

*Criminal Code*

and information on specified topics. This guideline would apply to the police who could only comply if the necessary services existed within the particular community. Such a guideline would have to be considered by the provincial Attorneys General.

Paragraph (b) calls for notifying a victim or witness of measures that the police can take to protect them from intimidation by the offender. Although this is a problem in the United States, we have little evidence of its magnitude in Canada. A victim only needs to be told to report any threat or act of intimidation to the police. This guideline would also require the consideration of the provincial Attorneys General.

The next two paragraphs call for notifying the victim and witnesses of changes in the dates of their appearances in court and of the dates of various stages of the criminal process from arrest to the date of sentence. These matters are part of the administration of justice and are the domain of the Provinces. Thus, the provincial Attorneys General will have to consider them.

Paragraph (e) concerns consultations between the victim and the federal Crown prosecutor. I assume that the Hon. Member intended to say prosecutor since Criminal Code offences are prosecuted by provincial Attorneys General. This guideline requires the prosecutor to obtain the views of the victim or his family on the disposition of the case, dismissal of charges, bail if granted, plea bargaining, etc. We understand that in serious cases, Crown attorneys do consult with the victim on certain of these matters. Of course this should be encouraged.

I would think, Mr. Speaker, that a more effective way of finding out how the victim feels is to include a victim impact statement as part of the pre-sentence report presented to the sentencing judge. This statement would be one of the many factors considered by the judge in imposing sentence on the convicted offender. It would give the victim a chance to tell the judge the extent of the injury, damage or loss which he has suffered by the actions of the accused. The victim could also express his own views on what he thinks the appropriate sentence should be. This would increase the feeling on the part of the victim of having an active role in the process, a role that, until now, seems to have virtually been ignored.

Other proposals for separate waiting areas for victims and Crown witnesses, for the training of police in victim assistance and for the provision of certain services, are again the responsibility of the provincial Attorneys General as part of the administration of justice in the Provinces.

Finally, notifying employers and creditors of the problem that the victim or witness may face has not been seen in Canada to be a concern of victims. Guidelines which propose the prompt return of property are being examined by the Minister of Justice as part of the package he intends to present to the House after he reviews the recommendations of the task force.

The final Clause of the Hon. Member's Bill disallows a cause of action against the Crown as a result of a breach of the provisions of the Bill. This is another clause that is borrowed

from American law, but it is not applicable in Canada since the proposed guidelines do not fall within the scope of the federal criminal law power.

In conclusion, Mr. Speaker, the subject of assistance to victims is a matter of high priority for the Minister of Justice, and I am sure that he would agree with me that it should also be dealt with on a non-partisan basis. I applaud and support the Hon. Member in this initiative.

The sentencing reform package, which will be presented to Parliament by the Minister of Justice this Fall, will include specific amendments to the Criminal Code designed to provide for greater use of restitution and compensation to assist the victims of crime. It is only by dealing with the matter in a comprehensive way that our efforts will be effective in providing the kind of help that victims need.

I wish to thank the Hon. Member for Edmonton-Strathcona (Mr. Kilgour) for bringing to our attention the very real problem that victims face. For too long we as a society have shown an over-abundance of concern for the criminal but, in a large part, have ignored the innocent victim. Mr. Speaker, we should wait for the task force report and the proposals of the Minister of Justice.

**Mr. Howard Crosby (Halifax West):** Mr. Speaker, I would like to join in the debate on the Bill introduced by the Hon. Member for Edmonton-Strathcona (Mr. Kilgour), Bill C-682, and support not only the provisions which have been incorporated in the Bill, but the spirit of those provisions. We in Canada have suffered under the duality of a criminal justice system that allows the Parliament of Canada to enact the laws applicable to crime in Canada and require the provincial authorities to administer those laws. As a result, there is very little unity in the criminal justice system in Canada, which results particularly in situations that this Bill seeks to remedy, namely, the situation in which the victims of crime find themselves in Canada.

We have just seen evidence in the remarks of the Parliamentary Secretary to the Minister of National Revenue (Mr. Bloomfield) of the fact that this duality prevents the necessary action from being taken by either one of the jurisdictions. I believe the Bill introduced by the Hon. Member for Edmonton-Strathcona goes right to the heart of that problem. It does very important things, Mr. Speaker. It contains specific provisions whereby the victim of a specific crime brought before a court for which a person is convicted and receive, by an order of that court, every specific compensation. I find it hard to believe that any Member of the House of Commons would quarrel with that kind of a provision.

Even more important, the Bill would force federal administrators and provincial administrators to get together and find a method and a system for assisting victims of crime through the labyrinth of the criminal process. The best kind of crime prevention, Mr. Speaker, is a system which ensures that criminals are apprehended and prosecuted before the courts and dealt with in accordance with the applicable laws. In other