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BUILDING A **SAFE AND RESILIENT CANADA**

Public Safety Canada

Portfolio Report:

Victim Complaint Resolution Mechanisms

Canadian Victims Bill of Rights

December 2018



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Overview

In 2015, the *Victims Bill of Rights Act* established the *Canadian Victims Bill of Rights* (CVBR), which entrenched into law the following rights for victims of crime:

- Right to information;
- Right to protection;
- Right to participation; and,
- Right to seek restitution.

Under the CVBR, a victim of crime may file a complaint if they are of the opinion that their rights have been infringed or denied by a federal department or agency during their interaction with the Canadian criminal justice system¹. In such cases, victims are advised to submit a complaint to the internal complaint system of that federal department or agency. If a victim has a complaint about a provincial or territorial department or agency, including police, prosecutors, or victim services, they may file a complaint under the laws of the province or territory.

This is the second *Public Safety Portfolio Report: Victim Complaint Resolution Mechanisms* since the coming into force of the CVBR. The report includes a brief description of victims' rights, the mandates of Public Safety Canada and its victim serving Portfolio agencies; a statistical overview of CVBR complaints submitted in fiscal year 2017-2018, a summary of complaints received and how they were resolved, and any improvements to complaints processes.

This report compiles standardized information and summarizes aggregate data with respect to the number and nature of complaints and their resolution.

¹ Section 25 of Bill C-32 the *Victims Bill of Rights Act*

Section I: Victims' Rights

WHO IS A VICTIM OF CRIME?

- The *Canadian Victims Bill of Rights* (CVBR) defines a victim of crime as a person who has suffered physical or emotional harm, property damage, or economic loss as a result of a crime committed in Canada. All victims can exercise their rights under the CVBR while they are in Canada. Canadian citizens or permanent residents may exercise these rights even if they are outside of Canada, as long as the crime took place in Canada.
- A person who has been charged, convicted, or found not criminally responsible due to a mental disorder for the offence that resulted in the victimization does not meet the definition of a victim. For example, if a parent has been charged with abuse of a child, that parent will not be allowed to exercise the child victim's rights or their own rights as a parent.

On July 23, 2015, the *Canadian Victims Bill of Rights* (CVBR) came into force enshrining statutory rights for victims of crime to information, protection, participation, and to seek restitution². All victims may exercise their rights under the *CVBR* while they are in Canada; however, Canadian citizens or permanent residents may exercise these rights even if they are outside of Canada, as long as the crime took place in Canada.

Right to Information

- Every victim has the right, on request, to information about: the criminal justice system and the role of victims in it; the services and programs available to them as a victim, including restorative justice programs; and their right to file a complaint for an infringement or denial of any of their rights under this Act.

Right to Protection

- Every victim has the right to have their security considered by the appropriate authorities in the criminal justice system.
- Every victim has the right to have reasonable and necessary measures taken by the appropriate authorities in the criminal justice system to protect the victim from intimidation and retaliation.

Right to Participation

- Every victim has the right to convey their views about decisions to be made by appropriate authorities in the criminal justice system that affect the victim's rights under this Act and to have those views considered.

Right to Seek Restitution

- Every victim has the right to have the court consider making a restitution order against the offender.

² A full description of each right under the *Canadian Victims Bill of Rights* is listed in Appendix A

Section II: Public Safety Portfolio Federal Victim Services

The department of Public Safety and Emergency Preparedness Canada (PS) was formed in 2003 to ensure coordination across all federal departments and agencies responsible for national security and the safety of Canadians.

PS and its Portfolio Agencies contribute to the mission of building a safe and resilient Canada by working together to provide services to victims of crime. Below are the different services offered to victims of crime by PS and its Portfolio agencies.

National Office for Victims (NOV)

PS's NOV³ acts as a central resource offering information and support to victims of federal offenders, criminal justice professionals and the general public. The NOV:

- develops information products related to the correctional and conditional release processes;
- provides referrals to the Correctional Service of Canada (CSC) and the Parole Board of Canada (PBC) for specific enquiries;
- consults regularly with victims, victim advocates and other stakeholders;
- ensures that a victims' perspective is reflected in national policy development;
- works collaboratively with key federal and provincial partners on emerging victim issues; and
- participates in and leads public policy development and provides advice to the Minister of PS on victim issues, including reform of federal legislation related to corrections and conditional release that has an impact on victims.

