

# You are not alone

A parent's guide to helping  
youth victims of crime



New Brunswick  
Nouveau Brunswick  
Be...in this place • Être...ici on le peut

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This pamphlet does not contain a complete statement of the law in this area and laws change from time to time. Anyone needing advice on his or her specific legal position should consult a lawyer.

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## Table of Contents

Introduction	1
Reporting Crime to the Police	2
Be Strong and Be Supportive	4
Contact the Department of Public Safety Victim Services	5
Being Prepared for Court	7
Going to Court	9
Following up with Victim Services	11
Registering for Ongoing Victim Notification	13
Resources	15

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A parent's guide to helping youth victims of crime



## Introduction

As the parent or guardian of a youth who has been the victim of a crime, you may have many questions about your role and how to best support your child through the criminal justice process. The Department of Public Safety, Victim Services Program can help you, and your child, understand the criminal justice system. They will work with your teen to prepare him/her for their important role as a witness in court.

### About this Guide:

This guide is a companion to the DVD *You are Not Alone – Be supported through difficult times*. The DVD is a dramatization of the ways Victim Services can assist teen victims dealing with the typical concerns teens have when they are expected to testify in court. This guide will provide helpful tips, information and resources for parents supporting a child who has been the victim of a crime.



**Note:** While the DVD and this guide focus on resources for teens, there are a number of services and resources available for young children and their parents.

Contact your local Victim Services Office to learn about the services they provide for children under 12 years of age.

## Reporting Crime to the Police

**What should I do if my child is the victim of a crime or was a witness to a crime?**

### • Be supportive

You may be shocked and upset when your child tells you they were the victim of a crime. Try to stay calm and listen carefully. Your teen may feel responsible for being victimized; perhaps he/she made poor decisions or became involved in risky situations. Avoid blaming or being judgmental. For many youth it takes courage to report a crime and talking to you about it is an important step.

### • Call the police

If your child is the victim of a crime, or has witnessed a crime, you should contact your local police or RCMP detachment. They may send an officer to speak with your child or may ask you to bring your child to the police station.

**What if I suspect my child, or another teen, has been the victim of abuse?**

Child abuse happens when somebody or some situation threatens the development, security and survival of a child. Many forms of abuse are criminal in nature. In New Brunswick, the *Family Services Act* and the *Child Victims of Abuse and Neglect Protocols* outline a variety of situations in which abuse and neglect may happen.

**Everyone** has a legal obligation to report a suspicion of abuse of a child or teenager under the age of 16. If your child has been abused or you suspect another child may have been abused, you have a duty to report the crime to Child Protection Services or the police even if your child does not want you to.

- Contact Child Protection Services toll-free at: 1-888-992-2873 (A B U S E), after hours: 1-800-442-9799
- In an emergency call the police – 911

# You are not alone

A parent's guide to helping youth victims of crime



## Can I be in the room when the police are talking to my child?

You want to be there for your child in difficult times, and in most cases, you can be with your child when he/she is speaking to the police. However, there may be situations where your teen may be more comfortable providing police with details of the crime without a parent present. In other situations, you may also be a victim or witness and it may not be appropriate to have you sit with your child while the police ask questions about the crime. Some police and RCMP detachments have trained staff to assist victims when they report crimes to the police.

## What if my teen wants to have the charges dropped at a later date?

It is important to understand that once a crime has been reported to the police, it is not always possible to drop the charges. Your child can receive a subpoena to appear in court even if he/she is reluctant to testify. The Department of Public Safety, Victim Services can help your child deal with anxiety or fear about testifying.

## What if my child has fears or concerns about retaliation?

You may be concerned because your child has received threats or is afraid of retaliation for reporting a crime to the police. If you are concerned about your child's safety at any point during the criminal justice process, talk to the police about the options available to keep your child safe. You should immediately report any threats to the police.

## Be Strong and Be Supportive

### How can I prepare to support my child through the court process?

You probably have many questions and concerns about the court process and the impact being a witness will have on your child. Talk to a Victim Services Coordinator or the Crown Prosecutor about what will happen in the courtroom, the support available to your child and your role in preparing and supporting your child.

Showing your support is the first step in helping your child through the court process. Your teen will be counting on you. Try to stay calm and keep a positive attitude when talking about going to court.

Your child will look to you for strength. Find support for yourself so you can support your child. Parents experience fear, anger, and other emotional distress when a child suffers trauma as the victim of a crime. Find friends, family members or a counselor to share your concerns and to provide you with emotional support. Whenever possible, try to shield your child from your anger, disappointment or frustration.

