



National Justice Network Update



June 2018

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Greetings!

Welcome to the **June** 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/>.

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RCMP issues statement of apology to families of missing and murdered Indigenous women and girls

The RCMP declares that they share the same goals as the Government of Canada and the Commissioners of the National Inquiry into Missing and Murdered Indigenous Women and Girls — to examine the systemic causes of violence against Indigenous women and girls in Canada, and prevent and eliminate further violence.

The head of Canada's national police force apologized to the families of missing and murdered Indigenous women last month while pledging improved relations with Aboriginal communities. The inquiry has been holding hearings for more than a year, and time and again stories have surfaced of police not taking the cases of missing Indigenous women seriously. Victims were frequently written off by investigators as sex trade workers or addicts.

On June 25th, 2018 RCMP Commissioner Brenda Lucki [delivered a statement](#) at the start of the Institutional Hearing:

"Thank you so much for having me here today. I'd like to acknowledge the land we are gathered on is Treaty 4 and the traditional territory of the Cree and

QUICK LINKS

Visit our [website](#) to access our live chat service. A trained CRCVC staff member will be happy to help.

[Congratulations to Algonquin College Victimology graduate Shawn Fillion](#), who recently won the annual CRCVC advocacy award for his outstanding achievement in academics, student life and practicum. We wish him all the best!

Victim's family says notorious [killer Robert 'Willy' Pickton moved to Quebec](#)

The fight against fraud starts with you. [Learn to recognize, reject and report it.](#)

History Of Canadian Pride: [Milestones In The History Of Pride Across Canada](#)

[Military prosecutors stress there are 'no rules' for how sex assault victims should behave.](#) A prosecutor told a military panel that suggesting sexual assault victims need to act a certain way after an assault reinforces "archaic sexual myths."

UPCOMING EVENTS

North American Post Graduate Course on Victimology, Victim Assistance and Criminal



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Saulteaux, Assiniboine and Métis people.

The Inquiry and these Hearings have provided families with an opportunity to tell their truths. I am listening, and I will continue to do so throughout my tenure as Commissioner.

This week, the National Inquiry is hearing from police for the first time. I want to take this opportunity to acknowledge the families of missing and murdered Indigenous women and girls. Thank you so much for having the courage to speak up about the injustices you experienced and the times you felt disrespected, ignored and neglected by the RCMP.

On behalf of myself and my organization, I am truly sorry for the loss of your loved ones and for the pain this has caused you, your families, and your communities. I'm sorry that for too many of you, the RCMP was not the police service you needed it to be during this terrible time in your life.

It's very clear to me that the RCMP could have done better. I promise to you, we will do better. You are entitled to nothing less than our best work in your communities.

I believe it's never too late to do the right thing, and I want this apology to be one more step in the RCMP's commitment to Reconciliation. Although we're not the only solution to the issue of violence against Indigenous women, girls and the Two-Spirit-LGBTQ community, we know we have a large role to play when it comes to preventing that violence, and bringing perpetrators to justice."

[Diane Bigeagle](#)'s daughter, Danita Faith Bigeagle, was 22 years old when she was last seen in Regina in 2007. She is a mother to two, and her case remains with the Regina Police Service cold case unit. "(It) takes a lot to admit maybe you could do better and I like that, you know it makes me feel good anyway to hear that," Bigeagle said. She would like to attend the hearing throughout the week because she wants people to remember her daughter is still missing. "A lot of these people are going through the same thing as me and so they know how I feel and I know how they feel."

Bigeagle has experienced trust issues when it came to

Justice

When: July 29–Aug 5, 2018

Where: Stockton University, New Jersey

Click [here](#) to register and for more information click [here](#).

Online Training Initiative To Address Human Trafficking presents:

Stories and signs: tales from the U.K. of the trafficking of men and boys for forced labour, with questions for Canada

When: July 26th, 3:00 PM EDT

Where: [Register here](#) for free to access the online event

MADD Edmonton Chapter: Strides for Change 5K Walk/Wheelchair Event

When: July 26th

Where: Victoria Park Site #6, Edmonton, Alberta.

[Registration](#) starts at 9:00 am / Event starts at 10:00 am

National Organization for Victim Assistance 44th Annual Training Event "Be the Voice"

When: August 20-23, 2018

Where: Jacksonville, Florida

For more information on speakers, plenary sessions and to register, please visit [NOVA website](#).

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



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her daughter's case. What she wishes RCMP could do is to improve Indigenous relations and fulfill its promising improvements.

