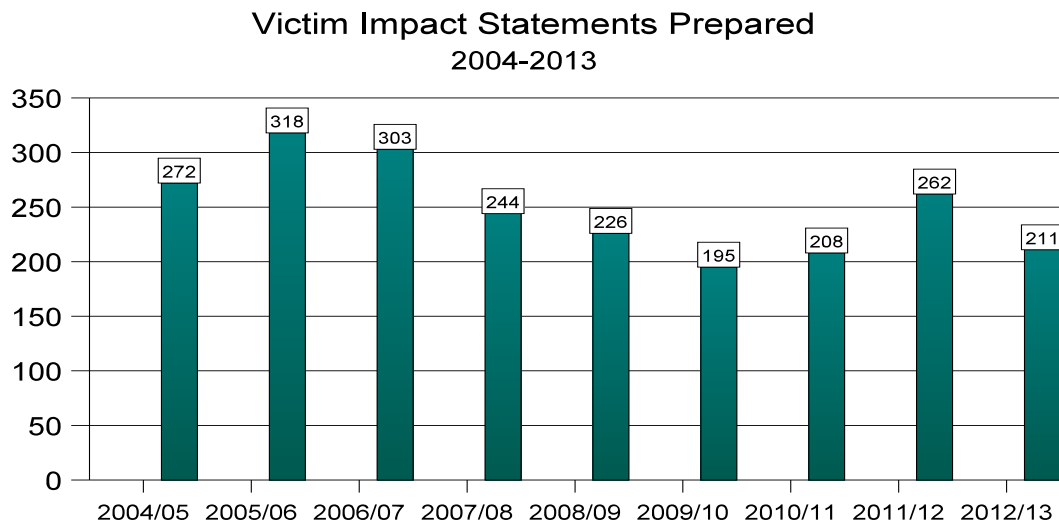
There were 1,006 new cases referred to Victim Services in 2012-2013, in addition to approximately 825 cases carried forward from the previous year. As of March 31, 2013, there were 645 active cases across the province.



Victim Impact Statements

Victim Services is designated by Lieutenant Governor in Council as the program responsible for preparing and filing victim impact statements. Victim impact statements outline the physical, emotional, and financial effects of the crime on the victim. After determination of guilt, the judge takes victim impact statements into consideration when deciding on sentence.

In 2012-2013, there were 211 victim impact statements prepared and filed with the court. The trends since 2004 are illustrated in the graph below:



Offence Type and Offender Information

Assaults, including all levels of assault from common assault to aggravated assault, continue to be the most frequent type of crime in Victim Services' cases, representing 40 percent of the new cases in 2012-2013. The next most frequent types of crime for Victim Services cases were: thefts (12%), uttering threats (11%), sexual assaults (7%), and break and enter (6%).

In 311 cases (31%), there was a family type relationship between the victim and the suspect or offender. In 238 cases (24%), the suspect or offender was a male partner or ex-partner (either current or former husband, common-law husband, or boyfriend).

The proportion of Victim Services clients victimized by adult offenders compared with young offenders has been consistent over the years. In the new cases where an offender was identified, 88% percent of the offenders were adults, and 12% were youth.

Age Range and Gender of Victims

Age ranges of Victim Services' new clients were as follows:

under 12 years	2%
12 - 20 years	14%
21 - 40 years	36%
41 - 60 years	21%
61 years and over	6%
unknown/not recorded	21%

Sixty nine percent of Victim Services' new clients were females, and 31 per cent males.

Criminal Injuries Compensation

Under the *Victims of Crime Act*, Victim Services is responsible for investigating claims for criminal injuries compensation. Victim Services staff also assist victims with preparing their applications and gathering information to support their claims. Victim Services staff prepare a case analysis regarding each claim.

Designated persons within the Legal Services Section of the Department of Environment, Labour and Justice are responsible for adjudicating claims and writing a report, including recommendations to the Minister, who makes decisions regarding claims.

