



National Justice Network Update



SEPTEMBER 2018

Volume 24, Issue 9

Greetings!

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

This newsletter was written and compiled by Carleton University Criminology placement students, Lin Bailey and Hailey Callaghan.

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

MINISTER OF JUSTICE ANNOUNCES NEW FEDERAL OMBUDSMAN FOR VICTIMS OF CRIME

We are extremely proud to announce that on September 24th, 2018, CRCVC Executive Director Heidi Illingworth was appointed to the position of [Federal Ombudsman for Victims of Crime](#). After spending 20 years in frontline service delivery for victims of serious crime and interpersonal violence and more than 11 years as the Executive Director of the Resource Centre, this position is well deserved. Her contributions to victim services have made her a strong advocate for victims of crime. She has also developed a number of information resources to help victim service providers along with individual victims and their families.

This appointment will be effective on October 1st, 2018, where Illingworth will take over the Ombudsman role for the next three years. This position requires her to confirm that the federal government meets their obligations to encourage access to existing government programs and services

QUICK LINKS

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

Loss of Inuit culture was highlighted at Missing and Murdered Indigenous Women and Girls inquiry in Iqaluit
[Learn more](#).

Police investigation continues for Maisey Odjick and Shannon Alexander, [two Indigenous teenagers who disappeared over a decade ago](#).

Conjugal violence can explain higher rates of incarceration of [Indigenous women](#).

Domestic violence cases might be considered as [honour crimes](#) in Saskatoon.

After long delays within the trial process, Adam Picard will be tried in an Ottawa court, almost six years after he was charged for murder. [Learn more](#).

[Health Department to investigate](#) why rape victim wasn't offered medical services at Truro hospital

[Calgary](#): Man charged with three counts of 2nd-degree murder

Concerns are growing regarding the recognition of a



National Justice Network Update



and to pinpoint and oversee universal and developing victim issues.

Congratulations Heidi, we couldn't be more proud.

RCMP YELLOWKNIFE JAIL SEXUAL ASSAULT VICTIM

In a shocking case from Yellowknife, the RCMP has come under fire from a judge for jailing the victim of a sexual assault instead of taking her to hospital or offering any other support. The victim was sexually assaulted at 9:30pm on May 28, 2017, in an alleyway behind the Capitol Theatre. Christopher Wood, the Cinema's manager, came upon this violent act when he exited the building. He found a man lying on top of a woman with her pants and underwear around her ankles. Her state at the scene was explained to be intoxicated, limp, and almost unconscious. Wood screamed to the woman "Are you being raped?" and when he received no reply he called the [Yellowknife RCMP](#) and also took photos of the victim and assailant.

Six minutes later, the RCMP arrived at the scene and arrested the accused Wade Kapakatoak who was two blocks away from the Cinema. Kapakatoak was charged fairly quickly after the arrest and pleaded guilty. The assault itself was captured on the surveillance camera located on the delivery door of the Theatre, which was enough for Kapakatoak's conviction.

The most concerning part of the case is the fact the RCMP arrested the victim for being publicly intoxicated. They did not take the nearly unconscious woman to a hospital for treatment of her potential injuries or to conduct internal examination/take semen samples. Instead of ensuring the safety and mental wellbeing of the victim, they took her to the police cells and locked her up.

The RCMP officer involved in the case testified that he arrested the woman "for her safety". This decision made by the officers was an outrageous choice, totally lacking compassion.

Last month in August 2018, a written ruling was released by [Justice Garth Malakoe](#) of the Northwest Territories court, who was outraged by the victim's

legislative framework of [Indigenous rights](#).

Former Jazz professor at the University of Manitoba, Steve Kirby is charged with [sexual assault](#)

[B.C.](#): Sean McKenzie was charged with first degree murder of Belgian hitchhiker

[Canada's military](#) reopening investigations into 23 sexual assault cases after reviewing 179 old cases that had been closed as "unfounded"

UPCOMING EVENTS

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



The drop-in support group will return mid-October 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: October 24th, 2018

Time: 7:15-9:15 pm



National Justice Network Update



repulsive treatment. Malakoe exclaimed that he was "... unable to imagine circumstances which would justify this type of treatment of a victim of sexual assault." It appears the victim was not treated with the dignity and compassion that she or any victim of a sexual assault deserves." The judge noted that police have not had a chance to provide any explanation for why they treated the victim as they did.

Thirteen months after the sexual assault trial began, the victim [disappeared](#) and was unable to be found by the Crown or the RCMP in order to testify. The court was told she moved to Edmonton, and the judge said, "Ultimately, if the victim is avoiding this trial as a result of this treatment, then her treatment by the police has affected the judicial process," wrote Justice Malakoe.

The RCMP has not yet released a public explanation as to why the officers decided to arrest the sexual assault survivor instead of finding her assistance. They have declined interviews regarding this case but clearly need to make improvements to training and sexual assault response.

