



National Justice Network Update



FEBRUARY 2010

Welcome to the **FEBRUARY** issue of the *National Justice Network e-Update*, a publication of the Canadian Resource Centre for Victims of Crime. PLEASE SHARE THIS **FREE** NEWSLETTER WITH YOUR COLLEAGUES OR HAVE THEM SIGN UP TO RECEIVE IT DIRECTLY AT: <http://crcvc.ca/en/newsletter/>.

The CRCVC would like to thank Algonquin College Professional Writing student Samantha Hardy for her help preparing this issue of the NJN.

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LINKS OF INTEREST:

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VICTIMS' ADVOCATE APPOINTED TO SENATE

On January 29th, Prime Minister Stephen Harper appointed Pierre-Hugues Boisvenu, founding president of the Murdered and Missing Persons' Families Association of Quebec, as one of five new Senate members. Mr. Boisvenu, a passionate victim's rights advocate, is a strong supporter of the Conservative government's "tough-on-crime" agenda.

Mr. Boisvenu became involved in victims' rights in 2002 following the abduction, rape and murder of his then 27-year-old daughter Julie. Mr. Boisvenu plans to use his position to make the voice of victims heard: "By appointing me as senator [we] are sending a clear signal to Canadians and Quebecers: our Government stands for the rights of victims, not the rights of criminals."

The CRCVC congratulates Mr. Boisvenu and looks forward to the voice of victims being heard in the Senate.

F.A.C.T. CREATES PETITION TO AMEND THE CRIMINAL CODE

Families Against Crime and Trauma (F.A.C.T.), based in

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SNAPSHOTS

* SAVE THE DATE *



REMEMBER ME HOMICIDE SUPPORT GROUP WRISTBANDS

The Remember Me Homicide Support Group and Brenda's Foundation have created wristbands (pictured below) and keychains for homicide survivors. To purchase either, the group is asking for a minimum \$2 donation.

To order, email brendasfoundation@ymail.com.



"COMPULSIVE" DRUNK DRIVER GETS EIGHT-YEARS IN PRISON

A Nova Scotia man who had 68 previous criminal convictions, including 22 for impaired driving, has been sentenced to eight-and-a-half years behind bars for slamming his vehicle into a parked SUV and leaving the scene. Terry Naugle, 53, pled guilty to charges including driving while impaired, driving while prohibited and leaving the scene of an accident.



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Burnaby, British Columbia, has created a petition asking Parliament to amend Section 515 of the *Criminal Code* to include a ban against the use of computers, PDA's, texting, or any other form of communication for those out on bail.

F.A.C.T. founder Sandra Martins-Toner's son was murdered in July 2005. Katherine Quinn, who was convicted of the crime, is currently out of prison, on bail, awaiting a second trial. Quinn has been re-victimizing Martins-Toner's family utilizing social network tools such as Facebook and Twitter. Martins-Toner claims that she is not the only Canadian mother whose "child's killer is using these forums to vent and get messages to the families in hopes of intimidating them."

The CRCVC supports this petition, and urges readers to sign it. To get a copy of the petition, please contact Sandra Martins-Toner via email at: sandra@familiesagainstcrime.org, or by phone at: (604)-338-1411.

In creating an organization to help other victims of crime and their families get support that they need, Martins-Toner has shown a great deal of what is known as *resiliency*. Some victims of crime learn to positively cope "by engaging in activities that help them regain (or gain) a sense of control over their lives... (they may) become activists and victim advocates," according to registered psychologist Dr. James K. Hill. Hill is the author of "*Victimization, Resilience and Meaning-Making: Moving Forward in Strength*," a featured article in the Department of Justice Victims of Crime Research Digest. The entire article, and others, can be found at: <http://www.justice.gc.ca/eng/pi/rs/rd-rr.html>.

CANADIAN COLONEL CHARGED WITH FIRST-DEGREE MURDERS & SEX ASSAULTS

Colonel Russell Williams, the now-former commander of the Trenton Canadian Forces base, has been formally charged with first-degree murder in the January death of 27-year-old Jessica Lloyd of Belleville and the November 2009 death of Corporal Marie-France Comeau, 38 of Brighton. Williams also faces charges stemming from two sexual assaults that took place in Tweed, Ontario last September.

Williams, who is currently in police custody, has been said to have participated in police interviews, giving frank, business-like statements to investigators. Globe and Mail sources also claim that Williams photographed his exploits, and that forensic investigators anticipate turning

Said sentencing judge Frank Hoskins: "While I understand alcoholism is a terrible disease... I do not understand the compulsion to drive a motor vehicle while impaired. Nothing up to this point has deterred him from reoffending."

