



Justice and Public Safety  
*Victims of Crime Act*

# ANNUAL REPORT

2017-2018





# Twenty-ninth Annual Report

*Victims of Crime Act*  
R.S.P.E.I. 1988, Cap. V-3.1



April 1, 2017 - March 31, 2018  
Prince Edward Island Department of Justice and Public Safety  
P. O. Box 2000, Charlottetown, PE C1A 7N8





Justice and  
Public Safety

Justice et  
Sécurité publique



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October 2018

The Honourable Antoinette Perry  
Lieutenant Governor  
Province of Prince Edward Island

May it Please Your Honour:

I have the honour to submit the Twenty-ninth Annual Report of the administration of the *Victims of Crime Act*, R.S.P.E.I. 1988, Cap. V-3.1 pursuant to section 36 of the Act, for the fiscal year ended March 31, 2018.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'JB'.

Jordan Brown  
Minister of Justice and Public Safety  
and Attorney General



# Table of Contents

Executive Summary.....	1
Part I Introduction .....	4
Part II Report of the Victim Services Advisory Committee.....	5
Part III Report of the Victim Services Program .....	9
Part IV Report of the Criminal Injuries Compensation Program .....	15
Part V Victim Assistance Fund .....	18





# Executive Summary

## *Trends in Client Demand*

- There were 1001 new cases referred to Victim Services in 2017-2018, in addition to approximately 811 cases carried forward from the previous year. As of March 31, 2018, there were 797 active cases across the province. The average monthly caseload in 2017-2018 was 803 cases.
- In 2017-2018, there were 174 victim impact statements prepared and filed with the court. Over the past six years, the number of victim impact statements filed has ranged from 126 to 211.
- During the fiscal year 2017-2018, 37 new applications for criminal injuries compensation were filed, and 66 applications were carried over from the previous year. Thirty-eight files were finalized and 11 interim decisions were made in 2017-2018. A total of \$132,197.00 was awarded in criminal injuries compensation.
- In 2017-2018, there were 67 applications for Emergency Protection Orders under the *Victims of Family Violence Act*. Orders ranged from 31 days to 90 days in duration, with an average length of 73 days. There were no applications for Victim Assistance Orders. Since the proclamation of the Act in December 1996, there have been a total of 973 Emergency Protection Orders granted.

## *Offence Type and Offender Information*

The most frequent types of crime for Victim Services cases in 2017-2018 were:

- assault (41 percent)
- sexual assault (11 percent)
- uttering threats (9 percent)
- willful damage (5 percent)

Of the total new referrals to Victim Services in 2017-2018, there was a family type relationship between the victim and the suspect or offender in 293 cases (33%). In 289 cases (32%), the suspect or offender was a male partner or ex-partner (either current or former husband, common-law husband, or boyfriend). In 37 cases (4%), the suspect or offender was a female partner or ex-partner (either current or former wife, common-law wife, or girlfriend).

## *Highlights and Initiatives:*

- With Federal funding support, a PEI Family Information Liaison Unit was established within Victim Services to provide a centralized, coordinated mechanism for family members of missing and murdered Indigenous women and girls to access requested information related to the loss of their loved one, and to support families participating in the National Inquiry on Missing and Murdered Indigenous Women and Girls.
- In collaboration with partners, assistance was provided in the development of a provincial framework: "Strategies for Addressing Child Sexual Abuse in Prince Edward Island";
- Federal funding was accessed for a training initiative to increase service provider understanding of complex trauma in the context of sexual violence and domestic violence.



## Sommaire

### Tendances de la demande des clients

- En 2017-2018, 1001 nouveaux cas ont été transmis au Service d'aide aux victimes, en plus d'environ 811 cas reportés de l'année précédente. En date du 31 mars 2018, il y avait 797 cas actifs dans la province. En moyenne, la charge de travail était de 803 cas par mois.
- En 2017-2018, le Service d'aide aux victimes a aidé à préparer et à déposer 174 déclarations de victimes. Au cours des six dernières années, le nombre de déclarations de victimes déposées a varié de 126 à 211.
- Durant l'exercice financier 2017-2018, 37 nouvelles demandes d'indemnisation des actes criminels ont été déposées, 66 ont été reportées de l'exercice précédent et 38 décisions sans appel ainsi que 11 décisions provisoires ont été rendues. Un montant total de 132 197,00 \$ a été adjugé en indemnisation de victimes d'actes criminels.
- En 2017-2018, on a rendu 67 ordonnances de protection d'urgence dans le cadre de la Victims of Family Violence Act (loi sur les victimes de violence familiale). La durée de celles-ci a varié de 31 à 90 jours, la moyenne étant de 73 jours. Il n'y a eu aucune demande d'ordonnance d'aide aux victimes. Depuis la proclamation de la loi en décembre 1996, 973 ordonnances de protection d'urgence ont été rendues au total.

