



Greetings!

Welcome to the **December** 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 & FRIENDS OR HAVE THEM SIGN UP TO RECEIVE IT DIRECTLY AT: <http://crcvc.ca/en/newsletter/>.

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ALBERTA WOMEN'S SHELTERS: HIGH RISK FOR WOMEN AND CHILDREN

Within the past year, Alberta has experienced an overwhelming number of women and children entering their women's shelters. Recently, Global News has discovered that these shelters have reached beyond capacity. As reported by the [Alberta Council of Women's Shelters](#) (ACWS), in 2017-2018 it housed 10,390 women, children, and seniors which brings the number up to 30,987 since 2015. As a result, over 16,722 women, children, and seniors have been denied stay at the women's shelter due to the lack of available space. Even with the [\\$15 million boost](#) in 2015, Alberta continues to struggle to keep up with such a high demands of individuals who are in need of a shelter.

According to ACWS, in the last two years, crisis calls to shelters have gone up by 10%. With such an increase, training was implemented in April 2018 for front-line domestic violence workers which included police officers and women's shelter staff. This training seminar was led by Dr. Jacquelyn Campbell who is a professor from John Hopkins University and also the head researcher for domestic violence. The training focused on a [danger assessment tool](#) which requires



Wishing all of our readers a safe, peaceful and joy-filled holiday season! All the best for 2019.

OFFICE CLOSURE

Please be advised the CRCVC office will be closed for the holidays from December 24th, 2017 until January 1st, 2018. Faxes and emails will be monitored during this time.

QUICK LINKS

Consider supporting our work with victims and survivors this holiday season by making a donation to the CRCVC, and make a difference that counts. Click [here](#) to donate.

[Click here](#) to watch Heidi Illingworth discuss her new role as the Federal Ombudsman for Victims of Crime on *Power Lunch* with CBC's Vassy Kapelos.

St Michael's College School had a duty to report immediately- [here's why!](#)

The Toronto Van Attack accused Alex Minassian, will go to trial on February 3rd 2020: [learn more](#).



women to fill in a calendar of past abusive events and answer a series of 20 questions. With this assessment tool, it has been indicated that in 2017/2018, almost 65% of women who completed the assessment were found to face "severe or extreme levels of danger" which increased from 54% in 2011/2012.

Ultimately, this tool determines the [risk level of a woman being killed](#) by her intimate partner through a series of questions. With the implementation of this tool, Jan Reimer stated that "women's shelters can use this as a way of describing women's risk when they work with the courts, when they work with child welfare, when they work with lawyers and with the police". In addition, Reimer claims that this measurement tool has been used by shelters for a couple years now but was recently updated. The reason for this update was due to "...the need to be inclusive, the need to be targeted, the need to meet women where they're at" and they have now incorporated three new groups: immigrant women, women in same sex relationships and indigenous women. Going forward, safety plans are to consider this great risk of homicide against women with inclusion of the higher rates within Indigenous and Aboriginal women in order to minimize this risk.

FEMALE SOLDIERS FACE CHALLENGES WHEN REPORTING MISCONDUCT WITHIN RANKS

After a significantly publicized sexual misconduct case in 2016 regarding Hamilton-area soldiers, there has been an increase in advocacy for victims within the military. The specific case involved a male soldier who exposed explicit pictures of a female soldier he had a prior relationship with. The specific photos were shared via social media as well as shown to fellow soldiers. Over the past 9 years of the Canadian Armed Forces, this case resulted in the most severe punishment for the accused. The man accused, Miszczak was charged with two offences; one for committing an offence punishable by standard of the criminal law and the other for violating the prejudice of good order and disciplines. As a result, he was demoted in rank and was recommended to step down from the Canadian Armed Forces.

[Suspended doctor](#) Vincent Nadon, from the University of Ottawa, was sentenced to 8 years, after sexually assaulting numerous patients.

[Sexual assault trial](#) resumes for former Canadian gymnastics coach.

