



A Resource Guide for Justice Professionals Working with Child Witnesses in Northern Canada

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Contents

Introduction	1
Best practices with child/youth victims and witnesses	2
Effective communication with child / youth witnesses: key elements	3
- Pre-court meeting with a child/youth witness	
- General guidelines on questioning young children	
- General guidelines on questioning adolescents	
- Tips on questioning a child/youth witness in court	
- 10 Tips for effective communication – when time is limited	
Varying abilities of child/youth witnesses: court-relevant issues re: language, time, memory	9
- Young children - up to 6 years	
- School- age children - 7-10 years	
- Teenage youth 11-17 years	
Sustaining concentration in the courtroom	13
Cross-examination – the challenges for young witnesses	15
Traumatized child/ youth witnesses	16
- Understanding impact of trauma & implications for court testimony	
- Guidance for working with traumatized young witnesses	
- Hearsay evidence	
- Children/youth: witnesses in domestic violence cases	
- Understanding the process of disclosure	
- Multiple-victimization	
- Inter-generational trauma	
Court Preparation	22
- Stressful aspects of court proceedings	
- Concerns and challenge with solutions and strategies	
- Court prep ‘Step by Step’	
- 10 tips for court prep – when time is limited	
Testimonial aids and accommodations	31
- Support Person (s. 486.1)	
- CCTV/video-link (s. 486.2)	
- Screen (s.486.2)	
- Video-recorded testimony (s.715.1)	
Vulnerable Adult witnesses	37

Appendices 39

**Appendix A -
Information for Community Wellness Court and Victim Service Workers I**

**Appendix B -
Child/Youth Witness Information Handout III**

**Appendix C -
Key Messages for Young Witnesses VII**

**Appendix D -
Parents & Caregivers Handout: Helpful information when your child is a court witness IX**

**Appendix E -
Court Preparation Checklist XIII**

**Appendix F -
Child/Youth Witness Information Sheet XV**

**Appendix G -
Protecting Victims & Victims’ Rights XVII**

**Appendix H -
Important Contacts - People Who Can Help XIX**

Partnership & Collaboration

Partnerships and collaborative practice form the core of what works best when meeting the needs of young children and youth who have experienced victimization.

No one agency or profession alone is fully equipped to prioritize the wellbeing of an abused child. Balancing the needs of the child with the needs of the justice system requires a special set of skills, sensitivity and knowledge. An interdisciplinary, collaborative and coordinated approach creates a network of supports and services that lends strength to the child and family.

In Yukon, Project Lynx is the multi-disciplinary interagency team working towards enhanced and coordinated responses from all systems (justice, child protection and medical) that respond to children and youth who are victims or witnesses of crime in order to address the effects of trauma.

Project Lynx

Project Lynx co-ordinates services, brings interagency partners together to provide a timely response and enhances the supports and services for young victims and witnesses of crime and their families.

The Project Lynx team creates a forum for information to be shared about the investigation, charges, court, supports and services for the young person and their family.

Project Lynx partners include: Victim Services, RCMP, Family and Children's Services, Regional Services, Public Prosecution Service Canada, Crown Witness Coordinators, Child and Adolescent Therapeutic Services, Council of Yukon First Nations, medical representation, and Court Services.



Department of Justice - Victim Services Branch

Victim Service workers and the child victim advocate at Project Lynx ensure that children, youth and their families receive the information and individual support they need throughout the investigation, court process, closure of the case and beyond. The Victim Service Worker acts as the navigator for the child/youth and the family, liaising with other services and justice professionals to provide consistent support throughout the justice process and beyond. Crisis support and referrals to other community services are always available, regardless of charge or court outcome.



Department of Health & Social Services - Family and Children's Services

In Whitehorse, child welfare services are provided by Family and Children's Services (FCS); in communities outside of Whitehorse child welfare services are provided by Regional Services. Child welfare services include taking reasonable steps to ensure the safeguarding of children, promote family conditions that enable families to care for their children, and to provide care and custody or supervision of children in need of protective intervention. Child welfare workers liaise with the RCMP and involved First Nations and participate in investigations in response to allegations of child maltreatment where a criminal offense may have occurred. FCS and Regional Services work with the Project Lynx team of professionals to ensure that children are not experiencing secondary trauma as a result of exposure to the system intended to protect them.

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Child & Adolescent Therapeutic Services (CATS)

Child & Adolescent Therapeutic Services provides confidential counselling services to children, youth, and their families. Child victims of sexual and physical abuse, neglect, and those children who have witnessed family violence receive treatment through CATS.

Services are provided in Whitehorse and CATS counsellors travel to Yukon communities on a regular basis. Young people and their non-offending family members are offered referral to counseling at CATS or other services in the community at any stage of the justice process and beyond.

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Yukon Sexual Health Clinic

Children and youth who have experienced a crime are referred for medical attention as early in the intervention as possible. Forensic medical examinations are conducted by practitioners who have been specially trained in the best practices for such procedures. Young people are referred to their family doctor or Whitehorse General Hospital; in communities, referrals are made to the family doctor or local health centre. A medical representative participates in Project Lynx to support child-focused medical intervention as part of the multi-disciplinary team response.

Council of Yukon First Nations (CYFN)

First Nations government and community representatives are integral to developing Project Lynx partnerships throughout Yukon and enhancing services for young people and their families who have experienced crime. The Project Lynx team works collaboratively with representatives from First Nations communities to identify support networks for child/youth victims and witnesses and their families, and to ensure that young victims have access to culturally safe services in their home community throughout the justice process and beyond.

Department of Justice - Court Services Branch

Court Services provides administrative support to Yukon courts, and collaborates with Project Lynx partners to address the needs of child/youth victims and witnesses in court. Court Services works with the RCMP and Crown prosecutors to ensure the safety of child/youth victims and witnesses in courthouses. Court Services promotes the use of technology to facilitate court testimony for child/youth victims and witnesses, and assist justice professionals to make arrangements for child/youth victims and witnesses who need special provisions in order to testify, including court amenities such as waiting rooms, interview rooms and testimony rooms.



Introduction

As a Crown, Victim Service Provider or Support Person, working with children and teenagers who are victims or witnesses of crime can be a challenging task. Victims and witnesses enter the justice system with individual needs, experiences, abilities and challenges which must be understood in order to provide an effective and sensitive response. Many young people called to testify are vulnerable because of sexual victimization or other interpersonal crime. Most are anxious or fearful about participating in the court process.

The aim of this guide is to create a resource that will be helpful to justice practitioners including Crowns, Crown Witness Coordinators, Victim Service providers and victim advocates in their day-to-day work with child victims and witnesses of crime. Specifically, the resource includes relevant, practical information and useful tips on how to communicate effectively with children and youth; developmental issues to be aware of when a child is called to testify; pre-court preparation 'step-by-step' and use of testimonial aids.

A brief overview of trauma is discussed in relation to the courtroom context.

Our national statistics tell us that each year approximately 60% of police reported sexual crimes involve children and youth under the age of eighteen. As a consequence, an increasing number of young victims and witnesses of crime are being called to testify about sexual offences and other acts of violence which they experienced or witnessed.

Participation in the justice system can be a lengthy and stressful experience, more especially for children and youth, who require protections, specialized supports and an integrated approach in order to prevent their further re-victimization within the legal system.

The Canadian Victims Bill of Rights (2015) ensures that victims have enforceable rights to information, protection, participation and restitution. Providing consistent, clear information and ongoing supports to children and their families helps ensure that each child can participate more fully in the legal process. Justice professionals working with children play a significant role in meeting these needs.

Best practices with child/youth victims and witnesses

Child victims and witnesses of crime are best served by timely, child focused and co-ordinated interventions. In essence, children need immediate access to services provided by justice practitioners who have effective communication skills, understanding of developmental differences and knowledge of the impact of victimization. An integrated approach serves to avoid gaps in the provision of services and to ensure that each child and family is kept informed and updated. Children and families also fare better by having one consistent person to support, advocate and inform them, from the time of first contact and throughout the justice process.

These elements reflect best practice models that are easy to implement and adapt to fit all communities:

- A collaborative, coordinated, integrated response ensures timely and effective interventions for young people and their families
- Access to immediate supports is critical in protecting a child's emotional wellbeing and facilitating the healing process
- Provision of relevant information and child/youth-centred victim support reduces anxiety and serves to empower children and their families

Access to information is reassuring and can encourage participation in the justice process. Awareness of available community services and protections that are in place within the justice system may encourage young people to report victimization. Parents and caregivers can be more reassured about their child's wellbeing while the child remains involved in the legal system.

Canadian Victims Bill of Rights (s.c.2015, c.13, s.2)

The Canadian Victims Bill of Rights Act (CVBR) came into force in July 2015. The CVBR gives victims a more effective voice in the criminal justice system. The CVBR establishes statutory rights to information, protection, and participation and to seek restitution.

Link: <http://laws-lois.justice.gc.ca/eng/acts/c-23.7/FullText.html>

Terms: This guide refers to a child or young person under the age of eighteen years, who may be a victim or witnesses to a crime. The terms child witnesses, young witnesses, or young persons are used interchangeably.

Effective communication with child/ youth victims and witnesses

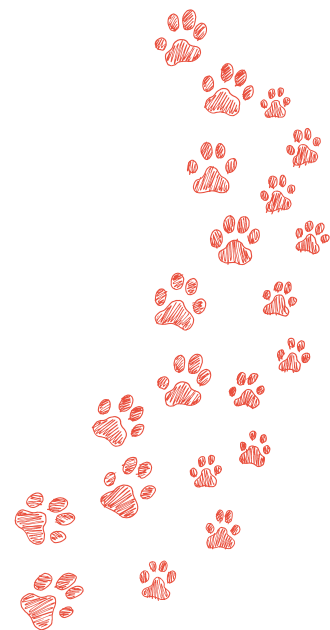
As justice professionals, a good degree of skill is needed in communicating with children and youth. Talking to a young person at their individual level is not that easy and takes patience and practice. Each meeting with a child or youth needs preparation to ensure that the communication will go smoothly and there is mutual understanding.

From a child's perspective, you are one of many professionals who they will encounter during their involvement in the justice process. Your interaction with that child can make an important difference in their overall experience. Most children and youth are apprehensive about their first meeting with a stranger within the justice system, so putting them quickly at ease is the first step to ensure positive communication. Preparation is key – plan what you are going to say, and the topics you need to cover, before the meeting. Writing your questions before the meeting can be useful, especially with younger children.