### *Types d'infractions et renseignements sur les contrevenants*

- Les types de crime les plus fréquents dans les causes traitées par le Service d'aide aux victimes en 2016-2017 ont été les suivants :
  - o voies de fait (37 pour cent)
  - o agressions sexuelles (8 pour cent)
  - o vols (8 pour cent)
  - o profération de menaces (7 pour cent)

Dans 293 cas (soit 33 pour cent des nouveaux cas transmis en 2017-2018), il y avait une

relation familiale entre la victime et le suspect ou le contrevenant. Dans 289 cas (soit 32 pour cent des cas), le suspect ou le contrevenant était un partenaire ou un ex-partenaire mâle (soit le mari actuel ou l'ex-mari, le conjoint de fait ou le petit ami). Dans 37 cas (soit 4 pour cent des cas), la suspecte ou la contrevenante était une partenaire ou une ex-partenaire (soit la femme actuelle ou l'ex-femme, la conjointe de fait ou la petite amie).

### *Faits saillants et initiatives*

- À l'aide de fonds du gouvernement fédéral, une unité de liaison pour l'information à l'intention des familles a été mise sur pied au sein du Service d'aide aux victimes. L'unité est un mécanisme centralisé et coordonné permettant aux familles des femmes et des filles autochtones disparues et assassinées d'accéder à l'information liée à la perte de leur proche tout en offrant un soutien aux familles visées par l'Enquête nationale sur les femmes et les filles autochtones disparues et assassinées.
- Avec l'appui de partenaires, on a élaboré un cadre de travail provincial intitulé Strategies for Addressing Child Sexual Abuse in Prince Edward Island (Stratégies de lutte contre la violence sexuelle à l'égard des enfants à l'Île-du-Prince-Édouard).
- Des fonds fédéraux ont permis d'entreprendre une initiative de formation permettant aux fournisseurs de services de mieux comprendre les traumatismes complexes découlant de la violence sexuelle et familiale.

The *Victims of Crime Act*, R.S.P.E.I. 1988, Cap.V-3.1 V-3-1 was proclaimed in force September 30, 1989. Regulations and orders under the *Act* also came into force on that date. Extensive amendments to that *Act* came into effect August 7, 1999.

The Statement of Principles contained in Part I of the *Victims of Crime Act* sets out the following principles for the guidance of persons in providing justice for victims of crime:

- a) Victims should be treated with courtesy and compassion and with respect for their dignity, privacy, and convenience.
- b) Victims should receive prompt and fair financial redress for the harm they have suffered.
- c) Victims should be informed of and should have access to services including social, medical, legal, and mental health assistance.
- d) Victims should be informed about the progress of the investigation and prosecution of the offence, court procedures, the role of the victim in court proceedings, and the ultimate disposition of the proceedings.
- e) Victims are entitled, where their personal interests are affected, to have their views and concerns brought to the attention of the court where consistent with criminal law and procedure.
- f) Victims and their families should be protected from intimidation, retaliation, and harassment.
- g) Victims should have their stolen property returned to them as soon as possible after recovery by law enforcement authorities.
- h) Victims are entitled to prepare a victim impact statement and have it considered by the court at sentencing.
- i) Victims are entitled to be informed about the offender's status, including release dates, parole eligibility, and probation terms.

The *Victims of Crime Act* also established the Victim Services Advisory Committee, the Victim Services Program, the Victim Assistance Fund, and the Criminal Injuries Compensation Program.

## Part II

# Report of the Victim Services Advisory Committee

### ***Committee Mandate***

The Victim Services Advisory Committee is established under *Victims of Crime Act* with the mandate to:

- a) review existing laws, policies and procedures and recommend changes to benefit victims;
- b) assist law enforcement agencies, social agencies and other organizations with the development of guidelines that promote the principles set out in this Act relating to their role in respect of victims;
- c) assist with establishing and updating procedures for the handling of complaints by victims;
- d) assist with the research, development and distribution of information pertaining to the needs, rights and concerns of victims;

- e) provide opportunities for research, discussion, and resolution of issues of concern to victims; and
- f) advise on other matters that the Minister may refer to the Committee for consideration.

The Committee may make recommendations to the Minister relating to:

- a) the development of policies and legislation respecting assistance to victims;
- b) the provision of services, including criminal injuries compensation, to victims; and
- c) any other matters that the Minister refers to the Committee for its recommendation.

### ***Committee Membership and Meetings***

Members of the Victim Services Advisory Committee as of March 31, 2018, and the organizations they represent are as follows:

Catherine Chaisson, Q.C.	Law Society of Prince Edward Island
Eliza MacLauchlan	Community Legal Information Association
Jeff MacDonald	Crown Attorneys
Eileen Conboy	P.E.I. Rape and Sexual Assault Centre
Gary Trainor	Probation Services
Deputy Chief Brad MacConnell	P.E.I. Association of Chiefs of Police
S/Sgt. Major Hank Pollard	R.C.M.P. "L" Division
Kerrilee MacConnell	Court Clerks
Cindy Banks	PEI Family Violence Prevention Services Inc.
Melissa Coffin	PEI Association for Newcomers to Canada
Lori St. Onge	Aboriginal Community
Sr. Norma Gallant	Francophone Community and Seniors
Jeannine Carver	Child and Family Services
Debbie Langston	PEI Advisory Council on the Status of Women
Kate Dempsey	Public representative

The Committee is assisted in its operations by the Victim Services Provincial Manager and Secretary.

