



Greetings!

Welcome to the **April** 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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PUBLIC ADVOCACY TO REGULATE MASSAGE THERAPY FOLLOWING NUMEROUS SEXUAL ASSAULTS COMPLAINTS

Following the recent case in [Nova Scotia](#) where massage therapist Martin Huybers was charged with nine counts of sexual assault, there has been significant pressure from the public to increase regulations surrounding massage therapy. Specifically, the case involved one of Huybers' clients who came forward after being inappropriately touched, being one of seven people who have accused him of sexual assault. Although Huybers pled not guilty to all charges, he is still allowed to practice while he awaits trial. The court order only prevents him from being alone with a woman within a professional setting. The issue arises from the fact that massage therapists are able to continue work even after these types of complaints are made, due to the lack of regulation and accountability surrounding the practice. In Nova Scotia specifically, massage therapists are able to choose to join a professional association. These associations can investigate complaints but the most serious measure that can be taken against the professionals, following an investigation, is to remove the therapist's membership. As Amy-Lynne Graves, the president of the Massage Therapists Association of Nova Scotia explains, "We can essentially remove them from our association, but they can still join another association or practise without belonging to one". From a

QUICK LINKS

Chat & Text Support

CRCVC's chat and text support for victims of crime who wish to access information as well as emotional support.

Text: Our number is 613-208-0747.

Chat: Please access through our [website](#).

For **hours of operation** or other info, please click [here](#). *Hoping to connect with you soon!*

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

Next month is [sexual assault prevention month](#) in Ontario. The month of May is a time to raise awareness about the devastating impact of [sexual assault](#) and focus on the measures being taken to stop violence and support survivors.

[Brampton, ON:](#) City is alarmed following the reintegration of convicted sex offender.

[150 % increase](#) in rate of domestic homicides from the previous year in Northern Ontario

UPCOMING EVENTS

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

The drop-in support group will return in April 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](#) or email crcvc@crcvc.ca in



professional standpoint, this lack of accountability is quite concerning.

Shockingly, despite these numerous allegations of sexual assault against Huybers, he continues to be a member of the volunteer-run Massage Therapists and the Wholistic Practitioners' Association of the Maritimes. In response, there have been efforts to align massage therapy with other regulated health professions such as physiotherapy and occupational therapy. It appears that Nova Scotia is not the only province trying to increase disciplinary measures for such incidents. Similarly, [Saskatchewan](#) has introduced a draft legislation that would regulate massage therapists. However, a consensus has yet to be reached for this proposition. Lori Green, executive director of the Massage Therapist Association of Saskatchewan states "What happens here is we have no real teeth, we have no law or regulation behind us, so at best all we can do is remove somebody from our membership". The province of [Quebec](#) is also pushing for better regulations that would align with other provinces such as Ontario, British Columbia where established colleges for the profession were created. These colleges oversee the massage therapists that are working in the province and ensure that they have passed a series of benchmarks such as uniform accredited training and exams.

A huge problem lies with the lack of a central registry that would keep track of any therapist who had prior convictions of misconduct. Although the federation does keep a record of therapists who have been sanctioned, there is no legal obligation to notify the public or other associations. In response, many provinces believe that establishing colleges for massage therapists that would be in charge of managing complaints would improve the protection of the public and the integrity of the practice. One of the chairs of the Federation of Massage Therapy Regulatory Authorities of Canada, Eric Wredenhagen, explains the critical role colleges have in handling complaints of alleged sexual misconduct: "The regulator can hold an interim hearing and either suspend that person's practice or place restrictions on the practice" while the process of the investigation continues. He further explains that an association is unable to make these types of decisions because they do not have the statutory mandate to do so. In brief, the integration of these colleges would provide the

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!

Victims and Survivors of Crime Week 2019 Federal Symposium!

Where: Crowne Plaza Fredericton, Lord Beaverbrook hotel, Fredericton, New Brunswick

When: May 27, 2019

Sign up [here](#).

