



FEDERAL VICTIMS STRATEGY EVALUATION

Final Report

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Evaluation Division
Strategic Planning and Performance Management

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EXECUTIVE SUMMARY

1. Introduction

The objective of the Federal Victims Strategy (FVS) is to improve the experience of victims of crime in the criminal justice system. Within the Department of Justice Canada, FVS activities are administered by the Policy Centre for Victim Issues (PCVI).

The PCVI is mandated to:

- develop and coordinate all federal policy and legislation relating to victims of crime;
- provide a “victims lens” for all criminal law reform and criminal justice policy development for which the Department of Justice Canada is responsible;
- conduct research;
- develop public legal education and information (PLEI) material;
- provide a centre of expertise on victim issues;
- promote mutually agreed upon federal-provincial-territorial initiatives;
- lead and support the Federal/Provincial/Territorial (FPT) Working Group on Victims of Crime;
- build the capacity of northern service providers; and
- administer the Victims Fund.

2. Purpose of the Summative Evaluation

The purpose of the evaluation was to assess the continued relevance and performance (i.e. effectiveness, economy and efficiency) of the PCVI’s key initiatives and activities under the Strategy from 2005-06 to 2009-10, with particular attention to the Victims Fund.

3. Methodology

The methodology used to evaluate the FVS included the following:

- A detailed document review and a review of relevant literature.
- Six sub-studies, including:
 1. Case Studies Report (2009): Use of the Victims Fund to Support Legislative Amendments to Facilitate the Testimony of Vulnerable Witnesses;
 2. Survey of Victims that received funding to attend Parole Board of Canada (PBC) hearings (data from 2006-07 to 2009-10);
 3. Survey of Support Persons for Victims that received funding to attend PBC hearings (2007-2010);
 4. Survey of National Victims of Crime Awareness Week (data from 2007, 2008, 2009);
 5. Survey of 2009 Northern Conference; and
 6. Crown Witness Coordinator Program Sub-study (2010).
- Interviews with 46 key informants including PCVI staff, members of the FPT Working Group on Victims of Crime, members of the Victims of Crime Advisory Committee and external federal stakeholders.
- File review of 57 Victims Fund funded projects.
- Case studies of 11 Victims Fund projects which included 18 interviews and an in-depth review of project documents, websites and other products.

4. Summary of Major Findings and Conclusions

The major findings and conclusions arising from the evaluation are as follows:

4.1 Relevance

There is a strong continuing need for the Federal Victims Strategy and it is highly relevant to the Government of Canada's priorities.

The results of the 2009 General Social Survey revealed that about 7.4 million Canadians, or just over one-quarter of the population aged 15 years and older, reported being a victim of a criminal incident in the preceding 12 months. This proportion was essentially unchanged from that reported in 2004.

All stakeholders who participated in this evaluation perceived a strong need for the Strategy in order to give victims a voice in the criminal justice system and in the development of new legislation as well as to raise awareness about victim issues, improve access to services, and support the provinces and territories in providing services for victims of crime. Furthermore, the Strategy is needed to meet the federal government's responsibility to victims in Northern and Aboriginal communities.

The relevance of the Strategy and its alignment with government priorities have been demonstrated through recent Throne Speeches (2010 and 2007), other public statements by Ministers, and federal budgets (2010 and 2006) as well as in the establishment of the Office of the Federal Ombudsman for Victims of Crime in 2007. The Department of Justice's Report on Plans and Priorities (RPP) 2010-11 also explains that one of the Department's key activities is to "*continue implementation of the Federal Strategy for Victims of Crime and the Victims Fund.*"

There is a legitimate and necessary role for the federal government in addressing issues related to victims of crime.

Key informants indicated that the federal government is uniquely positioned to raise awareness about victim issues, provide needed financial support to the provinces and territories, and develop information and educational materials on a national scale. The federal government's continuing support of these activities gives further credibility and motivation to provincial, territorial and local efforts related to victim issues. In addition, the federal government is directly responsible for some categories of victims such as Canadians victimized abroad, victims of federally sentenced offenders and victims in the territories.

4.2 Performance

Effectiveness

Although the Federal Victims Strategy is improving the experience of victims in the criminal justice system, funding lapses are impeding the full potential of the Victims Fund.

All of the Department's key activities and initiatives under the Strategy (i.e. Victims Fund, FPT Working Group on Victims of Crime, Criminal Law Reform and Policy Development, PLEI, Capacity Building in the North) have contributed to improving the experience of victims in the criminal justice system, most notably in areas where victims are directly benefiting from interventions such as the provision of financial assistance through the Victims Fund and funding for testimonial aids.

Surveys of victims and their support persons indicated that the financial assistance has helped alleviate the financial burden associated with attending PBC hearings, which has consequently increased their access to and participation in the criminal justice system. Similarly, funding for testimonial aids has increased victims' access to a greater number of higher quality testimonial aids, which have helped reduce the stress of testifying, the stress and anxiety of parents and supporters during the course of the proceedings, and have given child witnesses and their supporters choices and a sense of empowerment in the criminal justice process.

Despite its relative effectiveness in improving the experience of victims of crime and the fact that Victims Fund spending has increased year over year from \$2,666,282 in 2007-08 to \$4,910,472 in 2009-10, there have been some notable lapses in funding under the Provincial/Territorial Component of the Fund, which are partly due to the fact that the Northern Victims of Crime Emergency Fund, sentencing hearing and underserved victims of crime funds are relatively new initiatives that were implemented in 2007 and need some time to be established. However, since these funding lapses have been significant, they are impeding the full potential of the Fund. Provincial/territorial key informants identified several reasons for the funding lapses under this component including, but not limited to, the lack of long-term funding and certainty that the Strategy will continue, a burdensome application process, lack of internal capacity within the provinces/territories to develop and administer the Funds (e.g. Northern Victims of Crime Emergency Fund), and restrictive funding guidelines.

There are opportunities to further expand the impact of the Strategy to more victims of crime.

A comparison of program statistics with estimates of the number of eligible victims suggests that there is an underutilization of certain initiatives under the Financial Assistance Component of the Victims Fund (e.g. Canadians Victimized Abroad, Emergency Financial Assistance). Some key informants identified a lack of awareness among eligible crime victims regarding the available funding as a barrier to the uptake of these funds, indicating that there are still some opportunities for improvement in raising awareness among the public, criminal justice professionals and service providers who are in direct contact with victims of crime about available funds.

Economy**The PCVI's lean administrative structure contributes to the economy of the Federal Victims Strategy.**

The PCVI's total budget more than doubled in 2007 (from \$5 million to \$12.5 million, including the budget for the Victims Fund which increased from \$2 million in 2006-07 to \$8.5 million in 2007-08). However, the PCVI's staff complement did not increase commensurate with the additional financial resources for the Strategy, particularly for the administration of the Victims Fund. Since the 2007 enhancement, the only addition to the PCVI workforce was two full-time staff. However, the workload within the PCVI has increased substantially as requests for funding have generally risen steadily each year under all three components of the Victims Fund. This has caused an imbalance between the increased expectations for the Strategy and the PCVI's delivery capacity.

Efficiency

The relatively lean administrative structure of the PCVI is contributing to some inefficiencies. The data from the file review, case studies, and feedback surveys indicate that the PCVI's outputs (e.g. types of projects funded, National Victims of Crime Awareness Week symposiums, Northern Conference) are consistent with the objectives of the Strategy and are appropriate in that they are contributing to the achievement of intended outcomes. However, some PCVI staff noted backlogs and the slow flow of funding as areas for improvement, which was echoed by a relatively small number of victims of crime who reported some dissatisfaction with the time it took to receive financial assistance to attend a PBC hearing.

1. INTRODUCTION

1.1 Context

The Federal Victims of Crime Initiative (VCI), administered by the Department of Justice Canada's Policy Centre for Victim Issues (PCVI), was launched in March 2000 to improve the experience of victims in the criminal justice system.

In 2004, the Department of Justice undertook a summative evaluation of the VCI. The evaluation and other research showed that victim satisfaction with their experience in the criminal justice system varied widely. Awareness of victim needs by criminal justice system personnel remained low and victims stressed the need for information, services and assistance as well as validation and recognition that they were more than simply a witness. There was also a need for greater financial assistance to support victims of crime in attending sentencing and parole hearings. Victims also sought better information services from correctional and parole offices about the perpetrators of crimes while they were in the correctional system.

In 2007, the Government of Canada announced additional funding to give victims a more effective voice in the federal corrections and justice system and greater access to services through the Federal Victims Strategy (FVS). Building on the VCI, the FVS extends the reach of the federal government in supporting victims of crime across the continuum of the criminal justice system and includes initiatives within Public Safety Canada (PSC) (including the Parole Board of Canada [PBC] and Correctional Service Canada), the Department of Justice Canada, the Public Prosecution Service of Canada (PPSC), and it establishes a Federal Ombudsman for Victims of Crime. This document presents the final report of the 2010 Summative Evaluation of the FVS.

1.2 Scope and Objectives of the Evaluation

The purpose of the evaluation was to assess the continued relevance and performance of the following activities under the FVS:

- the Victims Fund;
- criminal law reform and policy development;
- the secretariat function of the PCVI for the Federal/Provincial/Territorial (FPT) Working Group on Victims of Crime;
- the development of public legal education and information (PLEI) materials and awareness raising/information sharing activities; and
- building capacity of northern service providers.

Although the Government of Canada provides resources to support the needs of victims of crime for several federal initiatives under the Strategy, the scope of the evaluation is limited to those activities undertaken by the Department of Justice PCVI from 2005-06 to 2009-10, including those under the former VCI.

1.3 Structure of the Report

This document contains five sections including the present introductory section (Section 1):

- Section 2 describes the rationale, objectives, activities, and budget of the FVS;
- Section 3 outlines the methodology used in the evaluation, including data sources and data collection methods;
- Section 4 describes the findings of the evaluation with respect to the relevance and performance (i.e. effectiveness, efficiency and economy) of the Strategy; and
- Section 5 describes the conclusions and recommendations arising from the evaluation.

2. THE FEDERAL VICTIMS STRATEGY

This chapter provides an overview of the Federal Victims Strategy including its rationale, objectives, activities, and budget.

2.1 Federal Victims Strategy

2.1.1 Rationale and Objectives of the Federal Victims Strategy

There is a need to ensure the fair and compassionate treatment of victims by the criminal justice system and to offer protection to victims of crime. Victim services/victim witness assistance programs help reduce the trauma of a crime by empowering and assisting crime victims, witnesses and family members in reconstructing their lives through advocacy, support, information and referrals. Victim services/victim assistance programs are needed to build safer communities, help people use the court system, enhance understanding of the law, and link victims to sources of assistance and additional information. They also provide court orientation and support to children and other vulnerable witnesses who are required to testify in court in order to help reduce the fear, anxiety and further trauma that may occur through testifying. Many victims, especially women and children, need financial support as well as additional services and assistance to aid in their recovery from the physical and psychological effects of their victimization.

The objective of the Strategy 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 the services and assistance available to support them;
- Enhancing capacity to develop policy, legislation and other initiatives which take the perspectives of victims into consideration;

- Increasing 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 Policy Centre for Victim Issues

Under the FVS, the PCVI is mandated to work towards improving the experience of victims of crime in the criminal justice system by pursuing a range of interrelated activities and initiatives. The PCVI provides the “victims lens” for all criminal law reform and criminal justice policy development for which the Department of Justice is responsible and collaborates with other federal departments to ensure a consistent approach to victim issues. The PCVI consults with victim advocates, service providers and others involved in the criminal justice system, works closely with provinces and territories, and supports the network of Directors of Victim Services. In addition, the PCVI conducts research and funds surveys, develops public information, sponsors special projects (e.g. the use of technology to provide information to victims), sponsors National Victims of Crime Awareness Week, and administers the Victims Fund.

2.2.1 Victims Fund

The Victims Fund is a grants and contributions fund designed to raise awareness about and enhance services and assistance to victims of crime. As a core component of the PCVI, the Victims Fund is complemented by the PCVI’s other key activities. The Victims Fund consists of the following three main components:

2.2.1.1 ***Provincial/Territorial Component.*** The Victims Fund supports the following activities through this component:

- ***Implementation.*** The Victims Fund supports the implementation of federal and provincial/territorial legislation for victims of crime, particularly provisions of the *Criminal Code* and the *Canadian Statement of Basic Principles of Justice for Victims of Crime* (maximum of \$100,000 per year to larger jurisdictions and \$50,000 per year to smaller jurisdictions since 2000).

- *Victim Impact Statement (VIS)¹ Sentencing Travel Funds*: The Victims Fund supports the development of provincial/territorial programs to defray the costs for victims attending sentencing hearings in order to submit a VIS (\$150,000 per year, per jurisdiction as of 2007-08).
- *Reaching Underserved Victims of Crime*. The Victims Fund provides support to the provinces and territories to develop, implement, enhance or evaluate programs to respond to under-served victims of crime such as Aboriginal victims of crime, seniors, official language minorities, and disabled victims (\$100,000 per year, per jurisdiction as of 2007-08).
- *Northern Victims of Crime Emergency Fund*. The Victims Fund provides support to the territories to directly assist victims of crime with emergency costs (\$100,000 per year, per territory as of 2007-08).

In 2007-08, significant enhancements to the Victims Fund were implemented, which increased the annual budget for the Provincial/Territorial Component from \$1,000,000 to \$4,825,000. The Sentencing, Underserved and Northern Victims of Crime Emergency Fund are new aspects of the Victims Fund since this enhancement. From 2005-06 to 2009-10 (the timeframe covered by this evaluation), 21 projects received funding through the Provincial/Territorial Component of the Victims Fund, the majority (18) of which were multi-year projects. The Department's Integrated Finance and Materiel System (IFMS) records indicate that a total of \$2,956,797 was provided to the provinces and territories under this component of the Fund from 2005-06 to 2009-10 (Table 1). This, however, is only 18% of the total amount (\$16,465,000) budgeted for this component.²

¹ The *Criminal Code* requires the court to consider a victim impact statement at the time of sentencing an offender where such a statement has been prepared. The victim impact statement describes the harm done to or loss suffered by the victim of the offence.

² It is likely, however, that this percentage will increase somewhat as more jurisdictions continue to submit financial claims for past fiscal years. Nevertheless, even if the entire amount of \$4,985,987 that was allocated to specific projects under this component from 2005-06 to 2009-10 is claimed, it will only result in a 30% take up in funds.

Table 1 Provincial/Territorial Component of Victims Fund, 2005-06 to 2009-10

Applications	Implementation	Sentencing	Underserved	Northern Emergency Fund	TOTAL
Received	12	6	10	2	30
Rejected	1	2	2	1	6
Funded	11	4	8	1	21 ³
Total Paid	\$1,474,734	\$51,054	\$1,352,306	\$78,703	\$2,956,797

In terms of national coverage, funding through the Provincial/Territorial Component was provided to all provinces and territories, except Quebec, which did not apply for funding; Ontario, which had not claimed any expenditure as of the date of this report; and Manitoba whose claim of \$38,150 was being processed but had not yet been paid (Table 2).