Chief Commissioner, the [Honourable Marion Buller](#), said she thought the apology was "very heartfelt. I thought it was sincere." However, when asked if the apology was enough Buller said, "I think we have to wait until the end of the week to really to have the full picture to give a good comment on that...proof will be in what happens on the ground."

Trafficking in persons in Canada, 2016

Trafficking in persons, or human trafficking (the action or practice of illegally transporting people from one country or area to another, typically for the purposes of forced labour or commercial sexual exploitation), is a global issue and difficult to measure due to its hidden nature.

According to the [Uniform Crime Reporting Survey](#), there were 340 incidents of human trafficking in 2016, accounting for about 0.02% of all criminal incidents reported by the police. These violations represented a rate of about 1 incident for every 100,000 Canadians.

From 2009 to 2016, there were 1,099 police-reported incidents, which involved a human trafficking offence, this number and rate of human trafficking incidents has risen steadily since 2010. The vast majority of human trafficking victims were women (95%) and 70% of these women were under the age of 25. At the same time, most offenders in these incidents were male (81%). Two-thirds (66%) of those accused of a human trafficking offence from 2009 to 2016 were young men aged 18 to 34.

Anyone can be a victim

Stories about human trafficking that make it into the headlines in Canada involve women from other countries being brought here and forced into sex work, but those who work with trafficking victims in this country say the majority are Canadian-born teenage girls. Girls are recruited in various ways — at school, on Instagram, and at the mall. Most continue to live at home while carrying out sex work at local motels or



The drop-in support group will be breaking for July & August, but will resume in early September 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! Next meeting:

When: September 5, 2018

Time: 7:15-9:15 pm

Where: Rideau Sports Centre, Community Room, 1 Donald Street, Ottawa

6th Free-Them Freedom Walk raises awareness and funds to end human trafficking and exploitation in Canada

About: [to raise awareness](#) and funds to end human trafficking and exploitation in Canada.

When: Saturday, September 22nd, 2018

Where: The Hyatt Regency Hotel, 370 King St W. Toronto
[Registration](#)



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condominiums.

"Human trafficking targets young adolescents trying to fit in," says Jennifer Keeler, a nurse practitioner at Chantel's Place. "They are vulnerable to someone giving them attention."

According to police, human trafficking doesn't have to involve the crossing of a border. Any forced recruitment, confinement or transportation of a person for the purposes of exploitation falls under the Criminal Code definition of trafficking. Trafficking for sexual exploitation is just one form of the crime. Others include forced labour and domestic servitude.

Human trafficking is now the fastest growing criminal industry in the world. It's very lucrative, and business is booming, says Shae Invidiata, founder of [Free Them](#), a Toronto-based anti-trafficking organization that has helped rescue 500 victims (and counting). "One girl in Canada can make a pimp \$300,000 a year," Invidiata says. "It's happening everywhere. Whenever I give a talk at a high school, someone will come up to me and say, 'I didn't know this is what it was called, but I think it's happening to my friend.'" Girls and young women from all socioeconomic backgrounds are hunted in malls, coffee shops, movie theatres, outside their schools and, increasingly, online. "Don't fool yourself into thinking this couldn't be your sister, your daughter, your niece," Invidiata says.

A few of the red-flag behaviours to watch out for in young girls, she said include: extended periods when whereabouts are unknown; sudden changes in routine; having more than one cell phone; receiving expensive gifts; extreme tiredness and unexplained absences from school.

Sexual assault acquittal 'sends women back 50 years,' says advocate

Two former University of Ottawa Gee-Gees hockey players were found not guilty of sexual assault on Monday June 25, 2018. Guillaume Donovan and David Foucher were not guilty of sexual assault after a trial earlier this year in Thunder Bay, Ontario.

Intensive Training: Trauma, Grief & Resiliency with Anna Kosina, M.A., C.Psych. Assoc (Official Trainer) of the Traumatology Institute

About: to enhance our knowledge of how trauma and grief intersect and how we can better work with our clients who are grieving but have also had traumatic experiences in their grief or in their past that impacts their grief.

When: October 11 – 13, 2018

Where: Geneva Park YMCA Conference Centre, Orillia, Ontario

[Registration](#)

Walking Through Grief – Helping Others Deal with Loss

About: This is an introductory-intermediate level workshop intended for counsellors, family support workers, mental health workers, community workers and others supporting people working through grief.

