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Information for Families of Homicide Victims

Royal Canadian Mounted Police



Royal Canadian Mounted Police Gendarmerie royale du Canada

Canada

Information for Families of Homicide Victims



Important notice

The information contained in this guide is intended to assist families and friends, but the content could be distressing and triggering. Information on victim and mental health services is available within the guide.

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Foreword

The loss of a loved one is heartbreaking. When that loss is the result of a homicide, it can be even more devastating. This guide is intended to provide important information to families. It is inspired by the courageous families who spoke at the National Inquiry into Missing and Murdered Indigenous Women and Girls, members of the National Family and Survivors Circle, 2SLGBTQI+ Sub-Working Group and families of homicide victims and victim support organizations. It is also informed by numerous reports and recommendations by Indigenous and non-governmental organizations, by families working with police and by the *Canadian Victims Bill of Rights*.

The intention of this guide is to provide families with useful information that they may reference during their difficult grieving process. Families may find it helpful to review the guide again over time; this is an overwhelming experience and it is hard to remember it all.

The police recognize that family can be spouses, children, siblings, cousins, aunts and uncles, grandparents and grandchildren, nieces and nephews, whether by blood, marriage, adoption, fostering or chosen family. Family is a broad term, defined differently by everyone. They all have the potential to be affected by the homicide of a loved one.

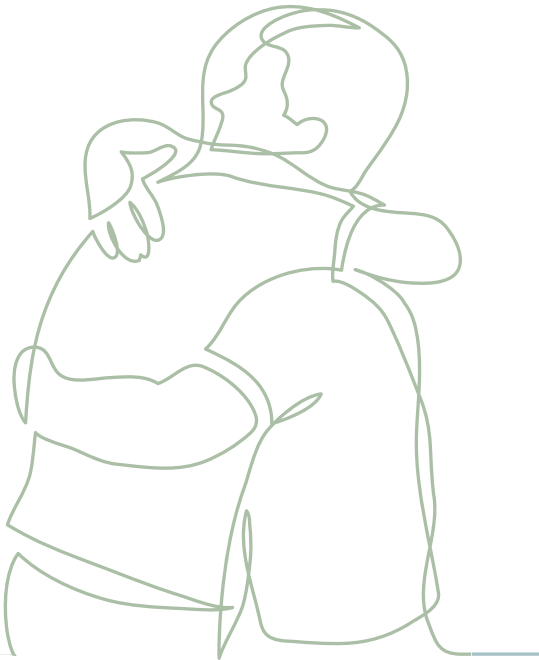
This is a traumatic time and it can be difficult to retain information. This guide allows family members to review and reflect in the level of detail that is right for them.

Regardless of the nature of your relationship to the person you've lost, it is our hope that this information package will be helpful in navigating the criminal justice system.



Mike Duheme
Commissioner

Royal Canadian Mounted Police



From the Canadian Association of Chiefs of Police (CACP)



When a homicide occurs, a police officer is usually the first person to respond and is responsible for investigating the offence. The police are at the very beginning of a process intended to bring closure and justice for impacted families, friends, and communities.

Police leaders understand that survivors want and need information surrounding the murder of a homicide victim and that this information must be delivered in a very sensitive and appropriate manner to help support the grieving process, while respecting any legal constraints.

The Canadian Victims Bill of Rights (CVBR) defines a victim as an individual who has suffered physical or emotional harm, economic loss or property damage as a result of a crime committed in Canada. The CACP recognizes that the surviving loved ones of a homicide victim are victims too. The impact on the family, friends and community of the deceased is heartbreaking as they deal with the psychological, emotional, financial, social and legal impacts of the criminal incident.

The CACP also recognizes that survivors of a homicide victim have the right to information, participation, protection, and restitution throughout the judicial process which includes the investigation, prosecution, sentencing and civil phases related to homicide cases.

As police leaders, we have learned that informing families from the outset about the workings of police investigations and the criminal justice processes, as well as their role in it, can have a significant impact on their perception, expectations, and engagement.

The final report of the National Inquiry into Missing and Murdered Indigenous Women and Girls called for improved communication between police and families of missing and murdered Indigenous women, girls, and 2SLGBTQI+ people from the first report, with regular and ongoing communication throughout the investigation. The report also emphasized that family must be understood to include all forms of familial kinship, including but not limited to biological families, chosen families, and families of the heart.

The CACP believes in the importance of adopting a trauma-informed approach which involves empathetic, supportive, and culturally sensitive practices that consider the needs, rights, choices, safety and well-being of survivors as an integral part of the police investigation process.

This new guide developed by the Royal Canadian Mounted Police and endorsed by the Canadian Association of Chiefs of Police is an important step to improving communications with families of all victims of homicide.

I would like to thank the members of the CACP’s Policing with Indigenous Peoples Committee and Victims of Crime Committee for their valuable insight and contributions to the development and review of this excellent reference tool.

We are confident that this guide will help survivors participate in what is often an unfamiliar criminal justice system that is designed to prosecute offenders and, until now, has traditionally included an insufficient focus on supporting grieving families.

Ultimately, this guide will serve to foster transparency, trust, and collaboration between families and law enforcement, empowering survivors during critical times and building confidence in the police.



*Commissioner Thomas Carrique C.O.M.
President, Canadian Association of Chiefs of Police*

Dedication and Acknowledgements

This guide is dedicated to the families, friends and communities affected by homicide. The RCMP is appreciative of the time and input offered by the organizations who assisted with this information guide:



- 2SLGBTQQIA+ Circle, Crown-Indigenous Relations and Northern Affairs Canada
- Brian Walsh
- British Columbia Bereavement Hotline / Families of Homicide Support
- Canadian Association for Spiritual Care
- Canadian Association of Chiefs of Police, Policing with Indigenous Peoples Committee
- Canadian Association of Chiefs of Police, Victims of Crime Committee
- Canadian Conference of Catholic Bishops
- Canadian Crime Victim Foundation
- Canadian Parents of Murdered Children
- City of Edmonton
- Correctional Service of Canada
- Crown-Indigenous Relations and Northern Affairs Canada
- Justice Canada
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- Ottawa Police Service
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- Parole Board of Canada
- Paukutuutit Inuit Women of Canada
- Public Prosecution Service of Canada
- Public Safety Canada
- Service de Police de la Ville de Montréal
- Soka Gakkai International Association of Canada (SGI) Canada
- Statistics Canada
- Toronto Board of Rabbis
- Treaty 3 Police
- United Church of Canada
- Vancouver Police Department
- Victims of Homicide of Edmonton Support Society
- World Sikh Organization of Canada
- York Regional Police



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Homicide Investigations: Quick Facts



What is a Homicide?

- ➔ A homicide is the death of a person caused by another person.



What Happens First?

- ➔ The family will be notified as soon as possible, usually by police. However, sometimes this information is released by media or on social media before the police can locate the family.
- ➔ Often there is little information known in the early stages. Police do not know anyone – family, victim, suspects – until they are able to assess and investigate. You will be updated as more becomes known, but you will not be given all the information that the police discover, to protect the integrity of the investigation.
- ➔ The police will refer a Victim Service worker(s) to provide assistance to families.



What Happens to My Loved One Now That the Police Are Here?

- ➔ A family member may be asked to identify a loved one in situations where identification has come into question, but this is not always necessary.
- ➔ Your loved one will be brought to the Coroner's or Medical Examiner's Office for an autopsy. This occurs under the direction of the Coroner's/Medical Examiner's Office and is a mandatory policy. Families cannot refuse an autopsy.
- ➔ Unless necessary for identification, you will not be able to see your loved one until their body is released (allowed to leave) by the Coroner's or Medical Examiner's Office due to the ongoing investigation.
- ➔ Information will be provided to you when they are released and support will be provided at the time of the arrangement process (funeral arrangements).



When Can I Access the Scene of the Crime?

- ➔ Once the police have finished all their work, you can access the scene of the crime.
- ➔ If you need personal items (e.g., medication, children's items), you may provide a list to the officer in charge of the scene, who will retrieve the items for you, if possible.
- ➔ In some provinces, financial assistance for crime scene clean-up is available through your local Victim Services.



When Will Charges Be Laid?

- ➔ Every case is different; some cases are quickly resolved, some take years or decades, and some are never solved. These cases are not called "cold cases" but "unsolved" and/or "historic" as police are committed to solving these cases if and when new information becomes available.
- ➔ Charges are laid when police or the Crown prosecutors are satisfied that there is enough evidence to go to court. Whether it is police or the Crown depends on which province or territory.
- ➔ There is no time restriction on laying charges for murder.
- ➔ There are three common types of homicide charges: first degree murder, second degree murder and manslaughter.
- ➔ The police do not decide if charges are increased or decreased. This occurs at the court level.



If Someone is Charged, Will They Be Let Out on Bail?

- ➔ A judge or justice of the peace decides on whether someone charged in relation to a death will remain in jail or be let out on bail at a hearing.
- ➔ If there are safety concerns, families should work with the police and Victim Service providers to identify these concerns so they can be addressed.

Introduction

Expectantly or suddenly, losing a loved one is never an easy process. However, when a family member or friend is a victim of a homicide, it is particularly complicated and painful.

Every family is different and can extend beyond spouses, children and siblings. Friends and others close to a loved one who is a victim of homicide may also suffer and have questions. Families are often separated by geography or other factors, and sharing information can be difficult.

The notion of family means different things to different people. The police recognize “family” can be spouses, children, siblings, cousins, aunts and uncles, grandparents and grandchildren, nieces and nephews (by blood, marriage, adoption, fostering or one’s chosen family), close friends, co-workers and communities.

This document will provide information to families who have lost a loved one to a homicide with general information about how the Canadian criminal justice system works with respect to homicides. The document covers investigations, charges and court processes, corrections and parole, the *Canadian Victims Bill of Rights*, and where to find additional resources and a glossary of terms.

The information is intended to be general enough that it can be used by families across Canada, regardless of which province or territory they live in or which police service is responsible for the investigation. Although there is some variation across police services and each province/territory, the intention is to provide enough details to assist families and loved ones to understand what is happening and what may happen moving forward, and to provide victims with a basis to ask additional questions. Recognizing that not everyone wants to know a lot of details, a summary of key points related to homicide investigations has been provided as well.



Homicide Investigations

Notification of the Next of Kin

There is no easy way to hear of a loved one's death. The family, or next of kin, will be notified as soon as a person is identified. This is generally done by police, but it may be a doctor, paramedic, firefighter or other person at the scene of the death.

How the family receives the next of kin notification depends on the circumstances. If the person has been brought to a hospital or nursing station, it may be medical staff who inform the family. If forensic tests, such as dental charts or DNA, must be used to identify the person, it may be the Coroner's/Medical Examiner's Office who inform the family. Many times, however, it is the police. Where possible, the police will make a notification in person. Police may bring Victim Services with them when making a death notification.

It is always the police's goal to notify the immediate family. Unfortunately, sometimes the media or someone on social media releases this information. This can cause further trauma for families, and it is never the way they should learn of their loved one's death. Certain Victim Services can assist with death announcements to other family members.

Once the immediate family has been notified, it is important that other members of the family and friends are informed. Family or trusted friends can assist with this. If at all possible, ask those contacted not to post anything to social media or speak to the media until all family and friends have been contacted.

At the time a family is notified that their loved one has died, there may be little information that can be shared with family members. It may not even be known if the cause of death was criminal in nature. The early stages of an investigation are very important as police take important investigative steps. Information may not be available for family updates as police may be in the process of investigating and verifying information. As the investigation continues, the family will be updated by police with as much information as possible that can be disclosed.

The timing of updates and what is disclosed to families depends on the specifics of the investigation. It is not uncommon that the family may not know the details of how their loved one died or have answers to certain questions about the crime until the investigation has ended. The police will update the family as they are able to, without compromising the investigation. There are facts that may not be disclosed until after the court/medical examiner (legal) process is complete.

It is not uncommon for misinformation to be circulated on social media or by the media about cases. If you hear or read something that has not been disclosed to you by the police, it is important to talk to the police or Victim Services.

Victim Services

Victim Services resources can offer assistance to you. They can provide details of supports available to you in your area. In addition, Elders and clergy are also often a great source of support for families. Services differ by community and province/territory. There are police-, community- and court-based services. Some communities will have all three types available, while in other communities the services are limited. For more information on Victim Services available in your area, please consult the Victim Services Directory (<https://www.justice.gc.ca/eng/cj-jp/victims-victimes/vsd-rsv/index.html>).

Accessing Victim Services early can greatly assist family members who are struggling with grief, confusion, anger and other emotions at the same time as having to manage the practicalities of funerals, estates and other tasks associated with the death of a loved one.

The Crime Scene

Generally, front-line officers are the first police personnel on the scene of a crime, not specialized investigators. Upon arrival, these officers will secure the scene, which means they will not allow anyone but police, forensic specialists,

or Coroner/Medical Examiner personnel to enter the area. Family, friends or property owners will not be allowed on the scene until it is “released”. Released means that the police have finished processing the scene and that it can be opened for access. If the crime scene is your own home, Victim Services will help you find a place to stay in the meantime.

While this is understandably difficult, disruptive and upsetting to families it is very important in any investigation to allow any evidence to be collected and saved by police. The goal is to find whether a person or people are responsible for the death of a loved one. And if so, to identify them and hold them responsible through the courts.

Specialized investigators and teams may arrive to carry out various procedures to ensure important evidence is gathered and preserved. This can take hours or days, depending on many factors, such as the remoteness of the location and the complexity of the crime scene.

Retrieving Personal Belongings

If there are personal items such as children’s items, pieces of identification, medication, or other urgent items that are needed from within the crime scene, speak to the officer in charge of the scene and provide them with a list. If possible, the officer will retrieve these items. Police will have judicial authorizations (warrants) to preserve the scene and seize (take) evidence. It is possible that the request may not be accommodated, either because the requested items may be one of the items specified in the warrant, or generally be part of the scene that must be “secured” (i.e., untouched until processed by specialists).

Relocation of Your Loved One

Your loved one may remain at the crime scene for some time before being relocated to the Coroner’s/Medical Examiner’s Office. When your loved one is relocated, they will be resting with the Coroner’s/Medical Examiner’s Office. It may not be possible to view your loved one at this time as there may be evidence that needs to be preserved.

Families can advise the police or Victim Services about any cultural, religious or spiritual wishes they may have related to the care of their loved one, as well as rituals or observances you would like to do, and the time frames you hope to observe. Your loved one will be in the care of the Coroner’s/Medical Examiner’s Office and they are responsible for the release of your loved one. They may or may not be able to fulfill those wishes or observances. You can speak directly with them for more information about timing.

Pets and Livestock Animals

Police will need to ensure the welfare of any pets or livestock animals on the property that is considered a crime scene. An animal protection agency may be contacted. Alternatively, friends, family, or neighbours may work with the police to arrange for the care of the animals.

Releasing the Scene

Once the police have finished processing the scene, it will be released, allowing people to re-enter. Identifying one person (family, friend or other trusted person) for the police to contact when the scene is released is recommended.

Before entering a home or building, check with police on the situation. It may be traumatic to see the scene, especially if it has not been cleaned.

The responsibility for cleaning of the scene, including costs, may lie with the family, property owner or First Nations Band. Depending on the location, there may be professional cleaning companies who can be hired to clean. Victim Services may have access to information about financial aid, charities or other resources available to assist with cleaning the scene of a homicide. Some provinces do have funding available for crime scene cleaning. Home or business insurance may also cover some or all of the costs.

It is not recommended that the family or friends carry out the clean-up of a scene in the home or other location. This would be a traumatizing event; if at all possible, have professionals do this prior to returning the location.

Families can advise the police or Victim Services about any cultural, religious or spiritual needs they may have related to the scene of the crime or location where the loved one was located. Where the location is not a home or other location that is easily accessible, police or Victim Services may be able to facilitate access.

Attending the Scene

In some cultures, including many Indigenous cultures, the location of a person's death is important. Some families may wish to visit the location as part of the grieving process or to perform spiritual or religious ceremonies. Police may be able to assist in facilitating such a visit. You can ask your primary investigator or family liaison officer about such a request.

If weather, location, safety concerns, or other circumstances prevent a visit, aerial photographs or maps may be provided. Police do understand, however, if families do not want to have police present when they are at the scene. Victim Services may be able to accompany family members back to the scene in order to be well prepared.

Communication Between the Police and Family

Generally, the police will assign one investigator to be the family liaison officer. This person is the link between the police and the family and will provide information and updates. They may or may not be a police officer. It is preferred that there is one point of contact with the family, called the "designated family contact" or "family contact". This may be a spouse, parent(s), children, sibling, extended family, or a trusted friend. In some cases, such as with parents who are estranged from one another, contact may be necessary with each parent separately.

While the police need to keep families informed as much as possible as to the status of the investigation, the family contact is expected to provide updates to other family members. Other family members will not have direct contact with the family liaison officer. Family members who should be receiving updates, such as siblings, may feel there is a lack of contact by police. These concerns should be brought to the family contact or the family liaison officer.

The family can have anyone they want at status meetings, and can appoint a third party as the main contact. Increasingly, there are requests from third parties, such as clergy, Elders, community members, friends, or advocates who are also seeking updates on a regular basis. The police cannot provide detailed information to these parties without the consent of the family. However, many people are impacted by a homicide, and the community impact statements at the sentencing phase recognize this.

There is an area in the Notes section to record the contact information for the family liaison officer, primary investigator, their supervisor and Victim Services.

Communication Schedule

Homicide investigations are often long and complicated. It takes time for reports to be concluded and witnesses interviewed. At the onset of an investigation, the primary investigator will develop a communication schedule with your designated family contact, based on what the family requests as far as updates and contact. If you feel you need more information or have questions, contact your family liaison officer.

Extent of the Information Shared with the Family

The police will provide as much information as they are able to share at each stage of the investigation. Finding the person responsible for the death of the family's loved one is the ultimate goal of the investigation. There may be times when information may not be shared, or when police delay sharing the information in order to further the police investigation. At these times the family may feel there is a lack of police contact about the case. The family should bring these concerns to the family liaison officer. The police understand this may be frustrating for families, but they must ensure the investigation moves forward and all investigative steps are followed.

