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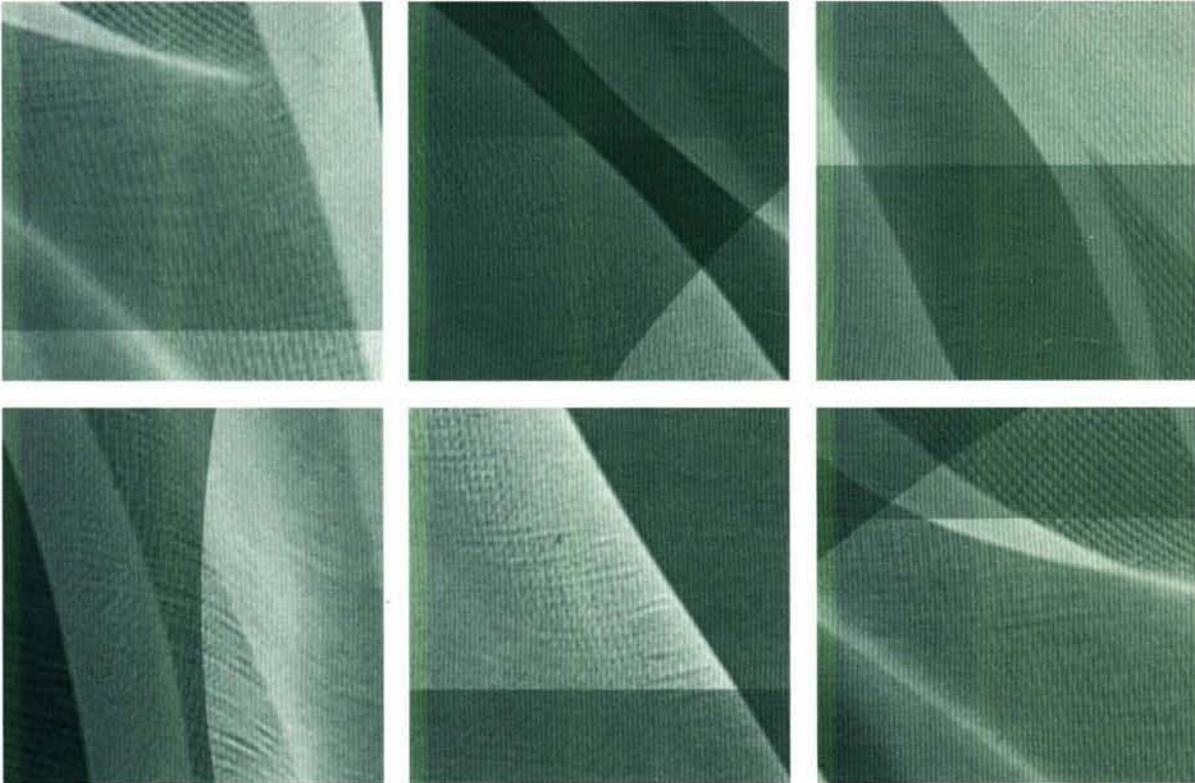
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Information Guide to Assist Victims

Federal Corrections and Conditional Release



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Information Guide to Assist Victims

FEDERAL CORRECTIONS AND CONDITIONAL RELEASE

4th edition

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An Information Guide to Assist Victims

Federal Corrections and Conditional Release

A. Introduction

The *Corrections and Conditional Release Act* (CCRA) governs the Correctional Service of Canada (CSC), which is responsible for supervising federal offenders in custody and in the community. It also governs the National Parole Board (NPB), whose members assess the risk of inmates re-offending and decide whether to release them into the community. The CCRA recognizes victims of crime as an important part of the criminal justice system and gives them an opportunity to participate in the federal corrections and conditional release process. It entitles victims who make a request to be provided with certain information about the offender who has harmed them and to be informed about decisions made by the NPB and CSC about that offender. The CCRA also provides victims with opportunities to present information that may contribute to specific key decisions.

This booklet provides information about your legal entitlements as a victim of crime, the resulting obligations of both the Correctional Service of Canada and the National Parole Board and the services available to you. It also explains how you can communicate with the NPB or CSC. Finally, general information about an offender's path through the correctional system after the court has sentenced him/her is provided to help you understand the usual steps that occur.

Legal definition of victims of crime

The *Corrections and Conditional Release Act* (CCRA) allows victims to obtain certain information about offenders that would usually be protected by the *Privacy Act*. The CCRA, therefore, includes definitions of the persons who may be given this information. A victim is defined as someone to whom harm was done or who suffered physical or emotional damage as the result of an offence. When a victim has died, or is unable to act for him/herself (i.e., the person is a child, ill or otherwise incapacitated) the victim's spouse, relative, common-law partner (provided that the person and the victim were cohabitating at the time of the victim's death), or anyone who is responsible for the care or support of that person, by law or custody, as well as any dependent of that person, may request and receive information on behalf of the victim. Information can also be released to the person harmed by the offender, whether or not the offender was prosecuted or convicted, if a complaint was made to the police or the Crown.

Victims may authorize someone (e.g., a friend, a chaplain) to receive information or notifications on their behalf so long as the victim gives this person written authorization.

Federal and provincial/territorial jurisdictions

As a general rule, the Correctional Service of Canada is responsible for the administration of sentences for offenders serving *two years or more*. The correctional service of the province/territory where the offender was sentenced is responsible for the administration of sentences of less than two years.

This booklet provides information for victims of crime who have been harmed by an offender who has received a sentence of two years or more or who is under the jurisdiction of the Correctional Service of Canada or the National Parole Board.

The National Parole Board has jurisdiction to grant, deny or revoke the parole of offenders serving less than two years in all provinces and territories, except Ontario and Quebec where there are provincial parole boards. In these two provinces, victims of offenders serving less than two years should contact provincial parole boards for information.

For information on offenders serving two years or more, please contact the regional office of the National Parole Board (toll-free) or the Victim Liaison Coordinator at the Correctional Service of Canada's regional headquarters. A complete list of contacts is included at the end of this booklet.

B. Victims' rights

Disclosure of information to victims

The Correctional Service of Canada and the National Parole Board do not *automatically* inform victims about an offender's case. The law specifies that this information only be given upon request, as some victims prefer not to receive any further information about the offender. The request must clearly identify the offender.

Anyone, including a victim or a victim's family, can ask for basic, publicly available information such as:

- the offence the offender was convicted of and the court that convicted the offender;
- when the sentence began and the length of the sentence; and
- the eligibility and review dates of the offender for unescorted temporary absences, day parole and full parole.

