



How to get help if you are a Victim of a Serious Crime

Understanding the *Victims' Bill of Rights*

A List of the Most Serious Crimes

If you are a victim of a serious crime, the *Victims' Bill of Rights* makes sure that you can ask for help and get information about what is happening to you. Victims of the criminal acts listed below have the right to register to be given information and services:

- murder
- manslaughter
- aggravated sexual assault
- sexual assault with a weapon
- infanticide
- workplace fatalities
- criminal negligence causing death
- impaired operation of a vehicle causing death
- dangerous operation of a vehicle causing death
- aggravated assault
- assaulting a peace officer or public officer
- discharging a firearm with intent
- attempted murder
- parent or guardian procuring sexual activity
- corrupting children
- living off the avails of a prostitute under 18
- procuring a prostitute under 18

Ask about the series of 12 fact sheets produced by the Association of Community Living – Manitoba with assistance from Manitoba Justice.

For more information, please call toll free: 1-866-484-2846 or click on to the Manitoba Justice website: www.gov.mb.ca/justice/victims/victimsindex.html

Glossary of Legal Terms

Here is a list of other words and their meanings. These legal terms might be used to provide information about your case.

Affirm an oath – promise to tell the truth about what you say in court

Accused – the person the victim says made them feel unsafe, hurt or caused them pain

Alternative measures – ways for the accused to be punished other than by going to court

Appeal – ask a higher court to see whether the accused's trial or sentence was fair

Bail – letting the accused out of custody while waiting for the case to go to court

Bail conditions – special rules that the accused must follow while out of custody waiting for the case to go to court

Case – the facts about what happened to you

Charge – send the case to the Crown attorney

Community service work – volunteer work



Compensation – money the government might pay for services or things you need because you were hurt

Complaint – telling someone that you are unhappy with how you have been treated

Conditions – special rules that the accused must follow

Confidential – information that is kept private and will not be given to strangers

Corrections – the part of the government that looks after the accused when they agree they are guilty or when they have been found guilty by a judge or jury

Counselling – talking to someone who can help you get through a hard time

Court – a room or building where cases are held

Court clerk – someone who helps the judge in the courtroom

Court records – these may include any orders made by the judge

Crime victim services worker – someone who helps victims get the help and information they want about the case

Custody – keeping the accused in jail or in a jail-like place

Escapes – the accused leaves without permission

Evidence – things that people say in court or things that are brought into court (such as clothing) to show what happened

Fine – paying money

Guilty – the accused did something wrong or committed the crime

Occurrence number – the special number police use to keep track of each case

Interpreter – someone who helps explain what you say to the people in court or helps explain what is said to you in court

Investigate – the police find out what happened to you

Judge – the person in court who is in charge of deciding if the accused is guilty or not guilty of a crime after a trial

Jury – in a jury trial, this group of people is in charge of deciding if the accused is guilty or innocent of a crime

Not criminally responsible – when the accused doesn't understand that what he or she did was wrong

Not guilty – the accused does not agree that he or she did something wrong (did not commit the crime)

Pleads – when the accused tells the judge if he or she is guilty or innocent of the crime in court

Police custody – keeping the accused in a jail-like place

Pre-sentence report – information written about the accused to help the judge decide on the sentence

Probation – when the accused is not sentenced to go to jail but instead has to obey certain rules in the community as part of the sentence

Registering – telephoning or filling out a form to get help and information about the case

Released – letting the accused out of custody

Release conditions – special rules that the accused must follow while out of police custody

Restitution – an order by a judge telling the accused to pay the victim back for damage done

Sentenced – what happens to the accused if he or she pleads guilty or is found guilty of a crime

Stayed – the accused will not go to court because there is not enough evidence

Subpoena – a special notice delivered to witnesses telling them when to be in court

Swear an oath – promise to tell the truth about what you say in court

Testify – telling the judge and/or jury about what happened and answering questions

Trial – when the accused goes to court to see if the Crown attorney can prove that the accused is guilty of a crime

Unfit – when the accused cannot understand what the trial is about and what might happen

Victim – you may be a victim if someone makes you feel unsafe, hurts you or causes you pain