Human Trafficking: What you need to know

What: This is an information session regarding strategies used to groom and recruit victims of human trafficking, what to watch for and what to do if you suspect anything. Guest speakers will include survivors and experts in the field.

Where: Komoka Wellness Centre, 1 Tunks Lane, Komoka, ON

When: May 29, 2019

Cost: Free

[Register here.](#)

Summer school 2019: International justice and victims rights

This summer school course is designed to bring together internationally renowned experts, and human rights organization in order to discuss and reflect on issues surrounding victims' rights and international justice.

Where: Université de Montréal, QC

Cost: \$350 - \$1200

[Register here.](#)

Creating Resiliency Through the Power of Collaboration

What: This conference was created to celebrate the resiliency of those impacted by crime and explore the impact of collaboration on an individual's road to normalcy after victimization.

Where: Best Western Plus Woodstock Hotel & Conference



possibility for a parallel investigation to be conducted, that would differ from the police investigation and that would increase disciplinary measures. Given that current regulations surrounding this profession are limited, it is necessary that solutions be implemented to increase accountability from therapists who engage in professional misconduct.

DOCTORS CALL FOR STRONGER FIREARM LAWS

According to Statistics Canada, there has been a steady rise in firearm-related violent crimes since 2009, with shootings exceeding stabbings as the most common type of homicide in 2016. In response, many Canadian doctors and other health care professionals across the country are pressuring the government to address gun violence. Montreal is one of 13 cities to start initiatives such as marches and letter-writing campaigns. The advocacy group made up of 50 to 75 members, called "Canadian Doctors for Protection from Guns" is strongly supporting the passage of [Bill C-71](#) that is currently in front of the Senate. This Bill would expand current regulations on transporting firearms and background checks. In addition to these proposed changes, the advocacy group also wants to abolish handguns and assault-style rifles. The group will hold an information session at the Montreal General to allow the public to learn more about the group's mission. Others believe that regulating guns is not enough and we should do more. Dr. Andrew Beckett, a trauma surgeon at the Montreal General Hospital explains the importance of examining gun violence through a socio-economic lens "We're treating this as a public-health issue, we just want to see less bullet holes in our patients".

However, it appears that not everyone is supporting the proposition of increasing regulations surrounding guns. In fact, many gun owners argue that this new registry is ineffective and only targeting law-abiding citizens. Specifically, in Quebec, [less than 20%](#) of the 1.6 million firearms in the province were registered two weeks before the deadline. Many people have turned to social media to call for a boycott on the provincial registry. Many people believe that this registry is targeting the wrong audience and that individuals who use these firearms for criminal purposes will not register their guns anyway.

Centre, 123 Gallop Court Woodstock, NB, E7M 3P7

When: May 30, 2019, 9am-4pm (ADT)

Cost: \$35-\$50

[Register here.](#)

First Survivors of Homicide Loss Forum

What: This forum is an opportunity to connect family members and friends who have experienced a homicide loss. Guest speakers and community representatives will be present. The goal is to hear words of support and to honour the lives of those who have passed away.

Where: North York Memorial Community Hall, 5110 Yonge St., Toronto, ON, M2N 5W4

When: May 30, 2019, 6pm-9pm

Cost: \$30/ticket

[Register here.](#)

SNAPSHOTS

Manitoba: New Amendments to Residential Tenancies Act Increases Support for Victims

The new proposed amendments to the Residential Tenancies Act improve safety for victims of sexual and domestic violence. Specifically, these new amendments would allow victims whose safety is at risk to move out with less notice and without having to file a police report. Justice Minister Cliff Cullen and Sustainable Development Minister Rochelle Squires state "This legislation expands current protections, allowing victims to quickly move away from their abuser".

Currently, at risk tenants must provide a one month notice to end their lease and must report incidents of violence to the police, in order to receive a no-contact order and be



Individuals who do not register their guns by the deadline may face fines up to \$5,000.

