



National Justice Network Update



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Welcome to the **September** issue of the *National Justice Network e-Update*, a publication of the Canadian Resource Centre for Victims of Crime. PLEASE SHARE THIS **FREE** NEWSLETTER WITH YOUR COLLEAGUES OR HAVE THEM SIGN UP TO RECEIVE IT DIRECTLY AT:

<http://crcvc.ca/en/newsletter/>

This month's articles were written by Matthew Prokopiw from Carleton University and Kristina Musca from Univeristy of Ottawa. Thanks!

Canadian Resource Centre for Victims of Crime

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Department of Justice
Canada

Ministère de la Justice
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[Federal Ombudsman for Victims of Crime](#)

[National Office for Victims](#)

[Victim Services, Correctional Service Canada](#)

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A DECADE OF RESILIENCE: LOOKING BACK AT THE SEPTEMBER 11 ATTACKS

September 11th, 2011, marked the tenth anniversary of the terrorist attacks on the twin World Trade Center Towers, the Pentagon and United Airlines Flight 93. The 2,977 victims that lost their lives were from 90 countries, and 24 of them from Canada. The CRCVC stands in solidarity with all family members, survivors and rescue workers

UPCOMING EVENTS

"VICTIM CONSIDERATIONS IN CORRECTIONS POLICY" MONCTON, N.B. OCTOBER 17, 2011

The CRCVC is pleased to announce that we will be hosting a FREE breakfast and panel discussion called "Victim Considerations in Corrections Policy" in Moncton, New Brunswick on October 17th, 2011. The discussion will be taking place from 9 am – 12 noon at the Crowne Plaza hotel and will include a free breakfast and networking opportunities.

Panelists include:

- Sue O'Sullivan, Federal Ombudsman for Victims of Crime;
- Scott Kenney, Ph.D., Memorial University; and
- Sylvie Blanchet, Regional Manager of Community Relations and Training, PBC.

Online registration is open: www.crcvc.ca/en/moncton or call 1-877-232-2610.

"UNDERSTANDING FAMILIES OF HOMICIDE" OCTOBER 19TH, 2011

Lean on Me and the Hamilton Police Service will be hosting a conference on Understanding Families of Homicide. The conference will include a panel of



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Ensuring the equitable treatment of crime victims in Canada



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who were impacted that day.

Prior to leaving for New York City, Prime Minister Harper declared that September 11th will become a National Day of Service in Canada. Harper said it will be a "fitting way to pay tribute to the 9/11 victims and their families, to honour the sacrifices of those involved in the rescue efforts and to turn an infamous date into a day of hope marked by a communal outpouring of warmth and generosity."

The Canadian Coalition Against Terror (C-CAT) representing terror victims across Canada commended the Canadian government for declaring 9/11 as a National Day of Service. C-CAT also commended Senator Pamela Wallin, who has been a supporter of victims since 2001 when she served as Canadian Consul General in New York.

Every year, families of victims travel to New York, Pennsylvania and Virginia to mourn their lost family members and friends. The grief they share with others transcends long distances and ethnicities.

Maureen Basnicki, whose husband Ken was one of 24 Canadians killed, was "overwhelmed" by the graciousness and generosity of New Yorkers upon learning she is a Canadian 9/11 widow. On two occasions in restaurants strangers picked up her tab. Such unexpected displays of compassion help in the ongoing process of coping with 9/11.

"My grief came from an event that didn't just affect the Basnicki family, but did affect the world," she said. "So all the while that I am missing Ken, I have a sense of hope and really do look forward to our world becoming a better place."

The National September 11 Memorial and Museum held its inaugural ceremony on the tenth anniversary of the attacks. The memorial is located on the former site of the Twin Towers and opened to the public for the first time on September 12th.

In addition to the memorial and museum, the British Garden in Hanover Square, located in downtown Manhattan and originally a gift from the City of New York to honour U.K. citizens who died in the attacks of Sept. 11th, was renamed Queen Elizabeth II Garden to include the memory of

speakers presenting the Hamilton Model of Supporting Families of Homicide, survivors and their personal reflections as well as a presentation from acclaimed Psychologist Dr. Lori Triano-Antidormi. Visit www.lean-on-me.org to register and learn more.