Before disclosing any information about a death publicly, it is extremely important to discuss with police the sensitivity of the information, especially if it is not information that was provided by police. This type of disclosure can harm the investigation by putting case facts, or incorrect "facts", out into the public. This prevents the police from knowing when someone is providing first-hand information or merely what they have seen or heard from someone else.

The inability to fully disclose information can be difficult as it can lead to families feeling that the police are not doing anything or are keeping information from them. Unfortunately, there is no easy solution since this guarding of information is done to protect the integrity of the investigation, even in historical cases, in order to find the person(s) responsible for the death.

If the family wants specific information, the family liaison officer will do their best to provide as much information as possible to respond, but information contained in a police file is not public information at the investigation stage. The police may not be able to disclose details or the cause of death to the family at this time.

Holdback Information

Holdback information can be any piece of information or detail that is unique to the case under investigation. These details are not shared with anyone. The type of holdback information can vary: it could be something related to how a loved one died, an item found at the scene, or anything else that only the person responsible could know.

At times, families may sense that the police are not being transparent about the case, and this is often the reason. Prematurely released information can cause harm to the investigation and impact future prosecution. Not sharing the information can be vital to ensuring a proper and just prosecution.

The Role of the Police

Family Liaison Officer

A family liaison officer may be a police officer or a non-police individual who is assigned to work with families. They are often a bridge between the primary investigator and the family. Investigators are often not in the office as they work on the case, and can be more difficult to contact. The family liaison officer will be able to provide some updates on the case, provide or direct families to Victim Services and offer support to them.

The Primary Investigator

The primary investigator is the police officer who is assigned to oversee the overall investigation. The number of investigators may change over time, but the overall management remains with one person. This is normally the investigator who will communicate with your designated family contact, along with the family liaison officer assigned to the family by the police.

As with any workplace, police officers may change positions and the primary investigator may be replaced. The designated family contact will be notified, and advised of the new primary investigator.

Interviews

Police will conduct interviews and take statements from witnesses, including family members, friends, co-workers and neighbours, etc. In many cases, the interviews will be video or audio-taped. It is common that interviews can take many hours. They also may not occur immediately – they could be a few days afterwards. It depends on the circumstances of the particular investigation. Police may utilize other investigative techniques before conducting interviews. It is not unusual for the police to request more than one interview with individuals.

As new information is gathered, more interviews may be required over time. Should family, friends, community members, etc., have information not previously provided to police, it is important that they contact the police as soon as possible.

Witness, Person of Interest, Suspect

A **witness** is a person who has knowledge of an event.

Person of interest is a term used by police to describe a person who is of interest to police during a criminal investigation. This does not mean that person is a suspect. It describes a person the police would like to talk to and who may have useful information to provide to the investigation.

A person becomes a **suspect** when the facts and evidence lead police to believe they may have committed a crime, but when no charges have been laid.

The slow pace of an investigation can frustrate families and they may attempt to assist, investigate or solve a case themselves. Although the desire for a conclusion to the case is understandable, this can impact the results of a case significantly, including important evidence or information being disallowed in court and charges being dismissed. As frustrating as it may be, sometimes cases do take a long time in order for charges to be laid in a way that ensures a fair and just trial in court. Families are encouraged to pass along any information to police and to keep communication open.

Tips

Tips are received by police in many different forms, including calls or people coming directly to the police, Crime Stoppers, or can be passed along from third parties. Tips are very important to resolving a case. However, the more there are, the longer it takes to go through and fully investigate each one.

All information received should be passed along to police to investigate. It is not uncommon that family members will be called as witnesses at eventual trials. It is important that future testimony is not contaminated or compromised by talking to other potential witnesses.

The public should not be asked to contact the family directly. Families are encouraged to discuss public appeal for tips with the family liaison officer so that police can provide input on the timing of such appeals. There may be reasons police may not want to request the public's input at a particular time.

Polygraph Examinations (Lie Detector Tests)

Polygraph examinations are used by police, generally as a way of validating someone's statement. People can decline to participate, as it is a voluntary process used to verify the truthfulness of an individual's statement in relation to their involvement or lack thereof in relation to a particular crime.

The polygraph is broken down into three distinct phases: the pretest, the in-test and the post-test. The in-test phase is not admissible in court. The other two phases are structured interviews and could be admissible subject to a voluntariness hearing or a Voir Dire hearing.

Judicial Authorizations (Warrants, Orders and Authorizations)

Police have the ability to make applications for a variety of judicial authorizations in order to assist them in their investigations, including for warrants and/or production orders. The powers granted under these authorizations vary, from entering premises to conducting a search, to compelling a third party to produce records, to video surveillance, among others.

In homicide investigations for example, where public access to the information used to obtain a warrant may compromise the investigation, police also have the ability to request that the records be sealed. If a court grants such an order, the judicial authorization and application are unavailable to the public and the media for a certain amount of time. The sealing of records is automatic when a judge issues a wiretap authorization (authorization that allows the interception of private communications).

Homicides Where a Loved One Has Not Been Located

In some circumstances, police may determine or suspect that a missing person has met with foul play – i.e., that they have been killed – although they have not been located. This determination may be made due to evidence collected or in consultation with a pathologist. Police can investigate a case as a homicide, even when a loved one's remains have not been found. It is also possible for a homicide charge to be laid without having found a loved one.

Collecting DNA from the Family

Collection of DNA from family members is not always necessary, even when a loved one is missing or when found remains require identification. Sometimes police have access to a loved one's DNA from other avenues, such as personal items or medical tests performed. However, if the police ask for a sample, they will explain how it will and will not be used. A consent form that outlines the usage will be required.

The Role of the Chief Coroner or Medical Examiner's Office

The Chief Coroner or Chief Medical Examiner's Office (depending on the province or territory), is the government body responsible for conducting death investigations and inquests.

There is a separate, independent office in each province and territory. However, in the territories, autopsies take place in southern provinces. In the provinces, your loved one will be transported to the main office or regional office in the province for an autopsy. Victim Services can provide information and supports for families whose loved ones are taken out of province/territory, or even far away within the province. The Chief Coroner/Medical Examiner's Office can provide information about the timing around the release and return of your loved one.

There are slightly differing policies and legislation in each province and territory related to the roles and duties of the Chief Coroner/Medical Examiner's Office. Questions about the specific process can be addressed with the Medical Examiner Investigator who speaks with the family.

Families may want further information, including death certificates or autopsy reports. For information on how to obtain these documents, contact the Chief Coroner/Medical Examiner's Office in your province or territory.

Identification of a Loved One

In many cases, the identity of a loved one is known from the outset because a family or friend is the person to find the loved one and call police. If this is not the case, the medical examiner will attempt to establish identity by fingerprints, dental or other x-rays. In other cases, the identification of a loved one will require the pathologist to conduct DNA, dental or skeletal analysis.

Autopsy

At this difficult time, there are necessary steps in an investigation that will need to take place before the loved one can be taken into the care of family members or a funeral home. These crucial investigative steps will ensure that every potential piece of evidence will be collected to support the ongoing investigation in order to explain the cause of the person’s death. When all of the required steps are taken with regard to the autopsy and the collection of evidence, families can then take the necessary steps to care for their loved one as they wish.

Where a homicide is suspected or known, an autopsy must be conducted. An autopsy, or post-mortem examination, is a medical procedure performed by a specialized doctor called a pathologist. A pathologist performs an examination of a body after death to determine the cause and manner of death. In some circumstances, a specialist known as a forensic pathologist will conduct the autopsy.

The pathologist will conduct tests as determined to be necessary. The family should be aware that the pathologist has the legal authority to remove and keep samples or parts necessary to establish the cause and manner of death.

As part of the normal process of autopsies, toxicology tests are conducted. These involve analyzing samples from a loved one to determine if there are any alcohol, prescription medications, recreational or illegal drugs, or other chemicals. The time for test results to be finalized varies, and some can take six months or longer to be processed. Sometimes all the tests may still not provide a cause of death. Families cannot refuse an autopsy if it has been ordered as part of the homicide or suspicious death investigation.

Autopsy Reports

An autopsy report will be prepared. The family may be able to receive a copy of the report if it is not being retained as holdback evidence. The details may be very painful or confusing to read. It may be helpful to have someone from the Coroner’s/Medical Examiner’s Office explain the report to the family and answer their questions.

Families may want to consider having a victim services worker present when they first read the report. Some families may not wish to have the actual report, but prefer to be told the main points about how their loved one died, without specifics. There may be Indigenous service providers that can help support the family through this difficult time.

Often, this information cannot be provided until after all appeal periods have concluded and the criminal case is fully concluded. If it is an active (unsolved) case or the case is going through the courts, this information is not normally provided to families.

Cause and Manner of Death

It is the pathologist, not police, who determine the cause and manner of death. The *cause of death* is what injury or illness, or combination of these, caused the death of a person. The *manner of death* is the way in which a person came to die. There are five manner of death classifications: homicide, suicide, accident, natural causes, and undetermined.



Note: Sometimes if the cause and/or manner of death cannot be determined, the police will still investigate the case *as if it is a homicide*, even if it cannot be formally considered as such.

Organ Donation

In the case of homicide, organ donation may not be possible. You can speak to doctors or the Coroner/Medical Examiner about the possibility of organ donation.

Release of the Body

The release of the body of a loved one back to the family is the decision of the Coroner’s/Medical Examiner’s Office. Where a loved one has been taken from the scene to the Coroner’s/Medical Examiner’s Office, the costs associated with its return to the family are the responsibility of the Coroner’s/Medical Examiner’s Office. This may involve taking a body from one province/territory to where the Coroner’s/Medical Examiner’s Office is located.

It is important that the family designates someone to coordinate with the Coroner’s/Medical Examiner’s Office to have a funeral home pick up the body of a loved one as soon as they are ready for release.

Check with Victim Services to see if your province or territory has any financial assistance available for some funeral expenses.

Rural, Remote and Northern Communities

As noted, in the territories – and in many northern and rural communities in the provinces – your loved one will be taken to a large urban centre for autopsy. In most cases, a police officer will accompany your loved one from the scene of the crime to the Coroner’s/Medical Examiner’s Office in the south.

In the territories, the Coroner’s role is to investigate a homicide or suspicious death. The police would be the lead, and the coroner’s office would be the second investigator, even though the victim would be taken south.

When your loved one is released, they will be returned to the same city, town or hamlet. This is arranged and paid for by the Coroner’s/Medical Examiner’s Office.

If the family wants their loved one transported somewhere else, talk to Victim Services, as they may be able to assist with this, including some or all of the costs. In Nunavut, the Qikiqtani Inuit Association, Kivalliq Inuit Association or Kitikmeot Inuit Association, in conjunction with Victim Services, may also be able to assist.

Issuing a Death Certificate

A death certificate may be provided or may require ordering. This may be issued by a funeral home, hospital, Coroner’s/Medical Examiner’s Office, mosque, or other office depending on the circumstances and province/territory. The family will need this in order to finalize a loved one’s affairs. Information on how to contact Victim Services and how to order death certificates in each province/territory are available under Supporting Families.

Return of Belongings

Some belongings of a loved one may be seized by police at the crime scene, or from the Coroner’s/Medical Examiner’s Office. This may include clothing, a purse/wallet, or other personal items that are considered to be evidence. Seized items may not be permitted to be released until after a trial and appeal period is complete. Some belongings such as clothing, shoes or bedding may not be returned because of its condition.

There may be cultural or spiritual needs pertaining to seized property, including but not limited to religious artifacts, clothing, and sacred medicines. Please advise the family or Indigenous liaison officer, so that if items can be returned, it can be done in a victim-centred and culturally, spiritually or religiously appropriate manner.

It may be helpful to confer with Victim services about what the item(s) is, its condition, the significance, and whether it is best to have it returned or not.

Testifying in Court

Generally, the pathologist will be called to provide evidence at trial. The pathologist will need to describe the autopsy, and often photographs will be entered into evidence. In some cases, the family will learn details about their loved one’s death for the first time from this testimony. Victim services workers will be available to assist at this difficult time.

Family members do not need to attend and may wish to discuss attendance for the pathologist’s testimony with Victim Services. Hearing details and seeing photographs related to a loved one’s death is often a very upsetting experience.

Media

The media can be effective in sharing information about homicide cases, keeping the case in the minds of the public, and eliciting tips. There are many considerations when deciding whether or not to disclose information to the public. In some cases, the family and the police will work together to speak publicly about their loved one in order to further the investigation.

Families may become frustrated if they feel their statements to the media are taken out of context. Some families have used the media to keep their loved one’s case in the public eye. Many families have felt traumatized by the media requests or by the media coverage of the case or the way the victim or offender is represented. It may help by writing or telling media about who the victim was, how much they were loved and are missed.

It may be useful to discuss statements you would like to make to the media with the police family liaison officer. If a family wishes to engage with the media, providing their statement in written form may assist in their message being clearly communicated.

Police always prioritize the family and informing the family of progress, not the media. The individual investigators may not be connected to the media at all; requests may go through the media relations. However, sometimes the media learns of arrests or other events through their own means, not the police, before the family has been informed. This can be very frustrating and concerning for the family.

Toolkits

There are toolkits available that may further assist families with the media, which can be found in the Section under Supporting Families.

Releasing of the Name of a Loved One

Police will not release the name of a loved one until the immediate family has been notified. However, the police cannot control information that may be released through the news or on social media.

Solving a Homicide Case

Homicide cases are always “open” until they are solved (also called concluded, cleared or closed). The most common way of clearing a homicide is by laying or recommending a charge to the Crown. The second most common method is where a suspect has been identified and there is sufficient evidence to lay a charge, but that person has died before a charge can be laid or died before trial.

Unsolved Homicide Cases

People sometimes talk about “reopening” an unsolved homicide case, but that is not an accurate term. Unsolved cases are always open. Police are committed to bringing much needed answers to the families and friends of a loved one, and the community at large.

For a variety of reasons, it can take years, or even decades, to come to a successful conclusion. Unfortunately, sometimes there is no resolution.

Historic cases, sometimes referred to as “cold cases,” are those which may be chronologically old or those where no new information has been received in some time. It is not the length of time from the start of the investigation that makes a case “cold,” but rather the amount of time since all investigative avenues have been exhausted. When an investigation is inactive, it is still open and considered *still under investigation*.

Homicide Charges

In general, when there is about to be an arrest, police do not inform the family until after it has occurred. As soon as the charges have been laid or approved by the Crown and before the information is released to the media, the family is informed.

Charge Approval

In some provinces/territories, charges must be approved by a Crown prosecutor; elsewhere, police can lay charges themselves.

Difference between Types of Culpable Homicide Charges for Adult Offenders

The difference between the types of homicide charges is often confusing. There are three main types of homicide charges: first degree murder, second degree murder, and manslaughter.

First degree murder is the most serious form of homicide. Murder is where a person intentionally causes the death of another person, or where they intend to cause bodily harm that they know is likely to cause death, and is reckless as to whether they would actually die. Murder is first degree if it was planned and deliberate, involves the murder of a police officer or corrections officer, when it occurs during the commission of a crime of domination (such as sexual assault, kidnapping, criminal harassment, or forcible confinement), or is linked to organized crime or terrorism. Convictions of first-degree murder for adult offenders carry an automatic sentence of life in prison, with a parole ineligibility period of 25 years.

The law defines **second degree murder** as any murder that is not first degree – that which does not have evidence of planning or does not involve other crimes or circumstances that make murder first degree. For adult offenders, second degree murder results in an automatic life sentence, with a parole ineligibility period set by the court between 10-25 years.

Manslaughter is a less serious charge than first- or second-degree murder, but it is still a type of murder. It generally involves a homicide that was committed without the intention to kill the victim, even if there was the intention to cause them harm. There is no minimum sentence – which can also mean no jail or prison time at all. The maximum sentence for manslaughter is a life sentence. If an individual is sentenced to life imprisonment for manslaughter, they can apply for parole after serving seven years in most cases.

Multiple Charges and Changes to Charges

Charges may also be laid in addition to the murder or manslaughter charges, such as forcible confinement, sexual assault, or indignity to a human body. Every separate offence has its own charge, also called a count.

There may be changes to the severity of the charges laid, which may be upgraded or downgraded through the process.

Judicial Interim Release (Bail)

In Canada, when an accused person is released from custody before trial, it is known as judicial interim release, which is commonly called bail. The accused will appear before a judge or justice of the peace, who will determine if the person will remain in custody or if they can be released on conditions. This may occur more than one time before trial.

The judge will decide if the accused will be granted bail based on a number of factors such as public safety, public confidence in the justice system, and the likelihood of the accused appearing at trial (not fleeing). If the accused has been charged with murder, the onus will be on them to show the court why their detention is not justified. It is not unusual for an accused to be granted bail at some point in the proceedings.

The Crown may ask for a review if the accused is released, but the accused can also request a review if not released. This means a judge reviews the situation and can change the order of release or remand. Remand is when the accused is held in custody (jail) before a trial has been completed or a sentence has been given.

If the accused fails to comply with the restrictions set for the release, the accused will be arrested on a new charge related to breaching their conditions. The accused may be released again after this, or they may be held until trial.

If the accused is not granted release, they will remain in a provincial or territorial remand centre (jail). A jail is not the same as prison. Jails or remand centres are where people sentenced to two years less a day (or less) serve their sentences and where the accused is awaiting trial but has not yet been convicted.

For accused persons who are Indigenous, a Gladue report can be used during a bail hearing, as well as later for sentencing (if later convicted).

Released on Judicial Release Order (Bail) With or Without Sureties

An accused may be released into the care of a surety, who promises to supervise the person to ensure that they follow their conditions of release. A person may be released on a judicial release order (bail) without a surety, meaning they make certain promises to the court but no one commits to supervising them, nor do they pay a bond. Restrictions can be placed upon the accused if they are released, such as staying away from victims' family members, not drinking alcohol if the incident they are charged with involved the use of alcohol, living at a certain address, or any number of other conditions.

Families have a right to access this information through the Canadian Victims Bill of Rights. You can ask the police liaison or Victims Services about how to access this information or attend court proceedings.

