

CANADIAN VICTIM IMPACT STATEMENTS: AN EXPLORATORY STUDY
ANALYZING STAKEHOLDER PERSPECTIVES, FORM READABILITY, USABILITY,
AND ACCESSIBILITY

By

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Abstract

Canadian victim impact statements: an exploratory study analyzing stakeholder perspectives, form readability, usability, and accessibility

By Kamelle Le Page

The most recent Victim Bill of Rights (2015) requires judges to accept and consider VISs during sentencing decisions; however, no regulations exist regarding how these statements should affect sentencing. Moreover, the lack of research on the impact of VISs creates a gap in understanding whether they have an actual effect on sentencing decisions.

The three separate studies examine VISs from multiple perspectives and angles. These studies found that stakeholders have differing opinions about VISs. Moreover, an analysis of the various VIS forms indicates that they differ according to readability, usability, and inclusivity.

Overall, the results of the three studies add to the limited research surrounding Canadian VISs. The findings also highlighted the uncertainty regarding VIS's role and the form procedures.

April 19, 2022

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I dedicate this thesis to those who have paved the path that led me to where I am now.

To my mama: The strongest woman I know. Thank you for putting my best interest first and for making one of the hardest decisions you had to make. I am here because of you.

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Table of Contents

Abstract..... i

Acknowledgements..... ii

Table of Contents..... iii

List of Tables..... vi

List of Figures..... vii

List of Appendices..... vii

Introduction..... 1

 Victim Bill of Rights Act Of 2015..... 2

 Therapeutic Jurisprudence..... 3

 Victim Impact Statements..... 4

 Victim Impact Statements in The United States vs. Canada..... 5

 Victim Impact Statements in Canada..... 9

 Sentencing Factors..... 11

 Characteristics of VIS Use in Canada..... 13

 Victim Services in Canada..... 14

 Barriers of Delivering a VIS in Canada..... 16

 Research Overview..... 20

Study 1: Perspectives from Crime Victims, Victim Service Workers, and Legal Professionals 21

 Purpose

 Research Questions

 Methods..... 22

 Design

 Participants..... 23

 Recruitment Methods..... 24

 Interview Methodology..... 25

 Consent and Demographic Forms

 Interview Procedure..... 26

 Transcription and Coding..... 27

 Nvivo

CANADIAN VICTIM IMPACT STATEMENTS

Demographics.....	29
Results.....	35
Results Section Formatting	
What Is the Goal of A VIS?	
Victim’s Responses.....	39
Victim Service Workers Responses.....	49
Lawyers’ Responses.....	56
Judge’s Responses.....	60
Responses from Multiple Participant Groups.....	63
Discussion.....	75
Impact of the Study.....	98
Study 2: Analyzing VIS Form Readability Using Various Readability Formulas.....	100
Purpose	
Methods.....	101
Measures	
Flesch-Kincaid Reading Ease Formula (FKREF)	
The Simple Measures of Gobbledygook Scale (SMOG Scale)	
Gunning Fog Index.....	102
Coleman-Liau Index (CLI).....	103
Procedure.....	104
Results	
Flesch-Kincaid Readability Ease Score.....	105
Flesch-Kincaid Readability Ease Grade Level	
SMOG Scale	
FOG Index.....	106
Coleman-Liau Index	
Discussion.....	110
Limitations.....	111
Impact of Study.....	112
Study 3: VIS Form Readability, Usability, and Inclusion.....	114
Purpose.....	119
Research Questions	

CANADIAN VICTIM IMPACT STATEMENTS

Method.....	120
Measures.....	123
Readability	
Usability	
Willingness and Need For Help	
Access.....	124
Inclusion	
Delivery	
Procedure.....	125
Participants	
Demographics.....	126
Attention Checks	
Results.....	130
Discussion.....	160
General Discussion.....	174
References.....	178
Appendices.....	188

List of Tables

Table 1. <i>A comparison of the contents and delivery format of the Canadian and United States VIS.</i>	7
Table 2. <i>Victims Demographic</i>	30
Table 3. <i>Lawyers Demographic</i>	32
Table 4. <i>Victim Service Workers Demographic</i>	33
Table 5. <i>Judges Demographic</i>	34
Table 6. <i>The SMOG conversion table</i>	102
Table 7. <i>Readability scores, word, sentence, and syllable count of each VIS from three online readability calculators</i>	107
Table 8. <i>Methods of VIS form access and submission according to province. The Nunavut form was not available.</i>	116
Table 9. <i>Demographic breakdown of participants</i>	127
Table 10. <i>Intercorrelations and reliability for the main variables, separated by VIS form.</i>	132
Table 11. <i>The $Z_{skewness}$ and $Z_{kurtosis}$ of the readability scores for the 12 VIS forms</i>	134
Table 12. <i>Games-Howell post-hoc comparison scores of VIS forms based on readability scores.</i>	136
Table 13. <i>The $Z_{skewness}$ and $Z_{kurtosis}$ of the usability scores for the 12 VIS forms</i>	140
Table 14. <i>Games-Howell post-hoc comparison scores of VIS forms based on usability scores</i>	141
Table 15. <i>The $Z_{skewness}$ and $Z_{kurtosis}$ of the willingness scores for the 12 VIS forms</i>	145
Table 16. <i>Games-Howell post-hoc comparison scores of VIS forms based on willingness scores.</i>	146
Table 17. <i>The $Z_{skewness}$ and $Z_{kurtosis}$ of the need for help scores for the 12 VIS forms</i>	150
Table 18. <i>Games-Howell post-hoc comparison scores of VIS forms based on need for help scores</i>	151
Table 19. <i>Multivariate and univariate results for the main variables</i>	156
Table 20. <i>The $Z_{skewness}$ and $Z_{kurtosis}$ of the various methods of delivery</i>	158

List of Figures

Figure 1. A Nvivo screenshot displaying the various victim nodes with the ‘why didn’t submit’ node highlighted. 28

Figure 2. An outline of the study’s design displaying the between-subject elements along with the variables measured at each stage..... 122

Figure 3. A screenshot of the Grammarly feedback using the mentioned passage from the QC form..... 161

Figure 4. A screenshot of the Grammarly feedback using the edited passage from the QC form..... 162

Figure 5. A screenshot of the instruction section of the Quebec VIS form (top) and the NL VIS form (bottom). Both screenshots contain similar sets of instructions..... 164

Figure 6. A screenshot of the emotional impact section of the Quebec VIS form (top) and the NL VIS form (bottom). Both screenshots contain similar information..... 165

Figure 7. A screenshot of the first page of the NWT (left) and QC (right) VIS form. Both screenshots contain similar sets of information..... 166

Figure 8. A screenshot of the first page of the NB (left) and ON (right) VIS form. Both screenshots contain similar sets of information..... 166

Figure 9. A screenshot of the emotional impact section of the NB (top), NL (middle), and NS form (bottom). 168

List of Appendices

Appendix A: Demographic Questions -Victims.....	188
Appendix B: Interview Questions - Victims Who Deliver a VIS.....	190
Appendix C: Interview Questions - Victims Who Did Not Deliver a VIS.....	191
Appendix D: Demographic Questions - Victim Service Workers.....	192
Appendix E: Interview Questions - Victim Service Workers.....	193
Appendix F: Demographic Questions - Judges and Lawyers.....	194
Appendix G: Interview Questions - Defense Lawyers.....	195
Appendix H: Interview Questions - Crown Attorneys.....	196
Appendix I: Interview Questions – Judges.....	197
Appendix J: Demographic Questions – Study 2.....	198
Appendix K: Readability Questions.....	200
Appendix L: Usability Questions.....	201
Appendix M: Willingness and Need for Help Questions.....	203
Appendix N: Method of Access and Delivery.....	204
Appendix O: Access and Delivery Questions.....	205
Appendix P: Inclusivity Questions.....	206
Victim Impact Statement Forms	
Alberta.....	208
British Columbia.....	211
Manitoba.....	216
Newfoundland Labrador.....	225
Northwest Territories.....	237
Ontario.....	247
Prince Edward Island.....	261
Quebec.....	264
Saskatchewan.....	272
Yukon.....	280
Nova Scotia.....	269
New Brunswick.....	272

Introduction

Historically, crime victims have performed a secondary role in the Canadian judicial process. Fortunately, positive strides in the last few decades have allotted for more court involvement from victims (Erez, et al., 1997). One of the most meaningful changes involving victims is the introduction of victim impact statements (VISs) in Canada's 1988 Criminal Code. VISs are written statements by victims that detail the emotional, physical, psychological, and financial strain resulting from the crime (Blume, 2003).

In 1988, Bill C-89 of the Canadian Criminal Code permitted victims to present a VIS during sentencing. However, the trial judge had the power to reject or accept the statements in their court (Miller, 2013). In 2015, the redrafted Canadian Victim Bill of Rights required judges to allow VIS presentations during sentencing, parole, and mental health court hearings. However, the Bill does not detail the precise regulations as to how judges should consider the statements during their sentencing decisions (Manikis, 2015). The lack of regulation may produce inconsistencies in the weight given to VISs across Canadian courts, which in turn could cause frustration among victims and other legal professionals (Manikis, 2015).

While analyzing judges' views on VISs, a large Canadian study interviewed judges practicing in 4 different provinces (Roberts & Edgar, 2006). They reported that 12% to 41% of judges believed that information retrieved from VISs provided unique insight and perspective into the crime events. Aside from VISs providing a unique perspective, research suggests that existing barriers can prevent specific victim populations from delivering or obtaining VIS forms. These barriers include the readability ease of certain VIS forms, a lack of proper assistance throughout the VIS process, and a lack of resources from Victim Services (Canadian Resource Centre for Crime Victims, N.D; Roberts & Edgar, 2006; Statistics Canada, 2016a).

CANADIAN VICTIM IMPACT STATEMENTS

Overall, Canadian VISs provide victims with a voice during the judicial process. Nevertheless, more extensive research is necessary in order to uncover their actual purpose and impact. The proposed studies strive to understand Canadian VISs by examining the perspectives of those who come across them regularly and identify barriers that can prevent specific individuals from fully utilizing their right to submit.

Victim Bill of Rights Act of 2015

The 2015 Canadian Victim Bill of Rights Act provides detail of the victim's rights throughout the criminal investigation, the trial, the sentencing, and release decisions (Government of Canada, 2018). According to the 2015 bill, victims have the right to information, protection, and participation. During the investigation process, victims have the right to obtain information about the status and the result of the case (Government of Canada, 2018). Simultaneously, if victims are concerned about their safety, they can have their names and images be kept private by asking the judge to impose a publication ban (Department of Justice, 2018). Publication bans often occur during sexual assault trials, trials involving a minor, or trials where the victim could receive retaliation from the public (Department of Justice, 2018). During sentencing, victims have the right to obtain the location, time, and outcome of any court hearing or review board hearing where the accused is found "Not Criminally Responsible Due to a Mental Disorder" (NCRMD; Miller, 2013).

Therapeutic Jurisprudence

Research suggests that traditional incarceration and utilizing it as a method of punishment can negatively impact offenders and lead to further criminalization (Wexler et al., 2008). For example, a John Howard Society (1999) study discovered that long periods of incarceration

CANADIAN VICTIM IMPACT STATEMENTS

could lead to feelings of anger and disdain against the criminal justice system. Moreover, offenders often leave prison being physical and psychological worse than when they had entered. These findings suggest that correctional institutions or current institutional programs may not prepare offenders to integrate into the community or psychologically aid in their recovery to prevent recidivism.

To address the issue of recidivism and offender well-being, professors David Wexler and Bruce Winick proposed the theory of Therapeutic Jurisprudence in the 1980s. They explain the Therapeutic Jurisprudence utilizes the justice system “to lay out a perspective of law as therapy” (Wexler, 1990, p. 693) and “bring[s] together survivors of crime, wrongdoers, and the community to collectively repair harm and address the needs of all parties involved” (Goldberg, 2011, p. 17). Goldberg (2011) explains that therapeutic jurisprudence works under the premise of four factors:

- 1) The offense has violated the relationship between the victim and the offender, and the community and the offender.
- 2) The community depends on such relationships; therefore, the violation must be mended.
- 3) The community must address the causes of the crime, most often rooted in its social and economic framework.
- 4) The victim needs to take an active and central role to define the harm that the crime has caused them and how to repair it.

With the aid of lawyers, judges, the community, and other stakeholders; therapeutic jurisprudence aims to assist the offender in taking responsibility for their actions and create positive changes in their life, a more positive relationship with the justice system, and increased

CANADIAN VICTIM IMPACT STATEMENTS

community integration methods (Chesser, 2018). Essentially, therapeutic jurisprudence argues that rather than focusing on the punitive approach of the traditional legal system, the emotional, psychological, behavioural, and individual concerns of the offender should be addressed (Chesser, 2018).

In Canadian courts, the theory of therapeutic jurisprudence was developed into the Restorative justice approach, which has been used for over 40 years (Canadian Intergovernmental Conference Secretariat, 2018). Restorative justice is “an approach to justice that seeks to repair harm by providing an opportunity for those harmed and those who take responsibility for the harm to communicate about and address their needs in the aftermath of a crime” (Government of Canada, 2021, p. 1). To be a part of the program, the offender must first accept responsibility for their crime(s) and agree to participate in the program entirely. The program includes conferences, conversations, and circles, guided by a trained facilitator (Government of Canada, 2021). The offender’s progress is tracked through support groups, community justice committees, probation officers, and the court. Moreover, both the offender and the victim are offered support during the entirety of the entire program. Rather than processing criminal acts through the court system, restorative justice allows those affected by the crime to discuss the crime’s effects, thus leading offenders to take accountability for their actions, promote healing among victims and offenders, and aid in community integration (Department of Justice, 2018).

Although therapeutic jurisprudence was initially created with the offender’s well-being and reintegration in mind, one can argue that it can also aid in the victim’s healing process. Research shows that victims of crime are significantly more likely to develop psychological distress or post-traumatic stress disorder than individuals who have never experienced

CANADIAN VICTIM IMPACT STATEMENTS

victimization (Kushner et al., 1993; Mawby, 1988). Moreover, depending on the type of offence, many crime victims become more apprehensive on a day-to-day basis. Specifically, Norris and Kaniasty (1994) and Wirtz and Harrel (1987) found that psychological distress often appears during the first few months of victimization. Therefore, while it is crucial to provide effective programs to offenders, it is also vital to provide crime victims with psychological assistance (such as trauma counselling) during the first few months of victimization to mitigate the risk of further psychological trauma.

In addition to the possible psychological consequences of victimization, Canada's legal tradition has limited the role of victims in the CJS (Wemmers, 2008). VISs are the only method in which victims are given a voice, which can hinder the process of their healing (Wemmers, 2008). Victims can communicate with their offenders through programs such as restorative justice and explain how the crime has affected them. Research has found that restorative justice reduces PTSD among victims and creates a positive physical and psychological impact on both the offender and the victim (Goldberg, 2011).

The restorative justice program takes victim involvement in the judicial process a step further, potentially offering benefits to the offenders and the victims. However, most research on the restorative justice program focuses on its impact among offenders, making it difficult to gauge the actual therapeutic impact amongst victims and the community.

Victim Impact Statements

The Government of Canada (2015) states that the victim, their family members, and their partner all have the option to submit a VIS. VISs are testimonies that detail the emotional, physical, psychological, and economic repercussions experienced from the crime (Blume, 2003). Victims have the opportunity to choose their VIS delivery method, ranging from being read

CANADIAN VICTIM IMPACT STATEMENTS

aloud, read aloud with a support person by their side, read aloud where their identity is obstructed, or read by another individual (Department of Justice, 2017a). In situations where a crime has affected a group of individuals, a 'community impact statement' can be presented during sentencing. If the offender is found NCRMD, VISs are presented during a disposition hearing (Department of Justice, 2017a). It is important to note that VISs are also considered during parole hearings, however, the studies will only focus on their use during sentencings.

Research prior to the introduction of VISs found that the judicial process can result in victims suffering from secondary victimization due to the treatment and exclusion that they experience (Kilpatrick & Otto, 1987). Through VISs, the justice system has found a way to incorporate victims in the court process because it supplies them with a more in-depth role throughout trial procedures. However, Davis and Smith's American study (1994) argued that VISs did not provide victims with a sense of fulfillment or closure. Contrarily, Roberts and Manikis (2011) found that victims who submit a VIS perceive the judicial process as fairer, regardless of the sentencing results. When victim focus groups regarding overall experiences in delivering a VIS were held, most victims stated that they are willing to go through the process again, despite the uncertainty of their VISs affecting the sentencing results (Department of Justice Canada, 2015a). Moreover, the focus groups stated that VISs allowed them to vent their anger, confront their offender, and express the crime's impact to the judge (Department of Justice Canada, 2001a).

Victim Impact Statements in the Media. Over the past few decades, there has been an increase in public attention towards crime victims and their testimonies, thus leading to more attention on VISs. One such example is the infamous trial of Larry Nassar, where 156 women provided testimonies of the sexual abuse they had experienced at the hands of the Former USA

CANADIAN VICTIM IMPACT STATEMENTS

Gymnastics doctor (Lutz, 2018). The trial and the women's testimonies were widely publicized, providing increased focus on the victims and the failure of USA Gymnastics to protect these women. While the increased attention towards the victims steers the public's attention towards the impact of the crime, individuals may fail to realize that the rules on victims' participation in court vary by country. The majority of TV shows and media coverage depicting the legal system often represent the United States Justice System. As a result, victims may create expectations that their role would be similar to the victims they see in the media and be disillusioned when their expectations are not met. These media depictions may provide Canadian victims with an inconsistent impression of the justice system and VISs, resulting in disappointment and uncertainty among Canadian victims (Table 1 compares the regulations of the Canadian VIS with the American VIS). However, depictions of non-Canadian justice systems will continue to exist in the media, but bringing attention and providing victims with information on their roles in Canadian court can help mitigate false expectations. Moreover, creating additional resources to assist victims can improve their experience during the court process. Future studies should examine how the media influences an individual's perception of the justice system, victims' expectations prior to experiencing court, and what could be done to improve victims' experience.

CANADIAN VICTIM IMPACT STATEMENTS

Table 1.

A comparison of the contents and delivery format of the Canadian and United States VIS.

	Canadian VIS	United States VIS
Delivery format	<ul style="list-style-type: none"> ▪ Written ▪ Read out loud ▪ Drawing ▪ Poem 	<ul style="list-style-type: none"> ▪ Written ▪ Read out loud ▪ Drawing ▪ Poem ▪ Prayers ▪ Religious verses
What can be included in the statement?	<ul style="list-style-type: none"> ▪ Emotional impact ▪ Physical impact ▪ Financial impact 	<ul style="list-style-type: none"> ▪ Emotional impact ▪ Physical impact ▪ Financial impact ▪ Medical treatment ▪ Need for restitution ▪ Views on the crime and the offender ▪ Views on a sentence
Who hears the statement and decides a sentence?	<ul style="list-style-type: none"> ▪ Judge 	<ul style="list-style-type: none"> ▪ Judge ▪ Jury (in capital cases)

CANADIAN VICTIM IMPACT STATEMENTS

What cannot be included in the statement?

- Information that is not relevant to the harm they have suffered
- Unproved accusations
- Other offenses by the offender that they have not been convicted with
- A suggestion for a sentence
- Any identifying information about the victim
- Unproven accusations
- Derogatory or obscene language (suggestion)
- The harm you wish upon the offender (suggested)

Note. Information from Canadian VIS is from Department of Justice Canada (2018). Information from United States VIS is from National Center for Victims of Crime (2011).

CANADIAN VICTIM IMPACT STATEMENTS

Victim Impact Statements in Canada. The Canadian Criminal Code introduced VISs in 1988 and stated that victims could submit a VIS. However, the final decision to incorporate VISs into the sentencing decision lies with the presiding judge (Miller, 2013). In 2015, the government redrafted the legislation and made it mandatory for judges to accept VISs during sentencing. Under the Criminal Code of Canada, Bill C-89 states that “*The court shall...permit the victim to read a statement...or present the statement in any other manner that the court considered appropriate* (Department of Justice, 2015b).” The criminal code also declares that review committees should include VISs during parole eligibility reviews, specifically when the offender is convicted for murder with a life sentence. Moreover, the criminal code states that VISs should be considered in review hearings for offenders found NCRMD. Although victims have the opportunity to present a VIS during parole hearings (only for offenders with sentences longer than two years), there are no guidelines as to how the parole board should consider these statements (Miller, 2013).

While crime victims have the opportunity to submit a VIS during sentencing, review hearings, and parole hearings, there are no existing guidelines as to how the statements should be considered or given weight. Research has shown that the unclear guidelines surrounding VISs can cause distress and frustration among victims (Department of Justice Canada, 2001a). Nevertheless, victims interviewed by the Department of Justice Canada (2001a) stated that a VIS was the only method in which their voices are heard during the court process (Department of Justice Canada, 2001a). Moreover, victims expected their statements to influence sentencing decisions, but they also recognize that judges have other factors to consider (Department of Justice, 2001a).

CANADIAN VICTIM IMPACT STATEMENTS

When examining the perspective of Canadian judges, Roberts and Edgar (2006) conducted an extensive survey in British Columbia, Alberta, and Manitoba. They found that all three provinces reported an increase in VIS submission between 2001 to 2003, particularly in Manitoba, whose submission increase by 41%. In terms of the relevance of VISs, 41% of Manitoban judges agreed that VISs contained relevant information. Only 36% of British Columbian judges found that VIS contained relevant information, and only 12% of judges agreed in Alberta. However, most of the judges stated that they often referred to VISs during their sentencings and acknowledged that they provided a unique perspective of the crime (Roberts & Edgar, 2006).

A replication of the study conducted three years later exhibited different results. Approximately 62% of British Columbians, 59% of Manitoban, and 35% of Albertan judges found VISs useful during sentencing (Roberts & Edgar, 2006). The replication study showed an increase in the judge's perception of VIS effectiveness, indicating that VISs are being considered during sentencing more frequently as time progresses. Although the study only examined three provinces in Canada, the results suggest that variability exists between the judge's perception of VISs, and these views are continually changing over time.

It is important to note that this study was a self-report questionnaire, which can be influenced by impression management. Judges have the duty of being impartial and must comply with the law in all aspects of their profession. Providing responses that may insinuate that VISs do not provide useful information or are not considered during sentencing may be controversial.

It is, therefore, unknown whether the study's results genuinely represent the opinions of Canadian judges. Judges may also believe that their own biases do not alter their sentencing decisions. However, Zaph and colleagues (2018) found that trained clinicians were more likely

CANADIAN VICTIM IMPACT STATEMENTS

to be affected by bias the more confident they were about setting aside their own biases.

Although these results pertain to clinicians, they may also apply to judges and other professionals.

Sentencing factors. Section 718-718.2 of the Canadian Criminal Code specifies the six factors that judges should consider during their sentencing decisions. Section 718 explains the purpose of sentencing is “to contribute, along with crime prevention initiatives, to respect for the law and the maintenance of a just, peaceful and safe society by imposing just sanctions” (Department of Justice, 2017b). Furthermore, Section 718.1 goes on to state, “A sentence must be proportionate to the gravity of the offence and the degree of responsibility of the offender” (Department of Justice, 2017b). It details the six objectives that judges must consider during their sentencing decisions:

- 1) *Denunciation* – the sentence is reflective of society’s opinions of the crime.
- 2) *Deterrence* – the sentence reduces the public from committing similar crimes.
- 3) *Separation* – the sentence separates the offender from the public if it is necessary.
- 4) *Rehabilitation* – the sentence influences the offender to change their behaviour to become a productive member of society.
- 5) *Reparation* – the sentence compensates for the harm their actions have caused the victim or the community.
- 6) *Responsibility* – the sentence holds the offender accountable for their actions.

Section 718.2 states that a judge can impose a sentence outside of imprisonment if it is “reasonable in the circumstances” (Department of Justice, 2017b). Section s718.2 also states that “a sentence should be increased or reduced to account for relevant aggravating or mitigating circumstances relating to the offense or offender” (Department of Justice, 2017b). It

CANADIAN VICTIM IMPACT STATEMENTS

lists three aggravating factors and no mitigating factors. The three aggravating factors include the offender's criminal history, the facts of the offence, and the offender's association with other criminal organizations (Steps to Justice, n.d.)

This section also provides a list of other factors that could contribute to sentencing decisions such as:

- *“Evidence that the offense was motivated by bias, prejudice or hate based on race, national or ethnic origin, language, colour, religion, sex, age, mental or physical disability, sexual orientation, or any other similar factor”;*
- *“Evidence that the offender, in committing the offence, abused a position of trust or authority in relation to the victim shall be deemed to be aggravating circumstances”;*
- *“A sentence should be similar to sentences imposed on similar offenders for similar offenses committed in a similar circumstance”;*
- *“Where consecutive sentences are imposed, the combined sentence should not be unduly long or harsh”;*
- *“An offender should not be deprived of liberty, if less restrictive sanctions may be appropriate in the circumstance”;*
- *“All available sanctions other than imprisonment that are reasonable in the circumstances should be considered for all offenders, with particular attention to the circumstances of Aboriginal offenders” (Department of Justice, 2017b).*

Given the extensive regulations judges must adhere to when deciding upon a sentence, it is essential to note that VISs are only one portion of the multitude of factors that judges must consider in their sentencing decision. It may be challenging to isolate the weight judges give

CANADIAN VICTIM IMPACT STATEMENTS

VISs since it is only one portion of the sentencing decisions. Each judge may also consider each factor differently, thus making the impact of VIS difficult to measure.

Characteristics of VIS Use in Canada. The majority of research surrounding VISs primarily concentrates on its role in the US courts. This imbalance of research focus has caused a gap in the literature regarding research on VISs in Canada. However, a few studies have found that Canadian victims rarely utilize their right to deliver a VIS. For example, a 2007 study by Laverick and colleagues found that only 8% of cases contained a VIS in British Columbia, 11% in Manitoba, and 13% in Alberta. The findings imply that only 10-23% of victims submit VISs across Canada, compared to the 15-30% of victims who submit VISs in other countries (Giliberti, 1990; Leverick et al., 2007). This difference in VIS submission rates poses a question as to why Canada has a lower number of VIS submissions than other countries. It is important to note that VIS submission rates may be higher today than 13 years ago (when the 2007 Leverick and colleagues' study was conducted), perhaps due to increased public awareness and media coverage of VISs (Canadian Resource Centre for Victims of Crime, n.d.).

A study by the Department of Justice Canada (2015c) questioned VIS stakeholders (victim service workers, Crown attorneys, defence lawyers, police officers, and probation officers) regarding the percentage of victims they believe to submit a VIS. The results showed that approximately 48% of the stakeholders believed that victims usually submit a VIS, 52% believed that victims submit a VIS in more severe cases, and 25% believed that victims do not submit a VIS regardless of the severity of the crime.

The study also examined victim's method of VIS submission (Department of Justice Canada, 2015c). Overall, the stakeholders stated that approximately 70-90% of victims deliver their statements in written form, 2-18% read their statements out loud, and 16-21% had the Crown

CANADIAN VICTIM IMPACT STATEMENTS

attorney read their statements on their behalf. The implications of delivering VISs only in written form rather than reading the statements out loud has yet to be studied. The question lies as to whether the delivery method of VISs influences a judge's sentencing decisions. A Department of Justice Canada (2001a) study found that approximately 50% of the victims from the six victim focus groups ($n = 32$) read their statements aloud. The victims who did not read their statements in court stated that it would have been too emotional, they did not want to relive the traumatic experience of the crime, and the redactions from their statements discouraged them from reading their statements (Department of Justice, 2001a).

Studies found that individuals who submit Canadian VISs were more likely to be female, from a vulnerable population (the elderly, a minor, or pregnant), victimized by a male, Caucasian, and victimized by a personal crime (Cole, 2003; Meredith & Paquette, 2001). Moreover, research has also found that individuals were more likely to submit a VIS if the offence was severe, involved personal injury or a substantial financial loss, received the VIS form early after their victimization, are in constant contact with victim services, and have a positive attitude towards the criminal justice system (Department of Justice, 2015b). Of course, additional research needs to be conducted to determine whether these results are consistent with the current Canadian population, especially since the implementation of the Victim's Bill of Rights (2015).

Victim Services in Canada. Several organizations aim to offer resources and assistance to crime victims. In Canada, the federal, provincial, and municipal governments are responsible for maintaining victim services programs (Correctional Services Canada, 2019). The goal of victim services is to assist crime victims throughout the court process, provide them with emotional support, and guide them in accessing available resources. A province can contain; victim

CANADIAN VICTIM IMPACT STATEMENTS

services with the local police, Department of Justice Canada victim services, victim services through the provincial department of justice, and the Royal Canadian Mounted Police (RCMP) victim services.

The victim services unit associated with the local police is the first group to contact victims. When the investigating officer files a police report, the investigating officer determines whether the victim would benefit from victim services' assistance (Ministry of the Attorney General, 2020). The police officer can decide to refer the case to victim services if the victim is in distress, if the case involves domestic violence or sexual assault, or if the victim can benefit from the resources of victim services. These resources include emotional support, information about the case, safety planning, and referrals to outside resources. Should victims request additional outside resources, victim service workers can refer victims to counselling programs, local shelters, crisis intervention, and local organizations that would suit their needs. Although victim services with the local police can be beneficial for most victims, it is critical to note that they are typically situated in major cities and often do not encompass entire provinces. Rural areas often do not have access to a victim service center or are covered by the RCMP victim services (Statistics Canada, 2011).

In areas where the RCMP is the local law enforcement, the RCMP victim services initiate contact with the victim. RCMP officers provide victims with a list of resources, but the victim must consent to be contacted by victim services (Royal Mounted Police, 2011). Research has found that the requirement for consent has caused a decline in referrals over time, thus leading to a decline in victims who are assisted (Royal Mounted Police, 2011). Moreover, some victims require time to process the crime events and may experience trauma later on. Lastly, RCMP

CANADIAN VICTIM IMPACT STATEMENTS

victim services are not always present in all RCMP areas, suggesting that large rural areas in Canada do not have prompt access to victim resources.

The last type of victim services organization are victim services with the Department of Justice. Each province contains a Department of Justice Canada (DOJ) victim services unit that aims to aid victims throughout the court process (Ministry of the Attorney General, 2016). The DOJ victim services contact victims once an incident has gone to trial and once the offender has made their first intake court appearance. The DOJ victim services can provide victims with information after each court session, contact the Crown Attorney, apply for restitution, apply to Criminal Injuries Counselling, provide aid in child victims or child witnesses, and aid in the preparation of VIS (Ministry of the Attorney General, 2016).

Although the three victim service units in Canada vary in location and type of assistance, they all exist to aid victims through the emotional, physical, and legal aspects of victimization (Government of Canada, 2016). Objectively speaking, most victims are offered resources and assistance from the initial police report until sentencing. However, some victims may not have access to these resources due to their geographic location, the effectiveness of each victim services unit, and some victims fall through the cracks. Victims may also be hesitant in engaging with victim services due to their lack of comfort with the police department, their prior experience as a crime victim, or other existing barriers. Due to victim services varying from province to province, it is difficult to analyze their overall effectiveness without observing each one. It is also a limitation that some victims may receive more assistance from specific organizations due to their geographical location, engagement, and personal circumstances.

Barriers of Delivering a VIS in Canada. There is limited research on Canadian VISs overall; however, even less research examines the existing barriers that may deter victims from

CANADIAN VICTIM IMPACT STATEMENTS

delivering a VIS. A possible explanation for the lower VIS submission rates in Canada is that victims are unaware of their right to deliver a VIS. However, there are conditions set in place which ensures that victims are notified of their right. For example, the Crown attorney must present the victim with an opportunity to choose whether they would like to submit a VIS or not (Department of Justice, 2017a). The Crown attorney must then report the victim's decision in the official records under "*was the victim notified of the right to file a VIS? Reason(s) why the victim was not informed*" (Department of Justice, 2017a). Moreover, the judge must ask the same question during sentencing and may halt the sentencing proceedings until the victim has had the proper opportunity to decide. Given the regulations highlighted above, it seems unlikely that victims would not be aware of their right to deliver a VIS. However, the VIS submission rates mentioned previously were collected prior to the 2015 Victim Bill of Rights (when the notification conditions were set in place), and submission rates may have increased in the past five years.

Another barrier that victims may come across is the cross-examination of the contents of their VISs. The defence attorney has the power to cross-examine victims regarding their VIS during the trial and sentencing (Department of Justice, 2015c). Research states that cross-examination produces stress and perceptions of suppression among victims (Roberts & Edgar, 2006). Although there is limited research regarding the frequency of victim cross-examination, Roberts and Edgar (2006) found that 97% of judges affirmed that cross-examinations rarely occur. In Ontario, 84% of judges admitted that cross-examination rarely takes place. Another study found that only 24% of Crown attorneys ($n = 188$) have witnessed a victim's cross-examination during trial proceedings and 26% during sentencing (Department of Justice, 2015c). Approximately 20% of defence lawyers ($n = 185$) have conducted a cross-examination of a

CANADIAN VICTIM IMPACT STATEMENTS

victim during trial proceedings and 23% during sentencing. Crown attorneys have also declared that victim cross-examination is rare and mostly occurs when VISs do not match the trial evidence (Department of Justice, 2015c). Interviews conducted with defence lawyers found that they trusted the trial judge to decide whether the VIS was appropriate and redact information that was not. When victims were interviewed, only a few stated that they were cross-examined by the defence (Department of Justice, 2001a). Those who were questioned by the defence claimed that they felt belittled, and their experience was second-guessed.

Interestingly, a study found that 30% ($n = 318$) of victim service workers believed that barriers exist when delivering VISs, along with 48% of Crown attorneys ($n = 188$), 80% of defence lawyers ($n = 185$), and 19% of police officers ($n = 686$; Department of Justice, 2015c). Approximately 43% of Crown attorneys and 31% of defence attorneys asserted that it is difficult to establish what information is relevant in the statements. About 32% of victim service workers stated that barriers exist when providing victims with the proper assistance to prepare a VIS (Department of Justice, 2015c). About 30% of victim service workers have witnessed literacy issues concerning the VIS forms, while 10% of defence attorneys and 16% of police officers experienced the same difficulties.

A study by the Department of Justice Canada (2001a) conducted six victims focus groups across Canada. Victims from all six groups expressed fear of retribution from the offender or the offender's associates. Interestingly, very few victims expressed concern regarding their privacy (Department of Justice, 2001a). Other barriers included VIS containing inflammatory statements, delay during the judicial process, time constraints, coaching the victims, Crown attorney reluctance, and a lack of VIS awareness (Department of Justice, 2001a). However, these barriers

CANADIAN VICTIM IMPACT STATEMENTS

existed before the 2015 Victim Bill of Rights and may no longer apply today. Additional research is required to examine the existing barriers after the 2015 Bill.

Research Overview

To gain more understanding of VISs, I conducted three separate studies that explored Canadian VISs from different perspectives. The three studies varied in methodology, as Study 1 focused on interviews and qualitative measures, while Studies 2 and 3 focused on quantitative measures.

Study 1 included semi-structured interviews with VIS stakeholders, including victims, victim service workers, lawyers, and judges. Interview topics included victims' experiences with the criminal justice system (CJS), delivering a VIS, the purpose of VISs, victim's role in the CJS, the influence of VISs, and other information that could enhance my knowledge of the VIS experience.

Study 2 examined the readability of 12 out of 13 Canadian VIS forms using various readability measures and calculators. These readability measures included the Flesch-Kincaid readability ease score/grade level, SMOG scale, FOG index, and the Coleman-Liau Index. Furthermore, the study analyzed whether the VIS forms conform to the content and style guidelines suggested by the government of Canada.

Study 3 explored various aspects of the 12 VIS forms in Canada, specifically in terms of readability, usability, individuals' willingness to use the VIS forms, and the amount of assistance needed to complete the VIS forms. Moreover, study 3 also analyzed the accessibility or feasibility of the VIS forms' access and submission methods. Study 3 aimed to examine whether the diverse Canadian population can access, comprehend, and use the various VIS forms.

Study 1: Perspectives from Crime Victims, Victim Service Workers, and Legal Professionals

Existing research provided information about the difficulties victims may face when completing and delivering VIS forms. For example, Robert and Edgar (2006) discovered that most victims do not receive sufficient support throughout Canada's judicial process. A victim from a focus group study stated that their VIS was not accepted in court because they did not use the Ontario VIS form (Department of Justice, 2006); and, Regina's victim focus group had difficulty understanding how to properly submit their VIS form (Department of Justice, 2001a). When Department of Justice Canada employees were questioned about the resources they provide victims, most wrongly believed that victims are provided with enough resources to complete their VIS (Department of Justice, 2012). The 2001 and 2012 Department of Justice Canada studies provided contradicting results, implying that further research into the resources provided to victims is required. Moreover, the studies outlined above were published before or shortly after the 2015 Victim Bill of Rights release. Up to date research is needed to document whether or not victim resources, awareness of VISs, and reporting rates may have changed since 2015.

Purpose

Given the existing studies and the literature gap regarding VIS, Study 1 collected information about the perspectives of victims and individuals whose work involves VIS. These includes crime victims, judges, lawyers, and victim service workers (VSW).

Research Questions

Although the study is exploratory and aimed to gain more insight into the limited information regarding Canadian VISs and the participant groups provided diverse perspectives of the CJS because of their differing roles. To explore these perspectives, a set of

CANADIAN VICTIM IMPACT STATEMENTS

interview questions was constructed for each participant group (see appendices B, C, E, G, H, and I). However, all participants were asked the same eight questions.

Question 1. What is the goal of a VIS?

Question 2. Whose responsibility is it to inform victims about their right to deliver a VIS?

Question 3. How has the role of victims evolved in the CJS?

Question 4. What kind of information makes a VIS stand out?

Question 5. Are victims generally satisfied with the results of their cases?

Question 6. Why don't victims submit a VIS?

Question 7. Do VISs affect sentencing?

Question 8. What changes, if any, would you (participant) recommend regarding VISs and victims in the CJS?

Due to the limited research on VISs, I often redrafted the interview questions as I collected more information on VISs. Moreover, I also added new questions when participants provided important insight that I wanted to explore further.

Method

Design

The study was qualitative as it delved deeper into Canadian VISs using semi-structured interviews. A list of questions was constructed for every participant group, and it was used to guide the interview. These questions targeted the areas of interest for the study, however, participants were able to speak freely about VISs, the Canadian CJS, cases they have come across professionally, and other relevant information about their personal cases. My goal was to

CANADIAN VICTIM IMPACT STATEMENTS

gain as much knowledge on VISs, including victims' experiences, the perspectives of legal professionals and VSWs, and the experience of victims in the justice system.

Participants

Victims. The first target population was victims of crime where the offender has pled guilty or was found guilty. As VISs are presented during sentencing, only victims with completed cases or had cases at the sentencing phase were interviewed. The study sought to understand victims' experiences regarding VISs and the justice system; therefore, victims who chose to submit a VIS and those who chose not to submit a VIS were the target of this study.

Victim Service Workers. According to the Department of Justice Canada (2015b), victim services' role is to "*help service providers, victims and individuals locate services for victims of crime across Canada*". These services include emotional support, access to resources, and housing aid. The current study focused on victim services' role during court preparation, assistance with VISs, and court aid. Victims may work with victim services one-on-one, from when a police report is filed until the case is resolved in court. VSWs can offer insight regarding victims' experiences in the justice system and an understanding of other agencies that also aid victims.

Lawyers. Lawyers provide legal insight into VISs and the inner workings of the court. Crown lawyers represent the court and often work with victims directly as their cases progress through the justice system. Legally, Crown attorneys are obligated to notify victims of their right to deliver a VIS, to ensure that VISs are handed to the courts on time, and to aid in victim's testimonies.

CANADIAN VICTIM IMPACT STATEMENTS

It is also essential to understand the perspective of defence lawyers as they represent the accused in court. Defence lawyers have the defendant's best interest in mind but can still provide valuable information regarding VISs and the victims' role in court.

Judges. Arguably, judges play one of the most critical roles in the CJS because they preside over each case, make the sentencing decisions, determine which type of information is allowed in court, and weigh VISs accordingly. As the final decision-makers, it is essential to understand the judge's views of victims, VISs, and the role victims play in court.

Recruitment methods

In order to reach as many individuals as possible, participants were recruited through various methods.

Social media. Advertisements targeting all participant groups, specifically crime victims, were posted throughout various social media platforms, including Twitter, Facebook, and Instagram.

SONA. Crime victims fitting the victim category were recruited through the Saint Mary's University SONA website.

Recruitment posters. Posters that advertised the study and targeted crime victims were posted throughout the Saint Mary's University campus. Moreover, advertisement posters targeting legal professionals and VSWs were distributed (electronically and physically) to potential participants at the Nova Scotia law courts.

Provincial and supreme court. I attended provincial and supreme court sentencings in Nova Scotia to speak to potential participants outside of the courtroom and learn more about

CANADIAN VICTIM IMPACT STATEMENTS

sentencings. I spoke to potential participants, provided details about the study, distributed research posters, and distributed the researcher's contact information.

News articles. I searched and read news articles to obtain information on potential participants and which possible agencies to contact for study recruitment. I then attempted to recruit these potential participants by contacting them through social media and other websites.

Websites. Legal professionals and VSWs were recruited via email through websites such as the Nova Scotia court, victim services, law firms, the legal aid society, the barrister's society, and the crime victim's association.

Snowball recruitment. I asked other students, researchers, academics, colleagues, and personal contacts to broadcast the study and recruit others interested in participating. All participants were also asked to disseminate news of the study to their contacts and coworkers. Some participants were provided with advertisement posters for distribution.

Interview methodology

Participants were located across Canada, interviews were conducted via telephone (using my personal phone), video call (Skype and Zoom), or in person. In-person interviews were conducted at a secure and private location either at the researcher's psychology lab, the participants' office, or at a reserved room at Saint Mary's University.

In terms of compensation, participants recruited through SONA were granted one credit towards their course. Participants recruited through other methods did not receive compensation.

Consent and Demographic forms. Participants interviewed remotely were sent the consent form and demographic questions (see Appendices A, D, and F) via email. Remote participants sent signed consent forms by email or provided their verbal consent prior to the

CANADIAN VICTIM IMPACT STATEMENTS

interview. Moreover, responses to the demographic questions were sent via email or verbally answered before the interview began. Interview questions were provided to participants who requested them before the interview.

Participants interviewed in person were provided with hard copies of the consent form and completed the demographic questions on paper, prior to the interview. After the interview had concluded, a hard copy of the feedback form was provided to all participants.

A section of the consent form requested that participants provide their consent to be audio recorded. All except one participant provided their consent, the researcher took notes for this one non-recorded interview.

Interview procedure

The interviews began with the researcher trying to gain rapport with the participant through casual small talk. When participants indicated that they were ready to begin the interview, the researcher presented them with the consent form (if the interview was conducted in-person) or asked whether they had read the form and provided consent (during remote interviews). All participants were given the option to independently look over the consent form, or discuss it with the researcher.

Participants were then provided with the demographic questions. Participants were provided with a physical copy of the demographic questions to complete at their own pace during in-person interviews. During remote interviews, the researcher read the demographic questions out loud while the participant provided their responses.

The semi-structured interviews began after the demographic questions were completed. The researcher read over and highlighted the section in which each participant has the right to

CANADIAN VICTIM IMPACT STATEMENTS

skip or answer any questions, take breaks, or halt the interview. The following passage was read to all participants:

“I’m going to ask a series of open-ended questions. You can answer them as freely as you’d like. Again, you do not need to answer any of these questions and can skip any of them.”

Participants were then asked a sequence of open-ended interview questions that differed according to the participant group. Depending on the amount of information participants divulged and any additional questions posed by the researcher, interviews took approximately 15 to 45 minutes. The interview length also differed according to the participant group and because some participants were asked more detailed questions.

After the interviews concluded, participants were presented with the feedback form. During in-person interviews, participants were provided with a hard copy of the feedback form, while participants in remote interviews were sent the feedback form via email. All participants were asked whether they would like to read the feedback form apart from or in the company of the researcher.

Transcription and Coding

Each participant was given an anonymous label that corresponded with their participant group plus their participant number. For example, the first victim interviewed was labelled as ‘Victim_1’. Participants who wished to be identified by name were labelled as ‘*Participant group_Name*.’ I then transcribed the audio recordings on a word document.

NVivo. Using the Nvivo software, transcriptions were categorized according to the participant group. A ‘node’ was created for each interview question, and responses for the corresponding question were added to the node. Nodes are an Nvivo setting that gathers

CANADIAN VICTIM IMPACT STATEMENTS

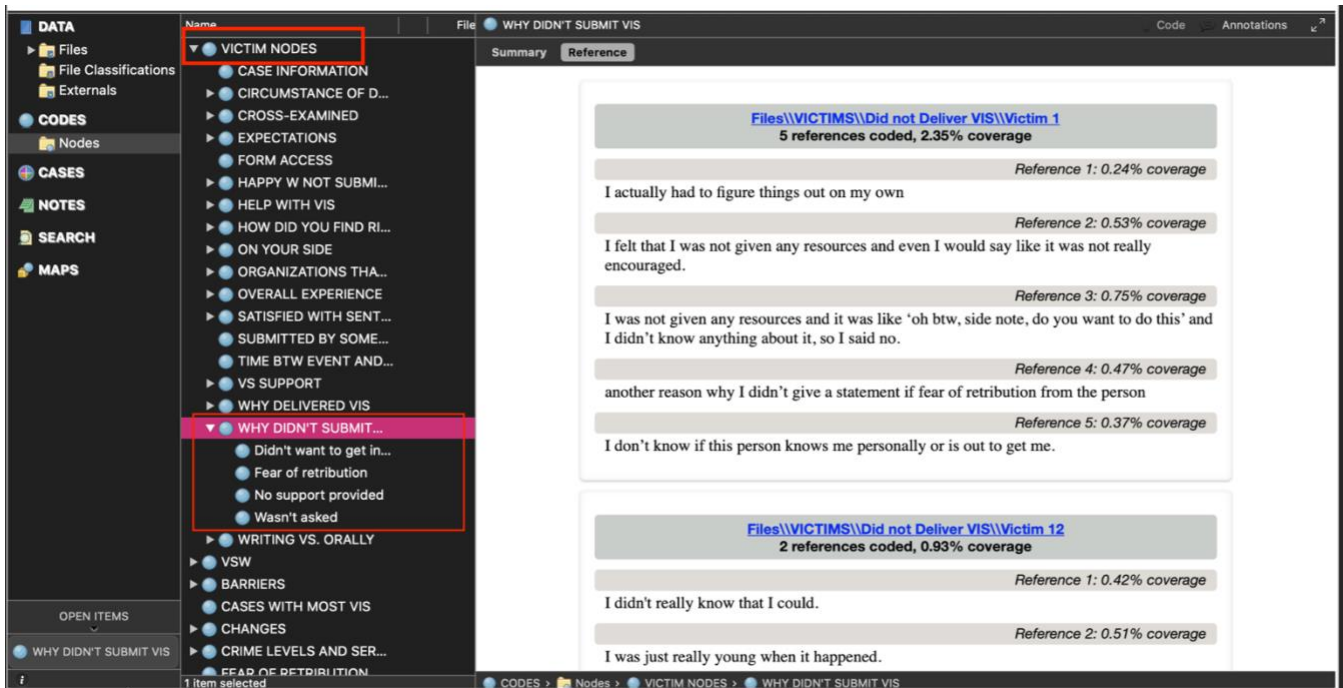
responses together in one place. Each node was coded according to similarity, and ‘sub-nodes’ were created. For example, all victim interviews were grouped, and the responses to “*why didn’t you (the victim) submit a VIS*” were added to a node labelled “*why didn’t submit a VIS*”.