Victims may receive additional information that is not usually disclosed to the public. To do so, they must meet the definition set out in the law and request to receive further information (commonly referred to as registering). More information may be released if the Chairperson of the National Parole Board or the Commissioner of the Correctional Service of Canada (or delegated staff) determines that the interest of the victim clearly outweighs any invasion of the offender's privacy that could result from the disclosure. Such information may include:

- the location of the penitentiary in which the sentence is being served;
- the date, if any, on which the offender is to be released on unescorted or escorted temporary absence, work release, parole, or statutory release;
- the date of any hearing for the purposes of an NPB review;
- any of the conditions attached to the offender's unescorted temporary absence, work release, parole, or statutory release;

- the destination of the offender when released on any temporary absence, work release, parole, or statutory release, and whether the offender will be in the vicinity of the victim while travelling to that destination;
- whether the offender is in custody and, if not, why not; and,
- whether or not the offender has appealed a decision of the NPB, and the outcome of that appeal.

Registered victims may also ask to receive ongoing information so they may be informed of changes, such as an offender transfer from one institution to another. If victims want ongoing information, they must ensure that the National Parole Board and Correctional Service of Canada have their current address(es) and telephone number(s). For further information about victim notification, please contact a Regional Communication Officer at your NPB office or CSC Victim Liaison Coordinator. A complete list of contacts is included at the end of this booklet.

Information provided by victims

The Correctional Service of Canada and the National Parole Board always appreciate receiving information about offenders, safety concerns of the victim or other persons, as well as information about the impact the offence has had on the victim, their family and/or the community. Victims are encouraged to provide Victim Impact Statements, information regarding the physical, emotional or financial impact of the offence, and any other relevant information.

Information can be provided to CSC or the NPB for their consideration at any time. Victims may also contact a CSC Victim Liaison Coordinator or NPB Regional Communication Officer to provide information. Their roles and responsibilities include the following:

- receive requests for information from victims;
- obtain information from police and other sources to ascertain victim status;

- inform victims in writing of their status and their entitlements as well as information about both CSC and NPB;
- provide notifications to victims relating to their specific case;
- maintain information regarding victim contacts as required;
- ensure that relevant information provided by victims is forwarded to decision-makers and offenders;
- inform victims about other sources of information such as the NPB Decision Registry and access to NPB hearings as observers or as participants;
- advise victims requesting counselling and/or other services on appropriate community or other resources;
- may accompany victims to/during parole board hearings and debrief victims following a parole hearing that the victim has attended; and,
- CSC Victim Liaison Coordinators may also attend reconciliation circles and other restorative approaches when requested by the victim.

National Parole Board

When making decisions, the National Parole Board considers information from victims that can help to assess whether an offender's release may pose a risk to society. The NPB is interested in information that will help assess the offender's understanding of the effect of the offence and whether that person is likely to re-offend. In cases where the NPB must decide whether to detain an offender in custody until the end of the sentence, information about the harm victims have suffered is important. Information from victims is also important when it is directly relevant to assessing the offender's release plans and the conditions required to manage a particular risk that the offender might present, especially if the offender will be near the victim or is a member of the victim's family. The NPB may, for example, impose a special condition for the offender not to contact a victim or not to be in the presence of children.

Disclosure of information provided by victims

The law requires that the National Parole Board and the Correctional Service of Canada disclose to the offender any information that will be considered during the decision-making process. Victims' personal information, such as their addresses and phone numbers, are NOT shared with offenders. If victims have concerns about the offender knowing that they will be providing information, they must discuss these concerns with the CSC or the NPB. The victim can then decide whether or not they wish to provide information.

Attending National Parole Board hearings

Hearings are held for most NPB decisions, such as whether to grant, deny or revoke parole. These usually occur in the penitentiary where the offender is held. Anyone can apply to observe a hearing of the National Parole Board. Applications should be made in writing and as early as possible, preferably at least 60 days before the hearing, to permit the security check that the law requires before a visitor can enter a penitentiary. A support person can accompany the victim. Victims should ensure that they apply for their chosen support person to be approved for entry into a penitentiary at least 60 days before the hearing. While it is rare, applications may be refused if security is a concern, space is limited, or the applicant is under 18 years of age.

Victims' Travel Fund

Since November 1, 2005, victims of federal offenders can apply for financial assistance to attend National Parole Board hearings of the offender who harmed them. The Policy Centre for Victim Issues at the Department of Justice administers this financial assistance.

This new financial assistance covers travel, hotel and meal expenses, in accordance with current Government of Canada Travel Guidelines. In order to receive this financial assistance, victims must be registered with the Correctional Service of Canada or the National Parole Board and must have been approved to attend the hearing of the offender who harmed them.

For further information, victims may contact the Victims Fund Manager by calling, toll-free, 1 866 544-1007 from anywhere in Canada or the United States.

Statement by victims at National Parole Board hearings

Since July 2001, victims are entitled to make an oral statement to the National Parole Board. The statement must be in writing, in English or in French. At the hearing, the victim may read the statement or have a recording of it on audiotape or videotape played if they cannot attend or if they prefer this option. These statements provide victims the opportunity to present information directly to Board members about the continuing impact of the crime and any safety concerns they may have.

In order to meet the legal requirements of sharing information about the decision-making process with the offender, the NPB requires the statement in writing thirty (30) days before the hearing or, if translation is required, forty-five (45) days before the hearing date. Given these requirements, the presentation made at the hearing cannot deviate from the written statement that was shared with the offender.

A statement should be concise. Victims may choose to

present their statement at the beginning of the hearing or towards the end, immediately following the NPB members' interview with the offender or, if the offender has an assistant, after the concluding remarks of the assistant.

A statement should provide information about:

- The continuing impact of the crime for which the offender was convicted. This could include information about the physical, emotional, medical and financial impact of the crime on the victim or their children and family members and others who are close to them; and,
- Concerns the victim may have for their safety, their family or the community's safety with regard to the offender, should he or she be released, and explaining why the victim believes there may be a risk.

Hearings are held in the official language of the offender. Victims, however, may read their statement in either English or French. The NPB will arrange for the statement to be translated into the language to be used at the hearing. If victims submit their statement in a language other than English or French, the NPB will have it translated. Normally, a victim must be eighteen or older to present a statement in person at a hearing. Exceptions will be considered on a case by case basis.

For further information about presenting an oral statement at a National Parole Board hearing, please contact the NPB office nearest you. A complete list of contacts is included at the end of this booklet.

Obtaining a copy of a National Parole Board decision

National Parole Board decisions made under Part II of the *Corrections and Conditional Release Act* (CCRA), and the reasons for the decisions, are available from the NPB's decision registry. These decisions concern conditional release, return to a penitentiary, detention, and the decisions and reasons of the NPB's Appeal Division. Decisions are only available while the offender is under sentence.

