# Victim Impact Statements in Canada

## An Archival Analysis of Sentencing Outcomes

Gena Dufour, Martina Faitakis, Prachi Gaba, Mehak Tekchandani, Jaqueline Shaw, Brandon Burgess, Marguerite Ternes, Veronica Stinson

# Existing Literature on Victim Impact Statements (VIS)

- Primarily American research
- Mock jury studies
  - Undergraduate and community samples
  - Limited generalizability to Canadian context
  - In Canada, only the judge passes a sentence.

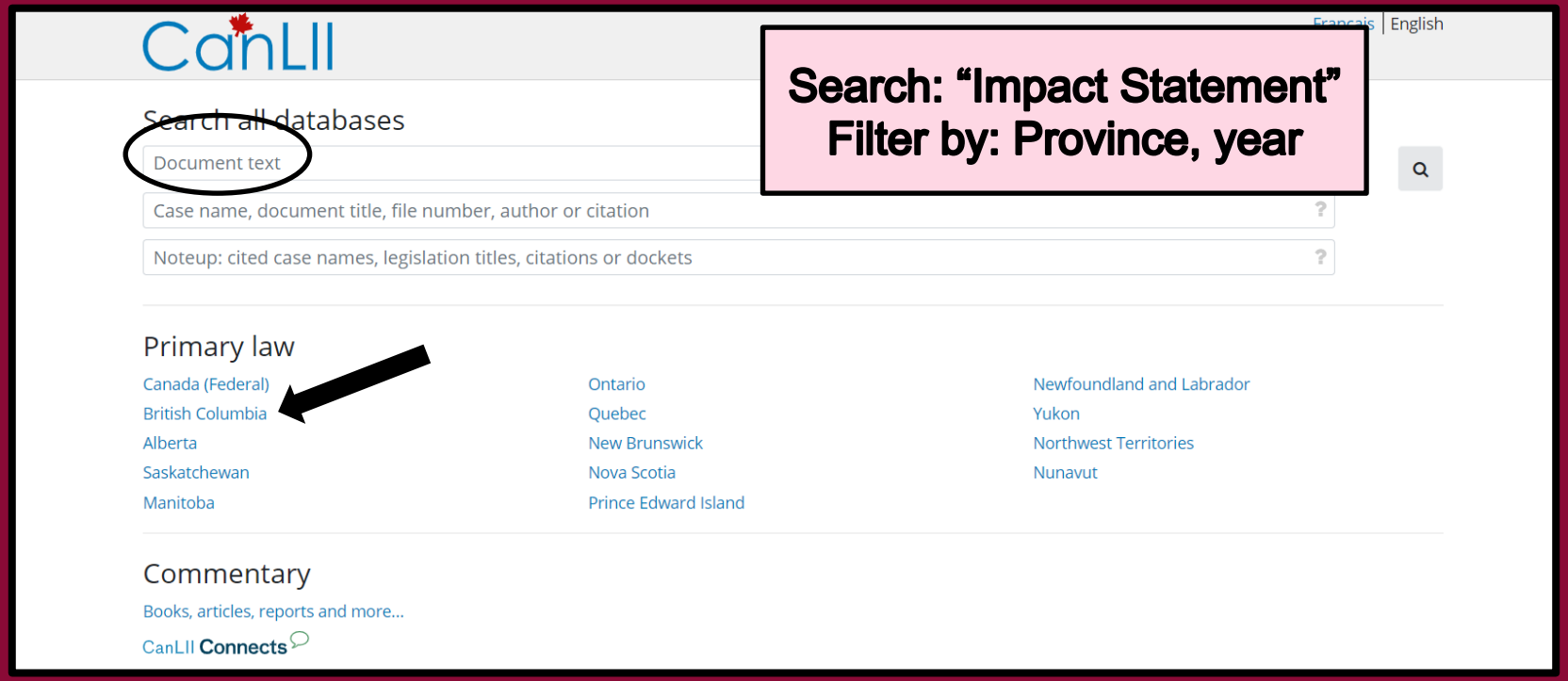
- Much of US research explores the VIS to verdict relationship.
- Canadian research explores VIS to sentencing relationship.