Young witnesses need to be aware that a more formal style of communication is used in the courtroom. Research has identified that children/youth experience

cross-examination as adversarial, intense and emotionally exhausting. Giving evidence requires communicative competence and reasoning skills which younger children are still developing. In order to be credible in the courtroom children need to provide detailed and accurate information. The matters before the court are often distressing to the child and the events frequently occur months, even years prior to the final court hearing date. Preparation is key to help children/youth deal with questioning in the court environment so they can testify to the best of their ability.

Learning background information ahead of your meeting with the child, will lead to more effective communication and ensure your awareness of any special needs or concerns. Relevant information can include: type of charge(s); relationship to the accused; family composition; current living arrangements; cultural awareness; first language of the child and family; and any special needs. Information about the child's community, school, friends and interests can help you to develop a positive rapport with the witness.





Key elements of effective communication with children and youth:

- Take time. Help the child/youth to feel at ease. One of the goals is for the young person to do most of the talking – a child will be more open to communication when feeling less anxious and more reassured and relaxed.
- Following your introductory rapport-building conversation, ask the child/youth first about how they are feeling about the meeting and allow the child/youth an opportunity to ask any questions they have 'off the top'. Doing so can help the child/youth to be much more receptive to the information you are providing and the questions you will be asking since they will have been allowed an opportunity to address their primary feelings and concerns before they are called upon to participate in the meeting.
- Use plain language. Match your questions to the child's level. Remember that children's communicative competence is not fully developed until age 10 – 12.
- Be aware of the child's culture.
- Be patient, flexible and alert to the child's level of stress.

Crowns:

Pre-court meeting with a child/youth witness

Rapport essentially is establishing a level of comfort. All meetings with a child or youth should begin with a rapport phase, a time when you can build a level of trust and develop mutual understanding. This does not have to be a lengthy process, but keep in mind that younger children, children with special needs as well as youth who are emotionally fragile, will need more time to feel at ease. Most children and youth will be nervous or anxious before meeting an unfamiliar adult in a legal environment, so the goal is to help them relax as much as possible and to talk freely. Initial conversation should focus on neutral topics - events or interests of the child. Rapport provides a valuable opportunity to learn about the child's communication skills and their level of understanding.

- Introductions: Introduce yourself. Tell the child/youth what name or title they should use when talking to you. Ask the child/youth their preferred name (i.e. if Jonathan or Jon).
- Explanations: ensure the child/youth understands the purpose of the meeting, how long the meeting will take, and the topics that will be discussed.
- Describe your role as a prosecutor in simple terms. Explain that you will be asking questions in court about what happened. Emphasize to the child/youth the importance of providing as much accurate information as they can in court. Learning that you have met with many other young people in similar types of cases, can be reassuring.

Types of Questions

Research and practice highlight that children and youth provide more detailed and reliable answers when asked open-ended questions. Rapport building and use of open-ended questions are integral to the approach taken by investigative interviewers. Practice with open-ended questions help children to develop their narrative skills - their ability to provide a more complete account of their information. This practice can be done during court preparation.

Open-ended questions encourage children to provide information in their own words and encourage more detailed answers. These questions are not leading, or suggestive and do not limit the child's answer. Examples include: "Tell me about your favourite (e.g. sport, activity, movie, book you read)" and follow with this prompt... "Tell me more about (that topic)." "Tell me everything you remember about (that event)".

Closed questions typically result in one-word responses. For example, a child who is asked: "Do you like school?", typically gives a "yes" or a "no" response.

Specific questions are the "wh" questions - Who, What, Where, When and Why.

Younger children have difficulty with 'Why' and 'How' questions which require abstract thinking.

Crowns: General Guidelines on Communicating with Younger Children

The focus is on helping the child to provide an accurate and detailed account of what happened. Keep in mind that younger children typically provide less information than older children. Also, younger children are not developmentally capable to deal with tasks such as estimating duration, frequency, time, size and weight.

- Establish rapport.
- **Ensure accuracy:** Encourage the child witness to correct any misinformation – this includes letting you know (1) when they don't understand the question, or a word; (2) stating when they don't know the answer; or (3) letting you know if something you said is incorrect. Prepare a few examples so the child can practice with you. Check with younger children with "Can you tell me what I just said?" or "Did I get it right? Is that what you said?"
- **Relationships:** Establish with the witness how she/he refers to family members or individuals who are relevant to the case. (Is "Auntie Mary" actually a real aunt or a family friend?)
- **Vocabulary:** In cases of sexual assault, identify the words the young witness uses for body parts and actions. A parent may be helpful in providing this information.
- Avoid asking younger children to imagine or pretend.
- Hypothetical "what if" questions are difficult for younger children.
- **Question type:** Ask just one question at a time. Keep your questions short. Rephrase the question if the child/youth does not respond. Remember that 'open-ended' questions elicit more detailed responses. 'What', 'who' and 'where' questions can be handled by young children. Very young children will have difficulty answering 'how' or 'why' questions.
- Use the name of the person or object – avoid pronouns – it is important that the child knows exactly who, or what, you are talking about.

Crowns: General Guidelines on Communicating with Adolescents

Be aware that an attitude of indifference or defensiveness may be used to cloak vulnerability. Developing trust may take time, as the young person's ability to trust adults may have been compromised. Make no assumptions about the youth in terms of their feelings, experience or current situation. Keep in mind that your witness may be distressed and embarrassed when having to talk about details of the sexual offence. As well, adolescents are often reluctant, or embarrassed to admit when they do not understand.

Communicating with adolescents

- Begin with rapport building. Have some special topic questions prepared for that witness.
- Ask the young person if there is anything they would like you to know about themselves that can help you work together.
- Ask for their opinion, as youth like to give information where they are the "experts".
- Try not to sound rushed or impatient, especially when the youth is vague or indifferent.
- Open-ended questions will allow the young person to provide more information.
- Consult and involve youth in decision-making about how they would like to give their evidence (e.g. use of testimonial aids).
- Acknowledge any distress and introduce a note of optimism at the end of the meeting.



Crowns: when questioning a child/youth witness in court

1. Put the witness at ease. Begin with brief rapport building phase. Prepare neutral questions.
2. Ask one question at a time. Allow the child time to answer. Try to avoid interrupting.
3. Offering some reassurance may help, such as – “I understand that this may be difficult for you”.
4. To establish details of the offence, the following types of question(s) are useful:
 - “Do you know why you are here today?”
 - “In your own words, can you tell me what happened?”
 - “What do you remember next? “Tell me more about that”
5. Use simple language. Try to avoid using words such as ‘recollection’ or ‘indicate’.
6. Check to ensure child/youth understands the meaning of words and questions. Monitor attention and comprehension throughout the testimony. Be aware of facial expressions – young witnesses may not always say aloud that they do not understand.
7. Watch for loss of concentration and emotional state. A break may be needed to re-focus.

Ten Tips for Crowns: Effective communication with child/youth witnesses – when time is limited

A meeting with the Crown prosecutor before the trial date works best for child and youth witnesses. A pre-court meeting allows the child/youth to get to know you and feel more reassured about testifying. It makes it easier for a child to respond when a familiar person asks questions in the courtroom. You can briefly assess the witness' communication skills and prepare your questions for that individual child. The goal is to encourage the child to talk and avoid miscommunication.

- 1) Help the child/youth feel at ease. Avoid appearing rushed.
- 2) Introductions: Explain your role. (Prepare explanations for both children and youth).
- 3) Keep your questions short and simple. One question at a time.
- 4) Allow the child/youth time to answer your question.
- 5) Open-ended questions encourage more detail and accuracy. Examples: "I'd like you to tell me two things about yourself." or "Tell me more about what you like to do best."
- 6) Questions such as "do you like school?" result in yes/no answers.
- 7) Explain that when testifying, it is important to tell the court everything about what happened, "because we were not there".
- 8) Remind the child/youth not to guess the answer. Review "don't understand", "don't know", "don't remember".
- 9) Be prepared to rephrase your question. Be alert for any misunderstanding – either yours or the witness.
- 10) Watch for focus and attention. Too many questions or use of unfamiliar words can tire out a young witness or challenge a witness with attention problems. Stress can interfere with a witnesses' ability to concentrate. Monitor the need for break(s).

Resources on Questioning Children

Question Types, Responsiveness and Self-contradictions When Prosecutors and Defence Attorneys Question Alleged Victims of Child Sexual Abuse. (2014). Samantha J. Andrews, Michael E. Lamb and Thomas Lyon. University of Southern California. Available on-line at: <http://works.bepress.com/thomaslyon/99>

- Ten Step Investigative Interview - Adaptation of the NICHD Investigative Interview Protocol Thomas D. Lyon, J.D., Ph.D. tlyon@law.usc.edu © 2005

Graffam Walker, A. (1999) Handbook on Questioning Children - A Linguistic Perspective. 2nd Edition. Washington DC, American Bar Association Center on Children and the Law.

Lamb, M. E., Rooy, D.J, Malloy, L.C. and Katz, C. Eds. (2011) Children's Testimony: A Handbook of Psychological Research and Forensic Practice. Wiley-Blackwell Chichester, UK.



Understanding the varying abilities of child and youth witnesses – In the courtroom context

Children can provide accurate information depending on how they are questioned and the environment in which they are questioned.

Key points:

- Use age appropriate language and age appropriate form of questioning
- The environment should be non-threatening to the child/youth
- The tasks they are asked to perform as witnesses should match the age and stage of development. E.g. Avoid asking children to estimate time or size.
- The questioner should have an understanding of children's perspectives and their varying abilities

Children change physically, emotionally and intellectually as they progress through a series of developmental milestones. Developmental milestones are not set in stone, and it is well recognized that every child is unique and different. (All 6-year-olds are not at the same level of maturity.) A child's individual characteristics, together with the influences of family, culture and community, play a significant role in his or her development.

Having an understanding of child development provides us with insight into the communication, comprehension and abilities of children and youth at different ages and stages. This informs our interactions with each young person, enabling them to be as competent as they can, while participating in the legal system.

The following information provides a brief overview of children's abilities, with a focus on their roles as potential court witnesses. Keep in mind that differences can be quite variable. Much depends on the child/youth's individual life experiences and circumstances including: impact of victimization, adversarial events, availability and level of family support and any special needs. Be aware that the stages described below may apply differently to children and youth with learning disabilities, attention difficulties or other significant learning and communication issues.