There are No Time Limits on Homicide Charges

In Canada, there are no limits on the length of time between when a homicide occurs and when charges can be laid. Once charges have been laid, the main contact with the family may change. This is dependent upon the province or territory where the case is located. The Crown may become the main contact with the family. Victim Services, including Indigenous-specific court supports, are also available. These may be the same support person/people who was available during the investigation, or it may be a new resource, depending on how Victim Services is set up. Police will be witnesses in a trial, but they will also assist the Crown and may continue to help with the family.

The Court Process

A **preliminary hearing** is a type of hearing that can occur after charges are laid but before the trial begins. The purpose is for the judge to determine if the Crown has enough evidence against the accused to proceed to trial.

A **voir dire** is a special hearing that is heard without a jury present where the Crown and defence argue questions of law and whether certain evidence will be allowed to be entered during the trial.

For first- or second-degree murder, the accused has the right to request to be tried before a judge alone, but the Crown must consent to doing so. For manslaughter, the accused can choose to be tried before a judge alone without the Crown's approval. Otherwise, the accused must be tried before a court composed of a judge and a jury. **Jury selection** occurs before a judge, with the accused present. The Crown and defence may question potential jurors and seek to have them excluded from the jury panel based on certain criteria. The **trial** is where it is determined if the accused is guilty of the offences for which they have been charged.

During the trial itself, family members can generally be present. However, if family members will be called as witnesses themselves, they cannot attend the trial until after their testimony is complete. This is true for all witnesses.

However, there may be other reasons why family members or other members of the public cannot attend the trial. For example, there may be a public order closing the courtroom if there is testimony from a vulnerable witness.

If the accused is found guilty, there will be a **sentencing hearing**, which is usually on a separate date from the trial, especially in more serious and complex cases. There is an opportunity to provide a victim impact statement.

Roles in the Court Process

The **judge** is responsible for conducting court proceedings and instructing juries. Where there is a jury, the jury decides if the accused is guilty; where there is no jury, the judge determines the outcome of the trial.

The **Crown prosecutor** (also called the Crown attorney, prosecutor or simply the Crown) works on behalf of the state (Canada), not the victim. They are responsible for calling witnesses and entering evidence during trial, as well as ensuring the defence receives the copies of the evidence against the accused (called disclosure). The Crown is also responsible for negotiating plea agreements, providing sentencing recommendations, and ensuring that victim impact statements are heard. It is the Crown who has the burden of proving, beyond a reasonable doubt, that the accused is guilty of the crime.

Upgrading or Downgrading of Charges

The Crown may choose to change the original charges. For example, after further investigation and assessing the strength of the evidence, the Crown may decide to upgrade a second degree murder charge to first degree, or downgrade it to manslaughter.

The reason for these changes is often due to either new evidence being discovered or because the Crown has evaluated the charges based on a reasonable likelihood of conviction.

Types of Hearings

The trial process has many components. For short appearances, the accused may appear in person, by video-link or, in some cases, audio-link from jail.

An **arraignment** is a formal hearing in front of a judge where the accused hears the charge(s) against them and they enter a plea of guilty or not guilty. This occurs before a preliminary hearing.

A **judicial interim release (bail) hearing** is a formal hearing before a judge or justice of the peace to decide if the accused should be released from jail before a trial is held.

A **defence lawyer** (or defence attorney) is a lawyer who represents the accused. Their services may be provided for free or they may be hired privately by the accused. If there is no charge to the accused, their legal fees may be paid for by the province/territory or **Legal Aid**, or they might not be charged for their services (also referred to as “Pro Bono”).

The **accused**, also called the defendant, is the person accused of the crime. Until they have been convicted, the accused is presumed to be innocent.

A special hearing will be held to select a **jury**. A jury is made up of twelve members of the public, often with additional people as alternates. They listen to the evidence and decide what facts have been established and make a decision as to the guilt or innocence of the accused. The judge will give the jury instructions on the law and on how they should go about deciding whether the accused is guilty. All twelve jurors must agree on the verdict.

Once the trial evidence has been heard, there will be closing statements by both the Crown and defence attorneys. The judge will then instruct the jury on how to go about making their decision. Finally, the jury will move to a closed room to consider the evidence and determine their verdict.

The Crown and defence attorneys are responsible for calling **witnesses** to give evidence, which can include family members of the victim.

The **family of the victim** can attend the trial of the person(s) accused of killing a loved one, but this is a personal decision. The Crown or Victim Services will discuss attendance, the rules or protocols and what to expect with the family.

There are different types of **courtroom employees** who may also be present. There are clerks, court reporters who record what is said, and other staff such as those who maintain order in the courtroom (called sheriffs or other terms, depending on the province or territory).

The **public** and **media** may attend trials, as trials are open to the public. Generally, cameras are not permitted in trial courtrooms. A sketch artist may draw witnesses or the accused for use in the news. Media cameras, however, may be outside the courthouse.

The Evidence

Order of Proceedings

The Crown has the burden of proof in a criminal proceeding, and therefore presents their evidence first. The Crown and defence will have the opportunity to present an opening statement (or opening address) in which they summarize the case from their perspective. Legal arguments are not permitted during an opening statement/address.

Witnesses called by the Crown will be first questioned by the Crown. The defence has the right to cross-examine witnesses but they do not have to and do not always cross-examine all witnesses called by the Crown.

After the Crown finishes presenting any witnesses and evidence to be entered, the defence has the opportunity to present their evidence and witnesses, but they do not have to do so. Any defence witnesses are subject to cross-examination by the Crown.

Once both the Crown and defence rest (finish presenting their side), both will then have the opportunity to present Closing Arguments, in which they summarize the case.

Burden of Proof

The Crown will argue that they have met the burden of proof by proving beyond a reasonable doubt that the accused is guilty, whereas the defence will argue the opposite.

However, the Crown must continuously assess the strength of their case and if they no longer believe there is a reasonable likelihood of conviction, they are required to discontinue the prosecution or seek a conviction on a lesser included offence.

Jury Instructions

Although both the Crown and defence will make arguments in their Closing Statements, this is not evidence. The judge will provide direction to the jury on what they can consider and how to go about making their decision, based on the law.

Verdicts

The verdict, or decision, made by the jury or the judge (where there is no jury) will be read aloud in court. Those in the courtroom, including the families and friends of both the victim(s) and accused are expected to maintain the peace. Failure to do so can result in being told to leave the courtroom and/or being held in contempt of court, which is a criminal offence.

Guilty

The standard of proof that is required to convict the accused at trial is guilt beyond a reasonable doubt. It is the Crown who must prove the accused is guilty beyond a reasonable doubt. If the accused is found guilty they are considered “convicted” and become known as the “offender.” A sentencing hearing will be scheduled at a later date.

Not Guilty

If the verdict is “not guilty”, the accused is acquitted. This means that if the person was held in custody (jail), they will be immediately released.

Not Criminally Responsible on Account of Mental Disorder (NCRMD)

An accused can be found Not Criminally Responsible on Account of Mental Disorder (NCRMD) when a judge or jury determines that the accused was suffering from a mental disorder when the crime occurred that deprived the accused of the capacity to appreciate the nature and quality of their actions, or to know that their actions were wrong. A Review Board is a tribunal in each province and territory that is responsible for the supervision of accused persons who were found NCRMD. They make decisions on what happens to an NCRMD accused person after the verdict.

When a Jury is Unable to Reach a Verdict

A “deadlocked” or “hung” jury is when a jury is unable to make a unanimous decision on whether the guilt of a defendant has been proven. When this occurs and all attempts have failed, the judge will declare a mistrial. A new trial, with a new jury, will be scheduled, unless the Crown decides to stay the charges.

Reasons Trials May Not Happen

There are a few reasons why a trial may not occur, even when charges have been laid.

Plea Agreements

A plea agreement is when the Crown and defence reach an agreement on a guilty plea, which may include an agreement on the sentence they will request from the judge. Generally, a guilty plea will result in some type of benefit for the defendant, such as a reduction in the charge or an agreement on a specified sentence, which is requested from the judge. For example, an accused is charged with first degree murder, but pleads guilty to second degree murder, which will mean the possibility of parole at an earlier stage. Plea agreements may be considered by the Crown due to concerns about evidence, witnesses or other issues that may jeopardize the possibility of a conviction. The judge does not have to impose the plea agreement.

Families might not agree with any or all aspects of a plea agreement. However, under the *Canadian Victims Bill of Rights*, the Crown must now take reasonable steps to let a loved one’s family know about plea agreements for all serious personal injury cases, including murder and manslaughter. The judge will ask if this has been done.

Staying or Withdrawing of Charges

Before the preliminary inquiry or the trial has begun, the Crown may decide to withdraw the charges against the accused. If this occurs, the matter will not proceed unless the Crown lays new charges.

Once the proceedings have begun, the Crown or the judge may decide to stay the proceedings, which means that the proceedings must stop. If it was the Crown that imposed the stay, they can restart the process any time up to 12 months after the stay was imposed. If the Crown has not restarted the process within 12 months, the case against the accused will not continue. A judge can also impose a stay of proceedings. If this happens, the proceedings can only be restarted if that decision is successfully appealed. If charges are stayed or withdrawn, the accused is released.

Unfit to Stand Trial

If the accused has a mental disorder that renders them incapable of meaningful participation in their trial, they may be found **unfit to stand trial**. This means that they are unable to understand the proceedings, the possible consequences, or they are unable to communicate with counsel. A judge may order that the accused undergo mandatory treatment to help the person become fit so that the trial can proceed. Until they are fit, the accused will be subject to restrictions, often in a hospital, and supervised by a provincial review board.

Appeals

After a trial has been completed, appeals may be filed, usually within a short time after the verdict or sentence. An appeal is a request for a higher court to review the case.

An appeal can be made by either the Crown or the defence, and could be in regard to a number of issues, such as the length of the sentence, the judge’s instructions to the jury, or what evidence was allowed or excluded by the judge. The appeal is made to the provincial or territorial Court of Appeal. Unless an extension is granted, an appeal must be filed within the time limit set out by the rules of the court.

If the Court of Appeal’s decision is challenged, either party can then appeal to the Supreme Court of Canada (SCC). The SCC does not have to accept the appeal.

Families often find that the announcement that an appeal has been filed or accepted extremely frustrating and traumatizing. The idea that they will have to go through the whole trial again is inconceivable. The Crown attorney or Victim Services can explain the appeals process and what is happening.

Sentencing of Adult Offenders

Once a verdict of guilt has been delivered by the judge or jury, or the accused pleads guilty, a sentence needs to be imposed by the judge.

A conviction of first-degree murder results in an automatic life sentence without eligibility for day parole for 22 years and full parole for 25 years. Parole is not guaranteed, meaning that the offender is not automatically released at the time of their parole eligibility. Even if released, the offender will be on parole for the rest of their life and may be re-incarcerated if they breach (break) any of the conditions of parole, or if they re-offend.

For second degree murder, although a life sentence is imposed, the parole ineligibility differs; offenders cannot be eligible for parole until they have served between 10 and 25 years, as determined by the judge.

The maximum sentence for manslaughter is a life sentence. If a life sentence is imposed, parole can be applied for after seven years. In manslaughter cases where a firearm was used, the mandatory minimum sentence is four years. Where a firearm is not used, there is no mandatory minimum sentence. This means that a judge has a wide range of possible sentences to impose, from zero (or four) years to life imprisonment.

For first and second-degree murder, and in manslaughter cases where a life sentence is imposed, even if released, the offender will be on parole for the rest of their life because they are serving a life sentence and may be re-incarcerated if they breach any of the conditions of parole, including re-offending.

Summary of Sentencing Differences by Charge

	1st Degree Murder	2nd Degree Murder	Manslaughter
Maximum	Life imprisonment	Life imprisonment	Life imprisonment
Mandatory minimum	Life imprisonment	Life imprisonment	None
Parole ineligibility periods	25 years	10-25 years However, 25 years is required for anyone who has a previous conviction for murder	Normal eligibility for parole, unless imprisonment for life is imposed then it is 7 years
Possibility of the judge ordering consecutive parole ineligibility periods in cases of multiple charges	Yes	Yes	No

Factors that Determine Sentencing

For first degree murder, the life sentence and parole eligibility are mandatory. In some cases, where there is more than one murder victim, consecutive (i.e., served one after another) parole ineligibility periods may be imposed, but there can only be one life sentence. For second degree murder and manslaughter, there is a lot more flexibility for the judge.

Mitigating and Aggravating Factors

To determine the parole ineligibility for second degree murder, the judge will need to assess many factors. A *mitigating* factor is any fact that might lessen the degree of responsibility of the offender or the seriousness of the offence. For example, the accused pleading guilty, showing remorse or their age may be considered mitigating factors.

An *aggravating* factor is any fact or circumstance that might increase the degree of responsibility of the offender or increase the seriousness of the offence, such as the age of the victim, the vulnerability of the victim or whether the crime was motivated by hate based on race, national or ethnic origin, gender, age or sexual orientation or gender orientation or any other similar factor.

Recent changes to criminal law now formally recognize that abusing an intimate partner or a member of the victim's family in the commission of a crime is an aggravating factor at sentencing. Judges are also required to give primary consideration to the objectives of denunciation and deterrence when the crime involves the abuse of a child or an adult who is vulnerable because of personal circumstances, which includes female or Indigenous victims. A sentence that meets these objectives requires the imposition of a penalty that communicates society's disapproval of the offender's conduct and that discourages the offender or others from committing similar crimes. Where these objectives are favoured, the court usually imposes a jail sentence to reflect the severity of the crime.

This is quite complicated, and the Crown will explain the circumstances specific to the case to the family.

Time Served

In determining the amount of time to be served until the offender can apply for parole, the judge will calculate any time the offender spent in jail after being charged with the offence and before being sentenced. The judge might provide up to one and a half days for every day the offender was in a remand centre (jail). For first and second-degree murder, the amount of time spent in custody is calculated as "straight time" or one day for one day.

Consecutive Versus Concurrent Sentencing

When the offender has been found guilty of two or more charges at the same time, the judge will need to determine if the offender will serve the sentences concurrently (at the same time) or consecutively (one after the other). Concurrent sentences are most common in Canada. Consecutive sentences are more likely when the offences are not related.

In Canada, offenders convicted of multiple murders are not eligible for consecutive sentences, meaning that the maximum sentence for first degree murder – regardless of the number of victims – is life with the possibility of parole after 25 years.

Crown and Defence Recommendations

The Crown and defence can both submit recommendations on sentencing, and sometimes will come to an agreement on their recommendations. The judge is not required to agree with the recommendations, as sentencing is solely the judge's decision. However, judges do not reject a joint sentence recommendation lightly.

Pre-Sentence Reports and Impact of Race and Culture Assessment

The judge may request that a pre-sentence report be presented prior to sentencing to provide a full history of the offender and their special needs/requirements, their criminal and social history, as well as the risks posed to the community by the offender.

When the offender is Indigenous, a special report called a Gladue Report may be requested to inform the Court of the shared background of, and unique issues faced by, Indigenous individuals in Canada. A Gladue Report may result in a shorter sentence or parole eligibility, due to the specific circumstances of the offender. This request can come from the judge, defense counsel, or Crown Attorney.

In some jurisdictions, where the offender is Black or otherwise racialized, an Impact of Race and Culture Assessment (IRCA) may be prepared to provide the court with information about the offender's racial and cultural heritage and their experience with systemic racism that may have contributed to bringing them before the court.

The use of Gladue Reports and IRCAs may be difficult for families of homicide victims. This is especially true when the victims or their families have had similar struggles, experiences and victimization that might alter the type or length of an offender's sentence.

The Role of Families in Sentencing

The sentencing phase is the time when families generally have the most involvement in the criminal court process. It is at this time that families can provide a written statement of the harm they have suffered called a victim impact statement. The courts recognize that the families, friends and community that are impacted are also victims.



Note: For excellent overviews of Gladue Reports and the possible impacts on Indigenous victims, check out Jackie Hong's "For Indigenous Victims of Crime, Gladue can be a difficult topic". Yukon News (2019-02-06)

Victim Impact Statements

A victim impact statement can explain how the crime has affected the victim(s) or their loved ones. This could include emotional, physical or economic effects, as well as ongoing fears for their own safety or that of their family and friends. A poem, letter or drawing can also be used to express the victim's feelings. A photograph of a victim may also be included, as long as it is deemed appropriate by the judge.

All provinces and territories use one standard form to develop a victim impact statement. This can be found online, or can be provided by the Crown, police or Victim Services. Victim Services can assist in the preparation of the statement. Once completed, the form goes to Victim Services, the Crown, or the clerk of the court.

All completed victim impact statements are provided to the offender or their lawyers. The defence can object to the content of a victim impact statement if it does not meet the legal criteria, but they are not responsible for approving the content. If the information provided by the victim is admissible, the court must consider it.

Community Impact Statement

A community impact statement is a written statement that describes the harm or loss that an offence has caused to a community. A person in the community presents the statement on behalf of the community. If a community chooses to submit a community impact statement, the court must take it into account during the sentencing of the offender.

Community impact statements recognize that the effects of crime can be far-reaching. Sometimes the victim of an offence is more than one person - it is a community. The purpose of community impact statements is to allow the community to explain to the court and the offender how the crime has affected the community.

Each community chooses someone to prepare the community impact statement. This can be any person from the community that has been harmed by an offence or who has knowledge of the harm caused to the community. For example, community organizations, religious organizations, National or Regional Indigenous Organizations and First Nations bands have all prepared community impact statements.

As with victim impact statements, each province and territory may establish its own procedure for community impact statements. The community impact statement form may be obtained from the police, Victim Services or the prosecutor.

The offender or their lawyer also receives a copy of the completed community impact statement form and may cross-examine a community representative about the statement.



Young Persons Who Offend

Young persons aged 12 through 17 who are alleged to have committed criminal offences are dealt with according to the provisions of the *Youth Criminal Justice Act* (YCJA). Children younger than 12 cannot be charged with any crimes.

The names of young persons in conflict with the law are protected under the YCJA and cannot be released to the media, except under certain circumstances, for instance where an adult sentence is imposed.