During the 2017-2018 fiscal year, the Victim Services Advisory Committee held meetings in April, June, October 2017 and February 2018. The Committee was chaired by Catherine Chaisson, Q. C. The activities of the Committee during 2017-2018 included the following:

### ***Improved Collection and Enforcement of Restitution***

The Committee was updated on initiatives to improve collection and enforcement of restitution, including:

- the establishment of a new Deputy Sherriff position, under a five year federal funding agreement, to enforce stand alone restitution orders under S. 738 of the Criminal Code;
- adoption by PEI Courts of a new procedure to have S. 738 restitution orders filed automatically when issued by the court, and waiver of fees for filing the order as a civil judgment;
- publication of a new booklet "Civil Enforcement of Restitution Orders and Probation Orders with Outstanding Restitution: Information for Victims of Crime"; and
- results and recommendations of a Probation Services Restitution File Review conducted to determine the amounts of restitution ordered and collected, and to identify strengths and gaps related to supervision and enforcement.

### ***Federal Funding to Support Families of Missing and Murdered Indigenous Women and Girls***

Information was received about a two year Federal funding agreement (2017-2019) received by Department of Justice and Public Safety to support the development and establishment of a Family Information Liaison Unit (FILU) within Victims Services to provide a centralized, coordinated mechanism for family members of missing and murdered Indigenous women and girls to access requested information related to the loss of their loved one, and to support families participating in the National Inquiry on Missing and Murdered Indigenous Women and Girls.

### ***Improving Practices Related to Sexual Assault Investigations***

The Committee received information about initiatives to improve practices related to sexual assault investigations, including:

- Statistics Canada has made changes to the Uniform Crime Reporting Survey, issuing New Standards for Reporting Founded and Unfounded Incidents.
- The RCMP has released a report "The Way Forward- the RCMP's sexual assault review and victim support action plan". <http://www.rcmp-grc.gc.ca/en/the-way-forward-the-rcmps-sexual-assault-review-and-victim-support-action-plan>
- RCMP Advisory Council for Sexual Assault Investigations is developing a new training continuum for members, with more emphasis on victim care and a Trauma Informed approach. A new investigative guide for front line members has also been developed.

## Guest Speakers

The Committee invited guest speakers on a number of topics:

- Dr. Jacqueline Goodwin, Team Lead and Clinical Psychologist - Youth Mental Health Day Treatment Programs, provided an informative overview of the specialized community mental health and addiction services programs for youth, and in particular, the Youth Mental Health Day Treatment Program called "The INSIGHT Program". This is a multi-disciplinary program designed to support 13-18 year old youth experiencing significant and persistent primary mood, anxiety, and/or psychotic disorders.
- Rona Smith, Director, Child and Family Services, presented on the *Child Protection Act* review process, recommendations and plans for implementation.
- Shawn Arbing, Electronic Supervision Coordinator, updated the Committee on the Electronic Supervision Program and the one year program review which highlighted positive results in enhancing victim and public safety and increasing offender accountability.
- Pam Trainor, Senior Advisor, Executive Council, provided information about the Student Well-being teams that have been established in two families of schools with further plans to establish province wide.
- Jane Ledwell, Executive Director, PEI Advisory Council on the Status of Women, gave an informative presentation on the recently released Bystander Intervention Videos titled "Make it your Business". The video series offers brief, practical examples of how to recognize signs of family violence and safely take action. The videos are designed for workplace training and educating the public.

## Information Items

A number of information items were brought to the attention of the Victim Services Advisory Committee during the year. Some of these included:

## Legislative Updates:

- Amendments to federal and provincial legislation which have implications for victims and witnesses.

## Research/Evaluation:

- Turning Point Program Evaluation
- Probation Services Restitution File Review
- Review of Community Youth Worker and Outreach Worker Programs
- Aboriginal Justice Strategy Recidivism Study

## Program/Policy Development/Training:

- Police Training on Family Violence Response
- Family Violence Education for Professionals
- Victim Services and Turning Point staff certified in the use of the Spousal Assault Risk Assessment tool.
- Police, Child Protection and Justice System Protocols
- Joint Interview Training for Police and Child Protection Workers who conduct child sexual abuse investigations

## Conference Announcements:

- Parenting Coordination for Practitioners– June 2017
- Understanding Complex Trauma in the Context of Sexual Violence and Domestic Violence – November 2017
- Neurobiology of Trauma, and Forensic Analysis: Obtaining the Best Evidence from a Complainant and Presenting that Evidence Before a Court – November 2017
- Childhood Sexual Abuse and Exploitation: Reducing the Numbers – November 2017
- Ensuring the Future Health of our Children and Grandchildren: It Takes a Village – November 2017
- New Ways for Families: Managing High Conflict Families – March 2018
- Canadian Domestic Violence Conference – March 2018

