

Manitoba Justice



Victim Services



Manitoba Justice – Victim Services

- **Victim Services Branch includes the:**
 - Domestic Violence Support Services (DVSS)
 - Child Victim Support Services (CVSS)
 - Victim Rights Support Services (VRSS)
 - Compensation for Victims of Crime Program
 - Cellphone Emergency Limited Link – up Program (CELL)
 - Protection Order Designate Training (PODS)
 - Victim Witness Assistance Program (Winnipeg Only)
 - Administers the:
 - Victim Impact Statement Program
 - Victims Assistance Fund

- **50+ Staff including Victim Services Workers, Managers and Support Staff**

- **Province Wide Service**
 - Winnipeg
 - services are delivered by workers divided into specialty units (VRSS, DVSS, CVSS)

 - Regional
 - services are delivered by workers who have blended case loads and serve all client types

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- 14 workers located outside of Winnipeg
 - Located in RCMP detachments or other provincial facilities

- Cover all rural detachment/municipal police service areas which overlap with 60 regional and circuit courts

- Located in:

▪ Winnipeg		Thompson	(3)*	The Pas	(2)*
▪ Dauphin	(1)*	Brandon	(2)	Portage la Prairie	(1)
▪ Morris	(1)*	Selkirk	(4)*		

* communities that have workers located in RCMP Detachments

- Helps Victims of ...
 - The most serious crimes as outlined in *The Victims' Bill of Rights*
 - Victims of domestic violence
 - Child abuse victims/witnesses – including adult survivors of child sexual abuse
 - Other victim/witnesses on case to case basis

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Domestic Violence Support Service (DVSS)

- Helps victims of domestic violence when criminal charges have been laid or may be laid against a partner.

- Victim Services workers:
 - Explain the roles of those involved in the criminal justice system
 - Provide information about the criminal charges and the court process
 - Discuss safety planning
 - Explain how to get orders of protective relief
 - Offer on-going emotional support and short term counselling
 - Explain the cycle of violence and how it can be broken
 - Offer support through the court process
 - Prepare victims and going to court with them when possible
 - Advise Crown attorneys of concerns that victims may have about court cases
 - Provide information and referrals to community resources
 - Provide information and access to emergency cell phones
 - for people involved in high risk, domestic violence relationships
 - victims of stalking

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Domestic Violence Support Service (DVSS)

- Offers support to families who receive police services for domestic violence incidents that occur in Winnipeg, but that do not result in arrests or charges. (Winnipeg only)
- Services include:
 - Creating a safe, supportive environment to talk about the situation
 - Connecting families to appropriate community resources through referral, advocacy and co-ordination of community resources
 - Providing short-term emotional support and referral to counseling
 - Creating a protection plan to improve safety
 - Offering information about, and help with orders of protection
 - Providing service to both partners where it is safe to do so

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Child Victim Support Program (CVSS)

- Assists victims of abuse and witnesses of serious matters (up to 18 years of age), adult survivors of sexual abuse and other vulnerable victims (case by case) who are involved in the criminal court. Victim Services Workers;
 - Explain the court process and procedures
 - Court orientation (court room familiarization) for children who must testify
 - Identify special needs and potential aids to assist with testimony
 - Court accompaniment when possible
 - Schedule meetings with Crown attorneys
 - Arrange short term counselling
 - Provide information about other community resources such as therapists or treatment programs
 - Provide information on how to prepare Victim Impact Statements

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The Victims' Bill of Rights

- Requires justice officials to keep victims informed as their case proceeds through the justice system and does the following:
 - Creates identifiable rights and imposes them on specific service providers.
 - The legislation expressly identifies the specific rights of a victim as he or she deals with:
 - Law Enforcement (section 3-11)
 - Prosecutions (section 12-16)
 - Court Administration (section 17-18)
 - Provincial Correctional Services (section 19-22)
 - The Manitoba Review Board - Criminal Code (section 23)
- Outlines the accountability and complaint process and remedies
- Defines eligibility criteria for the Compensation for Victims of Crime Program