Responses for “*why didn’t submit a VIS*” was then categorized according to similarity (sub-nodes), and sub-nodes such as “*no support provided*” and “*didn’t want to get involved*” were created under the “*why didn’t submit a VIS*” node. See Figure 1 to view the node window from the example provided.

Questions that pertained to more than one participant group were added on a separate node (not corresponding to a specific participant group) and coded similarly. All audio recordings, transcriptions, NVivo files, and demographic information are stored in encrypted USB drives.

Figure 1

A Nvivo screenshot displaying the various victim nodes with the ‘why didn’t submit’ node highlighted.



Demographics

Victims. A total of 13 crime victims were interviewed; 8 submitted a VIS, 5 did not. The sample was predominantly female ($n = 11$), of European or Canadian origin ($n = 10$), between the ages of 20-29 ($n = 9$), and all were native English Speakers ($n = 13$). See Table 2 for the breakdown of the crime victims' demographic information.

Lawyers. A total of 9 lawyers were interviewed; 6 were defense lawyers, 3 were Crown lawyers. All lawyers currently practice in Nova Scotia ($n = 9$), are of Canadian/ European ethnic origin ($n = 9$), and are employed full-time ($n = 9$). See Table 3 for the demographic breakdown of the lawyers.

Victim Service Workers. Six VSWs were interviewed; 1 resided in New Brunswick, 3 in Nova Scotia, and 2 in the Northwest Territories. Four VSWs were of Canadian ethnic origin, 4 were employed full-time, and all were female. See Table 4 for the demographic breakdown of the VSWs.

Judges. Three judges were interviewed; 1 from Alberta and 2 from Nova Scotia. Two of the judges were between the ages of 60-69 and one was between the ages of 70-79. All judges were male, and of European origin. See Table 5 for the demographic breakdown of the judges.

CANADIAN VICTIM IMPACT STATEMENTS

Table 2

Victims Demographic

Variables	n
Submitted a VIS	
Yes	8
No	5
Province Crime Occurred	
Alberta	1
British Columbia	2
Ontario	3
Nova Scotia	7
Age Group	
20-29	9
30-39	1
40-49	1
50-59	2
Ethnic Origin	
European	2
Canadian	8
Mi'kmaq	1
Salish	1
Cree	1
Gender	
Male	2
Female	11
Education Level	
High School	3
College	2
Bachelor's	3
Master's	4
PhD	1
Marital Status	
Single	6
In a Domestic Relationship	1
Married	2
Divorced	3
Employment Status	
Student	5
Part-time	3
Full-time	4
Income Bracket	
Below 10k	1
10-20k	5

CANADIAN VICTIM IMPACT STATEMENTS

20-30k	2
40-50k	1
50-60k	1
70-80k	1
Over 100k	1
Number of people living with	
0	3
1-2	6
3-4	3
Missing	1
Children	
Yes	2
No	10
English comfort	
Very comfortable	13

Note. N = 13

Table 3*Lawyers Demographic*

Variables	n
Practice	
Crown	3
Defense	6
Age Group	
30-39	1
40-49	4
50-59	2
60-69	2
Gender	
Male	5
Female	4
Ethnic origin	
Canadian	9
Highest Education Level (Excluding Law Degree)	
BA	5
MA	3
PhD	1
Employment	
Self-employed	1
Full-time	8

Note. $N = 9$

Table 4*Victim Service Workers Demographic*

Variables	<i>n</i>
Province of Employment	
NB	1
NS	3
NWT	2
Age Group	
20-29	2
30-39	1
40-49	1
50-59	1
60-69	1
Ethnic Origin	
Canadian	4
Metis	1
Asian	1
Education Level	
College	1
Bachelors	3
Masters	2
Marital Status	
Single	1
Domestic Relationship	2
Married	1
Widowed	1
Divorced	1
Employment Status	
Temporary	1
Part-time	1
Full-time	4

Note. $N = 6$

Table 5*Judges Demographic*

Variables	n
Province of Employment	
AB	1
NS	2
Age Group	
60-69	2
70-79	1
Ethnic Origin	
Canadian origin	3
Gender	
Male	3
Employment	
Retired	2
Full-time	1

Note. $N = 3$

Results

Each participant group was asked a different set of interview questions pertaining to their personal and professional experiences. Moreover, most participants provided multiple responses to one question and often provided additional information about VISs, which were not covered by the other questions. As a result, additional interview questions were often added as I learned more about VISs. It is then important to note that participant responses were placed in multiple nodes..

Furthermore, quoted responses from participants were edited to remove pauses, filler words (such as ‘um,’ ‘you know,’ ‘yeah,’ ‘like’), and repeated words or phrases. Editing was done to improve the flow and understandability of the quoted responses. Quotes containing ‘...’ indicate that a portion of the response was removed because it contained identifying information (such as a name or a location) or information unrelated to the topic at hand.

Result section formatting. As for the structure of the results, responses to, “*What is the goal of a VIS?*” and, “*How has the role of victims in the CJS change over time?*” are presented first. The questions provide some background of how participants perceived VISs and the role of victims in the CJS. Responses are then presented according to the participant group in the order of victims, VSW, lawyers, and judges. Questions that pertained to multiple participant groups are presented last. Lastly, responses to each question were categorized into groups, according to topic similarity.

1) What is the goal of a VIS?

All participants were asked, “*In your opinion, what is the goal of a VIS?*” The following were the categorized responses from all participants:

CANADIAN VICTIM IMPACT STATEMENTS

- a) **Allows the victim to address the offender.** Five victims stated that VISs were an opportunity for them to address the offender directly. VISs gave them the opportunity to let the offender know how the crime had affected them and some victims stated that they wanted to elicit remorse from the offenders.

“I think there is the hope that, or theory that if the offender hears and sees, genuinely sees, the emotions and personally hears how their victims were affected, there’s hopefully the theory that it will prevent them from reoffending in the future.” (Victim 7)

Similarly, one judge and one VSW shared similar thoughts with the five victims.

“The accused person is able to hear the impact that, their alleged crime has made on the victim. And it could be emotionally, financially, physically. Or the family of the victim, if the victim was no longer with us.” (VSW 6)

- b) **Provides the judge with the victim’s perspective.** One judge, one victim, and one VSW stated that VISs allow judges to understand the crime from the victim’s perspective rather than just hearing the facts of the case. One participant stated that VIS function:

“To equip the judge with as much knowledge as possible about the circumstance surrounding the entire sentencing process, and particularly, to understand the perspective of the victims of crime.” (Judge 1)

- c) **Provides victims with a voice.** The majority of participants ($n = 14$) suggested that a VIS provides victims with a voice during sentencing, allows them to tell their side of the story, and makes them feel like they are heard by the court.

“The victim impact statement allows the victim to have their voice. So, I think it’s an opportunity for them to be express details of a crime, of an event. So, it’s really to give them a voice and let them be able to express how they’re feeling.” (VSW 3)

A VSW stated that a VIS is meant to provide victims with a voice, however, stipulations come with the voice given to the victim. They stated:

“It’s technically supposed to give them a voice. In all honesty, that voice is very restrictive because there are guidelines. They have to be careful what they write because the defense lawyer can object and challenge any or all information contained in the victim impact statement. And the accused have the right. And it’s the defense lawyer [that] will make sure that the person who is accused or found guilty will have an opportunity to read the content and comment on it or object on it.” (VSW 2)

CANADIAN VICTIM IMPACT STATEMENTS

- d) **Influence sentencing.** Five victims stated that a VIS is meant to be considered during sentencing and perhaps affect the outcome of the sentencing.

“From what we understood it makes a big difference in what sentencing the person receives.” (Victim 10)

Oppositely, one judge stated that a VIS is not meant to affect sentencing:

“A lot of victims take it as an opportunity to make submissions on sentence and either plead for leniency or suggest that there should be a very heavy penalty. That’s not the purpose. The purpose is what impact it had on the victim.” (Judge 2)

- e) **Inform the court.** A total of 13 participants (1 judge, 2 lawyers, 5 victims, and 5 VSWs) stated that VISs allow victims to inform not only the judge or the offender, but also others in the courtroom regarding what impact the crime has had on them. One victim stated that VISs were:

“A good opportunity to bring my thoughts into the courtroom.” (Victim 13)

2) *How has the role of victims in the CJS changed over time?*

Lawyers and judges were asked, *“How has the process of involving victims throughout the court process evolved since you started as a lawyer [and then a judge]?”* When analyzing the responses from the legal professionals, participants with more experience in the legal field witnessed more changes regarding victim’s roles. For example, a judge with 33 years of experience saw 3 major changes.

“Three steps, nonexistent, when I started as a lawyer. You can pinpoint the date the legislation came in, when it was first introduced, I believed it was accepted with some scepticism. That’s step two. And step three is, I think it’s viewed now as a helpful aspect of the sentencing process.” (Judge 1)

Moreover, some lawyers have observed Crown attorneys making more of an effort to update victims regarding the progress of the case.

“I do find that the biggest difference in my practice is in the last five or six years, we’ve really made an increased effort to have more contact with victims and have them sort of

CANADIAN VICTIM IMPACT STATEMENTS

participate to a greater degree, or at least see us and see themselves as less as like an afterthought and it just really personal contact.” (Lawyer 8)

While some lawyers stated that the court is finding a balance between providing victims with a voice and following the VIS guidelines.

“The courts are much more comfortable now with actually having victims show up and wanting to get in the stand and read their victim impact statement. It’s forced the courts to actually learn how to handle a victim who comes and wants to spew hate towards the accused. Which sometimes happens. Or just vent to the world in general, which is not the purpose of a victim impact statement.” (Defense lawyer 1)

Victim's Responses

1) *Why did victims choose not to deliver a VIS?*

Victims who chose not to deliver a VIS were asked, “*Can you talk more about why you chose not to submit a VIS?*”

- a) **Didn't want to get involved.** One victim stated that they chose not to deliver a VIS

because they did not want to get involved with the justice system.

“I tried to stay away out of it as much as possible. I didn't want to get involved especially while in university.” (Victim 4)

- b) **Fear of retribution.** It is important to know that VISs become a public document once submitted to the court and the accused receives a copy of the statement. Two victims stated that they were afraid that the accused would retaliate and take action if they were to submit a VIS.

“Another reason why I didn't give a statement is fear of retribution from the person. I don't know if this person knows me personally or is out to get me.” (Victim 1)

- c) **No support provided.** One victim reported that they were not provided with any support throughout the reporting, VIS writing, or court process.

“I felt that I was not given any resources and even I would say, it was not really encouraged.” (Victim 1)

- d) **Wasn't asked.** Two victims stated that they were not provided with the opportunity to deliver a VIS and were not aware of the option to write one.

“I didn't really know that I could. I was just really young when it happened.” (Victim 12)

CANADIAN VICTIM IMPACT STATEMENTS

2) *Were victims satisfied with not submitting a VIS?*

Victims who did not submit a VIS were asked, “*Were you happy with your decision [of not submitting a VIS]?*”

a) **Yes.** One victim stated:

“It all kind of worked out in the end so I’m happy that I’m not involved in any of the trial and the court or anything.” (Victim 4)

b) **No.** Four victims stated that in hindsight, they would have delivered a VIS:

“Yeah no. I think I was not given the decision or that ability to decide.” (Victim 5)

c) **Yes and No.** One victim noted that they were satisfied with the outcome of the case but wished they had delivered a VIS.

“I felt like I did want to let them know how it impacted me, because it still does today. But at the same time, I felt like I couldn’t. There was like a barrier there.” (Victim 6)

3) *Under what circumstances would victims deliver a VIS?*

Victims who did not submit a VIS were asked, “*Under what circumstances would you have delivered a VIS?*” There were five different responses from five different participants.

a) **If given the opportunity.**

“I think if I was given the opportunity, I probably would have done so.” (Victim 5)

b) **More support given.**

“If I was given support and resources, then I would have. If I was given more resources and support and stuff like that. And also, maybe after this happened to me, if I went to see a counsellor or maybe someone who had an outside perspective that could have given me some more advice. Because I dealt with it on my own with my family and friends.”
(Victim 1)

c) **If VISs were not public record.**

“Interviewer: Would you have delivered one if it didn’t become public record or anything like that?”

Participant: I might have yeah.” (Victim 6)

CANADIAN VICTIM IMPACT STATEMENTS

d) **More entangled with the offense.**

“If I would have got caught in the mix of everything. So, I definitely think that if I would have been more involved, or if it escalated to a point where he was violent towards me cuz [sic] of like drugs.” (Victim 4)

e) **If older at the time of the offense.**

“Maybe if I was older.” (Victim 12)

4) **Why did victims deliver a VIS?**

Victim who delivered a VIS were asked, *“Can you talk more about why you chose to deliver a VIS?”*

a) **Put thoughts together.** One victim stated that writing the VIS was a way for them to understand their emotions and remember the sequence of events.

“Writing was a way for me to put it in order and understand what had happened rather than just feeling it. And then once I understood the court process and that they would use the VIS process in court.” (Victim 3)

b) **Address the court.** Similar to victim’s responses regarding the goal of a VIS, 5 victims stated that they wanted to address the court regarding how the crime had impacted them.

“I just wanted them to understand the full impact in order to make a really informed decision and not to just rely on the facts. I think it’s good to kind of get at people’s emotions.” (Victim 2)

c) **To be heard.** Three victims stated that they felt pushed aside and unheard during the court process and delivering a VIS was a method in which they could express their voice.

“I was so frustrated at the process, I felt that was one area where I felt a bit of control and I wanted to take back some control.” (Victim 7)

“We felt like the police and also the lawyer that represented us kept trying to get us to just plea. Like let him [accused] go on with his life. So, we felt like our voices needed to be heard. I just remember being like, we absolutely have to do this because we’re being lost in this process.” (Victim 8)

5) *What were victim's expectations when delivering a VIS?*

Victims who submitted a VIS were asked, *"What was your expectation when you decided to deliver a VIS?"*

- a) **Easier to complete and deliver.** One victim stated:

"I thought it would be easy to do, but it was a lot harder than what I thought it would." (Victim 10)

- b) **Used in decision making.** Two victims believed that their VIS would be used in the judge's sentencing decision.

"I thought that they would kind of use that in their decision-making process." (Victim 2)

- c) **Court will listen.** Five victims stated that writing a VIS would be an opportunity to be heard by the court.

"We felt like we would be able to tell our story in our own way and that we would have the option to share that if we wished." (Victim 8)

6) *How did victims learn about VIS?*

Victims were asked to clarify how they gained knowledge of VISs. *"How did you find out about your right to deliver a VIS?"*

- a) **Mail.** One victim stated that they received the VIS form through the mail but could not remember who had sent it to them.

- b) **Police.** Two victims were notified by the police.

"I actually I think that it was delivered to us in a package from the police." (Victim 8)

- c) **Crown.**

"The Crown told us we could do that." (Victim 10)

- d) **Victim services.** Two victims were notified through victim services.

"Initially my contact was with RCMP victim services, and the police and they had gotten me to write something out." (Victim 3)

CANADIAN VICTIM IMPACT STATEMENTS

e) **Personal contacts.**

“I knew a number of people through the church. The church itself was fairly small and it was a very supportive, family like. And so, within the church, there were people that worked within the criminal justice system. And they informed me of my rights.” (Victim 7)

7) **Which organizations reached out to the victims?**

All victims were asked, *“Were you offered any assistance with completing your VIS? Did you accept it?”*

a) **Police.** Three victims stated that the police or the RCMP reached out to them and provided their support.

“The police who were there the night of the incident kept coming to our place throughout the process. And so, they understood what had happened that night. And I felt like they had a vested interest in us, like at least getting some level of justice.” (Victim 8)

b) **School.** Two victims were supported by the university that they had attended during the time of the offense.

“I didn’t get counseling just because I was in university for the majority of the crime. So, the school offers free counseling.” (Victim 13)

c) **Crown.** Three victims were supported by the Crown attorney in charge of the case.

“The Crown was great, Crown met with use before the court and in between breaks, every day, and explained what was happening.” (Victim 3)

Oppositely, when asked about the type of support they received, one victim stated:

“The Crown worked against us. The Crown made a deal with his defense lawyer and was just presenting us a deal. He completely ignored everything we said to him. We were not supported by the Crown.” (Victim 8)

d) **Victim services.** Three victims stated that victim services had aided them.

“My victim service worker, she was helping me write down things because she said ‘you’re gonna have to write a victim impact statement if he’s found guilty and you want to be able to remember how you’re feeling’. Which was kind of helpful.” (Victim 13)

e) **None.** Four victims had no one reach out to them to offer their support or assistance.

CANADIAN VICTIM IMPACT STATEMENTS

“I didn’t feel there was much support from the authorities that were handling it or the system in general. I don’t feel like there was much in terms of resources that were offered.” (Victim 2)

One participant outlined that they received no assistance, but it may have been due to the circumstances of the offense.

“That [VIS file] might have come in the mail, but I moved really soon after that because we broke up and I don’t live with him anymore. My mail must be forwarded to the shelter that I’m staying at afterwards or my mom’s or where I was living. And if it weren’t there, then I was never going to get it.” (Victim 11)

8) *What kind of support did victim services offer?*

Participants were asked to elaborate on the type of support victim services had provided to them during the VIS writing process and other additional support throughout their case.

- a) **Court updates.** Three victims stated the victim services had called them regarding any case updates and scheduled court dates.

“They would call me every few months just to tell me what the update was. So, like, ‘this is his court day’, or like, ‘he’s still in custody’, ‘you don’t have to worry’.” (Victim 1)

- b) **Flight fares.** One victim stated that victim services had paid for their flight so they could attend the court dates.

“They did pay for my flight to go provide my victim impact statement and they also pay for my flights, I went, I was a witness at one point as well. So, I had to provide a statement and so they flew me out then.” (Victim 13)

- c) **Encouraged to write the VIS.** One victim highlighted the support they received from victim services in terms of encouraging them in writing their VIS.

“Victim services was encouraging me to write because my mom was telling them ‘she does best when she writes things out’ and that kind of thing.” (Victim 3)

- d) **Court assistance.** One victim stated that victim services had accompanied them to court.

- e) **No support.** Five victims expressed that they did not receive any support from victim services.

CANADIAN VICTIM IMPACT STATEMENTS

“I found about victim services through my work. I work for the province and I ran into them at an event that I was at. And I felt like I was like, you guys would have been super useful. I had to hunt the woman down at victim services to make sure they got our statements in time. And it was multiple emails. I ended up having to email her from my work email... It took a significant amount of effort on my part as the victim to then be able to get the minimal amount of work out of the province.” (Victim 8)

9) *Did victims deliver their VIS orally or only in written form?*

- a) **Orally.** Six victims stated that their VIS was delivered orally.

“I delivered it orally. I didn’t want to feel like I was running away and just sort of handing it in on paper felt a little bit like I still was hiding, or I was like running from it.” (Victim 7)

Oppositely, one victim stated the Crown attorney had read their VIS for them.

“I submitted it in writing and the Crown read it out. They decided that for me actually. Possibly because I was a child.” (Victim 3)

- b) **Writing.** One victim stated that they submitted their VIS in written form.

“Just submit it in writing. I don’t like public speaking.” (Victim 11)

10) *Would contents of a VIS change if someone else delivered it?*

Victims who delivered a VIS were asked, *“If a family member could have delivered a VIS on your behalf, do you think it would have changed your statement?”*

All 7 victims presented with the question stated that the contents of their VIS would not change due to reason such as: their VIS would not be as impactful, no one else in their family would be willing to deliver it, and they are not willing to burden someone else with reading it.

“If I was in a position where I didn’t feel strong enough to deliver my own statement, then knowing myself, that would likely mean there were parts of the offense that I was having more trouble coping with and was not ready to share. I would be writing it, thinking about how the person will, that’s going to read this feel. I wouldn’t want to put them in a position that would make them feel awkward or uncomfortable.” (Victim 7)

11) *Were victims cross-examined?*

Victims who submitted a VIS were asked, “*Were you cross-examined?*” and, “*Were portions of your VIS edited by the judge or lawyer?*”

Three victims stated that they or their VIS were not cross-examined. One victim stated that they were not cross-examined but they felt like they were by the defense or the authorities.

“We felt like we were. I remember my aunt getting really upset saying like, ‘how dare they, this person killed my son’. You know, ‘I should be able say whatever I want’. ‘I thought it is about impact’. ‘Well, this is how it impacted, but yet I can’t say this’. So, it was that experience.” (Victim 10)

“I sort of was cross-examined through that a number of times, but that was by the police, not like an attorney and a trial.” (Victim 7)

12) *What was the length of time between reporting the crime and the sentencing?*

Victims were asked, “*How long did it take between submitting your statement and it being presented in court?*”. Responses ranged from 3 weeks to 10 years. It is important to note however, that the case lasting ten years experienced multiple delays and two offenders were sentenced during for the offense.

“I think from start to finish was nine, 10 years. The first person, it wasn’t as long. The second part, it kept getting delayed, the sentencing because he was waiting for a cultural assessment or something. So, it ended up getting pushed off and pushed off to the point that the Crown were getting upset and the judge was getting upset because the judge was saying, ‘this family’s been through a lot already.” (Victim 10)

13) *Did victims feel like anyone represented their best interests?*

All victims were asked, “*From your point of view, who represented your interests during sentencing?*”

- a) **Friends and family.** One victim stated that only their friends had their best interest in mind.

CANADIAN VICTIM IMPACT STATEMENTS

“I did get to have personal support people as part of it. I didn’t have other than like I said, there were people within the church who did work within the justice system who was able to help me, like, fill out the forms.” (Victim 7)

- b) **No one.** Three victims felt that no one represented them during the court and VIS process.

“No one was on our side. No one. We had no representation in that room. There was no one driving our agenda saying people were harmed here and he can’t get away with this.” (Victim 8)

- c) **Crown.** Three victims felt supported by the Crown.

“The Crown was very good with us. I have to be honest that we can’t say enough good about the Crown.” (Victim 10)

- d) **Victim services.** One victim stated:

“I had a victim service worker who was really good because the crime happened in Ontario and I was in Alberta. So, she contacted me throughout. It was weekly updates on the case and the proceedings and just gave me a lot of information about it.” (Victim 13)

14) *Were victims satisfied with the outcome of their case?*

- a) **Yes.** Five victims stated that they were satisfied with their case outcome.

“I feel like no time will ever be enough. So, I think it’s just nice to know that he was found guilty. And because my life will never be the same that it used to be, I guess. But yeah, I guess so.” (Victim 13)

One victim was satisfied that the offender did not receive any jail time but received a sentence of rehabilitation.

“I was satisfied because, well for one, they didn’t get jail time and secondly, I got the help that I needed because of that.” (Victim 6)

- b) **No.** Five victims stated that they were not satisfied with the sentencing outcome.

“I remember being really disappointed with the outcome because I didn’t feel that, I personally, for myself didn’t believe that the punishment was harsh enough. I was just so angry because I had gone through so much and I expected more from the people who were supposed to be protecting me.” (Victim 2)

15) What were victim's overall experience throughout the VIS and court process?

- a) **Positive.** Four victims expressed having an overall positive experience when delivering, writing their VIS, and going through the court system.

“It was pretty positive. It was a nice outlet for me to kind of get out what I’ve been feeling and what I have been going through. To show others what the results were for me in terms of my mental health, physical health, and how it impacted my life in general. I had a pretty positive experience with the writing and the delivery.” (Victim 2)

- b) **Negative.** Four victims stated that they had a negative overall experience. One victim stated that the authorities did not believe their police report and felt like they were being investigated instead of the accused.

“It was very frustrating and scary. It seems to me that that’s an unfair thing to do to victims’ families, to put that on their shoulders, that essentially from now until infinity, you have to basically fight the offender’s potential parole.” (Victim 7)

Moreover, one victim stated that the circumstances of the offense had affected their living circumstances.

“I guess like the general experience, I was just annoyed that it was even an issue in the first place. I just wanted it to be over. As soon as possible, we wanted the ban to be lifted because we couldn’t go home to our house. Because we couldn’t be living in the same house. I was telling the person, ‘now that we’re broken up, I can’t afford my apartment anymore because he pays most of the rent’. And that was like a big part of it because I basically became homeless afterwards because I couldn’t pay my rent. And my boyfriend was homeless too because he couldn’t go home.” (Victim 11)

Victim Service Workers Responses

1) *What were the work histories of the VSW interviewed?*

To gauge the experience VSWs had regarding VISs and working with victims, all VSW were asked, “*How long have you worked in your current position?*” and, “*Have you worked with crime victims before your current position?*” The VSWs interviewed had been working in their current position for 4 months to 5 years.

In terms of prior work experience, the work histories of the VSW included: social services worker, victim service worker in another region, probation officer, and volunteer victim service worker.

2) *What type of assistance does victim services offer?*

Victim services workers were asked, “*What kind of assistance does victim services offer when it comes to victims who deliver a VIS?*” followed by, “*What other kinds of services does victim services provide?*”

- a) **VIS.** Participants provided varying roles of VIS assistance such as explaining the VIS guidelines and purpose, providing victims with the VIS forms, aiding victims in completing the VIS forms, ensuring that the contents of the VIS are appropriate, and completing VIS forms.

“I think they [victims] find it difficult to express their emotions. And like I said before, we help them use different words to help them come up with their own ideas. Like, by showing them that we are there to help them drive their train of thought. It also shows that we're a safe place to help them to help in that, we're not judgmental when it comes to explaining their emotions of the crime.” (VSW 4)

CANADIAN VICTIM IMPACT STATEMENTS

- b) **Counselling.** VSWs also aid in counselling applications provided by the department of justice victim services or counselling from other organizations.

“We helped facilitate criminal injuries application. So, depending on if it's a compensable event, the victim or their family may be eligible for a certain amount of money for criminal injuries counselling, depending on what the offense is.” (VSW 6)

- c) **Court aid.** In terms of that type of assistance that victim services provide during the court process, types of support include accompanying victims to court, providing testimonial aids, assisting with testimony preparation, Crown meeting accompaniment, and aiding in video testimony preparation.

Other types of court assistance provided to victims included a court facility dog, child victim witness program, and designated witness areas. However, it is unknown whether these resources are available for all victims in various provinces.

- d) **Court updates.** The Department of Justice VSWs are responsible for providing court updates to victims.

“We can provide almost immediate updates to clients in real time as soon as that enters. So, it would be court updates if there's changes to orders. If an accused person goes in and makes a court date to conditional order for example, and if it was a domestic file, we'd be able to contact that victim and say, they're looking to change conditions.” (VSW 6)

- e) **Emotional support.** VSWs also stated that they provide emotional support to victims ranging from discussing, “*What's on their mind (VSW 4)*”, self-care methods, safety planning, healing circles, and emotional support in court.

“There's potential for us to attend healing circles or sentencing circles or things of a supportive nature with the victim, depending on what that looks like throughout the court process.” (VSW 6)

- f) **Emergency Protection Order (EPO) and Peace bond applications.** VSWs claimed that they also assist victims regarding their application for EPO and Peace bonds in cases where the victim needs protection from the accused.

CANADIAN VICTIM IMPACT STATEMENTS

- g) **Housing.** VSWs stated that they often aid victims to find housing in times where the victim may be displaced due to the crime.

“I had one client who had nowhere to go. So, I have to set her up to a place to stay and provide some clothing. She had nothing. So, things like that happen too.” (VSW 1)

- h) **Referrals.** VSWs stated that they provide referrals to other resources that victims may require within the community.

“We also talk about self-care and safety planning, and also provide resources to the community. Resources are available in the community such as counseling or if they wanted to speak to the Crown office.” (VSW 4)

“It could be as simple as providing referrals to other agencies in the community that people might not be aware of.” (VSW 6)

One VSW stated that they can only provide a referral to victims who had filed a report with the police.

“If I have, we call that a proactive referral. Let’s say that I have a referral from a victim who has not reported the crime. We can’t offer services, but we can redirect towards other community services. So, we still reach out.” (VSW 2)

- i) **Risk assessments.** VSWs also offer risk assessments to victims in order to determine which types of resources victims require.

“One of the other things, prevention within victim services does too, is we would do a Jacqueline Campbell Dangerous Assessments in domestic files if the ODARA came in at a seven or above, or if there was just a reason to feel that somebody was at risk. And so, the victim service officers would have the ability to designate that file as high risk, for domestic violence. If we were talking to a client who has been designated high risk, who we may have designated high risk or if you’re just in conversation and you feel that that might be something that somebody needs.” (VSW 6)

3) **Crime category levels.**

Several VSWs outlined a process that they must follow in terms of the types of assistance they can provide victims.

“The problem is victim services is so understaffed that they have this triage process where it depends on the type of offense and if you don’t fall into a Category 1 or whatever it is.

CANADIAN VICTIM IMPACT STATEMENTS

Category 1 people are victims. They get full support, and someone comes to court with them and sits down and talks with them.” (VSW 5)

a) **Category 1.**

“Domestic violence, those would be what we would consider high risk. It doesn't necessarily make the crime high risk. It means the victim could be high risk given the behaviors or the situation of the relationship.” (VSW 3)

b) **Category 2.**

“Category 2, they get a letter and an invitation from victim services if they want to reach out, but otherwise, that's it.” (VSW 3)

c) **Category 3.**

“And if it's a Category 3 type offense, well, they don't get anything.” (VSW 3)

The victim service worker did not further elaborate on types of Category 3 level crimes.

4) *How do victims learn about victim services?*

VSWs were asked, *“How do victims normally gain access to your services?”* VSW stated that victims learn or gain access to victim services mostly through referrals from the Crown, from the police or RCMP, directly from victim services or through self-referral.

“If there's a charge lead or there's something under investigation, we would receive referrals from, it could be self-referrals from the victim themselves, or a family member or another resource in the community. It could be the Crown. Or it could be police or RCMP, something of that matter.” (VSW 6)

One VSW stated that they also rely on word of mouth and advertising their services within the community.

“Sometimes I get referrals because people know me in this community, and I've been around a while. Like some people will come and find me.” (VSW 1)

However, a VSW also stated that some communities may be reluctant to accept assistance from victim services.

“We may go to [location name redacted] and even though we see it's a huge problem there, whenever we've done presentations to communities, nobody shows up. So, the

community buy in too. Some communities are in such denial that they don't want to deal with any of it.” (VSW 1)

5) How much time are victims given to write their VIS?

When VSWs were asked how much time victims were provided to write their statements, the responses seemed to vary. For example, some Crown attorneys prefer to receive the VIS as soon as possible.

“The Crown are pushing to have it done right away but they don't have any contact with the client until the day of court. Our court only comes here every six weeks, there can be up to three months that the court hasn't arrived here. I had a murder trial two years ago, a year and a half ago and it took two years to go to trial and it took another three months to get accepted.” (VSW 1)

Some VSWs prefer to receive VIS a couple of weeks prior to sentencing.

“We always try to get them [VIS] from our victims a couple of weeks out. Reason being is we want to review them. And so, if there are things outside the guideline, it gives us an opportunity to get in touch with the victim again and give them the option if they want to review it and tweak it in any way.” (VSW 3)

Some VSWs stated that sentencings could be adjourned if VIS were not received on time.

“I've often seen the judge hold things up because he wasn't sure if there was one or not [a VIS]. He would not proceed. Which was interesting, which is right.” (VSW 3)

6) Why do victims choose to deliver or not to deliver a VIS?

All VSWs were asked, “Based on your experience, why do victims choose not to provide a VIS?” followed by, “Do you often see victims choosing to deliver a VIS? Why do you think this is?”

VSWs provided elaborate responses as to why victims chose not to deliver a VIS, particularly why victims of domestic violence do not deliver VIS.

“I find that for domestic violence victims, a lot of them, they decide that they don't want the offender to know how much they've struggled. So, for them, it's showing weakness if they indicate how much they've impacted their lives, they already lost all the power, all the control. They want to get it back. They don't want to keep giving it away.” (VSW 2)

CANADIAN VICTIM IMPACT STATEMENTS

Similar to the responses that victims provided as to why they did not provide a VIS, VSWs also alluded to victim's privacy concerns.

"I think the most common reason is because it becomes a public document. They [victims] don't want that to file them because if it's a public document, anybody can get it. And the accused is given a copy to his defense lawyer." (VSW 3)

VSWs also stated that some victims may not be prepared to speak about their experience.

"Sometimes they don't want to fill it out [VIS] because they think they're not ready, which is understandable, and that they don't want to feel retraumatized by having to explain their emotions when it's still fresh." (VSW 4)

Lastly, VSWs also expressed the importance of making victims feel comfortable to speak about their experiences, which in turn can increase their likelihood of delivering a VIS.

"Having somebody to talk to, having somebody they're [victims] comfortable makes a big difference. I find that the more I work with an individual before court, the better chance I have of getting a statement from them." (VSW 1)

7) ***Are victims generally satisfied with the result of their case?***

VSWs were asked whether victims are generally satisfied with the results of their case.

Results were consistent across all participants groups, overall, VSW stated that victims are generally unhappy with the sentencing results due to the following reasons:

a) **No sentence will be long enough for victims.**

"Not normally, no. And so often it doesn't feel to the victim that the punishment fit what they've been through. And that's most often what we hear from people." (VSW 3)

b) **Victims have no input in the sentencing decisions.**

"What I see is victims upset when Courts make resolutions with the accused and defense, they have no input." (VSW 3)

CANADIAN VICTIM IMPACT STATEMENTS

c) **The court process takes too long.**

“There’s many people not satisfied as there would be. I think people don’t know what to expect in the criminal justice process. Some of the complaints we hear is it takes forever. Court dates keep getting moved.” (VSW 6)

d) **Unsatisfied with sentencing results.**

“From what I’ve seen when I’ve attended the court, I think it’s a hit or miss. When the victim gets what they want, they have a sense relief. But when they don’t, there’s anger. And I mean, there’s so much anger and grievance that some also continued to pursue on to get the outcome that they want.” (VSW 4)

Lawyers' Responses

1) *Professional and previous experience*

All lawyers were asked to provide detail of their law experience, including answering the following questions: “*How long have you been a lawyer?*”, “*What would you say the majority of cases do you deal with?*” and, “*What kind of law do you practice?*”

All lawyers practiced criminal law and some also practiced workplace safety, family law and criminal youth law. Years of law experience ranged from 2 years to 45 years.

2) *When should victims write their VIS?*

Defense lawyers were asked, “*From what I understand, victims may have written their statement within hours after the offence has occurred or as late as the morning of the sentencing. In your opinion, as a defence lawyer, what would be the optimal time in which victims should write their statements and why?*”

Five defense lawyers stated that VISs should be written after some time after the offense but not directly after the offense.

“If you see a statement that has been prepared virtually within hours of the offence, you could certainly review that very carefully because it’s going to likely allude or refer to a lot of facts, which are not in fact, facts in the case. But what the police are thinking happened at the particular time they prepared that statement. So, it seems to me that yes, the crime has a victim, but it should be dealt with in the later stages. When it can be done with the Crown and controlled mind.” (Defense lawyer 1)

Two defense lawyers stated that the optimal time to write a VIS depends on the case, the victim, and the type of offense.

“I can't really say from a defense lawyer perspective what would be better for my client, because, again, sometimes with time, people heal and sometimes with time, the scope of what's happened becomes clearer. So, I don't think I can really give a one size fits all to that.” (Defense lawyer 4)

3) Do Crown lawyers consider the victim's mental and physical wellbeing when it comes to VIS?

Crown lawyers were asked, *“Do you believe that Crown attorneys consider whether victims are mentally or physically capable of delivering a VIS?”*

- a) **No.** Three lawyers stated that victims choose to deliver a VIS but inform victims that it may be difficult to complete.

“I never do that. And I would never do that. And I don't think I can make that decision for someone else.” (Crown lawyer 7)

- b) **Yes.** On the contrary, a Crown lawyer stated that they do consider victim's mental wellbeing when notifying them about VISs. However, this may be due to the fact that the Crown lawyer worked for a court in which there was a greater emphasis on mental health and has prior experience on the field of mental health.

“Yeah, absolutely. Yeah, all the time... it's always forefront of my mind. I don't know if it would be the same for every Crown attorney, but I highly doubt it would be. But because that's my background, because I worked s as a psychologist as well, so I guess I'm more tuned in to that.” (Crown lawyer 6)

4) Does the relationship between the Crown and the victim change if they deliver a VIS?

Crown lawyers were asked, *“Do the interactions between the Crown and the victim change if the victim chooses to deliver a VIS or not?”* Two lawyers stated that their relationship with victims remain the same regardless of whether or not a VIS is delivered. One lawyer stated that they remain in touch with all victims regarding court updates and proceedings.

Interestingly, one lawyer stated that the onus lies on victim services when it comes to preparing VISs and therefore, forming a relationship with the victim often does not occur.

“I don't help anybody prepare a victim impact statement. Sometimes it's not long in advance, just maybe an hour or so before the trial. For larger things, certainly, we would meet well, prior to trial, sometimes more than once, depending on what the crime is. And

then you talk to them about their testimony and what you're expecting, maybe go over some questions, that sort of thing. But in terms of the writing of the victim impact statements, that no.” (Crown lawyer 7)

5) How much time are lawyers (Crown and defense) given to read over VIS?

When interviewing participants, multiple lawyers stated that they were not given a sufficient amount of time to examine VISs. To examine these statements further, lawyers were further asked, “*Approximately how much time are you provided to go over a VIS?*” and, “*Is this enough time in your opinion?*”

“I would say definitely the majority of the time we get the statement as the sentencing is starting. That depends. Sometimes the judge will just sit on the bench and read it right there and then wait for my client and I finish reading it in the courtroom while the judge is there waiting for us to finish. It’s fine if that’s how a judge wants to do it, because it’s my job to stand up and say, ‘we need a little more time’ or ‘we would like to go to this a private’. So as long as the clients are OK with it, I don’t necessarily mind that. And really, you don’t know until you see it, if there’s a problem, if there’s something you need to discuss or talk to the Crown attorney about as well. So as far as how much time, I guess a few minutes. But I mean, as much time as it takes to read it and decide. At first blush, if there is a reason to take a recess and give it further consideration.” (Defense lawyer 5)

“I don’t think it’s ideal. No, I think that it’s better to get it [VIS] sooner and read it over. There’s almost never objections taken and even when something makes it in that, you could arguably say it shouldn’t be in there, like a recommendation as to penalty for example. People don’t usually cause an adjournment. But certainly, having more time to deal with those kinds of issues would obviously be better.” (Crown lawyer 8)

Defense and Crown lawyers stated that they often receive VISs just prior to or even during sentencing. When asked whether they are given sufficient time to examine VISs, most lawyers stated that more time would be ideal, while other lawyers stated that it depended on the contents of the VIS. A defense lawyer stated that there were instances where the judge had to be stopped from reading the VIS as the contents of the VIS did not follow the guidelines outlined.

“Well it is depending upon what the offense is and the detail. Because at the stage the detail that is included, I have no opportunity whatsoever to determine the veracity of

CANADIAN VICTIM IMPACT STATEMENTS

what is being said. And it's all, from my perspective, from the defense point of view. At that particular stage, it's still all about my client being convicted and being sentenced and considering what evidence is relevant against her or him. And to have a judge say 'well, just get your client to read it over' that's hardly satisfactory." (Defense lawyer 1)

One Crown lawyer stated that they often receive VISs just prior to or the day of sentencing, however, this given timeline does not have an effect on the case because VISs provide no influence in sentencing.

"We get it on the day that we're in court, usually. We usually get it in court. Sometimes I'll get it from court administration earlier that day. They're not supposed to do that though. So, we don't have a lot of time to go through it. And it sounds terrible but that really doesn't matter because it really doesn't play into the decision making. I guess if it was going to influence the decision more, we might need more time. But the fact is, it really doesn't, so, it really doesn't make a difference." (Crown Lawyer 6)

6) Provincial vs. Supreme court findings

When speaking with lawyers regarding their experiences with VISs, differences emerged between lawyers who worked in the supreme courts and those who worked in the provincial courts.

"The main difference is how much time you have. Like if you're in supreme court, chances are you're there for one matter and one matter only. And you might be there for a few days or a few weeks. Whereas in provincial court, sometimes you can have that same phenomenon, but you can also have days when you have six or seven trials and there's less time in the day to speak with victims and that's the main difference." (Crown lawyer 8)

Judge's Responses

1) *What were the work histories of the judges?*

Judges were asked to provide detail of their previous and current legal experience. They were asked; “*How long have you been a judge?*”, “*What would you say the majority of cases do you deal with?*”, “*How long did you practice law before becoming a judge?*”, and “*What kind of law did you practice?*”.

The judges interviewed had practiced law for 7 to 23 years prior to becoming a judge. The range of time on the bench was between 9.5 and 33 years. All had practiced and presided over criminal law cases while some also presided over administrative law, civil litigation, and municipal bylaws.

2) *What kind of information do VIS provide?*

Judges were asked “*what kind of information do VIS provide?*” There were varying responses from two of the judges. One judge found VIS very useful:

“Well, primarily, as the name suggests, the impact the crime has had on the victim. And depending on who you were, what your life experiences have been, that can be very helpful. I can imagine what impact a crime against a 65-year-old white male might have. But I would have less of an idea about the impact on a mother, a female, a victim of sexual assault, a hate crime. Crimes that would be a little more challenging for me to relate to because of my life experiences. So, I think to be enormously helpful.” (Judge 1)

While another judge does not find VIS useful:

“I would find a lot of them actually quite annoying because people would just go on and on and in some cases, it sounded a lot like whining. And in other cases, it sounded like vindictiveness that I didn't want to pay any attention to. So, there were a lot of, well, not a lot, but I would say a good percentage of the victim impact statements that I listened to and then gave no weight to at all, because I thought it was just unnecessary complaining or it was unnecessary vindictiveness. When I reach either of those conclusions, I basically just sentenced in the same old way. I followed the precedents ‘This offense is this serious and this serious of an offense takes this penalty’, all of which I now think is absolute nonsense [VISs that sound like whining].” (Judge 2)

3) *How much weight do judges give VIS in relation to other factors related to sentencing?*

There were two differing responses from two of the judges:

a) *Impactful if they provide new information of victim’s experiences.*

“I think it all depends on how revealing it is. Vis-a-vis my world view. So, who I am. So, someone in my demographic, who’s the victim of a crime that I can relate to. The victim impact statement probably wouldn’t have much impact. Someone who is different from me, whose life experiences have been different. And for a crime that, I’m not familiar with vis-a-vis either knowing someone who would be that type of victim or whatever, I think those would be, if you put it on a scale or a continuum, those would be the ones that would be most impact.” (Judge 1)

b) *Impactful in providing the judge with information for similar cases with no VIS.*

“Well, there’s a lot of cases where I don’t have a victim impact statement filed. Right? So, if you think about it, if I have a similar offense, similar offenders, similar circumstances. And I have one where a victim has filed a victim impact statement, one where a victim has not filed the victim impact statement. The law would suggest that was regards to all the other purpose and principles of sentencing. These two people should probably receive the same type of sentence. So, what’s the value of the victim impact statement there.” (Judge 3)

4) *Do judges only accept VIS written in the provincial VIS form?*

As an additional question, one judge was asked whether they only accepted VISs using the specific VIS form. They stated that accepting a VIS with the incorrect VIS form would depend on the presiding judge.

“I am not a stickler for the form. Most victim impact statements that I received, and I would say, well into the 90% of them, there is the form that that has been prepared. And it’s been signed and dated, witnessed, on the form. But there are many, many occasions where attached to that form is the word document. Which allows them to express what they want to say in greater detail. I think it’s up to the judge.” (Judge 3)

5) *Why don’t victims submit a VIS?*

Judges were asked, *“Why do you think some victims do not submit a VIS?”* All three of the judges stated that they do not inquire as to why victims do not deliver a VIS, but their

CANADIAN VICTIM IMPACT STATEMENTS

speculations were similar with other participant groups. Judge provided reasons such as: victims not wanting to be involved with the court, victims not willing to discuss the events of the crime and avoiding the risk of traumatization.

“I'm speculating here because I've never actually asked people why they choose not to file victim impact statements. I think there's a lot of people who don't want to have any involvement in the courts. They don't want to be a victim. They don't want to be reminded that they were a victim. They just want to leave things alone.” (Judge 3)

Responses from Multiple Participant Groups

1) *How often are VIS submitted to court?*

Legal professionals were asked, “*How often would you say victims submit a VIS?*”

Responses varied from ‘frequently’ to ‘not as often’ and varied their responses according to the region in which the practice.

a) **Quite frequently.**

“We get victim impact statements quite frequently. But there’s a large number of cases where people choose not to file victim impact statements.” (Judge 3)

b) **Frequently.**

“But my own experience, I want to say, I’m going to say about 75% do a victim impact statement. I would think that number would be extremely high just from our workload. I think it would be awfully high. That’s my experience with file that I do. More sent them than not.” (VSW 3)

c) **Not as often.**

“I don’t see them often. And when I see them, I usually frown because they’re very prejudicial to my client’s interest. Once in a while I’ve seen one that I expected because I knew the offense, especially violent offenses were really serious, and I expected it and it gave me insight into the extended impact on victims.” (Defense lawyer 9)

2) *Which cases usually involve VIS?*

Legal professionals were asked which cases typically involve VISs. Several lawyers and judges stated that cases such as property damage, domestic violence, theft, and assault are the most common to contain VISs. While cases involving sexual assault and property offences involving large companies are the least common to contain a VIS. Moreover, some legal professionals also stated that domestic violence contained the most VISs while other legal professionals stated that they rarely contain VISs.