### ***Awareness Initiatives:***

- Law Society of PEI and CBA PEI Branch – Cultural Competency Training
- National Victims of Crime Awareness Week activities – May 2017
- Women in Canada: 50 Years of Change Study Group – Spring 2017
- World Elder Abuse Awareness Day – June 2017
- Youth Justice Summer Camps – Summer 2017
- Sisters in Spirit Vigil – October 2017
- Indigenous Justice Forum – October 2017
- Purple Ribbon Campaign Against Violence – December 2017
- Family Violence Prevention Week – February 2018

### ***New Publications:***

- Civil Enforcement of Restitution Orders and Probation Orders with Outstanding Restitution: Information for Victims of Crime;
- PEI Public Service Commission: “Guidelines for Addressing Family Violence and the Workplace”;
- PEI Department of Labour: “Addressing Family Violence: A Guide for PEI Workplaces”;
- Strategies for Addressing Child Sexual Abuse in Prince Edward Island
- CLIA Publications – “Family Law Matters” published in Mandarin, Vietnamese, Persian, Arabic, Spanish, English and French


### ***Statistics Canada Reports:***

- From arrest to conviction: court outcomes of police-reported sexual assaults in Canada, 2009-2014
- Family Violence in Canada: A Statistical Profile, 2016

### ***Other Information Items:***

- Legal Advice for Self-represented Litigants in the areas of Family Law and Civil Law– Pilot Project of the PEI Court of Appeal and Supreme Court of PEI;
- Appointment of Children’s Lawyer and Parenting Coordinator positions, Family Law Centre

Respectfully submitted,



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**Catherine Chaisson, Q.C., Chair**



Victim Services has provided a criminal justice system-based service to victims of crime province-wide since April, 1989. The system-based approach has the following key attributes:

- operates within the criminal justice system, but independently from the police, Crown attorneys, or the courts;
- is client-centred;
- maintains close working relationships with criminal justice personnel and community agencies;
- assists victims of crime at all stages of the criminal justice process;
- uses an outreach approach.

### **Mandate**

Section 7 of the *Victims of Crime Act* states that the purpose of Victim Services is:

- to assist victims as needed throughout their contacts with the criminal justice system;
- to help victims to access other needed services;
- to receive applications for criminal injuries compensation and investigate claims on behalf of the Minister;
- to assist with the preparation and filing of victim impact statements;
- to assist justice personnel and community agencies in providing services to victims;
- to promote the Statement of Principles set out in section 2 of the Act.

### **Mission Statement**

Victim Services provides a client-centered service for victims of crime, ensuring respect for their dignity and privacy. Victim Services assists clients throughout their involvement with the criminal justice process.

### **Vision Statement**

Victims Services' vision is that:

- all victims of crime on Prince Edward Island who require assistance through the criminal justice process will be referred at the earliest opportunity to Victim Services; and
- the response of all criminal justice personnel will be guided by the Statement of Principles in the *Victims of Crime Act*.

### **Goals**

Victim Services goals are:

- to provide prompt, effective assistance to victims of crime, especially victims of crimes against the person, but not excluding any victim who needs assistance through the criminal justice process;
- to tailor the assistance provided to meet the needs of the particular client;
- to provide services to any victim of crime requiring assistance, regardless of their geographic location on Prince Edward Island;
- to investigate criminal inquires compensation claims and complete the case analysis for each claim as quickly as possible;
- by working collaboratively with the police and Crown attorneys, to ensure that all victims of crimes in which charges are laid are informed of their rights to prepare and file a victim impact statement;
- to ensure that victims understand the implications of preparing and filing a victim impact statement and do so voluntarily;
- to promote the use of the *Victims of Family Violence Act* in appropriate cases.

## Statistical Overview

Assistance provided to victims of crime includes:

- Information about case status, the criminal justice system, and court procedures;
- Emotional support and short term counselling;
- Referrals for legal, financial and long term counselling services;
- Assistance through the court process and with preparation of victim impact statements;
- Investigation of applications for criminal injuries compensations; and
- Assistance under the *Victims of Family Violence Act*.

Victim Services cases are categorized in the

following classifications: general, sexual abuse, female partner abuse, other family abuse, and commercial/business. The percentage breakdown of new cases by case classification in 2017-2018, and a comparison with previous years, are noted as follows:

### Victim Services New Cases

Type of Client	Per Cent Breakdown		
	2015/16	2016/17	2017/18
General*	41	44	46
Female Partner Abuse	30	31	29
Other Family Abuse	9	10	11
Sexual Abuse	12	9	12
Commercial/Business	8	6	2

\* General includes break and enter, damage to property, theft, general assaults, impaired driving causing injury or death, etc.