Sentencing Young Offenders

The sentence of a young person found guilty of an offence committed when they were aged 12-17 is dependent upon whether they are sentenced as a youth or an adult.

Imposing an Adult Sentence on a Young Offender

In exceptional circumstances, youth court judges do have the authority to impose an adult sentence on a young person. In order for the court to impose such a sentence, the young person must have been 14 or older at the time of the offence, and have been found guilty of an offence for which an adult could be imprisoned for more than two years. Furthermore, the prosecution must be able to rebut the presumption that the young person has diminished moral blameworthiness, and prove that a youth sentence would not be of sufficient length to hold the young person accountable in the circumstances.

If a young person is sentenced as an adult, they cannot be placed in an adult prison before they turn 18 years old. If an adult sentence is imposed, the restriction on the publication of the offender’s name is removed.

Summary of Sentencing Differences by Charge

		1st Degree Murder	2nd Degree Murder	Manslaughter
Young person, sentenced as an adult (16-18 at the time of offence)	Maximum	Life imprisonment	Life imprisonment	Life imprisonment
	Minimum	Life imprisonment	Life imprisonment	None
	Range of parole ineligibility	Maximum is 10 years	Maximum is 7 years	Normal eligibility for parole
	No possibility of consecutive parole ineligibility on each count	Yes	Yes	No
Young person, sentenced as an adult (14-15 at the time of offence)	Maximum	Life imprisonment	Life imprisonment	Life imprisonment
	Minimum	Life imprisonment	Life imprisonment	None
	Range of parole ineligibility	5-7 years	5-7 years	Normal eligibility for parole
	No possibility of consecutive parole ineligibility (consecutive sentences) on each count	Yes	Yes	No
	The name and other identifying information of the youth can be released to the public	Yes	Yes	Yes

Young person, sentenced as a youth Note: Youth records are sealed. Generally, the names of the offenders cannot be released, even when they become adults	Maximum sentence for young offenders sentenced as youths.	10 years to be served, a maximum of 6 years in custody, followed by placement under conditional supervision in the community	7 years to be served, a maximum of 4 years in custody, followed by placement under conditional supervision in the community	3 years, first period in custody, followed by placement under conditional supervision in the community
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Corrections

The Correctional Service of Canada (CSC) is responsible for the federal correctional system in Canada, including the supervision of offenders under conditional release in the community. The police have no role in this aspect of the criminal justice system.

A penitentiary (often called a prison in some provinces/territories) is where offenders go after they are sentenced to two years or more. Prior to trial, accused individuals (not yet sentenced) may be remanded in a provincial/territorial remand centre (jail). Also, offenders sentenced to two years less one day go to jail/remand centres and not to prison.

Correctional Service of Canada (CSC) is responsible for all individuals sentenced to two years or longer. There are different types of prisons, based on the security level and the gender identity of the offender. The majority of inmates are cisgender and transgender men, and there are more prisons for men than women.

Information Available to the Victim or Family About the Offender

Victims and their family members do not automatically receive information about the offender. Some victims do not wish to be contacted about the offender. The one exception is that CSC will notify family members of homicide victims when offenders do not apply for judicial review.

In order to receive information, a victim must first register with CSC (or with the Parole Board of Canada (PBC). This can be done via the request form available on the CSC website or through the Victims Portal (<http://www.csc-scc.gc.ca/victims-victimes>). For more information, victims can also call toll-free at 1-866-806-2275.

To contact the Parole Board of Canada (PBC), victims can visit the website (<https://www.canada.ca/en/parole-board/index.html>) or call toll-free at 1-866-789-4636.

The information about an offender that can be disclosed to registered victims is listed in Section 26(1) of the *Corrections and Conditional Release Act*. This includes:

- the offender’s name
- the offence for which the offender was convicted and the court that convicted the offender
- the start date and length of the sentence that the offender is serving
- the offender’s eligibility dates and review dates for temporary absences or parole

Other information can be requested by registered victims, but the request must first be reviewed by Correctional Service of Canada to determine if the victims’ interest outweighs privacy of the offender.

This information may include:

- the offender’s age
- the name and location of the penitentiary in which the sentence is being served
- if the offender is transferred, a summary of the reasons for the transfer and the name and location of the penitentiary in which the sentence is being served, including advance notice, whenever possible, of transfers to minimum-security institutions
- notification by CSC of the removal of the offender from Canada under the *Immigration and Refugee Protection Act* before the expiration of the sentence
- the programs in which the offender is participating or has participated
- the serious disciplinary offences that the offender has committed
- the date of any hearing for the purposes of a PBC review
- whether the offender is in custody and, if not, why
- whether or not the offender has appealed a decision of PBC and the outcome of that appeal
- the reason for a waiver of the right to a hearing under subsection 140(1) if the offender gives one

Information About the Victims

Correctional Service of Canada (CSC) and Parole Board of Canada (PBC) welcome information from victims about offenders and any concerns they may have for their safety or that of others. As well as any other relevant information they feel is important, including requesting special release conditions.

Victim Statements

Throughout the offender’s sentence those impacted by the homicide are able to provide victim statements which outline how the crime has impacted them (physical, emotional or financial), and any concerns they may have about their safety. This is different from the court documents (victim impact statements) used in sentencing, which are sent to CSC as part of the offender’s files. CSC considers victim statements when planning and managing the offender’s case and when preparing recommendations for the PBC about release decisions. CSC shares all victim statements it receives with PBC.

Disclosure of Information Provided by Victims

Offenders do not have the right to be notified if a victim registers with CSC or the PBC to receive information and notifications. However, the law requires that CSC and the PBC disclose to the offender any information the victim has provided that will impact their decision. Victims’ personal information, such as their contact information, is NOT shared with offenders.

Should victims have concerns about providing information about the offender, they must discuss these with CSC or the PBC prior to providing that information. By doing so, a victim may then decide whether or not they wish to provide information.

Contact of Victims by Inmates

CSC monitors incoming and outgoing offender mail and has a telephone monitoring system that can authorize or prevent communications between offenders and members of the public. Any person who does not wish to be contacted by a federal offender can ask CSC to stop the unwanted communications while the offender is incarcerated by contacting CSC through the Regional Victim Services Unit (Atlantic, Ontario, Pacific, Prairie or Quebec Region). If you are unsure, you can

contact the National Headquarters office. The Victim Services officers will assist with your request and contact the correct site (liaise with the Parole Officer and/or Security Intelligence Officer) where the offender is being held.

➤ **Correctional Service of Canada, National Headquarters**

Toll-free: 1-866-806-2275-1-0
Email: victims-victimes@csc-scc.gc.ca

➤ **Atlantic Region**

Toll-free: 1-866-806-2275-1-5
Email: GEN-ATL-VictimServices@csc-scc.gc.ca

➤ **Ontario Region**

Toll-free: 1-866-875-2225
Email: GEN-ONT-VICTIMSERVI@csc-scc.gc.ca

➤ **Pacific Region**

Toll-free: 1-866-806-2275-1-1
TTY: 1-604-851-3812
Email: GEN-PAC-RHQVictims@csc-scc.gc.ca

➤ **Prairie Region**

Toll-free: 1-877-322-5822
Email: Prairiesvictimservices@csc-scc.gc.ca

➤ **Quebec Region**

Toll-free: 1-450-967-3680
Email: QUEvictimes@csc-scc.gc.ca

Other Types of Victim Input and Involvement

Victims may also become involved by:

- sitting on a PBC-CSC joint regional Victim Advisory Committee (available in some parts of Canada)
- sitting on a Citizen Advisory Committee for CSC
- assisting with victim awareness programs for offenders
- participating in CSC’s restorative justice programs and victim-offender mediation programs through its Restorative Opportunities Program

Information to Assist Victims

The National Office of Victims (NOV) at Public Safety Canada has an information guide to assist victims. The guide covers information on federal corrections and conditional release. It can be found on the following website: <https://www.publicsafety.gc.ca/cnt/rsrscs/pblctns/2016-gd-ssst-vctms/2016-gd-ssst-vctms-en.pdf>

You may contact them directly by email at ps.nationalofficeforvictims-bureaunationalpourlesvictimes.sp@canada.ca.

Restorative Justice and Victim-Offender Mediation Services

The Correctional Service of Canada (CSC) offers victim–offender mediation services through its Restorative Opportunities Program. It is a post-sentence program that offers people who have been harmed by a crime a chance to communicate, either directly or indirectly, with the offender who caused the harm. The program explores opportunities to use various Restorative Justice models that best suit the needs of the participants, as defined by the participants, with the assistance of a professional mediator. This may include letter/video exchanges, face-to-face meetings, circle processes, or relaying messages through a mediator. Further information is available at <http://www.csc-scc.gc.ca/restorative-justice/003005-0001-eng.shtml>.

Restorative Justice is an approach to justice that focuses on addressing the harm caused by crime and meeting the needs of those involved. In essence, Restorative Justice processes provide opportunities for safe and voluntary dialogue between victims, offenders, and communities. It is an approach based on principles that include respect, compassion, inclusion, choice and truth. Restorative Justice can lead to meaningful accountability, recognition of harm or loss, positive change and forward movement, feelings of satisfaction, improvements in health and personal well-being, as well as an improved sense of safety.

Security Levels of Prisons/Penitentiaries

There are different levels of security at Canadian prisons that reflect the correctional needs of inmates. CSC assesses those needs based on information from the courts, police, victims and their family members, and the inmate themselves. The

security level is based on three factors: how the offender will adjust to an institution, the risk of escape, and the risk to public safety (including that of staff and other inmates). Generally, inmates transition downward to lower security levels over time. This is done as the majority of inmates will eventually be released back into the community.

Men’s Institutions

Maximum security is a very restricted type of institution. Inmates classified as maximum security are those who:

- present a greater threat to the safety of the public
- require a higher degree of supervision
- have a higher chance of attempting to escape

A maximum-security setting is a highly structured living environment where there is little freedom of movement and all activities are controlled by a strict routine. It represents the most secure level of custody.

The focus is on preparing inmates for an eventual integration into a more open living environment such as a medium security setting through programs, employment, interventions and educational activities.

Medium security environments are more open and there is more freedom of movement within the institution. Inmates in medium security institutions have more privileges and they are encouraged to be more responsible for their daily needs. Minimum security institutions allow greater inmate movement, association and privileges, but are still controlled by correctional staff. The intention is to prepare inmates for their eventual return to the community.

In addition to these three levels of security, there is one Special Handling Unit that is intended for inmates whose behaviour cannot be managed within a maximum security setting. However, the goal is to return inmates to a maximum security environment when the risk becomes manageable.

Women’s Institutions

For female offenders, all institutions are multi-level, with maximum, medium and minimum security areas. The only exception is the Okimaw Ohci Healing Lodge, which has only medium and minimum security inmates.

Healing Lodges and Healing Villages

Healing Lodges are intended to meet the needs of some of the Indigenous federal offenders. Although non-Indigenous inmates may also live in these institutions. These facilities are developed and operated in partnership with Indigenous communities and are intended to provide a compatible cultural environment and Indigenous interventions.



Parole

The Parole Board of Canada (PBC) is a separate, independent administrative tribunal under the Public Safety portfolio. The role of the PBC is to make decisions about conditional releases, as well as record suspensions and clemency recommendations.

Information to Assist Victims

The National Office of Victims at Public Safety Canada has an information guide to assist victims. The guide covers information on federal corrections and conditional release. It can be found on the following website: <https://www.publicsafety.gc.ca/cnt/rsrscs/pblctns/2016-gd-ssst-vctms/2016-gd-ssst-vctms-en.pdf>

Parole is a conditional release into the community that permits some offenders to finish serving their sentences outside of prison, but under the supervision of Correctional Service of Canada (CSC) parole officers. Conditions apply to their release, and if they are not met, the PBC may revoke that privilege and return an offender to prison.

Victim Rights

The PBC also registers victims. If a person wants to provide a victim statement in writing or present one at a PBC hearing for the offender, they can find more information on CSC's website (www.csc-scc.gc.ca). Victims can learn how to:

- submit and receive information from the Parole Board of Canada
- apply to attend a parole hearing
- present a victim statement at a hearing
- request to access an audio recording of a hearing
- and request written decisions

To apply for funds to attend in-person PBC hearings, go to Justice Canada's website: <https://www.justice.gc.ca/eng/fund-fina/cj-jp/fund-fond/attend-audience.html>

Types of Conditional Release

There are several types of conditional releases that an offender may be granted.

Temporary Absences

A temporary absence is a time-limited release into a community that can be either escorted or unescorted. Escorted absences can be applied for at any time during an offender’s sentence.

For unescorted absences, offenders serving three years or more are eligible only after serving 1/6 of their sentences. For offenders serving life sentences, they are eligible for unescorted absences only after three years before their full parole eligibility dates.

Maximum security offenders are not eligible for unescorted absences at any point.

Day Parole

Offenders who have been granted day parole must return every night to a community-based residential facility or “halfway house”, unless otherwise authorized by the PBC.

Full parole

Generally, after successful completion of day parole, offenders will progress to full parole. Eligibility does not mean parole will be granted.

Work Release

Work release allows an incarcerated offender to work for a specified time in the community on a paid or voluntary basis while under supervision. Generally, offenders are eligible for work release when they have served one-sixth of their sentence or six months, whichever is greater. Offenders in maximum security institutions are not eligible for work release.

The institutional head has authority to grant a work release of up to a maximum period of 60 days under specified conditions that always include supervision. Correctional authorities grant work release to carefully selected offenders who perform work and services of benefit to the community such as painting, general repairs and maintenance of community centres or homes for the elderly. Work release is one of the first steps in the safe, gradual reintegration of offenders into society.

Statutory release

Statutory release is a mandatory release by law of an inmate. It is not parole and is not a decision of the PBC. By law, most offenders (except those serving a life or indeterminate sentence) must be released by the CSC with supervision after serving two-thirds of their sentence, if parole has not already been granted.

Supporting Families

Unexpected deaths are shocking and lead to a range of emotions that are different from those that are experienced with long illnesses resulting in expected natural deaths. When the death is due to violence, the trauma is compounded.

Those who are left behind are sometimes called “co-victims” or “homicide survivors” and are recognized under Canadian law as being victims of crime themselves. More information about the rights of victims can be found on the Justice Canada website: <https://www.justice.gc.ca/eng/cj-jp/victims-victimes/rights-droits/>

The grief and trauma experienced by family and friends of a homicide victim can be wide-ranging and evolve over time. There can be emotional, physical, cognitive (thinking), interpersonal, or even spiritual impacts.

There is no one way to respond. Everyone can benefit from a strong support system, which may involve counselling, support groups, or spiritual support. The following are resources that can support those who have experienced the terrible trauma of a loved one’s murder.

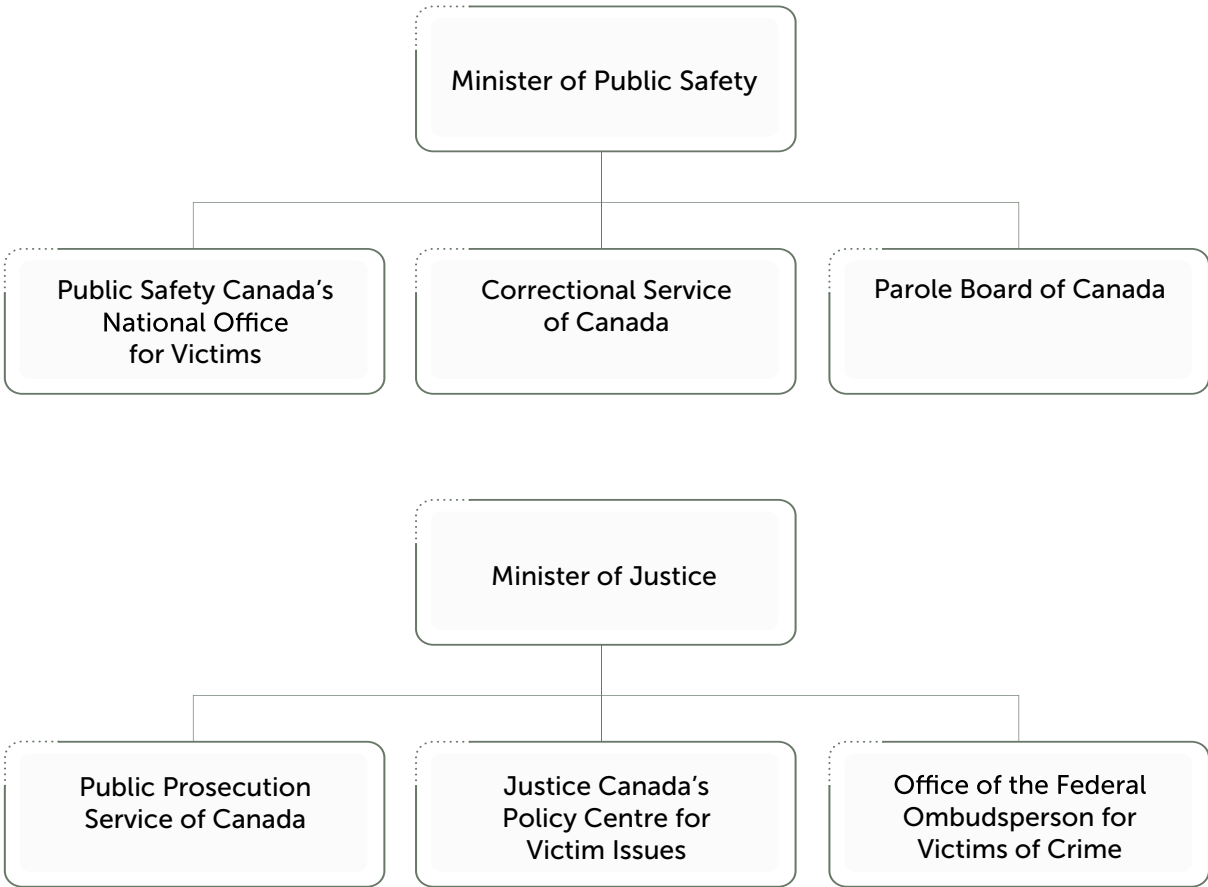


Note: Not all Victim Services may be available in your area. Further, you may not be able to access certain services, depending on your relationship to the victim. Speak to the Victim Services worker to see what is available.