Table 2 Geographic Distribution of Projects Funded by the Provincial/Territorial Component, 2005-06 to 2009-10

	Implementation	Sentencing	Underserved	Northern Emergency Fund ⁴	Total Projects	Total \$ Paid
Newfoundland and Labrador	0	1	1	N/A	2	\$27,874
Prince Edward Island	1	0	0	N/A	1	\$423,154
Nova Scotia	2	1	1	N/A	4	\$287,249
New Brunswick	1	0	1	N/A	2	\$477,325
Quebec	0	0	0	N/A	0	\$0
Ontario	0	1	0	N/A	1	\$0
Manitoba	1	0	0	N/A	1	\$0
Saskatchewan	2	0	1	N/A	3	\$355,229
Alberta	1	0	1	N/A	2	\$210,378
British Columbia	1	0	1	N/A	2	\$288,634
Yukon	1	0	0	0	1	\$213,834
Northwest Territories	1	1	1	1	4	\$555,500
Nunavut	0	0	1	0	1	\$117,620
Total Paid						\$2,956,797

³ Although 24 projects have been approved and funds have been allocated; only 21 projects took up the funding.

⁴ These funds are only available for the Territories.

2.2.1.2 *Projects and Activities Component.* This component of the Victims Fund is designed to support a range of projects and activities such as public education initiatives (e.g. National Victims of Crime Awareness Week projects and events), training, enhanced services for victims of crime, and the development of programs. This component of the Fund can be accessed by governmental and non-governmental organizations. Some resources of this component are specifically intended to support the purchase of capital expenditures such as screens for vulnerable witnesses and to advance support for victims in territorial communities.

From 2006-07 to 2009-10, the annual budget for the Projects and Activities Component was \$1,025,000. The number of projects supported under this component of the Fund doubled from 2007-08 to 2008-09 and again in 2009-10 (see Table 3) due to the high level of interest among non-government organizations (NGOs) and community advocates in organizing events for National Victims of Crime Awareness Week.

Table 3 Projects and Activities Component of Victims Fund, 2005-10

	2005/06	2006/07	2007/08	2008/09	2009/10
Projects Funded	5	50	42	85	162
\$ Paid	\$55,546	\$666,158	\$584,561	\$747,081	\$1,611,291

The Department's IFMS records indicate that a total of 344 projects were funded through the Projects and Activities Component of the Victims Fund from 2005-06 to 2009-10, the majority (82%) of which were NGO projects. Provincial/Territorial government projects accounted for 17% of the 344 projects.

2.2.1.3 *Financial Assistance Component.* This component provides the following financial assistance:

- financial assistance to *registered victims* of federally supervised offenders to attend parole hearings.⁵ The budget has varied each year and increased from \$492,000 in 2005-06 to \$1,058,000 in 2009-10;
- financial assistance to a *support person* to attend, or support registered victims to attend, PBC hearings (\$400,000 per year);

⁵ The assistance includes the actual expenses for travel and accommodation and an allowance for meals in accordance with Treasury Board guidelines.

- financial assistance to *Canadian citizens victimized abroad*, or their family members where the victim faced unusual or extreme hardship due to criminal victimization and where no other adequate source of financial assistance is available (up to \$5,000 per victim exclusive of travel costs; total budget \$1,325,000 per year); and
- direct, limited, emergency financial assistance to individual victims of crime facing unusual or extreme hardship due to criminal victimization and where no other adequate source of financial assistance is available, as well as financial assistance to surviving family members of victims of homicide who incur expenses to attend *Criminal Code* section 745.6 early parole eligibility hearings (\$175,000 per year).

Financial assistance for victims to have a support person attend PBC hearings with them and financial assistance for Canadians victimized abroad are relatively new initiatives under the Fund that were implemented in 2007-08. Table 4 provides a breakdown of the funding provided under the Financial Assistance Component of the Victims Fund from 2005-06 to 2009-10. The table shows that the number of support persons and Canadians victimized abroad who have received financial assistance has increased each year since the inception of these two programs.

Table 4 Victims Fund - Financial Assistance Component, 2005-06 to 2009-10

Persons Paid	Parole – Support	Parole – Victim	Victimized Abroad	Emergency Fund	TOTAL
2005-06	N/A	124	N/A	0	124
2006-07	N/A	366	N/A	2	368
2007-08	66	378	5	0	449
2008-09	78	308	13	2	401
2009-10	82	314	49	1	446
Total #	226	1,490	67	5	1,788
Total \$	\$103,262	\$973,319	\$234,839	\$26,130	\$1,342,550

2.2.2 Criminal Law Reform and Policy Development

The PCVI’s Criminal Law Reform and Policy Development activities are wide ranging and include research, policy development, legal analysis and case law reviews, consultations, participation in international conferences and symposia (e.g. United Nations [UN] Expert Group on the Development of Guidelines for Child Victims and Witnesses, the UN Commission on Crime Prevention and Criminal Justice, and the International Criminal Court’s Victim Support

Initiatives), and providing Canada's position with respect to international documents relating to victims of crime. The PCVI monitors and assesses the implementation of victim-related *Criminal Code* amendments and develops options in this respect; 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. In addition, the PCVI provides support to litigators on Charter interpretation and litigation. The PCVI has also established an Advisory Committee on Victims of Crime that is composed of victim service providers, advocates and NGOs in order to identify concerns, develop options and strategies, share information, and develop capacity to respond to victim needs. Additionally, the PCVI participates on various FPT working groups whose mandates impact victims of crime, including the FPT Working Group on Aboriginal Justice and the FPT Working Group on Restorative Justice.

2.2.3 Federal/Provincial/Territorial (FPT) Working Group on Victims of Crime

The PCVI is the secretariat responsible for coordinating and chairing the FPT Working Group on Victims of Crime. The FPT Working Group consists of Directors of Provincial and Territorial Victim Services as well as representatives from other federal departments such as the PBC, RCMP, Correctional Service of Canada (CSC), PSC, and representatives from other areas within the Department of Justice including the Family, Children, and Youth Section, Sentencing Reform, and Aboriginal Justice. Statistics Canada and others also participate on this Working Group although they are not formal members. The FPT Working Group works jointly with other working groups such as the FPT Working Group on Restorative Justice and the FPT Working Group on Sentencing. The PCVI organizes two meetings each year at a cost of \$25,000 per meeting.

Over the past five years, the group has had bi-annual meetings to exchange jurisdictional information and experiences and to discuss emerging issues such as program sustainability, public awareness campaigns that highlight victim services programs, restorative justice, government bills, and other outstanding issues related to the Victims Fund and implementation of victim-related *Criminal Code* amendments. Each FPT Working Group meeting had a major focus on reviewing and discussing reports from jurisdictions, various sub-committees and sub-groups, and other relevant government agencies such as the Canadian Centre for Justice Statistics (CCJS) and the RCMP. An overview of issues and events at the federal level were also presented and members were consulted regarding PCVI resources and programs. Additionally, the meetings included discussions regarding the PCVI's research and evaluation activities.

2.2.4 Public Legal Education Information

The PCVI collects and synthesizes studies and reports and acts as a clearinghouse for information on victims of crime issues. It maintains up-to-date information on available programs and services for victims in Canada. The PCVI maintains a website and prepares fact sheets, guides/manuals, and brochures on *Criminal Code* amendments, available funding and victim issues, and produces a quarterly newsletter. The PCVI activities related to PLEI include having displays at conferences and other events, press releases and backgrounders or summaries announcing new legislative initiatives, international developments, research grants and contributions.

National Victims of Crime Awareness Week (NVCAW) is an annual outreach initiative of the PCVI which includes a range of activities featuring a particular theme each year. The key goal of NVCAW is to raise awareness about the issues facing victims of crime and about the services, assistance and laws to help victims and their families. Each year, the PCVI develops a “Resource Guide” to help community groups and organizations plan and host activities and events during the Week. Limited funding through the Victims Fund (up to \$10,000)⁶ is available for projects that support the goals of NVCAW and include a variety of activities (e.g., workshops, training, newspaper/TV ads). Between 2007 and 2009, 151 organizations received funding to hold NVCAW events across the country.⁷

As part of its PLEI activities, the PCVI developed and maintains an electronic directory of victim services that provides a comprehensive listing of services for sixteen different types of victimization across Canada. With an average of 1,450 hits per month, the Directory is searchable by city, type of service, or type of victimization.

The PCVI website also contains over fifty online publications, research products and reports grouped under the following categories:

- criminal justice system;
- federal corrections and parole;
- youth justice system;
- research; and,

⁶ The amount was increased from \$5,000 to \$10,000 in 2007.

⁷ 24 organizations received funding in 2007, 51 in 2008, and 76 in 2009.

- other publications including program reviews, reports and manuals.

2.2.5 Capacity Building in the North

2.2.5.1 *The Northern Program*

In 2007, the PCVI established the Northern Program, which uses a number of policy and funding levers such as the FPT Working Group on Victims of Crime and the Victims Fund, to build the capacity of northern service providers in their work with victims of crime. The Northern Program includes funding for new activities and initiatives (e.g. Northern Victims of Crime Emergency Fund) and supports existing programs for victims in place across the North.

The PCVI's Northern Program advances capacity among territorial victim service providers by:

- organizing a pan-northern conference that brings together northern service providers, advocates, academics, governments, community organizations, and criminal justice professionals to access training, networking and information sharing;
- supporting victim service providers to attend “site visits” to other agencies (northern and southern) to explore best practices, approaches, experiences, and to see how particular activities (e.g., counselling programs, interagency collaboration) were developed and being operated; and
- developing electronic and paper materials that are designed particularly for the North.

Crown Witness Coordinators

The federal government has a unique role in the territories regarding victims of crime, which flows from the federal responsibility for prosecuting Canadian *Criminal Code* offences. The PCVI collaborates with federal colleagues in the Public Prosecution Service of Canada (PPSC) to support Crown Witness Coordinators (CWCs) (e.g. salary dollars for seven of fourteen CWCs, public legal education, annual meetings bringing together all northern CWCs and specialized training sessions in areas such as child victims and witnesses, domestic violence, self care, vicarious trauma, compassion fatigue and working with victims of homicide victims). From 2005-06 to 2006-07, the PCVI funded three CWC positions. This number increased to seven from 2007-08 to 2009-10, which included a new position within the PPSC to undertake policy and program development for CWCs in the three territories.

Federal CWCs work within the PPSC to undertake many tasks on behalf of court-based victims/witnesses and the Crown Prosecutors in their territory. Their role is to explain the victim's rights under the law, provide referral services (where they exist) and keep victims and witnesses informed from the beginning of court proceedings to the end, which may include following up after the case is over. CWCs provide key court information to victims and witnesses in a culturally relevant manner. In addition, they 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 CWCs may be the only support available to some victims. CWCs also act as a liaison between the Crown and the victim/witness.

2.3 Budget

The aggregate budget for the Federal Victims Strategy (FVS) consists of funding approved in 2005 and in 2006-07. In 2005, \$25 million was approved to fund the Victims of Crime Initiative (VCI) over five years. The VCI was renewed in 2010. Another \$52 million over four years was approved in 2006-07 to build upon the work of the VCI and to create the Federal Victims Strategy. Under the Strategy, \$13 million per year is allocated between the Department of Justice (\$7.6 million), the Parole Board of Canada (\$0.5 million), the Correctional Service of Canada (\$3.4 million) and the Office of the Federal Ombudsman for Victims of Crime (\$1.5 million). This funding will sunset in March 2011.

The combined annual budget for the Department of Justice FVS (including enhancement dollars) is approximately \$12.5 million per year. Of this total, \$8.8 million was dedicated to the Victims Fund in 2009-10, which was distributed among the Provincial/Territorial (\$4.82 million), Projects and Activities (\$1.02 million), and Financial Assistance (\$2.95 million) Components.

3. EVALUATION METHODOLOGY

The methodology used to evaluate the FVS included a document review, review of six sub-studies, interviews with key stakeholders, a file review, and case studies of projects funded under the Victims Fund. This section provides further details on each research method.

3.1 Data Collection Methods

3.1.1 Document Review

A wide variety of relevant documents were identified and reviewed. These documents can be grouped under the following categories:

- Performance information documentation such as Departmental Performance Reports, Departmental Reports on Plans and Priorities, the Results-Based Management and Accountability Framework (RMAF) for the Federal Victims Strategy, and previous mid-term and summative evaluation reports;
- Strategic documentation such as Speeches from the Throne and Canada's Economic Action Plan, briefing notes and memoranda pertaining to the PCVI's key initiatives and activities under the Strategy;
- Financial information/records such as Federal Budgets, Grants and Contributions Information Management System (GCIMS) reports and IFMS reports;
- FPT Working Group on Victims of Crime meeting minutes; and
- Research literature on topics such as available services as well as gaps in services provided to victims of crime, different models in working with victims of crime, and research and statistics related to victims of crime. This included a review of PCVI research publications and PLEI website materials. A broad-based review of similar programs for victims offered by the United States government (i.e., the Office for Victims of Crime) was also undertaken.

3.1.2 Sub-studies

A number of evaluation activities and sub-studies were undertaken by the Department of Justice Evaluation Division to help inform the evaluation. The results of these sub-studies contributed significantly to this evaluation. The following describes these studies:

- *Case Studies Report: Use of the Victims Fund to Support Legislative Amendments to Facilitate the Testimony of Vulnerable Witnesses (2009)*: This study included a descriptive and exploratory analysis of a range of different projects that had been undertaken in seven jurisdictions to implement the legislative amendments aimed at assisting vulnerable witnesses. The study focused on equipment purchases to enhance the ability of the provinces and territories to meet the testimonial support provisions of the amendments. The methodology of the study was primarily qualitative, with most of the data collected during site visits.
- *Survey of Victims that received funding to attend Parole Board of Canada (PBC) hearings (2006-2009)*: A survey was mailed to registered victims of federally supervised offenders who received financial assistance for travel and accommodation to attend a PBC hearing between 2006-07 and 2008-09. The purpose of the survey was to determine the extent to which the financial assistance component of the Victims Fund results in reduced financial hardship and improved the experience of victims of crime in the criminal justice system. Participation in the survey was voluntary and 463 victims completed the survey.
- *Survey of Support Persons for Victims that received funding to attend PBC hearings (2007-2010)*: A feedback survey was sent to support persons who accompanied a victim at a PBC hearing between 2007 and 2010. The survey was completed by 58 individuals.
- *National Victims of Crime Awareness Week Surveys (2007-2009)*: Voluntary surveys were distributed to NVCAW event participants and organizers in 2007, 2008, and 2009. The surveys assessed the effectiveness of the week in raising awareness of victim issues. In total, 87 event organizers (58%) and 1,900 participants responded to the surveys.
- *Survey of Northern Conference (2009)*: Conference delegates were asked to complete a short survey to gauge the overall usefulness of the conference and workshops, opportunities for networking, increased knowledge and awareness of victims' issues in the North. In total, 162 participants (60%) responded to the survey.
- *Crown Witness Coordinator Program Sub-study (2010)*: The CWC Program Sub-study was conducted to assess the Program's relevance, capacity, responsiveness, challenges, impacts

and outcomes. The methodology included site visits and interviews with northern criminal justice professionals. A total of 45 interviews and focus groups were held with CWCs (10), Chiefs and Associate Chiefs (5), Federal Prosecutors (3), members of the judiciary (3), defence counsel (15), Crown prosecutors (6), a representative of territorial government victim services programs, a representative of the PPSC, the Northern Region, and a representative of the PCVI. The evaluation covered the time period from January 2003 (the date of the first CWC program assessment) to May 2009.