UPCOMING EVENTS

Ottawa Monthly Drop-in Support Group for "Loss to Violence"

The drop-in support group will return in December for family members of homicide victims. This group addresses a gap in the community and offers a place for peers to support each other in healing. Please "like" the CRCVC on our [Facebook page](#) in order to keep updated about the time/location of the gathering, as it is subject to change. We welcome all family and loved ones to join us!

When: January 24th, 2019

Time: 7:15 pm

Where: Rideau Sports Centre, 1 Donald St., Ottawa, ON K1K 4E6

4th Annual LGBTQ2S+ Service Providers' Summit

About: The summit will run over three days with sessions for all delegates as well as special sessions reserved for Executive Directors, Board Chairs and Presidents.

When: January 11-13th, 2019

Where: Ottawa Marriott Hotel (100 Kent St, Ottawa,



In response, Rebecca Patterson, the director general of the Canadian Force's Strategic Response Team, explains the "[positive impact](#)" of training and educating soldiers on sexual misconduct. She continues by stating "some have farther to go in terms of achieving understanding and awareness". The judge who oversaw this case discussed the implications of having modern technology as a means to share this type of content.

Unfortunately, numerous [challenges](#) arise for the victim when these offences happen. The military is a close-knit community, therefore, in most cases people recognize the victim. As Gagnon who is a former member of Canada's naval reserve explains, "that would make it very uncomfortable for a person to go back to work". In many cases, it forces victims to leave the Forces and deters them from coming forward due to the stigma that surrounds reporting. In fact, in a [report](#) that was conducted on the Canadian Armed Forces, clearly indicated the sexualized culture in the military that allows these types of behaviours to occur.

Additionally, due to a lack of an independent organization that deals with these forms of cases, it has been difficult to hold soldiers accountable who step out of line. As General Tom Lawson, the Chief of Defence Staff explains "the problem lies not only with those who behave poorly or maliciously, the responsibility also rests with those who idly stand and permit inappropriate behaviour to persist".

OLAND CASE IS BACK IN SESSION. HOWEVER THE JURY IS OUT (Quite literally...)

The Oland case has caught the attention of many Canadians, twice already. Now, for the third time, the high profile trial involves the murder of a prominent New Brunswick businessman Richard Oland whose family is known among other things for the creation of Moosehead Brewery. The only suspect in the case is his son, Dennis Oland, who was known to have been having financial issues at the time of his father's death. [In 2011](#), Dennis was charged with murder after his father, Richard, was found on July 7 of that year, face-down, bludgeoned to death with a shocking 45 blows, mostly to his head and hands. Dennis Oland

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[Registration Here.](#)

Women's March Canada

About: Come together to end gender-based violence and make equality the new norm.

When: January 19th 2019

Where: Parliament Hill, Bank and Lansdowne

Donate: Give a [donation](#) to support Women's March Canada

[Learn more](#) about where you can march in Canada.

[SNAPSHOTS](#)

The launch of a pilot project will offer victims of sexual violence access to free legal advice

In Central Alberta, a new [pilot project](#) was recently launched to provide victims of sexual violence free legal advice. The goal of the initiative is to empower victims, and given them choices. The launch will allow victims to have access to at least four hours of free legal advice ranging from information on the judicial process when pressing charges or to inform victims of possible options.

Toni Sinclair, the executive director of the Elizabeth Fry Society in Edmonton explains that many victims of sexual assault do not come forward. Specifically, marginalized populations are extremely under-represented in accessing legal services after being victimized. Many victims do not report



has been the prime suspect almost since his father's body was discovered. He was the last known person to see his father alive, the day before. Police were called to the scene on the morning of July 7 after Mr. Oland's secretary discovered the grisly scene.

At the [first trial](#), the jury convicted Dennis Oland of second degree murder. However, due to complex instructions the judge gave the jurors, the conviction was appealed and overturned. Along with complexity of the judge's [instructions](#), the defense also argued in its appeal that the investigation by the Saint John police department was not done correctly and many errors were made. Such errors included not securing areas of the crime scene before they were properly examined; and not analyzing a hammer in the office as a potential murder weapon. Ultimately, it was the judge's misguided instructions that led to a mistrial in Dennis Oland's case.