When: Monday Oct 22 - Tuesday Oct 23, 2018 (9 AM - 4 PM)

Where: Moncton, New Brunswick – Crowne Plaza Moncton Downtown

[Registration](#)

[SNAPSHOTS](#)

National Day of Remembrance for Victims of Terrorism

On June 23rd, we mark the National Day of Remembrance for Victims of



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The complainant cannot be identified due to a publication ban. The young woman told court she had met a Gees-Gees player, Donovan's roommate, on the Thunder Bay trip, through the Tinder dating app, and they had arranged to meet at a local bar during the post-game celebration. The woman and Donovan's roommate then returned to his hotel room and began having consensual sex. The complainant alleged they were interrupted when two of his teammates forced themselves on her in the hotel room.

Donovan said in his testimony the roommate asked the woman if he could join them and she agreed. In his testimony, Donovan said the woman never resisted, but they didn't exchange any words that night. Lawyers for Donovan and Foucher said their clients are relieved and feel vindicated by the decision. "The judge went as far in her judgment in saying that she believed the accused, that they were credible when they explained what happened ... so that's the best result we could achieve," said Donovan's lawyer Christian Deslauriers. In response to the delivery, Foucher's defense lawyer Celina Saint-Francois stated, "What Justice Brochu had specified is that obviously they might not have been on their best behaviour that night, but there was certainly no criminal behaviour."

Brochu said in her judgment that she doubted the complainant's credibility, in part because several times in the woman's testimony she denied talking to or texting Donovan's roommate about the incident after the police investigation began. What Brochu heard in court didn't meet the bar for criminal conviction.

Aftermath of judge conclusion

Christian Deslauriers, Guillaume Donovan's defense lawyer, had stated, "In the #MeToo era it's very easy to throw the stone, but it's very hard to put a shield against this. Some people would just resign from their jobs without even having a trial or clearing their names."

An Ottawa women's rights advocate, Julie Lalonde, says the verdict in a high-profile sexual assault case involving two former University of Ottawa hockey players could discourage victims from coming forward, "An acquittal like this is certainly not going to

Terrorism in Canada. At the CRCVC, we remember the bombing of Air India Flight 182 off the coast of Ireland in 1985 and honour all Canadians impacted by terrorism at home or abroad.

Senate passes impaired driving bill with controversial mandatory screening provisions

The Liberal government's impaired driving legislation has cleared its last hurdle in the Senate with the controversial screening measures left in the bill.

Mandatory screening will allow police to take a breath sample from drivers they pull over without having reasonable suspicion of impairment.

The bill is expected to receive Royal Assent in the Senate, alongside the government's cannabis legalization legislation Bill C-45.

The bill is split into two parts:

Part 1 creates three new offences for driving under the influence of various amounts of drugs, including marijuana, and sets out legal limits for how much can be present in a driver's blood. It also requires individuals not to drive within two hours of being over the legal limits. It also allows police to conduct tests to determine if a driver is on drugs using "approved drug



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encourage more women to come forward, that's for sure."

Lalonde believes one of the major issues throughout the case is "third-party disclosure" — when someone's sexual assault is reported by someone else, "this is never ideal for the victim...It's certainly not ideal for the accused." Both defence lawyers attacked the victim's credibility and pointed to how her story changed from what she told the friend who picked her up from the hotel, to her police interviews and court testimony. "People need to understand that trauma impacts memory," Lalonde said. "We have this belief that someone's ability to tell everything from A to Z in the perfect order is a sign they are telling the truth. In fact, it's usually a sign that what they're telling is scripted."

The CRCVC believes victims who disclose sexual violence should be believed and supported and we provide resources and information on sexual assault. Check out our recently updated our information paper entitled: ["It's Not Your Fault": Coping With Sexual Assault](#).

Defence lawyer asks alleged incest victim why she didn't clench her legs together

A defence lawyer who asked a young woman why she didn't clench her legs together to prevent her father from pulling down her pants and allegedly raping her has been admonished by a Calgary judge, who dismissed a mistrial application. The alleged victim was 19 years old when she moved to Canada to live with her father in 2013. In 2014, he allegedly had intercourse with her three times. She testified she was afraid and felt she could do nothing to stop her father's advances.

"You would agree with me then ... all you had to do was clench your legs together and your pants would have been unable to move," said defence lawyer Krysia Przepiorcka in her cross-examination of the young woman. The line of questioning was ultimately deemed by Court of Queen's Bench Justice Gillian Marriott to be "founded on rape myths."

Przepiorcka made an application for a mistrial arguing

screening equipment."

Part 2 of the law raises the maximum penalty for impaired driving from five to 10 years for a first-time indictment of dangerous operation of a motor vehicle.