The Canada Evidence Act (C.E.A.) Section 16.1

Since Section 16.1 came into force in 2006, there is a presumption that children are competent to testify. Children under age 14 are required to "promise to tell the truth" before being permitted to testify. Section 16.1(7) of the C.E.A. specifies that a child will not be asked any questions regarding their understanding of the nature of the promise to the truth.

Younger children (up to six years of age)

Although they have a short attention span, a more limited vocabulary and less experience interacting with adults, young children can respond to questions and provide information about what happened, if asked in a way they can understand. When questioned, it is important for a young child to feel secure in their environment. This may take some time and it often requires more than one meeting for a child to feel comfortable and ready to talk to adults unfamiliar to them in an unfamiliar setting. With this age group, monitoring their comprehension and attention is critical to accessing accurate information.

Children over age 6 can discriminate between events that are imagined or real. However, when questioning, avoid asking young children to imagine or pretend.

Language

- They have a literal understanding of words.
- They have difficulty with abstract concepts.
- They are not aware that words can have more than one meaning (e.g. a 'crown' prosecutor versus a 'crown' worn by a queen; or a 'court' of law versus a basketball 'court').
- They may have difficulty distinguishing between words that sound the same

Memory

- Younger children can remember central details of an event they personally experienced, for example, an event that was distinctive, unusual or highly interesting to them; however, they may not have good memory of peripheral details of that event.
- Compared to older children, younger children are more likely to leave out details when they describe an incident.

Time

- Younger children are still learning to understand the concept of time. Correct use of past and future tenses is difficult. Be aware that "yesterday", for a 4-year-old, could mean any time in the past. They may use "yesterday" to describe any time in the past, and use "tomorrow" for any future time. Around age five, children begin to distinguish between "today" and "tomorrow".
- Younger children are unable to estimate time, or frequency or the duration of events. Realize that they cannot handle questions about the number of times something happened, or how long it lasted.

Example:

During an assault on her mother, Anna, age 4, was recorded on a 911 call. Four days later, she was interviewed by a police officer. The information she gave in the interview mirrored the details in the recording -- in terms of what had happened, what she did, who was present and where the incident occurred. However, consistent with the time-concept abilities of children her age - she described the events in question as having occurred "a long time ago."

Children ages 7 – 10

Socialization, school and friends are important for children in this age group. They have awareness of another person's perspective. They understand rules, and the concept of fairness is important. At around age 10, children have a deeper understanding of the meaning of right and wrong. They cannot estimate age, height, weight or measurement. Depending on the activity, their attention span is between 30 – 60 minutes.

Language

- Children in this age group continue to develop narrative skills and can provide more detailed accounts of events. They have an improved ability to participate in conversations.
- Abstract and hypothetical questions are difficult for this age, and should be avoided in court, for example questions that begin with a phrase such as “What if ...”
- Complex questions and use of negatives will confuse, e.g. “You didn’t go there, did you?”

Time

- Children learn to tell time around age seven. Meal times and television shows may help establish time frames.
- In the north, as daylight is short during the winter and long during the summer, a child may report an incident as occurring during the night - as it was dark, but in reality, it was 4 p.m.
- Children under age eight have difficulty with accuracy of time and dates. Most children in this age group can indicate whether an event happened in the morning or at night; during the summer or winter; or during school time or weekends.
- Tasks involving estimates of time, and duration or frequency of events are difficult for children in this age group.

Memory

- Children begin to learn and use memory strategies at school. Their recall memory improves during this stage. Memory for core details of unusual or distinctive events can be strong.

Example:

Tim, age 9, reported sexual abuse by his uncle. He stated that the incidents first started during the school summer vacation when he first moved in to live with his uncle. When interviewed, he provided details of the incidents and described the various locations where the abuse occurred. Consistent with children in this age group, he was unable to identify specific dates, with the exception of one incident that occurred on his 8th birthday. He appeared to contradict himself during cross-examination, when pushed to estimate the frequency and duration of the incidents, and the dates of occurrence. Re-examination provided the opportunity for clarification.

Youth ages 11 – 17 years

Youth in this age group are able to reason hypothetically and discuss situations and events in considerable detail. They can deal with hypothetical questions - the “what if’s.” They can engage in flexible thinking and deal with abstract questions and concepts. When working with youth, keep in mind individual differences and any special needs such as learning difficulties. Their ability to focus attention is between 60 – 90 minutes.

Time

- Youth in this age group can estimate time and duration of events.

Memory

- Around ages 11 – 12 a young person’s memory ability can be as complete as that of an adult.
- Victims of repeated abuse can have difficulty distinguishing individual episodes from the recurring incidents, or remembering the number of times the abuse occurred. Particular incidents, distinctive or atypical episodes, may be recalled in more detail, for example the first or last incident, a more violent or more intrusive act, or if the abuse occurred in a different location.

Example

Lisa, age 16, reported sexual abuse by her stepfather. She recalled that it first happened when she was age 8 – when her mother was in the hospital. She could not recall the number of times it occurred, but was able to describe the increasing intrusiveness of the acts. She remembered the last time it happened, she was in Grade 9. She delayed reporting until Grade 11, as she was concerned she would not be believed and that she would have to leave her home. She used drugs and alcohol to help her forget. A supportive school guidance counsellor helped prompt her disclosure to the authorities.



Sustaining Concentration in the Courtroom:

Testifying is a stressful process, especially for children and youth. A witness is required to listen and focus intently for lengthy periods of time. Younger witnesses and youth with a short attention span need to be monitored while testifying to ensure they are paying attention, or beginning to tire out. Children and youth with attention problems need frequent breaks. Child victims of sexual abuse find the task of recalling and describing details of the events emotionally overwhelming and exhausting; some may emotionally 'shut down'. They too will need a break.

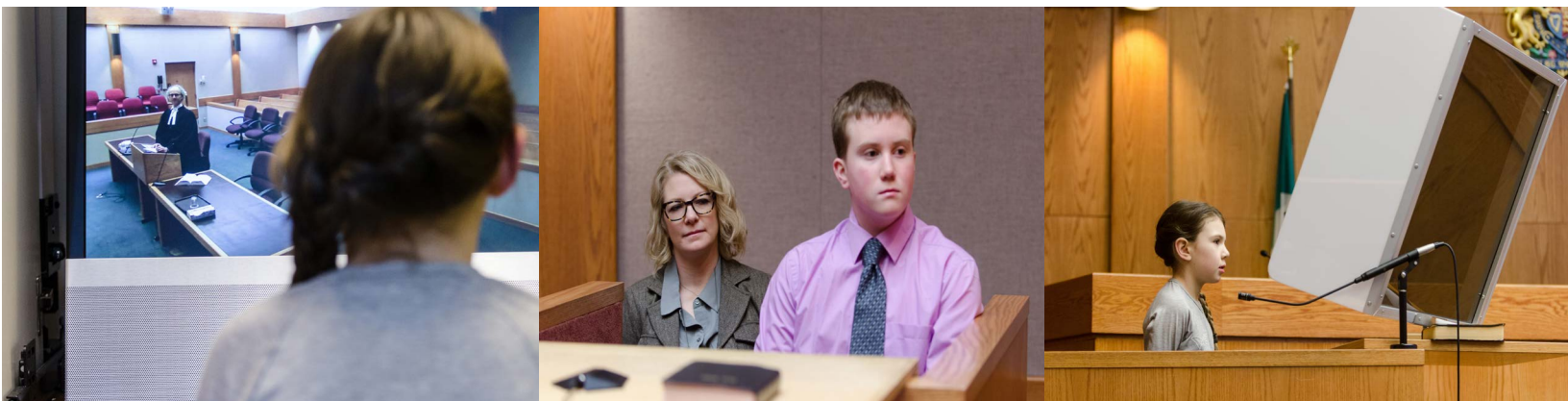
Factors that can affect a child's attention and focus while giving evidence:

- Questions that are too long or too complicated
- Length of time being questioned
- The level of anxiety and stress about testifying
- The content of the testimony may cause the witness to emotionally 'shut down'
- A lengthy wait before testifying: the witness will tire out; anxiety will heighten
- The presence of the accused or hostile supporters can affect the child's focus.
- Courtroom distractions
- Hunger and fatigue

What helps:

- Monitor the child's attention and check for any appearance of fatigue
- Ensure that the child has understood. Rephrase the question when necessary
- Be alert for any individuals in the courtroom who may be distracting the child
- Check with the child to see if they would like a break
- Request a recess – sometimes a child/youth may not be confident enough to ask
- Ensure the availability of snacks

Note: While the court approved Support Person may be aware of a child witness losing focus or tiring out while testifying, they cannot intervene or alert the child, unless so directed by the judge.



Strategies when working with children and youth witnesses with fetal alcohol spectrum disorder (FASD)

- Recognize individual differences.
- Court preparation works best when the child or youth is accompanied by a parent or her/his community support person who can then review information between meetings.
- The courtroom environment can be overwhelming for a young person with FASD – testimony outside of the courtroom via video-link is one solution. A support person who is well-known to the witness can provide reassurance during testimony.
- Youth with FASD understand language in a concrete and literal way. Use precise, simple language. Check for comprehension after your question - not by asking “do you understand” but instead ask them to describe back to you what they understand.
- Many children and youth with FASD have difficulty with temporal concepts.
- Use of visual aids can be helpful

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CanFASD

www.canfasd.ca

Child Development Centre Yukon

www.cdcyukon.ca

Cross-Examination: challenges for children

Cross-examination has been identified as one of the most difficult parts of testifying, especially for children and youth. Research findings highlight that child witnesses are frequently confused by the complexity of language; suggestive questioning; and the style and pace of the questions; and, can be intimidated by the tone of voice used by the questioner. Suggestive questions and use of 'tag' questions are especially difficult for children to comprehend, sometimes resulting in young witnesses providing inaccurate, or incomplete information.

