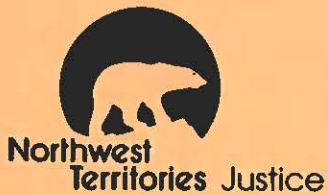


VICTIMS ASSISTANCE COMMITTEE

of the

Northwest Territories



Ninth Annual Report

April 1, 1997 - March 31, 1998

the 1990s, the number of people in the world who are under 15 years of age is expected to increase from 1.1 billion to 1.5 billion (United Nations 1998).

There are a number of reasons why the number of children in the world is increasing. One of the main reasons is that the number of children who are surviving to adulthood is increasing. This is due to a number of factors, including improved medical care, better nutrition, and a decrease in child mortality rates.

Another reason why the number of children in the world is increasing is that the number of children who are being born is increasing. This is due to a number of factors, including a decrease in the age at which women are having children, and an increase in the number of children who are being born to women who are already having children.

There are a number of challenges that are associated with the increasing number of children in the world. One of the main challenges is that there is a need for more resources to care for these children. This includes more schools, more teachers, and more social services.

Another challenge is that there is a need for more resources to care for the children who are most in need. This includes children who are living in poverty, children who are disabled, and children who are at risk of abuse and neglect.

There are a number of ways that we can address these challenges. One way is to increase the number of resources that are available to care for children. This can be done by increasing government spending on education and social services, and by encouraging private investment in these areas.

Another way to address these challenges is to focus on the children who are most in need. This can be done by providing targeted support to these children, such as through the provision of food, clothing, and shelter.

There are a number of other ways that we can address these challenges, including by increasing the number of people who are working in the education and social services sectors, and by increasing the number of people who are volunteering their time to help care for children.

The increasing number of children in the world is a challenge that we must address. By taking the steps that are outlined above, we can ensure that all children have the opportunity to live a healthy and happy life.

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June 29, 1998

The Honorable Goo Arlooktoo
Minister of Justice

Annual Report

The Victims Assistance Committee is pleased to present to you our annual report for the fiscal year ending March 31, 1998, in accordance with subsection 10(1) of the *Victims of Crime Act*.

During the year we recommended disbursements for community based projects or workshops dealing with victims issues. In addition we recommended three proposals related to the support and healing needs of former residential school students. We will, during this last year of our appointment, continue to give priority to the healing needs of former residential schools students and their communities.

Given the reality of decreasing revenues and increasing demand for funds to support the needs of victims of crime, we encourage and support applications which endeavor to seek partnership arrangements in project funding. All projects, whether jointly or singularly funded, require the development and maintenance of strong community support and programme accountability.

I wish to acknowledge the contribution from Alphonsine McNeely of Fort Good Hope and Julia Putilik of Chesterfield Inlet for their commitment and work during the year. It has been a pleasure to work with them.

Sincerely,



Gail Cyr
Chairperson
Victims Assistance Committee

STATEMENT OF BASIC PRINCIPLES OF JUSTICE FOR VICTIMS OF CRIME

(1988) In recognition of the United Nations Declaration of Basic Principles of Justice for Victims of Crime, Federal, Provincial and Territorial Ministers Responsible for Justice agree that the following principles should guide Canadian society in promoting access to justice, fair treatment and provision of assistance for victims of crime:

1. Victims should be treated with courtesy, compassion and with respect for their dignity and privacy and should suffer the minimum of necessary inconvenience from their involvement with the criminal justice system.
2. Victims should receive, through formal and informal procedures, prompt and fair redress for the harm which they have suffered.
3. Information regarding remedies and the mechanisms to obtain them should be made available to victims.
4. Information should be made available to victims about their participation in criminal proceedings and the scheduling, progress and ultimate disposition of the proceedings.
5. Where appropriate, the views and concerns of victims should be ascertained and assistance provided throughout the criminal process.
6. Where the personal interests of the victim are affected, the views or concerns of the victim should be brought to the attention of the court, where appropriate and consistent with criminal law and procedure.
7. Measures should be taken when necessary to ensure the safety of victims and their families and to protect them from intimidation and retaliation.
8. Enhanced training should be made available to sensitize criminal justice personnel to the needs and concerns of victims and guidelines developed, where appropriate, for this purpose.
9. Victims should be informed of the availability of health and social services and other relevant assistance so that they might continue to receive the necessary medical, psychological and social assistance through existing programs and services.
10. Victims should report the crime and co-operate with law enforcement authorities.

