



Government
of Canada

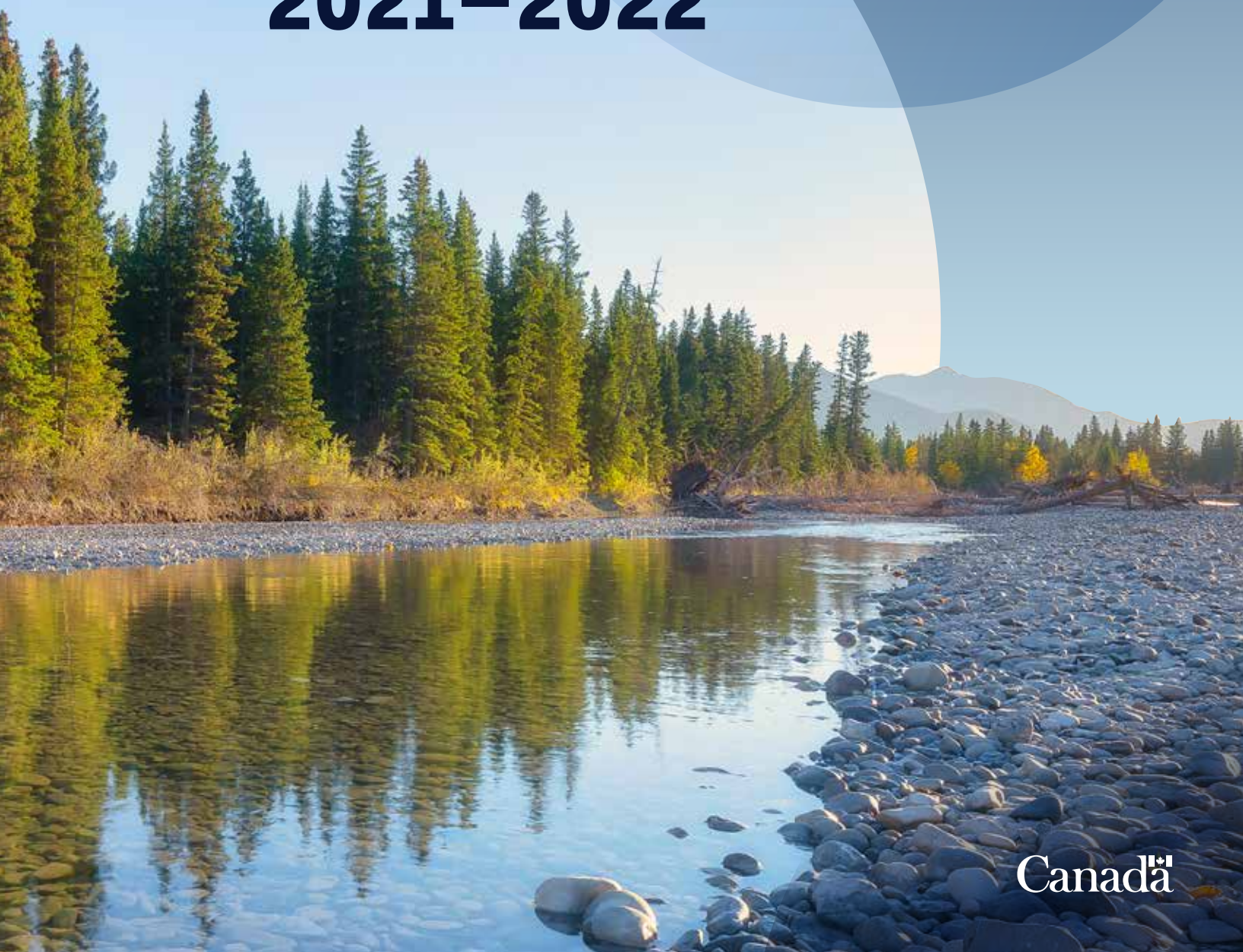
Office of the Federal
Ombudsperson for Victims
of Crime

Gouvernement
du Canada

Bureau de l'ombudsman
fédéral des victimes
d'actes criminels

OFFICE OF THE FEDERAL OMBUDSPERSON FOR VICTIMS OF CRIME

Annual Report **2021–2022**



Canada

The Office of the Federal Ombudsperson for Victims of Crime (OFOVC) would like to acknowledge that its staff members live, learn and work on traditional Indigenous territories in Canada.

As an organization, we pay our respects to First Nations, Métis and Inuit Peoples and their ancestors and affirm our commitment to respectful relationships with one another and this land.

OFFICE OF THE FEDERAL OMBUDSPERSON FOR VICTIMS OF CRIME

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Message from the Ombudsperson

Farewell statement from Heidi Illingworth, Federal Ombudsperson for Victims of Crime from 2018 to 2021.¹

Serving as the Federal Ombudsperson for Victims of Crime for 3 years was more than a job for me. It was about who I am and what I care about.

I absolutely loved my work with the office, and I am grateful for the opportunity to have learned so very much. Over my term, I was privileged to work with an incredibly supportive group of colleagues. I am proud that our team evolved to include more members from diverse backgrounds. I also had the privilege of working closely with knowledge keepers who shared their experiences, expertise and advice through the Indigenous, Academic and Frontline Service Providers Advisory Circles that I established. The community leaders in these circles inspired our work daily with their unparalleled talents, commitment and constant drive for excellence.

On a personal level, the many victims and survivors of violence who reached out to us for support motivated me daily. Their lived experiences and personal journeys tugged at my heart and were a source of inspiration.

When I was first appointed Ombudsperson, I felt at home immediately because of our mandate and the people we serve. My vision to improve the experience of victims in the justice system and to ensure respect for their legislated rights never wavered. Rather, it grew as we pushed the envelope on what is possible.

From the beginning, I set out to increase outreach and awareness of the OFOVC in remote communities. We went to these communities to hear directly from victims and survivors of violence across the North, and we organized community forums in [Yellowknife](#) and [Whitehorse](#). This work is not finished.

We brought victims' rights and issues to the forefront of stakeholder discussions through six successful webinars. We engaged regularly with our stakeholders and kept them well informed about our work through social media posts and our [newsletter](#). We commissioned [research papers](#) by victimology experts to ensure that all of our work was evidence-based, and we made this research accessible to front-line practitioners.