Read more about the new bill [here](#). The CRCVC strongly supports mandatory screening, which is widely acknowledged as one of the most effective means of deterring impaired driving. It has been adopted in New Zealand, Australia and most European countries, and has helped to reduce overall road crashes and fatalities, [according to MADD](#). It is an important step in reducing impaired driving and also in preventing crashes, deaths and injuries across Canada.

Peter Khill not guilty in fatal shooting of unarmed First Nations man Jon Styres in Hamilton, ON

Peter Khill previously admitted he fired the two, close-range shotgun blasts that [killed 29-year-old Styres](#) in Khill's suburban Hamilton driveway on the night of Feb. 4, 2016.

Khill told court that at the sight of those lights his military background kicked in and he grabbed a 12-gauge shotgun from his bedroom closet, loaded it with two shells and headed outside to



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the judge had "inappropriately entered the fray and improperly limited cross-examination." Marriott dismissed that application, finding "a reasonably informed person would understand the problem with rape myths, and defence counsel has failed to adequately articulate the relevance of this question, and in my view it is irrelevant and inappropriate."

The CRCVC agrees that the defence's line of questioning constitutes victim blaming and the further perpetuation of rape myths such as, women can prevent rape by fighting off the perpetrator, and should not be permitted in Canadian courtrooms.

Tribute to Michael O'Connell, the Commissioner for Victims' Rights, South Australia

The Commissioner is appointed by the governor and is an independent body that helps victims in their dealings with the criminal justice system and government agencies. The Marshall Liberal Government announced in June the appointment of a new Commissioner for Victims' Rights. [Mr. Michael O'Connell](#) held the position since it was created in 2006. Bronwyn Killmier, an assistant commissioner with South Australian Police, will replace Michael O'Connell on a five-year term.

Before his appointment as Commissioner, Michael was South Australia's first Victims of Crime Coordinator. Previously, he served for over 20 years as a police officer during which he was the inaugural Victim Impact Statement Coordinator.

Commissioner O'Connell was also a founding member of the South Australia Institute of Justice Studies and a former member of the SA Justice Administration Foundation. He is a life member of the Institute; and for over a decade on behalf of the Institute chaired the Law Week Committee, convened the annual Justice Oration and organised the Justice Awards for Media Excellence.

Mr. O'Connell remains the executive for the World Society of Victimology, Michael has spoken at side-events at the UN Commission on Crime Prevention and Criminal Justice (2009, 2014), and spoken at ancillary meetings at the UN Crime Congress (2010) as well as the high-level segment of the UN Economic and Social

"confront and detain" whoever was out there.

The Crown's position was that Khill was not acting in self-defence and that instead of calling the police and staying safe in his home when he realized his truck was being broken into, he "took the law into his own hands."

"It is inexcusable that he did not call 911," said the Crown, in its closing statement, suggesting also it was Khill's shouted instructions that caused Styres to jump in surprise, which was enough motion for the man with the gun to feel frightened and open fire.

SPOTLIGHT ON RESEARCH

Department of Justice Canada - [Victims of Crime Research Digest No. 11](#) (2018)

The Victims Week issue of the Digest begins with a review of departmental research on the use of testimonial aids – tools that help witnesses testify in criminal proceedings. Thirty years after legislation first authorized their use, author Susan McDonald explores what we know and what more we need to learn about these important tools. The second article, written by Alisha Shivji and Dawn McBride, examines strategies victim services volunteers can use to cultivate compassion



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Council (2012).

Attorney-General Vickie Chapman says, "I would like to thank him for his dedicated service and wish him well in the future", "Mr. O'Connell has served this State well during his 12 years in this important role, and on behalf of South Australians, particularly, victims of crime, I would like to thank him for his dedicated service and wish him well for the future."

The CRCVC wishes Michael O'Connell all the best in his future endeavours. He has been a steadfast and passionate advocate for victims of crime and many people voiced their [support](#) for him following the announcement of his departure.

satisfaction, and avoid compassion fatigue and burnout. The article is informed by one author's personal volunteer experience, but will also resonate with those who have served in a professional capacity with victims. The third article, by Cynthia Loudon and Kari Glynes Elliott, is a summary of a multi-year, multi-site study on the development of Child Advocacy Centres in Canada. The next article, by Jane Evans, Susan McDonald and Richard Gill, reviews a study of the experiences that crime victims and survivors have had with restorative justice in Indigenous communities. In the final article, authors Carly Jacuk and Hassan Rasmi Hassan survey the case law on third-party records from 2011-2017. Click here to [read the Digest](#).