

Victim Impact Statements in Canada

An Archival Analysis
of Sentencing Outcomes



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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)



The screenshot shows the CanLii website search page. At the top left is the CanLii logo with a red maple leaf. To the right are language options: "Français" and "English". Below the logo is the text "Search all databases". There are three search input fields: the first is labeled "Document text" and is circled in red; the second is labeled "Case name, document title, file number, author or citation" with a question mark icon; the third is labeled "Noteup: cited case names, legislation titles, citations or docketts" with a question mark icon. A search button with a magnifying glass icon is to the right of the second and third fields. A pink callout box with a black border contains the text: "Search: 'Impact Statement' Filter by: Province, year". Below the search fields is a section titled "Primary law" with a list of provinces and territories: Canada (Federal), British Columbia, Alberta, Saskatchewan, Manitoba, Ontario, Quebec, New Brunswick, Nova Scotia, Prince Edward Island, Newfoundland and Labrador, Yukon, Northwest Territories, and Nunavut. A black arrow points to "British Columbia". Below "Primary law" is a section titled "Commentary" with the text "Books, articles, reports and more..." and a link for "CanLII Connects" with a speech bubble icon.

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

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 Format

- Oral VIS = 285
- Written VIS = 353



Offender Gender

- Male = 564
- Female = 64

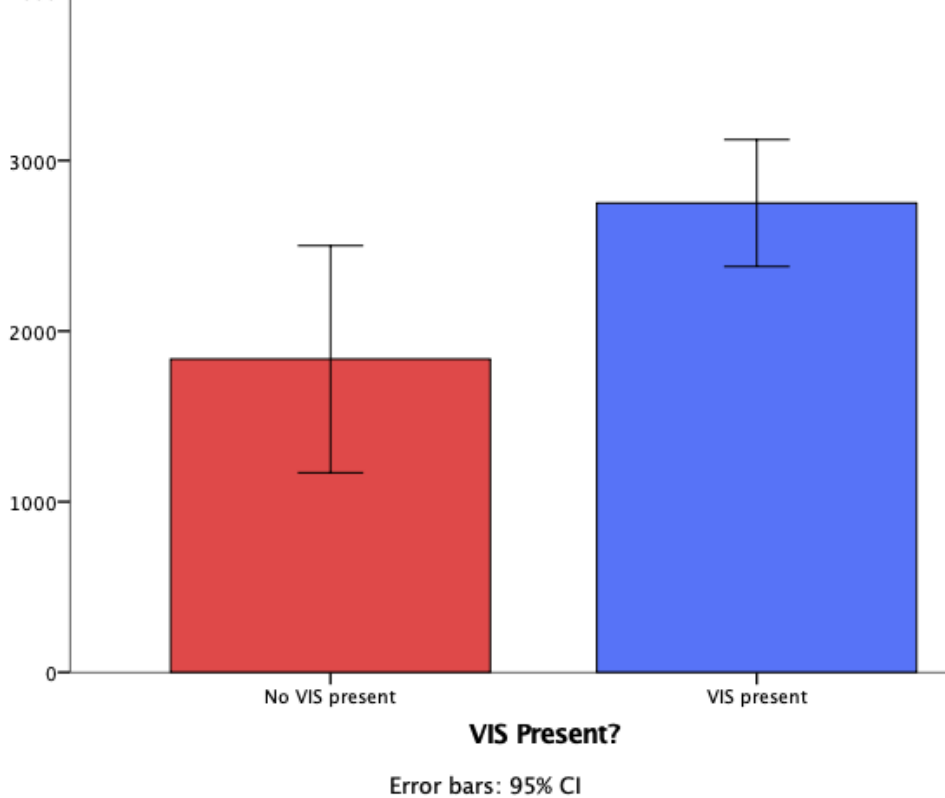


VIS and Gender

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



Mean Sentence: Incarceration



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

Predicting Sentencing Outcome Using Type of Crime and VIS



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

*F*change after adding VIS
 = 0.053, $p = 0.82$

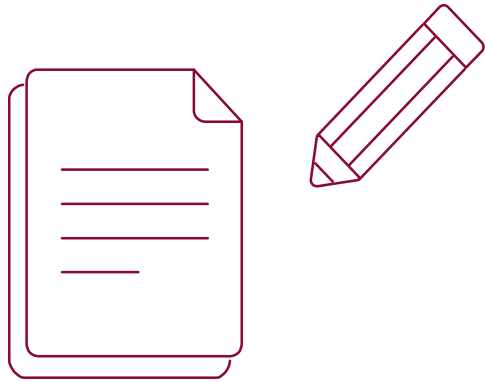
	<i>t</i>	<i>p</i>
Sexual***	2.78	.00
Murder***	11.35	.00
Assault	.69	.48
Abduction***	3.00	.03
Theft/Fraud***	6.00	.00
Drugs	-.06	.95
Other	1.06	.29
Victim Impact Statement	-.23	.82

← **VIS is NS**

Does Type of Crime
predict Presence of a
VIS?