Anyone interested in a specific case may make a request in writing to the National Parole Board for a copy of a conditional release decision made after November 1, 1992. The NPB will withhold information that may jeopardize the safety of someone, reveal a confidential source of information, or adversely affect the return of an offender to society as a law-abiding citizen.

Decisions concerning temporary absences and work releases made under Part I of the CCRA are not included in the NPB decision registry.

Correctional Service of Canada

The Correctional Service of Canada has a legal obligation to gather relevant information about offenders from a variety of sources, including the courts and the police. If the victim has filed a Victim Impact Statement at sentencing, CSC is required by law to obtain a copy. This information must be used to:

- assist in the evaluation of an offender's overall risk and programming needs;
- make decisions on the institutional security level required to protect society; and,
- make decisions as to whether an offender should be released on a temporary absence or a work release.

Victim information is also taken into consideration when CSC makes a recommendation to the National Parole Board as to whether an offender should be granted a conditional release such as parole.

In the absence of a Victim Impact Statement and if the victim wishes, a Community Assessment may be completed by a community parole officer. A Community Assessment is a report that captures complete, accurate and quality information that assists in every activity related to the offender's progress. Moreover, victims may submit written material relevant to the offender's case to the CSC or the NPB at any time.

Victims' right not to be contacted by inmates

The Correctional Service of Canada has a telephone monitoring system that can authorize or prevent communications between inmates and members of the public. Moreover, CSC monitors incoming and outgoing offender mail. Upon request, every effort will be made to prevent an inmate from communicating with victims, or any member of the public, by telephone or mail. Any person who does not wish to be contacted by a federal inmate can ask the Correctional Service of Canada to stop the unwanted communications.

Victim-offender mediation

Victim-offender mediation is a process that provides victims of crime with the opportunity to safely and confidentially gain information about the crime and the offender, express the full impact of the crime on their lives, get answers to questions they have and achieve a greater sense of closure on some issues. The mediation process is flexible and entirely voluntary. It does not necessarily involve a face-to-face meeting. The pace and extent of involvement is determined by the participants. Interventions can include:

- support, counseling, legal transmission of needed information to both parties (where that information is freely provided for such release);
- indirect communication by means of letters and/or video tapes;
- direct communication through one or more face-to-face meetings facilitated by a trained mediator/facilitator; and,
- follow-up support, as desired and appropriate, for both parties.

These interventions are not meant for all crime victims nor for all offenders and an assessment is always part of the process. Protocols are in place that are highly sensitive to participant needs and readiness to proceed.

There are a variety of victim-offender mediation and dialogue programs in Canada. In the Pacific Region, all mediations are managed through the Victim-Offender Mediation Program (VOMP) operated by the Fraser Region Community Justice Initiatives Association (CJI) in Langley, British Columbia. For the rest of the

country, victim-offender mediation is administered through the Restorative Justice and Dispute Resolution Unit, Correctional Service of Canada, who engage the services of individual mediators. Requests for mediation can be made to a Victim Liaison Coordinator at the CSC regional headquarters in your area.

Other types of victim input and involvement

Some of the ways in which victims have become involved with the National Parole Board and the Correctional Service of Canada include:

- sitting on a Victim Advisory Committee (available in some parts of Canada);
- sitting on a Citizen Advisory Committee for the Correctional Service of Canada;
- assisting with victim sensitivity training for CSC staff and victim awareness programs for offenders; and,
- providing input into policy development.

National Office for Victims

On November 1, 2005, Public Safety and Emergency Preparedness Canada established a National Office for Victims of offenders under federal responsibility. This office enhances existing information services provided directly by the Correctional Service of Canada and the National Parole Board. It is co-located with the Policy Centre for Victim Issues (PCVI) at the Department of Justice. Victims can reach the office by calling, toll-free, 1 866 525-0554 from anywhere in Canada or the United States.

As has been noted, both CSC and NPB offer a number of services for victims and provide information to registered victims. The National Office for Victims provides a centralized mechanism for them to obtain information and support on federal corrections issues.

The Office:

- provides general information to victims and performs a referral function to CSC and NPB for specific information enquiries;
- provides a “victims’ lens” at the national level for PSEPC, CSC and NPB in terms of policy development;
- develops information products for dissemination to victims and the general public;
- complements the work being done by PCVI;
- provides input into the development of communication and training material by PSEPC, CSC and NPB; and,
- provides an avenue for complaints about CSC and NPB services.

Existing CSC and NPB victim services officers (i.e. Victim Liaison Coordinators and Regional Communication Officers) are the primary source of ongoing information to registered victims.

C. An offender's sentence: From start to finish

This section describes the stages that an offender is likely to encounter during his or her sentence. It starts with the events immediately following sentencing, reviews the various steps required for an offender to obtain a conditional release in the community, and finishes with the completion of an offender's sentence. For example, in most cases a sentence of 12 years does not require that the offender remain in the penitentiary for 12 years. However, the offender will be under the supervision of the Correctional Service of Canada for the entire 12 years.

The offender's sentence commencement date

(Day one)

After an offender has been found guilty, the presiding judge determines the sentence to be imposed and indicates its length. It is not uncommon for an offender to be convicted of several offences at one time. In this situation, the judge may order that sentences be served at the same time (concurrently) or one after the other (consecutively).

Transition period from a provincial jail to a federal penitentiary

(Up to 15 days)

The offender may have been kept in custody before trial or sentencing. If so, this will normally have been in a provincial correctional facility. Other offenders may have been in the community on bail. At the moment a sentence of imprisonment is imposed, the offender will be immediately taken into provincial custody if they are not already.

An offender who has just been sentenced to a penitentiary term (two years or more) may remain in a provincial institution for up to 15 days before being transferred into a penitentiary. This 15-day period allows federally sentenced offenders to attend to their personal affairs, including in some cases filing an appeal, before being transferred to a federal penitentiary.

During this transitional period, a CSC parole officer meets the offender to conduct a preliminary assessment. The purpose of this assessment is to note any immediate and critical concerns (e.g., suicide risk, security, offender's physical and mental health), gather relevant information and identify the offender's community supports. The information that the community supports provide will help correctional staff verify information provided by the offender and identify problem areas that will require attention during the period of incarceration (e.g., substance abuse, family violence).

