

A **victim impact statement** is a statement used in court during sentencing to inform the judge of the effect of the offence on the victim and the victim's family. The victim has the option to read this statement aloud in court.

A **community impact statement** describes the harm or loss suffered by a community as a result of the crime. This statement is made by an individual on behalf of a community

A **pre-sentence report** is a report to the court prepared by a probation officer. It gives information about the personal and family history and situation of someone who is to be sentenced.

Help for victims of youth crime

Victim Services provides **free** help to victims of crime anywhere in PEI:

- information about the status of the police investigation and about the judicial process;
- short-term counselling;
- referrals to other services;
- help to prepare a victim impact statement;
- information about ways a victim might be able to recover financial losses, or receive compensation for personal injuries, resulting from the crime;
- help to prepare for court and a worker to go to court with a victim if he or she wants someone to be there;
- assistance with out-of-court procedures.

If you need help, call:

Victim Services

Queens and Kings Counties:
Charlottetown - **902-368-4582**

Prince County:
Summerside - **902-888-8217 or
902-888-8218**

This pamphlet contains general information about the law. It is not a complete statement of the law in this area and is not a substitute for legal advice. To receive legal advice, you need to speak to a lawyer.

Community Legal Information Association of PEI, Inc. (CLIA) is a charitable organization that receives funding from Justice Canada, the PEI Department of Justice and Public Safety, the Law Foundation of PEI and other sources. CLIA provides Islanders with understandable and useful information about the law and the justice system in Prince Edward Island. You may support CLIA by making a donation, volunteering, or becoming a member.

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Information for Victims of Youth Crime



**Community Legal Information
Association of PEI, Inc.**

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Youth Criminal Justice Act

The **Youth Criminal Justice Act (YCJA)** is a federal law that outlines how young people from age 12 until their 18th birthday are to be dealt with if they break the law.

Victims' Rights

Youth Criminal Justice Act

The *YCJA* states that victims:

- are to be given information about the proceedings;
- are to be given the opportunity to participate and be heard;
- are to be treated with courtesy, compassion and respect for their dignity and privacy;
- have the right to access youth court records in certain circumstances;
- are encouraged to participate in community responses to the offence;
- have the right to be informed about any extrajudicial (out-of-court) sanction used to deal with the offence;
- have the right to know the identity of the young person who committed the offence when she/he is dealt with by way of an extrajudicial sanction.

Publication of any information that might identify child or youth victims or witnesses is not allowed, except in very limited circumstances.

Canadian Victims Bill of Rights

In Canada, victims have the right to:

- **information**, on request, about the case, the judicial process, victims' rights, and services to help victims;
- **participation** in the judicial process, including having their views considered in decision-making and giving victim impact statements;
- **restitution** (compensation) for losses, damages, or injury resulting from the crime, to be considered by the judge when sentencing;
- **protection** from intimidation, retaliation, and privacy invasion. Victims also have the right to ask for aids to help them testify in court (*testimonial aids*) and have the right to ask that their identity be protected.



What about the young person who committed the offence?

The police officer can choose to:

- take no further action;
- give the young person a warning;
- refer the young person to a community agency to help her/him deal with problems and avoid future conflict with the law;
- refer the young person to an out-of-court program (*extrajudicial sanction*) which may involve taking part in a community justice process;
- charge the young person with an offence.



How can a victim be involved?

- by discussing the effects of the offence with police and Victim Services to help determine whether out-of-court measures are an appropriate response to the offence;
- by asking for information about the incident, the offender's identity, and the consequences of the offence;
- by accepting services from the offender as compensation for the harm done by the offence;
- by participating in a community process to deal with the offence – for example, victim-offender mediation;
- by participating in a **conference** to give advice on decisions to be made;
- by preparing a **victim impact statement** or a **community impact statement** if the case goes to court;
- by providing information for a **pre-sentence report** if the young person is found guilty or pleads guilty.

A **conference** is a group of people brought together to advise about decisions made under the *YCJA*, such as appropriate sentences, plans for reintegrating the young person into the community after custody, or plans to help the young person deal with problems in his or her life.