In November of this year, the Oland family prepared themselves to return to the courthouse for a new trial. Shortly after beginning the new trial, [Justice Terrence Morrison](#) declared a mistrial because it was argued that the jury selection had not been done properly. Specifically, an [internal database](#) used by the Saint John police force gave information about individuals on the jury the police force has once been in contact with, "An officer working with the crown utilized this database without the knowledge of the crown or defense. The judge declared that the police not only engaged in improper investigations after the jury was selected but used similar searches during the jury selection process." The judge [concluded](#) that "a reasonable jury could only conclude that the jury selection process was unfair" Justice Terrence Morrison dismissed the jury due to "improprieties" and decided that he will hear the case alone.

The trial is to continue with scheduled proceedings and is expected to take four months or less for the presentation of evidence and deliberations.

GATINEAU ADOPTING THE PHILADELPHIA

incidents of sexual violence due to being dismissed or because they do not know how to navigate the legal system. As such, this program will be able to support victims in understanding their legal options.

The program will be running over a three-year pilot period and is funded through \$700,000 that was given by the Ministry for the Status of Women. One of the main priorities of the Ministry is to focus on ending violence against women and girls. Hopefully, similar types of programs will continue to be created in order to support and help victims of sexual violence.

551 Child exploitation charges against 122 individuals in Ontario

With a total of 122 individuals being charged within the province for the month of November only, child exploitation is at a new high in Ontario.

According to the Ontario Police Services, this only illustrates a snapshot of the actual amount of crime against children. In reality, it is a "[multimillion-dollar business](#)". Unfortunately, it appears that victims are only getting younger while the abuse is only getting more violent, with the youngest victim being only 3 years old. Inspector Tina Chalk, from the OPP'S exploitation and



MODEL FOR SEXUAL ASSAULT VICTIMS

Earlier this month, [Gatineau police announced](#) they are adopting what's known as the "Philadelphia model" in order to take a second look at sexual assault complaints that were unresolved or deemed unfounded in 2018. As the name suggests, the Philadelphia model, first adopted by police and community leaders in the city of Philadelphia. The important goal is to improve the effectiveness of sexual assault investigations and restore confidence and faith in the work police do regarding sexual assault complaints. The police will work with [four local agencies](#) to review how these cases are treated. The agencies include the *Centre d'aide aux victimes d'actes criminels de l'Outaouais* (CAVAC), the *Direction de la protection de la jeunesse*, the *Directeur de poursuites criminelles et pénales*, and the *Centre d'intervention en abus sexuels pour la famille*. Working alongside police investigators, the agencies will be able to assist in determining what more can be done in a sexual assault case/investigation.

The Philadelphia model's approach is [two-fold](#); the first step is to provide a safety net for victims. It is meant as the last link in the investigation to ensure that every case has been looked at with all possible lenses before that case is closed. The second part of the process is to identify trends or observations across cases, allowing those outside the police force who have expertise in sexual violence and trauma to make recommendations to the force to allow officers to develop new skills and approaches to different aspects of the investigations, including treatment and interviewing of victims.

The [benefits](#) to adopting this model is that cases will be more thoroughly examined, which may lead to more arrests and charges being laid. This could increase the community's faith in reporting sexual assaults, as victims will feel their cases are being taken seriously and that experts in the field will have a say in the investigation.

[Kathleen Dufour](#), the director general of CAVAC explained during the announcement earlier in the month "In a time of 'me too' we must give victims —

missing person section states "some of these victims are so young they cannot report the crimes because they have not uttered their first word".

It appears that child pornography is a borderless crime. As OPP Staff Sgt. Sharon Hanlon specifies, "I think it's clear that this crime crosses all demographics of wealth, employment, social status and age". The frequency and impact of this type of crime needs to be appropriately dealt with. In fact, according to Dr. Michelle Ward, the head of child and youth protection at CHEO, [one in 10](#) children are abused before the age of 18. As a consequence, they are 3.5 times more likely to suffer from mental health problems. With these findings only being the 'tip of the iceberg', it is important that further approaches be put in place to respond to this national issue.