Offender Intake Assessment and correctional planning

(Up to 90 days)

At the end of the 15 days (or less if the offender agrees), the offender will normally be transferred under guard to the closest federal regional reception centre. A reception centre is a special penitentiary, or part of a penitentiary, dedicated to the assessment of offenders. The offender then undergoes a comprehensive assessment called the Offender Intake Assessment (OIA) within 90 calendar days of the offender's sentence commencement date, depending upon the length of the sentence. The purpose of the OIA is to:

- complete a comprehensive profile of an offender's criminal and social history;
- assess the risk posed by the offender;

- identify the problem areas that need to be addressed to reduce the risk of re-offending;
- complete the Correctional Plan outlining how the problem areas will be addressed throughout the sentence; and,
- recommend a security classification and initial penitentiary placement.

During the OIA, factors that led the offender into criminal behaviour are identified, as are areas in the offender's life that, if changed, can reduce the risk of re-offending. The results of the OIA are documented in the Correctional Plan, which will serve as a basis to monitor the offender's progress throughout the sentence. It outlines and prioritizes the areas that must be addressed to reduce an offender's likelihood of re-offending and to prepare him or her for safe reintegration into society.

Placement in a penitentiary

(After 90 days or less)

Upon the completion of the Offender Intake Assessment, offenders are transferred to a penitentiary corresponding to their security classification and program needs. Offenders are assigned to an institutional parole officer who will implement the offender's Correctional Plan, follow-up on their progress and assist them in preparing for their eventual safe reintegration into the community. Offenders must follow their Correctional Plan, which lays out the programs and activities that are required in order to reduce their risk of re-offending upon release. Failing to follow their Correctional Plan, which includes an expectation of positive behaviour in the institution, reduces an offenders' chances of being granted parole or other conditional releases.

Transfers of offenders

(Throughout the sentence)

At any time during their sentence, offenders may be transferred to higher or lower security institutions to meet their individual security requirements and program needs. Offenders should be serving their sentences at the lowest level of security considered necessary to meet their individual program needs and security requirements. Most offenders will be transferred to lower security institutions during their sentence. Placing offenders in the least restrictive environment while maintaining safety helps the Correctional Service of Canada and the National Parole Board assess the readiness of offenders to safely reintegrate into society. As discussed under *Section B, Victims' rights, Disclosure of information to victims*, victims may in some instances be informed where the offender is serving his or her sentence.

Daily routine

An offender's day is ruled by the routine of the institution. On an average weekday, an offender has approximately six hours during which he or she might take part in activities. Offenders can be involved in programs, education, institutional employment (i.e., working in the kitchen, institutional maintenance or cleaning), vocational training or the Industrial and Agribusiness Program (CORCAN; see next section, Programs offered to offenders, for details). The following schedule depicts a typical inmate weekday:

- 06:45 – inmate count
- 07:00 – breakfast
- 08:00 – go to program, work or back to the cell
- 11:45 – return to cell for inmate count and lunch
- 13:00 – go to program, work or back to the cell
- 16:30 – return to the cell for inmate count and then supper
- 18:00 – go to recreation, cultural events, self-help groups
- 22:30 – night inmate count
- 23:00 – lock-up

In addition to the four formal inmate counts, informal counts take place several times a day, without interruption of activities. The informal counts are compared with the formal counts. During the night, correctional officers continually make their rounds and must ensure that every inmate is in his or her cell.

Programs offered to offenders

(Throughout the sentence)

The Correctional Service of Canada provides a range of correctional programs that respect the gender, ethnic, cultural, spiritual and linguistic differences of offenders. These programs are designed to meet the special needs of women, offenders from Aboriginal and other ethno-cultural groups, and other groups with specific needs.

CSC helps offenders work on factors related to their criminal behaviour in order to reduce their chances of re-offending upon release, thereby contributing to public safety. Every offender has a Correctional Plan that defines their individual programming and treatment needs. The plan and the progress of the offender are reviewed regularly, to determine whether the goals are being met, and to identify any change in the offender's risk to society. CSC has developed numerous treatment programs and makes use of community resources while stressing the importance of continuity between institutional programming and services offered to offenders when the offender is released back into the community.

Living skills programming consists of programs to meet the needs of offenders throughout their sentences and prepare them for reintegration into the community. These programs are Reasoning and Rehabilitation, Anger and Emotion Management, Counter-Point and Community Integration.

Substance abuse interventions are designed to teach offenders to manage their substance abuse in order to reduce the risk of re-offending. CSC offers high and moderate intensity substance abuse programs in the institution and low intensity in the community. For Aboriginal offenders, the Aboriginal Substance Abuse Program is now well established as a core program. Offenders are provided follow-up, as required, after their completion of the programs. The CSC also offers a comprehensive Women Offender Substance Abuse Program (WOSAP) for women offenders. The intervention on substance abuse with women offenders starts at admission and is offered throughout the sentence, in the institution and the community, until such time as the women no longer need intervention in substance abuse.

Sex offender treatment programs focus on identifying the nature and pattern of the offender's behaviour and provide self-management and control skills to help reduce the risk of re-offending. Institutions provide high, moderate or low intensity programs and maintenance programs. Community programs are either structured (for higher risk individuals) or based on maintenance/relapse prevention. Offenders are placed in these programs based on their risk to re-offend, treatment needs, motivation to participate in treatment and the ability of the program to meet these targets.

Violence prevention programs are intensive programs for offenders who are at high risk for violent behaviour. The goal of the programs is to improve participants' skills to avoid the use of violence to solve problems and to reduce the risk for future violence. A follow-up maintenance program exists to help offenders consolidate and maintain gains and to further refine and apply their personalized plans to prevent violence. The program is not designed to address sexually violent offenders, offenders who have committed family violence, or those who are served by other programs specifically designed for them.

Family violence programs target offenders who are abusive in family situations and those who are at risk of becoming abusive. These programs provide information and teach specific skills for reducing the incidence of family violence among the offender population. This involves educational and intervention programming in institutions and the community.

Aboriginal programs have been developed to meet the unique needs and rights of both male and female Aboriginal offenders. These correctional programs rely significantly on traditional approaches, spiritual interventions and holistic healing. They integrate traditional Aboriginal healing approaches with effective correctional programming to address needs relating to cognitive skills training, emotions management, violence prevention, sexual offending, domestic violence and substance abuse. However, it should be noted that not all programs are available in all institutions, for a variety of reasons.