In 2021–22, we answered a record number of calls from victims and survivors of crime and developed our first client survey to gather feedback about our service delivery and how we can improve.

Increasing public awareness and understanding of victims' rights and the work we do at OFOVC is critical, and I did this by making presentations at numerous conferences and meetings.

As Ombudsperson, my goal was to deliver achievable [recommendations](#) and make submissions to government that would bring meaningful change for victims and survivors of crime. I truly believe that implementing the recommendations I made will lead to a much-needed change of culture in our criminal

¹ Heidi Illingworth left this role in October 2021.

justice system so that all those within it are treated with dignity, equality and respect for their statutory rights.

Although I am proud of all these accomplishments, they are not about me. They happened because of the time that survivors, victims, academics and front-line service providers took to share their experiences with us. You trusted, supported and partnered with our team as we took bold leaps and achieved audacious goals.

In 2020, we celebrated the fifth anniversary of the coming into force of the *Canadian Victims Bill of Rights*. To mark the anniversary, we released our analysis of the implementation of the bill in a progress report. Our findings were that the bill has largely failed to empower and support those harmed by crime. I called for a parliamentary review of the *Canadian Victims Bill of Rights* and issued 15 recommendations to the federal government for legislative and administrative measures.

Just a few weeks before the 2021 election, the Standing Committee on Justice and Human Rights initiated a study of the bill. I had the honour of appearing before the committee, and sincerely hope that the legislated review will take place this fall. Victims deserve to be respected

as integral participants in our criminal justice system, and officials must take real responsibility for delivering their rights. We will advance justice for all Canadians only when we truly empower victims to assert their rights.

Although I have moved on from the OFOVC, I have not gone far. I remain steadfast in my work to support victims and survivors of crime as they move toward healing and wellness. I will continue to advocate on their behalf as I take on new responsibilities as the executive director of Ottawa Victim Services.

Thank you for your advice, wisdom and support.



About the Office of the Federal Ombudsperson for Victims of Crime

Our vision

Victims and survivors of crime are treated fairly and with respect across the federal government and criminal justice system.

Our mission

To take a victim-centred and trauma-informed approach to our work; to listen to and engage with victims and survivors of crime; and to work in a way that is holistic and mindful of intersectionality, seeks fairness, and challenges inequality.

Our mandate

Our mandate relates exclusively to matters of federal jurisdiction. It enables us to perform the following activities:

- ♦ promote victims' access to relevant federal programs and services
- ♦ help victims access federal programs and services by providing information and referrals
- ♦ address victims' complaints about compliance with the provisions of the *Corrections and Conditional Release Act* that apply to crimes committed by offenders under federal jurisdiction
- ♦ build greater awareness of victims' needs and concerns and of the laws that benefit victims—including the principles set out in the *Canadian Statement of Basic Principles*

of Justice for Victims of Crime with respect to matters of federal jurisdiction—among criminal justice personnel and policy-makers

- ♦ identify and review emerging and systemic issues—including issues related to programs and services provided or administered by the Department of Justice or the Department of Public Safety and Emergency Preparedness—that harm victims of crime

Our federal stakeholders

We work closely with victims of crime and key justice system stakeholders to carry out its mandate. Stakeholders include other federal departments and agencies that provide programs and services for victims of crime, including the Department of Justice Canada, Public Safety Canada, Employment and Social Development Canada, and federal research and resource centres that share promising practices, views and research on victims' issues.

“

“Thank you for your time. You were so kind and patient to listen as long as you did! I’m sorry I kept you for so long. It’s something I feel passionate about and no one has ever really asked me about my views on it.”

2021–2022 at a glance

How we reached out to stakeholders

40

Recommendations
to the federal
government

345

Twitter
mentions

17

News releases and
statements

158

New Twitter
followers

4

Media interviews

3

appearances before
the House of Commons
Standing Committee
on Justice and
Human Rights

241

Facebook
shares

10

Media initiated
mentions

61

New Facebook
followers

Our top ENGLISH tweet

Older women represent about 1/3 of all women & girls killed by violence in Canada. Read @Dawson-Myrna's research paper on the femicide of older women, highlighting that older women are often "invisible" & silenced, not only in life, but also in death: <https://bit.ly/2TgbMeZ>

