



National Justice Network Update



May 2018

Volume 24, Issue 5

Greetings!

Welcome to the **May** 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/>.

Want to [print the newsletter](#)?

Canadian Resource Centre for Victims of Crime
Visit: <http://www.crcvc.ca>
Email: crcvc@crcvc.ca
Phone: 1.877.232.2610

ENDING VIOLENCE Association of Canada



REDUCING INTIMATE PARTNER VIOLENCE BY MODERNIZING OUR FEDERAL LAWS

By: Tracy Porteous, Co-Chair, Ending Violence Association of Canada
Heidi Illingworth, Executive Director, Canadian Resource Centre for Victims of Crime

As victims' advocates, we are committed to the goals of eliminating sexual and intimate partner violence and increasing safety for women and children. Justice

QUICK LINKS

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

N.L. initiative to change [reporting abuse laws could have a national impact](#)

Survivors of sexual violence reveal an important truth. [Watch this powerful video.](#)

[Lesbians, gays and bisexuals](#) more likely than heterosexuals to experience violent victimization

Every dollar donated in June is a chance to win! In June, donate to CRCVC as part of the Great Canadian Giving Challenge and we will have a chance to win \$10,000 from Canada Helps. [Click here to donate.](#)

Saskatoon, Prince Albert YWCAs receive [\\$1.4M to support victims of violence](#)

[Read our submission](#) to the Members of the Standing Committee on Public Safety and National Security on Bill C-71 – Firearms Regulations and Public Safety.

UPCOMING EVENTS

International Justice and Victims' Rights Summer School



CANADIAN RESOURCE CENTRE FOR VICTIMS OF CRIME
Ensuring the equitable treatment of crime victims in Canada



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Minister Jody Wilson-Raybould continues to show her commitment to these goals, too. The Minister introduced Bill C-78 on May 22nd, which comes on the heels of bold reforms, which were introduced last month in C-75. These bills make concrete improvements to the family law and criminal justice systems.

Reducing Violence by updating the Divorce Act

Bill C-78 reflects long overdue changes that advocates have been calling for over the past decade. As people who work with survivors every day, we can confidently say that our federal family laws are in desperate need of amending to better address the needs of Canadian families, particularly women and children exposed to violence. As we all know, divorce and separation are processes that can be dangerous for those trying to leave abuse and violence. Over 2 million Canadian children live in separated or divorced families, yet the federal *Divorce Act* has not been overhauled in over 20 years. Until now.

Under the *Divorce Act* currently, there is no mention of how violence in a relationship could be a relevant consideration in parenting after divorce. Bill C-78 closes this gap by providing a definition of family violence, and requiring courts to take family violence into account when determining parenting arrangements. The bill defines family violence as any conduct that is violent, threatening, causes a family member to fear for their safety, or involves a pattern of coercive and controlling behaviour.

Finally, the bill would require family law courts to proactively inquire about existing civil protection, child protection or criminal court proceedings involving the parties, which is important in ensuring that these orders are upheld and reinforced, protecting the safety of survivors. This change is significant because up until now, family courts were not required to consider the proceedings in other courts. Considering the possible existence of other protection orders related to violence is a key protective action our family courts will now be required to take.

Reducing Violence by updating the *Criminal Code*

The changes proposed in Bill C-75 further strengthen the federal legislative response to intimate partner

A bilingual course led by several internationally renowned experts in the fields of criminology and law.

When: June 4th – June 9th, 2018

Where: Université de Montréal

Click [here](#) for more information, or [here](#) to register.

16th Asian Postgraduate Course on Victimology, Victim Assistance and Criminal Justice (APGC)

When: June 4th – 14th, 2018

Where: City University of Hong Kong

Deadline for registration is May 1st. Click [here](#) to register.

16th International Symposium of the World Society of Victimology

Victims and Victimization: Moving Towards an International Victimology

When: June 10th – 14th, 2018

Where: Hong Kong

Deadline for early-bird registration is March 31st. Regular registration is from April 1st to June 9th. Click [here](#) to register.

Shelters of the Future: A National Conversation

Hosted by Women's Shelters Canada, this will be a unique opportunity for shelter and transition house (TH) workers to share and learn from their peers.

When: June 13th – 15th, 2018

Where: Ottawa, Ontario

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

North American Post



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violence (IPV) as well.

Briefly, the proposed changes in Bill C-75 as they relate to IPV include: emphasizing the need for courts to consider IPV when decisions about bail and sentencing are made; clarifying that strangulation, choking and suffocation is an elevated form of assault; defining "intimate partner" for all Criminal Code purposes and clarifying that it includes current or former spouses; clarifying that the current sentencing provisions, which treat abuse against a spouse or common law partner as an aggravating factor, apply to both current and former partners; and allowing for the possibility of seeking a higher maximum penalty in cases involving a repeat IPV offender.