Correctional Service of Canada

The CSC is the Canadian federal government agency responsible for the incarceration and rehabilitation of convicted offenders sentenced to incarceration for two years or more. Its National Victim Services Program⁴ provides information services to victims of offenders under federal jurisdiction⁵ via dedicated Victim Services Officers (VSOs). VSOs share information with victims about the offender(s) who harmed them, receive victim statements, provide referrals to provincial and non-governmental services, and answer questions about federal corrections and conditional release.

VSOs also assist victims of federal offenders in registering⁶ to receive the information to which they may be entitled and notify registered victims of information in accordance with the *Corrections and Conditional Release Act* (CCRA) in a format of the victim's choosing (e.g., mail, phone or via the secure online portal). In addition, VSOs advise victims about the opportunity to provide the CSC with victim statements for consideration in decisions the CSC makes throughout the management of offenders' sentences.

³ <https://www.publicsafety.gc.ca/cnt/cntrng-crm/crrctns/ntnl-ffc-vctms-en.aspx>

⁴ <http://www.csc-scc.gc.ca/victims/index-eng.shtml>

⁵ <http://www.csc-scc.gc.ca/acts-and-regulations/784-cd-en.shtml>

⁶ Victims can register to receive information under the CCRA with either the CSC or the PBC.

Parole Board of Canada

The PBC is an independent administrative tribunal which reports to Parliament through the Minister of PS. It has exclusive authority, under the CCRA to grant, deny, and revoke parole for offenders serving sentences of two years or more. The PBC also makes parole decisions for offenders serving sentences of less than two years in all provinces and territories except Ontario and Quebec, which have their own parole boards.

Victim information services⁷ at the PBC are provided to victims by Regional Communications Officers (RCOs) in its six regional offices. The RCO ensures that registered victims receive information about the offender who harmed them in accordance with the CCRA. The RCO also helps victims understand the conditional release process, supports victims in the preparation of victim statements for PBC decisions and presentations at Parole Board hearings, accompanies victims at these hearings, and coordinates their access to the Decision Registry.

Royal Canadian Mounted Police (RCMP)

The RCMP provides federal policing services across Canada, and local policing services through policing contracts with three territories, eight provinces, approximately 150 municipalities, and over 600 Indigenous communities. The objectives of the RCMP Victim Services Program⁸ are to: lessen the impact of crime and trauma on victims and their families and to assist them in their recovery; enhance victim safety and help reduce the risk of further victimization; increase victims' level of participation in the criminal justice system; and prepare victims acting as witnesses for court proceedings.

The RCMP members' duties include assisting victims when doing so is necessary to satisfy existing common law police duties such as preserving the peace, preventing crime and protecting life and property. In some cases this may require proactively referring victims to victim services organizations to allow them to make early contact with a victim to provide needed information and services⁹. From a call for help, to the investigation of a crime, to an offer of a referral, police work in close partnership with victim services organizations to ensure victims of crime receive the support they need without delay.

Canada Border Service Agency (CBSA)

The CBSA is responsible for border enforcement, immigration enforcement and customs services. It facilitates the flow of legitimate travelers and trade. The Agency also enforces more than 90 Acts and Regulations that keep our country and Canadians safe. To do so, CBSA operates a criminal investigations program¹⁰ to deal with offences against laws it is tasked with enforcing. CBSA investigators conduct criminal investigations into suspected cases of evasion or fraud with respect to border legislation that regulate the admissibility of persons to Canada. CBSA investigators play a key role in protecting the safety and security of Canadians across the country. While leading criminal investigations into an offence under the *Immigration and Refugee Protection Act*, CBSA officers may come into contact with victims of crime.

