

# Programs of Nova Scotia Victim Services

## Department of Justice Victim Services

- promotes the rights of victims of crime and provide an avenue to address their needs
- provides information and services to victims of crime
- raises community awareness on victims' issues
- works within government, the criminal justice system, and the community to develop and implement policies and programs for victims of crime

## Who We Are

We offer a range of services to help victims of crime as their case moves through the criminal justice system.

When criminal charges are laid, victims and family members can contact us directly for help.

We connect with victims of crime through referrals from police, Crown attorneys, and other sources.

Our services are voluntary and available at no cost.

Three key pieces of legislation set out our authority and mandate:

- Section 737 of the Criminal Code (1989)
- Victims' Rights and Services Act (1990)
- Canadian Victims Bill of Rights (with amendments to the Criminal Code) (2015)

We provide expertise and policy advice. We also develop and support special initiatives in response to the needs and concerns of victims of crime.

## Our Core Programs

### The Provincial Victim Services Program

This program provides information, support, and assistance to victims of crime (and the spouse or relative of a victim) as the case moves through the criminal justice system.

#### Program staff can

- give general information on the criminal justice system (police, courts, prosecution, corrections)
- get information about your court case
- attend meetings with police, the Crown attorney and other Justice officials to provide you with victim advocacy and support, when requested
- help you prepare to testify in court
- explain and help you prepare a Victim Impact Statement
- help you apply for restitution
- help you apply for Criminal Injuries Counselling
- provide court support when you attend to testify
- assist with safety planning, risk assessment, and case coordination in high risk domestic violence cases
- refer you to other agencies that may be helpful

#### Program staff cannot

- give legal advice
- provide long-term counselling

You can request to meet with a Victim Services Officer at a hospital, school, library or other safe location in your community. There are no fees for our service.

### The Child Victim/Witness Program

Being involved in the criminal justice system can be confusing and even frightening for a child. Children are often afraid of being asked questions in court and may worry about doing something wrong. Court hearings may involve long waiting periods. At this difficult time, children—and the parents or adults who are helping them—can receive assistance and support from this program.

#### How can we help?

##### Program staff can

- give age-appropriate information
- answer questions about the criminal justice system
- explain the court process and everyone's role in it
- provide a tour of the courtroom and prepare a child for court
- arrange meetings with the Crown attorney
- go to court with the child
- help prepare Victim Impact Statements
- help with an application for Criminal Injuries Counselling
- assist with contacting other agencies that can be of help

To obtain these services, contact your local Victim Services office.

## The Criminal Injuries Counselling Program

If you have been a victim of a violent crime committed in Nova Scotia, this program may pay for professional counselling services to help you deal with trauma resulting from the crime. You must apply for this program and be approved for coverage.

### How can we help?

You may receive counselling if you

- have been a victim of a violent criminal offence, such as physical assault, sexual assault or other crimes involving violence
- are the immediate family of a person who has been murdered
- were personally injured while trying to stop someone from committing a crime

Counselling is provided by private counsellors. Counsellors must apply to become approved counsellors and meet certain criteria. In some cases, other therapies may be supported when recommended by an approved counsellor and when approved by the program.

### What do you need to do?

You must report the crime to police. You must cooperate with police and other criminal justice officials in the investigation of the crime and the prosecution of the person responsible for the crime.

After you report the crime to police, contact a Victim Services office for an application. Our staff can help you fill out the application. Generally, you must apply within one year of the crime. This deadline may be extended in certain circumstances.

Usually a decision is made after the investigation of the crime is complete and we receive the police report. If your application for counselling is approved, you can choose from a list of approved counsellors in your area. The counsellor bills our program directly, but fees vary by counsellor. When you call to make your first appointment with a counsellor, ask if they charge any fees not paid by our program.

## The Victim Impact Statement Program

As a victim of crime, you may feel left out of the criminal justice process. You may feel that everyone's story is being heard except yours. However, victims can have a voice in the process. Before the offender is sentenced, you may tell the court how the crime has affected you through a Victim Impact Statement.

Four types of Impact Statement forms:

- the general Victim Impact Statement form is used for cases being sentenced in Criminal Court
- the OHS Victim Impact Statement form is used for Occupational Health & Safety Act offences

- the Not Criminally Responsible (NCR) Victim Impact Statement form is used at Disposition Hearings when an accused has been found not criminally responsible
- the Community Impact Statement form is used by a person representing a community that has been impacted by a crime, when accepted by the presiding Judge/Justice

#### What is a Victim Impact Statement?

A Victim Impact Statement is your opportunity to tell the court about the impact of the crime on your life. It is a statement, written in your own words, that is considered by the judge in deciding the sentence for the offender.

#### Who may complete a Victim Impact Statement?

A victim of any criminal offence may complete a statement. However, the statement is not considered by the court until after the accused person has been found guilty of the offence.

#### Who decides if a Victim Impact Statement is submitted to the court?

You do. Whether or not you provide a statement is entirely your decision. Once you submit the statement to the court, it cannot be withdrawn. Your statement may be submitted in writing only, or you may choose to read it in court.

#### What information can I give?

The statement should describe the harm or loss you have suffered as a result of the crime. Your statement should refer only to the specific crime for which the offender was found guilty. It should not contain opinions on the character of the offender or the punishment that should be given. If your statement contains information other than the impact the crime has had on you, the court may not consider your statement.