NATIONAL VICTIMS OF CRIME AWARENESS WEEK 2012

The Government of Canada will again provide funding for organizations to host events during National Victims of Crime Awareness Week (NVCAW). This year, NVCAW will be taking place from April 22 to April 28, 2012. "Moving Forward" is the theme that has been chosen for these events.

The main goals of NVCAW is to raise awareness about issues involving victims of crime and about the assistance and laws in place to help victims and their families.

The deadline for organizations to submit funding applications is November 7, 2011. For more details and an application form, visit:

www.victimswweek.gc.ca.

INVITATION TO PARTICIPATE IN RESEARCH ON VICTIMS OF CRIME

The University of Ottawa is looking for victims of crime, preferably registered with the Correctional Service of





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Canadian, Australian and other Commonwealth victims. Until this year's anniversary, Canada had no memorial for the 9/11 terrorist attacks.

THE FEDERAL GOVERNMENT INTRODUCES THE SAFE STREETS AND COMMUNITIES ACT

The Federal Government has introduced Bill C-10, *Safe Streets and Communities Act*, fulfilling its June 2011 speech from the throne commitment to "move quickly to re-introduce comprehensive law-and-order legislation to combat crime and terrorism and provide support and protection to victims of crime." The Bill combines 9 pieces of legislation that did not pass in the previous session of Parliament.

The *Safe Streets and Communities Act* will make a number of positive changes for people harmed by crime and violence, including:

- Increase penalties for sex offences committed against children;
- End house arrest for property and serious crimes;
- Protect the public from repeat, violent young offenders by requiring the Crown to "consider" asking for an adult sentence for the most serious offences. Judges will also be able to hold, until trial, young people deemed out of control and dangerous;
- Eliminate pardons for serious crimes/sexual predators;
- In relation to corrections and parole:
 - o Enshrine victim participation in parole hearings, and keep victims better informed about the behaviour and handling of offenders;
 - o Increase offender accountability by modernizing disciplinary sanctions and adding a requirement in law to complete a correctional plan for each offender that sets out behavioral expectations, objectives for program participation, and the meeting of court-ordered obligations such as victim restitution or child support;
 - o Authorize police to arrest an offender who appears to be breaking their release conditions, without the need

Canada (CSC) or the National Parole Board (NPB), and that are interested in participating in research regarding victims. This study will be focusing on the perspective of victims and aims to better understand how they define and experience their participation with the Canadian penal system. The University would like to interview adults aged 18 years or older from Ottawa that would be willing to voluntarily discuss their experiences. Confidentiality and anonymity would be guaranteed. If you are interested, please contact Pascale Latreille at (613) 407-6625 or by e-mail at platr061@uottawa.ca. You can also contact Veronique Strimelle at (613) 562-5800 ext. 1806 or by e-mail at vstrimel@uottawa.ca.

SNAPSHOTS

OMBUDSMAN'S REPORTS RELEASED

The Office of the Federal Ombudsman for Victims of Crime (OFOVC) 2008-09 and 2009-10 Annual Reports have been tabled in the House of Commons and are now available for distribution. Visit the website for the reports as well as backgrounders and a news release:

www.victimfirst.gc.ca

NICOLLE HANDS' MURDER IS STILL A MYSTERY

Nicolle Hands, a single mother of three young children from Winnipeg, was





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- for a warrant;
- o Emphasize the importance of considering the seriousness of an offence in Parole Board of Canada decision-making.
- Support victims of terrorism and allow them to launch a lawsuit in a Canadian court against an individual or organization that carried out a terrorist attack, or against supporters of terrorism, including a foreign state that the Government has listed as providing support to terrorist entities; and
- Protect vulnerable foreign nationals against abuse and exploitation.