# The Current Project: Archival Analysis

Current project:

- Archival Research, preliminary
- Do victim impact statements affect sentencing outcome?
- What is the relationship between Type of Crime and VIS?

# Methods: Canadian Legal Information Institute (CanLii)



# Methods: Variables

## *Offender and Victim Stats*

- ***Type of Crime(s)***
- ***Total number of offenses***
  - Age
  - Gender
  - Victim/offender relationship

## *Victim Impact Statement Information*

- ***Was there a VIS?***
  - If not, why not?
    - How many?
  - Written or oral?
    - Delivered by someone other than the victim?
      - Content?

## *Sentencing Decision*

- ***Length of time incarcerated***
- ***Length of time on probation***
  - Conditions for sentence
  - Agg/Mit Factors
  - Gladue Report?

# Results

Total Offenders: N = 604

Total Victim Impact Statements: N = 1110

## Offender Gender

- Male = 564
- Female = 64

## Crime Type

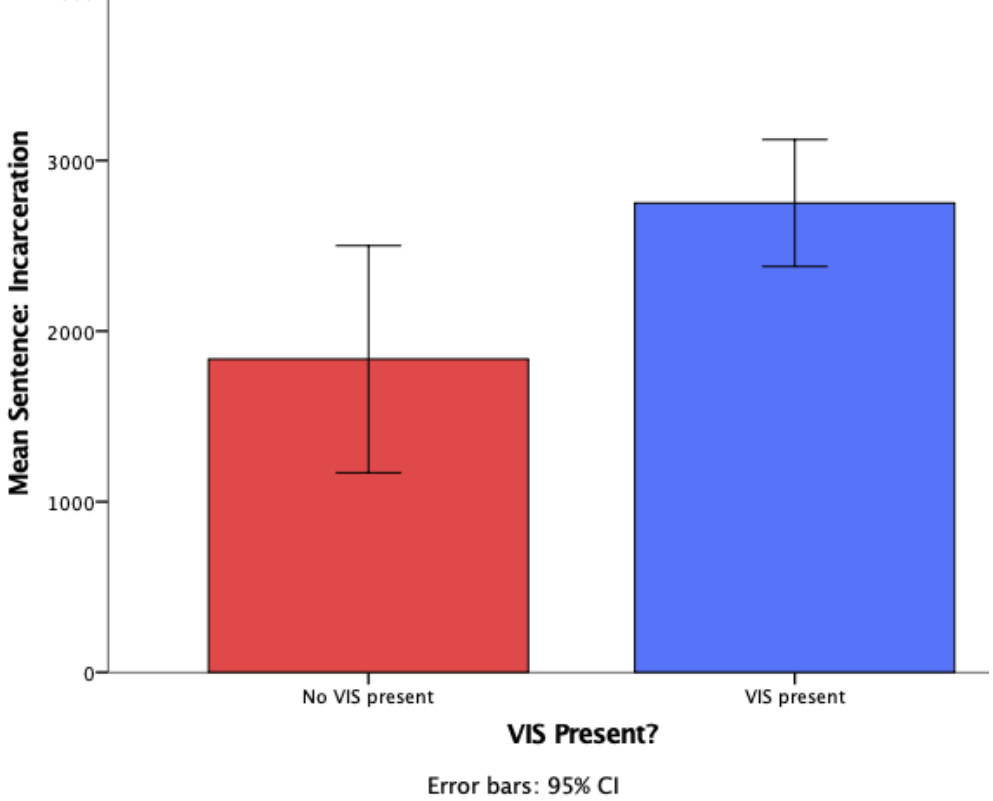
- 1 or more sexual offence = 215
  - 1 or more murder = 147
  - 1 or more assault = 173
  - 1 or more theft/fraud = 101