⁷ <https://www.canada.ca/en/parole-board/services/victims.html>

⁸ <http://www.rcmp-grc.gc.ca/ccaps-spcca/vic-eng.htm>

⁹ <https://laws.justice.gc.ca/eng/regulations/SOR-2014-281/page-5.html#h-27>

¹⁰ <https://www.cbsa-asfc.gc.ca/contact/investigation/menu-eng.html>

Section III: Victim Complaint Resolution Mechanisms¹¹

All complaints received by federal departments and agencies are assessed based on the criteria set out in the CVBR. The following information provides an overview of complaint resolution mechanisms for PS and its Portfolio agencies¹².

An Overview of the Complaint Process to the Federal Government under the CVBR

Step 1 Complaint submitted and received

Confirmation of receipt is sent to complainant.

Step 2 Complaint assessed under the terms of the CVBR

Complaints meet criteria if they fall within the terms of the CVBR and the organization's responsibility. If information is missing, the victim will be contacted.

Meets Criteria - Founded	Meets Criteria - Partly Founded	Meets Criteria - Unfounded	Does not Meet Criteria
Victim's rights were found to have been denied.	Some, but not all, issues identified in the complaint were found to deny a victim's rights.	The organization followed policy and legislation.	The complaint is inadmissible.

Step 3 Written response

A written response is sent, explaining the founded results of the complaint, actions taken, and any relevant referrals.	A written response is sent, explaining the partly founded results of the complaint, actions taken, and any relevant referrals.	A written response is sent, explaining the unfounded results of the complaint and any relevant referrals.	A written response is sent, explaining that the complaint does not meet the criteria and providing related referrals to other organizations or services.
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Step 4 Follow-up

Satisfied - Complaint process completed and file is closed.

Not Satisfied - Contact information for the Office of the Federal Ombudsman for Victims of Crime (OFOVC) is provided. Complaint process completed and file is closed.¹³

¹¹ Where a complaint falls outside the scope of a federal department/agency's mandate, with the victim's consent, the complaint is forwarded to the appropriate federal department/agency for follow-up.

¹² Each federal department and agency with responsibilities under the CVBR has developed a detailed complaints resolution mechanism. The diagram above was developed as an overall summary and is not intended to reflect the level of detail contained in each agency's mechanism.

¹³ If unsatisfied with the results of a victim complaint submitted to the Royal Canadian Mounted Police (RCMP), you may contact the [Civilian Review and Complaints Commission for the RCMP](#).

The following sections detail the specific responsibilities of each federal department or agency in the complaints process.

National Office for Victims

The NOV's CVBR complaint resolution mechanism begins when a complaint is received in writing via email, letter or fax, or is transcribed by the NOV from a victim stating their belief that their rights have been infringed or denied by the NOV. Complaints may refer to direct actions or inactions taken by staff in relation to a particular case, or they may be systemic in nature, relating to departmental policies or procedures.

Complaints are deemed admissible if the complaint is submitted by an individual who meets the definition of victim under the CCRA, directly relates to a right under the CVBR, and the complaint relates to an activity under the mandate of the NOV.

For complaints deemed inadmissible, a written response will be prepared with an explanation which includes any pertinent information and referrals. All responses will include the contact information for the Office of the Federal Ombudsman for Victims of Crime (OFOVC) should the victim not be satisfied with the outcome of the assessment.

Admissible complaints will be further assessed and an Assistant Deputy Minister approved written response will be provided. If deemed founded, the written response will include the results of the assessment with remedial actions taken, as well as explanations of policies, procedures and any relevant referrals.

If unfounded, the written response will include the results of the assessment, as well as explanation of policies, procedures, legislation, additional information and any relevant referrals.

For further details on the NOV's complaint process and an electronic version of its complaint form, see:
<https://www.publicsafety.gc.ca/cnt/cntrng-crm/crrctns/ntnl-ffc-vctms-mk-cmplnt-en.aspx>

Correctional Service of Canada

Formal victim complaints¹⁴ about the CSC can be submitted to the CSC's Restorative Justice and Victim Services Division (RJVS) in writing via the CVBR complaint form or via letter/written correspondence. In order for a complaint to be admissible, the offender must have been under the jurisdiction of the CSC at the time of the incident leading to the complaint.