In his commentary, Rob Nicholson, the Minister of Justice, proposes that these amendments will make Canadian streets, families and communities safer and support victims of crime. The Minister drew attention to the estimates of the harm victims of crime face – \$14 billion on tangible losses to crime victims, with another \$68 billion in intangible losses to quality of life.

During 2010/11, the CRCVC voiced our support for a number of the proposed bills now making up Bill C-10 (namely the sections of the Bill we have listed above). Does the new legislation go too far? Possibly, especially where a six-month jail term will be handed to anyone who grows six marijuana plants and house arrest won't be allowed even for some non-violent crimes such as car theft or break-and-enter.

Opposition critics denounced the measures as retrograde and costly. They believe there is an over-reliance on incarceration as a solution to crime and worry about the massive costs the Bill will impose on provinces that will have to hire more prosecutors, build more prisons and possibly hire more police. Critics also note data shows that the crime rate, specifically violent crimes, has been slowly declining over the past two decades. They feel the government is following the unsuccessful War-on-Drugs and Tough-on-Crime approach of the United States, which is currently dealing with prison overcrowding issues and severe debt as a result.

What do victims of crime need? In our work at the

stabbed to death in her apartment in 2003. Eleanor, Nicolle's mother, is sadly still searching for answers as the murder remains unsolved. Current and retired investigators continue to be baffled by their inability to solve Nicolle's murder. Although investigators claim to be working on the case, there has not been any progress or any arrests. Eleanor remains hopeful that her questions will be answered before her own passing, as are we at the CRCVC.

VICTIM FILES LAWSUIT AGAINST RUSSELL WILLIAMS AND OPP

Laurie Massicotte, a neighbour and sexual assault victim of Russell Williams, has voluntarily decided to reveal her identity and speak publicly about her terrifying ordeal. Russell Williams, a former air force Colonel, broke into Laurie's home on September 30, 2009. After breaking in, Russell blindfolded her, tied her up and photographed her in the nude for hours. After responding to her 911 call, Laurie testifies that police left her tied up for hours while they gathered evidence. According to Ms. Massicotte, officers talking at the crime scene described her to others on the police radio as "being crazy". Furthermore, Ms. Massicotte claims that police told a neighbour that she had made up the incident, stating that her situation was similar to an assault that occurred





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CRCVC, we hear most often that victims do not want what happened to them or their loved one to happen to anyone else. Does this not mean that governments should invest heavily in preventing crime and violence in the first place? Yes, victim/public safety and offender accountability are critical issues for victims but so are services and rights. We call for increased federal investments in support services for victims and legislated rights for crime victims in Canada that meet international standards.

KIENAN HEBERT RETURNED UNHARMED

Amid the elation of the safe return of Kienan Hebert, 3, and the successful capture of the primary suspect, Randall Hopley, 36, in Sparwood, British Columbia, Kienan's father Paul spoke candidly about his frustration with the criminal justice system in allowing Hopley to go free again and again, jeopardizing the security of his family.

Paul Hebert sat down with the media the day after his son was returned. Although he says he has already forgiven Mr. Hopley, he as spoke harshly about the justice system that permitted Hopley the opportunity to commit another crime.

"Someone didn't do their job right, and it wasn't the police. The judges and the system failed us. Hopley needed help and the system didn't give him the help he needed and because of that, we have been offended. Our rights have been taken away and our family got hurt."

Despite a history of convictions and accusations, twice involving children, Randall Hopley lived unmonitored and succeeded in kidnapping three-year old Kienan from his home. Hopley's criminal history includes 11 previous break-in convictions, a conviction of sexual-assault in 1985, and was most recently charged with a handful of non-violent crimes.

Ed Skapin's family found Hopley at their cabin in Crows Nest Pass, AB, which is located less than a few kilometres from where Hopley was captured, in May 2010. They called the RCMP, who found a horde of illicit pornographic material. Police charged

12 days earlier on the same street.