Victim impact statement – a form filled out by the victim that tells the Judge how being a victim has made you feel

Witness – a person who tells his or her story in court

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Fact sheet #1 – Overview of the *Victim's Bill of Rights*

A series of clear language fact sheets outlining services available to victims of crime, produced by the Association of Community Living – Manitoba with assistance from Manitoba Justice.

victim: you may be a victim if someone makes you feel unsafe, hurts you or causes you pain

accused: the person the victim says made them feel unsafe, hurt them or caused them pain

charge: send the case to the Crown attorney

case: the facts about what happened to you

court: a room or building where cases are discussed

evidence: things that people say in court or things that are brought to court to show what happened

guilty: the accused did something wrong or committed the crime

custody: keeping the accused in jail or a jail-like place

bail: letting the accused out of custody while waiting for the case to go to court

bail conditions: special rules that the accused must follow while out of custody waiting for the case to go to court

If you are a **victim** of the most serious crimes, *The Victims' Bill of Rights* makes sure you can ask for help and get information about what is happening to you.

Fact Sheet #1 will help you understand the steps you may take and people you might meet.

1. The Police

If you think you are a victim of a crime, you will need to talk to the police and tell them what happened to you so you can get the help and information you want. The police will talk to you and the **accused** and look into what happened. They will then decide if they will **charge** the accused with a crime.

If you want to know more about the police, see Fact Sheet #2.

2. The Crown Attorney

The Crown attorney is the lawyer who works for the government and who will take over the **case** from the police. The Crown attorney is in charge of taking the case to **court**. The Crown attorney makes sure there is enough **evidence** to prove an accused is **guilty** in court.

If you want to know more about the Crown attorney, see Fact Sheet #5.

3. Bail

It may take some time before the case goes to court. While waiting for the case to go to court, the police or the Crown attorney may ask the court to keep the accused in **custody**. The accused may be allowed to get out of custody on **bail** with **bail conditions**. The conditions may help protect you as the victim.

If you want to know more about bail and bail conditions, see Fact Sheet #4.



trial: when the accused goes to court to see if the Crown attorney can prove the accused is guilty of a crime

judge: the person in court who is in charge of deciding if the accused is guilty or not guilty of a crime after a trial

jury: in a jury trial, this group of people is in charge of deciding if the accused is guilty or innocent of a crime

not guilty: the accused does not agree he or she did something wrong or did not commit the crime

witness: a person who tells his or her story in court

fine: paying money

community service work: volunteer work

4. The Courts

The case may go to **trial**. In court, a **judge** or **jury** is in charge of deciding whether the accused is guilty or **not guilty**. If the case goes to court, you may be a **witness**.

If the judge or jury decides that the accused is guilty, the judge may:

- a. order the accused to go to jail
- b. order the accused to pay a **fine**
- c. order the accused to do **Community Service Work**

If you want to know more about the courts, see Fact Sheet # 6

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2. Victims' Rights and the Role of the Police
3. Registering for your Rights
4. Victims' Rights and Protection
5. Victims' Rights and the role of the Crown Attorney
6. Victims' Rights and the Role of Courts
7. Victims' Rights: When a Victim must Testify
8. Victims' Impact Statement Program
9. Victims' Rights and the Role of Corrections
10. Victims' Rights and the Complaints Process
11. Compensation for Victims of Crime
12. The Review Board

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Fact sheet #2 – Victims' Rights and the Role of the Police

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investigate: find out what happened to you

evidence: things that people say in court or things that are brought to court to show what happened

occurrence number: a special number police use to keep track of each case

police custody: keeping the accused in a jail-like place

released: letting the accused out of custody

release conditions: special rules that the accused must follow while out of police custody

If you believe that you are a victim of a crime, you can talk to the police. It is the job of the police to **investigate** and to get as much information as possible about the case. The police may:

- ask you many questions about what happened and want to know as much information as you can remember
- talk to the accused
- talk to neighbours or other people who may have seen or heard what happened to you
- take **evidence** that may give them information about what happened to you

The police will also give you a card with a special number called an **occurrence number**. This number is very important. Keep it in a safe place.