3.1.3 Interviews with 46 Key Informants

Interviews were conducted with PCVI staff, federal, provincial and territorial members of the Working Group on Victims of Crime, members of the Advisory Committee and federal stakeholders who are not members of the FPT Working Group on Victims of Crime. The distribution of the 46 key informants by group is shown in Table 5. The interviews were designed to address evaluation questions related to the relevance and performance (i.e. effectiveness, efficiency and economy) of the Strategy. Two interviews were conducted in person and the remaining by telephone.

Table 5 Interviews of Key Informants and PCVI Staff

Respondent Type	Number Interviewed
PCVI Directors, Managers, Staff	11
Federal Members of FPT Working Group on Victims of Crime	7
Provincial Members of FPT Working Group on Victims of Crime	13
Territorial Members of FPT Working Group on Victims of Crime	3
Advisory Committee Members	10
Federal Stakeholders (not members of FPT Working Group on Victims)	2
Total	46

3.1.4 File Reviews of 57 Victims Fund Projects

The file review of 57 Victims Fund funded projects encompassed 44 projects from the Projects and Activities Component and 13 projects from the Provincial/Territorial Component. The

sample represented 62% of the projects funded under the Provincial/Territorial Component and 40% of the projects funded under the Projects and Activities Component.⁸

Funded projects from across the country were selected for this review. Projects were selected based on the availability of information on file regarding project outcomes and impacts. The sample included a cross section of projects by type and size (i.e. the amount of funding and/or duration). All four types of projects funded under the Provincial/Territorial Component (i.e. Implementation, Sentencing, Underserved, and Emergency Fund) were included in the review. For the Projects and Activities Component, the sample was drawn from PLEI, enhancements to victim services, training, and research and evaluation projects. Bill C-2, *An Act to protect children and other vulnerable persons* (2006) projects,⁹ hereafter referred to as testimonial aid projects, and NVC AW projects were excluded from the review as these types of projects have been previously examined in the sub-studies conducted by the Department of Justice. Conference attendance funding was also excluded.

3.1.5 Case Studies of 11 Victims Fund Projects

Eleven projects were selected for the case studies based on the results of the file review and in consultation with the Department of Justice Evaluation Advisory Committee. The sample was selected from the reviewed projects which had adequate outcome data, project results, and products available for review. The location, budget, objectives and target population of the projects were also considered.

Ten case studies were conducted in English and one in French. The case studies included interviews with project representatives, sponsors and partners/stakeholders, when possible. A total of 18 case study interviews were conducted, including 11 with project sponsors, 5 with project staff and 2 with project partners.

In addition to project summary reports, which funded recipients are asked to complete and provide to the PCVI at the conclusion of their project, other project products such as publications, presentations and websites were reviewed as part of the case studies.

⁸ Not including testimonial aid projects, NVC AW and conference attendance funding.

⁹ These funded projects support the implementation of testimonial aids (e.g., screens, closed-circuit television) to protect children (under the age of 18) and other vulnerable persons.

3.2 Evaluation Strengths and Limitations

Several methods and mechanisms were used to enrich the data collection process and increase confidence in the overall results. The strengths of the evaluation methodology included:

- the use of multiple lines of evidence through different methods of data collection (i.e. interviews, case studies, file review) in order to triangulate findings and increase the reliability of data;
- multiple stakeholders from six distinct groups (i.e. funding recipients in NGOs, P/T funding recipients, PCVI staff, members of the FPT Working Group on Victims of Crime, members of the Victims of Crime Advisory Committee, and external federal stakeholders who are not members of the Working Group) and a broad regional representation; and
- use of both quantitative and qualitative data in order to accurately address multidimensional concepts.

There were also some limitations associated with the implementation of the methodology. The limitations were mitigated as much as possible through the use of multiple lines of evidence and validation of findings through other primary and secondary sources of data. The limitations include:

- Due to their interrelated and complementary nature, it was not possible to attribute an accurate dollar figure to the PCVI's Criminal Law Reform and Policy Development, FPT Secretariat and Working Group, PLEI, Capacity Building in the North activities, making it difficult to assess the economy of each of these activities;
- Lack of information on certain project files for the file review (i.e. final project summary reports were not available for some projects). This limited the number of projects included in the file review;
- Potential respondent bias in the Victims Fund case study findings, which are primarily from the perspective of project funding recipients (based on their reports), and therefore could be positively biased; and
- The perspectives of victims are limited to a survey of victims who received financial assistance to attend a PBC hearing, which limits the scope and depth of the evaluation report. It would have been difficult to survey/interview victims for this evaluation while still respecting their privacy rights.

4. FINDINGS

This chapter summarizes the key findings of the Federal Victims Strategy evaluation with regards to program relevance and performance (i.e. effectiveness, efficiency and economy).

4.1 Relevance of the Federal Victims Strategy

The key findings regarding the relevance of the Strategy focus on its continued need, its alignment with government priorities, and its alignment with the roles and responsibilities of the federal government.

4.1.1 Continued Need for the Strategy

4.1.1.1 *Rates of self-reported criminal victimization in Canada indicate that there is a strong continuing need for victim services and support.*

According to the 2009 Statistics Canada General Social Survey (GSS), about 7.4 million Canadians, or just over one-quarter of the population aged 15 years and older, reported being a victim of a criminal incident in the preceding 12 months. This proportion was essentially unchanged from that reported in 2004.

In 2009, close to 1.6 million Canadians, or 6% of the population aged 15 years and over in the ten provinces, reported having been the victim of a sexual assault, a robbery or a physical assault in the preceding 12 months. Physical assault was the most common form of violence, followed by sexual assault and robbery. It was not uncommon for victims of violence to report having experienced multiple violent incidents. Of those who were victimized, most reported being victimized once (74%), 16% reported that they had been violently victimized twice within the previous 12 months, and 10% said that they had been victimized three or more times.

Experiencing a criminal incident can affect victims in many ways, from emotional and financial distress to having their daily activities disrupted. The 2009 GSS also found that consequences of criminal incidents were common among victims of both violent and household crime. Even

though household crime primarily targets property rather than people, victims of these crimes were just as likely as victims of violent crimes to be affected emotionally. Overall, 8 in 10 victims reported that the incident had affected them emotionally. The most common reactions were anger, feeling upset/confused/frustrated/annoyed, fear, and becoming more cautious/aware. Many victims of violent crime also reported disruptions to their daily lives.

4.1.1.2 *The need for the Federal Victims Strategy is more profound in the North and amongst Aboriginal populations.*

A comprehensive literature review on crime victimization concludes that there is a need for culturally relevant services for Aboriginal victims of crime in northern communities.¹⁰ Key factors that contribute to the crucial need for the Strategy among Aboriginal communities include:

- *The over-representation of Aboriginal people, both as a victim or as an offender, in the criminal justice system.* According to the 2004 General Social Survey of Victimization, 40% of Aboriginal Canadians reported having been a victim of crime compared to 28% of non-Aboriginal Canadians.¹¹ The high rate of victimization among Aboriginal people is attributed to the prevalent existence of risk factors associated with offending and/or victimization, such as being young, living in a lone-parent family, living common-law, high level of unemployment, and the consumption of alcohol among the Aboriginal population in Canada.¹²

Furthermore, according to Statistics Canada (2008), crime rates are significantly higher in the Northwest Territories (NWT), Nunavut and Yukon (in this order) than elsewhere in Canada. Violent crime rates in the territories are many times the rates in southern Canada (in the NWT and Nunavut they are about seven times the national average and in Yukon it is three times the national rate). The sexual assault rate in Nunavut is almost nine times the national average, and in the NWT it is 5.5 times the national average. Nunavut has the highest homicide rate in Canada (Table 6).

¹⁰ Chartrand, L., McKay, C. (2006). First Nations, Métis and Inuit People 1990 to 2001. Chartrand and McKay Consulting.

¹¹ Scrim, K. (2010). Aboriginal Victimization in Canada: A Summary of the Literature. Victims of Crime Research Digest, Issue 03.

¹² Ibid

Table 6 Canadian Crime Rates By Offences, By Territory, 2008*

Offences	Canada	Yukon	NWT	Nunavut
All Incidents	7,424.2	23,971.2	47,561.4	36,806.8
<i>Criminal Code</i> Offences ¹³	6,589.2	21,804.9	43,509.0	34,867.1
Crimes of Violence ¹⁴	931.8	2,857.2	6,547.6	7,816.1
Homicide	1.8	9.1	6.9	12.7
Attempted Murder	2.2	3.0	0.0	19.1
Assaults (level 1 to 3) ¹⁵	714.2	2,528.4	5,912.3	6,779.5
Sexual assaults	64.5	150.9	406.6	667.8
Other sexual offences	8.9	33.2	13.9	98.6
Other crimes of violence ¹⁶	43.3	87.5	154.8	187.6
Property crimes	3,079.5	3,910.2	5,346.2	4,264.2
Impaired driving	254.4	1,095.2	2,070.1	817.2
Breaking and entering	629.7	763.3	1,966.1	2,076.4
Drugs	306.1	639.6	1,074.3	731.4

*rate per 100,000 population

Between 1999 and 2006, the national crime rate declined by 1% in Canada and 5% in the Yukon. However, in the NWT and Nunavut, the rate of violent crime increased by 28% within the same time frame.¹⁷

- *Under-reporting of victimization in Aboriginal communities.* Research indicates that the rates of under-reporting of victimization are particularly high in Aboriginal communities, ranging from 40% to 75%.¹⁸ Factors that may contribute to this high rate include the “normalization

¹³ Excluding traffic offences.

¹⁴ “Crimes of Violence” include all violent crimes listed by category on subsequent lines: homicide; attempted murder; assaults; sexual assaults; other sexual offences; and other crimes of violence.

¹⁵ “Assault level 1” is the first level of assault. It constitutes the intentional application of force without consent, the attempt or threat to apply force to another person, or openly wearing a weapon (or an imitation) while accosting or impeding another person.

¹⁶ Includes unlawfully causing bodily harm, discharging firearms with intent, abductions, assaults against police officers, assaults against other peace or public officers and other assaults.

¹⁷ Statistics Canada, 2007; *Crime statistics, by detailed offences, annual* (CANSIM Table 252-0013).

http://www4.hrsdc.gc.ca/.3ndic.1t.4r@-eng.jsp?iid=57#M_2

¹⁸ Scrim, K. (2010)

of violence,” lack of victim services to access in order to report, and a lack of culturally appropriate services where they do exist.¹⁹

Key informants who participated in the evaluation interviews noted that without the federal funding for victims programs in the North, the territories would be unable to provide the same level of services now considered essential.

4.1.1.3 *All key stakeholders recognize a strong and continuing need for the Federal Victims Strategy.*

There was consensus among all key informants that there is a strong and continuing need for the Strategy. They indicated that the Strategy is needed to:

- provide federal leadership and coordination on victim issues (41% of respondents);
- improve access to victim services and support provinces/territories in providing services and in implementing the *Criminal Code* (41% of respondents);
- improve the experience of victims and give them a voice in the criminal justice system (33% of respondents);
- provide a victims lens in the *Criminal Code* reform and policy development process (22% of respondents); and
- raise awareness about victim issues (20% of respondents).

Key informants also explained that the rationale for the Strategy has strengthened over the past five years given increasing attention and funding for victim issues at the federal level, broader recognition of the role of victims and types of victimization (e.g. domestic abuse, bullying, elder abuse), and increasing awareness of and demand for victim services.

4.1.2 Alignment with Government Priorities

4.1.2.1 *The objective of the Federal Victims Strategy is consistent with federal government priorities and the strategic outcomes of the Department of Justice.*

One of the main objectives of the Federal Victims Strategy is to ensure that victims of crime and their families are aware of their rights and roles in the criminal justice system. Prime Minister

¹⁹ Chartrand, L., McKay, C. (2006)

Stephen Harper's speech at the 6th Annual Gala and Fundraiser for the Canadian Crime Victims Foundation (June 2008) explains the importance of victims' rights: "*We believe that the central purpose of a criminal justice system is not the welfare of the criminal. It is the protection of law-abiding citizens and their family. Of course criminals have rights. We believe those rights must be balanced with responsibilities, and we believe victims have rights too.*"²⁰

In addition, as part of the recent announcement by the Minister of Justice and Attorney General of Canada (October 7, 2010) with regards to funding for the creation and enhancement of Child Advocacy Centers²¹ across Canada to help better serve young victims and witnesses of crime, it was confirmed that "*The Government is committed to supporting victims of crime, particularly the most vulnerable among us – our children... Today's investment will assist in making it easier for children's voices to be heard throughout our criminal justice system.*"²²

In the Department of Justice's 2010-11 Report on Plans and Priorities, the Federal Strategy falls under the strategic outcome of "*a fair, relevant and accessible justice system that reflects Canadian values*" and is further depicted under the program activity "*justice policies, laws and programs*". The expected results of this activity relevant to the Strategy include "*Canadians have a positive perception of the criminal justice system, equitable access to the justice system, and increased involvement of Aboriginal communities in the local administration of justice.*" Furthermore, one of the Department's key activities is to "*continue implementation of the Federal Strategy for Victims of Crime and the Victims Fund*" (RPP, 2010-2011, p. 11-12).

To illustrate the consistency between the Strategy and federal government priorities as well as the strategic outcomes of the Department of Justice, key informants referred to the government's robust criminal law agenda and focus on the safety and security of families. They also referred to Prime Minister Harper's Opening Remarks at the 2010 National Victims of Crime Awareness Week Symposium in Ottawa, Speeches from the Throne (2006-2010), the creation of the Office of the Federal Ombudsman for Victims of Crime, the commitment to victim issues in the 2010 Federal Budget, and the legislation that the government has introduced to support victims (e.g., Bill C-2: Protection of Children and Other Vulnerable Persons, and Bill C-10: Mental Disorder:

²⁰ Prime Minister Stephen Harper delivers remarks at the 6th Annual Gala and Fundraiser for the Canadian Crime Victims Foundation, 6 June 2008. <http://www.pm.gc.ca/eng/media.asp?id=2145>. Retrieved September 2, 2010.