Ms. Massicotte has decided to sue the Ontario Provincial Police along with her aggressor and his ex-wife. The statement of claim was filed in Belleville Superior Court on September 23, 2011. Laurie's \$7 million civil suit criticizes the Ontario Provincial Police for failing to alert citizens of Belleville about the previous sexual assaults in the area as well as the string of fetish break-ins that occurred in the community.

Russell Williams is now serving a life sentence after he pleaded guilty to the murders of Jessica Lloyd and Marie-France Comeau a year ago. Williams also pleaded guilty to two sexual assaults and over 80 break-ins where he stole women's lingerie and other pieces of clothing.

RESIDENTIAL SCHOOL COMPENSATION DEADLINE ARRIVES

The federal government has offered financial compensation to Aboriginal people who were forced to attend residential schools in the past. This Common Experience Payment offered under the Indian Residential Schools Agreement (IRSSA) is the largest class action settlement in Canadian history. According to this agreement, former students who apply will receive \$10,000 for the first school year and an additional





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Hopley with break and enter with intent to commit mischief, unlawful living in a dwelling house and possession of stolen property.

Given Hopley's criminal history, Skapin is mystified why justice officials let him go pending trial and why the sordid mess left in his residence was never taken into account.

Echoing Paul Hebert's frustration, Margaret Fink, Hopley's mother, says that her son never appeared close to rehabilitated after several stints in prison. "No one ever tried to help him," she says. "He'd go to jail, but never was he given treatment or maybe the proper medicine."

When he was released from prison at age 21 after serving time for sexual assault, a psychiatrist told the National Parole Board he was likely to reoffend. "The justice system knew he was a problem in society, they should be held accountable and should be blamed for letting him loose," said Paul Hebert. "If a doctor can get malpractice, why can't a judge?"

CANADA'S YOUNGEST MULTIPLE KILLER IS RETURNED TO THE COMMUNITY

An Alberta teen who killed her parents and younger brother when she was only 12 is a low risk for future violence and will be allowed to live in the community, a judge decided late this month. The girl, known as JR, and her then-boyfriend Jeremy Steinke, who was 23, carried out the attack on her parents and eight-year-old brother at the family's Medicine Hat home in 2006. She was convicted in 2007 of three counts of first-degree murder and began her 10-year-sentence at a psychiatric hospital.

The girl's "intensive rehabilitative custody and supervision sentence" is reviewed twice per year and Court of Queen's Bench Justice Scott Brooker is given an update on her progress. Brooker said the latest psychologist report shows the girl is cooperating fully with staff within the treatment program.

"You are entering into a new phase in your

\$3,000 for each successive year. Compensation is only available to those Aboriginal people who applied before September 19, 2011. As of right now, the application deadline will only be extended for those who are disabled or who have exceptional circumstances.

Despite this deadline, many have not submitted their applications. According to Richard Watts, a resolution health support worker with the Nuu-chah-nulth Tribal Council on Vancouver Island, some Aboriginals did not apply for the Common Experience Payment due to fears of revictimization. Others did not apply because they believe monetary compensation would not mend the painful experiences they endured at the residential schools. A Truth and Reconciliation Commission has been established to educate the public about residential schools and to allow former students to share their experiences. The federal government expects to receive approximately 110,000 applications. So far, 102,310 applications have been submitted.

IN MEMORY OF PAUL MICHAEL FOSTER

In January 2010, Paul-Michael Foster disappeared. Family, friends and police searched for Paul-Michael but in September of the same year, his loved ones received the tragic news that Paul





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program which is integration into the community. I'm sure it will not be particularly easy for you having been in a custodial setting," Brooker told JR at the hearing as he set out a list of conditions for her release.

At the end of the hearing J.R. spoke about her treatment. "I'm very grateful ... it has really helped me to grow," she said.

Beginning in November J.R. will be allowed to live at an Alberta residence approved by her probation officer, report to authorities once a week and notify her probation officer if she moves. She will be under a daily curfew from 10 p.m. to 6 a.m., continue with her treatments and not use illicit substances or have any weapons. A peace officer or probation officer will monitor JR's use of social networking sites, Brooker said. J.R.'s sentence will be reviewed again next March.