Women offenders programs address the needs of women offenders. They include:

- **Correctional programs** that target criminal behaviour such as the Women Offender Substance Abuse Program;
- **Mental health programs** aimed at symptom reduction and well being (i.e. personality disorders, schizophrenia) such as the Survivors of Abuse and Trauma Program and Dialectical Behaviour Therapy;
- **Education programs** that prepare offenders to upgrade their education such as the Keys to Family Literacy Program;
- **Employment and employability programs** that focus on increased job readiness of offenders;
- **Social programs** that assist and reinforce the successful reintegration of offenders such as the Parenting Skills Program and Leisure Education Program;
- **Mother-child programs** that allows infants and toddlers to remain with their mother in the institution, if it is in the best interest of the child; and,
- **Aboriginal programs** that are delivered in accordance with women-centred principles within an Aboriginal context. These programs are a more culturally appropriate alternative to mainstream reintegration programs. The Circles of Change Program addresses relationship needs and The Spirit of a Warrior Program is an intensive violence prevention program.

Ethno-cultural programs ensure that cultural needs or ethnic values, beliefs, learning styles and communication methods of offenders belonging to ethno-cultural minority groups are identified, understood and taken into consideration throughout their sentence. To that end, the programs include cross-cultural and race-relations training, regional/national ethno-cultural advisory committees, and ethno-cultural liaisons with communities through the Internet (www.csc-scc.gc.ca/ethnoculture). To facilitate successful community integration, offenders belonging to ethno-cultural minority groups are provided with tools (i.e. practical guide and list of ethno-cultural businesses and communities) and information on many topics related to living skills. Linguistic services are also offered to offenders who have difficulty speaking English or French.

Education programs include adult basic education and secondary, vocational and post-secondary education. They also include programs that help offenders learn employment skills that will increase their chances of finding employment after their release. Offenders may be required to pay part or the full cost of their participation in a post secondary educational program.

Industrial and Agribusiness Program (CORCAN) provides offenders with work experiences and training designed to closely copy private sector work environments. Participants manufacture and produce a wide range of industrial and agricultural business commodities, which are marketed to federal, provincial and municipal governments, and non-profit organisations. CORCAN programs also include community-based short-term employment and job placement initiatives.

Chaplaincy program helps offenders of many faiths to gather in worship to freely celebrate their rituals and feast days. Each penitentiary has at least two chaplains working closely with offenders and members of the community. Chaplains are required to exercise their ministry in a multi-faith setting, and contracts for chaplaincy services are held with the Roman Catholic, Protestant, Jewish, Muslim, Sikh and Buddhist faith communities.

Some offenders may refuse to participate in the above programs. It should be noted, however, that their refusal to participate in these programs could delay their return to the community. For example, the National Parole Board may deny parole to an offender who refused to participate in programs or failed to benefit from treatment and/or correctional interventions.

Conditional releases

Studies show that offenders who are gradually released into the community using a conditional release process increase their likelihood of becoming law-abiding citizens. Since most offenders will eventually return to the community, the best way to protect the public is to help offenders reintegrate into society through a gradual and supervised release. This section reviews the conditional releases available to the Correctional Service of Canada and the National Parole Board to help offenders safely reintegrate into the community.

Temporary absences

Temporary absences (escorted or unescorted) are granted for one of the following reasons:

- medical
- administrative
- community services
- family contacts
- personal development for rehabilitative purposes
- compassionate reasons (such as to attend a funeral)

Escorted Temporary Absence

(Any time during the sentence)

Escorted Temporary Absences (ETA) are granted to allow inmates to obtain treatment that is unavailable in a penitentiary, to be with critically ill family members, to attend funerals and to prepare for other types of conditional release. During these absences, an offender is escorted by a Correctional Service of Canada staff member or a trained citizen escort.

Inmates are eligible for an ETA at any time during the sentence. The duration of an ETA varies from an unlimited period for medical reasons to not more than 15 days for any other specified reason. Wardens typically authorize ETAs. In certain instances with offenders serving life sentences, National Parole Board approval is required.

Unescorted Temporary Absence

(At 1/6 of the sentence or 6 months into the sentence, whichever is greater)

An Unescorted Temporary Absence (UTA) is a short-term release to the community. Most inmates in the penitentiary system are eligible for UTAs at one-sixth of the sentence or six months into the sentence, whichever is greater. A UTA can be for an unlimited period for medical reasons and for a maximum of 60 days for specific personal development programs. Typically, UTAs last two or three days to allow the offender to visit his or her family. Maximum security offenders are not eligible for UTAs.

The National Parole Board, the Commissioner of the Correctional Service of Canada and institutional heads (i.e., wardens) have authority to grant UTAs in specified circumstances. Public safety is always of paramount importance in these decisions.

Work release

(At 1/6 of the sentence or 6 months into the sentence, whichever is greater)

Work release allows a penitentiary inmate to work for a specified time in the community on a paid or voluntary basis while under supervision. Generally, inmates are eligible for work release when they have served one-sixth of their sentence or six months, whichever is greater. The institutional head has authority to grant a work release of up to a maximum period of 60 days under specified conditions that always include supervision. Correctional authorities grant work release to carefully selected inmates who perform work and services of benefit to the community such as painting, general repairs and maintenance of community centres or homes for the elderly. Work release is one of the first steps in the safe, gradual reintegration of offenders into society. Offenders in maximum security institutions are not eligible for work release.

Parole

Parole is a form of conditional release that allows some offenders to serve part of their sentence in the community, provided that they abide by certain conditions. Parole is a privilege, not a right. The National Parole Board has discretion as to whether or not to grant parole once an offender has served the amount of the sentence required to become eligible for a review by the NPB.

The National Parole Board is an independent administrative tribunal whose members are Governor in Council appointments. Board members are sufficiently diverse in their backgrounds to be able to collectively represent community values and views in performing the work of the NPB.

In determining whether to grant parole, Board members carefully review the information provided by victims, the courts, correctional authorities and the offender. In arriving at a decision, the NPB considers a number of factors, but the protection of society is always the paramount consideration. Board members must be satisfied that the offender will not pose an undue risk to the community and will follow specific conditions.

Conditions, suspension and revocation

When released, all offenders must adhere to certain standard conditions set out in the release certificate (official written authorization to be in the community). Any offender released on parole or statutory release must abide by the following conditions:

- upon release, travel directly to the offender's place of residence, as set out in the release certificate and report to the parole supervisor immediately, and thereafter as instructed by the CSC parole supervisor;
- remain at all times in Canada, within territorial boundaries prescribed by the CSC parole supervisor;
- obey the law and keep the peace;
- inform the CSC parole supervisor immediately if arrested or questioned by the police;

- always carry the release certificate and identity card provided by the releasing authority and produce them upon request for identification to any police or CSC parole officer;
- report to the police as instructed by the CSC parole supervisor;
- advise the CSC parole supervisor of the offender's address of residence on release and thereafter report immediately:
 - any change in address of residence;
 - any change in occupation, including employment, vocational or educational training, and volunteer work;
 - any change in the family, domestic or financial situation; and,
 - any change that may reasonably be expected to affect the offender's ability to comply with the conditions of parole or statutory release.
- not own, possess or have the control of any weapon, as defined in the *Criminal Code*, except as authorized by the CSC parole supervisor;
- for an offender released on day parole, return to the penitentiary or community residential facility at the date and time on the release certificate; and,
- for an offender released on a temporary absence, return to the penitentiary from which the offender was released at the date and time provided for in the absence permit.

