

PROVINCE OF ONTARIO
MINISTRY OF ATTORNEY GENERAL

CROWN POLICY MANUAL

March 21, 2005

**CHILD ABUSE, INTERNET – BASED AND OTHER OFFENCES
INVOLVING CHILDREN**

PRINCIPLES

Our children are the future. Every effort must be taken to keep them safe from harm. Although still largely hidden, the incidence of child abuse is widespread in Canada. It permeates every segment of our society. Offences involving children are, by their very nature, extraordinarily serious and are to be prosecuted as vigorously and diligently as any other serious criminal offence.

Offences involving children include not only direct physical or sexual abuse, but also child pornography, abduction including parental abduction, the use of the internet to lure or exploit children, and offences in which children are witnesses to spousal violence or other traumatic events

Special Needs of Children: Children are the most vulnerable of all victims in the criminal justice system. There is an automatic power imbalance between the adult perpetrator and child victim, often associated with a position of trust. These crimes frequently have crippling effects on the psychological and emotional well being of the victim.

The Crown Attorney for each jurisdiction is to have in place a set of “best practices” or a protocol that includes:

- Involvement of the Victim Witness Assistance Program at the earliest opportunity to support the child
- Best efforts to expedite trials of offences involving children
- Early assignment of full-time Crown counsel who remains with the case until final disposition

- Steps to make the trial process comfortable and respectful for the child
- Applications for DNA databank orders
- Use of appropriate testimonial aids and other legal tools
- Full sentencing submissions, including information on factors relevant to the case such as victim impact information and use of section 161 Criminal Code prohibition orders. The sentencing submissions should emphasize the child's safety and protection as well as the protection of other children and the public interest.