Type of Offence	<i>t</i>	<i>p</i>
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

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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

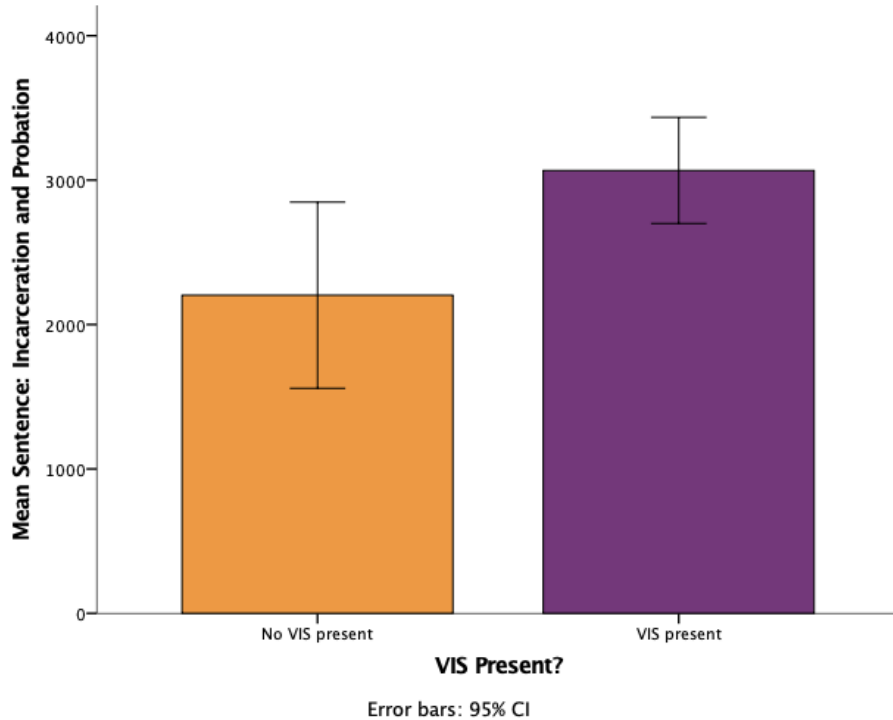
Thanks!



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)

$$t = -2.30$$

$$p = 0.022 (S)$$

$$\text{Cohen's } d = 0.094$$



Sentence: Incarceration and Probation

No VIS: n = 52

Mean = 761.87 days (SD = 460.44)

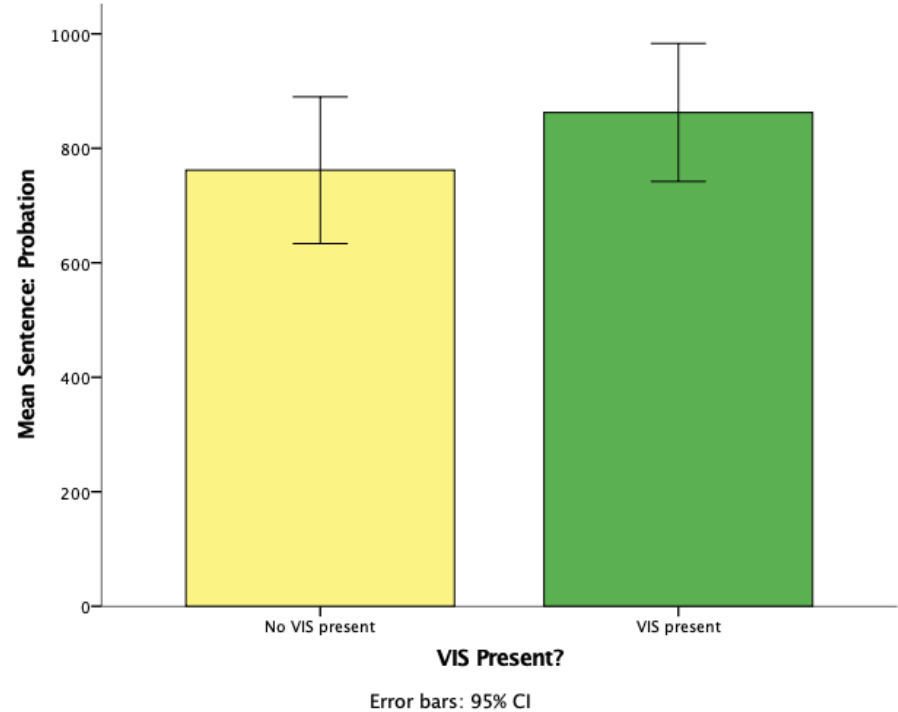
Yes VIS: n = 177

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)