Bree Denning of the Yellowknife Women's Society has urged authorities to establish places in the community, apart from the RCMP detachment and the hospital, where women can be taken after being sexually assaulted, she said. "Even a decade ago we were calling for alternatives for women who had been victims of assault rather than the hospital, because the hospital honestly is not always a welcoming place for women who are street-involved either," said Denning. "If the options are hospital or cells, that's not really a very valid choice for them." Since the arrest of this woman, an outreach program has been funded by Yellowknife to assist vulnerable men and women off the streets and into safer place, which can either, be a home or a shelter.

RESTORING THE DEFENSE OF EXTREME INTOXICATION IN A SEXUAL ASSAULT CASE IN ONTARIO

A recent decision made in an Ontario Superior Court regarding the use of intoxication in a sexual assault case may lead to serious repercussions for victims of sexual violence. In this specific case, the accused, Cameron McCaw was charged with sexually assaulting

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

Interviewing Victims of Trauma: In partnership with The Alberta Criminal Justice Association and TsuuT'ina Nation Police Service

About: This one-day workshop focuses on building skills and understanding of victims that have undergone trauma.

When: October 1, 2018, 9 am - 4 pm

Where: Grey Eagle Resort and Casino, 3777 Grey Eagle Dr., Calgary (rooms are also available for \$139/night)

Cost: Early bird tickets are \$149 (before September 7) and general admission tickets are \$199

[Learn more.](#)

Now What?!: Mayoral Debate on Gender-Based Issues

About: A [debate](#) that will be taking place to converse about topics such as social justice and equality to ultimately increase discussions and promote changes in gender-based violence.

When: Tuesday, October 2nd, 2018 (7:00pm-9:00pm)

Where: [TBA](#)

Sisters In Spirit Vigils

About: Family members, Indigenous community members, and concerned citizens gather for a vigil every October 4th to honour the memory of missing and murdered Indigenous women



National Justice Network Update



the victim. In court, he argued to Judge Nancy Spies' that he should not be found responsible for his crime due to extreme intoxication after he consumed a large quantity of alcohol, weed and a substance also known as the "date rape drug".

Typically, section 33.1 of the *Criminal Code* prohibits McCaw from using this type of defense since it does not cover actions that were made when the individual self-intoxicated. However, his lawyer Eric Neubauer made an application to demonstrate that Section 33.1 is unconstitutional and violates the Charter of Rights And Freedoms. Spies granted the application and the trial will move forward with McCaw using intoxication as his defense.

Although this type of defense is rarely permitted in court regarding cases of sexual assault, it was allowed in certain cases such as Henri Daviault who was acquitted of sexually assaulting a woman with a disability after consuming an extreme amount of alcohol.

There have been many mixed opinions about the use of this defense especially in cases of sexual assault. Some judges believe that this section of the Criminal Code does not ensure a fair trial while others believe it violates the right of victims. Numerous organizations that provide support for victims of sexual abuse fear that this decision will put women at a greater risk. The Executive Director of the Barbra Schlifer Commemorative Clinic Amanda Dale believes that this decision illustrates the courts taking a step backward from the progress they achieved by returning to "a culture of myths and discriminations".

FEMICIDE IN CANADA

Femicide can be defined as the intentional murder of women because they are women, but a general definition compromises any killings of women and girls. Recent statistics have discovered that since the beginning of 2018, 106 girls were killed in Canada, mostly by men. This translates that on average, one woman or girl is killed every other day in our country. These alarming numbers demonstrate a huge national concern that must be given further attention.

Research has shown the disproportionate representation of Indigenous women in cases of

and girls.

When: Thursday, October 4th, 2018

Where: [Various locations in \(TBA\)](#)

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 11th - 13th, 2018

Where: Geneva Park YMCA Conference Centre, Orillia, Ontario

[Registration](#)

Can Justice Heal? Exploring Accountability Models to Address Sexual Violence on Campus Symposium

About: Conference about using models of restorative and transformative justice in postsecondary institutions to address sexual violence.

When: October 15th - 16th, 2018, 9am-5pm

Where: Ryerson University, Toronto. Pod 250.

Cost: \$40 [Registration.](#)

4th Annual Victim Services Community Partner Education Day 2018

About: Educational day focusing on informing the public about restorative



National Justice Network Update



femicide. Most perpetrators were partners of these women or were in dating relationships illustrating that a great risk comes from a current or former intimate partner. The importance of incorporating how potential dating relationships can contribute to femicide should be addressed in the Criminal Code.

This past April, the Toronto van attack brought the total number of women killed at 57 which has increased since then. The perpetrator had shown allegiance to an online misogynistic movement named the "involuntary celibate". The women who died in the incident were included in the statistics since it appeared that their deaths were somewhat motivated by misogynistic hate. Although it is essential to understand factors that contribute to femicide, it is as important to look into the social and the governmental responses to such cases.