²¹ Child Advocacy Centres (CACs) aim to minimize the trauma of being a child victim of crime. CACs are a collaborative team of professionals who work in a child-friendly setting to help a child victim or witness navigate the criminal justice system. The work of the CAC staff greatly reduces the emotional and mental harm to the child and their approach often improves the quality of evidence brought forward in trials. Better evidence can lead to more charges laid, a higher rate of guilty pleas and convictions, and more appropriate sentences.

²² http://www.justice.gc.ca/eng/news-nouv/nr-cp/2010/doc_32555.html. Retrieved October 15, 2010.

Victims of mentally disordered offenders have permission to read their Victim Impact Statement at Review Board Hearings).

Evidence of the alignment of the Strategy with government priorities is also present in recent Throne Speeches. The May 2010 Speech from the Throne stated that: “*Justice must be effective, swift and true. It must also be fair to victims of crime... Our Government will also offer tangible support to innocent victims of crime and their families. It will give families of murder victims’ access to special benefits under Employment Insurance. It will introduce legislation to give employees of federally regulated industries the right to unpaid leave if they or members of their families are victimized by crime. And our Government will introduce legislation to make the victim surcharge mandatory, to better fund victim services.*” The October 2007 Speech from the Throne also addressed victim issues indicating that: “*in addition to tougher laws, our government will provide targeted support to communities and victims.*”

4.1.3 Alignment with Federal Roles and Responsibilities

4.1.3.1 *There is a legitimate and necessary role for the federal government in addressing issues related to victims of crime.*

Following the *United Nations’ Declaration of Basic Principles of Justice for Victims of Crime (1985)*, the Canadian government developed its own Canadian Statement of Basic Principles of Justice for Victims of Crime in 1988. In 2003, Federal and Provincial Ministers Responsible for Criminal Justice renewed the *Canadian Statement of Basic Principles of Justice for Victims of Crime*. The new *Statement* recognizes that all provinces and territories as well as the federal government share the responsibility and obligation to improve the experience of victims in the criminal justice system while working within each jurisdiction’s respective mandates. The provision of victim services and assistance is primarily a provincial responsibility under their jurisdiction for the administration of justice. Federal jurisdiction for victims of crime is found in the federal power for the criminal law; consequently, federal initiatives for victims of crime are criminal law and policy reforms, funding to implement or promote criminal law, assistance to victims of federal offenders and assistance related to prosecutions in the territories.

Furthermore, the report of the Standing Committee on Justice and Human Rights in 1998 entitled “Victim’s Rights – A Voice, not a Veto,” stated that: “*victims ask for a voice in, not a veto over, what happens at each stage of the criminal justice process. They ask for information and notification - about how the criminal justice system functions, about the programs and services*

available to them, and about the various stages of the case in which they are involved. ... They identify as a critical problem the uneven availability of victims' programs and services both between provinces and territories, and within them. In their view, addressing all of these issues will restore the imbalance they see in the criminal justice system."

Key informants perceive a strong role for the federal government in ensuring that victim issues have a high profile at the federal level, raising public awareness, and providing coordination, collaboration, and information sharing among jurisdictions. Some of the responsibilities of the federal government as identified by key informants are consistent with the key activities of the PCVI and include:

- **Provide leadership, coordination and raise awareness about victim issues.** It was noted that the federal government is uniquely positioned to raise awareness about victim issues on a national scale giving further credibility and motivation for the provinces and territories to follow suit.
- **Provide a victims lens in *Criminal Code* reform and policy development.** Key informants frequently pointed to the federally mandated role in *Criminal Code* reform and policy development and that it is important to have a victim's lens in that process.
- **Provide funding to provinces/territories and NGOs to improve access to victim services and implement *Criminal Code* changes.** Federal funding is an important priority for the provinces and territories since the funding enables them to expand existing services for victims and to implement *Criminal Code* changes.
- **Provide PLEI materials and research on victim issues.** Related to leadership, coordination, and information, key informants indicated that it is important to have a central repository of information for victims. It was also mentioned that it is important for the PCVI to conduct ongoing research in order to identify victim needs and gaps in services.
- **Address needs of victims of federally sentenced offenders and Canadians victimized abroad.** Some key informants noted that there are some categories of victims that fall directly under the jurisdiction of the federal government, such as Canadians victimized abroad and victims of federally sentenced offenders.
- **Address the unique needs of northern and Aboriginal victims of crime.** Key informants identified the federal government's mandate and role in assisting victims in northern and Aboriginal communities, particularly in terms of providing much needed resources and funding.

4.2 Performance – Achievement of Expected Outcomes

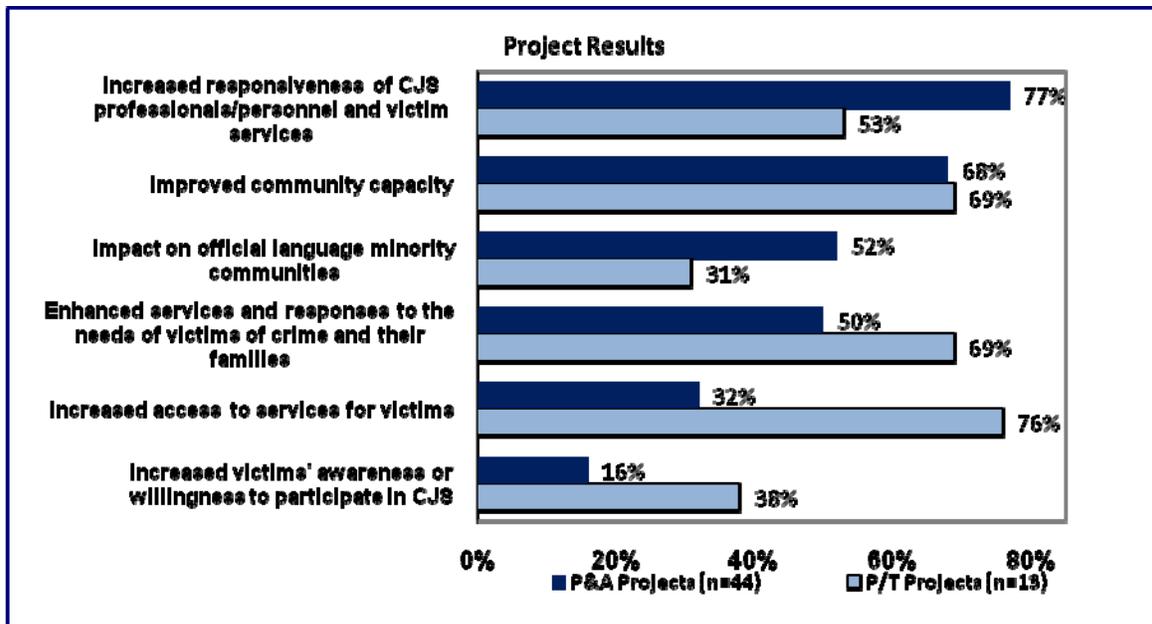
The key findings regarding the performance of the Federal Victims Strategy focus on the achievements and outcomes of the PCVI's five key activities including the Victims Fund, Criminal Law Reform and Policy Development, Federal/Provincial/Territorial Secretariat Coordination, PLEI and Capacity Building in the North. The findings are presented in accordance with the expected outcomes for each line of activities as identified in the RMAF for the Strategy. This section presents a synthesis of findings from multiple lines of evidence for each key activity.

4.2.1 The Victims Fund

The Victims Fund was examined to determine its overall performance as well as the extent to which it has increased awareness and understanding among criminal justice system (CJS) personnel, service providers, and victims of victim issues, legislation and available services; increased willingness of victims to participate in the CJS; increased access to services for victims; and reduced financial hardship for victims who participate in the CJS.

4.2.1.1 *The projects supported through the Victims Fund generate impacts across all key outcomes of the Strategy.*

A file review of a sample of projects funded under the Provincial/Territorial Component and Projects and Activities Component of the Victims Fund indicates that the characteristics and targeted outcomes of the funded projects are consistent with the objectives of the Fund and support the intermediate results of the FVS (Figure 1).

Figure 1: Targeted Outcomes of Projects and Activities and Provincial/Territorial Projects²³

Most recipients of Projects and Activities funding (95%) and Provincial/Territorial funding (77%) through the Victims Fund reported that their projects achieved their expected outcomes. Almost all case study respondents cited collaboration and consultation as a major factor that contributed to project success. Respondents noted that their project partners helped raise awareness about the project and increase buy-in among target groups. Some recipients of Projects and Activities funding reported positive unanticipated results, including greater project success than originally anticipated (e.g. overwhelming demand and uptake by participants in a Death Notification Training Program for police officers, and greater than expected uptake of a trainer's toolkit on the abuse of women). Project funding recipients indicated that the resources produced and learning that occurred during their project have extended beyond the funding period and, although their project is complete, they continue to use materials and knowledge that were produced during the project in activities such as training of new staff, preparing presentations on specific areas of victimization, implementing regional victim-related legislation and strategies, and developing new materials (e.g., adaptations of tools/materials for Aboriginal communities).

²³ The outcome on increased victims' willingness to participate in CJS is targeted mostly by the Financial Assistance Component of the Victims Fund rather than the Project and Activity or Provincial/Territorial Component.

4.2.1.2 *The Victims Fund has made significant progress in increasing awareness and understanding of victim issues, legislation and available services among professionals, service providers, and victims.*

Increased awareness and understanding of victim issues, legislation and available services among professionals, service providers, and victims was the outcome most commonly targeted by the projects that were reviewed (see Figure 1). The reviewed projects contributed to this outcome through the development of informational material (e.g., a report on “Responding to the Needs of Canadian Victims of Terrorism”) and training courses for CJS professionals on victim issues and implementation of testimonial aid provisions in the *Criminal Code*. Additionally, the primary theme of eight of the 11 case study projects funded under the Projects and Activities Component was to increase awareness through the development of materials or the provision of training.

Interviews with FPT Working Group members and PCVI staff also indicated that the Victims Fund has contributed to increased awareness and understanding amongst CJS personnel, service providers and victims. Interviewees referred to the following examples:

- *NVCAW*. Provincial/territorial members of the Working Group and PCVI staff all cited NVCAW as a key contributor in increasing awareness and understanding of victim issues. Through the Victims Fund, limited financial assistance of up to \$10,000 is available for projects that support the goal of NVCAW (i.e., to raise awareness of the issues facing victims of crime and the services, assistance and laws in place to help victims and their families). From 2007 to 2009, 151 organizations received funding to hold NVCAW events (24 in 2007, 51 in 2008 and 76 in 2009). NVCAW is discussed in more detail in Section 4.2.4 “Public Legal Information and Education”.
- *Training*. Interviewees also pointed to training activities and initiatives as a means of increasing awareness and understanding of victim issues among service providers. Crown prosecutors, judges and others need to be aware of the *Criminal Code* provisions concerning the use of testimonial aids. Various stakeholders are involved in increasing the awareness of these provisions and amendments including the Department of Justice, which provided Victim Fund monies for training courses that included the use of testimonial aids in portions of their curricula. NGOs such as the Centre for Children and Families in the Justice System (formerly the London Family Court Clinic) also received monies through the Victims Fund to develop information and training material on the *Criminal Code* provisions for testimonial accommodations and the legislative amendments (see Case Study #3 on page 32). Additionally, from 2005-06 to 2009-10, the Victims Fund supported a number of other non-

governmental, municipal and P/T training initiatives, such as a four-day training module for women's shelter workers in Inuit communities entitled "Making our Shelters Strong", which is available online in English and Inuktitut.²⁴ The four-day workshop provides tools and supports to shelter workers and other front-line workers who work with victims in Inuit communities. At the time of the evaluation, training sessions had been held in four regions with Inuit communities including Nunatsiavut (Labrador), Nunavik (northern Quebec), Nunavut, and the Inuvialuit Settlement Region in the Northwest Territories.

4.2.1.3 *Projects supported through the Victims Fund have helped increase access to victim services.*

A majority of the provincial/territorial projects (76%) that were included in the file review aimed to increase access to services for victims by, for example, expanding victim services office hours, providing financial assistance to victims to travel to access counseling, providing court preparation services, and providing services to unserved or underserved populations.

All groups of key informants (i.e. federal and provincial/territorial members of the FPT Working Group on Victims of Crime, advisory committee members and PCVI staff) pointed to the positive impacts of the funding for Aboriginal populations which instigated outreach projects and expanded services in small, underserved communities. Key informants explained that, by supporting outreach projects, the Victims Fund has enhanced services particularly in rural and underserved communities.

The case studies for this evaluation revealed a successful example of this aspect of the Victims Fund (see Case Study #1 below).

²⁴ The training tool is available at http://www.pauktuutit.ca/pdf/publications/abuse/WomensShelter_e.pdf

Case Study #1 - Outreach Youth and Victim Worker Project

The *Outreach Youth and Victim Worker* project (2005-2006 to 2009-2010) was conducted by the Yukon Department of Justice.

The overall goal of this project was to provide services to youth and adult victims of domestic violence and sexual assault in all Yukon communities. Although services for victims are provided on a consistent basis to the population of Whitehorse, the main urban center in the Yukon, and on a half-time basis to the people of Dawson City and Watson Lake, the other rural communities are so remote that very little service is provided. The residents of the communities of Old Crow, Burwash Landing, Haines Junction, Beaver Creek, Mayo, Pelly Crossing, Carmacks, Carcross and Ross River were the beneficiaries of this project. All of these communities have high or majority First Nation populations.

Through the Victims Fund, the Yukon Department of Justice received funds to staff one full-time Outreach Youth and Victim Worker position, with the intended outcome of providing support and services to victims of crime who would not normally be able to easily access these services and to better educate outlying community populations and agencies on victim issues.

The project activities have resulted in the expansion of victim services to Yukon communities that previously did not have access to such services. A representative of the project who was interviewed as part of the case study indicated that there was one community in particular with which the Victim Worker had difficulties building connections at the beginning of the project. The Victim Worker is now able to go to the community once a month and has people waiting for his/her services.

The project has also increased local, particularly youth's, awareness and interest about victim issues. The project continues to increase its presence in communities by recruiting local victim workers, attracting volunteers (e.g., students) from the First Nation communities, and creating partnerships. Following the completion of this project, the Victim Services and Community Justice Unit received additional support from the Yukon Government to create two new full time Outreach Youth and Victim Worker positions. Currently, the project includes three full-time Victim Services workers who are also responsible for youth outreach.