Sexual and intimate partner violence is a reality for at least one in two (50%) women in Canada. Women who are Indigenous, trans, older, new to Canada, living with disability are at increased risk of experiencing violence due to systemic barriers and failures. The personal and often life-long consequences of violence against women are enormous. The introduction of these two bills shows that the Government, and the Justice Minister, are tuned into these complex issues. Women, and children are being heard. Women, and children's safety is being seen as a priority.

We believe bills C-78 and C-75 will put in place needed and progressive reforms so that women and children will be kept safer.

We applaud our Minister of Justice for this leap forward as we fully believe these reforms will concretely and practically increase the safety of women and children harmed by this violence.

FEDERAL GRANT FOR PARENTS OF MISSING OR MURDERED CHILDREN OVERHAULED

Changes to a federal program aimed at helping parents who have lost a child as a result of abduction or crime will provide easier access and more money.

As part of the overhaul, which will take effect in the fall, the program will be renamed the Canadian Benefit

Graduate Course on Victimology, Victim Assistance and Criminal Justice

When: July 29th – Aug 5th, 2018

Where: Stockton University, New Jersey

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

National Organization for Victim Assistance 44th Annual Training Event

When: August 20th-23rd, 2018

Where: Jacksonville, Florida
Keep an eye on the [NOVA website](#) for event hotel reservation information and registration options coming soon.

SNAPSHOTS

Senators remove random roadside tests from Bill C-46

The Liberal government says it still intends to pass its mandatory alcohol screening provisions for police, even though a group of Tory Senators, along with one Liberal, voted to remove it from the government's impaired driving framework this month.

Justice Minister Jody Wilson-Raybould told reporters it was "irresponsible" to take out the "centrepiece of this legislation," and then blamed the Conservatives for stripping the provisions from the bill.

"We are determined to ensure





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for Parents of Young Victims of Crime.

"This will ensure that parents get the support they need when they need it," Duclos told reporters in Ottawa. "Going forward, more parents will be able to take time to focus on what is most important to them in their lives."

The grant came into effect under the Harper government on Jan. 1, 2013, with the Conservatives estimating that the budget of \$10 million a year would help 1,000 families annually. But fewer than 75 applications have been received since then, and just over half of those have been eligible for funding.

As of April, the government had paid out just over \$400,000 of the \$53 million available — less than one per cent of the total budget. "It's no secret to anyone that (the program) wasn't and still isn't as effective as it should have been," Duclos said.

Under the new rules, the age limit of young victims will increase from 18 to 25, and parents will be allowed to work up to 20 hours a week while receiving the grant. The funding is reserved for parents of children who have been victims of a crime, but parents of children under 14 will no longer have to attest that their child was not a willing party to the crime to receive the grant.

Parents will now be eligible for weekly payments of \$450 for up to 35 weeks for a total of \$15,750, up from \$12,250. They can also receive the grant in the first two years after the offence, up from one year.

However, the government doesn't expect the grant's \$10-million budget to be paid out in full, even with ongoing efforts to increase awareness of the program. It estimates about 100 families are eligible for the grant under the existing criteria, based on Statistics Canada data. By increasing the age limit to 25, the government estimates a total of about 320 families may be eligible each year, which would still amount to just \$5 million annually. But that's still a major increase over the figures to date — in April, Duclos' office calculated that less than \$90,000 had been paid out in the previous 12 months.

Liberal MP Bill Blair, the former Toronto police chief, said violent crime has declined over the past 15 years,

mandatory alcohol screening goes forward," she told reporters before entering the House of Commons. "Partisan politics has nothing to do with saving people's lives, and mandatory alcohol screening will save lives."

Senators on the Legal and Constitutional Affairs committee – Tory senators with the support of Liberal committee chair Sen. Serge Joyal – removed provisions allowing random breath testing for alcohol impairment out of the Liberal government's Bill C-46.

The screening provisions would authorize police to demand a breath sample from drivers they pull over without first needing reasonable suspicion that they are drunk.

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](#). Shame on the Senators who removed this from the Bill, as it was an important step in reducing impaired driving and also in preventing crashes, deaths and injuries across Canada.

Edmonton homicide victim fled Senegal with children; estranged husband charged





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but there has been a recent uptick in gun violence in urban centres. “The victims of those crimes far too often are young Canadians,” he told reporters. “Perhaps the most significantly impacted population cohort was young males between the ages of 18 and 24.”

The Liberals have promised changes to the grant program since August 2017. The government had been aiming to announce changes before the end of 2017, but was unable to meet that deadline. It plans to review the program in five years.