VICTIMS OF CRIME ACT

The *Victims of Crime Act* of the Northwest Territories establishes the Victims Assistance Fund and provides for the appointment of a Victims Assistance Committee.

VICTIMS ASSISTANCE FUND

The Fund is a special purpose contribution fund which generates its revenue from victim fine surcharge monies and is separate from the Department of Justice victims services budget.

Funding is available for short-term, community-based projects and activities which directly support or benefit victims of crime through:

- training (including conferences, workshops, courses and seminars) geared towards sensitizing and informing community resource workers as to the needs and circumstances of victims of crime;
- direct services which assist victims through crisis response, personal support, follow-up assistance, victim information, and referrals;
- public awareness and information on the rights and responsibilities of victims, available services, the criminal justice system and its procedures, and any issues relating to victims of crime; or
- research into and the distribution of information about services to victims and the needs and concerns of victims.

VICTIMS ASSISTANCE COMMITTEE

The Committee is appointed for three-year terms to make recommendations to the Minister of Justice on policies regarding the needs and concerns of victims of crime, and on the distribution of the Fund.

The Committee receives administrative and executive support from a departmental staff person who also works on implementation of victim initiatives for the Department.

COMMITTEE MEETINGS

The Committee met 14 times to review 31 proposals. The Minister approved recommendations from the Committee for contributions amounting to \$154,440.00. Actual contributions paid out in 1997/98, totaled \$139,133.00 from the Fund for 14 recipients, \$5,000.00 of which had been approved in 1996/97.

VICTIMS ASSISTANCE FUND
Statement of Revenue & Contributions
April 1, 1997 - March 31, 1998

REVENUE

Balance from 1996-97	\$327,870.10
Victim Fine Surcharges - Territorial	\$55,550.86
Victim Fine Surcharges - Federal	<u>\$42,397.19</u>
TOTAL	\$425,818.15

DISBURSEMENTS

Contributions (including one payment from '96/97)	<u>\$139,133.00</u>
TOTAL	\$139,133.00

BALANCE	\$286,685.15
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RECIPIENTS/ VICTIMS ASSISTANCE FUND
April 1, 1997 - March 31, 1998

YELLOWKNIFE ASSOCIATION FOR COMMUNITY LIVING* \$5,000
Direct Service Delivery - towards the costs to support NWT youth, with intellectual disabilities, to seek and maintain employment.

SURVIVORS TASIUQTIT (Igloodik) \$5,000
Promotion - towards the costs of a meeting regarding the assessment and implementation of healing strategies for survivors of the Chesterfield Inlet Residential School.

DELINE BAND COUNCIL (Deline) \$1,500
Training - towards the costs for the Coordinator of the Deline Justice Committee to attend the Aboriginal Justice Conference '97, June 16-19/97, Inuvik.

PEHDZEH KI FIRST NATION (Wrigley) \$4,000
Training/awareness - towards the costs of bringing two facilitators from the DCI to conduct an Adult Child of Alcoholics workshop for the members of the Justice Committee and the general public.

NOTES:

* The payment to the YK Association for Community Living is from a 96/97 commitment.