In accordance with the CSC's established service standards, a complaint is tracked throughout the resolution process. For complaints deemed inadmissible, the RJVS Division reviews the complaint and prepares a written response for approval by the Assistant Commissioner, Communications and Engagement Sector. The response outlines which admissibility criteria have not been met and includes contact information for the OFOVC, should the victim not be satisfied with the outcome of their complaint.

For complaints deemed admissible, the RJVS Division reviews the complaint, analyzes any infringements or denials of rights under the CVBR and relevant CSC policies, and consults subject-matter experts within the CSC. A written response, approved by the Senior Deputy Commissioner, includes the results of the review, recommendations (if any), and contact information for the OFOVC should the victim not be satisfied with

¹⁴ <http://www.csc-scc.gc.ca/victims/003006-0008-eng.shtml>

the outcome of their complaint. The Senior Deputy Commissioner can defer complaints where victims are pursuing an alternate legal remedy for the complaint or where there is an ongoing internal or external investigation into the matter. Victims will be notified in writing when a complaint has been deferred.

Admissible complaints can also be assessed as founded, unfounded or partly founded by the RJVS Division. If a complaint is founded, the letter includes an apology. When corrective measures have been taken, the victims are informed of them. The RJVS Division also follows up internally to confirm whether recommendations (if any) have been implemented.

Parole Board of Canada

The PBC has established a formal victim complaints resolution mechanism in accordance with the CVBR. Its victim complaints mechanism is managed by PBC's Public Affairs Division through a centralized victim complaints email account. Complaints must be submitted in writing using the PBC Victim Complaint Form, or via an email or letter stating that the victim wishes to submit a complaint under the CVBR.

Following receipt of a complaint in writing, the PBC acknowledges receipt of the complaint, logs the case and assesses the complaint. A complaint is assessed against the criteria outlined under the CVBR, and whether they fall under the PBC's jurisdiction. The Public Affairs Division will assess the admissibility of a complaint in close consultation with Regional Managers and program-area subject-matter experts to prepare a response. Where additional time is necessary to respond to a complaint, the victim will be notified.

For an admissible complaint, the Public Affairs Division reviews the complaint in consultation with the relevant Regional Office, and if assessed as founded or partly founded, a recommendation for remedial action is developed, which must be approved by the Executive Director General. The response is then sent to the victim from the PBC National Office through the Victim Complaints email inbox. Victims are advised of their right to contact the OFOVC should they not be satisfied with the outcome. The results of the assessment are tracked and the file closed.

For more information on the PBC's victim complaint review process, see: www.canada.ca/en/parole-board/services/victims/pbc-victim-complaint-process.html

Royal Canadian Mounted Police

A person who wishes to file a complaint with the RCMP about an infringement of their CVBR rights can do so in accordance with the public complaint mechanism set out in Part VII of the *RCMP Act*. The RCMP is responsible for CVBR complaints with regards to:

- general information regarding the status and outcome of the investigation;
- accessibility to victim services and programs;
- information on the victim's security, privacy and identity protection from public disclosure; and
- protection from intimidation and retaliation.

A complaint can be made by attending any RCMP detachment and self-identifying as wanting to make a CVBR complaint. Alternatively, a complaint can be made by contacting the Civilian Review and Complaints Commission (CRCC) for the RCMP or the designated provincial policing authority. Established in 2013 with the coming into force of the *Enhancing Royal Canadian Mounted Police Accountability Act*, the CRCC replaced the Commission for Public Complaints against the RCMP. Similar to its predecessor, the CRCC is

an independent agency, created by Parliament, to ensure that complaints made by the public about the conduct of RCMP members are examined fairly and impartially. More specifically, the CRCC has jurisdiction over a complaint from any individual that concerns the conduct of an RCMP member while performing a duty or function under the *RCMP Act* or the *Witness Protection Program Act*. These duties and functions include criminal investigations, public complaint investigations, policing public events, security assignments and intelligence operations. If a victim is unsatisfied with the response received to his/her complaint at an RCMP detachment, he/she can also refer the complaint to the CRCC for review.

