



Victims' Views and Expectations

Youth believed victims require more attention and support from the Criminal Justice System (CJS). Victims should be aware of their rights, have an opportunity to tell their stories, and receive some form of restitution for the harm experienced.

What we also found¹

- A majority of youth believed that victims want the offender to be held accountable. They feel that victims seek reassurance that the crime will not happen again, and they want to heal and move forward with their lives. Additionally, youth felt that victims want offenders to make amends and receive supports to decrease the chances that the offender will re-offend.
- All youth believed that victims should be informed of their rights upon first contact with the CJS, so they understand the scope of supports available to them.
- In both 2016 and 2017, youth identified the importance of providing safety and protection to victims, especially during trials or other times when victims are asked to share their stories publicly. Youth believed that the CJS is not always sensitive to the needs of victims, and that improvement can be made to how the system works for victims.
- Most youth identified that the nature of the harm done to a victim (whether that be an individual or a community) is an important consideration when sentencing an offender.
- Youth also indicated that restitution could come in the form of money or community service time (working for the victim, if appropriate, or the community).

In more depth

In general, there was limited knowledge among the youth about victims' rights and supports available, resulting in much of the discussion and input erroneously assuming that supports are not offered. Despite information being provided, youth felt it would have been beneficial to have a deeper understanding of victims' services to identify what exists, what could be added, and how these services could and should look based on victims' needs.

Many youth suggested that all victims should have access to support workers to act as a liaison between the victim and the CJS. This support worker could connect the victim to support services, provide face-to-face updates regarding the trial and the offender, provide court support, and potentially provide counselling.

In both 2016 and 2017, most youth believed that victims want a safe space, especially when they have to face the offender, and that the CJS should create this space. This may involve having a separate waiting room and entrance, a



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screen so the victim does not have to see the accused, and the ability to testify from another room altogether by CCTV or video conference.

Youth noted that the CJS should understand that victims may have experienced trauma and therefore, require time and support to tell their whole story. Youth also believed it is important for victims to have an opportunity to speak out and have their views and concerns be considered seriously, if they choose.

Youth believed that restitution should not be limited to concrete losses, for example, damaged or lost property due to the crime, and physical injury or psychological harm due to the crime. Youth noted that restitution should include future harm that may come to the victim during the process, such as time spent off work, additional trauma, and/or therapy or counselling they may require to cope with the original harm. They believed that restitution should also extend to victims' families.

Youth who attended the 2018 Canada We Want conference thought there should be creative ways to ensure that victims receive restitution. For example, they suggested that perhaps the government could have a pool of funds available to provide loans to offenders to make restitution to victims. The offender would then have to set up a payment plan to repay the loan from the CJS.

In some cases, youth believed that time may be more valuable than money as a form of restitution. In these cases, restitution could come in the form of volunteer hours or community work. Examples of when this would make sense were when the offender has significant wealth and financial restitution is of little consequence to the offender, and when the harm caused can be undone through unpaid work, for example, removing graffiti on a wall.

In their own words,

“Currently, penalty-focused justice outcomes, [for example] incarceration, [don’t] meaningfully address the experiences of victims to work towards acceptance and processing of what [has]... occurred, and procedural norms often end up re-traumatizing victims, [for example] being a court witness, etc.”

“It is fair for both the victim and the offender to be heard and have them express themselves openly, individually, and then to one another. It brings them both a deeper understanding of how they must have felt before, during and after the incident.”

Method

Justice Canada, in partnership with the Students Commission of Canada (SCC)², conducted youth engagement projects in both 2016 and 2017. Each project explored youths' views, perceptions and expectations of the criminal justice system. This was done through developing and hosting a Justice Youth Action Committee (YAC)³, gathering opinions through youth-led Community Action Projects (CAPs)⁴, and hosting the Canada We Want Conference.⁵

Youth Engagement on the CJS Project 2016: Fourteen Justice YAC members representing Indigenous, non-Indigenous, rural, urban, and other diverse populations participated in monthly video calls from September 2016 to February 2017. The calls focused on youth perceptions of crime and the CJS, guiding principles and values of the CJS, and the connection between vulnerability, marginalization, and criminalization. YAC members engaged over 350 youth from across Canada in CAPs to gather opinions and perspectives on the CJS. Committee members utilized surveys (hard copy and digital), interviews, and discussion groups to gather youth voice and reported back to the committee facilitators and during committee calls. Following each call, the youth went back to their communities to solicit feedback from other young



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people on the issues discussed in the calls. Four CAPs were completed. The engagement continued at the Canada We Want Conference, where the **Justice System We Want theme team**, a group of seventeen youth, from six provinces, one territory, representing Indigenous and non-Indigenous, Northern, and a number of other diverse populations, engaged in five days of discussion on the values and objectives that they hope the CJS would uphold in the future.

Youth Engagement on the Criminal Justice System (CJS) Project 2017: Eight Justice Youth Action Committee members representing Indigenous, non-Indigenous, rural, urban, and other diverse populations joined bi-weekly calls from June 2017 to March 2018. This project had an issue-based focus relevant to the work of Justice Canada. Issues covered included: bail and AOJOs, restorative justice, problem-solving justice, overrepresentation of Indigenous persons in the CJS, overrepresentation of persons with mental health and cognitive issues in the CJS, performance measurement of the CJS, and the perspectives of victims of crime. During the 2018 Canada We Want Conference the **CJS theme team**, a group of 11 youth and 2 youth facilitators from 2 territories and 5 provinces, representing Indigenous and non-Indigenous, Northern, and a number of other diverse populations, engaged in discussion around justice issues.

Young people were presented with information outlining the impacts of victimization on individuals, including negative mental health outcomes, as well as the demographics of victims in Canada.

For further information on the findings and/or surveys mentioned in this document please contact the Department of Justice's Research and Statistics Division (rsd.drs@justice.gc.ca)

¹ Unless otherwise noted, all findings are from the Youth Engagement on the Criminal Justice System Project 2017.

² The Students Commission of Canada is a national charitable organization with a mission to support young people in putting their ideas for improving themselves and their communities into action. The Centre of Excellence for Youth Engagement is a network of youth, youth organizations and academics focused on providing evidence on the benefits of youth engagement and positive youth development.

³ The Students Commission selected members to join the Youth Action Committee for Justice Canada. The youth selected were from across the country, aged between 12 and 22 years, lived in urban and rural communities, were from diverse backgrounds and cultures, and had varied life experiences.

⁴ Community action projects required YAC (Youth Action Committee) members to go into their communities and gather data from their peers using the survey questions identified on the calls. Youth could deliver a survey, a focus/discussion group, or interviews to collect this data.

⁵ At the "Canada We Want" conference, the **CJS theme team** (a diverse group of youth from across Canada) generated recommendations for policy makers and other young Canadians regarding the criminal justice system.