## VIS and Gender

- Submitted by female = 585
- Submitted by male = 219

## VIS Format

- Oral VIS = 285
- Written VIS = 353




**No VIS: n = 108**

***Mean* = 1835.87 days (SD = 3488.89)**

**Yes VIS: n = 482**

***Mean* = 2750.30 days (SD = 4158.63)**

$t = -2.37$

$p = 0.019$***

Cohen's $d = 0.087$

# Dependent Variable: Incarceration Length in Days

| | *t* | *p* |
|---|---|---|
| **Sexual*** ** | 2.78 | .00 |
| **Murder*** ** | 11.35 | .00 |
| **Assault** | .69 | .48 |
| **Abduction*** ** | 3.00 | .03 |
| **Theft/Fraud*** ** | 6.00 | .00 |
| **Drugs** | -.06 | .95 |
| **Other** | 1.06 | .29 |
| **Victim Impact Statement** | -.23 | .82 |

## Predicting Sentencing Outcome Using Type of Crime and VIS

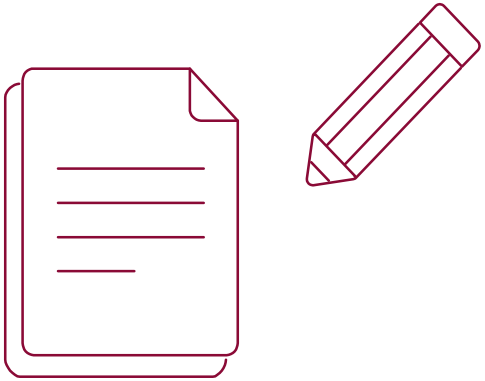
Only Crime Type in model:
$F(7, 581) = 23.43, p < 0.00$

*Fchange* after adding VIS
$= 0.053, p = 0.82$

**VIS is NS**

## Does Type of Crime predict Presence of a VIS?

| Type of Offence | *t* | *p* |
|---|---|---|
| Sexual | 1.28 | .20 |
| Murder*** | 4.39 | .00 |
| Assault | -0.03 | .97 |
| Abduction*** | 2.31 | .02 |
| Theft/Fraud | 1.70 | .09 |
| Drugs | -0.94 | .35 |
| Other*** | -3.33 | .00 |



# VICTIM IMPACT STATEMENTS (VIS)

Do VIS impact sentencing?

What is the relationship between Crime Type and VIS?

# *Thanks to the team!*

Ashley Tiller
Freyja Beattie
Jaqueline Shaw
Jennifer MacArthur
Jess Rector

Journey Giesbrecht
Kyanna Gilks
Krystal Lowe
Margaret Morse
Melissa Corbett

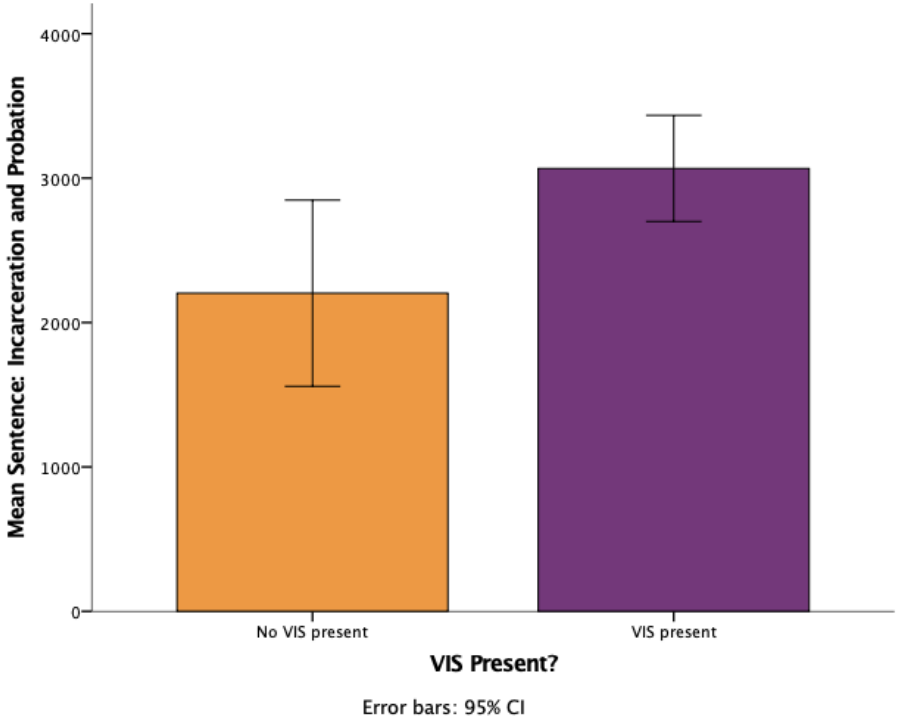
Meylin Zink Yi
Molly Stanley
Nicole Hopper
Rebecca Ryan
Sabrina Mamtaj