For more details on the CRCC complaint review process, see:
<https://www.crcc-ccctp.gc.ca/en/complaint-and-review-process>

Canada Border Services Agency

All CVBR complaints must be submitted through the CBSA's external website using the *Canada Border Services Agency Feedback Form – Canadian Victims Bill of Rights*. Should an individual wish to file a complaint verbally, CBSA Criminal Investigations staff will endeavour to resolve the issue directly. If a resolution is not immediately possible, the individual is directed to file a complaint online.

Complaints are received and acknowledged by the Monitoring, Systems and Coordination Unit (MSCU), Recourse Program Management Division at CBSA headquarters and are assigned a unique Complaint File Number. The Regional Program Office (RPO) is responsible for coordinating the complaint resolution mechanism and tasking the complaint to the implicated regional Enforcement and Intelligence Division. An investigation is conducted and a letter of response is drafted, indicating the results of the complaint review. In most cases, final approval rests with the Director, Enforcement and Intelligence. If additional time is needed to conduct a comprehensive review, the victim will be notified. In some circumstances, cases may be resolved at the acknowledgment stage without requiring a formal response. The CBSA tracks these types of complaints in the same manner as all others.

For additional information on the Victims Complaint Mechanism at CBSA, see:
<http://www.cbsa-asfc.gc.ca/contact/cvbr-ccdv-eng.html>

Section IV: Profile of Victim Complaints

A total of 25 complaints were received by Public Safety Canada and its Portfolio agencies with CVBR responsibilities in 2017-2018. Of these, the NOV received two complaints that were deemed inadmissible. The CSC received 17, of which 10 were deemed admissible, one was later withdrawn, and seven were inadmissible. A total of six complaints were received by the PBC; four of which were deemed admissible and two were deemed inadmissible. No CVBR complaints have been received to date by the RCMP or the CBSA. Of all CVBR complaints in fiscal year 2017-2018, 13 were admissible, 11 were deemed inadmissible and one was withdrawn (See Table 1 & Figure 1).

It is important to note that efforts have been made to address a number of informal inquiries/concerns that were brought to the attention of Portfolio agencies by victims of crime and resolved without a formal complaint.

Table 1: Portfolio-Wide CVBR Complaints (April 2017 – March 2018)

PS Dept. or Agency	Admissible*	Inadmissible**	Withdrawn	Total Received
NOV	-	2	-	2
CSC	9	7	1	17
PBC	4	2	-	6
CBSA ¹⁵	-	-	-	-
RCMP ¹⁶	-	-	-	-
Grand Total	13	11	1	25

*Admissible includes complaints founded, partly founded, and unfounded.

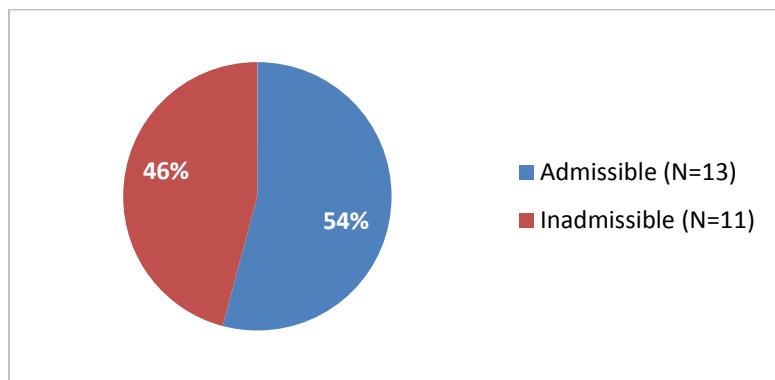
**Inadmissible includes complaints referred to another department or agency.

Almost an equal number of complaints were admissible as inadmissible, 13 (54%) versus 11 (46%), respectively. See figure below.

¹⁵ To date, the CBSA has not received any complaints under the CVBR.