Steinke was sentenced to life in prison for his part in the killings, which the pair carried out because the parents didn't approve of their relationship.

THE FOURTH ANNUAL WALK 4 JUSTICE

A large crowd gathered on Parliament Hill on Monday, September 19th to remember and demand justice for murdered and missing Aboriginal women at the conclusion of the 4th annual cross-country Walk 4 Justice.

Walk 4 Justice, a B.C.-based volunteer group, started collecting details of missing or murdered women in 2008. They now have a database of almost 4,200 women, the majority of whom are aboriginal — even though Aboriginal people only comprise three per cent of Canada's population.

Walk 4 Justice says Ottawa's attempts to deal with violence against missing Aboriginal women in the past few years have amounted to very little.

According to Sisters In Spirit, an organization dedicated to raising awareness and researching the alarmingly high rates of violence against Aboriginal women, more than 582 Aboriginal women have

Michael's remains were found.

September 2011 marks the first anniversary of Paul-Michael's death and his influence continues to touch the lives of all those who knew him.

We at the CRCVC and Ontario's Missing Adults would like to extend our sympathy to the Foster family, the Massey family and all those who loved him. We also wish to express our thanks to everyone for their generous donations in the name of Paul Michael Foster. These donations continue to help other families living with a missing loved one.

SOCIAL SERVICES NETWORK REPORT BRINGS ATTENTION TO "HONOUR" BASED VIOLENCE AMONG SOUTH ASIAN IMMIGRANTS

A landmark report on domestic violence among South Asian immigrants concludes Ontario's justice system sometimes falls short in addressing family violence — which overwhelmingly means violence toward women and the elderly — among the province's largest visible-minority group.

The report, released September 15 at Toronto Police headquarters, cites numerous factors as explanations. The term "honour killing" emphasizes a twisted rationale for murder





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gone missing or been murdered in Canada since they began collecting data in 2005. These cases remain unsolved. Sisters In Spirit is also facing funding cuts from the Federal Government.

The outlook has become grim in the search for justice for the missing and murdered women since the Harper government killed the Sisters in Spirit program in 2010. In a recent budget, the Conservatives announced a commitment to invest \$10 million towards the issue - however, Walk 4 Justice participants report that families are critical that most of the money has gone to policing issues, and not directly to assisting families with healing and justice.

Aboriginal groups say the money does not target Aboriginal people specifically, and is quickly eaten up by a wide variety of police and safety needs. "Nobody knows what they're doing with that money," said Beverley Jacobs, past president of the Native Women's Association of Canada.

Walk 4 Justice and other Aboriginal groups want a public inquiry, funding for Aboriginal wellness centers and improved public-safety initiatives for women.

Participants arriving in Ottawa after their cross-country walk explained: "day after day, as we walked across the country, we heard new reports of women and girls going missing. When will the government of Canada listen to our families and our demand for justice?"

Walk 4 Justice is an incredible story. Founded in 2008 by Gladys Radek and Bernie Williams, this is the second time the group has made the journey from Vancouver to Ottawa, with three other major walks in between. Walk 4 Justice seeks justice, closure, equality and accountability, and a full national public inquiry into this terrible epidemic in our country.

You can read more at:

<http://tinyurl.com/42xfk2m>

rather than the murder itself, leading to leniency towards murderers amongst some judges in Canada. The report identifies the term "honour killing" as a misnomer and one that should be rejected for its effects in sentencing.

Other explanations include patriarchy and male reluctance to address the issue; mistrust of police and immigration authorities; language and other cultural barriers that sow confusion about the services available; a lack of co-operation among religious leaders at some mosques; and a sense of shame among victims.

The biggest difficulty in curbing family violence among Ontario's South Asians - who in 2006 numbered about 800,000 - is that "it is perceived as separate and/or distinct from violence against women generally," the report says in its summary. "This distinctiveness serves to validate racism as well as separate and detach the issue from the mainstream."

