



# National Justice Network Update



**JULY 2009**

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**Hello,**

Welcome to the JULY issue of the National Justice Network Update. As always, our goal is to provide you with updates on what bills have been introduced and what stage they are at; who is doing what for victims and what is happening in areas such as young offenders, high-risk offenders, conditional release and victims' rights.

This month's articles were written by our long-time volunteer Laura Tanner. Thank you Laura!

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**Canadian Resource Centre for Victims of Crime**

Visit: <http://www.crcvc.ca>

Email: [crcvc@crcvc.ca](mailto:crcvc@crcvc.ca)

Phone: 1.877.232.2610

## **PRISONS NOT CONSISTENTLY PROVIDING REHABILITATION PROGRAMS**

A report from Canada's corrections watchdog suggests that rehabilitation programs are not always available to inmates due to lack of funding, or availability of program facilitators. Inmates are being placed on long waiting lists, which may delay their conditional release, and may eventually prevent them from participating in rehabilitation programs. One facility, Warkworth penitentiary, was cited as having 103 sex offenders on a waiting list for the National Maintenance Sex Offender Program.

Howard Sapers, the Correctional Investigator, said that inmates are often not receiving the "necessary programs and treatment to increase their chance of success in the community".

The Correctional Service of Canada Review Panel recommended replacing Warkworth along with five Kingston area prisons with a regional detention centre housing upwards of 2,000 inmates, in order to facilitate services and access to inmate programs.

The CRCVC is distressed to learn about sex offenders who may not received adequate treatment before being re-released into society. We will write to the Commissioner to urge that this public safety concern be remedied.

## **OFFICE FOR VICTIMS OF CRIME LAUNCHES NEW WEBSITE**

The Office for Victims of Crime, (OVC), an organization providing advice to the Attorney General of Ontario on matters of importance to victims of crime, has launched a new website at [www.ovc.gov.on.ca](http://www.ovc.gov.on.ca). The OVC, which seeks input from victims and victim stakeholders, hopes the website will raise awareness of the organization.

## **SENATE INTRODUCES BILL DEDICATED TO SEPTEMBER 11<sup>TH</sup>**

A bill recommending that September 11<sup>th</sup> be dedicated to volunteerism and reflection on the importance of fighting terrorism has been introduced in the Senate. The full name of Bill S-240 is *An Act respecting a national day of service to honour the courage and sacrifice of Canadians in the face of terrorism, particularly the events of September 11, 2001*. The USA has already passed a similar bill. Twenty-four Canadians were killed in the attacks of September 11<sup>th</sup>.

Senator Pamela Wallin, who introduced the bill, said: "September 11<sup>th</sup> is our opportunity to do more than just express sympathy for the losses of our neighbours to the south. This year we can show a friend or neighbour a simple act of kindness in the service of remembering the victims of 9/11."

## **STUDY COMMENCES ON SEXUAL EXPLOITATION OF CHILDREN**

The Standing Senate Committee on Human Rights is undertaking a



**CANADIAN RESOURCE CENTRE FOR VICTIMS OF CRIME**

Ensuring the equitable treatment of crime victims in Canada



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## **ORTHOPEDIC SURGEONS IN A POSITION TO HELP ABUSED WOMEN: STUDY**

A recent study suggests that Canada's orthopedic surgeons are in a good position to identify and help women who are being abused, but may not be doing so due to a lack of awareness.

The study suggests that four in ten fracture patients had experienced some kind of abuse, one in 10 had been severely hurt by abuse in the previous year and 2.5% were currently getting help for an abuse-caused injury. It is thought that only about 20% of abused women report their abuse when initially admitted to emergency.

Reacting to the study, the Canadian Orthopedic Association has issued a new, four-page statement guiding its surgeons to try to identify and offer aid to the victims.

Dr. Mohit Bhandari, who holds the Canada research chair in musculoskeletal trauma at McMaster University, presented the study at a recent association conference, and said that orthopedic surgeons were "a little bit surprised, if not shocked. I think there is almost a sense of embarrassment - 'I can't believe that we've been letting this go on.' But I truly believe it was not deliberate. It was a personal perception: They just didn't see it."

Lesley Ackrill, executive manager of Toronto's Interval House, the country's first battered-women's shelter, thinks this is good news. "It could save a woman's life," she said. "That kind of gentle questioning or acknowledgement could actually make her feel safe enough to go and get help.... If it's a broken bone it's already escalated, in our eyes, way too far."

## **CROWN SEEKS ADULT SENTENCE FOR STEFANIE RENGEL'S KILLER**

Stefanie Rengel, 14, was fatally stabbed on January 1, 2008 after being lured out of her home by a teenaged boy. The boy, who cannot be named under young offender legislation has been convicted of first-degree murder and will be sentenced this fall.