MURDER VICTIM'S MOTHER REFUSES TO GIVE UP

February 18, 2004 marked a severe tragedy in the life of Linda Beland. That was the day that her son, Douglas Stewart, was beaten to death with a tire-iron outside of his Ottawa apartment. On the evening of February 18, 2010, Ms. Beland held a candlelight vigil to commemorate the life of her son, something she has done on each anniversary of his death. The crime is still unsolved, and she maintains that she will never give up hope that her son's killer is brought to justice.

TROIS-RIVIERES MAN TO RECEIVE INHERITANCE FROM SLAIN PARENTS

In March, 2007, Gaetan and Lucie Piche of Trois-Rivieres, Quebec were brutally attacked and decapitated with an axe at the hands of their son, Alain. Their bodies were later found in the freezer of their home.

In 2008, Alain Piche was found Not Criminally Responsible for the deaths of his parents due to his mental condition. A 2008 Superior Court decision also ruled that Piche could not receive the \$300,000 his parents willed him, based on the *Civil Code*, which states that a person cannot claim an inheritance if they are found guilty of murdering the person who has named them a beneficiary in their will.

Quebec's Court of Appeals,





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up “a treasure trove of evidence” from his computer.

Police are currently undertaking searches of both Williams’ Ottawa home and his cottage in Tweed, which is situated near Belleville, Ontario. The CRCVC wishes to extend our heartfelt condolences to the families of the victims.

SOCIAL NETWORKING SITES COME UNDER FIRE

Online giant Google has been hit with heavy criticism following the launch of their new social networking service Buzz. The Electronic Privacy Information Centre (EPIC) filed a complaint with the US Federal Trade Commission, claiming the service, which is part of Gmail, has caused multiple privacy concerns for consumers.

The most prominent complaint came from a woman whose ex-husband, a man who had violently abused her, was able to auto-follow her using Buzz. The man did not know how to find her prior to the launch of Buzz. Google’s reaction to the issue was swift: Buzz no longer automatically follows a user’s most frequent contacts, but instead suggests people you may want to follow.

EPIC, despite the changes, still wishes to see further actions taken to protect consumer privacy, such as a “fully opt-in” requirement and a ban from using Gmail contacts to compile social networking lists.

A western-Canadian-based social network site, Nexopia is also the subject of a privacy complaint, made to Canada’s Privacy Commissioner by the Public Interest Advocacy Centre (PIAC), a consumer advocacy organization based in Ottawa.

Nexopia is a popular site amongst children and teens that currently boasts more than 1.4 million registered subscribers. At the heart of PIAC’s complaint against the website are its privacy practices, six of which PIAC says violate the Personal Information Protection and Electronic Documents Act (PIPEDA). The key violation alleged by PIAC claims that Nexopia does not obtain proper consent to disclose the profiles and personal information of its young users to the general public.

John Lawford, counsel for PIAC, describes further issues pertaining to Nexopia’s search feature: “Nexopia’s member search engine can be used by everyone with an Internet connection and is a worrisome tool: it permits a very fine-grained search of Nexopia members. Using this search engine, for example, you could search for females

however, has overturned the Superior Court decision, claiming that Piche was unable to differentiate between right and wrong due to his mental state, and, therefore, cannot be held responsible for his parents’ murders. Thus, Piche will receive the full inheritance left him by his parents.

A former accountant, Piche is currently locked up in Montreal’s Pinel Institution, awaiting psychiatric re-evaluation in August.

PONZI-SCHEME SWINDLER GETS 11-YEAR SENTENCE

Montreal financial adviser—and scam-artist—Earl Jones has been sentenced to 11 years in prison for his \$50 million dollar bilking of 158 clients. Jones, who gutted the life savings of many of his victims, will be eligible for parole in less than two years, a sentence that is far too lenient according to Bevan Jones, one of the many former clients who attended Earl Jones’ sentencing hearing.

“He didn’t get enough time [behind bars]. It’s a Mickey Mouse system that we have here in Canada,” said Bevan Jones.

Among the victims of Earl Jones’ 27-year-long scheme were many close friends and family members.

FORMER OASIS FRONT-MAN DELAYS SENTENCING OF ONTARIO MAN

In September, 2008, rock band Oasis took the stage as headliners of the Toronto Island Virgin Music Festival. Their act was cut short, however, when 48-year-old Pickering contractor Danny Sullivan charged the stage and shoved the band’s front-man, Noel Gallagher, into a speaker cabinet.





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between the ages of 13 and 16 in a particular city or attending a specific school with certain interests. This tool does not respect youth privacy.”