- Tag questions are suggestive, confusing and difficult for children, for example, "You didn't go there yesterday, did you?" The question here involves a statement, a tagged short question and use the negative form.
- Repetitive questioning
- When more than one question is asked at a time
- The questioner uses an aggressive or harsh tone
- The pace of the questions is too fast

What helps:

Pre-court preparation helps children deal with cross-examination. Role-playing question and answers on neutral topics develops listening skills. Children can identify questions that are confusing or that they don't understand. With practice, the child will feel comfortable saying that they don't understand the question or asking for the question to be repeated. They can also learn to be assertive in stating if something said is not correct. Monitor for the child witness agreeing with repetitive questioning, or answering confusing questions simply in order to "get it over with".

Cross-Examination: Suggested further reading

J Plotnikoff and Woolfson, R. (2009) Measuring Up? Evaluating Implementation of Government Commitments for Young Witnesses in Criminal Proceedings. Nuffield Foundation/NSPCC: www.nspcc.org.uk/inform/research/findings/measuring_up_summary_wdf66580.pdf

- This research identified that children are negatively affected by confusing or aggressive questioning. UK studies identified that more than fifty percent of children, who were interviewed after testifying, did not understand some of the questions asked in court.

Children and Cross-Examination: Time to Change the Rules (2013). John R. Spencer and Michael E. Lamb, Editors. Oxford: Hart Publishing.

- The collection of papers by practitioners and researchers provides valuable perspectives on the treatment of child witnesses in the courtroom.

Understanding traumatized child and youth victims

In order to work effectively with young victims and witnesses of violent crime it is important to understand the impact trauma and how trauma can affect a witness the courtroom environment. This section provides some basic information about trauma and guidance on supporting witnesses who have experienced trauma.

Key Points: Awareness of Trauma Reactions in the courtroom environment

- Traumatic events can cause overwhelming emotions of fear, terror and helplessness. The intensity of the emotions may remain for years.
- The fear associated with the traumatic memory may cause a person to suppress or avoid thinking about that memory.
- Emotional shutting down, dissociative or numbing defences are a common response to chronic sexual or physical abuse.
- Some witnesses may be perceived as emotionally detached while recounting horrific events.
- A witness who experiences sleep disturbance may arrive at court exhausted.
- The impact of trauma can affect children and youth in different ways and at different times in their lives. The impact is most damaging when there was a relationship of trust.
- Children who have been traumatized may use a number of protective mechanisms that include avoiding reminders of the original trauma.
- Testifying about a traumatic event can be psychologically overwhelming for children who are not emotionally ready to talk about the trauma.
- Previous victimization(s) can exacerbate a victim's emotional response.

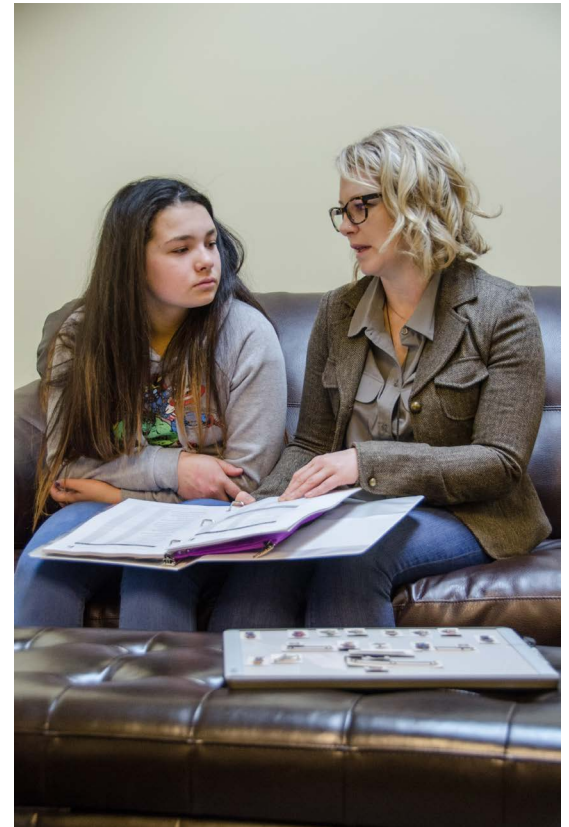
Trauma reactions can be triggered by:

- Recalling and describing details of the trauma while testifying.
- Reviewing a statement. Looking at photographs or images of the traumatic incident.
- Seeing the accused, months or years after the event, may cause the victim to relive the fear that was experienced when the trauma first occurred.
- Feelings of helplessness and powerlessness can be re-experienced during cross-examination.

Suggested guidance in working with child and youth victims of trauma called to testify

A child or youth who has experienced a trauma needs to feel safe and secure. Consistency in justice personnel is reassuring. Use of their video-recorded statement can help facilitate testimony. Provide court preparation at an early stage. Ensure a meeting with the Crown prior to the court date. Testifying earlier in the day can reduce anticipatory anxiety related to waiting.

- Assess current needs.
- Ensure therapeutic supports and community supports are in place.
- Listen to the witness's concerns, worries or fears about testifying.
- Discuss testimonial aids and other accommodations available. Invite child/youth's input.
- Keep the witness updated and informed about the court process and what to expect.
- Familiarization reduces stress. Plan an orientation visit to the courthouse/or court tool kit.
- Begin court preparation as soon as possible. The witness may need several sessions.
- Arrange a meeting with the Crown well in advance of the court date.
- Provide consistency by having the same CWC or Victim Services person and Crown counsel.
- Avoid changing appointments. Where possible, avoid delays and adjournments.
- Avoid accidental sighting of the accused in the courthouse – plan arrival time and entry point.
- Identify who will be the court approved support person, early on.
- Schedule a debriefing meeting with the child or youth as soon as possible after testimony.



Counselling is offered to children and youth throughout the court process and referrals are made to CATS or other community counselling organizations as needed.

Hearsay Evidence

There are cases where a child or youth may be unable or unavailable to provide direct evidence to the court. Under certain circumstances, the person who heard the child's information may be permitted to repeat what that child said to the court. The Supreme Court of Canada (R. v. Khan, [1990] 2 S.C.R. 53) ruled that a child's out-of-court statement is admissible when two requirements are met: necessity and reliability. Examples of situations where a Khan application could be considered include:

- The child/youth is too traumatized to testify.
- The child is too immature to testify. A very young child may not have the linguistic competency or social maturity to testify in court
- The child is emotionally unable to testify. Some children may have blocked the memory of the trauma they experienced or witnessed
- Testifying would be traumatic for the child. Recalling and describing details of trauma in an adversarial environment can overwhelm a child who is not psychologically ready to talk about the incident.

The prosecutor makes the decision about a Khan application and presents the court with evidence to support the application.

A voir dire is held to determine if the requirements outlined in "Khan" are met.

To support the application, the prosecutor may decide to seek the opinion of a qualified mental health practitioner to conduct an assessment of the child. A comprehensive assessment process includes collection of background and collateral information; interviews with the child; interviews with primary caregivers and with any others who could provide relevant information. The assessor writes a report for the court, and must be available to testify about the findings.

Example: Jeff, then age 6, was in the kitchen the night his father stabbed his mother. His mother died the next morning. He was interviewed by police the following day and provided details of what he saw and heard. The interview was video-recorded. Jeff has never spoken about his mother's death since that time. He has been in foster care since then; he experiences nightmares and is withdrawn at home and at school. A therapist is working with him. His father has pleaded not guilty to the charges. There is a concern that Jeff's emotional wellbeing would be compromised if he were called to testify.

Suggested further reading on Trauma

Bruce Parry (2003). Effects of Traumatic Events on Children: An Introduction. www.childtrauma.org and www.ChildTraumaAcademy.com

Van der Kolk, B.A., Susan Roth et al. (2005). Disorders of Extreme Stress: The Empirical Foundation of a Complex Adaptation to Trauma. *Journal of Traumatic Stress*, 18(5): 389-399



Multiple Victimization/Poly-victimization

Many children and youth who are called to testify about their victimization may be emotionally vulnerable as a consequence of experiencing prior multiple interpersonal traumas and abuse. Participating in the justice process may be an overwhelming experience for that individual child/youth. They will require coordinated specialized supports and protections to be in place in order to reduce the potential of secondary victimization in the justice process.

Multiple traumatic experiences during childhood include: physical assault and sexual abuse, maltreatment, neglect, exposure to domestic violence, internet victimization, peer and sibling victimization. Children who experienced multiple traumas may be at increased risk for developing a constellation of difficulties described as “complex trauma”.

Research informs us that children/youth who have been victimized in multiple different contexts are at greater risk for future victimization. There is also a greater impact in terms of their psychological outcomes.

References

Babchishin, Lyzon K. & Romano, Elisa. 2014. Evaluating the Frequency, Co-occurrence, and Psychosocial Correlates of Childhood Multiple Victimization. *Canadian Journal of Mental Health.*, 47-65. Download from www.cjcmh.com

Finkelhor, D., Turner, H.A., Hamby, S.L. & Ormrod, R.K. (2011). Polyvictimization: children exposed to multiple types of violence, crimes and abuse. *Office of Justice Program: Juvenile Justice Bulletin*, no. 235504, 1-12.

Finkelhor D, Ormrod R.K, Turner H.A. Poly-victimization: A neglected component in child victimization. *Child Abuse and Neglect.* 2007; 31: 7-26.

Understanding the process of disclosure

Research and practice have informed us that the majority of children delay reporting sexual abuse, especially when the abuser is a family member or where there is a relationship of trust or dependency. A child may be frightened to tell when coercion and threats have been used, and when there has been a process of grooming. Children may be reluctant to tell someone if they do not think they will be believed or if they believe that they will be blamed. Immediate disclosure of abuse is more likely to occur when force or sudden violence is used. Children are also more likely to report an assault by a stranger.

Disclosure can impact a child/youth's life in many ways. They may become involved in the child protection system and the criminal justice system. They may not be supported by some family members or members of their community. They may experience self-blame, guilt and fear retaliation. The child, youth and family members will require therapeutic services immediately, and in the long-term.

Children and youth who are witnesses in domestic violence cases

Although not so frequent, in particular circumstances, it may be necessary to call a child to testify in a domestic violence case where they witnessed inter-parental assault.

Teenaged victims may also be called to give evidence in cases of intimate partner assault.

The impact of exposure to domestic violence varies for each child and youth. Children/youth can be traumatized by the events they saw, heard or experienced. Exposure to repeated violence can overwhelm coping mechanisms.

Testifying in court proceedings involving a family member is distressing. In cases of domestic violence, children and youth are faced with stressful family dynamics and conflicting family loyalties. There is concern about revealing family 'secrets' that may have been kept silent for years. A child/youth may fear retaliation by the accused. They may feel pressured not to testify by family members or members of their community.