NEW TOOL AVAILABLE FOR HARD OF HEARING VICTIMS OF CRIME

P.E.I. Victim Services division has introduced [pocket talkers](#), a device that helps with hearing in an effort to ensure more accessibility within the justice system for residents with hearing loss.

Pocket talkers are hearing accessibility tools that help improve communication in difficult listening environments, such as lawyers' offices, and can be



women, men and children — the confidence to break their silence, to speak to police, and to be received with respect and dignity." Dufour went on to say, "We hope this committee will improve transparency, while at the same time allowing victims to know which support services are available to them."

Other cities in Canada have already adopted the Philadelphia model, including [Calgary](#). As the first to introduce the model in their community in 2017, the Calgary police task force investigated 1,134 sexual offences that year, a 39.5% increase from their five-year average. That's great progress!

[Gatineau police said](#) any complainant who wants their case reviewed can make a request in person at a Gatineau police station, or online at police.gatineau.ca

SUPREME COURT QUASHES MANDATORY VICTIMS' SURCHARGE FOR CONVICTED CRIMINALS

The Supreme Court of Canada had revoked the mandatory victim surcharge in [section 737](#) of the Criminal Code, where it has been found that the surcharge is a "[cruel and unusual](#)" punishment prohibited by section 12 of the Charter". The victim surcharge was first introduced in 1989 as a way to make offenders more accountable and to offset some of the costs of funding victims' programs and services.

Currently, the victim surcharge [required everyone](#) who was discharged, pled guilty to, or was found guilty of an offence under the Criminal Code or the Controlled Drugs and Substances Act to pay an amount equal to 30% of any fine imposed. Where no fine was imposed, \$100 for each offence punishable by summary conviction and \$200 for each offence punishable by indictment. Before 2013, judges were allowed to waive the fine if the offender was poor.

In the 7 to 2 ruling, the Supreme Court justices said making the fine mandatory does not allow sentencing

used during one-on-one conversations. The device helps to amplify and improve the clarity of sound.

What began as a program to have lawyers across P.E.I equipped with pocket talkers in their offices has grown into a mission to make all legal departments in the province more accessible for Islanders with hearing impairments.

SPOTLIGHT ON RESEARCH

A Longitudinal Examination of Teen Dating Violence from Adolescence to Young Adulthood

In an ongoing research study led by [Dr. Ryan C. Shorey](#), he studies the correlation between youth dating violence and the continuation into young adults.

Teen dating violence (TDV) is a serious and prevalent public problem. Each year approximately 20-30% of teens will perpetrate and be victimized by physical aggression, 10- 20% will perpetrate and be victimized by sexual aggression; and 50% will perpetrate and be victimized by psychological aggression.

TDV victimization is associated with increased mental health symptoms (e.g., depression, posttraumatic stress disorder, suicidal ideation,



National Justice Network Update



judges to consider mitigating factors and undermines the serious problem of [Indigenous overrepresentation](#) in prison.

The Federal Ombudsman for Victims of Crime, Heidi Illingworth, said the court's decision will leave "[critical gaps](#)" in funding victims services, although Illingworth is "hopeful that Bill C-75 will address offender accountability while offering judicial discretion to avoid undue hardship to offenders."

The Court also left open the possibility that individuals already subject to surcharge amounts that they cannot pay and can no longer challenge could obtain "[remedies](#)" from the unconstitutional effects of the surcharge, either by seeking an individual remedy under section 24(1) of the Charter.

The decision by the Supreme Court of Canada means that judges cannot order victim surcharges anymore. The majority noted that cruel and unusual punishment happens both when it is imposed and when it is enforced. A convicted person who was ordered to pay a surcharge before the law was struck down, could [challenge it](#) when brought to court to explain the non-payment reasons.

risky sexual behavior, sexually transmitted infections (STI), and poor school performance).

Findings suggested physical TDV risk of onset was at or before ages 15 to 16 for females and at or before age 18 for males. For sexual TDV perpetration, the risk was similar for males and females during adolescence, before increasing for males, yet not for females in emerging adulthood. The knowledge gained from the study could provide policymakers and practitioners with the most up-to-date and critically important information that will be relevant to the development and refinement of TDV intervention and prevention programs.



National Justice Network Update



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