The CRCVC remains concerned about the real safety issues that can arise as a result of social-networking websites. Our office will be writing to Nexopia to address concerns with the site.

JUSTICE MINISTER PROPOSES TO STRENGTHEN YOUNG OFFENDERS SYSTEM

On January 28, 2010, the Honourable Rob Nicholson, Minister of Justice and Attorney General of Canada, proposed new legislation to strengthen the way the criminal justice system deals with violent and repeat young offenders. Nicholson hopes to simplify the rules that govern the *Young Offenders' Act* in order to keep the most dangerous offenders off the streets. The proposal would allow courts to consider adult sentences for the most serious offences, as well as to publish the names of young sex offenders.

Under the proposal, young offenders tried as adults will still serve their sentences in youth facilities, and publishing the names of young sex offenders will still be at the discretion of the courts.

In a Department of Justice press release, Minister Nicholson states: "All too often, the system is powerless to keep violent or repeat young offenders in custody while awaiting trial, even when they pose a danger to society. We need to simplify the rules to keep these offenders off the streets, when necessary."

FAILURE TO PROTECT VICTIM FROM BULLYING COULD COST OTTAWA CATHOLIC SCHOOL BOARD

Krishna Stanton, the mother of a ten-year-old student, is suing the Ottawa Catholic School Board, along with school faculty and staff, for failing to protect her daughter from repeated bullying at the hands of another student. Ms. Stanton alleges that the school administration failed to intervene on her daughter's behalf despite multiple requests made to her teacher and principal.

The student has since switched schools to avoid the bullying, which began in 2007, but her mother reports that she suffers still from post-traumatic stress and anxiety.

The lawsuit, which is for \$325,000, would set a legal precedent in Ontario, holding school boards and staff

Gallagher broke three ribs in the incident.

Sullivan, who pled guilty to all charges, attended his sentencing hearing in February, only to have the proceedings delayed when prosecutor Ruth Kleinhenz requested an adjournment that would allow Mr. Gallagher to travel from the UK to deliver his victim impact statement in person. Mr. Justice Richard Schneider agreed to the adjournment; however, he described the delay as "unfortunate in the extreme."

The CRCVC hopes that courts in Canada will delay proceedings more often to allow victims the right to deliver impact statements in person – not just in cases where the victim is a famous recording artist.

SUPPORT GROUP FOR FAMILY MEMBERS OF HOMICIDE VICTIMS TO BEGIN IN SASKATCHEWAN

The Greystone Bereavement Centre, in Regina, Saskatchewan, will be starting a support group for family members of homicide victims. The group will begin meeting on March 17th, and will run on a monthly basis. There are currently 6 people registered for the group, which is being advertised through word-of-mouth. This will be the first group of its kind in Saskatchewan.

SAFFRON SEXUAL ASSAULT CENTRE TO HOLD CONFERENCE IN EDMONTON

Alberta's Saffron Sexual Assault Centre will be holding a conference at Edmonton's Radisson Hotel Edmonton South on April 22 and 23rd. The conference is entitled: *Every Victim Matters—Understanding*





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responsible for incidents of bullying, according to Carleton University psychology professor Dr. Tina Daniels. University of Ottawa law department dean Bruce Feldthusen explains that there currently exists case law that holds teachers and principals responsible for students in their care; however, this law does not directly relate to bullying.

Ms. Stanton's hope is that, should her lawsuit be successful, schools will be forced to follow procedures that are already in place much more closely.

SOLVED CRIMES DOUBLE FOR DNA DATA BANK

Since 2008, when the Conservative government introduced an expanded list of crimes for which DNA samples could be extracted by the authorities, the National DNA Data Bank in Ottawa has taken 34,000 samples of blood, saliva and hair follicle DNA, as opposed to only 19,050 samples from the previous 6 years.

Since January 1, 2008, legislative changes mean that the number of offences that qualify for DNA extraction have expanded from 59 to 265. Previously, primary offences included murder, sexual assault with a weapon, kidnapping and robbery. However, offences such as break-and-enter, sexual exploitation of a person with a disability, and intimidation or extortion of a juror or journalist were bumped up from secondary crimes to primary offences. These offences require courts to provide a DNA sample to the Bank, without discretion. Secondary offences now include criminal harassment, uttering threats, theft over \$5000 and require that a DNA sample be taken following approval by a judge.

Due to the increased number of DNA samples, the number of solved crimes has also increased. "We're getting 3,000 to 4,000 scene-to-offender hits per year [...] which is cutting down on investigation costs, investigation time and court time," says Andrew Savoie, acting manager of collections and training for the National DNA Data Bank.

The CRCVC is a strong supporter of these measures to include more offenders' samples in the DNA Database.