During the fiscal year 2012-2013, 40 new applications for criminal injuries compensation were filed, and 113 applications were carried over from the previous year. Thirty three final decisions and nine interim decisions were made in 2012-2013. A total of \$129,252 was awarded in criminal injuries compensation.

Further information and statistics regarding criminal injuries compensation are contained in Part IV of the Annual Report.

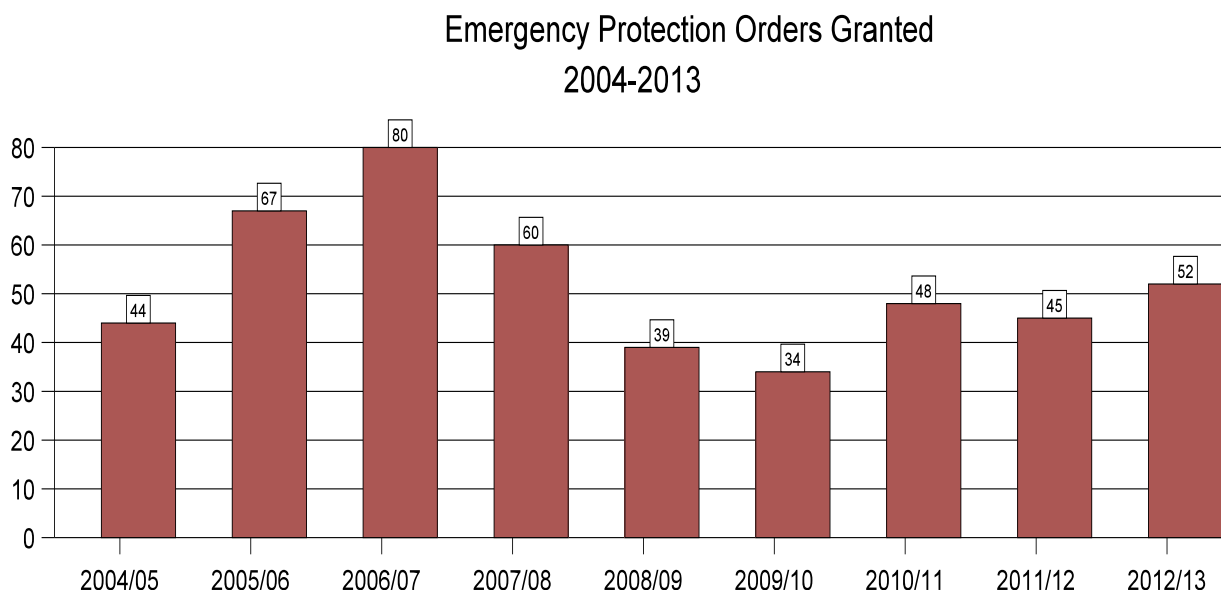
Victims of Family Violence Act

The *Victims of Family Violence Act* came into effect in December 1996. This provincial law addresses the need for victims to stay in their own homes, provides an additional remedy to supplement the Criminal Code, and enables the justice system to provide a more effective and timely response. Under this act, Emergency Protection Orders are available 24 hours/day from designated justices of the peace. In non-emergency situations, longer-term Victim Assistance Orders are available by application to the Supreme Court.

Victim Services staff assist with training and ongoing monitoring and promotion of the use of the *Victims of Family Violence Act*. Police officers and victim services workers are designated under the Act to make application for emergency protection orders.

In 2012-2013, there were 52 applications for Emergency Protection Orders under the *Victims of Family Violence Act*. Orders ranged from 25 days to 90 days in duration, with an average length of 61 days. There were three applications for a Victim Assistance Order.

Since the proclamation of the Act in December 1996, there have been a total of 683 Emergency Protection Orders granted. The trends since 2004 are illustrated in the graph below:



A Steering Committee continues to meet on a regular basis to assist in monitoring and training related to the Act. In partnership with the PEI Association of Chiefs of Police, the Steering Committee has continued to offer annual police training to implement a standardized response to reported incidents of domestic violence, and to enhance knowledge about risk factors and available options to protect victims. The Committee also assisted in coordinating and delivering training for five new Justices of the Peace appointed under the Victims of Family Violence Act.

