

b. Use of Victim Impact Statements (and Other Sentencing Information) by Correctional Authorities

In addition to providing valuable information to sentencing judges and releasing authorities, victim impact statements are of importance also to offenders themselves and to members of correctional staff who work with them.

Victim impact statements, together with other sentencing information, should be forwarded to correctional authorities in order to assist them in making the most sensible case management decisions about offenders. They should also be used to assist case management workers and others working closely with offenders in helping the offenders come to terms with their offences and to acknowledge responsibility for them, where they have not already done so.

Paradoxically, correctional systems often have great difficulty obtaining from courts what would appear to be the most basic information about offenders and their offences. Proceedings on sentencing (which may include the gist of a victim impact statement) are not generally transcribed unless there is an appeal. Yet it is unlikely that a full and proper administration of the sentence can take place without a clear understanding of the offence which occurred and the purpose of the sentence.

As a result of several murders committed in recent years by federal offenders on conditional release, greater efforts are now made by federal correctional authorities to obtain sentencing information and reasons, where they exist. (In addition, of course, victims may always make written submissions directly to correctional and release authorities about individual offenders.) It is not clear what sentencing information, if any, probation officers and provincial institutions receive where pre-sentence reports have not been prepared. The Canadian Sentencing Commission recommended that judges provide written reasons in some circumstances and that a transcript of the sentencing judgement be made available to the authorities involved in the administration of the sentence (Rec. 11.1 and 12.3).

The Committee believes that the routine transcription of the proceedings of sentencing hearings and the transmission to correctional authorities of such transcripts and exhibits filed would assist correctional authorities in placement and program decisions, as well as pre-release