

*Criminal Code*

little or sketchy information about the decisions which are taken and which concern them.

Second, the need for assistance and support. The victims often ask for concrete assistance and support which existing services are not always in a position to give them. When such services already exist, the necessary mechanisms to make them available and readily accessible are not always adequate. The victims, particularly when they are still under the shock of criminal action, cannot always obtain the services they seek.

Third, ever more victims are asking for the right to participate in the criminal process and to be consulted when decisions which affect them are taken by those who are in charge of the system. They do not understand why they should be excluded from the legal process, and why their claims should not be taken into account.

Many consultations were proposed to meet the needs of victims of crimes. Several people have suggested that new resources should be allocated for the establishment of adequate services for such victim? Others suggest that the people involved in the administration of justice deliberately should accept to review their own practices and attitudes towards the victims. Others want a formal recognition of the rights of victims. Many of those proposals are interesting, but how are the trade-offs to be made? How are we to ensure that the efforts and resources invested in that area will bear fruit and give victims the maximum support? In such a complex matter, we would be remiss if we were to be led haphazardly by proposals and pressures that go against the penal system. Provincial programs for the compensation of victims of crime have been in place for a number of years and the Canadian government has been financially involved.

Besides, and on the initiative especially of women's groups, specialized services have been developed to assist victims of violence in the home and of sexual aggression. Also, with our growing awareness of the extent and significance of the problem of battered children, assistance programs have been developed in that area. More recently, a number of pilot projects have been launched to meet the needs of other groups of victims, on top of the more general types of services that social assistance networks already were in a position to offer, both to the victims and to the citizens at large. However, a review of the services currently available to victims of crime clearly points to the lack of consultation between those services themselves on the one hand and with the criminal justice system on the other. Many of those services have been developed haphazardly, without consultation and especially without an overall and concrete management policy in that area. The lack of such an overall policy has important implications, both for the victims and the criminal justice system. Too many efforts and resources have been squandered in vain by well-intentioned people, for lack of effective co-ordination between the various initiatives. The services whose value and necessity have been acknowledged are in such a bad financial situation that they have been brought to a standstill. The development of a comprehensive policy in that field is therefore a priority. It

is a fact which has been recognized by all Canadians ministers in charge of Justice. They have reconvened a federal-provincial task force to consider the whole question. Now that task force should table its report early this summer. It is apparently quite important to try and take advantage of the information gathered and of the recommendations proceeding therefrom. We therefore suggest that we should wait for that report before proceeding with the consideration of this Bill.

[English]

**Ms. Lynn McDonald (Broadview-Greenwood):** Mr. Speaker, I rise to support Bill C-682.

**Some Hon. Members:** Hear, hear!

**Ms. McDonald:** I think it is very important to have this question discussed. There are certain points that could be approved but the general thrust of the legislation is good. Victims are indeed the ignored people in our criminal justice system. This has been pointed out year after year by citizens and by all kinds of groups. The frustration of victims has been pointed out in dealing with the criminal justice system. We have survey information which shows that victims are not well treated. They are confused and they feel that their needs, with good reason, are not being met. It is, therefore, important to address this question.

There are a few points about which I want to raise some questions. First, let me talk about the question of compensation. Clearly there will be difficulties if the offender is in prison. In no way can the prisoner, from the pittance that he is able to earn while incarcerated, pay any compensation ordered. There will also be problems for an offender who is not able to pay, in the loss of a house, for example. If a judgment is entered against an offender, it could be that the wife and children will suffer. Clearly justice will not be advanced in such a case if the wife and children are innocent and have had nothing to do with the offender's action, as is most likely. Indeed, they themselves may be victims of other crimes. It will be entirely inappropriate to make innocent people suffer. This then is a matter that we must ensure is dealt with with a great deal of care.

The question about interfering in the sentencing process generally is a very complex one. I would like to remind the House that very frequently good intentions lead to unexpected results and to results at variance with what was intended. I raise the specific example of diversion projects. We have had all kinds of diversion projects in many Provinces that are intended to see that our overcrowded jails do not become more overcrowded but divert people out of the criminal justice system, especially out of our institutions, and into other forms of community treatment through community service orders. In other words, we seek alternative sentences that would attempt in a very fundamental way to redress the wrong that is done in a way that is satisfactory to victims. These are important considerations, very valid ones and ones certainly similar to the general thrust of the Bill before us. However, what happens