



Attorney General

Hon. Doug Downey

McMurtry-Scott Building

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Toronto, ON, M7A 2S9

June 19, 2020

Dear Honourable Doug Downey,

We first want to acknowledge and thank you for your response to our initial letter regarding the dissolution of the Criminal Injuries Compensation Board (CICB) and enhancement to the Victim Quick Response Program (VQRP+). However, we have continued concerns about the state of victim services and access to compensation in Ontario.

We note that you omitted to mention the CICB in your response, save for the first line noting its dissolution. While it could be cumbersome, and it had already been drastically cut in May of 2019, the CICB nonetheless represented potentially substantial assistance to victims of crime. We are concerned that, in fact, **a bid for efficiency and expediency simply masks a significant cut to the budget for victims' services.**

Let us start off with data from the “front line”: the CRCVC, which customarily receives numerous questions on access to compensation and supports, has had to “turn down” over 40 victims since the beginning of the year as a direct result of the new set-up, namely the overly prescriptive reporting deadlines which de facto exclude sufferers of “historical” crimes such as childhood sexual abuse. It is extremely disheartening to inform victims that there simply is nothing the government can do to help them. Up until last year, victims could always be referred to the CICB (and helped to apply), which had flexibility with deadlines and potentially decent compensation, albeit after a what could be a long adjudicative process.

We are seriously concerned that, on top of restrictions in terms of monetary compensation potential, several other elements of VQRP+ further constrain a victim’s ability to access support:

- ◆ the strict deadlines for reporting, which our experience has shown are simply unrealistic. The CICB’s two-year deadline, which could be extended or even removed for certain crimes (e.g. IPV and sexual assault), better reflected the reality of victims, who report the crime, process their “new normal” and seek help according to their own timeline.

- ◆ the need to have reported a crime before being able to seek compensation; in the case of sexual crimes, as an example, there is often no “clean” timeline for suffering, reporting, and seeking assistance. Such victims may live for months or even years without reporting the crime, if they even report it at all; are such victims not worthy of help?
- ◆ the need to prove one has no financial resources to pay for VQRP+ eligible expenses; this excludes many victims who technically could “afford” to pay for these expenses but could certainly do with some financial assistance.
- ◆ the amounts claimable under CICB before they were cut in May 2019 were “robust”, legitimately reflecting the extent of a victim’s suffering, both in terms of scope and length of services required (ongoing mental health counselling; financial support in getting one’s life “back in order”; concrete expense coverage; physical therapy, etc.). Even after the CICB’s claimable amounts were drastically cut in May of last year, these were potentially far greater than what is available under VQRP+ (direct financial support capped at \$5,000; otherwise small amounts available in various “buckets”). We ask, for instance, how far \$1000 in counselling would go in helping to heal an attempted homicide survivor? Eight to ten sessions, at a rate of 1x per week, would expire within two to three months, whereas this type of trauma lasts for years, if not a lifetime.

The premise of the VPRQ+ is that the trauma, suffering, and financial consequences endured by victims of a serious crime can be dealt with quickly, by awarding small amounts of money in discrete categories to those who have no financial resources to pay for expenses linked to the crime. This is a flawed and oversimplified premise. Is easily-accessible financial assistance needed in the immediate aftermath of a serious crime? Absolutely. We support any and all changes to the system that render this type of assistance possible. However, we fear that the new system ignores the need for more substantial, long-term assistance in the form of robust financial compensation and access to ongoing mental and physical health support.

Under the CICB in 2017-18, the cumulative total in awarded benefits for pain and suffering amounted to \$32.8 million over the two-year period. Additional benefits over and above pain and suffering awards, which include medical expenses, funeral expenses and legal expenses associated with application, as well as compensation for lost wages and other pecuniary losses, amounted to \$34.5 million over the same time frame. In the three years ending 2018, the additional benefits over and above pain and suffering awards increased by over \$10 million; this was a direct outcome of the increase in hearings and reflects the need for ongoing long-term assistance. However, to reiterate, the VQRP+ has been altered to fit only short-term needs of victims while there is plenty of data evidencing a clear need for long-term assistance.

Between the large cut to the CICB, its subsequent dissolution, and the new VQRP+, we note that the Ontario victims budget has effectively been slashed from \$36 million to \$12 million. What has happened to the \$24 million difference? Is supporting Ontarian victims of a serious crime regain their confidence,



well-being, and productivity, not a cause worthy of spending the necessary dollars? An announced planned reinvestment of \$6 million annually into various victim services seems is not enough when considering the massive cut in the Ontario victims budget as a whole.

We look forward to the next steps of your plan to reform and improve the delivery of services to victims of crime. We would urge you to consider, in tandem with more expeditious and immediate services, a longer-term, more generous accompaniment as victims attempt to rebuild their lives. Victims should be able to claim additional funds and for extra services over and above the caps imposed under the VQRP+. Ideally therefore, VQRP+ would be complemented by a longer-term program with additional funding for ongoing supports.

We understand the country is in the throes of a deep crisis, and that the budget will be severely constrained for some time. However, we argue that assisting victims of crime reinstate themselves and rebuild their lives has never been more essential. We urge you to consider, for instance, the disastrous spike in domestic and intimate partner violence that has resulted from stay-at-home measures. The women and children suffering in their own homes, with no end in sight, will take many years to recover, if and when they manage to extricate themselves from their predicament. How can we, as a society, contemplate cutting off their lifeline, their access to funds, to long-term mental health counselling?

We would welcome the opportunity to discuss further with you and to provide our recommendations for the next stages of your reform.

Sincerely,

Aline Vlasceanu

Executive Director