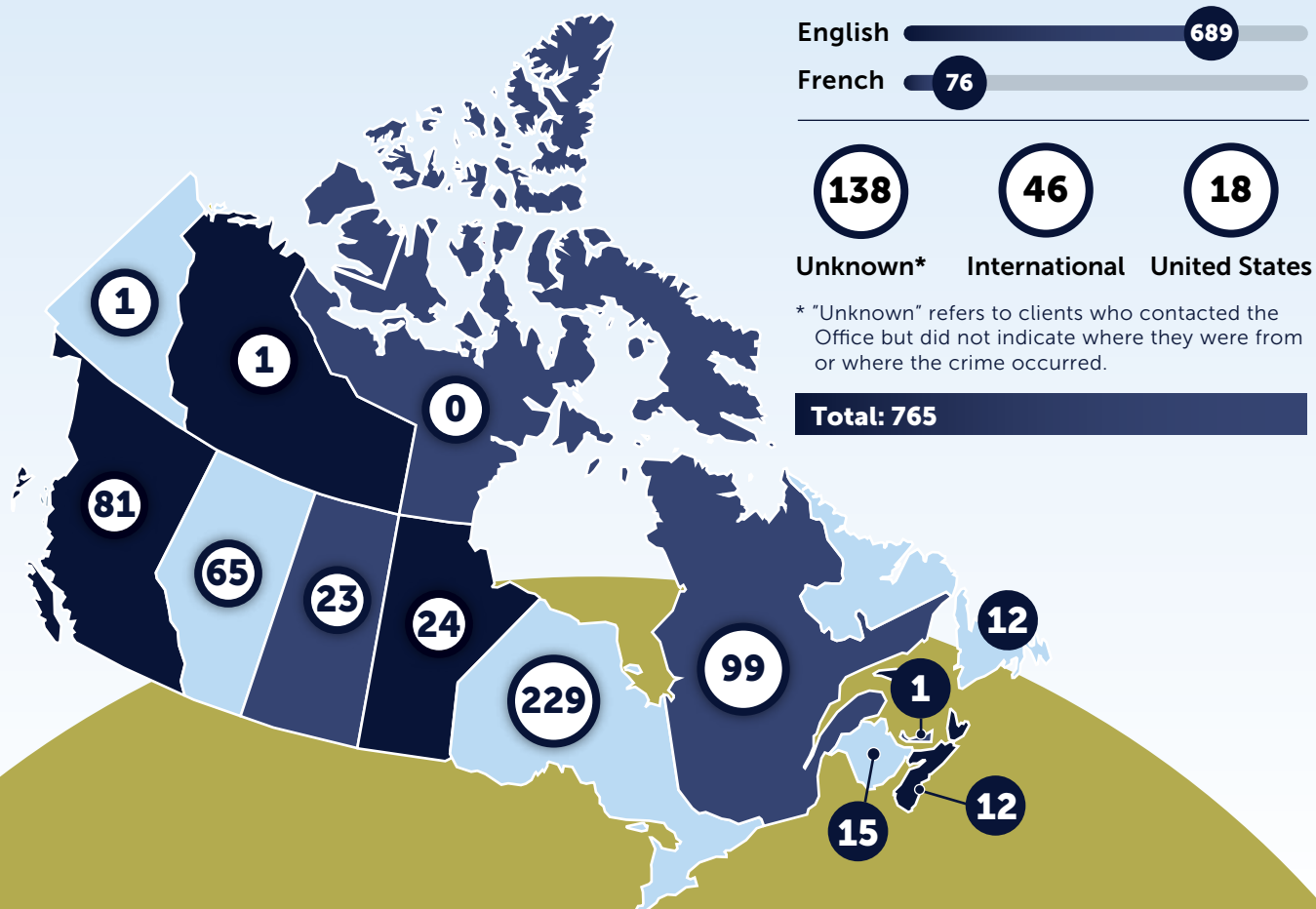
Les femmes plus âgées représentent environ 1/3 des femmes & filles tuées par la violence au Canada. Lisez le rapport de recherche de @DawsonMyrna sur le féminicide des femmes âgées, soulignant que les femmes âgées sont souvent « invisibles » : <https://bit.ly/3xoQN8m>

Our top FRENCH tweet

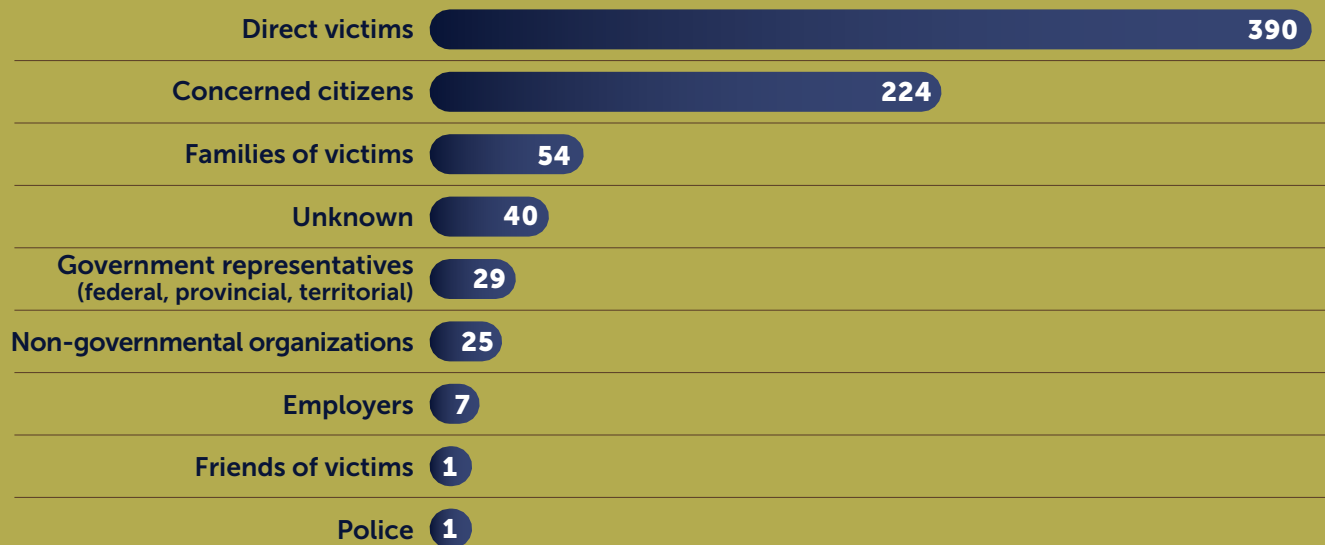
L'indemnisation est une première étape sur la voie de la guérison des victimes. Les programmes d'indemnisation peuvent aider les victimes à se remettre d'un crime & à rétablir leur confiance envers l'État. Lisez ce nouveau rapport de @jwemmers: <https://bit.ly/3x0cH1s>

Compensation is a critical first step on victims' road to recovery. Compensation programs can help victims recover from crime & restore their confidence in the state. Read this new report by @jwemmers on Compensating Crime Victims in our Research Corner: <https://bit.ly/2Uy2WKJ>

Files opened (by official language):

