



# A Victim's Perspective

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## Brief To Standing Committee on Justice and Human Rights

RE: Study of the Canadian Victims Bill of Rights

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I want to thank you for inviting me to speak to you on what is a long overdue review. Much can be done to improve and give Victims more support. Like most victims, I came from a place of knowing nothing about our Justice System, I have experienced every aspect of our Justice System first hand and much needs to be improved.

I am the mother of a murdered son. Bradley was 18 years old when he along with his 2 school friends were horrifically killed through no fault of their own. The offender was convicted of manslaughter x3 plus 6 other charges.

Victims are left in the dark from the very beginning. Navigating through the Justice System is next to impossible with such little information provided. It is the luck of the draw if you are assigned prosecutors that will engage you.

I attended over 30 court dates, a bail hearing, prelim trial, a 3-week trial, an appeal process and sentencing. In addition to all this, I attended dozens of court, sentencing and parole hearings in support of others, to help them navigate. I also was given a tour of a Federal Prison by the Warden to better understand that process. Victims have little rights and have to be pro active to even learn about their rights, not everyone can not do this. From beginning to end there is little justice. Today I will focus on Parole Board Hearings as they are very heavily biased in favor of the criminal.

Firstly, the Victim Impact Statements (VIS) gives victims the "Right" to prepare a statement if registered and then subjected to a criminal check. You are made to feel like this is a privilege, when in fact, little to no weight is put on it. It is a exercise designed to possibly make victims feel better, they are allowed to participate with great hope and optimism that they have a chance of keeping the offender in prison for more than 1/6 of their sentence. It seems just ludicrous that victims have to fight tooth and nail to have an offender fulfill a fraction of their sentence.

There is a serious imbalance of power created by the present rules for the dissemination of information between the Parole Board, the offenders and the victims. VIS's must be prepared

under strict rules as to what can be said and not said and submitted to the Board several weeks in advance of the Hearing date under the threat that it can be denied if handed in late. It is understandable that the Board needs the VIS's in advance to have ample time to review but why are they also made available to the offender? What is disturbing is that the criminal has the "right" to read the VIS well beforehand, study them, analyze them, get advice from, his family, other inmates, friends, the Parole Officer in charge etc. He has the opportunity to prepare his answers, to what the Parole Member's wants to hear. Furthermore, it is incomprehensible as there seems to be no rules or limits as to the offenders' friends, neighbors, relative, etc. who are allowed to prepare statements right up to the Hearing date and present them. Often these statements have no relevance to the crime or their rehabilitation. The victims have to listen and absorb these with almost "zero" prior information except for the notification of the offender's week-end passes and his minor program participation records. The strict criteria request victim's to write about emotional, financial pain etc. and to keep it short. Why the strict rules for victims but not for the offender? Surely there must be a better way to balance victim input and obtain meaningful outcomes and conclusions.

Secondly, there are very strict rigid rules pertaining to Parole Hearings. We are told we are just observers. That is justified but we do have a stake in this. Victims' families are read the riot act, told not to make a sound or you will have to leave immediately. The offender's family members sit directly behind the offender, all are facing the 3 Parole Members. The Victims family is then escorted in and sits at least 5 rows back behind the victim's family and friends. We are treated like we will become unruly. There are no microphones and you have to strain to hear for hours. This is especially difficult for seniors, demoralizing, tense and exhausting. All you can see is the back of their head if that. You are then given the opportunity to read your VIS to the back of their head from the back of the room. I am told this rule is in place to protect the victims, but just as I have been told by many prosecutors, "no two crimes are alike, same out come but different circumstances" I would say "no two victims are alike" Most of us would like to face the offender, observe his/her facial expressions, their body language etc. Possibly observe true remorse. This rigid rule should be changed to fit the victim. The Victim should have the choice! As it stands, the process is far too comfortable for the offenders, while the victims are at the mercy of the rules. In the same vein, a parole hearing should not allow the criminal to fill the room with distant relatives, neighbors, and school friends they have not seen in years. They are not relevant to the crime committed. That alone is just plain intimidating and gives a false impression to the Parole Board Members.

I realize you probably have never been dragged through the Criminal Justice System and I sincerely hope you never are. Its extremely heartbreaking every step of the way. It's tough to get concrete information of where or what to do next. Corrections Canada is extremely difficult to get information from and seems dismissive. Prosecutors appear far too busy to care. Parole Board Members appear like they have already made their decision. They cut copy and paste their decision. That too is revictimizing. The decision in my case was 90% **word for word** with many other serious cases including the Marco Muzzo decision.

Much has been done to protect and make the criminals feel supported, they are given all information on appeals, day and full parole, passes etc. on day one. It's time to consider the victims that they have harmed. One size does not fit all, give the victims more choices and

options. Don't group all victims as the same. Make information and resources available easily. I can't even count how many victims I have spoke with that found out the offender was on full parole and they had no idea. No opportunity to even write a VIS. I am willing to work with any entity regarding Victim's assistance, ideas and what victims really need from the perspective of a victim, a mother and a law-abiding citizen.

In conclusion, I believe that the overall Parole Hearing process should treat Victim's with much more respect and equitable support. A short time in prison does not compare to the lifelong permanent pain and heartache that victims are left with.

Thank you

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