Your Right to Know

Here is a *checklist* of things you may want to know about the case:

- the occurrence number
- the name of the accused
- if the accused is in **police custody** or was **released**
- any **release conditions** the accused must follow
- what is happening with the case

If you register under the *Victims' Bill of Rights*, the police have to tell you:

- if they decide not to charge the accused with a crime
- if your safety is at risk
- if the accused has not followed a release condition
- if you are a victim of some crimes, you can talk to a police officer who is the same sex as you are
- how to get back something that the police may have taken from you as evidence
- information about the *Victim Impact Statement Program*
- how to ask for *restitution*

Remember: The police may not be able to give you all the information you need, but they will do their best.

victim impact statement: a form that is filled out by the victim that tells the judge how being a victim has made you feel

restitution: an order by a judge telling the accused to pay the victim back for damage done

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Fact sheet #3 – Registering for Your Rights

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registering: telephoning or filling out a form to get help and information about the case

By **registering** as a victim, you will be able to get help and information about the case. When you register, you will have to know:

- the occurrence number
- the name of the accused
- your name
- your address
- your phone number
- your birth date

You can get a registration form from the police or RCMP. After the form is filled out, you can mail it to:

CRIME VICTIM SERVICES WORKER
510-405 Broadway
Winnipeg, Manitoba
R3C 3L6

or you can **fAX** the form to:

204-948-2776

You can also register by phoning:

1-866-484-2846

There is **no charge** to call this number.

After you register, someone called a **crime victim services worker** will contact you by mail or phone. They can help you:

- contact and get information from the Crown attorney
- understand what happens in court

crime victim services worker: someone who helps victims get the help and information they want about the case



corrections: the part of the government that looks after the accused when they agree they are guilty or when they have been found guilty by a judge or jury

confidential: information that is kept private and will not be given to strangers

- understand what being a witness means
- make a victim impact statement
- contact and get information from **corrections**

Personal information given on your registration form will be kept **confidential**. This means that only you, the police, the crime victim services worker, the Crown attorney and the courts will have this information.

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Fact sheet #4 – Victims' Rights and Protection

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Sometimes victims feel unsafe and afraid of the accused. That is why the police and Crown attorney can ask the judge to keep the accused in custody until the case is over.

What the Judge can do

The judge can: decide to keep the accused in custody or let the accused out of custody on bail as long as he or she promises to follow special bail conditions. Some examples of bail conditions the judge may order are:

- the accused must stay away from the victim
- the accused cannot go to the victim's home
- the accused cannot phone the victim
- the accused cannot go to the victim's workplace

There may be other bail conditions, depending on the case.

Your Right to Know

You have the right to ask the crime victim services worker:

- if the accused is in custody
- if the accused is out of custody on bail
- what bail conditions the accused has to follow

It is very serious if the accused does not follow the bail conditions. If the accused does not follow the bail conditions, the victim can phone the police and the accused may have to go back into custody.

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Fact sheet #5 – Victims' Rights and the Role of the Crown Attorney

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pleads: when the accused tells the judge if he or she is guilty or not guilty of the crime

alternative measures: ways for the accused to be punished other than by going to court

After the police have collected all the information, the case is then given to a Crown attorney. The Crown attorney is the lawyer who works for the government. Based on evidence, the Crown attorney must make some decisions about the case such as:

- what happens if the accused **pleads** guilty
- whether the case should go to court
- whether to ask the judge to keep the accused in custody during the trial
- what bail conditions to ask for to protect you if the judge lets the accused out of custody
- whether to use **alternative measures**

You have a right to tell the Crown attorney what bail conditions may help you feel safer but the Crown attorney may not be able to get the conditions you want.

Your Right to Know

Here is a *checklist* of things you may want to know about the case.

- the name of the Crown attorney
- where the court is located
- when the next court date is
- what time the next court date is
- if the accused is in custody or on bail
- any bail conditions
- what is happening with the case
- what happens at the end of the case

stayed: the case will not go to court because there is not enough evidence

sentenced: what happens to the accused if he or she pleads guilty or is found guilty of a crime

appeal: ask a higher court to see whether the accused's trial or sentence was fair

You can tell the Crown attorney how you feel about:

- whether or not the accused is being charged
- using alternative measures
- having the charge against the accused **stayed**
- the accused getting out of custody on bail
- how the case will end
- how the Crown attorney feels the accused should be **sentenced**
- whether or not to **appeal** a sentence

Remember: The Crown attorney may not be able to give you all the information you need, but he or she will do their best.

