

# #OFOVCCOMMUNITY NEWSLETTER

## WINTER 2024

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The Office of the Federal Ombudsperson for Victims of Crime acknowledges that our office, located in Ottawa, is on the unceded, unsurrendered Territory of the Anishinaabe Algonquin Nation whose presence here reaches back to time immemorial.

## Welcome Back #OFOVCCommunity!

Welcome back #OFOVCCommunity! October 24th, 2023 marked the one-year anniversary since the appointment of Dr. Benjamin Roebuck as Ombudsperson serving victims and survivors of crime. The Fall Season has been filled with engaging with victims, survivors, stakeholders, researchers, and front-line service providers. The Office of the Federal Ombudsperson for Victims of Crime (OFOVC) is excited for new plans and projects that lie ahead in the coming year. Happy Anniversary Dr. Roebuck!

Heard. Respected. **VICTIMS FIRST.**  
Écoutées. Respectées. **LES VICTIMES D'ABORD.**



## Events & Engagements

Dr. Roebuck and Julie-Anne from our intake team spent September 18th to 21st in Regina, Saskatchewan at the Regional Victim Advisory Committee Forum, co-organized by the Parole Board of Canada and Correctional Service Canada. They also spent time with the Saskatchewan Ombudsman and were able to host a joint Q & A at the Victim Forum answering questions related to provincial and federal jurisdiction.



Image of the OFOVC team and the Kim McGregor, the Chief Victims Advisor to the Government of New Zealand.

On September 27th and 28th, the Ombudsperson hosted Dr. Kim McGregor, the Chief Victims Advisor to the Government of New Zealand during her trip to Canada. The Ombud hosted four roundtables during Dr. McGregor's visit with key federal government stakeholders and community organizations. Participants included the Policy Centre for Victims Issues, the National Office for Victims, Women and Gender Equality Canada, the Parole Board of Canada, Correctional Service Canada, Canada's Special Representative on Combatting Islamophobia, the Canadian Resource Centre for Victims of Crime, Ottawa Victim Services, Women's Shelters Canada, and Mothers Against Drunk Driving. The discussions focused on the similarities and differences in victim rights, legislation, and policy across both countries as well as problem-solving and innovation.

Early in October, Dr. Roebuck had the opportunity to meet with Professor Benjamin Perrin to exchange and talk about what he wrote in his published manuscript *Indictment*, which speaks to how the justice system can be transformed for survivors. Professor Perrin's expertise and point of view were so enlightening that the Ombudsperson subsequently invited him to join the OFOVC Academic Advisory Circle.

On October 12th and 13th, the Ombudsperson presented at the International Men and Families Conference on disrupting narratives on masculinities and violence.



Image of Dr. Benjamin Roebuck and Professor Ben Perrin.



Image of the OFOVC team and Gymnasts for Change Canada

On October 25th, the OFOVC team met with Gymnasts for Change Canada. They discussed the need for a national inquiry to look into systemic child abuse, athlete maltreatment, and discrimination in sports in Canada. Although the government's announcement was not the national inquiry that Gymnasts for Change Canada was hoping for, we are pleased to see that the Federal government has announced a commission to investigate systemic abuse and human rights violations in Canadian sports.

On October 31st, the OFOVC met with the Military Police Complaints Commission of Canada and on November 2nd with Ontario's Office for Victims of Crime. In the coming year, the OFOVC will continue engaging with stakeholders and working towards increased collaboration to better serve the needs and concerns of victims and survivors.

On November 17th, Correctional Service Canada's Multidisciplinary Victims Committee had their first meeting. The Ombudsperson serves as a special advisor to the committee, formed to examine the services that CSC provide and look at making improvements to better serve victims of crime.

On November 21st, the OFOVC gave a presentation at a meeting White Ribbon, a movement working to end violence against women and girls, hosted for a delegation from the United Nations Population Fund (UNFPA) Vietnam on their visit to learn about international experiences in intervention initiatives aimed at addressing male perpetrators of gender-based violence.

On November 29th, the Ombudsperson appeared before the House of Commons Standing Committee on Public Safety and National Security on the rights of victims of crime, reclassification and transfer of federal offenders. He spoke on prison transfers and how they impact victims, and made recommendations to ensure that victims are considered, and their rights are upheld.



Image of Dr. Benjamin Roebuck at his appearance before the House of Commons Standing Committee on Public Safety and National Security

**Victim rights and offender rights can coexist.  
We can do a much better job of providing information while still  
respecting the *Privacy Act*.**

**-Dr. Benjamin Roebuck**

On November 29th and December 6th respectively, the OFOVC met with our Frontline Service Provider Advisory Circle and Academic Advisory Circle. They discussed Bill S-12 and Bill C-48, and the OFOVC's upcoming plans and projects. Members also discussed their current work, engagements and concerns.

The OFOVC met regularly with federal partners and stakeholders, including Public Safety Canada, the Parole Board of Canada, the Policy Centre for Victim Issues at Justice Canada, the National Office for Victims at Public Safety Canada, Correctional Service Canada and Women and Gender Equality Canada.