3) *Why kind of information is typically edited or redacted in VIS?*

All lawyers, judges, and VSWs were asked, “Which aspects of a VIS are typically edited by you, [a defense lawyer/a Crown lawyer/a judge]?”

- a) **Lawyers.** Some lawyers stated that they typically receive VIS, in advance while others receive them during the day of the sentencing. The opportunity to edit aspects of the VIS is dependent on the amount of time lawyers are given to look over them.

i. **Receive VIS in advance.**

“Well it actually gets specific because we all get a copy of the victim impact statement written in advanced. And we look at it. And I will edit it and give the judge and the Crown a copy of how I think the victim impact statement should be edited. And the court would look at it and do their own editing or reject the edits that I’ve suggested. And then hand it as edited to the victim and say, ‘this is what you’re going to read.’” (Defense lawyer 1)

ii. **Receive VIS the day of the sentencing.**

“I am mostly given VIS the day of the sentencing or during the sentencing. I only have about 3 minutes to read the statement and express concern in certain aspects. If it has material that could impact sentencing, the court could adjourn. When court resumes, it is most often the same defense attorney, but it may be a different Crown attorney.” (Lawyer 3)

- iii. **Trust the judge to disregard inappropriate contents.** Multiple lawyers have also stated that they rely on the judge to disregard aspects of VISs that do not comply with the guidelines.

“I do not redact or edit statements, I express concern in certain aspects of it. As a legal aid lawyer, I do not have time to redact or edit statements. I expect judges to consider and ignore what isn’t relevant or appropriate because provincial court volumes are so high. I have up to 8-10 cases on a given day.” (Defense lawyer 3)

- iv. **Types of information that are edited.** When asked which specific information are often edited from VISs, lawyers responded that information that are prejudicial, a new alleged fact, and information about an activity or event that is not being prosecuted on is often edited out.

CANADIAN VICTIM IMPACT STATEMENTS

“I think they often go outside of the scope of what they're supposed to say, to be honest, but when it's not totally detrimental to the case or where I don't feel like my obligation as a defense lawyer come into play usually, I'll just let it go, especially if it's not being read out loud. The vast majority of the time it's submitted directly to the judge. The judge is aware of what's appropriate and what's not. Unless I feel like I have an obligation to point it out. In that case, where it's very flagrant, I often err on the side of the judge, the judge knows what they can take from this account.” (Defense lawyer 4)

- b) **Judges.** Judges provided responses similar to the lawyers. Judges stated that they do not consider information that is inconsistent with the verdict or any comments on sentencing.

They also often rely on the Crown and the defense to identify inappropriate content.

“Well, information that would be inconsistent with the verdict [would be edited]. So, for instance, you might have convicted on this count of sexual assault and acquitted on another count of sexual assault with the same victim. You wouldn't allow facts on the acquittal. Typically, as I recall. Other than that, I don't recall a lot of editing, editorializing, being too rhetorical. I don't recall a lot of issues about editing. Maybe the Crown does a lot of editing as well.” (Judge 1)

“I would just say, oftentimes, you'd have to read between the lines, but the lawyers will often identify that these comments are not appropriate. And so, they'll say, ‘at the bottom of page two, the last paragraph, we would suggest if those comments are not appropriate’, I would say yes, I agree. I'll ignore those. And so that's all that happens.” (Judge 3)

- c) **VSWs.** VSWs stated that they often advise victims on the type information that could be deemed as inappropriate to the court. However, victims were free to take their advice or disregard it. VSW also stated that any information relating to prior criminal offenses are often edited but the type of content edited ultimately depends on the defense lawyer.

“It mostly happens with victims of domestic violence because they would want to reflect on the history of abuse. And unfortunately, you can only talk about the one offense that the person was found guilty or pled guilty to. It depends on the defense lawyer, to be honest.” (VSW 2)

4) What are the reactions of the accused while VIS are being read?

Lawyers, judges, and VSWs were also asked to describe the reaction of the accused as VISs were being read in court. Responses varied: participants stated that they had witnessed the accused look at the floor, show no emotion, or cry during the reading of VIS.

“So many of them show no reaction whatsoever to it. And it's really quite common that they show no reaction to it at all. A few of them might get angry or show emotion that way. It's really rare that any of them will show emotion in the sense of really understanding what the victim has written and how that made him or her feel.” (Defense lawyer 5)

“I know that young man cried through the whole speech. Then at the end, when the last one was read, he stood up when the judge asked him if he had anything to say and he stood up and he turned around and he faced that mother spoke to her directly. And that's the first time I've ever seen that.” (VSW 1)

5) Do victims face any barriers when delivering or completing a VIS?

Lawyers, judges, and VSW were asked, *“From your experience, do victims face any challenges when preparing or delivering VISs?”* Responses ranged from comments on the legal system to the type of services available for victims. In total, 19 varying responses regarding victim barriers were recorded.

a) Not being able to reach the victim.

“There are those people, that I miss just because the RCMP will provide me for a number and that's their partners number. Then I'm never going to reach them. Or if they come with no number and they're from a different community, unless I can work around that community to track them down. There are people that I miss because of that, just because it's really hard to track them down. A lot of people don't have phones.” (VSW 1)

b) Cultural differences.

“Because I dealt with a lot of native people and the native people, have what I understand... that the ethics of non-interference and non-criticism. And so, for a lot of the older native people who were victims of offenses, it was against their ethic to criticize even someone who was found to be guilty of a criminal offense. So, I don't think I dealt with as many of them in the rural areas where I sat because the native people would be asked, which was mandatory, and they'd say, ‘No, I don't want to.’ (VSW 2)

c) **Economic differences.**

“Although I worry sometimes that judges, they don’t come from the economic class where crimes are often committed. And some things just go right over their head in terms of people who live in violent domestic relationships, don’t have a lot of choice on where they are going to live and who their neighbours are. And the kind of people their neighbours are.” (Defense lawyer 1)

d) **Victim exhaustion.**

“I had an interesting circumstance a year and a half ago in doing a sentencing. And she [the victim] wrote a VIS really directed towards the male party and not the female party. And the male party pleaded guilty and there was an 8-page VIS by her and her mother about what a terrible fellow this was. And there was a lot of inadmissible stuff. So, we ended up not objecting, but I thought there was some exhaustion in the part of the victim in that case and you know ‘I went to the police, I gave them three statements over time, I had to move. I wrote up this VIS then I had to trial, and I testified for a week. And you want me to write another VIS. I’m not doing that.’” (Defense lawyer 2)

e) **Organizations failed to follow up with the victim.**

“There’s a lot of failure points along the system. So, if you just leave it to someone else, and then something doesn’t get faxed or something doesn’t get sent. We’ve had that, because our files are unique and they’re not the norm to what victim services deals with. We’ve had situations where they’ve sent a letter out, not gotten a response. And they’re like, ‘Oh, well’, you know. It just looks like it’s some weird offense. And so, I sort of feel like if everybody isn’t working actively to help everybody else, not only can we let the victim down, but we can let each other down.” (Crown lawyer 8)

f) **Fear of public speaking.**

“I think that had to do with, just shyness, public speaking is, it’s one of the most difficult things for people generally. So just the general inhibitions about speaking in public, getting up in the courtroom and then a lot of victims are embarrassed by the fact that they are a victim. People tend to blame themselves for the bad things that happen.” (Judge 2)

g) **Lack of education in part of the court.**

“They’re dismissed a lot because there are still a lot of prejudice. The judges refuse to get education on sexual assaults. There’s a lot of victim shaming, victim blaming by the court, by the system, by the process.” (VSW 2)

h) There are no automated programs that help organizations update one another.

“There's very little connections between the various systems. There's essentially not that many systems and it's very manual. And so, in a whole, in a fully manual system, someone has to make a referral, someone has to send a letter, and there's no real tracking of those steps beyond like a piece of paper in a file. The possibility of a communication failure is always present.” (Crown lawyer 8)

i) Constantly changing legal professionals.

“Every time there's a different Crown [per case]. Then some of them come with lots of experience and some of them come with no experience whatsoever. So that makes a big difference whether our victim impact statement is even possible.” (VSW 1)

j) The court process takes too long.

“The biggest complaint I think people have is that it takes a long time to get through the process. What I've witnessed is people seem to be thankful for victim services, that victim service officers for their help through the process, that they had someone to keep them updated as much as possible or help them with different things or referrals and stuff. But the process itself, I think people feel it takes a very long time.” (VSW 6)

k) Victims may have literacy difficulties.

“VIS tend to reward very articulate people. And so, if you can't articulate what was so damaging to your family, the court is not going to hear it even if you have the opportunity to provide a VIS. And, then even if you can articulate it, many of them, because many victims come from difficult economic circumstances and difficult educational circumstances, tend to provide impact that are kind of repetitive.” (Defense lawyer 1)

l) Victims are not provided with enough time to write a VIS.

“The only issue we have is sometimes the court will give us a week to contact [victims] and then that doesn't give us a lot of time. But that's on them, that's not on us. That's out of our control as well.” (VSW 2)

m) The Crown may fail to ask the victim about VIS.

“The Crown does not want to catch the blame for delaying the process. And if the only thing holding things up would be the victim impact statement, they may very well be looking for an excuse to just not have it stick to them. Because the judge is not going to hold them to it. The judge is not going to, or rarely, I think the judge is not going to force them to account for it instead if the Crown can fudge it. Basically, it seems like the duty is ethically on them [Crown] and just the court's not policing that. So, if the Crown says something, that covers, then of course not going to look for proof or evidence that they actually tried or not. There's plenty of those statements that might breeze by. So, it probably comes from a victim not really understanding of that right.” (Defense lawyer 9)

CANADIAN VICTIM IMPACT STATEMENTS

n) **Transportation issues.**

“If a victim has to come to court, then if it's in a different region than they have to bring them here. They have to pay for that. Judges are really hard pressed to slam anybody because we all can't afford to fly here [court]. And that's the only way to get here.” (VSW 1)

o) **Victims are limited to what they can include in their VIS.**

“They're [victims] not happy because they feel like every right goes to the accused. All the rights are the accused and that the victims have been left behind and that now they're being told what they can or can't say in a situation where I think they should have a right to say what they want. To say to this person who did something terrible to them.” (Crown lawyer 7)

p) **Victims are retraumatized.**

“We work on their [victims] healing because the justice system will never provide them what they need to have a sense of closure when they're on the stand. They are ripped apart. They are re-traumatized over and over again.” (VSW 2)

q) **Victims don't feel comfortable speaking to VSW over the phone.**

“Some people have expressed that they don't feel comfortable and talking about things over the phone and that they would rather see me in person. But there was really nothing that I can do to help them be available in person in the community since they don't have the resources for me to go out to the communities to meet them face to face.” (VSW 4)

r) **Victims are not fully aware of the Canadian justice system.**

“We have to lower expectations because unfortunately, people don't know the Canadian justice system. What they see on TV, what they think, it's not reality.” (VSW 2)

s) **There are no resources available for victims who do not report to the police.**

“If I have somebody call me and say I was sexually assaulted, I need to say, oh, I don't have a referral for you. I'm going to need to verify that information with the police, because if they don't confirm, then I can't provide you services because I can't just take your word for it.” (VSW 2)

6) *Whose responsibility is it to inform victims about VIS?*

All participants were asked, *“In your opinion, whose responsibility is it to inform victims about VIS?”* Responses varied as participants responded that the onus lies on victim services, the Crown, the police, all agencies involved, or whomever built rapport with the victim.

- a) **Victim services.** Eight participants stated that victim services are responsible to notify victims because they oversee VIS, aid victims in writing their VIS, provide the VIS forms, and one former lawyer said, *“The Crown has no time and it isn’t their job.”* (Defense lawyer 3)

“Yeah, in an ideal setting, I would say that should fall to victim services because that’s really within the role of what they’re expected to do.” (Defense lawyer 5)

“I’m sure that there’s other agencies that would talk about victim impact statements, but provincial victim services itself primarily oversees the victim impact statements.” (VSW 6)

- b) **Crown attorney.** Five participants stated that the Crown attorney is responsible for notifying victims about VISs because the judge typically asks the Crown if they had informed the victim about their right to submit a VIS. Moreover, the Crown spends the most time with the victim.

“I think we believe the Crown is required to ensure that that’s been done [notifying the victim]. Procedurally, I’m not sure. I don’t know if it’s victims services or the Crown or who goes through that.” (Defense lawyer 4)

“I think that the judiciary has a responsibility to make sure that victim impact statements have been canvased. Because victims, obviously have rights to file them. So, the judges will often say ‘There is a victim in this. Has victim impact statements been canvased?’. So, I think they have the responsibility. I think prosecution service has a responsibility to make sure that victims know of the opportunity.” (Crown lawyer 7)

- c) **The police.**

“I feel like maybe the police officer who took care of like, initially, when the police were called. I think they should have told me that there was an option because we basically just did like a statement and then I was sent on my way.” (Victim 11)

CANADIAN VICTIM IMPACT STATEMENTS

- d) **All agencies involved.** Three participants stated that the responsibility to ensure that victims are aware of VIS lies on all agencies who are involved in the case.

“I think there's no main responsibility. I believe all the stakeholders who work with victims have some sort of responsibility or like play a role in informing the victims about the impact statement. I think the RCMP, Crown, and I think victim services all play a role. So that the victims know what options are available to help them.” (VSW 4)

7) **What changes regarding VIS and victims do participants recommend?**

All participants were asked, *“In your opinion, what changes, if any, would you recommend regarding VIS?”* Participants provided 21 different suggestions:

- a) **Follow-up with the victim.**

“Contact the person better maybe, so they know exactly what's going on and why it's a big deal. I know I'm a really hard person to contact at that point because my phone got cut off, so maybe they did try to contact me, and I was just, uncontactable. But I would definitely try to contact someone better.” (Victim 11)

- b) **Change certain aspects of the VIS form.**

“We have a question, there's a box on the back [VIS form] and, that would be on the actual victim impact statement. I would so change that. There's a little box that says, 'I would like to present my statement in court'. People often tick that because they want this to go to court. The wording on that really should be looked at because we get that often. I would change that one little box to a little better wording.” (VSW 3)

- c) **Offer counselling to victims.**

“We should be offering people counseling or some sort of mental health support. We never got any of that. We had to do it on our own and I did it on my own.” (Victim 10)

- d) **Court education.**

“I would recommend for the courts to be educated on trauma. Trauma informed training is what the judge needs to make impartial decisions.” (VSW 2)

- e) **Accommodate for cultural and socio-economic differences.**

“We have to take into consideration the circumstances of Indigenous people. That's something that's a significant change and a positive change, in my view. And so that tells me that the more we know about the circumstances surrounding the sentencing, the better it is.” (Judge 1)

CANADIAN VICTIM IMPACT STATEMENTS

f) **Do not challenge VIS contents.**

“I don't understand why they [victims] can't stand up and give the same parameters to them and be able to stand up and give their statement. I think there would be a lot more people standing up and saying something. The only thing I would like to see is people being able to say their statements. Like they shouldn't be not allowed not to say something.” (VSW 1)

g) **Increase victim involvement.**

“I just think we need to rethink the involvement of victims. I really think we do, because the current victim impact statement does nothing. Yeah, it really doesn't do anything. And actually, to my mind, if I was a victim, I'd be insulted. You're asking for my opinion, but you're only asking for it, usually at the last minute, I'm not going to make much difference.” (Crown lawyer 6)

h) **A faster court process.**

“I'd like to see the court process be streamlined, that it could move quicker. If I was coming from a victim lens, I would probably be frustrated as well if things took as long as they did to get through a process and dates kept getting moving and stuff. In an ideal world, I'd like to see things happen in a way that the victim didn't feel like they were just kind of stuck.” (VSW 6)

i) **Keep the victim informed throughout the court process.**

“They could have explained the whole process or like, months down the road in some way I could have met with someone in person and talk to someone about these things. Because it's not the same when it's over the phone and you're talking to a disconnected person.” (Victim 1)

j) **Accompany victims to court.**

“As much as possible accompany victims who wish to prepare one [VIS] to make sure that the little bit of voice they do have, to at least go with that. And without it being shut down by the defense lawyer, because they do. They are they will do their job and they will rip it apart.” (VSW 2)

k) **Ensure that victims follow the VIS guidelines.**

“If someone, anyone had been able to sit down with the poor victim and explain to her that this [VIS] was not an opportunity to go into more detail than in the statement you gave to the police, which was the problem, she was she was giving details about the offense and what had occurred that evening that were not in the statement she had given to the police. And there was just clearly not appropriate to be in that form.” (Defense lawyer 5)

CANADIAN VICTIM IMPACT STATEMENTS

l) **Speak with victims face to face regarding the case.**

“I always wonder when that happens [victims are not informed about their case], what the victim must think of the process. Cause that's the reason to have victim impact statements was to allow victims to participate. To have them in the room and then because of lack of time, have things happen that they don't understand that make them think poorly of the process. It's like a double failure, but they're just to be let down again in person. So, I think having like more time face to face so people can know each other.” (Crown lawyer 8)

m) **More VSW training.**

“Victim services need training in order to guide victims through writing the statements and follow its procedure in terms of what can and cannot be included.” (Defense lawyer 3)

n) **Increase victim support.**

“There has to be something a little bit more easier for the victims because the victims were victims. And it almost seemed like the system was easier for the person who committed the crime versus the people who have been impacted by the crime. There should be a daily support there, whether the person there should be somebody in that courtroom for all families.” (Victim 10)

o) **Edit the guidelines and regulations.**

“I think I would like to see the guidelines tweaked a bit. When you have a victim that has been through, well, it doesn't matter what they've been through because victimization is, it's just that no matter what level. I think it would be the guidelines if there was just one thing, it would be the guidelines.” (VSW 3)

p) **Allow victims to write what they want.**

“I think they should really be able to say what they want. But I think a victim should be allowed to express themselves.” (VSW 3)

q) **Create new VIS delivery methods.**

“There's the option to do a drawing or a poem, but even that is scholarized. You have to sit down in a room, with a pencil on a piece of paper and you have to actually put something on a paper. And not everyone can do that and not going to have the confidence to do that. And not everyone understands the value of doing that or feel that they're worth doing that, I think.” (Defense lawyer 4)

r) **Receive VIS in advance.**

“One of the difficulties that I have is the timeliness of receiving the victim impact statement. If one can get it a week ahead of time or even three days ahead of time, you can do a methodical review and appropriate editing.” (Defense lawyer 1)

s) **Increase victim privacy.**

“I got stopped by the media and I was kind of like this, show me on TV crying. They showed me walking out. And then they asked me a question and I didn't even know that I answered the question, but I did. It was more overwhelming the second time around [delivering a VIS] almost wanting the victim impact statements can be done privately.” (Victim 10)

t) **A more victim-centric process.**

“There needs to be a more victim centric process. We're so concerned about the people doing the crimes and how they're treated that victims are lost in that. The people that have been harmed need to have help and support and feel like they have somebody representing them. And we didn't get any of that throughout the process. We need to help victims more because it was a really terrible experience for us.” (Victim 10)

u) **There are no changes needed.**

“I wouldn't want there to be anything special or too much [accommodations] because if we start doing too much, and then I think we start to lessen the right of the accused to be presumed innocent.” (Judge 3)

Discussion

Study 1 explored VISs through the personal and professional perspectives of victims, VSWs, and legal professionals. Through semi-structured interviews, the goal of the study was to bridge the gap in the literature pertaining to VIS, specifically on VIS experiences. The findings suggest that opinions, perspectives, and experiences of victims and professionals in the CJS vary widely between each participant group and between each participant.

Goal and Effects on Sentencing VIS

In study 1, participants were asked, ‘what is the goal of a VIS? Based on the information provided by the Department of Justice Canada (2017a), rules surrounding VIS include:

- *“The Court must take the statement into account when an offender is sentenced.”*
- *“The victim impact statement gives victims of crime a voice in the criminal justice system.”*
- *“It allows victims to take part in the sentencing of the offender by explaining to the Court and the offender, in their own words, how the crime has affected them.”*

When asked about the goals of a VIS, the majority of participants agreed that VISs provide victims with a voice in the CJS, allows victims to address the offender, and express to the judge how the crime has affected them. This was consistent with victim’s responses, as most stated that they submitted a VIS to address the offender and have their voices heard during sentencing.

Interestingly, the only participant group that mentioned that VISs influence sentencing were victims. Most, but not all legal professionals and VSWs believed that VISs do not affect sentencing. Some VSWs, lawyers, and judges even stated that VISs are not supposed to affect sentencing but is instead a vehicle to provide victims with a role in the CJS. Legal professionals

CANADIAN VICTIM IMPACT STATEMENTS

and VSWs questioned the fairness of VISs affecting sentencing because sentencing outcomes should not differ whether a VIS is present or not. A study by Du Mont and colleagues (2008) asked social workers directly assisting victims about the value of VISs. Similar to the perspectives of legal professionals, the social workers did not believe that VISs directly impacts sentencing. Further, the social workers stated that some victims felt like VISs made a 'mockery out of the whole thing [the victim's experience]', is there to pay 'lip service to the victim's experiences' and was more 'cathartic' rather than impactful to the court. These results can indicate that other professionals directly working with victims (not included in the study) have similar perspectives. Given these results, it can indicate that VISs may have no effect on sentencing and is exists just to provide victims with a transparent voice. However, the study was conducted prior to the 2015 Victim Bill of Rights and social worker's perspectives may have changed in the past 13 years.

As established during the interviews, there may also be many reasons why victims do not deliver a VIS, one of which could be barriers that prevent victims from delivering a VIS. A study by Roberts (2015) discovered that it is often difficult to contact victims, and sentencing may proceed without the court knowing whether the victim was notified about their right to deliver a statement. However, it is now mandatory for judges to ask whether the victim has been notified of their rights. On the contrary, some victims are notified via mail and may not have received this notification. Roberts (2015) also found that victims are not provided with enough assistance during the court process. For example, some victims face literacy difficulties with VIS-related materials, are not provided enough time to prepare their statements, and lack knowledge or trust with the CJS.

CANADIAN VICTIM IMPACT STATEMENTS

Moreover, as legal professionals stated during the interviews, individuals who submit a VIS often have the means, time, and SES to do so. This raises the question of whether VISs affecting sentencing is fair to specific populations. Additional research is required to examine further what other legal professionals think about the fairness of VISs. However, American studies suggest that juries are more likely to sentence offenders to death when victims submit a VIS and are of higher SES (Schweitzer et al., 2017). Although juries do not decide sentencings in the Canadian CJS, the study suggests that victim demographics can influence sentencing decisions. Further research is required to examine whether victim demographics can influence judges' sentencing decisions and whether VIS submissions differ according to demographics.

Victims

The interviewed victims had varying experiences in all aspects of the VIS process (reporting the offence, accessing the VIS forms, writing the VIS, and delivering the VIS). For example, some victims felt supported by victim services, the police, and the Crown. Other victims felt unheard and unsupported by everyone involved in their case. Victims who felt overlooked often provided this reason as to why they had submitted a VIS. These victims wanted to, "*take back some control*" and offset the feeling of, "*...getting lost in the process.*" Further, most victims who felt unheard, provided the same reason for participating in the study.

Victims who felt supported by victim services and other organizations may have been more willing to submit a VIS knowing that they had support behind them. One victim stated that VSWs had encouraged them to write their thoughts and emotions down on paper, prepare their VIS, provided transportation to and from the court, and had an overall positive experience with the CJS. On the other hand, when victims who did not submit a VIS were asked, "Under what circumstances would you have delivered a VIS?", a few stated that if given the support and

CANADIAN VICTIM IMPACT STATEMENTS

information they required, they would have provided a VIS during the time of the sentencing. A study by the Department of Justice (2015) interviewed 112 victims regarding their experience with the CJS. Approximately 30 percent of victims stated that the authorities were helpful, while 14% found that the police lacked sensitivity. Moreover, 17% of victims found that the CJS did not treat them with respect, while a few victims felt judged due to their race and occupation. The responses from the Department of Justice study were similar to the current study, suggesting that victims have similar experiences.

Interestingly, most victims stated that they read their statements out loud. These results did not align with other findings, which stated only about 2-18% of all Canadian VISs are read out loud by the victim (Department of Justice, 2015b). When legal professionals and VSWs were asked whether delivering a VIS orally or in writing makes a difference in sentencing decisions. All legal professionals stated that reading a VIS out loud can have a more significant emotional impact. Participants provided reasons such as: it would be difficult to ignore the content of the VIS if it is presented in court, hearing from the victim can be impactful to the court, and it may provide victims with the closure they seek. Most victims who decided not to deliver a VIS, however, stated that they were afraid of public speaking, or were afraid of retaliation from the offender's friends and family members. Moreover, research has found that fear of retaliation, particularly amongst younger individuals, may also prevent them from reporting and cooperating with law officials (Papp et al., 2017). The fear of public speaking and victims' fear of retribution was also brought up by legal professionals and VSWs when discussing why some victims decide not to deliver a VIS. The fear of retribution may be due to VISs becoming public record, meaning that anyone can access the victim's information and statement through the prothonotary office. Victims who did not submit a VIS stated that in hindsight, they would have submitted a

CANADIAN VICTIM IMPACT STATEMENTS

VIS if they were provided with more support and if their statements do not become a public record. Moreover, it is important to note that according to the Victim Bill of Rights, protecting victims and witnesses from intimidation and retaliation is the responsibility of the police (Government of Canada, 2020). Therefore, victims and witnesses should be protected by the police, however, the Government of Canada (2020) states that there is little information regarding police interactions and minority groups.

VSWs

According to the Federal Ombudsman for Victims of Crime (2007), police-based victim services, “*may provide information, support, assistance, referral, and court orientation to victims of crime*” (p. 3). Moreover, court-based victim services “*provide support for people who have become involved in the criminal justice process as either victims or witnesses*” (Federal Ombudsman for Victims of Crime, 2007, p. 3). The VSWs interviewed stated that they conduct various roles which includes providing emotional support, producing referrals, VIS assistance, court aids, and court support. In 2012, the majority of duties conducted by victim services was protection (92%), crisis intervention (90%), court assistance (89%), and general support (90%; Allen, 2014). Moreover, based on the Federal Ombudsman’s definitions for Victims of Crime, all crime victims can access their services. However, based on the VSWs interviewed, not all crime victims can access the resources from victim services. For example, two VSWs stated that individuals from rural communities might not have the ability to travel to the local victim services office to meet with VSWs in person, and many victims are uncomfortable speaking over the phone.

During the interviews with the VSWs, the topic of crime categories arose. According to the VSWs, crime category levels determine the type of assistance victims receive from victim

CANADIAN VICTIM IMPACT STATEMENTS

services. Category 1 involves high-risk crimes such as domestic violence, in which victims receive the most assistance. These include risk assessments, referrals, and any other type of support victims may require. VSWs did not specify the type of crime that would fall on category 2, but they stated that victims receive a letter inviting them to contact their local victim services. Lastly, category three victims do not receive any support, though it is unknown which types of crimes fall into category 3. While it can be understood that category one victims may require more assistance, the Canadian Resource Centre for Victims of Crime (2005) stated that crime affects individuals differently, and its impact can depend on previous trauma that the victim has experienced (Widom et al., 2008). This could indicate that a category 3 victim may require the same amount of assistance as a category 1 victim, due to previous trauma and previous experiences of victimization. According to the crime category levels, however, the category 3 victim would receive no assistance from victim services. The question lies in whether this method is fair to victims who do not meet the category 1 or 2 qualifications. Interestingly, when VSWs were interviewed by Allen (2014), 65% stated that they were not instructed to serve specific types of victims and offered services to all. VSWs who were instructed to target specific types of victims mostly served victims of sexual assault (31%), child sexual abuse (31%), intimate partner violence (27%), and general domestic violence (23%). These statistics, however, were collected nine years ago, and protocols may have changed. When VSWs, victims, and legal professionals were interviewed for the current study, most stated that victim services locations are often understaffed and underfunded. There may be a limited number of VSWs to sufficiently aid every victim who may require assistance. A practical solution for this limitation is for the provincial government to funnel more funding into victim services to hire more VSWs. Unfortunately, program funds can be limited, and this solution may result in other

CANADIAN VICTIM IMPACT STATEMENTS

essential resources losing funding. Allen (2014) reports that \$161 million was spent in 2014 towards services for victims across the country. In comparison, corrections services spent \$4.6 billion in the same year and approximately \$115,00 is spent on each inmate annually (The John Howard Society of Canada, 2018). Though the correctional services of Canada may require more funding overall, the disparity in funding can indicate that victims are not as much of a priority.

When discussing the roles that VSWs play regarding VISs, all VSWs stated that they often meet with victims in person and assist them in outlining the purpose of VIS, types of information to include in a VIS, and facilitate in writing the VIS (for victims who require it). When asked whether VSWs review VISs submitted to the court, most VSWs stated that they submit VISs for the victims and advise victims on aspects that the court may not accept. While VSWs advise victims to edit certain elements of their VISs, victims can decide to disregard these suggestions. It is important to note, however, that VSWs rarely witness victims rejecting their suggestions. When defence lawyers were interviewed, most stated that VISs often contain information that does not follow the guidelines. Moreover, past studies interviewed defense and Crown lawyers (Roberts, 2015), and found that extraneous material on VISs was the most important issue with VISs. These contradicting findings raise questions of why the lawyers often see inadmissible VISs in court, while VSWs state that they often proofread the statements before submission. However, all the lawyers interviewed practice in Halifax, NS, while the VSWs work in various areas throughout Canada. This can explain the contradicting findings as victim services in different regions may have other protocols.

Lawyers

Interviews with Crown lawyers provided a different viewpoint of the relationship between the Crown, the victim, and the Crown's role during the sentencing process. Most of the

CANADIAN VICTIM IMPACT STATEMENTS

Crown lawyers interviewed stated that they do not consider the victim's mental and physical well-being when informing them about VISs. One Crown lawyer said that it is not their duty to decide whether a victim should submit a VIS because all victims have the right to deliver one. However, one lawyer did state that they always consider the victim's well-being due to their mental health background. Moreover, the Crown lawyers stated that their relationship with the victim does not change whether the victim submits a VIS or not. The lawyers further explained that they do not aid with VIS preparation and often do not meet with the victim until an hour before the trial (or a few days before the trial for more egregious crimes). When further examining the role of Crown lawyers, Kannanayakal (2020) stated that the Crown serves the best interest of the community and is not responsible for the police, the victim, and the accused. Therefore, the onus of considering the victim's well-being is placed on victim services. Some participants, however, stated that not all victims are contacted by victim services. If victim services fail to contact a victim and the Crown lawyer does not consider the victim's well-being, it can suggest that victims are not considered during the CJS process. However, court relationships and experiences may be influenced by the court location, the Crown lawyer, and the victim.

One significant finding from the defence and Crown lawyer interviews is the difference between provincial and supreme courts. The majority of the lawyers interviewed practiced in the Nova Scotia provincial court. The provincial court lawyers detailed their experiences regarding VISs, which is different from lawyers who practice in the supreme court. First, provincial court lawyers (Crown and defense) have approximately 6-7 cases per day and hundreds per year. One legal aid lawyer stated that they defend 300 cases per year and had 230 open files during the interview (Defense Lawyer 3). The landmark ruling in the *R v. Jordan* (2016) case also created a

CANADIAN VICTIM IMPACT STATEMENTS

presumptive ceiling for provincial court hearings for cases with no injury to take less than 18 months from charges to trial. Moreover, Statistics Canada (2020) reports that 80% of provincial cases in 2018 are less than one year old. The interviewed lawyers also stated that the quick pace of provincial court often prevents them from meeting with victims before sentencing, which could explain why lawyers rely on victim services heavily when it comes to assisting victims. Lawyers also expressed concern regarding the VIS vetting process and questioned the efficiency of victim services during the VIS vetting process. When speaking with victims and VSWs, they stated that nearly all VISs are vetted, but some can fall through the cracks due to multiple factors. These factors can include an understaffed victim services office, lack of communication between the victim and the VSW, and the location of the victim services office relative to the victim.

Interestingly, the British Columbia Victim Service Worker Handbook (2009) explains that VSWs can aid victims in writing and preparing their VISs. However, it does not state that VSWs must examine and vet all submitted VISs, suggesting that vetting VISs may not be protocol at some victim services locations. Moreover, victims are also free to disregard the suggestion of VSWs and choose to submit a VIS on their terms, which can be perceived as VSWs not aiding in the VIS preparation. Although the provincial court lawyers stated that they could not provide the attention necessary to aid in VIS preparation, VSWs are tasked and trained to do so. While VSWs argue that they assess all VISs, the victim services of Waterloo (2019) stated that victims can submit their forms through the courts or the crown. Despite the work of provincial lawyers and VSWs, the unclear rules of the various organizations could allow for victims to fall through the cracks and receive no assistance.

CANADIAN VICTIM IMPACT STATEMENTS

The findings also showed that provincial court lawyers do not receive copies of the VIS before the sentencing date. Most lawyers stated that they first read over VISs during sentencing and are only given a few minutes to read its contents. The lawyers also said that they depend on the judge to disregard VIS contents that do not align with the guidelines. Interestingly, some defence lawyers stated that they were more likely to ask for a court adjournment and dispute the VIS contents if it did not follow the guidelines and if the victim reads the statement aloud. When the defence lawyers were probed further, they stated that VISs become part of the trial transcripts and are therefore more cautious of what the victim reads. When questioned, all the provincial court lawyers stated that they would like to be given more time to read over VISs, receive VISs prior to sentencing, and meet with the victims (in the case of Crown lawyers). While this may provide lawyers additional time to review VISs, it also burdens the already busy crown lawyers. Therefore, the amount of time a case is in the court system may be extended, which can conflict with the *R v. Jordan* (2016) ruling. Moreover, providing VISs to lawyers in advance can limit the time victims can submit their VISs and provide an additional barrier when victims choose to submit a VIS at the last minute. Therefore, while providing lawyers with VISs in advance would lead to fewer court adjournments, it creates additional pitfalls in the court system, thus making it difficult to achieve in the current justice system.

The two supreme court lawyers interviewed stated that they do not attend court as often as provincial court lawyers and often work on the same cases for long periods of time. For example, one victim's supreme court case lasted for ten years, with the same Crown lawyer during the case's entirety. In contrast, provincial court lawyers stated that if the court adjourns, it is not guaranteed that the same Crown lawyer will be present when sentencing continues. Though the lawyers interviewed indicated that their relationships do not change whether victims

CANADIAN VICTIM IMPACT STATEMENTS

submit a VIS or not, six of the lawyers ($n = 9$) practice in provincial court. The two supreme court lawyers were not asked the question. Future research should involve more supreme court lawyers to further understand the differences between provincial and supreme courts.

Judges

The three judges interviewed had differing views and knowledge regarding VISs. First, the retired judges presided over their court before the enforcement of VISs and briefly after the 2015 VIS reforms. These judges provided interesting insight concerning the evolution of VISs. The judges stated that victims had no role in the CJS other than as witnesses, and the introduction of VISs was not accepted openly. Over the years, however, the CJS slowly accepted VISs, and victims started to play a more important role in sentencing. One judge stated that changes in the CJS take time to develop, and VISs may require more time to understand and be immersed in the sentencing procedure fully. My question lies in whether these changes are too slow and should be done as soon as possible. Research suggests that the judge's response was consistent with the VIS timeline. According to the Canadian Resource Centre for Victims of Crime (2015), the victim's rights movement provided victims with a voice, which led to the introduction of VISs. Prior to the movement, victims were provided with no say during the court process. However, when the Department of Justice (2015) interviewed sitting judges ($n = 110$), they stated that the introduction of VISs has made it difficult to balance the court's responsibility to the victim, the accused, and to society.

When asked what kind of information VISs provide, the judges' opinions also differed. One judge stated that VISs could provide them with information from a different demographic that they may not relate to. Interestingly, VSWs and lawyers mentioned that some judges might not relate to the victim's circumstances and, therefore, disregard VISs. When looking at the

CANADIAN VICTIM IMPACT STATEMENTS

statistics, 52% of police-reported victims are female, racial minorities, and are of lower socioeconomic status (Statistics Canada, 2016b). On the contrary, a Policy Options article by Andrew Griffith (2016) stated that women and visible minorities are underrepresented among federal and provincial appointed judges in Canada. Though judges are meant to be impartial decision-makers, the theory of judicial bias does exist (Mahoney, 2015). Research suggests that judicial bias can lead to unequal interests in a case outcome, a tentative view on a particular issue, a predisposition, and emotionality in some instances (Dahlstrom, 2016). Future research should examine the relationship between sentencing decisions, victim demographics, judges' demographics, and judicial bias to gain further insight into judicial bias.

When judges were asked what kind of information VISs provides, one judge stated that while VISs do not influence sentencing, it provides information about the impact that the crime has had on the victim. The judge then utilizes information from VISs to understand what other victims in similar cases go through (when there is no VIS present). Therefore, rather than each VIS directly impacting sentencing, the judge stated that VISs allow them to expand their knowledge of the victim's circumstances. However, all the judges interviewed noted that some victims use VISs as an opportunity to say negative statements towards the offender, their opinions towards others, or comments that do not follow the VIS guidelines. The judges stated that they do not look favourably towards these types of VIS and may therefore disregard the VIS entirely. If judges disregard VISs that do not follow the VIS guidelines, it is imperative to ensure that VISs are within the guidelines, so that victim's voices are better heard.

When the judges were asked why victims do not submit a VIS, they were unsure about the process of submitting and completing a VIS. One judge stated that a VIS is included in case files, but they were unaware of the VIS submission process. This could indicate that judges may

be unaware of the barriers that victims face when submitting a VIS. The question lies as to whether judges should be educated about the VIS process. Should judges understand the difficulties that victims can come across in the CJS? Should judges understand the victim's circumstances, or will it affect their impartiality? Future research should include these questions during interviews with judges, lawyers, and VSW.

Responsibility to inform victims about VIS

When all participant groups were asked "*whose responsibility is it to inform victims about VIS?*", there appeared to be some contention with the responses. First, the 2015 Victim Bill of Rights has made it mandatory for victims to be informed of their right to submit a VIS, and judges must ask whether the victim has been informed of their rights (Department of Justice, 2017a). Legally, this places the onus on the Crown, however, many Crown lawyers stated that they often do not meet with the victim until the day of sentencing. Moreover, some Crown lawyers said that they rely on victim services to reach out to victims regarding VISs. Some defence lawyers stated that there had been occasions where the Crown lawyer has failed to inform victims, resulting in the case being adjourned (until the victim has been contacted). Can this result in victims feeling pressured to decide promptly? Should victims be given more time to decide?

Interestingly, one defence lawyer stated their suspicions about some Crown attorneys failing to contact the victim but are unwilling to adjourn the court. The defense lawyer suspects that Crown lawyers may then lie and say that the victim had been informed. The same defence lawyer also stated that there are no regulations set in place that ensure that Crown attorneys are held accountable in informing victims about VISs. Additionally, some victims relied on police

CANADIAN VICTIM IMPACT STATEMENTS

officers, victim services, and the Crown to outline the CJS process, VISs, and other resources available.

The varying responses between the participant groups may result in some victims falling through the cracks. One Crown lawyer stated that there are no joint systems for Crown attorneys and victim services to inform each other about VISs and the victim. Future research should delve deeper into these findings to determine whether a lack of communication between the Crown and victim services exists in other jurisdictions in Canada. If the results are consistent across provinces, communication between the agencies can be a point of limitation in the CJS process.

Barriers

One of the critical questions in this study was whether victims face any barriers when delivering VISs or proceeding through the CJS. It is essential to accumulate all the participant groups' perspectives as each group has unique experiences and perspectives on VISs. Overall, participants highlighted 19 different barriers that can prevent victims from submitting a VIS. I separated these barriers into three categories: barriers within the court system, barriers within organizations (police, victim services, the Crown, etc.), and victim-specific barriers.

Barriers within the court system. According to my findings, the court process can discourage or make it more difficult for victims' voices to be heard. A few VSWs stated that the court (specifically the judge, the Crown, and the defence) often lacks knowledge of certain kinds of victimization. One VSW indicated that they had witnessed victim-shaming in court, especially during sexual assault cases. For example, a highly publicized sexual assault case of *R v. Wagar* (2017) involved Justice Robin Camp informing the victim that she should “*just keep your knees together*” and asked the victim why “*she allowed the sex to happen if she didn't want it*”. While this case led to the removal of Justice Camp, the judicial council highlighted the existence of pre-

CANADIAN VICTIM IMPACT STATEMENTS

existing stereotypes and victim-blaming tendencies, even within those who are meant to be impartial (Paperny, 2017). Given the idea that judges and lawyers may have preconceived notions and biases about certain types of crimes, it's reasonable to be concerned about the fair treatment of victims.

In the current study, multiple VSWs stated that victims are 'broken down' in court, retraumatized, and their statements are questioned. Research shows that governments often lack the proper measures to support victims throughout the court and recovery process (Ellison & Munro, 2016). Furthermore, involving victims in the judicial process puts them at risk of retraumatization as the justice system was not designed with the victim's best interest in mind (Ciorciari et al., 2011). While it can be argued that challenging the VISs ensures that the victim's portrayal of the events are credible, it can create more suffering for the victim. Research should further examine the effects of questioning victims in court and how lawyers, judges, VSWs and victims view victim cross-examination.

Lawyers and VSWs have pointed out that victims may suffer from exhaustion throughout the court process. A Department of Justice Canada study (2003) showed that the lengthy CJS process (from reporting the crime to sentencing decisions) is a significant barrier to victims and often leads to exhaustion and burnout. For example, one victim's case lasted for ten years, submitted 2 VISs (as there were two offenders), underwent two trials, and had very different experiences during the trials. The victim stated that they were constantly reminded of the crime and felt like they could not leave it behind for ten years. The publicity surrounding the case had resulted in the victim's image and name being published, leading to a fear of retribution.

When victims were asked why they did not submit a VIS, most stated that they did not want to be involved in the CJS process, wanted to leave the crime behind, or were afraid of

repercussions from the offender's family. Given the research and the study's results, it can be argued that victims experience multiple barriers, and according to Department of Justice (2001), the lengthy court process can discourage victims from either reporting the crime or further participating in court.

In contrast, the fast-paced provincial court environment can lead to frequent changes in legal professionals. For example, if the court is adjourned, a different Crown lawyer may take over the case once the court resumes. It's reasonable to be concerned that changing the legal professionals makes for inefficient communication between the victims and the Crown. VSWs confirmed the difficulty of having a good working relationship with Crown attorneys because they were often replaced. This resulted in VSWs being less able to advocate for victims.

When examining the Crown Counsel Act of 1996 (Government of British Columbia, 1996), it states that a Crown counsel has to "*examine all relevant information and documents*", "*supervise prosecutions of offences*" and "*exercise careful judgement in presenting the case, deciding the witness to call, and what evidence to tender*" (Government of British Columbia, 1996). Interestingly, the Act does not mention the Crown attorney's duty in aiding victims, aside from 'interviewing the witness'. Therefore, Crown attorneys who stated that considering the victim's wellbeing "*is not part of their job*" seem to be correct in thinking this way.

Barriers within the varying organizations. During the interviews, legal professionals and VSWs claimed that no program exists that allows VSWs and Crown lawyers to communicate. One Crown lawyer stated that they must personally call victim services to determine whether victims are aware of their right to submit a VIS but often do not because they have 'no time.' Moreover, the Crown stated that victim services often assume that the victim had been notified by the Crown and vice versa, resulting in the victim not being contacted. Though the Victim Bill

CANADIAN VICTIM IMPACT STATEMENTS

of Rights (2015) legally requires victims to be notified of their right to deliver a VIS, one defence lawyer stated that notification is often unregulated. The question lies as to whether Crown lawyers forgo notifying victims but claim to the judge that the victim has been notified.

There appears to be some disagreement in the length of time victims are given to write their VIS. One VSW stated that they prefer to receive copies of VISs a few weeks before sentencing to allow adequate editing time. Some VSWs noted that victims are provided with a VIS submission deadline, while others claim that victims are not provided with sufficient time to write their VIS. However, one defence lawyer stated that sentencing was adjourned three times because the victim had failed to submit their VIS before the deadline. This suggests that victims are given no deadline for some cases, and sentencing will be adjourned until a VIS is submitted. However, some court cases proceed if victims do not submit their VIS before the deadline and are not provided with another opportunity to submit. When the Department of Justice (2015) asked victims ($n = 65$) when they had submitted their VIS, 40% stated just prior to the trial, 15% submitted after the conviction, 14% during the trial, and 12% after the arrest. Given these conflicting results, more research needs to be conducted to further understand the regulations set in place for VIS deadlines and submission guidelines.

Barriers that are specific to certain victims. The victim's specific circumstances may prevent them from engaging with victim services, accessing resources, or submitting a VIS. First, VSWs stated that it could be challenging to contact the victim because the police may not record the victim's contact information. Victims may also provide inaccurate contact information, or victims may not have access to a telephone or the internet. For example, one victim stated that victim services did not contact them due to their specific circumstance. The victim had also become homeless and did not have access to a telephone. In terms of

CANADIAN VICTIM IMPACT STATEMENTS

accessibility, some victims may not have access to a vehicle or reside in rural areas with no public transportation. Individuals living in rural communities may require transportation to their local victim services office, access the local resources, or attend court. A VSW stated that victims often refuse victim services assistance because victims feel uncomfortable speaking over the phone. However, some victims may not have the ability to meet with VSWs in person as they reside far away from the local victim services office. Additionally, multiple VSWs and legal professionals stated that Indigenous populations might be hesitant to accept assistance due to an extended history of conflict. When victims ($n = 318$) were interviewed by the Department of Justice (2015) regarding the type of crime they face when accessing victim services resources, 54% faced language barriers, 43% financial barriers, 35% felt that their cultural needs were not met, 29% could not access victim services because of their rural location, 26% felt that their gender needs were not met, and 21% experienced physical barriers due to their disabilities.

When reviewing the research, a study of 760 victim services office in Canada (Statistics Canada, 2014) found that only 28% of victim services had programs specific to an Indigenous population, and only 5% of the offices were located in reservations. Moreover, 76% of the offices were located in areas with more than 1,000 residents. It is important to note that the study was conducted in 2012, and programming may have changed over the past eight years.