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Fact sheet #6 – Victims' Rights and the Role of the Courts

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If the case goes to court, you may want to know what is happening or what is going to happen. Here are some things you may want to know:

- You can call the court office to find out what time and in what room the case will go on.
- You may be able to watch some or all of the case in court. You should check with the crime victim services worker to make sure it is OK first.
- Usually anyone can come and watch a case in court unless the judge says it is private.
- You can get time off work if you need to attend court to be a witness, read your victim impact statement to the court or be in court to see the sentencing of the offender.
- You can get copies of **court records**, but you will have to pay for them.

Here are some addresses and phone numbers of Court Offices in Manitoba.

WINNIPEG:

WINNIPEG LAW COURTS
408 York Ave.

Queen's Bench Office – 204-945-0344

Provincial Court Office – 204-945-3454

Includes Altona, Arborg, Ashern, Emerson, Fisher Branch, Gimli, Lundar, Morris, Powerview (youth cases), St. Martin, Stonewall, Teulon

ST. BONIFACE COURT OFFICE
227 Provencher Blvd.

204-945-8010

EASTERN MANITOBA:

MORDEN
301 Wardrop St.
204-822-2880

Includes Carman

SELKIRK
101-235 Eaton Ave.
204-785-5077

Includes Beausejour, Berens River, Garden Hill, Lac Du Bonnet, Little Grand Rapids, Paucingassi, Poplar River, Powerview (adult cases), St. Theresa Point

STEINBACH
284 Reimer Ave.
204-346-6070



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Manitoba

court records: all written record of what happens in court; may include any orders made by the judge

WESTERN MANITOBA:

BRANDON
1104 Princess Ave.
204-726-7114

Includes Boissevain,
Killarney, Neepawa,
Rosburn, Russell,
Waywayseecappo

DAUPHIN
114 River Ave. W.
204-622-2183

Includes Roblin

MINNEDOSA
70-3rd Ave. SW.
204-867-2238

PORTAGE LA PRAIRIE
Provincial Court
25 Tupper St. N.
204-239-3339

Includes Amaranth

Queen's Bench
20-3rd St. SE.
204-239-3431

VIRDEN
232 Wellington St. W.
204-748-4289

NORTHERN MANITOBA:

FLIN FLON
104-143 Main St.
204-687-1670

THE PAS
300-3rd St. E.
204-627-8425

Includes Cranberry Portage, Easterville,
Grand Rapids, Moose Lake, Pukatawagan,
Snow Lake

SWAN RIVER
201-4th Ave. S.
204-734-2252

THOMPSON
59 Elizabeth Dr.
204-677-6761

Includes Brochet, Churchill, Cross Lake,
Gillam, God's Lake Narrows, Lac Brochet,
Leaf Rapids, Lynn Lake, Nelson House,
Norway House, Oxford House, Shamattawa,
South Indian Lake, Split Lake

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Fact sheet #7 – Victims' Rights: When a Victim Must Testify

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not guilty: the accused does not agree that he or she did something wrong or did not commit the crime

testify: telling the judge and/or jury about what happened and answering questions

subpoena: special notice delivered to witnesses telling them where and when to be in court

court clerk: someone who helps the judge in the courtroom

swear/affirm an oath: promise to tell the truth about what you say in court

interpreter: someone who helps explain what you say in court or helps explain what is said to you in court

If you are a victim, your case may go to trial if the accused pleads **not guilty**. If the case does go to court, you may have to be a witness and **testify**. There can be many witnesses in one case.

Here are some things you may want to know about being a witness:

- If you are going to be a witness, you will get a **subpoena** which will tell you where and when you have to be in court.
- When you get to the court, you may have to wait in a special waiting room, if there is one available, until it is your turn to testify.
- In the courtroom you may see a judge, a jury, a **court clerk**, a Crown attorney, an accused and a lawyer for the accused.
- When it is your turn to testify, you will be asked to **swear** or **affirm** an **oath**.
- The Crown attorney will ask you questions about what happened. The lawyer for the accused may ask you questions about what happened. The judge may also ask you questions.