While it seems that there is still resistance from part of the public to pass the Bill, the Canadian Doctors for Protection from Guns group believes that it will prevent gun-related deaths from occurring. Dr. David Gomez, a trauma and acute care surgeon explains that in many occasions, there are [two or three or four patients](#) in the same weekend that are injured in relation to gun violence. He further notes that most of those patients end up dying while the ones that survive, are left with devastating consequences that not only have significant impacts on the patients, but on their whole family. It appears that doctors are not only concerned with deaths caused by guns but also accidental deaths, injuries and suicides. Based on their professional experiences of working so closely with victims of gun violence, they believe it is time to recognize that gun-related deaths have become a public health concern. As Dr. Najma Ahmed, co-chair of the group and trauma surgeon at St-Michael's Hospital explains "We are calling on policy makers to demonstrate courage and take decisive action to protect the safety of Canadians".

INCREASING VICTIM CONSIDERATIONS IN PRISON TRANSFERS

Given the strong public outcry following the transfer of [Tori Stafford's killers](#), there has been significant pressure on the criminal justice system to consider how inmate transfers may affect victims of crime. Typically, victims need to register with Correctional Services of Canada to obtain updates on the offender. As [Heidi Illingworth](#), Federal Ombudsman for Victims of Crime, explains, there is no advance notification sent to the victim once an offender is transferred. Only once the transfer is approved do victims get notified. This causes major concerns, especially when the offender relocates to the community where the victim lives. The exclusion of victims throughout the whole process of inmate transfers is quite problematic.

In response, Illingworth has sent [recommendations](#) to Minister Goodale regarding the issues of participation and protection of victims in relation to the transfers of federal offenders. The goal of these recommendations is to increase the participation of victims in the process of these transfers. This would provide the

eligible for an early lease termination. Under the proposed legislation, victims will be able to make that early lease termination more quickly and ensure their safety. As Rochelle Squires explains "These new changes will help Manitobans feel safe in their home". Moreover, as part of the process, victims will also be connected to resources and referrals. We are hopeful that this will motivate other provinces to take action!

Government of Canada supports survivors of gender-based violence in Edmonton

The Edmonton "Indo-Canadian Women's Association" is receiving \$450,000 in funding from the [federal government](#) to support survivors of gender-based violence, specifically underserved segments of the population. Concretely, the federal funding would be used to create and pilot a trauma-informed approach for home visiting responders, in order to screen for violence when providing services to Indigenous women, refugees, ethnocultural and non-status women or newcomers. The approach will be culturally sensitive and has as purpose to enable women to safely report violence and receive the needed help from support services.

Sexsomnia case continued

In 2011, [Bekah D'Aoust](#) became a victim of sexual assault at a house party in Spencerville, Ontario. Her offender attacked her while she was asleep on an air mattress at the house. Her case went to Court in 2012, but an appeal followed the initial Court trial. Hartman lost this appeal, but Ontario Court granted him another appeal, arguing that he might not be criminally responsible because of a mental disorder. During the second trial, Hartman's defence



opportunity for victims to state whether they feel their safety is at risk, with concerns related to proximity. In fact, many victims of crime feel that their rights to information, participation and protection are not appropriately represented in the decisions of transferring federal incarcerated offenders. Although the Tori Stafford case is symbolic of these issues, it is unfortunately one of many cases that are facing these types of problems. Based on the Corrections and Conditional Release Act, victims have the right to have their security considered and to have reasonable measures to ensure their protection. However, given the current nature of these transfers, victims are only notified once the transfer has been approved. Consequently, it does not provide them with enough time to ensure their safety, especially in cases where the offender is moving into their community.

The proposed recommendations include:

1. Taking into consideration victim information at the beginning of the decision-making process or as soon as a voluntary transfer request has been made.
2. To use the victim flag system in all voluntary transfers when an application of transfer has been received.
3. Making changes to policy (CD 784) that would allow victim service organizations to contact victims when an offender applies for voluntary transfers.
4. Making changes to policy that would require that all Correctional Services of Canada staff will consider if any victims live near the institutions where the transfer is being considered.