The following table illustrates the total and percentage of each type of case opened in 2017-2018. The table also indicates the police agency involved with each case.

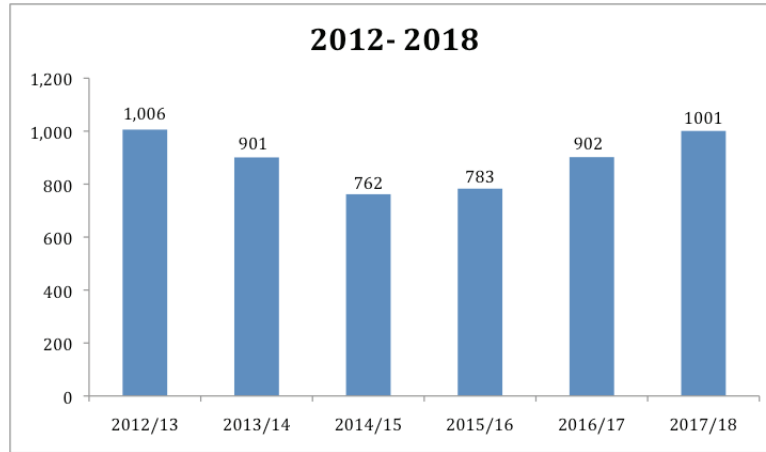
**Table I**

### Victim Case Classification: New Cases 2017-2018

Police Jurisdiction	General	Sexual Abuse	Female Partner Abuse	Other Family Abuse	Commercial/Business	TOTAL
West Prince RCMP	30	6	16	10	2	64
East Prince RCMP	54	15	30	23	0	122
Summerside PD	64	14	51	14	6	149
Kensington PD	2	2	3	1	0	8
Charlottetown PD	157	28	70	27	7	289
Queens District RCMP	49	33	62	17	0	161
Montague RCMP	71	10	36	16	0	133
Souris RCMP	25	8	10	4	0	47
Out of Province/ or Not Specified	9	6	9	4	0	28
<b>Totals</b>	<b>461</b>	<b>122</b>	<b>287</b>	<b>116</b>	<b>15</b>	<b>1,001</b>
<b>Percentile</b>	<b>46</b>	<b>12</b>	<b>29</b>	<b>11</b>	<b>2</b>	<b>100</b>

### ***Caseload Trends***

There were 1001 new cases referred to Victim Services in 2017-2018, in addition to approximately 811 cases carried forward from the previous year. As of March 31, 2018, there were 797 active cases across the province. The average monthly caseload in 2017-2018 was 803 cases. The trends since 2012 are illustrated in the graph below:

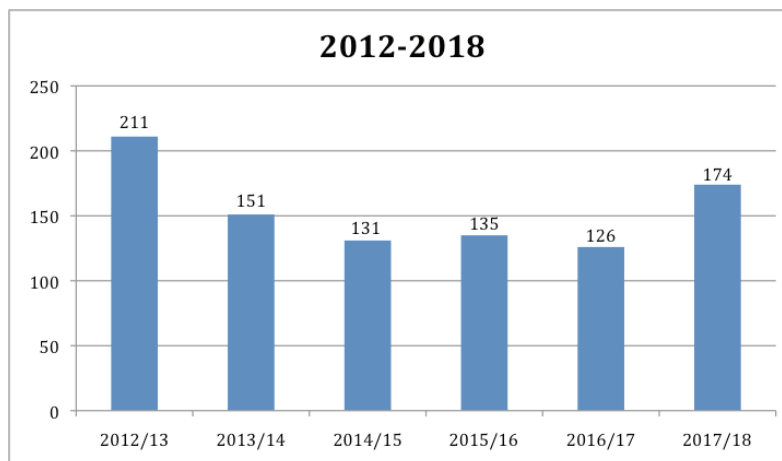


**Figure 1**

### ***Victim and Community Impact Statements***

Victim Services is designated by Lieutenant Governor in Council as the program responsible for preparing and filing victim and community impact statements. Impact statements outline the physical, emotional, and financial effects of the crime on the victim. After determination of guilt, the judge considers the impact statement as one of the factors in determining the sentence.

In 2017-2018, there were 174 victim impact statements prepared and filed with the court. The trends since 2012 are illustrated in the graph below:



## Offence Type and Offender Information

The most frequent types of crime for Victim Services cases in 2017-2018 were:

- Assault (41 percent)
- Sexual assault (11 percent)
- Uttering threats (9 percent)
- Willful damage (5 percent)

Of the total new referrals to Victim Services in 2017-2018, there was a family type relationship between the victim and the suspect or offender in 293 cases (33%). In 289 cases (32%), the suspect or offender was a male partner or ex-partner (either current or former husband, common-law husband, or boyfriend). In 37 cases (4%), the suspect or offender was a female partner or ex-partner (either current or former wife, common-law wife, or girlfriend).

The proportion of Victim Services clients victimized by adult offenders compared with young offenders has been consistent over the years. In the new cases where an offender was identified, 93% percent of the offenders were adults and 7% percent were youth.