Here are some special things you can do as a victim:

- If you feel unsafe or afraid, you can talk to the Crown attorney or crime victim services worker.
- You can ask to wait in a separate waiting room, if there is one available, so you can be away from the accused.
- You can ask for an **interpreter** or a sign language interpreter if you need one.
- If you feel unsafe, you can ask the judge not to let reporters use your name.
- Sometimes, you can have a support worker, family member or friend with you when you testify. If you feel uncomfortable, talk to the crime victim services worker or the Crown attorney.



- If you feel very afraid or too uncomfortable to testify, talk to the crime victim services worker or Crown attorney. In some cases they can ask the judge if you can testify by video camera or behind a screen for privacy.
- If you have to travel to another city for court, you may be able to have your travel costs paid.

Here are some things to remember when you testify:

- Try to remember what happened to you as best you can.
- Take your time to answer questions. There is no rush.
- Make sure you understand the question before you give your answer.
- If you don't understand something, it is important that you say so. Someone will explain it to you again.
- Try to speak as slowly and clearly as you can.
- If you don't know an answer, it's important for you to say that you don't know the answer.

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Fact sheet #8 – Victim Impact Statement Program

A series of clear language fact sheets outlining services available to victims of crime, produced by the Association of Community Living – Manitoba with assistance from Manitoba Justice.

If you are a victim and the accused has been charged with a crime, you can fill out a form called a victim impact statement. If the accused is found guilty, the judge may consider your thoughts and feelings when sentencing the accused.

Here are some things you should know about the victim impact statement:

- You can get the form from the police or a crime victim services worker.
- You do not have to write it on your own. A crime victim services worker can help you.
- The Crown attorney will get a copy of your statement and has to send it to the lawyer for the accused.
- If you forget to write something in your statement, you can add to it by filling out another form.
- If the judge says the accused is guilty, your statement is given to the judge to read.
- You can read your statement out loud in court if you want to. If this happens, everyone in the courtroom will hear your statement.
- You may have to answer questions about your statement from the lawyer for the accused.
- You don't have to write a statement if you don't want to.

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Fact sheet #9 – Victims' Rights and the Role of Corrections

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pre-sentence report:

information written about the accused to help the judge with sentencing

probation: when the accused is not sentenced to go to jail but instead, has to obey certain rules in the community as part of the sentence

conditions: special rules that the accused must follow

escapes: leaves without permission

Usually when an accused pleads guilty or is found guilty by a judge, he or she is sentenced. Corrections is the part of the government that looks after people who have been sentenced.

Your Right to Know:

Here is a checklist of things you may want to know about the case:

- what crime the accused is guilty of
- whether a ***pre-sentence report*** was written
- whether the accused is on ***probation*** and what ***conditions*** he or she has to follow
- if the accused is in jail, when he or she will be released

Corrections must let the victim know if the accused ***escapes*** from jail or does not follow probation conditions that specifically have to do with you.

Remember: Corrections may not be able to give you all the information you need, but will do their best.

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Fact sheet #10 – Victims' Rights and the Complaints Process

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compliant: telling someone that you are unhappy with how you have been treated

If any of the people who are supposed to help you (police, Crown attorney, courts, corrections) haven't answered your questions or don't try their best to help you, you can complain by telephone or in writing. You can make your **complaint** to the director of Victims' Support Services.

**Manitoba Justice
Victim Services Branch
1410-405 Broadway
Winnipeg, Manitoba
R3C 3L6**

**Phone: 204-945-6851
Fax: 204-948-2229**

You will need to say:

- why you are complaining
- your name, address and phone number
- who you have talked to about your complaint

The director will look into your complaint and give you a report. If you are not happy with what the director says, you can then complain to the Ombudsman at:

**750-500 Portage Avenue
Winnipeg, Manitoba
R3B 2E3**

**Phone: 204-982-9130
Fax: 204-942-7803**

Even though what happened to you cannot be changed, your complaint may help other victims get the help and information they need.