- As a court witness, each child/youth should be assessed at an early stage in order to co-ordinate appropriate interventions and access available support systems. Identify concerns or fears about safety or worries about testifying. Begin court preparation well in advance of the court date and discuss testimonial aids. In cases where the non-offending parent is a victim/witness, court preparation sessions can be co-ordinated.

Intergenerational Trauma

Intergenerational trauma can be understood as a collective response to the trauma that occurred to First Nations peoples through colonialism. The legacy of residential schools has continued to impact generations of individuals, families and communities. The collective trauma experienced by First Nations peoples, combined with collective memories and socio-cultural disadvantages, is considered to have contributed to the transmission of intergenerational trauma effects.

Reference: Bombay, A., Matheson, K., Anisman, H. Journal of Aboriginal Health, November 2009, 6-47.

Intergenerational trauma is also described as “a collective complex trauma inflicted on a group of people who share a specific group identity or affiliation – ethnicity, nationality, and religious affiliation. It is the legacy of numerous traumatic events a community experiences over generations and encompasses the psychological and social responses to such events.” (Evans-Campbell (p.320)

Reference: Evans-Campbell, T. (2008). Historical trauma in American Indian/Native Alaska communities: A multilevel framework for exploring impacts on individuals, families, and communities. Journal of Interpersonal Violence, 23(3), 316-338.

Training in trauma informed care and or training in residential school trauma is suggested for justice professionals working with child and youth victims and their families.

Suggested Resource: CYFN toolbox information pages 7 – 10 regarding reflective practice, cultural safety, relevancy and competency. http://www.yesnet.yk.ca/firstnations/pdf/13-14/cyfn_cultural_protocols.pdf

Consider the following supports for child/youth victims and witnesses and their families:

- Consult with the child/youth victim and family members and identify appropriate supports
- Individual and family therapy, trauma-informed therapy and traditional healing can benefit the child victim and family members
- Ensure that special protections are in place while the child is participating in the justice system. Include family members in court preparation





Court Preparation

Participating in the criminal justice system is a stressful experience for most witnesses and testifying is not an easy task. The experience of testifying and involvement in the legal process can be distressing and sometimes traumatic for victimized children and youth. Court prep can help young witnesses to be better informed, familiar with the court process and more confident when testifying. A child/youth will be better able to provide more effective evidence when prepared and supported. Court preparation helps reduce anxiety and build confidence. The number of meetings will depend on the individual child and her/his needs. Caregivers who are involved and informed can better support their children. Parents who are witnesses in the case also benefit from separate preparation and support.

Key Points about court preparation:

- Court preparation can make a positive difference to the experience of young people and helps them to be more effective witnesses
- Special needs, challenges or other concerns are identified early on, and addressed
- Preparing a witness is not coaching a witness
- Witnesses who know what to expect will be less anxious
- A prepared witness is better able to deal with cross-examination
- Witnesses can learn strategies to manage their anxiety about testifying

Concerns, worries and fears experienced by child/youth witnesses include:

- Lack of understanding about the justice process
- Being in the presence of the accused
- Facing the accused.
- Testifying in front of family members/supporters of the accused
- Describing details of sexual victimization in public
- Cross-examination
- Concern about disbelief
- Fear of retaliation
- Lengthy delays and adjournments



Issues for children/youth witnesses in remote communities

Victims and witnesses living in small and remote communities may experience additional stresses. Access to services and supports is often a challenge, and privacy is a particular problem in communities where “everybody knows”. Young people who come forward may experience pressure not to testify. Visible community support for the accused can intimidate a witness in the courtroom. Weather conditions and the logistics of travel are often barriers to Crown and victim services meeting with witnesses ahead of the court date. Access to testimonial aids can also be a challenge in circuit courts. Case planning, community involvement and creative solutions can be implemented.



Interactive Court Prep Programs for children and youth witnesses include:

<http://www.courtprep.ca>

[http://www.childcourtprep.com/children/super hero island/](http://www.childcourtprep.com/children/super_hero_island/)

<http://www.coryscourthouse.ca/>



Court Preparation “step-by step”

Preparing a child/youth for court should begin well in advance of the preliminary hearing or trial. Children/youth and their families who are informed and supported from the outset will develop better trust in the system and any concerns can be discussed and addressed. Testimonial aids, supports and special needs should be identified early on. Liaison with partner agencies and referrals can be made based on individual needs.

What are the objectives of court preparation?

- To prepare the child/youth to give the best evidence they can
- To reduce anxieties and stress about testifying

How can this be accomplished?

- Information about court. A courtroom ‘tool kit’ or a visual aid helps a child/youth understand who is in court and their roles. A visit to the courthouse, or a ‘virtual’ tour will help familiarize the witness. Knowledge can build confidence.
- Identify needs and concerns the child/youth may have about testifying. Work with witness to manage court-related anxieties.
- Practice listening and answering neutral topic questions. Develop narrative ability – the ability to provide a more complete account of the information. Encourage witness to ask for clarification and correct any mistakes.
- Assess communication and comprehension – Assess child/youth’ linguistic ability. Does the child have difficulty understanding words, questions. Identify first language of child/youth and their family.
- Testimonial aids - Provide information about available testimonial aids.
- The first meeting will include introductions, information sharing and the child/youth and parent signing consent forms to participate in court prep. Information about the justice system, what to expect and timelines should be provided. This information will need to be reviewed during later sessions. An informal assessment of the young witness can be done during the first meeting in terms of their abilities and concerns about court.

Resources to support court preparation:

For children/youth Handout (Appendix B)

For the court preparation provider: Court prep checklist (Appendix E)

Step One

Take time to build rapport with the child/youth witness.

The first meeting will include introductions and the child/youth and parent signing informed consents to participate in court prep. Information about the justice system, what to expect and timelines should be provided. This information will need to be reviewed during later sessions. Concerns or worries the child/youth may have about court can be identified.

The first meeting can include an informal assessment of a child/youth witness's ability to communicate. Can the child/youth understand questions and be understood? Is English their first or second language? Does the younger child have a limited vocabulary? Is it difficult to engage the adolescent witness in conversation? Discussion about interests/hobbies/activities is helpful here.

- Explain to the child/youth that they will be talking to the judge and answering questions about what happened.
- Clarify their understanding of why they are going to court. Younger children have a limited understanding of court and the roles of court personnel. Older children may have some misunderstanding.
- Concentration span. You can observe the child's ability to sit, listen and focus.
- Identify concerns or worries about testifying. When a list of "court concerns" is used, each question should be explained and asked verbally. The concerns can change during the course of court prep.
- Identify any special challenges or requirements: physical, emotional, mental health, prior victimization. Ask the child if there is anything special they would like you to know about them.
- Identify the child's need or request for testimonial aid(s).
- Remind the child/youth and parent that you will not be discussing their evidence during court prep.

Note: Be aware that file information and notes from court preparation sessions can be subpoenaed.

Court Prep - Next Steps

Subsequent meetings with the child/youth can include the following information and strategies to build confidence as a witness. The number of court prep meetings you have will depend the individual needs of the child or youth witness. 3 – 4 meetings are adequate. Younger children and victims who are vulnerable and fearful may require more time.

Basic information for the child/youth witness ... about the court process

- The job of a witness is to tell the truth about what happened.
- Witnesses who are under 14 make a promise to tell the truth. Witnesses who are 14 or older make an oath or affirm that they will tell the truth.
- A witness can read their statement or watch their video-statement before testifying. Sometimes the video-statement is shown in the courtroom
- Roles of court personnel. Who will be there? What will they do? Explain the roles of the judge, Crown, Defence lawyer, clerk, reporter and sheriff. The handout Appendix B can be useful here.

Tips for child/youth witnesses – when asked questions in court

- Listen carefully.
- Speak loudly and clearly
- It is okay to ask to have a question repeated
- Say when you don't know a word or understand the question
- If you are not sure about something, don't guess -
- If you don't remember or don't know the answer, just say "I don't remember" or "I don't know"
- If someone says something that is not right – tell them
- The judge does not know what happened. It is important to say everything you remember when you are testifying in court.
- You can ask for a break, if you need one.

Use handout – Appendix C

Practice these listening skills with the child/youth witness

- Role play - Question and answer routines about events/ activities – topics that are not related to the case. Encourage the witness to include more detailed information. Remind the child/youth to speak clearly.
- Sample questions, that will help the child to distinguish between: not knowing, not understanding and not remembering e.g.
 - o Q. What is the capital of Liberia
 - o A. I don't know
 - o Q. Was the first instance negated by the second?
 - o A. I don't understand the question
 - o Q. What did you do on July 20th last year?
 - o A. I can't remember.

Create other sample questions appropriate for the child /youth you are working with:

- Practice Q and A's where the witness needs to ask for clarification ("can you please explain that question?")
- Practice Q and A's where the witness can correct any misinformation ("that's not right/true").
- Praise and reinforce the child's efforts.
- Go over any areas that the child may still be unsure of - during next session

Helping child/youth witnesses manage testimony-related stress

- Identify specific concerns/worries the child or youth may have about court. You may wish to use the handout, found in the Court Orientation Toolkit.
- Provide re-assurance. Inform them about testimonial aids. Talk about safety in the courthouse.
- Concerns/worries may change before court – check again to see what the child may need
- Breath practice: Inhale - breathe in slowly (count to 5) and exhale slowly. Repeat 5 – 10 times. Child can practice this at home/at school/when anxious
- Muscle relaxation: Squeeze hands into fists, count to 5 – let go/relax hands. Remember to breathe! Repeat 5 times. There are many exercises using muscle tension and relaxation
- Feeling Stronger: Use positive self-statements. Ask about any successes or achievements or something they did where they felt good.

Informing a child/youth witness about testimonial aids

- Find out if the child/youth is concerned about seeing certain people in the courtroom, or of testifying in public.
- Tell the child/youth what testimonial aids are locally available. Ask for input / wishes.
- Remind witness that the judge makes the final decision about having a testimonial aid
- Support person: A support person can be beside child while testifying
- Witness Screen: A screen blocks the witness from seeing the accused person
- Video-link/CCTV: In some courts witnesses can testify from a small room outside of the courtroom

(Use handout – Appendix B)

Courtroom orientation

- Where possible, plan a visit to the courthouse
- The courtroom tool kit is useful for circuit courts
- Videos can be helpful (ensure they are age appropriate and current)
- Websites: Virtual court tours and court prep programs are informative.