Other individual differences that could prevent victims from submitting a VIS include differences in SES, literacy, and culture. As stated, individuals who submit VISs are often Caucasian and are of higher SES (Department of Justice, 2015). Multiple lawyers said that powerful VISs are often written by individuals with time to “*sit down and write an impactful statement.*” The lawyers also stated that VISs could have more impact if they are less repetitive and more detailed. Interestingly, a Statistics Canada (2014) study found that 75% ($n = 119$) of

the judges found that VISs contained relevant information. Moreover, 75% of the Crown counsels believe that VISs contain useful information during sentencing (Statistics Canada, 2014). The Statistics Canada study (2014) suggest that VISs may have more impact and provide more valuable information than my study's findings suggest.

Participants' Recommendation Changes

When all participants were asked to recommend changes in the VIS process, there were 21 different recommendations. I separated the recommendations into three categories: changes within the court system, additional training for VSWs, and changes in the VIS form and process.

Changes within the court system. Participants suggested that educating the court on the impact of victimization, a faster court process, and meeting with the victim before the trial/sentencing will improve the court process for victims. While these recommendations would benefit the victims, they can also create barriers within the court system. For example, a faster court process could result in lawyers receiving more cases and victims having less time to write their VISs. Additionally, meeting with victims prior to the sentencing adds tasks to the crown lawyers, potentially delaying the sentencing and court process. Finally, it would be difficult to accommodate all the suggestions within the court system, and as a judge mentioned, changes in the court system are slow and susceptible to resistance.

Multiple participants stated that victims should be informed throughout the court process and any changes in the case. It is important to note that the Department of Justice Victim Services should notify victims of any case developments (Ministry of Public Safety and Solicitor General, 2009). Moreover, multiple victims claimed that victim services had called them regarding sentencing decisions and court dates.

CANADIAN VICTIM IMPACT STATEMENTS

The Department of Justice (2015) asked VSWs ($n = 318$) if victims received substantial information regarding the different processes of a case. VSWs agreed that victims receive updates on conditions of release, date and location of court proceedings, laid charges, VISs, the case's outcome, the CJS process, victim services, and community services. Moreover, most Crown attorneys ($n = 188$) agreed that victims receive adequate information about bail decisions, conditions of release, date and location of court proceedings, laid charges, dropped charges, VISs, restitution, case outcome, and victim services (Department of Justice, 2015). While some victims stated that they received no court updates from any organization, the Department of Justice study suggests that between victim services and the Crown attorney, victims are updated and informed in all aspects of the CJSs. While these studies suggest that victims are regularly updated throughout the court process, most of the victims I interviewed stated that they had no contact with victim services or were unaware of the court process altogether. One can argue that the sample for both studies is biased as crown attorneys and VSWs may believe that they are adequately informing victims with new information, but it may not be sufficient for the victim. Oppositely, the victims interviewed in my study largely had negative experiences with VISs, and research shows that individuals are more likely to share their negative experiences than positive ones (Marketing Charts, 2013). Therefore, the sample may have been concentrated with victims who were unhappy with the assistance they received because they wanted to express their negative experiences.

Additional training for VSWs. When VSWs were asked to explain their work experience and educational background, most VSWs had experience working with victims and had a social work background. The study did not ask what kind of training VSWs receive. However, I worked as a VSW and received training through victim services with the Halifax

CANADIAN VICTIM IMPACT STATEMENTS

Regional Police (HRP). Based on my experience, training lasted over one weekend and topics of discussion included sexual violence, physical violence, intimate partner violence, suicide, bereavement, and elder abuse.

Moreover, new VSWs were expected to ‘learn as you go’; however, this may depend on how willing and how much effort VSWs place into learning through experience. Often, I had to ask experienced VSWs for assistance, and multiple VSWs expressed that more training for new employees would be ideal. However, this example only applies to VSWs who work with the Halifax Regional Police victim services. It is important to note that the comments regarding victim services training with the HRP are from my personal experience as a former victim services employee. When examining the training protocol for the VSWs in Stormont, Dundas, Glengarry and Akwawesasne, the training procedure was similar. VSWs received a 16-hour training session with monthly meetings (Victim Services aux victimes, 2021). VSWs are trained in the impact of victimization, police roles, crisis intervention, sexual assault, and minority victims. This suggests that Nova Scotia and Ontario have similar VSW training procedures, suggesting that VSWs across Canada have similar training procedures. A Canada-wide training program could be accomplished, but it would be difficult to determine which areas of victim services work to focus on without further research. Moreover, providing training to VSWs and preparing the training program would require funding from either the federal or provincial bodies. It could result in the government siphoning the costs from another program that may be important to another population.

Changes in the VIS forms and process. Participants recommended seven different changes regarding the VIS forms and VIS process. First, VSWs suggested that forms should be easy to understand and should minimize the likelihood of misinterpretation. The content style

CANADIAN VICTIM IMPACT STATEMENTS

guidelines by the Government of Canada (2018) suggest that the forms should require no more than a grade 8 English comprehension level (study 2 will examine the readability of the forms in this context). Therefore, adjusting the VIS forms to ensure they follow the content style requirement would be feasible. All provinces, however, would require editing their forms to suit this change or one generic VIS form could be created.

There is some contention about the content regulation of the VIS forms. Defence lawyers specified that VSWs should ensure that victims follow the VIS guidelines to avoid adjournments, VIS editing, and delay in the sentencing process. When VSWs were interviewed, nearly all of them stated that each VIS must be vetted through victim services to ensure that the guidelines are met. On the other hand, victims can disregard VSWs suggestions and submit their VIS regardless of victim services' opinions. However, if all VISs require vetting to ensure that they follow guidelines, it may hinder victims' voices. Ensuring that the guidelines are followed may be difficult as multiple parties involved and their opinions vary about what constitutes as following the guidelines and what does not. Some lawyers however, stated that they trust the judge to disregard aspects of VISs that are not appropriate.

Other suggestions from defence lawyers also included receiving VISs in advance to allow ample time for editing. However, some lawyers stated that victim's emotions and opinions might change as the case progresses. On the contrary, victims, VSWs, and Crown lawyers recommended that the VIS guidelines should be changed to allow victims to 'say what they want'. Allowing victims to submit an unedited VIS may benefit victims' recovery as the court would not stifle their voices. However, allowing victims to write their VIS freely may be unfair to the accused as it may sway the judge's decisions. Moreover, the contents of the unedited VISs

CANADIAN VICTIM IMPACT STATEMENTS

may not be substantiated with the facts of the case, which could lead to cross-examination and potentially more trauma for the victim.

No changes are needed. When asked about changes in the VIS process, one judge stated that no changes are required. The judge noted that the CJS operates through an ‘innocent until proven guilty’ mentality, and the Crown must provide enough evidence to convince the judge of the accused’s guilt. Changes in the VIS process and increasing victims’ involvement may hinder the ‘innocent until proven guilty’ mentality. Moreover, victim’s personal opinions and views may steer the court away from its objective goals of impartiality and representing the best interest of society (Erez et al., 2007). Of course, more research is required to examine whether changing aspects of the VIS and increasing victims’ involvement will prevent the accused from having a fair trial.

Strengths, Limitations, and Future Directions

Several improvements can be made to strengthen the study results, enhance the structure of the interviews, and further expand the knowledge on VISs.

Not all participants in the participant groups were asked the same questions. Prior to the start of the interviews, I created a list of questions about VISs. However, as I learned more information from the participants, the list of interview questions expanded to explore new areas I had learned. The exploratory nature of the study lead to an evolving list of questions as more participants were interviewed, therefore, not all participants were asked the same questions. Therefore, responses to specific questions were limited and uneven. Future research should take the results and the list of questions from this study and consider them for future studies.

Sample Size. I conducted various recruitment methods such as advertising through social media, directly emailing possible participants, and inquiring through personal contacts. Although

CANADIAN VICTIM IMPACT STATEMENTS

the participants' responses were strictly confidential, some judges (and lawyers and VSWs) may have been unable or unwilling to participate due scheduling conflicts and limited availability.

It is not uncommon for qualitative studies to contain a small sample size; however, research suggests that a small sample can be adequate if the research questions are addressed (Young et al., 2018). Hennink et al. (2016) indicate that 6-9 interviews provide a significant amount of information on the target topic and additional interviews offer a more rounded perspective on the research area. All participant groups, aside from the judges, have at least 6 participants, suggesting that the interviews provide significant information about VISs.

Future studies could interview more judges through more rigorous recruitment methods. Moreover, recruiting more participants in each participant group would provide a better understanding of the topic. In addition, partnering with other agencies such as the barrister's society, various courts, and local victim services offices would reach a broader range of participants. Perhaps presenting the study's importance and impact on various organizations could make the study more appealing to the population of interest.

The sample was not representative. As stated, all participant groups were difficult to recruit, particularly legal professionals and VSWs. Due to the limited number of participants in the study, the sample was not representative. For example, all lawyers in the study practiced in Nova Scotia. The experiences of Nova Scotian lawyers do not represent the experiences of other lawyers across Canada.

Moreover, two of the judges interviewed practiced in Nova Scotia, two were retired, and all were male. Though the CJS is the same across Canada, experiences and organizational methods may vary from province to province. For example, Nova Scotian judges spoke about

CANADIAN VICTIM IMPACT STATEMENTS

presiding over cases of sexual assaults and domestic violence. In contrast, the judge from Alberta focused on their experience of working with a mostly Indigenous population.

Future research should try to achieve a more representative sample, ideally with participants from all provinces. Perhaps future researchers should partner with larger organizations such as the Canadian Bar Association, various legal aid societies, The Canadian Superior Court Judge Association, and other organizations with ties to legal professionals. These organizations can advertise the study to reach a wide range of potential participants. I did try to contact such organizations; however, I received no response. Perhaps with more time and more ongoing communication, a partnership between the researchers and the organizations can be established.

Participants may be biased. The study aimed to recruit groups such as victims who decided to submit a VIS, victims who did not submit a VIS, lawyers, VSWs, and judges. Victims who volunteered to participate may have been motivated due to their negative or positive experiences. Therefore, participants may have engaged in the interview to express their negative or positive experiences. For example, one participant noted their very negative experience with the CJS and specifically wanted to highlight their story through this study.

Moreover, one defence lawyer decided to participate in the study because of their recent negative experience with a VIS. They spoke at length about the case and other similar instances they had come across. Given these responses, the study's results may not represent the experiences of the other victims, legal professionals, and VSWs.

Gathering varying perspectives can best be achieved through a larger sample size, a wider participant demographic, and perhaps an incentive for study participation. Due to the study's nature, I decided not to provide an incentive for participation (except those recruited through

CANADIAN VICTIM IMPACT STATEMENTS

SONA) as it may have caused some uncertainty from participants. Moreover, I did not want it to appear as if I was ‘bribing’ individuals for their participation or placing a monetary value to discuss their trauma. However, providing an incentive, such as a gift card, may encourage more study sign-ups.

Conclusion

The study is novel due to the limited research on Canadian VISs. Moreover, no existing research on Canadian VISs involved interviews with victims, VSWs, and legal professionals. The study provided detailed insights on victims’ experiences, their journey through the CJS, and personal opinions of their experience. I learned that victims have varying experiences regarding their VIS journey. Some victims received support throughout the court process, while others did not receive any aid or notices from organizations. The study also collected detailed opinions from VSWs and legal professionals. Overall, victims, VSWs, and legal professionals have conflicting opinions and experiences, highlighting what might be done to improve the use of VISs.

While some participants stated that changes in the court system take time, it has been 33 years since VISs were first introduced in the Canadian court. So why isn’t the role of VISs and victims more concrete after 33 years? Are victims less of a priority?

During the interviews, I developed more questions about VISs and pinpointed possible pitfalls within the CJS (specifically VISs). For example, why do some victims receive more support than others? Are these differences significant between demographics? Why are some victim’s voices more restricted than others? Why do the various organizations (victim services, crown, defense) fail to communicate with one another regarding VISs and victims? The Criminal Justice System review by the Department of Justice (2019) noted that the various organizations

CANADIAN VICTIM IMPACT STATEMENTS

work in 'silos' and do not share information. To address this issue, the Department of Justice suggested that the various agencies to work together and use the community approach. However, it is unknown whether these issues are being addressed.

Given these inconsistencies, one can argue that it causes some misrepresentation among specific victim demographics, possibly creating a biased legal system targeted towards victims. Moreover, the lack of consistency can create confusion and frustration in court (such as court adjournment, failing to notify the victim, or traumatizing the victim), making the process more difficult for all parties involved.

Through this study, I hope to inspire other researchers to examine Canadian VISs further. In the future, I hope that other researchers will expand my research and incorporate the study's findings within their research. Finally, through this study, I hope that more attention is placed on VISs and victims' experiences, potentially leading to significant changes in the Canadian CJS.

Study 2: Analyzing VIS Form Readability Using Various Readability Formulas

VIS forms are the primary method in which victims can deliver their VISs. All VIS forms contain instructions for delivery, similar questions, and some contain background information on VISs. Even though the forms include similar instructions, the vocabulary dramatically varies from one another. For example, the BC form (see Appendix Q) is available in 10 different languages (English, Chinese, Filipino, French, Hindi, Korean, Persian, Punjabi, Spanish, and Vietnamese). In contrast, the Ontario form contains English and French text in the same document (see Appendix Q).

The forms' instructions include information regarding what can and cannot be included in the statement (outlined below). The following cannot be included in the VIS:

- *“Any statements about the offence or the offender that is not relevant to the harm or loss you suffered.”*
- *“Any unproven allegations.”*
- *“Any comments about any offence for which the offender was not convicted.”*
- *“Any complaint about any individual, other than the offender, who was involved in the investigation or prosecution of the offense.”*
- *“Except with the court's approval, an opinion or recommendation about the sentence.”*

Purpose

The forms vary in language and content, the question is whether some forms may be difficult for specific populations to comprehend or use. For study 2, I wanted to examine the English comprehension level, specifically the readability level, of all Canadian VIS forms. To examine readability levels, forms were placed against various readability formulas. The

readability formulas provide the English grade level required to comprehend the contents of the various VIS forms.

Method

Measures

Flesch-Kincaid Reading Ease Formula (FKREF). The Flesch Kincaid Readability Ease Formula (FKREF; Flesch, 1948) analyzes the English grade level required to understand a body of text. The FKREF is often used to analyze the readability of government forms and is considered a valid measure (Richard et al., 2018). Simpler texts are defined as requiring a lower English comprehension level; more complex text require a higher English comprehension level. The FKREF calculates the average sentence length and then subtracts it from the average number of syllables per word. This difference is the readability ease of the text, which is then scored from 0 to 100, and is then translated into a grade level (90-100 = 5th grade; 60-70 = 8-9th grade; 0-30 = college-level/graduate level).

$$\text{FKREF Readability Ease} = 206.835 - (1.015 \times \text{average sentence length}) - (84.6 \times \text{average syllables per word})$$

The Simple Measures of Gobbledygook Scale (SMOG scale). The SMOG readability formula calculates the reading level required to understand a passage of text (McLaughlin, 1969). According to the Journal of the Royal College and Physician of Edinburg (Fitzsimmons et al., 2010), the SMOG formula is a readability measure for healthcare resource materials meant for the general population and is often used by the American National Cancer Institute. The SMOG formula calculates readability levels by taking ten sentences at the beginning, middle, and end of the text (30 sentences in total). The number of words containing three or more syllables is counted, and the English comprehension level is determined using the SMOG table.

CANADIAN VICTIM IMPACT STATEMENTS

For example, passages containing 0-2 words with at least three-syllables require a grade 4 English reading level, while text with more than 91, three- syllables words require a university English reading level. See Table 6 for the SMOG readability table.

Table 6

The SMOG conversion table.

# of 3 syllable words	Grade level
0 – 2	4
3 – 6	5
7 – 12	6
13 – 20	7
21 – 30	8
31 – 42	9
43 – 56	10
57 – 72	11
73 – 90	12
91 -110	13
111 – 132	14
133 – 156	15
157 – 182	16
183 – 210	17
211 - 240	18

Note. Grades levels 13 and over indicates a university grade reading level.

Gunning Fog Index. The Gunning Fog Index was created in 1964 by Robert Gunning with the intention of helping businesses improve their written documents (Murray, 2020). The formula provides a grade-level between 0 to 20, with higher grade levels indicating a more complex body of text. For example, a Gunning fog score of 6 indicates that the text is understandable to individuals with a grade 6 English comprehension level, while a score of 17 requires graduate readability level (Murray, 2020). The Gunning Fog formula is calculated through seven steps:

CANADIAN VICTIM IMPACT STATEMENTS

1. A sample passage of 100 words is randomly taken from the text.
2. From the sample passage, the number of words and sentences is calculated.
3. The number of words is divided by the number of sentences [ASL = (*# of words/number of sentences*)]. The result is the ‘Average Sentence Length’ (ASL).
4. The number of words with three or more syllables are counted. Words that are proper nouns, hyphenated words, and two-syllable verbs are not counted.
5. The number of syllables is divided by the number of words and is then divided by 100. [PHW = (*# of syllables/# of words*) x 100]. The results are the “percent of hard words’ (PHW).
6. The ASL and the PHW are added together.
7. The results from step 6 are multiplied by 0.4. [FOG Gunning score = (ASL + PHW) x 0.4]

Coleman-Liau Index (CLI). The Coleman-Liau Index is frequently used for post-secondary schools and for medical documents, specifically among Western texts (The Readable Blog, 2017). It was created by renowned linguist Meri Coleman, who designed the formula to evaluate the U.S. grade level required to understand a body of text (Coleman & Liau, 1975). Rather than using a method that calculates the number of syllables per word, the CLI uses virtual calculators to code and calculate the text. The score is calculated by examining the average number of letters per 100 words of the text (ALC = average letter count) the average number of sentences per 100 words of the text (ASC = average sentence count). The final results display the U.S. grade level required to comprehend the body of text.

$$[\textit{Coleman Liau Index Formula} = [(.0588 \times \textit{ALC}) - (.296 \times \textit{ASC}) - 15.8].$$

Procedure

The written contents of each VIS forms were converted to a word document for ease of calculation. The readability calculators used for this study do not register bullet points; therefore, each bullet point was transformed into a sentence. Some VIS forms contain additional pages that explain the purpose of victim impact statements. These pages were also included into the readability calculation. All pages included in the VIS forms were also included into the readability calculators. The number of words, sentences, and the average number of syllables were also calculated. However, French texts were not included as the readability formulas only analyzed English text.

Each VIS forms' written contents were placed into three different online readability calculators (*Formulas*: <https://readabilityformulas.com/freetests/six-readability-formulas.php>; *Online Utility*: https://www.online-utility.org/english/readability_test_and_improve.jsp; *WebFX*: <https://www.webfx.com/tools/read-able/check.php>) to produce three different results for each formula and VIS form. All of the calculators use the same reliability formula; however, three separate calculators were used in order to maintain external reliability.

Results

When analyzing the VIS forms' characteristics, the BC form had the lowest number of words ($n = 415$), while the NS form had the highest number of words ($n = 1,473$). Moreover, the NL form had the lowest number of sentences ($n = 32$), while the SASK form had the highest number of sentences ($n = 91$). Lastly, the NS form had the lowest average number of syllables ($n = 1.64$), while the BC form had the highest number of average syllables ($n = 1.81$). See Table 7 for the characteristic breakdown.

Flesch-Kincaid Readability Ease Score. FKREF scores showed that Online Utility scores were lower for all VIS forms, while scores from Formulas and WebFX had higher and similar values across all VIS forms. Overall, FKREF scores ranged from 38.81 to 58.4 (Formulas = 48.4 – 58.4; Online Utility = 38.81 – 49.52; WebFX = 48.2 – 58.2), with the lowest score being from the MB form (38.81, Online Utility) and the highest being from the NWT form (58.4, Formulas). When comparing the mean scores from all three readability calculators, the MB form had the lowest FKREF average score (45.14), while the NWT form had the highest FKREF average score (55.37). See Table 7 for the readability scores breakdown.

Flesch-Kincaid Readability Ease Grade Level. FKREF grade level values indicated that Online Utility scores were overall higher compared to the Formulas and WebFX scores. Formulas and WebFX values were also similar to one another. FKREF grade levels ranged from 8.5 to 11.85 (Formulas = 8.5 - 11; Online Utility = 9.76 – 11.85; WebFX = 8.5 – 11), with the NWT form having the lowest grade level (8.5, Formulas and WebFX) and the NS form (11.85, Online Utility) having the highest grade level. When comparing the average FKREF grade levels of all three readability calculators, the NWT form had the lowest grade level value (8.92), and the NS form had the highest-grade level value (11.28). See Table 7 for the readability scores breakdown.

SMOG Scale. SMOG scores indicated that values from Online Utility were higher compared to the Formulas and WebFX scores. Formulas and WebFX scores were also similar to one another. SMOG grade levels ranged from 8.6 to 13.26 (Formulas = 8.6 – 10.3; Online Utility = 11.61 – 13.26; WebFX = 8.7 – 10.3). The form with the lowest SMOG grade level was the NWT form (8.6, Formulas), and the highest SMOG grade level was the NS form (13.26, Online Utility). When comparing the mean SMOG scores from all three readability calculators, the

CANADIAN VICTIM IMPACT STATEMENTS

NWT form contained the lowest SMOG grade level (9.66), while the NS form contained the highest SMOG grade level (11.2). See Table 7 for the readability scores breakdown.

FOG Index. Fog Index values showed that scores from Online Utility were lower compared to the Formulas and WebFX scores. Formulas and WebFX scores were also similar to one another. FOG Index grade levels ranged from 10.55 – 14.3 (Formulas = 11.7 – 14.3; Online Utility = 10.55 – 13.24; WebFX = 11.8 – 14.3), with the lowest grade being from the NWT form (10.55, Online Utility) and the highest being from the NS form (14.3, Formulas and WebFX). When comparing the mean FOG Index grades from the three readability calculators, the NWT form contained the lowest grade level (10.55), while the NS form contained the highest (13.95).

Coleman-Liau Index. The CLI values indicated that scores from Online Utility were lower compared to the Formulas and WebFX scores. Formulas and WebFX scores were also similar to one another. CLI scores ranged from grade 10 to 14.5 (Formulas = 10 – 12; Online Utility = 10.29 – 12.29; WebFX = 11.7 – 14.5), with the NS form having the lowest grade level value (10, Formulas) and the BC form having the highest-grade level value (14.5, WebFx). When comparing the CLI means from all three readability calculators, the NS form contained the lowest grade level (10.66), and the BC form had the highest-grade level (12.91). See Table 7 for the readability score breakdown.

CANADIAN VICTIM IMPACT STATEMENTS

Table 7

Readability scores, word, sentence, and syllable count of each VIS from three online readability calculators.

	# of words	# sentences	# syllables	FKREF	FKREF grade level	SMOG Scale	FOG Index	CLI
AB	471	32	1.72					
Formulas				54.40	9.30	9.20	12.70	11.00
Online Utility				46.41	10.44	11.87	11.49	10.61
WebFX				54.00	9.40	9.30	12.80	12.70
Mean				51.60	9.71	10.12	12.33	11.44
BC	415	32	1.81					
Formulas				49.50	9.60	8.80	11.90	12.00
Online Utility				40.37	10.85	12.03	10.78	12.22
WebFX				49.30	9.60	8.90	12.00	14.50
Mean				46.39	10.00	9.91	11.56	12.91
MB	933	60	1.80					
Formulas				48.40	10.40	10.20	12.40	12.00
Online Utility				38.81	11.71	13.15	12.91	12.29
WebFX				48.20	10.40	10.20	12.40	14.20
Mean				45.14	10.84	11.18	12.57	12.83
NB	669	45	1.70					
Formulas				55.50	9.20	9.10	12.30	11.00
Online Utility				47.58	10.32	12.13	11.33	10.59

CANADIAN VICTIM IMPACT STATEMENTS

				WebFX	55.50	9.20	9.20	12.4	12.60
				Mean	52.86	9.57	10.14	12.00	11.39
NL	434	32	1.74						
				Formulas	54.40	9.00	8.90	12.30	11.00
				Online Utility	46.29	10.17	11.61	11.14	10.64
				WebFX	54.40	9.00	8.90	12.30	12.90
				Mean	51.69	9.39	9.80	11.90	11.51
NWT	672	49	1.69						
				Formulas	58.40	8.50	8.60	11.70	11.00
				Online Utility	49.52	9.76	11.68	10.55	10.45
				WebFX	58.20	8.50	8.70	11.8	12.60
				Mean	55.37	8.92	9.66	11.35	11.35
NS	1,473	71	1.64						
				Formulas	53.20	11.00	10.30	14.30	10.00
				Online Utility	47.07	11.85	13.26	13.24	10.29
				WebFX	53.20	11.00	10.30	14.30	11.70
				Mean	51.16	11.28	11.29	13.95	10.66
ON	486	34	1.72						
				Formulas	55.30	9.10	9.10	12.50	11.00
				Online Utility	47.15	10.23	11.66	11.15	10.57
				WebFX	55.30	9.10	9.10	12.50	12.70
				Mean	52.58	9.48	9.95	12.05	11.42
PEI	472	34	1.72						
				Formulas	55.40	9.00	9.00	12.30	11.00
				Online Utility	47.38	10.10	11.61	11.15	10.48
				WebFX	54.70	9.10	9.00	12.40	12.80
				Mean	52.49	9.40	9.87	11.95	11.43

CANADIAN VICTIM IMPACT STATEMENTS

QC	571	34	1.71					
Formulas				52.20	10.10	9.80	13.40	11.00
Online Utility				44.89	11.17	12.72	11.97	10.62
WebFX				51.80	10.20	9.80	13.50	12.70
Mean				49.63	10.49	10.77	12.96	11.44
SASK	1,363	91	1.72					
Formulas				56.70	9.10	9.20	11.80	11.00
Online Utility				46.33	10.52	12.24	11.39	10.74
WebFX				56.70	9.10	9.20	11.80	12.90
Mean				53.24	9.57	10.21	11.66	11.55
YK	561	39	1.70					
Formulas				55.90	9.00	9.00	12.20	11.00
Online Utility				48.67	10.04	11.64	11.17	10.56
WebFX				55.90	9.00	9.00	12.20	12.70
Mean				53.49	9.35	9.88	11.86	11.42

Note. AB = Alberta, BC = British Columbia, MB = Manitoba, NL = Newfoundland, NWT = Northwest Territories, NS = Nova Scotia, ON = Ontario, PEI = Prince Edward Island, QC =Quebec, SASK = Saskatchewan, YK = Yukon. # of words = number of words in the text, # sentences = number of sentences in the text, # syllables = average number of syllables per word. FKREF = Flesch-Kincaid readability ease formula, FKREF grade level = Flesch-Kincaid readability ease formula grade level, CLI = Coleman-Liau Index.

Discussion

Study 2 analyzed the readability of the 12 VIS forms available in Canada by using various readability formulas. The formulas used included the FKREF, FKREF grade level, the SMOG scale, FOG Index, and CLI. These formulas examined multiple aspects of VIS forms, including the average number of sentences in the text, the average number of syllables, and the average number of words.

The scores from the readability formulas produced differing results. For example, the forms with the lowest readability scores were MB, NWT, and NS. Moreover, the forms with the highest readability scores were NWT, NS, and BC forms. These results were somewhat contradictory as both the NWT and NS forms contained the lowest and highest readability scores, depending on which readability formula was used. The FKREF, for example, used the number of words, the average number of sentences, and the average number of syllables in the formula. Therefore, the length of the form may influence the FKREF scores. For perspective, the MB form had a higher number of words, sentences, and syllables compared to the NWT form. These variables can affect the FKREF score as the numbers are divided from one another. On the contrary, the SMOG, FOG, and CLI formulas are less dependent on the text's length because it takes samples from the text to produce uniform text lengths (e.g., samples of 100 words from the text). It can be argued that these formulas produce more consistent readability scores as the VIS forms vary in length.

Regardless of the readability formulas, the VIS form containing the lowest grade level was NWT (8.92, FKREF grade level). The form with the highest readability grade level was NS (13.95, FOG Index). These findings suggest that at least a ninth-grade English comprehension

CANADIAN VICTIM IMPACT STATEMENTS

level (grade 8.92 was rounded to grade nine) is required to comprehend the VIS form with the lowest readability level.

Canada's government advises that public documents should be no more than a grade eight reading comprehension level (Government of Canada, 2018). Specifically, the content style guide states that "*writing content at a reading level above grade 8 can make it difficult for many people to understand or complete their tasks*" (Government of Canada, 2018, section 2.9). Based on the readability results, all 12 VIS forms do not follow the Government of Canada content and style guidelines. For perspective, the average Canadian is at a grade 8 reading level (Jamieson, 2006), and 20.6% of all Canadians do not consider English or French as their first language (Statistics Canada, 2018). Moreover, a 2021 CBC article focused on the Canadian literacy problem, with 1 in six adults failing a basic literacy test (Chin, 2021). These results suggest that non-native English speakers or individuals with lower English comprehension are more likely to experience difficulties with the contents of the VIS forms (Roberts & Edgar, 2006). Moreover, Statistics Canada (2019a) reported that individuals aged 18-24 are more likely to be victimized than other age groups, and females are more likely to become victims.

Limitations

Only measures readability. Although the readability scores provide essential information in analyzing the contents of the VIS forms, the scores only measure the grade level required to comprehend a body of text. For example, the ON form is written in English, followed by a French translation. However, only English texts were included in the readability calculation as the formulas only analyzed English text. Therefore, the readability scores do not consider the usability of the forms. In this study, usability is defined as the ease in which the general Canadian population can complete and understand the forms, while considering the form's

CANADIAN VICTIM IMPACT STATEMENTS

spacing, font, and writing space). While some VIS forms may require a lower reading comprehension level, their structure may be a barrier to specific populations. For example, the Ontario form has an average FKREF grade level of 9.48, but its structure may make it difficult to use.

Varying readability results. Different text samples could explain the difference between the readability scores from the three online calculators. However, this does not explain the difference in the FKREF, SMOG, and CLI scores, where the same body of text is used to calculate readability scores. Another possible explanation for the difference in scores is a calculation error in the Online Utility calculator because the Formulas and WebFX scores were very similar to one another. However, the three calculators' differences were mitigated as the average readability scores from all three calculators were used.

Nunavut form. VIS forms were obtained through victim services websites and directly contacting victim services offices (for the forms unavailable online). Out of all the Canadian provinces and territories, 12 out of 13 VIS forms were acquired. Even with multiple calls and emails, I was unable to gain access to the Nunavut form, therefore, the readability scores of the Nunavut VIS form was not included in the study. Though the study only examined the forms' readability, the lack of response from Nunavut victim services suggest that some victims may experience difficulties accessing the forms.

Conclusion

The readability levels of Canadian VIS forms have yet to be analyzed by other researchers. Though the study only examined the readability portion of the VIS forms, it provides insight into their possible pitfalls. For example, at least a grade 9 reading level is required to understand the forms in their entirety, while Canada has an average reading level of

CANADIAN VICTIM IMPACT STATEMENTS

grade 8. Moreover, the Canadian and style guidelines suggest that public documents should be no more than a grade 8 reading level. Given these findings, individuals with lower reading comprehension levels may struggle to understand the forms. These can include individuals whose English is not their first language or individuals of lower SES. If these victims have more difficulty completing the forms, it may also discourage them from submitting VISs altogether.

The Canadian and style guidelines exist to ensure that the public can comprehend public documents and prevent specific demographics from being excluded due to English comprehension levels (Government of Canada, 2020). Violating the content and style guidelines can unintentionally result in certain demographics (particularly minority groups) being excluded from the narrative. If minority groups do not submit VISs due to their lack of VIS form comprehension, their experiences will not be heard in court. Therefore, the court system or other victim advocacy organizations may fail to include changes to benefit specific victim demographics, causing the population to be further marginalized.

Through this study, a better understanding of VIS forms is formed, particularly regarding its readability level. The study also highlighted a possible pitfall within the forms. In the future, I hope that additional research is conducted on Canadian VIS forms and drive change to make them readable for all demographics.

Study 3: VIS Form Readability, Usability, and Inclusion

Even though the 2015 Victim Bill of Rights claims that every victim has the right to deliver a VIS, certain populations may find the forms challenging to understand, access, or submit. For example, a study by Roberts and Edgar (2006) found that most victims do not receive sufficient assistance with the VIS process. They also found that non-native English speakers were more likely to experience difficulties when attempting to understand the forms' contents. Even though victims have the right to receive assistance from victim services or the Crown, the Roberts and Edgar (2006) study insinuated that victims are rarely helped during VIS preparation. There is variety of explanations for these findings. First, victim services may not have the resources to assist each victim thoroughly. Victims may also refuse assistance from victim services and decide to complete the forms independently. Legally, Judges must ask whether victims were aware of their right to provide a VIS; however, judges are not legally mandated to inquire about the assistance victims receive. Lastly, provinces with online accessible VIS forms allow victims to complete the forms independently, without needing to contact organizations (such as victim services) for assistance.

In terms of VIS submission, a Department of Justice Canada study (2001b) examined whether victims were prompted to complete a VIS. Some victims stated that they were consistently supported by VSWs, while others highlighted the importance of encouraging victims living in poverty and those with poor literacy to write their VIS. Roberts and Edgar (2006) interviewed VSWs about the submission process of VIS forms. They found that VSWs were not given sufficient time to properly assist victims with their VISs. Additionally, VSWs declared that victims were often unaware of their right to submit a VIS. When victims were asked how they learned about VISs, most stated that a victim assistance program had contacted them

CANADIAN VICTIM IMPACT STATEMENTS

(Department of Justice, 2001b). Some victims were contacted by the police, social service workers, the Crown, and women shelters.

Furthermore, victim services are regulated and provincially funded, explaining why provinces differ in their VIS forms, available human resources, VIS form submission methods, and victim services efficiency (Department of Justice, 2017c). The differences between the VIS forms could cause confusion among victims, which can be a possible barrier. See Table 8 for submission methods according to province.

Table 8

Methods of VIS form access and submission according to province. The Nunavut form was not available.

Province	Form Access	Submission Method
Alberta	Accessible online	The signed victim impact statement must be mailed using the pre-addressed, Victim Impact Statement envelope obtained from Victim services. The court may not consider the victim impact statement if it is not submitted using the correct Victim Impact Statement envelope.
British Columbia	Accessible online	The form must be signed, attached to the cover page and dated. It must then be mailed, faxed, or brought to the local Crown Counsel office. The Victim Impact Statement must be given to the Crown Counsel as soon as possible, so they have it before an accused is sentenced.
Manitoba	Accessible online	Completed forms must be sent to the Crown attorney's office.
New Brunswick	Forms are available at Victim Services	Victim Services staff will file your completed statement with the court.

CANADIAN VICTIM IMPACT STATEMENTS

Newfoundland and Labrador	Accessible online	The completed form must be signed and sent to Victim Services
Northwest Territories	Accessible online	The completed form is submitted using the attached envelope (if the form was accessed through victim services), or printed, signed and mailed to the Court Registry at Yellowknife.
Nova Scotia	Victim Impact Statement forms are available at the nearest regional Victim Services office	Victim services will submit the forms for you.
Ontario	Accessible online	[Information not available]
Prince Edward Island	Forms are available at victim services	Victim Services will aid in preparing and submitting the forms to the court's clerk.
Quebec	Accessible online	Completed and signed forms must be sent to the clerk's office at the Court of Quebec, Criminal and Penal Division, in the judicial district where judicial proceedings were instituted against the accused.

CANADIAN VICTIM IMPACT STATEMENTS

Saskatchewan	Accessible online	Completed forms must be returned to the investigation police agency as quickly as possible. Should the accused have an upcoming court appearance, forms must be returned directly to the Crown prosecutor's office.
Yukon	Accessible online	Completed forms are returned to the Victim Services Unit located at; Whitehorse, Dawson city, and Watson Lake.

Note. Information from Yukon VIS is from Yukon government (2016). Information from Northwest Territories VIS is from Northwest Territories government (n.d.). Information from British Columbia is from British Columbia Government (n.d.). Information from Alberta VIS is from Government of Alberta (2019). Information from Saskatchewan is from Saskatchewan government (n.d.). Information from Manitoba VIS is from Manitoba government (n.d.). Information from Quebec is from Gouvernement du Québec (2017). Information from Ontario is from Ontario Ministry of the Attorney General (2015). Information from Newfoundland and Labrador VIS is from Newfoundland and Labrador government (n.d.). Information from Nova Scotia VIS is from Province of Nova Scotia (2013). Information from Prince Edward Island VIS is from Government of Prince Edward Island (2019). Information from New Brunswick is from the Moncton victim services (2020).

Purpose

Study 3 investigated the readability, usability, and accessibility of the 12 Canadian VIS forms. The study questioned Canadian residents regarding their ability to comprehend the VIS forms. Furthermore, the study also aimed to analyze whether individuals from various Canadian populations can comprehend the VIS forms' language, structure, and format.

Research questions

Question 1. How do Canadian residents rate the readability and usability of the VIS forms? Are they willing to use the forms? Do they require assistance in completing it?

Question 2. Do the VIS forms across Canada differ from one another in terms of readability, usability, Canadian residents' willingness to use the forms, and assistance required to complete the forms?

Question 3. Can Canadian residents easily access and deliver the VIS forms?

Question 4. Do Canadian residents believe that a diverse population can access the VIS forms?

Method

Design

The current study was experimental as it aimed to explore Canadian VIS forms using a comparative method of analysis. More specifically, the study consisted of three between-subject designs. The three between-subject designs included the VIS forms, the access methods of the VIS forms, and the delivery methods of the VIS forms. See Figure 2 for an illustration of the study's design.

Study procedures:

- 1.) Participants were randomly presented with 3 of the 12 VIS forms. Forms were randomly presented and counterbalanced.
 - a) Participants answered a series of questions after each VIS form. The VIS forms were measured for four dependent variables (readability, usability, willingness, and need for help).
- 2.) After the VIS forms were presented, participants were randomly shown 1 of 2 methods to access the forms (online or through victim services).
 - a) The method of access is examined using the 'Access' and 'Inclusivity' measures.
 - The 'Access' variable measures the ease with which participants can access the form.
 - The 'Inclusivity' variable measures the ease in which participants believe that Canadians with varying demographics (age, English capability, SES) can access the forms.
- 3.) Participants were randomly shown 1 of 4 methods in which VIS forms are delivered (to victim services, the Crown, using a specific envelope, or through specific instructions).

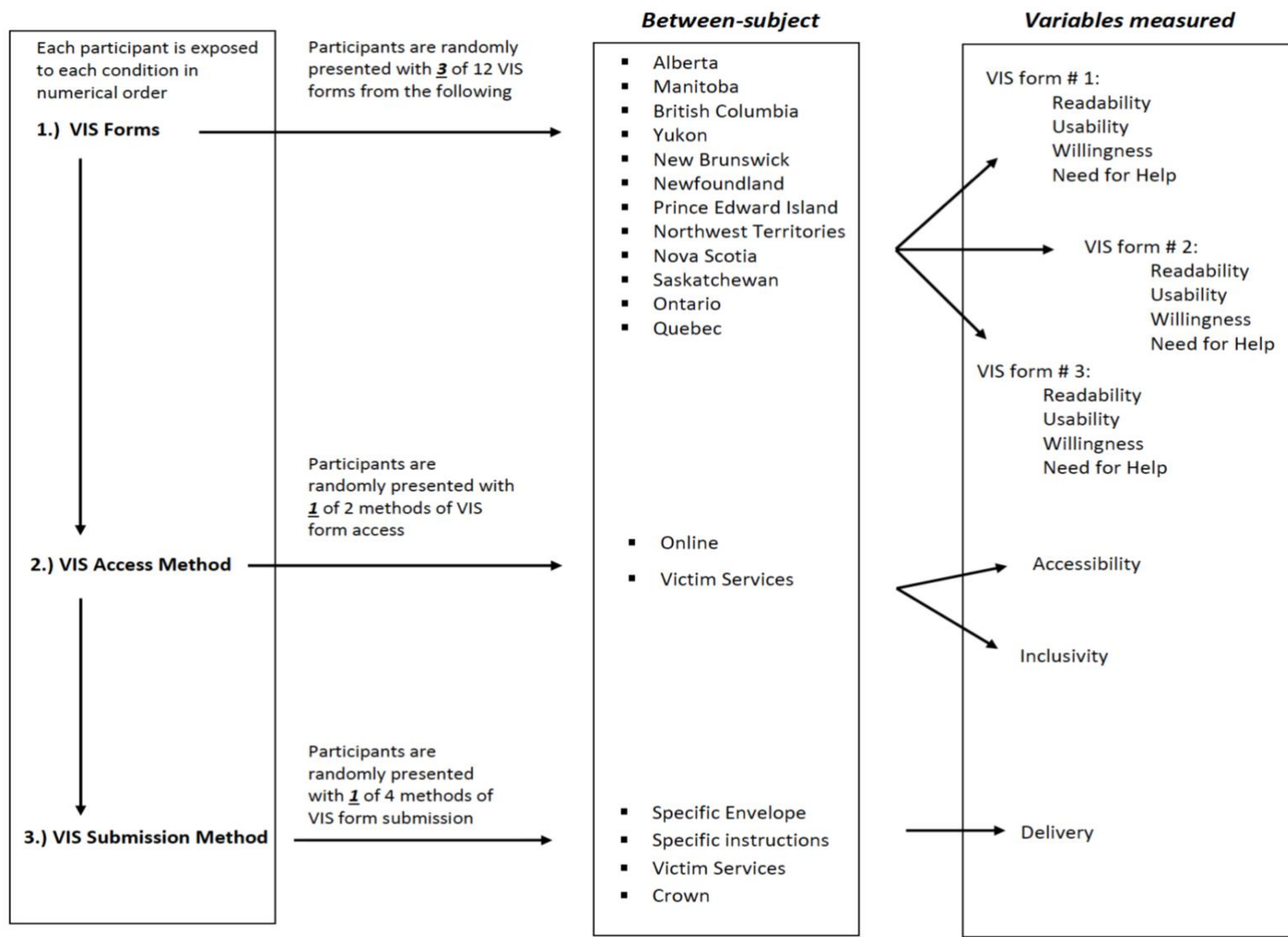
CANADIAN VICTIM IMPACT STATEMENTS

- a) The method of delivery is examined using the 'Delivery' measure.
 - The 'Delivery' variable measures the ease in which participants can deliver the forms.

The encompassing study is a between-subject design as participants were presented with 3 VIS forms, 1 method of access, and 1 method of submission. After each form is presented, participants answer questions for the readability, usability, willingness, and need for help measures.

Figure 2

An outline of the study's design displaying the between-subject elements along with the variables measured at each stage.



Measures

Questions were presented in either a 5-point-Likert scale or a 6-point-likert scale.

Readability. Three items analyzed the forms' grammar (Please rate the grammar used in this form), use of words (Does the form contain any words that you don't understand?), and sentence length (Please rate the sentence lengths of the text; see Appendix K). Each participant's scores were calculated and averaged, with mean scores ranging from 1 to 5. Higher scores indicate a more challenging reading level.

Usability. The measure included 11 items that analyzed participant's views on the usability of the VIS forms. These questions cover topics such as the clarity of the instructions (Are the instructions given in the form clearly explained?), examples provided in the form (Are enough examples provided for you to understand what information is needed?), the allotted space for writing (Does the spacing of the text make the form easy to read?), and the form's organization (Does the format of the form make it easy to understand and follow?; see Appendix L). The average scores were calculated with means ranging from 1 to 4.27. Higher scores indicated lower usability.

Willingness and Need for Help. One question examined participant's willingness to use the form (How willing are you to use this form?), and one question examined whether participants required another individual's assistance to complete the forms (How likely would you be to ask for help when completing this form?; see Appendix M). The scores for both willingness and need for help ranged from 1 to 4, with lower scores indicating more willingness to use the form. Lower scores in the "need for help" variable indicated that participants require more assistance completing the forms.

CANADIAN VICTIM IMPACT STATEMENTS

Access. Just as each VIS form differs by province, how the forms are accessed and submitted also differs. Each form's method of access was categorized according to similarity. The various methods to access the forms were categorized as either "online" (VIS forms that are accessed through victim services websites) or "victim services" (VIS forms that can only be accessed by contacting victim services). One question, measured via a 4 point-Likert scale, analyzed the ease in which participants can access the VIS forms (In your opinion, would you be able to easily access the form?; see Appendix O). Higher scores indicated higher difficulty in accessing the VIS forms. See Appendix O for questions about access of VIS forms.

Inclusion. Further exploring the VIS access methods (online or through victim services), the inclusion variable aimed to analyze the degree to which participants believe that other Canadian residents (varying in location, ethnicities, socioeconomic statuses, languages, and ages) can access the VIS forms. Six questions in a 5-point Likert-scale analyzed the "inclusivity" variable (In your opinion, would accessing the forms be possible for individuals with different ethnicities?; see Appendix P). The mean scores were calculated, and scores ranged from 1 to 4, with higher scores indicating less inclusivity.

Delivery. Each VIS form has its own method of delivery. These methods were categorized into four groups: delivery using a specific envelope provided by victim services or the court, delivery via the Crown, delivery via victim services, and specific instructions for submission that do not fit into the other categories (see Appendix N). One question, measured via a 4 point-Likert scale, analyzed the ease in which participants can deliver the VIS forms (In your opinion, would you be able to easily submit the forms?; see Appendix O). Higher scores indicated more difficulty in delivering the VIS forms.

Procedure

The study was conducted online using the Qualtrics software. Participants were recruited through various methods, including through SONA, Amazon Mechanical Turk (Mturk), social media (Twitter, Facebook, and Instagram), and other online forums (Reddit and Tumblr). Individuals recruited through SONA were granted 0.5 points towards their course. Individuals recruited through Mturk were compensated with \$2.60 USD for their participation. Participants recruited through social media and online forums were entered into a random draw for a \$25.00 CAD Tim Hortons gift card.

Participants answered a series of demographic questions (see Appendix J) and were randomly presented with three VIS forms. After each VIS form was presented, participants answered a sequence of questions that measured the usability, readability, willingness, and need for help variables.

Following the three VIS forms' presentation, participants were randomly presented with one VIS form access method and one VIS delivery method. They then answered a series of questions that measured for the access, inclusivity, and delivery variables. The study concluded with the presentation of the feedback form.

Participants. If a crime occurs in Canada, the trial will be processed through the Canadian Justice system, unless the offender is extradited (Department of Justice, 2019). Crime victims in Canada will proceed through the Canadian Justice System and could potentially deliver a VIS. Therefore, the target participants for study 3 were individuals over the age of 18 (as individuals under 18 require consent from their parent or guardian) and residing in Canada.

