

The Teens Hurting Teens Study is a collaborative effort of the London Police Service and the Child Witness Project of the Centre for Children and Families in the Justice System, funded by the Ontario Victim Services Secretariat, Ministry of the Attorney General.

The focus is on violent crime committed by youth against other youth. We read a random sample of 247 police reports from a three-year period before and after the proclamation of the Youth Criminal Justice Act (YCJA), analysed all police occurrences for 2004, reviewed 105 case files from the Child Witness Project, and interviewed 17 young people (and their parents) who experienced or witnessed peer violence. In addition to a summary report, we have fact sheets of recommendations for four professional groups: schools, police, prosecutors, and those who help young witnesses prepare for court.

IMPLICATIONS FOR POLICE

How you interact with a victim of crime has an enormous impact on how he or she adjusts in the short and long-term. The Youth Criminal Justice Act has provided more options for front-line officers when making decisions about charging young suspects. However, the needs of the young victims remain the same.

Observations for Police

About Offenders

- police are using the YCJA to divert a significant proportion of young people prior to the laying of a charge
- the youth who are charged typically have had multiple previous contacts with police as offenders, as witnesses and/or as victims
- most of the young people charged with acts of violence have received the benefit of pre-charge diversion in relation to a previous incident(s)
- the average length of time to process a youth justice case, from investigation to disposition, is five to six months. Each means of compelling an accused's presence in court (e.g., summons, promise to appear) has implications for the accused as well as the victim

About Victims

- victims of crime retain strong memories of their encounters with police and it may be the most significant contact they ever have with law enforcement
- many young victims of crime are likely to have had previous contact with the police – as offenders, as witnesses and as victims
- most victims and offenders know each other in some way. This relationship will typically continue because they attend the same school, ride the same school bus, have similar extra-curricular activities, or live in the same neighbourhood. The same is usually true of young people expected to be called as witnesses in court. This continued contact between the parties can be very stressful for the victim or witness
- as more cases are diverted, the police and police-based victim services become the only supportive contact a significant number of victims will have
- the length of time until the case is disposed can constitute an entire school year or sports season, which is a significant proportion of a young person's life
- the officer's decision to proceed by way of summons significantly delays the first appearance in court. A faster court process is less stressful for victims and makes it easier for them to stay engaged in the criminal justice process

Victim Needs

Victims' needs remain the same regardless of their criminal justice history and regardless of your decision to lay a charge or to divert the offender. Victims need:

- a caring response
- information
- to feel safe
- to have access to victim assistance services

A Caring Response

Research has shown that one of the most powerful factors in reducing victims' trauma after a crime is a caring response from the police. When you listen without judgment and link victims to supportive resources, victims will adjust better than someone who felt that police did not care or blamed them in some way for their victimization.

Providing Information

Victims want and need information about the on-going status of their case and about what to expect as it is processed through the system. This includes general information about how they may react to their experience as well as case-specific information. When charges are not laid, the responsibility falls to the police alone to provide such information to victims.

Helping Victims Feel Safe

This extends beyond the time of the initial response and the investigation. Some of the things that help make victims feel safer are assistance with safety planning and gathering information from victims to support recommendations for protective measures (i.e. conditions of non-association in a recognizance). You can also act as a liaison with the school by ensuring that school officials have the information they require to help keep the victim safe.

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Access to Services

The YCJA has resulted in a criminal justice system that is more focused on those young offenders who have already had the opportunity to benefit from diversion. As a result fewer victims are being processed through the system. Contact with the police may be the only opportunity for young victims to get information about helpful services such as trauma counselling. Police may also be the only access point for services for those offenders who have been diverted.

Recommendations for Police

- Ensure victims of diverted offenders have access to all the information, services and considerations extended to victims whose cases are prosecuted. Provide victims of diverted offenders with information about the diversion process and what their role can be.
- Have a discussion with victims (and any witnesses expected to testify) about the typical ways they interact with the accused and consider these issues when you request release conditions.
- Spend time safety planning with victims. Consider specific circumstances such as sports, school or other typical ways the victim will have contact with the offender. Where appropriate, advise victims to disclose any conditions of non-association to coaches and their school.
- If the victim and accused attend the same school, consider contacting the principal to ensure he or she knows the accused's release conditions and are involved in safety planning with the victim at school. Police have the authority to disclose this information under the YCJA section 125(6).
- When a case is resolved without charge, consider referring the victim to the victim services program in your jurisdiction for support and ongoing assistance.
- When the decision has been made to proceed by way of charge, remember to refer the victim to the Victim Witness Assistance Program.
- Where possible, consider proceeding by way of promise to appear as opposed to summons. While this may initially be more work for the officer, the hastening of the resolution of the case makes a big difference for victims.
- Remember to leave victim information packages, if available, with the victim. If this information is not available in your jurisdiction, a model can be accessed at www.police.london.ca (under 'Victim Services').

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