SAPPUJJIJIT FRIENDSHIP CENTRE (Rankin Inlet)	\$3,985
Training - towards the costs of training for victim support workers /volunteers of Rankin Inlet Support Services.	
INUVIK REGIONAL HEALTH BOARD	\$67,000
Direct Service - towards the costs for a salary and O & M for a Victims Advocate to provide support to persons impacted by the investigation into abuse at Grollier Hall.	
DEH GAH GOT'IE FIRST NATION (Fort Providence)	\$13,000
Information - towards the costs of a healing gathering for the survivors of the Sacred Heart Residential School, September 15 - 19, 1997, Fort Providence.	
NORTH SLAVE METIS ALLIANCE (Fort Rae & Yellowknife)	\$2,500
Awareness - towards the costs of Victim Wellness Workshops at the NSMA AGM, Aug. 1-3/97, Old Fort Rae.	
HAMLET OF CAPE DORSET	\$8,000
Direct Service - towards the costs to staff and operate the Tukkuvik Women's Shelter, a shelter for victims of family violence.	
YWCA (Yellowknife)	\$2,209
Awareness/Information - towards the costs to send 3 youth victims of family violence and one chaperone to the Dreamcatcher's '97 Conference, Edmonton, October 24-26, 1997.	
INUVIK TRANSITION HOUSE SOCIETY	\$6,445
Training - towards the costs for a 5 day training workshop for NWT shelter workers, Yellowknife, October 20-24, 1997.	
SOARING EAGLE FRIENDSHIP CENTRE (Hay River)	\$15,000
Direct Service - towards the costs for salary & O & M to administer a Victim Assistance Program in Hay River.	
BEHDZI AHDA" FIRST NATION (Colville Lake)	\$3,000
Training - towards the cost to send one chaperone and 3 youth to the Dreamcatcher's '97 Conference, Edmonton, October 24-26, 1997.	
NATIVE WOMEN'S ASSOCIATION OF THE NWT (Yellowknife)	\$2,494
Training - towards the cost to send the coordinator and two volunteers from Yellowknife Victim Services to attend the "Trauma and Community National Conference " in Vancouver, December 4-6, 1997.	

VICTIMS OF CRIME ACT

LOI SUR LES VICTIMES D'ACTES CRIMINELS

INTERPRETATION

DÉFINITIONS

Definitions	<p>1. In this Act,</p> <p>"Committee" means the Victims Assistance Committee established by subsection 2(1); (<i>Comité</i>)</p> <p>"Fund" means the Victims Assistance Fund established by subsection 11(1); (<i>Fonds</i>)</p> <p>"judge" means a judge of the Supreme Court, a territorial judge and a justice of the peace; (<i>juge</i>)</p> <p>"victims" means persons who, individually or collectively, have suffered harm, including</p> <ul style="list-style-type: none">(a) physical or mental injury,(b) emotional suffering,(c) economic loss, or(d) substantial impairment of their fundamental rights, <p>through acts or omissions that are in violation of criminal laws or laws that have penal consequences, regardless of whether the perpetrator is identified, apprehended, prosecuted or convicted, and includes, persons who have suffered harm in intervening to assist victims in distress or to prevent victimization and, where appropriate, the immediate family or dependants of the direct victims. (<i>victimes</i>)</p>		
		1. Les définitions qui suivent s'appliquent à la présente loi.	Définitions
		«Comité» Le Comité d'aide aux victimes créé en vertu du paragraphe 2(1). (<i>Committee</i>)	
		«Fonds» Le Fonds d'aide aux victimes créé en vertu du paragraphe 11(1). (<i>Fund</i>)	
		«juge» Les juges de la Cour suprême, les juges territoriaux et les juges de paix. (<i>judge</i>)	
		«victimes» Les personnes qui, individuellement ou collectivement, ont subi un préjudice, y compris:	
		a) des blessures physiques ou morales;	
		b) des souffrances émotives;	
		c) des pertes économiques;	
		d) des atteintes importantes à leurs droits fondamentaux.	
		Le préjudice doit avoir été subi par suite d'actes ou d'omissions qui constituent une violation du droit pénal ou de lois ayant des conséquences pénales, que l'auteur de l'infraction soit identifié, appréhendé, poursuivi, condamné ou non. Sont assimilées aux victimes, les personnes qui ont subi un préjudice en intervenant pour aider les victimes en détresse ou pour empêcher qu'il y ait des victimes et, le cas échéant, la famille immédiate ou les personnes à charge des victimes directes. (<i>victims</i>)	

VICTIMS ASSISTANCE COMMITTEE

COMITÉ D'AIDE AUX VICTIMES

Establishment of Committee	2. (1) A committee called the Victims Assistance Committee is established.	2. (1) Est créé le Comité d'aide aux victimes.	Création du Comité
Composition and appointment	(2) The Committee shall be composed of three members who shall be appointed by the Minister.	(2) Le Comité est composé de trois membres que nomme le ministre.	Nomination
Term	(3) The term of each member of the Committee shall not exceed three years, as specified in the appointment.	(3) Le mandat maximal de chaque membre du Comité est de trois ans, comme l'indique l'acte de nomination.	Durée du mandat

