

1995 BILL 214

Third Session, 23rd Legislature, 44 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 214

VICTIMS OF VIOLENCE ACT

MRS. LAING

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 214
Mrs. Laing

BILL 214

1995

VICTIMS OF VIOLENCE ACT

(Assented to _____, 1995)

Definition

1 In this Act,

- (a) "prosecutor" means the Minister of Justice and Attorney General or his agent who is responsible for prosecuting an offence under the *Criminal Code* (Canada);
- (b) "victim" means an individual who, as a result of the commission of an offence under the *Criminal Code* (Canada) against that individual by another, suffers emotional or physical harm or loss of, or damage to, property and, if the commission of the offence results in the death of the person, means a spouse, guardian, parent, sibling, child or dependent of the person.

Principles

2 The following principles apply to the treatment of victims:

- (a) Victims should be treated with courtesy, compassion and respect for their personal dignity and privacy;
- (b) Victims should have access to social services, health care and medical treatment, counselling and legal assistance responsive to their needs;
- (c) Victims should have property that has been taken from them returned as soon as practicable; and

- (d) Victims should be informed at the time of the investigation of the crime by the police of
 - (i) the services and remedies available to victims,
 - (ii) the provisions of this Act, the *Criminal Injuries Compensation Act*, and the *Victims' Programs Assistance Act* that might assist them,
 - (iii) the provisions of the *Criminal Code* (Canada) relating to victim impact statements, and
 - (iv) the protection available to victims to prevent unlawful intimidation.

Duties of police

3 Victims should be informed by the police of

- (a) the progress of investigations that relate to the crime, and
- (b) the charges laid with respect to the crime and, if no charges are laid, the reasons why no charges are laid.

Duties of prosecutor

4 Victims should be informed by the prosecutor of

- (a) the victim's role in the prosecution,
- (b) court procedures that relate to the prosecution,
- (c) the dates and places of all proceedings that relate to the prosecution, and
- (d) the outcome of all proceedings, including any proceedings on appeal.

Separation of victim from offender

5 In any court proceeding or investigation, the victim should be kept apart from any person accused of committing a crime against the victim to the greatest extent possible.

Duty of victim

6 A victim has a responsibility to report an offence and to cooperate with law enforcement agencies and prosecutors in the

investigation and prosecution of a crime.

Commencement **7** This Act comes into force on June 30, 1996.