The National Parole Board may also impose special conditions to control the offender's behaviour. These may include curfews, restrictions on movement, prohibitions on drinking, participation in a treatment program and prohibitions on associating with certain people (such as former victims, children or convicted criminals). Victims may want to provide information that would help determine the conditions that are imposed. They can do so by contacting the Correctional Service of Canada or the National Parole Board.

The Correctional Service of Canada can take action if it believes the offender is violating release conditions or may commit another crime. It can suspend the release and return the offender directly to prison until the risk is reassessed. Some offenders may remain in prison if the National Parole Board revokes their parole. Others may be released again but under more severe restrictions and after more supervision or community support services are in place.

Accelerated parole review

(At 1/6 of the sentence or 6 months into the sentence, whichever is greater)

Accelerated review provides a streamlined process of review for day parole and full parole for some *first-time* federal offenders. The National Parole Board must, by law, release the offender under day parole at six months or one-sixth of the sentence, whichever is longer. The NPB must release the offender under full parole at one-third of the sentence, unless it has reasonable grounds to believe the offender will commit a violent offence before the end of his or her sentence.

It is important to note that not all first-time offenders are eligible for accelerated review. For example, offenders are not eligible if they have committed a violent offence, a serious drug offence or an offence involving organized crime where the court has set parole eligibility at one-half of the sentence. Moreover, any offender whose day parole has been revoked is not eligible for accelerated parole review.

Day parole

(6 months into the sentence or 6 months before full parole eligibility, whichever is later)

Day parole allows offenders to participate in community-based activities to prepare for release on full parole or statutory release. Offenders on day parole must return nightly to an institution or a halfway house unless otherwise authorized by the National Parole Board.

The eligibility date for review for day parole is also earlier than for full parole. Most federal inmates are eligible for day parole at either six months into the sentence or six months before full parole eligibility, whichever is later. Day parole is normally granted for up to a maximum of six months. Those serving a life sentence (for first and second degree murder) and dangerous offenders (see *Special eligibility* section below) are eligible for day parole three years before their full parole eligibility date.

Full parole

(1/3 of the sentence or 7 years, whichever is less)

Full parole is a conditional release that allows offenders to serve the remainder of their sentence in the community. Under this form of release, an offender may live with his or her family, work and contribute to society. Although no longer required to return to the institution, the offender remains under supervision and must continue to abide by certain conditions. Generally, an inmate serving a definite sentence is eligible for full parole at one-third of the sentence or seven years, whichever is less.

Statutory release

(2/3 of the sentence)

By law, offenders who are not considered likely to commit a serious offence (see *Detention* below) must be released after serving two thirds of their sentence. The National Parole Board may add conditions to those imposed on all offenders in order to protect society and to assist the offender in beginning a new life. In certain cases, the NPB can also impose a residency condition in a community-based residential facility. CSC parole officers supervise these offenders in the community like all others on conditional release.

Not all inmates are entitled to statutory release. For example, those serving a life sentence and dangerous offenders (see *Special eligibility* section below) are excluded from this type of conditional release.

Detention

(2/3 to end of sentence)

Upon a referral by the Correctional Service of Canada, the National Parole Board may order that an offender be detained beyond his or her statutory release date and to the expiry of his/her sentence. The NPB must be convinced that if the offender is released in the community, he or she is likely to commit an offence causing death or serious harm, a sexual offence involving a child, or a serious drug offence before the end of the sentence.

Long term offender designation

(Up to 10 years after end of sentence)

An offender designated by the courts as a long term offender at a special sentencing hearing will be sentenced to a penitentiary sentence and an additional period of long term community supervision up to a maximum of ten years. For example, a court can impose long-term supervision on offenders convicted of specific sexual offences where, in the court's judgement, the risk presented by the offender can be managed in the community through appropriate supervision.

Every long term offender who is in the community is subject to standard conditions. However, the National Parole Board can add special conditions to ensure close supervision of the offender, such as mandatory participation in counselling. The Correctional Service of Canada provides the community supervision.

Special eligibility

Life imprisonment for murder

Eligibility dates vary considerably for offenders sentenced to life imprisonment as a minimum sentence before July 26, 1976. Since then, when the law was changed, the two categories of murder (first and second degree) carry with them specific parole eligibility dates:

- *First degree murder*: Persons convicted of first degree murder receive life sentences and are not eligible for full parole for 25 years.
- *Second degree murder*: The judge who sentences an offender convicted of second degree murder must impose a life sentence and determines when they are eligible for consideration for full parole. This time can be set anywhere between 10 and 25 years.

These offenders become eligible for unescorted temporary absences and day parole three years before their full parole eligibility date. An offender may apply for escorted temporary absences after admission to a federal institution. After the eligibility periods have elapsed, if the National Parole Board considers that the offender will not pose an undue risk to the community, the NPB may grant him or her some form of conditional release and, if these are successful, eventually full parole. Should the offender continue to pose an undue risk to society, he or she will remain in federal custody to serve the life sentence.

Offenders who are paroled while serving life sentences remain on parole for life unless parole is revoked and they are returned to a penitentiary. Without a grant of parole, the offender remains imprisoned for life.

Judicial review

After serving 15 years, most offenders given a life sentence with a parole eligibility date of greater than 15 years may apply to the courts to have the eligibility date reduced under Section 745.6 of the *Criminal Code* (Judicial Review). Changes introduced in 1997 exclude offenders who have been convicted of more than one murder from making an application for review of their parole ineligibility period. If a unanimous jury, sitting in the province where the offender was convicted, find there is enough evidence that the offender has been sufficiently rehabilitated to justify allowing consideration for conditional release, the offender's parole eligibility dates may be lowered. A victim may provide information at a judicial review hearing either orally or in writing. If the offender's parole eligibility date is lowered, the decision to grant or deny a conditional release remains with the National Parole Board.