- In partnership with the PEI Child Sexual Abuse Advisory Committee, Victim Services assisted in the coordination and development of the updated PEI Child Sexual Abuse Protocol. Six government departments, all Island police services and both First Nations signed on to the protocol to support an integrated, collaborative response to child sexual abuse.
- Additional funds were allocated to the Criminal Injuries Compensation Program in 2012-2013 to reduce the backlog of claims awaiting adjudication.
- Victim Services partnered with the PEI Reproductive Care Program and the PEI School of Nursing through a student placement, to assist with implementation of the Period of PURPLE Crying Program. The program teaches families and caregivers about the normal patterns of infant crying. The teaching has proven to help prevent infant abuse and injuries due to shaking that is precipitated by infant crying.

Victim Services Program Highlights

- An amendment to the *PEI Summary Proceedings Act Regulations* came into effect October 1, 2012 to increase the victim surcharge collected on provincial offences from \$20 to \$25. Victim surcharge is a payment introduced in both federal and provincial legislation so that people found guilty of an offence contribute to the assistance of victims of crime.

- Assistance was provided in the development of a *Strategy to Reduce Impaired Driving in Prince Edward Island*, an initiative led by the Policy, Policing and Crime Prevention Division of the Department of Environment, Labour and Justice.

Committee Participation

An important aspect of the work of Victim Services involves maintaining cooperative working relationships with other criminal justice and community agencies to coordinate case management and to effect positive long term change for victims of crime. Staff participated in committees at various levels involving national, provincial, regional, divisional and community initiatives.

At the Federal/Provincial/Territorial level, the Provincial Manager participated on:

- FPT Victims of Crime Working Group
- Ad Hoc Working Group on Family Violence - Linking Criminal and Family Justice Systems.

Victim Services is represented on community and criminal justice based committees involving work in the area of family violence, sexual abuse, cultural and societal issues. These committees include:

- Steering Committee - *Victims of Family Violence Act*
- Premier's Action Committee on Family Violence Prevention
- Justice Options for Women who are Victims of Domestic Violence
- Provincial Child Sexual Abuse Advisory Committee
- Homophobia Task Force
- Provincial Working Group on Human Trafficking
- World Elder Abuse Awareness Day Committee
- High Risk Offender Committee

- Planning Committee for Aboriginal Justice Forum
- Linking Criminal and Family Justice Systems Working Group
- Atlantic Region Victims Advisory Committee, Correctional Services Canada/Parole Board of Canada.
- Ad Hoc Working Group on Impaired Driving Prevention
- Social Action Plan to Reduce Poverty Working Group
- Silent Witness Coordinating Committee
- Male Survivors of Sexual Abuse Project Advisory Committee

As part of the Community and Correctional Services Division, Victim Services staff were involved in a number of Departmental and Divisional initiatives including:

- Divisional Training Committee
- Divisional Wellness Committee
- Occupational Health and Safety Committee

Education and Training

Victim Services staff participated in various education and training initiatives including:

- The Physiology of Post Traumatic Stress Disorder
- Using Testimonial Aids to Facilitate Children's Testimony
- Identification and Care of Strangulation Victims
- Training on Period of PURPLE Crying Program
- Best Interests of the Child in Custody and Access: Information Sessions
- Think Tank on Family Justice
- Presentation on Child Advocacy in Ontario's Legal System
- Aboriginal Justice Forum

- Knowledge Exchange on Risk Assessment, Risk Management and Safety Planning
- Amendments to *Youth Criminal Justice Act* and *Corrections and Conditional Release Act*
- National Victims of Crime Awareness Week Symposium
- Impaired Driving Summit

Public Education

Victim Services staff participate in opportunities to promote awareness and understanding of issues related to crime, victimization, victims' rights and available services. Presentations during the fiscal year 2012-2013 included:

- Police Training on *Victims of Family Violence Act*
- Justice of the Peace Training on *Victims of Family Violence Act*
- Human Services Program - Holland College
- Youth Addictions Strength Program
- Adventure Group

Objectives

In collaboration with government and community partners, the objectives for the 2013/2014 fiscal year include advancing initiatives in the following areas:

- participate in efforts to create a comprehensive response to address the needs of victims of domestic violence and sexual abuse;
- strengthen linkages with minority and multicultural groups;
- assist in the implementation of the PEI Child Sexual Abuse Protocol;
- enhance knowledge and skill level of Victim Services Workers through delivery of specialized staff training initiatives.

Staffing

Victim Services Offices are located in Charlottetown and Summerside.

Personnel as of March 31, 2013 include:

Provincial Manager	Susan Maynard
Victim Services Workers	Jean Profit Darlene Oatway Joy Coffin Ev Marshall Linda MacAulay Kellie MacQueen Carolyn Peters
Admin Support	Dianna Cudmore Tabatha Milligan

Part IV

Criminal Injuries Compensation Program

Introduction

Criminal injuries compensation is the payment of money from public funds to compensate victims of crime for pain and suffering and expenses resulting from injury or death caused by certain crimes. Criminal injuries compensation is a fund of last resort, such that other means of compensation or reimbursement are to be sought first.

Authority for Prince Edward Island's Criminal Injuries Compensation Program is contained in Part IV of the *Victims of Crime Act*, which was proclaimed in force September 30, 1989. Amendments to Part IV which came into effect August 7, 1999 were designed to further simplify and speed up the process for assessing compensation claims.

The *Victims of Crime Act* is not retroactive; criminal injuries compensation can only be awarded in respect of an injury or death resulting from a crime that occurred after September 30, 1989.

Values

Criminal injuries compensation is one means to take action on principle (b) from the Statement of Principles in the *Victims of Crime Act*, which states "victims should receive prompt and fair financial redress for the harm they have suffered."

Summary of the Legislation

In general, a claim for criminal injuries compensation may arise in the event of injury or death by an act that occurred in Prince Edward Island, and that injury or death must have directly resulted from the commission of a criminal offence prescribed in the regulations under the *Victims of Crime Act*. The applicant need not be a resident of Prince Edward Island.

The term "injury" is specifically defined in the *Victims of Crime Act* to mean actual bodily harm, including emotional trauma or pregnancy resulting from sexual assault, and mental or nervous shock. If a person suffers only property damage or loss as a result of a prescribed crime, he or she is not eligible for criminal injuries compensation. It is not necessary that anyone be prosecuted or convicted for the crime, but an award may be delayed pending the outcome of the criminal process. A determination of guilt is conclusive evidence that an offence has been committed.

Eligible Applicants

The Minister may order criminal injuries compensation

1. to or for the benefit of the victim;
2. to any person, in respect of financial loss suffered by or expenses incurred by that person as the result of the death or injury of the victim;
3. to any one or more of the dependants of the victim.

Compensable Losses

Compensable losses include:

1. reasonable expenses incurred or likely to be incurred as a result of the victim's injury or death;
2. financial losses resulting from total, partial or temporary disability affecting the victim's capacity for work;
3. financial loss to dependents resulting from the victim's death;
4. pain and suffering;
5. maintenance of a child born as a result of sexual assault;
6. financial loss incurred in respect of grief or sorrow as a result of the victim's death; and
7. other financial loss resulting from the victim's injury, and any other expense that, in the opinion of the minister or, in the case of a small claim, in the opinion of a designated person, it was reasonable to incur.

Maximum Award

The maximum amount payable to **all applicants** in respect of the injury or death of **one victim** is \$15,000. The maximum amount payable to **all applicants** in respect of **one occurrence** (that is, one incident resulting in injury or death to more than one victim) is \$30,000. The award cannot exceed these limits.