¹⁶ The RCMP has no recorded complaints under the CVBR for fiscal year 2017-2018. In order for victims to make a complaint to the RCMP, they must identify at a detachment or go directly to the CRCC. Currently the CRCC does not collect whether public complaints infringed or denied CVBR rights.

Figure 1: Portfolio-Wide CVBR Complaints (April 2017 – March 2018)



Admissible Complaints

Once an admissible complaint is received, the responsible department or agency will determine if it is founded, partly founded, or unfounded. A founded complaint refers to instances whereby a victim's right was denied or infringed due to non-compliance with law and/or policy. Partly founded refers to instances where some but not all, issues identified in the complaint were found to deny a victim's rights. Unfounded complaints refer to instances whereby the department or agency is deemed to be compliant with policy and legislation.

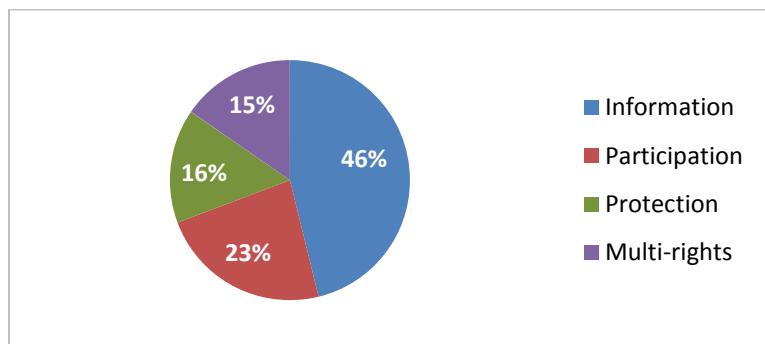
Of the admissible complaints received Portfolio-wide, six were considered to infringe or deny a victim's Right to Information, three were considered under the Right to Participation, two under the Right to Protection, and two were related to multiple rights (Table 2).

Table 2: Portfolio-Wide CVBR Admissible Complaints by type (April 2017 – March 2018)

PS Dept. or Agency	CVBR Rights	Admissible Founded*	Admissible Unfounded	Admissible Withdrawn	Total
CSC	Information	4	1	-	5
	Participation	1	-	1	2
	Protection	-	1	-	1
	Restitution	-	-	-	-
	Multi-rights	1	-	-	1
PBC	Information	-	1	-	1
	Participation	1	-	-	1
	Protection	-	1	-	1
	Restitution	-	-	-	-
	Multi-rights	1	-	-	1

*Includes founded and partly founded complaints.

Figure 2: Percentages of Portfolio-Wide CVBR Admissible Complaints by type (April 2017 – March 2018)



NOV Complaints Overview

Table 3: NOV Complaints by Fiscal Year (July 2015 to March 2018)

Fiscal Year	Inadmissible*	Admissible	Admissible in Part**	Outcome for Admissible
2015-2016	0	-	-	
2016-2017	1	-	-	
2017-2018	2	-	-	

*Inadmissible includes complaints referred to another department/agency.

**NOV does not categorize complaints as admissible in part.

Both of the complaints received by NOV in 2017-2018 were deemed not to be CVBR complaints and therefore inadmissible. The two complaints fell outside of the NOV's mandate: one was a civil matter and the other fell under the mandate of CBSA, although not related to the CVBR and was therefore referred to the appropriate area of CBSA.

CSC Complaints Overview

Table 4: CSC Complaints by Fiscal Year (July 2015 to March 2018)

Fiscal Year	Inadmissible*	Admissible	Admissible in Part**	Outcome for Admissible or Admissible in Part***
2015-2016	2	4	1	2 Founded 3 Unfounded
2016-2017	4	15	-	5 Founded 8 Unfounded 2 Partly Founded
2017-2018	7	8	2	5 Founded 4 Unfounded 1 Withdrawn

*Inadmissible includes complaints referred to another department/agency.

**Admissible in part includes complaints in which several issues are raised, but only some fall within the jurisdiction of the CSC.

***Founded complaints refer to instances where the CSC is deemed non-compliant with policy/legislation; partly founded refers to cases where several issues are identified in the complaint but not all of them are considered founded; and, unfounded complaints refer to instances where the CSC is deemed compliant with policy/legislation.

