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February 19, 2014

Standing Committee on Public Safety and National Security  
House of Commons  
Ottawa, Ontario  
K1A 0A6

Dear Members of the Committee,

The Canadian Resource Centre for Victims of Crime (CRCVC) is writing to you with respect to *Bill C-479, An Act to amend the Corrections and Conditional Release Act (fairness for victims)*. We appreciate the invitation to appear before the committee on February 25, 2014 and send our regrets for not being available to appear in person.

Since 1993, the Canadian Resource Centre for Victims of Crime has provided a voice for victims and survivors of serious crime in Canada. We offer long-term support, information resources and advocacy to hundreds of victims and their family members each year. The CRCVC did not arise out of a single event and we have a particular focus on the federal corrections and parole system. Since our inception, we have been actively advocating for improved recognition and rights for crime victims within federal corrections and we offer a number of free services for victims who wish to access information about the federal offender who harmed them. Specifically, we can:

- Act as agents for victims in their dealings with PBC/CSC.
- Attend parole hearings with or on behalf of crime victims. We can also use our network to get volunteers to attend hearings in all regions of the country if a victim cannot or does not wish to attend.
- Arrange tours of prisons for victims.
- Help victims understand the information they receive from PBC/CSC.
- Help victims understand their rights under the CCRA.
- Assist victims in obtaining and understanding Board of Investigation Reports.
- Communicate with CSC/NPB officials on behalf of victims.
- Provide assistance to victims of federal offenders on conditional release.
- Assist victims with revising and submitting their victim statements.
- Assist and support victims in very difficult circumstances, for example, where a young woman was murdered by her brother and the parents want to maintain a relationship with their son even though he is the offender.

As you know, the purpose of this Bill C-479 is to amend Part II of the *Corrections and Conditional Release Act* in respect of the following matters: (a) the parole review of offenders who are serving a sentence of at least two years for an offence involving violence; (b) the attendance of victims and members of their family at parole review hearings; (c) the consideration of victims' statements by the National Parole Board when making a determination regarding the release of an offender; (d) the manner of presentation of victims' statements at a parole review hearing; (e) the providing of information under consideration by the Board to a victim; (f) the cancellation of a parole review hearing if an offender has repeatedly refused to attend, or waived



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his or her right to attend, previous hearings; (g) the providing of transcripts of a parole review hearing to the victim and members of their family and the offender; and (h) the notification of victims if an offender is to be released on temporary absence, parole or statutory release. We support the changes proposed in Bill C-479 overall, but would like to offer three suggested amendments for consideration.

We are concerned with two sections of the proposed Bill. The first (5.01) would increase the period within which the Parole Board of Canada (PBC) must provide a further review of parole following a denial of parole, from two up to five years, for federal offenders convicted of an offence involving violence. The second (5.2) would increase the period within which the PBC would conduct another review following the cancellation or termination of parole of an offender convicted of an offence of violence from two up to four years, and after that date, from two up to five years. Our agency has supported the efforts of victims who have petitioned the government to recognize the tremendous emotional toll on them in facing the person who murdered their loved one in a parole hearing every two years, especially where there have been no significant changes in the offender's case. In these specific cases where little positive progress has been made by an offender serving life, we have argued that parole reviews should take place every 5 years. We have not advocated that parole reviews take place only every 4 or 5 years (either after a cancellation or denial of a hearing) in all cases/for every offence. We are concerned that these two sections as currently worded are too broad and would be applied to all offenders (since most federally sentenced offenders have committed an offence of violence).

We are especially supportive of the proposed changes to allow victims to observe the hearing remotely, if they cannot attend in person because this recognizes that many victims have work commitments, child care considerations, financial restraints, or their own anxiety about facing the offender directly that may prohibit them from attending a hearing. We support the change that will allow for all parties to receive transcripts of the hearing. We have talked to many victims who would like the ability to listen to the offender's responses to questioning by the Board, as the written decision that arrives following the hearing does not always adequately portray the tone of hearing or the offender's attitude. We also believe it is important and helpful to share the offender's Correctional Plan and progress on the Plan with the victims from the outset of an offender's sentence. While victims now get annual updates about an offender's programming and disciplinary offences, it does not always provide an accurate picture of the rehabilitative efforts undertaken or the offender's core programming needs. We believe it is important to finally mandate 6.(1)(v)(vi)(vii) the disclosure of the date and time of release, the conditions of release and the location of an offender's conditional release. As noted by the Federal Ombudsman for Victims of Crime, Sue O'Sullivan, the bill suggests that only certain items currently considered discretionary become mandatory. We agree with her, as a further modification, that all of the information currently listed discretionary be given to victims automatically, unless there is a relevant safety or security reason not to.

As a separate point of for your consideration, the Board of Directors of the CRCVC believes that victims should actually have a right of reply when they attend a parole hearing as an observer. In many cases, victims are frustrated to have to keep quiet or to the prescribed text of their victim

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statement. Victims feel they should have the right to challenge an offender's statements directly, especially if new information and/or lies are presented as truth to the Board by the offender, which is a fairly common occurrence. Victims who are present should have the right to have a last word to address any new issues or discrepancies an offender raises during the hearing.

We believe the proposed changes in Bill C-479 will make a real difference in the lives of victims who register to receive information about the offender who harmed them. We thank you for your consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read 'H. Illingworth', written in a cursive style.

Heidi Illingworth  
Executive Director