Honarium	(4) The members of the Committee may be paid an honorarium in an amount determined by the Minister.	(4) Le ministre fixe les honoraires des membres du Comité.	Honoraires
Quorum	(5) Two members of the Committee constitute a quorum.	(5) Le quorum est constitué par deux membres du Comité.	Quorum
Chairperson	3. The Minister shall designate one of the members as chairperson of the Committee.	3. Le ministre désigne parmi les membres le président du Comité.	Président
Conflict of interest	4. (1) A member of the Committee who is associated with a person, organization or institution that is being considered for funding under section 7 shall disclose that association.	4. (1) Le membre du Comité qui est lié à une personne, à une organisation ou à une institution dont la demande de financement au titre de l'article 7 est à l'étude divulgue ce fait.	Conflit d'intérêts
Power of member to vote	(2) A member referred to in subsection (1) may vote on any question relating to a proposed recommendation of the Committee unless the member has a direct pecuniary interest in the funding.	(2) Le membre visé au paragraphe (1) peut voter sur toute question touchant un projet de recommandation du Comité, à moins qu'il ait un intérêt pécuniaire direct dans le financement.	Droit de vote
Promotion of services to victims	5. The Committee shall promote (a) courteous and compassionate treatment of victims; (b) prompt redress for victims, through civil and criminal law procedures, for the harm that they have suffered; (c) the availability of information to a victim about (i) the scope, nature, timing and progress of the prosecution of the offence in which he or she was a victim, (ii) the role of the victim in the court proceeding, (iii) the remedies and the social, legal, medical and mental health services available to the victim and the mechanisms to obtain access to them, and (iv) the responsibility of the victim to report the crime and co-operate with law enforcement authorities; (d) research into and the distribution of information about services to victims and the needs and concerns of victims; (e) assistance to victims in bringing their views and concerns to the attention of the court where their personal interests are affected, and where it is consistent with criminal law and procedure;	5. Le Comité fait la promotion : a) d'un traitement des victimes fondé sur la courtoisie et la compréhension; b) d'une réparation civile ou pénale rapide à l'intention des victimes pour le préjudice qu'elles ont subi; c) de l'accès des victimes aux renseignements touchant : (i) l'étendue, la nature, la date et l'heure, ainsi que l'état d'avancement des poursuites relatives à l'infraction dans laquelle elles étaient victimes, (ii) le rôle des victimes dans les procédures judiciaires, (iii) les recours et les services sociaux, juridiques, médicaux et mentaux dont peuvent bénéficier les victimes et les mécanismes pour les obtenir, (iv) la responsabilité des victimes de signaler le crime et de coopérer avec les autorités chargées de l'application de la loi; d) de la recherche et de la diffusion de renseignements touchant les services aux victimes, les besoins et les préoccupations des victimes; e) de l'aide aux victimes en attirant l'attention du tribunal sur leurs points de vue et leurs préoccupations lorsque leurs intérêts personnels sont en jeu et que le droit pénal et la procédure le permettent;	Promotion des services aux victimes

- (a) in an amount to be determined by multiplying the amount of the fine or penalty that is imposed on the person for the offence by a percentage, not to exceed 20%, that is prescribed; or
- (b) in the amount of \$25, where no fine is imposed on the person for the offence.

- a) ou bien établi en multipliant le montant de l'amende ou de la pénalité à laquelle la personne est condamnée relativement à l'infraction par un pourcentage maximal de 20 %, prescrit par règlement;
- b) ou bien de 25 \$, si la personne n'a été condamnée à aucune amende relativement à l'infraction.

Payment priorities

(2) Where a person pays only a portion of a fine and surcharge that must be paid under paragraph (1)(a), the payment received must be applied

- (a) first, in payment of the surcharge; and
- (b) second, in payment of the fine.

(2) Lorsqu'une personne ne paie qu'une partie de l'amende ou du montant supplémentaire qui doit être payé en vertu de l'alinéa (1)a), la somme reçue doit être affectée en premier lieu, au paiement du montant supplémentaire et, en second lieu, au paiement de l'amende.