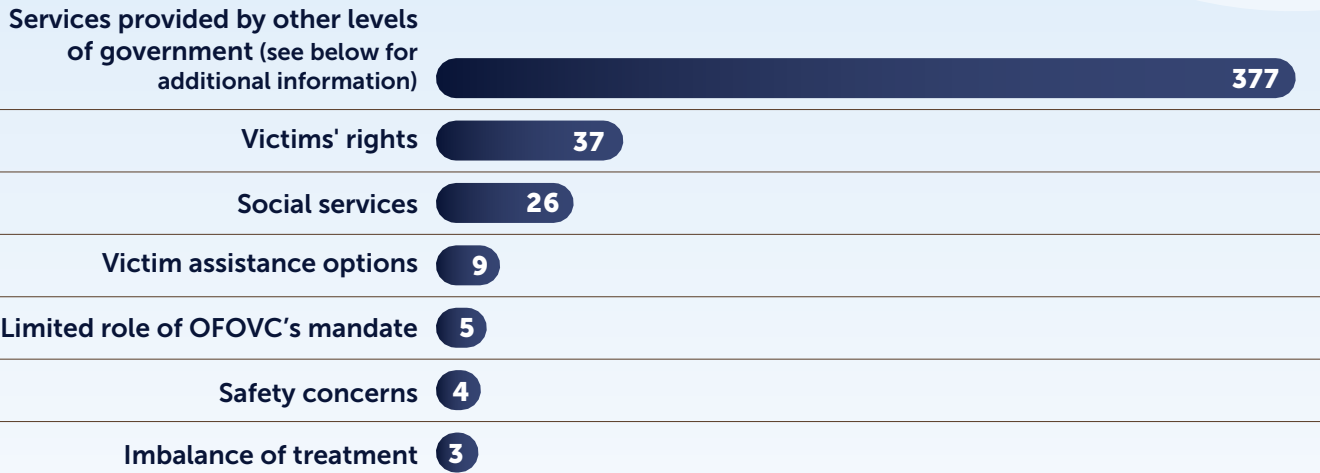


Who Contacted Us:



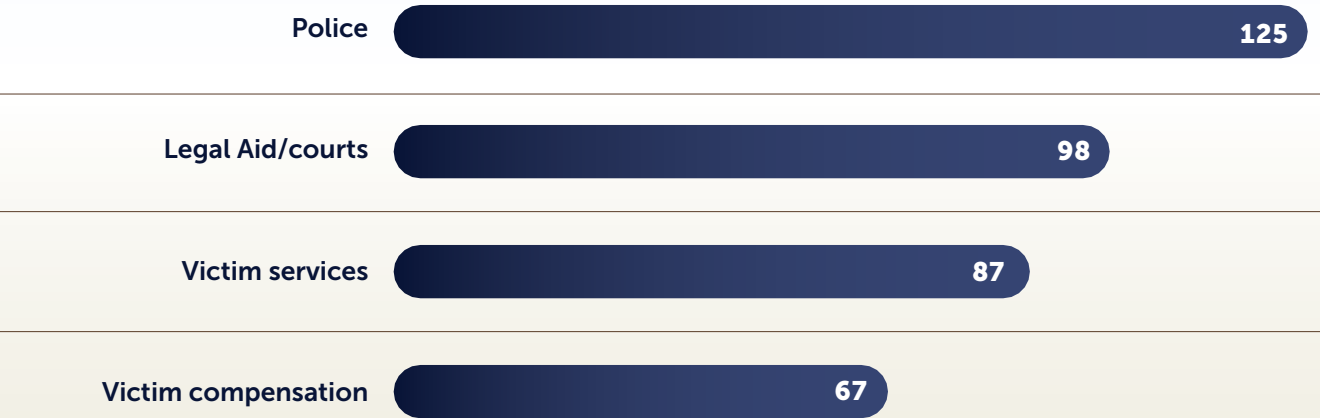
During the 2021–2022 fiscal year, we noticed an influx of people contacting our office about COVID-19 restrictions, health concerns and social services.

Top issues* raised by clients:



* A single file may have multiple issues.

“Other levels of government” includes:



Public and stakeholder engagement

In 2021–2022, the OFOVC participated in a wide range of networking and community events, conferences, forums and meetings to raise awareness of what we do, exchange ideas with colleagues, and ensure policy-makers and influencers are aware of victims' concerns.

Networking events we attended

- ♦ End Violence Against Women International's Virtual Conference on Sexual Assault, Domestic Violence, and Trauma and Resilience (April 2021)
- ♦ 32nd Annual Boston International Trauma Conference (virtually) (May 2021)

Events we presented or spoke at

- ♦ Police Victim Services of British Columbia's Virtual Training Symposium (April 2021)
- ♦ the virtual launch of the Canadian Municipal Network on Crime Prevention's [Peaceful Homes report](#), which the OFOVC helped inform (May 2021) (see also: [opening remarks](#) by the Ombudsperson)
- ♦ part 2 of the Canadian Municipal Network on Crime Prevention's [Peaceful Homes report](#) launch (June 2021)
- ♦ 5th International Conference for Missing Children and Adults (July 2021)

Ministerial and parliamentary relations we managed

- ♦ The Ombudsperson and Executive Director continued to meet with fellow federal ombuds to discuss promoting and integrating the [Venice Principles](#) into the ombuds' Canadian context to support best practices in the profession.
- ♦ On April 27, 2021 the Ombudsperson provided remarks to the House of Commons Standing Committee on Justice and Human Rights on the study of COVID-19 and the criminal justice system.
- ♦ In May 2021, the Ombudsperson provided a submission to the Standing Committee on Justice and Human Rights on the study of elder abuse.
- ♦ On June 3, 2021, the Ombudsperson provided remarks to the Standing Committee on Justice and Human Rights on the study of the *Canadian Victims Bill of Rights*.

“

“Thank you kindly for these leads, and your time... I will be in touch if I need your support going forward.”



Reports and publications we produced

Every year, the OFOVC produces a variety of reports and publications. In 2021–2022, we published an internal report titled “[\(Not all\) Hurt people hurt people: Re-thinking the Victim-Offender Overlap](#),” which examines the correlation between victimization and criminal offending. We also prepared a report titled “[Repairing the Harm: A Special Report on Restitution for Victims of Crime in Canada](#),” which looks at the current state of victim restitution and recommendations going forward.

We also commissioned subject matter experts to submit external reports in their respective fields of expertise related to victimology.

Engaging with our communities of experts

The OFOVC found new ways to engage with its communities of experts in 2021–2022. One important way we did this was through our Academic and Indigenous Advisory Circles as well as by establishing a Frontline Advisory Circle. The considerable knowledge and expertise of these circles’ members continues to enlighten and enrich our work.

Indigenous Advisory Circle

On May 11, the Honourable David Lametti, Minister of Justice and Attorney General of Canada, joined the OFOVC’s Indigenous Advisory Circle meeting to discuss [Bill C-15](#), an act to ensure that the laws of Canada are consistent with the United Nations Declaration on the Rights of Indigenous Peoples. Minister

Lametti also discussed the Government of Canada’s commitment to prepare and implement an action plan to achieve the objectives of the declaration.