Of the 17 complaints received by the CSC in 2017-2018 a total of 9 complaints were deemed admissible; two of which were admissible in part. Five of the admissible complaints related to the right to information, one related to the right to protection, two related to the right to participation, and one related to more than one right.

Founded complaints related to the Right to Information were the result of victims not receiving information within the expected timeframes. Delays or omissions arose, for example, due to the actions of individual employees working at specific institutions, parole offices, or regional Victim Services Units. In such cases, the response letters acknowledged the corrective measure taken and included an apology.

In a few cases, the victims believed that the CSC's decisions related to the management of the offenders' cases infringed upon their Right to Protection. The victims believed, for example, that the decisions did not give enough weight to the concerns they had expressed about their ongoing fear and that of their families, in regards to the offenders' release.

In one case, it was determined that the victim's Right to Participation was infringed upon or denied when the victim was not afforded adequate time to submit a victim statement for consideration by the CSC in case preparation and decision making, and that once submitted, it was not provided to the appropriate people.

The CSC received no complaints related to the Right to Seek Restitution.

CSC Highlights of Complaints Received

Inadmissible Complaints	Admissible Complaints	Admissible in Part Complaints
<ul style="list-style-type: none">• Fell outside the mandate of CSC• Did not meet the definition of victim• Did not involve an offender under federal sentence• Matter was under the jurisdiction of the federal and provincial human rights bodies• No conviction for the offence in question; and• Offender was deceased	<ul style="list-style-type: none">• CSC did not notify victims about an offender's escorted temporary absence or transfer• Untimely and inaccurate provision of information• CSC did not afford the victim adequate time to submit a victim statement for consideration in case preparation and decision making; once submitted, it was not provided to the appropriate people in the case management process	<ul style="list-style-type: none">• CSC referred two complaints to the PBC to address the issues under their jurisdiction

CSC Complaint Process Improvements

It was found that a lack of compliance arose as a result of complex procedural and communication issues. The following measures were taken to prevent similar errors from occurring again:

- Staff at the operational site, who were responsible for missed notifications, reviewed policy and procedural requirements with their supervisor;
- VSOs were given additional instruction in the use of the data tools required to monitor notifications from the sites; and
- the procedures related to victim notification by the CSC's National Monitoring Centre were updated and clarified.

PBC Complaints Overview

Table 5: Complaints to date by Fiscal Year (July 2015 – March 2018)

Fiscal year	Inadmissible*	Admissible	Admissible in Part**	Outcome for Admissible
2015-2016	1	3	-	3 Unfounded
2016-2017	4	7	-	3 Unfounded 4 Partly Founded***
2017-2018	2	4	-	1 Founded in Whole 1 Partly Founded 2 Unfounded

*Inadmissible includes complaints referred to another department/agency.

**PBC does not categorize complaints as admissible in part.

***Partly founded refers to cases where not all issues identified in the complaint are considered founded; and, unfounded complaints refer to instances where PBC is deemed compliant with policy/legislation.

PBC received six complaints between April 2017 and March 2018, two of which were referred elsewhere. Of the remaining four complaints, PBC deemed that a victim's rights to participation, information and protection were partially infringed in two instances.

PBC Highlights of complaints received

Inadmissible Complaints	Admissible Complaints	Partly Founded Complaints
<ul style="list-style-type: none">• Victim's assertion that an offender's file review hearing should be held in a public hearing format• Victim's concern about an offender's incarceration, which fell outside PBC's mandate	<ul style="list-style-type: none">• Victim was dissatisfied when notified that their ability to observe the offender's hearing was changed from in-person to video conference, after travel arrangements and work schedules had already been adjusted and finalized to attend in-person	<ul style="list-style-type: none">• A victim complained that the conduct of PBC Board members' during an offender's hearing was improper, as members had exchanged brief remarks amongst themselves while a victim's statement was being read during a hearing.