National: Victims' Rights, Supports and Links

The following are links and directions for seeking further information on various topics.

Overview of Federal Corrections and Criminal Justice Victim-Centred Information and Assistance



Victim Services

- **Victim Services Directory** by province or territory, Justice Canada
Website: <https://www.justice.gc.ca/eng/cj-jp/victims-victimes/vsd-rsv/agencies-agences.aspx>
- **Victims – Information Products**, Justice Canada
Website: <https://www.justice.gc.ca/eng/rp-pr/cj-jp/victim/>

Media Guides

- **Media Toolkit**, Government of Saskatchewan
Website: <https://www.saskatchewan.ca/residents/family-and-social-support/help-for-families-of-missing-or-murdered-persons>
- **Working with the Media: A Guide for Canadian Victim Service Providers**
Canadian Resource Centre for Victims of Crime
Website: https://crcvc.ca/general_resources/if-the-media-calls-a-guide-for-crime-victims-survivors/

Support Documents

- Canadian Resource Centre for Victims of Crime** (Website: <https://crcvc.ca/resources/publications/>):
- Homicide Survivors – Dealing with Grief
 - How to Talk to Children about Homicide
 - Resiliency
 - Victim Blaming in Canada
 - Navigating the Canadian Criminal Justice System: A Guide for Victims

Other Supports

- **Canadian Resource Centre for Victims of Crime**
Phone: 613-233-7614
Toll-free: 1-877-232-2610



Text: 613-208-0747

Email: crcvc@crcvc.ca

Website: <https://crcvc.ca>

➔ **Canadian Parents of Murdered Children and Survivors of Homicide Victims**

Good resources for families of all homicide victims, regardless of age

Website: <http://canadianpomc.ca>

➔ **Family Information Liaison Units**, Justice Canada

List of Provincial/Territorial Units and contact information

Website: <https://www.justice.gc.ca/eng/fund-fina/cj-jp/fund-fond/mmiw-fada/info.html>

➔ **Missing and Murdered Indigenous Women and Girls Support Line**

For immediate emotional assistance, call 1-844-413-6649

This is a national, toll-free 24/7 crisis call line providing support for anyone who requires emotional assistance related to missing and murdered Indigenous women and girls. You can also access long-term health support services such as mental health counselling, community-based emotional support and cultural services and some travel costs to see Elders and traditional healers.

Government Offices

➔ **Parole Board of Canada** (Head office)

Phone: 613-954-7474

Toll-free: 1-866-789-4636

Email: info@pbc-clcc.gc.ca

Website: <https://www.canada.ca/en/parole-board.html>

➔ **National Office for Victims, Public Safety Canada**

Email: ps.nationalofficeforvictims-bureaunationalpourlesvictimes.sp@canada.ca

Website: <https://www.publicsafety.gc.ca/cnt/cntrng-crm/crrctns/ntnl-ffc-vctms-en.aspx>

➔ **Office of the Federal Ombudsperson for Victims of Crime**

Toll-free: 1- 866-481-8429

Outside Canada: 613-954-1651

Teletypewriter (TTY): 1-877-644-8385

Email: victimfirst@ombudsman.gc.ca

Website: <https://victimfirst.gc.ca/>

➔ **Victims Portal, Correctional Service of Canada**

Toll-free: 1-866-806-2275

Website: <https://www.canada.ca/en/correctional-service/services/you-csc/victims/portal.html>

➔ **Victims Portal, Parole Board of Canada**

Toll-free: 1-866-789-4636

Website: <https://www.canada.ca/en/correctional-service/services/you-csc/victims/portal.html>

Provincial and Territorial Services

Victim Services, support groups and other services differ in their composition, duration, and structure. Depending on geography, information can be gained from local Victim Services about the availability of services in a specific area.

Alberta

Victim and Mental Health Services

➔ **Victim Services, Alberta Government**

Phone: 780-427-3460

Outside of Edmonton: dial 310-0000 (ask for Victims Program)

Website: <https://www.alberta.ca/victims-of-crime>

➔ **Victims of Crime Assistance program, Alberta Government** (Financial assistance)

Phone: 780-427-7217

Outside of Edmonton: dial 310-0000 (ask for Victims Program)

Email: victimsofcrime@gov.ab.ca

Website: <https://www.alberta.ca/programs-for-victims-of-crime>

➔ **Mental Health Helpline**

Toll-free: 1-877-303-2642



Other Supports

- ➔ **Alberta Family Information Liaison Unit, Alberta Government**
(Victim Services for families of missing or murdered Indigenous women and girls)
Phone: 780-644-5187
Toll-free: 310-0000
Website: <https://www.alberta.ca/family-information-liaison-unit>
- ➔ **Lloydminster: Victims of Homicide-Lloydminster Chapter** (Support group)
Website: <https://www.victimsofhomicide.org/more-support-groups>
- ➔ **Calgary: Calgary Homicide Support Society** (Support group)
Website: <https://www.calgaryhss.ca/>
- ➔ **Edmonton: Inner City Victims of Homicide Support Group – Métis Child and Family Services Society** (Support group)
Website: <http://www.metischild.com/2019Site/index.html>
- ➔ **Edmonton: Victims of Homicide of Edmonton Support Society** (Support group)
Website: <https://www.victimsofhomicide.org/>

Government Offices

- ➔ **Criminal Injuries Review Board**
Phone: 780-427-7330
Also available toll-free from anywhere in Alberta: 310-0000
- ➔ **Office of the Chief Medical Examiner, Alberta Government**
(Information, including how to order documents, including death certificates)
Calgary location phone: 403-297-8123
Edmonton location phone: 780-427-4987
Email: ocme_admin@gov.ab.ca
Website: <https://www.alberta.ca/office-chief-medical-examiner>



British Columbia

Victim and Mental Health Services

- ➔ **Victim Services and Crime Prevention Division, Government of British Columbia**
Phone: 604-660-5199
British Columbia and Yukon: 1-800-563-0808
TTY: 604-875-0885
Email: victimservices@gov.bc.ca
Website: <https://www2.gov.bc.ca/gov/content/justice/criminal-justice/bcs-criminal-justice-system/if-you-are-a-victim-of-a-crime/victim-ofcrime/victim-services>
- ➔ **Crime Victim Assistance Program, Government of British Columbia** (Financial assistance)
Phone: 604-660-3888
Toll-free inside British Columbia: 1-866-660-3888
Email: cvap@gov.bc.ca
Website: <https://www2.gov.bc.ca/gov/content/justice/criminal-justice/bcs-criminal-justice-system/if-you-are-a-victim-of-a-crime/victim-of-crime/financial-assistance-benefits>
- ➔ **VictimLinkBC, Government of British Columbia**
(Link to available supports, 24 hours a day)
Toll-free: 1-800-563-0808
Website: <https://www2.gov.bc.ca/gov/content/justice/criminal-justice/victims-of-crime/victimlinkbc>
- ➔ **BC Mental Health and Substance Use Services**
Phone: 310-6789 (310 Mental Health)
Website: <https://www.healthlinkbc.ca/mental-health-substance-use>
- ➔ **Crisis Intervention and Suicide Prevention Centre of British Columbia**
Toll-free: 1-800-784-2433 (1-800-Suicide)
Website: <https://www.crisiscentre.bc.ca/>

Other Supports

- ➔ **BC Family Information Liaison Unit, Government of British Columbia**
(Victim Services for families of missing or murdered Indigenous women and girls)

Toll-free: 1-888-355-0064

Email: BCFILU@gov.bc.ca

Website: <https://www2.gov.bc.ca/gov/content/justice/criminal-justice/bcs-criminal-justice-system/if-you-are-a-victim-of-a-crime/victim-of-crime/family-information-liaison-unit>

➔ **BC Victims of Homicide** (Support group)

Helpline: 604-738-9950

Toll-free: 1-877-779-2223

Email: contact@bcbh.ca

Website: <https://bcbh.ca/grief-support/homicide-grief-support/>

➔ **British Columbia Bereavement Helpline**

Helpline: 604-738-9950

Toll-free: 1-877-779-2223

Email: contact@bcbh.ca

Website: <https://bcbh.ca/>

Government Offices

➔ **Vital Statistics Agency, Government of British Columbia** (How to obtain a death certificate)

Mail: Vital Statistics Agency, PO Box 9657 Stn Prov Govt, Victoria, B.C., V8W 9P3; Victoria

Phone: 250-952-2681

Elsewhere in BC Phone: 1-888-876-1633

Website: <https://ecos.vs.gov.bc.ca/>

In-person locations: <https://www2.gov.bc.ca/gov/content/governments/organizational-structure/ministries-organizations/ministries/citizens-services/servicebc>

➔ **BC Coroners Service, Government of British Columbia** (Information)

Phone: 604-660-7745

Website: <https://www2.gov.bc.ca/gov/content/life-events/death/coroners-service>

➔ **BC Coroners Service Interior Regional Office**

Phone: 250-861-7429

Toll-free: 1- 888-991-2111

Email: BCCSNorthernregion@gov.bc.ca

➔ **BC Coroners Service - Northern Regional Office**

Phone: 250-861-7429

Toll-free: 1- 888-991-2111

Email: BCCSNorthernregion@gov.bc.ca

➔ **BC Coroners Service - Lower Mainland Regional Office:**

Phone: 604-660-7708

Email: BCCS.LMRegion@gov.bc.ca

➔ **BC Coroners Service - Vancouver Island/Sunshine Coast Regional Office**

Phone: 250-356-9133

Toll-free: 1-888-741-3707

Email: sgbccsislandregion@gov.bc.ca

Manitoba

Victim and Mental Health Services

➔ **Victim Services, Government of Manitoba**

Phone: 204-945-6851

Toll- free: 1-866-484-2846

Website: <https://www.gov.mb.ca/justice/vs/>

➔ **Compensation for Victims of Crime Program, Government of Manitoba** (Financial Assistance)

Phone: 204-945-0899

Toll-free inside Manitoba: 1-800-262-9344

Website: <https://www.gov.mb.ca/justice/vs/cvc/supportfamily.html>

➔ **Manitoba Keewatinowi Okimakanak Inc. (MKO)** (Victim Services for Indigenous families)

Website: <https://mkonation.com/>



➔ **Medicine Bear Counselling, Support and Elder Services, Ka Ni Kanichihk**

Family Information Liaison Units

Phone (Northern Manitoba): 204-677-1600

Toll-free: 1-888-953-5264

Email: medicinebear@kanikanichihk.ca

Website: <https://www.kanikanichihk.ca/medicine-bear/>

Other Supports

➔ **Manitoba Organization for Victim Assistance** (Support group)

Website: <https://www.mova.ca/>

➔ **Manitoba Trauma Information and Education Centre – Homicide Bereavement** (Information Guide)

Website: <https://trauma-informed.ca/>

Government Offices

➔ **Manitoba Family Information Liaison Unit, Government of Manitoba**

(Victim Services for families of missing or murdered Indigenous women and girls)

Toll-free: 1-866-484-2846

Website: <https://www.gov.mb.ca/justice/vs/cs/resources.html>

➔ **Manitoba Vital Statistics Branch, Government of Manitoba** (How to obtain a death certificate):

Phone (Winnipeg): 204-945-3701

Toll-free: 1-866-949-9296

Email: vitalstats@gov.mb.ca

Website: <https://vitalstats.gov.mb.ca/>

➔ **Aurora Family Therapy Centre, University of Winnipeg - Homicide Bereavement Program**

Phone: 204-786-9251

Website: <https://aurorafamilytherapy.com/therapy-services/homicide-bereavement-program/>

➔ **Chief Medical Examiner's Office, Government of Manitoba** (Information)

General Office: 204-945-2088

Toll-free: 1-800-282-8069

Answering Service: 204-945-2088 (after hours)

Website: <https://www.gov.mb.ca/justice/cme/index.html>

New Brunswick

Victim and Mental Health Services

➔ **Victim Services, Government of New Brunswick**

Phone: 506-453-3992

Website: https://www2.gnb.ca/content/gnb/en/departments/public-safety/community_safety/content/victim_services.html

➔ **Victims of Crime – Compensation, Government of New Brunswick** (Financial assistance):

Toll-free (Suicide Prevention CHIMO Helpline): 1-800-667-5005

Email: DPS-MSP.Information@gnb.ca

Website: https://www2.gnb.ca/content/gnb/en/services/services_renderer.201175.html

Other Supports

➔ **Family Information Liaison Unit, Government of New Brunswick**

(Victim Services for families of missing or murdered Indigenous women and girls)

Phone: 506-259-2453

➔ **Public Legal Education and Information Service of New Brunswick**

Are you a Victim of Crime? Services for Victims of Crime Booklet

Website: https://www.legal-info-legale.nb.ca/en/uploads/Services_for_Victims_of_Crime_EN.pdf



Government Offices

- ➔ **Coroner Services, Government of New Brunswick**
(How to obtain documents, including death certificates)
Phone: 506-453-3604
Email: DPS-MSP.Information@gnb.ca
Website: https://www2.gnb.ca/content/gnb/en/services/services_renderer.14198.Coroner_Services.html

Newfoundland & Labrador

Victim and Mental Health Services

- ➔ **Victim Services, Government of Newfoundland and Labrador**
Phone: 709-729-7970
Email: victimservices@gov.nl.ca

Other Supports

- ➔ **Newfoundland and Labrador Family Information Liaison Unit, Government of Newfoundland and Labrador**
(Victim Services for families of missing or murdered Indigenous women and girls)
Phone (Gander Office): 709-486-9623
Phone (Happy Valley-Goose Bay Office): 709-327-7939
Phone (Nain Office) 709-922-1361
Email: karitraynor@gov.nl.ca

Government Offices

- ➔ **Office of the Chief Medical Examiner, Government of Newfoundland and Labrador** (Information)
Phone: 709-777-6402
Email: ocme@gov.nl.ca
Website: <https://www.gov.nl.ca/jps/departement/branches/division/division-ocme/>



- ➔ **Vital Statistics Division, Government of Newfoundland and Labrador**
(Information, including how to obtain a death certificate)
In person: 149 Smallwood Drive, Mount Pearl, NL
By mail: Digital Government and Service NL, P.O. Box 8700, St. John's, NL A1B 4J6
Phone: 709-729-3308
Email: vstats@gov.nl.ca
Website: <https://www.gov.nl.ca/dgsnl/vitalstats/>

Northwest Territories

Victim and Mental Health Services

- ➔ **Victim Services, Government of the Northwest Territories**
Phone: 867-767-9261 (collect calls accepted)
Toll-free: 1-867-873-0199
Email: victimservices@gov.nt.ca
Website: <https://www.justice.gov.nt.ca/en/victim-services/>
- ➔ **Victims of Crime Emergency Fund, Government of the Northwest Territories**
Phone: 867-767-9261 (collect calls accepted)
Toll-free: 1-867-873-0199
Email: vcef@gov.nt.ca
Website: <https://www.justice.gov.nt.ca/en/victims-of-crime-emergency-fund/>

Other Supports

- ➔ **Family Information Liaison Unit, Government of the Northwest Territories**
(Victim Services for families of missing or murdered Indigenous women and girls)
Phone (Yellowknife Office): 867-767-9261 ext. 82217 or 867-444-2263
Phone (Inuvik Office): 867-777-7370 or 867- 445-2262
Email: filu@gov.nt.ca

Government Offices

- ➔ **Coroner Service, Government of the Northwest Territories** (Information):
Phone: 867-767-9251
Toll-free: 1-866-443-5553
Toll-free 24 hours: 1-867-873-0426
Email: coroner@gov.nt.ca
Website: <https://www.justice.gov.nt.ca/en/boards-agencies/coroner-service/>
- ➔ **Coroner Service, Government of the Northwest Territories**
(How to obtain documents, including how to obtain a death certificate)
Phone: 867-767-9251
Email: coroner@gov.nt.ca
Website: <https://www.justice.gov.nt.ca/en/boards-agencies/coroner-service/>

Nova Scotia

Victim and Mental Health Services

- ➔ **Victim Services, Government of Nova Scotia**
Phone: 902-424-3309
Toll-free: 1-888-470-0773
Email: justweb@gov.ns.ca
Website: https://novascotia.ca/just/victim_Services/
- ➔ **Criminal Injuries Counselling Program, Government of Nova Scotia** (Financial assistance):
Phone: 902-424-4651
Toll-free within Nova Scotia: 1-888-470-0773
Website: https://novascotia.ca/just/victim_services/programs.asp#CICP



Other Supports

- ➔ **Family Information Liaison Unit, Government of Nova Scotia**
(Victim Services for families of missing or murdered Indigenous women and girls)
Toll-free: 1-888-470-0773
- ➔ **Nova Scotia Native Women’s Association** (FILU Community Outreach Specialist)
Phone: 902-751-1706
Email: filu@nsnwa.net

Government Offices

- ➔ **Nova Scotia Medical Examiner Service, Government of Nova Scotia** (Information)
Phone: 902-424-2722
Toll-free in NS: 1-888-424-4336
Website: <https://novascotia.ca/just/cme/>
- ➔ **Vital Statistics, Government of Nova Scotia**
(How to get documents, including how to obtain a death certificate)
Phone: 902-424-4381
Toll-free: 1-877-848-2578
Email: vstat@novascotia.ca
Website: <https://beta.novascotia.ca/apply-death-certificate>

Nunavut

Victim and Mental Health Services

- ➔ **Victim Services, Government of Nunavut**
Phone: 867-975-6363
Toll-free: 1-866-456-5216
Email: victimservices@gov.nu.ca
Website: <https://www.gov.nu.ca/en/justice-and-individual-protection/victim-services>

Other Supports

- ➔ **Family Information Liaison Unit, Government of Nunavut**
(Victim Services for families of missing or murdered Indigenous women and girls)
Phone (Iqaluit, NWT Office): 867-975-6373
Phone (Rankin Inlet, NU Office): 867-645-2150
Toll-free: 1-866-456-5216
Email: victimservices@gov.nu.ca
Website: <https://www.gov.nu.ca/en/justice-and-individual-protection/victim-services>

Government Offices

- ➔ **Coroner’s Service, Government of Nunavut**
(Information including how to get documents, including a death certificate)
Phone: 864-975-6562
Toll-free: 1-844-778-1022
Cell: 867-222-9472
Email: coroner@gov.nu.ca
Website: <https://nunavutcoroner.ca/>

Ontario

Victim and Mental Health Services

- ➔ **Victim Services, Ministry of the Attorney General, Government of Ontario**
Phone: 416-325-3265
TTY: 416-325-4935
Website: <https://www.ontario.ca/page/ministry-attorney-general>
- ➔ **Ontario Victim Quick Response Program, Government of Ontario** (Short-term financial services)
Website: <https://www.ontario.ca/page/get-help-if-you-are-experiencing-violence#section-8>



- ➔ **Victim Services in Ontario, Ministry of the Attorney General, Government of Ontario**
Phone (Victim Support Line): 416-314-2447
Toll-free: 1-888-579-2888
Website: <https://www.ontario.ca/page/victim-services-ontario>
- ➔ **Distress and Crisis Ontario: Member Centre Locations**
Website: <https://www.dcontario.org/>
- ➔ **ConnexOntario Helpline, Government of Ontario** (Mental Health Helpline)
Toll-free: 1-866-531-2600
Website: <https://www.connexontario.ca/en-ca/contact-us>

Other Supports

- ➔ **Family Information Liaison Unit, Government of Ontario**
(Victim Services for families of missing or murdered Indigenous women and girls)
Toll-free: 1-844-888-8610
Email: OntarioFILU@ontario.ca
Website: <https://www.ontario.ca/page/family-information-liaison-units>
- ➔ **York Region: Homicide Survivor Support Group** (Support group)
Website: <https://www.victimservices-york.org/programs/>
- ➔ **Living Beyond the Murder of a Loved One, Government of Ontario** (Information guide)
Website: <https://forms.mgcs.gov.on.ca/en/dataset/004-0360>
- ➔ **Victim Support Line, Government of Ontario**
Phone (In Toronto - 24 Hour support line): 416-314-2447
Toll-free (24 hour support line): 1-888-579-2888
Website: <https://data.ontario.ca/dataset/victim-support-line-information-and-referral-component>

Government Offices

- ➔ **Office of the Chief Coroner, Government of Ontario** (Information)
Phone: 416-326-5000
Toll-free: 1-866- 517-0571
TTY: 416-326-5511

Toll-free TTY: 1-866-517-0572

Website: <https://www.ontario.ca/page/office-chief-coroner-and-ontario-forensic-pathology-service#section-0>

➔ **Service Ontario, Government of Ontario** (Death certificate)

Note that if applying online, the death certificate will not include a medical cause of death.)