Dangerous offenders

Part XXIV of the *Criminal Code* sets out an exceptional procedure to have an offender declared to be a dangerous offender and sentenced to an indeterminate sentence of imprisonment (no set date for release). The dangerous offender provisions in the *Criminal Code* were amended in August 1997. Before August 1, 1997, dangerous offenders were subject to either an indeterminate sentence or incarceration for a fixed period; the first parole review occurred three years into the sentence, with subsequent reviews every two years. Since the 1997 amendments, the court must impose an indeterminate sentence, with the first parole review at seven years; subsequent reviews occur every two years. Under the *Criminal Code*, this sentence is available only for certain offences, such as serious personal injury offences. In considering whether to declare an accused a “dangerous offender”, the court examines whether the evidence establishes: (1) a pattern of repetitive or aggressive behaviour such that the accused constitutes a threat to the safety of the public; or (2) that the accused has shown a failure to control his or her sexual impulses and will likely cause injury or pain to other persons. The National Parole Board decides whether, and under what conditions, the offender will ever be released.

D. Community corrections

Gradually releasing offenders from prison and helping them adjust to life beyond prison walls is called community corrections. Such work is essential because experience and studies show that most offenders are more likely to become law-abiding citizens if they participate in a program of gradual, supervised release.

Supervision, programming and community involvement

Supervision is the direct monitoring of offenders. Except for most Temporary Absences or Work Releases, the National Parole Board makes the decision to release the offender and the Correctional Service of Canada supervises the offender. Supervision is carried out mainly by parole officers employed by CSC and sometimes by agencies under contract, such as the John Howard Society, the Elizabeth Fry Society or the Salvation Army. All offenders on conditional release are supervised no matter where they live – whether in the city or remote parts of the country. The degree of supervision will depend on the individual. Some offenders may require closer monitoring and more frequent contact than others. Offenders who are considered to be a higher risk to society will require close monitoring and more frequent contacts. Those who are lower risk require less. In monitoring offenders, correctional staff rely on many sources of information – police, families, program staff, employers, victims and others. By being aware of the offender's situation, correctional staff can help ensure that he or she stays on track. They can take action when the offender breaks rules, or they can help solve problems that could, if not addressed, lead to a new crime.

Research shows that supervision alone does not help offenders change. Supervision along with good programming does. Offenders on community releases, therefore, may be expected to participate in programs tailored to their needs. Some programs help them cope with daily living, relationships and emotions. Some offenders upgrade educational or employment skills. Some deal with specific issues such as sexual offences and alcohol or drug abuse. Programs in the community build on the gains that the offender has already made by taking part in programs when they were imprisoned.

Agencies and individuals in the community also deliver programs or add to program activities. They act as counsellors, role models and support networks. In addition, community involvement also demonstrates the community's willingness to accept those offenders who reform themselves. Offenders' success in starting afresh depends partly on their own efforts and partly on the opportunities the community at large provides.

CSC also has a national approach on Aboriginal corrections that includes several initiatives:

- a National Aboriginal Advisory Committee that enables Aboriginal community leaders to assist CSC in involving the Aboriginal community more extensively in the integration of offenders. CSC also enters into agreements with Aboriginal communities for the provision of correctional services;
- enhanced Aboriginal treatment centres such as healing lodges (special institutions for lower-security Aboriginal offenders), based on Aboriginal values and principles;
- strengthened Aboriginal programming that increases inmates' access to Native Liaison Services and Elders in order to address their spiritual needs; and,
- other initiatives, such as the development of culturally sensitive programs, a concerted effort to recruit Aboriginal staff, and the development of an Aboriginal Pathways process in which Aboriginal inmates may serve their sentences in an environment that provides culturally appropriate interventions to prepare them for transfer to lower security and for their eventual release to the community.

Key players in community corrections

Parole office

The Correctional Service of Canada operates 70 local parole offices, each responsible for a specific geographical area and the management of offenders within it. An office normally consists of a director, parole officers and support staff. Together with community networks, the local office works to assess offenders, assist offenders through programs, and ensure that the level of supervision is appropriate to the risks and needs presented by each case. The local parole office is the base from which most of community corrections take place.

Community-based residential facilities

A community-based residential facility is a halfway house owned and operated either by a non-governmental agency or by the Correctional Service of Canada. Each agency-owned facility contracts with CSC to provide accommodation, counselling and supervision for 15 to 30 offenders who are usually on day parole or statutory release with residency. The contract sets out detailed requirements for levels of control and assistance. There are about 200 such facilities under contract each year.

In addition, CSC operates 16 of its own community-based residential facilities, which are referred to as Community Correctional Centres (CCCs). In these centres, the director, parole officers and support staff work as a team, often in cooperation with community partners, to supervise and provide programs for offenders on day parole, statutory release with residency and long-term supervision orders.

Parole officers

The parole officer is the key link to supervised offenders in the community and is crucial to managing offender risk. The job is part police officer, part social worker. Parole officers must be flexible, enforcing strict controls in some cases and acting as counsellors in others, depending on each offender's needs.

Parole supervision is based on a professional relationship with each offender and on a study of the risk factors that contribute to the individual's criminal behaviour. The parole officer ensures the offender follows his or her Correctional Plan by:

- regular visits with the offender, with or without advance notice;
- contacts with family, police and employers; and,
- getting feedback on an offender's progress by checking with people who may be assisting the offender in a program.

If the offender breaches parole conditions or seems likely to do so, the parole officer can take disciplinary measures, which may include taking the necessary steps to send that person back to jail.

Parole officers are guided in their work by rules and standards. Parole officers routinely write reports on the progress of each offender and discuss cases that require additional attention with their supervisors. Officers work together with many community agencies to help secure stable housing, employment, income and positive personal contacts.

On average, each parole officer is responsible for 15 to 20 offenders. The caseload may be lower if the offenders require intensive supervision or live in remote areas.

Community networks

The skills, resources and experiences of many different people are needed to deal with offenders' complex problems and needs. The Correctional Service of Canada, therefore, draws upon a broad range of organizations and individuals – family members, psychologists, employment counsellors, educators and others – to assist in community correctional work. Such community networks contribute to both supervision and support.

The needs of Aboriginal offenders in the community are met by Aboriginal Community Liaison Officers and Aboriginal Community Development Officers. These officers, who work with established communities and Elders, are often located in parole offices.

In some cases, volunteers can play an important role in correctional efforts. They enrich and supplement supervision by establishing positive relationships with offenders, helping them to socialize and providing links to the community. In some parts of the country – usually remote areas – volunteers are used extensively to complement the work of parole officers.