The CRCVC is pleased by this news, as we were involved with the review of the program and provided many ways in which the scope was too limited. We believe there is still significant work to do for the program to become widely known, particularly among Indigenous communities.

A 41-year-old Edmonton man has been charged in the death of his estranged partner who was found dead inside of an Edmonton-area home this month.

Court documents show Ahmadou Bamba Mbaye has been charged with second-degree murder and possession of a weapon dangerous to the public (a knife) in the death of 33-year-old Bigue Ndao.

According to Xalima News based in Senegal, the family had two young daughters, who were both born in Canada.

DROP-IN SUPPORT PROGRAM FOR “LOSS TO VIOLENCE” A HUGE SUCCESS

**MONTHLY “LOSS TO VIOLENCE”
SUPPORT GROUP MEETING
STARTS JUNE 27th, 7:15-9:15 PM
RIDEAU SPORTS CENTRE
RSVP - CRCVC@CRCVC.CA
613-233-7614**

CANADIAN RESOURCE
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OF CRIME

CENTRE CANADIEN DE
RESSOURCES POUR LES
VICTIMES DE CRIMES

In December 2017, Mbaye decided to return to Senegal with his family to live there permanently. He confiscated his wife and children’s passports so they could not return to Canada. Mbaye also took a second wife.

Ndao was able to locate the documents and brought her children to Edmonton. Mbaye came to Canada and was searching for Ndao.

“They were already separated so that just demonstrates once again that a woman’s risk goes up and increases when she leaves an abusive situation,” said Patricia Garrett, executive director of Wings of Providence.

Our hearts go out to Bigue’s children and family. We have seen a spike of femicides

On May 30th, the CRCVC launched a drop-in support





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group for family members of homicide victims. Funded as part of Victims and Survivors of Crime Week 2018, this group addresses a gap in the community and offers a place for peers to support each other in healing. Eleven family members came out to the launch event.

Going forward, the support group will be held on the last Wednesday of the month from 7-9pm. We welcome all family and loved ones to join us!

Please "like" the CRCVC on our [Facebook page](#) in order to keep updated about the location of the gathering, as it is subject to change.

LEGISLATION AIMS TO ADDRESS GAPS IN CANADA'S MILITARY COURTS WITH VICTIMS' BILL OF RIGHTS

The federal government is promising to close what some consider significant and long-standing gaps within the [country's military court system with a new declaration of the rights of victims](#). Defence Minister Harjit Sajjan unveiled proposed legislation in May, which would provide victims in military cases with many of the same rights to information, protection and participation as those already available in the civilian system.

The new legislation would also require military tribunals to consider the circumstances of Indigenous offenders when deciding on jail time and require formal courts martial for criminal cases rather than leaving some with unit commanders.

The proposed legislation includes provisions that would let victims better track their cases, seek compensation from perpetrators, and establish special liaison officers to help military members, families and civilians navigate the system.

It also broadens the ways in which victim impact statements can be delivered during courts martial and gives victims the right to complain if they feel their rights have been violated.

The plan to strip commanding officers of their power to hear serious cases, particularly those of a criminal nature, is also a significant shift in terms of perceived

across Canada, with fifty-seven (57) women being killed in Canada so far this year (as of April 30, 2018).

"That's one woman or girl every other day in Canada that's being killed," said Myrna Dawson, a professor at the University of Guelph and head of the Centre for the Study of Social and Legal Responses to Violence. [Read more.](#)

SPOTLIGHT ON RESEARCH

"Victims of police-reported violent crime in Canada: National, provincial and territorial fact sheets, 2016"

This Juristat presents fact sheets for each province and territory. These fact sheets focus on statistics from the Uniform Crime Reporting Survey (UCR) on the number of victims of violent crime according to police-reported data, the types of crime experienced, as well as victim characteristics for each province and territory. Table A, presented here, provides the total number of victims of violent crime and traffic violations causing death or bodily harm (by age and sex) reported by police in each of the provinces and territories. Each fact sheet of the report then provides more in-depth highlights of the characteristics of these victims and the offences against them.





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fairness, but also so commanders are better able to deal efficiently with minor disciplinary matters.

“We are going to adjust resources if necessary to make sure that the process goes as quickly as possible, that we can have cases that are heard, and more importantly, justice for the victims.” “It is not a panacea,” Michel Drapeau, retired Colonel, said of the impact the proposed changes would have on the military justice system, “but it is a very good step in the right direction.”

In addition, the fact sheets present selected indicators on the provision of victim services in each jurisdiction. This information was collected directly from provincial and territorial victim services directorates through the new CVSI survey. Read the [full article here](#).