PBC Complaint Process Improvements

To date no significant changes to the PBC's complaints resolution mechanism have been required. However, the PBC continues to review its internal processes with a view to further streamlining its operations regarding its complaints mechanism in order to uphold the rights of victims of federal offenders. Specifically, the Board has updated its internal Victim Complaint Process Guide and its public Victim Complaints Form.

Section V: Looking ahead: Policy/Process Considerations

Members of the PS Portfolio Ad Hoc Complaints Resolution Mechanism Working Group will continue working together to raise awareness about the CVBR by including more information for victims on the Canada.ca website to clarify which department they should file their complaints with and what constitutes an admissible and an inadmissible complaint.

Looking forward, work will continue to identify opportunities to streamline the provision of information regarding the complaints process to victims of crime, improve data collection, improve reporting where gaps are identified, and create synergies in complaint reporting processes as needed.

Appendix A

Crime Victims have the:

Right to Information

- General information about the criminal justice system and the role of victims within it;
- Information about available victim services/programs, including restorative justice;
- Request information about the status and outcome of the investigation into the offence, the location and timing of proceedings and on the progress and outcome of their case (including information related to the investigation, prosecution and sentencing of the person who harmed them);
- Request information with respect to the offender's conditional release (including the timing and conditions thereof); and
- Request information with regard to hearings held for the purposes of dispositions rendered with respect to persons found unfit to stand trial or not criminally responsible (NCR) on account of mental disorder.

Right to Participation

- Have both their security and their privacy considered at all stages of the criminal justice process;
- Have reasonable and necessary measures taken to protect them from intimidation and/or retaliation;
- Request that their identity be protected from public disclosure where they are either a victim or a witness in proceedings related to an offence; and
- Request testimonial aids when appearing as witnesses in proceedings related to an offence.

Right to Protection

- Convey their views concerning decisions to be made by criminal justice professions and to have these views considered at various stages across the criminal justice process;
- Present victim impact statements during sentencing and at hearings where the accused has been deemed unfit or NCR; and
- Present victim statements for the purposes of conditional release hearings.

Right to Seek Restitution

- Have the court consider making a restitution order against the offender for all offences for which there are financial losses; and
- Have the orders entered as enforceable civil court judgements against the offender, for those who have not been paid.
- All victims of crime may exercise their rights under the CVBR while they are in Canada. Canadian citizens or permanent residents may exercise these rights even if they are outside of Canada, as long as the crime took place in Canada.

Glossary

Public Safety Canada (PS) – was created in 2003 to ensure coordination across all federal departments and agencies response for national security and the safety of Canadians.

Canada Border Services Agency (CBSA) – ensures Canada's security and prosperity by facilitating and overseeing international travel and trade across Canada's border.

Corrections and Conditional Release Act (CCRA) – the legislation that governs the corrections and parole system in Canada. The CCRA outlines the responsibilities and authorities of the Correctional Service of Canada, the Parole Board of Canada and the Office of the Correctional Investigator.

Correctional Service of Canada (CSC) - is the federal government agency responsible for administering sentences of a term of two years or more, as imposed by the courts. The CSC is responsible for managing institutions of various security levels and supervising offenders under conditional release in the community.

National Office for Victims (NOV) – a central resource that offers information and support to victims of federal offenders located at PS.

Parole Board of Canada (PBC) – is an independent administrative tribunal that, as part of the Canadian criminal justice system, makes quality conditional release and record suspension decisions, and clemency recommendations.

Royal Canadian Mounted Police (RCMP) – is the Canadian national police service.

Victim of crime - an individual is considered a victim of crime if they have suffered physical or emotional harm, property damage or economic loss as the result of the commission of an offence.

CSC Victim Services Officer (VSO) – employees of the CSC who are responsible for providing notifications and information to victims of federal offenders. They assist victims with registering to receive information about the offender who harmed them, provide victim notification, receive victim statements, provide referrals, and answer questions about the CSC.

PBC Regional Communications Officer (RCO) – provide services to registered victims in each of PBC's regional offices across Canada. RCO's are there to assist victims in accessing and understanding the parole process, and can help to answer any questions or concerns that a victim may have.