Affectation

Exception

(3) A judge may waive or reduce the surcharge where

- (a) the judge has convicted a person of an offence under an enactment; and
- (b) the person establishes to the satisfaction of the judge that the surcharge would result in undue hardship to the person.

(3) Un juge ayant reconnu une personne coupable d'une infraction à un texte et celle-ci lui ayant prouvé que le montant supplémentaire lui causerait un préjudice indû peut l'en dispenser ou le réduire.

Exception

Reasons for waiving or reducing surcharge

(4) Where the judge waives or reduces the surcharge, the judge shall

- (a) provide the reasons why the surcharge is being waived or reduced; and
- (b) enter the reasons in the record of the proceedings or, where the proceedings are not recorded, provide written reasons.

(4) Le juge qui accorde une dispense du montant supplémentaire ou le réduit :

- a) motive sa décision;
- b) inscrit les motifs dans le dossier de l'instance ou, si les procédures ne sont pas enregistrées, donne les motifs par écrit.

Motifs de dispense ou de réduction

Enforcement

(5) Subject to this Act, the provisions of the *Summary Conviction Procedures Act* and regulations made under that Act respecting payment of a fine or penalty and imprisonment in default of payment of a fine or penalty apply, with such modifications as the circumstances require, to payment of a surcharge.

(5) Sous réserve des autres dispositions de la présente loi, les dispositions de la *Loi sur les poursuites par procédure sommaire* et des règlements de cette loi qui ont trait au paiement d'une amende ou d'une pénalité et à l'emprisonnement à défaut de paiement s'appliquent, compte tenu des adaptations de circonstance, au paiement d'un montant supplémentaire.

Exécution

Work option

(6) No person shall discharge all or any part of a surcharge by means of a work option as defined in the *Fine Option Act*.

(6) Nul ne peut acquitter la totalité ou une partie d'un montant supplémentaire par des travaux compensatoires au sens de la *Loi sur le programme de travaux compensatoires*.

Idem

Payment into Fund	<p>13. (1) Subject to subsection (2), money that is received for or otherwise credited to the Fund, including</p> <p style="margin-left: 40px;">(a) the surcharge when collected, and</p> <p style="margin-left: 40px;">(b) any money from a person or source made payable to the Fund,</p> <p>must be paid to the Minister for the account of the Fund.</p>	<p>13. (1) Sous réserve du paragraphe (2), doivent être payées au ministre pour le compte du Fonds les sommes reçues pour versement dans le Fonds ou qui sont autrement créditées au Fonds, y compris :</p> <p style="margin-left: 40px;">a) le montant supplémentaire recouvré;</p> <p style="margin-left: 40px;">b) toute somme provenant d'une personne ou d'une autre source et qui est payable au Fonds.</p>	Versement dans le Fonds
<i>Idem</i>	<p>(2) Money that is received from the Government of Canada in accordance with an agreement entered into under section 19, may be deposited to the account of the Fund at the discretion of the Minister.</p>	<p>(2) L'argent reçu du gouvernement du Canada en conformité avec un accord conclu en application de l'article 19 peut être déposé au compte du Fonds, à la discrétion du ministre.</p>	<i>Idem</i>
Money held in trust	<p>(3) The Fund shall be held in an account forming part of the Consolidated Revenue Fund, in trust for the purposes of this Act.</p>	<p>(3) Pour l'application de la présente loi, les sommes versées au Fonds sont gardées en fiducie dans un compte faisant partie du Trésor.</p>	Argent gardé en fiducie
Disbursements from Fund	<p>14. (1) The Minister may authorize disbursements from the Fund for</p> <p style="margin-left: 40px;">(a) promotion and delivery of services to victims;</p> <p style="margin-left: 40px;">(b) research into services to victims and needs and concerns of victims;</p> <p style="margin-left: 40px;">(c) distribution of information respecting services to victims and needs and concerns of victims;</p> <p style="margin-left: 40px;">(d) remuneration of members of the Committee for their services and for reimbursement of reasonable expenses incurred on behalf of the Committee; and</p> <p style="margin-left: 40px;">(e) any other purpose the Minister considers necessary for carrying out the purposes of this Act.</p>	<p>14. (1) Le ministre peut autoriser des débours pour les besoins suivants :</p> <p style="margin-left: 40px;">a) la promotion et la fourniture de services aux victimes;</p> <p style="margin-left: 40px;">b) la recherche relative aux services aux victimes, ainsi qu'aux besoins et aux préoccupations des victimes;</p> <p style="margin-left: 40px;">c) la diffusion de renseignements concernant les services aux victimes, ainsi que les besoins et préoccupations des victimes;</p> <p style="margin-left: 40px;">d) la rémunération des membres du Comité pour leurs services et le remboursement des dépenses raisonnables exposées pour le compte du Comité;</p> <p style="margin-left: 40px;">e) tout autre besoin que le ministre juge nécessaire pour l'application de la présente loi.</p>	Décaissements
Trust conditions	<p>(2) Money received into the Fund subject to trust conditions must be disbursed according to those conditions.</p>	<p>(2) Les sommes reçues pour versement au Fonds à certaines conditions doivent être déboursées en conformité avec ces conditions.</p>	Conditions
Recommendations of Committee	<p>(3) The Minister shall consider the recommendations of the Committee before authorizing disbursements under subsection (1).</p>	<p>(3) Avant d'autoriser un débours en vertu du paragraphe (1), le ministre prend en considération les recommandations du Comité.</p>	Recommandations du Comité
Disbursements from Fund	<p>(4) No disbursements shall be made from the Fund unless authorized under subsection (1).</p>	<p>(4) Tout débours est assujéti à l'autorisation prévue au paragraphe (1).</p>	Décaissements
Limitation	<p>(5) Disbursements made from the Fund shall be limited to the amount of money in the Fund.</p>	<p>(5) Les débours sont limités au montant qui se trouve dans le Fonds.</p>	<i>Idem</i>