This series of 12 fact sheets was developed by the Association of Community Living – Manitoba with assistance from Manitoba Justice. Other titles in this series:

1. Overview of the *Victims' Bill of Rights*
2. Victims' Rights and the Role of the Police
3. Registering for your Rights
4. Victims' Rights and Protection
5. Victims' Rights and the role of the Crown Attorney
6. Victims' Rights and the Role of Courts
7. Victims' Rights: When a Victim must Testify
8. Victims' Impact Statement Program
9. Victims' Rights and the Role of Corrections
10. Victims' Rights and the Complaints Process
11. Compensation for Victims of Crime
12. The Review Board

How to get help if you are a *Victim of a Serious Crime*

Fact sheet #11 – Compensation for Victims of Crime

A series of clear language fact sheets outlining services available to victims of crime, produced by the Association of Community Living – Manitoba with assistance from Manitoba Justice.

compensation: the government may pay for services or things you need because you were hurt

If someone hurts you and it is a crime, you may be able to get **compensation**.

To get compensation, you must:

- Report the crime to the police.
- Fill out a form with questions about the crime and how you were hurt.
- Fill out the form within one year of the crime happening.

If you get compensation from other places, like your workplace or Autopac, you may get less compensation from this program.

You will not get compensation if:

- You didn't report the crime to police.
- You didn't help the police or courts.
- You filled out the form too late.
- You were doing something wrong when you got hurt.
- You caused yourself to get hurt.

Here is a list of things you may be able to get compensation for:

- the cost of medicine or an ambulance
- the cost of clothes that got ruined
- the cost of a dentist if your teeth were injured
- the cost of new glasses if your glasses got broken
- the cost of **counselling**
- money you lost if you had to miss work because of the injury

counselling: talking to someone who can help you get through a hard time



- the cost of special medical treatments to help your injury get better
- money if you have permanent damage to your body because of the injury

Make sure you keep all your bills.

If you don't get any compensation or you think you should get more compensation, you can ask for your claim to be looked at again.

If you don't get compensation from the government, you can take the accused to court and ask a judge to make the accused pay you money for your injuries, or pain.

There are some things you cannot get money for.

To find out whether or not you can get compensation as a victim of crime, or for more information, you can contact:

**Compensation for Victims
of Crime Program
14th Floor – 405 Broadway
Winnipeg, Manitoba**

Phone: 204-945-0899

or

Call toll free: 1-800-262-9344

Fax: 204-948-3071

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How to get help if you are a Victim of a Serious Crime

Fact sheet #12 – The Review Board

A series of clear language fact sheets outlining services available to victims of crime, produced by the Association of Community Living – Manitoba with assistance from Manitoba Justice.

unfit: the accused cannot understand what the trial is about and what may happen

not criminally responsible: the accused doesn't understand that what he or she did was wrong

Sometimes the judge may decide that the accused should not go to trial. There may be two reasons:

1. Sometimes the accused may be **unfit** to have a trial.
2. Sometimes the accused may be **not criminally responsible** according to the law.

If either of these things happens, the case goes to the Review Board. It is the job of the Review Board to decide what will happen to the accused.

Very few cases go to the Review Board.

Your Right to Know

As a victim, you can get information from the Review Board by:

- filing a victim impact statement
- going to a Review Board hearing
- getting a copy of any Review Board decisions

To get any information from the Review Board, call: **204-945-4438**

The Review Board office is at:

**2nd Floor – 408 York Avenue
Winnipeg, Mb.
R3C 0P9**

Fax: 204-945-5751

Remember: The Review Board may not be able to give you all the information you need, but will do their best.



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A Victim of Crime— How Ryan Got Help

MG-6368 09/04



Manitoba 

How Ryan became a Victim of Crime

For more information

The story refers to a series of fact sheets which provide more detailed information on the available services and service providers who can help victims of crime. This material was produced by the Association for Community Living – Manitoba with assistance from Manitoba Justice. Fact sheet topics include:

1. Overview of the *Victims' Bill of Rights*
2. Victims' Rights and the Role of the Police
3. Registering for your Rights
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Ryan had spent an evening with his friends, playing cards. He decided to walk home after the card game because it was a nice night. On his way home, a man he did not know came up from behind and attacked Ryan with his fists and a baseball bat. Ryan was very badly beaten up.