The dialogue and perspectives shared by the knowledge keepers of the Indigenous Advisory Circle informed the OFOVC’s recommendations to decision-makers throughout 2021–2022. This included recommendations on violence prevention, systemic racism in policing, better services and supports for front-line workers, and the need to implement Indigenous-led solutions to decolonize the criminal justice system.

Academic Advisory Circle

At an Academic Advisory Circle meeting in June 2021, Myrna Dawson, professor and research leadership chair at the Centre for the Study of Social and Legal Responses to Violence at the University of Guelph, presented her research paper, [Not the ‘golden years’: Femicide of older women in Canada](#). Hannah Scott, a professor in the Faculty of Social Science and Humanities at Ontario Tech University, also published her research paper, [The differences in application of legislation and criminal justice practice to address issues experienced by victims of private versus public violence](#).

Marie Manikis, an associate professor in the Faculty of Law at McGill University, submitted her research paper on [Federalism and victims’ rights in Canada](#), examining the various jurisdictions for criminal justice and how they affect victims’ rights and enforcement.

Circle members played an important role in supporting our evidence-based recommendations to government throughout the year. We engaged the circle on other topics, including the impacts of COVID-19 on intimate partner violence, data gaps related to marginalized communities, and restorative justice practices.

Visit our [Research Corner](#) to see the work of our Academic Advisory Circle members.

Frontline Service Provider Advisory Circle

In 2021–2022, the OFOVC established the Frontline Service Provider Advisory Circle to engage with front-line experts who work in victim services and anti-violence organizations. This circle enables the OFOVC to learn about

the challenges and gaps that service providers see across the criminal justice system when it comes to helping victims heal and advancing their rights in Canada. At the circle's first meeting in June 2021, members shared their initial concerns and challenges and exchanged promising practices. Their experiences inform the OFOVC's recommendations.

The OFOVC commissioned a report titled [Understanding the experiences of coercive control and sexual exploitation](#). The report was co-written by two members of the Sagesse Domestic Violence Prevention Society—Andrea Silverstone, CEO, and Carrie McManus, Director of Innovation and Programs—with Rod Dubrow-Marshall, a professor and programme leader of the MSc Psychology of Coercive Control postgraduate course offered by the School of Health Sciences at the University of Salford in the UK.

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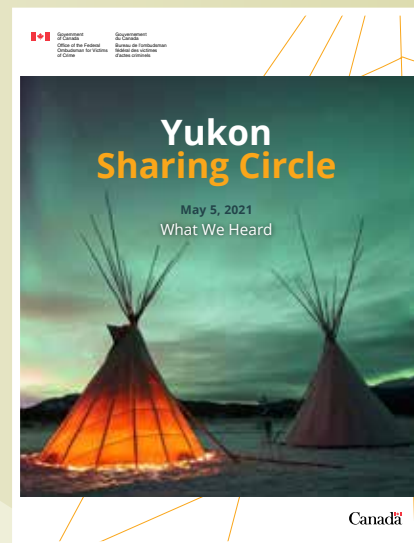
“Thank you so much for your kindness, help and updated information! I’ve appreciated your timeliness and your care.”

Yukon Sharing Circle

In May 2021, the OFOVC hosted a virtual sharing circle with Yukon residents to listen and learn from their experiences with the criminal justice system. The circle was part of the OFOVC's priority to increase its engagement with victims and survivors of crime in remote regions of Canada, with special emphasis on Indigenous groups and communities with whom the office has not engaged with before.

Participants shared their concerns and ideas about how best to improve the justice system, with a focus on federal law, policies and programs. The office plans to use these experiences to enrich its evidence-based recommendations to government and improve both the criminal justice system and the treatment of victims and survivors.

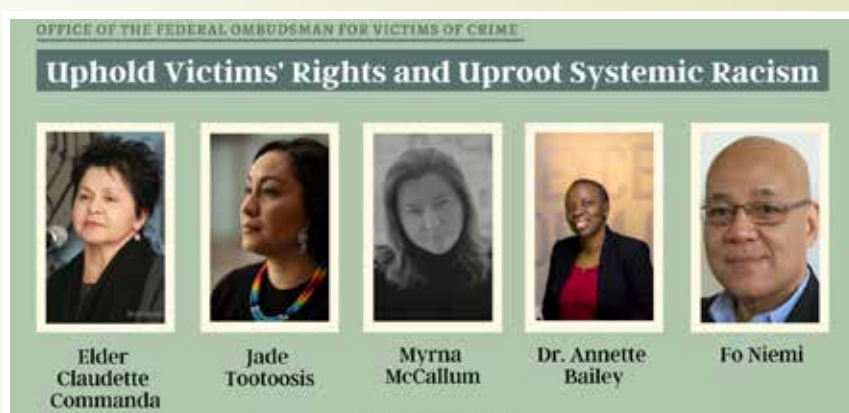
After the Yukon Sharing Circle concluded, we prepared a [What we heard report](#).



Upholding victims' rights and uprooting systemic racism

In June 2021, the OFOVC held [Uphold Victims' Rights and Uproot Systemic Racism](#), a webinar related to its [progress report on the Canadian Victims Bill of Rights](#). The panellists and participants were Elder Claudette Commanda, Jade Tootoosis, an Indigenous justice advocate; Myrna McCallum, an Indigenous lawyer and host of "The Trauma-Informed Lawyer" podcast; Dr. Annette Bailey, associate professor at Toronto Metropolitan University; and Fo Niemi, co-founder and executive director of the Center for Research-Action on Race Relations.

They discussed specific experiences of oppression and challenged white privilege in order to propose solutions and actions that can strengthen victims' rights, increase the accountability of institutions, and decolonize the criminal justice system. Discussions focused on protecting vulnerable victims, reimagining police services through defunding or detasking, breaking down the barriers faced by racialized persons, increasing awareness of citizens' legal rights, and supporting independent complaint and oversight mechanisms.



Case studies

Victim safety concerns about a provincial probation order following a federal sentence

Issue

A victim contacted the OFOVC following receipt of the Correctional Service of Canada's (CSC) response to their formal complaint. The victim was concerned about the management of a provincial probation order that should have come into effect after the offender who harmed them had reached the end of their federal sentence (known as warrant expiry). The offender was released from federal custody in a different province than the one where the probation order applied, but later returned to the province where the order was issued. Neither the provincial victim services unit, local police, nor corrections were aware that the offender had returned to their jurisdiction, and therefore did not begin or update the victim about the order. This meant that the offender was not supervised or subject to conditions in the community as required by the probation order, leaving the victim feeling unprotected. OFOVC reviewed the victim's concerns and identified a gap in CSC's policy and procedures.