The Victims Fund has also increased access to victim services through the provision of funding for the purchase of testimonial aids within the provinces and territories. In 2009, case studies were conducted to assess projects funded through the Department's Victims Fund that support the implementation of legislative amendments to facilitate the testimony of vulnerable witnesses. These case studies, hereafter referred to as the 2009 case studies on testimonial aids, focused on equipment purchases (i.e. fixed and portable CCTV systems, witness screens, other audio and visual equipment, and equipment for child-friendly waiting rooms) to enhance the ability of provinces and territories to meet the testimonial support provisions of the amendments. The results of the 2009 case studies on testimonial aids show that the jurisdictions need the PCVI funding and support to implement testimonial aid legislation. Funding is needed for not only the purchase of testimonial aid equipment, but also for training and other support to increase use of the equipment. The 2009 case studies on testimonial aids found that the funding has increased

the capacity of the jurisdictions to provide a greater number of higher quality testimonial aids for vulnerable witnesses. In the absence of funding, some projects could still have been implemented but on a more limited scale while those in smaller jurisdictions could not have proceeded at all.

4.2.1.4 ***The Victims Fund has helped increase the willingness of victims to participate in the criminal justice system.***

Key informants indicated that the Victims Fund has contributed to an increased willingness among victims to participate in the justice system and referred to the support provided through the use of testimonial aids and financial assistance in particular.

Testimonial Aids

During the 2009 case studies on testimonial aids, which relied on interviews with victim services workers and Crown prosecutors to describe the impacts that the funded equipment are having on the vulnerable witnesses who use them, interviewees indicated that providing witnesses with the option of testifying with a testimonial aid increases their willingness to testify and helps reduce the anxiety of not only witnesses but of their family and/or supporters. The following example illustrates how a testimonial aid can influence a victim's willingness to testify:

“The person who used CCTV had never been able to enter the courtroom with the accused in the room. So we felt it would be almost impossible to get her to testify in an appropriate manner. She was able to participate mainly because it was done by closed-circuit.”

In the case of Prince Edward Island, the Department funded equipment for a child-friendly waiting room. Victim services workers said that providing the option of using the room makes witnesses and their families visibly relieved, knowing that they will have a “safe place” in the court building for them to wait. Giving them the option of using the room makes them more comfortable to come to court and testify.

The 2009 case studies on testimonial aids also revealed a number of ways in which the use of the funded equipment helped to improve the experience of victim/witnesses in the criminal justice system. During court preparation and orientation, victim services workers outline the accommodations available to witnesses. Providing the option of testifying with a testimonial aid reduces the anxiety of not only witnesses but of their family and/or supporters. As one person noted, *“Even just presenting the option of the testimonial aid really helps alleviate (the witness’) fear of having the accused in their line of vision.”* This relates to another important benefit of the

testimonial aids, which is to reduce the stress and anxiety of their parents and supporters, thereby improving their experience in the justice system. The testimonial aids often do not eliminate the stress of testifying entirely but reduce it considerably. This was described by a criminal justice system professional who participated in the case studies as:

“I find that when you have a new client, parent or child and tell them they need to testify, their anxiety is at 100% and when you are able to say to them one option is CCTV it really helps get the parents on board, lessens the anxiety of the witness when they hear that.”

Testimonial aids not only help reduce the stress of testifying, but they give child witnesses and their supporters choices and a sense of empowerment in the criminal justice process: *“It’s almost like a security blanket. The child going to court, they don’t have any control but if you give them a choice in the court process, they get a little control in the process when they usually don’t have any.”*

4.2.1.5 ***Financial Assistance to Attend PBC Hearings***

One of the important entitlements of crime victims in Canada is the opportunity to attend hearings conducted by the PBC. Victims may attend these hearings as observers or to present a victim impact statement. Attending PBC hearings often involves travel and accommodation away from home. Since late 2005, the Victims Fund has been offering financial assistance to registered victims who wish to attend hearings related to the offender who harmed them. A survey of registered victims of federally supervised offenders who received financial assistance for travel and accommodation to attend a PBC hearing between 2006-07 and 2008-09 found that 22% of those surveyed would not have attended the hearing without the financial assistance received through the Victims Fund. In addition, an almost equal number (20%) indicated that they did not know if they would have attended the hearing without financial assistance. The following quotes from survey respondents illustrate the importance of the funds:

“This fund is very important as many victims would not be able to attend hearings without it. The victims need to be heard and have input into parole decisions.”

“This program is important in giving victims a voice.”

Since April 2007, financial assistance has been available for a support person to accompany registered victims attending a PBC hearing or provide child or dependent care to enable victims to attend the hearing. The majority (81%) of 58 support persons who accompanied a victim and

responded to a feedback survey between 2007 and 2010 also noted the importance of available financial assistance in helping them to attend the hearing. Nearly one-third (31%) of respondents indicated that they would not have or were not sure if they would have attended the hearing without the funding.

4.2.1.6 *The Victims Fund has helped ease the financial burden of victims and their family.*

The FVS is intended to lessen the financial hardship posed by criminal victimization in Canada as well as for Canadians victimized abroad by providing financial assistance to victims or their family members. According to the IFMS, approximately 1,800 persons received financial assistance through the Financial Assistance Component of the Victims Fund from 2005-06 to 2009-10.

The survey of registered victims who received financial assistance to attend a PBC Hearing reported that 96% of respondents perceived the amount of funding they received as helpful or very helpful. Even though over half (55%) of respondents indicated that they would have attended the hearing had financial assistance not been available, some indicated that it would have been extremely difficult given the financial burden of having to travel a long distance and that it would have created financial hardship for them during a difficult time. Although most respondents indicated that the financial assistance was helpful, they suggested that reimbursement should arrive sooner. Another frequent suggestion was that full advanced funding or vouchers should be available, especially for those who cannot afford to pay any costs up front.

During the evaluation interviews, 60% of PCVI staff noted that the funding for Canadians victimized abroad is a key program component which reduces the financial hardship of victims of crime by allowing them to travel to attend hearings and testify in foreign countries. Use of the Victims Abroad Component has increased significantly from 5 to 49 recipients a year since its inception in 2007-08. A PCVI staff member noted that, in one instance, the fund allowed for a Canadian victimized abroad to travel back to the country in which he/she was victimized to testify. This testimony was instrumental in putting the accused in jail and helped give the victim closure.

Key informants also referred to the Northern Victims of Crime Emergency Fund, a component of the Victims Fund that provides support to the territories to directly assist victims of crime with emergency costs in order to reduce the financial burden of victims and their family. To date, one such Fund has been implemented by the NWT and was examined as part of the case studies (see Case Study #2 below).

Case Study #2 – GNWT – Territorial Victims of Crime Emergency Financial Assistance Fund

The Community Justice and Community Policing Division of the Department of Justice in the Government of the Northwest Territories (GNWT) was provided funding to set up and deliver a Victims of Crime Emergency Financial Assistance Fund, which provides direct, limited, emergency financial assistance to victims of serious violent crime in exceptional circumstances for emergency situations where no other source of financial assistance is available. Costs could include child-care costs, emergency dental/optometry costs, crime scene cleaning, emergency travel assistance, and other costs which are necessary to ensure a victim's safety.

The Fund has been in operation for one year, as of September 2010. During the first year, there were 32 applications for funding, 24 of which were approved, resulting in a disbursement of \$7,457.

A victim service worker described the Fund as “a foot in the door” for victims of crime to have their immediate needs met and gain access to some victim services. The Fund has also been used to prevent further violence and victimization (e.g., for a lock change and cell phone minutes). One instance was described in which a client needed to have the funding to replace a door that had been broken by her spouse.

The Emergency Fund is administered by the GNWT Justice in partnership with Inuvik Justice Committee. The advantages of the fund are: 1) it makes it possible to pay vendors directly for services provided to victims of crime, 2) it enables the Inuvik Justice Committee and other community-based victim services providers to offer extra assistance to victims by referring them to the Fund directly, and 3) its guidelines have provisions for discretion which allow providers to respond to additional unanticipated needs.

There have been some challenges concerning the uptake of the fund as progress has been slower than anticipated. The GNWT speculated the reason for slow uptake could be due to a lack of awareness and related lack of demand. The GNWT is looking at various ways to resolve the lag in uptake such as developing more targeted promotion activities and following up on approved funds that have not yet been disbursed.

4.2.1.7 Outreach is still needed in order to raise awareness about the financial assistance that is available to victims and their family.

Despite the many positive impacts of the financial assistance provided through the Victims Fund, some aspects of this component appear to be underutilized.

There is a significant allocation of resources (\$1,325,000 per year) in the Victims Fund to support Canadians victimized abroad due to the unpredictable nature and demand for assistance. According to the PCVI's website, statistics provided by the Consular Affairs Bureau at Foreign Affairs Canada indicate that there were approximately 260 cases of violent crime against Canadians abroad in 2005–06 in such categories as murder, assault, kidnapping, child welfare and family distress. However, GCIMS records indicate that only 90 persons have applied for financial assistance through the Canadians victimized abroad program from 2007-08 to 2009-10,

67 of whom received financial support, resulting in a disbursement of 6% of available funds under this component. Although the PCVI provides training to Foreign Affairs Consular staff on victim issues and the funding available for Canadians victimized abroad as part of its outreach activities, and information on financial assistance for Canadians victimized abroad is available on the PCVI's website, the low take-up of this aspect of the Fund indicates that more could be done to communicate the funding that is available. In 2010, the Department of Justice commissioned a survey of Canadians to gauge their level of awareness of victim services. The survey was conducted between September 7 and September 23, 2010, with 2,526 Canadians (by telephone n=2,006 and online n=520) and found that a significant number are not aware of the services offered (no knowledge at all 42%, a little knowledge 36%).²⁵

Through the Emergency Fund, the PCVI provides direct, limited, emergency financial assistance to individual victims of crime in exceptional circumstances for emergency situations of undue hardship where no other source of financial assistance is available. A total of \$175,000 is available through the Emergency Fund annually. The low number of victims (n=5) who have accessed the Emergency Fund over the last five fiscal years, which has resulted in a disbursement of \$26,130 or 3% of available funds, suggests that this initiative is also underutilized. This may be due in part to eligibility criteria that are too narrow or restrictive, preventing victims from even applying, or the fact that Canadians are not aware of the funding that is available.

4.2.1.8 Opportunities for improvement under the Victims Fund also relate to the limited uptake of funding under the Provincial/Territorial Component.

Key informants noted a lapse of funding with respect to the Victims Fund as an area that could be improved under the Strategy. This issue was also identified during the document review.

A review of the Provincial/Territorial Component projects that had been paid out according to IFMS as of August 5, 2010 indicates a lapse of approximately \$13,500,000 from 2005-06 to 2009-10 (Table 7). This amount is significant in that the Provincial/Territorial Component is a very large proportion of the Fund. From 2007-08 to 2009-10, approximately 55% of funds available through the Victims Fund were dedicated to the Provincial/Territorial Component.

²⁵ Canadians' Awareness of Victim Services – Benchmark Testing. September, 2010.

Table 7 Provincial/Territorial Component of Victims Fund (2005-06 to 2009-10)

Initiative	Total \$ Available	Total \$ Allocated	Total \$ Spent	Variance (\$ available & \$ spent)
Implementation	\$5,000,000.00	\$1,942,231.00	\$1,474,734.00	\$3,525,266.00
VIS Sentencing	\$6,000,000.00	\$950,000.00	\$51,054.00	\$5,948,946.00
Underserved	\$4,575,000.00	\$1,638,258.00	\$1,352,306.00	\$3,222,694.00
Northern Emergency Fund	\$900,000.00	\$194,759.00	\$78,703.00	\$821,297.00
Total	\$16,475,000.00	\$4,725,248.00	\$2,956,797.00	\$13,518,203.00

As illustrated above in Table 7, the lapse in funding has been most notable under the VIS Sentencing Component. This may be due in part to the fact that it takes time for the provinces and territories to develop and implement a new fund and for the available funding to be known to victims.

Key informants attributed the funding lapse more generally to a variety of reasons, which were also echoed during the case studies. The reasons, in order from the most to the least frequently mentioned by provincial/territorial members of the Working Group, are as follows:

- **Short-term funding:** Provinces and territories expressed concern regarding the lack of long-term funding. It is difficult for them to commit when there is no guarantee that the federal funding and the Federal Victims Strategy will continue. During the case studies, some recipients also explained that they had difficulties planning a project to be delivered over a relatively short time frame (e.g. one year).
- **Administrative process:** The application process can be long and time consuming which makes the funding less attractive, particularly for smaller projects. It was suggested that the process could be simpler given that the federal government is dealing with another level of government as opposed to a third party and the administrative requirements of both governments should be considered.
- **Capacity issues:** Some jurisdictions do not have the internal capacity necessary to develop and administer the Funds (e.g. Victim Impact Statement Sentencing Travel Fund, Northern Victims of Crime Emergency Fund).
- **Lack of awareness of funding options/opportunities:** Some key informants pointed to the lack of awareness regarding the available funding such as Travel Assistance for Victims to attend Parole Board Hearings and Canadians victimized abroad, as a barrier to apply.

- **Lack of flexibility:** Restrictive funding guidelines were also identified as a challenge. Key informants mentioned that the purpose of the funding is too specific and may not reflect the demand or needs that exist in a particular region. Greater flexibility would enable jurisdictions to re-allocate unspent amounts to other areas.
- **Lack of adequate learning:** Provincial and territorial representatives explained that more educational opportunities and conferences would help them learn about best practices in using the funds. Representatives would also like to have more time to meet and share updates from their jurisdictions as well as best practices and lessons learned.
- **Administrative costs:** The PCVI does not provide funds for implementing and administering the Victim Impact Statement Travel Fund. Rather, all of the funding is intended to be disbursed directly to victims. The fact that administrative costs are not included in this Fund serves as a disincentive for provinces and territories to take up the funding.
- **Lack of support from provincial/territorial governments:** Some provincial and territorial representatives mentioned that they are constrained by their own government's priorities in terms of resource allocations and program priorities. They may not be able to obtain additional resources from the P/T government to operate a victim-focused program even when there is additional funding from the federal government.

4.2.2 Criminal Law Reform and Policy Development

The performance of the PCVI's criminal law reform and policy development activities was examined in terms of the extent to which *Criminal Code* provisions relevant to victims are put into practice and FPT policies and practices are more responsive to victim issues.

4.2.2.1 *The PCVI has played a significant role in a variety of Criminal Code amendments, legislation and policies to ensure that victims' perspectives are considered.*

A document review undertaken as part of the evaluation highlighted the various ways in which the PCVI has contributed to criminal law reform and policy development over the past five years, including:

- **Bill C-2 (Children and Vulnerable Witnesses):** The PCVI has funded projects to support the implementation of legislative amendments to facilitate the testimony of vulnerable witnesses, including projects to clarify and expand the use of testimonial aids (i.e. closed-circuit television, witness screens, support persons, and video-recorded evidence).