*Thanks!*

# Any questions?

Gena.Dufour@smu.ca

Faculty Supervisors: Veronica.Stinson@smu.ca and Meg.Ternes@smu.ca




No VIS: n = 108

Mean = 2202.69 days (SD = 3380.68)

Yes VIS: n = 482

Mean = 3067.06 days (SD = 4105.54)

$t = -2.30$

$p = 0.022$ (S)

Cohen's $d = 0.094$

# Sentence: Incarceration and Probation

No VIS: n = 52

Mean = 761.87 days (SD = 460.44)

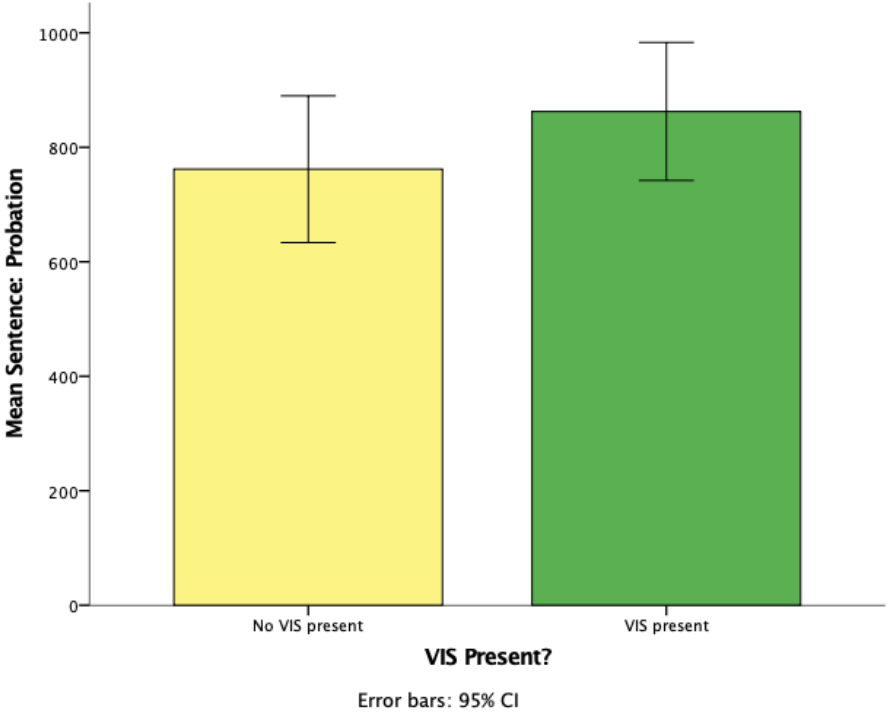
Yes VIS: n = 177

Mean = 862.57 days (SD = 812.39)

$t$ = -1.14

$p$ = 0.27 (NS)

Cohen's $d$ = 0.075




Sentence: Probation (Excluding offenders with 0 days probation)