OFOVC Involvement

In this case, the PBC did not provide advanced notice of the EAH and the victims did not have the opportunity to raise concerns about the format of the hearing ahead of time. They also missed the opportunity to prepare or arrange to have an elder from their community attend the hearing as a support person. When the hearing began, the family objected to the format. In the absence of a clear policy, the

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“Thanks so much for the work of your team. Please keep me in the loop on this. I will feel better taking this risk if I know that change is in the works and that I might be one of the last ones who has to feel this way.”

Board members used their discretion to stop the hearing and proceed with the regular non-EAH format. However, they advised the family that this disruption to the process may provide the offender with grounds to appeal the decision.

Impact

Following our involvement, CSC has made many positive changes to prevent this type of incident from happening in the future. CSC reviewed its policies and procedures to ensure that it obtains all relevant data about sentencing when it retrieves court documentation. CSC also made changes to its database (Offender Management System) to ensure a consistent approach to identifying and communicating court information for all staff who need to access it throughout the case management process. In addition, CSC has held meetings with each provincial and territorial victim services to improve continuity of services between jurisdictions.

Elder-Assisted Parole Hearing with a Non-Indigenous Offender

Issue

In 2021, Indigenous victims contacted the OFOVC after the Parole Board of Canada (PBC) granted an Elder-Assisted Hearing (EAH) to a non-Indigenous offender who was serving a sentence for the murder of an Indigenous woman. The victim's family felt that this represented cultural appropriation, and that their own culture was being used against them.

In this case, the PBC did not provide advanced notice of the EAH and the victims did not have the opportunity to raise concerns about the format of the hearing ahead of time. They also missed the opportunity to prepare or arrange to have an elder from their community attend the hearing as a support person. When the hearing began, the family objected and the Board members stopped the hearing and proceeded with the regular non-EAH format. However, they advised the family that this disruption to the process may provide the offender with grounds to appeal the decision.

OFOVC involvement

After the OFOVC received a complaint from the victims, the Ombudsperson sent an open letter to the Chairperson of the Parole Board of Canada, Jennifer Oades. The Ombudsperson shared her concerns about respect for Indigenous victims and the decision to allow non-Indigenous offenders to choose EAH. The Ombudsperson also raised concerns about the insufficient amount of time given to victims to prepare for an EAH or to make a complaint about the format. The Ombudsperson recommended that the PBC develop a clear policy for Board members to respond consistently in situations where victims contest the hearing format on grounds of Indigenous cultural identity or heritage.

Although the PBC did not implement these recommendations, the Chairperson outlined actions to prevent this type of situation from recurring, including a PBC policy of providing 28 days notice about an EAH, when possible, and sending a video and written materials to explain the format. The PBC has also established a Working Group on Diversity and Systemic Racism.

Impact

This complaint is not fully resolved. The victims continue to feel that the provision of Indigenous programming to non-Indigenous offenders devalues their racial and cultural identities, and reflects the continued colonial exploitation of Indigenous Peoples and their way of life. The OFOVC recommends further consultation with Indigenous leaders on whether it is appropriate to allow non-Indigenous people to request EAH without the consent of the Indigenous victims they have harmed.



Submissions to government

The impacts of the COVID-19 pandemic on the justice system in Canada

Issue

In April 2021, the House of Commons Standing Committee on Justice and Human Rights met to study the impacts of the COVID-19 pandemic on the justice system in Canada. The Ombudsperson appeared before the Committee to testify on this topic. The office also made a [submission to the House of Commons Standing Committee on Justice and Human Rights on the Study of the Impacts of COVID-19 on the Justice System in Canada](#), discussing the effects of the pandemic on victims and survivors of crime.

We recommended:

- ♦ recognizing victim services as essential and providing emergency (during COVID-19) and long-term sustainable funding to the organizations that provide them
- ♦ creating new legislation to criminalize coercive control in intimate partner violence
- ♦ creating new legislation specific to elder abuse and neglect and taking a public health approach to elder abuse
- ♦ establishing a national intimate partner violence hotline with live chat and text messaging supports
- ♦ developing an awareness campaign about the national intimate partner and family violence hotline and related resources

- ♦ proactively addressing domestic violence by delivering prevention information, education and services virtually (through online platforms and/or apps) to reach vulnerable persons as well as men and boys who may be at risk of engaging in violence, abuse and coercive control
- ♦ addressing inequitable access to justice and necessary support services for victims and vulnerable persons by ensuring access to broadband internet services across Canada
- ♦ collecting more data on the impacts of COVID-19 on racialized and marginalized communities
- ♦ developing a specific plan and approach to respond to and combat rising anti-Asian racism and violence

Outcome

The House of Commons Standing Committee on Justice and Human Rights met in April 2021. No reports have been produced for this reporting period.

Elder abuse

Issue

In May 2021, the House of Commons Standing Committee on Justice and Human Rights invited the public to submit written briefs for consideration in its study of elder abuse. The OFOVC made a [Submission to the Standing Committee on Justice and Human Rights on the Study of Elder Abuse](#) with recommendations. The office recognizes that elder abuse is a systemic issue that is on the rise in Canada, yet can also be very difficult to detect and address.

We recommended:

- ♦ enacting legislation to make elder abuse a *Criminal Code* offence in order to recognize the vulnerability of seniors and impose appropriate penalties
- ♦ committing funding to Statistics Canada to develop survey instruments that would facilitate the collection of disaggregated data and regular reports about experiences of elder abuse in Canada
- ♦ in addition to enacting legislation to make elder abuse a *Criminal Code* offence, applying a public health approach to respond to elder abuse, including education and prevention measures
- ♦ creating an ombuds for seniors to ensure the federal government is accountable for its commitments to the well-being and quality of life of Canadian seniors (such an office could work to promote the interests of seniors, identify systemic issues and help seniors navigate services designed for them)
- ♦ providing federal funding to support social, nursing and financial services for seniors
- ♦ strengthening the ability of the Canadian Anti-fraud Centre to investigate, address and respond to financial crimes committed against seniors

- ♦ directing federal funding for specialized investigation and prosecution teams to address elder abuse

Outcome

The House of Commons Standing Committee on Justice and Human Rights met in May and June 2021. On June 22, 2021, the Committee released [Report 10: Elder Abuse: Identifying the Issue and Combatting All Types of Abuse](#).