It is clear that victims need to be involved since the onset of the process of inmate transfers rather than afterwards. Survivors are being revictimized by the criminal justice system by not being heard and understood. We are hopeful that these recommendations will be taken into consideration, to improve our criminal justice system and to allow victims to be recognized within it.

THE NEW PROGRESSIVE CONSERVATIVE BUDGET AND CHANGES TO FINANCIAL ASSISTANCE FOR VICTIMS OF CRIME

argued that the offender was in a trance of '[sexsomnia](#)', which meant that Hartman had been asleep at that time and that he was unaware of the assault he was committing. The judge found Hartman guilty and did not believe his sexsomnia defence. D'Aoust was relieved to finally get justice but the delays had already plunged her into depression and anxiety. The sense of powerlessness and uncertainty got her to a point where she was wrestling with suicidal thoughts, and abusing drugs and alcohol as coping mechanisms. Unfortunately shortly after this verdict, the defence lawyer brought forth a [Jordan application](#), arguing that Hartman's right to a trial within a reasonable time had been seriously violated. However, Ontario Court Justice Kimberly Moore rejected the Jordan application and sentenced Hartman to one year in prison and three months probation. Hartman's lawyer once again filed an appeal, this time against the sentence and the rejection of the Jordan application, stating that there were too many errors in the trial and hoped the appeal court would correct that.

Female victims being stalked through the use of technological means

Several women who are victims of domestic abuse have revealed that they have been [stalked by their former partners](#) through the use of different technological means. The abusers are often seen using geolocation on their victim's social media accounts, hacking their bank or social media accounts, or by placing a GPS monitoring device on the victim's vehicle. From this, the abuser is able to track and monitor the activity of their spouse. The scariest part is that abusers are able to covertly and remotely install



The Progressive Conservative budget was released on April 11th, and with it, came many changes and proposals in the 382-page document. The budget has many changes for the province of Ontario and some of those financial changes will be directed to various justice services. One of those being the [Criminal Injuries Compensation Board](#) (CICB). The existing act allows for lump-sum payments of up to \$25,000 or monthly payments of up to \$1000 to the families and individuals injured in a criminal act, including homicide, sexual assault and/or domestic assault.

The reason for this change according to the [Attorney General](#) Caroline Mulroney, is that the current system has victims of crime waiting too long for compensations from the board. They wish to eliminate administrative burdens to ensure a faster and more efficient means for victims to access financial assistance for things such as funeral expenses, counselling services, physical therapy etc.

In a statement made by Mulroney to CBC News she explained that "instead of having to appear before an adjudicator to decide how much compensation should be paid, a claimant would submit his or her paperwork and receipts to the Ministry or another administrative body who would issue its payment quicker". The goal is to increase the lump-sum from \$25,000 to \$30,000 to victims. On the other hand, compensation pay to victims for "pain and suffering" would be capped at \$5000. Further amendments would also provide for a cut-off date for new applications to the CICB (to be determined by the Lieutenant Governor in Council), after which time an enhanced victims' financial assistance program would be offered by the Ministry of the Attorney General.

The amendments would provide for the eventual dissolution of the CICB by regulations and repeal of the Compensation for Victims of Crime Act ([CVCA](#)). This would save up to \$23 million annually starting in 2021-22, and that the budget and the provincial government would "reinvest" \$6 million annually in "victim services". The date when CICB would be dissolved has not yet been indicated.

Unfortunately, the budget does not provide enough details to fully understand the implications of the new

applications that monitor the location of their victims, through their phones, without so much as a trace. Some tricks for fighting this method of stalking, as mentioned by Francois Daigle, of Okiok, a cybersecurity company, include changing all the passwords for your devices and accounts, as well as adding a second authentication factor if possible. Also, to never download or install applications from emails that you may receive and to reinstall your cellular software to have a new "clean" one to work with.