The sample initially consisted of 389 individuals recruited through SONA ($n = 149$), Mturk ($n = 150$), and social media ($n = 92$). Once the consent form was presented, 3 participants

CANADIAN VICTIM IMPACT STATEMENTS

failed to provide consent, 52 decided to withdraw from the study, 7 requested to exclude their data from the data set, and 82 failed to answer at least five attention checks correctly. All of these participants were excluded from the study ($n = 149$), which resulted in a final sample size of 245 participants.

Demographics. Participants were asked demographic questions such as their gender, age range, highest level of education attained, employment status, and English comprehension level (see Appendix J). The sample was predominantly female (69.1%, $n = 168$), between the age range of 20-29 (53.2%, $n = 130$), and identified as Canadian (70.4%, $n = 171$). Overall, the majority of participants considered English as their first language (86.5%, $n = 212$), had access to a vehicle (74.7%, $n = 183$), resided in the city (57.1%, $n = 140$), and had never been a victim of a crime (55.5%, $n = 136$). See Table 9 for the participant demographic breakdown.

Attention Checks. The study consisted of eight attention checks that were randomly placed throughout the study. These attention checks requested participants to select specific responses (i.e. select 'not at all') and were intended to ensure that participants are fully engaged in the study and read the questions carefully. Participants who failed to answer at least 5 of the attention checks correctly were excluded from the main analysis ($n = 82$).

CANADIAN VICTIM IMPACT STATEMENTS

Table 9*Demographic breakdown of participants*

Variable	n	%
Age group		
18-19	35	14.3
20-29	130	53.2
30-39	48	19.6
40-49	20	8.2
50-59	8	3.3
60-69	4	1.6
Ethnic origin		
Canadian	171	70.4
Cree	1	0.4
Metis	1	0.4
Mi'kmaq	1	0.4
Inuit	1	0.4
European	16	6.6
Caribbean	7	2.9
Latin	5	2.1
African	8	3.3
Asian	31	12.8
Prefer not to answer	1	0.4
Gender Identity		
Male	72	29.6
Female	168	69.1
Gender diverse	3	1.2
Missing	2	0.8
Education Level		
High school or GED	91	37.1
College	45	18.4
Vocational Training	6	2.4
Bachelor's Degree	81	33.1
Master's Degree	15	6.1
PhD	4	1.6
Other	3	1.2

CANADIAN VICTIM IMPACT STATEMENTS

Employment		
Full-time	75	30.7
Part-time	51	20.9
Unemployed	12	4.9
Student	84	34.4
Retired	5	2.0
Self-employed	6	2.5
Unable to work	11	4.5
Income Bracket		
Below 10k	73	29.9
10k-20k	43	17.6
20k-30k	24	9.8
30k-40k	18	7.4
40k-50k	13	5.3
50k-60k	18	7.4
60k-70k	12	5.3
70k-80k	5	2.0
80k-90k	10	4.1
90k-100k	7	2.9
Over 100k	14	5.7
Prefer not to answer	7	2.9
English Native		
Yes	212	86.5
No	32	13.1
Prefer not to answer	1	0.4
English Comfort		
Very comfortable	234	95.5
Slightly comfortable	9	3.7
Slightly uncomfortable	2	0.8
Vehicle Access		
Yes	183	74.7
No	56	22.9
Prefer not to answer	6	2.4
Residence Location		
City	140	57.1
Suburbs	66	26.9
Country/Rural	38	15.5
Prefer not to answer	1	0.4

CANADIAN VICTIM IMPACT STATEMENTS

Crime victim		
Yes	103	42
No	136	55.5
Prefer not to answer	6	2.4
Written a VIS		
Yes	29	11.8
No	214	87.3
Prefer not to answer	2	0.8

Note. N = 245

Results

Data Analysis

Readability, usability, willingness, and need for help scores of all forms were aggregated to produce 4 continuous dependent variables (readability, usability, willingness, and need for help). The readability, usability, willingness, and need for help scores were then calculated for each VIS form (e.g. Alberta readability, Alberta usability, Alberta willingness, and Alberta need for help). Participants were presented with 3 VIS forms. However, to treat the study as a between-subject design, only the first VIS form that participants were presented with was included in the analysis. For example, only the NS form results were analyzed if a participant was presented with the NS, ON, and PEI form in order. The final dataset resulted in 1 set of data per participant, with one VIS form per participant.

The access, inclusion, and delivery scores were calculated; with each participant being shown one method of access and one delivery method. The access, inclusion, and delivery scores were then calculated.

Missing Data. The missing values for the readability (13.5%, $n = 33$), usability (30.5%, $n = 200$), willingness (0.8%, $n = 5$), and need for help (3%, $n = 2$) scores were calculated. Participants with missing data from the readability, usability, willingness, and need for help items did not differ significantly in terms of age group, ethnicity, gender, education, employment, and income ($p > .05$).

The missing values for access (3.7%, $n = 9$), delivery (2.4%, $n = 6$), and inclusion (3.3%, $n = 8$) were analyzed. Participants with missing data from the inclusivity items did not differ significantly in terms of age group, ethnicity, gender, education, employment, and income ($p > .05$).

Univariate Outliers. Outliers were defined as z -scores greater than 3.29. There were 5 outliers within the readability means, 2 outliers within the usability means, and no outliers in the willingness, need for help, and inclusivity means.

The outlier was reduced through winsorizing, which assigns the outlier to a lower weight to reduce its impact. The rank orders are preserved, and no data is lost. The z -scores of the winsorized variables were calculated again and the results indicated that no values were over 3.29 or -3.29, eliminating any remaining outliers.

Intercorrelations. The intercorrelation values of the readability, usability, willingness, and need for help variables were calculated for all 12 VIS forms. The reliability scores were calculated for readability and usability. Intercorrelation and reliability values can be seen on Table 10.

Internal Consistency. The Cronbach's alpha was calculated for the readability, usability, and inclusion items. Items in the usability ($\alpha = .86, n = 11, m = 1.82, SD = .66$) and inclusion measures ($\alpha = .75, n = 5, m = 2.27, SD = .67$) had a Cronbach's alpha value of over .70 (Taber, 2017). The Cronbach's alpha value for the readability items were under the .7 cut-off ($\alpha = .47, n = 3, m = 2.25, SD = .67$). The lower internal consistency value for the readability items (under .7) may be due to the limited items in the measure (3 items); as shorter scales are more prone to lower internal consistencies (Starkweather, 2012).

CANADIAN VICTIM IMPACT STATEMENTS

Table 10*Intercorrelations and reliability for the main variables, separated by VIS form.*

	M	SD	Readability	Usability	Willingness	Need for Help
AB						
Readability	2.05	.37				
Usability	1.65	.39	.43			
Willingness	1.79	.97	.61*	.54*		
Need for Help	1.86	1.10	.02	.55*	.19	
BC						
Readability	1.83	.19				
Usability	1.36	.34	-.62			
Willingness	1.25	.50	-.58	.89		
Need for Help	1.50	.58	-1.00**	.62	.58	
MB						
Readability	2.06	.41				
Usability	1.82	.53	.35			
Willingness	1.76	.75	-.09	.71*		
Need for Help	1.94	1.14	.14	.37	.35	
NB						
Readability	2.47	.51				
Usability	1.62	.64	.27			
Willingness	1.40	.52	.49	.46		
Need for Help	2.10	.99	.42	.32	.13	
NL						
Readability	1.85	.26				
Usability	1.35	.46	-.56*			
Willingness	1.61	.77	-.04	.56*		
Need for Help	1.46	.66	-.36	.50	.21	
NS						
Readability	2.18	.46				
Usability	1.72	.30	.31			
Willingness	1.61	.87	.39	.23		
Need for Help	1.77	.93	.10	.29	-.22	
NWT						
Readability	2.30	.66				
Usability	2.06	.66	.44			
Willingness	1.73	1.00	.19	.52		

CANADIAN VICTIM IMPACT STATEMENTS

	Need for Help	1.91	1.04	.04	.01	.16
ON	Readability	2.44	.65			
	Usability	1.97	.67	.70**		
	Willingness	2.14	1.00	.50**	.47**	
	Need for Help	2.00	1.06	.49**	.51**	.36*
PEI	Readability	1.97	.41			
	Usability	1.48	.61	.70*		
	Willingness	1.50	1.00	.62*	.74*	
	Need for Help	1.67	.99	-.03	.21	-.09
QC	Readability	2.60	.90			
	Usability	2.27	.77	.63*		
	Willingness	2.10	1.03	.43*	.61*	
	Need for Help	2.20	1.03	.65**	.54**	.50**
SASK	Readability	2.29	.80			
	Usability	1.82	.59	.54		
	Willingness	1.78	.97	.37	.82*	
	Need for Help	2.78	1.09	.62	.28	-.05
YK	Readability	2.02	.52			
	Usability	1.64	.70	.57*		
	Willingness	1.67	1.03	.09	.19	
	Need for Help	2.28	1.27	-.01	.43	-.11

Note. Pearson correlation was used for all correlations. * $p < .05$ (two-tail), ** $p < .01$ (two-tail). Cronbach's alpha was used for all reliability. AB = Alberta, MB = Manitoba, NL = Newfoundland, PEI = Prince Edward Island, BC = British Columbia, NWT = Northwest Territories, NS = Nova Scotia, SASK = Saskatchewan, YK = Yukon, NB = New Brunswick, ON = Ontario, QC = Quebec.

How do Canadian residents rate the readability and usability of the VIS forms? Are they willing to use the forms or require assistance in completing it?

Readability. The readability scores for the AB, NB, NL, NS, SASK, YK, and MB forms indicated that the readability scores were normally distributed as $Z_{skewness}$ ranged from -.24 to 1.85 and $Z_{kurtosis}$ ranged from -1.30 to 1.48. The readability scores for the BC, NWT, ON, PEI, and QC forms indicated that the readability scores were not normally distributed, as $Z_{skewness}$ ranged from 0 to 3.78 and $Z_{kurtosis}$ ranged from 1.99 to 3.41. See Table 11 for a breakdown of the $Z_{skewness}$ and $Z_{kurtosis}$ for each VIS form.

Levene's test indicated unequal variances ($F = 2.66, p < .005$), therefore, assumptions for homogeneity of variance were violated.

A one-way ANOVA was conducted in order to determine the effect of a VIS form on readability scores [*Welch's F* (11,49.02) = 3.64, $p < .001, w^2 = .09$]. Welch's ANOVA was used because assumptions were violated, and robust scores were reported. There was a medium effect size (w^2 of .01 = small, w^2 of .06 = medium, w^2 of .14 = large).

Table 11

The $Z_{skewness}$ and $Z_{kurtosis}$ of the readability scores for the 12 VIS forms.

	$Z_{skewness}$	$Z_{kurtosis}$
AB	.82	-.86
BC	0	-2.24
MB	.95	-1.30
NB	-.54	-1.04
NL	-.24	.16
NS	.59	-.66
NWT	2.83	3.41
ON	3.78	3.08
PEI	2.45	1.99
QC	3.34	2.50
SASK	1.85	1.22
YK	1.19	1.48

CANADIAN VICTIM IMPACT STATEMENTS

The violated assumptions indicate that a robust test is required in order to not assume equal variance. A Games-Howell post hoc analysis was therefore conducted, and the confidence intervals were achieved through bootstrapping at 1,000.

The Games-Howell post hoc analysis revealed that readability scores of the QC form were significantly higher (meaning poorer readability) compared to the readability scores of the BC and NL forms ($M = .72$ to $.74, p < .05$).

The readability scores for the ON form significantly higher compared to the readability scores of the BC and NL forms ($M = .66$ to $.68, p < .00$). See table 12 for the full breakdown of the Games-Howell post-hoc comparison scores.

CANADIAN VICTIM IMPACT STATEMENTS

Table 12

Games-Howell post-hoc comparison scores of VIS forms based on readability scores.

		Mean Difference	SE	Sig.	95% CI	
					Lower	Upper
AB	BC	.21	.14	.89	-.04	.47
	MB	-.011	.14	1.00	-.28	.26
	NB	-.35	.19	.78	-.73	.06
	NL	.20	.12	.87	-.02	.44
	NS	-.17	.16	.99	-.49	.13
	NWT	-.26	.22	.99	-.77	.13
	ON	-.46	.16	.19	-.79	-.14
	PEI	.08	.15	1.00	-.24	.36
	QC	-.52	.19	.23	-.92	-.17
	SASK	-.25	.28	.99	-.85	-.24
	YK	.03	.16	1.00	-.29	.33
BC	AB	-.21	.14	.89	-.47	.04
	MB	-.23	.14	.87	-.48	.02
	NB	-.56	.19	.21	-.94	-.19
	NL	-.01	.12	1.00	-.24	.22
	NS	-.38	.16	.45	-.69	-.07
	NWT	-.47	.22	.61	-.95	-.11
	ON	-.68*	.16	.02	-.99	-.37
	PEI	-.14	.15	.99	-.46	.15
	QC	-.74*	.19	.03	-1.12	-.39
	SASK	-.46	.28	.86	-1.04	.02
	YK	-.19	.16	.98	-.50	.12
MB	AB	.01	.14	1.00	-.26	.28
	BC	.23	.14	.87	-.02	.48
	NB	-.34	.19	.81	-.72	.04
	NL	.21	.12	.84	-.02	.47
	NS	-.16	.16	.99	-.48	.17
	NWT	-.24	.22	.99	-.73	.13
	ON	-.45	.16	.23	-.79	-.13
	PEI	.09	.16	1.00	-.23	.37
	QC	-.51	.19	.26	-.91	-.16
	SASK	-.24	.28	.99	-.85	.28
	YK	.04	.16	1.00	-.28	.34
NB	AB	.35	.19	.78	-.06	.73
	BC	.56	.19	.21	.19	.94
	MB	.36	.19	.81	-.04	.72
	NL	.55	.18	.17	.19	.89
	NS	.18	.20	.99	-.24	.59

CANADIAN VICTIM IMPACT STATEMENTS

	NWT	.09	.26	1.00	-.49	.53
	ON	-.16	.21	1.00	-.56	.27
	PEI	.42	.20	.63	.01	.81
	QC	-.18	.23	1.00	-.63	.27
	SASK	.10	.31	1.00	-.54	-.68
	YK	.38	.20	.77	-.02	.78
NL	AB	-.20	.12	.87	-.44	.02
	BC	.01	.12	1.00	-.22	.24
	MB	-.21	.12	.84	-.47	.02
	NB	-.55	.18	.17	-.89	-.19
	NS	-.37	.14	.36	-.66	-.06
	NWT	-.46	.12	.59	-.94	-.09
	ON	-.66*	.15	.00	-.96	-.38
	PEI	-.13	.14	.99	-.41	.13
	QC	-.72*	.18	.01	-1.09	-.39
	SASK	-.45	.27	.85	-1.04	.03
	YK	-.17	.14	.98	-.49	.10
NS	AB	.17	.16	.99	-.13	.49
	BC	.38	.16	.45	.07	.69
	MB	.16	.16	.99	-.17	.48
	NB	-.18	.20	.99	-.60	.24
	NL	.37	.14	.36	.06	.66
	NWT	-.09	.23	1.00	-.60	.31
	ON	-.29	.18	.88	-.65	.07
	PEI	.24	.17	.95	-.10	.57
	QC	-.36	.20	.84	-.79	-.06
	SASK	-.08	.29	1.00	-.68	.47
	YK	.20	.17	.99	-.16	.56
NWT	AB	.26	.22	.99	-.13	.77
	BC	.47	.22	.61	.11	.95
	MB	.24	.12	.63	-.13	.73
	NB	-.09	.26	1.00	-.53	.49
	NL	.46	.12	.59	.09	.94
	NS	.09	.23	1.00	-.31	.60
	ON	-.21	.24	.99	-.66	.32
	PEI	.33	.23	.94	-.09	.84
	QC	-.27	.26	.99	-.75	.27
	SASK	.01	.33	1.00	-.67	.64
	YK	.28	.23	.98	-.14	.81
ON	AB	.46	.16	.19	.14	.79
	BC	.68*	.16	.02	.37	.99
	MB	.45	.16	.23	.13	.79
	NB	.12	.21	1.00	-.27	.56

CANADIAN VICTIM IMPACT STATEMENTS

	NL	.66*	.15	.00	.38	.96
	NS	.29	.18	.88	-.07	.65
	NWT	.21	.24	.99	-.32	.66
	PEI	.54	.18	.13	.18	.88
	QC	-.06	.21	1.00	-.49	.32
	SASK	.21	.29	1.00	-.41	.74
	YK	.49	.18	.23	.13	.83
PEI	AB	-.08	.15	1.00	-.36	.24
	BC	.14	.15	.99	-.15	.46
	MB	-.09	.16	1.00	-.37	.23
	NB	-.42	.20	.63	-.81	-.00
	NL	.13	.14	.99	-.13	.41
	NS	-.24	.17	.95	-.57	.10
	NWT	-.33	.23	.94	-.84	.09
	ON	-.53	.18	.13	-.88	-.18
	QC	-.59	.20	.15	-1.02	-.23
	SASK	-.32	.29	.99	-.94	-.22
	YK	-.05	.17	1.00	-.38	-.31
QC	AB	.522	.19	.23	.17	.92
	BC	.74*	.19	.03	.39	1.12
	MB	.51	.19	.26	.16	.91
	NB	.18	.23	1.00	-.27	.63
	NL	.72*	.18	.01	.39	1.09
	NS	.36	.20	.84	-.06	.79
	NWT	.27	.26	.99	-.27	.75
	ON	.06	.21	1.00	-.32	.49
	PEI	.59	.20	.15	.23	1.02
	SASK	.27	.31	.99	-.37	.88
	YK	.55	.20	.25	.17	1.01
SASK	AB	.25	.28	.99	-.24	.85
	BC	.46	.28	.86	-.02	1.04
	MB	.24	.28	.99	-.28	.85
	NB	-.09	.31	1.00	-.68	.54
	NL	.45	.27	.85	-.03	1.04
	NS	.08	.29	1.00	-.47	.68
	NWT	-.01	.33	1.00	-.64	.67
	ON	-.21	.29	1.00	-.74	.41
	PEI	.32	.29	.99	-.22	.94
	QC	-.27	.31	.99	-.88	.37
	YK	.28	.29	.99	-.24	.91
YK	AB	-.03	.16	1.00	-.33	.29

CANADIAN VICTIM IMPACT STATEMENTS

BC	.19	.16	.98	-.12	.50
MB	-.04	.16	1.00	-.35	.28
NB	-.37	.20	.77	-.78	.02
NL	.17	.14	.98	-.10	.49
NS	-.20	.17	.99	-.56	-.16
NWT	-.28	.23	.98	-.81	.14
ON	-.49	.18	.23	-.83	-.13
PEI	.05	.17	1.00	-.31	.38
QC	-.55	.20	.25	-1.01	-.17
SASK	-.28	.29	.99	-.91	.24

Note. SE = Standard error; *Sig. = significant at $p < .05$; 95% CI = 95% confidence interval; AB = Alberta; MB = Manitoba; NL = Newfoundland; PEI = Prince Edward Island; BC = British Columbia; NWT = Northwest Territories; NS = Nova Scotia; SASK = Saskatchewan; YK = Yukon; NB = New Brunswick; ON = Ontario; QC = Quebec.

Usability. The usability scores for the AB, BC, MB, NB, NWT, ON, and SASK forms indicated that the scores were normally distributed as $Z_{skewness}$ ranged from -.02 to 1.53 and $Z_{kurtosis}$ ranged from -1.23 to 1.83. The usability scores for the NL, NS, PEI, QC, and YK forms indicated that the usability scores were not normally distributed, as $Z_{skewness}$ ranged from 2.28 to 4.60 and $Z_{kurtosis}$ ranged from -4.18 to 7.47. See Table 13 for a breakdown of the $Z_{skewness}$ and $Z_{kurtosis}$ for each VIS form.

Levene's test indicated unequal variances ($F = 3.11, p < .001$), therefore, assumptions for homogeneity of variance were violated.

A one-way ANOVA was conducted to determine the effect of a VIS form on usability scores [$Welch's F(11,47.28) = 3.02, p < .005, w^2 = .11$]. Welch's ANOVA and robust scores were used because assumptions were violated. The effect size was large (w^2 of .01 = small, w^2 of .06 = medium, w^2 of .14 = large).

Table 13

The $Z_{skewness}$ and $Z_{kurtosis}$ of the usability scores for the 12 VIS forms.

	$Z_{skewness}$	$Z_{kurtosis}$
AB	-.02	-1.23
BC	.75	.57
MB	1.48	.32
NB	.77	-1.20
NL	3.31	4.18
NS	2.29	1.83
NWT	.51	.41
ON	1.53	-.40
PEI	4.25	6.71
QC	2.28	.10
SASK	.18	-1.12
YK	4.60	7.47

The violated assumptions indicated that a robust test is required to not assume equal variance. A Games-Howell post hoc analysis was therefore conducted, and the confidence intervals were achieved through bootstrapping at 1,000. The Games-Howell post hoc analysis revealed that usability scores of the QC form was significantly higher (indicating poorer usability ratings) compared to the usability scores of the NL form ($M = .88$, $p < .001$).

The usability scores of the ON form were significantly higher than the NL form ($M = .61$, $p < .05$). See Table 14 for the full breakdown of the Games-Howell post-hoc comparison scores.

CANADIAN VICTIM IMPACT STATEMENTS

Table 14

Games-Howell post-hoc comparison scores of VIS forms based on usability scores.

		Mean Difference	SE	Sig.	95% CI	
					Lower	Upper
AB	BC	.29	.19	.91	-.70	1.28
	MB	-.17	.17	.99	-.76	.42
	NB	.06	.21	1.00	-.74	.86
	NL	.30	.16	.78	-.29	.89
	NS	-.15	.16	.99	-.71	-.40
	NWT	-.40	.22	.78	-1.25	.45
	ON	-.31	.15	.68	-.85	.22
	PEI	.18	.20	.99	-.58	.93
	QC	-.58	.18	.07	-1.18	.03
	SASK	-.17	.22	1.00	-1.04	.71
	YK	.02	.19	1.00	-.68	.71
BC	AB	-.29	.19	.91	-1.28	.70
	MB	-.46	.21	.61	-1.43	.51
	NB	-.23	.25	.99	-1.26	.80
	NL	.01	.21	1.00	-.97	.99
	NS	-.44	.21	.61	-1.42	.54
	NWT	-.69	.26	.35	-1.75	.37
	ON	-.60	.20	.30	-1.57	.37
	PEI	-.11	.24	1.00	-1.13	.89
	QC	-.87	.22	.08	.09	-.63
	SASK	-.46	.26	.81	-1.53	.62
	YK	-.27	.24	.98	-1.25	.71
MB	AB	.17	.17	.99	-.42	.76
	BC	.46	.21	.61	-.51	1.43
	NB	.23	.22	.99	-.59	1.06
	NL	.47	.18	.33	-.17	1.11
	NS	.02	.17	1.00	-.59	.63
	NWT	-.23	.24	.99	-1.11	.64
	ON	-.14	.17	.99	-.74	.45
	PEI	.35	.22	.89	-.45	1.13
	QC	-.41	.19	.60	-1.07	.25
	SASK	.01	.24	1.00	-.89	.90
	YK	.19	.21	.99	-.55	.92
NB	AB	-.06	.21	1.00	-.86	.74
	BC	.23	.25	1.00	-.80	1.26
	MB	-.23	.22	.99	-1.06	.59
	NL	.24	.22	.99	-.59	1.07
	NS	-.21	.22	1.00	-1.03	.59

CANADIAN VICTIM IMPACT STATEMENTS

	NWT	-.46	.27	.84	-1.46	.53
	ON	-.37	.22	.83	-1.18	.43
	PEI	.12	.25	1.00	-.81	1.04
	QC	-.64	.23	.26	-1.48	-.20
	SASK	-.23	.27	1.00	-1.24	.78
	YK	-.04	.25	1.00	-.94	.85
NL	AB	-.30	.16	.78	-.89	.29
	BC	-.01	.21	1.00	-.99	.97
	MB	-.47	.18	.33	-1.12	.17
	NB	-.24	.22	.99	-1.07	.59
	NS	-.46	.17	.30	-1.07	.16
	NWT	-.70	.23	.19	-1.58	.17
	ON	-.61*	.17	.04	-1.21	-.02
	PEI	-.13	.22	1.00	-.92	.67
	QC	-.88*	.19	.00	-1.54	-.22
	SASK	-.47	.23	.67	-1.37	.43
	YK	-.28	.21	.96	-1.02	.45
NS	AB	.15	.16	.99	-.40	.71
	BC	.44	.21	.61	-.54	1.42
	MB	-.02	.12	.47	-.63	.59
	NB	.21	.22	.99	-.59	1.03
	NL	.46	.17	.30	-.16	1.07
	NWT	-.25	.23	.99	-1.11	.61
	ON	-.16	.16	.99	-.26	.17
	PEI	.33	.21	.89	-.72	.40
	QC	-.42	.18	.47	-1.05	.20
	SASK	-.01	.23	1.00	-.90	.87
	YK	.17	.20	.99	-.54	.88
NWT	AB	.40	.22	.80	-.45	1.25
	BC	.69	.26	.35	-.37	1.75
	MB	.23	.24	.99	-.64	1.11
	NB	.46	.27	.84	-.53	1.46
	NL	.70	.23	.19	-.17	1.58
	NS	.25	.23	.99	-.61	1.11
	ON	.09	.123	1.00	-.76	.94
	PEI	.58	.26	.57	-.39	1.55
	QC	-.18	.24	1.00	-1.06	.71
	SASK	.24	.28	.99	-.80	1.28
	YK	.42	.26	.88	-.51	1.35
ON	AB	.31	.15	.68	-.22	.85
	BC	.60	.20	.30	-.37	1.57
	MB	.14	.17	.99	-.45	.74
	NB	.37	.22	.83	-.43	1.18
	NL	.61*	.17	.04	.02	.71

CANADIAN VICTIM IMPACT STATEMENTS

	NS	.16	.16	1.00	-.40	.72
	NWT	-.09	.23	1.00	-.94	.76
	PEI	.49	.21	.48	-.27	1.25
	SASK	.15	.23	1.00	-.73	1.02
	YK	.33	.20	.88	-.37	1.03
	QC	-.27	.18	.94	-.88	.35
PEI	AB	-.18	.20	.99	-.93	.58
	BC	.11	.24	1.00	-.89	1.13
	MB	-.35	.22	.89	-1.14	.45
	NB	-.12	.25	1.00	-1.04	.81
	NL	.13	.22	1.00	-.67	.92
	NS	-.33	.21	.89	-1.10	.44
	NWT	-.58	.26	.57	-1.55	.39
	ON	-.49	.21	.48	-1.25	.27
	QC	-.75	.22	.08	-1.56	.05
	SASK	-.34	.26	.97	-1.32	.64
	YK	-.16	.24	1.00	-1.02	.70
QC	AB	.58	.18	.07	-.03	1.18
	BC	.87	.22	.08	-.09	1.83
	MB	.41	.19	.60	-.25	1.07
	NB	.64	.23	.26	-.20	1.48
	NL	.88*	.19	.00	.22	1.54
	NS	.42	.18	.47	-.20	1.05
	NWT	.18	.24	1.00	-.71	1.06
	ON	.27	.18	.94	-.35	.88
	PEI	.75	.22	.08	-.05	1.56
	SASK	.41	.24	.85	-.49	1.32
	YK	.59	.22	.24	-.16	1.35
SASK	AB	.17	.22	1.00	-.71	1.04
	BC	.46	.26	.81	-.62	1.53
	MB	-.00	.24	1.00	-.90	.89
	NB	.23	.27	1.00	-.78	1.23
	NL	.47	.23	.69	-.43	1.37
	NS	.01	.23	1.00	-.87	.90
	NWT	-.24	.28	1.00	-1.28	.80
	ON	-.15	.23	1.00	-1.02	.73
	PEI	.34	.26	.97	-.64	1.32
	QC	-.41	.24	.85	-1.32	.49
	YK	.18	.26	1.00	-.77	1.13
YK	AB	-.02	.19	1.00	-.71	.68
	BC	.27	.24	.98	-.71	1.25
	MB	-.19	.21	.99	-.92	.55
	NB	.04	.25	1.00	-.85	.94

CANADIAN VICTIM IMPACT STATEMENTS

NL	.28	.21	.96	-.45	1.02
NS	-.17	.20	.99	-.88	.54
NWT	-.42	.26	.88	-1.35	.51
ON	-.33	.20	.88	-1.03	.37
PEI	.16	.24	1.00	-.69	1.02
QC	-.60	.22	.24	-1.35	.16
SASK	-.18	.26	1.00	-1.13	.77

Note. SE = Standard error; *Sig. = significant at $p < .05$; 95% CI = 95% confidence interval; AB = Alberta; MB = Manitoba; NL = Newfoundland; PEI = Prince Edward Island; BC = British Columbia; NWT = Northwest Territories; NS = Nova Scotia; SASK = Saskatchewan; YK = Yukon; NB = New Brunswick; ON = Ontario; QC = Quebec.

Willingness. The willingness scores for the AB, MB, NB, NL, ON, QC, and SASK forms indicated that the willingness scores were normally distributed as $Z_{skewness}$ ranged from .70 to 1.80 and $Z_{kurtosis}$ ranged from -1.71 to 1.53. The willingness scores for the NS, NWT, PEI, YK and BC forms indicated that the willingness scores were not normally distributed, as $Z_{skewness}$ ranged from 1.97 to 3.08 and $Z_{kurtosis}$ ranged from 2.44 to 3.46. See Table 15 for a breakdown of the $Z_{skewness}$ and $Z_{kurtosis}$ for each VIS form.

Levene's test indicated unequal variances ($F = 1.60, p = .13$), therefore, assumptions for homogeneity of variance were violated.

A one-way ANOVA was conducted in order to determine the effect of VIS form on willingness scores [*Welch's F* (11,176) = 1.36, $p = .20, w^2 = .02$]. Welsh's ANOVA was used because assumptions were violated, and robust tests needed to be reported. The effect size was small (w^2 of .01 = small, w^2 of .06 = medium, w^2 of .14 = large).

Table 15

The $Z_{skewness}$ and $Z_{kurtosis}$ of the willingness scores for the 12 VIS forms.

	$Z_{skewness}$	$Z_{kurtosis}$
AB	1.80	.32
BC	1.97	1.53
MB	.79	-.93
NB	.70	-1.71
NL	1.38	-.49
NS	2.89	3.46
NWT	2.08	1.03
ON	1.44	-.97
PEI	3.08	2.44
QC	1.41	-.82
SASK	.77	-1.44
YK	2.79	1.18

The violated assumptions indicate that a robust test is required to not assume equal variance. A Games-Howell post hoc analysis was therefore conducted, and the confidence intervals were achieved through bootstrapping at 1,000. The Games-Howell post hoc analysis revealed that willingness scores was not significantly higher or lower between each form. See Table 16 for the full breakdown of the Games-Howell post-hoc comparison scores.

CANADIAN VICTIM IMPACT STATEMENTS

Table 16

Games-Howell post-hoc comparison scores of VIS forms based on willingness scores.

		Mean Difference	SE	Sig.	95% CI	
					Lower	Upper
AB	BC	.54	.36	.92	-.21	1.22
	MB	.02	.34	1.00	-.13	.48
	NB	.39	.31	.98	-.21	1.00
	NL	.17	.34	1.00	-.50	.86
	NS	.14	.34	1.00	-.55	.80
	NWT	.06	.40	1.00	-.75	.85
	ON	-.41	.31	.97	-1.04	.17
	PEI	.29	.39	1.00	-.59	.94
	QC	-.31	.32	.99	-.93	.35
	SASK	.01	.42	1.00	-.82	.85
	YK	.12	.36	1.00	-.66	.87
BC	AB	-.54	.36	.92	-1.22	.21
	MB	-.51	.31	.84	-1.06	.16
	NB	-.15	.29	1.00	-.67	.27
	NL	-.37	.33	.98	-.93	.30
	NS	-.39	.34	.98	-1.00	.30
	NWT	-.48	.39	.98	-1.23	.29
	ON	-.94	.30	.25	-1.42	-.33
	PEI	-.25	.38	1.00	-1.00	.50
	QC	-.85	.31	.36	-1.36	-.21
	SASK	-.53	.41	.96	-1.29	.27
	YK	.09	.24	1.00	-1.00	.27
MB	AB	-.02	.32	1.00	-.64	.59
	BC	.51	.31	.84	-.16	1.06
	NB	.36	.24	.93	-.12	.88
	NL	.15	.28	1.00	-.42	.69
	NS	.12	.29	1.00	-.50	.67
	NWT	.04	.35	1.00	-.67	.71
	ON	-.43	.25	.85	-.92	.07
	PEI	.26	.34	1.00	-.44	.89
	QC	-.34	.26	.98	-.85	.20
	SASK	-.01	.38	1.00	-.75	.70
	YK	.09	.30	1.00	-.58	.67
NB	AB	-.39	.31	.98	-1.01	.21
	BC	.15	.30	1.00	-.47	.67
	MB	-.36	.24	.93	-.88	.12

CANADIAN VICTIM IMPACT STATEMENTS

	NL	-.22	.27	.99	-.75	.33
	NS	-.24	.28	.99	-.84	.25
	NWT	-.33	.35	.99	-1.08	.33
	ON	-.79	.24	.08	-1.23	-.29
	PEI	-.10	.33	1.00	-.78	.50
	QC	-.70	.25	.22	-1.20	-.22
	SASK	-.38	.36	.99	-1.11	.31
	YK	-.27	.29	.99	-.87	.29
NL	AB	-.17	.34	1.00	-.86	.50
	BC	.37	.33	.98	-.30	.93
	MB	-.15	.28	1.00	-.69	.42
	NB	-.22	.27	.00	-.33	.75
	NS	-.03	.31	1.00	-.74	.57
	NWT	-.11	.37	1.00	-.85	.59
	ON	-.58	.27	.62	-1.12	-.04
	PEI	.12	.36	1.00	-.62	.78
	QC	-.48	.28	.85	-1.06	.08
	SASK	-.16	.39	1.00	-.93	.60
	YK	-.05	.32	1.00	-.75	.56
NS	AB	-.14	.34	1.00	-.79	.55
	BC	.39	.34	.98	-.30	1.00
	MB	-.12	.29	1.00	-.67	.50
	NB	.24	.28	.99	-.25	.84
	NL	.03	.31	1.00	-.57	.74
	NWT	-.08	.38	1.00	-.81	.63
	ON	-.55	.28	.72	-1.03	.06
	PEI	.14	.37	1.00	-.64	.82
	QC	-.46	.29	.91	-.99	.18
	SASK	-.13	.39	1.00	-.88	.71
	YK	-.02	.33	1.00	-.70	.70
NWT	AB	-.06	.40	1.00	-.85	.75
	BC	.48	.39	.98	-.29	1.23
	MB	-.04	.35	1.00	-.71	.67
	NB	.33	.35	.99	-.33	1.08
	NL	.11	.37	1.00	-.59	.85
	NS	.08	.38	1.00	-.63	.81
	ON	-.47	.35	.96	-1.13	.21
	PEI	.23	.42	1.00	-.67	1.02
	QC	-.37	.36	.99	-1.03	.30
	SASK	-.05	.44	1.00	-.91	.81
	YK	.06	.39	1.00	-.69	.82

CANADIAN VICTIM IMPACT STATEMENTS

ON	AB	.41	.31	.97	-.17	1.04
	BC	.94	.30	.25	.33	1.42
	MB	.43	.25	.85	-.07	.92
	NB	.79	.24	.08	.29	1.23
	NL	.58	.27	.62	.04	1.12
	NS	.55	.28	.72	-.06	1.03
	NWT	.47	.35	.96	-.21	1.13
	PEI	.69	.34	.65	-.06	1.27
	QC	.09	.26	1.00	-.43	.57
	SASK	.42	.37	.99	-.31	1.09
YK	.53	.29	.82	-.10	1.11	
PEI	AB	-.29	.39	1.00	-.94	.59
	BC	.25	.38	1.00	-.50	1.00
	MB	-.26	.34	1.00	-.89	.44
	NB	.10	.33	1.00	-.49	.78
	NL	-.12	.36	1.00	-.78	.62
	NS	-.14	.37	1.00	-.82	.64
	NWT	-.23	.42	1.00	-1.02	.67
	ON	-.69	.34	.65	-1.27	.06
	QC	-.60	.34	.83	-1.23	.11
	SASK	-.28	.43	1.00	-1.11	.62
YK	-.17	.38	1.00	-.87	.63	
QC	AB	.31	.32	.99	-.35	.93
	BC	.85	.31	.36	.21	1.36
	MB	.34	.26	.98	-.20	.85
	NB	.70	.25	.22	.56	1.26
	NL	.48	.28	.85	-.08	1.06
	NS	.46	.29	.91	-.18	.99
	NWT	.37	.36	.99	-.30	1.03
	ON	-.09	.26	1.00	.26	.83
	PEI	.60	.34	.83	-1.11	1.23
	SASK	.32	.37	1.00	-.46	1.06
YK	.43	.31	.95	-.22	1.02	
SASK	AB	-.01	.42	1.00	-.85	.82
	BC	.53	.41	.96	-.27	1.29
	MB	.01	.37	1.00	-.70	.75
	NB	.38	.36	.99	.22	1.20
	NL	.16	.39	1.00	-.60	.94
	NS	.13	.39	1.00	-.71	.88
	NWT	.05	.44	1.00	-.81	.91
	ON	-.42	.37	.98	-.57	.43
	PEI	.28	.43	1.00	-.62	1.11

CANADIAN VICTIM IMPACT STATEMENTS

	QC	-.32	.37	.99	-1.06	.46
	YK	.11	.40	1.00	-.69	.89
YK	AB	-.12	.36	1.00	-.87	.66
	BC	.42	.35	.98	-.27	1.00
	MB	-.09	.30	1.00	-.67	.58
	NB	.27	.29	.99	-.29	.87
	NL	.05	.32	1.00	-.56	.75
	NS	.03	.33	1.00	-.70	.70
	NWT	-.06	.39	1.00	-.82	.69
	ON	-.53	.29	.82	-1.11	.10
	PEI	.17	.38	1.00	-.63	.87
	QC	-.43	.31	.95	-1.02	.22
	SASK	-.11	.40	1.00	-.89	.69

Note. SE = Standard error; 95% CI = 95% confidence interval; AB = Alberta; MB = Manitoba; NL = Newfoundland; PEI = Prince Edward Island; BC = British Columbia; NWT = Northwest Territories; NS = Nova Scotia; SASK = Saskatchewan; YK = Yukon; NB = New Brunswick; ON = Ontario; QC = Quebec.

Need for Help. The need for help scores for the AB, MB, NB, NS, NL, NWT, ON, QC, SASK, and, YK forms indicated that the need for help scores were normally distributed as $Z_{skewness}$ ranged from -.32 to 1.93 and $Z_{kurtosis}$ ranged from -1.62 to 1.38. The need for help scores for the PEI, BC forms indicated that the need for help scores were not normally distributed, as $Z_{skewness}$ ranged from 0 to 2.35 and $Z_{kurtosis}$ ranged from -2.29 to 1.38. See Table 17 for a breakdown of the $Z_{skewness}$ and $Z_{kurtosis}$ for each VIS form.

Levene's test indicated unequal variances ($F = 1.57, p = .14$), therefore, assumptions for homogeneity of variance were violated.

A one-way ANOVA was conducted to determine the effect of a VIS forms on need for help scores [$Welch's F(11, 176) = 1.28, p = .24, w^2 = .02$]. Welsh's ANOVA was used because assumptions were violated, and robust tests needed to be reported. The effect size was small (w^2 of .01 = small, w^2 of .06 = medium, w^2 of .14 = large).

Table 17

The $Z_{skewness}$ and $Z_{kurtosis}$ of the need for help scores for the 12 VIS forms.

	$Z_{skewness}$	$Z_{kurtosis}$
AB	1.90	.13
BC	0	-2.29
MB	1.26	-1.04
NB	-.32	-1.62
NL	1.93	.54
NS	.86	-1.47
NWT	1.29	-.20
ON	1.82	-.99
PEI	2.35	1.38
QC	.89	-1.14
SASK	-.26	-.88
YK	.69	-1.55

The violated assumptions indicate that a robust test is required to not assume equal variance. A Games-Howell post hoc analysis was therefore conducted, and the confidence intervals were achieved through bootstrapping at 1,000. The Games-Howell post hoc analysis revealed that need for help scores was not significantly higher or lower between each form. See Table 18 for the Games-Howell post-hoc comparison scores for the need for help variable.

CANADIAN VICTIM IMPACT STATEMENTS

Table 18*Games-Howell post-hoc comparison scores of VIS forms based on need for help scores.*

		Mean Difference	SE	Sig.	95% CI	
					Lower	Upper
AB	BC	.36	.41	.99	-.43	1.13
	MB	-.08	.40	1.00	-.87	.61
	NB	-.23	.41	1.00	-1.04	.56
	NL	.39	.35	.99	-.31	1.08
	NS	.09	.39	1.00	-.67	.84
	NWT	-.05	.43	1.00	-.92	.78
	ON	-.19	.35	1.00	-.87	.47
	PEI	.19	.41	1.00	-.64	.95
	QC	-.34	.35	.99	-1.01	.33
	SASK	-.92	.47	.71	-1.90	-.07
	YK	-.42	.42	.99	-1.22	.44
BC	AB	-.36	.41	.99	-1.13	.43
	MB	-.44	.40	.99	-1.25	.32
	NB	-.59	.40	.92	-.67	.47
	NL	.04	.34	1.00	-.93	.30
	NS	-.27	.39	1.00	-1.00	.30
	NWT	-.41	.43	.99	-1.23	.29
	ON	-.56	.34	.85	-1.42	-.33
	PEI	-.17	.41	1.00	-1.00	.50
	QC	-.70	.34	.67	-1.36	-.21
	SASK	-1.28	.47	.32	-1.29	.27
	YK	-.78	.42	.76	-1.00	.27
MB	AB	.08	.40	1.00	-.61	.87
	BC	.44	.40	.99	-.32	1.25
	NB	-.15	.39	1.00	-.88	.66
	NL	.48	.33	.94	-.15	1.16
	NS	.17	.38	1.00	-.59	.94
	NWT	.03	.42	1.00	-.75	.87
	ON	-.11	.33	1.00	-.79	.56
	PEI	.27	.39	1.00	-.55	1.09
	QC	-.26	.34	1.00	-.94	.42
	SASK	-.84	.46	.78	-1.79	.07
	YK	-.34	.41	.99	-1.14	.55
NB	AB	.23	.41	1.00	-1.01	.21
	BC	.59	.41	.92	-.47	.67
	MB	.15	.39	1.00	-.88	.12
	NL	.63	.34	.77	-.75	.33

CANADIAN VICTIM IMPACT STATEMENTS

	NS	.32	.38	.99	-.84	.25
	NWT	.18	.42	1.00	-1.08	.33
	ON	.04	.34	1.00	-1.23	-.29
	PEI	.42	.40	.99	-.78	.50
	QC	-.11	.34	1.00	-1.20	-.22
	SASK	-.69	.46	.93	-1.11	.31
	YK	-.19	.41	1.00	-.87	.29
NL	AB	-.39	.35	.99	-1.08	.31
	BC	-.04	.34	1.00	-.66	.57
	MB	-.48	.33	.94	-1.16	.15
	NB	-.63	.34	.77	-1.25	.04
	NS	-.31	.32	.99	-.92	.31
	NWT	-.45	.36	.98	-1.23	.24
	ON	-.59	.26	.47	-1.15	-.10
	PEI	-.21	.34	1.00	-.88	.47
	QC	-.74	.26	.22	-1.28	-.25
	SASK	-1.32	.41	.16	-2.19	-.50
	YK	-.82	.35	.49	-1.47	-.09
NS	AB	-.09	.39	1.00	-.80	.55
	BC	.27	.39	1.00	-.30	1.00
	MB	-.17	.38	1.00	-.67	.50
	NB	-.32	.38	.99	-.25	.84
	NL	.31	.32	.99	-.57	.74
	NWT	-.14	.41	1.00	-.81	.63
	ON	-.29	.32	.99	-1.03	.06
	PEI	.10	.38	1.00	-.64	.82
	QC	-.43	.32	.96	-.99	.18
	SASK	-1.01	.45	.54	-.88	.71
	YK	-.51	.40	.98	-.70	.70
NWT	AB	.05	.43	1.00	-.85	.75
	BC	.41	.43	.99	-.29	1.23
	MB	-.03	.42	1.00	-.71	.67
	NB	-.18	.42	1.00	-.33	1.08
	NL	.45	.36	.98	-.59	.85
	NS	.14	.41	1.00	-.63	.81
	ON	-.15	.36	1.00	-1.13	.21
	PEI	.24	.42	1.00	-.67	1.02
	QC	-.29	.37	.99	-1.03	.30
	SASK	-.87	.48	.79	-.91	.81
	YK	-.37	.44	.99	-.69	.82
ON	AB	.19	.35	1.00	-.17	1.04
	BC	.56	.34	.85	.33	1.42
	MB	.11	.33	1.00	-.07	.92

CANADIAN VICTIM IMPACT STATEMENTS

	NB	-.04	.34	1.00	.29	1.23
	NL	.59	.26	.49	.04	1.12
	NS	.29	.32	.99	-.06	1.03
	NWT	.15	.36	1.00	-.21	1.13
	PEI	.39	.34	.99	-.06	1.27
	QC	-.14	.26	1.00	-.43	.57
	SASK	-.72	.41	.81	-.31	1.09
	YK	-.22	.35	1.00	-.10	1.11
PEI	AB	-.19	.41	1.00	-.95	.64
	BC	.17	.41	1.00	-.55	.96
	MB	-.27	.39	1.00	-1.09	.55
	NB	-.42	.40	.99	-1.17	.44
	NL	.21	.34	1.00	-.47	.88
	NS	-.10	.38	1.00	-.83	.70
	NWT	-.24	.42	1.00	-1.07	.63
	ON	-.39	.34	.99	-1.01	.29
	QC	-.53	.34	.90	-1.17	.18
	SASK	-1.11	.46	.45	-2.01	-.11
	YK	-.61	.41	.93	-1.39	.19
QC	AB	.34	.35	.99	-.35	.93
	BC	.70	.34	.67	.21	1.36
	MB	.26	.34	1.00	-.20	.85
	NB	.11	.34	1.00	.22	1.20
	NL	.74	.26	.22	-.08	1.06
	NS	.43	.32	.96	-.18	.99
	NWT	.29	.37	.99	-.30	1.03
	ON	.14	.26	1.00	-.57	.43
	PEI	.53	.34	.90	-.11	1.23
	SASK	-.58	.41	.94	-.46	1.06
	YK	-.08	.35	1.00	-.22	1.02
SASK	AB	.92	.47	.71	-.85	.82
	BC	1.28	.47	.32	-.27	1.29
	MB	.84	.46	.78	-.70	.75
	NB	.69	.46	.93	-.31	1.11
	NL	1.32	.41	.16	-.60	.94
	NS	1.01	.45	.54	-.71	.88
	NWT	.87	.48	.79	-.81	.91
	ON	.72	.41	.81	-1.10	.31
	PEI	1.11	.46	.45	-.62	1.11
	QC	.58	.41	.94	-1.06	.46
	YK	.50	.47	.99	-.69	.89
YK	AB	.42	.42	.99	-.87	.66
	BC	.78	.42	.76	-.27	1.00

CANADIAN VICTIM IMPACT STATEMENTS

MB	.34	.41	.99	-.67	.58
NB	.19	.41	1.00	-.29	.87
NL	.82	.35	.49	-.56	.75
NS	.51	.39	.98	-.70	.70
NWT	.37	.44	.99	-.82	.69
ON	.22	.35	1.00	-1.11	.10
PEI	.61	.41	.93	-.63	.87
QC	.08	.35	1.00	-1.02	.22
SASK	-.50	.47	.99	-.89	.70

Note. SE = Standard error; 95% CI = 95% confidence interval; AB = Alberta; MB = Manitoba; NL = Newfoundland; PEI = Prince Edward Island; BC = British Columbia; NWT = Northwest Territories; NS = Nova Scotia; SASK = Saskatchewan; YK = Yukon; NB = New Brunswick; ON = Ontario; QC = Quebec.