- **Employment Insurance for Victims:** The PCVI has provided extensive advice to the Department of Human Resources and Skills Development and the Labour Program regarding victim-related changes to Employment Insurance Regulations and the Canada Labour Code.
- **RCMP Referrals:** The PCVI is leading discussions between the RCMP and victim services with regards to RCMP referrals (i.e., policy around RCMP providing information about victims to victim services without requiring the victim's consent). Public Safety is the lead on the initiative.
- **International Issues:** The PCVI provides input into Canada's responses to a number of international bodies on a variety of topics including providing input regarding the development of new international instruments and other initiatives and providing advice to members of Canadian delegations attending international meetings.
- **Restitution:** Restitution is when the judge orders the offender to pay money to the victim for the actual loss or damage resulting from a crime. A Working Group started in 2007 and chaired by the PCVI provides advice to Ministers. The FPT Restitution Working Group prepared a final report to FPT Deputy Ministers and presented it at the FPT Deputy Ministers' meeting in June 2010.
- **Bill C-21 (White Collar Crime):**²⁶ The PCVI has contributed to work on developing amendments involving victims of white-collar crime. The two relevant components in this area are proposed amendments regarding restitution in fraud cases and the use of victim impact statements in fraud cases.

4.2.2.2 *The PCVI has contributed to the development of international standards for victim-related government policies.*

The PCVI has been involved in the creation, implementation and evaluation of United Nations (UN) victim-related instruments. The PCVI participated in a 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, and participated in the UN Commission on Crime Prevention and Criminal Justice to have guidelines adopted regarding child witnesses and victims of crime. The PCVI has also 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 Strategy's enhancements in April 2007.

²⁶ Bill C-21, An Act to amend the *Criminal Code* (sentencing for fraud: Standing up for Victims of White Collar Crime Act), was introduced in the House of Commons on 3 May 2010 by the Minister of Justice.

4.2.2.3 *The PCVI's criminal law reform and policy development activities have contributed to federal/provincial/territorial policies and practices that are more responsive to victim issues.*

Key informants explained that the Strategy has contributed to FPT policies and practices that are increasingly responsive to victim issues through funding for the implementation of legislation and policies (e.g. to purchase testimonial aids, travel funding to submit/read victim impact statements) as well as directly through increasing public and political awareness of victim issues, including awareness of the needs of different types of victims (e.g., child victims, male survivors of sexual abuse). Representatives of the provinces and territories stated that the PCVI acts as a supportive link in influencing their existing policies and practices.

4.2.2.4 *The PCVI has been successful in supporting and monitoring the implementation of Criminal Code amendments, particularly the use of testimonial aids.*

Over one-third (37%) of evaluation interviewees indicated that supporting the implementation of testimonial aid provisions in the *Criminal Code* has been a significant portion of the PCVI's work under criminal law reform and policy development.

The 2009 case studies on testimonial aids, which focused on equipment purchases (i.e. fixed and portable CCTV systems, witness screens, other audio and visual equipment, and equipment for child-friendly waiting rooms) to enhance the ability of the provinces and territories to meet the testimonial support provisions of the amendments, showed that the funding increased the capacity of jurisdictions to provide a greater number of higher quality testimonial aids for use by vulnerable witnesses. Smaller jurisdictions indicated that they could not have proceeded with the equipment purchases to implement testimonial aid provisions in the *Criminal Code* without the funding provided through the Victims Fund. All groups of evaluation interviewees referred to the PCVI's support for the implementation of these provisions as a particularly successful aspect of its work.

Key informants also indicated that the PCVI has provided support, not only through the provision of funding, but through PLEI, training and research, which they noted have been helpful in moving forward other legislative changes such as victim impact statements, federal surcharge, and restitution.²⁷ For instance, in the area of Federal Victim Surcharge,²⁸ the PCVI has

²⁷ Restitution is compensation paid by an offender to his/her victim for loss, destruction or damage to property, as well as for pecuniary damages such as loss of income or support caused by bodily or psychological harm.

supported research on the use of the surcharge (i.e. waiver rates, collection rates and levels of awareness amongst criminal justice professionals) in New Brunswick, the Northwest Territories and Saskatchewan to help determine why revenues collected from the surcharge are well below expectations in many jurisdictions.

4.2.2.5 *Some challenges have occurred in the implementation of Criminal Code amendments.*

The 2009 case studies on testimonial aids indicated that some Crown prosecutors and judges are reluctant to implement *Criminal Code* changes, including the use of testimonial aids for child and vulnerable witnesses and changes regarding victims reading/submitting victim impact statements at parole board hearings. To decide on the use of testimonial aids, Crown prosecutors need to balance a number of factors such as the credibility of the witness, the preference of the witness, the availability of equipment, and their level of comfort that the equipment will work and that technical glitches can be avoided or quickly resolved.

The report also noted that some Crown prosecutors and judges are reluctant to use testimonial aids because they maintain traditional attitudes about how a witness should be treated in court. During key informant interviews, it was stated that there are similar problems regarding the incorporation of victim impact statements at hearings. For example, if an accused enters a guilty plea, the judge may not want to delay sentencing in order for the victim impact statement to be entered.

There are also challenges associated with the use and availability of testimonial aids in northern remote areas. These challenges include turnover of staff that are knowledgeable of the location, set-up, and use of the testimonial aids as well as the transportation of equipment. In some cases, the locations are not formal courtrooms so additional planning is required.

Ongoing training and pre-trial conferences can overcome some of the reluctance to use the testimonial aids. PCVI staff noted that a solution could be to partner with other national bodies to have the training delivered by a representative from the same group as the attendees (e.g., Crown prosecutors training Crown prosecutors).

²⁸ Federal Victim Surcharge is a monetary penalty imposed on offenders convicted or discharged of a *Criminal Code* offence or an offence under the *Controlled Drugs and Substances Act*, which is collected by provincial and territorial governments and used to provide programs, services and assistance to victims of crime within their jurisdiction. Judges have the discretion to waive the surcharge for reasons of undue hardship.

4.2.2.6 *Although the PCVI consults with FPT and internal working groups/experts, more could be done to engage the Victims of Crime Advisory Committee.*

The PCVI consults on new policies, policy/legislative amendments and on ad hoc events and conferences such as the Northern Conference with various working groups including the Working Group on Restitution, the FPT Working Group on Victims of Crime, and the Aboriginal Working Group. It is also involved in informal consultations with the Office of the Federal Ombudsman for Victims of Crime.

The PCVI has also established an Advisory Committee on Victim Issues consisting of victim service providers and victim advocates from NGOs. The Committee is intended to be a consultative group that provides advice, information and feedback on victim issues to the PCVI on matters such as research priorities and approaches, proposed policy or law reforms and gaps and concerns related to victim services.

However, members of the Advisory Committee who were interviewed noted that the consultation process between the PCVI and the Committee could be improved. Members indicated that, in its current form, the Advisory Committee has little if any impact on policy or federal programming for victims since it has only one face-to-face meeting per fiscal year. Members also recommended that the role and purpose of the Committee be better defined with respect to the FVS.

PCVI staff, managers and directors agreed that the external consultation process could be improved. During the interviews, key informants explained some challenges with regards to external consultations. For example, conducting ongoing consultations is difficult due to time constraints. Also, consultations may occur after a decision has already been made rather than during the draft stage of a new policy. Key informants noted that external consultations have been irregular and that there is a lack of staff resources to dedicate to external consultation.

4.2.2.7 *The research function of the PCVI is necessary in providing solid evidence to identify/discuss options, inform policies and implementation of legislation, and raise awareness of victim issues.*

The PCVI's role in enabling the conduct of research on victim issues and disseminating research material to the public was identified as a key aspect of the Strategy by the provincial members of the FPT Working Group and members of the Advisory Committee on Victims of Crime who participated in the evaluation interviews.

Between 2001 and 2010, 71 research studies were supported by the PCVI, of which 40 were undertaken between 2005 and 2010. The results of 36 studies are publicly available as published articles or online, on the PCVI's Internet site. Twenty-one studies produced internal reports, and the remaining 15 projects are still underway. A review of the number of online documents that have been downloaded between 2009 and August 2010 indicates that the three volumes of the Research Digest released to date are among the publications downloaded consistently over the years.

Key informants identified the need to continue conducting empirical research on victim issues to inform policy changes, including research on specific groups of victims such as male victims of sexual abuse and victims of cybercrime.

4.2.3 FPT Secretariat Coordination

4.2.3.1 *The FPT Working Group on Victims of Crime has been successful in contributing to a more integrated and coordinated approach to victim issues both across the country and across the federal government.*

Key informants explained that the FPT Working Group on Victims of Crime has been very successful in terms of sharing information and best practices, building relationships and maintaining regular ongoing communication among federal, provincial and territorial governments. Of all the activities under the Federal Victims Strategy, the FPT Working Group was frequently referenced as one of the most successful and useful aspects by provincial and territorial representatives. The relationships among Working Group members extend beyond the Group's bi-annual meetings as they often maintain contact between meetings. Some examples of inter-jurisdictional cooperation that has occurred as a result of the FPT Working Group include:

- Coordination in response to the issue of RCMP referrals to victim services;
- Victim Services in the Yukon and the Northwest Territories advising Nunavut in terms of research and implementation of the Victims of Crime Emergency Fund; and
- The Northern Conference and the Aboriginal Sub-group Meetings and discussions regarding how to enhance services for Northern and Aboriginal victims of crime, which are relevant to both the northern regions of the provinces as well as the territories.

4.2.3.2 *FPT members of the Working Group agreed that the FPT Secretariat Coordination function of the PCVI has been generally successful.*

Key informants referred to many successful aspects of the FPT secretariat coordination function such as the smooth facilitation of meetings, providing funds to members to regularly attend the meetings, relevant agendas and information about research, analysis and topics of current interest (e.g., family violence, human trafficking).

Key informants stated that a large presence of representatives from other federal departments at FPT Working Group meetings has increased communication at the federal level, although some (n=2) noted that there is still room for improvement on this front. Other aspects that could be improved are more timely distribution of minutes from the meetings and more structured opportunities to share updates from the provinces and territories.

4.2.4 Public Legal Education Information

The performance of the PCVI's PLEI activities was assessed against the following two expected outcomes: increased access to services for victims; and increased awareness and understanding among CJS professionals, service providers and victims about victim issues.

4.2.4.1 *Victims have increased access to and knowledge of services as a result of available information resources and National Victims of Crime Awareness Week.*

A review of the number of online documents that have been downloaded between 2009 and August 2010 indicates that over 56,000 documents were downloaded from the PCVI website in less than two years. The three volumes of the Research Digest released to date are among the publications downloaded consistently over the years. Each issue of this PCVI publication contains five or more short articles summarizing research that is being conducted with departmental funding – either through the Victims Fund, in-house by departmental researchers, or through a research contract.

Key informants noted some examples of PLEI products/activities that focus on increasing access to services for victims of crime, which include: “*A Crime Victim’s Guide to the Criminal Justice System*”, a booklet that is available in hard copy or electronically on the PCVI’s website. This product is intended to complement provincial/territorial victim services and provide assistance by guiding victims and witnesses through the criminal justice system and helping them understand their role in it. Key informants also referred to the PCVI’s web-based Victim

Services Directory, which provides a comprehensive listing of services for 16 different types of victimization across Canada.

During the evaluation interviews, over one-third (37%) of key informants referred to NVCAW and related symposia as the most successful PCVI activity in terms of increasing awareness and understanding among professionals, personnel, service providers and victims about victim issues. NVCAW has taken place annually since 2006, the purpose of which is to increase awareness of victims' issues, promote available services to victims of crime and their families and disseminate information on the laws that help protect victims. As part of NVCAW, the PCVI organizes an annual NVCAW Federal Symposium to raise awareness among multiple stakeholders including NGOs and social services, policy makers, all levels of government, victims' advocates, victims and interested citizens of victim issues. From 2008 to 2010, almost 600 individuals attended the Symposiums. Participant feedback surveys from 33% of attendees indicate that the benefits of the symposium include learning more about victims of crime issues (78%), best practices (73%), and available services (71%) as well as being better equipped to serve the needs of victims (71%).

The PCVI also provides funding through the Victims Fund for projects that support the goals of NVCAW. In total, 151 organizations received funding to hold NVCAW events from 2007 to 2009. NVCAW outreach events took place in cities of all sizes in all provinces. Fifty-eight percent of event organizers (n=87) completed an event organizer feedback survey. The event organizers who responded to the survey cited that their main objectives were to develop best practices, empower victims of crime, promote available resources, provide networking opportunities, raise awareness among the public, criminal justice professionals and victims, and reward those who work with victims. Ninety-one percent of respondents stated that they had fully achieved their objectives. Feedback from almost 1,900 individuals who attended NVCAW events from 2007 to 2009 confirms these findings as participants reported learning more about victims of crime issues (73%), best practices (69%) and services available to victims (66%) during the NVCAW events. A majority (69%) also indicated that the event had been a good networking opportunity.

During the evaluation interviews, key informants also noted that many useful training materials have been developed to help increase awareness and understanding of victim issues and responsiveness to victims' needs among professionals and service providers. The information materials that were most frequently identified included:

- “Working with Victims of Crime: A Manual Applying Research to Clinical Practice” by James Hill;
- "A Full and Candid Account: Using Special Accommodations and Testimonial Aids to Facilitate the Testimony of Children” by Alison Cunningham & Pamela Hurley (described in Case Study #3 below); and
- “The Journey to Justice: A Guide to Thinking, Talking and Working as a Team for Young Victims of Crime in Canada's North” by Alison Cunningham (described in Case Study #3 below).

Case Study #3 - A Full and Candid Account: Using Special Accommodations and Testimonial Aids to Facilitate the Testimony of Children – a Series of Handbooks

The Centre for Children and Families in the Justice System (formerly known as the London Family Court Clinic) received funding in 2005-2006 to produce a series of seven bilingual booklets that contribute to the implementation of legislative amendments to facilitate the testimony of vulnerable witnesses as follows:

1. Overview of issues related to child testimony,
2. Testimony outside the courtroom;
3. Witness screens;
4. Video-recorded evidence;
5. Designated support person;
6. Hearsay evidence and children; and
7. Children and teenagers testifying in domestic violence cases.

Over 5,300 copies of the handbooks have been distributed nationally. The handbooks are also available online at: http://www.lfcc.on.ca/full_and_candid_account.html.

Although the handbooks targeted Canadian criminal justice personnel including police, prosecutors, victim service providers and other victim advocates, they were found to be particularly useful for people new to the field and those who do not routinely work with young and vulnerable witnesses.

During our evaluation interviews with key informants, the handbooks were frequently mentioned as one of the most useful PLEI materials. The funded organization has received a large volume of requests for these booklets, including a request from the International Bureau for Children’s Rights to see if they could reproduce the handbook in one of their publications. The funding recipient also cited that the handbooks have been helpful in convincing judges to implement the legislative changes.