Debriefing and follow-up (after the court hearing)

- Acknowledge their accomplishment in testifying
- Support may be needed to deal with the outcome, whether a guilty finding or an acquittal
- Assist with victim impact statement, where indicated
- Referrals to outside agencies may be necessary for the young person and also the family

Individual concerns and challenges about testifying can be addressed by the following suggested solutions and strategies.

Concerns and challenges	Solutions and strategies
Lack of information and misunderstanding <ul style="list-style-type: none"> Anxiety about both the “known” (e.g. facing the accused) and “unknown” (what will happen in the courtroom) 	<ul style="list-style-type: none"> An early info meeting can ease worries and ensure the child has correct information Provide: (a) witness information handout (b) contact info (c) court dates (if known) Identify needs or concerns about testifying
Access to information/court preparation in remote communities <ul style="list-style-type: none"> When in-person pre-court meetings with Crown/CWC or victim services are not possible 	<ul style="list-style-type: none"> Involve community members - elders, teachers, nurses and social workers to review the ‘essentials’ about court, with the child and family. Printed information/ resources and a court prep ‘tool kit’ can be accessible in each community ‘Virtual meetings’ using Skype or video-link with CWC or victim services
Negative impact of delays and adjournments <ul style="list-style-type: none"> Waiting for the court date is stressful and life is “on hold” Anxiety about testifying increases during the days before court. Waiting all day, only to be told the case is adjourned 	<ul style="list-style-type: none"> Case management; child/family advocate; clarification of roles and responsibilities Identify ahead: testimonial aid(s); interpreter, physical or mental health needs Advise defense counsel of any planned applications Reserve testimonial aids, equipment/ or designated courtroom to ensure availability
Waiting on the day of court <ul style="list-style-type: none"> Child’s stress level increases; tires or becomes less cooperative An unanticipated encounter with the accused upsetting a young witness 	<ul style="list-style-type: none"> Plan for child and vulnerable witness cases to testify early in day Arrange for a safe and separate place to wait. Where no court waiting room is available, an adjacent community facility can work Books, games, DVD’s help pass the time
Stress can interfere with a child’s ability to focus and provide complete evidence <ul style="list-style-type: none"> Seeing the accused and his/her supporters in the courtroom Testifying in public in front of community members, school age peers, or strangers can cause embarrassment and shame and inhibit some young witnesses from providing a full account of their evidence 	<ul style="list-style-type: none"> Use of testimonial aids can reduce stress A support person who is identified early in the process is reassuring Video-link/CCTV removes the child from the courtroom environment A screen blocks the view of the accused. In circuit courts, creative improvisations for screens include room dividers/curtains etc. Special accommodation: Where no aids are available, the witness may be permitted to testify while facing the judge

<p>Cross-examination: challenges for children/youth</p> <ul style="list-style-type: none"> • Complex language and use of leading questions confuse child/youth witnesses • The pace and the tone of questioning can be intimidating • A young witness may feel pressured to agree to a suggestive question. Ability to correct misinformation or ask for clarification may be compromised under stress 	<ul style="list-style-type: none"> • Prepare witness for cross-examination. (see Court prep (p. 22); cross exam (p. 15) • Remind the child that the job of the defence lawyer is to ask questions, and that the job of the witness is to answer truthfully • Request a break: where the child becomes tired, distressed or loses focus • Monitor witnesses' comprehension and attention
<p>Fear of retaliation</p> <p>Children/youth can feel vulnerable after disclosing. Some may have been threatened. Some fear for their safety.</p>	<ul style="list-style-type: none"> • Identify the support team who will help the child/youth. • Ensure youth/family have police telephone contact information
<p>Concern about not being believed</p>	<p>Prepare for court outcome. Reinforce that the judge makes the decisions. Discuss 'reasonable doubt'. Acknowledge courage in coming forward and testifying.</p>



10 tips for court prep – when time is limited

There are situations when it is not possible to meet with the child/youth witness until the day of the preliminary hearing or trial. Here are the essentials to review with the witness.

- Provide reassurance and information updates to child/youth and family throughout the day
- Tools: Courtroom orientation tool kit

*Handout for child/youth witnesses (Appendix F)

**See also Detailed court preparation information in this guide (p. 22)

- Information for the witness:
 - o Your job is to tell what happened. Just answer the questions truthfully.
 - o The judge listens to all the witnesses in court. The judge does not know what happened and so will need to hear as much information as you can remember.
 - o The Crown will ask you questions about what happened. The defence lawyer (who represents the accused) will ask you some more questions.
 - o If you are 13 or under, you are asked to promise to tell the truth.
 - o If you are 14 or older, you make an oath/affirm to tell the truth.
- Witness 'rules'
 - o Listen carefully to every question.
 - o Speak loudly and clearly. Don't nod or shake your head – that can't be heard!
 - o Say when you don't understand, or don't know the answer. Never guess!
 - o If someone says something that is not correct, or makes a mistake, tell them.
- Identify any needs, worries or concerns the child/youth may have. Is there a concern about seeing the accused? Testifying in public? Needing a support person?
- Discuss testimonial aids. Invite the witness' input. A recommendation to the Crown may be necessary.
- Manage worries about testifying.
 - o Breath-work helps a person relax. Breathe in slowly and breathe out slowly. Repeat and practice.
 - o Muscle relaxation helps reduce stress. Example: Squeeze your fists tightly. Hold. Let go. Repeat. (don't forget to breathe in and out while doing this exercise).
- Practice listening and answering skills. Ask about neutral topics.
- Ensure there is a safe place to wait. Avoid accidental encounters with the accused person or supporters.
- Debrief with the child/youth after court (whether they testified or if there was a guilty plea). Explain the outcome. Be prepared to answer questions. Thank child/youth and acknowledge their participation as a witness in the justice process.

Testimonial Aids

The aim of testimonial aids is to reduce the stress for the child witness and improve the quality of the child's evidence. Recognizing the unique needs of child witnesses, significant amendments have been made to the Criminal Code and the Canada Evidence Act, to accommodate children's testimony. In 2006, Bill C-2 included amendments to facilitate witness testimony, providing greater consistency for the use of testimonial aids. The legislation moved from a case-by-case test, to a presumption that all children under age eighteen, and adults with a mental or physical disability, can qualify for testimonial aids. The Supreme Court of Canada (SCC) upheld the constitutionality of Bill C-2 provisions in *R. v. J.Z.S.*, 2010 SCC 1.

Seeing the accused testifying in public, or, being in the formal courtroom environment are some of the stressful aspects of testifying for many young witnesses. During pre-court preparation, it is important to inform child/youth witness about testimonial aids and ascertain their wishes and preferences as to how they would like to testify. A child/youth witness may need to use more than one testimonial aid, for example video-link and a support person.

Note: these aids and accommodations are available “presumptively” for witnesses under age 18 – the judge or justice shall order the applied for aid(s), unless such an order will interfere with the proper administration of justice.

Support person (s. 486.1) – someone who is physically close to the witness while they testify. A support person can be with a witness 1) in the witness box; 2) when a screen is used, or 3) with video-link/CCTV

Video-link/ CCTV - testimony outside of the courtroom (s.486.2): the witness can testify from a separate room or from a remote location.

Screen (s. 486.2) – this blocks the witness' view of the accused. The screen is constructed so that the accused can see the witness. A screen is most often placed in front of the witness.

Or “Other devices” 486.2 - Note: An example of “another device” is a ‘room divider’ screen with a web camera attached to it. A monitor placed on the table in front of the accused, so he/she and their lawyer can see the witness. The child witness is seated facing the judge, with a support person beside her/him. Counsel come around to the side of the screen to question the witness.

Appointment of Counsel (s. 486.3 (1)) - If the accused is self-represented, the judge shall appoint counsel to conduct cross-examination for a witness under age 18.

Publication ban - sexual offences (s.486.4) - a non-publication order is an order made by the Court to prohibit the printing or broadcasting the name of a witness or, any information that could identify the witness. The order is mandatory for witnesses under 18.

***The aids and accommodations listed below are available upon application:**

Video-recorded evidence (s.715.1 (1)): a child's video-recorded statement is played in court as all, or part of, the examination-in-chief. These four factors must be met for the application to be considered: (1) witness under 18 at time offence was committed; (2) video statement was taken within a reasonable time of the event(s); (3) the statement describes the events complained of; and, (4) the witness adopts contents of the video statement. The child must be available for cross-examination.



Publication Ban: When the charge(s) involve a sexual offence, and upon the request of the prosecutor, the Court shall order a ban on the publication of the witnesses' name(s) or any identifying information. For all other offences, the Court may order a ban on publication.

Exclusion from the courtroom: The Court may make an order to exclude all, or any, members of the public from the courtroom. This provision includes the need to ensure that the interests of witnesses under age 18 are protected, for example, when a child testifies in an open courtroom, but the presence of people in the court would inhibit the witness providing a full and candid account of his or her evidence.

Reference

Cunningham, A. and Hurley, P. A Full and Candid Account: Using Special Accommodations and Testimonial Aids to Facilitate the Testimony of Children. 2007.

- This is a series of seven handbooks written to assist front-line justice personnel who use testimonial aids and other special accommodations for young witnesses in criminal proceedings.

www.lfcc.on.ca



Role of the Identified Support Person s 486.1.

Testifying is stressful and being in a courtroom is intimidating for most young people. Children and youth feel vulnerable and alone, whether in 'open-court', behind a screen or using CCTV. Having a support person beside them is reassuring and can reduce anxiety. The child/youth is then better able to focus on giving their evidence. The support person should be known to the child/youth and the decision about who will be in that role is made ahead of the court date.

Guidelines for a court approved support person:

1. You are providing reassurance and emotional support. Remain calm and avoid showing your personal feelings to the child.
2. A witness in the case cannot be the support person.
3. You are not permitted to communicate with the child witness during their testimony. Make sure that she/he understands the rule.
4. Standing or sitting just behind or beside the child, works well. While positioned physically close to the child, he/she should not look at you for encouragement or affirmation. Demonstrate this during pre-court preparation, so the child understands.
5. When CCTV/video-link is used, the support person can be seen on the courtroom monitor(s).
6. Remind the child that you cannot discuss their testimony during the breaks.