It can be especially challenging to support your child if you are dealing with your own trauma and fears as a victim or witness to the crime. Talk to the Victim Services Coordinator about counselling and other services available in your community.



# You are not alone

A parent's guide to helping youth victims of crime



## Contact the Department of Public Safety Victim Services

### How can I access the support and programs of Victim Services?

Once your child has reported a crime, you may receive a referral card from the RCMP or local police. The police may also send a referral to the Victim Services Office and a Victim Services Coordinator may contact you to offer support services. You can also access the services available to your child by contacting Victim Services directly.

*Find the contact information for your local Victim Services office at the back of this guide and call to set up an appointment.*

### What services are available from Victim Services?

Victim Services offers a range of support services to help victims prepare and cope with the stress of going to court. The Victim Services Coordinator will meet with you and your child together to discuss your child's concerns and the support options available. The Coordinator may wish to speak to you alone about your concerns, the court process, and your child's specific needs. The Coordinator may set up an appointment for you without your child.

Victim Services can assist victims of crime by

- Providing information on the court process
- Keeping victims informed about the status of the case
- Explaining who will be in the courtroom and the important role of a witness
- Providing trained staff or volunteers to support the victim during the trial
- Explaining how to complete a Victim Impact Statement and how it will be used in the sentencing hearing
- Providing referrals or information on other services such as counselling and compensation funds

### What if my child is too upset or afraid to testify in court?

People cope with the stress and trauma of victimization in different ways. Victim Services can arrange for a limited amount of trauma counselling to help emotionally prepare your child for court. Your child should not feel pressured or forced into counselling. The Victim Services Coordinator will ask for your consent before making a referral, however, youth age 16 years and over can make decisions about attending or refusing counselling without their parent's consent.



### What if I have to pay expenses for my child as a result of the crime?

New Brunswick Department of Public Safety manages a Compensation for Victims of Crime Program to cover certain types of expenses. The Coordinator can explain the criteria for eligibility, the types of claims funded and the process for applying for these funds.

# You are not alone

A parent's guide to helping youth victims of crime



## Being Prepared for Court

### How can I help my child prepare for the trial and the role of a witness in court?

You and your teen may have fears or concerns about what will happen in court. Victim Services can inform and work with parents to ensure their children have all the information and support they need.

Here are some ways you can help your child prepare to testify in court.

- Discuss what it means to be a victim or witness. Avoid discussing how they will answer questions in court. Only the police or Crown Prosecutor should question victims or witnesses about their testimony.
- Be prepared for delays and explain that it may take a long time to get to court.
- Try to help your child prepare emotionally. It is common for victims to feel nervous about testifying in court. Counselling may be available through Victim Services to help reduce the stress and anxiety your child is experiencing.
- Ask if it is possible for you and your child to meet with the Crown Prosecutor to review the statement your child gave to the police and to discuss the types of questions that may be asked.
- Do not have your child practice what they will say in court and do not coach your child on how you think they should answer questions. You cannot know for certain what questions will be asked and it is best if the testimony does not sound scripted or rehearsed.
- Talk to your child ahead of time about the possibility of being disappointed in the verdict or the sentence. The Crown Prosecutor can explain what is required to prove the accused is guilty and the types of sentences normally associated with the offences.

### Does my child have to face the accused person in court?

If your child is concerned about facing the accused in court, speak to the Victim Services Coordinator or Crown Prosecutor. They can explain the use of testimonial aids such as screens or closed-circuit television. Choosing to use these tools may make it easier for your child to testify in court.

A **screen** is a barrier that is placed in front of the victim to block their view of the courtroom. Although the victim can only see the judge, the people in the courtroom can see the victim.

**Closed Circuit TV** is equipment that allows two-way communication, both visual and oral, between a victim who is testifying from a special room outside the courtroom and the people in the courtroom.

### Will my child's name be used in the media?

The Court will automatically issue a *publication ban* for witnesses under 18 years of age to prevent the media from using any information that could identify a victim or witness.

**Check the Resources section of this guide for more information on the protections available to vulnerable victims of crime.**



# You are not alone

A parent's guide to helping youth victims of crime



## Going to Court

### What information should my child have about going to court?

For many victims, the day of their testimony is the first time they have attended a court proceeding. The Victim Services Coordinator can explain courtroom protocol and answer questions you or your child may have.