A neighbour saw what was happening and ran to help Ryan. This scared off the attacker. The neighbour phoned the police and took care of Ryan until the ambulance came to take him to the hospital.

The doctor told Ryan that he had a broken arm, some bruised ribs, a broken nose, two black eyes and a concussion. Ryan's arm had been broken so badly that he had to have surgery to properly repair it. Ryan had to spend some time in the hospital and even when he could go home, he couldn't go back to work right away because he needed to use his arm to do his job.

Ryan suffered a lot of pain and had many nightmares. He was scared to walk at night and felt afraid that someone else was going to hurt him.

Ryan is a victim of crime. Read on to find out what happens to Ryan and see how he is able to use the *Victims' Bill of Rights* to get help and keep informed about his case.

How the Police Helped Ryan

For more information about the police see *fact sheet #2 Victims' Rights and the Role of the Police*.

After the neighbour scared the attacker away, he called the police. A few minutes later, the police drove up to investigate what had happened. Because Ryan was in a lot of pain, the police could not ask Ryan any questions at that time but they followed the ambulance to the hospital and talked to Ryan's doctor.

When Ryan was feeling a little better, the police came into Ryan's room at the hospital to ask him some questions about what had happened. Ryan told them that he had been attacked by someone he didn't know. He said the man had hit him with something hard and he couldn't remember much else. The police asked Ryan if he could tell them what the man looked like. It was dark, though, and Ryan didn't get a good look at him.

The police gave Ryan a card with their names, telephone number and an occurrence number on it. The occurrence number is a special number that the police use to keep track of each case. They told Ryan they would come back to see him the next day.

The police continued with their investigation and found out who attacked Ryan. They told Ryan that they had arrested the man and had charged him with aggravated assault which meant hurting someone really badly. The police also told Ryan that the man was in custody now but that he might be released on bail later. They said Ryan could register with a crime victim services worker because he was a victim of a crime listed in *The Victims' Bill of Rights*. The police explained to Ryan they would now pass on the case to a Crown attorney. A Crown attorney is a lawyer who works for the government.

How a Crime Victim Services Worker Helped Ryan Under *The Victim's Bill of Rights*

For more information about the *Victims' Bill of Rights* see *fact sheet #1 – Overview of the Victims' Bill of Rights*.

When Ryan's mom came to see him at the hospital, he showed her the police occurrence card. She suggested they call the crime victim services worker to register.

The crime victim services worker told Ryan she would be able to help him get information about the case, contact the Crown attorney and answer questions he might have along the way.

Ryan told the crime victim services worker he felt nervous calling the Crown attorney but wanted to know if the man who attacked him was in custody or not. Ryan said he was afraid the man would find him and hurt him again. The crime victim services worker told Ryan she would call the Crown attorney to find out if the accused was in custody or released.

When the crime victim services worker called Ryan back, she told him the accused was still in custody. She also said the Crown attorney was going to court in a few days to ask a judge to keep the accused in custody. This is called a bail hearing. She explained that the judge could either keep the accused in custody or release him. She said she would let Ryan know what had happened.

After the bail hearing, the crime victim services worker called Ryan to tell him the accused had gotten out of custody but that he had to promise to obey certain rules or conditions. These conditions included not coming near Ryan, not going to his house, not phoning him and not going to Ryan's place of work. If the accused did not obey any of the conditions, he would have to go back into custody again.

The crime victim services worker explained that the accused might have to go to court several times before a decision was made about having a trial. She said she would find out when the accused would be going to court and tell Ryan what day the trial would be, what building it would be in, what room and at what time.

How Ryan Got Help From the Crown Attorney

For more information about the Crown attorney see *fact sheet #5 – Victims' Rights and the Role of the Crown attorney*.