Direct compensation	15. The Fund shall not be used to provide direct financial compensation to individual victims.	15. Le Fonds ne peut servir à l'indemnisation financière directe des victimes.	Aucune indemnisation directe
Investment of excess moneys	16. If at any time the balance to the credit of the Fund or the amount received subject to trust conditions is in excess of the amount that is required for the immediate purposes of this Act or the trust conditions, the Minister may invest the excess in a manner authorized by the <i>Financial Administration Act</i> and any income shall be credited to the Fund.	16. Si, à un moment donné, le solde du Fonds ou le montant reçu en fiducie sous conditions dépasse le montant nécessaire pour les besoins immédiats de la présente loi ou les conditions de la fiducie, le ministre peut placer l'excédent de la façon autorisée par la <i>Loi sur la gestion des finances publiques</i> et tout revenu est versé au crédit du Fonds.	Placement des sommes excédentaires
Fiscal year	17. The fiscal year of the Fund is the period beginning on April 1 in one year and ending on March 31 in the following year.	17. L'exercice du Fonds commence le 1^{er} avril et se termine le 31 mars de l'année suivante.	Exercice

GENERAL

DISPOSITIONS GÉNÉRALES

Creation of cause of action or right	18. This Act does not create any civil cause of action, right to damages or any right of appeal on behalf of any person.	18. La présente loi ne crée aucune cause d'action civile, aucun droit à des dommages-intérêts ni aucun droit d'appel au bénéfice de qui que ce soit.	Aucune cause d'action ou droit
Agreements	19. The Minister, on behalf of the Government of the Northwest Territories, may enter into agreements with the Government of Canada respecting funding to assist victims and for the carrying out of the purposes of this Act.	19. Pour le compte du gouvernement des Territoires du Nord-Ouest, le ministre peut conclure avec le gouvernement du Canada des accords concernant le financement de l'aide aux victimes et la mise en oeuvre de la présente loi.	Accords
Regulations	20. The Commissioner, on the recommendation of the Minister, may make regulations (a) prescribing the percentage for the purpose of determining the amount of the surcharge; and (b) for carrying out the purposes and provisions of this Act.	20. Sur recommandation du ministre, le commissaire peut, par règlement : a) fixer le pourcentage applicable pour déterminer le montant supplémentaire; b) prendre toute autre mesure d'application de la présente loi.	Règlements