The project has also had a positive impact on other PLEI materials and research produced by the Centre for Children and Families in the Justice System. This work was followed up by a subsequent resource guide specifically aimed at northern service providers entitled “Journey to Justice: A Guide to Thinking, Talking and Working as a Team for Young Victims of Crime in Canada’s North”, which was also mentioned by federal and territorial key informants as being a useful resource. “Journey to Justice” is a companion to “A Full and Candid Account” series of booklets and focuses on how to support children and teenagers who have experienced or

witnessed inter-personal crimes such as assault or sexual assault. “Journey to Justice” is designed for use in Yukon, the Northwest Territories and Nunavut and is available online at http://www.lfcc.on.ca/Journey_to_Justice.pdf.

4.2.4.2 *There are some areas for improvement within the PCVI’s PLEI activities.*

Key informants noted some opportunities for improvement in the area of PLEI, including:

- more hands-on, provincially relevant materials targeted at victims;
- more community forums and conferences;
- use of public announcements on radio and television to increase awareness of services and provincial service providers; and
- regular updates of the PCVI website so that information remains current.

4.2.5 **Capacity Building in the North**

The performance of this line of PCVI activities was assessed against two expected outcomes: increased willingness of victims and witnesses to participate in the criminal justice system, and increased responsiveness of CJS professionals and victim service providers to the needs of victims in the North.

4.2.5.1 *The Crown Witness Coordinator Program has helped increase victim/witness participation in the criminal justice system.*

The CWC Program is unique to Canada’s three northern territories. Fourteen CWCs work closely with the forty Crown prosecutors in the three northern PPSC offices. They locate, support and prepare crime victims and witnesses for their role in the prosecution of crimes. CWCs act as liaisons between the Crown prosecutor and victims/witnesses, keeping both parties apprised of developments and situations which impact the case. CWCs encourage the use of VISs, assist in the arrangement of testimonial aids, attend court with victims/witnesses and follow up with them as necessary. CWCs also arrange referrals to other supportive services.

The PCVI has supported the CWC Program through a variety of initiatives including holding annual meetings and specialized training sessions, developing resource and research materials, and funding seven of the fourteen CWC positions. In 2009, the Department of Justice Evaluation

Division undertook a sub-study of the CWC program to help inform the evaluation of the Federal Victims Strategy. The results of the sub-study indicate that CWCs have dealt with an estimated 21,354 cases since 2003 (3,285 cases per year).²⁹

Additionally, respondents (Crown prosecutors, defense counsel, CWCs) in the sub-study indicated that more victims and witnesses, including vulnerable and unilingual victims/witnesses are being located, attending court and testifying, and there is an increasing use of testimonial aids and victim impact statements. CWCs encourage participation in the criminal justice system by providing the support and information victims and witnesses need to feel secure, especially when local resources are scarce and they are pressured not to testify by the accused and by family members. Northern Crown prosecutors state that victims and witnesses are now able to present their testimony with more ease, clarity and detail than was the case prior to the CWC Program.

The increase in the participation rate of victims and witnesses is evident not just in the larger centers. Respondents reported that victims and witnesses in smaller communities frequently tell them that they would not have attended court, or testified, without the help of the CWC. Respondents also reported that there is “only a 50/50 chance” of victim/witness participation when no CWC is available.

Key informants referred to the particular challenges in northern areas that affect the willingness of victims to participate in the criminal justice system. They identified the low uptake of services as a challenge in the North, which they partially attributed to the remoteness of communities, language and cultural barriers, low literacy rates, and widespread lack of understanding and wariness of the criminal justice system.

4.2.5.2 Northern service providers are more aware of victim services and issues and are more responsive to victim needs.

During the interviews, members of the FPT Working Group on Victims of Crime and PCVI staff generally indicated that the Northern Program has increased the responsiveness of CJS professionals and victim service providers to the needs of victims in the North, which they attributed in large part to the Northern Conference and site visits.

²⁹ In the Yukon, CWCs have tracked their caseload totals by year; however, CWC caseloads in the NWT and Nunavut can only be extrapolated from the total number of Crown cases which, by definition, involve victims and witnesses.

2009 Northern Conference

From September 29 to October 1, 2009, the Department of Justice Canada brought together 275 delegates for a conference on *Northern Responses and Approaches to Victims of Crime...Building on Strength and Resilience* in Yellowknife, Northwest Territories. Delegates were from all 13 provinces and territories and the federal government. Approximately 200 of the 275 participants were individuals who work directly with victims of crime in northern and remote communities. Delegates represented more than 100 organizations.

Conference delegates were asked to complete a short survey to gauge the overall usefulness of the conference and workshops, opportunities for networking, increased knowledge and raised awareness of victims' issues in the North. A total of 162 surveys were completed.

Overall, the survey findings indicate that the conference was very successful in meeting its objectives. More specifically, a strong majority of delegates who completed a survey indicated that by attending the conference, they had increased their knowledge about northern victim issues (77%). Survey respondents also indicated that the event was a good opportunity to raise awareness about victim issues (87%), share innovative ideas about how to meet the needs of victims of crime (81%), and build relationships between and within communities, professions, and programs (87%). Additionally, a strong majority of respondents (79%) indicated that they can apply what they learned at the conference to their work.

Site Visits

Through financial assistance to defray travel and accommodation costs, the PCVI assists victim service providers in the territories to undertake site visits to other victim serving agencies to explore best practices and approaches in responding to the needs of victims of crime in the North. At the time of the evaluation, a total of seven victim service providers from the NWT had benefited from financial assistance from the PCVI to defray the costs of their site visits to Whitehorse, Yukon, five of whom completed a short survey questionnaire on their experience. The survey findings indicate that respondents visited a number of different organizations, ranging from as few as five to as many as nine during their trip (e.g. Whitehorse Victim Services, Family Violence Prevention Unit, Faulkner Women's Centre, Child Abuse Treatment Services, Fetal Alcohol Society, a women's shelter, etc.) to see firsthand how particular activities and programs were developed and are currently operating. Respondents indicated that the program options and ideas and inter-governmental contacts they generated during their visit will assist them with any new victim-centered programs and practices in their home community.

Crown Witness Coordinator Program

Crown Prosecutors in the CWC sub-study indicated that the program has increased their understanding of northern cultures and social problems, and has sensitized them to the needs, abilities and circumstances of northern victims and witnesses. The sub-study also noted several respondent observations that indicate that CWCs are increasingly responsive to the needs of victims/witnesses. For example:

- Crowns and defence counsel alike report that victims and witnesses are increasingly comfortable on the stand and now provide clearer statements of the incident in question;
- CWCs report that due to their increased number and growing expertise, they are able to do more preparation and follow up with victims and witnesses; and
- Territorial victim service providers report that CWCs are increasingly referring victims to local service providers.

4.2.5.3 *Key informants outlined actions that could be taken to increase the impact of the Strategy in the North.*

PCVI staff and FPT Working Group members who participated in the evaluation interviews as well as CWCs who participated in the Crown Witness Coordinator Program Sub-study (2010) explained that improving northern capacity to serve victims will require an approach that is:

- **Locally oriented:** Some territorial representatives mentioned that they need long-term capacity building at the community level by training locals who will stay after training and gaining some experience. They also pointed to the importance of accessibility of victim service workers throughout the North.
- **Flexible:** Having a multipurpose fund or a program that has different funding blocks for the northern areas could improve their capacity.
- **Clearly defined:** Clarifying roles and responsibilities could also facilitate capacity building in the North. For example, it was mentioned that the roles of territorial governments, CWCs, and PCVI need to be clearly defined.
- **Sufficiently resourced:** Key informants referred to various resources that are not adequate in the North. For example, there is room to increase resources for CWCs (especially in Nunavut due to its size), northern-specific PLEI materials, and educational opportunities that bring

together territories (e.g., conferences). Some also pointed to improving northern capacity to prepare proposals and to take up funding.

- **Sustainable:** Key informants explained that northern areas need a strategy to self-sustain the funding and to maintain victim services and programs as well as related positions should the federal funding discontinue.
- **Tailored to the needs of a region.** Each territory needs additional supports tailored to their unique situations. NWT and Nunavut CWCs reported that they are unable to meet the demand for their services due to increasing crime rates, staffing shortfalls and the growing number of victims and witnesses spread over many isolated and small communities.

4.3 Economy and Efficiency

According to the Treasury Board's *Policy on Evaluation*, "economy" refers to minimizing the use of resources and is achieved when the cost of resources used approximates the minimum amount of resources needed to achieve expected outcomes. "Efficiency" refers to the extent to which resources are used such that a greater level of output is produced with the same level of input, or a lower level of input is used to produce the same level of output. The level of input and output could be increases or decreases in quantity, quality, or both.³⁰

This section presents a synthesis of the evaluation findings obtained through the interviews, document review, file review and case studies on the economy and efficiency of the Federal Victims Strategy.

4.3.1 Economy

4.3.1.1 *The level of investment in the program is very small in comparison to the cost of crime to victims.*

Although it is impossible to put a monetary value on the true cost of crime in terms of damages to society, emotional impacts of family members, and life-time suffering of child victims, an estimate of the dollar value for tangible costs can highlight the economic importance of programs, such as the Federal Victims Strategy, which support victims.

³⁰ Treasury Board's Policy on Evaluation, April 2009; <http://www.tbs-sct.gc.ca/cee/index-eng.asp>. Retrieved November 8, 2010

Based on a Department of Justice Canada study,³¹ the cost of crime was estimated at \$31 billion in 2008, of which 45% or \$14 billion was borne by victims for such things as medical attention, hospitalizations, lost wages, missed school days, traffic delay, property stolen and damages. According to the study, productivity losses represented 48.8% of the total costs borne by victims followed by property stolen and damages (40.8%) and health care costs (10.4%). These figures are very conservative estimates in that they do not include the intangible costs of crime such as pain and suffering and lost quality of life. The level of investment in the Strategy (\$12.5 million per year) is equal to only 0.03% of this cost.

4.3.1.2 *Federal Victims Strategy investments in testimonial aids and the CWC Program are likely resulting in some efficiencies and cost savings within the criminal justice system.*

As previously mentioned, the total cost of crime in Canada was estimated to be close to \$31 billion in 2008. Criminal justice system costs alone amounted to 48.5% of the total, or close to \$15 billion, which include policing, court, prosecution, legal aid, correctional services and mental health review board.

Although the 2009 case studies on testimonial aids and the CWC Program Sub-study report do not provide any hard quantitative data, qualitative evidence indicates that FVS investments in testimonial aids and the CWC Program are likely contributing to cost savings within the criminal justice system. For example, interviewees (i.e. victim services workers and Crown prosecutors) for the 2009 case studies on testimonial aids noted that many accused “plead out” as a result of learning that the witness is prepared to give testimony using a screen or CCTV systems. Resolving a criminal case through a plea of guilty alleviates the workload of prosecutors, reduces the need for judicial resources and courtroom facilities and decreases all the other expenses necessitated by a trial. Similarly, members of the judiciary who participated in the CWC Program Sub-study reported that the CWC program has been responsible for an increase in guilty pleas as the accused now realize that victims and witnesses involved in their case will appear in court and testify. According to this sub-study report, many victims and witnesses tell Crown prosecutors and CWCs that they would not be able to testify without the support of the CWC.

Additionally, the CWC Program Sub-study findings indicate that the role CWCs play in locating victims and witnesses, and assessing their risk level, has been especially important in terms of stabilizing the overall court process. Respondents report that there is “only a 50/50 chance” of

³¹ Costs of Crime in Canada, 2008.

victim/witness participation when no CWC is available. As a result, cases are “dragged out”, postponed and otherwise destabilized. Respondents report that when CWCs are involved, trial lists are shorter and cases move through the courts more smoothly.

4.3.1.3 Key informants perceive the secretariat function for the FPT Working Group on Victims of Crime as the most economical activity.

During the evaluation interviews, FPT Working Group on Victims of Crime members and PCVI staff were asked to identify the PCVI’s most economical³² and least economical activities. Although key informants generally identified more than one activity as the most economical (see Table 8 below), the majority (71%) of respondents did not identify any activity as the least economical.

As Table 8 shows, of those who answered the questions, half (17/34) identified the FPT Working Group Secretariat as the most economical activity, followed by the Victims Fund and criminal law reform and policy development. Respondents explained that the FPT Working Group Secretariat Coordination provides an efficient model for networking, information sharing on best practices and new approaches, and maintaining regular ongoing communication among federal, provincial and territorial governments. Those who referred to the Victims Fund as the most economical activity indicated that the Fund generates significant outcomes given the small number of staff who administer it. There was no consensus among key informants regarding the PCVI’s least economical activity.

Table 8 Key Informants Responses to the Most and the Least Economical PCVI Activities

	Number of Key Informants						
	Victims Fund	Criminal Law Reform & Policy Development	FPT-WG Secretariat Coordination	Public Legal Education Information	Capacity Building in the North	None	Don't Know
Most Economical	10	10	17	4	4	0	12
Least Economical	2	2	2	4	2	5	19

4.3.1.4 The relatively lean administrative structure of the PCVI has contributed to the economical delivery of the Strategy.

The PCVI’s total budget increased in 2007 from \$5 million to \$12.5 million. A large majority of this increase was allocated to the Victims Fund, which increased from \$2 million to

³² The most economical activity was defined as “the cost of resources used approximates the minimum amount of resources needed to achieve expected outcomes”.

\$7.75 million to implement five new initiatives (i.e. Canadians Victimized Abroad, Underserved Victims of Crime, Northern Victims of Crime Emergency Fund, Financial Assistance to Attend a Sentencing Hearing and Travel Assistance for Support Persons). Although the PCVI's budget more than doubled, its staff complement increased by only two full-time employees: one to manage the increased funding of the Strategy and one to liaise with the newly established Office of the Federal Ombudsman for Victims of Crime. Meanwhile, the workload within the PCVI increased significantly as requests for funding from the Victims Fund by NGOs, provincial and territorial governments and victims of crime have steadily increased each year. For example, in 2006-07 the PCVI supported 42 projects under the Project and Activity Component, which increased three-fold to 162 in 2009-10 and working with NGOs, Aboriginal organizations and provincial/territorial partners to develop strong and viable proposals, particularly in an emerging area, which satisfy government requirements for due diligence is a resource intensive process. Although the number of persons accessing financial assistance has not increased as dramatically as the number of Projects and Activities funded projects (e.g. 5 victims abroad received funding in 2007-08 compared to 49 in 2009-10), processing just one application for an individual victimized abroad requires a significant amount of staff hours due to the need for sensitivity to the victim and to the issues faced by him/her.

Results from the surveys of victims who attended PBC hearings and their support persons, as well as the results from the NVCAW surveys, file review and case studies indicate that funding recipients are generally very satisfied with their experience with the Victims Fund. Victims who received financial assistance to attend a PBC hearing overwhelmingly commented on the support, respect and assistance from staff at the Department of Justice.

Given that a minimum number of full-time employees (FTEs) are administering the Strategy (i.e., 9) as well as the high level of services provided by the PCVI and the high quality of outputs produced (e.g., Victims Fund projects, Conferences, Victims of Crime Awareness Week etc.), the PCVI's activities can be considered economical from a human resources standpoint.