Addressing harmful online content

Issue

In August 2021, Canadian Heritage launched a public consultation on proposed approaches to address harmful online content. The department asked for written submissions on the proposed approach to make social media platforms and other online communications services more accountable and transparent in relation to combatting such content.

The OFOVC submitted a [brief](#) that emphasized the need to develop a new legislative and regulatory framework requiring online content platforms to take all reasonable measures to identify harmful content communicated on their platform and make harmful content inaccessible in Canada.



We recommended:

- ♦ developing clear, plain language definitions of the categories of harmful content
- ♦ developing common terms of use for users of online services
- ♦ focusing on prevention by adopting a public health approach with a strong educational component
- ♦ exploring options for restorative justice measures

Outcome

Following the consultation, the Government of Canada released a report titled [What We Heard: The Government's proposed approach to address harmful content online](#). The government continues to consider next steps.

Letters to government

To the Standing Committee on Justice and Human Rights on the study of the *Canadian Victims Bill of Rights*

Issue

The *Canadian Victims Bill of Rights* came into force in 2015, giving victims of crime the right to information, participation and protection as well as the right to seek restitution. In 2021, the Standing Committee on Justice and Human Rights initiated a study of the bill. The purpose of that study is to give Parliament an opportunity to evaluate its effectiveness in ensuring that the rights of victims of crime are respected and to assess the federal government's success in meeting its obligation to victims.

On June 3, 2021, the Committee invited the Ombudsperson to appear as a witness for the study of the Bill. The Ombudsperson pointed out that the Bill's implementation has been sporadic and inconsistent and

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“On behalf of myself and the family, I want to express my gratitude for your response to my email. I will pass on this information to the family. Thank you for the empathy and kindness shown in this very sensitive matter.”

that the law does not give victims a legal remedy if any of the rights contained in it are violated. The Ombudsperson also promised to share the [Progress Report on the Canadian Victims Bill of Rights](#) to review the OFOVC's 15 recommendations to strengthen victims' rights.

We recommended:

- ♦ that the committee make strong recommendations to move forward with the legislated review of the *Canadian Victims Bill of Rights* and propose amendments to address the significant gaps in legislation and challenges that remain for victims and survivors of crime

Outcome

The study of the *Canadian Victims Bill of Rights* ended when a federal election was called in summer 2021. On March 29, 2022, the Standing Committee on Justice and Human Rights began its study of the government's obligations to victims of crime. The committee agreed that the evidence and documents gathered during the second session of the 43rd Parliament during the study of the *Canadian Victims Bill of Rights* will be considered by the committee studying the government's obligations to victims of crime.

As of March 31, 2022, a legislative review of the Bill had still not taken place.

To the Honourable David Lametti regarding the recent tabling of a Justice Committee report on coercive and controlling behaviours

Issue

Intimate partner violence is a largely hidden and underreported crime, with only about one third of victims coming forward to the police.

Coercive control takes shape around the prevalence of male dominance and supremacy relative to women, with tactics that are often rooted in historical gender norms. Criminalizing coercive and controlling behaviours sends a clear message that this form of abuse constitutes a serious offence. The *Criminal Code* should be amended to criminalize coercive and controlling behaviours.

On April 27, 2021, the Committee on Justice and Human Rights tabled a report titled [The Shadow Pandemic: Stopping Coercive and Controlling Behaviour in Intimate Relationships](#). Many of the points raised in the office's submission to the study were included. The OFOVC published [a letter addressed to Minister Lametti containing our recommendations](#), which we have outlined below.

We recommended:

- ♦ moving forward with the committee's recommendation that "the Minister of Justice engage with his provincial and territorial counterparts to initiate a taskforce of experts with a mandate to review existing federal criminal legislation using a gender-based analysis plus and other inclusive measures and make recommendations concerning the drafting of government legislation regarding a coercive and controlling behaviour offence in the *Criminal Code*, considering Bill C-247, *An Act to amend the Criminal Code (controlling or coercive conduct)*, as possible language for such an offence, and related measures to meet the needs of victims" and that "this taskforce should report to the Minister within 12 months of formation"
- ♦ that coercive and controlling behaviours be criminalized in Canada

Outcome

On July 6, 2021, the Minister of Justice replied stating that he was reviewing the committee's report and recommendations in more detail, as were departmental officials.

To the Honourable Bill Blair regarding proposed firearms legislation and considerations related to violence against women

Issue

Bills [C-71](#) and [C-21](#), *Acts to amend certain Acts and Regulations in relation to firearms*, received royal assent on June 21, 2019, but have yet to be fully implemented. Bill C-21 includes valuable measures, but needs to be strengthened to achieve its intended goal of reducing gun-related crime.

The OFOVC published a [Letter addressed to the Honourable Bill Blair regarding Proposed Firearms Legislation and Considerations Relating to Violence Against Women](#) with recommendations on this issue.

We recommended:

- ♦ the immediate implementation of the provisions of Bill C-71, which have so far been only partially implemented

- ♦ the implementation of the rigorous background checks outlined in Bill C-71 to prevent perpetrators from obtaining weapons legally
- ♦ strengthening Bill C-21 to allow the immediate removal of firearms by police in situations of physician-identified risk
- ♦ that Public Safety Canada provide sustainable funding to community-based organizations to support victims, injured survivors, family friends, and communities affected by gun violence as well as those doing primary violence prevention work from a public health perspective
- ♦ expanding Bill C-21 to ensure buyback programs are mandatory and cover more weapons
- ♦ developing a national hotline for citizens that would permit the temporary removal of firearms

Outcome

As of March 31, 2022, full implementation of Bill C-72 is still pending and we welcome changes to strengthen Bill C-21.

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“I thank you for this exhaustive follow-up, which is much appreciated.”