QUEBEC PRISONER RELEASE GAFFE SHEDS LIGHT ON LARGER PROBLEM

An internal document obtained by Radio-Canada, which was recently made public, reveals that 34 prisoners in Quebec jails in 2009 were mistakenly released early. An investigation has been launched into the reason for the prisoners' release, according to Quebec Public Security Minister Jacques Dupuis.

the Impact of Cyberviolence on Youth.

Keynote speakers at the event include Federal Ombudsman for Victims of Crime Steve Sullivan and Integrated Child Exploitation (ICE) Team member Pat Waldorf.

Those interested in attending the event may register online at: safron-ssac.com.

THE COST OF THE WORK WE DO: UNDERSTANDING VICARIOUS TRAUMA AND COMPASSION FATIGUE

Ottawa's Sexual Assault Network will be hosting a one day professional development workshop, presented by Françoise Mathieu. Geared to helping professionals, the workshop will focus on identifying the risks and impacts associated with working with traumatized individuals, and addressing the effects. The workshop will be held in Ottawa on Friday March 26, 2010 from 9:00-4:00pm. For registration information please contact sanottawa@familyservicesottawa.org.





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Minister Dupuis went on to explain that 33 of the prisoners were returned to custody within one week of their accidental release, however a specialist will be brought in to properly train correctional workers on how to calculate the correct length of prison terms.

Public security critic Bertrand St-Arnaud believes a larger problem must be addressed. Mr. St-Arnaud claims that many Quebecers convicted of offences do not show up for weekend jail time or court appearances. He believes Quebec must take a similar approach to that of Ontario, which has special squads to track down fugitives and return them to jail. Mr. St-Arnaud believes there are “hundreds and hundreds” of people in Quebec who are currently at large.

NEW VICTIMS’ SERVICES TO LAUNCH IN UK

Beginning in April, the UK government will official offer new services to victims of crime in an initiative called The National Victims’ Service. The service will enable victims to meet with a support worker who will help them access various forms of victims’ assistance. Victims will also receive a “health check,” to determine their needs and to intensify support for the most vulnerable victims.

According to Justice Secretary Jack Straw, “the aim is that, for the first time, victims will be given support from the moment they report a crime or anti-social behaviour until the moment they say they no longer need it.”

This new scheme was developed after the mother of a murder victim called for the new service. The victim’s mother published a report after spending nine months speaking to victims and witnesses and studying front-line services.

Another mother, Tricia Bernal, is currently in the process of setting up a Helpline for victims of stalking. Her daughter, Clare Bernal was recently murdered by an ex-boyfriend following months of harassment. While on bail, awaiting trial for stalking the 22-year-old Bernal, Michael Pech walked into Bernal’s place of employment in London and shot her before taking his own life.

The Helpline will offer specialist support for victims of stalking and harassment, and will be run by the Suzy Lamplugh Trust, the Network for Surviving Stalking and the charity Tricia created on behalf of her daughter, Protection Against Stalking.

The Helpline, to be launched in April, is the first specific-to-stalking helpline service in the UK. Each year, approximately 1.5 million people are stalked in the UK, making the Helpline a vital service.

GHANA TO ESTABLISH DATABASE ON HUMAN TRAFFICKING

Following the Trafficking Persons Report published in 2009 by the US Department of State, a 17-member national steering committee has settled in Accra, Ghana, and plans to develop a database that will aid in the intervention of human trafficking and the prosecution of traffickers.

Human trafficking is roughly a \$7-12 billion US per year industry, the third most profitable form of trafficking in the world. However, although trafficking in other forms often calls for stiff penalties, human trafficking does not. Countries such as Ghana have difficulty implementing punishments due to limited resources, and although steps have been taken to support the Human Trafficking Act established in 2005, the government still has difficulty prosecuting and punishing trafficking offenders.

The Trafficking Person Report (TIP) suggests that Ghana increases its’ efforts to prosecute and convict offenders involved in all forms of trafficking – of children as well as women. However, the



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lack of structured organizations and services make it difficult to catch, prosecute and convict these offenders.

Thus, the implementation of the Database of Human Trafficking was developed. The Ministry of Women and Children Affairs (MOWAC) and the Rescue Foundation of Ghana are collaborating, with support from the British High Commission, to develop a database that will aid in the undertaking of interventions to combat human trafficking.

“The database will serve as a source of information on human trafficking for planning and implementation of projects in the sector,” says Mrs. Sylvia Hinson-Ekong, Executive Director of Rescue Foundation Ghana. “I hope this partnership example between government and civil society will be more replicated in other sectors to accelerate national development.”