COMMISSIONER OF CORRECTIONS: NEW MANDATE

On July 27th, 2018, Prime Minister Justice Trudeau appointed Anne Kelly as the ninth commissioner of corrections of Correctional Service Canada which became effective on July 30th, 2018. In response, the Public Safety Minister Ralph Goodale administered a public [mandate letter](#) on September 5th, 2018, which was written specifically to Anne Kelly. This letter clearly defined the expectations that Goodale had for Kelly and her team. Going forward, he set out the direction that in which CSC should be working towards while under the previous conservative government and the responsibilities that follow.

In particular, the mandate letter demands a greater focus on creating a system that emphasizes [rehabilitation](#). With this, Kelly was instructed to address more diverse groups of offenders which included black Canadians, women, young adults LGBTQ2 people and senior offenders. Making her duty to ensure that these offenders have better access to certain programs and treatments that would allow them to eventually reintegrate back into society. Also, she should be taking in account individual's differences and experiences when creating new approaches for them.

justice practices and services in the Criminal Justice System in order to provide efficient services to victims of crime. Workshops are also available during the event.

When: October 18, 2018,
8:00 am – 4:30 pm

Where: West Edmonton Mall,
Fantasyland Hotel 177700
87th Avenue, Edmonton, T5T
4V4

Cost: Free

[Registration](#)

4th Annual LGBTQ2S+ Service Providers' Summit

The summit will be 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 in Ottawa, Ontario

[Registration](#)

SNAPSHOTS

Remembering the 17th anniversary of 9/11

On September 11, 2001, most people remember vividly where they were when nineteen men hijacked four U.S. planes bound for the west coast. Two of these aircrafts hit the World Trade Centre in New York City, a third smashed into the Pentagon in Washington and a fourth crashed into a field near Shanksville, Pennsylvania all within the span of two hours. Resulting in the death of 2,977 passengers, crew members, and emergency responders



National Justice Network Update



Further, the new commissioner's attention needs to be placed on the overrepresentation of indigenous inmates in the Canadian prison system. To form this reduction, Kelly should be working with Indigenous partners to increase community-run healing lodges under section 81 CCRA and community-supervised released under section 84 of the CCRA to decrease the disproportionately high percentage of inmates. In addition, she was told to submit an update in December after she reviews CSC's governance structure and the role that they play in the National Aboriginal Advisory Committee to then reassess Indigenous people's involvement and perspectives in CSC decisions at the senior level.

Among other things, this letter identified the need for improvement of educational opportunities, reduction of segregation, and increasing prevention/treatment measures in mental health conditions. CRCVC Executive Director stated this new commissioner's mandate is a great opportunity for federal offenders. However, in the further discussion, she claims "While the minister is keen to make big changes at CSC, crime victims seem to be an afterthought".

FORMER TERRORIST LEADER IN PRISON BUT STILL ACTIVE ON SOCIAL MEDIA

Zakaria Amara, former terrorist leader of a group that plotted an Al-Qaeda-inspired truck bombing in Toronto, has been active on social media sites such as Facebook for the past six months. Serving his life sentence at Millhaven maximum-security prison, where inmates are not permitted to use the internet, there has been concern regarding how to respond to such situations.

There has been an active account of Amara on Facebook that included some prison photos as well as a statement explaining his reasoning of becoming a terrorist. After being notified of the account by Global News, Facebook has taken down his profile due to violating community standards. The company stated, "We don't allow mass murderers to maintain a presence on Facebook". However, it is clear there is a

which comprised of people from 90 different countries including 24 Canadians.

Our Executive Director recently attended the Voices of September 11th annual symposium in New York City held by the [VOICES](#) organization. This two-day conference allowed family members, service providers and affected responders to be present to grieve together, attend information forums, and most importantly commemorate the anniversary. Seventeen years later, on September 11th, 2018, the pain remains for thousands who come together to remember and honour the fallen. September 11th has also been declared Day of Service, and in Canada, there is a movement to turn the day into something positive by encouraging Canadians to give back to their communities by volunteering their time or donating to a worthy cause. Read more about the [Canadian National Day of Service](#).

North Bay Police try to reduce unfounded cases of sexual assault

In a Globe and Mail investigation looking at unfounded cases of sexual violence, North Bay is ranked as one of the cities in Ontario with the highest rates of these types of cases standing at 44%.



National Justice Network Update



lack of procedures or screening techniques to identify accounts such as these.