## Age Range and Gender of Victims

Age ranges of Victim Services' new clients were as follows:

under 12 years	2%
12 - 17 years	7%
18 - 40 years	49%
41 - 60 years	23%
61 years and over	7%
unknown/not recorded	12%

Seventy-two percent of Victim Service's new clients were female, and 28 percent were male.

## Criminal Injuries Compensation

Under the *Victims of Crime Act*, Victim Services is responsible for investigating claims for criminal injuries compensation. Victim Services staff also assist victims with preparing their applications and gathering information to support their claims. Victim Services staff prepare a case analysis regarding each claim.

Designated persons within the Legal Services Section of the Department of Justice and Public Safety are

responsible for adjudicating claims and writing a report with recommendations to the Minister who makes decisions regarding claims.

During the fiscal year 2017-2018, 37 new applications for criminal injuries compensation were filed, and 66 applications were carried over from the previous year. Thirty-eight files were finalized and 11 interim decisions were made in 2017-2018. A total of \$132,197.00 was awarded in criminal injuries compensation.

Further information and statistics regarding criminal injuries compensation are contained in Part IV of the Annual Report.

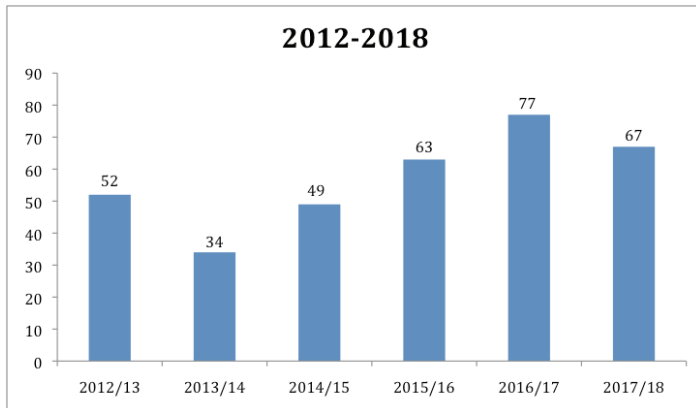
## Victims of Family Violence Act

The *Victims of Family Violence Act* came into effect in December 1996. This provincial law addresses the need for victims to stay in their own homes, provides an additional remedy to supplement the Criminal Code, and enables the justice system to provide a more effective and timely response. Under this act, Emergency Protection Orders are available 24 hours/day from designated justices of the peace. In non-emergency situations longer-term Victim Assistance Orders are available by application to the Supreme Court.

Victim Services staff assist with training and ongoing monitoring and promotion of the use of the *Victims of Family Violence Act*. Police officers and victim services workers are designated under the Act to make application for emergency protection orders.

In 2017-2018, there were 67 applications for Emergency Protection Orders under the *Victims of Family Violence Act*. Orders ranged from 31 days to 90 days in duration, with an average length of 73 days. There were no applications for Victim Assistance Orders.

Since the proclamation of the Act in December 1996, there have been a total of 973 Emergency Protection Orders granted. The trends since 2012 are illustrated in the graph below:



A Steering Committee continues to meet on a regular basis to assist in monitoring and training related to the Act. In partnership with the PEI Association of Chiefs of Police, the Steering Committee has continued to offer annual police training to implement a standardized response to reported incidents of domestic violence, and to enhance knowledge about risk factors and available options to protect victims.

### ***Victim Services Program Highlights***

- With Federal funding support, a PEI Family Information Liaison Unit was established within Victim Services to provide a centralized, coordinated mechanism for family members of missing and murdered Indigenous women and girls to access requested information related to the loss of their loved one, and to support families participating in the National Inquiry on Missing and Murdered Indigenous Women and Girls.
- In collaboration with partners, assistance was provided in the development of a provincial framework: "Strategies for Addressing Child Sexual Abuse in Prince Edward Island";
- Federal funding was accessed for a training initiative to increase service provider understanding of complex trauma in the context of sexual violence and domestic violence.

### ***Priorities for 2018-2019***

In collaboration with government and community partners, the priorities for the 2018-2019 fiscal year include initiatives in the following areas:

- Participate in efforts to improve access to justice and enhance health system response for victims of sexual assault;
- Assist in exploring options for effective restorative justice programming and implementation in PEI;
- Continue efforts to support and strengthen linkages with Indigenous victims of crime, and families participating in the National Inquiry on Missing and Murdered Indigenous Women and Girls.