Mail: Service Ontario, Office of the Registrar General, 189 Red River Road, PO Box 4600 Thunder Bay, ON P7B 6L8

In person (Toronto): 47 Sheppard Avenue East, unit 417, 4th Floor Toronto, ON M2N 5N1

In person (Ottawa): 110 Laurier Avenue West, 1st Floor Ottawa, ON K1P 1J1

Website: <https://www.ontario.ca/page/get-or-replace-an-ontario-death-certificate>

➔ **Ontario Disability Support Program, Government of Ontario**

If a victim was a recipient of one of these forms of financial assistance, and dependent on type and circumstances of the crime, there may be financial support available.

Website: <https://www.ontario.ca/page/ontario-disability-support-program>

Prince Edward Island

Victim and Mental Health Services

➔ **Victim Services, Government of Prince Edward Island**

Phone (Queens and King Counties): 902-368-4582

Phone (Prince County): 902-888-8218

Website: <https://www.princeedwardisland.ca/en/information/justice-and-public-safety/victim-services>

➔ **Criminal Injuries Compensation, Government of Prince Edward Island** (Financial assistance)

Website: <https://www.princeedwardisland.ca/en/information/justice-and-public-safety/criminal-injuries-compensation>

Other Supports

➔ **Family Information Liaison Unit, Government of Prince Edward Island**

(Victim Services for families of missing or murdered Indigenous women and girls)

Phone: 902-368-4584



Government Offices

➔ **Coroner, Government of Prince Edward Island** (Information)

Phone: 902-894-0385

Toll-free: 1-877-894-0385

Email: publicsafety@gov.pe.ca

Website: <https://www.princeedwardisland.ca/en/information/justice-and-public-safety/coroner>

➔ **Vital Statistics, Government of Prince Edward Island** (How to obtain a death certificate)

Phone: 902-838-0880

Toll-free: 1-877-320-1253

Email: vsmontague@gov.pe.ca

Website: <https://www.princeedwardisland.ca/en/service/apply-for-a-death-certificate>

Quebec

Victim and Mental Health Services

➔ **Assistance and Information for Victims of Crime, Gouvernement du Québec**

Phone: 418-646-6548

Website: <https://www.quebec.ca/en/justice-and-civil-status/support-victims-crime/assistance-and-information>

➔ **Crime Victims Compensation Act** (Financial assistance)

Website: <https://www.legisquebec.gouv.qc.ca/en/document/cs/l-6>

➔ **Provincial Health Information Line: Info-Santé 811, Gouvernement du Québec**

Phone (24 hours, 365 days a year): 811

➔ **Recognizing signs of distress and preventing suicide, Gouvernement du Québec**

Toll-free: 1-866-277-3553 or Text: 535353

Website: <https://www.quebec.ca/en/health/mental-health/learn-about-mental-health-and-mental-illnesses/recognizing-signs-of-distress-and-preventing-suicide> or <https://suicide.ca/en>

➔ **Mental health help and support resources, Gouvernement du Québec**

Website: <https://www.quebec.ca/en/health/mental-health/finding-help-and-support-for-mental-health/finding-mental-health-help-and-support-resources/mental-health-help-and-support-resources>

- ➔ **Family Information Liaison Unit, Gouvernement du Québec**
(Victim Services for families of missing or murdered Indigenous women and girls)
Toll-free: 1-888-338-3023
Website: <http://uqlif.com/>
- ➔ **Crime Victims Assistance Centres (CAVAC)**
(Post-traumatic intervention, access to legal network, support)
Toll-free: 1-866 LE CAVAC / 1-800-532-2822
Website: <https://cavac.qc.ca/en/>

Government Offices

- ➔ **Bureau du coroner, Gouvernement du Québec** (Information, including how to obtain documents):
Toll-free: 1-888-CORONER (267-6637)
Email: clientele.coroner@coroner.gouv.qc.ca
Website: <https://www.coroner.gouv.qc.ca/en.html>

Saskatchewan

Victim and Mental Health Services

- ➔ **Victim Service Units and Agencies, Government of Saskatchewan**
Phone: 306-787- 3500
Toll-free: 1-888-286-6664
TTY: 1-866-445-8857
Email: victimservices@gov.sk.ca
Website: <https://www.saskatchewan.ca/residents/justice-crime-and-the-law/victims-of-crime-and-abuse/help-from-victim-service-units-and-agencies>
- ➔ **Compensation for Victims of Crime, Government of Saskatchewan** (Financial assistance)
Phone: 306-787-3500
Toll- free: 1-888-286-6664

- TTY: 1-866-445-8857
Email: victimservices@gov.sk.ca
Website: <https://www.saskatchewan.ca/residents/justice-crime-and-the-law/victims-of-crime-and-abuse/information-for-victims-of-crime-and-abuse#compensation-for-victims-of-crime>
- ➔ **Mental Health and Addiction Services, Government of Saskatchewan**
Find a list of mental health and addiction services
Website: <https://www.saskatchewan.ca/residents/health/accessing-health-care-services/mental-health-and-addictions-support-services>

Other Supports

- ➔ **Family Information Liaison Unit, Government of Saskatchewan**
(Victim Services for families of missing or murdered Indigenous women and girls)
Phone: 306-519-7804
Toll-free: 1-833-529-6486

Government Offices

- ➔ **Saskatchewan Coroners Service, Government of Saskatchewan** (Information)
Phone (Regina Office): 306-787-5541; Toll-free: 1-866-592-7845
Phone (Saskatoon Office): 306-964-1888; Toll-free: 1-888-824-0491
Email: coroner@gov.sk.ca
Website: <https://www.saskatchewan.ca/government/government-structure/boards-commissions-and-agencies/saskatchewan-coroners-service>
- ➔ **eHealth Saskatchewan** (How to obtain a death certificate)
Website: <https://www.ehealthsask.ca/residents/deaths/Pages/Order-a-Death-Certificate.aspx>

Yukon

Victim and Mental Health Services

- ➔ **Victim Services, Government of Yukon**

Phone (Whitehorse): 867-667-8500
Phone (Dawson City): 867-993-5831
Phone (Watson Lake): 867-536-2541
Toll-free: 1-800-661-0408, extension 8500
Email: victim.services@gov.yk.ca
Website: <https://yukon.ca/en/legal-and-social-supports/supports-victims-crime/find-out-about-victim-services>

➔ **VictimLink. Government of British Columbia**

Toll-free (24 hours a day): 1-800-563-0808
Email: 211-VictimLinkBC@uwbc.ca
Website: <https://www2.gov.bc.ca/gov/content/justice/criminal-justice/victims-of-crime/victimlinkbc>

Other Supports

➔ **Family Information Liaison Unit, Government of Yukon**

(Victim Services for families of missing or murdered Indigenous women and girls)
Phone: 867-393-7178
Toll-free: 1-800- 661-0408 ext. 7178
Email: filu@yukon.ca
Website: <https://yukon.ca/en/find-support-families-missing-or-murdered-indigenous-women-and-girls>

Government Offices

➔ **Yukon Coroner's Service, Government of Yukon** (Information)

Website: <https://yukoncoronersservice.ca/>

➔ **Vital Statistics, Government of Yukon** (How to obtain a death certificate)

Phone: 867-667-5207
Toll free: 1-800-661-0408 extension 5207
In person: 4th floor, 204 Lambert Street in Whitehorse
Email: vital.statistics@yukon.ca
Website: <https://yukon.ca/en/places/vital-statistics>



Financial Support for Families

For the Funeral

There may be financial support available for funeral costs through:

- ➔ Provincial or territorial programs
- ➔ Programs for First Nations, Inuit and Métis peoples
- ➔ Chief and Council or registered Band members
- ➔ First Nations and Inuit Health – Local offices, Government of Canada: <https://www.sac-isc.gc.ca/eng/1579274812116/1579708265237>
- ➔ Reduced airfare to attend the funeral, through airlines. Speak to the airline or travel agent about “compassionate fares”
- ➔ Family’s (or the victim’s) private life insurance
- ➔ Family’s (or the victim’s) employer’s health or life insurance plan

To Attend the Trial or Sentencing

Not all provinces and territories offer the same benefits. There may be financial support available to attend the trial of the person accused of killing a family member or at the sentencing phase through provincial or territorial programs listed above.

To Attend Parole Hearings

The Justice Canada Victims Fund provides funding to victims of crime and their support person to attend Parole Board of Canada hearings for the offender. Victims may attend to observe only, or to present a victim statement. Information is available on their website or by calling 1-866-544- 1007 or emailing victimsfundmanager@justice.gc.ca.

Parents of Young Victims of Crime

The federal government offers the Canadian Benefit for Parents of Young Victims of Crime grant for parents or legal guardians who have taken time off due to their inability to work as a result of the death or disappearance of their child(ren) under 25. Eligibility and application information are available on the Service Canada website or by calling 1-800-O CANADA (1-800-622-6898).

Victims Rights

The Canadian Victims' Bill of Rights

The Canadian Victims' Bill of Rights came into effect in 2015. It provides victims the right to information, protection, participation, and the right to seek restitution. It also provides victims with the right to file a complaint if they feel as though their rights have been infringed or denied.

Right to Information

Victims have the right to information about the criminal justice system, services and programs, and case-specific information. Victims may request information about their case and certain information about the offender.

This may include information regarding:

- The status and outcome of the investigation or criminal proceedings
- The scheduling of the criminal proceeding
- If a plea agreement for murder is going to happen
- Details of an offender's conditional release and conditions
- Copies of any orders about bail, conditional sentence, and probation
- Information about an accused who has been found unfit to stand trial or not criminally responsible on account of mental disorder (NCRMD) while that person is under the jurisdiction of a court or a review board

Right to Protection

The right to protection refers to the security and privacy of the victim during the criminal justice process. It also includes reasonable and necessary protection from intimidation or retaliation by others. An example of this can include asking the court not to release their identity to the public.

Protection also involves the right to request testimonial aids during court appearances. This may be a closed-circuit television, or testifying behind a screen or with a support person close by.

Protection of victims also includes the Parole Board of Canada's (PBC) review of victim statements which can result in reasonable conditions for offenders under supervision. For example, a non-contact order to the family of the victim or geographic limits may be imposed. Unless there is a risk to public safety to do so, Correctional Services Canada (CSC) must provide victims with access to a current photograph of the offender before that offender's release.

Right to Participation

Victims have the right to meaningful participation throughout the criminal justice process. This includes not only the right to present a victim impact statement, but also that:

- ➡ the victim impact statement must be considered by the judge
- ➡ a photo can be shown to the court while presenting the victim impact statement
- ➡ the victim can present their statement while using a testimonial aid
- ➡ standardized victim and community impact statements are provided to identify harms, damage and loss of victims
- ➡ a picture or a drawing can be included in a victim impact statement

Victims are also afforded more participation in regards to bail, parole and conditional release:

- ➡ the safety of victims is considered by judges in bail proceedings
- ➡ for victims who do not attend in person to parole hearings, an audio recording can be provided, or they may attend via videoconference
- ➡ the choice to delegate another person to represent the victim and to receive information on their behalf
- ➡ the choice to receive or waive access to information from CSC and the PBC on the offender

Right to Seek Restitution

A judge can order an offender to pay restitution to the victim for injury or loss as a result of the crime. Under the Canadian Victims Bill of Rights, victims have the right to ask the court to consider making a restitution order for easily calculated losses that occurred as the result of the crime. If the judge decides not to impose a restitution order, they must include a statement on the record about the reasons why they did not impose it. If an offender does not pay a restitution order, victims can have it enforced through a civil court.

Information for Victims

Justice Canada has fact sheets available on victims' rights, available in several Indigenous languages. See: <https://www.justice.gc.ca/eng/cj-jp/victims-victimes/rights-droits/victim.html>

They also provide fact sheets on other topics such as restitution orders, testimonial aids for young victims and witnesses, publication bans. See: <https://www.justice.gc.ca/eng/cj-jp/victims-victimes/factsheets-fiches/index.html>

Justice Canada's Policy Centre for Victim Issues, can provide information and service for victims. See: <https://www.justice.gc.ca/eng/cj-jp/victims-victimes/index.html>

How to Make a Complaint about a Federal Department or Agency

Canadian Border Services Agency (CBSA), visit the Comments, Compliments and Complaints page at <http://www.cbsa-asfc.gc.ca/contact/com-eng.html>.

If a victim is not satisfied with the response to their complaint, the victim may ask for a review of the response from the federal department or agency that provided the response. The federal department or agency will inform them of the appropriate process or contact.

If, after having exhausted all levels of the complaints process of the federal department or agency with responsibilities under the Canadian Victims Bill of Rights (CVBR), a victim is not satisfied with the response to their complaint, they may contact the Office of the Federal Ombudsperson for Victims of Crime at <https://www.victimsfirst.gc.ca/index.html>.

Correctional Service of Canada (CSC): Visit their Victim Complaints page at <https://www.csc-scc.gc.ca/victims/003006-7006-en.shtml>.

Parole Board of Canada (PBC): Visit their Victim Complaints page at <http://www.canada.ca/en/parole-board/index.html>.

Public Safety (PS) Canada's **National Office for Victims (NOV)**: Visit "How to make a complaint" page at <https://www.publicsafety.gc.ca/cnt/cntrng-crm/crrctns/ntnl-ffc-vctms-mk-cmplnt-en.aspx>.

Public Prosecution Service of Canada (PPSC), or conduct of a federal prosecutor's service, procedures, practices or policies: Follow the instructions under their Complaint Policy past at <https://www.ppsc-sppc.gc.ca/eng/cmp-pln/index.html>.

Royal Canadian Mounted Police: Victims can contact their local RCMP detachment. If a victim is unsatisfied with the response from the RCMP, they can file a complaint with the Civilian Review and Complaints Commission for the RCMP (CRCC) at <https://www.crcc-ccetp.gc.ca/>.

Justice Canada, including the **Policy Centre for Victim Issues**: Victims may contact Justice Canada at <https://www.justice.gc.ca/fra/contact/plainte-complaint.html>.

How to Make a Complaint about a Provincial / Territorial Department or Agency

Complaints about a provincial or territorial agency, whose mandate includes working with victims of crime are addressed by provincial and territorial legislation. These would include, for example, police (other than the RCMP), prosecutors, or victim services administered by the province or territory. For help making a complaint against a provincial or territorial department or agency, victims may contact Victim Services in their area.

Each province and territory offer its own programs and services to victims of crime. The Victim Services Directory at Justice Canada <https://www.justice.gc.ca/eng/cj-jp/victims-victimes/vsd-rsv/sch-rch.aspx> can help people find a victim service nearby.

Glossary of Terms

The following are common terms that are used in regard to homicide criminal cases in Canada:

Accused: The person who has been charged with an offence, but has not yet been found guilty or pled guilty. They are considered innocent until proven guilty. During trials, the accused may also be referred to as the defendant.

Acquittal: A finding of not guilty by a judge or jury during a trial. In Canada, there is no verdict of "innocent." A finding of not guilty means that the Crown did not meet its burden of proof of guilt beyond a reasonable doubt.

Adjournment: A temporary delay of the court proceedings.

Aggravating factor: A fact or circumstance that increases the seriousness of the offence or the degree of responsibility of the offender and can result in an increased sentence or longer parole ineligibility. These are either listed in the Criminal Code or recognized by sentencing courts at common law (i.e., in case law).

Agreed statement of facts: An agreement between the Crown and defence on certain facts in the case.