## Moving Towards Enforceable Rights for Victims of Crime

### Bill C-48

Bill C-48 - An Act to amend the *Criminal Code* was introduced to reform Canada's bail system, reported to be in need of resources and better solutions to prevent systemic racism and to offer safe alternatives to detention when appropriate. It is important to not lose sight of the unintended consequences policies can have, particularly for marginalized and racialized communities. Victims need better protections, and the bail system also needs to be fair for all affected. The Ombudsperson made a submission to the Senate Committee on Legal & Constitutional Affairs on Bill C-48 recommending that coercive and controlling behaviours and community-based alternatives be considered in bail reform and ensure the safety of victims while mitigating the overrepresentation of Indigenous and Black individuals held in custody. The government must invest in community-based alternatives to ensure the safety and well-being of survivors.

On December 5th, the government passed Bill C-48 to amend the bail regime. Changes include expanding reverse onus\* to include persons who have been found as a group to pose an elevated risk of violent re-offending if they are released pending trial. This group includes persons accused of intimate partner violence who have previously committed intimate partner violence offences. Courts must also comply with section 493.2 of the Criminal Code, which would consider circumstances of Indigenous and vulnerable overrepresented populations, and state this on the record.

\* **Reverse onus:** whereas normally the Crown has the onus to prove that the accused should remain detained until their trial, in reverse onus situations the accused has to prove they are not a flight risk, release would not be a public safety concern, or undermine the public's confidence.

### Bill S-12

The OFOVC supported the development of Bill S-12 and made recommendations to government to ensure that the bill is victim-centred.



Image of Dr. Benjamin Roebuck at his appearance before the Standing Committee on Justice and Human Rights on Bill S-12.

On October 17th, Dr. Roebuck appeared before the Standing Committee on Justice and Human Rights on Bill S-12: An Act to amend the *Criminal Code*, the *Sex Offender Registration Act* and the *International Transfer of Offenders Act*. He recommended the implementation of informed consent and victim-centred information. On October 26th, Bill S-12 received Royal Assent. These legislative changes will simplify how victims access information and make the regime on publication bans more victim-centred. These breakthroughs are worthy of celebration: they are the result of collective efforts on the part of victims, victims' rights advocates and representatives.

Thank you to the courageous survivors who advocated for Bill S-12, those who have contacted either our Office or My Voice, My Choice. We continue to listen to victims and survivors of crime, all of whom are worthy of respect, dignity, and receiving vital information. Keep an eye on our website or social media channels for an infographic that explains these changes and how they will help ensure victims of crime are heard and their choices are respected!

## Submissions & briefs to the Federal Government

An important part of the Office's work is identifying issues that impact victims of crime and recommending ways that the federal government can make its laws, policies and processes more responsive to victims. During the fall season, in addition to appearing before parliamentary committees in support of Bill S-12 and making a submission on Bill C-48, the OFOVC made a second submission to government and an additional committee appearance.

## Victim rights during virtual hearings

The Sub-Committee on the Open Court Principle established by the Department of Justice had requested feedback from the Ombudsperson on respecting victim rights during virtual hearings. The Ombudsperson submitted a brief to the sub-committee on November 14th with both positive feedback and recommendations to improve virtual testimony and access. Virtual hearings provide a significant opportunity to strengthen the implementation of victims' rights in the criminal justice system. Assessing the protection needs of victims and offering informed choices for their participation at hearings better reflects the government's obligations under the Canadian Victims Bill of Rights to consider the protection and participation rights of every victim.

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## Rights of Victims of Crime, Reclassification and Transfer of Federal Offenders

The transfer of a high-profile inmate from maximum-security Millhaven Institution to medium security La Macaza Institution on May 29, 2023, raised critical questions about the policies and processes governing the security reclassification and transfer of offenders within Correctional Service Canada. For over a decade, victims and survivors of crime have shared concerns with the OFOVC about offender transfers. Specifically, victims have expressed concerns related to the timing of notifications; how little information is shared; and the lack of opportunity to share safety concerns or input before a decision is made. The current framework for offender transfers under the *Corrections and Conditional Release Act* falls short of providing victims with the transparency and information they deserve. On November 29th, Dr. Roebuck made a submission to the House of Commons Standing Committee on Public Safety and National Security on prison transfers and victim rights and made nine key recommendations.

## Looking Ahead

In the coming year, the OFOVC plans to undertake an investigation into the experiences of survivors of sexual assault in Canada and a review into hate crimes and hate related incidents. The Office will also be conducting a collaborative review with the Parole Board of Canada, looking into victim participation in parole hearings and the lack of mental health support for victims.

The OFOVC will be submitting a response to the Standing Committee on Justice and Human Rights' Improving Support for Victims of Crime Report, so keep an eye out!

In the coming months, the Office plans to continue meeting with the Academic and Frontline Service Providers Advisory Circles, and the Indigenous Advisory Circle will be reconvened in 2024-25 to address actioning the Missing and Murdered Indigenous Women and Girls Calls for Justice, the decolonization of the justice system and other emerging issues affecting Inuit, Métis and First Nations peoples in Canada.

We will also be establishing our Black Survivor working group in 2024-25 to engage with Black victims and survivors of crime, academics, community leaders and experts. It is crucial to address the barriers that prevent Black Canadians from accessing victim services and ensure they have equal access to support and compensation.

Do not hesitate to circulate this newsletter within your networks and contact our Office if you know of an organization that may be interested in taking part in these last two new endeavours.

### Let's Stay Connected.

Follow us on social media for updates about our Office, helpful resources, and information.

**Please share this newsletter with colleagues, friends of family who may be interested.**



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