The Crown has successfully argued that the boy was following orders from his girlfriend, who was obsessively jealous of Stefanie, a girl she had never met. The girlfriend has also been convicted of first-degree murder, based on extensive evidence from online chats with her boyfriend wherein she consistently instructed him to kill Stefanie.

What is unusual about this case is that the girl, M.T., showed an alarming lack of guilt throughout the trial, wherein it will be

study on the sexual exploitation of children in Canada scheduled for completion in March 2010. The Committee has requested the people or organizations wishing to make a submission contact Adam Thompson, the committee's clerk (visit: <http://www.parl.gc.ca>).

Witnesses, who will be chosen by the steering committee, will have the opportunity to make policy recommendations.

## **TEN YEARS LATER, TEEN LEFT FOR DEAD CONTINUES TO HEAL**

Ten years ago, Jonathan Wamback was brutally beaten by three teens, and left to die. He was 15, and slipped into a three-month-long coma, suffered life-threatening injuries and brain damage, and was not expected to walk again.

Today, Wamback attends York University, plans on getting his Masters in Literature, and walks confidently. In his own words, it has been a battle to regain his physical strength, and heal his emotional wounds.

"The biggest thing I miss from before the injury was feeling that everything was going to be all right," he says. "Feeling a positive energy about my future, feeling invulnerable." Wamback says he faced emotional problems after the attack, but that he has come a long way.

Three teens were charged with Wamback's attempted murder, but the charges were subsequently reduced to aggravated assault, and only two of the three were convicted.

Jonathan's parents, Joe and Lozanne, launched the Canadian





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determined if she is sentenced as a child or as an adult. A youth sentence would put the girl in jail for up to six years, with four years of community service, while an adult sentence could mean a life sentence with potential for parole after five to seven years, but would see her be on parole for the rest of her life.

Dr. Philip Klassen, a forensic psychiatrist appointed by the court, said that he was startled by the girl's "somewhat striking lack of empathy and consistent self-preoccupation," and by "the extent to which M.T. continues to dismiss or minimize her role" in the murder. Dr. Klassen also observed that though the girl cried during the trial, she seemed to be crying for herself, rather than out of remorse, and that she "feels profoundly put upon by the legal process she's been through."

Stefanie's family read victim impact statements at the girl's trial. Her mother, Patricia Hung said memories of how her daughter died haunt her every day; she cannot sleep, is unable to watch videos or speak of Stefanie for fear of falling deep into despair. "I have wanted so many times to not be alive, to stab myself and feel exactly what she felt, an incomprehensible need to experience her pain," she said in court. "I want inner peace, which is believed to come from forgiveness, but I am unable to forgive someone who has shown no remorse."

## PICKTON LOSES PROVINCIAL APPEAL

In 2007, Robert Pickton was convicted of 6 counts of murder and sentenced to life in prison. This month, his conviction was upheld in BC's Court of Appeal; however, the case is likely to go to the Supreme Court of Canada. In the same decision, the Appeal court judges ruled that it was wrong to have split Pickton's trial in two. Pickton was charged with another 20 murders, but not tried for these crimes.

Maggy Gisle, who was friends with four of Pickton's victims, made the following analogy: "You know when you hold your breath, and hold your breath, and hold it so long it hurts? That's what it feels like."

Some victims want Pickton to be tried for all 26 murders, in order to see justice for their loved ones.

Pickton was convicted of killing Georgina Papin, Sereena Abotsway, Mona Wilson, Andrea Joesbury, Brenda Wolfe and Marnie Frey. He allegedly admitted to an undercover cop posing as a fellow detainee that he murdered 49 victims. Over 60 women have gone missing from Vancouver's Downtown Eastside since the mid-1990s.

One question that remains unanswered from Pickton's trial is whether he acted alone. The defence has highlighted three other suspects in the murders, including Pickton's business

Crime Victim Foundation ([www.ccvf.net](http://www.ccvf.net)), and have lobbied to toughen young offender legislation.

## INCREASE IN TEEN SEX TRADE ALARMS POLICE

The North Vancouver RCMP Youth Intervention Unit has warned parents and the public that there appears to be an increase in online teen prostitution, with a group of individuals pressuring women as young as 16 to become prostitutes. The Unit cites an increase in advertising on Craigslist, for services such as "car dates", some of which are even more alarmingly listed as "uncovered", meaning without a condom.

The unit has been investigating claims made last November that former high school students were pimping current students at a North Vancouver school. The claims were found to be true, and highlight an increase in North Vancouver youths involved in teen prostitution.