You may wish to review the following information with your child as the court date approaches:

- When the judge enters the courtroom, a court official calls the room to order and everyone must remain standing until the judge sits.
- You must also stand when you are addressing the Court or when the judge is speaking to you.
- If you do not know where to stand or sit, a court official will tell you where you should be in the courtroom.
- Be polite and respectful. Call the judge in Provincial Court "Your Honour". In Court of Queen's Bench, the judge is referred to as "Madam Justice" or "Mr. Justice".
- Court is a serious occasion and you should dress appropriately for the courtroom.
- Speak clearly and only when it is your turn to talk.
- There are some things that are not allowed in court such as food, beverages, chewing gum and wearing a hat.
- Remember to turn off cell phones and portable music devices.

### Where should I be when my child is testifying in court?

Your child may find it comforting to have you in the courtroom when testifying. However, there are situations where it may not be appropriate, or may make it more difficult for your child to testify with you in the courtroom.

If you have also been a witness to the crime you may be asked to leave the courtroom when other witnesses are testifying. This is to avoid having what someone else says impact your testimony.

Where the offence is sexual in nature, your child may find it embarrassing to talk openly about the details of the crime when one or both parents are in the courtroom. **Consider asking your child if he/she would prefer if you stepped out of the courtroom for the testimony.** Let your child know he/she has your support regardless of your presence in the courtroom.

### Will my child have someone beside him/her when giving testimony?

Victim Services will explain the options for having a Victim Services Coordinator, trained volunteer, friend, or family member approved as a support person to stand by your child while testifying.



*Check out the Resources section of this guide for more information on the support available to vulnerable victims.*

# You are not alone

A parent's guide to helping youth victims of crime



## Following up with Victim Services

### What happens after the trial?

Victim Services will arrange for a follow-up meeting after the trial. The Victim Services Coordinator can review what happened in the courtroom. Once a verdict is reached, the Coordinator can help explain the reasons given for the Court's decision or arrange for a meeting with the Crown Prosecutor to discuss your questions.

Parents and victims may feel disappointed with the outcome of the case. Even if the person accused is convicted of the offence, you may be unhappy with the sentence. In some cases there will be appeals and possibly even a new trial. Unfortunately, a court's finding of guilty or not guilty is not always the end of the court process. The Crown or the Defendant may want to have the judge's decision reviewed at the Court of Appeal.

In some circumstances, the Victim Services Coordinator may arrange for additional counselling or services to help your teen deal with the trauma of court and the outcome of the case.

### Victim Impact Statements

If the accused is convicted of the offence, a sentencing hearing will be scheduled to determine the appropriate sentence for the crime. Your child will be given the opportunity to tell the Court how the crime has affected him/her in a written statement called a Victim Impact Statement. As the parent of a victim, you may also be able to submit a Victim Impact Statement. If you choose to submit a statement, the Victim Services Coordinator can give you instructions on how to complete the forms and explain the type of information the Court will consider when making sentencing decisions.



Victims have the option to read their statements in the courtroom. Some victims find this to be a helpful part of the healing process and want to speak to the Court about the harm they have suffered. Other victims or family members may find it too difficult or unnecessary to read the statement and are satisfied having the written statement submitted to the Court. Regardless of your child's decision, Victim Services can provide support for the sentencing hearing and will explain the sentence when it is handed down.

*Check the Resources section of this guide for more information on Victim Impact Statements.*

# You are not alone

A parent's guide to helping youth victims of crime



## Registering for Ongoing Victim Notification

**Will I be notified when the offender is released or a parole hearing is scheduled?**

If the Court sentences an offender to custody, you can register for updates and release information. If you would like to receive these notices you must register with Victim Services for information on offenders in custody for less than 2 years. If the offender is sentenced to custody for a period of two years or longer, you must register with the National Parole Board or Correctional Services of Canada for information. The Victim Service Coordinator can explain how to register and what types of updates you will receive.

**What does it mean if the Court finds the accused person has a mental disorder?**

If the Court finds the accused person was *not criminally responsible by reason of a mental disorder*, it does not mean the person is acquitted. It means the Court has reached the verdict that:

- the accused committed the offence;
- the accused, at the time of the offence, had a mental disorder that prevented him or her from appreciating the nature and quality of the offence; and
- the accused did not know that it was wrong.

When an accused person is found not criminally responsible, a Review Board, including a psychiatrist, will decide the best way to help the person with a mental disorder and protect the public from further offences. The Review Board will reassess the situation every year to ensure the best interests of the accused and public safety are being met.