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Victim Rights Support Service (VRSS)

- The *Victims' Bill of Rights* (VBR) came into effect in 2001 and specifies the rights of victims of the most serious crimes
- The bill ensures rights are recognized and protected as victims deal with police, prosecutors, courts and provincial correctional officials
- Victim Services Workers :
 - Provide many of the services already mentioned in CVSS and DVSS programs,
 - Assist/complete the registration process for eligible victims
 - Automatically registering victims (or families of the most serious offences)
 - Inviting others who qualify to contact the department to discuss interest
 - Explain rights, how and when to exercise rights and where victims (or families) may participate with the CJS
 - Provide information about the prosecution of a case, court updates and results of a case
 - Provide court support and accompaniment when possible

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Designated Offences Under the *Victims' Bill of Rights*

Victims (or Family Members) of the following offences are entitled to services

- Aggravated assault
- Aggravated assault of peace officer
- Assaulting a peace officer/ with weapon or cause bodily harm
- Aggravated sexual assault
- Attempt murder
- Cause death by criminal negligence
- Computer luring of children
- Corrupting children
- Criminal harassment
- Dangerous operation of a vehicle causing death
- Discharging a firearm with intent
- Drive over .08 cause death
- Fail or refuse to provide a sample where collision causes death
- Trafficking in persons
- Infanticide
- Invitation to sexual touching
- Living off the avails of prostitute under 18
- Manslaughter
- Murder – first and second degree
- Offences under the *Highway Traffic Act* that relate to the death of a person
- Operation while impaired causing death
- Parent or guardian procuring sexual activity
- Procuring a prostitute under 18
- Sexual assault causing bodily harm
- Sexual assault with a weapon
- Sexual assault with more than one attacker
- Sexual assault with threats to a third party
- Sexual exploitation
- Sexual interference
- Workplace fatalities

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Compensation for Victims of Crime Program

- Provides compensation to victims who suffer personal injury, hardships or expenses as a result of certain crimes.
- The program is also available to specific relatives and dependants of victims of homicide in Manitoba as well as witnesses who have been injured (physically or emotionally) because of certain types of crimes that occurred in Manitoba
- If someone has been injured as a result of a crime, or someone is an immediate family member of a person killed due to a crime, that person may be entitled to compensation.
- People may also be compensated if they were injured while helping a police officer or while trying to prevent a crime.
- To apply for compensation, the offender does not need to have been caught, but a formal report must be made to the police.

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Compensation for Victims of Crime Program

- Compensation may cover reasonable expenses (not already covered by another source) resulting from a crime, including:
 - payment of medical expenses (prescription drug costs, ambulance bills)
 - replacement of damaged clothing or items seized by police as evidence
 - dental treatment, replacement or repair of dentures
 - replacement or repair of prescription eyeglasses
 - payment for grief therapy or other counselling services
 - compensation for lost wages for victims who have been disabled or for dependants of victims who were fatally injured
 - support payments for dependents
 - payment for rehabilitation or retraining
 - compensation for permanent disability
 - payment of funeral expenses

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Victim Witness Assistance Program

- Provides support services to crime victims and witnesses who are subpoenaed to appear in either Provincial Court or Court of Queen’s Bench, in Winnipeg
- Services to victims and witnesses include:
 - Written correspondence with the Crown attorney about their specific case concerns
 - Information and guidance on how to prepare Victim Impact Statements
 - Court preparation (upon request)
 - Court accompaniment (depending on availability)
 - Court cancellation notification
 - Reimbursement of expenses

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Victim Impact Statements

- Victims/family of all types of crime may submit a Victim Impact Statement
- Victim Impact Statements are presented after a finding of guilt and before sentencing
- Participation is voluntary
- Allows victims to tell the court how they have been affected by a crime
- The statement may include a description of the:
 - Emotional
 - Physical or
 - Financial harm caused
- The Crown will file the statement with the clerk of the court
- Copies disclosed to the defence lawyer and judge

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