CCTV/Video-link



Testimony outside of the courtroom: Two of the most significant concerns children/youth have about testifying are: being in the presence of the accused and giving their evidence in the public courtroom. Testifying via CCTV/video-link benefits child and youth witnesses who are fearful of the accused as well as those who experienced or witnessed violence. Testimony outside of the courtroom also benefits child and youth witnesses who have a short attention span as they are removed from the distractions of the courtroom and are better able to focus on the questions. Using CCTV also makes it easier for young people with mental health problems or children and youth who have experienced a traumatic event.

It should be noted that any young person under 18 can request to testify outside of the courtroom, without having a specific concern or reason. The presiding judge or justice will allow the application unless that order would interfere with the proper administration of justice.

Note: CCTV/video-link technology may not be available in some courtrooms.

Remote testimony: Where travel to a court is a hardship or, the safety of the witness a concern, testimony from another location, using video-link or other secure technology, can be considered

Practice Tips

- Identification of the accused: A good option is to arrange for the witness to identify the accused AFTER they have completed their testimony. The camera can pan the courtroom at that stage. In this way the child does not become upset before testifying.
- Technical difficulties where possible, test equipment ahead of the court date. Where circuit courts are concerned, this is always a challenge.

Research on use of CCTV

Juror's perceptions	277 jurors at conclusion of 25 sexual abuse trials. All children testified via cctv. The majority of jurors (88%) saw the use of cctv as either "very fair" or "quite fair" to the accused	Cashmore and Trimboli, 2006 Australian study
Communication with child is hindered in the CCTV situation	Lawyers have been observed to be more accommodating in using age appropriate language.	Murray, 1995 Scottish study
Impact on Jury	The rates of conviction in cases where CCTV was used do not vary significantly from cases where child testified in open court.	Cashmore, 1995 Australian study
Child witnesses' choice	Children's observed emotional state and performance as witnesses was influenced by whether they could use CCTV when they wanted – feeling of having some control was important.	Cashmore, 1992 Australian study
Children rated as more forthcoming	The testimony of 154 children was observed. Children who used CCTV were rated as more forthcoming and less unhappy compared to ratings of children who testified in open court. Justice personnel reported positive views.	Davies and Noon, 1991 UK study

Screens:

Reasons to use a screen: A screen blocks the witness' view of the accused and members of the public in the courtroom. Although behind the screen, a witness may be stressed by being in the courtroom environment. A child/youth witness may be upset or distracted by hearing whispers, coughs or other noises when the accused is seated close to the witness box. Child/youth witnesses appreciate having a support person with them when using a screen.



In circuit courts, where it is difficult to access video link/ CCTV or carry a screen, the child may be permitted to be seated facing the judge while testifying. This arrangement reduces stress of seeing the accused or her/his supporters in the courtroom.

Suggestions when planning to use a screen:

- It helps to “try it out” before the day of court, so the child is familiar with the physical presence of the screen; to ensure the placement of the screen is correct (does it actually block out what the child does not want to see). At this try-out time, you may also establish where the support person will sit/stand beside the child.
- It is important to have a plan in place as to where and when the child walks in and out of the courtroom. How will they avoid seeing the accused?
- When possible, avoid having the witness walk past the accused. Recess is a good time for the witness to be seated behind the screen.

Video-recorded Evidence (s. 715.1)

Reasons to use video-recorded evidence: Lengthy delays in the justice system make it difficult for a child to recall detailed information about what happened. A video-recorded statement made when the child was first interviewed preserves the original account of events, when details were most vivid. In addition to capturing the child’s verbal account, the child’s emotions, age and physical appearance, language ability and non-verbal communication are recorded. The statement can be used to replace evidence-in-chief, in full or in part. It can also be used to refresh the child’s memory before testifying.

Criteria for the use of the child’s video-recorded statement include:

- The witness was under age 18 at the time of the offence; the recording made within a reasonable time after the alleged offence; and the witness describes the alleged acts
- The child/youth witness must “adopt the contents” of the video while testifying and be available for cross-examination. A child can “adopt” a statement, when he/she recalls giving the statement and testifies that they were telling the truth at that time.
- A voir dire (a hearing) is held to determine if the video is admissible
- Where a pre-recorded statement is admitted into evidence as part of the Crown’s case, the witness may still be called upon to answer questions in direct or cross-examination, but the duration of the witness’s testimony will likely be considerably shortened

Suggestions for witnesses pre-viewing video-recorded statements:

When possible, make arrangements for the child/youth witness view their video some days ahead of the court date. Head-phones provide some privacy for the young person while viewing their video. In that way the sound cannot be heard by the other person present in the room.

Seeing themselves being interviewed, months or even years later, can be distressing for most young people, especially if describing details of abuse or other traumatic experience. Ensure there is emotional support available for the child or youth.

Vulnerable adult witnesses and use of testimonial aids

Adult witnesses with a mental or physical disability, who are able to communicate evidence but may have difficulty doing so, by reason of a mental or physical disability, can qualify for testimonial accommodations.

Other vulnerable adult witnesses may be permitted to use a testimonial aid, if the judge or justice is of the opinion that an order is necessary to obtain a full and candid account from the witness. The nature of the offence, the relationship between the witness and accused, whether the witness has a mental or physical disability, and any other circumstance, are taken into account.

- Flag cases involving vulnerable adults at the time that charges are laid
- Identify the need for testimonial aids as early as possible in the process – the need may be identified by a police officer, CWC, victim services; witness request; recommendation by family, community or medical supports.

These are some examples of materials and information that have been used to support an application for a testimonial aid for an adult witness with a mental or physical disability:

- Existing documents (e.g. medical reports, letters, assessments)
- Evidence provided by the investigating officer
- Evidence provided by the victim services staff or CWC staff who are working with the witness
- Evidence provided by the witness' personal support worker
- Evidence from the witness' mental health practitioner
- Evidence from a parent or other caregiver
- Expert evidence
- Oral application by the crown

Discretionary Application: (this applies to “other vulnerable adult witnesses”) Materials or other information that can be used to support an application for a witness, in order to obtain a “full and candid account” include:

- The witness is questioned to satisfy the need for the application
- Evidence from police officer
- Evidence from victim services
- Existing documents (e.g. medical report, assessment or letter)
- Oral submission by crown
- The witness behavior or reaction before or during the court proceeding

Further reading

Vulnerable Adult Witnesses: The perceptions and experiences of Crown Prosecutors and Victim Services Providers in the use of testimonial support provisions (2013) Pamela M. Hurley for Research and Statistics Division Department of Justice Canada with Case Law Review (2009-2012), prepared by Mary Ainslie.

www.justice.gc.ca/eng/rp-pr/cj-jp/victim/rr13_15a/rr13_15a.pdf



Appendix A

Guidance for Community Wellness Court and Victim Services Workers



Guidance – CWCs and Victim Services

Letter of Information/Report and Curriculum Vitae (CV)

- Prepare your CV and keep it updated. You may be asked to provide a copy should you be called to testify about a report/letter of information you wrote in support of the need for a testimonial aid(s) for a vulnerable adult witness.
- In your CV, provide your full name, title and organization. Identify your qualifications. Describe your current position in your organization. Indicate length of time working in your present role. Identify related work experience. List your professional education/training/certificates.
- Prepare a short information sheet describing the court preparation protocol and other supports you provide to witnesses. Do you have supervision? Peer consultation? Are you a supervisor? You may need to refer to this in court.
- The person (CWC or Victims Service worker) who is providing court prep for an adult witness should keep an “open mind” regarding the need of an individual witness for a testimonial aid. Court preparation, information and emotional support may allay fears and concerns. However, in some cases, the witness is so fearful or traumatized that use of a testimonial aid(s) will be necessary in order for them to provide a full and candid account of their testimony.
- Your primary source of information for the letter/report is your direct interaction with the witness – during any meetings you had with her/him. Information reported to you by the witness about fears, for example, and your observations (e.g. witness was very distressed during court prep meetings) can be included in the report. It is best to avoid stating your insights or opinion in the report as then it can enter into the area of “opinion” evidence.
- Be aware that the file and your notes could be subpoenaed.
- The Letter of information will be disclosed to defence.
- You may be called to testify about your role with the witness and the information you provided in the Letter.



Appendix B

Handout: For Child/Youth Witnesses





Going to Court – Questions and Answers

What is Court?

Court is the place where the judge listens to all the witnesses and hears the information and then can decide if someone has broken the law.

Where is Court?

Courts are in a building called the courthouse. In communities where there is no special courthouse building, court can be held in public places such as community centres or schools. The court you will go to is: _____

Who are the people in the Courtroom?

The judge is the person in charge of the courtroom. The judge listens to everything that the witnesses say in court. The judge decides whether the law has been broken, or not.

The Crown Prosecutor (also called a Crown attorney, or just the Crown)

The crown is a lawyer who asks you – and all the other witnesses -- questions in court. The crown represents (works for) the government.

The Defence lawyer

This person's job is to represent (help) the accused (the person who is charged). In court, the defence lawyer will ask you questions – this is called cross-examination.

The Witness

You are a witness. In court, witnesses are asked questions and answer about what happened. This is called testifying or giving evidence. The job of the witness is to listen carefully to the questions and answer truthfully. Before you begin to testify, you will be asked to promise to tell the truth (if you are under 14). If you are 14 or more, you take an oath or solemnly affirm to tell the truth.

The Accused

This person has been charged with breaking the law. The accused is sometimes called the defendant.

The Clerk of the Court (court clerk)

This person helps the judge in court.

The Court Reporter

This person records everything that is said in court.

The Sheriff of the Court

This person is in charge of court security.

The Jury

Sometimes a jury (12 people) decides whether the accused is guilty or not guilty. Mostly it is the judge alone who makes the decision.

A preliminary inquiry (also called preliminary hearing)

This is kind of like a “mini-trial.” Some witnesses may be asked to testify at the preliminary inquiry. The judge decides whether there is enough evidence and information to go to trial. Not all cases have a preliminary inquiry. Some go straight to trial.

Trial

A court hearing that takes place when the accused person pleads “not guilty”. Witnesses must come to court to tell the judge what happened. This is called giving evidence or testifying. Sometimes there is a jury (12 people) to help the judge decide.