Appeal: A possible step in the court process. An appeal follows a verdict by a judge or jury in which either the Crown or the defence requests a higher court to change a lower court's decision. A sentence or guilty verdict can be appealed, and in some circumstances, an acquittal can be appealed. There are timeframes within which an appeal can be filed following a verdict.

Arraignment: A formal hearing in front of a judge where the accused hears the charge(s) against them and they enter a plea of guilty or not guilty.

Autopsy: A medical procedure performed by a specialized doctor called a pathologist. A pathologist performs an examination of a body after death to determine the cause and manner of death. It may also be referred to as a post-mortem examination. Autopsies may be done by a forensic pathologist.

Bail hearing: See Judicial interim release.

Beyond a reasonable doubt: The standard of proof that is required to convict an accused at trial. It is the Crown who must prove the accused is guilty beyond a reasonable doubt; the defence does not need to prove the innocence of the accused; they only need to raise a reasonable doubt about their guilt. This threshold does not mean that the judge or jury have absolutely no doubt at all.

Cause of death: The determination by the pathologist on what injury or illness, or combination of these, has caused the death of a person. It is different from the *manner of death*, which is also determined by the pathologist.

Change of venue: A request to the judge to move the trial to a courthouse in a different location. Normally, trials occur close to where the offence occurred, but in rare cases, a different location is preferred. This is not uncommon, and usually occurs in high-profile cases where there is a concern that it would be difficult to find a jury that has not been influenced by media coverage. An application for a change of venue is usually brought forward by the defence.

Chief Coroner or Medical Examiner's Office: Each province and territory has its own office – either a Chief Coroner or Medical Examiner. This office is responsible for maintaining death records in their jurisdictions. Autopsies are the responsibility of this office, although in the territories, autopsies may be conducted in a province.

Cold Cases: See Historic homicides.

Community Impact Statement: A community impact statement is a written statement that describes the harm or loss that an offence has caused to a community. A person in the community presents the statement on behalf of the community. If a community chooses to submit a community impact statement, the court must take it into account when it sentences an offender.

Community impact statements recognize that the effects of crime can be far-reaching. Sometimes the victim of an offence is more than one person - it is a community. The purpose of community impact statements is to allow the community to explain to the court and the offender how the crime has affected the community.

Community-based residential facilities (CBRFs): More commonly known as a “halfway house”, these facilities provide a bridge between the institution and the community. They work on a system of gradual, supervised release. Many offer programming for their residents.

Concurrent sentence: When an accused has been found guilty (or pled guilty) to two or more charges and the judge determines that all the sentences for each charge will be served at the same time, not one after another.

Conditional release: When an offender is released (let out) from prison but there are conditions they must obey or they could be returned to prison. Conditional release can include temporary absences from prison, both escorted and unescorted, day parole and full parole. Under the *Corrections and Conditional Release Act*, all eligible offenders must be considered for some type of conditional release, but it is not a guarantee that this will be granted. For example, an offender convicted of first degree murder is not eligible for release before 25 years but that does not necessarily mean they will be released.

Consecutive sentence: When an accused has been found guilty (or pled guilty) to two or more charges and the judge determines that the sentence for each charge will be served one after another, and not at all the same time.

Conviction: When the accused is found guilty of an offence, or entered a guilty plea, and a conviction is entered by the court.

Crown prosecutor: A government lawyer who prosecutes criminal cases. The Crown prosecutor works on behalf of the public, not the victim(s). They may also be called a *Crown attorney* or the *Crown*.

Deadlocked jury: When a jury is unable to make a unanimous decision on whether an accused is guilty. When this occurs and all attempts have failed, the judge will declare a mistrial. A new trial, with a new jury, will be scheduled, unless the Crown decides to stay the charges. Also referred to as a *hung jury*.

Defence attorney: A lawyer who represents the accused.

Defendant: A person accused of a crime in a trial. Also called the accused.

Designated family contact (or family contact): The main person or people from the victim’s family who receives updates from the police on the investigation.

Disclosure: The evidence against the accused which must be provided to the defence.

First degree murder: The most serious form of homicide. Murder is first degree if it was planned and deliberate, involves the murder of certain classes of persons such as a police officer or correctional officer, where it occurs during the commission of a crime of domination (such as sexual assault, criminal harassment, kidnapping, or forcible confinement), or is linked to organized crime or terrorism.

A conviction of first degree murder results in a mandatory life sentence with parole ineligibility for 25 years. Parole is not guaranteed.

Gladue Report: A pre-sentencing and/or bail hearing report that the judge can request when the accused is a First Nations, Inuit or Métis person. This report informs the court of the shared background of, and unique issues faced by, Indigenous individuals in Canada. A Gladue Report may result in a shorter sentence, alternatives to incarceration or parole eligibility, due to the specific circumstances of the offender. This request can come from the judge, defense counsel, or Crown attorney.

Historic homicides: These are older cases where all investigative avenues have been pursued without leading to an ultimate conclusion on the file. The cases are still open, but may not be actively investigated at any given moment. These cases are reviewed at a later time for possible new steps or if new evidence is received.

Holdback information: Evidence in an investigation that is known only to a few select people, such as the primary investigator and medical examiner. This information can be used to confirm or dispute a confession, and to prevent wrongful arrests and convictions. It can also be used as evidence in a courtroom. Also known as *holdback evidence*.

Homicide: When a person causes the death of another person. There are two types of homicide: culpable homicide and non-culpable homicide. Culpable homicide includes both murder (first or second degree) and manslaughter, as well as infanticide. Non-culpable homicide (e.g., an accident that causes someone’s death) is not an offence under the law.

Hung jury: See Deadlocked jury.

Infanticide: When a mother causes the death of her newly-born child (under one year old). Infanticide is specific to cases where the mother’s mind is disturbed as a result of giving birth. There is no minimum sentence for infanticide, but the offence carries a maximum five-year sentence.

Impact of Race and Culture Assessment: In some jurisdictions, where the offender is Black or otherwise racialized, an Impact of Race and Culture Assessment (IRCA) may be prepared to provide the Court with information about the offender’s racial and cultural heritage and their experience with systemic racism that may have contributed to bringing them before the court.

Judge: Responsible for conducting court proceedings, instructing juries, and in some cases, with determining whether the accused is guilty of the offences for which they have been charged. Sometimes the judge is referred to as the Court or this Court, especially when referring to themselves or by others in reference to decisions. They are referred to in person as *Your Honour, Sir or Madam, or Justice* [Name].

Judicial authorizations: Warrants, orders and authorizations are all forms of judicial authorizations. Police request judicial authorizations, which include warrants, orders and authorizations, in order to assist them in their investigation of crime. A judge or justice of the peace generally authorizes the use of these investigative techniques.

Judicial interim release: Often referred to as a bail hearing, it is a formal hearing before a judge or justice of the peace to decide if the accused should be released from jail before a trial is held. The judge will consider the risk posed by the accused to the public or certain people, and the risk that the accused will flee. The Crown can argue in favour of remanding the accused in custody (i.e., kept in jail until trial) or consent to a defence argument regarding the release of the accused.

Judicial release order: The order that the court makes if they release the accused from jail before the trial has been completed or a sentence has been decided and lists the conditions that the accused must follow, such as promising to appear later at a certain date. It is a criminal offence to fail to follow the conditions in a judicial release order.

Justice of the peace: While a justice of the peace is not a judge, they have jurisdiction with respect to a number of criminal proceedings, including bail hearings for most offences (including manslaughter, but not murder) and some judicial authorizations/warrants. Also referred to as *JPs*.

Legal aid: A program delivered by provincial and territorial governments that provides professional legal advice and representation to people under certain circumstances, such as being charged with a crime, who cannot afford to hire a lawyer themselves.

Life sentence: A sentence imposed by a judge in which the offender will remain under sentence for the remainder of their life, either in a penitentiary or, if eventually released, on parole.

Manner of death: Determined by a pathologist. It is not the same as the cause of death. This is a medical and statistical category, but is not a legal determination. There are five classifications: homicide, suicide, accident, natural causes, and undetermined.

Manslaughter: A less serious charge than first or second degree murder. It is a culpable homicide that was committed without the intention to kill the victim. The maximum sentence for manslaughter is a life sentence, but parole can be applied for after seven years. There is no minimum custodial sentence.

Mistrial: When a trial ends prior to a determination of whether the accused is guilty (i.e., conviction or acquittal) due to an error or problem in the proceedings, or when a jury is unable to agree to a unanimous verdict.

Mitigating factor: A fact or circumstance that can decrease the seriousness of the offence, or the degree of responsibility of the offender and result in a decreased sentence or shorter parole ineligibility period. These are either listed in the *Criminal Code* or recognized by sentencing courts as common law (i.e., in case law).

Next of kin: The people to whom the victim had the closest ties to which the police will inform about the death of their loved ones. Typically, this is the spouse, children, parents or siblings.

Not Criminally Responsible on Account of Mental Disorder (NCRMD): A special verdict which is made when a judge or jury determines that the accused was suffering from a mental disorder when the crime occurred that deprived them of the capacity to appreciate the nature and quality of their actions, or to know that their actions were wrong, thereby making the accused exempt from criminal responsibility. It is not an acquittal or a conviction. Those found NCRMD are usually supervised by a provincial review board, which is responsible for the oversight of these individuals until they no longer pose a significant threat to the safety of the public.

Offender: A person who has been found (or pled) guilty to a charge(s). They are no longer accused of a crime, but found guilty of it.

Parole ineligibility: The time which the offender must serve in prison without being able to apply for parole. The period of parole ineligibility is only for full parole; they are able to apply for day parole or other forms of release prior to the end of this time period.

Parole: A discretionary type of conditional release which allows offenders to serve part of their sentence out of custody, under various forms of supervision.

Pathologist: A specialized medical doctor who performs autopsies, analyzes body samples, and conducts forensic tests related to the death of an individual.

Person of interest: A person that the police are looking for or are investigating. A person of interest is not necessarily a suspect, although they may become one as the investigation continues. Persons of interest can include witnesses, or people who may be unaware they have information, such as a person driving through an area when an event occurred.

Plea agreement: When the Crown and defence reach an agreement on a guilty plea, possibly including an agreement on the sentence to recommend to the judge. Generally, a guilty plea will result in some type of benefit for the defendant, such as a reduction in the charge or a specified lighter sentence. For example, an accused is charged with first degree murder, but pleads guilty to second degree murder, which will mean the possibility of parole at an earlier stage. Plea agreements may be considered by the Crown due to concerns about evidence, witnesses, or other issues that may jeopardize the possibility of a conviction. The judge is not required to accept the negotiated agreement, but generally does. Families do not need to agree with any aspect of a plea agreement for the agreement to take place. In some cases, families will not be informed of a plea agreement until the agreement is presented in court. Also referred to as a *plea bargain*.

Plea bargain: Also referred to as a *plea agreement*.

Police of jurisdiction: The police service that is responsible for the geographical area where the crime occurred. Typically, it is this police service which will conduct the investigation, but some smaller police agencies have agreements where provincial police or the RCMP will investigate homicides.

Post-mortem examination: See *Autopsy*.

Preliminary inquiry: An optional type of hearing which the accused can request if they have been accused of an offence that is punishable by 14 years or more of imprisonment, that can occur after charges are laid but before the trial begins. The purpose of the hearing is for the judge to determine if the Crown has enough evidence against the accused to proceed to trial. Victims and families are entitled to know about preliminary hearings, and may also attend (unless they are prohibited because they are a witness). A publication ban may be in place on information, arguments, or other proceedings during the preliminary inquiry.

Primary investigator: The lead police officer assigned to the investigation. They are aware of all the facts and manage the overall operation of the investigation. They are, generally, the person who meets with the family, although this may be delegated to a family liaison officer.

Publication ban: An order made by a judge that prevents anyone from publishing (writing), broadcasting (radio, television, podcast) or otherwise sending information that has been named under the ban. This could be the identity of a victim, witness, or young offender, or anything that occurs during a certain portion of the court process, such as the *voir dire*.

Registered victim: A person who has registered with either the Correctional Service of Canada (CSC) or the Parole Board of Canada (PBC). In doing so, they are requesting information about the offender.

Remand: When the accused is held in custody (jail) before a trial has been completed or a sentence has been given.

Review board: A tribunal in each province and territory that is responsible for the supervision of accused persons who were found not criminally responsible on account of mental disorder (NCRMD). They make decisions on what happens to an NCRMD accused person after the verdict.

Sealed: When a judge prohibits the public, including the media, from accessing juridical documents.

Second degree murder: Defined by law as any murder that is not first degree murder. Offenders will be sentenced to a mandatory life sentence with parole eligibility between 10 and 25 years. Consecutive parole ineligibility periods can be imposed in cases involving multiple murders.

Sentencing hearing: A formal hearing in which the judge imposes a sentence on an offender. This generally does not occur at the same time as the verdict is rendered in serious cases such as homicides.

Surety: A person who promises the court they will supervise the accused to ensure the accused does something, such as appear in court or abide by certain conditions. If the accused fails to do so, there are consequences for the surety.

Suspect: A person who police believe may be responsible for a crime but who has not been charged.

Verdict: A decision made by the judge or the jury on whether the accused is guilty, not guilty, or not criminally responsible on account of mental disorder, of the offences which they were charged.

Victim: An individual who has suffered physical or emotional harm, property damage or economic loss as the result of the commission or alleged commission of an offence. Victims can include friends, family, co-workers, community members, etc.

Victim impact statement: A written statement by the victim. These can be written by others, including the survivors of deceased victims; the parent or guardian of a child victim, or a spouse, common-law partner, dependent or relative of a victim who is not capable of making a statement. The victim impact statements must be considered by a judge prior to sentencing. Victims can present their statements at both sentencing and parole hearings. When the accused person is found not criminally responsible on account of mental disorder, the court or review board must also consider the victim impact statement when making a disposition about the accused.

Voir dire: A special hearing that is heard without a jury present. A *voir dire* is where the Crown and defence argue questions of law and whether certain evidence will be allowed to be entered during the trial. There are often publication bans on what occurs during the *voir dire*, which are only lifted after the jury has delivered their verdict, or is sequestered (isolated together) while making their decision.

Warrants: See Judicial authorizations.

Young offender: A young person who committed or is accused of committing a crime that occurred when they were between the ages of 12 and 17. When a young offender is found (or pleads) guilty to an offence, the criminal justice process and sentencing is different from that for adults. The names of young offenders are protected and cannot be released to the media, except under certain circumstances authorized by a judge.

Messages of Support from Faith Groups

Many religions, cultures and spiritual beliefs involve rules and rituals around how and when funerals, burials or cremations are carried out, and there may be a prohibition on autopsies. The autopsy is required under law and this may result in a delay in the return of the loved one to the family. All of this adds to the distress of families. Below, several faith organizations have provided some guidance for families related specifically to religious, spiritual and cultural beliefs around autopsies and funerals.

Buddhism

There are many different Buddhist schools, some of which may have very specific traditions regarding the care of the deceased. Police officers or medical examiners should ask family members regarding their Buddhist affiliation and traditions concerning death.

Soka Gakkai International Association of Canada (SGI Canada) teaches the Buddhism of Nichiren Daishonin, in which death is seen as simply a phase of eternal life: “Viewed from the Buddhist perspective of the eternity of life throughout past, present and future, both birth and death are phenomena inherent in life. They are varying aspects of the Mystic Law, and everything does not end with death.” (Daisaku Ikeda, *New Century*, June 2021, p.34)

Nichiren Buddhism teaches that the eternal Buddha nature at the core of all life cannot be touched or harmed by any circumstance of life or death. In this sense, there would normally be no objection to an autopsy. Likewise, there are no religious obligations regarding burial or cremation. SGI Canada memorial services are often held in the absence of the deceased's remains.

In the book, *Unlocking the mysteries of birth and death* (p.98), Daisaku Ikeda explains that even when we are grieving the sudden death of a loved one, we should not doubt their ability to become absolutely happy:

The Nirvana Sutra says "Bodhisattvas, have no fear in your hearts because of such things as wild elephants. But evil friends – they are what you should fear! If you are killed by a wild elephant, you will not fall into any of the three evil paths. But if evil friends lead you to your death, you are certain to fall into one of them."

The meaning of this passage is that, so long as we live in human society, we cannot avoid suffering. However, even if an unexpected accident – symbolized here by wild elephants – were to cause our death, we would not fall into the evil paths. By contrast, if we are swayed by negative influences and give up seeking to improve our lives and help others, thereby abandoning the road to Buddhahood, we shall, according to the sutra, fall into the three lower worlds – Hell, Hunger and Animality.

Buddhism thus distinguishes between the death of our body and the death of our spirit, our self-motivated pursuit of the path of Buddhahood. In terms of the Buddhist idea of eternal life, physical death has no direct bearing on true happiness.

When family and friends chant *Nam-myoho-renge-kyo* for the eternal happiness of the deceased, they can ease the transition from life to death and back to life.

Nichiren taught that prayers offered by the living can mitigate the sufferings of the deceased and affect the conditions of their rebirth. This, according to Nichiren, is because prayers based on the state of Buddhahood transcend life and death; prayers are "transmitted" to the deceased, enabling them to enter a joyful state as a result of prayer on their behalf. (Daisaku Ikeda, *Unlocking the mysteries of birth and death*, p.90)

Nichiren Buddhism teaches our unlimited potential to create value and transform our lives and the lives of those around us – even in the most tragic of circumstances – through the chanting of *Nam-myoho-renge-kyo*.

Catholicism

The loss of a loved one is always a difficult and tragic experience, but it is all the more painful when that death is the result of violence and malevolence. Grieving can be made more difficult when the body of our loved one cannot be fully recovered, or when we face delays before laying their body to rest. As Catholics, our faith reveals to us that "just as Christ is truly risen from the dead and lives for ever, so after death the righteous will live for ever with the risen Christ and he will raise them up on the last day" (*Catechism of the Catholic Church*, 989). Whatever may have become of the body of our loved one, we know and believe that God is able to raise them up again.

Heathenry

Heathenry can be defined as religious behaviours, values and beliefs which are modelled upon and associated with those of ancient Germanic Heathens. In plain language, Heathens are Pagans who worship Gods such as Odin, Thor and Freya, who were common to ancient Germanic people. They form a modern religious collective in Canada with their own distinctive culture.