### ***Education and Training***

Victim Services staff participated in various education and training initiatives including:

- Understanding Complex Trauma in the Context of Sexual Violence and Domestic Violence
- Neurobiology of Trauma, and Forensic Analysis: Obtaining the Best Evidence from a Complainant and Presenting that Evidence Before a Court
- A Victim-Centered Approach to Restorative Justice - Webinar
- Childhood Sexual Abuse and Exploitation: Reducing the Numbers
- Screening for Family Violence, Abuse and Power Imbalances
- New Ways for Families: Managing High Conflict Families
- A Better Man – Documentary Screening
- Canadian Domestic Violence Conference
- Divisional LGBTQ training
- Overview of the *Youth Criminal Justice Act*
- Suicide and Grief
- Indigenous Justice Forum
- Sisters in Spirit Vigil
- Divisional Leadership Development Program
- Victims of Crime Awareness Week Symposium
- Bridge Model of Collaborative Intervention Training

## ***Public Education***

Victim Services staff participate in opportunities to promote awareness and understanding of issues related to crime, victimization, victims' rights and available services. Presentations during the fiscal year 2017-2018 included:

- Police Response to Family Violence training
- Public Service Commission training sessions on Family Violence Education
- Victims of crime awareness events in Indigenous communities
- Trade HERizons Program
- Child Protection staff training on Spousal Assault Risk Assessment Tools
- Law Society of PEI and CBA PEI Branch Continuing Education: "It's not all in the family: How domestic violence intersects with non-family law practices"
- UPEI Sociology Class: Women in the Criminal Justice System

## ***Staffing***

Victim Services Offices are located in Charlottetown and Summerside.

Personnel as of March 31, 2018 include:

Provincial Manager	Susan Maynard
Victim Services Workers	Darlene Oatway Paula Finkle Joy Coffin Linda MacAulay Kellie MacQueen Carolyn Peters Georgina Bowness

Admin Support	Pam Sellick Tabatha Milligan
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## ***Committee Participation***

An important aspect of the work of Victim Services involves maintaining cooperative working relationships with other criminal justice and community agencies to coordinate case management and to effect positive long term change for victims of crime. Staff participated in committees at various levels involving national, provincial, regional, divisional and community initiatives.

At the Federal/Provincial/Territorial level, the Provincial Manager participated on:

- FPT Victim of Crime Working Group
- FPT Ad Hoc Working Group on Family Violence
- CCSO Working Group on Access to Justice for Adult Victims of Sexual Assault

Victim Services is represented on community and criminal justice based committees involving work in the area of family violence, sexual abuse, cultural and societal issues. These committees include:

- Premier's Action Committee on Family Violence Prevention
- Steering Committee – Victims of Family Violence Act
- Provincial Child Sexual Abuse Advisory Committee
- High Risk Offender Committee
- Planning Committee for Indigenous Justice Forum
- Justice Options for Women
- Bridge Situation Table
- UPEI Sexual Violence Prevention and Response Task Force
- Restorative Justice Planning Committee

As part of the Community and Correctional Services Division, Victim Services staff were involved in a number of Departmental and Divisional initiatives including:

- Divisional Wellness Committee
- Occupational Health and Safety Committee
- Court Complex Security Committee

### **Introduction**

Criminal injuries compensation is the payment of money from public funds to compensate victims of crime for pain and suffering and expenses resulting from injury or death caused by certain crimes. Criminal injuries compensation is a fund of last resort, such that other means of compensation or reimbursement are to be sought first.

Authority for Prince Edward Island's Criminal Injuries Compensation Program is contained in Part IV of the *Victims of Crime Act*, which as proclaimed in force September 30, 1989. Amendments to Part IV which came into effect August 7, 1999 were designed to further simplify and speed up the process for assessing compensation claims.

The *Victims of Crime Act* is not retroactive; criminal injuries compensation can only be awarded in respect of any injury or death resulting from a crime that occurred after September 30, 1989.

### **Values**

Criminal injuries compensation is one means to take action on principle (b) from the Statement of Principles in the *Victims of Crime Act*, which states "victims should receive prompt and fair financial redress for the harm they have suffered."

### **Summary of the Legislation**

In general, a claim for criminal injuries compensation may arise in the event of injury or death by an act that occurred in Prince Edward Island, and that injury or death must have directly resulted from the commission of a criminal offence prescribed in the regulations under the *Victims of Crime Act*. The applicant need not be a resident of Prince Edward Island.

The term "injury" is specifically defined in the *Victims of Crime Act* to mean actual bodily

harm, including emotional trauma or pregnancy resulting from sexual assault, and mental or nervous shock. If a person suffers only property damage or loss as a result of a prescribed crime, he or she is not eligible for criminal injuries compensation. It is not necessary that anyone be prosecuted or convicted for the crime, but an award may be delayed pending the outcome of the criminal process. A determination of guilt is conclusive evidence that an offence has been committed.

### **Eligible Applicants**

The Minister may order criminal injuries compensation

1. to or for the benefit of the victim;
2. to any person, in respect of financial loss suffered by or expenses incurred by that person as the result of the death or injury of the victim;
3. to any one or more of the dependants of the victim.