Volume of Applications

During the fiscal year 2012-2013, 40 new applications for criminal injuries compensation were filed, and 113 applications were carried over from the previous year. Thirty three final decisions and nine interim decisions were made in 2012-2013. A total of \$129,252 was awarded in criminal injuries compensation.

The following statistical tables summarize the criminal injuries compensation program during 2012-2013:

Table II Applications – Statistical Summary April 1, 2012 to March 31, 2013	
New applications filed	40
Applications carried over from last year	113
Variation applications	1
Appeals	0
Total	154
Decisions made:	
award denied	2
full award granted	29
interim award	9
reduced award	1
variation	1
Total	42
Withdrawn applications	1
Files carried forward to next fiscal year	120

Table III Categories of Victims (Based on Final and Interim Awards) April 1, 2012 to March 31, 2013	
Types of Victims	Number
General	19
Other family abuse	1
Sexual abuse	16
Female partner abuse	3
Total	39

Table IV Crimes Involved in Final Awards Granted April 1, 2012 to March 31, 2013	
Criminal Code Section	Number of Awards
151 (sexual interference)	3
249 (dangerous operation of motor vehicle)	1
252 (failure to stop at the scene of an accident)	1
266 (assault)	4
267 (assault with weapon /causing bodily harm)	12
268 (aggravated assault)	2
271 (sexual assault)	5
279 (sexual assault with a weapon)	1
344 (robbery)	1
Total	30

Table V Reasons for Reduced and /or Denied Awards April 1, 2012 to March 31, 2013		
Reason	Reduced	Denied
Crime not covered by regulations	0	0
Criminal offence not proven	0	2
Victim culpability/ contributory behaviour	1	0
Victim engaged in lawful activity	0	0
Loss recovered from other sources	0	0
Total	1	2

Table VI Compensation Ordered* April 1, 2012 to March 31, 2013	
Pain and suffering	\$100,456
Expenses	\$28,796
Total Awarded	\$129,252

*Note: Compensation ordered in one fiscal year may be paid out in a different fiscal year (e.g., for dental expenses).

Table VII Age and Gender of Victims (Based on Final and Interim Awards) April 1, 2012 to March 31, 2013	
Age	No. of Victims
under 10	6
11-20	16
21-30	9
31-40	3
41-50	0
51-60	5
61-70	0
71+	0
Total	39
Gender	
Female	20
Male	19
Total	39

Part V

Victim Assistance Fund Victim Services Summary of Revenue and Expenditures

Revenue			
	Budget Amount	Actual Year Ended March 31, 2013	Projects
Victim Surcharge			
- federal offences	45,000	64,119	
- provincial offences	225,000	167,724	
Community Service Work Option	0	0	
Donations/honorarium	0	0	
Restitution/civil suit reimbursement	0	873	
Victims of Crime Fund (Justice Canada)	227,200	179,389	179,389*
Total Revenue	547,200	412,105	175,389
Minus Project Revenue		179,389	
		232,750	

Note:

- * Revenue was received from the Victims of Crime Fund, Justice Canada, in the amount of \$179,389 for two projects:
Victim Services Worker – Queens County
Victim Services Worker – Western Region

Expenditures			
	Budget Amount	Actual Year Ended March 31, 2013	Projects
Administration	15,800	9,677	1,752
Equipment	2,500	4,933	4,905
Materials/supplies	4,100	2,439	0
Professional/Contract Services	25,500	10,454	10,000
Salaries/benefits	727,000	631,621	156,271
Travel and training	28,000	24,449	9,739
Criminal Injuries Compensation	100,000	125,815	0
Victim Assistants Fees	0	0	0
Total Expenditures	902,900	809,388	182,667
Minus Project Expenditures		182,667	
		626,721	

Note:

Project expenditures were for the two Victim Services projects listed above.

Accounting Procedures:

All revenues and expenditures related to Victim Services are recorded in the accounts of the Province and included in the Public Accounts.