Do the VIS forms across Canada differ according to readability, usability, Canadian residents' willingness to use the forms, and need for help to complete the forms?

A MANOVA analysis was conducted to examine the difference between each VIS form in terms of readability, usability, willingness, and need for help. The multivariate results were significant for the VIS forms [*Wilks' λ* = .69, $F(44,656.16) = 1.54$, $p < .05$], indicating that there is no difference between the VIS forms exists in terms of readability, usability, willingness, and need for help between the VIS forms.

The multivariate results displayed a difference between VIS forms in terms of readability [$F(11) = 2.83$, $p < .005$, $n^2p = .15$], and usability [$F(11) = 3.34$, $p < .001$, $n^2p = .17$].

The multivariate results displayed no difference between VIS forms in terms of willingness [$F(11) = 1.24$, $p = .26$, $n^2p = .07$], and need for help [$F(11) = 1.28$, $p = .24$, $n^2p = .08$].

The univariate results indicate that out of all the VIS forms, the QC form had the highest values in terms of readability [$M = 2.60$, $SD = .11$, $CI(2.38, 3.82)$], and usability [$M = 2.27$, $SD = .11$, $CI(2.05, 2.49)$]. ON had the highest values in terms of willingness [$M = 2.10$, $SD = .17$, $CI(1.76, 2.44)$], and SASK had the highest values in terms of need for help scores [$M = 2.78$, $SD = .35$, $CI(2.09, 3.47)$]. See Table 18 for a full breakdown of the multivariate and univariate results.

CANADIAN VICTIM IMPACT STATEMENTS

Table 19

Multivariate and univariate results for the main variables.

	<i>value</i>	<i>F</i>	<i>df</i>	<i>n²p</i>
Wilks' lambda	.69	1.54*	44	.09

	<i>F</i>	<i>SS</i>	<i>MS</i>	<i>df</i>	<i>n²p</i>
Readability	2.83*	11.39	1.04	11	.15
Usability	3.34**	13.97	1.27	11	.17
Willingness	1.24	11.97	1.09	11	.07
Need for Help	1.28	15.36	1.39	11	.08

	<i>N</i>	<i>Readability</i>			<i>Usability</i>			<i>Willingness</i>			<i>Need for Help</i>		
		<i>M</i>	<i>SE</i>	<i>CI</i>	<i>M</i>	<i>SE</i>	<i>CI</i>	<i>M</i>	<i>SE</i>	<i>CI</i>	<i>M</i>	<i>SE</i>	<i>CI</i>
AB	14	2.05	.16	1.73, 2.37	1.65	.17	1.33, 1.98	1.79	.25	1.29, 2.28	1.86	.28	1.31, 2.41
BC	4	1.83	.30	1.24, 2.43	1.36	.31	.76, 1.97	1.25	.47	.33, 2.17	1.50	.52	.47, 2.53
MB	17	2.06	.15	1.77, 2.35	1.82	.15	1.53, 2.12	1.77	.23	1.32, 2.21	1.94	.25	1.44, 2.44
NB	10	2.47	.19	2.09, 2.85	1.62	.20	1.23, 2.00	1.40	.16	1.37, 1.99	2.20	.19	1.45, 2.75
NL	13	1.85	.17	1.52, 2.18	1.35	.17	1.01, 1.69	1.62	.30	.82, 1.98	1.46	.29	.89, 2.03
NS	13	2.18	.17	1.85, 2.51	1.72	.17	1.39, 2.06	1.62	.26	1.10, 2.13	1.77	.29	1.20, 2.34

CANADIAN VICTIM IMPACT STATEMENTS

NWT	38	2.30	.18	1.94, 2.67	2.06	.19	1.69, 2.42	1.73	.28	1.17, 2.28	1.91	.32	1.29, 2.53
ON	35	2.44	.10	2.24, 2.64	2.97	.10	1.76, 2.17	2.14	.16	1.83, 2.46	2.00	.18	1.65, 2.35
PEI	54	1.97	.18	1.63, 2.32	1.48	.18	1.13, 1.83	1.50	.27	.97, 2.03	1.67	.30	1.07, 2.26
QC	30	2.60	.11	2.38, 2.82	2.27	.11	2.05, 2.49	2.10	.17	1.76, 2.44	2.20	.19	1.82, 2.58
SASK	9	2.30	.20	1.90, 2.69	1.82	.21	1.42, 2.23	1.78	.31	1.16, 2.39	2.78	.35	2.09, 3.47
YK	18	2.02	.14	1.74, 2.30	1.64	.15	1.35, 1.92	1.67	.22	1.23, 2.10	2.20	.19	1.82, 2.58

Note. Wilk's lambda was used for the probability distribution. n^2p = partial eta squared. df = degrees of freedom. SS = sum of squares. MS = mean squared. M = mean. SE = standard error. CI = confidence interval. * $p < .05$ (two-tail).

Can all Canadian residents easily access and deliver the VIS forms?

Method of Delivery. When comparing the delivery scores across the four methods of delivery, a one-way ANOVA was conducted. The z-scores of the skewness and the kurtosis were all under 2, indicating that the method of delivery scores was not normally distributed. See Table 20 for the $Z_{skewness}$ and $Z_{kurtosis}$ for the various methods of delivery.

The Levene's test indicated equal variances ($F = 1.36, p = .26$) and assumptions for homogeneity were not violated.

Table 20

The $Z_{skewness}$ and $Z_{kurtosis}$ of the various methods of delivery.

	$Z_{skewness}$	$Z_{kurtosis}$
Crown	1.78	-1.49
Envelope	1.44	-1.39
General	2.33	.01
Specific	2.40	-.64

A one-way ANOVA was conducted in order to determine the effect of VIS delivery method on submission scores [$F(3, .39) = .44, p = .73$]. This indicates that there was no significant difference in the various VIS delivery method on delivery scores ($M_{Crown} = 2.08, M_{Envelope} = 1.98, M_{General} = 1.90, M_{Specific} = 1.93$).

Method of Access. When comparing the access scores across the two methods of access, an independent sample t -test was conducted. The histogram for both the online ($M = 1.68, SD = .88, Sk = 1.06$) and victim services access scores ($M = 1.75, SD = .79, Sk = .90$) appeared to be skewed when they were compared against a bell curve. The z-scores of the skewness [$Z_{skewness}(\text{online}) = 4.72; Z_{skewness}(\text{vs}) = 4.10$] and kurtosis [$Z_{kurtosis}(\text{online}) = .28; Z_{kurtosis}(\text{vs}) = .93$] indicate that the data is not normally distributed, thus suggesting that there is a probability that the values could be due to random chance.

The independent sample t -test showed that access scores (online) ($n = 117, M = 1.68, SE = .08$) did not significantly differ from the access scores (victim services) ($n = 122, M = 1.75, SE = .07$), 95% CI $[-.27, .151], t(237) = -.78, p = .57$.

Do Canadian residents believe that a diverse population can access the VIS forms?

To better understand whether the inclusivity scores differ from the six various demographic variables in the questionnaire, an independent sample *t*-test was conducted. An independent *t*-test was conducted to compare inclusivity scores across method of access. When compared against a bell curve, the histogram for online inclusivity scores appear to be somewhat normally distributed ($M = 2.25$, $SD = .64$, $Sk = -.10$) and victim services inclusivity scores appeared to be skewed ($M = 2.29$, $SD = .69$, $Sk = .36$). The *z*-scores of the skewness and kurtosis for the online inclusivity scores [$Z_{skewness}(\text{online}) = -.44$; $Z_{kurtosis}(\text{online}) = -1.97$] were not over 2, thus indicating that the online inclusivity scores were normally distributed. The *z*-scores of the skewness and kurtosis for the victim services inclusivity scores [$Z_{skewness}(\text{vs}) = 1.63$; $Z_{kurtosis}(\text{vs}) = -.91$] indicating the victim services inclusivity scores were not normally distributed.

The independent samples *t*-test showed that online inclusivity scores ($n = 115$, $M = 2.25$, $SD = .64$) did not significantly differ from the victim services inclusivity scores ($n = 122$, $M = 2.29$, $SD = .96$), 95% CI $[-.21, .13]$, $t(235) = -.43$, $p = .56$.

Discussion

Study 3 was exploratory because my goal was to learn more about VIS forms and whether the diverse Canadian population can understand, use, and access the various VIS forms. Therefore, I formed no hypotheses and aimed to gain as much knowledge on VIS forms as possible (based on my research questions and research findings). Study 3 explored various aspects of Canadian VIS forms, specifically in terms of readability, usability, individual's willingness to use the forms, and any assistance required to use the forms.

The study found some significant differences between the forms' readability, usability, willingness to use, and need for help. Overall, most of the forms were similar in terms of readability, usability, and other target variables.

As there is no existing research regarding Canadian VIS forms, I can only create assumptions and theories to explain my findings. More research needs to be conducted on VIS forms to expand the knowledge on the area and target my study's pitfalls.

Readability

The readability measure examined multiple aspects of the forms, such as the grammar, words participants did not understand, and sentence lengths. The results suggested that the QC form was the least readable, compared to the BC and NL form. Moreover, the ON was less readable compared to the BC and NL form.

When compared to the results of study 2, the findings are inconsistent. For example, the readability formulas (study 2) indicated that the NWT form is the most readable, while the NS form was the least readable. However, when presented to Canadian residents (study 3), the results show that the QC form was least readable, while the AB, NC, MB, NB, NS, NWT, PEI, SASK, and YK did differ to one another in terms of readability.

The differences between the readability findings may be due to my measure of readability and methodology. The results from study 2 were calculated using developed equations while my study analyzed readability through a set of Likert-type questions. My readability measure examined each participant's views on readability rather than using a universal formula. My readability measure also considered individual reading abilities, as not all Canadian residents share the same reading level. This is especially helpful since the sample consisted of 13.5% non-native English speakers and 20.6% of the Canadian population has a first language other than

English or French (Statistics Canada, 2018). Regardless, the results from study 2 remain essential as it provides an initial view of each form’s readability.

When trying to understand why the QC form is the less readable, it is essential to examine the differences between the QC, BC, and NL forms (in terms of grammar, sentence lengths, and use of words). When visually examining the forms, all contain similar information. However, some passages in the QC form are extended, contain additional information, run-on sentences, and lack proper punctuation. For example;

‘This form may be used to provide a description of the physical or emotional harm, property damage or economic loss suffered by you as the result of the commission of an offence or arising from the conduct for which the accused person was found not criminally responsible on account of mental disorder as well as a description of the impact of the offence or the conduct has had on you. You may attach additional pages if you need more space.’ – QC form

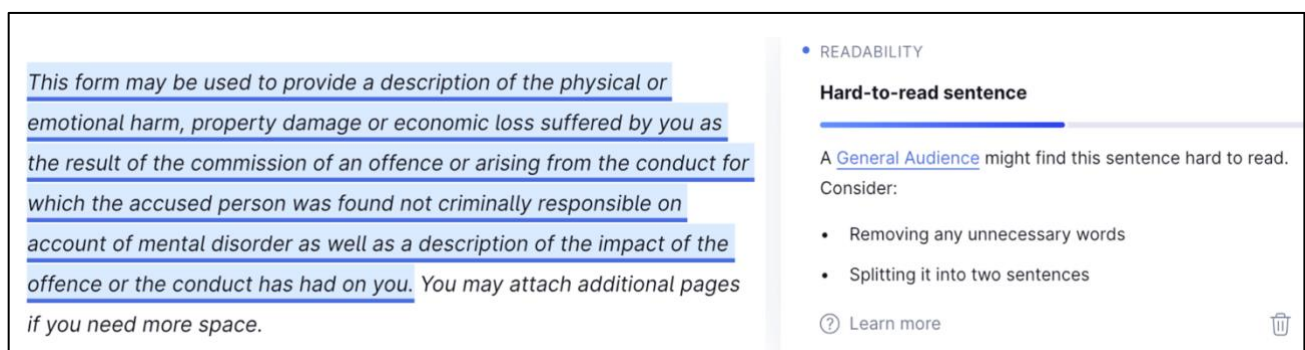
vs.

‘Use this form to provide a description of the physical or emotional harm, property damage or economic loss you suffered as a result of the commission of an offence, and describe the impact of the offence on you. If you need more space, attach, number, and initial each additional page.’ – BC form

When the passage from the QC form is placed against the Grammarly program, it indicated that the passage might be difficult to understand. See Figure 3 to view the Grammarly screenshot containing the passage from the QC form. Grammarly is an online grammar check and proofreading program often used by academics, writers, authors, and students (Collins, 2015). The program’s paid-for version allows the writer to set ‘goals’ for writing, adjust the grammar to suit a particular audience, and adjust the style indicated in the goals. For the QC passage presented above, I selected the goals to cater to a general audience, informal style, and intent to inform. It indicated that the passage might be difficult for the general population to understand.

Figure 3

A screenshot of the Grammarly feedback using the mentioned passage from the QC form.

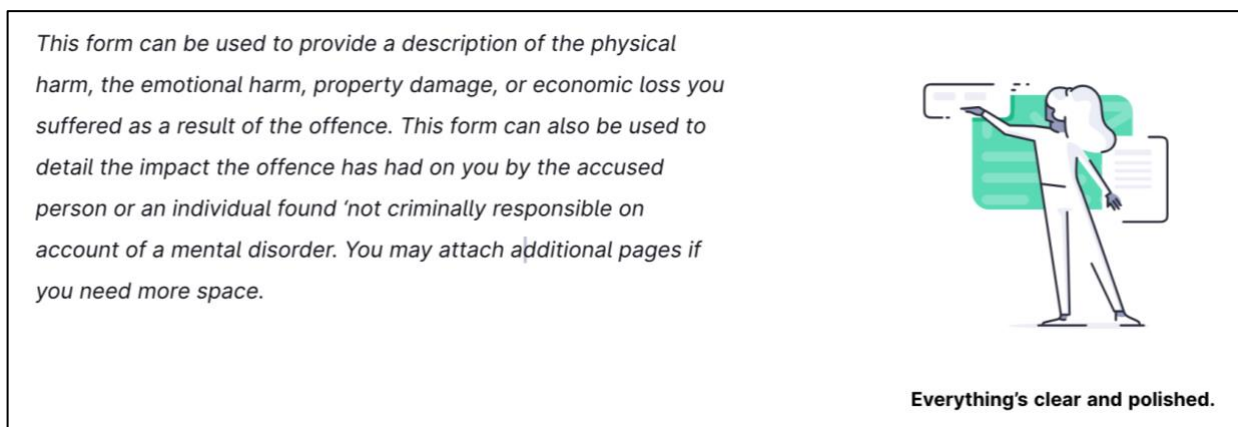


I incorporated the Grammarly suggestions and edited the QC passage to improve the form's grammar and make it easier for a 'general audience' to read. The adjusted passage contains the same information with some words reorganized and some punctuations added. The edited passage is as follows:

'This form can be used to provide a description of the physical harm, the emotional harm, property damage, or economic loss you suffered as a result of the offence. This form can also be used to detail the impact the offence has had on you by the accused person or an individual found 'not criminally responsible on account of a mental disorder'. You may attach additional pages if you need more space.'

Figure 4

A screenshot of the Grammarly feedback using the edited passage from the QC form.



The new passage suggests that with some editing, the QC forms' (and the other VIS forms) grammar, wording, and overall ease of readability can be improved. See Figure 4 to view the Grammarly screenshot containing the revised passage from the QC form. Future studies can edit the VIS forms and compare their readability with the original forms. This allows researchers to examine whether editing the grammar of the forms leads to a more readable form.

While the QC form was less readable than the NL and BC form, results also indicated the ON form was less readable than the BC and NL form. To further understand the differences between form readability, the ON form was visually compared against the BC and NL form. Overall, all VIS forms contain similar instructions, examples, and background information.

In terms of grammar and sentence length, some forms contain additional information and extended examples. On the contrary, some forms break down sentences and examples through bullet points and punctuation. The study did not examine the effects of bullet points, examples, and background information included on the forms. However, based on multiple guidelines and BC campus' technical writing essentials (2005), effective use of bullet points and examples can

increase readability. Future studies should measure a broader range of form features that could affect readability. While my measure did inquire about grammar and bullet points, it did not breakdown other aspects of grammar (such as punctuation, syntax, style).

The ON form was rated as less readable than the BC and NL forms. I compared the ON form to the BC and NL forms and examined them under the readability measure. As stated, the forms encompassed the same information and had similar wording. My study provided participants with the complete VIS forms, including any additional pages attached to the forms. Visually, the ON form contains both English and French text and interestingly, the QC form also contains both languages. My study however, did not examine how including both French and English instructions affects readability.

Overall, all VIS forms appear to be based off a template, as they contain very similar information and organized similarly from one another. However, a VIS form template is all conjecture, as it is unknown whether a template is provided to all provinces. However, the similarities between the forms may explain the lack of significant difference in readability between the AB, MB, NL, PEI, BC, NWT, SASK, and YK forms. As for the similarities between all VIS forms, the layout and contents of all forms are as follows:

- 1) Case information
- 2) Information not permitted to be included in the VIS
- 3) Emotional impact
- 4) Physical impact
- 5) Economic impact
- 6) Fear of security
- 7) Drawing, poem, or letter

Usability

The usability measure examined various aspects of the VIS forms, including the instructions provided in the forms, the spacing of the words, any irrelevant details, examples on the types of information to include the amount of space for writing, the form's format, the use of bullet points, participant's overall satisfaction of the form, and the order in which information is presented.

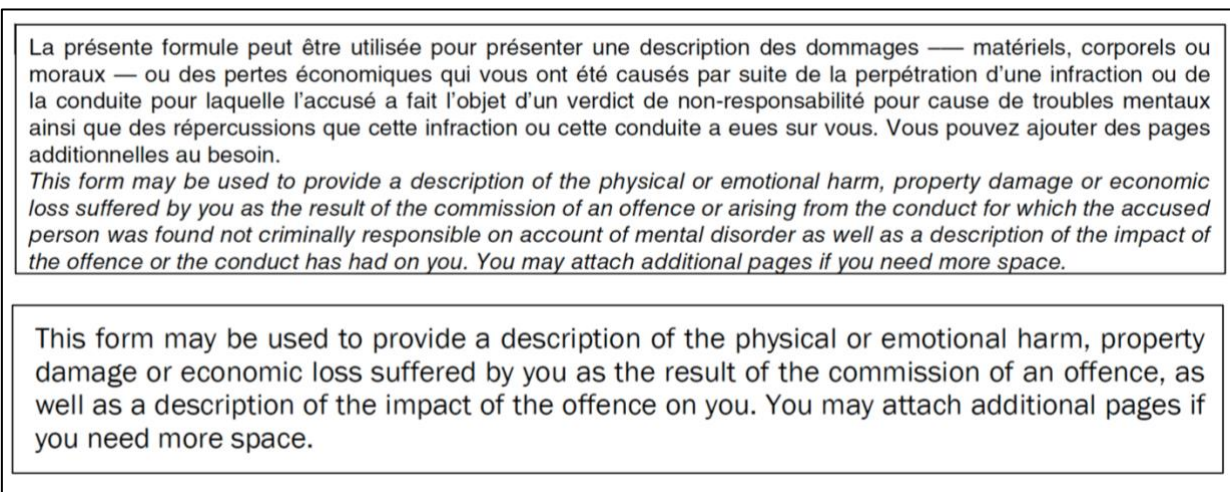
The QC form was rated as being least usable than the NL form and the ON form was less usable than the NL form. To further understand the lower usability rating of the QC form, I

examined the differences between the QC form and the NL form. As stated, the QC form contains both French and English text, with the French text directly preceding the English text. This format was similar to the ON form; however, the English text precedes the French text.

At first glance, the QC and ON forms appear to contain large sections of text because the French and English texts do not differ in font and size. The QC form italicized the English text while the ON form italicized the French text. Canadian residents may find it difficult to distinguish between the French and English text without examining the form more closely. At first glance, the forms appear to have an exorbitant amount of text, and it may be overwhelming to victims when they are initially given the form. However, my study did not examine whether the English and French text format affect usability. The exact effects of the English and French text remain unknown. See Figure 5 for a side-by-side comparison of the QC and the NL form.

Figure 5

A screenshot of the instruction section of the Quebec VIS form (top) and the NL VIS form (bottom). Both screenshots contain similar sets of instructions.



Another feature that separates the QC from the NL form is the lack of bullet points in the QC form. Tait and colleagues (2005) compared the readability of standard consent forms and modified the consent forms that follow the federal guidelines. Revised consent forms contained a larger font, bullet points, images, bolded and underlined phrases, and more readable sentence structures. Parents were provided with either the original or the revised consent form before their children's surgical procedures. The results found that parent's reading ability is correlated with their understanding of the forms. For example, parents with a grade eight or lower reading ability understood the modified form better than the standard form. Overall, the modified form was perceived as easier to read and had a better layout than the standard form. Based on the Tait and colleagues' results (2005), bullet points may allow victims with lower literary comprehension to better understand the forms. Bullet points may also allow victims to compartmentalize their

thoughts when writing their VISs. Further research on the effects of bullet points should be examined to understand their effects on usability. See Figure 6 to view a side-by-side comparison of the QC and NL form's emotional impact section.

Figure 6

A screenshot of the emotional impact section of the QC VIS form (top) and the NL VIS form (bottom). Both screenshots contain similar information.

1	RÉPERCUSSIONS D'ORDRE ÉMOTIF / EMOTIONAL IMPACT
<p>Veuillez décrire les répercussions d'ordre émotif que l'infraction ou la conduite de l'accusé a eues sur vous, par exemple, en ce qui concerne votre mode de vie et vos activités, vos relations avec les autres, notamment votre époux ou épouse, votre famille et vos amis, votre capacité à travailler, à fréquenter l'école ou à étudier, vos sentiments, vos émotions et vos réactions à l'égard de l'infraction ou de la conduite de l'accusé.</p> <p><i>Describe how the offence or the accused's conduct has affected you emotionally. For example, think of your lifestyle and activities, your relationships with others such as your spouse, family and friends, your ability to work, attend school or study and your feelings, emotions and reactions as they relate to the offence or the accused's conduct.</i></p>	
<p>Emotional Impact</p> <p>Describe how the offence has affected you emotionally. For example, think of</p> <ul style="list-style-type: none"> ▪ your lifestyle and activities; ▪ your relationships with others such as your spouse, family and friends; ▪ your ability to work, attend school or study; and ▪ your feelings, emotions and reactions as they relate to the offence. 	

Similar to the QC form, the ON form also contains both English and French in their VIS form. Unlike the QC form, however, the English text is presented before the French text, with both the texts being similar in font and size. When visually comparing the ON and QC forms with the NL form (AB, BC, MB, NB, NWT, NS, PEI, SASK, and YK), significant differences include the languages used in the forms and the ON and QC form's simple format (lack of colour, lack of various text sizes and fonts). These visual differences also applied to the other VIS forms that did not differ from one another (AB, BC, MB, NB, NWT, NL, NS, PEI, SASK, and YK); as one can argue that the ON and QC forms were less visually appealing than the other VIS forms. However, my research did not examine whether the use of colour, text sizes, and multiple languages affects form usability.

While discussing the presence of French and English in one VIS form, it is essential to note that the NB and NWT forms also contain French and English text. Interestingly, the NB and NWT did not differ in usability than the forms only written in English. The significant difference between the ON/QC and the NB/NWT form is the text layout. In the NB and NWT form, the English and French text are placed on separate columns. However, it is unknown whether this difference in format may have contributed to the forms being more 'usable.' See Figure 7 for a side-by-side comparison of the QC and NWT forms. See Figure 8 for a side-by-side comparison of the QC and NB form.

Figure 7

A screenshot of the first page of the NWT (left) and QC (right) VIS form. Both screenshots contain similar sets of information.

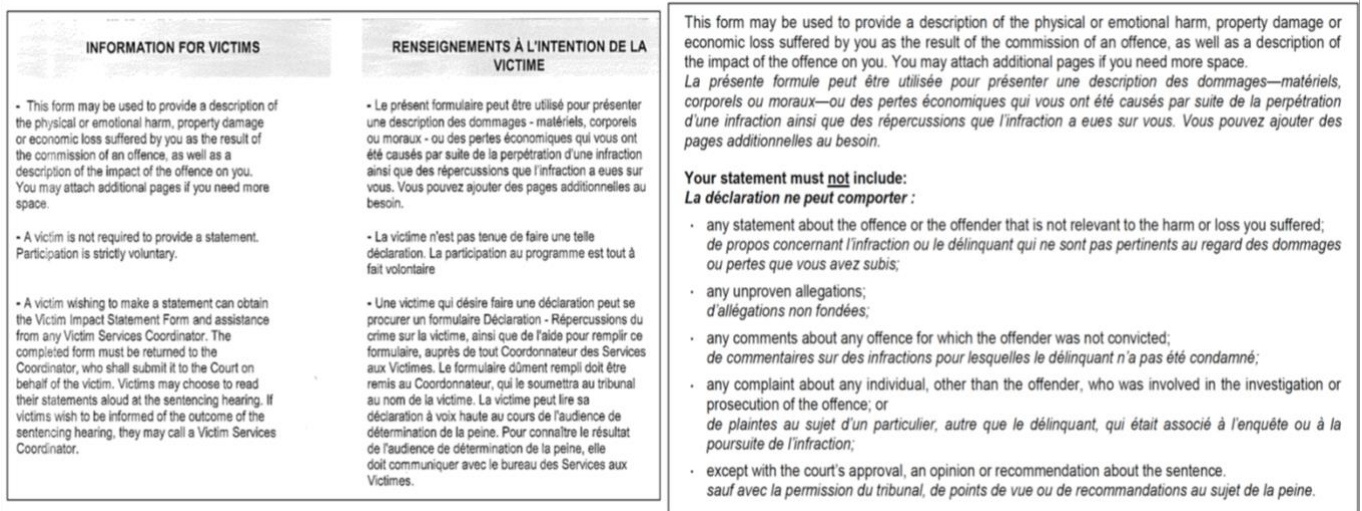
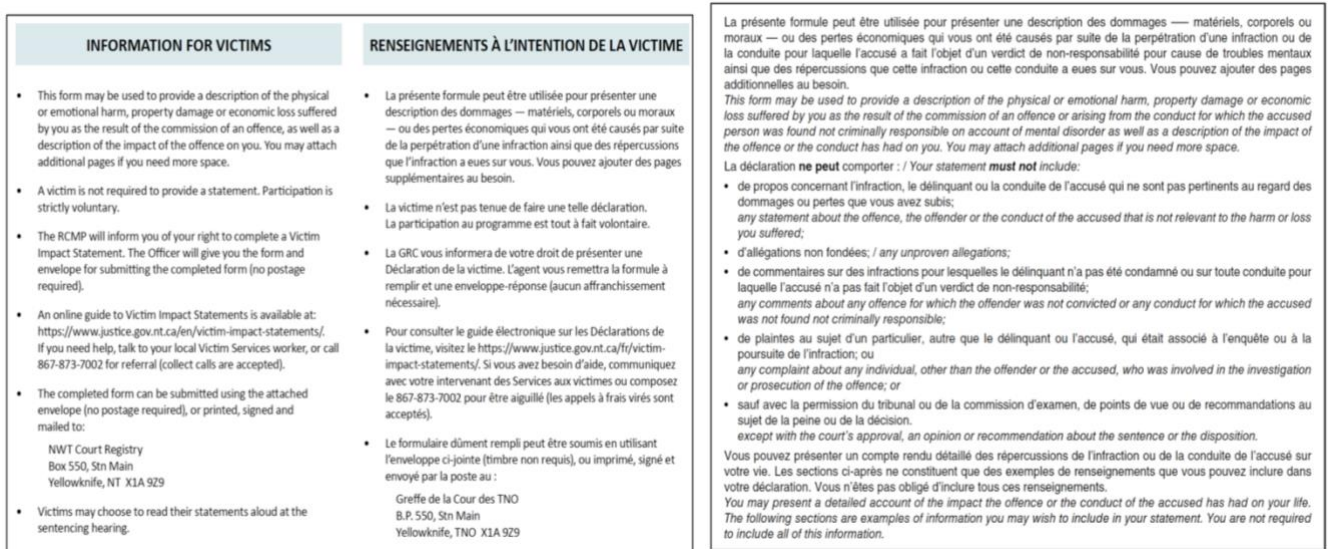


Figure 8

A screenshot of the first page of the NB (left) and ON (right) VIS form. Both screenshots contain similar sets of information.



When examining the forms' different language availability, it is essential to highlight that the BC forms are available in 9 languages (French, Filipino, French, Hindi, Korean, Persian, Punjabi, Spanish, and Vietnamese). The various BC forms retain the same format as the English form; the only difference is the text's language. All BC forms are available at <https://www2.gov.bc.ca/gov/content/justice/criminal-justice/bc-prosecution-service/victim-impact-statements>.

BC appears to be the only province that has made the VIS form available in other languages besides English or French. My study only examined the usability of the English forms, and it is unknown whether translating the forms in multiple languages affects usability. However, I assume that increasing the forms' language availability allows a larger population of Canadian residents to use and understand the forms.

To better understand the forms' commonalities, it is necessary to examine the forms that did not differ from one another (in terms of usability). When visually examining the other VIS forms (AB, BC, MB, NB, NWT, NL, NS, PEI, SASK, and YK), aside from the ON and QC forms; the forms appear similar in layout, font size, contain large sections for writing, and contain multiple bullet points.

The differences between the VIS forms (AB, BC, MB, NB, NWT, NL, NS, PEI, SASK, and YK) include the allotted space to write. As per the results from study 1, victims discussed how they submitted their VISs and utilized extra paper if they required additional writing space. Some victims eliminated the use of the form and typed their VIS on a word document. Moreover, a judge stated their indifference in whether a VIS form is handwritten or typed. The guidelines surrounding the use of VIS forms seem to be inconsistent across jurisdictions and may depend on the judge presiding over the case. More research is required to understand which VIS mediums are acceptable and which are not.

Another difference between the forms is how the VIS forms were presented to participants. Some forms can be completed electronically (using Acrobat reader), while some forms are required to be printed and handwritten. Moreover, I could not obtain PDF copies of the NB and NS forms. Instead, participants were provided with scanned copies of the forms. Portions of the NB and NS forms were faded, colours may not have transferred from the NB copy, and the text from the scanned copies was not as visible when compared to the PDF copies. I gained access to the NB and NS forms through contacting victim services. Though these forms were sent to us through scanned copies, it is unknown whether victims are provided with a PDF or printed copy. My results showed that the NS and NB forms did not differ in usability compared to the NL, PEI, SASK, YK, and NWT forms. However, the current study did not examine whether the VIS writing method (on paper or electronically) makes a difference in usability. See Figure 9 for a visual comparison of the NB, NL and NS form. The NL form represents a PDF comparison to the scanned NB and NS copies.

Figure 9

A screenshot of the emotional impact section of the NB (top), NL (middle), and NS form (bottom).

EMOTIONAL IMPACT RÉPERCUSSIONS D'ORDRE ÉMOTIF	
Describe how the offence has affected you emotionally. For example, think of: - your lifestyle and activities - your relationships with others such as your spouse, family and friends - your ability to work, attend school or study - your feelings, emotions and reactions as they relate to the offence	Veuillez décrire les répercussions d'ordre émotif que l'infraction a eues sur vous, par exemple, en ce qui concerne: - votre mode de vie et vos activités - vos relations avec les autres, notamment votre époux ou épouse, votre famille et vos amis - votre capacité à travailler, à fréquenter l'école ou à étudier - vos sentiments, vos émotions et vos réactions à l'égard de l'infraction
<p>Emotional Impact</p> <p>Describe how the offence has affected you emotionally. For example, think of</p> <ul style="list-style-type: none"> ▪ your lifestyle and activities; ▪ your relationships with others such as your spouse, family and friends; ▪ your ability to work, attend school or study; and ▪ your feelings, emotions and reactions as they relate to the offence. 	
<p>Physical Impact</p> <p>Describe how the offence has affected you physically. For example, think of</p> <ul style="list-style-type: none"> • ongoing physical pain, discomfort, illness, scarring, disfigurement or physical limitation; • hospitalization or surgery you have had because of the offence; • treatment, physiotherapy or medication you have been prescribed; • the need for any further treatment or the expectation that you will receive further treatment; and • any permanent or long-term disability. 	

Willingness to Use

The willingness measure analyzed participants' willingness to use the forms. The results showed no difference in participant's willingness to use the various VIS forms. When participants were asked to explain their responses, some stated that the additional spacing and a change in font would have been beneficial on some VIS forms. Most participants, however, did not provide an explanation. Perhaps asking participants to compare the various VIS forms and rate their willingness to use each form would yield different results as they can compare the VIS forms from one another. However, the current study only analyzed the first (of three) VIS forms participants were presented with, and the other two were excluded from the analysis. Future research could ask participants to rate their willingness to use each VIS form. However, this could create additional limitations, such as fatigue and study length. Future studies could also expand more into asking participants to explain their responses. This could provide researchers with a better understanding of which aspects of the VIS forms could be improved and which aspects are helpful.

Need for Help

The 'need for help' variable measured the likelihood of requiring assistance in completing the VIS forms. The results indicated that participants did not require a different amount of assistance when completing the various VIS forms. These results are surprising as it does not follow the pattern of the readability and usability scores. In theory, participants would require more assistance when completing the QC and ON forms compared to the NL forms because it was the less readable and usable. Just as with the willingness measure, however, my study did not further examine why participants required more assistance and the type of assistance they required. Future studies should expand the 'need for help' measure to encompass areas of 'assistance' such as the type and areas requiring further assistance.

VIS Form Access

The 'form access' variable measured how easily participants can access the VIS forms. The results revealed that the two VIS access methods did not differ from one another regarding ease of access (Online vs. Victim Services). These results were unexpected as not all Canadian residents may have access or the skills to use the internet to acquire the VIS forms. However, most Canadians have a mobile device that can call victim services. For example, Statistics Canada (2019b) claims that 24.19% of the Canadian population are over 60 years old. In theory, the older population may not have the ability to use the internet and access the forms online. However, they may ask others (such as a family member or a friend) for assistance. Moreover, only 1.6% ($n = 4$) of participants were over 60 years of age, thus suggesting that my sample was not representative of the Canadian population. Lastly, approximately 86% of Canadians own smartphones (Clement, 2019; Statistics Canada, 2019a), thus suggesting that most Canadians can use both VIS form access methods.

My study was advertised and distributed online, suggesting that all participants had the skills to access forms available online. Furthermore, my study did not examine the correlations between the methods of access, age, access to the internet, or access to a cellular phone.

Future studies should involve participants of various ages, SES, and online capabilities. Conducting the study online and on paper, while using varying recruitment methods, such as distributing fliers (where individuals of various ages may see the posters), can encompass a more representative sample. Lastly, future studies should inquire whether participants possess or have access to a mobile device, access to the internet, and their comfort level with smartphones and

the internet. Including these questions would allow researchers to better understand participants' responses to the 'form access' measure and provide researchers with possible explanations for the results.

Form Delivery

The 'form delivery' variable measured the ease in which participants can deliver the forms. These delivery methods include submitting the forms using a specific envelope, delivering the forms to the Crown attorney, following a specific set of instructions to submit the forms, and delivering the forms to the local victim services office. The results showed no difference in ease of delivery between the delivery methods, which means that participants can deliver the forms with the same amount of ease.

These results were surprising as some delivery methods require additional steps, making it more difficult to submit. For example, the 'specific envelope' delivery method requires the victim's signature, the cover page attachment, and submission through the mail, fax, the local counsel. In contrast, the 'victim services' delivery method requires victims to complete the form and return it to victim services, who will submit the form on the victim's behalf. These two delivery methods vary significantly, and some victims may have trouble accessing the mailing system, do not possess a fax machine, or do not have easy access to transportation. The study's lack of significant results can be explained through the sample size. In the sample, 57.1% ($n = 140$) resided in cities, and 74.7% ($n = 183$) had access to a vehicle. As stated, victim services offices are often located in more populous areas, indicating that 57.1% of participants reside relatively close to a victim services office, and 74.7% can commute to locations such as the local counsel's office or a victim services office. Online recruitment methods and M-Turk participants can yield valuable information; however, the sample does not encompass a wide range of demographics and is not representative of the Canadian population. Future studies should encourage recruitment efforts that will result in a more representative sample.

VIS Form Access Inclusivity

The 'inclusivity' measure examined whether participants believed that other Canadian residents could access the forms while considering their demographics (various locations of residence, ethnicities, socio-economic statuses, job areas, language, and ages). The results showed no difference in 'inclusivity' between the form access methods. As stated, 86% of

Canadians have access to a smartphone, suggesting that most Canadians can access the forms online and via victim services (Clement, 2019; Statistics Canada, 2019b).

In terms of age, my study did not obtain a representative sample of individuals varying in age. The sample consisted of 53.2% ($n = 130$) of individuals aged 20-29, while only 1.6% ($n = 4$) were aged 60 and over. Though I included 'varying ages' in the inclusivity measure, it is unknown which ages participants considered or if they could relate to individuals in different age groups.

Future studies should examine the inclusivity of the form access and delivery methods. Accessing the VIS forms is only a portion of the VIS process; submitting the forms through the proper channels can be as important as accessing the forms.

Strengths, Limitations and Future Directions

Several improvements can be made to strengthen the results of the study and further enhance research on the area of VIS forms.

Measures. First, researchers should use existing readability, usability, willingness to use, need for help, accessibility, and inclusivity measures. Pre-existing measures with good reliability enhance a study's validity, and high construct validity measures ensure that target variables are appropriately measured. I struggled to find existing measures for the target variables, but perhaps constructing more detailed measures for each variable will increase the reliability of the results. Moreover, the willingness to use, need for help, and accessibility measures only consisted of one item. Multiple limitations exist in one-item measures, including low content validity and low reliability (Sauro, 2018). One-item measures cannot represent entire variables and determining Cronbach's alpha is not possible as two items are required for calculation.

On the contrary, a study by Bergkvist and Rossiter (2007) found no difference in the predictive ability of measures with multiple-items versus single-item measures. Additionally, Drolet and Morrison (2001) found a positive correlation between 'mindless responsive behaviour' and the number of items in a measure. Future research should use pre-existing measures that contain high reliability and validity to examine these variables.

Study's Design. My study presented participants with 3 VIS forms and three equivalent sets of questionnaires measuring the variables of interest. I initially categorized the VIS forms according to the variables of interest through inter-rater reliability, thus producing three groups of VIS forms I labelled as 'easy, medium, and hard.' Participants were randomly presented with

one easy, one medium, and one hard VIS form. After my initial calculations, the results showed low convergent validity between the forms in each group and low divergent validity between the forms in different groups. To develop a between-subject design study and to adjust for the violation of ‘assumption of independence’, only the first VIS form that participants were presented with was included in the analysis. Though my sample size was large ($n = 245$), the initial study design (with the easy, medium, hard categories) resulted in an uneven presentation of the forms. For example, only 4 participants were presented with the BC form first, while ON was presented 37 times. This may have affected the study’s results, and the small sample sizes of some VIS forms can result in low statistical power and Type II error (Colquhoun, 2014). Future studies should present participants with only one VIS form and collect a larger sample to balance out the smaller number of VIS forms presented overall.

Include all VIS forms. I gained access to the VIS forms through a variety of methods. I obtained most of the forms online through the victim services websites; however, I experienced difficulties accessing certain forms. For example, obtaining the PEI and NB forms required multiple phone calls and emails to the corresponding victim services. Initially, I could not acquire the NS form until I received a copy by working for the victim services with the Halifax Regional Police. Without the personal contacts, it is unknown whether I would have obtained a copy of the form.

Similarly, I also experienced difficulties accessing a copy of the Nunavut form. Over the course of a few months, I emailed and called the Nunavut victim services numerous times, to no avail. I received no response, and ultimately, I could not gain a copy of the form. Future studies should include all VIS forms to truly understand the readability and usability of VIS forms in Canada.

The sample is not representative. I measured the accessibility, usability, and inclusivity of VIS forms to understand whether the diverse Canadian population can understand and complete the forms. The sample was not representative of the Canadian population as it consisted of mostly individuals under 30, are of Canadian origin, who were female, employed, are native English speakers, had access to a vehicle, and resided in the city.

Future studies should attempt to recruit a more diverse sample by adjusting and expanding the recruitment methods. For example, posters can be posted in locations with numerous potential participants (malls, downtown areas, community centers, and courts).

Moreover, the study can also be available in both physical and electronic copies. Perhaps the study can also be mailed to households across Canada, potentially resulting in thousands of responses that include Canadian residents with varying demographics.

Conclusion

The current study can serve as a stepping-stone for other research on VIS forms. The study highlights the potential pitfalls of certain VIS forms and the possible barriers some victims may encounter when accessing, writing, and delivering their VISs. Research on Canadian VIS forms are limited, and the study's results enhance my knowledge of VIS forms. Given my study's novelty, the goal was to understand VIS forms as much as possible, especially in the forms' readability, usability, willingness to use the forms, and need for help.

My main concern lies with the ON and QC forms and their differences from the other VIS forms. ON and QC are two of the most populated provinces in Canada (Statistic Canada, 2021), indicating that more individuals may have a more difficult time understanding and utilizing the forms. While I understand that the ON form should contain both English and French (as they are bilingual provinces), other provinces managed to include both languages without potentially sacrificing their readability, usability, and willingness to use scores. Finally, all forms should be consistent in the four measured variables as victims from certain provinces may experience more difficulties completing and understanding the VIS forms. Is it appropriate for some victims' VIS form experience to be more difficult than others?

I hope that the present research findings will inspire other academics to study VIS and use my findings to refine their research. I also hope that the current study will garner the attention of the CJS. In the future, perhaps the CJS will be willing to revise the VIS forms and make them more accessible to various Canadian residents.

General Discussion

Canadian VISs allow victims to detail the physical, emotional, and financial consequences they had experienced due to a crime. As stated, the 2015 Victim Bill of Rights now requires judges to accept and consider VISs during sentencing. However, the Bill fails to detail the weight VISs should have during sentencing. The uncertainty of their impact and the lack of existing research on Canadian VISs has made it a relatively undiscovered area.

The purpose of the three studies was to provide a better understanding of Canadian VISs. The studies explored VISs from various angles, including the perspectives of stakeholders (victims, victim service workers, lawyers, and judges), the readability of the VIS forms, and the perceived readability, usability, and accessibility of VIS forms.

In Study 1, I conducted semi-structured interviews with crime victims and other individuals who come across VISs regularly. These include lawyers (defence and Crown lawyers), judges, and victim service workers. Each participant group provided significant insight into the real-world applications of VISs. The study's findings provided a better understanding of VISs, but the participants' conflicting responses raise even more questions. Some victims had positive experiences, while some felt unheard, silenced, and re-traumatized during the VIS process. The Government of Canada (2021) notes that one of the challenges in the justice system is victims feeling isolated, re-victimized, and voiceless. Meanwhile, the Criminal Justice Review (2019) found that if the justice system considered victims in a greater capacity, they would have greater confidence in the justice system and report crimes at a greater rate. The first step is the Canadian government acknowledging the pitfalls of victims feeling isolated and the Criminal Justice review suggesting solutions for this issue. However, it is unknown if laws and guidelines will be altered to solve this issue.

Study 1 also found that some contention regarding whether VISs impact sentencing. Most legal professionals believed that VISs do not impact sentencing; however, most victims believed they did impact sentencing. Interestingly, participants (such as lawyers, judges, VSWs, and some victims) with prior knowledge of VISs believed that it does not affect sentencing decisions. The question lies as to whether victims should be notified that their VISs may not affect sentencing results. While there is no research on whether VIS affects sentencing, a Department of Justice study (2001) found that judges from Manitoba, Alberta, and British Columbia believed that VISs contain valuable and relevant information. The Department of Justice study, however, was prior

to the 2015 victim bill of rights. On the other hand, it does suggest that judges use information from VISs. Its impact, however, remains unknown.

The law states the CJS and court trials should focus on the crime committed (Department of Justice, 2019). Moreover, the Correctional Service Canada (2019) defines the purpose of criminal justice to "*ensure public safety by protecting society from those who violate the law.*" Thus, suggesting that rather than focusing on the individuals harmed, the law focuses on societal consequences of the crime. However, my findings indicate that some victims feel unheard, their voices are limited, and forgotten throughout the CJS process. As stated, victimization can result in psychological distress and post-traumatic stress disorder, and some may not have access to resources that can aid in their healing (Kushner et al., 1993; Mawby, 1988). The relatively novel practice of restorative justice is a method to repair the harm between the offender, victim, and the community without compromising the CJS's aim to 'protect society' (Wemmers, 2008). The Criminal Justice System review (2019) reported that the Minister of Justice should increase the availability and use of the restorative justice program. However, the reports state that the public must be educated on restorative justice approaches, and communities must be open to trying new criminal justice approaches.