4.3.2 Efficiency

Some key informants believe that the level of resources for the PCVI's activities may be too lean with almost half (44%) of PCVI staff, FPT Working Group on Victims of Crime members and federal stakeholders indicating that the five PCVI activities are not appropriately resourced to support the achievement of the Strategy's objective of improving the experience of victims of crime in the criminal justice system.

Key informants pointed to a significant strain on the existing PCVI staff complement, which has limited the ability of the PCVI to deliver funding. Some PCVI staff also explained that the PCVI's lean administrative structure is negatively affecting financial processing times. This is supported to some extent by the survey findings of victims who received funding to attend a PBC hearing from 2006-07 to 2009-10 as 14% of respondents reported that they were dissatisfied/very dissatisfied with the time it took to receive financial assistance.

Key informants who participated in the evaluation interviews identified opportunities to improve the efficiency of the PCVI, including hiring more full-time staff with multiple skill sets to administer all lines of activities, particularly the Victims Fund. They indicated that the broadening of the Program to include direct contact with victims through the Financial Assistance Component of the Victims Fund on a large number of small value contracts has not only increased workloads but also requires somewhat different processes and sets of skills than working with provincial and territorial governments and NGOs.

4.3.2.1 *The PCVI's five key activities are sufficiently integrated to support the achievement of the Federal Victims Strategy's objectives.*

The majority of PCVI staff and provincial and territorial members of the Working Group on Victims of Crime indicated that the PCVI's activities are sufficiently integrated to support the achievement of the Strategy's objective. Grants and contributions provided through the Victims Fund are core activities of the PCVI and contribute to PLEI related activities, capacity building in the North, the implementation of *Criminal Code* amendments, and research.

A practical example of how the PCVI lines of activities are integrated is the use of the Victims Fund to support the PCVI's criminal law reform and policy development work in terms of supporting the provinces and territories in implementing legislative amendments to facilitate the testimony of vulnerable witnesses through the provision of funding for testimonial aids.

The link between the FPT Working Group on Victims of Crime and capacity building in the North is also illustrative of the level of integration between the PCVI's activities. In 2005-06, a Sub-committee on Aboriginal Victims of Crime undertook a stock-taking exercise to inform what the main issues were across the country regarding Aboriginal victims of crime. Each jurisdiction was asked to provide input and the result was a report entitled "Report to the FPT WG on Victims of Crime from the Sub-Committee on Aboriginal Victims of Crime: A Description of Issues Related to Aboriginal Victimization with a Specific Focus on Remote and Northern Communities". A 2007-08 work plan was developed and indicated that the key priority

for the Sub-committee should be to find methods to bring people together to explore best practices and share information and network. This work eventually culminated in the 2009 Northern Conference.

Although the evaluation findings indicate that the PCVI's activities are sufficiently integrated to achieve the intended results of the Strategy, some members of the FPT Working Group on Victims of Crime (n=2) and the Advisory Committee (n=4) pointed to the need for further clarification of the roles and increased coordination across federal departments in supporting victims of crime in the criminal justice system. Respondents noted that different federal departments (e.g. Health Canada and Indian and Northern Affairs Canada) that share common interests may not be aware of other existing services, and therefore their services could overlap. Interestingly, key informants (3 PCVI staff and 6 P/T members of the Working Group) identified the large presence of representatives from other federal departments at FPT Working Group meetings as having increased communication at the federal level. The presence of a variety of federal and provincial agencies was also noted as a positive aspect of the meetings, which helps facilitate coordinated approaches to victim issues.

Members of the FPT Working Group on Victims of Crime are drawn specifically from within the victim spectrum of the criminal justice sphere so federal departments such as Health Canada, who share common interests with the PCVI but who are not part of the criminal justice sphere, are not represented on the Working Group. Even so, the PCVI does work with other departments and groups who are outside of the criminal justice system, such as Health Canada, the Public Health Agency of Canada and Indian and Northern Affairs Canada. For example, PCVI staff participates on working groups such as the Northern Justice Working Group, the Fetal Alcohol Spectrum Disorder (FASD) Working Group, the Aboriginal Justice Strategy Working Group, and the Family Violence Working Group. These Justice-led working groups have members from across government including Health and Indian and Northern Affairs, thereby ensuring that there is ongoing communication and sharing of ideas and information with partners who do not have a specific victim services mandate.

5. CONCLUSIONS AND RECOMMENDATIONS

This chapter summarizes the major findings, conclusions and recommendations arising from the evaluation.

5.1 Relevance

There is a strong continuing need for the Federal Victims Strategy, and it is highly relevant to the Government of Canada's priorities and roles and responsibilities.

The Federal Victims Strategy is highly relevant to its stakeholders and to the agenda of the Government of Canada. There was consensus among all key stakeholders who participated in the evaluation that there is a strong and continuing need for the Strategy in order to give victims a voice in the criminal justice system and in the development of new legislation, to raise awareness about victim issues, to improve access to services, and to support the provinces and territories in providing services for victims of crime.

The relevance of the Strategy and its alignment with the Government of Canada's priorities has been demonstrated through recent Throne Speeches (2010 and 2007), other public statements and funding announcements by Ministers, Federal Budgets (2010 and 2006) and the recent establishment of the Federal Ombudsman for Victims of Crime.

Key informants indicated that the federal government is uniquely positioned to raise awareness about victim issues, provide needed financial support to the provinces and territories, and develop information and educational materials on a national scale. The federal government's continuing support of these activities gives further credibility and motivation to provincial, territorial and local efforts related to victim issues. In addition, the federal government is directly responsible for some categories of victims such as Canadians victimized abroad and victims of federally sentenced offenders.

5.2 Performance

5.2.1 Effectiveness

Although the Federal Victims Strategy is improving the experience of victims in the criminal justice system, funding lapses are impeding the full potential of the Victims Fund.

The Strategy has contributed to improving the experience of victims in the criminal justice system, most notably in areas where victims are directly benefiting from interventions such as the provision of financial assistance through the Victims Fund and funding for testimonial aids.

Surveys of victims and their support persons indicated that the financial assistance has helped alleviate the financial burden associated with attending PBC hearings, which has consequently increased their access to and participation in the criminal justice system. Similarly, funding for testimonial aids has increased victims' access to a greater number of higher quality testimonial aids, which have helped reduce the stress of testifying, have reduced the stress and anxiety of parents and supporters during the course of the proceedings, and have given child witnesses and their supporters choices and a sense of empowerment in the criminal justice process.

Despite its relative effectiveness in improving the experience of victims of crime, there have been some notable lapses in funding under the Provincial/Territorial Component of the Victims Fund, partly due to the fact that the Northern Victims of Crime Emergency Fund, sentencing hearing and underserved victims of crime funds are relatively new initiatives that were implemented in 2007 and need some time to be established. However, since these funding lapses have been significant, they are impeding the full potential of the Fund. The Strategy would likely be more effective and have a greater impact on improving the experience of victims in the criminal justice system if all funds were being disbursed, presumably reaching more victims who need information, support and services as well as through the further creation and enhancement of those services.

Administrative issues are affecting the uptake and performance of the Fund. The evaluation findings highlight the need for longer-term, sustainable funding. Provincial/territorial representatives expressed concern regarding the lack of long-term funding, which makes it difficult for them to commit to establishing a new program or fund. Some programs (e.g., Victim Impact Statement Travel Fund, Northern Victims of Crime Emergency Fund) require time for adequate capacity to be built prior to implementation. It also takes time for such initiatives to be

known and used, particularly by victims. The federal funding allows these initiatives to be introduced but may end once expectations are raised and some impacts start to appear.

The evaluation findings also suggest that a lack of flexibility in the budget for some Victims Fund projects is a challenge for recipient organizations. This applies both to budgets of individual projects (i.e. flexibility to move funding between line items if one turns out to cost more, e.g., translation) and flexibility to move funding between programs such as the Victim Impact Statement Travel Fund and the Northern Victims of Crime Emergency Fund. It was also mentioned that the funding guidelines are too specific and may not reflect the demand or needs that exist in a region. For instance, there are additional costs associated with projects in the North, particularly related to travel and translation.

Recommendation 1: The PCVI should explore opportunities in terms of allowing for more flexibility in project spending when appropriate, or multi-purpose funding (e.g. one fund which could be used for either emergency assistance or VIS travel) – particularly for smaller jurisdictions, when renewing the Terms and Conditions of the Victims Fund. Exploring possibilities for enabling funding to be better tailored to the needs of different jurisdictions is also recommended.

Management Response:

Agreed. The PCVI is exploring ways to build more flexibility into the Victims Fund which will allow recipient organizations the ability to meet demands and challenges in a more responsive manner that is reflective of their particular region.

Evaluation findings point to a requirement to reduce the administrative burden on recipient organizations and make it more reflective of funding amounts. Provincial, territorial and NGO funding recipients indicated that when the process (i.e., application, reporting and evaluating) is long and time consuming, the funding is less attractive, particularly for small projects.

Recommendation 2: The PCVI should investigate different risk-based models with respect to the administrative requirements, particularly for small projects, with a view of streamlining application and reporting requirements while still ensuring accountability.

Management Response:

Agreed. In the spirit of Government of Canada Grants and Contributions reform, PCVI is exploring risk-based approaches to the delivery of funds that will be based on dollar amount sought, level of knowledge of the applicant and other appropriate factors such as the type and scope of project.

There are opportunities to further expand the impact of the Strategy to more victims of crime.

A comparison of program statistics with estimates of the number of eligible victims suggests that there is an underutilization of certain initiatives under the Financial Assistance Component of the Victims Fund (e.g. Canadians victimized abroad, Emergency financial assistance). Some key informants identified a lack of awareness among eligible crime victims regarding the available funding as a barrier to the take-up of these funds, indicating that there are still some opportunities for improvement in raising awareness among the public, criminal justice professionals and service providers who are in direct contact with victims of crime about available funds. This is supported by a benchmarking survey undertaken by the Department in September 2010, which found that a strong majority of Canadians are not aware of victim services (no knowledge at all 42%, a little knowledge 36%).

Recommendation 3: The PCVI should review and make any necessary adjustments to the current outreach/communications strategy for informing key stakeholders (including victims) about the financial assistance and funding available through the Victims Fund, with a view to increasing take-up and making it a more effective mechanism in improving the experience of victims of crime in the criminal justice system.

Management Response:

Agreed. PCVI will review its communications strategy and develop ways to reach more potential recipients.

The Victims Matter awareness campaign has also seen an increase in the number of visits to the corresponding web page and victim services directory.

5.2.2 Economy

The PCVI's lean administrative structure contributes to the economy of the Federal Victims Strategy.

The PCVI's annual operating costs represented only 8% of the total cost of the program in 2009-10. Although its total budget more than doubled in 2007, enabling the implementation of five new initiatives under the Victims Fund (i.e. Canadians Victimized Abroad, Underserved Victims of Crime, Northern Victims of Crime Emergency Fund, Financial Assistance to Attend a Sentencing Hearing and Travel Assistance for Support Persons), the PCVI's staff complement increased by only two FTEs. Meanwhile, the workload within the PCVI has increased substantially as requests for funding have generally risen steadily each year under all three components of the Victims Fund. This has caused an imbalance between the increased expectations for the Strategy and the PCVI's delivery capacity.

5.2.3 Efficiency

The relatively lean administrative structure of the PCVI is contributing to some inefficiencies.

The data from the file review, case studies and feedback surveys indicate that the PCVI's outputs (e.g. types of projects funded, NVCAW symposiums, Northern Conference) are consistent with the objectives of the Strategy and are appropriate in that they are contributing to the achievement of intended outcomes. However, some PCVI staff noted backlogs and the slow flow of funding as areas for improvement, which was echoed by a relatively small number of victims of crime who reported some dissatisfaction with the time it took to receive financial assistance to attend a PBC hearing. Although the lean administrative structure of the PCVI has contributed to the economical delivery of the Strategy, it is affecting the timeliness of the distribution of funding. The shortage of personnel is also likely limiting the quantity of outputs produced (e.g. number of projects funded), resulting in funding lapses. Presumably, with more human resources, the Program would be better positioned to expand outreach activities to inform Canadians about the funding that is available and provide even more support and assistance to NGOs and provincial/territorial partners in developing strong and viable proposals.

Recommendation 4: The PCVI should review its internal structure, including the addition of human resources, to ensure that there is sufficient internal capacity to deliver the Victims Fund.

Management Response:

Agreed. PCVI will staff available positions.

In addition, PCVI will work with Programs Branch to adapt its internal Victims Fund application review process to work within staff levels.

APPENDIX A:
Evaluation Issues and Questions

Evaluation Issues and Questions

Relevance	
Continued Need for Strategy	<ul style="list-style-type: none"> • To what extent does the Strategy continue to address a demonstrable need? • Are the activities responsive to the needs of Canadians? • Are there any gaps under the Strategy in relation to addressing victims of crime issues?
Alignment with Government Priorities	<ul style="list-style-type: none"> • Does the objective of the Strategy align with federal government priorities and departmental strategic outcomes? • Is there a legitimate and necessary role for the federal government in this area?
Performance	
Achievement of Expected Outcomes	<p><u>Grants and Contributions through the Victims Fund</u></p> <ul style="list-style-type: none"> • To what extent has awareness and understanding increased among CJS personnel, service providers and victims of victim issues, legislation and services available? • To what extent are victims more willing to participate in the criminal justice system? • To what extent has access to victim services increased? • To what extent has the financial hardship of victims or their surviving family members been reduced? <p><u>Criminal Law Reform and Policy Development</u></p> <ul style="list-style-type: none"> • In what way and to what extent have federal, provincial and territorial policies and practices become more responsive to victims issues? • To what extent are <i>Criminal Code</i> provisions put into practice? <p><u>Federal/Provincial/Territorial Secretariat Coordination</u></p> <ul style="list-style-type: none"> • How has the federal, provincial and territorial approach to victims' issues become more integrated and coordinated? <p><u>Developing and Providing Information and Education (PLEI) Materials and Products</u></p> <ul style="list-style-type: none"> • To what extent has awareness and understanding increased among CJS personnel, service providers and victims of victim issues, legislation and services available? • To what extent has access to services for victims increased? <p><u>Building Capacity of Northern Service Providers</u></p> <ul style="list-style-type: none"> • To what extent have victims and witnesses shown an increased willingness to participate in the criminal justice system? • To what extent have criminal justice professionals become more responsive to the needs of victims?
Demonstration of Efficiency and Economy	<ul style="list-style-type: none"> • Is the package of activities affordable? What activities are the most economical? What activities are least economical? • Are the activities under the Strategy sufficiently integrated to support the achievement of objectives? • If the program or activities continue, how can efficiency be improved? • Do the products, results and progress toward expected outcomes of the Strategy outweigh the financial costs of the Strategy?