Sentence

The punishment the judge gives to the person when he or she is found guilty of breaking the law.

Testimonial Aids

Testimonial aids can be helpful when you testify. Young people under age 18 can ask to have a testimonial aid.



A support person - can stand or sit close to you when you testify.

A screen – If you do not want to see the accused person, or any other people in the courtroom, you can testify from behind a screen. A support person can be with the witness when a screen is used.

Testimony outside of the courtroom

Using CCTV or Video-link witnesses can testify from another room, and not from the courtroom. The Judge, Crown and Defence lawyer ask the witness questions from the courtroom – there is a monitor (TV screen) in the special testimony room. A support person can be with the witness when CCTV or a video link is used. Not all courtrooms are set up with this equipment.



Appendix C

Key Messages For Young Witnesses



Key messages for young witnesses

Being a witness is an important job. You are asked to tell the court what you know about what happened (the charges).

When you testify, you will promise to tell the truth.

If a question is confusing or if you don't understand what the person is saying – it is important to tell that person. They can ask you that question in another way.

People who will ask you questions in court:

- The crown will be first to ask you questions about what happened.
- The defence lawyer will ask you more questions.
- The judge will also ask you some questions. The judge listens to everything that witnesses say in court. The judge does not know anything about what has happened until the witnesses answer questions that the Crown and defence lawyer ask them in court. It is important that you say everything you know about what happened.

Here are some tips to help you be a good witness:

- Listen carefully to every question.
- You can take your time to think before you answer – you don't have to rush.
- Say when you don't know what a word means.
- You can ask for the question to be asked again, for example:
 - o if you don't understand the question
 - o if the question is confusing you
 - o if you understood some of the question, but not all of it
 - o if the question was asked too quickly and you did not hear it properly
- If you feel tired and not able to listen to the questions, you can ask for a break.
- If you feel very upset and can't answer questions, you can ask for a break.
- It is important to speak clearly so everyone can hear you and so you won't have to answer that question again.
- During the breaks, it is important not to talk to anyone (except the Crown) about what you said or what you were asked about in court.



Appendix D

**Parents and Caregivers:
Helpful info when your child
is a court witness**



Parents and Caregivers - Helpful info when your child is a court witness

Waiting for the court date to come can be a stressful and confusing time for your child, yourself and family members. Having the correct information about what to expect is can help ease many worries. Pre-court preparation and support can help your child be more confident and less worried about testifying. Accessing counselling/therapy options for children and youth can help your child cope with the impact of victimization. Therapy and other healing programs can also benefit family members and assist them in supporting the victimized child.



Your child will have given a statement to the police. Many times the statement is video-recorded. Your child will review the statement before court. Sometimes the video is used in court, but the child still must go to the court hearing and be cross-examined.

The time between the child's report to police and the court date is often long. Your child will receive a subpoena (a letter informing them that they must attend court). Sometimes the court dates may change. You will need patience! You will be informed of the changes by _____. If you want to check about what is happening to the case you can call _____. During this waiting period your child will need reassurance and support.

Testifying in court

Depending on the case and the charges, your child may testify once or twice. Sometimes a case goes straight to trial. Sometimes there is a preliminary inquiry and later on a trial.

The verdict. Guilty plea.

A guilty plea can be entered at any time before (and even on) the court date. When there is a trial the judge must be sure, beyond a reasonable doubt, that the person is guilty. An acquittal does not mean that your child is not believed - there may not enough evidence to demonstrate guilt. Whatever the result, your child should be praised for their courage in coming forward to report what happened.

Preparing for court

Court preparation helps build confidence about testifying. A person from Victim Services or the CWC will meet with your child (and you) to help prepare for court. There may be several meetings. Your child will learn about being a witness, who will be in court, to develop skill in listening and answering questions, and through stress management, learn how to deal with any worries they may have about testifying.



Meeting the crown

Your child will have the opportunity to meet the Crown Witness Coordinator and the Crown before court.

Testimonial aids

Any witness under age 18 can ask for a testimonial aid. Testimonial aids help reduce anxiety about testifying.

- o Support person – can be beside the witness while they testify.
- o Video-link/CCTV – the witness testifies from a room outside the courtroom. Monitors are used so those in the courtroom can see and hear the witness, and the witness can see the judge.
- o Screen – this blocks the witness' view of the accused
- o Video-recorded statement can be used as part of the child's evidence. The child will still be questioned in court by the lawyers.

Ban on publication: This is an order made by the judge, to prohibit printing or broadcasting the name of a witness or any information that could identify the witness

Exclusion of the public from the courtroom: The Crown may consider an application if the presence of people in the courtroom may interfere with the witness' ability to give their full testimony. This type of application is not frequent.

If you are also a witness in the case: you can receive court preparation. It may not be possible for you to be in the courtroom when your child testifies. The Crown will let you know about this.





Appendix E

Court Preparation Checklist



Court Preparation Checklist

Name: _____ Age (D.O.B.) _____ Worker: _____

Worker: _____ Victim/Witness (circle one) _____

Relationship to accused: _____

Parent/Guardian is participating in court prep (Yes/No): _____

Note witness' Concerns Comprehension Communication Any changes	Info: court process/ role Education: Learn about being a witness	Stress Management Strategies	Skill Practice: listening/answering Speaking Clearly	Court Orientation (visit/toolkit) Testimonial Aids Info
Date				
Date				
Date				
Date				
Date				
Date				

Crown: _____ Meeting date(s): _____

Court Location: _____ Court Date: _____

Adjournments: _____

Testimonial Aids - reviewed with child witness (Yes/No): _____

Crown informed of need/choice (Yes/No): _____

Support person: _____ Video-link: _____ Screen: _____ Video recorded evidence: _____

Support person's name: _____

Other information: _____



Appendix F

LYNX - Child/Youth Witness – Info Sheet



Child/Youth Victim Information Sheet

Name: _____ Age: _____ Court Location: _____

Preliminary Hearing: ☐ or Trial: ☐ Date: _____ Case: R vs. _____

Charges: _____ Relationship to Accused: _____

Family or Guardian Contact Person: _____ Telephone: _____

Lynx (case manager/child/youth advocate): _____

Agency	Name and Phone #	Meeting Date(s)
RCMP		
Victim Services		
Crown Witness Coordinator		
Crown Prosecutor		
Family & Children's Services		
C.A.T.S.		
Other		

Court Preparation Sessions

Intake (date): _____ Information: court process & role of witness (dates): _____

Role play: Practice question & answer skills (dates): _____

Strategies to manage anxiety (dates): _____

Special Needs: _____ Concerns about testifying: _____

Other:

Testimonial Aids	Recommended (Y/N)	Meeting Date(s)
Video link	Yes	Mary, age 15, does not want to see accused and his supporters - recommend video link
Screen	No	
Support person	Yes	Mary would like a support person - (name and organization).
Video recorded statement	For the Crown	Three years have passed since Mary gave her statement to RCMP.
Video link	N/A	Not available in _____ circuit court
Screen	Yes	Tom, age 11, does not want to see people from his community in the courtroom: He would to use a screen when testifying
Support Person	Yes	Tom's grandfather will be his support person



Appendix G

Protecting Victims and Victims' Rights



Protecting Victims and Victims' Rights

Training and education on these guidelines are necessary for justice professionals in order that they may deal effectively and sensitively with child and youth victims and witnesses of crime.

Yukon Victims of Crime Act

www.justice.gov.yk.ca

Principal rights include:

- Right to be treated with courtesy, compassion and respect
- Right to Information
- Right to be informed about the justice system and their role in it
- Right to have their views considered
- Right to have their needs, concerns, and diversity considered

Canadian Victims Bill of Rights (CVBR)

<http://laws-lois.justice.gc.ca/eng/acts/C-23.7/FullText.html>

The CVBR establishes statutory rights to:

- Information, protection, and participation and to seek restitution.
- The right to information includes the status and outcome of the investigation into the offence; the location of proceedings, timing, progress and outcome.
- The right to protection includes reasonable and necessary measures taken to protect the victim from intimidation and retaliation; every witness has the right to request testimonial aids when appearing as a witness in criminal proceedings.
- The right to participation includes the right of victims to convey their views about decisions to be made and have those views considered.

Guidelines on Justice for Child Victims and Witnesses of Crime

- The Right to be treated with dignity and compassion
- The Right to be protected from discrimination
- The Right to be informed
- The Right to express views and concerns and to be heard
- The Right to effective assistance
- The Right to privacy
- The Right to be protected from justice hardship
- The Right to safety
- The Right to reparation
- The Right to special preventive measures

UN Convention on the Rights of the Child *Full document available at www.unrol.org



Appendix H

Important Contacts - People Who Can Help



People you will talk to...

Project Lynx Coordinator – 667-8500

Project Lynx coordinates supports and services for children and youth affected by crime through partnerships among Yukon Service providers working with the Justice System.

Victim Services – 667-8500

The Victim Service Worker acts as the navigator for the child/youth and the family, liaising with other services and justice professionals to provide consistent support throughout the justice process and beyond.

RCMP – 667-5555/(867) local prefix +5555

The RCMP Yukon provides law enforcement services in Whitehorse and rural communities. RCMP members investigate complaints, address safety, refer to community services, provide investigation updates and information on first court appearance and accused release conditions.

Public Prosecution Service Canada – 667-8100

Crown counsel lawyers represent the government in court proceedings. Crown Witness Coordinators work closely with Crown prosecutors and keep families informed about the status of their case, and provide court information and support.

Family and Children's Services and Regional Services – 667-3302

In Whitehorse, child welfare services are provided by Family and Children's Services (FCS); in communities outside of Whitehorse child welfare services are provided by Regional Services. Child welfare services include taking reasonable steps to ensure the safeguarding of children, promote family conditions that enable families to care for their children, and to provide care and custody or supervision of children in need of protective intervention.

Child and Adolescent Therapeutic Services – 667-8227

Child & Adolescent Therapeutic Services provides confidential counselling services to children, youth, and their families. Services are provided in Whitehorse and CATS counsellors travel to Yukon communities on a regular basis.

Yukon Sexual Health Clinic – 393-6635

For information about medical examinations and sexual health. Young people are referred to their family doctor or Whitehorse General Hospital; in communities, referrals are made to the family doctor or local health centre.

Victim Services Branch
301 Jarvis Street - 2nd Floor
Whitehorse, YT
867-667-8500