**Will my child or I have the opportunity to present a Victim Impact Statement at Parole Board and Review Board hearings?**

When you register for updates you will be notified about upcoming Parole Board and Review Board hearings. At Parole Board Hearings you have the right to submit and present the Victim Impact Statement you previously submitted or an updated statement. Funding is available to help victims and their support person attend Parole Board Hearings.

If the offender was found not criminally responsible by reason of a mental disorder, you can submit a written Victim Impact Statement but you must make a request to present the statement in person at a Review Board Hearing. Victim Services can assist you in making the request and/or updating your Victim Impact Statement. If you wish to read your Victim Impact Statement at a review board hearing, funding to attend the hearing may be available.



# You are not alone

A parent's guide to helping youth victims of crime



## Resources

### How can I contact Victim Services in my area?

Call your local Victim Services Office for free resources or to set up an appointment:

Bathurst	547-2924	Moncton	856-2875
Bouctouche	743-7493	Perth-Andover	473-7706
Burton	357-4035	Richibucto	523-7150
Campbellton	789-2388	Saint John	658-3742
Edmundston	735-2543	Shediac	533-9100
Elsipogtog	523-4723	St. Stephen	466-7414
Fredericton	453-2768	Tracadie-Sheila	394-3690
Grand Falls	473-7706	Woodstock	325-4422
Miramichi	627-4065		

#### Notes:

Police File Number: \_\_\_\_\_

Victim Services Coordinator: \_\_\_\_\_

Telephone: \_\_\_\_\_

Address: \_\_\_\_\_

### Where can I find more information on the subjects covered in the guide?

There are many publications and resources available from the Department of Public Safety, Victim Services and Public Legal Education and Information Service of New Brunswick.

#### Department of Public Safety, Victim Services

[www.gnb.ca/publicsafety](http://www.gnb.ca/publicsafety)

#### Public Legal Education and Information Service of New Brunswick

[www.legal-info-legale.nb.ca](http://www.legal-info-legale.nb.ca)

Look for the following titles online or request a free copy from a Victim Services Coordinator.

- You are not alone: Be supported through difficult times (DVD)
- Being a Witness
- Services for Victims of Crime
- Victim Impact Statements: Only YOU know how this crime affected you.
- Vulnerable Victims of Crime: Making it easier to testify in court.
- What Victims of Crime Should Know About Not Criminally Responsible Accused
- Picture This – A guide to the Criminal Justice System

# You are not alone

A parent's guide to helping youth victims of crime



## Where can I find other support services and resources for my family?

You may find you need further support to help your family deal with the trauma experienced as a result of a crime. Look for the following types of programs or support services in your community.

### Police-based services

Local police and RCMP detachments may have in-house victim support programs.

### Schools and guidance counselors

Your child may have access to support and counselling through their school. Speak to your child's guidance counselor or principal to find out what services are available in your area.

### Mental Health Agencies

Your local mental health agencies may have programs that specifically support victims or provide assistance with issues such as self-esteem and depression that can result from being victimized.

### Telephone Support Services for Youth

Consider giving your child the numbers for telephone support services. These services provide an outlet for youth to anonymously discuss their concerns with the trained staff and volunteers.

**Kids Help Phone** 1-800-668-6868 [www.kidshelpphone.ca](http://www.kidshelpphone.ca)

**CHIMO Helpline** 1-800-667-5005 [www.chimohelpline.ca](http://www.chimohelpline.ca)

- for New Brunswick residents

### Religious Community

Many churches and religious organizations offer support programs and faith-based counselling. Ask about support for your family within your religious community.

### Sexual Assault Crisis Agencies

If your child was the victim of a sexual assault, look for agencies in your area that provide support to victims and ask about programs and services available in your area.

### Online Resources

There is a wealth of knowledge available online for victims of crime and their families. The sites listed below are just a sample of the information available.

### New Brunswick Department of Public Safety Victim Services

[www.gnb.ca/publicsafety](http://www.gnb.ca/publicsafety)

### Canadian Resource Centre for Victims of Crime

[www.crcvc.ca](http://www.crcvc.ca)

### Correctional Services of Canada

[www.csc-scc.gc.ca/victims-victimes](http://www.csc-scc.gc.ca/victims-victimes)

### Department of Justice, Canada, Policy Centre for Victim Issues

[www.canada.justice.gc.ca](http://www.canada.justice.gc.ca)

### Federal Ombudsman for Victims of Crime

[www.victimfirst.gc.ca](http://www.victimfirst.gc.ca)

### Public Legal Education and Information Service of New Brunswick

[www.legal-info-legale.nb.ca](http://www.legal-info-legale.nb.ca)