Family is very important to Heathens in Canada. Kinship bonds, whether of blood or chosen family, hold a significant place for Heathens as oftentimes their sense of being and importance is tied to their relations and the stories they share between them. Thus, in the advent of a Heathen's death, it would be important for their family to be made aware of the intimate details of their death (whatever may be legally shared) - perhaps beyond that which most Canadians would be comfortable knowing - as this information can help the family find closure. The truth surrounding the death of a loved one is highly valued, as one's life story is a part of their continuation in death, knowing how they passed can help shape their myth and meaning for generations to come.

Most Heathens tend to live their religious life, to some degree, in common worship with other Heathens in chosen kinships which are often known as kindreds or tribes. These kinships are typically more deeply involved than congregations, where various Heathen households may form deep social bonds. However, given the individualistic nature of many Heathens, some may prefer to worship on their own and share their kinship ties with family or friends who may not be Heathens themselves. In either case, many group-forming and individualist Heathens will both participate in larger gatherings of Heathens when they take place.

As family may be of blood relation or chosen, a deceased Heathen may rely on aspects of both to find solace in death. Their religious kinship may be relied upon to perform important post-mortem rites to help ease the dead into their afterlife. It is important to most Heathens that their remains be returned to their relations – of blood or chosen – within a reasonable delay to perform these rites, if required or requested. At all times, if the Heathen left “last wishes”, these are what will usually guide their journey after death.

It is important to most Heathens that their bodies remain as intact as possible and handled with great care and respect. There are no proscriptions against autopsy, but in cases where a Heathen may have expressed wishes against one, this should be considered as part of the decision to have one and only if necessary. Certain Heathens and their family may have important taboos around the items they had on them at the time of their death, as well as some taboos concerning the hair and nails and may want to ensure that any hair or nails cut are preserved for the family to dispose of ritually. In all cases where rites for the dead are to be performed, it is to prevent the restlessness of the dead and bring solace to their loved ones.

Justice is an important Heathen value. It will be important to the family of the deceased that they are reassured that efforts will be made to bring justice to the dead and their family. This same sense of justice will mean that most Heathens wish to act honourably by cooperating with the investigation as much as possible. In these times, when speaking to their loved ones it would be good to give words of praise and encouragement to them about their deceased loved one indicating that the deceased lived a good life. Some appropriate phrases would be, “They were surely beloved and will no doubt live on.” or “They will be remembered.” Most Heathens believe that life continues in death, towards a new journey. This may be with their Gods, ancestors, in distant halls or other places of meaning to them and their loved ones. There may be a plurality of afterlives for each Heathen, each distinctive to those remembering them. The most famous Heathen maxim to evoke in these difficult times is from the Hávamál, stanzas 75 & 76 (Olive Bray translation):

*Cattle die and kinsmen die,
thyselves too soon must die,
but one thing never, I ween, will die, --
fair fame of one who has earned.*

*Cattle die and kinsmen die,
thyselves too soon must die,
but one thing never, I ween, will die, --
the doom on each one dead.*

Hinduism

The death of a family member is a very sad occasion and if that death comes due to un-natural causes, it becomes a traumatic experience. The basic principle in Hinduism, as in many other religions, is to respect the body of the deceased and to give proper attention not to defile it in any way before cremation. Hinduism considers the body as the medium in which the “Soul” of the deceased person resided during its lifetime on earth. Hinduism believes in the permanency of the Soul (in Sanskrit, “*AATMAN*”), which is an element of the Supreme Power (“*Paramaatman*” in Sanskrit) that governs everyone and everything happening in the universe.

The physical body is only a medium, a temporary residence where the soul resides for the short life span in this life and the soul departs from the physical body when it gets old and decayed or gets destroyed by a calamity or un-natural events. The analogy quoted in the ancient scriptures is: The Soul leaves the physical body and takes residence in a new body, just as people discard the old clothes and get new ones.

Death and burial customs in the Hindu traditions provide a structure for honouring the deceased and offering comfort for the grieving family during the time of loss. As Hinduism upholds the belief of cycles of life through reincarnation, the rituals also prepare the deceased for the life to come. The Hindu belief of karma (meaning deeds or duties) affects the tone and practice of mourning rituals. By creating a positive atmosphere, the mourning family and friends remember the merits of good karma (deeds) of the deceased and prepare their loved one for a positive rebirth and future life.

Death marks the beginning of the transition from one life to the next and as many family members will attempt to be present during the last hours of the life of the loved one. The family members will provide support, prayers and mantras (chants) to honour and comfort the dying in preparation for the coming life cycle.

Last Rites – (“*Antyeshti*” in Sanskrit)

These are usually performed by a male family member, usually the eldest son or another closest surviving family member. In absence of a surviving male descendant, women are allowed to perform the last rites. A Hindu priest will be invited to the home to lead the performer in the holy mantras and prayers.

Specific procedures for preparation of the body before cremation include:

- Bathing the body immediately after death
- The body is dressed in simple clothing, and marks of the family or particular community, such as sacred ash or sandalwood paste, applied across the forehead
- If the deceased is a woman the clothing will be either a red or yellow dress
- Covering the body with flowers – done by close members in the family
- Placing the palms over the chest in a position of prayer and tying the big toes together
- The body after preparation for cremation is placed on a bier, or platform
- The body is laid down with the head towards the Northerly direction and feet pointing to South. The belief is that the north is the direction that the soul uses when exiting the world. - A garland of flowers and ‘pinda’ (rice balls) are placed around the body
- Placing a lamp at the head of the body
- Burning incense in the room
- Offering prayers and singing hymns softly or playing recorded music
- Sprinkling water on the body at various points in the service
- Some rice will be placed inside the mouth, symbolizing nourishing the departed soul
- Mourners do not touch the body, as it is considered an act of disrespect
- The body will then be taken to the cremation center
- Traditionally, the casket is carried on a stretcher and walked to the cremation site, though it is acceptable to transport the body in a vehicle. If a vehicle, such as a hearse, is used for transportation, the eldest male relative (known as “karta”) and another male family elder should accompany the casket

Unless the circumstances of the death or the situation of the family prohibit it, the procedures for the final respects and cremation take place within twenty-four hours after the death.

This religious ceremony is simple and respectful, and usually only the immediate family members will participate. According to rules specified in ancient scriptures, a religious ceremony involving either the cremation or burial of the body is traditionally held within 24 hours of the death. This is prescribed because facilities for preservation such as refrigeration were not available in ancient times and the body deteriorates/decomposes soon after life ends.

In modern times, however, with preservation techniques available, bodies could be kept longer for viewing by family members who may have to come from far and cremation is delayed for convenience. After death, repatriating the body to another country can be a complicated task.

Hindu traditions do not allow burial of the body as the soul may still have attachment to the deceased body and its past life and prevent it to proceed to the next incarnation. Young children and saints (sanyasis or yogis), however, are buried as they do not have attachments and are considered pure, without need to be purified by fire. Embalming is considered unnecessary.

Organ donation is acceptable for Hindus, as there are no specific Hindu laws prohibiting organ or tissue donation.

In an ideal world, the body would be cremated within hours of passing and immersed into flowing water on the following day. The 13-day funeral rites would commence immediately. But today that is nearly impossible.

The next best option is to cremate and immerse the ashes as soon as possible and to begin the 13-day rites as soon as possible. At the very least, the last five days of the 13-day rites must be observed. That means the 8th to the 13th day performances should be done. If they cannot be done on those specific days, then the rites should be performed on *any* 5 days after death.

In some cases the funeral may be delayed for weeks, months or even years. Either the body, or the responsible family members, or the financial resources may not be available at the time of death. In all such cases of delayed funeral rites, *Rahee Kriyas* are prescribed.

The *Rahee Kriya* is an abbreviated form of the *Antyeshti Kriya*. It is a 5-6 day program consisting of the 9th through the 13th days of *Antyeshti Kriyas*. All the nourishing pinda offerings that are normally made during the first ten days of Antyeshti rites are made on the first two days of *Rahee Kriyas*, followed by the final 3 days of the standard *Antyeshti Kriyas* (the 11th, 12th, and 13th days of normal Antyeshti rites). This is prescribed when the *Antyeshti Kriyas* have been omitted or delayed for any amount of time after death. It provides a valuable boost to the departed soul.

Indigenous Spirituality and Traditions

Note to law enforcement, Victim Services, Crown, or social, medical or justice officials:

There is not one religious or spiritual path for First Nations, Inuit or Métis people. Some Indigenous people identify as Christian, whereas others follow the traditions of their ancestors. It is not unusual for both Christian and traditional paths to be followed simultaneously. There may be differences even amongst individual families, let alone communities.

The following is general information about some possible traditional spiritual practices concerned with the treatment of a loved one after death that may be important for law enforcement, social, medical and justice officials to understand.



Some traditions involve feasting, tending to a sacred fire or other ceremonial observances that may continue for a period of time, ranging from a few hours to ten days. This may involve continued attendance or participation, for example, tending the fire without stopping. During this time, family, friends and community members may believe it disrespectful, or be reluctant or unwilling to talk to law enforcement or other officials while they are actively engaged in ritual or ceremony.

It may be important for family members to attend the location where the death occurred. Ceremonies may need to be carried out, and some are best done close to the time of death, if possible. Victim Services or the police investigators may be able to assist with facilitating this, especially if it is on private land or in remote locations. There may be delays in being able to access a crime scene until the police have finished with their investigation there, or until it is cleaned. However, there may be ways in which spiritual ceremonies can take place near the crime scene while maintaining the integrity of the investigation. It will differ across police services, but the RCMP's operational policy on human deaths requires police to assist families in attending the location of death, wherever possible.

Families may make requests to obtain personal possessions of the victim for ceremonial purposes and these may possibly be returned if they do not have any evidentiary value.

From a spiritual perspective, it may be important to know the date and time of death. The medical examiner or coroner may be able to provide this information – or a close approximation. Where the date is not known, the police may be able to provide timeframes of when the death was most likely to have occurred, from information gained of your loved one's last confirmed movements.

As with many other religions and cultural practices, a loved one may be traditionally cleaned or prepared for the funeral, burial or cremation by family, extended family, matriarchs or others. However, because the release of the loved one by the Medical Examiner/Coroner's Office may take some time, this may not be able to be done as quickly as a death that was not criminal in nature. While this can be distressing, families can take this time to prepare for the funeral or wake while still performing other rituals.

For many reasons, not all Indigenous people have a connection with a community, but where there is a connection, a death is often a community event, with participation and observance by many, including from afar. It may take time to make arrangements for everyone, especially if there is time before the loved one is released by the Medical Examiner/Coroner's Office.

Families may be able to receive funds to assist with funeral costs through First Nations Bands, Victim Services or provincial/territorial programs.

Judaism

This is the worst it has ever been.

My life is over. He is gone. He left this morning, like always, and now they tell me he is not coming home again. Ever. He is dead.

No one sees how much this affects me. I am suddenly in a different world and no one understands what I am going through. People talk to me but they are speaking a different language, even though we use the same vocabulary. I hear the words they say, but it doesn't register. It doesn't matter. Nothing matters.

They say "eat something", but how can I eat? "Have a little to drink", but I'm not thirsty. They say "get some sleep", but how is one supposed to rest at a time like this?

My loved one is gone. One minute he was here - a living, vibrant, active, beautiful soul - and now he's dead - violently ripped away from me, from this world, from life itself. How will I manage? How do I go on? How can I explain to others what happened? How do I make sense of it myself?

Now, as if it wasn't bad enough, it's even worse. The police say that they have to do an autopsy. They say it's needed for their "investigation". They say the "law" requires it.

Who cares about the "law"? All I know is that an autopsy is forbidden. In Judaism you don't mutilate the body of a human being created in the image of G-d. My loved one is dead and now they are going to cut him up like a piece of meat. How is that showing respect to the dead?

They tell me I can't even bury him yet because they are not through examining the body. But when a Jew dies, we are supposed to have the funeral as soon as possible. My loved one can't even rest in peace now that he is gone. What am I supposed to do? How am I supposed to go on?

They called a Rabbi to talk to me. At least he seemed to understand that I am in pain. He was kind and sensitive. He let me grieve.

He let me talk. And cry. And yell. And when I was totally spent, he spoke to me softly. With love and compassion. Even though I'm in this kind of limbo before the funeral, and cannot begin our mourning practices until after the burial, the Rabbi said no one can tell me how to feel. The pain is raw. I need to let it out. To my surprise, he stayed with me. To his credit, he didn't run away.

When I was ready to listen, the Rabbi said Judaism teaches that G-d is in charge of everything in this world. He is the Only One who is in control. I asked, "but doesn't that mean G-d let that awful person murder my loved one?"

The Rabbi said we believe that G-d has a Plan for all of Creation. And, even though none of us understand how this fits into G-d's Plan - somehow - this is part of it.

I kept saying "it has to be a mistake...G-d messed up and took the wrong person". The Rabbi was silent for a while. Then he said that there is only one thing that G-d cannot do. He said that G-d, by definition, doesn't make mistakes. For whatever reason, this had to be. We can't change it. The only thing we can control is how we respond.

The Rabbi also said that Judaism teaches that no one dies before his time. If this was his time to go, if G-d was calling him home, then nothing could keep him here. We come into this world against our will. And we are called home, to the next world, against our will.

But, even if he had to die now, why did it have to be like this? Such a horrible way to die. Again, the Rabbi was quiet for a few minutes. Then he said that when someone dies from a "*misah meshunah*", a strange, unusual or difficult death, their soul receives a special purification. The body is buried in the earth, but the soul is elevated spiritually and receives immediate atonement for its sins or misdeeds in this world.

The Rabbi said that it's true your loved one is gone physically. But when you love someone, you open your heart and let them in. Then they become a part of you. In a very real sense they haven't died - because the most important part of them is still alive. Your loved one is alive within you. And he will be alive - in your heart and in your mind - as long as you are alive.

Wherever you go. Whatever you do. He will be at your side. You may have to close your eyes to see his face; and listen really, really, carefully in the quiet to hear his voice, but he will be no less real to you than he ever was before.

And he will be with you forever.

We are all so very sorry for your loss.

Islam

Under normal circumstances, when a Muslim has died, the eyes and mouth of the person are closed and the body covered temporarily with a clean sheet. The feet to be kept together and the body to be turned towards Makkah with feet facing Makkah. The family would begin preparations for burial and be ready to wash and shroud the body when released. Burial takes place as soon as possible after death, to avoid the need for embalming or disturbing the body of the deceased. Loved ones and relatives observe a 3-day mourning period. Mourning is observed in Islam by increased devotion, receiving visitors and condolences. Other Muslims observe for 40 days.

Autopsies are prohibited unless specific information is necessary. Muslims believe that there is still "an awareness" after death. Autopsies are therefore prohibited and, if they are necessary, cause great anxiety for the family.

In the situation of homicides or suspicious deaths where the Coroner or Medical Examiner’s Office has determined an autopsy must occur, the family can express their concerns and request that minimal, non-invasive procedures be used, and impress the desire for a quick release of the deceased’s body. The family can begin their mourning period and continue their prayers while they await the release of the body for burial.

Paganism

Paganism is very broad term encompassing many different traditions, paths and spiritualties with similar but diverse belief systems in regard to death and funerary practices.

Within those it is not uncommon for a practitioner to participate in more than one tradition or none in particular. Within these traditions, the souls of dead are believed to be received into their respective afterlife, (i.e., Hades, House of Donn, Summerland) or reincarnated here. Generally, with some exceptions, the state of the soul is not dependent on the state of the body; as a result, there are rarely restrictions around the handling of the deceased body for respectful disposition.

Again, there is generally no issue with autopsies, organ donation or types of burial or cremation. Ideally, these choices are made by the individual or their blood or chosen families. In the absence of advanced directives, it is ultimately up to next of kin, who may or may not be Pagan, to make decisions.

If the death has happened at home, investigators need to be respectful of the deceased’s religious materials. There would also be need for an appropriate co-religionist, teacher or peer, to secure the individual’s personal collection of ritual books, journals, ritual tools, altars and shrines, and to liaise with the family in this regard if no previous arrangements had been made.

The home is primary locus of worship; therefore, the family usually will ask for the body to be sent to the funeral home for either preparation of burial or cremation. Funerals are small private rituals with close friends and family honouring those who have passed and sending the spirit on to its respective afterlife. Larger memorials or celebrations of life are typically held when the body has been cremated. Some appropriate phrases to console mourners are “They will be remembered” or “What is remembered, lives.”

Sikhism

There are no religious objections to autopsy in Sikhism. However, as no hair on the body should be cut or removed, it is usually requested that an autopsy is not performed unless required by law. If an autopsy is required, every effort should be made so that the five articles of faith, including hair from any part of the body, should not be removed.

United Church of Canada

When the death of a loved one is a result of wrong-doing, we know that anger, disbelief, and grief are mixed together. This is a tragic and extremely difficult time for you, family, friends, and the wider community. In the midst of these complex emotions, the United Church believes that nothing can separate us from the love of God. We do not believe that suffering is ever intended by God.

“In life, in death, in life beyond death, God is with us. We are not alone.” These words, from “A New Creed”, offer hope and promise that God walks with all people, even into death and the new life that is resurrection. And we believe this is offered to everyone. This is the case even when a body cannot be recovered; we trust the promise of new life that God has made through Jesus Christ.

As a church, we believe that community care and support are vital in tragic and difficult circumstances. A church can offer prayers for your loved one, for you, your family and friends. The church can also offer funeral and/or memorial services, should you desire. If requested, the church minister or other members can support and accompany you through any of the legal proceedings related to the violent death of your loved one.

Your Notes



Police File Number:

Primary Investigator contact information:

Police Supervisor contact information:

Family Liaison Officer contact information:

Victim Services:

Other Supports:

Notes:

[illegible]

Notes:

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no vertical margin lines or other markings present. The paper appears to be a standard piece of stationery used for writing or drawing.

Notes:

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

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This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

This image shows a full page of blank, lined paper. It features approximately 20 evenly spaced horizontal grey lines across its entire width, providing a guide for handwriting or typing. The paper itself is a clean, off-white color.