Ryan had a meeting with the Crown attorney. She told Ryan there was enough evidence for the case to go to court. In court, the accused would have to tell the judge how he was pleading. This means the accused would have to tell the judge if he was guilty or not guilty of the charge of aggravated assault. If the accused decided to plead guilty, there would be no trial. The Crown attorney and defence lawyer or the judge would decide what sentence he would get for hurting Ryan so badly. If the accused decided to plead not guilty, he would have a trial. At the trial, Ryan would have to be a witness and tell what had happened to him. After the trial, the judge would decide whether the accused was guilty or not guilty.

How Ryan Testified in Court

For more information about testifying in court see *fact sheet #7 – Victims' Rights: When a Victim must Testify*.

The crime victim services worker called Ryan to tell him the accused had decided to plead not guilty. The case was going to court for a trial and Ryan would have to testify as a witness. The crime victim services worker said Ryan would get a subpoena delivered to him. A subpoena is a special notice that tells where, when and at what time to be in court.

Before the trial, the Crown attorney met with Ryan. The Crown attorney said she would ask Ryan to tell the Judge what had happened and might also ask Ryan some questions. The Crown attorney also told him that the lawyer for the accused would also want to ask Ryan some questions. The Crown attorney went over what kinds of questions he might have to answer and had some tips for Ryan. She told Ryan to try to remember everything as best he could, to take his time before he answered questions and to make sure he understood the question before he answered. The Crown attorney said it was OK for Ryan to say if he didn't understand something and also OK to say if he didn't know the answer.

When Ryan got to court, he was shown to a separate waiting area where he had to wait until it was his turn to testify. This was a different room from where the accused was waiting. Ryan's mom came with him to court.

When Ryan went into the courtroom he saw the judge sitting behind a desk. He also saw the court clerk, the Crown attorney and the lawyer for the accused. He was shown where he had to sit as a witness. The court clerk asked Ryan his name and asked him if he would promise to tell the truth when he told his story and answered questions. Ryan promised he would tell the truth.

How Ryan Got Help Writing a Victim Impact Statement

For more information on victim impact statements see *fact sheet #8 – Victims' Impact Statement Program*.

Before the trial, the crime victim services worker asked Ryan if he wanted to write a victim impact statement. She said the statement was a form she could help Ryan fill out. The point of writing the statement was to let the judge know how Ryan felt about being a victim. The judge may use the statement to help decide what sentence to give the accused if he were found guilty.

Ryan told the crime victim services worker that he wanted her help writing the statement. The crime victim services worker also asked Ryan if he would like his mom to be there when they wrote the statement and he agreed. Ryan also understood that the statement would get sent to the lawyer for the accused and that the statement might get read aloud in court. The crime victim services worker told Ryan he might have to answer questions about his statement and that if he thought of something else to add, he could write another statement.

Here are some of the points Ryan wanted to make in his statement:

- He felt very afraid after the attack, especially when walking alone or at night.
- He had trouble falling asleep at night and had lots of nightmares.
- His family and friends told him he was different and not as friendly or happy as he used to be before the attack.
- He was seeing a counsellor but wasn't sure if that was helping him feel better.
- His arm had been very, very painful and it still hurt him.

- His doctor told him he still might have to have an operation to fix the damage to his arm.
- He still had to take pain killers sometimes to help him sleep.
- He was still going to the doctor because his arm wasn't working the way it had before the attack.
- He wasn't able to go to work for several weeks after the attack and lost some of his pay.
- He had to pay a lot of money for medicine and therapy.
- He really wished he could be the same and feel the same as he did before the attack.

How Ryan got help through Compensation for Victims of Crime

For more information about compensation for victims of crime see *fact sheet #11 – Compensation for Victims of Crime*.

Ryan decided to ask for compensation for all the costs he had to pay himself because of his injuries. The crime victim services worker helped Ryan to fill out a form for compensation. Here are some of the things Ryan included:

- when the assault happened and what happened
- the name of the accused
- the names of witnesses
- all of his injuries
- what costs he had such as:
 - the cost of the ambulance
 - medicine he had to take to help with the pain
 - damage to his clothing during the attack
 - the cost of physiotherapy to help him exercise his injured arm
 - counselling to help him deal with his fears after being attacked
 - wages he lost because he was in the hospital and couldn't work because of the injury to his arm