

Your Rights and Access to Help If You Are a Victim of Crime

You have rights during the criminal justice process if you are a victim of crime.

For more information see www.victimlinkbc.ca, www.canada.ca, or speak to police, victim services, or Crown Counsel.

Under the British Columbia *Victims of Crime Act*:

Your right to general information

If you are a victim of crime, British Columbia's *Victims of Crime Act* gives you the right to receive information about:

- victim services available to you;
- benefits and financial assistance for criminal injury;
- how the criminal justice system works; and
- your rights to privacy.

Your right to information about the offence

If you are a victim of crime, you have a right, on request, to receive information from the criminal justice system including:

- status of the police investigation;
- charges laid against the accused;
- outcome of court appearances; and
- where applicable, length of sentence, and location of the convicted offender.

Your right to privacy

If you are a victim of crime, you have rights under the *Freedom of Information and Protection of Privacy Act*:

- to apply for access to information about yourself that is held in justice system files; and
- to know what information obtained about you is protected from unauthorized use or disclosure.

Your right to financial assistance and benefits

If you or your immediate family member are the victim of a violent crime in British Columbia, the *Crime Victim Assistance Act* gives you the right to apply for benefits through the Crime Victim Assistance Program to help offset financial loss and assist in dealing with the impact of violent crime.

Your right to provide a Victim Impact Statement

If you are a victim of crime, you have the right to provide information to the court about how the crime has impacted you.

Under the *Canadian Victims Bill of Rights*:

If you are a victim of certain offences, including all offences under the *Criminal Code*, the federal *Canadian Victims Bill of Rights* provides you with the following rights. There are limitations to exercising these rights including that they must be exercised in a manner that is not likely to interfere with the proper administration of justice.

Your right to information

Victims have the right on request to receive general information about the criminal justice system, the victim services and programs available to them, including restorative justice programs, and their right to file a complaint if they believe their rights have been denied or infringed. Victims can also request certain case specific information about the status and outcome of the investigation and prosecution.

Your right to protection

Victims have the right to have their security and privacy considered at all stages of the criminal justice process, and to have reasonable and necessary protection measures from intimidation and retaliation. Victims also have the right to ask for a testimonial aid or to have their identity protected when appearing as a witness at court appearances.

Your right to participation

Victims have the right to present victim impact statements and have them considered in court. Victims also have the right to express their views about decisions that affect their rights.

Your right to restitution

Victims have the right to have the court consider making a restitution order and have an unpaid restitution order entered as a civil court judgment.



Ministry of
Public Safety and
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Help is available if you are a victim of crime.

Victim Service Programs

Victim service programs may be available in your community to provide you with:

- help in coping with the effects of a crime;
- emotional support;
- an explanation of what happens in court;
- help in applying for compensation, if eligible;
- referrals to other agencies; and
- help in preparing a victim impact statement.

Victim Notification

The Victim Safety Unit provides information to victims about the status of an accused or offender who is supervised by B.C. Corrections. Some information may also be provided to persons protected by a *Family Law Act* protection order. For more information, contact the Victim Safety Unit at (604) 660-0316 or toll-free at 1-877-315-8822 or <https://www2.gov.bc.ca/gov/content/justice/criminal-justice/bcs-criminal-justice-system/if-you-are-a-victim-of-a-crime/victim-of-crime/victim-notification>.

Testimonial Accommodations

The *Criminal Code* provides that witnesses may request the following testimonial accommodations when they testify:

- a support person of their choice nearby;
- testifying from a room other than the courtroom;
- testifying from behind a screen or other device;
- if the accused doesn't have his or her own lawyer, another lawyer may be appointed to ask a witness questions;
- the exclusion of the public;
- the non-disclosure of a witness' identity; or
- an order to protect the security of a witness.

Applications for these accommodations can be made by Crown Counsel or the witness. The court will decide whether or not to allow the accommodation. Please contact your Crown Counsel office for more information.

Restorative Justice Programs

Restorative justice programs exist in many B.C. communities. These programs work with offenders, victims, and the larger community to help repair the harm caused by conflict and crime.

A directory of programs can be found at:

<https://www2.gov.bc.ca/assets/gov/public-safety-and-emergency-services/crime-prevention/community-crime-prevention/justice/restorative-justice-programs-bc.pdf>.

Financial Assistance and Benefits

Victims, their immediate family members and some witnesses can apply to the Crime Victim Assistance Program for benefits to assist in dealing with the effects of violent crime and to help with some of the costs. Application forms and additional information is available through local victim service programs or online at: <https://www2.gov.bc.ca/gov/content/justice/criminal-justice/bcs-criminal-justice-system/if-you-are-a-victim-of-a-crime/victim-of-crime/financial-assistance-benefits>.

How to file a complaint about a justice agency If you believe that your rights in the *Victims of Crime Act* or the *Canadian Victims Bill of Rights* have been infringed or denied, information about the complaint processes within British Columbia's criminal justice system agencies can be found at <https://www2.gov.bc.ca/assets/gov/law-crime-and-justice/criminal-justice/bc-criminal-justice-system/if-victim/publications/complaints-process-justice-agencies.pdf> or speak to a victim services worker.

VictimLink BC

VictimLink BC is a toll-free, multilingual, confidential service available across B.C. and Yukon 24 hours a day, seven days a week that provides information and referral services to all victims of crime and immediate crisis support to victims of family and sexual violence.

- Call or text VictimLink BC at 1-800-563-0808
- Email VictimLinkBC@bc211.ca
- www.victimlinkbc.ca

**Ministry of Public Safety and Solicitor General
Community Safety and Crime Prevention Branch
Victim Services and Crime Prevention Division**
302 – 815 Hornby Street, Vancouver, BC V6Z 2E6
Phone: 604 660-5199 | **Fax:** 604 660-5340
Email: VictimServices@gov.bc.ca



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