



**Ministry of Justice
Victim Services and Crime Prevention
INFORMATION BULLETIN**

The Canadian Victims Bill of Rights - Highlights and Summary for Victim Services

July 23, 2015

A new [Canadian Victims Bill of Rights](#) (CVBR) with rights for victims to information, protection, participation, and restitution comes into force on July 23, 2015. Changes to the Criminal Code and other federal legislation accompany the Canadian Victims Bill of Rights.

In B.C., the CVBR builds on the rights provided by the existing provincial [Victims of Crime Act](#) (VOCA). VOCA, established in 1996, will continue to apply and provides victims with similar rights to information as the CVBR.

How does the CVBR and legislative amendments relate to your work with victims?

- **Expanded Definition of Victim** - The CVBR introduces a new expanded definition of victim which includes not only immediate victims, but also others who have suffered “physical or emotional harm, property damage or economic loss” as a result of the offence.
- **New Victim Impact Statement Form and Guide** - A new [Victim Impact Statement form \(VIS\) and guide](#) will be used and are available in 10 languages. Changes to the VIS allow a victim to prepare a “drawing, poem or letter” as part of their statement. In addition, a photograph of the victim taken before the offence may be presented while the VIS is being provided. A victim will also have the right to request a testimonial aid for the purpose of presenting their victim impact statement. The new VIS and guide are available [here](#).
- **Statement on Restitution Form** - A new [Statement on Restitution form](#) will be used for victims to request restitution. The form is available in 10 languages and will be included in the VIS package sent to victims by the Crown Counsel Office. The form is [available here](#).
- **Testimonial Accommodations** - Testimonial accommodations have been made more accessible for both victims and vulnerable witnesses. These accommodations include having victims/witnesses testify outside of the courtroom using closed circuit TV; using a privacy screen to shield the victim from seeing the accused; and testifying with a support person nearby. If you are aware that a victim or witness you are working with may benefit from a testimonial accommodation, contact the Crown Counsel to discuss the victim/witnesses requirements as early on in the criminal justice process as possible.

- **Community Impact Statements** – New Criminal Code provisions allow for community members to file a Community Impact Statement with the court for all types of criminal offences (previously these statements were limited to fraud offences). BC, along with other provinces, is exploring options to implement the Community Impact Statement.
- **Victim Complaints Procedures** - Victims have the right to make a complaint if they believe their rights have been infringed or denied. There are existing complaints processes for victims in BC and a [factsheet](#) has been prepared to provide victims with information to help them file a complaint with a BC criminal justice agency or a victim service program.

Other Highlights

- Expands the types of cases where the court may make a presumptive order (i.e. court shall make the order unless it would interfere with the proper administration of justice) that a self-represented accused not personally cross-examine a victim who is witness, and counsel will be appointed to conduct the cross-examination, from criminal harassment cases, to also include sexual assault cases.
- Mandatory publication bans expanded to protect the identity of victims under the age of 18 for non-sexual offences.
- The court must now consider the security of a victim when making an order regarding bail; testimonial accommodations; and disclosure of third party records in sexual assault cases.
- The Courts will now be required to inquire whether the Crown Counsel has taken “reasonable steps to notify” victims of plea agreements for serious personal injury offences/murder as well as other indictable offences where the victim has requested that information.
- Victims can request a recent photograph of a federal offender and obtain an update on the offender’s correctional plan progress.

There are limitations in exercising these rights. For example, the rights must be exercised in a manner that is not likely to interfere with the proper administration of justice. If victims are inquiring about the CVBR, the [Know Your Rights publication](#) has been updated to include information about the CVBR or you may direct them to the websites below.

More Information on the CVBR can be found at:

- [B.C. Ministry of Justice Victim Services training page](#)
- [JusticeBC](#)
- [Government of Canada](#)

If you have any questions, please contact victimservices@gov.bc.ca.