E. For more information

Correctional Service of Canada

National Headquarters

340 Laurier Avenue West
Ottawa, Ontario
K1A 0P8

Regional Headquarters (Atlantic)

1045 Main Street, 2nd floor
Moncton, New Brunswick
E1C 1H1
Phone: 506-851-6313

Regional Headquarters (Quebec)

3 Place Laval, 2nd floor
Laval, Quebec
H7N 1A2
Phone: 450-967-3333

Regional Headquarters (Ontario)

440 King Street West
P.O. Box 1174
Kingston, Ontario
K7L 4Y8
Toll-free victim line: 1-866-875-2225

Regional Headquarters (Prairies)

2313 Hanselman Place
P.O. Box 9223
Saskatoon, Saskatchewan
S7K 3X5
Phone: 306-975-4850

Regional Headquarters (Pacific)

32560 Simon Avenue, 2nd floor
P.O. Box 4500
Abbotsford, British Columbia
V2T 5L7
Phone: 604-870-2506

Victim Services Division

1-866-806-2275
GEN-NHQVictimService@CSC-SCC.gc.ca

Regional Victim Liaison Coordinator
506-851-3296

Regional Victim Liaison Coordinator
450-967-3354

Regional Victim Liaison Coordinator
613-536-4284

Regional Victim Liaison Coordinator
306-975-4712

Regional Victim Liaison Coordinator
604-870-2712

National Parole Board

National Office

Leima Building
410 Laurier Avenue West
Ottawa, Ontario
K1A 0R1
Phone: 613-954-7474

Victims may also contact the NPB toll-free at 1-866-789-INFO (4636). This number will connect them with the regional office within their area code.

Atlantic Region

1045 Main Street, Unit 101
Moncton, New Brunswick
E1C 1H1
Phone: 506-851-6345
Victim information toll-free line: 1-866-789-4636

Québec Region

Guy-Favreau Complex – West Tower
200 René Lévesque Blvd. West
10th floor, Suite 1001
Montréal, Quebec
H2Z 1X4
Phone: 514-283-4584
Victim information toll-free line: 1-866-789-4636

Ontario Region (Nunavut)

516 O'Connor Drive
Kingston, Ontario
K7P 1N3
Phone: 613-634-3857
Victim information toll-free line: 1-866-789-4636

Prairies Region – Saskatoon Office (Manitoba, Saskatchewan and NWT)

1101–22nd Street E., 6th floor
Saskatoon, Saskatchewan
S7K 0E1
Phone: 306-975-4228
Victim information toll-free line: 1-888-616-5277

Prairies Region – Edmonton Office (Alberta)

Scotia Place, Scotia 2, Suite 401
10060 Jasper Avenue
Edmonton, Alberta
T5J 3R8
Phone: 780-495-3404
Victim information toll-free line: 1-800-597-4397

Pacific Region

32315 South Fraser Way, 3rd floor
Abbotsford, British Columbia
V2T 1W6
Phone: 604-870-2468
Victim information toll-free line: 1-866-789-4636

Other Federal Departments

Department of Justice Canada

Policy Centre for Victim Issues

Department of Justice Canada
284 Wellington Street, 6th floor
Ottawa, Ontario
K1A 0H8
Phone: 613-957-4745
Toll-free line for Travel Fund: 1-866-544-1007

Public Safety Canada

National Office for Victims

Public Safety Canada
284 Wellington Street, 6th floor
Ottawa, Ontario
K1A 0H8
Phone: 613-948-1476
Toll-free line: 1-866-525-0554

Provincial/territorial victim services offices

Yukon

Victim Services
Department of Justice
Government of the Yukon
P.O. Box 2703(J-7)
Whitehorse, Yukon
Y1A 2C6
Phone: 1-867-667-8500

British Columbia

Victim Services and Crime Prevention Division
302-815 Hornby Street
Vancouver, British Columbia
V6Z 2E6
Phone: 604-660-5199
Toll-free inside British Columbia: 1-800-563-0808

Crime Victims Assistance Program
P.O. Box 5550
Station Terminal
Vancouver, British Columbia
V6B 1H1
Phone: 604-660-3888
Toll-free inside British Columbia: 1-866-660-3888

Alberta

Executive Director, Victims Services Branch
Public Security Division
J.E. Brownlee Building, 10th floor
10365-97th Street
Edmonton, Alberta
T5J 3W7
Phone: 780-427-3457

Director, Victims' Programs
Public Security Division
J.E. Brownlee Building, 10th floor
10365-97th Street
Edmonton, Alberta
T5J 3W7
Phone: 780-427-3460

Manager, Victims Financial Benefits
J.E. Brownlee Building, 10th floor
10365-97th Street
Edmonton, Alberta
T5T 3W7
Phone: 780-427-7217

Northwest Territories

Victims Coordinator
Community Justice Division
Government of the Northwest Territories
Department of Justice
P.O. Box 1320
Yellowknife, Northwest Territories
X1A 2L9
Phone: 867-920-6911

Saskatchewan

Victim Services Director
Saskatchewan Justice
610-1874 Scarth Street
Regina, Saskatchewan
S4P 4B3
Phone: 306-787-3500
Toll-free: 1-888-286-6664

Manitoba

Victim Services
1410-405 Broadway
Woodsworth Building
Winnipeg, Manitoba
R3C 3L6
Phone: 204-945-6851

Ontario

Ontario Victim Services Secretariat
Ministry of the Attorney General
18 King Street East, 7th floor
Toronto, Ontario
M5C 1C4
Phone: 416-326-0914
Victim Support Line: 1-888-579-2888

Nunavut

Community Justice
Government of Nunavut
P.O. Box 1000, Station 510
Iqaluit, Nunavut
X0A 0H0
Phone: 1-867-975-6364

Québec

Bureau d'aide aux victimes d'actes criminels
1200, route de l'Église, 3^e étage
Sainte-Foy, Quebec
G1V 4M1
Phone: 418-646-6548

New Brunswick

Victim Services
Community and Correctional Services Division
364 Argyle Place / P.O. Box 6000
Fredericton, New Brunswick
E3B 5H1
Phone: 506-453-3992

Prince Edward Island

Provincial Manager
Victim Services
Office of the Attorney General
1 Harbourside Access Road
P.O. Box 2000
Charlottetown, Prince Edward Island
C1A 7N8
Phone: 902-368-4582

Nova Scotia

Victims' Services
Policing and Victim Services Division
Nova Scotia Department of Justice
5151 Terminal Road, 1st floor
Halifax, Nova Scotia
B3J 2L6
Phone: 902-424-8785
Victims' Services: 902-424-3309
Criminal Injuries Counselling Program:
902-424-4651
Toll free inside Nova Scotia: 1-888-470-0773

Newfoundland and Labrador

Victims Services
Department of Justice
P.O. Box 8700
215 Water Street, 3rd floor (Atlantic Place)
St. John's, Newfoundland
A1B 4J6
Phone: 709-729-0900