While study 1 examined stakeholder perspectives, studies 2 and 3 aimed to explore Canadian VIS forms. VIS forms are the primary method in which victims submit their VIS and cover topics such as the physical, emotional, and financial consequences of experiencing a crime. Study 2 analyzed the readability of the 12 VIS forms in Canada using various readability formulas. While the various formulas provided varying results, the forms with the lowest readability scores were the MB, NWT, and NS forms. The forms with the highest readability included NWT, NS, and BC forms.

Interestingly, the NWT and NS forms contained the highest and lowest readability scores, depending on which formula was used and which passages of the forms were examined. However, regardless of the readability scores, all 12 required a grade 8 English level or greater. The Canadian government advises that all public documents should require no more than an eighth-grade reading comprehension level (Government of Canada, 2018), indicating that the forms might be challenging for certain Canadian population groups to comprehend. This can include approximately 22% of Canadians whose native language is not English or French (Government of Canada, 2019), 4.9 million Canadians living under the poverty line (Canadian

Without Poverty, 2021), and 340,000 adults with no high school diploma (Statistics Canada, 2017). If these population groups submit VISs at a lesser rate, their voices would not be heard in court, and possible changes in the justice system would fail to account for these minority groups. This would further cause these populations to be further marginalized, feel unheard by the justice system, and report victimizations at a lesser rate.

The findings from study 2 directly influence study 3, as I aimed to understand VIS forms further. While study 2 examined the readability of the forms, study 3 explored other aspects such as usability, willingness to use, need for help, ease of delivery, ease of access, and inclusivity. The study examined VIS forms through each participant's perspectives rather than using a set formula to calculate a general readability level. The results indicated that the QC form was less readable, usable, participants were least willing to use it, and required the most assistance to complete it. Thus, creating an imbalance of the accessibility of VIS forms among victims as some may have a more difficult time accessing the forms. This can result in one province having fewer VIS submissions than others, which creates a barrier for victims in those provinces.

Interestingly, the ON form also contained both English and French text, but it did not significantly differ from most forms. However, the English preceded the French text in the ON form, which may have affected the variable scores as most participants were native English speakers. The NB and NWT forms also contained English and French text, but the languages were separated by columns, making it easier to differentiate between the languages.

Moreover, the ease of access, delivery, and inclusion did not significantly differ, suggesting that participants can access and deliver the forms equally, regardless of access or delivery method. Furthermore, the inclusivity scores did not differ by access method, indicating that Canadian residents can equally access the forms regardless of their age, SES, location of residence, ethnicity, and English comprehension.

In conclusion, the three studies provide a greater understanding of Canadian VISs, an area yet to be explored extensively. Based on the results, it can be inferred that the role of VISs is unclear, even among VSWs and legal professionals. Based on studies 2 and 3, one important question is why VIS forms differ by province. One general VIS form would create a more straightforward process for victims and legal professionals. Another question lies in whether stricter regulations are required to create a sharper understanding of the roles VISs play in court.

Should victims play a larger role in the CJS? Should victims have a say in the sentencing process?

Furthermore, should victims be provided with more resources during the CJS process?

Though the three studies are relatively novel, they could propel other academics to research VISs. All well-researched areas begin with one study, and we hope that these studies will ignite curiosity and interest in Canadian VISs.

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APPENDIX A

Demographic questions -Victims

- 1) What is your age group?
 - 20-29
 - 30-39
 - 40-49
 - 50-59
 - 60-69
 - 70-79
 - 80 and over

- 2) How would you describe your ethnic origin? (Check all that apply)
 - Canadian
 - Cree
 - Mi'kmaq
 - Salish
 - Metis
 - Inuit
 - European Origin
 - Caribbean Origin
 - Latin, Central and South American Origin
 - African Origin
 - Asian Origin
 - Oceania Origin (Australian, New Zealander, Hawaiian, Polynesian, Samoan, Pacific Islander)

- 3) What gender do you identify with?
 - Male
 - Female
 - Gender diverse

- 4) What is your highest level of education attained?
 - High School diploma or Equivalent (GED)
 - College
 - Vocational Training
 - Bachelor's Degree
 - Master's Degree
 - Doctorate/PhD
 - Other

- 5) What is your marital status?
 - Single (never married)
 - Married
 - In a domestic partnership
 - Divorced
 - Widowed

- 6) What is your employment status?
 - Employed full-time
 - Employed part-time
 - Unemployed
 - Student
 - Retired
 - Self-employed
 - Unable to work

- 7) Which income bracket do you fall under?
 - Below \$10k

CANADIAN VICTIM IMPACT STATEMENTS

- \$10k - \$20k
- \$20k - \$30k
- \$30k - \$40k
- \$40k - \$50k
- \$50k - \$60k
- \$60k - \$70k
- \$70k - \$80k
- \$80k - \$90k
- \$90k - \$100k
- Over \$100k

8) How many people do you live with? What is their relation to you?

9) Do you have any children? If so, how many?

10) How many close friends would you say you have?

11) How many close relatives would you say you have?

12) Is English your native language?

13) How comfortable are you with speaking English?

- Very comfortable
- Slightly comfortable
- Slightly uncomfortable
- Very uncomfortable

APPENDIX B

Interview questions - Victims who deliver a VIS

1. In your opinion, what are the goals of a VIS?
2. Can you talk more about why you chose to deliver a VIS?
3. What was your expectation when you decided to deliver a VIS?
 - a. Where these expectations met?
4. Did you deliver your VIS orally or did you submit it in writing?
 - a. How did you come to this decision?
5. How did you find out about your right to deliver a VIS?
6. In your opinion, whose responsibility is it to inform victims about VIS?
7. In your opinion, do you believe that your statement made an impact in sentencing?
8. How did you get access to the VIS forms?
 - a. What was your experience in getting access to these forms?
9. Were you offered any assistance with completing your VIS? Did you accept it?
10. What kind of support did you receive once you decided to complete a VIS form?
 - a. If so, were you satisfied with the support you got in terms of completing the forms?
 - b. Why/why not?
11. Were you cross-examined?
 - a. Were portions of your VIS edited by the judge or lawyer?
 - b. How was your experience?
12. How long did it take between submitting your statement and it being presented in court?
 - a. What do you think about this length of time?
13. From your point of view, who represented your interests during sentencing?
14. How was your writing, delivering, and general experience throughout the VIS process?
15. In your opinion, what changes, if any, would you recommend regarding VIS?
16. If a family member could have delivered a VIS on your behalf, do you think it would have changed your statement?
17. Were you satisfied with the sentencing results?
 - a. Why/why not?
18. Is there something else you wanted to talk about?

APPENDIX C

Interview questions - Victims who did not deliver a VIS

1. In your opinion, what are the goals of a VIS?
2. Can you talk more about why you chose not to submit a VIS?
3. Were you happy with your decision?
 - a. Why/why not?
4. Under what circumstances would you have delivered a VIS?
5. Were you offered any assistance with completing your VIS?
 - a. What kind of assistance did they offer to you?
6. Were you satisfied with the sentencing results?
 - a. Why/why not?
7. How do VIS affect sentencing, if at all?
8. In your opinion, what changes, if any, would you recommend regarding VIS?
9. Is there something else you wanted to talk about?

APPENDIX D

Demographic questions - Victim service workers

1) What is your age group?

- 20-29
- 30-39
- 40-49
- 50-59
- 60-69
- 70-79
- 80 and over

2) How would you describe your ethnic origin? (Check all that apply)

- Canadian
- Cree
- Mi'kmaq
- Salish
- Metis
- Inuit
- European Origin
- Caribbean Origin
- Latin, Central and South American Origin
- African Origin
- Asian Origin
- Oceania Origin (Australian, New Zealander, Hawaiian, Polynesian, Samoan, Pacific Islander)

3) What gender do you identify with?

- Male
- Female
- Gender diverse

What is your highest level of education attained?

What is your marital status?

- Single (never married)
- Married
- In a domestic partnership
- Divorced
- Widowed

What is your employment status?

- Employed full-time
- Employed part-time
- Retired
- Other: _____

APPENDIX E

Interview questions - Victim service workers

1. How long have you worked in your current position?
2. Have you worked with crime victims before your current position?
 - a. How long?
 - b. What were these positions?
3. In your opinion, what is the goal of VIS?
4. How do victims normally gain access to your services?
5. In your opinion, whose responsibility is it to inform victims about VIS?
6. What kind of assistance does victim services offer when it comes to victims who deliver a VIS?
 - a. What other kinds of services does victim services provide?
7. Do you often do you see victims choosing to deliver a VIS?
 - a. Why do you think this is?
8. Based on your experience, why do victims choose not to provide a VIS?
9. Do victims tend to accept the assistance of victim services when it comes to completing their victim impact statement?
 - a. Why or why not?
10. From your experience, do victims face any challenges when preparing or delivering VIS?
11. Are victims generally satisfied with the results of their case?
 - a. Why do you think this is?
12. How do VIS affect sentencing, if at all?
13. Based on your experience, what makes a VIS impactful?
14. In your opinion, what changes, if any, would you recommend regarding VIS?
15. Did you mention any cases that have a publication ban in effect?
16. Is there something else you wanted to talk about?

APPENDIX G

Interview questions - Defense lawyers

1. How long have you been a lawyer?
2. What would you say the majority of cases do you deal with?
3. What kind of law do you practice?
4. In your opinion, what is the goal of VIS?
5. How has the process of involving victims throughout the court process evolve since you started practicing law?
6. How do VIS affect sentencing, if at all?
 - a. Can you think of a time where a VIS affected sentencing?
 - b. Can you think of a time where the absence of a VIS affected sentencing?
7. In your opinion, whose responsibility is it to inform victims about VIS?
8. Has there been situations where you receive a victim impact statement the day of sentencing?
 - c. What do you do?
9. From what I understand, victims may have written their statement within hours after the offence has occurred or as late as the morning of the sentencing. In your opinion, as a defence lawyer, what would be the optimal time in which victims should write their statements and why?
10. Do you use any methods to limit what the victim includes or can read out loud?
11. Based on your experience, what makes a VIS impactful?
12. In your opinion, what changes, if any, would you recommend regarding VIS?
13. Did you mention any cases that have a publication ban in effect?
14. Is there something else you wanted to talk about?

APPENDIX H

Interview questions - Crown attorneys

1. How long have you been a lawyer?
2. What would you say the majority of cases do you deal with?
3. What kind of law do you practice?
4. In your opinion, what is the goal of VIS?
5. How has the process of involving victims throughout the court process evolve since you started practicing law?
6. How do VIS affect sentencing, if at all?
 - a. Can you think of a time where a VIS affected sentencing?
 - b. Can you think of a time where the absence of a VIS affected sentencing?
7. In your experience, does providing a VIS help victim?
8. In your opinion, whose responsibility is it to inform victims about VIS?
9. What are factors aid victims to provide a VIS?
10. Do you believe that Crown attorneys consider whether victims are mentally or physically capable of delivering a VIS?
 - a. What factors would be considered?
11. From your experience, do victims face any challenges when preparing or delivering VIS?
12. Do the interactions between the Crown and the victim change if the victim chooses to deliver a VIS or not?
 - a. What is the difference?
13. Approximately how much time are you provided to go over a VIS?
 - a. Is this enough time in your opinion?
14. Based on your experience, what makes a VIS impactful?
15. Have you ever used VIS with the intention to achieve a longer sentence for the offender?
16. In your opinion, what changes, if any, would you recommend regarding VIS?
17. Did you mention any cases that have a publication ban in effect?
18. Is there something else you wanted to talk about?

APPENDIX I

Interview questions – Judges

1. How long have you been a judge?
2. What would you say the majority of cases do you deal with?
3. How long did you practice law before becoming a judge?
 - a) What kind of law did you practice?
4. In your opinion, what is the goal of VIS?
5. How has the process of involving victims throughout the court process evolve since you started as a lawyer and then a judge?
6. How do VIS affect sentencing, if at all?
7. What kind of information do VIS provide?
8. Based on your experience, what makes a VIS impactful?
9. In your court, how often would you say victims submit a VIS?
10. Why do you think some victims do not submit a VIS?
11. From your experience, do victims face any challenges when preparing or delivering VIS?
12. Do victims tend to deliver their statements orally in court or only in written form? Why do you think this is?
 - a. Why do you think one method is preferred over the other? Why?
13. How much weight or consideration do you give VIS in relation to other factors related to sentencing?
14. Can you talk about a time when a VIS resonated with you?
15. Which aspects of a VIS are typically edited by you, a defense lawyer, or a Crown lawyer?
16. Did you mention any cases that have a publication ban in effect?
17. In your opinion, what changes, if any, would you recommend regarding VIS?
18. Is there something else you wanted to talk about?

APPENDIX J
Demographic questions – Study 2

1) What is your age group?

- 16-19
- 20-29
- 30-39
- 40-49
- 50-59
- 60-69
- 70-79
- 80 and over
- Prefer not to answer

2) How would you describe your ethnicity? (Check all that apply)

- Canadian
- Cree
- Mi'kmaq
- Salish
- Metis
- Inuit
- European
- Caribbean
- Latin, Central and South American
- African
- Asian
- Oceania (Australian, New Zealander, Hawaiian, Polynesian, Samoan, Pacific Islander)
- Prefer not to answer

3) What gender do you identify with?

- Male
- Female
- Gender diverse
- Prefer not to answer

4) What is the highest level of education you have received?

- High School diploma or Equivalent (GED)
- College
- Vocational Training
- Bachelor's Degree
- Master's Degree
- Doctorate/PhD
- Other
- Prefer not to answer

5) What is your employment status? (check all that apply)

- Employed full-time
- Employed part-time
- Unemployed
- Student
- Retired
- Self-employed
- Unable to work
- Prefer not to answer

6) Which income bracket do you fall under?

- Below \$10k
- \$10k - \$20k
- \$20k - \$30k
- \$30k - \$40k

CANADIAN VICTIM IMPACT STATEMENTS

- \$40k - \$50k
- \$50k - \$60k
- \$60k - \$70k
- \$70k - \$80k
- \$80k - \$90k
- \$90k - \$100k
- Over \$100k
- Prefer not to answer

7) Please select yes

- Yes
- No
- Prefer not to answer

8) Is English your native language?

- Yes
- No
- Prefer not to answer

9) How comfortable are you with speaking English?

- Very comfortable
- Slightly comfortable
- Slightly uncomfortable
- Very uncomfortable
- Prefer not to answer

10) Do you have access to a vehicle?

- Yes
- No
- Prefer not to answer

11) How would you describe the location that you currently live in?

- The city
- The suburbs
- The country/rural
- Prefer not to answer

12) The Canadian Victim Bill of Rights (2015) defines a victim as someone who has been physically, emotionally, or financially harmed as a result of a crime. This can include family members, close friends, partners, or any individual who has been directly affected by a crime. Using this definition, have you ever been a victim of a crime?

- Yes
- No
- Prefer not to answer

13) Have you ever presented or written a victim impact statement?

- Yes
- No
- Prefer not to answer

APPENDIX K
Readability Questions

Instructions. Imagine that you were a victim of a robbery and were held at gunpoint while the offender took your valuables. The offender is caught, and you are given the following victim impact statement form to complete.

1) Please rate the grammar used (sentence structure, the flow of words) in this form.

- a. Simple
- b. Fairly simple
- c. Moderate
- d. Slightly difficult
- e. Extremely difficult
- f. Prefer not to answer

Please explain your answer.

2) Does the form contain any words that you don't understand?

- a. None
- b. 1 or 2
- c. 3 to 4
- d. 5 to 6
- e. More than 6
- f. Prefer not to answer

Please explain your answer.

3) Please select moderately.

- a. Extremely
- b. Moderately
- c. Slightly
- d. Not at all
- e. Prefer not to answer.

4) Please rate the sentence lengths of the text.

- a. Too short
- b. Slightly too short
- c. Moderate
- d. Slightly long
- e. Too long
- f. Prefer not to answer

Please explain your answer.

If you can suggest any changes in the readability of the form, what would they be?

APPENDIX L

Usability Questions

Instructions. Imagine that you were a victim of a robbery and were held at gunpoint while the offender took your valuables. The offender is caught, and you are given the following victim impact statement form to complete.

- 1) Are the instructions given in the form clearly explained?
 - a. Extremely
 - b. Moderately
 - c. Slightly
 - d. Not at all
 - e. Prefer not to answer

Please explain your answer.

- 2) Does the spacing of the text make the form easy to read?
 - a. Extremely
 - b. Moderately
 - c. Slightly
 - d. Not at all
 - e. Prefer not to answer

Please explain your answer.

- 3) Please select not at all.
 - a. Extremely
 - b. Moderately
 - c. Slightly
 - d. Not at all
 - e. Prefer not to answer

- 4) Does the text have any irrelevant details?
 - a. A lot
 - b. Some
 - c. Moderate
 - d. Not at all
 - e. Prefer not to answer

Please explain your answer.

- 5) Are enough examples provided for you to understand what information is needed?
 - a. Extremely
 - b. Moderately
 - c. Slightly
 - d. Not at all
 - e. Prefer not to answer

Please explain your answer.

- 6) Is there enough room provided in the form to write everything you want to say?
 - a. Extremely
 - b. Moderately
 - c. Slightly
 - d. Not at all
 - e. Prefer not to answer

Please explain your answer.

- 7) Does the format of the form make it easy to understand and follow?
 - a. Extremely

CANADIAN VICTIM IMPACT STATEMENTS

- b. Moderately
- c. Slightly
- d. Not at all
- e. Prefer not to answer

Please explain your answer.

8) Are the bullets points used properly?

- a. Extremely
- b. Moderately
- c. Slightly
- d. Not at all
- e. There are no bullet points
- f. Prefer not to answer

Please explain your answer.

9) Overall, how satisfied are you with this form?

- a. Extremely
- b. Moderately
- c. Slightly
- d. Not at all
- e. Prefer not to answer

Please explain your answer.

10) Can you effectively write what you want to express if you use this form?

- a. Extremely
- b. Moderately
- c. Slightly
- d. Not at all
- e. Prefer not to answer

Please explain your answer

11) How the form is arranged is clear

- a. Strongly disagree
- b. Slightly disagree
- c. Neutral
- d. Slightly agree
- e. Strongly agree
- f. Prefer not to answer

12) This form has all of the instructions and information I expect it to have.

- a. Strongly disagree
- b. Slightly disagree
- c. Neutral
- d. Slightly agree
- e. Strongly agree
- f. Prefer not to answer

List the most negative aspects of the form: (if any)

List the most positive aspects of the form: (if any)

If you can suggest any changes in the usability of the form, what would they be?

APPENDIX M

Willingness and Need for Help Questions

1.) How willing are you to use this form?

- a. Extremely
- b. Moderately
- c. Slightly
- d. Not at all
- e. Prefer not to answer

Please explain your answer.

2.) How likely would you be to ask for help when completing this form?

- a. Extremely
- b. Moderately
- c. Slightly
- d. Not at all
- e. Prefer not to answer

If yes, who would you ask for help? (select all that apply)

- a) Victim services
- b) Crown lawyer
- c) Friends
- d) Family
- e) Other:
- f)

APPENDIX N

Method of access and delivery

Methods of access:

- 1) Online: The victim impact statement form can be accessed online
- 2) Victim Services: A victim wishing to make a statement can obtain the Victim Impact Statement form and assistance from the nearest victim services office [via telephone, email, or in person]

Methods of delivery:

- 1) Envelope Specific: The form must be signed, attached to the cover page and dated. It must then be mailed, faxed, or brought to the local Crown Counsel office. The Victim Impact Statement must be given to the Crown Counsel as soon as possible, so they have it before an accused is sentenced.
- 2) Crown: Completed and signed forms must be sent to the clerk's office court, Criminal and Penal Division, in the judicial district where judicial proceedings were instituted against the accused.
- 3) Victim Services: The completed form must be returned to the victim services, who shall submit it to the court on behalf of the victim. Victim Services will also help you with completing the form.

APPENDIX O

Access and delivery questions

- 1) In your opinion, would you be able to easily access the form?
 - a. Extremely
 - b. Moderately
 - c. Slightly
 - d. Not at all
 - e. Prefer not to answer

Please explain your answer.

- 2) In your opinion, would you be able to easily submit the forms?
 - a. Extremely
 - b. Moderately
 - c. Slightly
 - d. Not at all
 - e. Prefer not to answer

Please explain your answer.

APPENDIX P

Inclusivity Questions

- 1) In your opinion, would accessing the forms be possible for individuals living in different locations (cities, rural areas, suburbs)?
 - a) Extremely
 - b) Moderately
 - c) Slightly
 - d) Not at all
 - e) Prefer not to answer

Please explain your answer.

- 2) In your opinion, would accessing the forms be possible for individuals with different ethnicities?
 - a) Extremely
 - b) Moderately
 - c) Slightly
 - d) Not at all
 - e) Prefer not to answer

Please explain your answer.

- 3) In your opinion, would accessing the forms be possible for individuals with different social statuses?
 - a) Extremely
 - b) Moderately
 - c) Slightly
 - d) Not at all
 - e) Prefer not to answer

Please explain your answer.

- 4) In your opinion, would accessing the forms be possible for individuals in different jobs areas?
 - a) Extremely
 - b) Moderately
 - c) Slightly
 - d) Not at all
 - e) Prefer not to answer

Please explain your answer.

- 5) In your opinion, would accessing the forms be possible for individuals who speak a language other than English or French?
 - a) Extremely
 - b) Moderately
 - c) Slightly
 - d) Not at all
 - e) Prefer not to answer

Please explain your answer.

- 6) Please select not at all.
 - a) Extremely
 - b) Moderately

CANADIAN VICTIM IMPACT STATEMENTS

- c) Slightly
- d) Not at all
- e) Prefer not to answer

7) In your opinion, would accessing the forms be possible for individuals of all ages?

- a) Extremely
- b) Moderately
- c) Slightly
- d) Not at all
- e) Prefer not to answer

Please explain your answer.



Police File Number: _____

**Victim Impact Statement Forms
Alberta
Victim Impact Statement**

Your Name: _____

Offender's Name: _____

Police Detachment: _____

This form may be used to provide a description of the physical or emotional harm, property damage or economic loss suffered by you as the result of the commission of an offence, as well as a description of the impact of the offence on you. **You may attach additional pages if you need more space.**

Your statement must not include

- any statement about the offence or the offender that is not relevant to the harm or loss you suffered;
- any unproven allegations;
- any comments about any offence for which the offender was not convicted;
- any complaint about any individual, other than the offender, who was involved in the investigation or prosecution of the offence; or
- except with the court’s approval, an opinion or recommendation about the sentence.

You may present a detailed account of the impact the offence has had on your life. The following sections are examples of information you may wish to include in your statement. You are not required to include all of this information.

Emotional impact

Describe how the offence has affected you emotionally. For example, think of

- your lifestyle and activities;
- your relationships with others such as your spouse, family and friends;
- your ability to work, attend school or study; and
- your feelings, emotions and reactions as they relate to the offence.

Physical impact

Describe how the offence has affected you physically. For example, think of

- ongoing physical pain, discomfort, illness, scarring, disfigurement or physical limitation;
- hospitalization or surgery you have had because of the offence;
- treatment, physiotherapy or medication you have been prescribed;
- the need for any further treatment or the expectation that you will receive further treatment; and
- any permanent or long-term disability.



Victim Impact Statement

Economic impact

Describe how the offence has affected you financially. For example, think of

- the value of any property that was lost or damaged and the cost of repairs or replacement;
- any financial loss due to missed time from work;
- the cost of any medical expenses, therapy or counselling;
- any costs or losses that are not covered by insurance.

Please note that this is not an application for compensation or restitution.

Fears for security

Describe any fears you have for your security or that of your family and friends. For example, think of

- concerns with respect to contact with the offender; and
- concerns with respect to contact between the offender and members of your family or close friends.

Drawing, poem or letter

You may use this space to draw a picture or write a poem or letter if it will help you express the impact that the offence has had on you.

[] I would like to present my statement in court.

To the best of my knowledge, the information contained in this statement is true.

Dated this _____ day of _____ 20_____, at _____

Signature of declarant _____

If you completed this statement on behalf of the victim, please indicate the reasons why you did so and the nature of your relationship with the victim.

Dated this _____ day of _____ 20_____, at _____

Signature of declarant _____



Victim Impact Statement of:

(name of victim)

ORIGINAL STATEMENT _____ UPDATE

_____ (dd/mm/yyyy)

(dd/mm/yyyy)

Case Identification

NAME OF ACCUSED:

COURT FILE # (IF KNOWN):

VERDICT (check one):

NCRMD

UNFIT

DATE OF

VERDICT: _____

My Instructions to the Review Board: Until otherwise instructed, I request (check all that apply):

- No notice of any further Review Board hearings for the accused.
- Notice of the next and any subsequent Review Board hearings
- Notice of an absolute or conditional discharge and intended place of residence of the accused
- An adjournment to prepare a Victim Impact Statement
- The opportunity to present a written statement in person at the Review Board hearing

Statement of Relative or Guardian (where required):

I, _____ have completed this statement on behalf of the victim
because
(name)

My relationship to the victim is:

CANADIAN VICTIM IMPACT STATEMENTS

Date: _____

Signature: _____

The Review Board is required by law to provide a copy of your Victim Impact Statement to Crown counsel, defence counsel and the accused. You may be asked questions about the contents of this document.

Please sign below to allow this Victim Impact Statement to be given to Crown counsel, defence counsel and the accused.

Signature: _____

Please attach this page to your Victim Impact Statement and deliver both by mail, fax or hand to your local Crown counsel office or the British Columbia Review Board.

1/
3



Victim Impact Statement of:

_____ *(name of victim)*

Use this form to provide a description of the physical or emotional harm, property damage or economic loss you suffered as a result of the commission of an offence, and describe the impact of the offence on you. If you need more space, attach, number, and initial each additional page.

Your statement **must not include:**

- statements about the offence or the accused not relevant to the harm or loss you suffered;
- unproven allegations;
- comments about any offence for which the accused was not convicted;
- complaints about an individual other than the accused; or
- opinions or recommendations about the appropriate disposition that should be made.

You may wish to consider the following examples of impacts of the offence on your life:

Emotional Impact

Describe how the offence has:

- affected your emotions and reactions;
- limited your lifestyle and activities;
- affected your relationship with your partner, spouse, friends, family, colleagues or others;
- impacted your ability to work or study; or
- required counselling or emotional support.

Physical Impact

Describe any physical or psychological injuries or disabilities as a result of the offence, for example:

- pain, discomfort, illness, scars or physical limitations;

CANADIAN VICTIM IMPACT STATEMENTS

- medical treatment, hospitalization, surgery, physiotherapy and/or medication required; or
- future treatment that may be required

2/
3



BRITISH COLUMBIA
REVIEW BOARD

Victim Impact Statement

Fears for Security

Describe any fears you have for your security or that of your family and friends, for example:

- concerns with respect to contact with the accused; and
- concerns with respect to contact between the accused and members of your family or close friends.

Other Impacts

Describe how the offence has caused other harm to you or your family, for example:

- time lost from work;
- relocation or medical expenses;
- temporary housing, food, child care or transportation expenses;
- damage to property

Drawing, Poem or Letter

You may attach a drawing, poem or letter to help you express the impact the offence has had on you.

CANADIAN VICTIM IMPACT STATEMENTS

Signature of Victim

Date

**ATTENTION
CROWN
ATTORNEY**

**DO NOT FILE
WITH VIS**

WINNIPEG

5th Floor – 405
Broadway

Winnipeg, MB R3C 3L6
Ph: 204-945-2852
Fax: 204-945-1260

BRANDON

204 – 1104, Princess
Avenue

Brandon, MB R7A 0P9
Ph: 204-726-6013
Fax: 204-726-6501

PROSECUTIONS OFFICES:

THOMPSON

Box 13 - 59 Elizabeth
Drive

Thompson, MB R8N 1X4
Ph: 204-677-6766
Fax: 204-677-6516

THE PAS

300 – 3rd Street

The Pas, MB R9A 1M5
Ph: 204-627-8444
Fax: 204-623-5256

DAUPHIN

101-1st Avenue North
West

Dauphin, MB R7N
1G8
Ph: 204-622-2082
Fax: 204-638-4004

**PORTAGE LA
PRAIRIE**

200 – 25 Tupper Street N.
Portage La Prairie, MB R1N
3K1

Ph: 204-239-3343
Fax: 204-239-3136

Ces renseignements sont également offerts en français.

When completed please forward to the Crown attorney's office.

Name of victim: _____

Police Incident Number: _____

Date of offence: _____

Police agency the incident was reported to: _____

Charges (if known): _____

Name of offender (if known): _____

Town, city or community where the incident occurred: _____

Relationship to the offender (if any): _____

You can ask to read your statement in court. If you would like to do so, please check the following box:

I wish to read my statement aloud in court.

Please Note: The court will be informed if you wish to read your Victim Impact Statement in court; however, if you are not present at the hearing, sentencing will proceed.

If you are not the direct victim, please indicate why you have completed this statement and your relationship to the victim.

Name: _____

Relationship to the victim: _____

Reason: _____

Ces renseignements sont également offerts en français.

PLEASE COMPLETE THE FOLLOWING SECTIONS

(Please print or write clearly. If you need more space, please attach additional pages.)

1. Emotional Impact:

Please describe how the crime has affected you emotionally. Consider the effect of the crime on your life. For example:

- emotions, feelings and reactions
- spiritual feelings
- lifestyle and activities
- relations with your partner, spouse, friends, family or colleagues
- ability to work, study or attend school
- counselling or therapy provided

2. Physical Impact:

Please describe any physical injuries or disabilities that you suffered because of the crime. For example:

- pain, hospitalization, surgery you have experienced because of the crime
- treatment, physiotherapy and/or medication you have received
- ongoing physical pain, discomfort, illness, scarring, disfigurement or physical restriction
- need for further treatment, or expectation that you will receive further treatment
- permanent or long-term disability

3. Financial Impact:

Please describe any financial or property losses that resulted from the crime. For example:

- the value of any property that was lost or destroyed and the cost of repairs or replacement
- insurance coverage and the amount of the deductible you paid
- financial loss due to missed time from work
- the cost of medical expenses, therapy or counselling
- any costs not covered by insurance

This is not an application for financial compensation or restitution. If you wish to inquire about compensation, contact the Compensation for Victims of Crime Program at 204-945-0899 (Winnipeg) or toll free: 1-800-262-9344.

If you want the court to consider making a restitution order, call Victim Services at 1-866-484-2846 (Toll-free) or visit www.gov.mb.ca/justice/victims for more information.

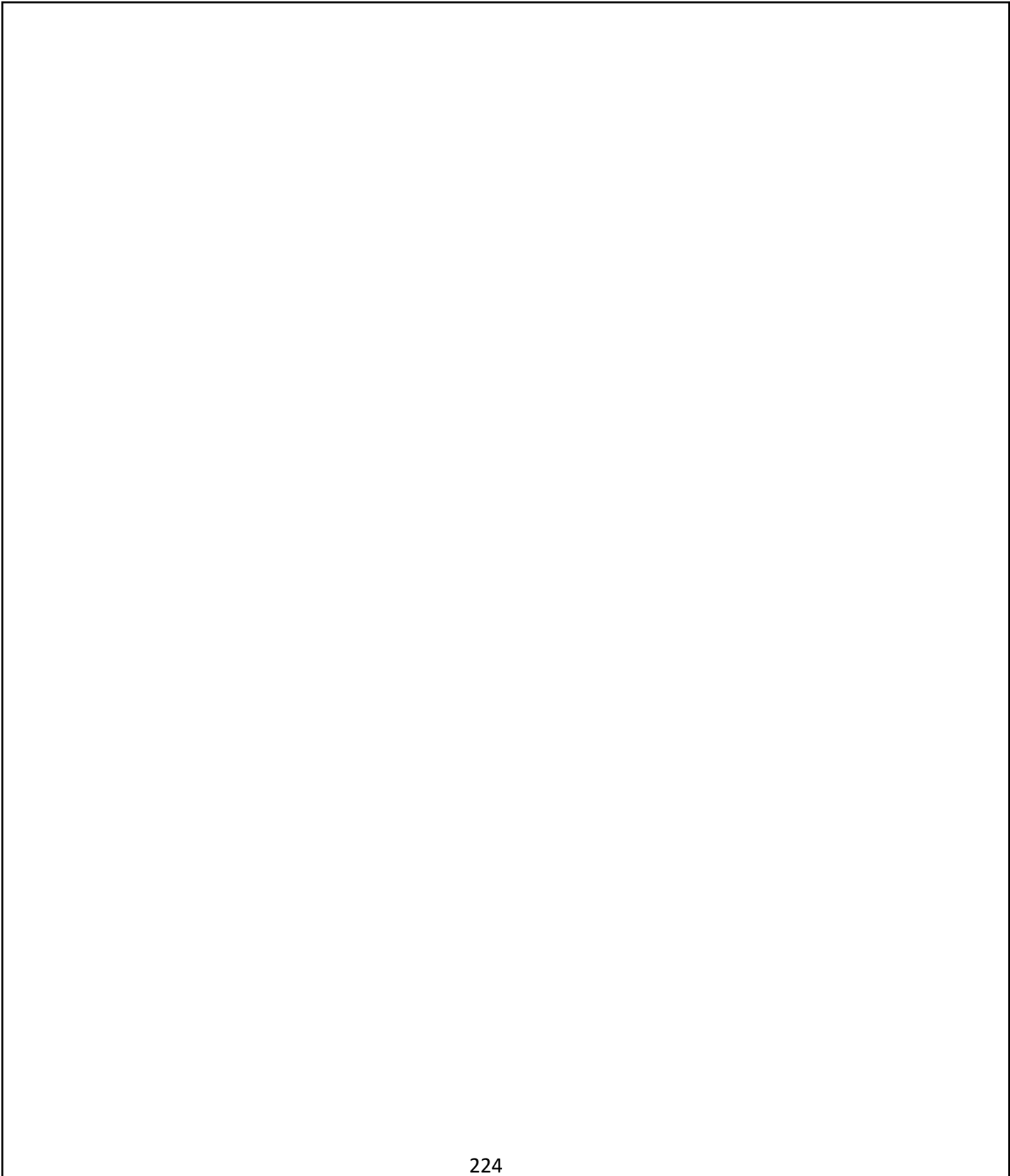
Fears for Security

Describe any fears that you have for your security or that of your family and friends.

For example, think of concerns with respect to contact with the offender.

Drawing, Poem or Letter

You may use this space to draw a picture or write a poem or letter if it will help you express the impact that the offence has had on you.

A large, empty rectangular box with a thin black border, occupying most of the page. It is intended for the victim to draw a picture, write a poem, or a letter to express the impact of the offence.

IMPORTANT:

When you submit your Victim Impact Statement to the Crown attorney, your statement will be disclosed. This means a copy of your statement will be forwarded to the offender and/or the offender's lawyer.

The statements that I have made above are true to the best of my knowledge. I understand that this information will be submitted to the offender or the offender's lawyer and may be submitted to the court if there is a sentencing hearing. I understand that I may be called upon to testify in court if any information in this Victim Impact Statement is questioned. I also understand that if this statement is filed in open court, it becomes a public document and discussions around the content of the statement may be presented and recorded on the court record. I am submitting this statement voluntarily.

Signature of Victim: _____

Date: _____

Please complete the following if translation services were provided in the preparation of this statement:

I did faithfully and to the best of my ability translate and interpret in the _____ language, the contents of this Victim Impact Statement to the victim named herein, who indicated an understanding of the said contents. Name:

_____ Occupation: _____

Note: Community and Youth Correctional Services may use your Victim Impact Statement when writing Pre-Sentence Reports, or for other case management purposes. Pre-Sentence Reports are used by the judge when deciding an appropriate sentence for the offender.

Notice about personal information and personal health information.

The personal information and personal health information on this form is collected by Manitoba Justice, Prosecution Services under the authority of the *Criminal Code* (Canada) and *The Victims' Bill of Rights* of Manitoba. It will be used and disclosed as stated on this form.

Your personal information and personal health information are protected by *The Freedom of Information and Protection of Privacy Act* (FIPPA) of Manitoba and *The Personal Health Information Act* (PHIA) of Manitoba. We cannot use your information for any other purpose without your consent, unless the law permits it or requires it. We cannot share your information outside Manitoba Justice without your consent, unless the law permits or requires this.

If you have any questions or concerns about your Victim Impact Statement, contact a Victim Services Worker or a Crown attorney at the number(s) provided on the Personal Information Sheet.



Newfoundland and Labrador
Victim Impact Statement Form

(Form 34.2 CCC)
(*Subsection 722(4)*)

Canada,
Province of Newfoundland and Labrador

This form may be used to provide a description of the physical or emotional harm, property damage or economic loss suffered by you as the result of the commission of an offence, as well as a description of the impact of the offence on you. You may attach additional pages if you need more space.

Your statement must not include

- any statement about the offence or the offender that is not relevant to the harm or loss you suffered;
- any unproven allegations;
- any comments about any offence for which the offender was not convicted;
- any complaint about any individual, other than the offender, who was involved in the investigation or prosecution of the offence; or
- except with the court's approval, an opinion or recommendation about the sentence.

You may present a detailed account of the impact the offence has had on your life. The following sections are examples of information you may wish to include in your statement. You are not required to include all of this information.



Victim Impact Statement Form

(Form 34.2 CCC)
(Subsection 722(4))

Canada,
Province of Newfoundland and Labrador

Emotional Impact

Describe how the offence has affected you emotionally. For example, think of

- your lifestyle and activities;
- your relationships with others such as your spouse, family and friends;
- your ability to work, attend school or study; and
- your feelings, emotions and reactions as they relate to the offence.



Victim Impact Statement Form

(Form 34.2 CCC)
(Subsection 722(4))

Canada,
Province of Newfoundland and Labrador

Physical impact

Describe how the offence has affected you physically. For example, think of

- ongoing physical pain, discomfort, illness, scarring, disfigurement or physical limitation;
- hospitalization or surgery you have had because of the offence;
- treatment, physiotherapy or medication you have been prescribed;
- the need for any further treatment or the expectation that you will receive further treatment; and
- any permanent or long-term disability.



Victim Impact Statement Form

(Form 34.2 CCC)
(Subsection 722(4))

Canada,
Province of Newfoundland and Labrador

Economic impact

Describe how the offence has affected you financially. For example, think of

- the value of any property that was lost or damaged and the cost of repairs or replacement;
- any financial loss due to missed time from work;
- the cost of any medical expenses, therapy or counselling;
- any costs or losses that are not covered by insurance.

**Please note this is not an application for compensation or restitution.*



Victim Impact Statement Form

(Form 34.2 CCC)
(*Subsection 722(4)*)

Canada,
Province of Newfoundland and Labrador

Fears for Security

Describe any fears you have for your security or that of your family and friends. For example, think of

- concerns with respect to contact with the offender; and
- concerns with respect to contact between the offender and members of your family or close friends.



Victim Impact Statement Form

(Form 34.2 CCC)
(*Subsection 722(4)*)

Canada,
Province of Newfoundland and Labrador

Drawing, Poem or Letter

You may use this space to draw a picture or write a poem or letter if it will help you express the impact that the offence has had on you.



Victim Impact Statement Form

(Form 34.2 CCC)
(Subsection 722(4))

Canada,
Province of Newfoundland and Labrador

I would like to present this statement in court.

To the best of my knowledge, the information contained in this statement is true.

Date: _____ 20 _____ at _____
(Month, Day) (Year)

Signature of Declarant



**VICTIM IMPACT STATEMENT
DÉCLARATION DE LA VICTIME**

**INFORMATION FOR VICTIMS
VICTIME**

**RENSEIGNEMENTS À L'INTENTION DE LA
VICTIME**

- This form may be used to provide a description of the physical or emotional harm, property damage or economic loss suffered by you as the result of the commission of an offence, as well as a description of the impact of the offence on you. You may attach additional pages if you need more space.
- A victim is not required to provide a statement. Participation is strictly voluntary.
- The RCMP will inform you of your right to complete a Victim Impact Statement. The Officer will give you the form and envelope for submitting the completed form (no postage required).
- An online guide to Victim Impact Statements is available at:
<https://www.justice.gov.nt.ca/en/victim-impact-statements/>.
If you need help, talk to your local Victim Services worker, or call 867-873-7002 for referral (collect calls are accepted).
- The completed form can be submitted using the attached envelope (no postage required), or printed, signed and mailed to:
NWT Court Registry
Box 550, Stn Main
Yellowknife, NT X1A 9Z9
- Victims may choose to read their statements aloud at the sentencing hearing.

- La présente formule peut être utilisée pour présenter une description des dommages — matériels, corporels ou moraux — ou des pertes économiques qui vous ont été causés par suite de la perpétration d'une infraction ainsi que des répercussions que l'infraction a eues sur vous. Vous pouvez ajouter des pages supplémentaires au besoin.
- La victime n'est pas tenue de faire une telle déclaration. La participation au programme est tout à fait volontaire.
- La GRC vous informera de votre droit de présenter une Déclaration de la victime. L'agent vous remettra la formule à remplir et une enveloppe-réponse (aucun affranchissement nécessaire).
- Pour consulter le guide électronique sur les Déclarations de la victime, visitez le <https://www.justice.gov.nt.ca/fr/victim-impact-statements/>. Si vous avez besoin d'aide, communiquez avec votre intervenant des Services aux victimes ou composez le 867-873-7002 pour être aiguillé (les appels à frais virés sont acceptés).
- Le formulaire dûment rempli peut être soumis en utilisant l'enveloppe ci-jointe (timbre non requis), ou imprimé, signé et envoyé par la poste au :
Grefe de la Cour des TNO
B.P. 550, Stn Main
Yellowknife, TNO X1A 9Z9
- Si elles le souhaitent, les victimes peuvent lire leur déclaration à voix haute lors de l'audience de détermination de la peine.

Your statement should:

- v be truthful and accurate;
- v state only the effect of the crime for which the offender will be sentenced; and,
v give details of physical or emotional impact, treatment received or required, and economic impact directly related to the crime.

Your statement must not include:

- v any statement about the offence or the offender that is not relevant to the harm or loss you suffered;
- v details about what happened;
- v any comments about any offence for which the offender was not convicted;
- v any complaint about any individual, other than the offender, who was involved in the investigation or prosecution of the offence;

v except with the court's approval, an opinion or recommendation about the sentence.

Une déclaration doit :

v être véridique et exacte;

v décrire uniquement les répercussions du crime pour lequel le contrevenant sera condamné;

v donner les détails des préjudices physiques ou affectifs,
les traitements reçus ou recommandés et les pertes financières directement reliés au crime.

La déclaration ne peut comporter :

v de propos concernant l'infraction ou le délinquant qui ne sont pas pertinents au regard des dommages ou pertes que vous avez subis;

v d'allégations non fondées;

v de commentaires sur des infractions pour lesquelles le délinquant n'a pas été condamné;

v de plaintes au sujet d'un particulier, autre que le délinquant, qui était associé à l'enquête ou à la poursuite de l'infraction;

v sauf avec la permission du tribunal, de points de vue ou de recommandations au sujet de la peine.

Form 34.2
722(4) CC
Formule 34.2
722(4) C

VICTIM IMPACT STATEMENT

Section

DÉCLARATION DE LA VICTIME

Paragraphe



**VICTIM IMPACT STATEMENT
CASE IDENTIFICATION
DÉCLARATION D'INFORMATION SUR LA VICTIME CAS**

Name of victim
Nom de la victime _____
(A/M/J) _____

Date of birth – (Y/M/D)
Date de naissance

Name of accused
Nom de l'accusé(e) _____
(A/M/J) _____

Date of birth – (Y/M/D)
Date de naissance

Location of offence
Lieu de l'infraction _____

Date of offence – (Y/M/D)
Date de l'infraction (A/M/J)_

Offence(s)
Chef(s) d'accusation _____
GRC _____

RCMP file number
No de dossier de la

**VICTIM INFORMATION
INFORMATION SUR LA VICTIME**

I would like to present my statement in court.
J'aimerais présenter ma déclaration devant le tribunal.

Yes No
Oui Non

You may present a detailed account of the impact the offence has had on your life. The following sections are examples of information you may wish to include in your statement. You are not required to include all of this information.

Vous pouvez présenter un compte rendu détaillé des répercussions de l'infraction sur votre vie. Les sections ci-après ne constituent que des exemples de renseignements que vous pouvez inclure dans votre déclaration. Vous n'êtes pas obligé d'inclure tous ces renseignements.

**EMOTIONAL IMPACT
RÉPERCUSSIONS D'ORDRE ÉMOTIF**

Describe how the offence has affected you emotionally.
For example, think of:

- your relationships with others such as your spouse,
 - family and friends
- your ability to work, attend school or study
- your feelings, emotions and reactions as they relate
 - to the offence

Veillez décrire les répercussions d'ordre émotif que l'infraction a eues sur vous, par exemple, en ce qui concerne :

- votre mode de vie et vos activités
- vos relations avec les autres, notamment votre époux ou épouse, votre famille et vos amis
- votre capacité à travailler, à fréquenter l'école ou à étudier
- vos sentiments, vos émotions et vos réactions à l'égard de l'infraction

Form 34.2
722(4) CC
Formule 34.2
722(4) CC

VICTIM IMPACT STATEMENT
DÉCLARATION DE LA VICTIME

Section
Paragraphe

PAGE 1



**VICTIM IMPACT STATEMENT
PHYSICAL IMPACT
DÉCLARATION RÉPERCUSSIONS D'ORDRE DE LA PHYSIQUE VICTIME**

Describe how the offence has affected you physically. For example, think of:

- ongoing physical pain, discomfort, illness, scarring, disfigurement or physical limitation
- hospitalization or surgery you have had because of the offence
- treatment, physiotherapy or medication you have been prescribed
- the need for any further treatment or the expectation that you will receive further treatment
- any permanent or long-term disability

Veillez décrire les répercussions d'ordre physique que l'infraction a eues sur vous, par exemple, en ce qui concerne :

- la douleur physique persistante, l'inconfort, les maladies, les cicatrices, le défigurement ou les restrictions physiques
- une hospitalisation ou des interventions chirurgicales que vous avez dû subir en raison de l'infraction
- les traitements, la physiothérapie ou les médicaments qui vous ont été prescrits
- les traitements supplémentaires dont vous aurez besoin ou que vous vous attendez à recevoir
- une invalidité permanente ou de longue durée

**ECONOMIC IMPACT
RÉPERCUSSIONS D'ORDRE ÉCONOMIQUE**

Describe how the offence has affected you financially. For example, think of:

- the value of any property that was lost or damaged and the cost of repairs or replacement
- any financial loss due to missed time from work
- the cost of any medical expenses, therapy or counselling
- any costs or losses that are not covered by insurance

Veillez décrire les répercussions d'ordre économique que l'infraction a eues sur vous, par exemple, en ce qui concerne :

- la valeur des biens perdus ou détruits et le coût de réparation ou de remplacement de ces biens
- les pertes financières imputables à l'absence du travail
- les dépenses médicales et le coût de la thérapie et du counseling
- les coûts, pertes ou dépenses qui ne sont pas couverts par l'assurance

Please note that this is not an application for compensation or restitution.