Esther Mailhot, a spokesperson for the Correctional Service of Canada explains that these types of incidents do occur on occasion when individuals post on behalf of other inmates. As for the photographs, inmates are allowed to purchase pictures of themselves from a photographer and send them to family or friends living in the community. In a statement that appeared on Amara's account, he explains that he "never felt Canadian" due to his ethnicity and that the only sense of belonging he had was towards Muslims. He continues by stating that there are so many radicalized individuals in the country due to what has happened to his people for the last 100 years.

In response to this incident, the Correctional Service of Canada is trying to partner with social media companies to develop new strategies in hopes of identifying questioning content and how to respond in an appropriate matter to these cases.

EDMONTON TEENAGER BLAMED FOR HER OWN SEXUAL ASSAULT AT K-DAYS

K-Days, formerly known as Klondike Days Capital Ex, is a 10-day exhibition held in Edmonton that attracts many people from across the country. On July 19th, 2007, a 13-year old girl and her friend attended the summer carnival to meet a Midway employee named Phoenix who brought a 750ml bottle of vodka with him. The three individuals drank until the young girl started feeling ill so she chose to lay down in the back of the truck and that is when the alleged attack happened.

In a recent statement, 23-year-old Indigenous woman confirmed that she was [sexually assaulted](#) during the summer carnival at this event in 2008. The victim was found at three in morning in a ditch, unconscious with her skirt pulled up to her stomach and stated that she "woke up in the hospital with tubes in my throat, and they were pumping my stomach,". Although there was evidence of alcohol poisoning and sexual assault,

Unfounded cases of sexual violence occur when the police determine that the case does not have enough evidence to be tried in court or when the case is dismissed.

In response, North Bay Police Chief Shawn Devine took upon a different approach in handling cases of sexual violence. He states "I wanted to get to the root cause of why people were coming in as victims of sexual violence and why we weren't proceeding in courts."

Devine has assembled a non-traditional team made up of victim advocates, representatives from women centres, universities and professionals that work with domestic violence to review these cases.

North Bay wishes to implement permanent changes within their police force in hopes of handling these types of cases better. Devine concludes by announcing his idea of incorporating officers specifically trained in interacting with victims of trauma.

Kingston Police share graphic details of incidents to battle domestic violence

This small Ontario city is trying a new technique of publicizing detailed information about cases of domestic abuse in order to reduce the prevalence of this form of violence. Information



National Justice Network Update



charges were never made since she was informed there was a lack of evidence.

At age 23, she is now suing Northlands, North American Midway Entertainment and her attacker for \$100,000. She explains the harm and trauma she had undergone since the incident resulted in her involvement with child sex work, drugs and gangs. She states that "it still affects me to this day" as she has reoccurring flashback, anxiety, depression and PTSD. Her attempt to obtain compensation for what has happened to her translates to her effort to deal with the incident as best as she can.

In response, Northland and the Entertainment organization have denied the entire allegation. They have strongly stated in their defence that any harm that was caused to the victim stems from the "negligence of the plaintiff". Their reply demonstrates that they are taking no accountability in the incident by blaming a girl who was 13 years old at the time for engaging in underage drinking and 'not considering her safety'. Nevertheless, even without the alcohol consumption a 13-year-old cannot consent to sexual activity with an adult and with the young girl being under the influence she could not give proper consent to the accused regardless of her age.

The Executive Director of the Sexual Assault Centre of Edmonton, Mary Jane James explains that the language used in the statement of defence puts the blame on the victim when in reality it is never the case. We continue to see the prevalence of victim blaming when victims report sexual violence, which discourages future by others. As even if the victim was eventually compensated with the money that she deserved, it does not take back the 10 years of pain and agony that she has been put through. Similarly, it has been elaborated that "What's happened to her cannot be undone, but maybe that will prevent somebody from doing that same thing to someone else."

that is published includes what was done to the victim as well as graphic reports of beatings and intimidation.

This somewhat controversial initiative was launched by Steve Koopman in 2012, who was Constable at the time. Although the initiative has led to an increase of domestic abuse being reported as well as reduced the number of domestic calls that have been logged, the approach is still receiving some heat by the public.

The technique was implemented in order to educate the public to be able to identify when these types of situations occur and to reduce the rates of domestic violence.

SPOTLIGHT ON RESEARCH

Understanding the Effects of Impaired Driving in Saskatchewan: Perspectives of Family Members of Victims by an Impaired Driver

This paper was administered to improve the public's understanding of families who have lost love one's from impaired drivers.

The report focused on 13 family members including grandmothers, grandfathers, mothers, fathers, brothers, sisters, and aunties from across Saskatchewan who were affected by 8 different impaired driving instances



National Justice Network Update



that resulted in 12 deaths of family members.

Research has shown that Saskatchewan has some of the highest rates of impaired driving and impaired driving causing death in Canada and fatality of these incidents has increased over the last decade.

There has been an increase in changes of provincial legislations in order to pass tougher drinking and driving restrictions for adults.

Email us at crcvc@crcvc.ca for a copy of the final report.