#### How will the information be used?

The information in your Victim Impact Statement is used by the judge in determining an appropriate sentence for the offender. It may also be used by correctional authorities when making decisions regarding the offender, such as, when considering the offender's application for release on parole.

#### Is the information confidential?

No. Once the accused is found guilty or has pled guilty, a copy of your Victim Impact Statement is given to the judge, the Crown attorney, and the offender or the offender's lawyer. The contents of the statement are presented in a court hearing which is open to the public. The only exception to this is if there is a Publication Ban in place. However, even with a Publication Ban, parts of your Impact Statement may be released to the public if the information does not identify you.

#### Do I have to appear in court regarding my Victim Impact Statement?

It is usually not necessary for you to appear in court; however, you may have to testify in court if any of the information in your statement is questioned. Victims of crime have the right to read their Victim Impact Statement in court if they want to read it.

Where do I go if I want to submit a Victim Impact Statement or a Community Impact Statement? Forms and guidelines are available from your local Victim Services office. A Victim Services officer will help you to complete the statement and will submit it to the court on your behalf.

## Restitution Program

What is restitution?

Restitution is money that the court may order an offender to pay a victim for eligible financial losses. Restitution can only be ordered if there is a finding of guilt. If you are a victim of a crime and suffer financial loss, you have the right under the Canadian Victim's Bill of Rights to request that restitution be considered during the sentencing hearing. It is the court's decision whether or not to order restitution as part of a sentence.

What do you need to do?

1. Document your financial loss as soon as possible after the crime and make copies of:
  - Bills for cost of repairs
  - Estimates for replacements
  - Records or copies of invoices
  - Pay stubs to help prove lost wages
  - Receipts
  - Any other documents that prove financial losses due to crime
2. Complete a Request for Restitution Form and return it and the above noted copies to Police as soon as possible to ensure the court has this information before sentencing. The Police forward your completed form to the Crown attorney.
3. Forward any additional information that may support your request to the Crown attorney's office.

How is the Restitution Order paid?

The judge can order restitution as part of Probation Order or Conditional Sentence Order, or as a stand-alone order. Restitution can be ordered immediately, or by a specific date, or according to a payment schedule. All restitution must be paid through the Court or online. The court sends you payments received on your behalf. To ensure you receive your payments, provide the Court with your updated contact information.

How can we help?

After restitution has been ordered, you can contact the restitution coordinator.

Our restitution coordinator can

- provide information and support to victims of crime after restitution is ordered
- answer questions, monitor court orders, and communicate with Courts, Corrections, and other criminal justice participants, as well as the offender to encourage the payment of restitution to the court
- assist with supporting victims in preparing documents for civil court processes as a way to get unpaid restitution

To request restitution: contact the police or your local Victim Services office to get the form and assistance.

### Sexual Offence Legal Representation (SOLR) Program

This program provides complainants in sexual offence cases with legal representation when court applications are made to seek evidence about their sexual activity or their medical or therapeutic records.

What do you need to do?

The defence lawyer for the accused must inform the Crown attorney if they are going to make an application for this type of information. The Crown attorney then informs you. When you are informed that this type of application is being made, you may tell the Crown attorney that you would like legal representation. The Crown attorney then sends a request form to the Halifax Victim Services office.

How can we help?

Once the request is approved, Victim Services contacts Nova Scotia Legal Aid to arrange for a lawyer to be assigned to represent your interests during the court application process. The cost for the lawyer's services are paid by the Department of Justice.

Talk to a Victim Services officer if you have questions about the program.

## Contact Us

### Dartmouth

Serving Halifax Regional Municipality  
277 Pleasant Street, Suite 306  
Dartmouth NS B2Y 4B7  
902-424-3307  
[vicservices-metro@novascotia.ca](mailto:vicservices-metro@novascotia.ca)

### Kentville

Serving Annapolis, Kings, West Hants, Lunenburg, Queens, Shelburne, Yarmouth, and Digby counties  
49 Cornwallis Street, Suite 204  
Kentville NS B4N 2E3  
902-679-6201  
1-800-565-1805  
[vicservices-west@novascotia.ca](mailto:vicservices-west@novascotia.ca)

### Pictou

Serving East Hants, Colchester, Cumberland, Pictou, and Antigonish counties  
290 West River Rd., PO Box 430  
Pictou NS B0K 1H0  
902-485-3580  
1-800-565-7912  
[vicservices-cent@novascotia.ca](mailto:vicservices-cent@novascotia.ca)

### Sydney

Serving Cape Breton, Guysborough, Richmond, Inverness, and Victoria counties  
136 Charlotte Street, 4th Floor, Suite 9  
Sydney NS B1P 1C3  
902-563-3655  
1-800-565-0071  
[vicservices-sydney@novascotia.ca](mailto:vicservices-sydney@novascotia.ca)

### Halifax Administration Office

902-424-3309  
1-888-470-0773  
Fax: 902-424-2056  
[vicservices-headoffice@novascotia.ca](mailto:vicservices-headoffice@novascotia.ca)

### Restitution Coordinator

902-424-8060  
[VICSERV-Restitution@novascotia.ca](mailto:VICSERV-Restitution@novascotia.ca)  
[novascotia.ca/just/victim\\_Services](http://novascotia.ca/just/victim_Services)