Nonetheless, stalking is a serious crime and if you become a victim of a stalker please follow the [next steps](#):

- Get in touch with the police or victim services who can assist you
- Keep a written documentation of date and times of the events that occur
- If you are able to, tell others whether it is family or friends about what you are going through
- If eligible, obtain a peace bond to protect yourself
- Stay alert, be vigilant and cautious

[Shelters for victims of abuse still struggling with underfunding, capacity issues](#)

New numbers from Statistics Canada during a "snapshot" study showed that 3,565 women, 3,137 accompanying children, and eight men were living in shelters that day. Nine out of ten people who had gone to a shelter went because of abuse and in total, 669 women had been turned away, mostly because of lack of space.

Shelters are struggling in general, not only because of over-burdened, underpaid staff who deal with heavy



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financial changes and what these changes mean for interim payments for victims applying to the board. [According to Adam Vaughan](#), a Toronto-area Liberal MP, "They [the Progressive Conservative party] make these grand gestures with no costing and no specifics. You find out after it's too late that the things you needed and things you thought you could rely on have disappeared."

Here at the Canadian Resource Centre for Victims of Crime we will continue our efforts to support all victims of crime and we hope that whatever changes come via the new Ontario budget will put victims' rights and needs at the forefront.

Click the link [here](#) for more information on the budget.

FAMILY OF B.C. TEEN MURDERED BY CLASSMATES STILL FIGHTING FOR KIMBERLY'S LAW

On March 18, 2010, [Kimberly Proctor](#) was raped, tortured and murdered by two classmates. The offenders, Kruse Wellwood and Cameron Moffat, who intentionally killed her for the single reason that she would be an easy target, both suffered from serious behavioral disorders and mental illnesses. As evidence heard in court, both Kruse and Cameron were ticking time bombs, who committed several acts of violence at home and in school, before they evolved into the inhumane killers, they became the day of the crime. They both pleaded [guilty](#) to first-degree murder and were sentenced as adults to life in prison without any possibility of parole for 10 years. A youth sentence would not have been sufficient for the shocking circumstances and the horrific character of these senseless violence acts.

Instantly after the crime, Kimberly's family launched a countrywide petition to press for justice reforms which they call "Kimberly's Law". This law, also known as the Safe Care Act, would force at-risk youth with a history of violence, mental illness or/and addictions into treatment. They believe that forcing these youth into a mandatory treatment would reduce the risk that they

stuff on a daily, but also due to high staff turnover rates.

Strikingly, Indigenous and immigrant women are over-represented in shelter demographics. Reasons include the fact that Indigenous women are more likely to experience violence while immigrant women don't have the same support network within the country. Furthermore, non-permanent residents do not have access to social services such as healthcare, housing or social assistance.

Jo-Anne Dusel, executive director of the Provincial Association of Transition Houses and Services of Saskatchewan noted that the province does have a decent vacancy rate but that women fleeing violence often must rely on social assistance to live. Dusel also pointed to the fact that Saskatchewan had the highest percentage of full shelters on snapshot day, in comparison to the rest of Canada.



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harm themselves or anyone else, like what happened in Kimberly's case. Now, nine years after the incident, Kimberly's family continues their push for the Safe Care Act that they believe could save other lives.

In 1998, a first draft of the Safe Care Act was made, but was quickly postponed because of an incoming election. Liberal MLA Jane Thornthwaite, who believes that mandatory treatment is sometimes the only option that will work, introduced the Safe Care Act for a third time, on March 27, 2019.

Enacting this law is a very challenging issue, said Judy Darcy, B.C.'s Minister of Mental Health and Addictions, as it requires balancing a lot of rights, including charter rights. She added that the NDP government is currently considering the different impacts of forcing youth into treatment as it looks at legislation and policies to ensure the safety of children.