Constable Shannon Kitchen, a member of the unit, suggests that a number of pimps are targeting young girls, "(the young women) are given these gifts, thinking it's a boyfriend-girlfriend relationship," she said. "But the next thing you know, it's turned (into): 'This wasn't free; this is a business; you're not my girlfriend. You owe me money and you now have to go work it off.' These young women are victims; they're being exploited. We're trying to use whatever means we can to assist them."

The RCMP has asked the public to be on the lookout for warning signs, which include truancy, increased drug use, the sudden appearance of expensive goods without an obvious source of





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associate Pat Casanova, and his friends Dinah Taylor and Lynn Ellingsen. These suspects were investigated by the RCMP, who concluded that there was no evidence to justify charges against them.

## **CYBER-STALKING LAW INTRODUCED AFTER MISSOURI TEEN'S SUICIDE**

A Missouri mother was acquitted in a California court this month, and a cyber-stalking law now in place came too late to convict her.

In 2006, 13-year-old Megan Meier, began a friendship on MySpace with a boy named Josh Evans. After Josh turned on her, telling her "You are a bad person and everybody hates you...the world would be a better place without you." Megan hung herself in her closet.

It turns out that Lori Drew, a mother of one of Megan's former friends, was masquerading as Josh to find out what Megan was saying about her daughter, and with the goal of humiliating Megan. Unfortunately, no law applied with which prosecutors could charge Drew in her role in Megan's death. Instead, Drew was charged under the federal Computer Fraud and Abuse act, normally used for hacking and trademark theft cases, for violating MySpace's terms of service by creating a fake account.

A Los Angeles judge has acquitted Drew, stating that violations of the terms of service are so common that holding one person criminally liable would subject to many others to prosecution. This case has led to the introduction of the Megan Meier Cyberbullying Prevention Act, which is now pending in congress. While this law fills gaps in a legal system that is catching up to technology, it comes too late for justice in the case of Megan Meier.

## **MURDER VICTIM'S MOTHER AUTHORS BOOK**

A security camera outside a Surrey Central SkyTrain station captured the last six minutes of Matthew Martins' life, as he was beaten and had his throat slashed. These six minutes motivated the title of Martins' mother's book. Sandra Martins-Toner has authored a book titled, "The Last Six Minutes: A Mother's Loss and Quest for Justice", to ensure that her son will never be forgotten.

Robert Forslund, then 28, was convicted for the murder and is serving a life sentence. His girlfriend, Katherine Quinn, now 27, was convicted of second-degree murder as well, but has recently been granted a new trial.

In her book, Matthew's mother recalls of how her son's death left her frightened, guilty, and filled with sorrow and a deep

income.

## **SUPREME COURT TO REVIEW VERDICTS ON BRUTAL RAPE AND MURDER**

In 2005, 13-year-old Nina Courtepatte was lured from the West Edmonton Mall and driven to a secluded golf course where she was sexually assaulted and beaten to death with a sledgehammer. The Supreme Court of Canada is now reviewing the verdicts for three of the five people accused in the brutal crime.

Stephanie Bird, who was 17 at the time of the murder, was accused of first-degree murder but found guilty of manslaughter in her role in the killing. This was partially because she left the scene before Nina was killed. Bird was also found guilty of kidnapping and aggravated sexual assault, and is currently serving a 12-year sentence.

Joseph Laboucan, 23, has already seen his first-degree murder conviction overturned by the Alberta Court of Appeal, which ordered a new trial due to an inconsistency in the way the judge dealt with witness testimony. Similarly, the case against Michael Briscoe is being reviewed.

The remaining two accused in the case are serving their sentences. A teenaged girl, whose identity is protected as a young offender, was found guilty of second-degree murder and aggravated sexual assault; however her maximum youth sentence of four years in jail and three years of community supervision is being appealed. Finally, Michael Williams, 21, pleaded guilty to first-degree murder, and his life sentence was upheld in Alberta's Court of Appeal.





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hatred for his murderers.

Says Martins-Toner: "There were times I, honest to God, thought this is not worth it, all the pain."

Martins-Toner and her husband founded the victim's advocacy group Families Against Crime and Trauma, FACT, dedicated to helping others in similar circumstances contend with the aftermath of violent crime. The organization also lobbies the government for changes to the law in support of victims.

"We reach out to other families and guide them through the process. Some people think it's healthier to put things behind you and move on. Matty was my best friend and I can't do that. If I hadn't done this, hadn't reached out to others, I think I would have already lost my mind," Martins-Toner said.

Martin-Toner's book is due for release in bookstores soon, and is already available at [www.aaspirationspublishing.com/the-last-six-minutes.html](http://www.aaspirationspublishing.com/the-last-six-minutes.html).

Needless to say, the lengthy appeal process, as well as the reduced charges, has dismayed the victim's family.