### **Compensable Losses**

Compensable losses include:

1. reasonable expenses incurred or likely to be incurred as a result of the victim's injury or death;
2. financial losses resulting from total, partial or temporary disability affecting the victim's capacity for work;
3. financial loss to dependents resulting from the victim's death;
4. pain and suffering;
5. maintenance of a child born as result of sexual assault;
6. financial loss incurred in respect of grief or sorrow as a result of the victim's death; and
7. other financial loss resulting from the victim's injury, and any other expense that, in the opinion of the minister or, in the case of a small claim, in the opinion of a designated person, it was reasonable to incur.

### **Maximum Award**

The maximum amount payable to all applicants in respect of the injury of death of one victim is \$15,000. The maximum amount payable to all applicants in respect of one occurrence (that is, one incident resulting in injury of death to more than one victim) is \$30,000. The award cannot exceed these limits.

### **Value of Applications**

During the fiscal year 2017-2018, 37 new applications for criminal injuries compensation

were filed, and 66 applications were carried over from the previous year. Thirty-eight files were finalized and 11 interim decisions were made in 2017-2018. A total of \$132,197.00 was awarded in criminal injuries compensation.

The following statistical tables summarize the criminal injuries compensation program during 2017-2018

<b>Table II</b>	
<b>Applications – Statistical Summary</b>	
<b>April 1, 2017 – March 31, 2018</b>	
New applications filed	37
Applications carried over from last year	66
Variation applications	0
Appeals	<u>0</u>
<b>Total</b>	<b>103</b>
<b>Decisions made:</b>	
Award denied	2
Full award granted	36
Interim award	11
Reduced award	0
Variation	<u>0</u>
<b>Total</b>	<b>49</b>
Withdrawn applications	1
Files closed	39
Files carried forward to next fiscal year	64

<b>Table III</b>	
<b>Categories of Victims</b>	
<b>(Based on Final and Interim Awards)</b>	
<b>April 1, 2017 – March 31, 2018</b>	
<b>Types of Victims</b>	<b>Number</b>
General	20
Other family abuse	0
Sexual abuse	21
Female partner abuse	<u>6</u>
<b>Total</b>	<b>47</b>



<b>Table IV</b> <b>Crimes Involved in Final Awards Granted</b> <b>April 1, 2017 – March 31, 2018</b>	
<b>Criminal Code Section</b>	<b>Number of Awards</b>
151 (sexual interference)	2
173 (indecent exposure)	1
266 (assault)	7
267 (assault with weapon/causing bodily harm)	12
269 (unlawfully causing bodily harm)	2
271 (sexual assault)	10
344 (robbery)	2
<b>Total</b>	<b>36</b>

<b>Table V</b> <b>Compensation Ordered*</b> <b>April 1, 2017 – March 31, 2018</b>	
Pain and suffering	\$104,748
Expenses	\$ 27,449
<b>Total Awarded</b>	<b>\$132,197</b>

\*Note: Compensation ordered in one fiscal year may be paid out in a different fiscal year (e.g., for dental expenses).

<b>Table VI</b> <b>Age and Gender of Victims</b> <b>(Based on Final and Interim Awards)</b> <b>April 1, 2017 – March 31, 2018</b>	
<b>Age</b>	<b>No. of Victims</b>
Under 10	10
11-20	14
21-30	9
31-40	5
41-50	5
51-60	3
61-70	1
71 +	0
<b>Total</b>	<b>47</b>
<b>Gender</b>	
Female	27
Male	20
<b>Total</b>	<b>47</b>

## Part V

### Victim Assistance Fund

#### Victim Services Summary of Revenue and Expenditures

	Budget Amount	Actual Year Ended March 31, 2018	Projects
<b>Revenue</b>			
Victim Surcharge			
- federal offences	85,000	109,253	
- provincial offences	180,000	177,407	
Donations/honorarium	0	0	
Restitution/civil suit reimbursement	0	1,167	
Victims of Crime Fund (Justice Canada)	410,000	356,687	356,687*
<b>Total Revenue</b>	<b>675,000</b>	<b>644,514</b>	<b>356,687</b>
Minus Project Revenue		356,687	
		<b>287,827</b>	

**Note:**

\* Revenue was received from the Victims of Crime Fund, Justice Canada, in the amount of \$356,687 for three staff positions, training initiatives and establishment of the PEI Family Information Liaison Unit.

#### Victim Services Summary of Revenue and Expenditures

	Budget Amount	Actual Year Ended March 31, 2018	Projects
<b>Expenditures</b>			
Administration	1,400	9,522	2,261
Equipment	5,000	2,129	2,037
Materials/supplies	8,200	22,470	12,936
Professional/Contract Services	69,000	55,756	55,192
Salaries/benefits	760,500	763,815	271,353
Travel and training	26,300	20,457	12,908
Criminal Injuries Compensation	100,000	125,330	0
<b>Total Expenditures</b>	<b>980,000</b>	<b>999,479</b>	<b>356,687</b>
Minus Project Expenditures		<u>356,687</u>	
		642,792	

**Note:**

Project expenditures were for Victim Services projects listed above

**Accounting Procedures:**

All revenues and expenditures related to Victim Services are recorded in the accounts of the Province and included in the Public Accounts.





2018

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