Veillez noter que la présente déclaration ne constitue pas une demande d'indemnisation ou de dédommagement.

Form 34.2
722(4) CC
Formule 34.2
722(4) CC

VICTIM IMPACT STATEMENT
DÉCLARATION DE LA VICTIME

Section
Paragraphe

PAGE 3

Department of Justice
Community Justice and Policing
Victim Services



Ministère de la Justice
Justice communautaire et services
de maintien de l'ordre
Services aux victimes

**VICTIM IMPACT STATEMENT
VICTIM DECLARATION
DÉCLARATION DÉCLARATION DE LA VICTIME VICTIME**

I have been advised that the statement will be sent to the Court on my behalf, and shall be used by the judge at the time of sentencing of the offender. It will be submitted to the Crown prosecutor and the offender or defence counsel. Once filed with the Court, the statement cannot be withdrawn and becomes part of the public record.

On m'a informé du fait que cette déclaration sera présentée au tribunal en mon nom et qu'elle peut être utilisée par le juge pour déterminer la peine à infliger au contrevenant. Cette déclaration sera présentée au procureur de la Couronne et au contrevenant ou à l'avocat de la défense, et il est possible qu'on me pose des questions sur le contenu de cette déclaration au tribunal au moment de déterminer la peine à infliger. Une fois déposée devant le tribunal, la déclaration ne peut être retirée et devient la propriété des archives publiques.

To the best of my knowledge, the information contained in this statement is true.

À ma connaissance, les renseignements contenus dans la présente déclaration sont exacts.

Dated this _____ day of _____
Fait le _____ jour de _____ 20____

at _____
à _____
Signature of declarant _____
Signature du déclarant _____

If you completed this statement on behalf of the victim, please indicate the reasons why you did so and the nature of your relationship with the victim.

Si vous avez rempli la présente déclaration au nom de la victime, veuillez indiquer les raisons pour lesquelles vous l'avez fait ainsi que la nature de votre relation avec elle.

Dated this _____ day of _____
Fait le _____ jour de _____ 20____

at _____
à _____
Signature of declarant _____
Signature du déclarant _____

Ontario
VICTIM IMPACT STATEMENT
DÉCLARATION DE LA VICTIME
SUPERIOR/ONTARIO* COURT OF JUSTICE
COUR SUPÉRIEURE DE JUSTICE/DE JUSTICE DE
L'ONTARIO*

CANADA
PROVINCE OF
ONTARIO
PROVINCE DE
L'ONTARIO

Form / Formule 34.2

Subsection 722(4) of the *Criminal Code*

Paragraphe 722(4) du Code criminel

(Region / Région)

Case/File No. / N° du cas/dossier

Court Location: _____

Adresse du tribunal : _____

In the matter of: R. v. _____
Dans l'affaire de : R c. _____ (insert name of accused/offender / *nom de l'accusé/du délinquant*)

Victim/writer's name: _____
Nom de la victime/du déclarant : _____

This form may be used to provide a description of the physical or emotional harm, property damage or economic loss suffered by you as the result of the commission of an offence, as well as a description of the impact of the offence on you. You may attach additional pages if you need more space.

La présente formule peut être utilisée pour présenter une description des dommages—matériels, corporels ou moraux—ou des pertes économiques qui vous ont été causés par suite de la perpétration d'une infraction ainsi que des répercussions que l'infraction a eues sur vous. Vous pouvez ajouter des pages additionnelles au besoin.

Your statement must not include:

La déclaration ne peut comporter :

- any statement about the offence or the offender that is not relevant to the harm or loss you suffered; *de propos concernant l'infraction ou le délinquant qui ne sont pas pertinents au regard des dommages ou pertes que vous avez subis;*
 - any unproven allegations;
d'allégations non fondées;
- any comments about any offence for which the offender was not convicted;
de commentaires sur des infractions pour lesquelles le délinquant n'a pas été condamné;
- any complaint about any individual, other than the offender, who was involved in the investigation or prosecution of the offence; or
de plaintes au sujet d'un particulier, autre que le délinquant, qui était associé à l'enquête ou à la poursuite de l'infraction;
- except with the court's approval, an opinion or recommendation about the sentence.
sauf avec la permission du tribunal, de points de vue ou de recommandations au sujet de la peine.

You may present a detailed account of the impact the offence has had on your life. The following sections are examples of information you may wish to include in your statement. You are not required to include all of this information.

CANADIAN VICTIM IMPACT STATEMENTS

Vous pouvez présenter un compte rendu détaillé des répercussions de l'infraction sur votre vie. Les sections ci-après ne constituent que des exemples de renseignements que vous pouvez inclure dans votre déclaration. Vous n'êtes pas obligé d'inclure tous ces renseignements.

* ~~Strike out inapplicable / Rayer ce qui ne s'applique pas~~
CSO-722 (rev. 07/15) CSD
de 7

Page 1 of /

Emotional Impact

Répercussions d'ordre émotif

Describe how the offence has affected you emotionally. For example, think of

Veillez décrire les répercussions d'ordre émotif que l'infraction a eues sur vous, par exemple, en ce qui concerne

:

- your lifestyle and activities;
votre mode de vie et vos activités;
 - your relationships with others such as your spouse, family and friends;
vos relations avec les autres, notamment votre époux ou épouse, votre famille et vos amis;
 - your ability to work, attend school or study; and
votre capacité à travailler, à fréquenter l'école ou à étudier;
 - your feelings, emotions and reactions as they relate to the offence.
vos sentiments, vos émotions et vos réactions à l'égard de l'infraction.
-

Physical Impact

Répercussions d'ordre physique

Describe how the offence has affected you physically. For example, think of

Veillez décrire les répercussions d'ordre physique que l'infraction a eues sur vous, par exemple, en ce qui concerne :

- ongoing physical pain, discomfort, illness, scarring, disfigurement or physical limitation;
la douleur physique persistante, l'inconfort, les maladies, les cicatrices, le défigurement ou les restrictions physiques;
- hospitalization or surgery you have had because of the offence;
une hospitalisation ou des interventions chirurgicales que vous avez dû subir en raison de l'infraction;
- treatment, physiotherapy or medication you have been prescribed;
les traitements, la physiothérapie ou les médicaments qui vous ont été prescrits;
- the need for any further treatment or the expectation that you will receive further treatment; and *les traitements supplémentaires dont vous aurez besoin ou que vous vous attendez à recevoir;*

any permanent or long-term disability.

une invalidité permanente ou de longue durée.

Economic Impact

Répercussions d'ordre économique

Describe how the offence has affected you financially. For example, think of

Veillez décrire les répercussions d'ordre économique que l'infraction a eues sur vous, par exemple, en ce qui concerne :

- the value of any property that was lost or damaged and the cost of repairs or replacement;
la valeur des biens perdus ou détruits et le coût de réparation ou de remplacement de ces biens;
- any financial loss due to missed time from work;
les pertes financières imputables à l'absence du travail;
- the cost of any medical expenses, therapy or counselling;
les dépenses médicales et le coût de la thérapie et du counseling;
- any costs or losses that are not covered by insurance.
les coûts, pertes ou dépenses qui ne sont pas couverts par l'assurance.

Please note that this is not an application for compensation or restitution.

Veillez noter que la présente déclaration ne constitue pas une demande d'indemnisation ou de dédommagement.

Fears for security

Craintes concernant la sécurité

Describe any fears you have for your security or that of your family and friends. For example, think of
Veillez décrire toute crainte que vous avez pour votre sécurité ou celle de votre famille et de vos amis, par exemple :

- concerns with respect to contact with the offender; and
des préoccupations concernant des contacts avec le délinquant;
 - concerns with respect to contact between the offender and members of your family or close friends.
des préoccupations concernant des contacts entre le délinquant et des membres de votre famille ou des amis proches.
-

CANADIAN VICTIM IMPACT STATEMENTS

Drawing, poem or letter (attach a separate page if needed)

Dessin, poème, lettre (joindre une page additionnelle au besoin)

You may use this space to draw a picture or write a poem or letter if it will help you express the impact that the offence has had on you. *Vous pouvez utiliser cet espace pour faire un dessin ou écrire un poème ou une lettre si cela peut vous aider à dépeindre les répercussions que l'infraction a eues sur vous.*

I would like to present/read my statement in court.

J'aimerais présenter/lire ma déclaration devant le tribunal.

To the best of my knowledge, the information contained in this statement is true.

À ma connaissance, les renseignements contenus dans la présente déclaration sont exacts.

Dated this _____ day of _____, 20____,

Fait ce _____ jour de _____

at _____.

à(au) _____

Signature of Declarant / *Signature du déclarant*

Your name:

Votre nom :

CSO-722 (rev. 07/15) CSD
de 7

Page 6 of /

CANADIAN VICTIM IMPACT STATEMENTS

If you completed this statement on behalf of the victim, please indicate the reasons why you did so and the nature of your relationship with the victim.

Si vous avez rempli la présente déclaration au nom de la victime, veuillez indiquer les raisons pour lesquelles vous l'avez fait ainsi que la nature de votre relation avec elle.

If you are not the person against whom the offence was committed but are completing this form on your own behalf, please indicate your relationship with the victim.

Si vous n'êtes pas la personne contre qui l'infraction a été commise, mais que vous remplissez le présent formulaire pour votre propre compte, veuillez indiquer votre lien avec la victime.

Dated this day of , 20 ,
Fait ce jour de
at . _____

à(*au*)

(location / *lieu*)

Signature of Declarant / *Signature du
déclarant*

Your name:

Votre nom :



Prince Edward Island

Victim

(name of victim)

Court Case #: _____

Accused

(name of accused)

Court Date: _____

Date of Offence:

This form may be used to provide a description of the physical or emotional harm, property damage or economic loss suffered by you as the result of the commission of an offence, as well as a description of the impact of the offence on you. You may attach additional pages if you need more space.

Your statement must not include:

- any statement about the offence or the offender that is not relevant to the harm or loss you suffered;
- any unproven allegations;
- any comments about any offence for which the offender was not convicted;
- any complaint about any individual, other than the offender, who was involved in the investigation or prosecution of the offence; or
- except with the court's approval, an opinion or recommendation about the sentence.

You may present a detailed account of the impact the offence has had on your life. The following sections are examples of information you may wish to include in your statement. You are not required to include all of this information.

Emotional Impact

Describe how the offence has affected you emotionally. For example, think of

- your lifestyle and activities;
- your relationships with others such as your spouse, family and friends;
- your ability to work, attend school or study; and
- your feelings, emotions and reactions as they relate to the offence.

Five horizontal lines for writing the emotional impact statement.



Physical Impact

Describe how the offence has affected you physically. For example, think of

- ongoing physical pain, discomfort, illness, scarring, disfigurement or physical limitation; hospitalization or surgery you have had because of the offence; treatment, physiotherapy or medication you have been prescribed;
- the need for any further treatment or the expectation that you will receive further treatment; and any permanent or long-term disability.
-

Economic Impact

Describe how the offence has affected you financially. For example, think of

- the value of any property that was lost or damaged and the cost of repairs or replacement; any financial loss due to missed time from work;
- the cost of any medical expenses, therapy or counselling;
- and any costs or losses that are not covered by insurance.
-

Please note that this is not an application for compensation or restitution.

Fears for Security

Describe any fears you have for your security or that of your family and friends. For example, think of

- concerns with respect to contact with the offender; and
- concerns with respect to contact between the offender and members of your family or close friends.



Drawing, Poem or Letter

You may use this space to draw a picture or write a poem or letter if it will help you express the impact that the offence has had on you.

I would like to present my statement in court.

To the best of my knowledge, the information contained in this statement is true.

Dated this _____ day of _____ 20____, at

Signature of declarant

If you completed this statement on behalf of the victim, please indicate the reasons why you did so and the nature of your relationship with the victim:

Dated this _____ day of _____ 20____, at

Signature of declarant

CANADIAN VICTIM IMPACT STATEMENTS

- d'allégations non fondées; / *any unproven allegations;*
- de commentaires sur des infractions pour lesquelles le délinquant n'a pas été condamné ou sur toute conduite pour laquelle l'accusé n'a pas fait l'objet d'un verdict de non-responsabilité;
any comments about any offence for which the offender was not convicted or any conduct for which the accused was not found not criminally responsible;
- de plaintes au sujet d'un particulier, autre que le délinquant ou l'accusé, qui était associé à l'enquête ou à la poursuite de l'infraction; ou
any complaint about any individual, other than the offender or the accused, who was involved in the investigation or prosecution of the offence; or
- sauf avec la permission du tribunal ou de la commission d'examen, de points de vue ou de recommandations au sujet de la peine ou de la décision.
except with the court's approval, an opinion or recommendation about the sentence or the disposition.

Vous pouvez présenter un compte rendu détaillé des répercussions de l'infraction ou de la conduite de l'accusé sur votre vie. Les sections ci-après ne constituent que des exemples de renseignements que vous pouvez inclure dans votre déclaration. Vous n'êtes pas obligé d'inclure tous ces renseignements.

You may present a detailed account of the impact the offence or the conduct of the accused has had on your life. The following sections are examples of information you may wish to include in your statement. You are not required to include all of this information.

• SJ-753B (2015-07)

Page 1 de

4

1 RÉPERCUSSIONS D'ORDRE ÉMOTIF / *EMOTIONAL IMPACT*

Veillez décrire les répercussions d'ordre émotif que l'infraction ou la conduite de l'accusé a eues sur vous, par exemple, en ce qui concerne votre mode de vie et vos activités, vos relations avec les autres, notamment votre époux ou épouse, votre famille et vos amis, votre capacité à travailler, à fréquenter l'école ou à étudier, vos sentiments, vos émotions et vos réactions à l'égard de l'infraction ou de la conduite de l'accusé.

Describe how the offence or the accused's conduct has affected you emotionally. For example, think of your lifestyle and activities, your relationships with others such as your spouse, family and friends, your ability to work, attend school or study and your feelings, emotions and reactions as they relate to the offence or the accused's conduct.

RÉPERCUSSIONS D'ORDRE PHYSIQUE / *PHYSICAL IMPACT*

Veillez décrire les répercussions d'ordre physique que l'infraction ou la conduite de l'accusé a eues sur vous, par exemple, en ce qui concerne la douleur physique persistante, l'inconfort, les maladies, les cicatrices, le défigUREMENT ou les restrictions physiques, une hospitalisation ou des interventions chirurgicales que vous avez dû subir en raison de l'infraction, les traitements, la physiothérapie ou les médicaments qui vous ont été prescrits, les traitements supplémentaires dont vous aurez besoin ou que vous vous attendez à recevoir, une invalidité permanente ou de longue durée.

Describe how the offence or the accused's conduct has affected you physically. For example, think of ongoing physical pain, discomfort, illness, scarring, disfigurement or physical limitation, hospitalization or surgery you have had because of the offence, treatment, physiotherapy or medication you have been prescribed, the need for any further treatment or the expectation that you will receive further treatment and any permanent or long-term disability.

3 RÉPERCUSSIONS D'ORDRE ÉCONOMIQUE / *ECONOMIC IMPACT*

Veillez décrire les répercussions d'ordre économique que l'infraction ou la conduite de l'accusé a eues sur vous, par exemple, en ce qui concerne la valeur des biens perdus ou détruits et le coût de réparation ou de remplacement de ces biens, les pertes financières imputables à l'absence du travail, les dépenses médicales et le coût de la thérapie et du counseling, les coûts, pertes ou dépenses qui ne sont pas couverts par l'assurance.

Describe how the offence or the accused's conduct has affected you financially. For example, think of the value of any property that was lost or damaged and the cost of repairs or replacement, any financial loss due to missed time from work, the cost of any medical expenses, therapy or counselling, any costs or losses that are not covered by insurance.

Veillez noter que la présente déclaration ne constitue pas une demande d'indemnisation ou de dédommagement.

Please note that this is not an application for compensation or restitution.

CRAINTES CONCERNANT LA SÉCURITÉ / *FEARS FOR SECURITY*

Veillez décrire toute crainte que vous avez pour votre sécurité ou celle de votre famille et de vos amis, par exemple : des préoccupations concernant des contacts avec le délinquant ou l'accusé, des préoccupations concernant des contacts entre le délinquant ou l'accusé et des membres de votre famille ou des amis proches.

Describe any fears you have for your security or that of your family and friends. For example, think of concerns with respect to contact with the offender or the accused and concerns with respect to contact between the offender or the accused and members of your family or close friends.

5 DESSIN, POÈME OU LETTRE / DRAWING, POEM OR LETTER

Vous pouvez utiliser cet espace pour faire un dessin ou écrire un poème ou une lettre si cela peut vous aider à dépeindre les répercussions que l'infraction ou la conduite de l'accusé a eues sur vous.

You may use this space to draw a picture or write a poem or letter if it will help you express the impact that the offence or the accused's conduct has had on you.

SIGNATURE / SIGNATURE

À ma connaissance, les renseignements contenus dans la présente déclaration sont exacts. *To the best of my knowledge, the information contained in this statement is true.*

À / At _____, le / on _____

Signature du déclarant / *Signature of declarant*

Si vous avez rempli la présente déclaration au nom de la victime :
If you completed this statement on behalf of the victim:

Veillez indiquer les raisons pour lesquelles vous l'avez fait : / *Please indicate the reasons why you did so:*

- | | | | |
|--------------------------|---|--------------------------|--|
| <input type="checkbox"/> | la victime est décédée
<i>the victim is dead</i> | <input type="checkbox"/> | la victime est incapable d'agir pour son propre compte
<i>the victim is incapable of acting on their own behalf</i> |
|--------------------------|---|--------------------------|--|

Veillez préciser à quel titre vous avez rempli la déclaration :
Please indicate in what capacity you completed the statement :

- | | | | |
|--------------------------|--------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|--------------------------|

CANADIAN VICTIM IMPACT STATEMENTS

conjoint / *spouse* parent / *parent* tuteur / *tutor*
autre (précisez) : / *other*

personne à charge / *dependant* (*specify*): _____

À /
At _____, le / *on* _____

Signature du déclarant / *Signature of declarant*

• SJ-753B (2015-07)

Imprimer / Print	Effacer / Erase all
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Page 4 de
4

**VICTIM IMPACT
STATEMENT:**

Information Number

Saskatchewan

Victim's Name _____ Police Service _____

Offence Date _____

Offence Location
Incident/File Number

This form may be used to provide a description of the physical or emotional harm, property damage or economic loss suffered by you as the result of the commission of an offence, as well as a description of the impact of the offence on you. You may attach additional pages if you need more space.

Your statement must not include:

- any statement about the offence or the offender that is not relevant to the harm or loss you suffered;
- any unproven allegations;
- any comments about any offence for which the offender was not convicted;
- any complaint about any individual, other than the offender, who was involved in the investigation or prosecution of the offence; or
- except with the court's approval, an opinion or recommendation about the sentence.

You may present a detailed account of the impact the offence has had on your life. The following sections are examples of information you may wish to include in your statement. You are not required to include all of this information.

Emotional impact

Describe how the offence has affected you emotionally. For example, think of:

- your lifestyle and activities;
- your relationships with others such as your spouse, family and friends;
- your ability to work, attend school or study; and
- your feelings, emotions and reactions as they relate to the offence.

Physical impact

Describe how the offence has affected you physically. For example, think of:

- ongoing physical pain, discomfort, illness, scarring, disfigurement or physical limitations;
- hospitalization or surgery you have had because of the offence;
- treatment, physiotherapy or medication you have been prescribed;
- the need for any further treatment or the expectation that you will receive further treatment; and
- any permanent or long-term disability.

CANADIAN VICTIM IMPACT STATEMENTS

Economic impact

Describe how the offence has affected you financially. For example, think of:

- the value of any property that was lost or damaged and the cost of repairs or replacement;
- any financial loss due to missed time from work;
- ~~the cost of any medical expenses, therapy or counselling; and~~
- any costs or losses that are not covered by insurance.

Please note that this is not an application for compensation or restitution.

Fears for security

Describe any fears you have for your security or that of your family and friends. For example, think of:

- concerns with respect to contact with the offender; and
- ~~concerns with respect to contact between the offender and members of your family or close friends.~~

Drawing, poem or letter

~~You may use this space to draw a picture or write a poem or letter if it will help you express the impact that the offence has had on you.~~

I would like to present my statement in court.

the best of my knowledge, the information contained in this statement is true.

Dated this _____ day of _____ 20_____, at

Signature of declarant

If you completed this statement on behalf of the victim, please indicate the reasons why you did so and the nature of your relationship to the victim.

CANADIAN VICTIM IMPACT STATEMENTS

Dated this _____ day of _____ 20_____, at

Signature of declarant _____

Statement on Restitution

Canada, Province of Saskatchewan.

To the court that is sentencing _____ (*name of offender*) who was convicted,
or was discharged under section 730 of the *Criminal Code*, or an offence under that *Act*.

I, _____ (*name of declarant*), declare that (*check appropriate box*):

- (i) I am not seeking restitution for the losses and damages I suffered as the result of the commission of the offence.
- (ii) I am seeking restitution in the amount of \$ _____ for the following losses and damages I suffered as a result of the commission of the offence.

Description <i>(describe each loss and damage)</i>	Amount of loss and damage <i>(state the amount of each loss and damage)</i>
1.	\$
2.	\$
3.	\$
4.	\$

I understand that the amount of my losses and damages must be readily ascertainable by the court. For that purpose, I am responsible for providing the court with all necessary documents, including bills, receipts and estimates, in support of my claim for restitution.

Dated this _____ day of _____ 20_____, at

Signature of declarant

Incident Information: Location of incident _____ Date of incident _____

Name of investigating police agency and officer

Police incident/file number _____ Please indicate whether victim is Individual Business or agency

If a business or agency, provide your file number and/or contact person

Mailing address: P.O. Box _____ Street address

CANADIAN VICTIM IMPACT STATEMENTS

City _____
Code _____

Province _____ Postal

Insurance Coverage: Is the loss/damage insured? Yes No If yes, amount of insurance deductible
\$ _____

Name and phone number of insurance company/adjuster

Mailing address of insurance company

Help is available ... if you have been the victim of a crime

Detach
and keep

The Victims Services Program helps victims involved in the criminal justice system in Saskatchewan by providing programs and services. If you need help with your Victim Impact Statement or Statement on Restitution, contact the police-based victim services program nearest you, or your local police service or RCMP detachment.

For more information and a list of police-based victim services programs go to www.saskatchewan.ca and search “police-based victim services” or contact:

Toll free: 1-888-286-6664 In Regina: 306-787-3500
Email: victimsservices@gov.sk.ca

If you have questions after restitution has been ordered contact:

Toll free: 1-888-286-6664
In Regina: 306-787-0173

What is a Victim Impact Statement?

- It is your opportunity to tell the court how this crime has affected you emotionally, physically and financially.
- It is important that the Judge knows how you have been harmed, or suffered loss, as a result of this crime.
- It is one of the factors the Judge may consider at the time of sentencing.

What should I know before completing a Victim Impact Statement?

- Your completed Victim Impact Statement will be given to the person charged with the crime and his/her lawyer. This is called disclosure and is required by law.
- It will be filed with the court only after the accused person is found guilty. Once it is filed with the court, it becomes a public document.
- Others likely to see your Victim Impact Statement include the Crown Prosecutor prior to sentencing, probation staff when supervising probation orders, and corrections staff when making decisions about the release of the offender from jail.
- Please note: the law requires the Judge to consider only what is relevant to sentencing the offender.
- You may be required to answer questions about your Victim Impact Statement in court at a preliminary hearing, trial or sentencing hearing.

How will my Victim Impact Statement be presented?

- The Judge may read your Victim Impact Statement prior to sentencing.
- You may read it out loud in court if you want, or present it in any other manner that the court approves of.
- If you are unable to provide a written statement in English or French, you should tell the police, the Crown Prosecutor or police-based victim services.
- In some cases it is possible for a Victim Impact Statement to be recorded and presented in a different way.
 - Clearly set out the amount of your loss/damages.
 - If you need help completing the form or information about the process, contact your local police-based victim services or the Crown Prosecutor.

What is Restitution?

- It is money ordered by the court to be paid to a victim as part of an offender's sentence.
- It is to reimburse the victim for the actual loss or damage resulting from a crime.
- It is one way the offender can make up for the harm you have experienced.

Restitution may cover:

- Damage or loss to your property;
- Financial loss due to fraud;
- Financial loss or expenses due to physical injury;
- The expenses of temporary housing, food, childcare, transportation or moving out of the offender's household, when the harm is to the offender's spouse or child; and
- Financial loss due to unknowingly buying stolen property that has been returned to its lawful owner.

How do I request Restitution?

- Complete the application on the inside of this brochure.

What happens next?

- The Crown Prosecutor may use the application to request the Judge to order restitution.
- If an offender is convicted, the Judge may order restitution, but can do so only during sentencing.
- In deciding whether to order restitution, the Judge may ask that a probation officer prepare a report about your loss and the offender's ability to pay.
- You will receive restitution only if the Judge orders it paid to you and the offender complies with the court order.
- Enquiries may be made through your local police-based victim services or the Crown prosecutor's office.

- If restitution is ordered, you will receive a letter of notification.
- You may request a copy of the restitution order (from court).
- You should then contact the Victim Services Adult Restitution Program for information about the terms and **next steps for collection** (*see contact information on previous page*).
- If not paid, you may have the restitution order entered as a civil court order judgment that is enforceable against the offender.

In the Meantime...

- Take whatever steps you feel are necessary to repair damages from the crime.
- Keep estimates, invoices or sales receipts for the cost of repairs, replacement and directly related cost**

You may submit a **Victim Impact Statement** or a **Statement on Restitution** or **both**.

Instruction for Submission:

- Return your completed Victim Impact Statement and/or Statement on Restitution to the investigating police agency as quickly as possible.**
- The form(s) must be received before the offender is sentenced so they can be considered by the Judge. Sentencing could happen on the first court appearance. If the form(s) are not received, the case may end before you have the opportunity to provide information.**
- If the accused has an upcoming court appearance, return the form(s) directly to the Crown prosecutor's office.**

You may submit additions to your completed form(s) up to the date the offender is sentenced

CASE IDENTIFICATION

Accused: _____ Court File #: _____
(name of accused)

Victim: _____ Charges: _____
(name of victim)

This form may be used to provide a description of the physical or emotional harm, property damage or economic loss suffered by you as the result of the commission of an offence, as well as a description of the impact of the offence on you. You may attach additional pages if you need more space.

Your statement must not include:

- any statement about the offence or the offender that is not relevant to the harm or loss you suffered;
- any unproven allegations;
- any comments about any offence for which the offender was not convicted;
- any complaint about any individual, other than the offender, who was involved in the investigation or prosecution of the offence; or
- except with the court's approval, an opinion or recommendation about the sentence.

You may present a detailed account of the impact the offence has had on your life. The following sections are examples of information you may wish to include in your statement. You are not required to include all of this information.

CANADIAN VICTIM IMPACT STATEMENTS

DRAWING, POEM OR LETTER

You may use this space to draw a picture or write a poem or letter if it will help you express the impact that the offence has had on you.

The *Canadian Victim Bill of Rights* permits the victim to present their statement in court by 1) reading it; 2) reading it in the presence and close proximity of any support person of the victim's choice; 3) reading it outside the court room or behind a screen or other device that would allow the victim not to see the offender; or 4) presenting the statement in any other manner that the court considers appropriate.

I would like to present my statement in court.

I understand this statement will be shared with the Judge, Crown Prosecutor, Defence Counsel and accused at sentencing.

DECLARATIONS

To the best of my knowledge, the information contained in this statement is true.

Dated this _____ day of _____, 20____, at _____

Signature of declarant _____

If you completed this statement on behalf of the victim, please indicate the reasons why you did so and the nature of your relationship with the victim:

Dated this _____ day of _____, 20____, at _____

CANADIAN VICTIM IMPACT STATEMENTS

Name (Please print)

Signature of declarant

Page 4

Print

Clear

VICTIM IMPACT STATEMENT

Revised May 31, 2018

GUIDELINES

Nova Scotia

Preparation of a Victim Impact Statement is completely voluntary.

When submitted by a victim, the Statement is to be written in their own words.

A Victim Impact Statement gives you the chance, at the time of the offenders sentencing, to tell the Court about how the criminal offence has affected your life. If a Victim Impact Statement is filed with the Court, it is one of the factors which will be considered by the Judge or Justice in deciding on the sentence. Your comments should be directed to the Judge or Justice, not the offender. Information about admissible and inadmissible content is included on the form.

The Victim Impact Statement should only include information about the harm done to you, or the loss suffered by you as a victim of the crime(s) for which the accused person was found guilty. The Victim Impact Statement should not include facts about the case, comments/criticisms about the offender's character or expressions of vengeance. Opinions on the sentence to be given should not be provided, except with the Court's approval. If the statement contains information other than the impact of the crime on a victim writing the statement, some or all of the statement may not be considered by the Court. Inadmissible parts of the statement, as determined by the Judge or Justice, may be removed and not read into the court record.

The person completing the Victim Impact Statement may be called upon to testify in Court and be asked questions about the statement. If the Victim Impact Statement is written before the accused has been found guilty, the statement and any notes made in writing it, may be asked for as evidence in the Court proceedings.

Your Victim Impact Statement is not confidential. The offender and/or their lawyer will receive a copy of the statement. Once the Victim Impact Statement has been given to the Court, it becomes a public document. The Court may give a copy to the general public upon request. If victims wish to have their identity and identifying information contained in their Victim Impact Statement restricted from publication, they can contact the Crown Attorney or a Victim Services Officer to request assistance with the application process for a Publication Ban. It is important to remember that the Judge may or may not grant this restriction. The Victim Impact Statement may be used in future by Corrections, for example at Parole hearings.

Section 722 of the *Criminal Code* requires the Court to consider a Victim Impact Statement at sentencing if a statement has been filed with the Court. Upon request, a victim will be permitted to read the statement in Court, or from behind a screen, or outside of the Courtroom, to have a support person close by, or to present the statement in any other manner that the Court considers appropriate. When the statement is presented by a victim or someone acting on the victim's behalf, that individual may have with them a photograph of the victim taken before the offence occurred, if the Judge or Justice decides the hearing would not be disrupted. It is recommended that the Court be advised well in advance of the sentencing date about these requests. If you would like to read your statement, you should check the box on the form indicating "I would like to present this statement in court".

The *Criminal Code* in Section 2 provides the following definition of victim, in relation to Victim Impact Statements:

2. "victim" means a person against whom an offence has been committed, or is alleged to have been committed, who has suffered, or is alleged to have suffered, physical or emotional harm, property damage or economic loss as the result of the commission or alleged commission of the offence and includes, for the purposes of sections 672.5, 722 and 745.63, a person who has suffered physical or emotional harm, property damage or economic loss as the result of the commission of an offence against any other person.

2.2 (1) For the purposes of sections 606, 672.5, 722, 737.1 and 745.63, any of the following individuals may act on the victim's behalf if the victim is dead or incapable of acting on their own behalf: (a) the victim's spouse, or if the victim is dead, their spouse at the time of death; (b) the victim's common-law partner, or if the victim is dead, their common-law partner at the time of death; (c) a relative or dependant of the victim; (d) an individual who has in law or fact custody, or is responsible for the care or support, of the victim; and (e) an individual who has in law or fact custody, or is responsible for the care or support, of a dependant of the victim.

2.2 (2) An individual is not entitled to act on a victim's behalf if the individual is an accused in relation to the offence or alleged offence that resulted in the victim suffering harm or loss or is an individual who is found guilty of that offence or who is found not criminally responsible on account of mental disorder or unfit to stand trial in respect of that offence.

The Victim Impact Statement must be written on the Victim Impact Statement Form and returned to your local Victim Services office. It must be signed and dated. If you are writing and signing the form on the behalf of a victim, then your first and last name and your relationship to the victim and/or crime should be printed clearly in the space provided on the form and it must be signed and dated twice. The Victim Services office will file the statement with the Court. Once it has been filed with the Court, it cannot be taken back. If you write your statement before the accused person is found guilty and/or there is a long period between filing the Victim Impact Statement with the Court and the offenders sentencing hearing, please consult with the Victim Services office if you want to ask about updating your statement.

The completed form should be submitted to Victim Services – For office locations, call toll-free 1 (888) 470-0773 or visit website: http://novascotia.ca/just/victim_Services/contact.asp

Case Identification

Name of the Victim (PLEASE PRINT/TYPE): _____

Name(s) of the Accused (PLEASE PRINT/TYPE): _____

Date of the Incident (PLEASE PRINT/TYPE – Month/Day/Year): _____

This form may be used to provide a description of the physical or emotional harm, property damage or economic loss suffered by you as the result of the commission of an offence, as well as a description of the impact of the offence on you. You may attach additional pages if you need more space.

Your statement must not include:

- any statement about the offence or the offender that is not relevant to the harm or loss you suffered;
- any unproven allegations;
- any comments about any offence for which the offender was not convicted;
- any complaint about any individual, other than the offender, who was involved in the investigation or prosecution of the offence; or
- except with the court's approval, an opinion or recommendation about the sentence.

You may present a detailed account of the impact the offence has had on your life. The following sections are examples of information you may wish to include in your statement. You are not required to include all of this information.

Emotional Impact

Describe how the offence has affected you emotionally. For example, think of

- your lifestyle and activities;
- your relationships with others such as your spouse, family and friends;
- your ability to work, attend school or study; and
- your feelings, emotions and reactions as they relate to the offence.

Physical Impact

Describe how the offence has affected you physically. For example, think of

- ongoing physical pain, discomfort, illness, scarring, disfigurement or physical limitation;
- hospitalization or surgery you have had because of the offence;
- treatment, physiotherapy or medication you have been prescribed;
- the need for any further treatment or the expectation that you will receive further treatment; and
- any permanent or long-term disability.

Economic Impact

Describe how the offence has affected you financially. For example, think of

- the value of any property that was lost or damaged and the cost of repairs or replacement;
- any financial loss due to missed time from work;
- the cost of any medical expenses, therapy or counselling; and
- any costs or losses that are not covered by insurance.

Fears for Security

Describe any fears you have for your security or that of your family and friends. For example, think of

- concerns with respect to contact with the offender; and
- concerns with respect to contact between the offender and members of your family or close friends.

Drawing, Poem or Letter

You may use this space to draw a picture or write a poem or letter if it will help you express the impact that the offence has had on you.

I would like to present my statement in court.

To the best of my knowledge, the information contained in this statement is true.

Dated this _____ day of _____, 20____, at _____

Signature of declarant

If you completed this statement on behalf of the victim, please indicate the reasons why you did so and the nature of your relationship with the victim:

Dated this _____ day of _____, 20____, at _____

Signature of declarant

This completed form should be submitted to Victim Services – For office locations, call toll-free 1 (888) 470-0773 or visit website: http://novascotia.ca/just/victim_Services/contact.asp

CANADIAN VICTIM IMPACT STATEMENTS

Department of Public Safety
Community, Corrections and Corporate Services
Victim Services



Ministère de la Sécurité publique
Services communautaires, correctionnels et généraux
Services aux victimes

INFORMATION FOR VICTIMS

- This form may be used to provide a description of the physical or emotional harm, property damage or economic loss suffered by you as the result of the commission of an offence, as well as a description of the impact of the offence on you. You may attach additional pages if you need more space.

- A victim is not required to provide a statement. Participation is strictly voluntary.

- A victim wishing to make a statement can obtain the Victim Impact Statement Form and assistance from any Victim Services Coordinator. The completed form must be returned to the Coordinator, who shall submit it to the Court on behalf of the victim. Victims may choose to read their statements aloud at the sentencing hearing. If victims wish to be informed of the outcome of the sentencing hearing, they may call a Victim Services Coordinator.

Your statement should:

- be truthful and accurate
- state only the effect of the crime for which the offender will be sentenced
- give details of physical or emotional impact, treatment received or required, and economic impact directly related to the crime

Your statement must not include:

- any statement about the offence or the offender that is not relevant to the harm or loss you suffered
- any unproven allegations
- any comments about any offence for which the offender was not convicted
- any complaint about any individual, other than the offender, who was involved in the investigation or prosecution of the offence
- except with the court's approval, an opinion or recommendation about the sentence

RENSEIGNEMENTS À L'INTENTION DE LA VICTIME

- Le présent formulaire peut être utilisé pour présenter une description des dommages - matériels, corporels ou moraux - ou des pertes économiques qui vous ont été causés par suite de la perpétration d'une infraction ainsi que des répercussions que l'infraction a eues sur vous. Vous pouvez ajouter des pages additionnelles au besoin.

- La victime n'est pas tenue de faire une telle déclaration. La participation au programme est tout à fait volontaire

- Une victime qui désire faire une déclaration peut se procurer un formulaire Déclaration - Répercussions du crime sur la victime, ainsi que de l'aide pour remplir ce formulaire, auprès de tout Coordonnateur des Services aux Victimes. Le formulaire dûment rempli doit être remis au Coordonnateur, qui le soumettra au tribunal au nom de la victime. La victime peut lire sa déclaration à voix haute au cours de l'audience de détermination de la peine. Pour connaître le résultat de l'audience de détermination de la peine, elle doit communiquer avec le bureau des Services aux Victimes.

Une déclaration doit :

- être véridique et exacte
- décrire uniquement les effets du crime pour lequel le contrevenant sera condamné
- donner les détails des préjudices physiques ou affectifs, les traitements reçus ou recommandés et les pertes financières directement reliés au crime

La déclaration ne peut pas comporter :

- de propos concernant l'infraction ou le délinquant qui ne sont pas pertinents aux dommages ou pertes que vous avez subis
- d'allégations non fondées
- de commentaires sur des infractions pour lesquelles le délinquant n'a pas été condamné
- de plaintes au sujet d'un particulier, autre que le délinquant, qui était associé à l'enquête ou à la poursuite de l'infraction
- sauf avec la permission du tribunal, de points de vue ou de recommandations au sujet de la peine

CANADIAN VICTIM IMPACT STATEMENTS



**DEPARTMENT OF PUBLIC SAFETY
MINISTÈRE DE LA SÉCURITÉ PUBLIQUE**

**COMMUNITY, CORRECTIONS AND CORPORATE SERVICES
SERVICES COMMUNAUTAIRES, CORRECTIONNELS ET GÉNÉRAUX**

**VICTIM SERVICES
SERVICES AUX VICTIMES**

**VICTIM IMPACT STATEMENT
DÉCLARATION - RÉPERCUSSIONS DU CRIME SUR LA VICTIME**

OF/DE

**IN THE MATTER OF HER MAJESTY THE QUEEN
DANS L'AFFAIRE DE SA MAJESTÉ LA REINE**

VS/CONTRE

**DATE OF SENTENCING HEARING
DATE DE L'AUDIENCE DE DÉTERMINATION DE LA PEINE**

CANADIAN VICTIM IMPACT STATEMENTS

Department of Public Safety
Community, Corrections and Corporate Services
Victim Services



Ministère de la Sécurité publique
Services communautaires, correctionnels et généraux
Services aux victimes

COURT INFORMATION INFORMATION POUR LE TRIBUNAL

Offender
Contrevenant

Judge
Juge

Court
Tribunal

Crown Prosecutor
Procureur de la Couronne

Defence Counsel
Avocat de la défense

Offences
Chef(s) d'accusation

VICTIM INFORMATION INFORMATION POUR VICTIME

Victim
Victime

Gender
Sexe

Victim/Offender Relationship
Relation victime/contrevenant

I would like to read my statement in court.
J'aimerais lire ma déclaration devant le tribunal.

Yes
Oui

No
Non

I have had a Victim Impact Statement explained to me and I understand that is it voluntary.

J'ai reçu des explications concernant la déclaration sur les répercussions du crime sur la victime et je comprends qu'il s'agit d'un programme volontaire.

CANADIAN VICTIM IMPACT STATEMENTS

Department of Public Safety
Community, Corrections and Corporate Services
Victim Services



Ministère de la Sécurité publique
Services communautaires, correctionnels et généraux
Services aux victimes

You may present a detailed account of the impact the offence has had on your life. The following sections are examples of information you may wish to include in your statement. You are not required to include all of this information.

Vous pouvez présenter un compte rendu détaillé des répercussions de l'infraction sur votre vie. Les sections ci-dessous après ne constituent que des exemples de renseignements que vous pouvez inclure dans votre déclaration. Vous n'êtes pas obligé d'inclure tous ces renseignements.

EMOTIONAL IMPACT RÉPERCUSSIONS D'ORDRE ÉMOTIF

Describe how the offence has affected you emotionally. For example, think of:

Veillez décrire les répercussions d'ordre émotif que l'infraction a eues sur vous, par exemple, en ce qui concerne:

- your lifestyle and activities
- your relationships with others such as your spouse, family and friends
- your ability to work, attend school or study
- your feelings, emotions and reactions as they relate to the offence

- votre mode de vie et vos activités
- vos relations avec les autres, notamment votre époux ou épouse, votre famille et vos amis
- votre capacité à travailler, à fréquenter l'école ou à étudier
- vos sentiments, vos émotions et vos réactions à l'égard de l'infraction

PHYSICAL IMPACT RÉPERCUSSIONS D'ORDRE PHYSIQUE

Describe how the offence has affected you physically. For example, think of:

Veillez décrire les répercussions d'ordre physique que l'infraction a eues sur vous, par exemple, en ce qui concerne:

- ongoing physical pain, discomfort, illness, scarring, disfigurement or physical limitation
- hospitalization or surgery you have had because of the offence
- treatment, physiotherapy or medication you have been prescribed
- the need for any further treatment or the expectation that you will receive further treatment
- any permanent or long-term disability

- la douleur physique persistante, l'inconfort, les maladies, les cicatrices, le défigurement ou les restrictions physiques
- une hospitalisation ou des interventions chirurgicales que vous avez dû subir en raison de l'infraction
- les traitements, la physiothérapie ou les médicaments qui vous ont été prescrits
- les traitements supplémentaires dont vous aurez besoin ou que vous vous attendez à recevoir
- une invalidité permanente ou de longue durée

CANADIAN VICTIM IMPACT STATEMENTS

Department of Public Safety
Community, Corrections and Corporate Services
Victim Services



Ministère de la Sécurité publique
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ECONOMIC IMPACT RÉPERCUSSIONS D'ORDRE ÉCONOMIQUE

Describe how the offence has affected you financially.
For example, think of:

- the value of any property that was lost or damaged and the cost of repairs or replacement
- any financial loss due to missed time from work
- the cost of any medical expenses, therapy or counselling
- any costs or losses that are not covered by insurance

Please note that this is not an application for compensation or restitution.

Veillez décrire les répercussions d'ordre économique que l'infraction a eues sur vous, par exemple, en ce qui concerne:

- la valeur des biens perdus ou détruits et le coût de réparation ou de remplacement de ces biens
- les pertes financières imputables à l'absence du travail
- les dépenses médicales et le coût de la thérapie et du counselling
- les coûts, pertes ou dépenses qui ne sont pas couverts par l'assurance

Veillez noter que la présente déclaration ne constitue pas une demande d'indemnisation ou de dédommagement

FEARS FOR SECURITY CRAINTES CONCERNANT LA SÉCURITÉ

Describe any fears you have for your security or that of your family and friends. For example think of:

- Concerns with respect to contact with the offender
- Concerns with respect to contact between the offender and members of your family or close friends

Veillez décrire toute crainte que vous avez pour votre sécurité ou celle de votre famille et de vos amis, par exemple:

- des préoccupations concernant des contacts avec le délinquant
- des préoccupations concernant des contacts entre le délinquant et des membres de votre famille ou des amis proches

CANADIAN VICTIM IMPACT STATEMENTS

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DRAWING, POEM OR LETTER DESSIN, POÈME, LETTRE

You may use this space to draw a picture or write a poem or letter if it will help you express the impact that the offence has had on you.

Vous pouvez utiliser cet espace pour faire un dessin ou écrire un poème ou une lettre si cela peut vous aider à dépeindre les répercussions que l'infraction a eues sur vous.

A large, empty rectangular box with a thin black border, intended for the victim to draw a picture, write a poem, or write a letter.

CANADIAN VICTIM IMPACT STATEMENTS

Department of Public Safety
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Victim Services



Ministère de la Sécurité publique
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VICTIM DECLARATION DÉCLARATION DE LA VICTIME

I have been advised that the statement will be sent to the Court on my behalf, and shall be used by the judge at the time of sentencing of the offender. It will be submitted to the crown prosecutor and the offender or defence counsel. Once filed with the Court, the statement cannot be withdrawn and becomes part of the public record.

On m'a informé du fait que cette déclaration sera présentée au tribunal en mon nom et qu'elle peut être utilisée par le juge pour déterminer la peine à infliger au contrevenant. Cette déclaration sera présentée au procureur de la Couronne et au contrevenant ou à l'avocat de la défense, et il est possible qu'on me pose des questions sur le contenu de cette déclaration lors de l'audience au moment de déterminer la peine à infliger. Une fois déposée devant le tribunal, la déclaration ne peut être retirée et devient la propriété des archives publiques.

To the best of my knowledge, the information contained in this statement is true.

A ma connaissance, les renseignements contenus dans la présente déclaration sont exacts.

Dated this _____ day of _____ 20_____
Fait le _____ jour de _____ 20_____

at _____
à _____

Signature of declarant _____
Signature du déclarant _____

If you completed this statement on behalf of the victim, please indicate the reasons why you did so and the nature of your relationship with the victim.

Si vous avez rempli la présente déclaration au nom de la victime, veuillez indiquer les raisons pour lesquelles vous l'avez fait ainsi que la nature de votre relation avec elle.

Dated this _____ day of _____ 20_____
Fait le _____ jour de _____ 20_____

at _____
à _____

Signature of declarant _____
Signature du déclarant _____

Signature of Victim Services Coordinator _____ Date _____
Signature du Coordonnateur des Services aux Victimes _____