To the Minister of Justice and Attorney General of Canada on Publication bans

Issue

In 2021–2022, the OFOVC heard from victims about publication bans, specifically the complex process required for victims to get the bans lifted. Victims also told us they were not informed about publication bans and/or that the information they received about them was unclear. Many did not know how to request a publication ban, how to get one lifted, or what information could still be shared about their case if a publication ban was in place.

The OFOVC wrote a [letter to the Minister of Justice and Attorney General of Canada](#) providing its recommendations on this issue, including that the Court be required to disclose information explaining how to remove the order in the future, if so desired by the victim.

We recommended:

- ♦ creating a subsection that lists what victims are entitled to do with information about their case (such as sharing with family members or other support persons) to ensure that complainants and witnesses understand what is permissible
- ♦ clarifying in section 486.6 that publication ban violations cannot apply to victims, either at all or in certain circumstances
- ♦ amending the [Criminal Code](#) to provide a simple procedure that a victim can follow to get a publication ban lifted, including a process that does not require a court appearance, in all cases
- ♦ that Department of Justice Canada officials work with provincial and territorial attorneys general to ensure that all jurisdictions collect and publish data on orders restricting publication for adults and children, and that

this should include, but not be limited to, the offence type, number of requests (and number denied), who is requesting them, and how many victims are being informed of the right to request a publication ban

Outcome

On August 13, 2021, the Minister of Justice replied stating that he had shared the office's recommendations with Department of Justice Canada officials.

To provincial and territorial attorney generals on seeking support to improve victims' rights in the administration of justice

Issue

Given that the federal government and provincial and territorial governments share the responsibility for responding to victims of crime in Canada, there needs to be a consensus toward strengthening the rights of victims and survivors of crime in the administration of justice.

As such, the OFOVC submitted a [Letter addressed to Provincial and Territorial Attorneys General on Seeking Support to Improve Victim's Rights in the Administration of Justice](#) with its recommendations.

We recommended:

- ♦ removing the burden from those harmed by crime and violence to ask for information on their cases (it is critical that all criminal justice officials are directed to inform victims of their statutory rights under the *Canadian Victims Bill of Rights* proactively)
- ♦ developing province- and territory-wide victims' rights wallet cards for police to provide to victims at their first encounters
- ♦ adopting a systematic approach across all jurisdictions to record identical indicators



about victims of crime, with an emphasis on over-represented and targeted populations, such as racialized people, Indigenous women and girls, and 2SLGBTQQIA+ persons

Outcome

The Ombudsperson received responses from the Honourable Doug Downey, Attorney General of Ontario, and the Honourable David Eby, Attorney General of British Columbia, noting that they share the OFOVC's views about the need for equitable treatment of victims and survivors of crime and are continuing their work to ensure that the public interest and victims' rights are protected within the criminal justice system.

To the Honourable Ahmed Hussen on the Canadian Benefit for Parents of Young Victims of Crime Program

Issue

In June 2017, the OFOVC undertook a systemic review of the Federal Income Support for Parents of Murdered or Missing Children Grant. The goal of the review was to identify key recommendations to the federal government that would increase the grant's uptake and ensure that the funds allocated to assist victims were being dispersed to the greatest extent possible.

In May 2018, the federal government replaced the grant with the Canadian Benefit for Parents of Young Victims of Crime. Although some changes were made to the program, the OFOVC believes more work needs to be done to ensure the grant meets the needs of the population it is meant to serve. As such, the Ombudsperson wrote a letter to Minister Hussen on this topic.

We recommended:

- ♦ completely removing the criterion that precludes eligibility in cases where the child was "a willing party" to the crime that led to their death

“

"I wanted to thank you for taking the time to write to me... I thank you for listening. You are making a difference and that is important. There should be many more posts like yours."

- ♦ revisiting the requirement for the crime to be the “result of a probable *Criminal Code* offence” and considering expanding eligibility in order to help parents whose children are victims of crimes not covered by the code, such as sexual exploitation (in recognition of the fact that many forms of victimization may require a parent to take time off work)
- ♦ considering extending the grant to circumstances where the child was victimized outside of Canada
- ♦ providing an annual report on benefit activities to improve transparency
- ♦ using a gender-based analysis plus lens to explore whether any populations face barriers to accessing the grant
- ♦ creating more awareness of the benefit

Outcome

As of March 31, 2022, the office had not received a response.

To the Honourable Bill Blair and Honourable Marc Garneau on the creation of a federal victim support office for terrorism and extremist violence

Issue

Canadian citizens have been victims of terrorist attacks both at home and abroad. There remains a pressing policy gap in supporting victims and survivors of terrorism during their long-term recovery and healing. With multiple jurisdictions involved and little to no consistent federal policy direction, these vulnerable individuals frequently fall through the cracks without having their needs met or respected.

As such, the OFOVC submitted a Letter addressed to the Minister of Public Safety and Emergency Preparedness and the Minister of Foreign Affairs with [OFOVC’s recommendation](#).

We recommended:

- ♦ that Global Affairs Canada and Public Safety Canada work as federal partners to jointly establish and operate a federal victim support office for terrorism and extremist violence

Outcome

As of March 31, 2022, the office had not received a response.



Operations and financials

Budget

The OFOVC operates at arm's length from the Department of Justice Canada. The office employs a full-time staff of 10 people who support 3 units:

- ♦ Case Management
- ♦ Policy and Research
- ♦ Communications

In keeping with the principles of an effective and cost-efficient organization, the OFOVC receives core enabling services, such as information technology, contracting and human-resources management, from the Department of Justice, where appropriate.

Summary of actual expenditures from April 1, 2021 to March 31, 2022

Line item	Amount (\$)
Salaries and wages (including Employee Benefits Plan)	1,043,468
Information and/or communications	63,394
Training and professional dues	9,716
Professional and special services	124,095
legal	11,550
translation	87,971
other	24,574
Rentals	2,914
Repairs and maintenance	376
Utilities, materials and supplies	4,228
Acquisition of machinery and equipment	0
Travel and relocation	64
Other	23,016
Total expended by the Ombudsperson's office	1,271,271

Notes:

Public Service and Procurement Canada covered the cost of occupying and maintaining the OFOVC's premises.

The Department of Justice Canada covered certain corporate costs for the OFOVC that are not included in the expenditures reported above.