

VICTIM / WITNESS ASSISTANCE PROGRAM

Victim/Witness Assistance Program 15 Victoria Avenue, Floor 2R, Box 6 Belleville, ON K8N 1Z5	Phone: 613-963-3005 Fax: 613-962-3225 Toll Free: 966-296-0165 TTY: 613-962-4064 Toll Free TTY 1-866-611-5233
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Hours of Operation: 8:30 – 5:00 p.m. Monday to Friday with the exception of statutory holidays.

Introduction

The Victim/Witness Assistance Program (V/WAP) provides information, assistance, and support to victims and witnesses of crime in order to increase their understanding of, and participation in, the criminal justice process.

Victims/witnesses of partner abuse, child abuse, sexual assault, elder abuse, homicides, hate crimes, traffic fatalities are considered priority clients for V/WAP services. Services are provided to adult and child victims/witnesses **after charges have been laid and until the final disposition in court.**

Services provided by V/WAP are outlined in the Policy and Procedures Manual of the Ontario Victim Services Secretariat, Ministry of the Attorney General and include:

- Needs assessments, emotional support, and referrals to community agencies
- Provision of general information about the court system and the trial process as well as case specific information, such as court dates, adjournments and trial dates.
- Acting as a liaison with the victim, police, Crown Attorney and other services
- Arranging early meetings with the Crown Attorney
- Providing victims/witnesses with a copy of court documents related to the case, such as release conditions, and Probation Orders
- Trial preparation and support, including courtroom tours
- Provide information about the Victim Impact Statements and the Criminal Injuries Compensation Board.

In addition to client services, the Victim Witness Assistance Program coordinates the bi-weekly teleconference list for the High Risk Action Review Team and co-leads the Domestic Violence Court Advisory Committee with the Office of the Crown Attorney.

Client Service

It is especially important that victims/witnesses understand the following in relation to their involvement with V/WAP:

- V/WAP staff do NOT discuss evidence. People who wish to discuss evidence are referred to the investigating officer(s) or the crown attorney.
- V/WAP staff swear an oath of confidentiality, in accordance with expectations for all civil servants. The oath is subject to any disclosure obligations identified by law or policy. For example, in the event that the victim/witness gives information that may be relevant to the case, V/WAP staff are obligated to share this information with the Crown Attorney.

Overview of Specific Procedures and Services

1. REFERRAL PROCESS

Referrals to the Victim/Witness Assistance Program are accepted from police officers, Crown Attorneys, shelters, and other community-based social service providers after charges have been laid. V/WAP also accepts self-referrals.

2. INITIAL CONTACT WITH THE VICTIM

The Victim/Witness Assistance Program will initiate contact with the victims of partner abuse at the earliest possible opportunity, inviting the victim to access the services of the program.

VWAP attempts to contact all victims of partner assault by telephone on the first business day following the charge being laid. Where no phone number is available, VWAP immediately sends a letter to her. Where police do not make a referral, VWAP will make initial contact within one business day of receiving the necessary information.

When a bail hearing is being held, VWAP makes every attempt to contact the woman before the hearing begins. Any information regarding safety concerns will be given to the bail court Crown Attorney in writing. If VWAP has not received referral information in advance of the bail hearing, the initial call will be made within one business day of the bail hearing.

The Victim/Witness Assistance Program will discuss safety issues with clients, address immediate safety concerns and refer to Three Oaks Foundation or Support link for a comprehensive safety plan. Referrals to other agencies are also made to meet other needs.

Victims will be advised of:

- The role and limits of VWAP services, including that program staff are not able to discuss evidence.

- The limits of confidentiality within the criminal justice system and the Crown's obligations regarding disclosure. Specifically, V/WAP staff informs clients that any information relevant to the case, must be shared with the Crown Attorney who, in turn, may have to share the information with defense counsel (lawyer for the accused).
- Domestic Violence Court process.
- Case status.
- That the police were responsible for laying the charge(s) and that only the Crown Attorney has the authority to withdraw charges.
- Crown withdrawal policy.
- Information concerning community support and services.
- Information concerning partner assault.
- Information concerning risk assessment and safety planning.

The program will confirm any conditions of release placed on an accused person and arrange to send a copy of related documents to the client.

Ongoing Services

V/WAP staff will provide for the victim ongoing information pertaining to the case status and respond to concerns of the victim throughout the criminal proceedings. V/WAP will familiarize the victim with the court process and can arrange a meeting between the victim and the assigned Crown Attorney.

V/WAP staff will discuss and address a variety of key issues during pretrial meetings with the victim including:

- providing ongoing case specific information, including updates;
- information about the justice system generally, such as explaining the roles of people working in the court, types of hearings, legal concepts related to the case and process, etc.;
- information about domestic violence, safety planning, the availability of a two-hour Legal Aid Certificate, counselling and support services available in the community. Referrals are made as required and with the victim's consent
- providing ongoing emotional support;
- informing the victim of her right to complete a Victim Impact Statement (VIS) prior to sentencing. Staff will provide her with an Information Guide outlining the procedure for completion and submission of such a Statement, and ensure that she is aware that VIS are considered to be public documents and, as such, might be used in other forums;
- preparation to testify in court, including a tour of the courtroom if requested;
- arranging meetings with the assigned Crown Attorney and the victim as required, either to discuss general case issues and client needs and/or for preparation for testimony at a Trial or Preliminary Hearing;

- providing court accompaniment, upon request, and where staff resources are available. VWAP also assists clients in identifying support persons who can attend court with them.

V/WAP staff offer a separate waiting area at court whenever possible, depending upon the physical constraints of court facilities. V/WAP staff work cooperatively with the court police officer, Crown Attorney, and Investigating Officer to address any safety concerns relating to court appearances identified by the victim.

Follow-Up to Court Appearance

Following a hearing or guilty plea, V/WAP staff will:

- at the request of the victim/witness, arrange a meeting with the Crown Attorney to discuss any concerns following a preliminary hearing or trial;
- provide information about the Criminal Injuries Compensation Board and provide information on the Community Legal and Advocacy Centre to those who qualify financially;
- provide copies of Probation Orders and a contact name and number for Probation Services;
- provide information about the Victim Support Line in those instances when the offender receives a sentence of less than two years and the victim is interested in being updated about potential release dates, Ontario Parole Board eligibility dates, or the right to make representation to the Ontario Parole Board;
- provide information about the National Parole Board, including her right to make representation to the Board, in those instances when the offender receives a sentence of two years or more; and
- ensure the client is advised of any appeal that is launched. Victims will be notified by the local VWAP office of any appeals of decisions made by Ontario Court of Justice. These appeals are heard locally at the Superior Court of Justice. Appeals of Superior Court decisions are heard at the Ontario Court of Appeal in Toronto. VWAP refers to the VWAP program attached to this court to provide ongoing information and updates.

Accessibility

V/WAP is located in a building that is accessible to both manual and electric wheelchairs, including accessible main entrance with automatic door opener, accessible washroom facilities, and designated wheelchair parking. Interpreters are utilized as required. Written information is available in both English and French. The program is sometimes able to provide direct service in French. A TTY 613-962-4064 or 1-866-611-5233 is available for the Deaf.

Accountability

A representative from VWAP will participate in the QCCAV HART of the Domestic Violence Court Victims Committee.

Complaints or concerns regarding the quality or nature of services received or not received through V/WAP can be directed to the Manager of the Program. In the event that the victim is not satisfied with action taken or resolution suggested by the Manager, she may direct her concerns to:

The Regional Manager
Ontario Victim Services Secretariat-East Region
150 Metcalfe St., Suite 1400
Ottawa, ON.
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